

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 687 OF 2023

IN THE MATTER OF: -

In Re: Air Quality Index in Various Cities

Along with Original Application No. 663 OF 2023

News Item published in the Indian Express dated 07.10.2023 titled "GRAP Stage I kicks in as air quality dips to poor condition likely to prevail till Sunday"

Along with Original Application No. 1228 OF 2024

News Item titled "Lancet study links alarming mortality rates to poor air quality 12 strategies to combat country's air pollution crisis" appearing in the Indian Express dated 13.09.2024

Along with Original Application No. 90 OF 2025

Dr. Sanjay Kulshrestha vs. Union of India & Ors.

Along with Original Application No. 646/2024

News Item titled "How Partial Combustion Fuels Your Bad Air Woes" appearing in The Times of India dated 02.05.2024

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Place: New Delhi
Date: 25.07.2025



Sanjay Upadhyay
[Senior Advocate]

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-Versus-

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Place: New Delhi

Date: 02.07.2025



Sanjay Upadhyay
[Senior Advocate]

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HON'BLE TRIBUNAL ON AIR POLLUTION IN ACCORDANCE WITH
THE ORDER DATED 13.01.2025**

1. That it may be pertinent to mention that on 25.11.2024, the *Amicus Curiae* had submitted a Note highlighting the 41 broad issues that require urgent consideration of this Hon'ble Tribunal for developing the best short-term and long-term strategies for remedial action against severe air pollution in many cities of the country. These issues of air pollution have been examined on the following seven parameters -
 - a. Source of air pollution
 - b. Method/Program /Plan to tackle the problem
 - c. Punitive Measures
 - d. Incentives
 - e. Institutional Response
 - f. Budget/Funds
 - g. Innovation/Technology
2. That the said Note by *Amicus Curiae* dated 25.11.2024 captured the seven parameters mentioned above covering the legal framework, the executive instruments and the judicial directions, including the directions of this

Hon'ble Tribunal. Further, the 41 issues crucial for adjudication of this Hon'ble Tribunal have been categorised under the following broad heads:

A. General Methods/Strategies for Control of Air Pollution

1. Air Pollution Control Areas (APCA)
2. Air Shed
3. Carrying Capacity
4. Source Apportionment Studies
5. National Clean Air Programme and City Action Plans
6. Regulatory Authorities/Committees
7. Citizen Engagement
8. Commission for Air
9. Commission for Air Quality Management (CAQM)]
10. Emergency Measures such as GRAP and Odd-Even Scheme
11. Interplay between the Environment Protection Act, 1986 and the Air (Prevention and Control of Pollution) Act, 1981
12. Environment Impact Assessment Notification, 2006 and its Impact on Air Quality Management
13. General Judicial Decisions

B. Specific Issues/Sources of Air Pollution

1. Industrial Pollution
2. Development and Greening
3. Vehicular Pollution
4. Waste Burning/Burning in Landfill Sites/Leaf Litter/Waste to Energy

The above has been sub categorised into further related sub-issues totalling about 41 issues.

Thereafter, a Note on how to tackle the above issues by way of Best Strategies and Way Forward was also discussed. (C. Best Strategies/Way Forward)

3. That this Hon'ble Tribunal vide order dated 26.11.2024 noted numerous issues in air pollution as submitted in the aforesaid Note submitted by *Amicus Curiae* dated 25.11.2024, which require urgent examination by this Hon'ble Tribunal. However, on the request of the counsel for MoEF&CC,

this Hon'ble Tribunal had directed that the *Amicus Curiae* along with the counsel for the MoEF&CC, to clarify whether the issues mentioned in the Order dated 26.11.2024 overlap with the issues of air pollution under consideration by the Hon'ble Supreme Court in *M.C. Mehta v. Union of India* (W. P. (C) No. 13029/1985). It may be noted that Orders submitted by the Counsel for MOEF&CC highlighted the following 17 issues:

- i. Crop Burning
- ii. RFID
- iii. Remote sensing
- iv. Hydrogen and CNG Buses
- v. Colour Coded Stickers
- vi. Parking Policies
- vii. Pet Coke
- viii. Thermal Power Plants
- ix. Gas for Power Plants
- x. Environmental Compensation Charge
- xi. Cap on three-wheelers
- xii. Registration of BS IV
- xiii. Railways
- xiv. Bio Medical Waste
- xv. Advertising Policy
- xvi. Eastern Expressway
- xvii. PNG Regulatory Board

4. That this Hon'ble Tribunal vide order dated 26.11.2024 further directed the Counsel for MoEF&CC along with the *Amicus Curiae* to cull out the issues that need to be examined by this Hon'ble Tribunal and the parameters for examination of the same. In compliance with the direction of the Hon'ble Tribunal, a meeting was held on 10.12.2024 with the Counsel for MoEF&CC and the Counsel for the Commission for Air Quality Management for Delhi NCR and Adjoining Areas (CAQM).
5. That in pursuance of the discussion in the aforesaid meeting, an Additional Note was submitted by *Amicus Curiae* on 16.12.2024, wherein it was submitted that specifically in 2024, the Hon'ble Supreme Court in *M.C. Mehta v. Union of India* had only taken up the following issues on air pollution:

- i. Implementation of GRAP
- ii. CAQM
- iii. Ban on Firecrackers
- iv. Filling up of vacancies in the SPCBs
- v. Appointment of Court Commissioners for implementation of GRAP
- vi. Compliance with Solid Waste Management Rules, 2016
- vii. Construction and Demolition activities and waste management under GRAP
- viii. Compensation for construction workers during GRAP IV.

6. Further, the Additional Note of *Amicus Curiae* dated 16.12.2024 submitted that although some of the abovementioned issues overlap with the issues mentioned and dealt with by the Hon'ble Supreme Court in the Orders submitted by the Counsel of MoEF&CC on 26.11.2024, however, the same does not restrict this Hon'ble Tribunal to adjudicate the compliance with respect to the overlapping issues as –

- i. The Orders of the Hon'ble Supreme Court are restricted to Delhi NCR while the jurisdiction of this Hon'ble Tribunal in the present case pertains to the Non-Attainment Cities beyond Delhi NCR and across States
- ii. The mandate of the present connected matters pertains to the compliance by Non-Attainment Cities with the legal statutory framework as well as the Directions issued by this Hon'ble Tribunal and the Hon'ble Supreme Court, ascertainment of the impact of air pollution on health among other issues highlighted in the Note of the *Amicus Curiae*.

7. That it was submitted in the Additional Note of the *Amicus Curiae* dated 16.12.2024 that apart from the implementation of GRAP Orders and the role of CAQM, there is no restriction with the Hon'ble Tribunal proceeding to hear the issues submitted in the Note of 25.11.2024 of the *Amicus Curiae*. It was further submitted that, moreover, with respect to the issues which have been dealt with before 2024 by the Hon'ble Supreme Court, it is well within

the mandate of this Hon'ble Tribunal to look into compliance with the Directions of the Hon'ble Supreme Court.

8. That this Hon'ble Tribunal vide order dated 13.01.2025 noted

“...before the Hon'ble Supreme Court, the issue concerning the air quality in different cities is coming up on 15.01.2025. Hence, counsel for the parties submits that they will ascertain the issues which are under examination before the Hon'ble Supreme Court and will focus on the issues which are not under consideration before the Hon'ble Supreme Court.”

Further, this Hon'ble Tribunal directed the *Amicus Curiae* to file

“... compilation of various orders passed by the Tribunal on the issue of air quality in the cities prepared especially about the different sources of pollution...”

9. That in compliance with the aforesaid Order dated 13.01.2025 passed by this Hon'ble Tribunal, I hereby submit the present compilation containing orders/judgements of this Hon'ble Tribunal passed on various issues around air pollution, including the sources of air pollution. The compilation includes the orders referred to in my Note dated 25.11.2024 and the Additional Note dated 16.12.2024. The said issues around air pollution, including the sources of pollution, have also been noted by this Hon'ble Tribunal under its Order dated 26.11.2024. The relevant portion of the said Order listing the issues, including the sources of air pollution, is reproduced hereinunder for convenience:

“B. Specific Issues/Sources of Air Pollution

1. Industrial Pollution

- A. Brick Kilns
- B. Stone Crusher Units
- C. Thermal Power Plants
- D. Hot Mix Plants
- E. Other Industries

2. Development and Greening

- A. Construction, Demolition, Construction and Demolition Waste, Infrastructure, Dust and Greening
- B. Developing Carbon Sinks/Afforestation

3. Vehicular Pollution

- A. Commercial Vehicles
- B. Vintage Vehicles
- C. All Vehicles
- D. Ban on Vehicles based on their age and fuel type
- E. Scrapping Policy
- F. Capping and Pooling
- G. Public Transport Fleets and Infrastructure
- H. PUC Station/On Board Diagnostic System
- I. Traffic Alignment/Congestion/Parking on roads/Blinkers Installation
- J. Parking Policy
- K. Removal of Encroachment from Public Roads/Walkways
- L. Technology Improvement (Green Vehicles/ Emission reduction/ Fuel Improvement/ Fuel Alternatives/ Retrofitting)

4. Waste Burning/Burning in Landfill Sites/Leaf Litter/Waste to Energy

- A. Stubble Burning
- B. Fly Ash

5. Miscellaneous

- A. Firecrackers
- B. DG Sets
- C. Health Impacts
- D. Criminal Liabilities for Air Pollution”

10. That it may be pertinent to mention that the Hon'ble Supreme Court vide order dated 15.01.2025 passed in *M.C. Mehta v. Union of India* bearing W.P. (C) No. 13029/85 has also laid down certain themes on the issue of air pollution along with the respective schedule of hearing for the said themes. The said themes include Municipal Solid Waste, Transportation, Thermal Power Plants, Stubble Burning, Industries, Construction and Road Dust, Strengthening Air Quality Management and Fireworks/Firecrackers. That the true copy of the Hon'ble Supreme Court order dated 15.01.2025 passed in *M.C. Mehta v. Union of India*, W.P. No. (C) is marked and annexed as **ANNEXURE A/1**.
11. That the orders/judgements passed by this Hon'ble Tribunal on the aforesaid issues, including sources related to air pollution, are as follows:

Table 1: This Hon'ble Tribunal's Order/Judgements Related to industrial pollution

S. No.	Order/ Judgement Date	Case Details	Order/Judgement Details
GENERAL INDUSTRIAL POLLUTION- GENERAL			
	10.11.2016	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT PB)	Closure of industries if emitting more than prescribed standards This Hon'ble Tribunal directed that all power generation plants, Brick Kilns, Hot mix plants, Thermal Plants, Waste to Energy Plants if found to be emitting more than the prescribed standards should be ordered to shut down until they meet such standards.
	18.12.2017	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT PB)	Restricting operation of Industries if pollution level crosses certain thresholds which are laid down This Hon'ble Tribunal, directed that when Category I level of pollution

			(laid down under this Order) is reached, enforcement of all pollution laws, is to be ensured. Further, when category II level of pollution is reached, all the brick kilns, thermal plants and heavy industries causing emissions would be stopped and inspected and if their emissions are found to be beyond the prescribed standards, such plants shall be directed to be shut down.
	27.07.2018	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT PB)	This Hon'ble Tribunal's Category & Measures Passed Vide Order Dated 18.12.2017 Integrated in Graded Response Action Plan (GRAP) This Hon'ble Tribunal changed the above procedure to the effect that the GRAP already notified, with further modification in the light of this Hon'ble Tribunal's orders, needs to be fully implemented and action taken in terms thereof.
	26.10.2018	Ajay Khera v. Container Corporation of India Ltd. (CONCOR) OA No. 568/2016 (NGT PB)	Carrying Capacity Assessment of NCT of Delhi and 102 NACs Directed This Hon'ble Tribunal directed the assessment of the carrying capacity of the entire NCT Delhi as well as other major cities particularly 102 'non-attainment cities' which can be in phase depending on priority areas having pollution hot spots. Such study shall include capacity in terms of number of vehicles, extent of

			population, and extent of different nature of activities – institutional, industrial, commercial etc.
	10.07.2019	News item published in “The Asian Age” Authored by Sanjay Kaw Titled “CPCB to rank industrial units on pollution levels OA No. 1038/2018 (NGT PB)	<p>Restriction on expansion of Industries and compilation of information for Polluted Industrial areas</p> <p>This Hon’ble Tribunal imposed restrictions on the expansion of certain red and orange category industries in Critically Polluted Areas (CPAs) and Severely Polluted Areas (SPAs) till the said areas are brought within the prescribed parameters or till carrying capacity of the area is assessed and is found viable for new units or for any expansion. CPCB further directed to compile information with regards to polluted industrial areas based on pollution norms (water, air and other norms respectively) and notify such information on public domain. If individual polluters are identified, action to be taken on the same pattern as directed under this case.</p>
	27.03.2023	Sanjay Kumar v. State of Uttar Pradesh OA No. 19/2021 (NGT PB)	<p>Committee Suggestions for air pollution control measures</p> <p>The Committee constituted by this Hon’ble Tribunal submitted its report in pursuance of Order dated 09.09.2021 and this Hon’ble Tribunal passed the following directions:</p> <p>i. Vulnerable districts mentioned in the Report may be listed as “Air</p>

			<p>quality Sensitive Districts” and polluting sources operating therein be closely monitored. Modified CTOs be granted in respect thereof with operational restrictions in the nature of GRAP, requiring switching over to cleaner fuel and adopting efficient air pollution control devices with definite time frame not exceeding six months.</p> <p>ii. MoEF&CC and CPCB may enforce requirement of cleaner fuel, switching over to efficient air pollution control technologies, enforcement of GRAP and vigilance measures to control other pollution sources like dust control, vehicular pollution and the like under the National Clean Air Program and require City and District specific action plans within six months by identified authorities/joint Committees.</p> <p>iii. MoEF&CC and CPCB may further assess the status in different areas after review of Daily and Annual Ambient Air Quality data and take remedial measures on that basis within six months.</p> <p>Further, this Hon’ble Tribunal took note of the suggestion in the report regarding setting up of an independent body in the MoEF&CC to monitor air control measures.</p>
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A. BRICK KILNS			
28.04.2015	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT PB)	Consent Management This Hon'ble Tribunal directed the Central Pollution Control Board (CPCB), Delhi Pollution Control Committee (DPCC), and Uttar Pradesh and Haryana Pollution Control Boards to ensure that brick kilns operating in NCR have the consent of the respective Boards and adhering to prescribed emission norms. In case of violation, show cause notice to be issued to such units.	
10.11.2016	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT PB)	Emissions Beyond Prescribed Limits This Hon'ble Tribunal directed that all brick kilns, emitting in excess of prescribed standards, should be ordered to shut down temporarily till they take remedial measures and bring standards within particular limits.	
18.12.2017	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT PB)	Category & Measures relating to air pollution-based PM Levels qua brick kilns This Hon'ble Tribunal laid down 'four categories' in relation to the pollution of AAQ to bring clarity and certainty in categorization and its impact on brick kilns. ● <i>Category II (Severe - PM10 > 300 µg/m³ but < 700 µg/m³ & PM2.5 > 180 µg/m³ but < 400 µg/m³)</i> – All brick kilns to be	

