

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

Writ Petition(s)(Civil) No(s). 13029/1985

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

([TO BE TAKEN UP AT 2:00 P.M.]...IN RE: COMMISSION FOR AIR QUALITY MANAGEMENT (CAQM) (AIR POLLUTION) AND IN RE: IMPLEMENTATION OF SOLID WASTE MANAGEMENT RULES, 2016 1) I.A. Nos. 87637, 87638 AND 91082/2020 (APPLICATIONS FOR IMPEADMENT, DIRECTION AND PERMISSION TO FILE ADDITIONAL DOCUMENTS) NAME OF THE FOLLOWING ADVOCATES MAY BE TREATED TO HAVE BEEN SHOWN IN THE LIST: MR. HARISH N. SALVE, SR. ADVOCATE (A.C.) MS. APARAJITA SINGH, SR. ADVOCATE (A.C.) MR. A.D.N. RAO, SR. ADVOCATE (A.C.) MR. SIDDHARTHA CHOWDHURY, ADVOCATE (A.C.) MR. G.S. MAKKER, MR. AMRISH KUMAR, MR. M.K. MARORIA MR. SANJAY KR. VISEN, MR. SUDEEP KUMAR, MR. KARAN SHARMA, MR. SANDEEP KR. JHA MR. JYOTI MENDIRATTA, MR. RAHUL KHURANA, MR. SATYA MITRA ADVOCATES)

WITH W.P.(C) No. 1135/2020

(IA No. 165191/2021 - APPLICATION FOR PERMISSION
IA No. 150881/2021 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 161557/2021 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 34132/2022 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 159208/2021 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 98165/2021 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 161436/2021 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 20006/2022 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 42924/2021 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 100093/2020 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 159244/2021 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 166624/2021 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 166297/2021 - CLARIFICATION/DIRECTION
IA No. 20879/2022 - CLARIFICATION/DIRECTION
IA No. 164567/2021 - CLARIFICATION/DIRECTION
IA No. 163242/2021 - CLARIFICATION/DIRECTION
IA No. 146739/2022 - CLARIFICATION/DIRECTION
IA No. 15637/2022 - DISCHARGE OF ADVOCATE ON RECORD
IA No. 232074/2023 - EARLY HEARING APPLICATION
IA No. 149458/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 152069/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 161450/2021 - EXEMPTION FROM FILING O.T.
IA No. 121689/2020 - EXEMPTION FROM FILING O.T.
IA No. 166305/2021 - INTERVENTION APPLICATION
IA No. 149457/2021 - INTERVENTION APPLICATION
IA No. 161445/2021 - INTERVENTION APPLICATION
IA No. 153451/2021 - INTERVENTION APPLICATION

IA No. 260275/2024 - INTERVENTION APPLICATION
IA No. 161435/2021 - INTERVENTION APPLICATION
IA No. 20004/2022 - INTERVENTION APPLICATION
IA No. 152068/2021 - INTERVENTION APPLICATION
IA No. 160572/2021 - INTERVENTION APPLICATION
IA No. 146827/2022 - INTERVENTION APPLICATION
IA No. 151957/2021 - INTERVENTION APPLICATION
IA No. 160519/2021 - INTERVENTION APPLICATION
IA No. 163237/2021 - INTERVENTION APPLICATION
IA No. 13899/2022 - INTERVENTION APPLICATION
IA No. 162945/2021 - INTERVENTION APPLICATION
IA No. 67217/2022 - INTERVENTION APPLICATION
IA No. 159241/2021 - INTERVENTION/IMPLEADMENT
IA No. 34131/2022 - INTERVENTION/IMPLEADMENT
IA No. 159206/2021 - INTERVENTION/IMPLEADMENT
IA No. 121685/2020 - INTERVENTION/IMPLEADMENT
IA No. 150968/2021 - INTERVENTION/IMPLEADMENT
IA No. 165236/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

T.P.(C) No. 3280/2024
(IA No. 280838/2024 - STAY APPLICATION)

Date : 19-12-2024 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Ms. Aparajita Singh, Sr. Adv. (Amicus Curiae)
Mr. A.D.N. Rao, Sr. Adv. (Amicus Curiae)
Mr. Siddhartha Chowdhury, Adv. (Amicus Curiae)
Ms. Shibani Ghosh, Adv.
Mr. Ishank Ranjan, Adv.

