

ITEM NO.1 Court No.1 (Video Conferencing) **REVISED**  
SECTION PIL-W

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

Writ Petition(s)(Civil) No(s).13381/1984

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IN RE: TAJ TRAPEZIUM ZONE(1) IA NO. 42482/2020 (APPLN. FOR MODIFICATION OF ORDER DT. 06.12.2019 ON BEHALF OF STATE OF U.P.)

(2) IA NOS. 196157, 196158 AND 196159/2019 (APPLNS. FOR INTERVENTION, DIRECTIONS AND EXEMPTION FROM FILING O.T. ON B/O DR. SHARAD GUPTA)

(3) IA NOS. 183912, 183918 183919/2019 (APPLNS. FOR INTERVENTION, DIRECTIONS AND EXEMPTION FROM FILING O.T. ON BEHALF OF DR. SHARAD GUPTA)

(4) IA NOS. 77043, 77049 AND 77053/2020 (APPLNS. FOR IMPLEADMENT, DIRECTIONS AND EXEMPTION FROM FILING O.T. ON B/O DR. SHARAD GUPTA)

(5) IA NOS. 172361, 172378, 172379/2018, 10370 AND 10371 OF 2021 (APPLNS. FOR INTERVENTION, DIRECTIONS AND EXEMPTION FROM FILING O.T. ON B/O AGRA NAGAR NIGAM "ONLY" IN W.P. (C) NO. 13381/1984

Date : 18-02-2021 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE A.S. BOPANNA  
HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN

Counsel for the parties:

Mr. A.D. N. Rao,Adv.

Mr. Anil Katiyar,Adv.

Mr. M.K. Maroria,Adv.

Mr. Tushar Mehta,SG  
Ms. Aishwarya Bhati,ASG  
Mr. G.S. Makker,Adv.  
Mr. D.L. chidananda,Adv.  
Ms. Suhasini Sen,Adv.

Mr. S.S. Rebello, Adv.  
Mr. Kanu Agrawal, Adv.  
Ms. Archana Pathak Dave, Adv.

Mr. Tushar Mehta, Ld. S.G.  
Mr. Sanjay Upadhyay, Adv.  
Ms. Mayuri Raghuvanshi, AOR  
Ms. Vyom Raghuvanshi, Adv.  
Mr. Salik Shafique, Adv.  
Mr. Akshat Singh, Adv.

Ms. Aishwarya Bhati, Ld. ASG  
Mr. Rajeev Kumar Dubey, Adv.  
Mr. Siddharth Krishna Dwivedi, Adv.  
Mr. Ashwan Mishra, Adv.  
Mr. Kamendra Mishra, AOR

Mr. Vijay Panjwani, Adv.

Mr. Ankur Praksh, Adv.

Mr. K.C. Jain, Adv.  
Mr. Rajesh Kumar, Adv.  
Mr. E.C. Agrawala, Adv.

Mr. Siddhesh Kotwal, Adv.  
Mr. Divyansh Tiwari, Adv.  
Ms. Ana Upadhyay, Adv.  
Ms. Manya Hasija, Adv.  
Mr. Nirnimesh Dube, AOR

**Petitioner-in-person**

**Applicant-in-person, AOR**

Mr. Atishi Dipankar, AOR

Mr. Sudhir Kulshreshtha, AOR

Mr. M. R. Shamshad, AOR

Mr. Rakesh Mudgal, AAG  
Dr. Monika Gusain, Adv.

Mr. Vishwajit Singh, AOR

Mr. P. K. Manohar, AOR

Mr. Lakshmi Raman Singh, AOR

Mr. Nikhil Goel, AOR

Mr. Pradeep Misra, AOR  
Mr. Suraj Singh, Adv.

Mr. Ajit Sharma, AOR

Dr. (Mrs. ) Vipin Gupta, AOR

Mr. P. Parmeswaran, AOR

Mrs. Rachana Joshi Issar, AOR

Mr. Prashant Kumar, AOR

Mr. P. Narasimhan, AOR

Mr. Rajiv Tyagi, AOR

M/S. Manoj Swarup And Co., AOR

Mr. Ajay K. Agrawal, AOR

Dr. Sumant Bharadwaj, Adv.  
Ms. Mridula Ray Bharadwaj, AOR  
Mr. Vedant Bharadwaj, Adv.

