

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)

[TO BE TAKEN UP AT 12:30 P.M.] IN RE: SOLID WASTE MANAGEMENT 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 : 08-04-2025 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE UJJAL BHUYANMs. Aparajita Singh, Sr.Adv.(Amicus Curiae)
Ms. Uttara Babbar, Sr.Adv.(Amicus Curiae)
Mr. A.D.N. Rao, Sr.Adv.(Amicus Curiae)
Ms. Shibani Ghosh, Adv.(Amicus Curiae)
Mr. Siddhartha Chowdhury, Adv.(Amicus Curiae)

For the parties:

Mrs. Aishwarya Bhati, A.S.G.
Mrs. Ruchi Kohli, Sr. Adv.
Mr. Mukesh Kumar Maroria, AOR
Mrs. Suhasini Sen, Adv.
Mr. Rajesh Kr. Singh, Adv.
Mr. Subhranshu Padhi, Adv.
Mr. Jagdish Chandra Solanki, Adv.
Mr. Gaurang Bhushan, Adv.Dr. Menaka Guruswamy, Sr. Adv.
Mr. Wasim S. Qadri, Sr. Adv.
Mr. Utkarsh Pratap, Adv.
Ms. Arunima Das, Adv.
Mr. Devesh Maurya, Adv.
Mr. Ravi Kumar, Adv.
Mr. Praveen Swarup, AOR

Applicant-in-person

Petitioner-in-person

Mr. Gurmeet Singh Makker, AOR

Mr. P. K. Jain, AOR

Mr. Ramesh Babu M. R., AOR

Mr. Rajesh Kumar Chaurasia, AOR

Mr. E. C. Agrawala, AOR

Mr. Prashant Kumar, AOR

Mr. Lokesh Sinhal, Sr. A.A.G.

Mr. B.k. Satija, A.A.G.

Mr. Rakesh Kumar Mudgal, A.A.G.

Mr. Akshay Amritanshu, AOR

Mr. Rahul Khurana, Adv.

Mr. Nikunj Gupta, Adv.

Ms. Drishti Saraf, Adv.

Ms. Pragya Upadhyay, Adv.

Ms. Aakanksha, Adv.

Ms. Ishika Gupta, Adv.

Mr. Sarthak Arya, Adv.

Mr. Ravi Vashisht, Adv.

Mr. Radha Shyam Jena, AOR

Ms. Hemantika Wahi, AOR

Ms. Binu Tamta, AOR

Mr. Ajit Pudussery, AOR

Mrs. Bina Gupta, AOR

Mr. Ashok Mathur, AOR

Mr. V. K. Verma, AOR

Mr. Anil Kumar Jha, AOR

Mr. Mukesh K. Giri, AOR

Mr. Mandaar Mukesh Giri, Adv.

Mr. Rakesh K. Sharma, AOR

Ms. Sujeeta Srivastava, AOR

Mrs. Anil Katiyar, AOR
M/S. Parekh & Co., AOR
Mr. Sudhir Mendiratta, AOR
Mr. Sushil Kumar Singh, AOR
Mr. Hardeep Singh Anand, AOR
Mr. Sandeep Narain, AOR

Mr. Nishe Rajen Shonker, AOR
Mrs. Anu K Joy, Adv.
Mr. Alim Anvar, Adv.
Mr. Santhosh K, Adv.

Ms. Nandini Gidwaney, AOR

Mrs. Rani Chhabra, AOR

Mr. G. Prakash, AOR

Mr. K. R. Sasiprabhu, AOR

Mr. Shri Narain, AOR

Mr. Umesh Kumar Khaitan, AOR

Ms. Shalini Kaul, AOR

Ms. Manjula Gupta, AOR

Mrs. K. Sarada Devi, AOR

Mr. Sanjay Kumar Visen, AOR

Mrs. Priya Puri, AOR

M/S. Khaitan & Co., AOR

Mr. T. V. Ratnam, AOR

Mr. Balaji Srinivasan, AOR

Mr. Rajiv Ranjan Dwivedi, AOR

Mr. Ravindra Bana, AOR

Mr. S. S. Shroff, AOR

Mr. Sushil Kumar Jain, AOR

Mr. Aniruddha Deshmukh, AOR

Mr. Anuj Agarwal, Adv.
Mr. Kushagra Sharma, Adv.
Mr. Akarsh Khare, Adv.
Mr. Sarvam Ritam Khare, AOR

