

# 7179

**BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH,**

**NEW DELHI**

Original Application No. 687/2023

**IN THE MATTER OF:**

In Re: Air Quality Index in various Cities

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25.11.2025



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BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

Original Application No.687/2023

IN THE MATTER OF:

In Re: Air Quality Index in various Cities

**Affidavit of Pardeep Kumar, IAS, Member Secretary, Haryana State Pollution Control Board, Haryana compliance of order dated 06<sup>th</sup> November, 2025.**

I, the above name deponent, do hereby solemnly affirm and state as under:-

**RESPECTFULLY SHOWETH:-**

1. That the Hon'ble National Green Tribunal vide orders dated 06<sup>th</sup> November, 2025, inter-alia passed the following orders:-

" 2. *Learned Amicus Curiae is permitted to implead the above cities through their District Magistrates. Registry is directed to serve them. Let the cause title of the OA be amended. The newly added Respondents can file their response. Learned Amicus Curiae submits that a note along with the suggestions has been filed today. The Registry is directed to place it on record. Respondents are directed to consider those suggestions and act upon them if there is no difficulty and file response to them atleast three days before the next date of hearing.*

3. *Learned Amicus Curiae also submits that the concerned Respondents should reflect as to why airshed approach should not be adopted for all*



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*NCR State as has been adopted in the U.P. Learned Amicus Curiae has submitted that the regulatory agencies such as CAQM and CPCB are simply issuing the communications and letters and are not taking effective steps for ensuring remediation of the problem at the ground level to maintain ambient air quality. He submits that there is an emergent need to complete the source apportionment study in the non-attainment cities and prepare the city action plan for the improving of air quality in those cities."*

2. The learned Amicus Curiae has filed a note on the day of hearing. As per submission at the serial no. 5 of the note, it has been pointed out that in Haryana 65% of AQI monitors were reported to go offline during the peak smog months. It is submitted that the media reports in this regard have not reflected the actual facts. In this regard it is clarified that out of total 29 CAAQM stations looked after by Haryana State Pollution Control Board, 10 stations were reported offline from 28.10.2025 to 31.10.2025, however these CAAQM stations were working but due to internet failure, the online data was not transferred to CPCB server. However, the data from 28.10.2025 to 31.10.2025 of these stations is available with the respective operation & maintenance (O&M) firms. That further, with regard to another 06 numbers of CAAQM stations, the maintenance of CPCB server was under going from 28.10.2025 to 31.10.2025 consequent of this backlog data was reflected on CPCB portal and subsequently some stations of the state were put on-off mode to rectify this problem.



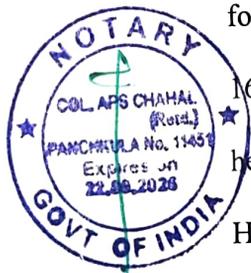
25 NOV 2025

3. Further, as per submission at the serial no. 10 of the note filed by learned Amicus Curiae, it has been pointed out that the stubble burning continues in parts of Punjab, Haryana and NCR Delhi albeit slightly

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reduced as per some studies. The matter regarding paddy stubble burning is also being heard by Hon'ble Supreme Court in the Writ Petition (C) No. 13029 of 1985 titled as M.C. Mehta V/s Union of India & Ors. As directed by Hon'ble Supreme Court, the detailed status report has been filed incorporating comparative reduction and control of paddy stubble over the last five years, various State and Central incentives passed on to the farmers, deterrent action against the violating farmers which also includes prohibiting the defaulting farmers selling its crop on MSP for 02 seasons, mass awareness activities and also action against the delinquent officers failing to control stubble burning in their assigned area / tagged farmers. The matter is now fixed for hearing on dated 10<sup>th</sup> December, 2025. Copy of affidavit dated

16.11.2025 filed before Hon'ble Supreme Court of India is annexed herewith as **Annexure R/1**. Copy of order dated 19.11.2025 passed by Hon'ble Supreme Court of India is annexed herewith as **Annexure R/2**.



