



**IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION**

Writ Petition (Civil) No. 13029/1985

M.C. Mehta

...Petitioner(s)

versus

Union of India and others

...Respondent(s)

JUDGEMENT

SURYA KANT, CJI.

1. The instant Writ Petition, filed in the year 1985, constitutes the third of the three longest pending cases in the history of this Court. This Court has, through two judgements passed by us on 11.03.2026, given a formal close to the proceedings in Writ Petition (Civil) No. 13381 of 1984 and Writ Petition (Civil) No. 4677 of 1985, giving a new shape to the efforts made towards environmental conservation and other ancillary and supplementary issues. This judgement is also being passed towards a similar end.

A. INTRODUCTION

2. The genesis of these proceedings was aimed against specific polluting industries operating in and around the National Capital Region (**NCR**). Although the Petition had been filed in the year 1985, the case picked up momentum in the mid-1990s, when a slew of orders came to be passed with a view to curbing vehicular pollution.

3. Over the years, the case has witnessed a rapid expansion in scope through various Interlocutory Applications, filed by the government as well as private entities. While some applications have been filed to bring newer issues related to air pollution in Delhi to the attention of this Court, others were necessitated by previous directions requiring this Court's prior permission in certain cases.
4. Concomitantly with the enhancement of the scope of the instant Writ Petition, this Court has stepped into the role of a supervisor and a guide for the Government as well as private bodies towards ensuring clean air in NCR. The decisions of this Court led to numerous laudable initiatives, including the introduction of Bharat Stage Emission Standards (**BSES**), proliferation of public transport and its transition to clean fuel, and imposition of age regulations on vehicles. Similarly, polluting power plants were relocated, and steps were also taken to reduce stubble burning in nearby States.
5. Very importantly, addressing the lack of a cohesive regulatory framework regarding air pollution in NCR, this Court facilitated the establishment of the Commission for Air Quality Management in National Capital Region and Adjoining Areas (**CAQM**), which has now taken a statutory form through a Parliamentary legislation.¹ Since its inception, the CAQM has implemented various reforms, most notably, a system of coordinated, uniform, and transparent measures to tackle

¹ The Commission for Air Quality Management in National Capital Region and Adjoining Areas Act, 2021.

different levels of air pollution, titled the Graded Action Response Plan (**GRAP**). With the judicial oversight of this Court and the initiatives taken by the CAQM, the steps taken by all stakeholders to curb air pollution in Delhi and NCR have become substantially more effective.

6. We must, at the same time, acknowledge that, similar to the two Writ Petitions referred to in the opening paragraphs of this Judgement, the issues that grasp the attention and efforts of this Court are of a substantially contemporary nature when compared to the original tenor of the instant Writ Petition. As the scope of these proceedings has expanded, so has the volume of Interlocutory Applications (**IAs**) filed from time to time. We may also note that by the judgement dated 11.03.2026 passed by this Court in Writ Petition (Civil) No. 4677/1985, some IAs pending in that case have also been directed to be considered with the issues pending in the instant case.
7. This inflation in the issues to be considered by the Court in a singular and historic case has led to several administrative difficulties, which inevitably reduce judicial efficiency and effectiveness. It is the need of the hour that an organised system be implemented, whereby this Court is enabled to deal with each issue in-depth, while also having a comprehensive and holistic view of the broader considerations.
8. It is thus our considered opinion that these ends would be met by bringing this Writ Petition to a formal close, while permitting pending

issues and applications to be taken up through freshly registered *suo moto* cases.

9. When this idea was presented to learned senior counsel/counsel for the parties on 23.02.2026, they were *ad idem* that it is high time that the captioned proceedings be formally disposed of. In accordance with the order passed on 23.02.2026, the learned *amici curiae* have also supplied a short note, outlining the various steps that may be taken to manage the various IAs and pending issues. At this stage, it may be pertinent to advert to the proposals contained therein.

