
(2003) 07 SC CK 0086

In the Supreme Court Of India

Case No : I.A. No. 366-369 in W.P.(C) No. 13381 of 1984 with I.A. Nos. 389-390
in W.P.(C) 13381/1984

M.C. Mehta

APPELLANT

Vs

Union of India (UOI) and Others

RESPONDENT

Date of Decision : 25-07-2003

Acts Referred:

Citation : (2003) 5 SCALE 536 : (2003) 8 SCC 710

Hon'ble Judges : M. B. Shah, J;A.C. Lakshmanan, J

Bench : Division Bench

Final Decision : Allowed

Judgement

IAs Nos. 366-69

1. Heard the learned counsel for the parties.

2. It is the submission of the learned counsel for the applicants that the applicants have complied with all the recommendations made by NEERI as well as by the Central Pollution Control Board. In this view of the matter, the applicants are permitted to restart their brick kilns. However, the Joint Inspection Committee to visit the sites within a period of six weeks and submit further report. If the conditions are not complied with by the applicant(s), it would be open to the Joint Inspection Committee to direct the applicant(s) to close the brick kilns. The applicant(s) would be liable to pay heavy costs in the event of the statement being found false.

IA No. 389

3. The learned counsel appearing on behalf of the Union of India states that the Government of India in the Ministry of Environment and Forests vide their OM No. Q-18011/8/2003-CPC dated 9-7-2003 has constituted a Technical Committee consisting of: (7) Director, Central Water Power Research Station, Khadakwasla or nominee, (2) Director General, Archaeological Survey of India, or nominee,

(3) Chief Engineer, CCU, Ministry of Environment and Forests, and (4) Member Secretary, Central Pollution Control Board, to assess the work and also to find out any damage which is likely to be caused by the construction work carried out by the government agency. In this view of the matter, no further orders are required at this stage.

4. For directions, if any, stand over for six weeks.