4. That in para 03 of the order dated 06.11.2025 passed by this Hon'ble Tribunal, it has been referred that, why Air Shed approach should not be adopted for all NCR state as has been adopted in the state of U.P. It is hereby submitted that the state of Haryana has also adopted Air Shed approach on the lines of state of U.P. by collaborating with World Bank wherein project report has already been prepared and approved by the state cabinet, Special Purpose Vehicle (SPV) has been constituted to oversee and implement the project and negotiations with the World Bank by the Department of Economic Affairs has also been held. This project is in the advance stage and will be implemented over the next 5-

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6 years. An overall outlay in the project will be more than Rs. 3600 Crores.

5. That the deponent may kindly be allowed to place on record the present affidavit in compliance of order dated 06<sup>th</sup> November, 2025 passed by this Hon'ble Tribunal for kind consideration and appropriate order of Hon'ble Tribunal please.

Place: Panchkula  
Dated: 25.11.2025

  
(Pardeep Kumar, IAS)  
Member Secretary, HSPCB

### VERIFICATION:

I, the deponent above named, do hereby verify and state that the contents of the above affidavit are true and correct to the best of my knowledge as derived from the official record. No part of the above affidavit is false and nothing material has been concealed there from.

Place: Panchkula  
Dated: 25.11.2025

  
(Pardeep Kumar, IAS)  
Member Secretary, HSPCB



25 NOV 2025

  
**ATTESTED**  
APS CHAHAL No. 11451  
NOTARY PANCHKULA

25 NOV 2025

**IN THE HON'BLE SUPREME COURT OF INDIA**

**WRIT PETITION (C) NO. 13029 OF 1985**

**IN THE MATTER OF:**

**M.C. Mehta**

**.....Petitioner(s)**

**Versus**

**Union of India & Ors.**

**.....Respondent (s)**

AFFIDAVIT OF PARDEEP KUMAR, IAS, MEMBER SECRETARY, HARYANA STATE POLLUTION CONTROL BOARD ON BEHALF OF STATE OF HARYANA IN COMPLIANCE OF ORDER DATED 12<sup>th</sup> NOVEMBER, 2025

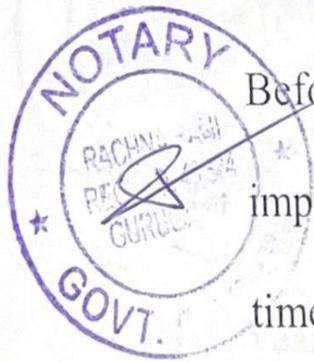
I, the above named deponent, do hereby solemnly affirm and declare as under:

1. That the above mentioned petition is pending before this Hon'ble Court and is now fixed for hearing on 17<sup>th</sup> November, 2025.

Before proceeding further, it would be apt to summarise the status of implementation of the directions issued by this Hon'ble Court from time to time with regard to containment of stubble burning in the State since 2021 in terms of number of active fire locations (AFLs):-

**Status of AFLs**

Year	Number of AFLs reported by HARSAC	Number of AFLs verified at site
2021	6987	6987
2022	3661	3661
2023	2303	2303
2024	1406 (1024 up to 13 <sup>th</sup> Nov)	1406
2025 (upto 13 <sup>th</sup> Nov, 2025)	479	479

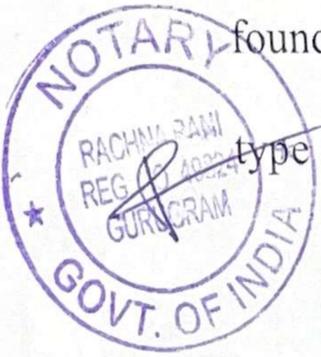


In the year 2021, total 6987 AFLs were reported by the Haryana Space Application Centre (HARSAC), which reduced to 1406 AFLs in 2024, which tantamount to 79% reduction in AFLs in the State in comparison to AFLs reported by HARSAC in 2021.

