

4378

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL
BENCH, NEW DELHI

Original Application No. 693/2023

In the matter of:

News Item titled "Pollution Control Boards are the weak link" appearing
in Deccan Herald dated 24.10.2023.

NDOH:-27.05.2025

INDEX

S. No.	Contents	Page No.
1	Action taken report on behalf of the Govt. of National Capital Territory of Delhi with respect to the order dated 28.01.2025.	1-2
2	<u>Annexure-1</u> Detailed affidavit filed by Chief Secretary, GNCTD in WP(C) No. 13029/1985 titled as M C Mehta Vs. UOI & Ors on 17.05.2025 on the steps taken by the Govt. of filling up of vacant posts.	3 - 20
3	<u>Annexure-2</u> Copy of the an application for extension filed by GNCTD in WP(C) No. 13029/1985 titled as M C Mehta Vs. UOI & Ors.	21-28

Filed by:

New Delhi:

Dated: 20th 05.2025

Govt. of NCT of Delhi

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

Original Application No. 693/2023

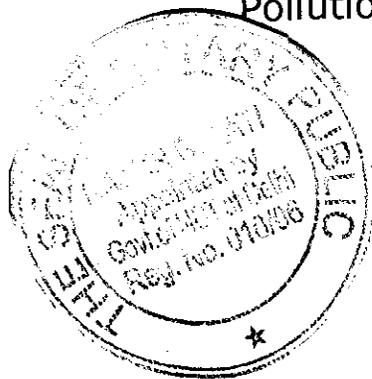
In the matter of:

News item titled "Pollution Control Boards are the weak link"
appearing in Deccan Herald dated 24.10.2023

**AFFIDAVIT ON BEHALF OF GOVT. OF NCT OF DELHI WITH
RESPECT TO ORDER DATED 28.01.2025.**

I, K.S. Jayachandran, aged about 48 years, Special Secretary, Environment Department, Government of NCT of Delhi, having office at 6th Level, Delhi Secretariat, ITO, Delhi - 110002, do hereby solemnly affirm and state as under:

1. That I am working as Special Secretary, Environment Department, GNCTD, and am conversant with the facts of the case.
2. That the present affidavit is being filed in compliance with the direction contained in the order passed by this Hon`ble Court on 28.01.2025.
3. That, this Tribunal is considering the issue of filling up of the vacant posts in the State Pollution Control Boards (SPCBs)/ Pollution Control Committees (PCCs) and the Central Pollution



Control Board (CPCB) and also creation of adequate infrastructure therein.

4. That, similar matter is being heard in Hon'ble Supreme Court of India in W P C 13029/1985 titled M C Mehta Vs UOI & Ors. Chief Secretary, Government of NCT of Delhi has filed a detailed affidavit on 17.05.2025 on the steps taken by the government on filling up of vacant posts (Annexure 1) alongwith an application for extension of time for GNCTD in the matter (Annexure 2).
5. That, it is humbly submitted to this Hon'ble Tribunal to taken on record the affidavit of GNCTD filed before the Hon'ble Hon'ble Supreme Court of India in the W P C 13029/1985 titled M C Mehta Vs UOI & Ors.
6. It is requested to this Hon'ble Tribunal that the present affidavit may kindly be taken on record.


 (K S Jayachandran)
 Special Secretary (Environment)
 Government of NCT of Delhi
 Spl. Secretary (Environment)
 Govt. of N.C.T. of Delhi
 Delhi Secretariat,
 21, Connaught Place-110002

Delhi

Dated: 20 May 2025

20 MAY 2025

ATTESTED

 NOTARY PUBLIC
 GOVT. OF NCT OF DELHI



IN THE SUPREME COURT OF INDIA
INHERENT JURISDICTION
SUO MOTO CONTEMPT (CIVIL) NO. 01 OF 2025

IN THE MATTER OF:

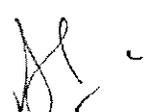
**IN RE: FILLING OF VACANT POSTS IN THE STATE POLLUTION
CONTROL BOARDS AND POLLUTION CONTROL
COMMITTEES.**

INDEX

S. No.	Particular	Page No.
1.	Affidavit tendering unconditional apology by the Chief Secretary, GNCTD.	1-8
2.	Annexure A-1 A table/ chart containing the details and present status of filling up of vacancies.	9-11
3.	Annexure A-2 A brief of some of the actions by the DPCC in the financial year 2024-2025.	12
4.	Annexure A-3 Copy of the details of the Periodical Reports sent to CPCB, CAQM, MoEF&CC-GoI etc.	13-14

