

\234;

ITEM NO.1

COURT NO.10

SECTION PIL

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

I.A. NOS.23, 40, 42, 43, 55, 56, 57 & 63, 64, 65, 66, 67, 68 & 69
IN WRIT PETITION [C] NO. 657/1995

RESEARCH FOUNDN. FOR SCIENCE TECHNOLOGY &
NATIONAL RESOURCE POLICY

Petitioner(s)

VERSUS

U O I & ANR.

Respondent(s)

(For directions, clarification, impleadment, exemption from
filing O.T. and office report)

WITH

S.L.P. (C) No.16175 of 1997
(With appln.(s) for ex-parte stay)
[For Final Disposal]

Civil Appeal No.7660 of 1997
(With office report)
[For Final Disposal]

Contempt Petition (C) No.155/2005 in WP(C) No.657/1995
(With appln.(s) for directions and office report)
[For Final Disposal]

Date:12/02/2014 These Petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE H.L. GOKHALE
HON'BLE MR. JUSTICE KURIAN JOSEPH

For Petitioner(s)

In WP 657/1995: Mr. Sanjay Parikh,Adv.

Ms. Mamta Saxena,Adv.
Ms. Bushra Parveen,Adv.
Ms. N. Vidya,Adv.
Mr. A.N. Singh,Adv.

For Intervenors:

Ms. Karuna Nundy,Adv.
Ms. Aparna Bhat,Adv.

In CA 7660/1997:

Mr. P. Parmeswaran,Adv.

In SLP 16175/1997:

Ms. B. Vijayalakshmi Menon,Adv.

For Respondent(s)

Ms. Hemantika Wahi,Adv.
Mr. S. Deshpande,Adv.

For O. Liquidator

Mr. Manish Kumar Bishnoi,Adv.

Ms. Meenakshi Vij,Adv.

Ms. Karuna Nundy,Adv.
Ms. Aparna Bhat,Adv.

Mr. Sudarshan Menon,Adv.

Ms. Anitha Shenoy,Adv.

For Union of India: Mr. Rakesh Kr. Khanna,ASG
Mr. Sidharth Luthra, ASG
Ms. Asha G. Nair,Adv.
Ms. Kiran Bhardwaj,Adv.
Ms. Sunita Sharma,Adv.
Mr. D.S. Mahra,Adv.

For MoEF: Mr. S.P. Singh,Sr.,Adv.
Ms. Kiran Bhardwaj,Adv.
Mr. S.N. Terdal,Adv.
Mr. S.K. Bajwa, Adv.
Mr. Shashank Bajwa,Adv.
Mr. Shashank Bajpai, Adv.

Dr. Manish Singhvi,AAG
Mr. Amit Lubhaya,Adv.
Mr. Irshad Ahmad,Adv.

For UPPCB Mr. Pradeep Misra,Adv.
Mr. Shashank Pandit,Adv.

For Deptt. of Customs: Mr. Arijit Prasad,Adv.
Mr. T.A. Khan,Adv.
Mr. B.K. Prasad,Adv.

for M/s. J.S. Wad & Co.,Advs.

For Director: Mr. C. Mukund,Adv.
Mr. Ashok K. Jain,Adv.
Mr. Pankaj Jain,Adv.
Mr. Bijoy Kumar Jain,Adv.

For Nagaland Mrs. K. Enatoli Sema,Adv.
Mr. Amit Kumar Singh,Adv.

For Odisha PCB: Mr. Ashok Kumar Panda,Sr.Adv.
Mr. Rutwik Panda,Adv.

Mr. Sunil Fernandes,Adv.
Mr. Raghav Chadha,Adv.

Mr. P.S. Sudheer,adv.

Mr. A. Raghunath,Adv.

For Sikkim: Mr. A. Mariarputtam, AG
Ms. Aruna Mathur,Adv.
Mr. Yusuf Khan, Adv.

For Director, Sc. Tech.
and Environment Mr. Bhavanishankar V. Gadnis,Adv.

For CPCB: Mr. Vijay Panjwani,Adv.

Mr. Syed Tabinda, Adv.
Mr. Praveen Swarup,Adv.
Mr. R.K. Singh,Adv.
Mr. Viraj Gupta,Adv.

Mr. A.K. Sharma,Adv.

For Puducherry: Mr. V.G. Pragasam,Adv.
Mr. S.J. Aristotle, Av.
Mr. Prabu Ramasubramanian, Adv.
Mr. K.K. Gupta,Adv.

Mr. Pramod Dayal, Adv.

Mr. Sushil Kumar Jain, adv.

Mr. M.J. Paul, Adv.

For TNPCB : Mr. B. Balaji, Adv.
Mr. Rakesh Sharma, Adv.
Mr. Anand Satigarahan, Adv.
Mr. A. Selvin Raja, Adv.

For JNPT: Mr. Ajay Sharma, Adv.
Ms. Neelam Sharma, Adv.

For Haryana: Mr. Manjit Singh, Add
Mr. Tarjit Singh Chikkara, Adv.
Mr. Nupur Chaudhary, Adv.

For HP: Mr. Suryanarayana Singh, AAG
Ms. Pragati Neekhara, Adv.

For Arunachal Pradesh: Mr. Anil Shrivastav, Adv.
Mr. Niru Das, Adv.

For Bihar: Mr. Gopal Singh, Adv.
Mr. Manish Kumar, Adv.
Mr. Chandan Kumar, Adv.

UPON hearing counsel the Court made the following
O R D E R

IA NO.43 OF 2007 IN WRIT PETITION [C] No.657 of 1995

Ms. Karuna Nandy, learned counsel appearing for some organizations from Bhopal has filed an affidavit of one Mr. Satinath Sarangi affirmed on 3rd January, 2014. Mr. Sarangi, in his affidavit, accepts that there has been some good progress with respect to laying down of the pipelines for proper water supply in the affected areas of Bhopal as also with respect to sewage facilities. He, however, points out that still good amount of work is incomplete in different communities which were affected by toxic contamination of ground water. The affidavit prays that the Monitoring Committee be asked to make a physical verification of the incomplete water supply and drainage related problems.

2. Mr. C.D. Singh, who is supposed to appear for the State of Madhya Pradesh is not present.

3. Mr. S.P. Singh is present for the Ministry of Environment and Forests. Mr. Rakesh Kumar Khanna, learned Additional Solicitor General of India is also present for the Ministry. They have no objection to the physical verification as sought for.

4. We, therefore, direct the Monitoring Committee to make a physical verification of the incomplete water supply and drainage related problems in the affected communities. It will take some time, so the report be presented within four weeks.

5. It was directed on 6th November, 2012 that the pipelines supplying drinking water should not be in close proximity with drainage system. The Committee will make a report on that aspect also.

6. Since the Committee is asked to make a report, it does not mean

that the work with respect to laying down of pipelines itself should not be proceeded. The Bhopal Municipal Corporation should proceed with the work in the meanwhile as expeditiously as possible.

List the IA after four weeks.

I.A. NOS.23, 40, 42, 55, 56, 57 & 63, 64, 65, 66, 67, 68& 69 IN WRIT
PETITION [C] NO. 657/1995

List on 13.2.2014.

(Gulshan Kumar Arora)
Court Master

(Sneh Lata Sharma)
Court Master