Mr. Surya Kant, AOR

Mrs. B. Sunita Rao, AOR

Mr. Abhishek, AOR

Mr. Alok Gupta, AOR

Mr. Pramod Dayal, AOR

Mr. R. P. Gupta, AOR

Mr. P. Parmeswaran, AOR

Mr. Mohit D. Ram, AOR

Mr. Rakesh Kumar-i, AOR

Mr. Satya Mitra, AOR

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

Mr. Pavan Kumar, AOR

Mr. Parijat Sinha, AOR

M/S. Saharya & Co., AOR

Mr. Ejaz Maqbool, AOR

M/S. S. Narain & Co., AOR

Mr. Chirag M. Shroff, AOR

Ms. Pritha Srikumar Iyer, AOR

Mr. Pranav Sachdeva, AOR

Mr. Sameer Shrivastava, AOR

Ms. Nidhi Mohan Parashar, AOR

Mr. Kuldip Singh, AOR

Ms. Anushree Prashit Kapadia, AOR

Dr. Brij Bhushan K Jauhari, Adv.

Mr. Deepak Jyoti Ghildiyal, Adv.

Mr. O P Singh, Adv.

Mr. Harsh Mahan, Adv.

Mr. Aditya Mohan, Adv.

Ms. Purnima Jauhari, AOR

Mr. Danish Zubair Khan, AOR

Mr. Vikas Mehta, AOR

Mr. Varun Singh, Adv.

Ms. Kajal S Gupta, Adv.

Mr. Mudit Gupta, AOR

Ms. K. V. Bharathi Upadhyaya, AOR

Ms. Surabhi Sanchita, AOR

Mr. Avinash Poddar, Adv.

Mr. Ankit, Adv.

Mr. Ajay Nain, Adv.

Mr. Vinod Sharma, AOR

Mr. Debojit Borkakati, AOR

Mr. Vikrant Singh Bais, AOR

Ms. Manali Singhal, Adv.

Ms. Diksha Rai, AOR

Ms. Aanchal Kapoor, Adv.

Mr. Ketan Paul, AOR

Mr. Hiren Dasan, AOR

Mr. Ajay Vikram Singh, AOR

Mrs. Priyanka Singh, Adv.

Ms. Swati, Adv.

Mr. M Aamir Faiyaz, Adv.

Ms. Jyotsna Sharma, Adv.

Ms. Garima Prashad, Sr. A.A.G.

Mr. Sudeep Kumar, AOR

Ms. Manisha, Adv.

Ms. Rupali, Adv.

Mr. Niraj Gupta, AOR
Mrs. Anshu Gupta, Adv.
Mr. Mukesh Kumar Jain, Adv.

Ms. Shibani Ghosh, AOR

Mr. Vivek Gupta, AOR

Mr. Vinay Garg, AOR

Dr. Ram Sankar, Adv.
Mrs. Harini Ramsankar, Adv.
Mrs. Usha Prabakaran, Adv.
For M/S. Ram Sankar & Co, AOR

Mr. P. Parmeswaran, AOR

Mr. Durga Dutt, AOR

Mr. Soumya Dutta, AOR

Ms. Malvika Kapila, AOR

Mr. K. Paari Vendhan, AOR

Mr. Prashant Manchanda, A.A.G.
Mr. Karan Sharma, AOR

Mr. Varun Singh, Adv.
Ms. Kajal S Gupta, Adv.
Mr. Mudit Gupta, AOR

Ms. Surbhi Mehta, AOR

Mr. Shovan Mishra, AOR

Ms. G. Indira, AOR

Mr. Prakash Ranjan Nayak, AOR

Mrs. Aishwarya Bhati, A.S.G.
Mr. Raj Bahadur Yadav, AOR
Mrs. Alka Agarwal, Adv.
Ms. Sonali Jain, Adv.
Mrs. Ruchi Kohli, Adv.
Mr. Ashok Kumar B, Adv.
Ms. Baby Devi Bonia, Adv.
Mr. Anirudh Bhat, Adv.
Mr. Prashant Singh Ii, Adv.