			<p>instantaneously stopped and inspected by concerned authorities, and plants, where emissions are beyond prescribed standards, should be directed to be shut down.</p> <ul style="list-style-type: none"> • <i>Category III (Critical - PM10 > 700 µg/m³ but < 1000 µg/m³ & PM2.5 > 400 µg/m³ but < 600 µg/m³)</i> – Directions in Category II with respect to brick kilns to mutatis mutanda apply. • <i>Category IV (Environmental Emergency - PM10 > 1000 µg/m³ & PM2.5 > 600 µg/m³)</i> – All brick kilns functioning in NCR Delhi shall be closed.
	17.03.2020	Utkarsh Panwar v. Central Pollution Control Board O.A. 1016/2020 (NGT PB)	<p>Operational Restrictions in ‘Severe’ Air Polluted Areas</p> <p>This Hon’ble Tribunal, considering the CPCB report stated that the zig-zag technology added to the PM 2.5 and contributed to about 10% of the air pollution in the NCR, including fugitive emissions, directed restricting Brick Kilns operations in areas with severe air quality. It was further directed that the firing in Brick Kilns should be staggered firing.</p>
	15.10.2020	Utkarsh Panwar v. Central Pollution Control Board	<p>Applicability of GRAP to Coal-Fired Brick Kilns in NCR</p> <p>The main issue was extending the applicability of GRAP (which applied to Fixed Chimney Bull</p>

		OA No. 1016/2019 (NGT PB)	<p>Trench Kilns (FCBTK) to other coal-fired brick kilns, particularly ‘Zig-Zag’ technology kilns in NCR during the period when air quality is ‘severe’.</p> <p>This Hon’ble Tribunal <i>inter alia</i> held that in ‘severe’ air quality conditions, coal-fired brick kilns, even operating on Zig-Zag technology, would not be allowed to operate in NCR thereby bringing brick kilns based on Zig-Zag technology under the purview of GRAP.</p> <p>Carrying Capacity to be Considered during Non-Severe Air Quality</p> <p>Pertinently, it was observed that the number of brick kilns that could be allowed to operate, even during non-severe air conditions was to be based on the carrying capacity of the region.</p>
	17.02.2021	Utkarsh Panwar v. Central Pollution Control Board OA No. 1016/2019 (NGT PB)	<p>Coal Fired Brick Allowed to Operate in Severe Air Quality Conditions only if Shifts to PNG</p> <p>This Hon’ble Tribunal reiterated that in ‘severe’ air quality conditions, coal-fired brick kilns cannot be allowed to operate in NCR, even if zig-zag technology is used and improved procedures are followed unless there is a switch over to cleaner PNG. It was observed that it was only during March to June when there was limited assimilative capacity for 444 brick kilns to</p>

			operate. This Hon'ble Tribunal however underscored that brick kilns that switch over to PNG would be entitled to operate even beyond the said period and beyond the said number.
	22.03.2021	Dalchand Yadav v. DSY Brick Field Company OA No. 72/2021 (NGT PB)	<p>Precedent Set in Utkarsh Case to be Followed with respect to Coal Fired Brick Kilns</p> <p>This Hon'ble Tribunal observed that the present matter would be dealt with in the terms laid down in the Order dated 17.02.2021 passed in <i>Utkarsh Panwar v. CPCB</i>, O.A. No. 1016/2019.</p> <p><i>“Coal- fired brick kilns cannot be allowed to operate in NCR even if zig zag technology is used and improved procedures are followed, as suggested by the committee, unless there is switch over to PNG. When brick kilns start, they should not be allowed to start simultaneously but their firing should be staggered to avoid adverse impact on the environment. Other safeguards of fugitive dust emission management need to be adopted.”</i></p>
	12.08.2021	Mukesh Kumar Agarwal v. Central Pollution Control Board OA No. 93/2021 (NGT PB)	<p>Closure Order for Operating without Consent</p> <p>This Hon'ble Tribunal directed the closure of brick kilns in Mathura District which were operating without consent and in violation of</p>

			<p>siting criteria and beyond carrying capacity.</p> <p>Permitted only to the Extent to Carrying Capacity and Siting Criteria</p> <p>It was reiterated that brick kilns ought to be permitted to the extent of carrying capacity, and siting criteria. Significantly, when air quality standards are exceeded, only non-polluting technology has to be followed. More importantly, this Hon'ble Tribunal held that while orders in the <i>Utkarsh Panwar Case</i> are for Delhi and NCR, the principle underlying the said order has to be followed.</p>
	10.03.2022	Dinesh Chahal v. Union of India OA No. 1088/2018	<p>Future Consent in NCR to Brick Kilns Based on CPCB Report Relating to FCBTK Technology Kilns, Use Agrofuel and Carrying Capacity</p> <p>This Hon'ble Tribunal finding the report submitted by CPCB on the permissibility of Fixed Chimney Bull's Trench Klin (FCBTK) technology kilns, using agrofuel and carrying capacity of the air quality to sustain brick kiln activities in NCR and nearby areas, relevant, directed SPCBs to follow the said report for future consents under the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.</p>

			<p>Adoption of MoEF&CC Notification dated 22.02.2022 on Revised Standards for Brick Kilns</p> <p>It further directed the adoption of MoEF&CC's Notification dated 22.02.2022 that revised standards for brick kilns in respect of technology, standards and conversion of the existing brick kilns to new technology.</p>
	09.05.2022	Mukesh Kumar Aggarwal v. Central Pollution Control Board OA No. 93/2021 (NGT PB)	<p>Operation of Brick Kilns Governed by SC Order and MoEF&CC Notification dated 22.02.2022</p> <p>This Hon'ble Tribunal held that the operation of brick kilns in NCR was to be governed by the Hon'ble Supreme Court's Order dated 08.04.2022 passed in <i>NCR Brick Kiln Association v. CPCB</i> bearing CA Diary No. 18213/2021 and MoEF&CC Notification dated 22.02.2022 which primarily deals with compulsory adoption of zig zag technology, PNG and a given time frame for adoption of the same.</p>
	11.07.2022	Hakam Singh v. State of Rajasthan OA No. 626/2020 (NGT PB)	<p>No requirement of Show Cause Notice to 167 Brick Kilns Operating Without Consent</p> <p>This Hon'ble Tribunal held that there was no requirement of any show cause notice to be given to the brick kilns operating without consent, as their operation was <i>per se</i> illegal. Further, the said brick kilns were directed to be closed till compliance</p>

			<p>with the law and be made accountable for past illegal operations also by way of compensation on the polluter pays principle.</p> <p>Further, this Hon'ble Tribunal levied a consolidated Environmental Compensation of Rs. 32 Crores on all the 167 units for the past violations.</p>
	20.02.2024	Ram Dass v. State of Rajasthan OA No. 67/2022 (NGT CZ)	<p>Extension of Applicability of GRAP (FCBTK) to Other Coal-Fired Brick Kilns</p> <p>The main question involved in this application is extending the applicability of the Graded Response Action Plan (GRAP), applicable to Fixed Chimney Bull Trench Kilns (FCBTK) to other coal-fired brick kilns, including those using zig-zag technology in the State of Rajasthan to maintain the air quality.</p> <p>It was reiterated throughout the course of proceedings that the intent was to promote the fundamental right to life by way of a pollution-free environment and not hamper the growth of legitimate business (including brick kiln).</p> <p>The recommendations of the joint committee are to be considered by the Secretary (Environment) and orders issued accordingly to be implemented by the brick kiln owners to control air pollution in the area.</p> <p>The suggestions included</p>

			<ul style="list-style-type: none"> • The orders passed in <i>Utkarsh Panwar v. CPCB</i> and orders passed in <i>Hakam Singh v. State of Rajasthan</i> must be strictly complied with (as applicable). • An in-depth study on brick kiln process optimization, assessment of region specific assimilative/supportive and carrying capacity is required to suggest and prepare environmentally sustainable functioning of brick kilns in each Tehsil of Sri Ganganagar district. • Brick Manufacturer's Association should ensure that the fuel is stored properly and provide pucca road in operation area to control fugitive emission. • In-case of AQI being very poor or above the norms, the GRAP as applicable in the NCR, region wide order quoted above, may be considered to be adopted by the State PCB. • Vehicles transporting the raw materials should be covered as provided in the Guidelines issued by the MoEF&CC.
B. Stone Crushers			
	12.07.2013	M/s. Gokulam Blue Metals v. Tamil Nadu Pollution Control Board	<p>Sanctioned Capacity Evaluation and Distance Criteria</p> <p>This Hon'ble Tribunal accepted the recommendations made by the appointed Expert and directed <i>inter</i></p>

		<p>Appeal No. 42 of 2013 (NGT SZ)</p>	<p><i>alia</i> that the Stone Crusher's sanctioned capacity be stipulated on a daily basis for 24 working days per month instead of a monthly basis so as to utilize optimally the assimilative capacity of the air shed. Further, the TNPCB was directed to consider the effect of the sanctioning capacity on daily basis and monthly basis in respect of other concerned units in the State by appointing an Action Group to conduct a thorough study about the same.</p> <p>With regards to the distance criteria, it was noted that norms for location for stone crushers framed by TNPCB under its proceeding B.P. Ms. No. 4 dated 02.07.2004, being statutory in nature shall be the guiding factor and shall be made applicable to the Stone Crusher Unit in question.</p>
	31.10.2018	<p>Sardar Patel Jan Chetna Education Society v. State of Haryana OA No. 843/2018 (NGT PB)</p>	<p>Haryana directed to Specify Siting Distance from Educational Institutions</p> <p>It was submitted that there was no prohibition against setting up of stone crushers near education institutions in the siting policy of the State of Haryana. Accordingly, this Hon'ble Tribunal directed the Directorate of Environment, Haryana to specify distance from educational institutions within which stone crushers are not allowed to operate.</p>

	03.12.2020	Mahendra Singh v. State of Haryana O.A No. 667/2018, 679/2018 & 599/2019 (NGT PB)	<p>Stoner Crushers Cannot be allowed in Absence of Carrying Capacity</p> <p>This Hon'ble Tribunal, while considering the issue of the illegal operation of stone crushers in district Mahendergarh, Haryana, held that stone crushers cannot be allowed in the absence of carrying capacity in terms of air quality to sustain the operation of stone crushers.</p>
	26.10.2021	Vinod Kumar Jangra v. State of Haryana OA No. 607/2018 (NGT PB)	<p>Only those Stone Crushers not deteriorating Air Quality, Allowed</p> <p>The issue for consideration was the enforcement of environmental norms by the stone crushers in District Charkhi Dadri and District Bhiwani, Haryana. This Hon'ble Tribunal pertinently observed that standards laid down for individual units are subject to the assimilative capacity of the environment in terms of Order dated 17.02.2021 passed by this Hon'ble Tribunal in <i>Utkarsh Panwar v. CPCB</i>, OA No. 1016/2019. In view of negative carrying capacity, only those stone crushers can be permitted which do not add to the pollution load by adopting appropriate technology to enable functioning without deterioration of air quality. Further suggestions of this Hon'ble Tribunal included – the development of a green belt ranging from 25 meters to 50 meters around the periphery and</p>

			paving roads around the crushing area regularly.
18.01.2023	Mahendra Singh v. State of Haryana O.A No. 667/2018, 679/2018 & 599/2019 (NGT PB)		<p>Reduction of Number of Stone Crushers as per Carrying Capacity</p> <p>This Hon'ble Tribunal directed that the number of operating stone crushers be suitably reduced as per the carrying capacity. It was further held that from November – February, no stone crushing unit would be allowed to operate in the area unless air quality index is moderate and above – below 200.</p> <p>The CPCB was directed to mandatorily install Continuous Ambient Air Quality Monitoring Systems (CAAQMS) to effectively monitor the carrying capacity of the area vis a vis operation of stone crushers.</p> <p>This Hon'ble Tribunal also directed closure of non-compliant units and remedial action, including compensation, be taken for past violations.</p>
30.01.2023	Deepak Kumar v. State of Uttarakhand Appeal No. 39/2022 (NGT PB)		<p>EC Cancelled in Absence of Siting Norms</p> <p>This Hon'ble Tribunal quashed Environment Clearance granted to a stone crusher <i>inter alia</i> on the ground that no siting norms were laid down by the Central Government as required under MoEF&CC Notification dated 06.01.2020 (regarding restrictions on the location</p>

			of industries in the Doon Valley) and without such laid down criteria, the hazardous activity of stone crusher could not be allowed on river bed.
	14.02.2025	Syed Arshad Nasar v. Union of India OA No. 23/2017 (NGT EZ)	<p>Environmental Compensation for Defaulting Units; Issued Closure Notice till full and final payment of EC</p> <p>The Hon'ble Tribunal found that several stone crushers in Sahebganj District, Jharkhand were violating the environmental norms and consequently imposed Environmental Compensation (EC) on them. Further, the Jharkhand Pollution Control Board was directed to restore the closure order even against units that had made a partial payment towards the EC and instructed the said closure order to remain enforced till full and final payment of EC was made.</p>
C. Thermal Power Plants			
	30.09.2021	Dharmesh Shah v. Union of India OA No. 30/2021 (NGT SZ)	<p>Existing Thermal Power Plants Directed to Follow Decommission</p> <p>This Hon'ble Tribunal observed that there is no general Guidelines or monitoring system to supervise decommissioning of thermal power plants. Accordingly, this Hon'ble Tribunal had directed the MoEF&CC, Central Electricity Authority and CPCB to evolve a policy or Guideline as to how the</p>

			<p>decommissioning of power plant units would be carried out.</p> <p>Pursuant thereto, the CPCB framed draft “Environmental Guidelines for Decommissioning a Coal/Lignite-Fired Power Plant” which was considered by this Hon’ble Tribunal and it directed the MoEF&CC, CPCB and CEA to issue final guidelines in the form of a notification within six months under Section 3 and 5 of the Environment (Protection) Act, 1986. The existing thermal power plants were directed to follow the said Guidelines in the event of their decommissioning.</p>
	08.11.2024	Subhender v. State of Haryana OA No. 612/2022 (NGT, PB)	<p>The matter pertains to unscientific management and disposal of fly ash by Tau Devi Lal Panipat Thermal Power Station. This Hon’ble Tribunal observed that fly ash generated from the said plant was being stored in 3 no. ash pond or ‘ash dykes’. Approximately 108 lakhs MT legacy ash was lying utilized in the ash dykes and the same would be utilized in 2-3 years. It was observed that PM₁₀ concentration in villages located in plant vicinity was found to be much higher in comparison to CAAQMS and both of PM₁₀ and PM_{2.5} were found to be exceeding the National Ambient Air quality Standards. In view of the said, this Hon’ble Tribunal imposed Environmental</p>

