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W.P(C)No. 4677 OF 1985

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ITEM No.1

Court No. 1

SECTION PIL

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

IA No 22 in Writ Petition(Civil) No.4677/1985
with I.A. No.1206 in W.P.(C) No.4677/1985

M.C.MEHTA

Petitioner (s)

VERSUS

UNION OF INDIA & ORS.

Respondent (s)

[Re:Shifting of Industries from residential area of Delhi, New Delhi]
[with office report]

with

I.A. Nos.1204, 1205, 1224 in W.P.(C) No.4677/1985

with

I.A. No.1322 in I.A.No.22 in WP(C) No.4677/85
(for directions),

I.A. No.1323/2000 in I.A. No. 22 in W.P.(C) No.4677/1985
(re: Rajendra Ravindra Printers (P) Ltd.) (for directions)

with

W.P.(C) No.98/2000@@
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Poorvi Vishwas Ngr.S. Kalyan Samiti (Regd.)

Petitioner(s)

vs.

Union of India & Ors.

Respondent(s)

(with appln.(s) for directions)

with

I.A. No. 1367 in I.A. No. 22 in WP(C) No. 4677/1985
(re: Laghu Udyog Bharathi through its President Mr. G K Arora)
(for directions)

Date : 11/03/2002 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. KIRPAL
HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

Amicus Curiae Mr. Ranjit Kumar, Sr. Adv.

For Petitioner (s) Mr. M.C. Mehta, Adv.
Petitioner-in-person.(NP)

For Union of India/
Ministry of Mr. K C Kaushik, Adv.
Urban Development/ Mr. Krishan Mahajan, Adv.
Ministry of Mr. S N Terdol, Adv.
Environment Ms. Anil Katiyar, Adv.

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Mr. C.V. Subba Rao, Adv.
Mr. R.N. Verma, Adv.
Mr. S.A. Mattoo, Adv.
Ms. Varuna B Gugnani, Adv.
Mr. C. Radhkrishna, Adv.
Mr. Ajay Sharma, Adv.
Mr. B V Balram Das, Adv.

For Govt. of NCT, Delhi Mr. D.N. Goburdhun, Adv.
Ms. Pinky Anand, Adv.
Ms. Geeta Luthra, Adv.

For MCD Ms. Indra Sawhney, Adv.

For DPCC Mr. R C Verma, Adv.
Ms. Kiran Kapoor and Mr. Mukesh Verma, Adv.

For NCRP Board Ms. Sheil Sethi, Adv.

For CPCB Mr. Vijay Panjwani, Adv.

For DDA Mr. V B Saharya, Adv. for
M/s. Saharya & Co., Adv.

Mr. Manik Karanjawala, Adv.(NP)

Mr. Sushil Kumar Jain, Adv.(NP)

for applicants in IA 1323 Mr. M L Lahoty, Adv.
Mr. Paban K Sharma, Adv.
Mr. Himanshu Shekhar, Adv.

IA 1367 Mr. Rakesh K Khanna, Adv.
Mr. Reetesh Singh, Adv.
Mr. Surya Kant, Adv.

in WP 98/2000 For Petitioner(s) Mr. Mohd. Arif, Adv.
Mr. Chander Bhan Garg, Adv.
Mr. M A Chinnasamy, Adv.

For DVB Mr. Rakesh K Sharma, Adv.

For DJB Mr. N.K. Sahoo, Adv.
Mr. Suresh C Tripathy, Adv.

for Govt. of NCT Delhi Mr. D N Goburdhun, Adv.
Ms. Pinky Anand and Ms. Geeta Luthra, Adv.

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

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.SP2 The matters are adjourned to first week of May,
2002.

.SP1 Kalyani. (S.L. GOYAL)@@
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COURT MASTER @@

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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. 1527 in IA 22 in W.P. (Civil) No.4677/1985

M.C.MEHTA

Petitioner (s)

VERSUS

UNION OF INDIA & ORS.