Dated: 17.05.2025

Place: New Delhi


FILED BY: JYOTI MENDIRATTA
(ADVOCATE FOR GOVERNMENT
OF NCT OF DELHI)

**IN THE SUPREME COURT OF INDIA
INHERENT JURISDICTION
SUO MOTO CONTEMPT (CIVIL) NO. 01 OF 2025**

IN THE MATER OF:

**IN RE: FILLING OF VACANT POSTS IN THE STATE POLLUTION
CONTROL BOARDS AND POLLUTION CONTROL
COMMITTEES.**

**AFFIDAVIT ON BEHALF OF THE CHIEF SECRETARY, GNCTD
(FOR INDEX, PLEASE SEE INSIDE)**

Dated: 17.05.2025

Place: New Delhi


**FILED BY: JYOTI MENDIRATTA
(ADVOCATE FOR GOVERNMENT
OF NCT OF DELHI)**

**IN THE SUPREME COURT OF INDIA
INHERENT JURISDICTION
SUO MOTO CONTEMPT (CIVIL) NO. 01 OF 2025**

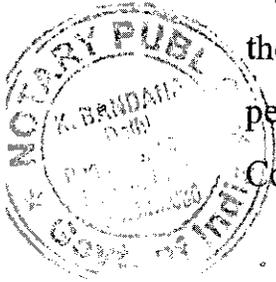
IN THE MATER OF:

**IN RE: FILLING OF VACANT POSTS IN THE STATE POLLUTION
CONTROL BOARDS AND POLLUTION CONTROL
COMMITTEES.**

**AFFIDAVIT OF THE CHIEF SECRETARY, GNCTD TENDERING
UNCONDITIONAL APOLOGY AND TO FURNISH CURRENT
STATUS OF DPCC**

I, Dharmendra, aged about 59 years, currently working as Chief Secretary, Government of NCT of Delhi, having office at 5th Level, Delhi Secretariat, ITO, Delhi - 110002, do hereby solemnly affirm and state as under:

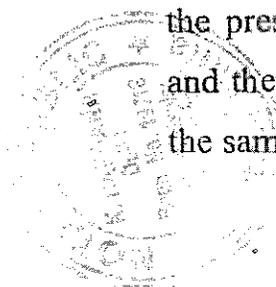
1. That I am working as Chief Secretary, Government of NCT of Delhi and in my official capacity, I am conversant with the facts of the present case, and therefore as such I am competent to swear the present Affidavit.
2. That this Hon'ble Court in W.P. No. 13029 of 1985 vide its order dated 08.05.2025 read with (for non-compliance of) Order dated 27.08.2024 has registered the present suo-moto Contempt Petition wherein Notice under the Contempt of Court Act, 1971 was issued upon the Deponent. Further personal presence of the Deponent was also directed before this Hon'ble Court.



Dharmendra

Unconditional apology on behalf of the Deponent (Chief Secretary, GNCTD)

3. That at the outset I approach this Hon'ble Court with profound regret and deepest humility to tender my most sincere and unconditional apology in the present proceedings.
4. The Deponent holds this Hon'ble Court in the highest esteem. The Deponent has not done nor remotely intended to do anything to lower the majesty of this Hon'ble Court in any manner whatsoever. Even otherwise there can be no intention or even an attempt, by the Deponent or the GNCTD to disregard any directions/ orders of this Hon'ble Court or interfere with the due course of administration of justice.
5. Further, most humbly it is also stated that the Respondent Department did not have the remotest or the slightest intent to cause any wilful delay in filling up the vacancies in the Delhi Pollution Control Committee (hereinafter referred to as "*the DPCC*"). Further, the Deponent humbly submits that process of filling up vacancies in the DPCC is being carried out with utmost sincerity, deliberation and urgency. Even otherwise, there can never be the slightest or remotest intention by the Deponent to cause willful breach of any orders/ directions passed by this Hon'ble Court. Nonetheless, the Deponent offers his unconditional apology for the delay caused in filling up the vacancies in DPCC, despite its best efforts.
6. That in view of the above, the Deponent most humbly submits that any lapse on account of the Deponent or the DPCC, that may have occurred in the present proceedings was completely unintentional and inadvertently and therefore the Deponent herein deeply and unconditionally apologises the same and prays for forgiveness before this Hon'ble Court.



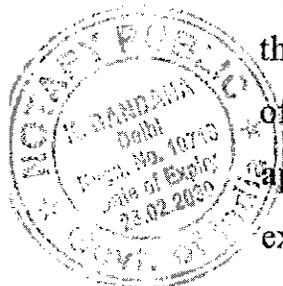
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Steps taken by the GNCTD:

7. All concerned departments and agencies have been instructed to prioritise the recruitment process and to remove any procedural impediments that may be the cause of delay.
8. Recognising the critical role that the DPCC plays in the formulation and implementation of pollution control measures in the National Capital Territory of Delhi, the Government is making every conscious effort to ensure that the DPCC is adequately staffed.

