

ITEM NO.301

Court 1 (Video Conferencing)

SECTION PIL-W

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).1135/2020

ADITYA DUBEY (MINOR) & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

IA No. 98165/2021 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 159244/2021 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 150881/2021 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 159208/2021 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 149458/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 152069/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 152068/2021 - INTERVENTION APPLICATION
IA No. 151957/2021 - INTERVENTION APPLICATION
IA No. 150880/2021 - INTERVENTION APPLICATION
IA No. 149457/2021 - INTERVENTION APPLICATION
IA No. 153451/2021 - INTERVENTION APPLICATION
IA No. 148255/2021 - INTERVENTION APPLICATION
IA No. 150968/2021 - INTERVENTION/IMPLEADMENT
IA No. 159241/2021 - INTERVENTION/IMPLEADMENT
IA No. 159206/2021 - INTERVENTION/IMPLEADMENT)

Date : 10-12-2021 This matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE SURYA KANT

For Petitioner(s) Mr. Vikas Singh, Sr.Adv.
Mr. Nikhil Jain, AOR
Mr. Meenesh Dubey, Adv.
Ms. Deepeika Kalia, Adv.
Mr. Satya Prakash, Adv.
Mr. Vinod Kr. Jain, Adv.
Mr. Satwik Mishra, Adv.
Mr. Pramod Kumar, Adv.
Mr. Bhupendra Kumar Bhardwaj, Adv.
Mr. Shobhit Jain, Adv.

For Respondent(s)/ Applicant(s) Mr. Tushar Mehta, SG
Ms. Aishwarya Bhati, ASG
Mr. Gurmeet Singh Makker, Adv.
Ms. Ruchi Kohli, Adv.
Mr. Rajat Nair, Adv.
Ms. Swarupma Chaturvedi, Adv.

Mr. Amit Sharma, Adv.
Mr. Kanu Agarwal, Adv.
Ms. Srishti Mishra, Adv.
Ms. Suhashini Sen, Adv.
Mr. Navanjay Mahapatra, Adv.
Ms. Archana Pathak Dave, Adv.

Mr. Sajjan Poovayya, Sr.Adv.
Mr. Prag Tripathi, Sr.Adv.
Mr. C.S. Vaidyanathan, Sr.Adv.
Mr. Nitin Saluja, Adv.

Mr. Sandeep Sethi, Sr.Adv.
Mr. Atul Batra, Adv.
Mr. Kundan Mishra, Adv.
Mr. Sohit Chaudhry, AOR

For GNCTD

Dr. A.M. Singhvi, Sr. Adv.
Mr. Rahul Mehra, Sr. Adv.
Ms. Jyoti Mendiratta, AOR

Ms. Uttara Babbar, AOR

For State of Punjab

Mr. D.S. Patwalia, AG, Punjab
Ms. Ranjeeta Rohatgi, AOR
Mr. Anirudh Bakhru, Adv.
Mr. Gauravjit Patwalia, Adv.

For State of U.P.

Mr. Ranjit Kumar, Sr.Adv.
Mr. Ravindra Raizada, Sr.Adv./AAG
Ms. Garima Prasad, Sr.Adv./AAG
Mr. Rajeev Kumar Dubey, Adv.
Mr. Ashiwan Mishra, Adv.
Mr. Anurag Tiwari, Adv.
Mr. Kamlendra Mishra, AOR

For State of
Haryana

Mr. Maninder Singh, Sr.Adv.
Mr. Anil Grover, AAG, Haryana
Ms. Noopur Singhal, Adv.
Mr. Rahul Khurana, Adv.
Mr. Satish Kumar, Adv.
Mr. Bhanwar Jadon, Adv.
Mr. Sanjay Kumar Visen, AOR

For State of Raj.

Dr. Manish Singhvi, Sr.Adv.
Mr. Arpit Parkash, Adv.
Mr. Sandeep Kumar Jha, Adv.

Mr. Pinaki Misra, Sr.Adv.
Mr. Utkarsh Sharma, Adv.
Ms. Kaveri Vats, Adv.

Mr. Kapil Sibal, Sr.Adv.

Mr. Sumeer Sodhi, Adv.
Mr. Abhishek Lalwani, Adv.

Mr. C.A. Sundaram, Sr.Adv.

Mr. Sandeep Kumar Jha, Adv.
Mr. Dhiraj Kumar, Adv.
Mr. Sanveer Mehlwal, Adv.
Mr. Abdul Gaffar, Adv.
Ms. Geetanjali Mehlwal, Adv.

