

ITEM NO.2

COURT NO.3

SECTION PIL-W

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

Writ Petition(s)(Civil) No(s).4677/1985

M.C.MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(In RE.: SEALING ISSUE)

(1) IA NOS. 2069-2069A (APPLNS. FOR DIRECTIONS)

(2) IA NO. 2180 (APPLN. FOR DIRECTIONS)

(3) IA NOS. 2181 -2182 (APPLNS. FOR QUASHMENT OF ORDINANCE DT. 15.9.2007 AND IMPLEADMENT)

(4) IA NO. 2256 (APPLN. FOR DIRECTIONS)

(5) IA NO. 2331 (APPLN. FOR CHALLENGING THE NOTIFICATIONS DT. 16.6.2008 AND 12.8.2008)

(6) IA NO. 2441 (APPLN. FOR DIRECTIONS)

(9) REPORT OF STATUS OF GROUND WATER

WITH

W.P.(C) No. 144/2009 (PIL-W)

W.P.(C) No. 212/2008 (PIL-W)

W.P.(C) No. 266/2006 (PIL-W)

W.P.(C) No. 263/2006 (PIL-W)

W.P.(C) No. 229/2008 (PIL-W)

W.P.(C) No. 264/2006 (PIL-W)

SLP(C) No. 10599/2007 (XIV)

W.P.(C) No. 450/2006 (PIL-W)

W.P.(C) No. 464/2006 (PIL-W)

W.P.(C) No. 470/2006 (PIL-W)

S.L.P.(C)...CC No. 14752-14753/2012 (XIV)

W.P.(C) No. 569/2006 (PIL-W)

W.P.(C) No. 563/2006 (PIL-W)

W.P.(C) No. 610/2006 (PIL-W)

Date : 11-07-2018 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR

HON'BLE MR. JUSTICE DEEPAK GUPTA

Mr. Ranjit Kumar, Sr. Advocate (A.C.)(NP)

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Ms. Srishti Agnihotri, Adv.

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Ms. Remya Raj, Adv.

Ms. Rashmi Nandakumar, Adv.

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Mr. M.C. Dhingra, Adv.

144/09

Mr. Manu Shanker Mishra, Adv.

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 Mr. Sayan Ray, Adv.

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 Mr. Shivam Kumar, Adv.
 Mr. Satish Kumar, Adv.

212/2008
 Mr. Rohan Thawani, Adv.
 Ms. Vandana Sehgal, Adv.
 Mr. Hardeep Singh Anand, Adv.
 Mr. Anand Daga, Adv.
 Mr. Zal Andhyarujina, Adv.

Mr. Reepak Kansal, Adv.
 Mr. Manoj sharma, Adv.
 for Mr. Pravir Choudhury, Adv.

Mr. D.N. Goburdhun, Adv.
 Ms. Pallavi Chopra, Adv.

Mr. Surya Kant, Advocate

Mr. V.K. Verma, Adv.

Mr. S. Chandra Shekhar, Adv.

Mr. Prasanthi Prasad, Adv.

Mr. Prakash Kumar Singh, Adv.

Ms. Kamakshi S. Mehlwal, Adv.

Mr. Abhinav Mukerji, Adv.

Law Associates

80793 & 94

Mr. Shekhar Prit Jha, AOR

Mr. Gagan Mehta, Adv.

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

Status of Ground Water

On 8th of May, 2018, we had noted the conclusion of the report prepared by the Central Ground Water Board in May, 2018. Among other things, the Report indicates that there is over-exploitation of ground water in large parts of Delhi and a major part of Delhi is over-exploited and falling in semi-critical category. In such areas, the water levels are showing persistent declining trend during the last two decades.

We had required the Secretary in the Ministry of Water Resources, Government of Delhi and the Delhi Government as well as the Delhi Pollution Control Committee to inform us about the possible solutions.

The Ministry of Water Resources has filed an affidavit which reads more like an essay containing nothing but platitudes. There are hardly any concrete and possible suggestions mentioned in the affidavit.