Status of Vacancies in DPCC:

9. That in furtherance of the unconditional apology tendered in the preceding paragraphs, it is most humbly stated that there has not been any intentional or wilful delay or any malafide on account of the DPCC or the Deponent herein for the time taken in filling the vacancies in the DPCC. Moreover, the Deponent herein has been making sincere and genuine efforts to fill up the said vacancies in the DPCC.
10. That as stated by the predecessor of the Deponent herein in the Affidavit dated 31.07.2024 filed before this Hon'ble Court in the present proceedings, there were **204 vacancies** at that point of time (i.e. July, 2024).
11. That since July, 2024 – till date, the DPCC has been able to fill **83 vacancies/ posts**; and thus, after this Hon'ble Courts intervention last year the vacancies have come down from 60% (approx.) to 34% and the number of filled up posts now is 223. In addition, the DPCC has also **issued appointment letters to 10 more candidates** for various posts, who are expected to join shortly in the month of June, 2025. Thus, by end of next month, the percentage of vacancies will come down to 32%. Moreover, for another **26 vacancies, interview letters are issued** and the interview



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4386

for these posts are scheduled from 22nd to 24th May, 2025. Thus, by the end of June, 2025 the percentage of vacancies is expected to further come down to 25%.

12. It may also be noted that in some of direct recruitments cases, even after completion of the interview process and issuing offer of appoint letters, the process of joining is delayed on account of extension sought by the selected candidates. It is submitted that as per the DoPT norms and guidelines, after the conclusion of the interview process and issuance of appointment letters to the selected candidates, he/ she is entitled to a maximum extension period of three months from the date of issuance of offer of appointment letter for the purpose of joining.

13. That after taking into account the number of vacancies filled and those in the final stages (as explained in paragraph no. 11), 85 vacancies still remain (if posts in the final stages of being filled up (36 posts) are also accounted for, the said number would be 121 posts). The details of the same are as follows (*same is also provided in a tabulated form by way of Annexure A-1*):

a) **For 48 vacancies**, the process of examination is conducted by the **Delhi Subordinate Services Selection Board (DSSSB)**. DSSSB has been asked to expedite the recruitment process, and as per the information received from DSSSB, the process for 41 posts will be completed by December, 2025 and remaining by March 2026. It is respectfully submitted that the process of examination is inherently lengthy and time-consuming, particularly because the number of applications received runs into lakhs. The examinations are conducted in an online, computer-based format, which necessitates the setup of dedicated examination labs across multiple centres, in coordination with technical and administrative infrastructure. This logistical requirement, coupled



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with the need for ensuring fairness, transparency, and adherence to examination protocols, significantly contributes to the time involved in completing the recruitment process. It is further submitted that subsequent to the DSSSB completing the examination process and publishing of merit list, the DPCC will take another 60 days to complete all formalities for joining of the candidates.

b) 19 Deputation posts unfilled despite of multiple advertisements –

As per concerned (Recruitment Rules (RRs)), 19 posts are to be filled by Deputation from officials of Central/States/Autonomous Bodies/PSUs etc. For the same, the DPCC has issued 5 advertisements since July, 2024. 77 applications have been received for the said 19 posts. However, no suitable candidate could be found among the applicants as those applied did not meet the minimum qualification criteria. The Department is in the process of re-advertising the same vacancies and will make all efforts to fill up these posts at the earliest.

c) 18 Vacancies which arose in May, 2025 -

Four vacancies are created recently on account of promotion/retirement/resignation, and will be filled by promotion / promotion failing which by deputation etc. as per respective RRs. 14 posts have been recently revived now and these posts (14) are expected to be filled up through direct recruitment and deputation as per respective RRs by December 2025. That for the perusal of Hon'ble Court, a table reflecting the present status of the DPCC indicating (a) the strength; (b) recent appointments and (c) vacancies in the DPCC.

A table/ chart containing the details and present status of filling up of vacancies is attached hereto and marked as **ANNEXURE A-1**.