Mr. Avijit Mani Tripathi, AOR

Mr. Sameer Kumar, AOR

Mr. Ajay Pal, AOR

Mr. Gaurav Kejriwal, AOR

Mr. Sameer Abhyankar, AOR

Mr. Aryan Srivastava, Adv.

Mr. Krishna Rastogi, Adv.

Mr. Shankey Agrawal, AOR

Mr. Mukesh Verma, Adv.

Mrs. Vatsala Tripathi, Adv.

Ms. Manisha, Adv.

Mr. Yash Pal Dhingra, AOR

Mr. Premchand Kumar, Adv.

Mr. Ashutosh Dubey, AOR

Ms. G. Indira, AOR

Mr. Aakarshan Aditya, AOR

Mr. Nitin Saluja, AOR

Mr. Nirnimesh Dube, AOR

Ms. Rashmi Malhotra, AOR

Mr. Gurmeet Singh Makker, AOR

Mr. Dhananjaya Mishra, AOR

Mr. Rahul Khurana, AOR

Ms. Srishti Agnihotri, AOR

Ms. Aishwarya Bhati, A.S.G.

Ms. Suhasini Sain, Adv.

Mr. Shubhranshu Padhi, Adv.

Mr. Rajesh Kr. Singh, Adv.

Mr. Gaurang Bhushan, Adv.

Mr. Sudarshan Lamba, AOR

M/S. Karanjawala & Co., AOR

Mr. V. N. Raghupathy, AOR
Mr. Raghavendra M. Kulkarni, Adv.

Mr. Chandra Prakash, AOR

Mr. Mahfooz Ahsan Nazki, AOR

Mr. Satya Mitra, AOR

Mr. Deepayan Mandal, AOR

Mr. Ravindra S. Garia, AOR

Mr. Gaurav Choudhary, AOR

Mr. Ravindra Kumar, Sr. Adv.

Mr. Binay Kumar Das, AOR

Ms. Priyanka Das, Adv.

Ms. Neha Das, Adv.

Mr. Shivam Saxena, Adv.

Mr. Vikas Bharti, Adv.

Mr. Aravindh S., AOR

Ms. Meenakshi Chauhan, AOR

Mr. Gaurav, AOR

Mr. Shuvodeep Roy, AOR

Ms. Charu Ambwani, AOR

Mr. Subhro Sanyal, AOR

Mr. Vinodh Kanna B., AOR

Mr. Prasanna S., AOR

Ms. Shalu Sharma, AOR

Mr. Sahil Tagotra, AOR

Mr. Talha Abdul Rahman, AOR

Mr. Guntur Pramod Kumar, AOR

Ms. Prerna Singh, Adv.

Mr. Dhruv Yadav, Adv.

Mr. Rishi Sehgal, AOR

Mr. Kunal Mimani, AOR

Mr. Prashant Alai, Adv.

Ms. Tulika Mukherjee, AOR

Ms. Divya Jyoti Singh, AOR

Mr. Yoginder Handoo, AOR

Ms. Misha Rohatgi, AOR

Mr. Nakul Mohta, Adv.

Mr. Amulya Upadhyay, Adv.

Mr. Ayush Kashyap, Adv.

Mr. Sandeep Singh, AOR

Ms. Mithu Jain, AOR

Ms. Asha Gopalan Nair, AOR

Mr. Shashikant Pralhad Chaudhari, Adv.

Ms. Surabhi Singh, Adv.

Mr. Akhil Anand, AOR

Mrs. Prerna Dhall, Adv.

Ms. Akanksha Singh, Adv.

Mr. Ambuj Swaroop, Adv.

Mr. Shivam Ganeshia, Adv.

Mr. Piyush Yadav, Adv.

Mr. Prashant Singh, AOR

Mr. M.a. Chaudhary, Adv.

Mr. Shivendra Singh, AOR

Mr. Sanjeev Kumar, AOR

Ms. Sakshi Kakkar, AOR

Mr. Akshay Girish Ringe, AOR

Mr. Anuj Bhandari, AOR

Mr. Shiv Mangal Sharma, A.A.G.

Mr. Saurabh Rajpal, Adv.

Ms. Shalini Singh, Adv.

Ms. Awanitika, Adv.

