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W.P(C)No. 13381 OF 1984

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ITEM No.26

Court No.4

SECTION PIL

A/N MATTER

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

Writ Petition (Civil) No.13381/1984

M.C. MEHTA

Petitioner (s)

VERSUS

UNION OF INDIA & ORS.

Respondent (s)

WITH

AGRA SLAUGHTER HOUSE MATTER

NON CONVENTIONAL ENERGY AND AGRA HERITAGE MATTER IN

W.P.(C) 13381/1984

MC. MEHTA VS. UNION OF INDIA & ORS.

WITH SUO MOTU CONT.PETN.(C) 176/99 IN WP(C) 13381/84

IN RE: CHANDRA BHANU & CONTRACTOR

WITH I.A. NOS.118-119 IN WP (C) 13381/1984

MC. MEHTA VS. UOI & ORS.

(FOR DIRECTIONS AND IMPLEADMENT ON BEHALF OF ALL INDIA

JAMIAT-UL-QURESH, AGRA (U.P.)

I.As.129-131, 331 & 336 IN WP (C) 13381/84

MC MEHTA VS. UOI & ORS.

(FOR DIRECTIONS AND EXEMPTION FROM FILING O.T.AND IMPLEADMENT

ON BEHALF OF HIND AGRO INDUSTRIES LTD.)

I.A.NO. 125 IN WP (C) 13381/1984 MC MEHTA VS. UOI & ORS.

(FOR DIRECTIONS) (BAH INT UTPADHAK SANGH)

I.A.NOS.132-133 IN WP (C) 13381/1984 MC MEHTA VS UOI & ORS.

(FOR DIRECTIONS AND IMPLEADMENT ON BEHALF OF MANOJ TARKAN)

I.A.NOS.366-369 IN WP (C) 13381/1984 MC MEHTA VS UOI & ORS.

(FOR IMPLEADMENT AND DIRECTIONS AND EXEMPTION FROM FILING

O.T.)

IN THE MATTER OF: M/S. BAJRANG BRICK FIELD & ANR.

I.A.NOS.360 AND 361 IN WP (C) 13381/1984

MC MEHTA VS.UOI & ORS.

(FOR DIRECTIONS AND EXEMPTION FROM FILING O.T. ON BEHALF OF

M/S. KUMAR AND BROS.)

WITH

I.A.NOS.364 IN WP (C) 13381/1984 MC MEHTA VS. UOI & ORS.

(FOR DIRECTIONS ON BEHALF OF M/S. GEHLOT BRICK FIELD)

Date : 08/01/2003 These Petitions were called on for hearing
today.

CORAM :

HON'BLE MR. JUSTICE M.B. SHAH

HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

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For Petitioner (s) Mr.M.C.Mehta in person (N/P)

in Suo Motu Cont. Dr.Sumant Bhardwaj,Adv.,
 Petn. Ms. Mridula Ray Bharwaj,Adv.
 Mr.Sarad Singhania,Adv.

For the Applicant in IAS II8-119 Mr.Anis Suhrawardy,Adv.

IAS 129-131,331 & 336 Mr.P.K.Manohar,Adv.

IA 125 Ms.Shilpa Chohan,Adv.
 Ms.Lalitha Kaushik,Adv.

IAS 132-133 Ms.Rachna Srivastava,Adv.

IAS 366-369 Pt.Parmanand Katara,Adv.,
 Dr.Kailash Chand,Adv.

IAS 360 and 361 and IA 364 Mr.Sudhir Kulshreshtha,Adv.

For Respondent (s)

for CPCB Mr.Vijay Panjwani,Adv.

for UP Jal Nigam/
 State of U.P. Mr.Ajay K. Agrawal,Adv.,
 Mr.Gautam Awathsi,Ms.Anamika Agrawal,
 Ms.Alka Agrawal,Adv.

Agra Nagar Nigam: Mr.Ajay K. Agarawal,Adv.,
 Mr.Dorty Michael,Adv.

Agra Dev.Authority: Mr.Ashok K. Srivastava,Adv.
 Ms.Poonam Prasad,Adv.
 Mrs. Laxmi Arvind,Adv.
 Ms.Jaya Sinha,Adv.,

Non-conventional Energy Services. Mr.P.P. Malhotra,Sr.Adv.,
 Mrs.Niranjana Singh,Adv.,
 Mr.S.N. Terdol,Adv.

Ministry of Surface Transport: Ms.Niranjana Singh,Adv.,
 Ms.Anil Katiyar,Adv.

State Pollution Control Board. Mr.T.Mahipal,Adv.for
 Mr.Pradeep Misra,Adv.
 Mr.Satpal Singh,Mr.R.N. Poddar,
 Mr.B.V. Balram Das,Adv.
 Mr.Krishan Mahajan,Adv.
 Mr.Goodwill Indeevar,Adv.

for the appearing parties: Mr.Manoj Swarup, P.Permeswaran, Sushma Suri, S.A.Chitale,Dr.Sumant Bhardwaj-Mrs.Mridula Ray Bhardwaj, A.S. Bhasme, P.K. Manohar, Advs.
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UPON hearing counsel the Court made the following

O R D E R

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Non-conventional Energy and Agra Heritage Matter.@@
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In the affidavit dated 27.11.2002 filed by the Addl. Director, Central Pollution Control Board in paragraph 9 it has been stated as under:-

.....L.....I.....T.....T.....T.....J.....
.SP1

"That the Calibration facility of monitoring equipment for installation at Central Laboratory and meteorological system for installation at Tajmahal and It-mad-ud-daula has been finalized and will be completed shortly. The study on RSPM characterization is in progress as desired by the Hon'ble Court."

.....L.....I.....T.....T.....T.....T.....T.....T.....T.....J
.SP2

The Central Pollution Control Board is directed to submit the study of RSPM characterization within four weeks from today.

Further in paragraph 11 of the said affidavit it has been stated as under:-

.....L.....I.....T.....T.....T.....J.....
.SP1

"That in compliance to the Hon'ble Court's order dated September 16, 2002; the estimated budget for O&M (at a cost of Rs.55.2 lacs as presented at Annexure-V as per the staff pattern to be@@
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borne by the Ministry of Environment & Forests, Government of India) of 4 monitoring stations and a Central Laboratory is submitted for kind information of this Hon'ble Court. It is also submitted that the permission may also be given to carry forward the unutilised fund of Mission Management Board (earlier sanctioned towards the cost of hardware components) towards up-gradation of the monitoring system including data display."

.....L.....I.....T.....T.....T.....T.....T.....T.....T.....J
.SP2

Heard Mr.P.P.Malhotra, the learned senior counsel appearing for the Central Government. Considering the fact, Central Government is directed to permit the Central Pollution Control Board to utilise the fund of Mission

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Management Board towards the upgradation of monitoring system including data display.

Mr.Ajay K. Agrawal, the learned counsel appearing on behalf of Commissioner, Agra Division, Agra seeks two weeks time for submitting the compliance report for the steps taken for implementing the directions issued by this Court on 2.5.2002.

Officer-in-charge of the Agra Municipality is directed to see that the entire city is cleaned within one week from today as per the statutory rules - Municipal Solid Wastes (Management and Handling) Rules, 2000.

All the I.As. to be listed after four weeks.

Agra Slaughter House Matter. Considering the@@
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various affidavits filed by the concerned officer, no
further orders are required to be passed.

.SP1

(Vijay Kumar Sharma)
Court Master

(Janki Bhatia)
Court Master