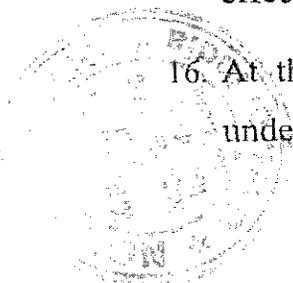
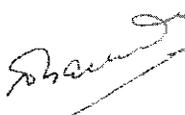


4388

HIGH LEVEL COMMITTEE TO OVERSEE FILLING OF VACANCIES IN DPCC

14. That the Deponent is conscious of the fact that vide Order dated 27.08.2024, Hon'ble Court directed for filling of all vacancies in the Pollution Control Boards by 30.04.2025. Moreover, this Hon'ble Court also emphasised on the importance of the role of the Pollution Control Boards in fighting various types of environmental pollution and the statutory powers conferred upon the said bodies. Keeping in mind the directions issued by this Hon'ble Court, the Deponent has also constituted a High-Level Committee under chairmanship of Chairman DPCC, with members like Special Secretary (Environment), Special Secretary (Services), Secretary DSSSB and Member Secretary DPCC (Member Convenor) to oversee the process of filling of vacancies in a time bound manner. The said Committee is entasked to meet on fortnightly basis to continuously monitor the progress of filling of vacancies in the DPCC and to take effective steps for the said purpose. The said exercise is envisaged to be conducted with due coordination with Deponent/ Chief Secretary, GNCTD.
15. That for various reasons beyond the control of the GNCTD, such as- non-availability of suitable candidates, time consuming direct recruitment process (through DSSSB), feeder posts falling vacant after promotion, resignations, retirement etc. certain percentage of posts in the DPCC stay vacant. But through short term engagements we have ensured that the functional capabilities of DPCC are not compromised due to such vacancies. Hence, we have 90 short term engagements thus bringing the effective vacancies to 31 i.e. at 9%.

16. At the same time, it is most respectfully submitted that GNCTD has undertaken several concrete measures to ensure that the DPCC remains



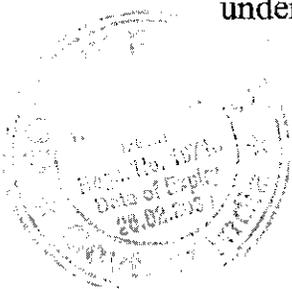
fully capable of discharging its statutory functions in accordance with the Environment (Protection) Act, 1986, the Water (Prevention and Control of Pollution) Act, 1974, and the Air (Prevention and Control of Pollution) Act, 1981. In regard it is humbly submitted that this Hon'ble Court may kindly consider the functioning of the DPCC in light of the submissions made herein. All efforts are being made to ensure that DPCC continues to operate as a functional and effective regulatory authority and as explained herein, it is submitted that DPCC has made significant progress in fulfilling its statutory mandate.

A brief of some of the actions by the DPCC in the financial year 2024-2025 is attached hereto and marked as **ANNEXURE A-2**.

17. In addition to above, DPCC has been submitting Periodical Status Reports to CPCB, CAQM, MOEF&CC- GOI etc. on regular basis to comply with statutory requirements.

Copy of the details of the Periodical Reports sent to CPCB, CAQM, MoEF&CC-Goi etc. are attached hereto and marked as **ANNEXURE A-3**.

18. In view of the above, it is most respectfully submitted that the Government of NCT of Delhi has taken and continues to undertake substantial and multi-pronged steps to address the vacancies in the DPCC through direct recruitment, deputation, and promotional avenues. Also, a High-Level Committee has been constituted to monitor the recruitment process on a time-bound basis, and short-term engagements have been adopted to ensure uninterrupted functioning. Despite procedural constraints and factors beyond administrative control, effective measures have been undertaken to maintain the DPCC's functional capability.



19. That the Deponent once again most humbly tenders his unconditional apology to this Hon'ble Court and sincerely pray that this Hon'ble Court may be graciously pleased to accept the same.

[Signature]
DEPONENT

VERIFICATION:

Verified at Delhi on this the 7 day of MAY, 2025 that the facts stated herein above are true and correct to the best of my knowledge and belief and no part of it is false and nothing material has been concealed therefrom.

[Signature]
DEPONENT

[Signature]
17/30/2024



ATTESTED
NOTARY PUBLIC DELHI
Govt. of India

4391

Staffing Status of the DPCCAnnexure-A-1

1. Sanctioned Strength: 344
2. Vacancies as on 31.07.2024 (date of filling the last Affidavit by the predecessor of the Deponent): 204
3. Progress made since July, 2024 (including those in final stages):

TABLE A

S. No.	Post			No.
1.	Vacancies filled up since July, 2024 – till date.			83
2.	Recruitment process in Final Stages			36
	2(a)	Appointment letters issued, to join shortly.	10	
	2(b)	Posts for which interview letters issued for 22, 23, 24 May (Assistant Environmental Engineers).	26	
		Subtotal =	36	
		Total =		119

4. Status of Vacancies (after deducting recruitment in final stages): 85 (approx.)

TABLE B
(Status of 85 vacancies)

S. No.	Status	No. of Posts	Name of the Posts	Comments
1.	Process to be undertaken by Delhi Subordinate Service Selection Board {DSSSB}.	48	<ul style="list-style-type: none"> • Jr. Environmental Engineer – 41 Posts. • Senior Laboratory Assistant – 03 Post • Legal Assistant – 04 Posts. 	<ul style="list-style-type: none"> • As per information received from the DSSSB, 41 posts are expected to be filled up by 31.12.2025. • As per information received from the DSSSB, remaining 7 posts are expected to be filled up by March, 2026.