Mr. Shiv Prakash Pandey, AOR

Mrs. Laxmi Arvind, AOR

Mrs. Suchitra Atul Chitale, AOR

Mr. Badri Prasad Singh, AOR

M/S. Lawyer S Knit & Co, AOR

Mr. Ravi Prakash Mehrotra, AOR

Mrs. Rachna Gupta, AOR

Mrs. Rachana Joshi Issar, Adv.  
Ms. Nidhi Tewari, Adv.

Mr. Abhinav Agrawal, AOR

Mr. Abhinav Shrivastava, AOR

Mr. Abhishek Chaudhary, AOR

Mr. Saurabh Mishra, AOR  
Mr. Onkar Singh, Adv.  
Ms. Neha Tripathi, Adv.

Mr. Gaurav Goel, AOR  
Mr. Rajesh Kumar, Adv.  
Mr. Anshul Gupta, Adv.  
Mr. Deepesh Raj, Adv.  
Mr. Nihaar Reddy, Adv.

Mr. Nischal Kumar Neeraj, AOR

M/S. Gsl Chambers, AOR

Ms. Aparna Bhat, AOR

Mr. Gaurav Agrawal, AOR

Mr. Arvind Kumar Sharma, AOR

Mr. Raghvendra Singh, Adv. General, UP  
Ms. Aishwarya Bhati, ASG  
Mr. Shantanu Krishna, AOR  
Mr. Kumar Ayush, Adv.  
Mr. Shashank Shukla, Adv.

Dr. Manish Singhvi, Sr. Adv.  
Mr. Sandeep Kumar Jha, AOR

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

I.A NO. 42482/2020

List this I.A. after two weeks along with I.A. No. 6853 of 2021 as mentioned by Mr. Abhay Gupta, learned counsel.

I.A NOS. 196157, 196158 AND 196159/2019

The proposal in these interlocutory applications may be vetted by Central Empowered Committee (CEC).

Ordered accordingly.

List these I.As after four weeks.

IA NOS. 183912, 183918 183919/2019

At the request of Ms. Aishwarya Bhati, learned Additional General for the respondent-State, list these I.As after six weeks.

**I.A NOS. 77043, 77049 AND 77053/2020**

List these I.As along with I.A. No. 11157 of 2019 as mentioned by Ms. Mridula Ray Bhardwaj, learned counsel after four weeks.

**I.A NOS. 172361, 172378, 172379/2018, 10370 AND 10371 OF 2021**

I.A. No. 172361 of 2021 for intervention is allowed for the purpose of passing orders in the instant interlocutory applications for directions.

By these interlocutory applications for directions, the Agra Nagar Nigam has prayed for permission to establish waste to energy plant & construction and demolition plant in Kuberpur landfill site at Agra.

Mr. Tushar Mehta, learned Solicitor General of India has pointed out to a letter dated 08.01.2021 by which the Vice-Chairman of the Agra Development Authority has written to the Municipal Commissioner, Agra, stating that an application may be filed again in the Taj Trapezium Zone (TTZ) after taking permission from this Court for the establishment of the plant.

We find that this question is squarely covered by our order dated 06.12.2019 in which this Court has clearly stated that there shall be no impediment for the authorities to consider the pending environmental clearance which are necessary to secure essential amenities within Taj Trapezium Zone (TTZ). This Court also observed that not allowing construction of such basic infrastructure can itself create new polluting waste and threaten the environment. We are informed that the Agra Nagar Nigam has obtained all necessary

clearances.

In these circumstances, we consider it appropriate to grant the application. The applications for directions are therefore allowed in terms of prayer 13(a) which reads as under:

"13(a) Allow to the applicant to establish waste to energy plant & construction & demolition plant in Kuberpur landfill site at Agra in accordance with law".

Ordered accordingly.

Rest of the interlocutory applications shall stand disposed of.

(MADHU BALA)  
AR-CUM-PS

(INDU KUMARI POKHRIYAL)  
ASSISTANT REGISTRAR

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(INDU KUMARI POKHRIYAL)  
ASSISTANT REGISTRAR