The Delhi Government, not surprisingly, does not appear to be bothered about the problems of Delhi and, therefore, has not filed any affidavit.

Similarly, the Delhi Pollution Control Committee also seems to have no concern about the problems of Delhi and, therefore, has filed no affidavit.

Our attention has also been drawn to a recent Report of the Niti Aayog on "Composite Water Management Index", June 2018, in which it is stated, inter alia,:

"In fact, by 2020, 21 major cities, including Delhi, Bangalore, and Hyderabad, are expected to reach zero groundwater levels, affecting access for 100 million people".

Obviously, the situation is critical and not merely semi-critical.

The concerned Ministry should file an affidavit indicating what it proposes to do, if anything at all. The affidavit be filed within four weeks.

List the matters on 14th August, 2018.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
COURT MASTER

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(In RE.: SEALING ISSUE)

(7) IA NO. 43487/2018 (APPLN. FOR DIRECTIONS ON B/O GOVT. OF NCT OF DELHI)

(10) REPORT NO. 119 SUBMITTED BY MONITORING COMMITTEE

(11) REPORT NOS. 120 AND 121 SUBMITTED BY MONITORING COMMITTEE

(12)REPORT NOS. 122, 123 AND 124 SUBMITTED BY MONITORING COMMITTEE

Date : 11-07-2018 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA

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Ms. Remya Raj, Adv.
Ms. Rashmi Nandakumar, Adv.

For Petitioner(s) Petitioner-In-Person

For Respondent(S) Mr. A.N.S. Nadkarni, ASG
Mr. S. Wasim A. Qadri, Adv.
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SDMC	Mr. Sanjiv Sen, Sr. Adv. Mr. Praveen Swarup, Advocate Mr. Ameet Singh, Adv. Mr. Sayan Ray, Adv.
NDMC	Mr. Anil Grover, AAG Mr. Shivam Kumar, Adv. Mr. Satish Kumar, Adv. Mr. D.N. Goburdhun, Adv. Ms. Pallavi Chopra, Adv.

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

Report Nos.119-124

We have gone through the Report Nos.119-124 of the Monitoring Committee appointed by this Court.

The contents of the Reports make for some very sad reading.

In report after report, it is mentioned that the authorities are refusing to act and implement the orders of this Court with regard to removal of encroachments and unauthorised constructions.

We would like the Deputy Commissioner of South Delhi Municipal Corporation, West Zone and Central Zone to remain present in Court on the next date of hearing. The Chairman of the Special Task Force, i.e., the Vice-Chairman of the DDA should also be present on the next date of hearing.

Learned senior counsel appearing on behalf of the South Delhi Municipal Corporation stated in Court that a communication has been received from the Land and Development Officer for not carrying out sealing in respect of Amar Colony. We have taken his statement on record.

Response to the Reports may be filed well before the next date of hearing.

List Report Nos.119-124 along with I.A. filed by NCT of Delhi on 18th July, 2018.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
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(In RE.: SEALING ISSUE)

(8) IA NO. 45330/2018 (APPLN. FOR STAY ON B/O DELHI DEVELOPMENT AUTHORITY)

Date : 11-07-2018 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA

Mr. Ranjit Kumar, Sr. Advocate (A.C.)(NP)
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 Mr. Sayan Ray, Adv.

NDMC Mr. Anil Grover, AAG
 Mr. Shivam Kumar, Adv.
 Mr. Satish Kumar, Adv.

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

No orders are required to be passed in this
application, which is accordingly disposed of.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
COURT MASTER

ITEM NO.2

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R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s).4677/1985

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(In RE.: SEALING ISSUE)

(13) I.A. NOS. 80793 AND 80794 (APPLNS. FOR PERMISSION AND
IMPLEADMENT ON B/O MISBA FOODS PVT. LTD.)

Date : 11-07-2018 These matters were called on for hearing today.

CORAM :

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NDMC	Mr. Anil Grover, AAG Mr. Shivam Kumar, Adv. Mr. Satish Kumar, Adv.
80793 & 94	Mr. Shekhar Prit Jha, AOR

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

The applications are dismissed.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
COURT MASTER