2.	Deputation posts unfilled despite of multiple advertisements. (Eligible candidates from other states also allowed to apply)	19	<ul style="list-style-type: none"> • Environmental Engineer - 12 • Scientist - C - 01 • Scientist-B - 02 • Scientific Assistant - 01 • Senior Lab Assistant - 03 	<ul style="list-style-type: none"> • Advertisement published by DPCC but No Suitable Candidate found (qualification not met). • Advertisements issued 5 times (since July 2024); • 77 applications received; • However, no suitable candidate could be found among the applicants as those applied did not meet the minimum qualification criteria, as per the RRs. • The Department is in the process of re-advertising the same vacancies
3.	Vacancies which arose in May, 2025	18	<ul style="list-style-type: none"> • Sr. Environmental Engineer- 01 • Environmental Engineer - 01 • System Analyst- 01 	These posts will be filled by deputation immediately.
			<ul style="list-style-type: none"> • Asstt. Law Officer - 01 	As per RRs, the post will be filled as and when officer from the feeder cadre (Legal Assistant) becomes eligible / fit.
			<ul style="list-style-type: none"> • Sr. Environmental Engineer. - 05 • Environmental Engineer - 05 • Scientist - B - 02 • Scientist - C - 01 • Programmer - 01 	These 14 posts are revived now and are expected to be filled up through direct recruitment and deputation as per respective RRs by December 2025.
Total		85		

4393

TABLE C

(summary of DPCC staffing strength as on date)

S. No.	Particulars	No.(s)
1.	Total No. of Regular Employees as on date	223
2.	Recruitment in final stages (vacancies expected to be filled in near future).	36
3.	Vacancies after deducting those in Final Stages. (including DSSSB, Deputation posts and those occurred in May, 2025)	85
	Total Sanctioned Posts	344

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T. meel COPM

ANNEXURE A-2

During the last financial year (April 2024 – March 2025), the DPCC has undertaken and completed numerous statutory, regulatory, and field-level actions, including but not limited to:

- a) Monitoring air quality through 24 Continuous Ambient Air Quality Monitoring Stations (CAAQMS).
- b) Successfully executing Summer and Winter Air Action Plans prepared by GNCTD and complying with directions of the Commission for Air Quality Management (CAQM) timely.
- c) Coordinating actions resulting in 100% transition of industries to PNG, installation of over 498 anti-smog guns at construction sites, and implementing robust road dust mitigation measures.
- d) Operating the Green Delhi mobile app and portal, where more than 88% of over 79,000 public grievances have been resolved.
- e) Monitoring and compliance of CETPs and STPs. All the 13 installed CETPs now complying with the prescribed norms.
- f) Enforcement of GRAP measures and CAQM directions including dust control, vehicular pollution enforcement, and stubble burning management.
- g) Regular inspections and actions against defaulting construction & demolition sites and polluting industrial units.
- h) Effective implementation of the National Clean Air Program (NCAP) and submission of updated State Action Plans to CPCB.
- i) Coordination and legal facilitation for the establishment of India's first E-waste Eco Park in Delhi.
- j) Enforcement of the ban on firecrackers and single-use plastics through statutory notifications and public campaigns.