			Compensation of Rs. 6,90,31,200/- for causing damage to the environment based on 'Polluter Pays' Principle. The Plant was also directed to ensure complete disposal of fly ash by 31.07.2027.
D. Hot Mix Plants			
	09.09.2021	Sanjay Kumar v. State of Uttar Pradesh OA No. 19/2021 (NGT PB)	Closure of Hot Mix Plants Operating Beyond Carrying Capacity The Hon'ble Tribunal, while considering the issue of operation of hot mix plants at Noida beyond the 'carrying capacity' of the ambient air, observed that as per the report of the Joint Committee, the supporting carrying capacity of the area was in the negative. Consequently, this Hon'ble Tribunal directed closure of all hot-mix plants – old or new which were operating beyond the carrying capacity and without compliance of siting norms from 01.11.2021. Further, the order underscored the importance of exploring better technological options and advanced air pollution abatement measures to ensure sustainability of such activities and constituted a seven-member joint committee for the said purpose.
	27.03.2023	Sanjay Kumar v. State of Uttar Pradesh	Committee Suggestions for Hot Mix Plants The Committee constituted by this Hon'ble Tribunal submitted its report

		OA No. 19/2021 (NGT PB)	<p>in pursuance of Order dated 09.09.2021 and this Hon'ble Tribunal passed the following directions:</p> <p>.</p> <ol style="list-style-type: none"> i. MoEF&CC and CPCB may enforce requirement of cleaner fuel, switching over to efficient air pollution control technologies, enforcement of GRAP and vigilance measures to control other pollution sources like dust control, vehicular pollution and the like under the National Clean Air Program and require City and District specific action plans within six months by identified authorities/joint Committees. ii. MoEF&CC and CPCB may further assess the status in different areas after review of Daily and Annual Ambient Air Quality data and take remedial measures on that basis within six months. <p>Further, this Hon'ble Tribunal took note of the suggestion in the report regarding setting up of an independent body in the MoEF&CC to monitor air control measures.</p>
	16.07.2024	Ankur Sharma v. State of West Bengal	WBPCB to Ensure Compliance with MoEF&CC Notification dated 18.05.2023 w.r.t. hot mix plants

		OA No. 83/2023 (NGT EZ)	<p>This Hon'ble Tribunal, in the matter pertaining to the operation of hot mix plants within the Howrah Municipal Corporation, West Bengal, directed the West Bengal Pollution Control Board to ensure that the hot mix plants comply with the MoEF&CC Notification dated 18.05.2023 (wherein parameters and standards along with formulae for calculating the stack height and the siting criteria with respect to hot mix plants have been specified under the Environment (Protection) Rules, 1986). The directions of this Hon'ble Tribunal <i>inter alia</i> included: -</p> <p>i. Hot mix plants to ensure conformity with parameters and standards in stack emission as well as siting criteria laid down in Notification dated 18.05.2023.</p> <p>ii. Hot mix plants have a 6-meter-high wall of Galvanised Iron (GI) sheet along with its periphery and are equipped with appropriate air pollution control devices such as – Drum Type/ Batch Type.</p> <p>iii. Chimneys of hot mix plants to possess necessary smoke emission devices for control of smoke and PM.</p>
E. Other Industries			
	06.03.2019	Bahubhai Ramubhai Saini v.	<p>Closure of Coal Gasifier Units</p> <p>This Hon'ble Tribunal, while dealing with issue of air pollution from</p>

		Gujarat Pollution Control Board OA No. 20/2017 (NGT PB)	ceramic, silicate and frit industries using coal gasifiers in Morbi, Gujarat, directed the closure of all coal gasifier units and units operating with the help of coal gasifiers in view of the high amount of pollution, without prejudice to such units switching over to non-coal gasifiers or PNG. Gujarat Pollution Control Board was directed to take steps for prosecution of defaulting industries and recover compensation for environmental damage.
	07.11.2022	Social Action for Forest & Environment (SAFE) v. Union of India O.A. No. 400/2019 (NGT PB)	SOP for Disposal of End-of-Life Tyres The Hon'ble Tribunal directed CPCB and MoEF&CC to come up with a revised SOP for disposal of end of life tyres within one month, which may also provide for certifying the fuel quality standards of pyro-oil as per norms of the Petroleum Ministry. Tyre Pyrolysis units to follow the Zero Liquid and Zero Emission Norms Carbon produced to be used in cement industries. Non-compliant pyrolysis units to be closed till compliance. CPCB to classify the units for application of pollution control norms.
2.	09.05.2024	Chandrashekhar Khawade v. State of Jharkhand	Compensation for past non-compliances by Soap Industries by emitting smoke from chimney

		OA No. 125/2023 (NGT EZ)	The issue of pollution caused by a Soap Industry Unit was considered. It was held that even if the Unit is environmentally compliant as of today it would still be liable for payment of environmental compensation for past lapses.
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Table 2: This Hon'ble Tribunal's Order/Judgements Related to Development and Greening

S. No.	Order/Judgement Date	Case Details	Order/Judgement Details
A. Construction, Demolition, C&D Waste, Infrastructure, Dust and Greening			
	04.12.2014	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT PB)	Prohibition on Storing/Dumping Debris on Metalled Roads This Hon'ble Tribunal directed that no government, authority, contractor, builders or any person would be permitted to store/dump construction material or debris on metalled roads.
	10.04.2015	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT PB)	Transportation of Construction Material and Debris Waste - Builder's Responsibility This Hon'ble Tribunal directed that it shall be the responsibility of every builder to transport construction material and debris waste to the construction site, dumping site or any other place in accordance with the rules and in terms of this order.

	<p>04.12.2014, 14.08.2015, 07.04.2015, 10.04.2015, 11.12.2015, 06.01.2016, 01.03.2016, 04.11.2016, 08.11.2016, 10.11.2016, 17.11.2016, 20.04.2017, 09.11.2017, 11,11,2017, 14.11.2017, 17.11.2017 and 18.12.2017</p>	<p>Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT PB)</p>	<p>Directions for Control</p> <p>Construction Dust</p> <p>This Hon'ble Tribunal passed following directions w.r.t. demolition and construction activities:</p> <ul style="list-style-type: none"> ● No dumping of construction materials on metalled road. ● The area where it can be dumped should be demarcated by officer concerned and it should not obstruct free flow of the traffic. ● It should be covered by tarpaulin and other precautions should be taken ● Wind breakers should be installed around the construction plot. ● Engineers of each PWD to be personally responsible and should submit report to his Chief Engineer, every week, which should also be done for road, highways projects in NCR. ● Vehicles carrying construction materials to be covered. ● Any truck used for transporting construction materials were directed not to be permitted to enter NCR Delhi if not complying with the
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			<p>concerned orders of this Tribunal.</p> <ul style="list-style-type: none">● Cleaning of trucks and other measures to be taken to ensure that no dust is released en route to the destination.● Any truck not complying would not be permitted to enter NCR Delhi.● Authorities having power to sanction construction activities were directed to impose condition that sanction is subject to the condition that compliance of this order and Manual of MoEF 2010 will be adhered to, Every worker to be provided with mask, Compulsory use of wetjet in grinding and stone cutting.● All builder of projects covered under EIA, 2006 to provide green belt around the building and all Authorities shall ensure its existence before issuing occupancy certificate● NCT was directed to enhance the capacity of its C&D recycling plants. which is only able to utilise 10% of 4000 MT waste per day.● Builders were directed to transport their waste to such sites only and due record be maintained.
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			<ul style="list-style-type: none"> ● The Tribunal made it clear that projects even if the EC is granted but the compliance of this order or MoEF Manual is not taken than the authority. shall be entitled to direct stoppage of work. ● Hot mixing on the road side was directed not to be done. PWD, DDA and others to ensure that coal tar, bitumen and/or asphalt mix is brought in molten condition and not burnt nor melted in open roads. ● Even materials stored within the building was also directed to be covered. Same applied to transportation of such materials. ● NCT was directed to submit a proposal of green belt with in schools, converting the ground by grass. ● As a responsive measure the following were directed: <ul style="list-style-type: none"> <i>i. No transportation of any construction materials whatsoever.</i> <i>ii. Concerned authorities of district of NCR were directed to send half of their staff to field duty and ensure that no pollution is generated from construction and all measures</i>
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			<p><i>are taken as directed in earlier judgments.</i></p> <p><i>iii. No construction activity for one week was also directed.</i></p> <p><i>iv. No transportation of any construction material as temporary measure</i></p> <p><i>v. Authorities of NCR Delhi were directed to ensure that all construction activities are stopped, temporarily. All internal finishing work causing no dust whatsoever was exempted.</i></p> <p><i>vi. No fuel of waste, wood petcoke etc. would be used for heating bitumen for metalling roads</i></p> <p><i>vii. Local Authorities to ensure that no dust and waste is accumulated on roads or walking paths/lanes/service roads.</i></p> <p><i>viii. regular cleaning of roads preferably through vacuum cleaners.</i></p> <p><i>ix. The concerned State Government and Authorities shall sprinkle water from the high rising buildings or through helicopters to ensure that excessive parameters are immediately brought down to reasonable limits.</i></p> <ul style="list-style-type: none"> ● Delhi authorities were directed to ensure that parks, flyovers,
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			<p>roads around the government building are covered in greenery.</p> <ul style="list-style-type: none">● Efforts were directed to be made to cover open land with green grass.● A task force was directed to be constituted to ensure that roads are cleaned, particularly during environmental emergency.● Water through helicopters was directed to be sprinkled all over the city and highly polluted areas. Also ordered on 9.11.2017● NCT Delhi, Corporations and PCBs to identify the area which is highly polluted in NCT and would ensure sprinkling of water through helicopters etc.● Authorities to introduce vacuum cleaners for removal of dust from road instead of manually cleaning it, which should be stopped as it is not effective. Mechanical cleaning of roads should be introduced.● No parked vehicles on either side of the roads - where mechanized cleaning takes place.● It was stated builders cannot deny wages to labourers during the period in which work is
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			<p>stopped for causing air pollution.</p> <ul style="list-style-type: none"> • The transportation of the construction material to be done in accordance with the directions issued earlier such as ensuring that any kind, particularly sand, cement, etc., is done after properly covering the transportation vehicle.
	16.10.2019	Om Dutt Sharma, President, Surya Enclave Welfare Society v. State of Punjab OA 339/2019 (NGT PB)	<p>Measures to Control Air Pollution from Construction Sites</p> <p>This Hon'ble Tribunal directed tarpaulin on scaffolding around the area of construction and the building, covering of construction material, transportation of construction material in covered trucks, establishment of water sprinklers for controlling dust emission from the site, use of wetjet in grinding and stone cutting and wind breaking walls around construction site and increasing tree covers and green belts.</p>
	23.12.2021	V.B.R. Menon v. Chief Secretary to Government of Tamil Nadu OA 138/2020 (NGT SZ)	<p>Installation of Vapour Recovery Systems</p> <p>This Hon'ble Tribunal directed the Retail Petroleum Outlets with a turnover of more than 300 KL/Month and above and which are in cities having more than 10</p>

			Lakh population to install the VRS mechanism.
	04.12.2014	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT PB)	Complete Prohibition on Garbage Burning This Hon'ble Tribunal while recognizing the burning of garbage is the most serious pollutant in Delhi as it causes nearly 29.4% of air pollution with reference to PM 10, stated that the only workable solution to this serious menace is a complete prohibition on burning of garbage or other material in open area.
	04.12.2014	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT PB)	Enhanced Transportation Facilities & Infrastructure This Hon'ble Tribunal directed the government of NCT Delhi to take effective steps to enhance public transportation facilities and provide due infrastructure to avoid vehicular pollution.
	29.05.2024	Citizens of Area Sabha v. Maharashtra Pollution Control Board In re: News item appearing in Pukar News dated 27.12.2023 titled "Pune faces rising concerns over Increased garbage	Garbage Burning This Hon'ble Tribunal observed that the Pune Municipal Corporation (PMC) appear to have taken appropriate steps for mitigating the problem of garbage burning. It further observed that enhancement of fine imposition for garbage burning may have acted as a deterrent. The Solid Waste Management department of PMC was directed to conduct a review of garbage

		burning and poor air quality” OA No. 34/2024 (NGT WZ)	burning measures on a monthly basis and post on the website of PMC for public purposes.
B. Development of Carbon Sinks/Afforestation			
	04.12.2014, 10.04.2015, 11.12.2015, 10.11.2016 and 18.12.2017	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT PB)	Developing Carbon Sinks/Afforestation a. Increasing forest cover area and not degradation of forest/green area b. Authorities in Delhi, Gurgaon and Noida to increase tree covers c. Efforts were directed to be made to cover open land with green grass. d. Authorities and Schools to ensure an increase of green belt in their respective schools within a period of one month from the date of pronouncement of this order. Large number of trees should be planted.
	03.10.2020	S.R. Virk v. Central Pollution Control Board OA No. 283/2020 (NGT PB)	Utilization of CAMPA Funds for Afforestation This Hon’ble Tribunal noted a need to control fugitive dust emissions during road cleaning by sprinkling water and greening open soiled areas and directed that the utilization of CAMPA funds for afforestation needs to be explored in coordination with the CAMPA authorities

	08.04.2021	In Re: News item published in “The Times of India” Authored by Shri Vishwa Mohan Titled “NCAP with multiple timelines to clean air in 102 cities to be released around August 15” OA No. 681/2018 (NGT PB)	Afforestation Drive utilizing CAMPA Funds This Hon’ble Tribunal observed that utilization of CAMPA funds need to be explored in coordination with the CAMPA authorities for afforestation drives on forest lands and other permissible locations in NACs to abate air pollution.
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Table 3: This Hon’ble Tribunal’s Orders/Judgements on Vehicular Pollution

S. No.	Date of Order/Judgment	Case Details	Order/Judgement Details
A. Commercial Vehicles			
	26.11.2014 28.11.2014, 04.12.2014, 16.03.2015 and 07.10.2015	Vardhaman Kaushik v. Union of India, OA No. 21/2014 (NGT PB)	Directions for Trucks’ Entering in Delhi NCR This Hon’ble Tribunal passed the following directions w.r.t. trucks entering Delhi: <ul style="list-style-type: none">● trucks crossing Delhi were directed not to be overloaded● to be not exceeding 15 years of age● Inspection register to be maintained on all entry and exit points● DTC buses to be checked, and if found to be emitting more than prescribed norms were directed to not be permitted to ply

