

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

Writ Petition(s)(Civil) No(s). 13029/1985

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(1) ISSUE OF COMPREHENSIVE PLAN FOR AIR POLLUTION CONTROL OF REPORT NO. 87 SUBMITTED BY EPCA

(2) IA NO. 34/1999

(APPLN. FOR DIRECTIONS ON B/O GAUTAM NAGAR WELFARE ASSOCIATION FILED BY A.C.)

(3) IN RE: STICKERS FOR VEHICLES

(4) IA NOS. 142831 AND 142836 (APPLNS. FOR IMPLEADMENT AND DIRECTIONS ON B/O TOYOTA KIRLOSKAR MOTOR PVT. LTD.)

Date : 10-10-2018 This petition was called on for hearing today.

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

For Petitioner(s) Mr. Harish N. Salve, Sr. Advocate (A.C.) [NP]

Ms. Aparajita Singh, Advocate (A.C.)

Mr. A.D.N. Rao, Advocate (A.C.)

Mr. Siddhartha Chowdhury, Advocate (A.C.)

Petitioner-In-Person

For Respondent(S) Mr. A.N.S. Nadkarni, ASG  
Mr. S. Wasim A. Qadri, Adv.  
Mr. Amit Sharma, Adv.  
Ms. Suhasini Sen, Adv.  
Mr. D.L. Chidananda, Adv.  
Mr. Ritesh Kumar, Adv.  
Mr. Devasis Bharuka, Adv.  
Mr. Raj Bahadur, Adv.  
Mr. G.S. Makker, Advocate.  
Ms. Rachna Gupta, Adv.  
Mr. Vikas Chaudhary, Adv.

Ms. Pinky Anand, ASG  
Mr. S. Wasim A. Qadri, Adv.  
Ms. Snidha Mehra, Adv.  
Mr. B.V. Balram Das, Adv.

DDA Ms. Garima Prasad, Adv.  
Mr. G.S. Oberoi, Adv.

Delhi High Court Ms. Kiran Bhardwaj, Advocate

Haryana Mr. Anil Grover, AAG  
Dr. Monika Gusain, Adv.  
Mr. Sanjay Kr. Visen, Advocate

Mr. Abhishek, Advocate

Rajasthan Mr. S.S. Shamsbery, AAG  
Mr. Amit Sharma, Adv.  
Mr. Sandeep Singh, Adv.  
Mr. Ankit Raj, Adv.  
Ms. Nidhi Jaswal, Adv.  
Ms. Indira Bhakar, Adv.  
Ms. Ruchi Kohli, Advocate

Ms. Anil Katiyar, Advocate

Mr. Chirag Shroff, Adv.  
Ms. Neha Sangwan, Adv.

Mr. Praveen Swarup, Advocate.

TOYOTA KIRLOSKAR MOTOR PVT. LTD.  
Mr. Gopal Jain, Sr. Adv.  
Mr. Nakul Sachdeva, Adv.  
Mr. Aakarshan Sahay, Adv.  
MR. Nayamat Sistani, Adv.  
Mr. Failsal Sherwani, Advocate

UPON hearing the counsel the Court made the following

**O R D E R**

**ISSUE OF COMPREHENSIVE PLAN FOR AIR POLLUTION CONTROL OF REPORT NO. 87 SUBMITTED BY EPCA**

The learned ASG says that the status report will be filed in terms of order dated 16.07.2018 with necessary details. He seeks some time to file the status report.

Three weeks' time is granted.

List the matter on 15.11.2018.

IA NO. 34/1999 (APPLN. FOR DIRECTIONS ON B/O GAUTAM NAGAR WELFARE ASSOCIATION FILED BY A.C.)

An affidavit dated 09.10.2018 has been filed by the Delhi Police in compliance of the order dated 30.08.2018. Earlier an affidavit dated 29.08.2018 was filed by the Delhi Police in compliance of the order dated 30.07.2018.

In the earlier affidavit dated 29.08.2018, it was stated that 350 tasks have been identified for improvement of traffic flow in the identified 28 'A' category corridors. Out of these 350 tasks so identified, 108 had already been completed by various agencies; 70 were not found feasible by the agencies and in respect of 37 tasks continuous enforcement actions are being taken.