Mr. Aditya N. Prasad, Adv./Court Commissioner
(Co-ordinator)
Mr. Manan Verma, Adv./Court Commissioner
Mr. Pratyush Jain, Adv./Court Commissioner
Mr. Aditya Bharat Manubarwala, Adv./
Court Commissioner
Mr. Abhinav Aggarwal, Adv./Court Commissioner
Ms. Manisha Chava, Adv./Court Commissioner
Ms. Srishti Mishra, Adv./Court Commissioner
Mr. Mohit Siwach, Adv./Court Commissioner
Mr. Abhishek Budhiraja, Adv./Court Commissioner
Mr. Pranav Dhawan, Adv./Court Commissioner

For the parties:

Ms. Aishwarya Bhati, A.S.G.
Mr. Archana Pathak Dave, A.S.G.
Mr. Wasim Quadri, Sr. Adv.

Mrs. Ruchi Kohli, Sr. Adv.
Ms. Swarupama Chaturvedi, Sr. Adv.
Mr. Kanu Agrawal, Adv.
Mr. Gurmeet Singh Makker, AOR
Mr. Madhav Sinhal, Adv.
Mr. Rajat Nair, Adv.
Mr. Arind Kumar Sharma, AOR
Ms. Suhasini Sen, Adv.
Mr. Navanjay Mahapatra, Adv.
Mr. Mukesh Kumar Maroria, AOR
Mrs. Suhasini Sen, Adv.
Mr. Rajesh Kr. Singh, Adv.
Mr. Subhranshu Padhi, Adv.
Mr. S S Rebello, Adv.
Mr. Jagdish Chandra Solanki, Adv.
Mr. Gaurang Bhushan, Adv.
Mr. Raghav Sharma, Adv.
Ms. Alka Agarwal, Adv.
Mr. Raj Bahadur Yadav, AOR
Mr. Bhuvan Kapoor, Adv.
Mr. Varun Chugh, Adv.
Mr. Krishna Kant Dubey, Adv.
Ms. Indira Bhakar, Adv.
Mr. Shreekant Neelappa Terdal, AOR
Ms. Sweksha, Adv.
Dr. N. Visakamurthy, AOR

Dr. Menaka Guruswamy, Sr. Adv.
Mr. S. Wasim A Quadri, Sr. Adv.
Mr. Praveen Swarup, AOR
Mr. Ajay Bansal, Adv.
Mr. Ravi Kumar, Adv.
Mr. Gaurava Yadava, Adv.
Mr. Ansul Sharma, Adv.
Ms. Mohini Kumari, Adv.

Mr. Shadan Farasat, Sr. Adv.
Ms. Jyoti Mendiratta, AOR
Ms. Ananya Basudha, Adv.
Mr. Prannv Dhawan, Adv.
Ms. Natasha Maheshwari, Adv.

Mr. Shadan Farasat, Sr. Adv.
Ms. Sanchita Ain, AOR
Ms. Natasha Maheshwari, Adv.
Mr. Prannv Dhawan, Adv.

Mr. Gopal Sankaranarayanan, Sr. Adv.
Mr. Talha Abdul Rahman, AOR
Ms. Rupali Samuel, Adv.
Mr. M Shaz Khan, Adv.
Mr. Rafid Akhter, Adv.
Mr. Sudhanshu Tewari, Adv.

Mr. Faizan Ahmad, Adv.
Mr. Pradyut Kashyap, Adv.
Mr. Tushar Srivastava, Adv.

Mr. Pranav Sachdeva, AOR
Mr. Jatin Bhardwaj, Adv.
Mr. S S Madhavan, Adv.
Mr. Abhay Nair, Adv.
Mr. Rohit Ram, Adv.

Mr. Lokesh Sinhal, Sr. A.A.G.
Mr. B.k. Satija, A.A.G.
Mr. Akshay Amritanshu, AOR
Mr. Rahul Khurana, Adv.
Ms. Himanshi Shakya, Adv.
Mr. Nikunj Gupta, Adv.
Ms. Drishti Saraf, Adv.
Ms. Pragya Upadhyay, Adv.
Ms. Swati Mishra, Adv.
Ms. Aakanksha, Adv.

Mr. Lokesh Sinhal, Sr. A.A.G.
Mr. Nikunj Gupta, Adv.
Ms. Himanshi Shakya, Adv.
Mr. Rahul Khurana, AOR

Mr. Gurminder Singh, AG, Sr. Adv.
Mr. Rahul Mehra, Sr. Adv.
Mr. Prashant Manchanda, A.A.G.
Mr. Vivek Jain, D.A.G.
Mr. Karan Sharma, AOR

Applicant-in-person

Petitioner-in-person

Mr. Meenesh Dubey, Adv.
Mr. Nikhil Jain, AOR
Ms. Divya Jain, Adv.

Mr. P. K. Jain, AOR

Mr. Ramesh Babu M. R., AOR

Mr. Rajesh Kumar Chaurasia, AOR

Mr. Nishe Rajen Shonker, AOR
Mrs. Anu K Joy, Adv.
Mr. Alim Anvar, Adv.