			<p>Online/Computerized Monitoring/Censor Based Weigh Bridges</p> <p>This Hon'ble Tribunal directed automatic, computerized or censor based weigh bridges to be installed at all entries and exits to and from NCT Delhi which shall have online data of goods carriage vehicles to be maintained and checked by senior officers every day.</p>
	04.12.2014	Vardhaman Kaushik v. Union of India, OA No. 21/2014 (NGT PB)	<p>Buses of Different Capacity at Different Timings to Avoid Congestion</p> <p>This Hon'ble Tribunal considering the problem of buses plying without passengers, directed the DTC to run buses of different capacity and size at different timings and on different routes and that they be driven on CNG fuel only.</p> <p>Truck Entry Exit Points to Delhi to be Checked</p> <p>This Hon'ble Tribunal directed the check posts, at entry points to Delhi, were directed to be monitored by the Police, Transport Dept. & Weight and Measurement Dept. of Delhi & similar officers of similar Dept. of states to accompany</p>
	07.10.2015	Vardhaman Kaushik v. Union of India, OA No.	<p>Alternative Routes for Heavy Commercial Vehicles</p> <p>This Hon'ble Tribunal directed alternative routes for commercial</p>

		21/2014 (NGT PB)	heavy vehicles and imposition of environmental compensation over and above toll tax.
	11.12.2015	Vardhaman Kaushik v. Union of India, OA No. 21/2014 (NGT PB)	Direction for Action Plan to Phase Out Diesel Vehicles This Hon'ble Tribunal <i>inter alia</i> directed Public Authorities, Corporation, DDA, Police and other Public Department to prepare Action Plan for phasing out of diesel vehicles, particularly trucks used by these bodies.
	20.07.2016	Vardhaman Kaushik v. Union of India, OA No. 21/2014 (NGT PB)	Vehicles with National Permit Not Allowed to Cross Delhi This Hon'ble Tribunal clarified that vehicles with National Permits are also not allowed to by-pass Delhi and follow routes directly connecting Haryana and Rajasthan.
	28.11.2016	Vardhaman Kaushik v. Union of India, OA No. 21/2014 (NGT PB)	NCR State Police to Ensure Non-destined Vehicles do not Enter Delhi This Hon'ble Tribunal directed that Police of respective States and Municipal Corporations shall ensure that non-destined vehicles do not enter Delhi and they ply in compliance of prescribed norms. In case of violation, appropriate action shall be taken and these vehicles shall be parked at border places before their entry into Delhi.
	18.12.2017	Vardhaman Kaushik v. Union of India	Regulation of Vehicles Based Air Quality Index in Delhi NCR

		<p>OA No. 21/2014 (NGT, PB)</p>	<p>This Hon'ble Tribunal <i>inter alia</i> laid down the measures to be adopted qua the particular pollution category as below: -</p> <p>I. Category I (Average) - PM10 > 100 µg/m³ but < 300 µg/m³ & PM_{2.5} > 60 µg/m³ but < 180 µg/m³)</p> <p>a. Diesel vehicle more than 10 years old & petrol vehicles more than 15 years not permitted to ply and should be deregistered;</p> <p>b. Overloaded vehicles to pay EC in terms of Order dated 07.10.2015.</p> <p>c. All State Governments to identify and provide alternative routes for heavy vehicles outside cities. Heavy transport vehicles whose final destination is not Delhi shall not be permitted to enter Delhi and diverted from Sonipat and Delhi.</p> <p>d. Introduce battery and electric mass transportation system, incentives/ concession be provided for hybrid vehicles</p> <p>e. No BS-I, BS-II compliant vehicle, including heavy and light vehicle, to ply on the roads.</p> <p>f. Govt. shall put a cap on the number of vehicles of all kinds that can ply in NCT of Delhi.</p> <p>g. Policy of putting higher registration fee and road tax on purchase of second vehicle be formulated.</p>
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		<p>II. Category II (Severe): When PM₁₀ is > 300 µg/m³ but below 700 µg/m³ and PM_{2.5} is more than 180 µg/m³ but below 400 µg/m³.</p> <p>a. All steps under category I to be imposed.</p> <p>b. Provision of alternative route so that heavy transport vehicles whose final destination is not Delhi would be diverted from Sonipat and Panipat. If they enter Delhi, EC at the rate of ₹700/- for 2 axles, ₹500/- for 4 axle and ₹1000/- for 3 axles be imposed.</p> <p>III. Category III (Critical - PM₁₀ > 700 µg/m³ but < 1000 µg/m³ & PM_{2.5} > 400 µg/m³ but < 600 µg/m³) – Directions in Category II with respect to brick kilns to mutatis mutanda apply.</p> <p>a. Directions under category I and II to be imposed.</p> <p>b. Odd and Even Scheme to be implemented by respective state governments.</p> <p>IV. Category IV (Environmental Emergency - PM₁₀ > 1000 µg/m³ & PM_{2.5} > 600 µg/m³) – All brick kilns functioning in NCR Delhi shall be closed.</p> <p>a. Only heavy vehicles carrying essential goods to be permitted, while all other heavy vehicles</p>
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			would not be permitted to enter NCT of Delhi.
	08.10.2018	<p>News Item Published in the Times of India, Authored by Shri Vishwa Mohan Title "NCAP With Multiple Timelines to Clear Air In 102 Cities to be Released Around August 15"</p> <p>OA No. 681/2018 (NGT PB)</p>	<p>NACs Directed to Prepare Action Plan Based Carrying Capacity and Source Apportionment</p> <p>This Hon'ble Tribunal directed all the States with Non-Attainment Cities to prepare appropriate action plans to take into account the GRAP, the Comprehensive Action Plan (CAP), and CPCB action plan and it should be consistent with the carrying capacity assessment of the non-attainment cities in terms of vehicular pollution, etc. Guidelines may accordingly be framed to regulate vehicles in non-attainment cities based on carrying capacity assessment and source apportionment.</p>
B. Vintage Vehicles			
	18.12.2017	<p>Vardhaman Kaushik v. Union of India</p> <p>MA No. 1543/2017 IN OA No. 21/2014 (NGT PB)</p>	<p>Vintage Vehicles Fulfilling Statutory Requirements to be Registered</p> <p>This Hon'ble Tribunal directed that antique vehicles which satisfy statutory requirements may be registered in accordance with law but these can be used only for rallies, exhibitions and not otherwise and will not ply on roads of Delhi regularly</p>

C. All Vehicles			
26.11.2014 & 18.12.2017	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT PB)	Ignition Off at Red Light This Hon'ble Tribunal directed that all vehicles should keep their ignition off except when permitted to ply. All concerned authorities to be posted at the respective places. The traffic police and other regulating authorities are directed to propagate and advise for the driver to take such steps	
04.12.2014	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT PB)	Introduce and Enforce BS-V Vehicles in Delhi NCR This Hon'ble Tribunal directed the Government of NCT to take steps to introduce and enforce BS-V vehicles in NCR Delhi. All the neighbouring States would ensure that they also take effective steps to have BS-IV-compliant vehicles only.	
21.04.2017	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT PB)	Challans of Polluting Vehicles under Motor Vehicles Act in Addition to Fines Directed by NGT This Hon'ble Tribunal directed agencies should enforce issuing challans to polluting vehicles which shall be recorded by the traffic police under the Motor Vehicles Act 1988 which would be in addition to fines laid down by this Hon'ble Tribunal. Dept. of PWD of NCT was directed to fully cooperate with traffic police to ensure compliance of direction passed by this Hon'ble Tribunal.	

	18.12.2017	<p>Vardhaman Kaushik v. Union of India</p> <p>OA No. 21/2014 (NGT PB)</p>	<p>Vehicle Plying Permissibility During Different Air Quality Conditions</p> <p>This Hon'ble Tribunal directed that for category I pollution level, the measures included for regular checking of vehicles to check maintenance of emission standards; strict vigilance and appropriate action for visible emission from vehicles. In case of category IV Pollution level, trucks and heavy vehicles carrying materials shall be prohibited to enter NCT Delhi.</p> <p>Further, it was directed that vehicles carrying essential Goods would be permitted during Environmental Emergency.</p>
	06.08.2019	<p>News Item Published in the Times of India, Authored by Shri Vishwa Mohan</p> <p>Title "NCAP With Multiple Timelines to Clear Air In 102 Cities to be Released Around August 15"</p> <p>OA No. 681/2018 (NGT PB)</p>	<p>CPCB Directed to Design SOP for source apportionment and carrying capacity assessment to be Replicated in all NACs</p> <p>This Hon'ble Tribunal directed The Expert Team of CPCB to design a model/ SOP for source apportionment and carrying capacity assessment which may be replicated for all the NACs. Further action regarding regulating the number of vehicles, shift to e-vehicles and CNG vehicles, etc. to be considered in light of this study.</p>

	01.10.2020	Subhas Datta v. State of West Bengal OA No. 33/2014 (NGT EZ)	BS-IV Vehicles to be Phased Out in West Bengal This Hon'ble Tribunal directed the State of West Bengal to ensure phasing out all vehicles, both private and public transport systems which are BS-IV compliant in a time bound manner.
	10.01.2022	L.G. Saha Devan v. Union of India OA No. 422/2013 (NGT SZ)	State of TN to Undertake Source Apportionment Studies This Hon'ble Tribunal observed that while the CPCB as well as the State Authorities need to take further remedial actions to enforce the air pollution control norms in Chennai and other parts of the State of Tamil Nadu, there is further need for source apportionment studies and updating of action plan and the corresponding measures based thereon and also the perspective plan for Chennai city. On the subject of vehicular pollution control, further decisions may also be required as per the directions of the Hon'ble Supreme Court, applicable for Delhi and National Capital Region, to the extent found relevant and violation for Tamil Nadu. The State needs to evolve and update its policy.
	02.05.2022	Subhas Dutta v. State of West Bengal	CAP and GRAP for West Bengal This Hon'ble Tribunal voiced the need for development of a Comprehensive Action Plan (CAP) and Graded Response Action Plan

		O.A. No. 171/2016 (NGT EZ)	(GRAP) as applies to NCR Delhi and directed the State Government to take action on similar lines
D. Ban on Vehicles based on their age and fuel type			
	26.11.2014	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT PB)	All Vehicles More Than 15 years Not Allowed on Roads This Hon'ble Tribunal directed that all vehicles (both diesel and petrol) which are more than 15 years old shall not be permitted to ply on the roads and shall not be permitted to park in any public area. This direction would be applicable to all vehicles, including two wheelers, three wheelers, four wheelers, light vehicles and heavy vehicles irrespective of commercial or otherwise. RTO has been directed to not issue/ renew registration of vehicle or fitness certificate to any vehicle which is more than 15 years old. It further directed NCT, Delhi and RTO, Delhi to ensure that trucks that are permitted to cross Delhi are not carrying excess of prescribed weight.
	07.04.2015	Vardhaman Kaushik v. Union of India, OA No. 21/2014 (NGT PB)	Ban on 10 year old Diesel vehicles and 15 year old Petrol Vehicles in Delhi NCR This Hon'ble Tribunal, considering the impact of diesel vehicles on deteriorating air quality, reduced the number of years in case of diesel vehicles and held that diesel vehicles (heavy or light) which are <i>more than</i>

			<p><i>10 years old</i> would not be permitted on roads of NCR. This Hon'ble Tribunal further held that diesel vehicles more than 10 years and petrol vehicles more than 15 years shall not be registered in NCR Delhi. <i>Significantly, Hon'ble Supreme Court has upheld these directions in Order dated 29.10.2018 in W.P. (C) 13029/1085 wherein it was further directed that violating vehicles would be impounded and list of such vehicles would be published on website of CPCB and Transport Departments of NCR.</i></p>
	18.07.2016	Vardhaman Kaushik v. Union of India, OA No. 21/2014 (NGT PB)	<p>Direction to Ensure Compliance with Ban on 10 year old Diesel Vehicle in Delhi NCR</p> <p>This Hon'ble Tribunal passed the following pertinent directions as regarding prohibiting diesel vehicles more than 10 years of age from plying on roads: -</p> <ol style="list-style-type: none"> i. RTOs of NCR, Delhi, Haryana and Rajasthan directed to deregister all diesel vehicles more than 10 years of age. ii. Reject applications seeking permission to operate DTC trucks, fire fighting vehicles and trucks (with national permit) which are in excess of 10 years of age. In case of fire fighting vehicles, NGT directed those old vehicles more than 10

			<p>years be i. either condemned or sent to areas with higher air dispersion and lower vehicular density.</p> <p>iii. No vehicle (including two wheelers) plying in NCR, Delhi would be permitted to use pressure horns not fixed by manufacture to curb noise pollution.</p>
	20.07.2016	<p>Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT, PB)</p>	<p>Further Directions to Ensure Adherence to Ban on 10-year-old Diesel Vehicles in Delhi NCR</p> <p>This Hon'ble Tribunal, in pursuance to the directions regarding deregistration of diesel vehicles more than 10 years of age, passed the following additional directions:</p> <p>i. Deregistration exercise with respect to diesel vehicles more than 10 years old shall start with vehicles that are 15 years old and then gradually cover vehicles that are 15 – 10 years.</p> <p>ii. Deregistered vehicles not permitted to ply in Delhi NCR. However, NOC for registration of such vehicles in other states can be issued provided the states have identified areas with higher air dispersion and least vehicular density and NOC is issued for such areas.</p> <p>iii. Diesel vehicle more than 15 years and BS I and BS II compliant to</p>

			be scraped and no NOC to be issued.
13.04.2022	Shri Vinay Shivanand Naik v. State of Karnataka through the Department of Transport OA No. 183/2016 (NGT SZ)		<p>Monitoring Committee to Review Action Plan under NCAP for Karnataka</p> <p>While dealing with the issue of vehicular pollution in Bangalore and phasing out of old public diesel vehicles, this Hon'ble Tribunal directed the formation of a Monitoring Committee to review the action plan prepared for the implementation of the National Clean Air Action Plan, Clean and Green Fuel Policy and other programs in the State of Karnataka and form District Level Committees to implement these programs</p>
E. Scrapping Policy			
13.04.2015	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT PB)		<p>Views Sought for Prohibited Vehicles in Delhi NCR</p> <p>This Hon'ble Tribunal directed to submit views on the benefits to transferor/transferee of vehicles which are prohibited in Delhi NCR</p>
11.12.2015	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT PB)		<p>Delhi to Adopt Scrapping System</p> <p>This Hon'ble Tribunal directed the Government of NCT Delhi was directed to consider the view of adopting a system for scrapping and benefits thereof.</p>
18.07.2016 and 20.07.2016	Vardhaman Kaushik v. Union of India		<p>MoHI Directed to Issue Letters to States w.r.t. Proposed Incentive for Old Petrol and Diesel Vehicles</p>

