

11/5/07  
SC-1

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

CONTEMPT PETITION (C) NO. 140 OF 2006 IN Civil Appeal 4156-4157/2002

MAHARASHTRA EKTA HAWKERS UNION

Petitioner(s)

VERSUS

MUNICIPAL CORPN. OF GREATER MUMBAI

Respondent(s)

Date: 11/05/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.K. SEMA  
HON'BLE MR. JUSTICE LOKESHMAR SINGH PANTA

For Petitioner(s)

Mr. Shyam Divan, Sr. Adv.  
Ms. Madhvi Divan, Adv.  
Mr. Vasuman Khandelwal, Adv.  
Mr. Pradeep Kumar Bakshi, Adv.

For Respondent(s)

Mr. G.E. Vahanvati, SG.  
Mr. Pallav Shishodia, Adv.  
Mr. Hemant Sharma, Adv.  
Mr. D.N. Mishra, Adv.

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

It has been brought to our notice that earlier orders passed by this court have not been carried out in its letter and spirit. Pursuant to our directions, even after the municipal authorities evicting the hawkers, they are continuing the activities of cooking on sidewalks, which is highly hazardous from public health point of view. In view of the above developments, it is hereby directed that:

- a) The Police Commissioner of Greater Bombay should nominate a responsible officer in each ward [Viz., Ward Nos. C, H (West) and K (North)], not below the rank of Deputy Superintendent of Police ('DSP' for short), to assist the Ward Staff in identifying such persons who are involved in the activity of cooking on sidewalks and restraining them from carrying on such activities.
- b) The appropriate authorities under Greater Mumbai Municipal Corporation shall give a public notice in at least two widely read Newspapers, out of which at least one should be in vernacular language, mentioning therein that the utensils and all other apparatus used in cooking on sidewalks shall be seized in case such activity is not stopped within a period of three days from the date of publication of such notice.

c) After completion of the period mentioned above the ward staff with the assistance of the above nominated Police Officer should seize the utensils and all other apparatus used in cooking on sidewalks.

d) These utensils and all other apparatus connected with cooking may be returned to the respective hawker only after furnishing an undertaking that in future he/she will not carry on such activity on the prohibited premises.

e) For violation of such undertaking, a fine can be imposed on the concerned person/hawker by the appropriate authority under Great Mumbai Municipal Corporation in accordance with law.

f) Even after clearing the premises, the municipal authorities should monitor the maintenance development and cleanliness of sidewalks and see to it that no such activity is resumed.

g) The nominated officer of each ward shall file compliance and action taken reports within the period of twelve weeks from the date of receipt of this order. List thereafter.

Registry shall send a copy of this order to Police Commissioner Greater Bombay for compliance.

*Pawan K*  
(PAMAN KUMAR)  
COURT MASTER

17/5/07

*Anand Singh*  
(ANAND SINGH)  
COURT MASTER

*An*  
12/5

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*[Signature]*  
Section Officer  
Supreme Court of India

*23-05-07*