

ITEM NO.60

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

SMW (C) No(s).1/2015

IN RE: OUTRAGE AS PARENTS END LIFE AFTER CHILDS DENGUE

Date : 31-08-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE S. ABDUL NAZEER

Mr. Colin Gonsalves, Sr. Adv. (AC)
Ms. Nabila Hasan, Adv.
Ms. Sneha Mukharji, Adv.
Ms. Olivia Bang, Adv.

For Petitioner(s)

For Respondent(s)

UOI & Delhi
Moef

Mr. A.N.S. Nadkarni, ASG
Mr. S. Wasim A. Qadri, Adv.
Ms. Saudamini Sharma, Adv.
Ms. Suhasini Sen, Adv.
Mr. D.L. Chidanand, Adv.
Mr. Raj Bahadur, Adv.
Mr. Ritesh Kumar, Adv.
Mrs. Anil Katiyar, Adv.
Mr. G.S. Makker, Adv.
Mr. B.V. Balram Das, Adv.

Mr. Chirag M. Shroff, AOR
Ms. Neha Sangwan, Adv.
Ms. Sanjana Nangia, Adv.

EDMC

Mr. Sanjiv Sen, Sr. Adv.
Mr. Praveen Swarup, Adv.

NHAI

Mr. Mukesh Kumar, Adv.
for M/s. M.V. Kini & Associates

CPCB

Mr. Avijit Roy, AOR

For States of
Arunachal Pradesh

Mr. A. Tewari, Adv.
Ms. Eliza Bar, Adv.
Mr. Shree Pal Singh, Adv.

Assam

Mr. Shuvodeep Roy, Adv.
Mr. Sayooj Mohandas, Adv.

Bihar	Mr. M. Shoeb Alam, Adv. Ms. Fauzia Shakil, Adv. Mr. Ujjwal Singh, Adv. Mr. Mojahid Karim Khan, Adv.
Chhattisgarh	Mr. Atul Jha, Adv. Mr. Sandeep Jha, Adv. Mr. D.K. Sinha, Adv.
Goa	Mr. A.N.S. Nadkarni, ASG Ms. Mayuri Nayyar Chawla, Adv. Mr. S.S. Rebello, Adv. Mr. P.S. Sudheer, Adv. Ms. Shruti Jose, Adv.
Gujarat	Ms. Hemantika Wahi, Adv. Ms. Mamta Singh, Adv. Ms. Vishakha, Adv. Ms. Pallavi Baghel, Adv.
Haryana	Mr. Anil Grover, AAG Mr. Shivam Kumar, Adv. Mr. Sanjay Kumar Visen, Adv.
H.P.	Mr. Vikas Mahajan, AAG Mr. Vinod Sharma, Adv.
J&K	Mr. M. Shoeb Alam, Adv. Ms. Fauzia Shakil, Adv. Mr. Ujjwal Singh, Adv. Mr. Mojahid Karim Khan, Adv.
Jharkhand	Mr. Tapesh Kumar Singh, Adv. Mr. Mohd. Waquas, Adv. Mr. Aditya Pratap Singh, Adv.
Karnataka	Mr. V.N. Raghupathy, Adv.
Kerala	Mr. K.N. Balgopal, Sr. Adv. Mr. G. Prakash, Adv. Mr. Jishnu M.L., Adv. Ms. Priyanka Prakash, Adv. Ms. Beena Prakash, Adv.
Madhya Pradesh	Mr. Arjun Garg, Adv. Mr. Devansh Shrivastava, Adv.
Maharashtra	Ms. Deepa M. Kulkarni, Adv. Mr. Nishant R. Katneshwarkar, Adv.
Manipur	Mr. Leishangthem Roshmani, Adv.

	Ms. Maibam Babina, Adv.
Meghalaya	Mr. Ranjan Mukherjee, Adv. Mr. Subhro Sanyal, Adv.
Nagaland	Ms. K. Enatoli Sema, Adv. Mr. Amit Kumar Singh, Adv. Mr. Z.H. Isaac Haiding, Adv.
Odisha	Mr. Som Raj Choudhury, Adv. Mr. Prashant Kumar, Adv.
Punjab	Mr. Naginder Benipal, Adv. Mr. Abhigya, Adv.
Rajasthan	Mr. S.S. Shamsbery, AAG Mr. Amit Sharma, Adv. Mr. Sandeep Singh, Adv. Mr. Ankit Raj, Adv. Ms. Indira Bhakar, Adv. Ms. Ruchi Kohli, AOR
Sikkim	Ms. Aruna Mathur, Adv. Mr. Avneesh Arputham, Adv. Ms. Anuradha Arputham, Adv. Ms. Geetanjali, Adv. for M/s Arputham Aruna & Co.
Tamil Nadu	Mr. Shekhar Naphade, Sr. Adv. Mr. B. Vinodh Kanna, Adv. Mr. A. Sriram, Adv.
Telangana	Mr. P. Venkat Reddy, Adv. Mr. Prashant Tyagi, Adv.
Tripura	Mr. Shuvodeep Roy, Adv. Mr. Rituraj Biswas, Adv.
Uttar Pradesh	Ms. Aishwarya Bhati, AAG Mr. Garvesh Kabra, Adv. Mr. V.V.V. Pattabhiram, Adv.
Uttarakhand	Mr. J.K. Sethi, Dy. AG Mr. Ankur Prakash, Adv. Mr. Ashutosh Kumar Sharma, Adv.
W.B	Mr. Suhaan Mukerji, Adv. Mr. Harsh Hiroo Gursahani, Adv. Ms. Astha Sharma, Adv. Mr. Abhishek Manchanda, Adv. Ms. Kajal Dalal, Adv. For M/s PLR Chambers & Co.

A&N	Mr. K.V. Jagdishvaran, Adv. Mrs. G. Indira, Adv.
Dadra & Nagar Haveli	Mr. Deepak Jain, Adv. Ms. Jaspreet, Adv. Ms. Prabhleen Kaur, Adv. Mr. Vaibhav Manu Srivastava, Adv.
Daman & Diu	Mr. Deepak Jain, Adv. Ms. Jaspreet, Adv. Ms. Prabhleen Kaur, Adv. Mr. Vaibhav Manu Srivastava, Adv.
Puducherry	Mr. V.G. Pragasam, Adv. Mr. S. Prabu Ramasubramanian, Adv. Mr. S. Manuraj, Adv.

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

It is stated that the States of Bihar, Jammu and Kashmir, Tamil Nadu, Kerala and Arunachal Pradesh have deposited the costs.

Andhra Pradesh

The affidavit in terms of the order dated 10th July, 2018 has not been filed.

The Union of India is not aware whether the State Policy has been framed by the State of Andhra Pradesh since the affidavit has not been filed.

In any event, no one is present on behalf of the State of Andhra Pradesh to assist us. However, an appearance slip has been given on behalf of the advocate who is not present.

Costs of Rs.5,00,000/- (Rupees five lakhs only) is imposed on the State of Andhra Pradesh to be deposited with the Supreme Court Legal Services Committee within

two weeks for utilization of juvenile justice issues.

U.T. of Chandigarh

The Union Territory of Chandigarh has not framed its State Policy.

Even there is no appearance on behalf of the Union Territory of Chandigarh. However, an appearance slip has been given on behalf of the advocate who is not present.

Costs of Rs.3,00,000/- (Rupees three lakhs only) is imposed on the Union Territory of Chandigarh to be deposited with the Supreme Court Legal Services Committee within two weeks for utilization of juvenile justice issues.

Kerala

As prayed for, two weeks' time is granted to the State of Kerala for filing the affidavit.

Madhya Pradesh, Maharashtra, Odisha and Uttarakhand

Costs of Rs.3,00,000/- (Rupees three lakhs only) each is imposed on the States of Madhya Pradesh, Maharashtra and Uttarakhand for not framing the State Policy/not complying with the orders of this Court. The amount be deposited with the Supreme Court Legal Services Committee within two weeks for utilization of juvenile justice issues.

It is unfortunate that some States and Union Territories have not yet framed any Policy under the Solid Waste Management Rules, 2016.

In case the States have the interest of the people in mind and cleanliness and sanitation, they should frame a Policy in terms of the Solid Waste Management Rules so that the States remain clean.

The attitude of the States/Union Territories in not yet framing a Policy even after two years is pathetic, to say the least.

Further constructions in the States/Union Territories are stayed until the Policy is framed.

List the matter on 9th October, 2018.

INTERLOCUTORY APPLICATION NO 109465/2018 (Application for Modification of Court's order dated 10.7.2018 filed by Mr. M. Shoeb Alam, Advocate on behalf of State of Jammu & Kashmir)

List the application on 9th October, 2018.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
ASSISTANT REGISTRAR