

ITEM NO.1

COURT NO.4

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 &amp; ORS.

Respondent(s)

(In RE.: SEALING ISSUE)

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

Date : 15-05-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR  
HON'BLE MR. JUSTICE NAVIN SINHA

Mr. Ranjit Kumar, Sr. Advocate (A.C.)  
Mr. A.D.N. Rao, Advocate (A.C.)  
Ms. Anitha Shenoy, Advocate (A.C.)  
Mr. Rishi Raj Sharma, Adv.  
Mr. Sudipto Sircar, Adv.  
Ms. Remya Raj, Adv.  
Ms. Tulika Chikker, Adv.

For Petitioner(s)      Petitioner-in-person

For Respondent(S)      Mr. K.K. Venugopal, AG  
DDA                      Mr. Maninder Singh, ASG  
                                 Ms. Garima Prashad, Adv.  
                                 Mr. G.S. Oberoi, Adv.  
                                 Mr. Prabhas Bajaj, Adv.

UOI                              Mr. K.K. Venugopal, AG  
                                 Mr. A.N.S. Nadkarni, ASG  
                                 Mr. S. Wasim A. Qadri, Adv.  
                                 Mr. Salvador Santosh Rebello, Adv.  
                                 Mr. D.L. Chidanand, Adv.  
                                 Mr. Ritesh Kumar, Adv.  
                                 Ms. Sneha Prabhu Tendulkar, Adv.  
                                 Ms. Nivedita Nair, Adv.  
                                 Mr. Mayur Jaisingh, Adv.  
                                 Mr. Amit Sharma, Adv.  
                                 Mr. Zaid Ali, Adv.  
                                 Mr. Ritesh Kumar, Adv.  
                                 Mr. Raj Bahadur, Adv.

	Ms. Anil Katiyar, Advocate Mr. B.V. Balram Das, Advocate Mr. G.S. Makker, Adv. Mr. Rajesh K. Singh, Adv.
CPCB	Mr. Vijay Panjwani, Adv.
SDMC	Mr. Sanjiv Sen, Sr. Adv. Mr. Praveen Swarup, Advocate Mr. Ameet Singh, Adv. Mr. Rahul Arya, Adv. Mr. Sayan Ray, Adv.
NCT	Mr. D.N. Goburdhun, Adv. Ms. Pallavi Chopra, Adv.  Mr. Surya Kant, Advocate

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

We have heard the learned Attorney General and we have also heard the learned *amicus curiae*.

Learned Attorney general has placed before us an Action Plan for monitoring of all construction activities in Delhi and fixing of responsibility in case of violations of Master Plan, unified building Bye-laws and other illegal construction activities.

We have gone through the Action Plan and one of the questions that has arisen and for which learned Attorney General seeks some time to take instructions is: Whether officers who do not perform their duties as postulated by law and the Action Plan will be suspended pending disciplinary enquiry and proceedings under the provisions of the Prevention of Corruption Act, 1988.

Learned Attorney General would like to take instructions and for this limited purpose, list the

application again on Thursday, 17<sup>th</sup> May, 2018.

In the meanwhile, we accept the submission of the learned *amicus curiae* and direct that the Action Plan as handed over to us today by the learned Attorney General should be published in leading English newspapers circulated in Delhi for three consecutive days over the next ten days and in leading Hindi newspapers circulated in Delhi in Hindi for three consecutive days over the next ten days.

In addition to the above, the notification dated 25<sup>th</sup> April, 2018 issued by the Central Government constituting the Special Task Force pursuant to our order dated 24<sup>th</sup> April, 2018 should also be published in leading newspapers both in Hindi and in English.

We are giving this direction since the matter is of vital concern to the people of Delhi and future generations and so that civil society and all stakeholders are aware of the Action Plan as well as the responsibilities, the duties and functions of the Special Task Force. It is high time that accountability is recognized.

As far as the amendment of the Master Plan is concerned, we partially modify our order dated 6<sup>th</sup> March, 2018. It is submitted, on an interpretation of Section 11A of the Delhi Development Act, 1957, which has been read over to us by the learned Attorney General, that objections to the proposed amendments to the Master Plan

for Delhi will be meaningfully considered and amendments notified by the Central Government only after giving a notice period of 15 days for submitting objections. In other words, the Central Government will first invite objections from the people which can be submitted within 15 days of the notification inviting objections. After that period of 15 days is over, the Central Government will meaningfully consider and address the objections and make necessary modifications, as deemed appropriate. The amendments may then be notified.

The final decision of the Central Government should be taken keeping the interest of the people of Delhi and future generations in mind as well as the statutory requirements. The final decision should be placed on record.

Until then, the Special Task Force and the Monitoring Committee will continue with its duties and responsibilities. There is no stay on this.

The learned Additional Solicitor General states that the status report of the Special Task Force will be filed today and placed on record.

List the application on 11<sup>th</sup> July, 2018.

