

ITEM NO.301

COURT NO.1

SECTION PIL(W)

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

I.A.NOS. 460, 547 AND 555-557 In
Writ Petition(Civil) NO. 13381/1984

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(For direction, impleadment, permission regarding felling of
trees and exemption from filing O.T. and office report)

Date : 03/02/2016 These applications were called
on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE C. NAGAPPAN

For Petitioner(s) Mr. M.C. Mehta, In Person

For Respondent(s) Mr. A. Venkatesh, Adv.
Mr. Sudipto Sircar, Adv.
Ms. Ankita Chadha, Adv.
for Mr. A.D.N. Rao, Adv.

Mr. Gaurav Bhatia, AAG
Mr. Utkarsh Jaiswal, Adv.
Ms. Suvira Lal, Adv.
Mr. Abhishek Chaudhary, Adv.

Mr. M.R. Shamshad, Adv.
Mr. Shashank Singh, Adv.

Mr. S. Wasim A Qadri, Adv.
Mr. Jubair Ahmad Khan, Adv.
Mr. Zaid Ali, Adv.
Mr. Tamim Qadri, Adv.
Mr. Saurabh Chopra, Adv.
Mr. L.R. Singh, Adv.

Mr. N.K. Karhail, Adv.
Mr. S.N. Terdal, Adv.

Mr. Vijay Panjwani, Adv.

Mr. B.V. Balram Dass, Adv.

Mr. D.S. Mahra, Adv.

Mr. Ajit Sharma, Adv.

Ms. Rachna Joshi Issar, Adv.

UP Pollution
Control Board

Mr. Pradeep Misra, Adv.

Mr. T. Mahipal, Adv.

Mr. Suraj Singh, Adv.

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

I.A. No. 547

In this application, the State of Uttar Pradesh, Department of Tourism, has prayed for permission to convert, to the extent of 500 meters from Taj Mahal three approach roads into cobbled stone roads instead of existing black surface (bituminous) roads.

We had directed the respondents, including Shri A.D.N. Rao, learned counsel for the Archeological Survey of India (ASI) to seek instructions and to file their reply to the application. When the matter came for orders today, our attention was drawn by learned counsel for the State to the minutes of a meeting held on 15.12.2015

under the Chairmanship of Director General (ASI) to discuss proposal for development of Taj Ganj Area near Taj Mahal at Agra. A reading of the said minutes shows that the ASI and other Engineering experts have agreed that the approach roads mentioned above could be converted to cobbled roads using sandstone instead of granite as proposed earlier.

Shri M.C. Mehta, petitioner appearing in person and Shri A. Venkatesh, learned counsel appearing on behalf of Shri A.D.N. Rao, submit that in the light of the consensus that has emerged in the meeting mentioned above, there should be no difficulty in allowing this application for development/conversion of the approach roads from black surface (bituminous) roads to cobbled roads using sandstone instead of granite or any other material as proposed earlier. The experts appear to have considered sandstone as more compatible with the historic fabric of Mughal period during which the Taj Mahal was constructed.

We accordingly allow this application and permit the State Government to develop/convert to the extent 500 meters from Taj Mahal three approach roads

referred to earlier into cobbled stone roads instead of existing black surface (bituminous) roads using sandstone with alignment of each such stone being placed vertically.

I.A. No. 547 is allowed in above terms.

I.A. Nos. 555-557

We request the C.E.C. to examine the prayers in these applications and submit a suitable report expeditiously, preferably within six weeks.

List after the report is filed.

I.A. No. 460

Shri Gaurav Bhatia, learned Additional Advocate General appearing for the State of Uttar Pradesh seeks further four weeks' time to file a status report in terms of our order dated 14.09.2015 regarding the extent of plantation work already undertaken by the State Government (Forest Department). Let the needful be done within four weeks.

List I.A. No. 460 also along with other applications which are listed on 28.03.2016.

[Charanjeet Kaur]
A.R.-cum-P.S.

[Saroj Saini]
Court Master