In the current paddy season, till 13<sup>th</sup> November, 2025, total 479 AFLs have been reported by HARSAC. All the AFLs reported by the HARSAC are being physically inspected by the field officers for verification, challaning, lodging FIRs and taking other punitive actions. As per report submitted by the field officers out of 479 AFLs, significant number i.e. 231 were not found at site during field verification and only 203 numbers of AFLs for paddy stubble burning instances were found at site this year. 1 number of AFL was found duplicate AFL and 44 numbers of AFLs were pertaining other type of fire incidents as detailed in subsequent paragraphs.

It is relevant to mention here that total 1024 AFLs were reported by HARSAC for the commensurate period during the last year and so till now there is 53% reduction in the AFLs in comparison to last year

2. That the State is sincerely taking steps to reduce and eliminate paddy stubble burning instances in the State and many state specific incentives are being given to farmers to motivate them not to engage in the paddy stubble farm fires. The details regarding States specific incentive to encourage the farmers to not burn the paddy stubbles, is provided as under:-



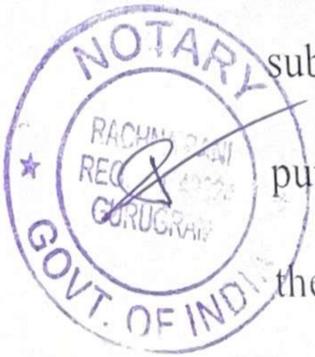
Sr. No.	State specific incentives	Incentive during the year 2024	Incentive during the year 2025	Total provision of incentive in budget 2025
1.	Incentive to farmers for managing the paddy stubble through ex-situ / in-situ management and not engage in paddy stubble burning	Rs. 1000 per acre	Rs. 1200 per acre	For the current paddy harvesting season 5.66 Lakh farmers registered on the portal for management of paddy stubbles on an area of 39.31 lakh acres for an amount of Rs. 471.72 Crores will be provided in incentive
2.	Incentive for crop diversification from paddy to other notified crops	Rs. 7000 per acre	Rs. 8000 per acre	During the current paddy sowing season, 19670 acres of paddy area has been diversified from paddy to other notified crops for which an incentive of Rs. 15.73 Crores will be provided.



3.	Incentive for direct sowing of Rice	Rs. 4000 per acre	Rs. 4500 per acre	During the current year 1.74 Lakh acre of paddy area have been sown with DSR, for which an incentive of Rs. 78.3 Crores will be provided.
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3. That the state with the contribution from the Central Government, is providing the subsidy on machineries for Crop Residue Management (CRMs) i.e. Super Seeder, Zero till seed drill, Rotary Slasher/Shrub Master and Paddy Straw Chopper/ Mulcher etc.) to the farmers and in this also the small and marginal farmers are being given the priority. Till 2024, total subsidy of Rs. 932 crores has been disbursed to the farmers for purchase of more than 1 lakh CRMs machines to the farmers. In the current year 7,781 additional CRMs machines has been purchased by the farmers with the subsidy of Rs. 94 Crores. Further the state has given permission to farmers to purchase additional 4,138 nos. of CRMs machineries on subsidy for CRMs. List of subsidized Crop Residue Management machineries provided to farmers since 2021 is annexed and marked as ANNEXURE-R/1.

4. The state is organizing various awareness programmes through IEC activities to aware the farmers about the harmful effects of paddy stubble burning on health and environment and also



making them aware about the various incentives provided by the Government to manage the paddy straw in the environmentally sound manner. Such awareness is being done by using all available platforms / media for mass awareness, as under:-

- i. Hoardings on Haryana Roadways buses
- ii. Hoardings at high footfall areas i.e. Bus stand, Kisan Mandis, Hospitals, Market, Railway Station and busy chowks
- iii. Publishing appeals in leading newspapers
- iv. Awareness through radio channels.
- v. Appeal through SMS on mobile numbers of 5.66 lakh paddy growing farmers registered on MFMB portal.
- vi. Social media campaign on you tube channels/whatsapp groups etc.
- vii. Involvement of leading manufacturers by allocating districts for creating awareness and providing trainings regarding operation, repair and maintenance of CRM machines.
- viii. Village level awareness camps.
- ix. School/college level activities.
- x. Training of farmers regarding operation and repair/maintenance of CRM machines by HAMETI Jind.
- xi. Deployment of awareness cum enforcement vans at block level.

