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W.P(C)No. 13381 OF 1984

ITEM No. 1

Court No. 4

SECTION PIL

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

I.A. No. 375 in I.A. No. 128 in Writ Petition (C) No. 13381/1984

M.C. MEHTA

Petitioner ~

VERSUS

UNION OF INDIA

Respondents

(On behalf of Indian Oil Corporation Ltd.)

WITH

I.A. No. 345 in WP(C) No. 13381/1984
[For Directions]

I.A. Nos. 353 & 354 in IA 345 in WP (C) 13381/1984
[For impleadment onbehalf of Hari Shanker & Anr.]

I.A. Nos. 355 & 356 in WP(C) 13381/1984
[For impleadment/stay on behalf of Sreedhar Das Chela Madan Chand
Devnath]

I.A. No. 365 in WP(C) 13381/1984
[For impleadment and directions on behalf of Gopi Nath Joshi]

Date : 21/01/2003 These applications were called on for hearing
today.

CORAM :

HON'BLE MR. JUSTICE M.B. SHAH
HON'BLE MR. JUSTICE ARUN KUMAR

For Petitioner (s)

Mr. M.C. Mehta in Person.

For Applicant (s)
in IA 375

Mr. V.N. Koura, Adv.
Mr. Sashivanshi Bahadur, Adv.
Mr. A. Mariarputham, Adv.
Ms. Aruna Mathura, Adv. for
M/s Arputham Aruna & Co., Adv.

in IA 345

Mr. M.C. Mehta, Adv.

in IA 353 & 354

Mr. Amarendra Sharan, Sr. Adv.
Mr. Irshad Ahmed, Adv.

in IA 355 & 356

Mr. Arvind Kumar, Adv.
Ms. Laxmi Arvind, Adv.
Ms. Poonam Prasad, Adv.
Ms. Jaya Sinha, Adv.

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- in IA 365 Mr. Vivek Sharma, Adv.
 Mr. S. Parekh, Adv.
 Ms. Nanita Sharma, Adv.
- For CPCB Mr. Vijay Panjwani, Adv.
- For U.O.I. Mr. Satpal Singh, Adv.
 Mr. Aeltemesh Rein, Adv.
 Mr. R.N. Poddar, Adv.
 Mr. B.V. Balaram Das, Adv.
 Ms. Niranjana Singh, Adv.
 Ms. Anil Katiyar, Adv.
- For Oswal Traders &
Travels Mr. K.K. Venugopal, Sr. Adv.
 Mr. Pravir Kumar Jain, Adv.
 Ms. Archana Jain, Adv.
- For UP Jal Nigam &
State of U.P. Mr. Ajay K. Agrawal, Adv.
 Ms. Alka Agrawal, Adv.
 Mr. Gautam Awathi, Adv.
- For Sitting Member of
Nagar Palika Mr. Sanjay Parikh, Adv.

 Mr. Krishan Mahajan, Adv.

 Mr. Pradeep Misra, Adv.

UPON hearing counsel, the Court made the following
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IA NO. 375@@
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Heard the learned counsel for the parties.

For the Hospital set up by Mathura Refiner
Monitoring Committee has formulated following action plans:

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(i) The geographical map delineating the exact territory in the district which constitutes the catchment area of the hospital.

(ii) An epidemiological survey of the catchment population for respiratory, HIV, Hepatitis-B, Polio, TB as well as nutritional status correlated with Below the Poverty Line figures obtained in co-operation with the District Statistical Office and the Public Health Unit of the area. This will enable full utilisation of the respiratory equipment in the hospital.

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- (iii) Setting up of a licensed blood bank.
- (iv) Examination of AMC contracts.
- (v) Medico/legal literacy campaigns to be initiated.
- (vi) Legal documents of transfer to NIRPHAD to be examined by the Committee.

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Learned counsel appearing on behalf of the Indian Oil Corporation submits that the aforesaid action plan is being and would be implemented by NIRPHAD namely, Mathura Refinery and Naujhil Integrated Rural Project for Health and Development. Considering this aspect, NIRPHAD is to continue till further orders. Monitoring Committee would also continue and it shall hold its meeting atleast once in six months.

IA No. 345@@
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Considered the report dated 3rd July 2000, rendered by Subhash Chandra Sharma, Additional District Magistrate, Chhata. Apart from various other illegal activities, it has been pointed out that illegal mining activities destructing forest ranges of Gahwar Forest Giri Mountain, Rinku Mountain, Ratnagiri Mountain and Swarnachal Mountain situated in Barsana Area is continuing. In order to overcome the destruction going on he has suggested the following actions to be taken:

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- (i) To stop the on going illegal mining within the boundaries of U.P., there is a need to establish a Police Chowki which should be given independent responsibility to look after

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the illegal mining. Besides this fact the numbers of employees of Excise, Forest and Horticulture Departments may be increased and put on watch so that they could take regular periodical visits.

- (ii) The stone crushers operating in Nand Gaon and Barsana areas should be effectively watched so that the business of mining and stone cutting done by them could be eyed properly.

- (iii) To protect the cultural heritage of the area it is important that the hills and the areas which have not yet been encroached be fenced with barbed wires so that at least a psychological symbolic boundaries could be created so as to avoid any future encroachments and in this regard the

appropriate responsibilities should be endowed to the forest and horticulture departments.

(iv) If possible it is required that the total area of 77.115 hectares be declared as Protected Forest Area. The immediate recommunication is required to be made with Prabhagiya Nideshak Samajik Vam Prabhag, Mathura and District Horticulture Officer, Mathura.

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Considering this report to find out whether any action is taken on the said report. The State is directed to file necessary affidavit within 15 days. However, Superintendent of Police, Mathura, District Forest Officer, Mathura District Mining Officer, Mathura are directed to remain present before this Court on 23rd January, 2003 at 10.30 A.M.

With regard to rest of the subject matter, the matter is adjourned for four weeks, as prayed for.

IA NOs. 353 & 354, 355 & 356 and 365@@
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Adjourned for four weeks, as prayed for.

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Kalyani. (JANKI BHATIA) @@
AA
COURT MASTER @@
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