Mr. Radha Shyam Jena, AOR

Mr. Pradeep Kumar Bakshi, AOR
Mr. Ashok Mathur, AOR
Mr. V. K. Verma, AOR
Mr. Ajit Pudussery, AOR
Mrs. Bina Gupta, AOR
Mr. Rakesh K. Sharma, AOR
Ms. Sujeeta Srivastava, AOR
Mr. Anil Kumar Jha, AOR
Mr. Mukesh K. Giri, AOR
M/S. Parekh & Co., AOR
Mr. Sudhir Mendiratta, AOR
Mrs. Anil Katiyar, AOR
Mr. Hardeep Singh Anand, AOR
Mr. Sandeep Narain, AOR
Mr. Sushil Kumar Singh, AOR
Mrs. Rani Chhabra, AOR
Mr. G. Prakash, AOR
Mr. Alok Gupta, AOR
Ms. Nandini Gidwaney, AOR
Mr. Shri Narain, AOR
Mr. Umesh Kumar Khaitan, AOR
Mr. K. R. Sasiprabhu, AOR
Mrs. K. Sarada Devi, AOR
Mr. Sanjay Kumar Visen, AOR
Ms. Shalini Kaul, AOR
Ms. Manjula Gupta, AOR

Mr. T. V. Ratnam, AOR
Mr. Balaji Srinivasan, AOR
Mrs. Priya Puri, AOR
M/S. Khaitan & Co., AOR
Mr. S. S. Shroff, AOR
Mr. Sushil Kumar Jain, AOR
Mr. Rajiv Ranjan Dwivedi, AOR
Mr. Ravindra Bana, AOR
Mr. Surya Kant, AOR
Mrs. B. Sunita Rao, AOR
Mr. Aniruddha Deshmukh, AOR
Mr. Sarvam Ritam Khare, AOR
Mr. Kushagra Sharma, Adv.
Mr. Anuj Agarwal, Adv.
Mr. R. P. Gupta, AOR
Mr. P. Parmeswaran, AOR
Mr. Abhishek, AOR
Mr. Pramod Dayal, AOR
Mr. Satya Mitra, AOR
M/S. M. V. Kini & Associates, AOR
Mr. Mohit D. Ram, AOR
Mr. Rakesh Kumar-i, AOR
Mr. Parijat Sinha, AOR
M/S. Saharya & Co., AOR
Mr. Pavan Kumar, AOR
M/S. S. Narain & Co., AOR
Mr. Chirag M. Shroff, AOR

Mr. Ejaz Maqbool, AOR

Mr. Prashant Kumar, AOR

Mr. Mahesh Agarwal, Adv.
Mr. E. C. Agrawala, AOR

Ms. Hemantika Wahi, AOR

Ms. Binu Tamta, AOR

Ms. Nupur Kumar, AOR

Mr. B.K. Satija, A.A.G.
Mr. Samar Vijay Singh, AOR
Ms. Sabarni Som, Adv.
Mr. Fateh Singh, Adv.
Mr. Amitabh Ranjan, Adv.
Mr. Abhishek Kumar Suman, Adv.
Mr. Nepal Singh, Adv.
Dr. Sukhdev Sharma, Adv.

Ms. Ruchi Kohli, Sr. Adv.
Ms. Srishti Mishra, Adv.
Mr. Sumeet Mishra, Adv.
Mr. R. C. Kohli, AOR

Ms. Pritha Srikumar Iyer, AOR

Mr. Satya Mitra, AOR

Mr. Deepayan Mandal, AOR

Mr. Ravindra S. Garia, AOR

Mr. Guntur Pramod Kumar, AOR
Mr. Arunabha Ganguli, Adv.
Mr. Dhruv Yadav, Adv.
Mr. Keshav Singh, Adv.

Ms. Srishti Agnihotri, AOR

Mr. Utkarsh Sharma, AOR

Ms. Surabhi Sanchita, AOR

Mr. Vinod Sharma, AOR

Mr. Debojit Borkakati, AOR

Mr. Aakarshan Aditya, AOR

Mr. Vinodh Kanna B., AOR

Mr. Prasanna S., AOR

Ms. Shalu Sharma, AOR

Mr. Sahil Tagotra, AOR

Mr. Sujay Jain, Adv.

Mr. Zubin Dash, Adv.

Mr. Akhil Anand, AOR

Mrs. Purna Dhall, Adv.

Mr. Piyush Yadav, Adv.

Ms. Akansha Singh, Adv.

Mr. Gopinath Mr, Adv.

Mr. Prashant Singh, AOR

Mr. M.A.chaudhary, Adv.