ANNEXURE A-3

S. No.	List of Periodical Reports Sent to External Agencies Such as CPCB, CAQM, MOEF, GOI	Frequency of Report to be Shared
1	GRAP Report (during GRAP)	Daily
2	Road Dust Control and Management Cell (DCMC Report)	Monthly and Quarterly
3	Inspection reports of C&D sites	Monthly and Quarterly
4	Report on Actions as Per Policy to abate Air Pollution	Monthly and Quarterly
5	Safeguarding and Enforcement Measures being taken to tackle (V7)	Quarterly
6	Observations of Ambient Noise Levels at different land-use areas of Delhi based on data from Real Time Ambient Noise Monitoring Terminal sent to Delhi Police, Delhi Traffic Police, Revenue Department GNCTD, Transportation Department GNCTD, MCD, NDMC, DCB, PWD Delhi.	Monthly
7	Annual Report of BMW for every Calendar Year needs to be sent to CPCB on Annual Basis after compilation of Annual Reports of HCFs received till 30, June.	Annually
8	Monthly Progress Reports of Delhi in the Format of NMCG are being sent to Secretary, Ministry of Jal Shakti & Member Secretary, CPCB regularly on monthly basis.	Monthly
9	Letters are issued regularly on monthly basis to the concerned CETP Societies based on the Effluent Analysis Reports of DPCC Laboratory for taking necessary action to ensure that CETPs meet the prescribed standards.	Daily
10	Letters are issued regularly on monthly basis to Delhi Jal Board based on Analysis report of DPCC Laboratory for STPs of DJB about the parameters found exceeding seeking	Monthly

	compliance reports along with rectification measures taken to meet prescribed standards	
11	Information in prescribed format sought by MoEF&CC and CAQM w.r.t Writ Petition (C) No. 13029 of 1985 titled "M.C. Mehta vs. Union of India & Ors. Before Hon'ble Supreme Court- sent on Monthly basis to CAQM and MoEF&CC.	Monthly
12	Annual Reports on Solid Waste Management and C & D Waste Management are sent to CPCB every year in prescribed Format.	Monthly
13	Annual Reports and Quarterly report on Electronic waste and battery waste are sent to CPCB in prescribed Format.	Annually
14	Hazardous Waste Management Inventory as mandated in Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, as amended thereof.	Annually and Quarterly
15	Report in Form-V and Form-VI, as per the Plastic Waste Management (Amendment) Rules 2018, as amended to date, is submitted to the CPCB on an annual basis.	Annually

T. M. C. M.

4397

IN THE SUPREME COURT OF INDIA

CIVIL/ CRIMINAL/ ORIGINAL/ APPELLATE/ JURISDICTION

Suo MOTO CONTEMPT PETITION (CIVIL) NO. 01 OF 2025
SPECIAL LEAVE PETITION (CIVIL/CRIMINAL) NO.202

WRIT/ TRANSFER PETITION/ APPEAL (CIVIL/ CRIMINAL) NO.202

IN THE MATTER OF:

IN RE: FILLING OF VACANT POSTS IN THE PETITIONER (S)
STATE POLLUTION BOARDS AND POLLUTION CONTROL APPELLANT (S)
COMMITTEES VERSUS
RESPONDENT (S)

VAKALATNAMA

I/We DHARMENDRA, CHIEF SECRETARY GNCTD Petitioner(s)
Appellant(s) / Respondent(s) in the above Suit/Appeal/Petition/Reference do hereby
appoint and retain Ms. Jyoti Mendiratta, Advocate Supreme Court to act and appear for
me/us in the above Suit/Appeal/Petition/Reference/Review and on my/our behalf, to
conduct and prosecute/defend the same and all proceedings that may be taken in respect
of any application connected with the same or any decree or order passed therein,
including proceedings in taxation and application for Review, and to file and obtain,
return of documents, and deposit and receive any money on my/our behalf in the
Suit/Appeal/Petition/Reference and in application of Review and to represent me/us, and
to take all necessary steps on my/our behalf in the above matter. I/We agree to pay his
fees and our pocket expenses, agree to ratify all acts done by the aforesaid Advocate in
pursuance of this authority.

Dated this the 17th day of MAY 2025

ACCEPTED & IDENTIFIED

Jyoti Mendiratta
JYOTI MENDIRATTA
ADVOCATE SUPREME COURT

Dharmendra
Petitioner(s)/Appellant(s) ✓
Respondent(s)/Caveator(s) ✓

MEMO OF APPEARANCE

Dharmendra
Chief Secretary, Delhi

To,

THE REGISTRAR,
SUPREME COURT OF INDIA,
NEW DELHI-110 001.

Sr,

Kindly enter my appearance in the abovementioned Petition/Appeal/Reference/Review
made on behalf of the Petitioner(s)/Appellant(s)/Respondent(s).

Yours Faithfully,

NEW DELHI

17/05/2025

Jyoti Mendiratta
JYOTI MENDIRATTA
Advocate for the Petitioner(s)
Respondent(s) / Appellant(s)

1980756

4398

Annexure 2

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

I.A. NO. _____ OF 2025 IN
WRIT PETITION [CIVIL] NO. 13029 OF 1985

20

IN THE MATER OF:

M. C. MEHTA

... PETITIONER

VS

UNION OF INDIA & ORS.

