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W.P(C)No. 4677 OF 1985

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ITEM No.1 Part-heard Court No. 6 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

IA No 22 In Writ Petition(Civil) No.4677/1985

With IA.No.1206 in W.P.(C)No.4677/1985

RE:Shifting of Industries from Residential Area of Delhi, New Delhi

(With Office Report)

M.C.MEHTA

Petitioner (s)

VERSUS

UNION OF INDIA & ORS.

Respondent (s)

With

IA.Nos.1204,1205,1224 in W.P.(C)No.4677/85

With

I.A.No.1322 IN I.A.No.22 IN W.P.(C)No.4677/85 - For directions

WITH

W.P.(C)No.98/2000 - Poorvi Vishwas Nagar S.Kalyan Samiti (Regd)
vs. Union of India & Ors.

(With appln. for directions)

WITH

I.A.No.1367 IN I.A.No.22 IN W.P.(C)No.4677/85 - For Directions
(RE: Laghu Udyog Bharathi through its President Mr. VK. Arora)

I.A.No.1531 IN I.A.No.22 IN W.P.(C)No.4677/85

(For directions on behalf of Naraina Indus.Area through its
president with office report)

WITH

IA No.1846 (For directions on behalf of Okhla Indl.Estate CETP)

WITH

I.A.No.1791 IN I.A.No.1531 IN I.A.No.22 IN W.P.(C)4677/85

(For directions on behalf of Naraina Industrial Area CETP
Society with office report)

I.A.No.1828 & 1829 IN I.A.No.1531 IN I.A.No.22 IN W.P.(C)4677/85

(For directions & impleadment to stop looting and cheating of
the money in the name of CETP)

I.A.No.1830 IN I.A.No.1531 IN I.A.No.22 IN W.P.(C)4677/85

(for exemption from depositing the cost of CETP
on behalf of M/s Pure Drinks Ltd.)

I.A.No.1833 IN I.A.No.1531 IN I.A.No.22 IN W.P.(C)4677/85
(For directions) RE: Naraina Industrial Area CETP Society.

WITH
I.A.No.1834 IN I.A.No.1531 IN I.A.No.22 IN W.P.(C)4677/85
(For impleading the name of M/s Anand Parbat Industrial Area,
CETP Society)

WITH

I.A.No.1816 IN W.P.(C)4677/85
(For directions & office report)

[I.A.No.1527 IN I.A.No.22 IN W.P.(C)4677/85
(For directions with office report) RE: National Cable Industries

I.A.No.1841 in I.A.No.22 IN W.P.(C) 4677/1985
(For intervention and directions)

Cont.P.134/2003 IN I.A.No.1531 In IA 22 IN W.P.(C)4677/85
(Reg.Najafgarh Road & Moti Nagar Industrial Area CETP Society Regd.
6-A. Industrial Area, Najafgarh Road, New Delhi-15.

Date:29/04/2003 This petition was called on for hearing today.

CORAM:

HON'BLE MR.JUSTICE Y.K. SABHARWAL
HON'BLE MR. JUSTICE H.K. SEMA

For the parties:

Mr.MC Mehta- in person
Mr. Ranjit Kumar, Sr.Adv.(AC)
Mrs.Manik Karanjawala,Adv.
M/s RN Poddar,Satpal Singh,
BV Balram Das,Adv.

For N.C.R.P.Board Ms.Sheil Sethi,Adv.

For CPCB Mr.Vijay Panjwani,Adv.

Mr.Mukul Rohatgi,ASG
Mr.Vishnu B.Saharya,Adv.for
M/s Saharya & Co.

for DPCC & in IA 1527, 1841,
WP(C) 98/2000,
IA 1367, 1206,
1322,1323,1204,1205
1531, 1833-1834, 1791

M/s DN Goburdhan,Pinky Anand,
Geeta Luthra, R.C. Verma,
Mukesh Verma,Manish Shankar, Avs.

in WP 98/2000 Mr.Mohd.Arif, Adv.
Mr. M.A. Chinnasamy, Adv.

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in IA 1204-1205 M/s Sushil K.Jain,HD Tharvi,
Anil Vyas,AP Dhamija,
Pradeep Agarwal,A.Mishra,LP Singh,Advs.

Ms.Anil Katiyar,Adv.

Mr.Mukul Rohatgi,ASG
Ms.Indra Sawhney,Adv.

Mr.KL Mehta,Adv.

