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W.P(C)No. 13029 OF 1985
ITEM No.301 to 302

Court No. 1

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

Item No. 301@@
CCCCCCCCCCCC

AFFIDAVIT FILED BY INDRAPRASTHA GAS LTD. IN WP(C) NO. 13029/11985
REGARDING INCREASE OF C.N.G. PRICE
[FOR FURTHER ORDERS]

WITH
DIRECTIONS IN RESPECT OF PROVIDING FINANCE TO SC/ST FOR PURCHASE OF
BUS
WITH
DIRECTIONS WITH REGARD TO THE VEHICLES IN TRANSIT THROUGH DELHI.
WITH

WRIT PETITION (C) NO. 13029 OF 1985@@
CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC

M.C. MEHTA

Petitioner(s)

Versus

UNION OF INDIA & ORS.

Respondent(s)

WITH

WRIT PETITION (C) NO. 939/1996@@
CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC

IN RE: DELHI TRANSPORT DEPARTMENT

SLP(C) NO. 13208/1998
UNION OF INDIA & ORS. VS. A.I. FED. OF MOTOR V.D.T.E. OFF.
ASSOCN. & ORS.
(With appln. for c/delay in filing SLP)

WRIT PETITION (C) NO. 440/1999
KIRTI MISHRA VS. U.O.I. & ORS.

SLP(C).../2000 CC 6990-7991
GOVT. OF N.C.T. OF DELHI VS. M/S MAHUA ROY CHOWDHARY & ORS.
(With appln. for c/delay in filing SLP)

WRIT PETITION (C) NO. 227/2001
UNITED COMMUNIST PARTY OF INDIA VS. UNION OF INDIA & ANR.
(With appln. for permission to place addl. documents on record)

WRIT PETITION (C) NO. 355 OF 2001
KAMAKSHI SINGH MEHLWAL VS. UNION OF INDIA

WITH
REPORT ON BEHALF OF AMICUS CURIAE FILED IN COURT ON 17.09.2001

AND
I.A. NO. 143 in
Writ Petition(Civil) No.13029/1985
(For directions and office report)

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I.A. No. 150 and I.A. No. 153 in I.A. No. 15-16 in W.P. (C) No. 13029/1985
(For directions on behalf of Rajasthan State Road Transport Corporation)

With
I.A. No. 151 in WP(C) No. 13029/1985
(For impleadment and directions on behalf of Delhi Petrol Dealers Association)

I.A. No. 152 in WP(C) No. 13029/1985
(For directions on behalf of A.C.)

I.A. No. 158 in WP(C) No. 13029/1985
(For directions on behalf of CNG Bus Operators Association)

I.A. No. 159 in WP(C) No. 13029/1985
(For directions on behalf of Department of Transport, Govt. of NCT of Delhi)

I.A. No. 160 in WP (C) 13029/1985
(For directions on behalf of IGL)

I.A. No. 161 in WP(C) No. 13029/1985
(For exemption from operation of the order dated 28.07.1998 read with order dated 26.03.2001 in respect of vehicles belonging to Lok Sabha/Rajya Sabha Secretariat)

I.A. No. 162 in WP (C) 13029/1985
(For directions on behalf of DELHI CNG Private Bus Operators)

I.A. No. 163 in WP(C) No. 13029/1985
(For directions on behalf of M/s. TATA Engineering & Locomotive Company Ltd.)

I.A. No. 164 in WP(C) No. 13029/1985
(For impleadment on behalf of I.O.C.L.)

I.A. No. 165 in WP(C) No. 13029/1985
(For clarification/direction on behalf of NCT of Delhi)

I.A. No. 166 in WP(C) No. 13029/1985
(For intervention) (In the matter of VDO-India Ltd.)

I.A. No. 167 in W.P. (C) 13029/1985
(For impleadment on behalf of M/s IBP Company Ltd.)

