

W.P(C)No. 657 OF 1995
ITEM No.202 (P-H)

Court No. 4

SECTION PIL
XIV & III

A/N MATTER

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Writ Petition(Civil) No.657/1995

RESEARCH FOUNDN. FOR SCIENCE

Petitioner (s)

VERSUS

U O I & ANR. Respondent (s)
(With quarterly report and office report)

With

SLP(C)No.16175/1997
(With applns. for ex-parte stay and impleading party and intervention)
(For final disposal)

C.A.No.7660/1997
(With office report)(For final disposal)

Date : 07/05/2004 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL
HON'BLE MR. JUSTICE S.B. SINHA

For Petitioner(s)

Mr. Sanjay Parikh, Adv.

Mrs. B. Vijalakshmi Menon, Adv.

For MOEF:

Mr. Raju Ramachandran, A.S.G.
Mr. A.D.N. Rao, Adv.
Mr. P. Parmeswaran, Adv.

For UOI: Mr. Rajiv Nanda, Adv.
Mr. Sanjay R. Hegde, Adv.
Mr. S.N. Terdol, Adv.
Mr. B.K. Prasad, Adv.

Mr. Huzefa Ahmadi, Adv.
Mr. Ejaz Maqbool, Adv.
M/s. Nakul Dewan, Abhimeet Sinha,
Minakshi Nag & Saquib Arbab, Advs.

-Sikkim: Mr. A.Mariarputham, Adv.
Mrs. Aruna Mathur, Adv.
for M/s. Arputham, Aruna & Co., Advs.

-Tripura: Mr. Anurag Sharma, Adv.
Mr. Gopal Singh, Adv.

...2/-

-2-

-Nagaland: Mr. U. Hazarika, Adv.
Ms. Madhvi Sharma, Adv.
Ms. Sumita Hazarika, Adv.

-Manipur: Mr. KH. Nobin Singh, Adv.

-Applicant: Mrs. Vanita Bhargava, Adv.
Ms. Bina Gupta, Adv.

-JN Port Trust: Mr. Ajay Sharma, Adv.

-Goa: Ms. A. Subhashini, Adv.

-MPPCB & St.of MP: Mr. S.K. Agnihotri, Adv.
Mrs. Yogmaya Agnihotri, Adv.
Mr. Rohit K. Singh, Adv.
Mr. Anil K. Pandey, Adv.

-OSPCB: Mr. Janaranjan Das, Adv.
Mr. Swetaketu Mishra, Adv.
Ms. Moushami Gahlot, Adv.

-U.P.: Mr. Subodh Markandeya, Sr.Adv.
Mr. Kamlendra Mishra, Adv.

Mr. Rajeev Kumar Dubey, Adv.

-MPCB: Mr. R.C. Verma, Adv.
Mr. Mukesh Verma, Adv.
Mr. Manish Shanker, Adv.

-Pondicherry PCC &
Govt.of Pond. Mr. V. G. Pragasam,Adv.

-WBPCB: Mr. R. Mohan, Sr.Adv.
Mr. V.G. Pragasam, Adv.

-J & K: Mr. Altaf H. Naiyak, A.G., J & K
Mr. Anis Suhrawardy, Adv.

-Arl.Pradesh: Mr. Anil Shrivastav, Adv.

-Bihar: Mrs. Sunita R. Singh, Adv.
Mr. B.B. Singh, Adv.

-Tamil Nadu: Mr. R. Ayyam Perumal, Adv.
Mr. S. Vallinayagam, Adv.

-Bombay Port Trust: Mr. Buddy A. Ranganadhan, Adv.
for M/s. J.B.D. & Co., Advs.

-Res.No.5: Mr. Chandra Kanta Nayak, Adv.
Mr. Santosh Kumar, Adv.
Mr. Atishi Dipankar, Adv.

Mr. Sushil Kumar Jain, Adv.
Mr. R.K. Joshi, Adv.
Mr. A.P. Dhamija, Adv.
Mr. H.D. Thanvi, Adv.

-CPCB: Mr. Vijay Panjwani, Adv.

-Rajasthan: Mr. Aruneshwar Gupta, AAG
Mr. Jog Singh, Adv.
Mr. Amarjit Singh Bedi, Adv.

-Assam: Mr. Krishna Sarma, Adv.
Mr. Sanjay V.S.Choudhury, Adv.
Mr. Niraj Kumar, Adv.
for M/s. Corporate Law Group, Advs.

-St.of Gujarat,

Mizoram & GPCB: Mrs. Hemantika Wahi, Adv.
Ms. Aruna Gupta, Adv.

For Meghalaya: Mr. Ranjan Mukherjee, Adv.

For other parties: Mr. Anil Kumar Jha, Adv.
Mrs. Manik Karanjawala, Adv.
Mr. K.B. Rohtagi, Adv.
Mr. Ashok Mathur, Adv.
Mr. Shakil Ahmed Syed, Adv.
Mr. Pradeep Misra, Adv.
Mr. Anil Kr.Tandale, Adv.
Mr. Mukesh K. Giri, Adv.
Mr. Rakesh K. Sharma, Adv.
Mr. Radha Shyam Jena, Adv.
Mrs. Urmila Sirur, Adv.
Ms. Sushma Suri, Adv.
Mrs. Anil Katiyar, Adv.
Mr. Javed Mahmud Rao, Adv.
Ms. S. Janani, Adv.
Mr. Pramod Dayal, Adv.
Mr. Shail Kr. Dwivedi, Adv.
Mr. K.K. Gupta, Adv.
Mr. B.V.B. Das, Adv.

UPON hearing the counsel the Court made the following

O R D E R

We have perused the Second Quarterly Report from February, 2004 to April, 2004 filed by the Monitoring Committee to oversee the implementation of directions passed in the writ petition. The report records that due to indiscriminate dumping of hazardous waste due to non-existent or negligent practices together with lack of enforcement by authorities, the ground water and, therefore, drinking water supplies have been effected/damaged. The State Governments of Madhya Pradesh and Gujarat are directed to take steps to supply fresh drinking water in tanks or pipes, particularly, taking into consideration, the fact that summer season has already set in. It shall be done expeditiously.

Industrial estates of Vapi, Ankleshwar and Vadodara in the State of Gujarat and Union Carbide Plant in Bhopal, Madhya Pradesh were inspected by the Committee. The two State Governments would ensure supply of water in such villages/areas which are effected, list whereof has already been given by learned counsel for the petitioner to learned counsel appearing for the two States.

Regarding supply to overhead tanks as mentioned in clause (iv) of point 1.5, the governments shall ensure release of water through overhead tanks as expeditiously as possible .

(N. Annapurna)
Court Master

(V.P. Tyagi)
Court Master