The learned Amicus says that she would like to know those 37 tasks for which continuous enforcement actions have been taken and the balance tasks. The learned ASG says that she will give the necessary information to the learned Amicus within two weeks.

The learned ASG has shown us the progress of some tasks that were required to be completed by 30.09.2018 in respect of category 'A' corridors.

It is stated that 8 of those tasks have been completed, 5 of those tasks have been dropped or found not to be feasible and 2 tasks are said to be in progress. Those 2 tasks that are said to be in progress relate to Patel Road [(Round About) Pusa Road to Moti Nagar Chowk] and Road No. 43 [Britania Chowk to Anukampa Chowk].

### Category 'B' and 'C' corridors

In the affidavit filed in compliance of the order dated 30.08.2018, the tasks have been identified with timeline with regard to category 'B' and 'C' corridors.

The status as on 31.12.2018 in this regard should be shown on the next date of hearing. The progress in respect of category 'B' and 'C' corridors will be taken up in January, 2019.

The learned ASG says that in respect of 58 tasks required to be accomplished in category 'B' and 'C' corridors, the concerned agencies have not given the timeline.

The Commissioner of Police should take up with these agencies to provide the timeline at the earliest. We expect the concerned agencies to take up the matter with due seriousness and assist the Commissioner of Police in this regard.

### Policy for disposal of case properties and decongestion of police stations in Delhi

We have seen the policy for disposal of case properties and decongestion of police stations in Delhi. The Commissioner of Police will ensure that the policy is widely circulated to all concerned.

The learned ASG states that she will ensure that the policy is widely circulated. Apart from the wide circulation of the policy, it should also be strictly implemented.

## Appointment of District Nazir in Delhi

It is orally submitted that in all the judicial districts, the District Nazirs have been appointed. It is only in revenue districts that the District Nazirs are required to be appointed. It is submitted that this is the concern of Delhi Government to make the appointments.

On 30.08.2018, it was stated by learned counsel appearing for the Delhi Government that he would get back to us on the question of appointment of District Nazirs.

No affidavit has been filed by the Government of Delhi in this regard. It is orally submitted by Mr. Qadri, learned counsel appearing on behalf the Delhi Government that infrastructure and space are required before the District Nazirs are appointed.

He should give us a status report, on affidavit, in this regard giving the requirements and the timeline within which the appointments can be made and the infrastructure, if any, can be provided. Needful be done within two weeks.

With regard to filing of applications, it is stated by Ms. Kiran Bhardwaj, learned counsel appearing on behalf of the Delhi High Court that there is a Central Registry for filing in the office of the District Judge, Metropolitan Magistrate and the Civil Judge.

Ms. Kiran Bhardwaj, learned counsel says that as per her information the Delhi Police continues to file applications in the office of the Metropolitan Magistrate without taking advantage of the Central Registry.

Ms. Pinky Anand, learned ASG says that she will verify this

and advise the Delhi Police to use the facility of Central Registry for filing the applications.

The learned ASG says that the Central Registry is not available for miscellaneous applications and applications for disposal of case properties. If that is so, the Delhi High Court will look into it so that even miscellaneous applications and the applications for disposal of case properties are filed in the Registry.

This is disputed by Ms. Kiran Bhardwaj, learned counsel appearing for the Delhi High Court. An affidavit should be filed in this regard by the Registrar General of the High Court.

#### Sticker for vehicles

It is stated by the learned ASG that appropriate notifications with regard to stickers have already been issued. The Motor Vehicles (New High Security Registration Plates) Order, 2001 is under consideration and hopefully the amendment to the Central Motor Vehicles Rules will also be made in due course of time.

There does not appear to be any clarity in the procedure that will be followed by the Ministry of Road, Transport and Highways for existing vehicles and vehicles that will be registered in future.

The learned ASG says that the necessary steps will be taken by giving wide publicity to the stickers and the procedure for implementing the amendments that are proposed.

Affidavit in this regard be filed within two weeks.

List the matter on 28.11.2018.

**IA NOS. 142831 AND 142836 (APPLNS. FOR IMPLEADMENT AND DIRECTIONS  
ON B/O TOYOTA KIRLOSKAR MOTOR PVT. LTD.)**

The applications are dismissed.

(MEENAKSHI KOHLI)  
COURT MASTER

(KAILASH CHANDER)  
ASSISTANT REGISTRAR