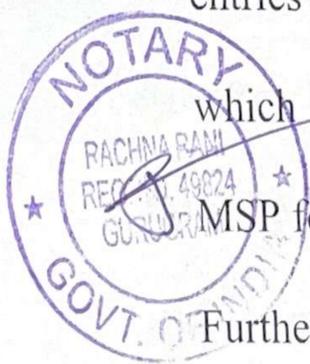


5. The state vide notification dated 16.09.2003 prohibited the burning of left over straw in the State of Haryana under Section 19 (5) of the Air (prevention and control of pollution) Act 1981.

Further, as per the notification dated 06<sup>th</sup> November, 2025, the Ministry of Environment and Climate Change, has enhanced the environmental compensation on the violating farmers engaged in the paddy stubble farm fires, detail of which are as under:-

Burnt area	Environmental Compensation
Farm fires upto 2 acres	Rs. 5000/-
Farm fires 2 to 5 acres	Rs. 10000/-
Farm fires 5 acres and above	Rs. 30000/-

Additionally, the state is lodging FIRs against the defaulting farmers invariably in all the cases and also making the Red entries into the agriculture record against the defaulting farmers which prohibit the farmer from selling their crop at Mandi on MSP for next two seasons.



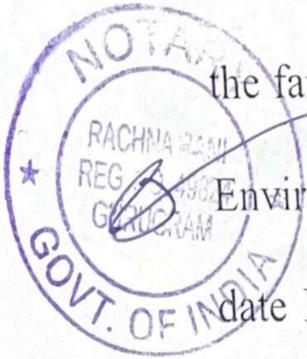
Further for enforcement to control the paddy stubble burning, the parali protection force has been constituted at district level and block level, to closely monitor, oversee and guard against any incident of paddy stubble burning.

Further more in the current harvesting season 10028 nos. of Nodal Officers has been appointed which are tagged with specific 50/100 farmers depending upon Red & Yellow / Green village respectively. Each Nodal Officer is responsible for their tagged farmers for control of farm stubble fires.

6. That during the current harvesting season till 13<sup>th</sup> November, 2025, total 479 nos. of AFLs has been reported by the HARSAC, however, during the field verification, 231 nos. of AFLs not found at field. Further, out of the HARSAC reported figure, 08 nos. found as Municipal Solid Waste fires, 06 nos. found as Industrial waste fires, 07 nos. AFLs reported outside the state boundary, 12 nos. of AFLs reported as accidental fires in the stock / stack / bales of paddy straw, 11 nos. accidental farm fires and 01 no. duplicate AFL reported.

Till 13<sup>th</sup> November, 2025 total paddy residue burning events (AFLs) are 203 numbers where paddy stubbles actually found after field verification as per the site location/ coordinates reported by the Haryana Space Application Centre (HARSAC). In all 203 number of cases of stubble burning instances, FIRs have been registered against the farmers, Red entries has been made in the agriculture record and Environmental Compensation has been imposed and realised. Till date Rs. 7,20,000/- Environmental Compensation has been realised from the violating farmers. The district wise and date wise farm fires (AFLs) reported by HARSAC in the current harvesting season, is enclosed as per **Annexure-R/2**.

Apart from enforcement on farmers, action has also been taken against the delinquent officers / officials for not putting the sufficient and effective steps to control the paddy stubble burning instances reported in their area during current paddy harvesting season, detail is as under:-



Number of officers / officials against whom show cause notice has been issued	Number of officers / officials who has been suspended	Number of officers / officials who has been show cause under section 14 of CAQM Act.	Number of officers / officials against whom complaint under section 14 of CAQM Act has been filed.
168	5	79	3

It is most humbly submitted that rigours and sincere steps taken by the answering respondent has resulted the substantial decrease in number of stubble burning cases in territory of answering state. It is undertaken to be consistent in taking all effective steps to prevent and control the stubble burning instances in State of Haryana.