		OA No. 21/2014 (NGT PB)	This Hon'ble Tribunal on the submission of the Ministry of Heavy Industries to place an incentive proposed to be given for Old Petrol and Diesel vehicles (Scrapping Policy) directed it to issue letters to every state, stating the benefits.
	18.12.2017	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT PB)	Incentive for Scrapping Old Cars and Concession in New Car Registration This Hon'ble Tribunal directed that the Government shall also provide the due incentive for scrapping of old cars as well as provide concession in registration of new cars.
F. Capping and Pooling			
	04.12.2014	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT PB)	Views on Capping of Vehicles This Hon'ble Tribunal directed all States to submit views on capping of vehicles
	13.04.2015	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT PB)	Views on Capping of Vehicles, car-pooling, higher charges for more one vehicle This Hon'ble Tribunal directed to provide views on Capping of number of vehicles in NCR with reference to sources of energy/fuel; incentive for pooling; imposition of higher charges including registration and congestion charges for possession of more than one vehicles per family

	18.12.2017,	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT PB)	Capping of Vehicles, higher fee on second vehicle This Hon'ble Tribunal directed that under Category I pollution level, the Government and all concerned departments to put a cap on the number of vehicles of all kinds that can ply in NCT Delhi. Government should formulate a policy of putting a higher registration fee and road tax on purchase of a second vehicle.
G. Public Transport Fleets and Infrastructure			
	04.12.2014, 19.02.2015 and 24.08.2015	Vardhaman Kaushik v. Union of India OA No. 21/2014 MA 155 of 2016 (NGT PB)	Strengthen Public Transport Facilities in Delhi This Hon'ble Tribunal directed NCT Delhi to take effective steps to enhance public transportation facilities and provide due infrastructure in that behalf and mandating every bus belonging to DTC or operating under its directions to be subjected to mechanical check-up through computerized system once every month and PUC check at least twice a month and mandating BS VI compliant vehicles on the roads of NCT Delhi
	20.07.2016	Vardhaman Kaushik v. Union of India OA No. 21/2014 MA 155 of 2016 (NGT PB)	Delhi to Have Different Types of Buses This Hon'ble Tribunal directed NCT Delhi to augment buses which should be of different kinds, including - buses for metro stations and should be CNG, hybrid or electric buses.

	11.11.2017	Vardhaman Kaushik v. Union of India MA 155/2016 IN OA No. 21/2014 (NGT PB)	Private Transporters to Provide CNG Buses During Emergency Periods and During Odd-Even Implementation This Hon'ble Tribunal directed that Private transporters shall during emergency period & implementation of odd even scheme provide CNG buses free of charge in discharge of CSR. DTC to procure CNG buses.
	26.11.2017	Vardhaman Kaushik v. Union of India MA 155/2016 IN OA No. 21/2014 (NGT PB)	Cycle Tracks to be Provided This Hon'ble Tribunal directed that Cycle tracks should be provided and encouragement for cycling should be undertaken.
	18.12.2017	Vardhaman Kaushik v. Union of India MA 155/2016 IN OA No. 21/2014 (NGT PB)	Enhanced Public Transportation During Different Stages of Air Quality This Hon'ble Tribunal directed that under Category I pollution level it has been included that effective steps should be taken to enhance public transport facilities and provide due infrastructure, which should be user friendly. Prevention to be ensured that empty buses do not ply, proper time table, relatable to the passenger peak load should be prepared by DTC and all other stakeholders. It was also directed that the State Government and all its instrumentalities shall endure their best to introduce battery

			and electric mass transportation system, incentives/ concessions shall be provided for buying the hybrid vehicles. For category II of pollution level, it was mentioned that the frequency of public transport shall be increased.
	23.10.2018	Metro Transit Pvt. Ltd v. South Delhi Municipal Corporation OA No. 773/2018 (NGT PB)	Ministry of Transport to Examine Viability of Number of Vehicles to be Permitted Proportionate to Capacity of Roads This Hon'ble Tribunal observed that the question of number of vehicles to be permitted proportionate to the capacity of the roads in the city is vital issue of planning on which policy is required to be explored for cities where air quality is not meeting the norms. Accordingly, this Hon'ble Tribunal directed the Ministry of Transport to examine the matter in light of available, expert opinions, experiments, and all relevant factors.
	21.08.2020	News Item Published in the Times of India, Authored by Shri Vishwa Mohan Title "NCAP With Multiple Timelines to Clear Air in 102 Cities to Be Released Around August 15"	MoRTH to Undertake Carrying Capacity Studies w.r.t. Road Infrastructure This Hon'ble Tribunal directed MoRTH to take prompt action of undertaking carrying capacity studies with regard to road infrastructure, especially in 122 NACs, through Central Road Research Institute or any other agency which may be financed by CPCB out of compensation funds or otherwise. On

		<p>OA No. 681/2018 (NGT PB)</p>	<p>that basis, proper policies be prepared to deal with the number of vehicles beyond parking capacity or carrying capacity and permitting entry or registration of number of vehicles, parking areas etc. This is necessary to reduce congestion, unregulated parking and air pollution loads in 122 NACs.</p> <p>As regards designing a model/ SOP, this Tribunal directed that Carrying Capacity and Source Apportionment may be simultaneously undertaken by State PCBs utilizing the ‘consent mechanism’/ ‘environment compensation’ fund inform policy may be adopted as far as possible, which may be finalised by CPCB in consultation with all PCBs.</p>
	08.04.2021	<p>News Item Published in the Times of India, authored by Shri Vishwa Mohan Title “NCAP With Multiple Timelines to Clear Air in 102 Cities to Be Released Around August 15” OA No. 681/2018 (NGT PB)</p>	<p>Issue of Carrying Capacity Remains Unresolved by MoRTH</p> <p>This Hon’ble Tribunal observed that issue of carrying capacity of the roads through Central Road Research Institute by MoRTH remained unresolved. Accordingly, this Hon’ble Tribunal, while disposing the mater, constituted an eight member National Task Force (NTF) to monitor remedial steps to improve quality of air.</p>

H. PUC Station/On Board Diagnostic System			
28.11.2014 & 04.12.2014	Vardhaman Kaushik v. Union of India OA No. 21/2024 (NGT PB)	Inspection of Agencies issuing PUC Certificates Steps to be decided to be taken against agency issuing PUC certificates to non-conforming vehicles; Inspection to be done and illegal agency to be closed; authorities not to issue certificates casually; All State to constitute team to check such agencies and ensure machines are calibrated and PUC issued as per norm Regular Mechanical and PUC Checks for DTC Buses This Hon'ble Tribunal directed that the DTC should ensure that every bus belonging to it or operating under its directions is subjected to mechanical check-up through a computerised system once every month and subject to PUC check at least twice a month.	
25.06.2020	Dileep B. Nevatia v. The Motor Vehicle Department O.A. No. 117/2017 (NGT WZ)	Strengthen PUC Mechanism This Hon'ble Tribunal directed compliance of Rule 115 Sub-rule(7) of the Central Motor Vehicles Rules, 1989 which stipulates that only vehicles that carry valid • <i>“PUC: Certificate issued by authorised agencies are permitted to ply in the State of Maharashtra so as to prevent air pollution due</i>	

			<p><i>to vehicles not having PUC certificate.</i></p> <ul style="list-style-type: none"> • <i>To introduce annual third-party inspection of PUC Centres</i> • <i>To ensure 100%compliance by linking annual vehicle insurance and vehicle registration with PUC certificate” among others.</i>
	16.02.2024	Dileep B. Nevatia v. The Motor Vehicle Department EA No. 06/2023 IN O.A. No. 117/2017 (NGT WZ)	<p>Random Checking of PUC Emphasized</p> <p>This Hon’ble Tribunal reiterated implementation of order dated 25.06.2020 passed by this Hon’ble Tribunal in OA No. 117/2017(WZ)</p> <p>In this regard the tribunal expressed that <i>“it is always possible to make a random checking of the same [vehicles] and it is the duty of the citizen/vehicle owner to ensure that their vehicle has a PUC Certificate, then only the said vehicle should be allowed to run on the road. But if they are found violating the said rule, they are penalized by imposing a penalty, for which the provision is already made.”</i> and was convinced that this compliance mechanism was adequate.</p>
I. Traffic Alignment/Congestion/Parking on roads/Blinkers Installation			
	26.11.2014	Vardhaman Kaushik v. Union of India	Unduly parking at entry and exit points and ignition off when static

		OA No. 21/2024 (NGT PB)	This Hon'ble Tribunal directed to ensure vehicles not to be parked unduly long period of time on entry and exit points of Delhi and ignition to be off except when plying.
	04.12.2014 16.03.2015 10.11.2016 18.12.2017	Vardhaman Kaushik v. Union of India OA No. 21/2024 (NGT PB)	Ensuring free flow of traffic, connecting flyovers, parking, mechanized cleaning, loading and unloading in markets This Hon'ble Tribunal directed to ensure that DTC buses do not cause congestion; authorities to ensure free flow; no unauthorized parking is done and if a car breaks down it should be removed quickly; no undue jam. Completion of flyover to connect exiting flyovers and traffic lights. Parking spaces are to be earmarked and parking of vehicles in excess and beyond the specified parking area is strictly prohibited. No Loading and unloading in all markets between 11 AM to 8 PM; no parked vehicles on either side during mechanized cleaning of dust.
	28.11.2016	Vardhaman Kaushik v. Union of India OA No. 21/2024 (NGT PB)	Lifting of Non-liable vehicles Non-liable Vehicles on public roads to be lifted. Meeting to be held to identify temporary places for parking problems
	17.02.2015, 07.04.2015, 10.04.2015,	Vardhaman Kaushik v. Union of India	Traffic Congestion in market places

	01.05.2015, 09.08.2016 and 20.04.2017	OA No. 21/2024 (NGT PB)	Direction passed related to traffic congestion in Lajpat Nagar, and Alaknanda Road and Rao Tula Marg directing for Jersey Barriers, no space for u-Turn, no intersection, putting traffic light among others
	11.11.2017	Vardhaman Kaushik v. Union of India OA No. 21/2024 (NGT PB)	Special forces to address traffic congestion State of Rajasthan, Haryana and UP to depute special forces at borders of NCT to ensure no congestion is caused in these points.
J. Parking Policy			
	26.1.2014, 04.12.2014, 17.02.2015, 04.03.2015, 16.03.2015, 10.04.2015, 13.04.2015, 20.07.2016, 11.11.2017 and 17.11.2017	Vardhaman Kaushik v. Union of India OA No. 21/2024 (NGT PB)	Directions to Streamline Parking in Delhi This Hon'ble Tribunal has issued several direction related to Parking Policy, which are: <ul style="list-style-type: none"> ● No Parking on tarred/metalled roads ● In markets only one side parking is done and sufficient space is left for both way. ● Parking spaces to be earmarked beyond which it should be prohibited. ● Authorities were directed to consider the proposal of charging higher parking fee, registration fee and impose congestion charges. ● Unauthorized parking is not done ● Lajpat Nagar and Karol Bagh were directed to be the pilot project for de-congestion of traffic resulting from excessive parking.

			<ul style="list-style-type: none"> ● SDMC was directed to mark parking areas on the road Veer Savarkar Marg and Shiv Mandir Marg where on both sides single parking would be permitted and on the road Firoze Gandhi Road only one side it would be permitted. ● Temporary parking beside MCD Hospital; parking capacity to be electronically displayed ● Multi Level Parking in Shastri Park and Lajpat Nagar; enforcing directions related to parking in Karol Bagh, South Extension and Nehru Place ● Rationalization of parking charges to encourage to park in areas where it can be provided and not on main road. ● DDA to provide space and identify the already provided space for parking of buses and Police Vehicle, including impounded vehicles. ● Open area to be declared as no parking/tow-away zone. <p>Multi-Level Parking Spaces to be Provided</p> <p>This Hon'ble Tribunal directed that parking spaces must be provided in Delhi, such as in Sarojni Nagar; multiple parking spaces remain empty and all vehicles are parked on</p>
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			roads. No car permitted to be parked in front of market on metalled road but in multi-level parking. Further, NDMC was directed to consider if charges to residents for parking in the multi-level parking can be different than customers.
	26.02.2020	Metro Transit Private Limited v. South Delhi Municipal Corporation OA No. 773/2018 (NGT PB)	Authorities were cautioned Regarding Failure to Handle Illegal Parking which may Attract Coercive Action Against Joint Secretaries This Hon'ble Tribunal directed that repeated failure of authorities in handling the issue of illegal parking could lead to coercive measures being taken by this Hon'ble Tribunal against the Joint Secretaries, including the stopping of their salaries.
K. Removal of Encroachment from Public Roads/Walkways			
	17.02.2015 and 07.04.2015	Vardhaman Kaushik v, Union of India OA No. 21/2014 (NGT PB)	No Rickshaw and Hawkers Permitted on Metalled Road This Hon'ble Tribunal directed that no Rickshaw and Hawkers would be permitted on metalled road.
L. Technology Improvement (Green Vehicles/ Emission reduction/ Fuel Improvement/ Fuel Alternatives/ Retrofitting)			
	04.12.2014, 07.10.2015, 18.07.2016	Vardhaman Kaushik v, Union of India	This Hon'ble Tribunal passed several directions related to

and 18.12.2017	OA No. 21/2014 (NGT PB)	Technology improvement and innovation which are as follows: <ul style="list-style-type: none"> ● Installation of catalytic convertors, particularly in Diesel vehicles. ● BS V to be introduced neighbouring States to have BS-IV compliant vehicles only ● CPCB and DPCC were directed to arrange proper mechanism for checking emission of moving overloaded heavy vehicles. ● Counsel of Ministry of Heavy Industries directed to place status of the viability of electric & hybrid transport system & also submit as to how does the Ministry proposes to increase its manufacturing and what incentive is proposed to be given. ● The State Government and all its instrumentalities shall endure their best to introduce battery and electric mass transportation system, incentives/ concessions shall be provided for buying the hybrid vehicles.
08.03.2019	Ajay Khera v. Container Corporation of India Ltd. (CONCOR) OA No. 568/2016 (NGT PB)	<p>ICD Tughlakabad to phase out Diesel Vehicles and Shift to Electric/ Hybrid/ CNG</p> <p>This Hon'ble Tribunal directed the Inland Container Depot of CONCOR at Tughlakabad to adopt a policy for phasing out Diesel vehicles visiting the Depot and shift to Electric/ Hybrid/ CNG.</p>