... RESPONDENTS

APPLICATION FOR EXTENSION ON BEHALF OF THE
APPLICANT - GNCTD

PAPER BOOK

(FOR INDEX, PLEASE SEE INSIDE)

Dated: 17.05.2025

FILED BY: JYOTI MENDIRATTA

Place: New Delhi

(ADVOCATE FOR GOVERNMENT
OF NCT OF DELHI)

INDEX

S. NO.	PARTICULARS	PAGES
1.	APPLICATION ON BEHALF OF THE GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI (GNCTD) PRAYING FOR EXTENSION OF TIME FOR THE COMPLIANCE OF THE ORDER DATED 27.08.2024, ALONG WITH AFFIDAVIT.	1 - 6

22

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

I.A. NO. _____ OF 2025

IN

WRIT PETITION [CIVIL] NO. 13029 OF 1985

IN THE MATER OF :

M. C. MEHTA

... PETITIONER

VS

UNION OF INDIA & ORS.

... RESPONDENTS

APPLICATION ON BEHALF OF THE GOVERNMENT OF
NATIONAL CAPITAL TERRITORY OF DELHI (GNCTD)
PRAYING FOR EXTENSION OF TIME FOR THE
COMPLIANCE OF THE ORDER DATED 27.08.2024 PASSED BY
THIS HON'BLE COURT IN THE CAPTIONED MATTER.

TO,

THE HON'BLE CHIEF JUSTICE OF INDIA,

AND HIS COMPANION JUSTICES OF THE

HON'BLE SUPREME COURT OF INDIA,

THE HUMBLE PETITION ON
BEHALF OF THE APPLICANT
ABOVE NAMED

23

MOST RESPECTFULLY SHOWETH:

1. That the instant Application is being preferred by the Government of National Capital Territory of Delhi (GNCTD) (**Applicant**) praying for extension of time for compliance with the directions contained in the Order dated 27.08.2024 passed by this Hon'ble Court in the above-captioned matter.
2. That, this Hon'ble Court, *vide* the Order dated 10.07.2024, was pleased to direct the then Chief Secretary to file an affidavit indicating a time-bound schedule for filling in all 233 posts vacant in Delhi Pollution Control Committee (**DPCC**).
3. Pursuant to the order dated 10.07.2024, an Affidavit dated 31.07.2024 was filed by the then Chief Secretary indicating the timeline of filing up the posts, lying vacant in the DPCC.
4. Subsequently, this Hon'ble Court *vide* the Order dated 27.08.2024 (**Order**) directed all the States to ensure that the vacancies in their respective State Pollution Control Boards/Committees be filled positively on or before 30.04.2025, including those in the DPCC.
5. That the Applicant, in furtherance of the above-stated Orders, has taken extensive steps to initiate and complete the recruitment process within the stipulated timeline. An Affidavit dated 17.05.2025 of the Chief Secretary, GNCTD containing the said details has already been filed by the Applicant before this Hon'ble Court. In furtherance of the same, the Applicant herein also tenders its unconditional apology before this Hon'ble Court for the inadvertent delay caused in the said process of filling of the vacancies in the DPCC. The Applicant most humbly submits that there was no wilful delay on its behalf, nor can the applicant dare to ever disobey the directions passed by this Hon'ble Court.

Further it is stated that the Applicant has made sincere and honest efforts to fill in the vacancies in the DPCC.

6. It is respectfully submitted that as on 29.07.2024, i.e., around the time when the aforementioned affidavit of compliance was filed by the then Chief Secretary, the number of vacant posts stood at 204. Since then, the Applicant has successfully filled an additional 83 posts through a continuous and phased recruitment process. Further, appointment letters have been issued to 10 candidates, who are expected to join soon. Moreover, for 26 vacancies, interview letters issued and the interview is scheduled for 22nd to 24th May, 2025. Therefore, recruitment process for an addition 36 posts is in final stages.
7. However, despite the best efforts, due to procedural & administrative constrains, and other unforeseeable circumstances beyond control of the Applicant, as on date, 85 vacancies (if also those in final stages (36 posts) are excluded) remain vacant in DPCC. The said number would be 121 if also those in the final stages are included.
8. It is most respectfully submitted that the process of filling up the remaining vacant posts in the DPCC is being carried out with utmost deliberation and urgency. Recognising the critical role that the DPCC plays in the formulation and implementation of pollution control measures in the National Capital Territory of Delhi, the Government is making every conscious effort to ensure that the Committee is adequately staffed.
9. That the state machinery is fully cognizant of the severity of air and environmental pollution in Delhi and acknowledges the urgent need to strengthen the institutional framework of the DPCC.

