

(1998) 01 SC CK 0036

In the Supreme Court Of India

Case No : Writ Petition (C) No. 13381 of 1984 with I.A. No. 39 of 1987

M.C. Mehta

APPELLANT

Vs

Union of India (UOI) and Others

RESPONDENT

Date of Decision : 19-01-1998

Acts Referred:

Citation : AIR 1998 SC 2605 : (1998) AIRSCW 2639 : (1998) 9 SCC 381

Hon'ble Judges : S. Saghir Ahmad, J;M. Jagannadha Rao, J

Bench : Division Bench

Final Decision : Dismissed

Judgement

1. The U.P. State Electricity Board in treating the Ambient Air Quality Monitoring Station at the Taj Mahal set up by the Archaeological Survey of India as an ordinary consumer is rather distressing. It is stated that continuous power supply cannot be made to this monitoring station, as they have got only 2 kV load. It is further stated that if they apply for 15 kV load, the U.P. State Electricity Board will have to provide an independent feeder line through which continuous power supply can be made to the monitoring station. It is also pointed out by the learned counsel appearing on behalf of the Board that, if the monitoring station installs inverters, then also continuous power supply can be ensured.

2. Having regard to the fact that the whole purpose of this proceeding is to protect the monument and the setting up of the Ambient Air Quality Monitoring Station at the Taj Mahal was part of the entire job, we direct the U.P. State Electricity Board to sanction 15 kV load to the monitoring station and also to set up an independent feeder line for continuous power supply to the station without requiring the monitoring station to formally apply for the sanction of this load. The cost involved in this project shall be borne equally by the U.P. State Electricity Board and the Union of India, for which purpose the officers of the Board and the Government of India in the Ministry of Environment, and the Archaeological Survey of India will chalk out a programme so that the entire project is completed within two months. In the meantime, the Board will install

inverters on the monitoring station at their own expenses, as a short-term measure.

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3. The affidavit filed on behalf of the Director General, Archaeological Survey of India dated 9-9-1997 states that efforts are being made by them in running the Ambient Air Quality Monitoring Station at the Taj Mahal. They have made a prayer for granting 10 months" time for doing the needful regarding the installation of automatic monitoring equipments. Four months" time is allowed to set up the Automatic Monitoring Equipments at the Air Pollution Monitoring Station.

4. List on 20-1-1998.

Court Masters