			<p>Diesel Vehicles to be Diverted to Satellite Terminals</p> <p>Further, this Hon'ble Tribunal observed that the other alternative could be to limit the visit of diesel vehicles to satellite terminals.</p>
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Table 4: This Hon'ble Tribunal's Orders/Judgements Relating to Waste Burning/Burning in Landfill Sites/Leaf Litter/Waste to Energy

Sl. No.	Order/Judgment Date	Case Details	Order/Judgement Details
A. Stubble Burning			
	11.02.2014	<p>Vikrant Kumar Tongad v. Environment Pollution (Prevention Control)</p> <p>OA No. 118/2013 (NGT PB)</p>	<p>Inter-ministerial and Inter-State Meetings to Prepare Guidelines for Preventing and Controlling Pollution Resulting from Open Field Burning of Agricultural Remnants</p> <p>This Hon'ble Tribunal directed the Ministry of Agriculture to hold a meeting of all the States including the State of Punjab and Haryana, CPCB and the National Academy of Agricultural Sciences, New Delhi and prepare composite and complete Guidelines on prevention and control of pollution resulting from burning of agricultural remnants in the open fields, the modalities and time frame for its implementation and place the same before this Hon'ble Tribunal.</p>
	04.12.2014	<p>Vardhaman Kaushik v. Union of India</p>	<p>Crop Burning Strictly Prohibited in Delhi NCR</p> <p>This Hon'ble Tribunal directed that the crop remnant burning in</p>

		OA No. 21/2024 (NGT PB)	agricultural fields falling in NCR Delhi shall be strictly prohibited
	14.11.2015	Vardhaman Kaushik v. Union of India OA No. 21/2024 (NGT PB)	<p>Compensation Amount for Crop Burning Offences Established</p> <p>This Hon'ble Tribunal observed that crop burning is one of the most serious contributors to air pollution in Delhi, besides vehicular dust and burning of other materials. Further, it reiterated the State's constitutional obligation to provide cleaner air for people to breathe.</p> <p>The Hon'ble Tribunal passed the following directions:</p> <p>a. All the States who have issued notifications prohibiting burning of agricultural crop residue ensure that the notifications are rigorously enforced and proper action is taken against the defaulters. Any person in violation of the directions is liable to the environmental compensation as follows:</p> <p>i. Small landholders having an area less than 2 acres- EC of Rs. 2500/- per incidence</p> <p>ii. Land holders having land more than 2 acres but less than 5 acres- EC of Rs. 5000/- per incidence.</p>

			<p>iii. Land holders having land more than 5 acres- EC Rs. 15000/- per incidence.</p> <p>b. State to provide machines, mechanisms, and equipment or its costs to farmers to ensure that agricultural residue in the field in these states are removed, collected and stored at appropriate identified sites in each district.</p> <p>c. Wherever, a Notification has not been published, the Tribunal hereby directs and prohibits agricultural residue burning in any part of the part of the NCT, Delhi, State of Rajasthan, Punjab, Uttar Pradesh and Haryana.</p> <p>d. All the Boards of these States shall monitor the ambient air quality of the major cities, particularly in NCT, Delhi and submit the data to the Tribunal.</p> <p>e. We direct the District Magistrate of all the districts in these States to constitute a special team to monitor and physically inspect that there is no agriculture crop residue burning in their respective jurisdiction.</p>
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			<p>f. The DM shall further ensure from the Gram Panchayat that the farmers are educated by holding special program of public hearings, circulating pamphlets and by practically demonstrating to the farmers the pollution and the consequential harm to public health.</p> <p>All the States shall also create an alert system to bring to the notice of concerned authority that the burning of crop residue had commenced, to enable for a swift action by use of satellite imagery or otherwise.</p>
	10.12.2015	Vikrant Kumar Tongad v. Environment Pollution (Prevention Control) OA No. 118/2013 (NGT PB)	<p>Delhi and NCR to Prepare State-specific Action Plans for Crop Residue Management</p> <p>This Hon'ble Tribunal directed Delhi and NCR States to prepare State-specific Action Plans in consonance with the National Policy for the Management of Crop Residue.</p>
	16.12.2015	Akhil Bhartiya Vidyarthi Parishad v. Union of India OA No. 139/2013 (NGT CZ)	<p>Stubble Burning Madhya Pradesh</p> <p>This Hon'ble Tribunal relying on <i>Vikrant Tongad v. Union of India</i> (O.A. No. 59/2012), in which burning of crop residue was banned in the States of UP, Haryana, Punjab, Delhi and Rajasthan and made a punishable offence directed the Agriculture Department and Chairman of IDCC to look into the</p>

			possibility of issuing similar directions by the Govt. of Madhya Pradesh on burning of crop residue.
	01.10.2016	Vikrant Kumar Tongad v. Environment Pollution (Prevention Control) EA No. 12/2016 IN OA No. 118/2013 (NGT PB)	Liability Fixed for Continued Incidence of Stubble Burning This Hon'ble Tribunal fixed the liability for continued incidence of stubble burning depending upon the land holding of the farmers and the State was directed to issue requisite technology, machines or the cost of such technology to effectively implement the prohibition on stubble burning.
	10.11.2016	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT PB)	Constitution of Central and State Level Committees Central and State-level Committees were constituted for the implementation of directions regarding air pollution
	09.11.2017	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT PB)	NCR States to Ensure No Crop Residue Burning and Implement Directions Passed in Vardhaman Kaushik Case This Hon'ble Tribunal came down heavily on Government authorities for failing to obey and implement the directions passed in <i>Vardhaman Kaushik v. Union of India</i> vide order dated 10.11.2016. It further directed States of UP, Punjab, Haryana, and Rajasthan to ensure that there is no crop residue burning in any part of their States. Incentives to Farmers

			This Hon'ble Tribunal directed the Government to provide incentives to the farmers for removal, carrying and utilization of the crop residue.
10.11.2017	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT PB)		Imposition of Exemplary Costs for Failure to Implement Hon'ble Tribunal's Directions This Hon'ble Tribunal observed that in cases where the department failed to take action in accordance with the judgements passed by this Hon'ble Tribunal w.r.t. stubble burning, it would impose an exemplary cost on the Department which would be recovered from the salary of the erring officers.
17.11.2017	Vardhaman Kaushik v. Union of India OA 21/2014 (NGT PB)		Crop Residue Burning -Directions to be enforced on Precautionary Principle This Hon'ble Tribunal directed that all directions with respect to burning of crop residue shall continue to be enforced on the basis of precautionary principle
18.12.2017	Vardhaman Kaushik v. Union of India OA 21/2014 (NGT PB)		Stubble Burning measures to be implemented as per pollution level categories This Hon'ble Tribunal specified the following measures to be adopted vis-a-vis stubble burning during the various pollution level categories laid down by this Hon'ble Tribunal: - Category I: Authorities to ensure that there is no crop residue burning

			<p>anywhere. Due incentives and machines like happy seeder, etc. to be provided to the farmers and recourse to punitive provisions should be taken.</p> <p>Category II - Measures in Category I to apply mutatis mutandis to category II.</p> <p>Category III - Complete prohibition on crop residue burning and all Departments directed to take recourse to punitive provisions in terms of judgment dated 10.12.2015 in Vikrant Tongad vs EPCA. Officers avoiding statutory duties would be liable in accordance with law.</p> <p>Category IV - Complete prohibition on burning all agricultural residue and penal action to be undertaken and EC imposed on defaulters.</p>
	23.07.2018	Smt. Ganga Lalwani v. Union of India OA 451/2018 (NGT PB)	<p>Feedback Form by Ministry of Agriculture for implementation of directions w.r.t. crop burning</p> <p>The OA sought directions regarding providing machinery to poor and marginal farmers and for corporate bodies to provide funds for crop residue from Corporate Social Responsibilities (CSR).</p> <p>However, this Hon'ble Tribunal observed that there existed precious judgments/orders on this subject matter and hence simply needed enforcement/implementation.</p>

			<p>It directed the Secretary, Ministry of Agriculture to have a feedback form concerned authorities regarding the enforcement of directions of this Tribunal within six weeks and furnish an action taken report.</p>
	18.09.2018	<p>Smt. Ganga Lalwani v. Union of India OA 451/2018 (NGT PB)</p>	<p>NCR States to Promote Agricultural Mechanization and provide Machinery for In-Situ Management of crop residue</p> <p>This Hon'ble Tribunal directed the States of Punjab, UP, Rajasthan, Haryana to take steps to make available the requisite equipment in terms of the Central Sector Scheme, 'Promotion of Agricultural Mechanization and Machinery for In-Situ Management of crop residue' within one month by 20.10.2018 citing the urgency involved since the air may deteriorate further if the steps as provided under the Orders of this Hon'ble Tribunal are not taken swiftly.</p> <p>It further directed the Ministry of Agriculture to monitor the enforcement of the Direction of this Tribunal as well as provisions of the scheme on at least weekly basis.</p> <p>It noted that training programme of the farmers must be conducted simultaneously and coercive measures taken against defaulters as previously directed.</p>

			That the States frame their own action plans for implementation of the Directions already issued as well as for enforcement of schemes in force.
	29.10.2018	Smt. Ganga Lalwani v. Union of India OA 451/2018 (NGT PB)	<p>No Steps by SPCBs of NCR States to Train Farmers on Crop Residue Management</p> <p>This Hon'ble Tribunal expressed its disappointment in observing that no substantive steps have been taken by representatives of the SPCBs of Punjab, Haryana, Rajasthan in providing training to the farmers despite committing to the same.</p> <p>It further directed the parties to furnish their explanation within one week as to why action should not be taken for violation of order of this Hon'ble Tribunal.</p>
	12.11.2018	Smt. Ganga Lalwani v. Union of India OA 451/2018 (NGT PB)	<p>Economic Benefit for not Burning Crop Residue</p> <p>This Hon'ble Tribunal observed that mechanisms by way of economic incentive and disincentive must be developed to dissuade those who indulge in burning and encourage those who do not burn crops.</p> <p>Denial Minimum Support Price Scheme to Stubble Burners</p> <p>This Hon'ble Tribunal observed that the existing Minimum Support Price (MSP) Scheme must be so interpreted so as to enable the</p>

			concerned States to wholly or partly deny the benefit of MSP to those who continue to burn the crop residue.
15.11.2018	Smt. Ganga Lalwani v. Union of India OA 451/2018 (NGT PB)		<p>Source Apportionment of Different Pollutants</p> <p>This Hon'ble Tribunal directed that Committee already constituted may look into the source apportionment of different pollutants in the air with a view to devise appropriate strategies for mitigation and it may consider if it is possible to adopt mitigation measures at local level itself where crop burning takes place so that the impact outside is minimized.</p>
15.11.2018	In the matter of: News item published in "Indian Express" Authored by Mallica Joshi Titled "All fiddle as crop stubble burns, farmers say solutions out of reach" OA No. 835/2018 (NGT PB)		<p>Directions to Strengthen Crop Residue Burning Control and Prevention</p> <p>This Hon'ble Tribunal clarified that the order with regard to recovery of penalties and the machinery for collection be open to be applied in a way which is viable in respect of manner of collection, machinery for collection and spending of the amount. That there be periodical review of the situation at the level of Chief Secretaries.</p> <p>This Hon'ble Tribunal directed that the States of Haryana and UP may strengthen the system of data compilation through revenue entries. Further, this Hon'ble Tribunal the</p>

			<p>funds be disbursed by the Central Government in time and States utilize it accordingly.</p> <p>-The IEC programme be strengthened.</p> <p>-Steps taken by different States may be put on the respective websites.</p> <p>-The committee so constituted may look into the source of apportionment of different pollutants in the air to come up with appropriate strategies for mitigation. -The committee may consider the possibility of adopting mitigation measures at local level itself, where the crop burning takes place so that the impact outside is minimized.</p>
	01.10.2019	<p>Smt. Ganga Lalwani v. Union of India</p> <p>OA No. 451/2018 (NGT PB)</p>	<p>Strong Environmental Governance Essential to Abate Crop Residue Burning</p> <p>This Hon'ble Tribunal noted that the problem of air pollution by burning of crop residue may not be resolved unless it is addressed by effective environmental governance which in an inalienable duty of the State. It observed that besides providing funds, the Central Government ought to provide further guidance in terms of effective strategies for monitoring the situation.</p> <p>This Hon'ble Tribunal noted that it would be desirable to have a special cell in the office of the Chief Secretary so that the situation is</p>

			<p>reviewed on a daily basis and that similar cells may come up at the offices of District Magistrates as may be considered necessary by the State authorities. Such a monitoring mechanism may be finalized by 07.10.2019 and placed on the website of the State which may encourage public participation and enhance awareness.</p>
	15.10.2019	<p>Smt. Ganga Lalwani v. Union of India OA No. 451/2018 (NGT PB)</p>	<p>Effective Steps to Curb Stubble Burning</p> <p>This Hon'ble Tribunal directed that the effective steps to curb stubble burning should include</p> <ul style="list-style-type: none"> ● successful communication with the farmers, ● effective prevention of fires, ● supply of suitable equipment without unbearable cost for the farmer, ● change of crop patterns, ● use of labour by the Panchayats under Rural Employment Guarantee Scheme, ● purchase of crop residue for fuel or composting and ● fixing accountability of officers for the failure. <p>This Hon'ble Tribunal further directed that the Central Government as well as States place on their respective websites the data of fire incident, responsible officers for the subject for the entire areas</p>

			and action taken for the failures on daily basis.
08.04.2021	In Re: News item published in “The Times of India” Authored by Shri Vishwa Mohan Titled “NCAP with multiple timelimes to clean air in 102 cities to be released around August 15” OA No. 681/2018 (NGT PB)	Legacy Waste Site Remediation This Hon’ble Tribunal found the issue of legacy waste site remediation and other waste management, including biomedical and plastic wastes and burning of crop residue as a major issue of concern in abatement of air pollution. Further, it observed that there are 4000 legacy waste dump sites (including in all NACs) in the country as per CPCB report noted in order dated 18.10.2019 in OA 606/2018.	
07.02.2025	Suo motu action on the newspaper articles dated 16.11.2024 published in Times of India titled as “MP Faces burning questions on sharp rising fires” OA No. 249/2024 (NGT CZ)	Plans to Mitigate Stubble Burning in Madhya Pradesh This Hon’ble Tribunal considered the report of a joint committee that incorporated the suggestions given by the members be taken by the State and District authorities to control stubble burning and maintain air quality. • Measures like preparation of district and state action plan considering the frequency of fire events every year covering in-situ and ex-situ crop residue management based on machinery and industrial establishments available in the area.	

