

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

RECORD OF PROCEEDINGS

Report No.12 of EPCA in I.A.No.179 in W.P.(C)No.13029/1985

M.C.MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

With I.A.No.179 in W.P.(C)No.13029/1985

(For directions)

Report Nos.10 & 14 of EPCA in I.A.No.179

Date: 08/04/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL

HON'BLE MR. JUSTICE ARIJIT PASAYAT

HON'BLE MR. JUSTICE S.H. KAPADIA

Mr. Harish N. Savle, Sr.Adv. (A.C.)

Ms. Aparajita Singh, Adv.

Mr. U.U. Lalit, Sr.Adv. (A.C.) (NP)

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

For Respondent(s)

Min.of Surface Tans.,

D/o PWD, D/o Transport,

Delhi Police: Mr. S.Wasim A. Qadri, Adv.
Mrs. Anil Katiyar, Adv.

M.C.D.: Mr. Sajiv Sen, Adv.

CPCB: Mr. Vijay Panjwani, Adv.

MoEF: Mr. Vikas Sharma, Adv.
Mr. Amitava Poddar, Adv.
Mrs. Anil Katiyar, Av.

NCRPB: Mrs. Sheil Sethi, Adv.

St.of Maharashtra: Mr. Mukesh K. Giri, Adv.

St.of Manipur: Mr.KH. Nobin Singh, Adv.

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Mr. V.B.Joshi, Adv.

Mr. Ravi Kini, Adv.

I.G.L.: Mr. Sidharth Yadav, Adv.
Mr. Vikrant Yadav, Adv.
for Mr. Praveen Swarup, Adv.

St.of Haryana: Mr. Ajay Siwach, Adv.

Mr. T.V. George, Adv.

St. of A.P.: Mr. M.P. Meharia, Adv.
Mr.Manoj Saxena, Adv.
Mr. Amit Meharia, Adv.
Mr.S.K. Mitra, Adv.
Mr. Debojit Borkakati, Adv.

Mr. Shri Narain, Adv.
Mr. Sandeep Narain, Adv.
Ms. Anjali Jha, Adv.

D.T.C. : Ms. A.Subhashini, Adv.

Ranchi Assn. : Mr. Bhavanishankar V. Gadnis, Adv.
Mrs. Sunita B. Rao, Adv.
Mr. Nitin Popli, Adv.

St. of UP : Mr. R.G. Padia, Sr.Adv.
Ms. Savitri Pandey, Adv.
Mr. Kamlendra Mishra, Adv.
Mr. Rajeev Kumar Dubey, Adv.
Ms. Rashmi Singh, Adv.

Mr. D.N. Goburdhan, Adv.

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

Mrs. Indra Sawhney, Adv.

Mrs. Manik Karanjawala, Adv.

UPON hearing counsel the Court made the following

O R D E R

Report No.12:

Directions regarding construction of nine/ten plazas on the entry point were

issued in terms of the order dated 11th March, 2005. We direct the State Government

and MCD to file status reports by 15th July, 2005.

I.A.No.179, Reports No.14 & 10:

After considering the affidavit of Mr.Rajiv Talwar, Commissioner-cum-

secretary, Department of Transport, Government of Delhi, the matter was referred back to EPCA in terms of order dated 4th February, 2005. On detailed

consideration/reconsideration, the EPCA has submitted its 14th Report on the

The introduction of upgraded pollution under control certificate system. State

Government, as prayed, is granted two weeks' time to file its response.

List in the month of May, 2005 for consideration of the Report on the aspect of introduction of lambda test.

We have perused the minutes of meeting taken by the Chief Secretary on 18th

A February, 2005 to discuss the matter regarding framing of parking policy for Delhi.

perusal thereof shows that in sum and substance, neither any parking policy has been

framed nor is there any progress in that direction and the decision taken to constitute a

sub-committee would only result in delaying the whole matter indefinitely. Therefore, we

direct the Chief Secretary of Delhi Government to discuss the matter with all concerned,

including the Vice-Chairman of DDA, Commissioner of MCD, Chairperson of NDMC, concerned officer from the Ministry of Urban Development, Central Government. All

these are directed to render full assistance, and any other person as may be deemed

necessary may also be involved so that a proper policy can be framed and placed before

this Court by 15th July, 2005, failing which this Court may have to issue directions

solely on the basis of the report of EPCA.

Matter regarding renewal of two FDRs:

Regarding utilization of about Rs.29 Crores of pollution fine, lying in deposit,

the Delhi Government shall give to EPCA its proposal whether in respect of inspection

and certification centre or in respect of high capacity buses or any other project on

which it proposes that the amount may be spent with complete details, including costs.

The EPCA shall examine the proposal and submit a report to this Court.

The FDRs shall be renewed for 366 days from the date of their maturity.

(N. Annapurna)

Court Master

(Shelly Sengupta)

Assistant Registrar