Respondent (s)

(for directions)
(Re: National Cable Industries)
(with office report)

Date : 20/02/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. KIRPAL
HON'BLE MR. JUSTICE SHIVARAJ V. PATIL
HON'BLE MR. JUSTICE BISHESHWAR PRASAD SINGH

Amicus Curiae	Mr. Ranjit Kumar, Sr. Adv.
For Petitioner (s)	Mr. M.C. Mehta, Adv. Petitioner-in-person.(NP)
For Applicant (s)	Mr. Praveen Jain, Adv. Mr. K K Rohtagi, Adv.
For Union of India	Mr. Mukul Rohtagi, ASG Mr. K.C. Kaushik, Adv. Mr. Krishan Mahajan, Adv. Mr. R N Poddar, Adv. Mr. B V Balramdas, Adv. Mr. S N Terdol, Adv.
For Govt. of NCT, Delhi	Mr. D.N. Goburdhun, Adv. Ms. Pinky Anand, Adv. Ms. Geeta Luthra, Adv.
For MCD	Mr. Mukul Rohtagi, ASG Ms. Indra Sawhney, Adv.
For DPCC	Mr. D.N. Goburdhun, Mr. R C Verma, Ms. Neeta Sinha and Mr. Mukesh Verma, Adv.
For NCRP Board	Ms. Sheil Sethi, Adv.
For CPCB	Mr. Vijay Panjwani, Adv.
For DDA	Mr. V B Saharya, Adv. for M/s. Saharya & Co., Adv.

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UPON hearing counsel the Court made the following

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From the affidavit filed by the NCT, Delhi, it appears that in respect of some of the villages notifications have been issued under Section 507 of the Delhi Municipal Corporation Act and as a result thereof they become part of the urban area. If this is so, there is no logic as to why the other rules, regulations and bye-laws applicable to the urban areas of Delhi should not apply to the Abadi or the Lal Dora areas of these urbanised villages. There is still less logic in not extending the building bye-laws to these areas except that there is, perhaps, an attempt to allow all types of construction to take place in these areas and for the use of the constructed property in an unregulated manner. The Government of NCT, Delhi as well as all other governmental authorities in this behalf are directed to inform the Court why preferential treatment in this behalf is extended to the Lal Dora area. Either the villages are not urbanised, or, if they are urbanised, then all the laws applicable in the urban areas should apply: Enforcement, of course, is a different matter.

At the request of Mr. Mukul Rohtagi, learned Additional Solicitor General, adjourned. List after six weeks.

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(D.P. WALIA) (S.L. GOYAL) @@
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ITEM No.1A2 Court No. 2 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. Nos.1776 & 1777 in W.P. (Civil) No.4677/1985

M.C.MEHTA Petitioner (s)

VERSUS

UNION OF INDIA & ORS. Respondent (s)

(for directions and impleadment)
(Re: M/s. Durga Applicances (P) Ltd.)

Date : 20/02/2002 These Petitions were called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE B.N. KIRPAL
HON'BLE MR. JUSTICE SHIVARAJ V. PATIL
HON'BLE MR. JUSTICE BISHESHWAR PRASAD SINGH

Amicus Curiae Mr. Ranjit Kumar, Sr. Adv.

For Petitioner (s) Mr. M.C. Mehta, Adv.
Petitioner-in-person.(NP)

For Applicant (s) Mr. Rajiv Dutta, Sr. Adv.
Mr. Hari Om Yaduvanshi, Adv.
Ms. Monika Gusain, Adv.
Mr. Ranbir Yadav, Adv.

For Union of India Mr. Mukul Rohtagi, ASG
Mr. K.C. Kaushik, Adv.
Mr. Krishan Mahajan, Adv.
Mr. R N Poddar, Adv.
Mr. B V Balramdas, Adv.
Mr. S N Terdol, Adv.

For Govt. of NCT,Delhi Mr. D.N. Goburdhun, Adv.
Ms. Pinky Anand, Adv.
Ms. Geeta Luthra, Adv.

For MCD Mr. Mukul Rohtagi, ASG
Ms. Indra Sawhney, Adv.

For DPCC Mr. D.N. Goburdhun, Mr. R C Verma,
Ms. Neeta Sinha and Mr. Mukesh Verma, Adv.

For NCRP Board Ms. Sheil Sethi, Adv.

For CPCB Mr. Vijay Panjwani, Adv.

For DDA Mr. V B Saharya, Adv. for M/s. Saharya & Co., Adv.

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UPON hearing counsel the Court made the following
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The question of allowing the applicant to carry on the activity of manufacturing pressure cookers does not arise in view of the finding of fact arrived at by the Review Committee, namely, that the unit is a polluting unit and in a non-conforming area. The I.As. are dismissed.

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(D.P. WALIA)
Court Master

(S.L. GOYAL)
Court Master

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ITEM No.1A3

Court No. 2

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. 1172 in I.A. No. 22 in W.P. (Civil) No.4677/1985

M.C.MEHTA

Petitioner (s)

VERSUS

UNION OF INDIA & ORS.