Mr. Kaushal Yadav, AOR
Mr. Kamlesh Kumar Maurya, Adv.
Mr. Nandlal Kumar Mishra, Adv.
Mr. Shafik Ahmed, Adv.
Mr. Vivekanand Rana, Adv.
Ms. Yashoda Katiyar, Adv.
Dr. Ajay Kumar, Adv.
Mr. H.S. Sachdeva, Adv.

Mr. Haresh Raichura, AOR
Ms. Saroj Raichura, Adv.
Mr. Ram Bhadauria, Adv.
Mr. Kalp Raichura, Adv.

Mr. Rakesh Dahiya, AOR
Mr. Aditya Dahiya, Adv.
Mr. Ravi Swami, Adv.
Mr. Bhudev Prasad Vaishnav, Adv.

Mr. Anilendra Pandey, AOR
Mr. Charanpal Singh Bagri, Adv.
Dr. Gurjit Kaur Jassar Bagri, Adv.
Mr. Sandeep, Adv.
Mr. Rajeev Yadav, Adv.
Mr. Navin Kumar Rana, Adv.
Mr. Raju sonkar, Adv.

Mr. Rahul Shukla, Adv.
Mr. Kumar Dushyant Singh, AOR

Mr. Chirayu Jain, Adv.
Mr. Shivendra Singh, AOR

Ms. Sanchita Ain, AOR

Mr. Manish Kumar, Adv.
Mr. Nakul Jain, Adv.
Mr. Piyush Kaushik, Adv.
Mr. Amit Kumar, Adv.
Mr. Utkarsh Sharma, Adv.
Mr. Hayat Ahluwalia, Adv.

Ms. Divya Roy, AOR

Ms. Shyel Trehan, Adv.
Mr. Chirayu Jain, Adv.
Mr. Raghav Anand, Adv.
Mr. Shivendra Singh, Adv.

Mr. Ajay Bansal, Adv.
Mr. S.K. Vesenn, AOR
Mr. Gaurav Yadava, Adv.
Ms. Veena Bansal, Adv.

Mr. Amrish Kumar, Adv.

Mr. Sanchit Ain, Adv.

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

Heard Mr. Vikas Singh, learned senior counsel appearing on behalf of the petitioners, Mr. Tushar Mehta, learned Solicitor General appearing on behalf of the Union of India, Dr. A.M. Singhvi, learned Senior counsel appearing on behalf of the Government of National Capital Territory of Delhi, Mr. Ranjit Kumar, learned Senior counsel appearing on behalf of the State of Uttar Pradesh, Mr. Kapil Sibal, Mr. C.A. Sundaram, Mr. Sandeep Sethi, Mr. Pinaki Mishra, Mr. Prag P.Tripathi, Mr. C.S. Vaidyanathan, learned senior counsel and Ms. Shyel Trehan and Mr. Manish Kumar, learned counsel appearing on behalf of various intervenors.

The application for impleadment filed on behalf of the Commission for Air Quality Management in National Capital Region and Adjoining Areas is allowed in terms of the prayer made and the applicant is impleaded as a party-respondent.

We have perused the Affidavit dated 09.12.2021 filed on behalf of the Commission for Air Quality Management in National Capital Region and Adjoining Areas. The same is taken on record.

We direct the Commission to examine requests of various industries and organisations about relaxation of conditions imposed by virtue of our previous orders or otherwise as per the Commission's circulars. We direct the concerned intervenors to furnish a copy of their applications to the office of the learned

Solicitor General, who is requested to forward the same to the Commission. We expect that the Commission will look into this and take appropriate action in a week's time.

We grant liberty to the Commission to call for the representatives of the industries and organisations, if it finds it necessary, and take their inputs before passing any order.

I.A.No.148255/2021 has been filed on behalf of the applicant praying therein to permit the applicant to intervene in the matter and raise the concerns which are subject matter of the instant writ petition. The same is also allowed in terms of the prayer made. The suggestions contained therein shall be considered on the next date(s) of hearing.

I.A.No.150880/2021 filed on behalf of the applicant/intervenor is allowed in terms of the prayer made.

During the course of hearing, Ms. Shyel Trehan, learned counsel appearing on behalf of the intervenor raised the issue of non-payment of minimum wages to the workers during the period of construction ban by the States of Uttar Pradesh and Rajasthan.

We direct the States of Uttar Pradesh and Rajasthan to comply with the orders passed by this Court and file an affidavit of compliance before the next date of hearing.

List on 16.12.2021.

(SATISH KUMAR YADAV)
DEPUTY REGISTRAR

(R.S. NARAYANAN)
COURT MASTER (NSH)