ATTESTED

Place: Gurugram  
Dated: 15.11.2025

Book No. 1
Sr. No. 462
Date... 15/11/25
<b>RACHNA RANI</b> ADVOCATE & NOTARY

Deponent

RACHNA RANI  
ADVOCATE & NO  
DISTT COURT GURUGRAM  
75/11/25

**VERIFICATION:**

Verified that the contents of Para No.1 to 6 of the above affidavits are true and correct to my knowledge based on the information derived from official records. No part of it is false and nothing material has been concealed therein.

Place: Gurugram  
Dated 15/11/2025

Deponent

ITEM NOS.8 + 12

COURT NO. 7192

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

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

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(1) NOTE ON BEHALF OF AMICUS CURIAE ON AIR QUALITY MONITORING DATA.

WITH

TRANSFERRED CASE (CIVIL) NO(S). 148/2025 (XVI-A)

Date : 19-11-2025 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

Amicus Curiae

Ms. Aparajita Singh, Sr. Advocate (A.C.)  
Ms. Uttara Babbar, Sr. Advocate (A.C.)  
Ms. Shibani Ghosh, Advocate (A.C.)Mr. Harish N. Salve, Sr. Advocate (A.C.) (N.P.)  
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Mr. Siddhartha Chowdhury, Advocate (A.C.)

For Petitioner(s) : Applicant-in-person

Petitioner-in-person

For Respondent(s) :

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Mr. Sudeep Kumar, AOR  
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Mr. Jyoti Mendiratta, AOR  
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 Mr. Aman Mehta, Adv.

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 Mr. Ravi Vashisht, Adv.  
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 Mr. Dhruv Bhalla, Adv.  
 Mr. B. Jagat Nayan, Adv.

Mr. Ayush Sharma, AOR

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 Mr. Paras Bajpai, Adv.

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 Mr. Suraj Singh, Adv.

Mr. Manish Kumar, AOR  
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 Mr. Pradeep Kumar Mishra, Adv.  
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 Mr. Prashant Kumar, Adv.  
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UPON hearing the counsel, the Court made the following  
 O R D E R

### **ISSUE REGARDING AIR QUALITY IN DELHI**

1. In pursuance to our order dated 17.11.2025, Ms. Aishwarya Bhati, learned Additional Solicitor General of India (ASG) informs the Court that a meeting was convened by the Secretary, Ministry of Environment, Forest and Climate Change (MOEF&CC) and it was attended by the senior officers from all the concerned States including the Chief Secretaries of the States of Uttar Pradesh,

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Haryana, Punjab, the National Capital Territory (NCT) of Delhi and the Additional Chief Secretary of the State of Rajasthan. Additionally, the Chairpersons of Commission for Air Quality Management (CAQM) and Central Pollution Control Board (CPCB) were also present for the said meeting, which was conducted on 18.11.2025.

2. Learned ASG has placed a note showing various short-term and long-term measures, which are being implemented to control the pollution. The same is taken on record.

3. Ms. Aprajita Singh, learned *Amicus Curiae* has raised a concern that though, in principle, there are measures in place, the reality on ground shows that such measures have not been effectively executed to reduce pollution. She therefore submits that the issue lies in the implementation of the measures adopted.

4. She has also raised an issue with regard to non-filling of the vacancies in the Pollution Control Boards across the State.

5. Ms. Shyel Trehan, learned senior counsel appearing on behalf of the Association of Construction Workers working in all the National Capital Region (NCR) States submits that though almost a week has passed after the Graded Response Action Plan (GRAP)- 3 regulations have been brought into force, subsistence allowance has not yet been paid to the workers.

6. In our order dated 17.11.2025 we had already expressed a concern that on account of ban on construction activities, the labourers who depend on the same are deprived of their livelihood. However, we are informed that the States are enjoined to pay subsistence allowance to them.

7. We, therefore, direct ~~all~~ <sup>7207</sup> the States falling within the NCR region to take instructions with regard to payment of subsistence allowance and to inform the Court about the same on the next date.

