

ITEM NO.1

COURT NO.3

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

Writ Petition(s)(Civil) No(s).13381/1984

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

IN RE: TAJ TRAPEZIUM ZONE

3) IA NO.57183/2017 (APPLN. FOR DIRECTIONS ON BEHALF OF STATE OF U.P., DEPARTMENT OF TOURISM)

Date : 26-07-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR

HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s) Petitioner-in-person (NP)

For Respondent(s) Mr. K.K. Venugopal, AG  
Mr. Tushar Mehta, ASG  
Mr. Ajay Mishra, AAG  
Ms. Aishwarya Bhati, AAG  
Mr. Rajeev Kumar Dubey, Adv.  
Mr. Kamlendra Mishra, AOR

Mr. Tushar Mehta, ASG  
Mr. Ankur Prakash, Adv.  
Mr. Ashutosh Kumar Sharma, Adv.  
Mr. L. Mighle, Adv.

Mr. A.N.S. Nadkarni, ASG  
Mr. R. Bala, Adv.  
Mr. S. Wasim A. Qadri, Adv.  
Mr. Amit Sharma, Adv.  
Mr. Devashish Bharuka, Adv.  
Ms. Subhasini Sen, Adv.  
Mr. D.L. Chidanand, Adv.  
Mr. Ritesh Kumar, Adv.  
Mr. Zoheb Hussain, Adv.  
Mr. Jubair Ahmad Khan, Adv.  
Mr. Zaid Ali, Adv.  
Mr. Tamim Qadri, Adv.  
Mr. Saeed Qadri, Adv.  
Mr. Syed Faizan Ali, Adv.  
Mr. Raj Bahadur Yadav, Adv.

Mr. G.S. Makker, Adv.  
 Ms. Anil Katiyar, AOR  
 Mr. M.K. Maroria, Adv.

Ms. Charu Singhal, Adv.  
 Mr. Vikas Chaudhary, Adv.  
 Ms. Rachna Gupta, Adv.

Mr. Navaniti Prasad Singh, Sr. Adv.  
 Mr. Rajiv Tyagi, AOR  
 Mr. Rohit Gupta, Adv.

ASI

Mr. A.D.N. Rao, Adv.  
 Mr. Sudipto Sircar, Adv.  
 Mr. Annam Venkatesh, Adv.  
 Mr. Rahul Mishra, Adv.

Mr. Pradeep Misra, Adv.  
 Mr. Suraj Singh, Adv.

Mr. Ravi Prakash Mehrotra, Adv.  
 Mr. Ankit Agarwal, Adv.  
 Ms. Deepti R. Mehrotra, Adv.

Mr. Abhimanyu Mahajan, Adv.  
 Mr. E.C. Agarwala, Adv.  
 Ms. Anubha Goel, Adv.

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

IA NO.57183/2017 (APPLN. FOR DIRECTIONS ON BEHALF OF  
 STATE OF U.P., DEPARTMENT OF TOURISM)

We have heard the learned Attorney General assisted by Mr. Tushar Mehta and Mr. A.N.S. Nadkarni, learned Additional Solicitors General and also the learned Additional Advocate General for the State of Uttar Pradesh.

The School of Planning and Architecture along with the Government of Uttar Pradesh has prepared a First Draft Report in the form of a Vision Document relating to

the Taj Trapezium Zone (TTZ). One of the important features of the TTZ is the Taj Mahal itself and we are told that the Archaeological Survey of India (ASI), which is responsible for the maintenance and preservation of the Taj Mahal, has not even been consulted in the preparation of the Vision Document. We find it rather surprising.

Be that as it may, we direct the State of Uttar Pradesh to hand over copies of the First Draft of the Vision Document to the ASI and to Mr. M.C. Mehta the petitioner within two days.

We are told by Mr. A.D.N. Rao, learned counsel appearing on behalf of the ASI, that they have some sort of a panel of conservation experts which include, among other entities, the Aga Khan Foundation, INTACT, ICOMOS. Copies of the draft Vision Document should be circulated to these entities by the ASI so that their comments can be obtained within a period of four weeks from today not only on the contents of the Vision Document, but also with regard to measures that can be implemented within a very short period of time so that the Taj Mahal itself as well as the TTZ are protected.