Mr. Aravindh S., AOR

Mr. Aman Gautam, Adv.

Mr. Nitin Saluja, AOR

Mr. Vivek Gupta, AOR

Mr. Vinay Garg, AOR

Mr. Praveen, Adv.

Dr. Ram Sankar, Adv.

Mrs. Harini Ramsankar, Adv.

Mrs. Usha Prabakaran, Adv.

Mr. Maheswaran Prabakaran, Adv.

Mr. G Anandan, Adv.

Mr. B Sasikumar, Adv.

For M/S. Ram Sankar & Co, AOR

Mr. Mahfooz Ahsan Nazki, AOR

Ms. Misha Rohatgi, AOR

Mr. Sandeep Singh, AOR

Ms. Mithu Jain, AOR

Ms. Asha Gopalan Nair, AOR

Mr. Shariq Ahmed, Adv.
M/S. Ahmadi Law Offices, AOR

Mr. Akash Vashista, Adv.
Mr. Rishi Sehgal, AOR
Mr. Midhun Aggarwal, Adv.
Ms. Vaishnavi, Adv.

Mr. Amrish Kumar, AOR

Ms. Surbhi Mehta, AOR

Mr. Shovan Mishra, AOR

Ms. G. Indira, AOR

Mr. Sagar Roy, Adv.
Ms. Anki Kashyap, Adv.
Mr. Bikash Chandra, Adv.
Mr. Santosh Kumar, Adv.
Mr. Kaushal Kishore, Adv.
Mr. meghraj Singh, Adv.
Mr. Nepal Singh, Adv.
Ms. Priyanka Thakur, Adv.
Dr. Siddartha Goswami, Adv.
Ms. Santosh, Adv.
Mr. Subhro Sanyal, AOR

Ms. Nidhi Jaswal, AOR

Mr. Ravi Prakash, AOR

Ms. N. Annapoorani, AOR

Mr. S. Gowthaman, AOR

Ms. Neeru Vaid, AOR

Mr. Aashhish Chauhan, Adv.
Ms. Sonal Chauhan, Adv.
Ms. Vanya Gupta, AOR
Ms. Pavani Verma, Adv.

Mr. Shiv Mangal Sharma, A.A.G.
Mr. Sandeep Kumar Jha, AOR
Ms. Nidhi Jaswal, Adv.
Mr. Saurabh Rajpal, Adv.

Ms. G. Indira, AOR

Mr. Mukesh Verma, Adv.
Mr. Pankaj Kumar Singh, Adv.
Mr. Vatsala Tripathi, Adv.
Mr. Yash Pal Dhingra, AOR

Mrs. Rajshri Dubey, Adv.
Mr. Abhishek Chauhan, Adv.
Mr. Amit P Shahi, Adv.
Mr. Amit Kumar, Adv.
Mr. H B Dubey, Adv.
Mr. Rahul Sethi, Adv.
Mr. Shashibhushan Nagar, Adv.
Mr. Sumant A Khan, Adv.
Mrs. Sona Khan, Adv.
Mr. Rajendra Anbhule, Adv.
Mr. Ashutosh Dubey, AOR

Mr. Yoginder Handoo, AOR

Mr. Anil Kumar, AOR

Mr. Rakesh Kumar-i, AOR

Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Karun Sharma, Adv.
Ms. Rajkumari Divyasana, Adv.

Mr. Vikrant Singh Bais, AOR

Mr. Alok Gupta, AOR

Mr. K. V. Mohan, AOR

Mr. Saurabh Agrawal, AOR

Mr. Haresh Raichura, AOR
Mrs. Saroj Raichura, Adv.
Mr. Kalp Raichura, Adv.

M/S. Karanjawala & Co., AOR

Mr. V. N. Raghupathy, AOR

Mr. Chandra Prakash, AOR

Mr. Anuj Bhandari, AOR

Mr. Neeraj Shekhar, AOR
Mr. Rajesh Kumar Maurya, Adv.
Ms. Surbhi Singh, Adv.
Ms. Manjula Chaurasia, Adv.

Ms. Lubna Naaz, AOR

Mr. Parminder Singh Bhullar, AOR

Mr. Chandrakant Sukumar Sarkar, Adv.
Mr. Shantanu Jugtawat, Adv.
Mr. Mukesh Kumar Singh, Adv.
Mr. Narendra Kumar Goyal, Adv.
Mr. Ikshit Singhal, Adv.
Mr. C M Dwivedi, Adv.
Mr. Hardik Maurya, Adv.
Mr. Vipin Sandu, Adv.
For M/S. Mukesh Kumar Singh And Co., AOR

Mr. Arjun D Singh, Adv.
Ms. Ankita Sharma, AOR

Mr. Yash S. Vijay, AOR

Mr. Rakesh Dahiya, AOR
Mr. Aditya Dahiya, Adv.
Mr. Praveen Kumar Jain, Adv.
Mr. Vikram Gulia, Adv.
Mr. Aakash Dahiya, Adv.