I.A. No. 168 in W.P. (C) 13029/1985
(For directions) RE: DELHI CNG BUS WELFARE ASSOCIATION

WITH
IA No. 170 in WP (C) 13029/1985
(For impleadment)
IN RE: SANJAY GANDHI MEMORIAL EDUCATION SOCIETY, R.K. PURAM

I.A. NO. 171 IN wp (c) 13029/1985
IN RE: SANJAY GANDHI MEMORIAL EDUCATION SOCIETY, R.K. PURAM

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IA No. 172 in WP (C) 13029/1985
(For impleadment and directions)
IN RE: INTER-STATE CONTRACT BUS OPERATORS ASSOCIATION

WITH
IA NO. 173 IN WP(C) NO. 13029/1985
(For impleadment)
[ON BEHALF OF HINDUSTAN PETROLEUM CORPORATION LTD.]

WITH
Contempt Petition (C) NO. 259/2000 in
Writ Petition(Civil) No.13029/1985

JITENDER KHURANA Petitioner (s)

VERSUS

B.P. MISHRA & ORS. Respondent (s)

WITH
Contempt Petition (Civil) No. 1/2002 in
Writ Petition (Civil) No. 13029/1985

KULDEEP SINGH TOMER Petitioner (s)

VERSUS

P.S. BHATNAGAR, CHIEF SECRETARY Respondent (s)

(With Appln(s). for exemption from mentioning the date of notice)

WITH
Contempt Petition (Civil) No. 48/2002 in
W.P(Civil)No.13029/1985

AJAI TARA Petitioner (s)

VERSUS

P.C. JAIN & ANR. Respondent (s)

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Contempt Petition (Civil) No. 71/2002 in
W.P(Civil)No.13029/1985

N.C.T. OF DELHI Petitioner (s)

VERSUS

BITTO & ORS. Respondent (s)

ITEM NO. 302@@
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IA NO. 179 IN WP(C) NO. 13029/1985
(FOR DIRECTIONS)

WITH
IA NO. 180 IN WP(C) NO. 13029/1985

(FOR DIRECTIONS ON BEHALF OF GOVT. OF NCT OF DELHI)

IA NO. 181 IN WP(C) NO . 13029/1985

(FOR IMPLEADMENT AND DIRECTION ON BEHALF OF IDNIAN FOUNDATION AND
TRANSPROT RESEARCH AND TRAINING)

Date: 29/07/2002 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE V.N. KHARE
HON'BLE MR. JUSTICE ASHOK BHAN

For Petitioner (s)

Mr. Harish N. Salve, S.G. (A.C.)
Mr. Uday Umesh Lalit, Adv. (A.C.)
Ms. Aparajit Singh, Adv.
Mr. Siddharth Choudhary, Adv.

Mr.M.C. Mehta, Petr. in Person (N.P.)

For Applicant (s)

in IA 143

in IA 150 & 153

(For RSRTC)

Mr. Sushil Kumar Jain, Adv.

in IA 151

Mr. Ajay Choudhary, Adv.
Mr. Sanjay Bansal, Adv.
Mr. G.K. Bansal, Adv.

in SLP..CC6990-91

Mr. D.S. Mahra, Adv.

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: 5 :

in SLP13208

Mr. Arvind Kumar Sharma, Adv.

in IA 152

Mr. Harish N Salve, SG (AC)
Mr. U U Lalit, Adv. (AC)

in IA 158

Mr. Vineet Jhanji, Adv.
Ms. Shyel Trehan, Adv.
Ms. Indu Malhotra, Adv.

in IA 159 & 165

(NCT of Delhi)

Mr. S. Wasim A. Qadri, Adv..
Mr. Abhishek Choudhary, Adv.
Mr. Bipul Kumar, Adv.
Mr. D S Mahra, Adv.

in IA 161

(U.O.I.)

Mr. Mukul Rohtagi, ASG.
Mr. A.D.N. Rao, Adv.
Mr. Y.P. Mahajan, Adv.
Mr. B V Balaramdas, Adv.

in IA 163

(TELCO)

Mr. F.S. Nairman, Sr. Adv.
Mr. Percy Gandhi, Adv.
Mr. R.N. Karanjawala, Adv.
Ms. Nandini Gore, Adv.
Ms. Meghna Mishra, Adv.
Ms. Manik Karanjawala, Adv.

in IA 164

(Indian Oil

Corpn. Ltd.)

Mr. Mukul Rohtagi, ASG.
Mr. S.K. Puri, Adv.
Mr. Ujjwal Banerjee, Adv.
Ms. Anindita Gupta, Adv.

Mr. H K Puri, Adv.

in IA 160
(I.G.L.)