Mr. M.C. Mehta, who is petitioner-in-person, can also study the draft Vision Document and make his comments and suggestions.

We have requested the learned Attorney General to tell us by Monday, 30<sup>th</sup> July, 2018, categorically and

unequivocally who in the Government of India and who in the Government of Uttar Pradesh is responsible for the maintenance and protection of the TTZ with a view to protect the Taj Mahal and other monuments within the TTZ so that these authorities can be held responsible, if necessary.

As far as the monuments are concerned, it is stated by Mr. A.D.N. Rao that it is the ASI who is responsible. We take it that the Director General of the ASI is responsible.

We would like these authorities/entities to tell us on the next date of hearing measures that can be taken almost immediately and which are essential for the protection of the Taj Mahal and other monuments in the TTZ as well as protection and maintenance of the TTZ.

List the matter on Monday, 30<sup>th</sup> July, 2018 for informing us the names of the responsible persons.

We would also like to know if the Government of India or the authorities responsible have submitted the Management Plan to the World Heritage Centre of UNESCO in Paris and the details of the Management Plan.

For consideration of further progress with regard to the Vision Document, list the matter on 28<sup>th</sup> August, 2018.

(SANJAY KUMAR-I)  
AR-CUM-PS

(KAILASH CHANDER)  
COURT MASTER

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Petitioner(s)

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Respondent(s)

IN RE: TAJ TRAPEZIUM ZONE

2) REPORT RECEIVED FROM U.P. POLLUTION CONTROL BOARD

Date : 26-07-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR  
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s) Petitioner-in-person (NP)

For Respondent(s) Mr. K.K. Venugopal, AG  
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Mr. Ankit Agarwal, Adv.  
Ms. Deepti R. Mehrotra, Adv.

Mr. Abhimanyu Mahajan, Adv.  
Mr. E.C. Agarwala, Adv.  
Ms. Anubha Goel, Adv.

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

Pursuant to our order dated 11<sup>th</sup> July, 2018, Mr. N.G. Ravi Kumar, District Magistrate, Agra Division is present in Court today.

An affidavit has been filed by the District Magistrate which is taken on record.

No further orders are required to be passed on the Report received from U.P. Pollution Control Board.

(SANJAY KUMAR-I)  
AR-CUM-PS

(KAILASH CHANDER)  
COURT MASTER

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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).13381/1984

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

IN RE: TAJ TRAPEZIUM ZONE

1) IA NO. 67652/2018 (APPLN. FOR APPROPRIATE ORDERS AND DIRECTIONS ON B/O NATIONAL CHAMBER OF INDUSTRIES AND COMMERCE)

Date : 26-07-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR  
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s)      Petitioner-in-person (NP)

For Respondent(s)      Mr. K.K. Venugopal, AG  
Mr. Tushar Mehta, ASG  
Mr. Ajay Mishra, AAG  
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Mr. Abhimanyu Mahajan, Adv.  
 Mr. E.C. Agarwala, Adv.  
 Ms. Anubha Goel, Adv.

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

Since Mr. M.C. Mehta is not present in the Court today and he had earlier mentioned his difficulty, list the application on 30<sup>th</sup> July, 2018.

Mr. K. Ram Mohan Rao, Chairman of the Taj Trapezium Zone Authority should be present in the Court on the next date of hearing (30<sup>th</sup> July, 2018).

In the affidavit of Mr. K. Ram Mohan Rao, it seems that there are some cases pertaining to the TTZ pending in the Allahabad High Court. Since this Court is looking into the entire issue, we request the Allahabad High Court not to entertain any petition with regard to the setting up, expansion and allocation of fuel to



industries in the TTZ. A copy of this order be sent to the Registrar General of the Allahabad High Court for being placed before Hon'ble the Chief Justice.

Mr. K. Ram Mohan Rao informed us that the TTZ is hopelessly understaffed and several letters have been sent to the UP State Government. No action has been taken on any one of them.

We would like the response from the State Government on the next date of hearing.

List the matter on 30<sup>th</sup> July, 2018.

(MEENAKSHI KOHLI)  
COURT MASTER

(KAILASH CHANDER)  
COURT MASTER