Ms. Nidhi Jaswal, AOR

Mr. Ravi Prakash, AOR

Ms. N. Annapoorani, AOR

Mr. S. Gowthaman, AOR

M/S. Ahmadi Law Offices, AOR

Ms. Aishwarya Bhati, A.S.G.

Ms. Suhasini Sen, Adv.

Mr. Rajesh Kr.singh, Adv.

Mr. Subhranshu Padhi, Adv.

Mr. Gaurang Bhushan, Adv.

Ms. Sweksha, Adv.

Dr. N. Visakamurthy, AOR

Mr. Aashhish Chauhan, Adv.

Ms. Sonal Chauhan, Adv.

Ms. Vanya Gupta, AOR

Ms. Pavani Verma, Adv.

Ms. Kajal Dalal, AOR

Ms. Divya Roy, AOR

Ms. Shagun Matta, AOR

Mr. Vinay Garg, AOR

Mr. Anil Kumar, AOR

Mr. Rakesh Kumar-i, AOR

Mr. Pukhrambam Ramesh Kumar, AOR

Mr. Karun Sharma, Adv.

Ms. Anupama Ngangom, Adv.

Ms. Rajkumari Divyasana, Adv.

Mr. Vikrant Singh Bais, AOR

Ms. Aishwarya Bhati, A.S.G.

Ms. Suhasini Sen, Adv.

Mr. Rajesh.k. Singh, Adv.

Mr. Shubhranshu Padhi, Adv.

Mr. Gaurang Bhushan, Adv.

Mr. Raghav Sharma, Adv.

Ms. Kanu Agrawal, Adv.

Mr. Bhuvan Kapoor, Adv.

Mr. Varun Chugh, Adv.

Mr. Krishna Kant Dubey, Adv.

Ms. Indira Bhakar, Adv.

Mr. Jagdish Chandra, Adv.

Mr. Shreekant Neelappa Terdal, AOR

Ms. Neeru Vaid, AOR

Mr. Saurabh Agrawal, AOR

Mr. Devansh Srivastava, AOR

Mr. Shekhar Kumar, AOR

M/S. S. Narain & Co., AOR

Ms. Aswathi M.k., AOR

Mr. Neeraj Shekhar, AOR
Mr. Rajesh Kumar Maurya, Adv.
Mrs. Kshama Sharma, Adv.

Ms. Lubna Naaz, AOR

Mr. Parminder Singh Bhullar, AOR

Mr. Shantanu Jugtawat, Adv.
Mr. Ikshit Singhal, Adv.
Mr. Narendra Kumar Goyal, Adv.
Mr. Mukesh Kumar Singh, Adv.
Mr. C.m. Dwivedi, Adv.
Mr. Subodh, Adv.
Mr. Naveen Yadav, Adv.
Ms. Kajal Rani, Adv.
For M/S. Mukesh Kumar Singh And Co., AOR

Mr. Alok Gupta, AOR

Mr. K. V. Mohan, AOR

Mr. Yash S. Vijay, AOR

M/S. Lex Regis Law Offices, AOR

Ms. Jaikriti S. Jadeja, AOR

Mr. Rajan Narain, AOR

Mr. Gaurav, AOR

Mr. T. R. B. Sivakumar, AOR

Mr. Mohit Paul, AOR

Mr. Nischal Kumar Neeraj, AOR
Mr. Virender Kumar, Adv.
Ms. Garima Kumar, Adv.
Mr. Shalen Bhardwaj, Adv.
Mr. Ashok Kumar Panigrah, Adv.
Ms. Banisha Verma, Adv.
Ms. Lakshmi, Adv.
Mr. Ravin Rao, Adv.

Ms. Aastha Mehta, Adv.
Ms. Deepanwita Priyanka, AOR
Ms. Prerana Mohapatra, Adv.
Ms. Prina Sharma, Adv.

Ms. Ankita Sharma, AOR
Mr. Arjun D Singh, Adv.