			<ul style="list-style-type: none"> • Incentives and subsidy to be provided on rental charges demanded by the private CHCs establishment in tune to make the rental charges uniform for government and private CHCs. • State shall create an effective supply chain of the crop residue from farm to industry viz. CBG plants, industrial boilers, power plants, brick kilns, packaging, furniture manufacturing units and others. • Encouraging corporate funding or CSR initiatives to support local farmers in adopting alternative stubble management technologies. <p>It further directed that provisions contained in the notification dated 06.11.2024 issued by the MoEF&CC must be strictly observed with, in addition to the environmental compensation, with change of technology and replacement of less usable machinery, helping the farmers with the latest technology.</p>
B. Fly Ash			
	28.04.2015	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT PB)	<p>PCBs directed to ascertain the extent of fly ash being used in manufacturing bricks</p> <p>This Hon'ble Tribunal directed the State Pollution Control Board to conduct inspection of brick kilns</p>

			and ascertain the extent of fly ash being used for the purposes of manufacturing the bricks. If none, cause thereof.
18.12.2017	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT PB)	Complete prohibition on generation of Fly ash in Category IV This Hon'ble Tribunal directed that in Category IV (Environmental Emergency), there shall be complete prohibition and ban on lifting, transportation and generation of fly ash.	
20.11.2018	Shantanu Sharma v. Union of India OA No. 117/2014 (NGT PB)	Restoration Compensation Imposed for Failure to Dispose 100% Fly Ash This Hon'ble Tribunal directed all Thermal Power Plant Stations that had failed to dispose of 100% fly ash up to 31.12.2017, to deposit damages for environment restoration with the CPCB.	
05.11.2019	Ashwani Kumar Dubey v. Union of India OA No. 164/2018 (NGT PB)	To Develop Fly Ash Mounds through Scientifically Designed Dykes This Hon'ble Tribunal issued numerous Directions on developing fly ash mounds through the structural improvement of dykes on a scientific basis.	
20.11.2020	Shivpal Bhagat vs Union of India	Allotment of abandoned coal mines for thermal power plants This Hon'ble Tribunal directed expediting the allotment of abandoned coal mines for filling of	

		OA No. 104/2018 (NGT, PB)	fly ash generated from Thermal Power Plants.
	13.04.2023	Nitin Devraj v. Union of India OA No. 104/2019 (NGT, WZ)	Environmental Compensation imposed for illegal disposal of fly ash in CRZ area This Hon'ble Tribunal directed the Project Proponent to deposit the EC of Rs. 12.60 Lakh that had been imposed for illegal disposal of fly ash in Tune Vandi, which is part of CRZ III, in violation of CRZ Notifications.
C. Garbage and Waste Burning			
	04.12.2014	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT, PB)	Complete Prohibition on Garbage Burning This Hon'ble Tribunal imposed a complete prohibition on burning of garbage, any waste material or even leaves in the open areas. The Executive Engineer of the respective organization responsible for activities of cleanliness was held to be personally responsible to ensure compliance, while public authorities, including DPCC and State Boards, were directed to supervise the compliance. Any person violating the said direction would be liable to pay compensation which may vary from Rs. 20,000/- to Rs. 1 Lakh per incident.
	28.04.2015	Vardhaman Kaushik v. Union of India	Directions to Control Garbage Burning

		<p>OA No. 21/2014 (NGT PB)</p>	<p>This Hon'ble Tribunal passed the following notable directions in respect of burning of garbage and waste: -</p> <p>a. There shall be complete prohibition on burning of any kind of garbage leaves, waste plastic, rubber, self-moulding compound, etc in the open.</p> <p>b. Person who is actually burning and/ or responsible for or abating such burning would be liable to pay compensation under Section 15 of NGT Act, 2010 and a sum of Rs. 5000/- to be paid instantaneously.</p> <p>c. If offender refuses to comply with directions of authorized officers, the officers may serve a notice upon such person for appearing before the Tribunal and show cause why such should not be directed to pay compensation.</p> <p>d. Payment of compensation would not absolve the offender of other liabilities incurred under other laws.</p> <p>Waste to Compost</p> <p>This Hon'ble Tribunal directed all Corporations, Authorities and State Government to ensure proper composting pits, area-wise, within one week to ensure no burning of leaves or horticulture residue. Pits to be provided nearer to large number of</p>
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			trees, gardens and compost bits which convert into self-manure should be used for horticulture purposes.
	22.12.2016	Almitra H. Patel v. Union of India OA No. 199/2014 (NGT PB)	<p>Waste to Energy This Hon'ble Tribunal mandated proper segregation of waste prior to it being sent to landfills or its processing in any waste-to-energy plant. It also directed that for such plants requiring direct incineration for power generation, absolute segregation of waste must be a part of the terms and conditions of the contract awarding work to the operator of the facility.</p> <p>Market for Refuse-Derived Fuel This Hon'ble Tribunal further directed that the power generation and cement plants located within a 100 km radius of a Waste-to-Energy segregation facility must be directed to mandatorily use Refuse-Derived Fuel (RDF) as fuel in their respective plants, thus it was mandatory for State Governments and local authorities to create a market for consumption of RDF.</p> <p>Buffer zone around landfills This Hon'ble Tribunal further directed that there must be a buffer zone and green belt around each landfill site to abate pollution. Furthermore, non-biodegradable and inert waste that is brought to landfill</p>

			sites must be segregated and used for construction of roads and embankments in all road projects across the country.
18.12.2017	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT PB)	Complete prohibition on garbage and waste burning and payment of penalty This Hon'ble Tribunal directed that in Category I , there shall be complete prohibition of burning of garbage, biomass and/ or any kind of waste anywhere. Violation thereof would invite penalty of Rs. 5000/- for each default. In Category II , in addition to complete prohibition on burning of any material, waste or biomass, this Hon'ble Tribunal directed the government to issue warning to public for taking precautionary steps.	
31.08.2018	Compliance of Municipal Solid Waste Management Rules, 2016 O.A. N. 606/2018 (NGT PB)	Apex Monitoring Committee, Regional Monitoring Committees and the State Level Committees constituted This Hon'ble Tribunal directed the constitution of an Apex Monitoring Committee, Regional Monitoring Committees and the State Level Committees as a machinery to oversee the implementation of its Orders and ensure strict compliance with the Solid Waste Management Rules, 2016. The Apex Monitoring Committee was headed by HMJ D.K. Jain,	

			<p>Former Judge, Supreme Court of India as its Chairman and was required to interact with concerned ministries and the Regional Monitoring Committees and formulate guidelines/ directions useful to Regional Committees and States.</p> <p>This Hon'ble Tribunal also constituted Regional Monitoring Committees headed by Retired former Judges of respective High Courts to take regular meetings to take necessary steps, including compliance of 2016 Rules, and to ensure that mixing of bio-medical waste and municipal solid waste does not take place.</p> <p>Further, State Level Committees were also directed to be constituted headed by Secretary, Urban Development Department with Secretary of Environment Department and comprising CPCB and SPCB for interacting with local bodies and taking a call on technical and policy issues consistent with directions of Apex and RMCs.</p>
	16.01.2019	<p>Compliance of Municipal Solid Waste Management Rules, 2016 O.A. N. 606/2018</p>	<p>Constitution of Special Task Force to raise awareness about 2016 Rules</p> <p>This Hon'ble Tribunal considered the reports received from Apex and Regional Monitoring Committees and observed that no significant</p>

			<p>progress was made. In particular, coordination at regional level was lacking. Accordingly, this Hon'ble Tribunal <i>inter alia</i> passed the following directions: -</p> <ol style="list-style-type: none"> a. Instead of having RMCs, State Level Committees would function in modified form wherein Member Secretaries of PCBs/ PCCs would be Member Secretaries of the Committees; b. CPCB to prepare SOP for implementation of Clause (J) of Schedule-I of the SWM Rules, 2016 relating to bio-mining and disposal of legacy waste; c. Every State to constitute a Special Task Force (STF) in every district, with District Legal Services Authority also its member, to raise awareness about SWM Rules, 2016.
	10.01.2020	<p>Compliance of Municipal Solid Waste Management Rules, 2016 O.A. No. 606/2018 (NGT PB)</p>	<p>Liability for non compliance with Directions of Supreme Court and NGT</p> <p>This Hon'ble Tribunal directed that every local body that had failed to comply with the directions of Hon'ble Supreme Court and this Hon'ble Tribunal in respect of 2016 Rules shall be liable to pay compensation at the rate of Rs. 10 lakh per month per local body (for population above 10 lakh), Rs. 5 Lakh (for population between 5 and</p>

			10 Lakh) and Rs. 1 lakh from local bodies from 01.04.2020 till compliance.
	05.04.2023	K.S. Upadhyay v. Jharkhand Pollution Control Board OA No. 05/2023 (NGT EZ)	<p>Direction to Stop Open Burning Garbage Burning at Landfill Site and Restoration to be in Compliance with SWM Rules and CPCB Guidelines</p> <p>The issue concerned the open burning of wastes in the landfill and prayed for the laying down of a remediation plan for the said landfill.</p> <p>This Hon'ble Tribunal directed Deputy Commissioner, East Singhbhum, Jharkhand to ensure that the entire garbage and legacy waste is removed from the existing landfill site and the said landfill site is completely restored. Further, the existing garbage was directed to be duly treated and bio-mined strictly in accordance with the Solid Management Waste Rules, 2016 and the guidelines issued by the CPCB as noted in paragraph 18 of the said order.</p>

Table 5: This Hon'ble Court's Orders/Judgements Related to Air Quality – Miscellaneous

Sl. No.	Order/Judgement Date	Case Details	Order/Judgement Details
A. Firecrackers			
	01.08.2019	Hardeep Singh v. SDMC OA No. 519/2016 (NGT PB)	<p>CPCB to Devise Scale of Compensation to be Imposed for Bursting Crackers</p> <p>This Hon'ble Tribunal inter alia directed CPCB to devise a scale of compensation to be adopted as a measure to enforce Rule 4(2) of Noise Pollution (Regulation and Control) Rules, 2000 on the basis of the 'Polluter Pays' principle. Further, it was directed that the said scale must include the compensation to be imposed for bursting firecrackers.</p>
	20.11.2019	Hardeep Singh v. SDMC OA No. 519/2016 (NGT PB)	<p>Compensation Imposed for Bursting Crackers Needs to be Different for Different Class of Defaulters</p> <p>This Hon'ble Tribunal observed that the compensation of Rs. 1000/- prescribed by CPCB for bursting firecrackers beyond the prescribed time limit prescribed by Supreme Court needs to be suitably revised and it needs to be different for different classes of defaulters and frequencies of default.</p>

	11.08.2020	Hardeep Singh v. SDMC OA No. 519/2016 (NGT PB)	<p>Revised Compensation Scale to be Enforced Pan India</p> <p>CPCB, vide Report dated 12.06.2020, submitted the revised regime of compensation for bursting of firecrackers beyond the prescribed time limit wherein different scale of compensation was identified for violation by individuals (Rs. 1000/-) and violation during public events such as marriages, religious events. etc (Rs. 10,000/-). Further, the compensation amount also increased with the second violation.</p> <p>Based on the CPCB report this Hon'ble Tribunal directed that compensation scale be enforced throughout India.</p>
	01.12.2020	Tribunal on its Own Motion v. MoEF&CC OA No. 249/2020 (NGT PB)	<p>Total Ban on Sale/Use of Firecrackers During COVID-19 in Places with "poor" and Above Air Quality</p> <p>This Hon'ble Tribunal held that apart from the scale of compensation prescribed by CPCB for noise, an equal amount of compensation is liable to be paid for violation of air norms. Thus, the rate of compensation has to be double the above scale.</p>

			<p>Further, it was directed a total ban on the sale/ use of all kinds of firecrackers during the COVID-19 pandemic in NCR and all cities/ towns in the country where ambient air quality falls under the ‘poor’ and above category.</p> <p>For cities/ towns where air quality is ‘moderate’ or below, firecrackers would be restricted to green crackers only & for a duration not more than two hours & celebrations of specified festivals or permitted occasions. Other than specified festivals, permission of DM would be required.</p>
	08.04.2021	<p>In Re: News item published in “The Times of India” Authored by Shri Vishwa Mohan Titled “NCAP with multiple timelines to clean air in 102 cities to be released around August 15”</p> <p>OA No. 681/2018 (NGT PB)</p>	<p>Constitution of Three Tier Committees at National, State and District Level to Monitor Compliance with Noise and Air Pollution from Firecrackers</p> <p>This Hon’ble Tribunal constituted an eight-member National Task Force headed by the Secretary, MoEF&CC to <i>inter alia</i> monitor compliance with noise control norms. State-level monitoring by Chief Secretaries of all states and implementation of directions by DMs may also include issues of firecrackers & noise pollution.</p>

	27.10.2021	Dr. P. G. Najpandey v. Chief Secretary EA No. 11/2023 IN OA No. 76/2021 (NGT CZ)	Legal Action Against Use of Barium Salt Fire Crackers This Hon'ble Tribunal directed that Orders passed by the Hon'ble Supreme Court and this Hon'ble Tribunal regarding firecrackers must be complied with. Respondents were particularly directed to ensure that prohibited firecrackers like series firecrackers and crackers in which barium salt has been used should be restricted and necessary legal action be taken against the use of barium salt crackers.
B. DG Sets			
	15.05.2014	Ramakant Mishra v. Bharat Sanchar Nigam Ltd. OA No. 31/2013 (NGT CZ))	Consent Required for DG Sets This Hon'ble Tribunal directed all service providers to obtain consent from the State Pollution Control Board for using DG sets at the location of mobile towers within 30 days as provided under the Environment (Protection) Rules, 1986. It was also observed that DG sets are covered under Items No. 94 and 95 of the 1986 Rules
	11.03.2015	Market Welfare Association v. District Magistrate Appeal No. 12(T _{HC})/2013, (NGT PB)	Implementation of National Guidelines for In-use Generator Sets This Hon'ble Tribunal directed all the State Governments to ensure the implementation of

			the CPCB National Guidelines for In-use generator sets (noise and emissions).
	10.11.2016	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT, PB)	Non-Compliant DG Sets to be Shut Down/Confiscated This Hon'ble Tribunal directed the authorities in NCR to ensure that DG sets, if in operation anywhere, adhere to the prescribed norms. In the event of default, they should not only be shut down but even confiscated.
	18.12.2017	Vardhaman Kaushik v. Union of India OA No. 21/2014 (NGT, PB)	Direction for DG Sets During Different Ambient Air Quality Condition This Hon'ble Tribunal passed the following directions in respect of DG sets: - Category II (Severe): When PM₁₀ is > 300 µg/m³ but below 700 µg/m³ and PM_{2.5} is more than 180 µg/m³ but below 400 µg/m³. Seizure of any DG set found emitting in excess of prescribed standards and no permission would be given for its usage whatsoever. These directions were also made applicable mutatis mutandis to Category III and Category IV. Category IV (Environmental Emergency - PM₁₀ > 1000