Respondent (s)

(Re : Application for Direction on behalf of M/s. Goverdhan Dass Rathi)

with

I.A. No. 1782/2001 in I.A. No. 1172 in I.A. No. 22
in W.P.(C) No. 4677/1985.

(Re: Application for direction on behalf of
Municipal Corporation of Delhi) (with office report)

Date : 20/02/2002 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. KIRPAL
HON'BLE MR. JUSTICE SHIVARAJ V. PATIL
HON'BLE MR. JUSTICE BISHESHWAR PRASAD SINGH

Amicus Curiae Mr. Ranjit Kumar, Sr. Adv.

For Petitioner (s) Mr. M.C. Mehta, Adv.
Petitioner-in-person.(NP)

For Applicant (s)
in IA 1172 Mr. M L Lahoty, Adv.
Mr. Paban K Sharma, Adv.
Mr. Himanshu Shekhar, Adv.

in IA 1782 Mr. Mukul Rohtagi, ASG
Ms. Indra Sawhney, Adv.

For Union of India Mr. Mukul Rohtagi, ASG
Mr. K.C. Kaushik, Adv.
Mr. Krishan Mahajan, Adv.
Mr. R N Poddar, Adv.
Mr. B V Balramdas, Adv.
Mr. S N Terdol, Adv.

For Govt. of NCT, Delhi Mr. D.N. Goburdhun, Adv.
Ms. Pinky Anand, Adv.
Ms. Geeta Luthra, Adv.

For MCD Mr. Mukul Rohtagi, ASG
Ms. Indra Sawhney, Adv.

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For DPCC Mr. D.N. Goburdhun, Mr. R C Verma,
Ms. Neeta Sinha and Mr. Mukesh Verma, Adv.

For NCRP Board Ms. Sheil Sethi, Adv.

For CPCB Mr. Vijay Panjwani, Adv.

For DDA Mr. V B Saharya, Adv. for M/s. Saharya & Co., Adv.

UPON hearing counsel the Court made the following
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List these applications with I.A. No. 1310/2000
before the Bench dealing with that application.

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(D.P. WALIA) (S.L. GOYAL) @@
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COURT MASTER COURT MASTER @@
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ITEM No. 1 Court No. 2 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. Nos. 1531 in IA 22 in W.P. (Civil) No.4677/1985

M.C.MEHTA Petitioner (s)

VERSUS

UNION OF INDIA & ORS. Respondent (s)
(RE: Application for direction on behalf of Naraina Industrial Area
CETP Society through its President)
(With office report)

Date : 13/02/2002 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. KIRPAL
HON'BLE MR. JUSTICE SHIVARAJ V. PATIL
HON'BLE MR. JUSTICE BISHESHWAR PRASAD SINGH

Amicus Curiae Mr. Ranjit Kumar, Sr. Adv.

For Petitioner (s) Mr. M.C. Mehta, Adv.
Petitioner-in-person.(NP)

For Applicant (s) Mr. Rakesh K. Khanna, Adv.
in IAs 1776 & 1777 Mr. Reetish Singh, Adv.
Mr. Surya Kant, Adv.

For Union of India/
Ministries of U.D. & Mr. K.C. Kaushik, Adv.
Environment Mr. S.N. terdol, Adv.
Mr. B.V. Balaram Das, Adv.

For Govt. of NCT,Delhi Mr. D.N. Goburdhun, Ms. Pinky Anand and
Ms. Geeta Luthra, Adv.

For MCD Ms. Indra Sawhney, Adv.

For DPCC Mr. D.N. Goburdhun, Mr. R C Verma,

Ms. Neeta Sinha and Mr. Mukesh Verma, Advs.

For NCRP Board Ms. Sheil Sethi, Adv.

For CPCB Mr. Vijay Panjwani, Adv.

For DDA Mr. V B Saharya, Adv. for M/s. Saharya & Co., Advs.

For DJB Mr. R.S. Suri, Adv.

UPON hearing counsel the Court made the following
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Applicant wishes to file a specific averment to the effect that a large number of industries have not met the

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requisite contribution as directed by this Court's order dated 12th May, 1996 and 14th September, 1999. Needful be done within a week with a copy to Mr. Goburdhun who will file a response to this within a week thereafter. List after three weeks.

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Kalyani. (S.L. GOYAL) @@
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COURT MASTER @@
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