

(2000) 11 SC CK 0049

In the Supreme Court Of India

Case No : IA No's. 108-10 in WP (C) No. 13381 of 1984 with IA No. 111 of 2000 in Writ Petition No. 13381/84

M.C. Mehta

APPELLANT

Vs

Union of India (UOI) and Others

RESPONDENT

Date of Decision : 08-11-2000

Acts Referred:

Citation : (2000) 8 SCALE 389 : (2003) 10 SCC 726

Hon'ble Judges : M. Jagannadha Rao, J;M. B. Shah, J

Bench : Division Bench

Final Decision : Disposed Of

Judgement

I. A. No. 108-110

1. The applicant Hind Agro Industries Ltd. has sought a clarification in respect of the order passed by this Court on 13-9-2000. The applicant refers to an advertisement issued in the Times of India by the Agra Nagar Nigam which while calling tenders referred to an order passed by this Court dated 13-9-2000.

2. We have heard learned senior counsel appearing for the applicant and counsel for the Agra Nagar Nigam. After hearing them, we hereby clarify that the order of this Court dated 13-9-2000 said nothing about the pending contract between the applicant and Agra Nagar Nigam and all that was said was that the Agra Nagar Nigam would take steps to complete the new slaughter house within one month from 13-9-2000. We clarify the position accordingly.

3. We are not to be understood as having said anything on the merits of the dispute between the applicant and the Agra Nagar Nigam with regard to the cancellation of the contract between the applicant and the Agra Nagar Nigam. If any civil proceedings are pending between the parties this will be disposed of on their own merits. The I.As. No. 108-119 are disposed of accordingly.

LA. No. 111

4. This I.A. was mentioned yesterday and is specially listed today. Counsel for the Agra Nagar Nigam was not present when the case was called but came in later.

5. The learned Solicitor General Mr. Harish N. Salve submits that the Police Personnel including Personnel of Provincial Armed Constabulary or any other private Security personnel deployed within the precincts of Taj Mahal should be removed. It is stated that they are not keeping the portion occupied by them in a clean manner and appear also to be using the same more or less for residential purposes as the photographs show. The place where they stay are kept in a very shabby condition. It is in not keeping with the dignity and beauty of the surroundings including the Taj Mahal monument. We, therefore, direct the police squads put up in the varandah as shown in the photographs at page 33 near the Saheli Burz, to remove themselves from that place. It is directed that the surroundings should be kept absolutely clean and the screens and other tables etc. should be removed from the varandahs. The police should cooperate with the officers of the Archaeological Department. The police authorities cannot use any part of the monuments even for the official purposes. If they want to use any area within the precincts they should consult the Archaeological Department and obtain its consent as to where they can have their accommodation for keeping their vigilance. The main residence of the officers and also the official accommodation should be outside the Taj Mahal precincts.

6. The Chief Secretary of the State of U.P. will consult the Director General of the Archaeological Survey of India for the purpose of compliance with this order and sorting out all the problems with regard to accommodation of police force inside the Taj for their vigilance activities.

7. List this I.A. on 21-11-2000 at 2.00 p.m.