10. Moreover, all concerned departments and agencies have been instructed to prioritise the recruitment process and to remove any procedural impediments that may be cause delay.
11. That the Applicant is mindful of the orders passed by this Hon'ble Court, wherein grave urgency has been attached to the issue of staffing in the DPCC. The Applicant remains committed to complying with these directions and is taking all necessary steps to ensure timely completion of the recruitment process.
12. That the Applicant tenders unconditional apology for the inadvertent delay caused in the said process of filling of vacancies in the DPCC and humbly seeks forgiveness from this Hon'ble Court.
13. It is most humbly submitted that this Hon'ble Court may be pleased to grant an extension of time for compliance with the Order dated 27.08.2024, thereby enabling the Applicant to complete the remaining stages of the recruitment process in a systematic and transparent manner.

PRAYER

In view of the foregoing submissions, the Applicant most respectfully prays that this Hon'ble Court may be pleased to:

- a. Grant an extension of time for compliance with the directions contained in the Order dated 27.08.2024, to enable the Applicant to complete the remaining stages of the process of filling up of vacancies in the Delhi Pollution Control Committee;

- b. Pass such other or further orders as this Hon'ble Court may deem just and proper in the facts and circumstances of the case.

**AND FOR THIS ACT OF KINDNESS, THE APPLICANT
SHALL, AS IN DUTY BOUND, EVER PRAY.**


JYOTI MENDIRATTA

(ADVOCATE FOR GOVERNMENT
OF NCT OF DELHI)

Dated: 17.05.2025

Place: New Delhi

27

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

I.A. NO. _____ OF 2025

IN

WRIT PETITION [CIVIL] NO. 13029 OF 1985

IN THE MATER OF :

M. C. MEHTA

... PETITIONER

VS

UNION OF INDIA & ORS.

... RESPONDENTS

AFFIDAVIT

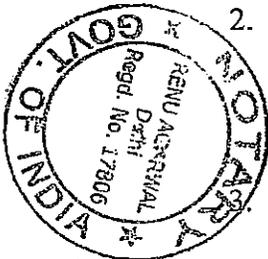
I, K.S. Jayachandran, aged about 47 years, Special Secretary, Department of Environment, Government of NCT of Delhi, having its office at 6th Level, Delhi Secretariat, ITO, Delhi - 110002, do hereby solemnly affirm and state as under:

1. That I am working as Special Secretary, Department of Environment, Government of NCT of Delhi and am conversant with the facts of the present case, as such I am competent to swear this present Affidavit.

2. I say that the contents of the accompanying Application have been drafted upon my instructions and the same have been read over to me and I having understood to the contents thereof am competent to swear the present Affidavit.

That the accompanying documents filed alongwith the Application are true copies of their respective originals.

4. That the facts stated, averments made in the above affidavit are true to my knowledge as derived from the perusal of the official files and no part of the same is false and nothing material has been concealed there from.



Handwritten signature
17/05/2025
I identified the deponent who has signed in my presence

Handwritten signature
DEPONENT

VERIFICATION:

17 MAY 2025

Solemnly verified at New Delhi on this 17 day of May, 2025, that the contents of my above-mentioned affidavit are true and correct to the best of knowledge and belief, no part and nothing material has been concealed therefrom.

Certified That The deponent
Shri / Cmt / Smt
S/o, W/o
I do hereby solemnly
attest that the contents of the affidavit
which have been sworn and signed to him are true
to the best of my knowledge

Handwritten signature
17/05/2025

ATTESTED
NOTARY PUBLIC
(INDIA)

Handwritten signature
DEPONENT

17 MAY 2025

4406

28



Jyoti Mendiratta <jyoti.legal@gmail.com>

Re: Service of Application on behalf of GNCTD in M C Mehta Vs. Uol & Ors. | W.P. (C) No. 13029 of 1985

Jyoti Mendiratta <jyoti.legal@gmail.com>

Sat, May 17, 2025 at 2:09 PM

To: singh.aparajita@gmail.com, GurmeetSingh Makkar <gs.makkar@gov.in>, A d n Rao <adnrao@adnrao.com>, Ruchi Kohli <kohli.law@gmail.com>, aishwarya bhati <aishwaryabhati@gmail.com>, venkatesh@adnrao.com, utara.babbar@gmail.com, Amrish Kumar <amrish.kumar76@gov.in>, Archana Pathak Dave <Archana.p.dave@gmail.com>, Kamlendra Mishra <kamlendramishra23@gmail.com>

Dear All,

Please find the attached application for extension being submitted on behalf of GNCTD in the captioned matter as and by way of service upon you.

Best

Jyoti Mendiratta

Standing Counsel, GNCT of Delhi

Advocate-on-Record, Supreme Court

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