Mr. P. Chidambaram, Sr. Adv.
Ms. Simran Mehta, Adv.
Mr. Siddharth Yadav, Adv.
Mr. Rakesh K Sharma, Adv.

in IA 162
(CNG Pvt. Bus
Operators)

Mr. Shanti Bhushan, Sr. Adv.
Mr. Narendra Verma, Adv.
Mr. Vishal Gupta, Adv.
Mr. Sanjeev K. Kapoor, Adv.
Mr. Sanjay Pathak, Adv.
Er. Anil Kumar Mittal, Adv.
Mr. Prashant Bhushan, Adv.

in IA 166

Mr. Joseph Pookkatt, Adv.
Mr. Presenjit Keswani, Adv.
Mr. Prashant Kumar, Adv.

in IA 167

Mr. H.K. Puri, Adv.

in IA 168

Mr. G.L. Sanghi, Sr. Adv.
Mr. Dhruv Mehta, Adv.
Ms. Anu Mehta, Adv.

in IA 169

Ms. Sudha Pal, Adv.
Mr. Rajeev K. Dubey, Adv.
Ms. Rani Chhabra, Adv.

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: 6 :

in WP 227/01

Ms. Naresh Bakshi, Adv.

in CP 259/00

Mr. Subramonium Prasad, Adv.

in CP 1/02

In Person

in CP 48/02

Ms. C.K. Sucharita, Adv.

in CP 71/02

Mr. D.S. Mahra, Adv.

in WP 355/01

Mr. Goodwill Indeevar, Adv.

in WP 939/96

Mr. R.K. Kapur, Adv.
Mr. Sumit Kumar Khatri, Adv.
Mr. B.R. Kapur, Adv.
Mr. Anis Ahmad Khan, Adv.

in IA 170 & 171

Mr. Giridhar G. Upadhyay, Adv.
Mr. Syed Ali Ahmad, Adv.
Mr. Syed Tanweer Ahmed, Adv.
Mr. Vikas Bansal, Adv.
Mr. R.D. Upadhyay, Adv.

in IA 173

Mr. S.K. Dholakia, Sr. Adv.
Mr. Sanjay Kapur, Adv.
Mr. Sanjeev Kumar, Adv.

in IA 179

Mr. Harish N. Salve, SG.
Mr. U.U. Lalit, Adv.

in IA 180

Mr. S.W.A. Qadri, Adv.
Mr. D.S. Mahra, Adv.

in IA 181

Ms. Rani Chhabra, Adv.

in IA 182 & 183

Mr. G.L. Sanghi, Sr. Adv.
Mr. Neeraj Kumar Jain, Adv.
Ms. Raj Rani Dhanda, Adv.
Mr. K.P. Singh, Adv.
Mr. Sunder Khatri, Adv.
Mr. J.P. Dhanda, Adv.

For Respondent (s)
Min. of Env./U.O.I.

Mr. Mukul Rohtagi, ASG.
Mr. A.D.N. Rao, Adv.
Mr. Y.P. Mahajan, Adv.
Mr. B.V. Balaram Das, Adv.

For NCT of Delhi &
Delhi Police

Mr. Mukul Rohtagi, ASG (For Delhi Police)
Mr. S. Wasim A. Qadri, Adv.
Mr. Bipul Kumar, Adv.
Mr. D.S. Mahra, Adv.

For Min. of Surface
Transport

Ms. Niranjana Singh, Adv.

For TELCO

Mr. T.R. Andhiyarujina, Sr. Adv.
Mr. Percy Gandhi, Adv.
Mr. R.N. Karanjawala, Adv.
Ms. Nandini Gore, Adv.

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: 7 :

Ms. Pooja Gautam, Adv.
Ms. Manik Karanjawala, Adv.

For D.T.C.

Ms. A. Subhashini, Adv.

For N.C.R.P.B.

Ms. Sheil Sethi, Adv.

For C.P.C.B.

Mr. Vijay Panjwani, Adv.
Mr. Iqbal Shamsi, Adv.

For D.D.A.

Mr. Vishnu B. Saharya, Adv.
for M/s VB Saharya & Co., Advs.

For SIAM & Ashok
Leyland

Mr. Sri Narain, Adv.
Mr. Sandeep Narain, Adv.
Ms. Anjali, Adv.