Mr.KN Rawal,SG
Mr.KC Kaushik,Adv.
Mr.SN Terdol,Adv.
Mr.CV Subba Rao,Adv.
Mr.TA Khan,Adv.
Mr.P.Parmeswaran,Adv.

M/s Ishwar Jain,Ajay Jain,
Jinendra Jain,Abha R.Sharma,Adv.

in WP 98/2002

M/s Mohd.Arif,MA Chinnasamy,Advs.

Mr.Suresh C.Tripathi,Adv.

Mr.Salman Khursheed,Sr.Adv.
M/s Rakesh K.Khanna,Rashmi Khanna,
Surya Kant,Reetesh Singh,Advs.

For NCT of Delhi

M/s SWA Qadri, D.S.Mahra,Advs.

in IA 1531

Dr.Rajeev Dhawan,Sr.Adv.
M/s. Vijay Kumar,Atul Sharma,
B.K. Sharma, Vishwajit Singh, Advs.

in IA 1531 in IA 22
in WP(C) 4677/85

M/s Harpreet Singh,P.Venugopal,
PS Sudheer,Advs.for
for M/s KJ John & Co.

in IA 1830

M/s S.Sukumaran,Divya Nair,
K.Rajeev,Suresh Unnikrishnan,Advs.

in IA 1531

M/s Krishan Mahajan,
S.Sukumaran,Divya Nair,
K.Rajeev,Suresh Unnikrishnan,Advs

Mr.Balraj Dewan,Adv.

M/s Manoj Swarup,Lalita Kohli,Advs.for
M/s Manoj Swarup & Co.

in IA 1531 for RR

Mr. P.C.Jain, Sr.Adv.
M/s Naresh Khanna,PN Puri,Advs.

Mr.Kamlendra Mishra,Adv.

in IA 1846

M/s.Gopal Jain,Bina Gupta,
Vanita Bhargava,RK Sharma,Advs.

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Mr.Gulshan Bajwa,Adv.

in IA 1531

Mr. RS Suri, Adv.

IA 1828 & 1829

M/s Kirpal Singh,Debasis Misra,Advs.

in IA 1527

Mr.K.K. Rohtagi, Adv.
Mr.Praveen Jain,Adv.

Mr.Kailash Vasdev,Sr.Adv.
Ms. Sunita Sharma,Adv.

Mr. D.S. Mahra, Adv.

For U.O.I./Ministry
of Environment

Mr. Raju Ramachandran,ASG
Mr.C.V.Subba Rao, Adv.

Mr. TA Khan, Adv.
Mr. P. Parmeshwaran, Adv.
Mr. AK Khan, Adv.

in IA 1841

Mr. Mahesh Srivastava, Adv.
Mr. Pankaj Srivastava, Adv.
Mrs. V.D. Khanna, Adv.
Mrs. Nirmala Gupta, Adv.
for M/s. I.M. Nanavati Associates, Adv.

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

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Mr. Salman Khursheed, learned senior counsel made submissions in IA Nos. 1531, 1791 and 1833. Mr. DN Goburdhan seeks leave to file additional affidavit in opposition to these applications. Let that be filed on or before 6th May, 2003 when the matter shall be listed for directions.

During the course of hearing it was submitted on behalf of the Delhi Government that the proposal of the Delhi Government for INSITU regularisation of industries in areas where concentration of industries is more than 70% is under consideration by Ministry of Urban

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Development and Poverty Alleviation. According to the Delhi Government approximately 51,000 applicants made applications for allotment of industrial sites. Out of them about 26/27,000 were found to be eligible. It was also stated that a survey was conducted by the Government which contains the details about the industries being run in non-conforming areas. We direct the Delhi Government to file affidavit placing on record the survey that had been conducted and also stating whether some of the applicants out of 51,000 are within the ambit of the proposal sent for INSITU regularisation of industries and further whether some of them are among the allottees of 26/27,000 industrial plots and further whether some of them are in waiting list or not. These details shall be placed on record on or before 6th May, 2003.

From pages 326 to 328 of Volume II of I.A.22, details of availability of industrial infrastructure/areas/vacant plots in NCR as on 21st January, 2001 have been given. We direct the National Capital Region Planning Board to place on record the present position of the availability of industrial land/plots in National Capital Region as also the progress on the fiscal matter referred to in the earlier order dated 31st January, 2001. The affidavit on behalf of NCR shall be filed on or before 6th May, 2003.

List on 6th May, 2003, for directions at the end of the Board.

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[PD Balodi]
Court Master

[VP Tyagi]
Court Master