Mr. Rajeev Singh, AOR

Mr. Gaurav, AOR
Mr. Vidya Prakash Pathak, Adv.
Mr. Gaurav Srivastava, Adv.

Mr. Shuvodeep Roy, AOR
Mr. Saurabh Tripathi, Adv.
Mr. Deepayan Dutta, Adv.

Ms. Charu Ambwani, AOR

Ms. Astha Sharma, AOR
Ms. Ripul Swati Kumari, Adv.

Mr. T. R. B. Sivakumar, AOR

Mr. Mohit Paul, AOR

Ms. Shashi Kiran, AOR

Ms. Aastha Mehta, Adv.
Ms. Deepanwita Priyanka, AOR
Ms. Prerana Mohapatra, Adv.
Ms. Prina Sharma, Adv.

Mr. Raghvendra Kumar, AOR

Mr. Anando Mukherjee, AOR

Ms. Sanjivani Aggarwal, Adv.
Ms. Jyoti Aggarwal, Adv.
Mr. Pradeep Shekhawat, Adv.
Ms. Filza Moonis, AOR

Mr. Anilendra Pandey, AOR
Mr. Charanpal Singh Bagri, Adv.
Dr. Gurjit Kaur Jassar, Adv.
Mr. Nadeem Hussain, Adv.

Mr. Atishi Dipankar, AOR

Ms. Tulika Mukherjee, AOR

Ms. Divya Jyoti Singh, AOR

Mr. Vinay Garg, AOR

M/S. M. V. Kini & Associates, AOR

Ms. Manju Jetley, AOR

Mr. Nischal Kumar Neeraj, AOR
Mr. Shalen Bhardwaj, Adv.
Ms. Lakshmi, Adv.
Ms. Ekta Kalra, Adv.
Mr. Deepender Kumar Pathak, Adv.
Mr. Rochak Kharbanda, Adv.
Dr. Raj Kumar Jain, Adv.
Dr. O.P.Kharbanda, Adv.
Ms. Gursheen Kaur, Adv.
Mr. Jitender Khurana, Adv.
Mr. S.K.Mehta, Adv.
Mr. Ashok Kumar Panigrahi, Adv.

Mr. Nishit Agrawal, AOR

Mr. Yashraj Singh Bundela, AOR
Mr. Surjeet Singh, Adv.
Mr. Chanakya Baruah, Adv.
Ms. Saloni, Adv.
Mr. Rohan Singla, Adv.
Mr. Dileep Kumar Dubey, Adv.
Mr. Praveen, Adv.

Mr. Pulkit Agarwal, AOR

Mr. S S Bandyopadhyay, Adv.
Mr. Abhaya Nath Das, Adv.
Mr. Om Prakash Sapra, Adv.
Ms. Riya Soni, Adv.
Mr. Rahul Gupta, Adv.
Mr. Shashank Sharma, Adv.
Mr. Hukum Deo Prasad, Adv.
Mr. B C Bhatt, Adv.
Mr. Gulam Rabbani, Adv.
Mr. Abhay Singh, Adv.
Ms. Saket Gautam, Adv.
Ms. Muskan, Adv.
Mr. Satish Kumar, AOR

Mr. Kumar Dushyant Singh, AOR
Mr. Rohit Sharma, Adv.
Mr. Nikhil Purohit, Adv.
Mr. Jatin Lalwani, Adv.
Mr. Jay Rawat, Adv.

Ms. Sakshi Kakkar, AOR

Mr. Akshay Girish Ringe, AOR

Ms. Aswathi M.k., AOR

Mr. Gopal Jha, AOR

Mr. Pradeep Misra, AOR
Mr. Daleep Dhyani, Adv.
Mr. Suraj Singh, Adv.

Mr. Manish Kumar, AOR
Mr. Divyansh Mishra, Adv.

Mr. Harsh V. Surana, AOR

Ms. Rakhi Ray, AOR

Ms. Ishita Jain, AOR
Mr. Shivam Sinha, Adv.
Mr. Ankit Bhandari, Adv.

Mr. Manish Kumar Gupta, AOR

Ms. Shyel Trehan, Sr. Adv.
Mr. Chirayu Jain, Adv.
Mr. Rohan Poddar, Adv.
Ms. Vidhi Jain, Adv.
Mr. Garvit Sharma, Adv.
Mr. Shivendra Singh, AOR

Ms. Prakriti Rastogi, Adv.

