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W.P(C)No. 13381 OF 1984  
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ITEM Nos.1A1, 1A2, Court No. 6 SECTION PIL  
1A3 & 6

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.No.345 in Writ Petition (Civil) No.13381/1984

M.C. MEHTA Petitioner (s)

VERSUS

UNION OF INDIA & ORS. Respondent (s)

(For directions)

WITH

I.A. Nos.355 & 356 in I.A. No.345 in W.P.(C) No.13381/1984

M.C. MEHTA Petitioner (s)

VERSUS

UNION OF INDIA & ORS. Respondent(s)

(FOR IMPLEADMENT/STAY ON BEHALF OF SREEDHAR DAS CHELA AND  
MADAN CHAND DEVNATH)

I.A.No.348 in Writ Petition (Civil) No.13381/1984

M.C. MEHTA Petitioner (s)

VERSUS

UNION OF INDIA & ORS. Respondent (s)

(FOR IMPLEADMENT AND DIRECTIONS)

WITH

I.A. Nos.349-351 in W.P.(C) No.13381/1984

M.C. MEHTA Petitioner (s)

VERSUS

UNION OF INDIA & ORS. Respondent(s)

(FOR IMPLEADMENT AND DIRECTIONS)

I.A. Nos.353 & 354 in I.A. NO.345 in W.P.(C) No.13381/1984

M.C. MEHTA Petitioner (s)

VERSUS

UNION OF INDIA & ORS. Respondent(s)

(FOR IMPLEADMENT)

WITH

I.A.No.357 in WP (C) 13381/1984

MC MEHTA VS. UNION OF INDIA & ORS

(FOR DIRECTIONS)

REGARDING: M/S. PLS AUTO SHELL INDUSTRIES (P) LTD., FIROZABAD.

WITH

I.A. No..... in W.P.(C) 13381/1984

M.C. MEHTA VS. UNION OF INDIA & ORS.

(FOR DIRECTIONS)

REGARDING: M/S. MADHAWAN BRICK FIELD, FATEHABAD.

Date : 30/07/2002 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.B. SHAH  
HON'BLE MR. JUSTICE D.M. DHARMADHIKARI  
HON'BLE MR. JUSTICE H.K. SEMA

For Petitioner (s)

Mr. M.C.Mehta in-person

Mr.Krishan Mahajan,Adv.

For the Applicants

Mr. K.K. Venugopal, Sr. Adv.

Ms. Archana Jain, Adv.

Mr. M.A. Khan, Adv.

Mr. Pravin K. Jain, Adv.

Mr.A Sharan, Sr. Adv.

Mr.Sudhir Kulshreshtha,Adv.

Mr. Irshad Ahmed, Adv.

Mr. Arvind Kumar, Adv.

Mrs. Laxmi Arvind, Adv.

Mrs. Poonam Prasad, Adv.

Ms. Jaya Sinha, Adv.

Mr. R.N. Poddar, Adv.

Mr. Satpal Singh, Adv.

Mr. Parmanand Katara, Adv.

Mr. Kailash Chand Gupta, Adv.

Mr. Praveen Kumar Jain, Adv.

For Respondent (s)

for CPCB

Mr.Vijay Panjwani,Adv.

for UPSPCB

Mr.Pradeep Mishra,Adv.,

for UP Jal Nigam/  
State of U.P. Mr. Ajay K. Agrawal, Adv.,  
Mr. C. Siddharth, Adv.  
Ms. Alka Agrawal, Adv.  
Mr. Mahesh Chandra, Adv.

Mr. Sanjay Parikh, Adv.  
Mr. Abinash K. Misra, Adv.  
Mr. R.R. Chandrachud, Adv.

Mr. Ashok Srivastava, Adv.

Mr. B.V. Balram Das, Adv.

For GAIL

Mr. Ravikesh Sinha, Adv.  
Ms. Suchitra A Chitale, Adv.

Mr. S.A. Chitale, Adv.

UPON hearing counsel the Court made the following

O R D E R

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I.A. 345, 353-354 AND 355-356:@@  
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Heard the learned counsel for the parties.

Mr. K.K. Venugopal, learned senior counsel appearing on behalf of the applicants, states that the applicant is prepared to keep 90% of the area owned by him as green area for developing it as an eco-friendly garden and applicant may be permitted to use 10% of the land for tourist complex for exhibition of artefacts and cultural centre. He submits that the applicant is owner of roughly 11 Bighas of land.

With regard to owners of the rest of the land the learned counsel for the State Government agrees to submit a list of such persons on the next date of hearing.

Meanwhile, it would be open to the applicant to tender a plan as envisaged by him, within three weeks from today.

Adjourned to 2nd August, 2002.

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IA No.348 and 349-351:@@  
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Learned counsel appearing on behalf of the petitioner-applicant states that -

(i) The Brick Kilns are 20 Kms. beyond the significant monuments.

(ii) The Brick Kilns are complying with NEERI report and Central Pollution Control Board's guidelines.

In view of the aforesaid statement made by the learned counsel, a Joint Inspection Committee shall visit the site within three weeks from today and submit its report. The costs of the said visit be borne by the applicants, which we quantify at Rs.10,000/- each. Each Brick Kiln owner shall deposit Rs.10,000/-, by issuing cheques in favour of Central Pollution Control Board, New Delhi.

Stand over for four weeks.

IA No.357:@@  
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Heard the learned counsel for the parties.

Gas Authority of India Ltd. (GAIL) is directed to resume the supply of Natural Gas to the applicants within two weeks from today.

Meantime, respondent Nos.1 and 3 would inspect the unit of the applicants so as to enable them to resume the production.

The application stands disposed of accordingly.

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I.A.No.....in WP(C) No.13381/84:@@  
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Heard the learned counsel fo the parties.

It has been stated by the applicant that -

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(i) the applicant's brick kiln does not fall within 20 Kms. of radial distance of significant monument & or within radial distance of 50 Kms. from Thermal Power Station, Kasimpur, and

(ii) from the affidavit dated 28.4.2001 the brick kiln of the applicant was found 'complying' i.e. following the norms and directions issued by this Hon'ble Court. The applicant as mentioned above reiterates that it has complied with all pollution norms.

.....L.....I.....T.....T.....T.....T.....T.....T.....J.....R

In view of the aforesaid averments, it is directed that the Joint Inspection Committee shall visit the site and submit its report within three weeks from today. The applicant to deposit Rs.10,000/- for the costs. The amount shall be deposited by account payee cheque in favour of Central Pollution Control Board, New Delhi.

The applicant shall remove the office objections within two days from today.

To be placed after four weeks.

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(A.S. Bisht)  
Court Master

(Janki Bhatia)  
Court Master