B. SUGGESTIONS BY THE LEARNED AMICI CURIAE

10. At the outset, it has been submitted that the recommendations contained in the note have been arrived at by the *Amici Curiae*, namely, Ms. Aparajita Singh and Ms. Uttara Babbar, Senior Advocates, and Ms. Shibani Ghosh, Advocate, in consultation with Ms. Aishwarya Bhati, learned Additional Solicitor General of India, as well as the learned counsel representing the Government of NCT of Delhi and the States of Haryana, Uttar Pradesh, Rajasthan, and Punjab.
11. *Firstly*, the learned *Amici* have recommended a procedure for identifying and formally disposing of the IAs which have become infructuous. This will include an effort from the end of the *Amici Curiae* as also the learned State counsel, while calling for relevant information and submissions from the respective Advocates on Record (**AORs**)/Parties-in-Person.

12. *Secondly*, they have suggested that, simultaneously, an exercise be undertaken to categorise the various IAs as per the different areas now under consideration by this Court regarding air pollution in NCR. The underlying objective is that moving forward, this Court may take up each facet of the larger problem of air pollution in an organised manner.
13. *Finally*, the learned *Amici* have placed on record certain procedural mandates which may be imposed to ensure a smooth adjudicatory process and reduce delays in considering the prayers of the litigants.
14. We find strength in the proposals put forth before us through the brief self-speaking note. We agree that it is in the interest of justice that the instant Writ Petition is formally disposed of, and the issues that survive are taken up through newly registered *suo moto* cases.

C. DIRECTIONS

15. So as to give force to the above recommendations and with a view to strengthening its efforts towards curbing air pollution in NCR, we deem it appropriate to issue the following directions:
 - (i) The instant Writ Petition stands formally disposed of;
 - (ii) In its place, the Registry shall register five new *Suo Moto* Writ Petitions (Civil), with the following titles to consider the delineated issues:

- (a) **“Curbing Air Pollution in the National Capital Region - Regulatory and Policy Framework, Air Quality Governance and other Ancillary Issues,”** including policy issues regarding air pollution in an evolving regulatory regime, transition to airshed level air quality governance, vacancies in regulatory agencies, data accuracy and transparency, improved enforcement of governance regimes, and increasing of green cover in NCR;
- (b) **“Curbing Air Pollution in the National Capital Region - Vehicular Emissions and Pollution,”** including issues regarding payment of ECC, registration of lower BSES vehicles, public transport, vehicular emissions, fuel standards, improved traffic enforcement, and cleaner freight movement;
- (c) **“Curbing Air Pollution in the National Capital Region - Conservation and Enhancement of Green Cover,”** including issues regarding cutting of trees in NCR, protection of the Ridge and Morphological Ridge Forest in Delhi, Tree Census, and enhancement of tree coverage in NCR;
- (d) **“Curbing Air Pollution in the National Capital Region - Pollution by Construction Activities, Power Plants, and Other Industries,”** including fuel transition, issuance of emission standards for all industrial sources, ensuring

compliance with emission standards, and compensation of workers/labourers affected by suspension of work; and

(e) “Curbing Air Pollution in the National Capital Region – Solid Waste Management and Burning of Crop Residue and Firecrackers”, including compliance with Solid Waste Management Rules 2016, issues relating to landfill management, Waste-to-Energy plants, and effective implementation of existing policies regarding stubble burning; and

(iii) No new Interlocutory Application(s) or Miscellaneous Application(s) shall hitherto be entertained by the Registry in the instant Writ Petition or in the new *suo moto* cases, till further orders.

16. The Interlocutory Applications pending in the instant Writ Petition shall be dealt with in the manner explained hereafter:

(i) The concerned AOR (which would include Party-in-Person) who has filed the IA shall inform the Registry as to whether the IA has become infructuous due to orders passed by this Court or the efflux of time. If the AOR does not approach the Registry for the above purpose on or before 15.05.2026, it shall be presumed that the respective IA has been rendered infructuous;

(ii) If the AOR states that a particular IA has not become infructuous, he or she shall also place a note containing **(i)** the *suo moto* case

which the IA falls under; **(ii)** the details of the Applicant(s); **(iii)** the prayer sought; and **(iv)** the reason why the same is not already covered by the orders passed by this Court;

(iii) Meanwhile, the learned *Amici Curiae*, in collaboration with the learned counsel for Union of India, the States of Haryana, Rajasthan, Punjab, and Uttar Pradesh, and the NCT of Delhi, are required to undertake a similar exercise and identify the various IAs that have been rendered infructuous, but are yet to be formally disposed of;

(iv) All the IAs, where the *Amici* and the respective AOR(s) are *ad idem* that the same are infructuous, shall be listed as Miscellaneous Applications before the Registrar Court for their final disposal;

(v) The IAs, which, according to the learned *Amici*, have become infructuous but remain pending as per the respective AOR(s), shall be marked as 'disputed'. Such IAs shall be listed as Miscellaneous Applications before the Registrar Court for determining whether the matter requires further consideration of this Court; and

(vi) All the IAs, where the *Amici* have indicated that further consideration by this Court is required, shall stand transferred to the respective Suo Moto Writ Petition(s).