Mrs. Rani Chhabra, AOR

Ms. Divya Roy, AOR

Ms. Shagun Matta, AOR

Mr. Gaurav, AOR
Mr. Vidya Prakash Pathak, Adv.
Mr. Gaurav Srivastava, Adv.

Mr. Shishir Deshpande, AOR

Mr. D.Kumanan, AOR
Ms. Deepa S, Adv.
Mr. Sheikh F Kalia, Adv.
Mr. Veshal Tyagi, Adv.
Mr. Chinmay Anand Panigrahi, Adv.

Mr. Puneet Taneja, Sr. Adv.
Mr. Amit Yadav, Adv.
Mr. Manmohan Singh Narula, Adv.
Mr. Anil Kumar, Adv.

Ms. Vrinda Bhandari, AOR

Ms. Charu Mathur, AOR

Mr. Aldanish Rein, AOR

Mr. Shekhar Kumar, AOR

M/S. S. Narain & Co., AOR

Mr. Sandeep Kumar Jha, AOR
Mr. Shiv Mangal Sharma, A.A.G.
Ms. Nidhi Jaswal, Adv.
Mr. Saurabh Rajpal, Adv.

Ms. Puja Sharma, AOR

Mr. Gautam Narayan, AOR

Mr. Neeraj Kumar Gupta, AOR

Ms. Pritha Srikumar Iyer, AOR

Ms. Rooh-e-hina Dua, AOR

Mr. Varun Singh, Adv.
Mr. Mudit Gupta, AOR
Mr. Anuj Sehrawat, Adv.
Ms. Kajal Gupta, Adv.

Ms. Divya Roy, AOR

Ms. Jaikriti S. Jadeja, AOR

Mr. Rajan Narain, AOR

Mr. Ayush Sharma, AOR

Mr. Anurag Kishore, AOR

Ms. Mayuri Raghuvanshi, AOR
Mr. Rochak Kharbanda, Adv.
Mr. Op Kharbanda, Adv.
Mr. Raj Kumar Jain, Adv.

Dr. Brij Bhushan K Jauhari, Adv.
Mr. Deepak Jyoti Ghildiyal, Adv.
Mr. O P Singh, Adv.
Mr. Harsh Mahan, Adv.
Ms. Purnima Jauhari, AOR

Mr. Danish Zubair Khan, AOR

Mr. Vikas Mehta, AOR

Ms. Garima Prasad, Sr. Adv. / AAG
Mr. Sudeep Kumar, AOR
Ms. Rupali, Adv.
Ms. Nidhi Singh, Adv.

Mr. H S Phoolka, Sr. Adv.
Mr. Niraj Gupta, AOR
Mrs. Anshu Gupta, Adv.
Mr. Mukesh Kumar Jain, Adv.

Mr. R.K.Singh, Adv.
Mrs. Neeraj Singh, Adv.
Mr. Kumar Gaurav, Adv.
Mr. Aman Rastogi, Adv.
Mr. Sanjay Rastogi, AOR

Mr. S. S. Shroff, AOR

Ms. Astha Tyagi, AOR

Mr. Sunil Fernandes, AOR

Mr. Kuldip Singh, AOR

Ms. Anushree Prashit Kapadia, AOR

Mr. Ketan Paul, AOR

Mr. Hiren Dasan, AOR

Mr. Ajay Vikram Singh, AOR
Ms. Priyanka Singh, Adv.
Mr. Aamir Faiyaz, Adv.
Mr. Shubham Kumar Singh, Adv.

Mr. K. Paari Vendhan, AOR

Mr. Kaushal Yadav, AOR
Mr. Nandlal Kumar Mishra, Adv.
Mr. Onkar Nath Sharma, Adv.

M/S. Khaitan & Co., AOR

Mr. Rajiv Yadav, AOR

Ms. Madhumita Bhattacharjee, AOR
Ms. Debarati Sadhu, Adv.
Ms. Srija Choudhury, Adv.

Mr. Anas Tanwir, AOR

Mr. Vikrant Singh Bais, AOR

Ms. Diksha Rai, AOR

Mr. Soumya Dutta, AOR

Ms. Malvika Kapila, AOR

Mr. Gaurav Kejriwal, AOR
Mr. Anmoldeep Singh, Adv.
Mr. Happy Chaubey, Adv.
Mr. Vijay Jain, Adv.

Mr. Sameer Abhyankar, AOR
Mr. Rahul Kumar, Adv.
Mr. Aryan Srivastava, Adv.