Mr. Kumar Dushyant Singh, AOR

Mr. A. Venayagam Balan, AOR

Mr. S. S. Shroff, AOR

Ms. Astha Tyagi, AOR

Mr. Shiv Mangal Sharma, A.A.G.
Ms. Nidhi Jaswal, Adv.
Mr. Sandeep Kumar Jha, AOR

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

Ms. Manju Jetley, AOR

Ms. Aishwarya Bhati, A.S.G.
Mr. Chitransh Sharma, Adv.
Mr. Chitrangda Rastravara, Adv.
Ms. Shivika Mehra, Adv.
Mr. Madhav Sinhal, Adv.
Mr. Chitvan Singhal, Adv.
Mr. Kanu Agrawal, Adv.
Mr. Arvind Kumar Sharma, AOR
Mr. Amrish Kumar, AOR

Mr. Nishit Agrawal, AOR

Mr. Biswajit Deb, Sr. Adv.
Mr. Anando Mukherjee, AOR
Mr. Shwetank Singh, Adv.

Ms. Filza Moonis, AOR

Mr. Raghvendra Kumar, AOR

Mr. Divyanshu Kumar Srivastava, AOR
Mr. Saurabh Pandey, Adv.

Mr. Rajiv Yadav, AOR

Ms. Madhumita Bhattacharjee, AOR

Mr. Ayush Sharma, AOR

Mr. Gopal Jha, AOR

Mr. Pradeep Misra, AOR
Ms. Indu Misra, Adv.
Mr. Daleep Dhyan, Adv.
Mr. Suraj Singh, Adv.

Mr. Manish Kumar, AOR
Mr. Ravi Shanker Jha, Adv.

Mr. Harsh V. Surana, AOR

Mr. Yashraj Singh Bundela, AOR
Mr. Surjeet Singh, Adv.
Mr. Chanakya Baruah, Adv.
Ms. Saloni, Adv.
Mr. Arpit Garg, Adv.

Mr. Pulkit Agarwal, AOR

Mr. S S Bandyopadhyay, Adv.
Mr. Syed Miran Ahmad, Adv.
Mr. Abhaya Nath Das, Adv.
Ms. Anjana Sharma, Adv.
Ms. Swagoti Batchas, Adv.
Ms. Monica Goel, Adv.
Mr. Abhay Singh, Adv.
Mr. Boya Kranthi Naidu, Adv.
Mr. Kishor Kumar Mishra, Adv.
Dr. Aditya Mishra, Adv.
Mr. Om Prakash Sapra, Adv.
Mr. Satish Kumar, AOR

Ms. Ameyavikrama Thanvi, AOR

Ms. K. Enatoli Sema, AOR
Mr. Amit Kumar Singh, Adv.
Ms. Chubalemla Chang, Adv.
Mr. Prang Newmai, Adv.

Mr. Anas Tanwir, AOR

Ms. Puja Sharma, AOR

Mr. Shishir Deshpande, AOR

Mr. D.kumanan, AOR

Ms. Jyoti Mendiratta, AOR
Ms. Ananya Basudha, Adv.

Ms. Rakhi Ray, AOR

Ms. Ishita Jain , AOR

Mr. Manish Kumar Gupta, AOR

Mr. Sravan Kumar Karanam, AOR
Ms. P. Geetanjali, Adv.

Mr. M. P. Devanath, AOR

Ms. Ruchi Kohli, Sr. Adv.
Ms. Srishti Mishra, Adv.
Mr. Sumeet Mishra, Adv.
Mr. R. C. Kohli, AOR

Mr. Rishi Matoliya, AOR

Mr. Anurag Kishore, AOR

Ms. Mayuri Raghuvanshi, AOR

Mr. Neeraj Kumar Gupta, AOR

Ms. Pritha Srikumar Iyer, AOR

Ms. Rooh-e-hina Dua, AOR

Ms. Vrinda Bhandari, AOR

Ms. Charu Mathur, AOR

Mr. Shrirang B. Varma, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR

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

IN RE: SOLID WASTE MANAGEMENT

REG. COMPLIANCE AFFIDAVIT FILED BY THE MCD

1. We have examined the compliance affidavit filed by the Municipal Corporation of Delhi in terms of this Court's order dated 27th January, 2025. The affidavit highlights several steps taken by the MCD pursuant to the earlier orders of this Court as well as pursuant to the Solid Waste Management Rules, 2016 (for short, "the 2016 Rules"). The MCD has emphasized on implementation of Rule 4 of the 2016 Rules, especially to the obligations of Bulk Waste Generators (BWGs) as defined in Rule 3(8) of the 2016 Rules. The reason appears to be that the BWGs are the major players who generate large quantities of solid waste every day.

