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W.P(C)No. 13381 OF 1984  
ITEM NO.41COURT NO.3 SECTION PIL

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

I.A.NO 366-369 in WP @ no.13381/1984

M.C. MEHTA Petitioner(s)

VERSUS

UNION OF INDIA & ORS. Respondent (s)

(for impleadment, directions and exemption from filing O.T. on behalf of Bajrang Brick Field & Ors.)

WITH I.A.NOS.389-390 IN WP @ 13381/1984  
MC.MEHTA VS. UOI & ORS.  
(for directions and exemption from filing O.T. filed by A.C.)

Date: 25.7.2003 These petitions were called on for hearing today.

CORAM:

HON'BLE MR.JUSTICE M.B. SHAH  
HON'BLE DR.JUSTICE AR. LAKSHMANAN

For the Petitioner (s)  
Mr.M.C.Mehta, In person (N/P).

Pt. Parmanand Katara, Adv.,  
Dr.Kailash Chand, Adv.

Mr.Krishan Mahajan, Adv. (A.C.)

For the Respondent (s)  
Mr.Rakesh Dwivedi, Sr. Adv.,  
Mr.Dinesh Dwivedi, Sr. Adv.,  
M/s.Kamlendra Mishra, Manoj Mishra,  
Rajeev Kumar Dubey, Abhishek Chaudhari, Advs.

Mr.Ashok K.Srivastava, Adv.

Mr.Krishan Mahajan, Adv.

Mr.Mukul Rohatgi, ASG,  
Mr.A.D.N Rao, Adv.,  
Mr.Hemant Sharma, Adv.,  
Mr.P. Parmeswaran, Adv.

Mr.Vijay Panjwani, Adv.

Mr.Pradeep Misra, Adv.

UPON hearing counsel the Court made the following

O R D E R

I.A.Nos.366-369. Heard the learned counsel for the parties.

It is the submission of the learned counsel for the applicants that the applicants have complied with all the recommendations made by NEERI as well as by the Central Pollution Control

Board . In this view of the matter applicants are permitted to restart their brick kilns. However, the Joint Inspection Committee to visit the sites within a period of six weeks and submit further report. If the conditions are not complied with by the applicant/s it, would be open to the Joint Inspection Committee to direct the applicant/s to close the brick kiln. The applicant/s would be liable to pay heavy costs in the event of the statement being found false.

I.A.Nos.389. Learned counsel appearing on behalf of the Union of India states that Government of India in the Ministry of Environment & Forests vide their O.M.No.Q-18011/8/2003-CPA dated 9th July 2003 has constituted a Technical Committee consisting of (1) Director, Central Water Power Research Station- Khadakwasla or nominee, (2) Director General, Archaeological Survey of India, or nominee, (3) Chief Engineer, CCU, Ministry of Environment and Forests, (4) Member Secretary, Central Pollution Control Board, to assess the work and also to find out any damage which is likely to be caused by the construction work carried out by the government agency. In this view of the matter, no further orders are required at this stage. For directions, if any, stand over for six weeks.

( Vijay Kumar Sharma )  
AR-cum-PS to Hon. Judge

(Janki Bhatia )  
Court Master