

IN THE SUPREME COURT OF INDIA
ORIGINAL/CIVIL APPELLATE JURISDICTION
I.A. No(s).378-379, 441-442, 456-457 and 459
in I.A. No.365 in I.A. No.345

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

IN THE MATTER OF:

M.C.MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

WITH

I.A.Nos.424, 434, 439-440, 443-444 in I.A. No.365 in I.A. 345

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

O R D E R

Having heard learned counsel for the parties at some length, we direct the following arrangement in modification of our earlier orders:

(1) Government of National Capital Territory of Delhi shall permit the city taxies having validly issued permits under Section 74 of the Motor Vehicles Act, 1988 to operate within the National Capital Region not limited to National Capital Territory of Delhi provided such permits are duly counter-signed by the competent authorities under Section 88(1) of the Act.

(2) Registration of new city taxies shall be permitted only if the vehicles operate on dual fuel or petrol or C.N.G. We make it clear that no vehicle shall be

registered as a city taxi if it runs on diesel fuel. The competent authorities shall faithfully comply with this direction.

(3) All existing All India Tourist Permit (AITP) taxies operating in the National Capital Region shall be converted into AITP (O) category and will be allowed to operate until such time their existing permits expire by efflux of time. We make it clear that the registering authority shall not renew such permits once they have expired. We also direct that the permission hereby granted shall be subject to the AITP taxies complying with all Government directives concerning security, safety and fare issued from time to time.

(4) All new AITP permits will be issued as AITP (N) category permits. These permits shall not authorise the taxies to pick-up or drop passengers from point to point within the NCR. The authority issuing the permits shall insist upon an undertaking from the person seeking an AITP permit to the effect that he shall not use the taxi for point to point service within the NCR. This direction shall continue till such time, the Government frame suitable rules to that effect and publish the same in the official gazette.

We must place on record that Mr. Kapil Sibal, learned senior counsel appearing for NASSCOM who engages a very large number of taxies for ferrying their employees to and from their offices, has assured the Court that his client shall upon expiry of the existing contract with the Taxi operators and while fixing future contracts with similar other operators, make sure that the operators run taxies on non-diesel fuel. This, according to him, will be certainly achieved after the expiry of the existing permits. That submission is recorded.

All the interlocutory applications, mentioned above, are accordingly disposed of.

.....CJI.
(T.S. THAKUR)

.....J.
(A.K. SIKRI)

.....J.
(R. BANUMATHI)

NEW DELHI
DATED 10th MAY, 2016

ITEM NO.304

COURT NO.1

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. NO(s).378-379, 441-442, 452, 456-457 and 459
in I.A. No.365 in I.A. 345
in Writ Petition(s) (Civil) No(s). 13029/1985

M.C.MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(For intervention and clarification/modification of court's order and impleadment and clarification/direction and impleadment as party respondent and

WITH

I.A.No.424, 434, 439-440, 443-444 in I.A. No.365 in I.A. 345 in
Writ Petition(s) (Civil) No(s). 13029/1985

Date : 10/05/2016 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE A.K. SIKRI
HON'BLE MRS. JUSTICE R. BANUMATHI

Mr. Harish N. Salve, Sr. Adv. (A.C.)
Mr. Sidhartha Chowdhury, Adv. (A.C.)
Ms. Apartajita Singh, Adv. (A.C.)
Mr. A.D.N. Rao, Adv. (A.C.)

For Petitioner(s)

Petitioner-in-person

For Respondent(s)/
Applicant(s)
(U.O.I.)

Mr. Ranjit Kumar, S.G.
Ms. Pinky Anand, ASG
Mr. Vibhu Shanker Mishra, Adv.
Mr. Sarfraz Ahmed Siddiqui, Adv.
Mr. Wasim A. Quadri, Adv.
Mr. Shadhman Ali, Adv.
Mr. Zaid Ali, Adv.
Mr. Mukul Singh, Adv.
Mr. Rajesh Mishra, Adv.
Mr. D. S. Mahra, Adv.
Mr. Kaushal Yadav, Adv.

(I.A. 452)

(U.O.I.)
 Ms. V. Mohana, Sr. Adv.
 Ms. Meenakshi Grover, Adv.
 Mr. G.S. Makkar, Adv.
 Ms. Anil Katiyar, Adv.
 Mr. S.N. Terdal, Adv.
 Ms. Binu Tamta, Adv.

(I.A. 456-457)
 Mr. Kapil Sibal, Sr. Adv.
 Mr. Shyam Divan, Sr. Adv.
 Mr. Manu Nair, Adv.
 Mr. Anuj Berry, Adv.
 Mr. Saurbh Rath, Adv.
 Ms. Maneka Khanna, Adv.
 Mr. Shardul S. Shroff, Adv.

(I.A. 459)
 Mr. C.U. Singh, Sr. Adv.
 Mr. Chirag M. Shroff, Adv.

(I.A. 441-442)
 Mr. R.S. Suri, Sr. Adv.
 Mr. Avinash Kumar, Adv.

(I.A. 424 &
 I.A. 434)
 Mr. Shyam Divan, Sr. Adv.
 Mr. Yashraj Singh Deora, Adv.
 Ms. Priyadarshinee Singh, Adv.

(I.A. 378-379)
 Mr. Nidhesh Gupta, Sr. Adv.
 Mr. Gopal Jain, Sr. Adv.
 Mr. Sonal Jain, Adv.
 Mr. Kuldeep Singh, Adv.
 Mr. Udyan Jain, Adv.
 Mr. Manas Gaur, Adv.
 Ms. Stephanie, Adv.
 Ms. Anju Thomas, Adv.

(UBER)
 Mr. Arvind P. Datar, Sr. Adv.
 Mr. Susmit Pushkar, Adv.
 Mr. Abhijeet Swaroop, Adv.

(I.A. 443-444)
 Mr. Kavin Gulati, Sr. Adv.
 Mr. Faisal Sherwani, Adv.
 Mr. Aranyak Pathak, Adv.
 Mr. Harshad Pathak, Adv.
 Mr. K.K. Venugopal, Sr. Adv.
 Ms. Pooja Dhar, Adv.

(I.A. 439-440)
 Mr. Saurabh Bhardwaj, Adv.
 Ms. Srishti Govil, Adv.
 Mr. Balaji Srinivasan, Adv.

(CPCB) Mr. Vijay Panjwani, Adv.
Mr. D.K. Thakur, Adv.

(NHAI) Mr. Vivek Paul Oriell, Adv.
For M/s. M.V. Kini & Asso.

(State of U.P.) Mr. Samir Ali Khan, Adv.
Mr. Harshvardhan Jha, Adv.

M/s. S. Narain & Co.

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

In terms of the signed order, I.A. NO(s).378-379, 441-442, 456-457, 459 and also I.A.No(s).424, 434, 439-440, 443-444 in I.A. No.365 in I.A. 345 in W.P.(C)No(s).13029 of 1985 are disposed off.

Post I.A.No.452 in I.A.No.365 in I.A. No.345 in W.P.(C)No.13029 of 1985 after ensuing summer vacation along with pending interlocutory applications.

(MAHABIR SINGH)
COURT MASTER

(VEENA KHERA)
COURT MASTER

(Signed order is placed on the file)