

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)

[TO BE TAKEN UP AT 12:00 NOON]..... IN RE: MUNICIPAL SOLID WASTE AND IN RE: PAYMENT OF COMPENSATION AND IN RE: POWER PLANTS 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, MR. PRANAV SACHDEVA, ADVOCATES

Date : 02-04-2025 This petition was called on for hearing today.

CORAM :

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

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Ms. Uttara Babbar, Sr. Adv. (A.C)
Ms. Shibani Ghosh, Adv.

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

IN RE: POWER PLANTS

1. We have heard Ms. Aparajita Singh, learned Senior Advocate appointed as Amicus Curiae on the issue of power plants and Ms. Aishwarya Bhati, learned ASG representing the CAQM as well as the Union of India.

2. The learned Amicus Curiae has today flagged the issue of 11 Thermal Power Plants which are located within 300 kilometers of Delhi. We are concerned with the compliance regarding SO₂ emission standards. There are two issues. The first is whether categorization of the Thermal Power Plants within the distance of 300 kilometers from

Delhi can be changed. For that purpose, amendment to Schedule I of the Environment (Protection) Rules, 1986 will be required. The second issue is about the timelines for compliance with the SO₂ emission standards. Out of the 11 Thermal Power Plant units, we find that the units at Dadri NCTPP, NTPC, Uttar Pradesh and Mahatma Gandhi TPS, Jhajjar Power, Haryana, there is a compliance. In the case of power plants at Indira Gandhi STPP, NTPC, Haryana and Harduaganj TPS, UPRVUNL, Uttar Pradesh, there is a partial compliance. As regards power plant at Rajpura TPP, NPL-L&T, Punjab, it is mentioned that FGD is installed in both the units, but the system is presently not operational in these units.

3. The question is whether the timelines up to 31st December, 2029 as stated in Schedule I can be reduced. On the aspect of classification and on the aspect of reducing the timelines, we will need a response of the Ministry of Environment, Forest and Climate Change, Government of India. While we do so, we have to also ensure that the timelines are not repeatedly extended. Therefore, it will be appropriate if a notice is issued to the non-compliant Thermal Power Plants so that effective directions can be issued against them. Accordingly, issue notice to the following Thermal Power Plants, returnable on 29th April, 2025:

1.	Indira Gandhi STPP, NTPC, Haryana;
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2.	Panipat TPS, HPGCL, Haryana;
3.	Rajiv Gandhi TPS, HPGCL, Haryana;
4.	Yamuna Nagar TPS, HPGCL, Haryana;
5.	Rajpura TPP, NPL-L&T, Punjab;
6.	Talwandi Asbo TPP, TSPL-Vedanta, Punjab;
7.	GH TPS (Lehra Mohabbat), PSPCL;
8.	Ropar TPS, PSPCL, Punjab; and
9.	Harduaganj TPS, UPRVUNL, Uttar Pradesh

The Union of India to furnish addresses of the aforementioned Thermal Power Plants. A copy of this order shall accompany the Notice.

4. In the meanwhile, we direct the Ministry of Environment, Forest and Climate Change to file its response in terms of what we have observed in this Order and in terms of the Note submitted by the learned Amicus Curiae for today's hearing. The said response shall be filed at least three days before the returnable date.

5. List on 29th April, 2025 at 12:00 noon.

IN RE: SUBSISTENCE ALLOWANCE

6. We have perused the affidavit filed by the Delhi Government in compliance with the order dated 28th February, 2025. The learned senior counsel representing the National Campaign Committee (NCC) and the learned senior counsel appearing for the Centre for Holistic Development, have several issues about the affidavit of the Delhi Government. We direct both the entities to file their counter dealing with the affidavit filed by the Delhi Government and also

place material on record giving names of the construction workers who actually worked during GRAP-IV period. They must also set out in what manner the verification has been carried out to ascertain whether the workers had worked during the relevant period. Time of three weeks is granted to them to file their counter.

7. The Delhi Government will also address this Court on the question whether the verified workers can be denied amount payable on the ground that their bank accounts are not linked with Aadhaar. This aspect will be considered on 29th April, 2025 at 12:00 noon.

IN RE: SOLID WASTE MANAGEMENT

8. This issue will be considered on 8th April, 2025 at 12:30 p.m.

(ASHISH KONDLE)
ASTT. REGISTRAR-cum-PS

(AVGV RAMU)
COURT MASTER (NSH)