

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

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

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(1) IN RE: REPORT NOS. 81 AND 84 SUBMITTED BY EPCA

(IMPLEMENTATION OF THE DECEMBER, 2015 STANDARDS FOR THERMAL POWER PLANTS WHICH WERE TO BE IMPLEMENTED BY DECEMBER, 2017)

(2) IN RE: STICKERS FOR VEHICLES

Date : 10-12-2018 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTAFor Petitioner(s) Mr. Harish N. Salve, Sr. Advocate (A.C.)[NP]
Ms. Aparajita Singh, Advocate (A.C.)
Mr. A.D.N. Rao, Advocate (A.C.)
Mr. Siddhartha Chowdhury, Advocate (A.C.)

Petitioner-In-Person

For Respondent(s) Mr. A.N.S. Nadkarni, ASG
Mr. S. Wasim A. Qadri, Adv.
Mr. Ritesh Kumar, Adv.
Mr. Amit Sharma, Adv.
Ms. Suhasini Sen, Adv.
Mr. D.L. Chidanand, Adv.
Mr. G.S. Makker, Advocate
Mr. A.K. Kaul, Adv.
Mr. Raj Bahadur Yadav, Adv.
Ms. Snidha Mehra, Adv.

Mr. Anil Grover, AAG
Ms. Noopur Singhal, Adv.
Mr. Sanjay Kr. Visen, Advocate
Mr. Satish Kumar, Adv.
Dr. Monika Gusain, Adv.

Ms. Rachana Gupta, Adv.

Mr. J.K. Tripathi, Adv.
Ms. Ruchi Kohli, Advocate
Mr. B.V. Balramdas, Advocate
Mr. Ritwik Dutta, Advocate
Mr. Arvind Kumar Sharma, Advocate
Mr. Shyam Divan, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Aniket Prasoan, Adv.
Mr. Abhishek Kumar, Adv.
Mr. Manish Kumar, Adv.
Ms. Parul Shukla, Adv.
Mr. Anshuman Srivastava, Adv.
Mr. E.C. Agrawala, Advocate
Mr. Ranjeet Kumar, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Ankur Saigal, Adv.
Mr. Shubham Kulshestra, Adv.
Mr. E.C. Agrawala, Adv.
Mr. Rajesh Kumar, Adv.
Mr. Talha Abdul Rahman, Advocate
Mr. Sanjay Sen, Sr. Adv.
Mr. S. Venkatesh, Adv.
Ms. Nishtha Kumar, Advocate
Mr. Vikas Maini, Adv.
Mr. Somesh Srivastava, Adv.
Ms. Sakya Singh Chaudhuri, Advocate
Ms. Suruchi Aggarwal, Advocate
Ms. Ankita Prakash, Adv.
Mr. Preshit Surshe, Advocate
Mr. Rajiv Yadav, Advocate
Ms. Maitreyee Mishra, Adv.
Mr. Rakesh Dwivedi, Sr. Adv.
Mr. B. Vinodh Khanna, Advocate
Mr. Guntur Prabhakar, Advocate
Mr. Chirag M. Shroff, Adv.
Mr. Pradeep Misra, Adv.
Mr. Daleep Kr. Dhyani, Adv.

IPPAI

Mr. Suraj Singh, Adv.

UPON hearing the counsel the Court made the following

O R D E R

STICKERS FOR VEHICLES

An affidavit has been handed over in the Court today on behalf of the Union of India by the learned Additional Solicitor General.

It is stated as under:

"2. That this Ministry had earlier assured this Hon'ble Court that necessary steps would be taken for the purpose of affixing colour coded stickers, by carrying out suitable amendment to the Central Motor Vehicles Rules, 1989 (hereinafter 'the Rules') and by issuing a separate Motor Vehicle (High Security Registration Plates) Order, 2018 (hereinafter referred to as 'HSRP Order, 2018'), so that multiplicity would be avoided in the larger public interest having regard to past experience of enormous delays in implementing HSRP project as was conceived.

3. In accordance with the said assurance and in compliance with the orders of this Hon'ble Court, the present affidavit is filed placing on record the new amendment to the Central Motor Vehicles Rules, 1989 issued vide GSR 1162 (E) dated 4th December and a statutory order S.O. 6052 (E) dated 6th December, 2018."

Learned counsel appearing for some of the objectors to the

Notifications say that they would like to challenge the validity of the Notifications.

We make it clear that any challenge would lie only in this Court and not in any other Court.

The issue of stickers for vehicles stands disposed of.

Report Nos. 81 and 84

Pursuant to orders dated 11.10.2018 and 27.11.2018, we have been informed that a meeting was conducted by the learned ASG on 05.12.2018. The meeting was attended by representatives of the MoEF and the Ministry of Power, Ms. Sunita Narain, Mr. Ritwick Dutta, learned counsel and the learned Amicus Curiae.

The learned Amicus informs us that during the meeting it was agreed that in terms of the affidavit filed by the Power Plants, they would comply with the notified emission norms as per the revised Schedule by 2022. With regard to any deterrence for non compliance of notified emission norms, the Ministry of Power and MoEF are looking into the matter with special emphasis on relegating the non-compliant power plant to the bottom of the merit order dispatch.

The status report on the progress made should be filed by the learned ASG on behalf of Union of India by 01.03.2019.

List the matter on 07.03.2019.

It has been brought to our notice by the learned Amicus and Mr. Ritwick Dutta, learned counsel several steps have been taken under the auspices of the Central Pollution Control Board (CPCB) or

by the CPCB on the health and economic impact of environmental pollution in India.

It is submitted that for some inexplicable reasons, these reports have not come in the public domain although they are available with the CPCB.

We direct the CPCB to place all these reports from 2010 onwards (commissioned or ready) on the website of the CPCB so that they are available to the public which will then be aware of the adverse consequences of air pollution and other environmental pollution.

Needful be done within two weeks.

(MEENAKSHI KOHLI)
COURT MASTER

(KAILASH CHANDER)
ASSISTANT REGISTRAR