Mr. Rajeev Kumar Dubey, Adv.
Mr. Kamendra Mishra, AOR

Ms. K. V. Bharathi Upadhyaya, AOR

Ms. K. Enatoli Sema, AOR
Ms. Limayinla Jamir, Adv.
Mr. Amit Kumar Singh, Adv.
Ms. Chubalemla Chang, Adv.
Mr. Prang Newmai, Adv.

Mr. Rishi Matoliya, AOR

Mr. D. Abhinav Rao, AOR

Mr. Durga Dutt, AOR

Mr. Upendra Mishra, Adv.
Mr. Avijit Mani Tripathi, AOR
Mr. T.K. Nayak, Adv.
Ms. Marbiang Khongwir, Adv.
Mr. P.S.Negi, Adv.

Mr. Sameer Kumar, AOR

Mr. Ajay Pal, AOR

Mr. Dhananjaya Mishra, AOR

M/S. Unuc Legal LLP, AOR

Mr. M. P. Devanath, AOR

Ms. Ruchi Kohli, Sr. Adv.
Ms. Srishti Mishra, Adv.
Mr. Sumeet Mishra, Adv.
Mr. R. C. Kohli, AOR

Ms. Nidhi Mohan Parashar, AOR

Mr. P. Parmeswaran, AOR

Mr. Nirnimesh Dube, AOR

Ms. Rashmi Malhotra, AOR

Mr. Gaurav Choudhary, AOR

Mr. Binay Kumar Das, AOR

Mr. Shankey Agrawal, AOR

Mr. Sanjay Vashishtha, Adv.

Mr. Sumeer Sodhi, AOR

Mr. Sameer Shrivastava, AOR

Mr. D. Abhinav Rao, AOR

Mr. Prakash Ranjan Nayak, AOR

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

IN RE: THE SOLID WASTE MANAGEMENT RULES, 2016

1. As regards non-compliance with the Solid Waste Management Rules, 2016 (the 2016 Rules), we grant time to the Delhi Government to file a better affidavit. The Delhi Government must explain with reference to the specific Rules and timelines laid down in the 2016 Rules about the extent of compliance made.

2. As of today, the generation of municipal solid waste in the Municipal Corporation of Delhi (MCD) area is 11,000 tonnes per day, and the gap between the generation of solid waste and the processing capacity is about 3,000 tonnes per day. This is a shocking state of affairs that

in the MCD area of the capital city, every day, there is a generation of 3,000 tonnes of untreated municipal solid waste. With some degree of sadness, we are recording that in the capital city, every day, 3,000 tonnes of solid waste is being generated, which is not capable of being treated, and therefore, there is a large-scale illegal dumping. Perhaps, someday, this Court will have to take a call on stopping some kind of development activities in the city so that the generation of solid waste can be controlled. Today, there is an untreated waste of 3000 tonnes every day. It is bound to multiply with the passage of time. The Delhi Government and MCD cannot justify this default with vehemence. We expected the Delhi Government and all the authorities to come out with innovative measures to bridge this gap. One can imagine the drastic effect of the generation of 3,000 tonnes of solid waste every day, which remains untreated on the environment. It affects the fundamental right of people to live in a pollution-free atmosphere.

IN RE: DUMPING OF SOLID WASTE

3. Another issue which is flagged in the affidavit is that 3,800 tonnes of solid waste per day is being dumped at Ghazipur and Bhalsawa.

4. We direct the Delhi Government to come out with measures for preventing fires and resultant pollution due to the illegal dumping of 3,800 tonnes of solid waste

every day on these two sites. What precautions are being taken to avoid the fires, as well as the adverse effects on the environment, has to be dealt with by the Chief Secretary of the Delhi Government and all other stakeholders. We hope and trust that the drastic effects of such illegal dumping of such a large quantity every day will be considered by all the authorities with all the sensitivity which it deserves.

5. A better affidavit, which we are permitting the Delhi Government to file, must deal with this aspect as well.

6. We grant a longer time to file a better affidavit dealing with all aspects till 27th January, 2025. However, as regards the measures to be taken at dumping sites at Ghazipur and Bhalsawa, a detailed affidavit shall be filed either by the Delhi Government or by the MCD or by both on or before 15th January, 2025, which will be considered by this Court on 17th January, 2025. While filing the affidavit on or before 15th January, 2025, we expect the authorities to state how many incidents have taken place during 2024 of fires at the dumping sites and what steps were taken to prevent the fires.

7. List on 17th and 27th January, 2025 at the end of the cause list.

IN RE: COMMISSION FOR AIR QUALITY MANAGEMENT (CAQM)

8. Today, the learned Additional Solicitor General has submitted a report dated 19th December, 2024, which shows the drastic increase in the Air Quality Index (AQI), and therefore, Stage IV of the Graded Response Action Plan (GRAP) measures are in place.