For STA Operators

Ms. Sudha Pal, Adv.
Mr. Rajeev K. Dubey, Adv.
Ms. Rani Chhabra, Adv.

For I.G.L.

Mr. P. Chidambaram, Sr. Adv.
Mr. Siddharth Yadav, Adv.
Ms. Simran Mehta, Adv.
Mr. Rakesh Kr. Sharma, Adv.

For I.O.C.L.

Mr. Mukul Rohtagi, ASG
Mr. S.K. Puri, Adv.
Mr. Ujjwal Banerjee, Adv.
Ms. Anindita Gupta, Adv.
Mr. H K Puri, Adv.

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

For B.P.C.L. Mr. Parijat Sinha, Adv.

For D.P.C.C. Mr. R.C. Verma, Adv.
Mr. Mukesh Verma, Adv.
Ms. Sangeeta Sharma, Adv.

For State of U.P. Mr. Ajay K. Agarwal, Adv.
Ms. Alka Agarwal, Adv.
Mr. Chetan Siddharth, Adv.

For State of Karnataka Mr. Sanjay R. Hegde, Adv.
Mr. Satya Mitra, Adv.

For State of Punjab Mr. Sarup Singh, AAG
Ms. Kiran Suri, Adv.

For States of Gujarat & Mizoram Ms. Hemantika Wahi, Adv.
Ms. Anu Sawhney, Adv.

For State of Maharashtra Mr. S.V. Deshpande, Adv.
Mr. S.S. Shinde, Adv.

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For State of West Bengal Mr. Tara Chandra Sharma, Adv.
Ms. Neelam Sharma, Adv.
Mr. Ajay Sharma, Adv.

Mr. Irshad Ahmad, Adv.

Mr. L.K. Pandey, Adv.

Mr. Arvind Kumar Sharma, Adv.

Mr. Aruneshwar Gupta, Adv.

Mr. V.G. Pragasam, Adv.

Mr. G. Prakash, Adv.

Mr. K.K. Rai, Adv.

Mr. B.B. Singh, Adv.

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

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IA Nos. 182 & 183@@
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Issue notice returnable after two weeks on the
Amicus Curiae and the Union of India.

DIRECTIONS WITH REGARD TO THE REPORT REGARDING@@
EE
PRICING OF CNG BY THE I.G.L. SUBMITTED BY THE BHURE LAL@@
EE
COMMITTEE@@
EEEEEEEE

Responses of the Union of India, I.G.L. and the

learned Amicus Curiae be filed to the Report regarding pricing which has been submitted by the Bhure Lal Committee. Needful be done within three weeks. List thereafter. I.G.L. will file an affidavit including as to the extent of their projected sales of CNG. Affidavit be filed within a period of ten days. They will also give justification for projecting their sales at 37 percent of the installed capacity. I.G.L. will also indicate by way ...9/-

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of an affidavit as to what are the figures which they gave to the Bhure Lal Committee with regard to the compression capacity and the dispensing capacity.

DIRECTIONS WITH REGARD TO THE AFFIDAVIT FILED BY@@
EE
THE UNION OF INDIA@@
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Union of India shall file an affidavit with ten days indicating as to why notification of 19th November, 2001 has not been made application, in effect, till 18th November, 2002. There is no reason as to why unsafe vehicles which do not meet the safety norms should be allowed to ply on the road. We, therefore, direct that@@
AA
with effect from 5th August, 2002, no retro-fitted or@@
AA
converted CNG bus will be allowed to ply unless and until@@
AA
the Director, Transport Department, NCT of Delhi is@@
AA
satisfied and certified that the vehicles confirmed with@@
AA
the safety norms of 19th November, 2001.@@
AA

Our attention has been drawn to the notification dated 19th November, 2001, where under the heading "For conversion by modification of engines of In-use diesel vehicles" it has been stated in sub-clause c as follows:

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"The "in-use" diesel vehicles when converted to operation on CNG shall meet at least the type approval norms of diesel vehicles prescribed in the India-2000 (India Stage-I) norms. For the vehicles manufactured on or after 1st April, 2000, the Type Approval norms corresponding to

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Bharat Stage-II, as applicable under these Rules shall be applicable and up to the validity of such Bharat Stage-II norms."

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