

SUPREME COURT OF INDIA

M.C. Mehta

Vs.

Union of India (UOI)

(S. H. Kapadia C.J., Aftab Alam and K.S.Panicker Radhakrishnan JJ.)

08.10.2010

ORDER

I.A. Nos. 275-277:

1. Right from 10th December, 1997, this Court has been monitoring erection of hoardings in Municipal Corporation of Delhi, New Delhi Municipal Council and National Capital Territory of Delhi areas. The first Order of this Court in this connection was passed as far back as on 10th December, 1997, wherein it was observed that safety of road users was paramount and that hazardous hoardings which constituted disturbance of safe traffic movement needs to be obliterated so that frequent accidents do not take place endangering the lives of common citizens. With that object in mind, this Court, in the first instance, invoked Article 32 read with Article 142 of the Constitution, as indicated in its *Order reported in*¹.

2. This Court appointed Bhure Lal Committee to look into the problem as the Court felt that certain guidelines were required to be laid down for civic authorities, transport authorities, Delhi Development Authority, etc. Identification and removal of all hoardings, which are hazardous had to be done systematically and, for that purpose, Bhure Lal Committee was appointed. We find from the records placed before us that Environment Pollution (Prevention and Control) Authority ['EPCA', for short], has till date, submitted two important Reports of July, 2008, and November, 2009, which need to be considered by the Municipal Corporation of Delhi ['MCD', for short] and the New Delhi Municipal Council ['Council', for short] in accordance with law.

3. Having heard learned Counsel appearing for the Amicus Curiae as well as for the MCD, we are of the view that the MCD should consider EPCA Reports of July, 2008 and November, 2009, along with the Delhi Outdoor Advertisement Policy of 2008, in accordance with the provisions of Delhi Municipal Corporation Act, 1957 ['1957 Act', for short], in the meeting to be convened by the Corporation under the provisions of Chapter-V of 1957 Act. The Corporation will consider the said two Reports of EPCA within a period of three months. We express no opinion on the said Reports. The decision of the Municipal Corporation of Delhi will be placed before this Court before the next date of hearing.

4. Similar directions are also being given to New Delhi Municipal Council, which will consider EPCA Reports of July, 2008, and November, 2009, along with Delhi Outdoor Advertisement Policy, 2008, within a period of three months from today under the provisions of New Delhi Municipal Council Act, 1994. The decision of the Council will be placed before this Court before the next date of hearing.

5. The matter shall stand over for three months. Copies of Orders be sent to Municipal Corporation of Delhi and New Delhi Municipal Council. This Order is directed to be placed on the website of this Court.

¹1997 (8) SCC 770