9. Our attention is invited to clause (i) of the order dated 24th November, 2021. We leave it to the CAQM to permit activities as provided in clause (i) of the said order at an appropriate stage. We also reiterate that the directions issued in paragraphs Nos. 8 and 9 of this Court's order dated 5th December, 2024 will continue to operate.

IN RE: SUBSISTENCE ALLOWANCE

10. There is more than one order passed by this Court directing all the States in the National Capital Region (NCR) to pay the Subsistence Allowance to all the workers who are affected by the implementation of stage IV of the GRAP. We direct all the States to ascertain which are the workers who are affected by stage IV of the GRAP. While doing so, they should not rely upon the technicality of non-registration on the portal.

11. We make it clear that if we do not find satisfactory compliance with the directions issued regarding extending the benefit of Subsistence Allowance

to all the affected workers, we will initiate action under the Contempt of Court Act, 1971 against the erring State Government officials. The State Governments shall file compliance by 3rd January, 2025. We permit the concerned parties to move this Court in case of non-compliance.

IN RE: COURT COMMISSIONERS

12. We must record our appreciation for the work done by the advocates who have acted as the Court Commissioners.

13. Now, the year-end break is around the corner. Appointing the members of the Bar to monitor the implementation of stage IV of the GRAP was an ad-hoc measure. We, therefore, direct the NCR States to immediately constitute multiple teams consisting of police officials, revenue officials and officials of the other departments and entrust to them the responsibility of visiting the entry points to the city and also generally monitoring the compliance with stage IV of GRAP measures. Considering the magnitude of the task, all the NCR states shall create multiple teams. We also make it clear that the members of the team so constituted will work as the officers of this Court. So long as stage III and stage IV of GRAP measures are imposed, they shall regularly submit reports of compliance as well as breaches to the respective Governments and respective

stakeholders with copies thereof to the CAQM so that immediate action can be taken by all concerned. As the members of the teams constituted by this Court will act as the officers of this Court, it is obvious that the reports submitted by them shall be dealt with and acted upon by all the authorities with the seriousness which it deserves.

14. As we are ordering the constitution of the teams of the respective State Governments, we relieve the Court Commissioners of the onerous obligation of monitoring the implementation of the orders of this Court.

IN RE: BAN ON THE USE OF FIRECRACKERS

15. We have perused the order dated 19th December, 2024 passed by the Principal Secretary (Environment), Department of Environment and Forest, Government of National Capital Territory of Delhi. In the exercise of powers under Section 5 of the Environment (Protection) Act, 1986, the Delhi Government has imposed a complete ban on manufacturing, storage, selling (including delivery through online marketing platforms) and bursting all kinds of firecrackers in NCT of Delhi throughout the year with immediate effect. We are of the view that this ban will become effective only when other States forming part of the NCR impose a similar ban.

16. Even the State of Rajasthan has imposed a similar ban in that part of the State, which falls in NCR.

17. For the time being, we direct the States of Uttar Pradesh and Haryana to impose a similar ban in NCR parts of the States, which is imposed by the Delhi Government under the order dated 19th December, 2024 till 17th January, 2025, when we will consider the issue of passing further directions.

IN RE: IMPLEMENTATION OF THE POLICY TO CURB AIR POLLUTION

18. At the appropriate stage, we will take up the issue of implementation of the policy to curb air pollution in the NCR. We grant time to the concerned State Governments of the NCR as well as the Union of India to file their respective affidavits on the implementation of various policies incorporated by the Commission in the said documents. We grant time to them till the end of January, 2025 to do so.

IN RE: AMICUS CURIAE

19. At this stage, we must record our appreciation for the role played by the learned amicus curiae and all other members of the Bar who are appearing before us and assisting the Court. We hope and trust that every member of the Bar will continue to assist us so that all major issues concerning pollution can be dealt with. We expect each member of the Bar to act as officers of the Courts

as they have been doing. We request them not to multiply intervention applications. All concerned can give suggestions to the Commission.

20. Considering the magnitude of the task, we appoint Ms. Uttara Babbar, senior advocate and Ms. Shibani Ghosh, Advocate as amicus curiae to appear in this case along with Ms. Aparajita Singh, learned senior counsel appointed as amicus curiae.

21. The Registry to issue necessary communication to the respective advocates.

22. The Delhi Government will offer remuneration payable to Panel 'A' counsel to the learned counsel appointed as amicus curiae.

TRANSFER PETITION (CIVIL)NO.3280 OF 2024

23. List on 17th January, 2025 at the end of the cause list.

WRIT PETITION (CIVIL) NO.1135 OF 2020

24. List on 17th January, 2025.

(ANITA MALHOTRA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER