

ITEM NO.31 Court 4 (Video Conferencing) SECTION XIV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 8430/2020

(Arising out of impugned final judgment and order dated 28-02-2020 in LPA No. 119/2020 passed by the High Court Of Delhi At New Delhi)

RAJEEV SURI **Petitioner(s)**

VERSUS

UNION OF INDIA & ORS. **Respondent(s)**

IA No. 69843/2020 - APPLICATION FOR PERMISSION
IA No. 60200/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 59231/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 40857/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 59796/2020 - INTERVENTION APPLICATION
IA No. 40856/2020 - PERMISSION TO FILE SLP WITHOUT CERTIFIED/PLAIN COPY OF IMPUGNED ORDER
IA No. 60197/2020 - RECALLING THE COURTS ORDER
IA No. 59230/2020 - RECALLING THE COURTS ORDER)

WITH

T.C.(C) No. 229/2020 (XVI-A)
IA No. 58788/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
IA No. 56174/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
IA No. 53626/2020 - STAY APPLICATION
IA No. 58787/2020 - STAY APPLICATION)

T.C.(C) No. 230/2020 (XVI-A)
IA No. 55083/2020 - EX-PARTE STAY
IA No. 57242/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 55226/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 55094/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 55088/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 55085/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 55222/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
IA No. 55086/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

W.P.(C) No. 510/2020 (X)
IA No. 51038/2020 - EX-PARTE STAY
IA No. 59335/2020 - EXEMPTION FROM PAYING COURT FEE
IA No. 59333/2020 - INTERVENTION APPLICATION

IA No. 59334/2020 - PERMISSION TO APPEAR AND ARGUE IN PERSON)

W.P.(C) No. 638/2020 (PIL-W)

IA No. 59681/2020 - EX-PARTE STAY

IA No. 59685/2020 - EXEMPTION FROM FILING AFFIDAVIT)

W.P.(C) No. 681/2020 (X)

IA No. 63944/2020 - STAY APPLICATION)

W.P.(C) No. 684/2020 (X)

IA No. 62769/2020 - EX-PARTE STAY)

W.P.(C) No. 845/2020 (X)

IA No. 76530/2020 - APPLICATION FOR EXEMPTION FROM FILING ORIGINAL VAKALATNAMA/OTHER DOCUMENT

IA No. 76525/2020 - EX-PARTE STAY)

W.P.(C) No(s). 853/2020

(FOR ADMISSION and IA No.76982/2020-GRANT OF INTERIM RELIEF and IA No.76985/2020-EXEMPTION FROM FILING AFFIDAVIT and IA No.76983/2020-PERMISSION TO FILE LENGTHY LIST OF DATES

Date : 20-08-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR

HON'BLE MR. JUSTICE DINESH MAHESHWARI

HON'BLE MR. JUSTICE SANJIV KHANNA

**For Petitioner(s) Mr. Sanjay R. Hegde, Sr. Adv.
Mr. Ankit Yadav, AOR**

**Mr. Shyam Divan, Sr. Adv.
Mr. Ashwath Sitaraman, Adv.
Ms. Vrinda Bhandari, Adv.
Ms. Jahanvi Sindhu, Adv.
Mr. Shadan Farasat, AOR**

**Mr. Shikhil Suri, Adv.
Mr. Shiv Kumar Suri, AOR
Ms. Shilpa Saini, Adv.
Ms. Shweta Saini, Adv.
Ms. Nikita Thapar, Adv.
Ms. Vinishma Kaul, Adv.**

**For Respondent(s) Mr. Tushar Mehta, SG
Mr. Ashok Panigrahi, Adv.
Mr. Rajat Nair, Adv.
Mr. Kanu Agarwal, Adv.
Mr. Raj Bahadur Yadav, AOR**

**Mr. Tushar Mehta, SG
Mr. Ashok Panigrahi, Adv.**

Mr. Kanu Agarwal, Adv.
Mr. G.S. Makkar, AOR

Mr. Tushar Mehta, SG
Mr. Rajiv Bansal, Sr. Adv.
Ms. Garima Prashad, AOR
Mr. G.S. Oberoi, Adv.

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Mr. Shyam Divan, Sr. Adv.
Mr. Anshuman Srivastava, AOR
Mr. Rohan Pratap Talwar, Adv.
Ms. Sugandha Yadav, Adv.
Ms. Ria Singh Sawhney, Adv.
Ms. Sanam Tripathi, Adv.
Mr. Bhav Ratan, Adv.

Mr. Saurabh Mishra, AOR
Mr. Onkar Singh Adv.
Mr. Abhishek Singh, Adv.
Mr. Rakesh Chander, Adv.

Mr. Chirag M. Shroff, adv.
Ms. Sanjana Nangia, Adv.
Ms. Abhilasha Bharti, Adv.

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

Today, a request for adjournment is made by the learned Solicitor General on the ground that he may be required in some other Court (Special Bench) at 2.00 p.m. As this request is not opposed by the counsel appearing for other parties, we defer the hearing of these matters till 25th August, 2020.

In the meantime, it will be open to the counsel for the petitioner(s) in Writ Petition (C) No.853/2020 to serve advance copy of the petition on the concerned respondent(s), who in turn may

file their pleadings, if so advised, before the matter is taken up for hearing as per its turn.

Mr. Shikhil Suri, learned counsel for the petitioner(s), has informed us that one more petition has been filed in this Court being Writ Petition (C) Diary No.17444 of 2020. As requested, the said petition shall be heard along with these petitions henceforth.

Further, it will be open to the petitioner(s) in Writ Petition (C) Diary No.17444/2020 to serve advance copy on the concerned respondent(s). If the issue raised in this petition is similar to one raised in petition(s) already filed and covered by the common consolidated affidavit filed by the respondent(s), the parties to proceed on that basis at the time of hearing.

We make it clear that The Court will first begin with the hearing of broad issue regarding challenge to the change of land use being contrary to the provisions of Delhi Development Act, 1957.

For the sake of convenience, a draft flow chart has been prepared by the office indicating the heads of broad issues in different petitions filed and listed so far for hearing and, in particular, referring to the specific

notifications/notices challenged therein. The same reads thus:

Heads of Issues	S.No.	Prayer sought	Corresponding case
<u>A.</u> <u>CHANGE OF</u> <u>LAND USE</u> <u>UNDER DD ACT,</u> <u>1957</u>	1.	Quashing and staying of Public Notice S.O. 4587 E dated 21.12.2019 issued by DDA inviting objections under Section 11-A of DDA Act, 1957 to the proposed modifications to Zonal Development Plan of Zone D (for plots 1-7) and Zone C (for plot 8)/Master Plan Delhi 2021.	- T.C. (C) No. 229 of 2020 & SLP (C) Diary No. 8430 of 2020 (arising out of W.P. No. 1568/2020 before DHC) - W.P. (C) No. 853 of 2020
	2.	Quashing of notice dated 05.02.2020 published in Times of India announcing scheduling of public hearing on objections against proposed change of land use on 6-7.02.2020.	T.C. (C) No. 230 of 2020 (arising out of W.P. No. 1675/2020 before DHC)
	3.	Quashing the decision of DDA dated 10.02.2020 approving change of land use after public consultation.	W.P. (C) No. 853 of 2020
	4.	Quashing Public Notice S.O. 4587 E dated 04.03.2020 issued by DDA proposing change of land use of Plot No. 1 from "Transportation and Recreational" to "Residential".	W.P. (C) No. 684 of 2020
	5.	Quashing and staying of notification dated 20.03.2020 issued by MoHUA, UoI notifying the change	T.C. (C) No. 229 of 2020 (arising out of W.P. No.

		of land use for proposed Central Vista Project and Parliament building vide Not. No. SO 1192 (E).	1568/2020 before DHC) • T.C. (C) No. 230 of 2020 (arising out of W.P. No. 1675/2020 before DHC) • W.P. (C) No. 853 of 2020
<u>B.</u> <u>VIOLATION OF</u> <u>STATUTORY/</u> <u>MUNICIPAL</u> <u>LAWS</u>	6.	Quashing notice dated 02.09.2019 inviting bid NIT No. 04/CPM/RPZ/NIT/2019-20 issued by CPWD for planning of the Central Vista Project.	• W.P. (C) No. 853 of 2020
	7.	Quashing office memorandum F.No.6/21/2018/ADG (Works)/338-W-1 dated 14.10.2019 which reconstituted the Special Advisory Group of Central Vista and Central Secretariat.	• W.P. (C) No. 510 of 2020
	8.	Quashing award of consultancy bid dated 18.10.2019 to HCP Design, Planning and Management Pvt. Ltd.	• W.P. (C) No. 853 of 2020
	9.	Quashing minutes and decision dated 30.04.2020 taken in the 5 th meeting of Special Advisory Group of Central Vista Committee dated 23.04.2020 granting "No Objection" to the Project.	• W.P. (C) No. 510 of 2020 • W.P. (C) No. 638 of 2020 • W.P. (C) No. 853 of 2020
	10.	Setting aside decision dated 01.07.2020 taken by	• W.P. (C) No. 853 of 2020

		Delhi Urban Arts Commission in its 1545 th meeting granting approval to the proposal for New Parliament Building, Plot No. 118.	
	11.	Quashing notice NIT No. 01/CE/PCWZ/CPWD/2020-21 issued in July, 2020 inviting pre-qualification bids for the construction of New Parliament Building at Plot No. 118.	W.P. (C) No. 853 of 2020
<u>C.</u> <u>ENVIRONMENTAL</u> <u>CLEARANCE AND</u> <u>OTHER ALLIED</u> <u>MATTERS</u>	12.	Quashing the Environmental Clearance dated 17.06.2020 granted to the Parliament Project at Plot No. 118 titled "Expansion and Renovation of Existing Parliament Building" by MoEF&CC.	- W.P. (C) No. 681 of 2020 - W.P. (C) No. 845 of 2020
	13.	Calling for records of Environmental Clearance dated 17.06.2020 and holding the entire decision making process carried out by the Expert Appraisal Committee as vitiated.	W.P. (C) No. 845 of 2020
	14.	Declaration that the subject project " <i>Development/Redevelopment of Parliament Building, Common Central Secretariat and Central Vista at New Delhi</i> " is a composite project for the purpose of Environmental Clearance.	W.P. (C) No. 845 of 2020
	15.	Declaration that such	W.P. (C) No.

		project could be carried out only after objective and independent assessment made after stakeholder consultation to determine necessity of the Project; open design competition; by adopting a transparent process with fixed timelines; and selection of design by independent jury.	638 of 2020 • W.P. (C) No. 853 of 2020
<u>D.</u> <u>GENERAL</u> <u>DECLARATIONS/</u> <u>OTHER ISSUES</u>	16.	Declaration that the entire Central Vista Project is <i>ultra vires</i> the Constitution and illegal, null and void.	• W.P. (C) No. 853 of 2020
	17.	Appropriate writ/direction/order directing respondents to disclose and furnish copies of every document, correspondence and any other communication relating to the conception of Project and upto issuance of notification dated 02.09.2019 to the petitioners.	• W.P. (C) No. 853 of 2020
	18.	Appropriate writ/direction/order to forthwith forbear the respondents from proceeding with the implementation of the Project including the construction of proposed Parliament building for preventing loss of equities.	• T.C. (C) No. 229 of 2020 (arising out of W.P. No. 1568/2020 before DHC) • W.P. (C) No. 510 of 2020 • W.P. (C) No. 681 of 2020 • W.P. (C) No. 684 of 2020

			W.P. (C) No. 853 of 2020
	19.	Directing action against CPWD for concealment of information and submission of false and misleading information regarding category of the Project while seeking Environmental Clearance.	W.P. (C) No. 681 of 2020
	20.	Appropriate writ/direction/order to CPWD calling for records and enabling Act for identifying violations committed by CPWD.	W.P. (C) No. 510 of 2020

The parties are free to give suggestions to improve upon or modify the flow chart on the next date of hearing.

List the matter(s) on 25th August, 2020 at 10.30 a.m.

**(NEETU KHAJURIA)
COURT MASTER**

**(VIDYA NEGI)
COURT MASTER**