(SANJAY KUMAR-I)  
AR-CUM-PS

(KAILASH CHANDER)  
COURT MASTER

ITEM NO.1

COURT NO.4

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 &amp; ORS.

Respondent(s)

(In RE.: SEALING ISSUE)

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

Date : 15-05-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR  
HON'BLE MR. JUSTICE NAVIN SINHA

Mr. Ranjit Kumar, Sr. Advocate (A.C.)  
Mr. A.D.N. Rao, Advocate (A.C.)  
Ms. Anitha Shenoy, Advocate (A.C.)  
Mr. Rishi Raj Sharma, Adv.  
Mr. Sudipto Sircar, Adv.  
Ms. Remya Raj, Adv.  
Ms. Tulika Chikker, Adv.

For Petitioner(s)      Petitioner-in-person

For Respondent(S)      Mr. K.K. Venugopal, AG  
DDA                      Mr. Maninder Singh, ASG  
                                 Ms. Garima Prashad, Adv.  
                                 Mr. G.S. Oberoi, Adv.  
                                 Mr. Prabhas Bajaj, Adv.

UOI                              Mr. K.K. Venugopal, AG  
                                 Mr. A.N.S. Nadkarni, ASG  
                                 Mr. S. Wasim A. Qadri, Adv.  
                                 Mr. Salvador Santosh Rebello, Adv.  
                                 Mr. D.L. Chidanand, Adv.  
                                 Mr. Ritesh Kumar, Adv.  
                                 Ms. Sneha Prabhu Tendulkar, Adv.  
                                 Ms. Nivedita Nair, Adv.  
                                 Mr. Mayur Jaisingh, Adv.  
                                 Mr. Amit Sharma, Adv.  
                                 Mr. Zaid Ali, Adv.  
                                 Mr. Ritesh Kumar, Adv.  
                                 Mr. Raj Bahadur, Adv.

Ms. Anil Katiyar, Advocate  
Mr. B.V. Balram Das, Advocate  
Mr. G.S. Makker, Adv.  
Mr. Rajesh K. Singh, Adv.

CPCB Mr. Vijay Panjwani, Adv.

SDMC Mr. Sanjiv Sen, Sr. Adv.  
Mr. Praveen Swarup, Advocate  
Mr. Ameet Singh, Adv.  
Mr. Rahul Arya, Adv.  
Mr. Sayan Ray, Adv.

NCT Mr. D.N. Goburdhun, Adv.  
Ms. Pallavi Chopra, Adv.  
  
Mr. Surya Kant, Advocate

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

Reply be filed by learned *amicus curiae* within four  
weeks.

List the application on 11<sup>th</sup> July, 2018.

(SANJAY KUMAR-I)  
AR-CUM-PS

(KAILASH CHANDER)  
COURT MASTER

ITEM NO.802

COURT NO.4

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

I.A. D No.74451/2018 in  
Writ Petition(s)(Civil) No(s).4677/1985

M.C.MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(In RE.: SEALING ISSUE)

(APPLN. FOR INTERVENTION AND DIRECTIONS BY REHRI PATRI WELFARE ASSOCIATION)

Date : 15-05-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR  
HON'BLE MR. JUSTICE NAVIN SINHA

Mr. Ranjit Kumar, Sr. Advocate (A.C.)  
Mr. A.D.N. Rao, Advocate (A.C.)  
Ms. Anitha Shenoy, Advocate (A.C.)  
Mr. Rishi Raj Sharma, Adv.  
Mr. Sudipto Sircar, Adv.  
Ms. Remya Raj, Adv.  
Ms. Tulika Chikker, Adv.

For Petitioner(s) Petitioner-in-person

For Respondent(S) Mr. Prashant Bhushan, Adv. (mentioned by)  
Mr. Ramesh Kumar Mishra, AOR  
Mr. S.K. Singh, Adv.

UOI

Mr. K.K. Venugopal, AG  
Mr. A.N.S. Nadkarni, ASG  
Mr. S. Wasim A. Qadri, Adv.  
Mr. Salvador Santosh Rebello, Adv.  
Mr. D.L. Chidanand, Adv.  
Mr. Ritesh Kumar, Adv.  
Ms. Sneha Prabhu Tendulkar, Adv.  
Ms. Nivedita Nair, Adv.  
Mr. Mayur Jaisingh, Adv.  
Mr. Amit Sharma, Adv.  
Mr. Zaid Ali, Adv.  
Mr. Ritesh Kumar, Adv.  
Mr. Raj Bahadur, Adv.  
Ms. Anil Katiyar, Advocate

Mr. B.V. Balram Das, Advocate  
Mr. G.S. Makker, Adv.  
Mr. Rajesh K. Singh, Adv.

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

On being mentioned, taken on board.

List the application on 17<sup>th</sup> May, 2018.

(SANJAY KUMAR-I)  
AR-CUM-PS

(KAILASH CHANDER)  
COURT MASTER