17. Similarly, the learned *Amici* are requested to submit to the Registry a list of specific issues that this Court has taken cognisance of and

require further consideration but cannot be linked to any particular Interlocutory Application. Such matters shall be, accordingly, taken up as part of the appropriate Suo Moto Writ Petition.

- 18.** An exercise analogous to that contained in Paragraph 16 shall be taken with respect to the Appeals and Petitions, except Contempt Petitions, tagged with the instant Writ Petition. Accordingly, if they are required to be considered by this Court, they shall be registered as IAs within the respective Suo Moto Writ Petition. In that respect, all tagged Contempt Petitions shall be separately listed after taking directions from the Chief Justice of India on the administrative side.
- 19.** The Registry shall list the newly registered Suo Moto Writ Petitions as a batch of tagged cases, with the petition re: Regulatory and Policy Framework, Air Quality Governance and other Ancillary Issues as the lead matter, after seeking directions from the Chief Justice of India on the administrative side.
- 20.** In the interest of expediency, the Registry is directed to implead and issue notice in each of the Suo Moto Writ Petitions to the following parties:
 - (i)** The Union of India through the Secretary, Ministry of Environment, Forest and Climate Change;

- (ii) The States of States of Haryana, Rajasthan, Punjab, and Uttar Pradesh and the NCT of Delhi, through the respective Principal Secretaries, Departments of Environment and Forest;
- (iii) The Commission for Air Quality Management in National Capital Region and Adjoining Areas, through its Chairperson; and
- (iv) The Central Pollution Control Board and the State Pollution Control Boards of Delhi, Haryana, Rajasthan, Punjab, and Uttar Pradesh, through the respective Member Secretaries.

21. We hasten to add that the formal closure of the instant Writ Petition does not dilute the force of this Court's previous orders and directions, as issued from time to time. Such directions are final and shall continue to remain operative, subject to such further orders, modifications, or clarifications as may be issued in future proceedings. However, it may so happen that, due to such prior directions, a party may require leave of this Court. In such an event, the party shall be at liberty to approach this Court through a fresh Writ Petition, giving all necessary particulars.

22. Keeping in mind the objective of timeliness, we are of the considered opinion that further guidelines ought to be laid down regarding the modalities for the future proceedings in the newly registered *suo moto* cases. Accordingly, we direct as follows:

- (i)** The counsel representing the CAQM, as also the learned counsel for the Union of India, the NCT of Delhi, the different States, and their functionaries and agencies, shall ensure that all reports are circulated among all stakeholders, as far as possible, not less than seven days prior to the upcoming date of hearing;
- (ii)** Each report shall be accompanied by a tabulated chart indicating its salient findings, the recommendations made by the party/agency, and the intervention sought from this Court; and
- (iii)** The respective counsel for the various private and official parties shall ensure that copies of the different IAs, which are stated to have remained pending, are supplied in soft copy to the learned *amici curiae* as well as to Mr. Gurmeet Singh Makker, AOR, assisting counsel to Ms. Aishwarya Bhati, learned ASG.

23. Ordered accordingly.

24. At this conclusive juncture, it is apposite that we record our appreciation for the valuable assistance rendered by all the learned counsel and the parties appearing in person, who have spent invaluable time and effort to assist this Court in the attempt to secure a healthy and safe environment in the National Capital Region. The initiative taken by Shri M.C. Mehta, the assistance received from the various junior and senior counsel, and the historical judicial efforts of the judges of this Court have together culminated in great strides being taken towards the protection of the environmental serenity of the

capital of our Country. It is our hope that this evolution will give new energy and resolve to take these objectives forward, in an organised, effective, and efficient manner.

.....CJI
(SURYA KANT)

.....J.
(JOYMALYA BAGCHI)

.....J.
(VIPUL M. PANCHOLI)

**NEW DELHI;
MARCH 12, 2026**