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W.P(C)No. 13029 OF 1985

ITEM No.301 to 307

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@@

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

[FOR FURTHER ORDERS]

ITEM NO. 302@@

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AFFIDAVIT FILED BY UNION OF INDIA IN WP(C) NO. 13029/1985 REGARDING
COMPULSORY SWITCH OVER OF ALL TWO WHEELERS, THREE WHEELERS AND MOTOR
VEHICLES TO L.P.G./C.N.G.

ITEM NO. 303@@

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

CC

M.C. MEHTA

Petitioner(s)

Versus

UNION OF INDIA & ORS.

Respondent(s)

WITH

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

CC

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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ITEM NO. 304@@
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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

ITEM NO. 305@@
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IA No. 170 in WP (C) 13029/1985
(For impleadment)
IN RE: SANJAY GANDHI MEMMORIAL EDUCATION SOCIETY, R.K. PURAM

I.A. NO. 171 IN wp (c) 13029/1985

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ITEM NO. 306@@

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IA No. 172 in WP (C) 13029/1985
(For impleadment and directions)

IN RE: INTER-STATE CONTRACT BUS OPERATORS ASSOCIATION

ITEM NO. 307@@

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IA NO. 173 IN WP(C) NO. 13029/1985
(For impleadment)

[ON BEHALF OF HINDUSTAN PETROLEUM CORPORATION LTD.]

Date : 15/07/2002 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

For Applicant (s)
in IA 143

Mr. M.C. Mehta, Petr. in Person

in IA 150 & 153
(For RSRTC)

Dr. Rajiv Dhawan, Sr. Adv.
M/s Sushil Kumar Jain & A.P. Dhamija, 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.

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. A.S. Chandiok, Sr. Adv.
Mr. Vineet Jhanji, Adv.
Ms. Shyel Trehan, Adv.
Ms. Indu Malhotra, Adv.

in IA 159 & 165
(NCT of Delhi)

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

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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 162 Mr. Prashant Bhushan, Adv.

in IA 163 (TELCO) Mr. T.R. Andhiyarujina, Sr. Adv.
Mr. Percy Gandhi, Adv.
Mr. R.N. Karanjawala, Adv.
Ms. Nandini Gore, Adv.
Ms. Pooja Gautam, 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. Siddharth Yadav,
Mr. Vikrant Yadav, Adv.
Mr. Praveen Swarup, 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 WP 227/01 Ms. Naresh Bakshi, 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 WP 440/99 Mr. Sarup Singh, Adv.
Ms. Kiran Suri, 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.

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in IA 173

Mr. Sanjay Kapur, Adv.
Mr. Sanjeev Kumar, 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. Kumud L. Das, Adv.
Mr. C.V. Subba Rao, Adv.
Ms. Niranjana Singh, Adv.
Ms. Anil Katiyar, Adv.
Mr. B.V. Balaram Das, Adv.

For NCT of Delhi &
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.
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. 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.

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

Mr. Surya Kant, Adv.

For B.P.C.L. Mr. Sudhir Chandra, Sr. Adv.
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. Aruna Gupta, Adv.

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

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

For State of M.P. Mr. Rohit K. Singh, Adv.
Mr. Satish K. Agnihotri, Adv.

For State of Manipur Mr. Khwairakpam Nobin Singh, 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
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DIRECTIONS WITH REGARD TO AFFIDAVIT FILED BY@@
EE
INDRAPRASTHA GAS LIMITED@@
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With regard to the direction contained in this Court's order dated 9th May, 2002 requiring the Bhure Lal

Committee to go into the question of pricing of CNG, a letter has been received dated 6th July, 2002 asking for extension of time by two weeks. The said Committee is

granted two weeks more time to submit a report.

DIRECTIONS WITH REGARD TO THE AFFIDAVIT FILED BY THE UNION@@
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OF INDIA@@
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Mr. Mukul Rohtagi, learned Additional Solicitor General appearing for the Union of India, wants further time to give a Report with regard to the Scheme in relation to the fuel for two wheelers and three wheelers as referred to in this Court's order dated 9th May, 2002. Further time is granted till 16th August, 2002 to file a Report.

DIRECTIONS IN RESPECT OF PROVIDING FINANCE TO SC/ST@@
EE
FOR PURCHASE OF BUSES@@
EE

Pursuant to this Court's order of 5th April, 2002, it is stated by Mr. S.W.A. Qadri, learned counsel appearing for the NCT of Delhi, that a Scheme in respect of providing finance to SC/ST for purchase of buses has been made. Neither any such Scheme has been placed on record nor is there any compliance report in respect thereto. On a query being made, Mr. Qadri submits that till today under the Scheme stated to have been formulated no vehicle has yet been made available or permit granted to SC/ST, so much for the concern of the Government for the betterment of SC/ST. We direct the NCT of Delhi to file a compliance

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report within two weeks. They will indicate as to what is the Scheme and they will also give an explanation as to why the Scheme, if any, has not been implemented so far. This aspect of the case to come up on 29th July, 2002.

On the next date of hearing, the Union of India will also indicate as to why the orders have not been passed requiring the vehicles to conform to Category-II/Bharat-II emission norms in the cities other than Delhi which are suffering air pollution.

IA No...../2002 filed in Court by Ld. Amicus Curiae@@
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Taken on board.

Issue notice. Mr. Mukul Rohtagi accepts notice on behalf of the Union of India. Replies be filed by 26th July, 2002. Status report as prayed for in the application also be filed by 26th July, 2002. List on 29th July, 2002.

DIRECTIONS WITH REGARD TO THE VEHICLES IN TRANSIT@@
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THROUGH DELHI@@
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We are informed by the learned counsel for the NCT of Delhi that despite the order of this Court in 2001 no heavy vehicles in transit have been stopped at the border and all of them are allowed to pass through Delhi. Learned counsel states that a Scheme is prepared which of course, is not disclosed to the Court. How any Scheme prepared by

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