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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 1346/2015**

COURT ON ITS OWN MOTION (AIR POLLUTION IN DELHI) Petitioner

Through : Mr Kailash Vasdev, Sr. Adv. with Ms Ekta Mehta, Mr Shreyans Singhvi, Mr S. Singh Sandhu and Mr U.S. Rawat, Advs. for Amicus Curiae.

versus

UNION OF INDIA & ORS

..... Respondents

Through : Mr Vivek Goyal with Ms Namisha Gupta for UOI.
Mr Ajjay Aroraa with Mr Kapil Dutta for SDMC.
Mr Anshuman, Advocate for Delhi Cantonment Board.
Mr Peeyoosh Kalra, Advocate for GNCTD.
Mr Anil Grover, Advocate for NDMC.
Mr Pawan Mathur, Mr Dhanesh Relan and Mr Arush Bhandari for DDA.
Mr Ajay Digpaul with Mr Kunal Gosain for UOI.
Mr Sanjay Lao, Advocate for Delhi Police.
Mr Rahul Mehra, Senior Standing Counsel for GNCTD
Mr Sanjeev Ralli, Adv. with Mr Vinod Kapoor, Mr Dinesh Jindal, Advs. for DPCC.

CORAM:

HON'BLE MR. JUSTICE BADAR DURREZ AHMED

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **05.05.2016**

On the previous occasion, we had given certain directions to the Central Government as also to the State Government, as noted in our order dated 07.04.2016. The learned counsel appearing on behalf of the Ministry of Home Affairs has shown us a communication, which he has received from the said Ministry dated 26.04.2016 along with which there is an enclosure indicating the allocation of specific funds for specific purposes, timelines for implementation of the ITMS, use of helicopters by the Delhi Traffic Police for traffic management

and medical emergencies and for specifying timelines for acquisition of equipment in sync with modern technology for traffic management in Delhi.

Mr Goyal, the learned counsel appearing on behalf of the Ministry of Home Affairs, states that the said documents and details along with an affidavit shall be filed within two weeks. The minutes of the meeting held on 22.04.2016, referred to in the said document, shall also be filed along with the said affidavit.

On going through the said communication, which was placed before us by Mr Goyal, it appears that out of the funds of Rs 275.08 crores, which had been approved under the 12th Plan for implementation of modernization of traffic and communication network of Delhi, only an amount of Rs 100.67 crores has been spent till 31.03.2016. This means that for the last financial year under the 12th Plan, there is a sum of approximately Rs 175 cores available with the Delhi Police for spending under the said plan.

Consequently, we direct the Delhi Police to file an affidavit indicating as to how it would be spending this balance amount during this year along with specific timelines. The said affidavit be filed within two weeks.

Mr Kailash Vasudev, the learned amicus curiae has taken us through the orders passed by the Supreme Court in the case of **M.C. Mehta v. Union of India & Ors.** from January 1996 to April 1996. In those orders it is revealed that the governmental agencies had furnished the data with regard to the forests in Delhi and the ridge areas. Mr Rahul Mehra who is present in court on behalf of the Government of NCT of Delhi shall file an affidavit indicating the status of the forests and ridge areas as they existed in 1996 in terms of the reports submitted to the Supreme Court and the position as it exists today. The affidavit be furnished within six weeks. Copies of the reports as given to the Supreme Court be placed on record here also.

We had also proposed to take up the issue of waste management and landfill sites today and Mr Kailash Vasudev has also come ready with submissions on that but Mr Ajjay Arorra who appears on behalf of the Municipal Corporation of Delhi is reportedly unwell therefore we are not taking up this issue today. The

issue of landfill sites would be taken up on 19.05.2016.

Dasti under the signature of the Court Master.

BADAR DURREZ AHMED, J

SANJEEV SACHDEVA, J

MAY 05, 2016

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