

ITEM NO.17

COURT NO.4

SECTION XIV

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

SPECIAL LEAVE PETITION (CIVIL)Diary No(s).30149/2024

(Arising out of impugned final judgment and order dated 14-12-2023 in WP(C) No.8534/2023 passed by the High Court of Delhi at New Delhi)

COACHING FEDERATION OF INDIA

Petitioner(s)

VERSUS

GOVERNMENT OF NCT OF DELHI & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.161227/2024-CONDONATION OF DELAY IN FILING and IA No.161228/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 05-08-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) Mr. N. P. Singh, Adv.
Mr. Kedar Nath Tripathy, AOR
Mr. Raghunath Pathak, Adv.
Mr. Sachin Yadav, Adv.
Mr. Gyanadutta Chouhan, Adv.

For Respondent(s)

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

1. Delay condoned.
2. The petitioner-Coaching Federation of India has come forward to challenge the judgment dated 14.12.2023, passed by a Division Bench of the Delhi High Court, in terms whereof all the coaching and tuition centres are mandatorily required to ensure compliance of fire NOCs and Fire Safety Certificates as prescribed in the Master Plan for Delhi, 2021 read with the safety norms for buildings/structures contained in the Unified Building Byelaws for Delhi, 2016.
3. The Special Leave Petition, in our considered view, is

totally frivolous and is liable to be dismissed with exemplary cost, which is quantified as Rs.1,00,000/- (Rupees One Lakh). The cost amount of Rs.50,000/- (Rupees Fifty Thousand) shall be deposited with the Supreme Court Advocates on Record Association and the balance amount of Rs.50,000/- (Rupees Fifty Thousand) shall be deposited with the Supreme Court Bar Employees Welfare Association within three weeks.

4. The President, General Secretary and the Treasurer of the Coaching Federation of India shall be personally responsible to deposit the cost amount, as directed above, failing which the Registry is directed to register *suo motu* contempt proceedings against them after three weeks.

5. It seems to us that no coaching or tuition centre, not only in Delhi, but at least even in NCR, should be allowed to operate unless there is meticulous compliance of fire safety norms and other safety measures for the students, besides other basic amenities for a dignified human life. Such norms must necessarily include proper ventilation, safety passages, air, light, potable water, washrooms and such other requisites as may be prescribed through statutory measures/guidelines.

6. We are not sure as to what effective steps in this regard have been taken so far by the NCT of Delhi or the Ministry of Housing and Urban Affairs, Government of India.

7. The recent unfortunate incidents taking away lives of some young aspirants, who joined the coaching centres for their carrier pursuits, are eye opener for one and all. We, therefore, deem it appropriate to expand the scope of these proceedings, *suo motu*, and issue notice to (i) Ministry of Housing and Urban Affairs, Union of India and (ii) NCT of Delhi through the Chief Secretary, to show cause as to what safety norms have been prescribed so far and, if so, what is the effective mechanism introduced to ensure their compliance. We would also invite suggestions from other stakeholders, especially the students, as to what stringent measures are required to be taken on short term and long term plan basis. The notice be made returnable on 20.09.2024.

8. The Union of India shall be served through the office of learned Attorney General, who is requested to assist the Court on the next date of hearing.

9. The Registry shall inform the office of Chief Secretary, NCT of Delhi to submit a Compliance Affidavit in terms of the observations made hereinabove.

10. Since a substantial part of the NCR falls within the States of Uttar Pradesh and Haryana, both these States through their respective Principal Secretary, Urban Development Department are also ordered to be impleaded as respondent Nos.6 and 7 respectively. Notice be issued to both these States, through their standing counsel, returnable on 20.09.2024.

(SATISH KUMAR YADAV)
ADDITIONAL REGISTRAR

(PREETHI T.C.)
ASSISTANT REGISTRAR