8. Insofar as implementation of the various measures is concerned, we are of the view that it will be appropriate that this court, rather than pressing the matter when the pollution is at its peak, should regularly monitor the same so that the implementation of preventive measures and review of the same can be done periodically.

9. We, therefore, find that it would be appropriate that the matter is listed on a monthly basis, wherein the Action Taken Reports of the MOEF&CC, CAQM and the various States are reviewed by this Court regularly.

10. Ms. Bhati, learned ASG has also handed over a note on behalf of CAQM, which is taken on record. As per the said note, the CAQM proposes to put some of the activities prohibited under GRAP-3 to GRAP-1/GRAP-2 period.

11. We are of the considered view that any pro-active action by the CAQM aimed at reducing the air pollution level would always be welcome. However, we expect from the CAQM that while taking such a decision, they must consider all the factors and take the various stakeholders on board. Subject to above, the suggestions of CAQM in the note mentioned above are accepted.

12. The notes submitted on behalf of both MOEF&CC and CAQM are directed to be placed on record.

13. The learned *Amicus Curiae* has also raised a concern over most of the schools in the NCR Region having their sports

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 events/competitions in the months of November and December, which is the period during which the air quality deteriorates sharply, and the Air Quality Index (AQI) is poor/severe. It is further submitted that this would amount to virtually putting the school going children in a "gas chamber".

14. We, therefore, request the CAQM to take into consideration this aspect of the matter and issue necessary directions to the concerned States so that the sports events/competitions/activities could be shifted to safer months.

15. List the matter on 10.12.2025.

16. Since one of us (B.R. Gavai, Chief Justice of India) is sitting in the proceedings in W.P.(C) NO.13029/1985 for the last time, we place on record our deep appreciation for Ms. Aprajita Singh, Ms. Uttra Babbar and Ms. Shibani Ghosh, learned *Amicus Curiae* in assisting this Court for a long period of time and ensuring that the environmental issues with regard to pollution are addressed by this Court. Without their valuable assistance, this Court could not have discharged its duties in the manner in which the Constitution mandates.

17. We also place on record our deep appreciation for Ms. Aishwarya Bhati, learned ASG for not treating this an adversarial litigation and assisting the Court in passing pro-active orders.

TRANSFERRED CASE (CIVIL) NO(S). 148/2025

1. As per the order dated 17.11.2025 passed by this Court, proceedings which were pending before the High Court of Punjab and Haryana (C.W.P. No.24772/2023) were transferred to this Court and

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the same is registered as Transferred Case No.148/2025.

2. The State of Punjab as well as the Union of India are on same page that the order of interim stay passed by the High Court of Punjab and Haryana is detrimental to the measures taken for the reduction of pollution in the State of Punjab.

3. By the order passed by the High Court of Punjab and Haryana dated 06.11.2025, the High Court had stayed the notification issued by the State of Punjab directing use of paddy straw pallets as a fuel in Brick Kilns.

4. Nobody can dispute that the emission from paddy straw pallets is much lower as compared to the emission from coal, which is being used on account of the interim order passed by the High Court of Punjab and Haryana.

5. We, accordingly, stay the order passed by the High Court of Punjab and Haryana dated 06.11.2025.

6. Learned counsel for the petitioner in C.W.P. No.2472 of 2023 submits that the members of Paddy Straw Pallets Manufacturers Association purchase the straw pallets from the farmers at the rate of Rs.1/- to Rs.2/-. However, it is later sold to the deep cleaning manufacturers at an exorbitant rate of Rs.12/- to Rs.13/-.

7. We permit the petitioners to make a representation to the State Government in that regard.

8. If the State Government finds that by virtue of monopolization of sale of the paddy straw pallets by one association, the members of the Brick Kiln Association are being prejudiced, the State would, accordingly, consider taking appropriate action on such representation.

9. To be taken up along **7210** with W.P.(C) No.13029/1985 (with the issue relating to Air Quality).

(NARENDRA PRASAD)  
DEPUTY REGISTRAR

(ANJU KAPOOR)  
ASSISTANT REGISTRAR

Encl: Notes, as above, are enclosed.