			<p>$\mu\text{g}/\text{m}^3$ & $\text{PM}_{2.5} > 600 \mu\text{g}/\text{m}^3$)</p> <p>–.</p> <p>Complete prohibition on the use of DG Sets.</p>
	01.11.2022	<p>Satish Govind v. President and Secretary, Windsor Park Residents Welfare Association</p> <p>OA No. 242/2021 (NGT PB)</p>	<p>DG Sets more than 15 years to be Discarded</p> <p>This Hon'ble Tribunal directed the Windsor Park Residents Welfare Association, Ghaziabad, Uttar Pradesh, which was alleged to have violated air quality norms by operation of DG sets, to discard the DG sets that had completed life of 15 years and replace with equipment run on cleaner fuel/retrofitted and to ensure proper stack height.</p>
	31.01.2023	<p>B. Subramanian v. Tamil Nadu Pollution Control Board</p> <p>OA No. 153/2021 (NGT SZ)</p>	<p>Acoustic Enclosures Directed for Noise Emitting DG Sets</p> <p>An application was filed against the noise pollution and inconvenience caused by the use of 5 KVA generator set by the residents of a society. This Hon'ble Tribunal observed that the noise emitted was on account of DG set being worn out and accordingly directed that the existing generator be replaced by a new generator having acoustic enclosures.</p> <p>More importantly, this Hon'ble Tribunal directed the Tamil Nadu Pollution Control Board to</p>

			ensure that phasing out of old generators is done periodically and DG sets are not operated without certified acoustic enclosure.
	19.07.2023	D.K. Puri v. Govt. of NCT of Delhi OA No. 628/2022 (NGT PB)	DPCC Directed to Replace 15-year older DG Sets and Shift to Cleaner Fuels This Hon'ble Tribunal directed the Delhi Pollution Control Committee to consider replacement of 15 years old DG sets, relocation of DG sets and using cleaner fuel to address the problem of air pollution.
C. Public Health			
	04.12.2014	Vardhaman Kaushik v. Union of India OA No. 21/2024 (NGT PB)	Installation of Air Filters in Educational Institutions and Public Places This Hon'ble Tribunal directed the government and all public and other authorities to install air filters in colleges, schools, gardens and other public places which are visited by a greater number of people in the day.
	30.10.2018	In the matter of: News item published in "Indian Express" Authored by Mallica Joshi Titled "All fiddle as crop stubble burns, farmers say	Adverse Effect on Stubble Burning on Health This Tribunal while emphasising the magnitude of the issue of stubble burning in the States of Punjab, Haryana, Delhi and Uttar Pradesh observed that it was a serious

		<p>solutions out of reach”</p> <p>OA No. 835/2018 (NGT PB)</p>	<p>concern as it had adverse impact on air quality and subsequently public health.</p> <p>This Tribunal had directed the Chief Secretaries of these States to monitor the situation on day-to-day basis and take appropriate measures for improvement and protection of the air quality in the interest of public health and environment.</p>
	01.11.2018	<p>Aditya Prasad v. Union of India</p> <p>OA No. 147/2016 (NGT PB)</p>	<p>No Activity Allowed Resulting in Damage to Public Health</p> <p>This Hon’ble Tribunal also refused to extend the timeline for installation of Stage I and Stage II VRDs at all fuel stations, airports, distribution centres, terminals, railway loading in NCT Delhi, noting that release of VOCs is a hazard to public health and no activity can be allowed to be carried out resulting in damage to the public health</p>
	19.04.2022	<p>Dileep Nivetia v. Union of India</p> <p>O.A. No. 143/2016 (NGT WZ) (M.A. No. 377/2017)</p> <p>With Raja Singh v. Union of India</p> <p>O.A. No. 206/2022 (NGT PB)</p>	<p>Committee Constituted to Develop Appropriate Standards and Protocols for Indoor Air Quality</p> <p>This Hon’ble Tribunal constituted a Joint Committee consisting of officials of MoEF&CC, CPCB, Ministry of Urban Affairs and Ministry of Health for developing</p>

			appropriate standards and protocols for Indoor Air Quality for safeguarding public health at Public Places under the Environment Protection Act, 1986, Environment Protection Rules, 1986 or the Air Act
D. Criminal			
	06.09.2014	Asim Sarode v. Maharashtra Pollution Control Board OA No. 43/2013 (NGT WZ)	Burning of Waste Offence under Section 188 IPC This Hon'ble Tribunal, considering the potential air pollution and related health hazards directed the imposition of a public ban on the burning of tyres in open areas and at public places in the localities surrounded by residential areas, public places, schools, hospitals, offices etc. Further, the Police authorities, District Administration and urban local bodies shall ensure the compliance of this prohibition with immediate effect. In case of defiance, it be treated as an offence under Section 188 of the I.P.C.
	21.02.2025	In re: News item appearing in Times of India dated 10.10.2023 titled "Feeling anxious?"	Health Effects of Long-Term Air Pollution Exposure This Hon'ble Tribunal while considering the potential higher risk of depression and anxiety besides respiratory disorder as

		<p>Toxic air could be to blame” OA No. 658/2023 (NGT SZ)</p>	<p>long-term exposure of air pollution observed that people who breathe in polluted air experience changes within the brain that control emotions and chances of developing anxiety, depression, etc. are increased.</p>
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12. That it may be pertinent here to mention that the Additional Note by *Amicus Curiae* dated 16.12.2024, for ease of reference and adjudication, out of the 32-35 issues highlighted in the Note dated 25.11.2024, compliance of States with respect to the law and the directions of the Hon’ble Tribunal, focussed on the (i) National Clean Air Programme (NCAP); and (ii) City Action Plan and the Source Apportionment Study for consideration and prayed for the following interim orders to be passed by the Hon’ble Tribunal, in view of partial compliance by the concerned Respondents.

- (i) Direct the Central Pollution Control Board (CPCB) to ensure along with the concerned States that all NAC Action Plans are revised and updated and are also aligned with Source Apportionment Studies, and that future interventions under the National Clean Air Programme (NCAP) are guided by these studies for data-driven and targeted pollution mitigation measures;
- (ii) Direct all State Pollution Control Boards (SPCBs) and respective authorities to expeditiously complete the Source Apportionment Studies for all cities, including those not categorized as NACs, as directed by this Hon’ble Tribunal in its orders dated 05.12.2023, 19.02.2024, and 03.05.2024, and ensure submission of comprehensive reports disclosing pollution sources for each city;
- (iii) Direct the CPCB to establish a framework for periodic revisions of regional and city action plans, integrating

evolving data from Source Apportionment Studies, seasonal pollution patterns, and emerging pollution sources;

- (iv) Direct CPCB to verify that city-specific action plans prioritize mitigation measures addressing the primary sources of pollution as identified in the respective Source Apportionment Studies, with clear timelines and resource allocations for effective implementation;
- (v) Direct CPCB, SPCBs, and concerned state authorities to submit progress reports on NAC action plans and make them publicly available on their respective websites for transparency and public awareness;
- (vi) Direct CPCB to file quarterly progress reports before this Hon'ble Tribunal, detailing:
 - (a) Status of Source Apportionment Studies across all cities.
 - (b) Compliance with thematic areas of NCAP for each city.
 - (c) Impact of measures taken on pollution load reduction in terms of PM_{2.5} and PM₁₀ levels.
- (vii) Direct National Task Force constituted in compliance with the directions passed by this Hon'ble Tribunal vide order dated 08.04.2021 headed and co-ordinated by the Secretary MOEF&CC to periodically review the effectiveness of city-specific action plans and recommend corrective measures where necessary, particularly in cities failing to meet NCAP targets and report back to the Hon'ble NGT quarterly.

Further, the Additional Note also prayed for the following directions for consideration.

Some Additional Interim Directions on key issues impacting Air Pollution

- (viii) Direct the CPCB to create a centralized platform for citizens which integrates the existing mechanisms like SAMEER by CPCB, 311 by MCD, PRANA by MoEF&CC and helpline by CAQM;
- (ix) Direct the Ministry of Road Transport and Highways to furnish the Status Report on 'Voluntary Vehicle Fleet Modernization Programme, A Guide towards setting of Vehicle Scrappage Ecosystem' and an Action taken Report by all NAC States on the same;
- (x) Direct the Ministry of Road Transport and Highways to give a status Report on Central Motor Vehicles (First Amendment) Rules, 2023 dated 16.01.2023 with regard to scrapping of government vehicles, older than fifteen years, including Public Sector Undertakings and autonomous body owned or controlled by Central or State Government and its potential to expand to privately owned vehicles;
- (xi) Direct the States of Haryana, Punjab, Uttar Pradesh and Rajasthan to place on record the Action Plan for Crop Residue Management including satellite-based tracking and ground truthing mechanism for regulation, especially for the months of October to February and challenges faced therein;
- (xii) Direct the CAQM to provide an updated status report of the implementation challenges of their eighty-five directions issued thus far;
- (xiii) Direct the MoEF&CC to provide the status of Action taken by the Coordination Committee on Indo-Gangetic Plains constituted by MoEF&CC for air quality management in the Indo-Gangetic region consisting of eight States and Union Territories;

- (xiv) Direct the MoEF&CC and participating States to provide the status of the World Bank-assisted programme on State and Regional Airshed Plans for Indian Cities and States, including the State of U. P's Clean Air Management Project under the same; and
- (xv) Pass any other order/direction as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the present O.A. and connected matters thereto.

13. Although there is a partial response on the above by the CPCB vide their Affidavit dated 06.01.2025, however, these need to be revisited by this Hon'ble Tribunal.
14. It is humbly submitted that the present compilation of orders/judgements passed by this Hon'ble Tribunal in relation to air quality/air pollution is an indicative list covering major cases. Further, it is prayed that this Hon'ble Tribunal may grant the liberty to file additional orders/judgments as and when discovered during the course of the present case.

Place: New Delhi
Date: 02.07.2025



Sanjay Upadhyay
[Senior Advocate]

ANNEXURE A/1

ITEM NO.60

COURT NO.5

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGSWRIT PETITION(S)(CIVIL) NO(S). 13029/1985

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

IN RE: COLOR CODED STICKERS AND IN RE: HIGH SECURITY REGISTRATION PLATES (1) IA NOS. 61328/2020, 237378/2023, 231348/2024 AND 61330/2020 (APPLNS. FOR DIRECTIONS AND EXEMPTION FROM FILING O.T. ON BEHALF OF SIDDHARTH NAYAK)

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.), MS. UTTARA BABBAR, SR. ADVOCATE (A.C.), MR. A.D.N. RAO, SR. ADVOCATE (A.C.), MS. SHIBANI GHOSH, 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 AND MR. ANIL KUMAR, ADVOCATES)

Date : 15-01-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE UJJAL BHUYAN

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

For the parties: Mrs. Aishwarya Bhati, A.S.G.
Ms. Archana Pathak Dave, A.S.G.
Ms. Suhasini Sain, Adv.
Mr. Shubhranshu Padhi, Adv.
Mr. Rajesh Kr. Singh, Adv.
Mr. Gaurang Bhushan, Adv.
Mr. Amrish Kumar, AOR

Mr. Vipin Sanghi, Sr. Adv.
Mr. Manu Agarwal, Adv.
Mr. Saif Ali, Adv.
Mr. Apoorva Jha, Adv.
Mr. Anil Kumar, AOR

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Mr. Gurminder Singh, AG Punjab, 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, AOR

Petitioner-in-person

Mr. P.K. Jain, AOR

Mr. Ramesh Babu M.R., AOR

Mr. Rajesh Kumar Chaurasia, AOR

Mr. Gurmeet Singh Makker, 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

Ms. Nandini Gidwaney, AOR

Mr. Shri Narain, AOR

Mr. Umesh Kumar Khaitan, AOR

Ms. Shalini Kaul, AOR

Mr. K. R. Sasiprabhu, AOR

Mrs. K. Sarada Devi, AOR

Mr. Sanjay Kumar Visen, AOR

Mrs. Priya Puri, AOR

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. Aakanksha, Adv.

Ms. Manjula Gupta, AOR

Mr. T. V. Ratnam, AOR

Mr. Balaji Srinivasan, AOR

Mr. Rajiv Ranjan Dwivedi, AOR

M/S. Khaitan & Co., AOR

Mr. S. S. Shroff, AOR

Mr. Sushil Kumar Jain, AOR

Mr. Aniruddha Deshmukh, AOR

Mr. Ravindra Bana, AOR

Mr. Surya Kant, AOR

Mrs. B. Sunita Rao, AOR
Mr. Gunmaya S Mann, Adv.
Mr. Roop Narain, Adv.
Mr. Vineet Kumar, Adv.
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Mr. Abhishek, AOR

Mr. Sarvam Ritam Khare, AOR
Mr. Kushagra Sharma, Adv.
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Mr. R.P. Gupta, AOR

Mr. P. Parmeswaran, AOR

Mr. Mohit D. Ram, AOR

Mr. Pramod Dayal, AOR

Mr. Satya Mitra, AOR

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

Mr. Rakesh Kumar-I, AOR

Mr. Parijat Sinha, AOR

M/S. Saharya & Co., AOR

Mr. Nishe Rajen Shonker, AOR

Ms. Anu K Joy, Adv.

Mr. Alim Anvar, Adv.

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

The schedule for hearing of various subjects shall be as
 under:

Sl.Nos.	Subject	Date for hearing
1.	Transport	20 th January, 2025
2.	Power Plants and Stubble Burning	27 th January, 2025
3.	Stubble Burning	3 rd February, 2025
4.	Industries	10 th February, 2025
5.	Constructions and Road Dust	17 th February, 2025
6.	Municipal Solid Waste	17 th January, 2025 and 24 th February, 2025
7.	Strengthening Air Quality Management <ul style="list-style-type: none"> ● Monitoring Network ● Enforcement ● Vacancies in SPCBs 	17 th March, 2025
8.	Firecrackers	17 th January, 2025 and 24 th March, 2025

As far as the issue listed today regarding colour coded third number plate is concerned, the same will be considered on 27th January, 2025. Ms. Aparajita Singh, learned Senior Advocate appointed as Amicus Curiae, is free to submit a note in advance on that aspect.

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