2. Our attention is also invited to the fact that so far 3059 BWGs have been identified within the limits of the MCD, out of which 1449 have been registered on MCD 311 application. The learned senior counsel representing the MCD states that efforts are on-going to ensure that all BWGs are registered on MCD 311 Application so that the compliance of their obligations under Rule 4 of the 2016 Rules can be monitored.

3. Our attention is also invited to the provisions of the South Delhi Municipal Corporation Solid Waste Management Bye-Laws, 2017 which are now applicable to the entire area of the MCD. Bye-law 12 provides for payment of fine/penalty for contravention of Solid Waste Management Rules as provided in Schedule-II. It is pointed out in the affidavit that number of challans have been issued for recovery of fine/penalty as per the said bye-laws and so far a sum Rs.9,59,390/- (Rupees nine lakhs fifty nine thousand three hundred ninety) has been recovered.

4. Other efforts made by the MCD including conducting 431 meetings with various stakeholders as directed by this Court have been set out. The steps taken to comply with Rule 15(b), (c) and (d) of the 2016 have also been set out. What is more important is that (as suggested in the Niti Ayog Report 2021) the MCD has decided to adopt best practices which are followed in different cities in the country.

5. The MCD shall continue its efforts to implement the 2016 Rules in its true letter and spirit.

6. Rule 4 of the 2016 Rules reads thus:

“4 Duties of waste generators.-

(1) Every waste generator shall,-

(a) segregate and store the waste generated by them in three separate streams namely bio-degradable, non biodegradable and domestic hazardous wastes in suitable bins and handover segregated wastes to authorised waste pickers or waste collectors as per the direction or notification by the local authorities from time to time;

(b) wrap securely the used sanitary waste like diapers, sanitary pads etc., in the pouches provided by the manufacturers or brand owners of these products or in a suitable wrapping material as instructed by the local authorities and shall place the same in the bin meant for dry waste or non- bio-degradable waste;

(c) store separately construction and demolition waste, as and when generated, in his own premises and shall dispose off as per the Construction and Demolition Waste Management Rules, 2016; and

(d) store horticulture waste and garden waste generated from his premises separately in his own premises and dispose of as per the directions of the local body from time to time.

(2) No waste generator shall throw, burn or burry the solid waste generated by him, on streets, open public spaces outside his premises or in the drain or water bodies.

(3) All waste generators shall pay such user fee for solid waste management, as specified in the bye-laws of the local bodies.

(4) No person shall organise an event or gathering of more than one hundred persons at any unlicensed place without intimating the local body, at least three working days in advance and such person or the organiser of such event shall ensure segregation of waste at source and handing over of segregated waste to waste collector or agency as specified by the local body.

(5) Every street vendor shall keep suitable containers for storage of waste generated during the course of his activity such as food waste, disposable plates, cups, cans, wrappers, coconut shells, leftover food, vegetables, fruits, etc., and shall deposit such waste at waste storage depot or container or vehicle as notified by the local body.

(6) All resident welfare and market associations shall, within one year from the date of notification of these rules and in partnership with the local body ensure segregation of waste at source by the generators as prescribed in these rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the local body.

(7) All gated communities and institutions with more than 5,000 sqm area shall, within one year from the date of notification of these rules and in partnership with the local body, ensure segregation of waste at source by the generators as prescribed in these rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the local body.

(8) All hotels and restaurants shall, within one year from the date of notification of these rules and in partnership with the local body ensure segregation of waste at source as prescribed in these rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the local body."

\

7. If Rule 4 is implemented in its true letter and spirit, it will go a long way in reducing the menace created by huge generation of solid waste every day. We direct the MCD to start massive awareness campaign about the duties of various stakeholders under Rule 4 of the 2016 Rules by making advertisements in social media, traditional media and electronic platforms.

8. On MCD 311 Application, it is possible to register complaints. Wide publicity shall be given to the fact that the citizens can lodge complaints about violation of the duties of various stakeholders under Rule 4 of the 2016 Rules by uploading photographs on the said Application. If the MCD is able to generate awareness about Rule 4, large scale violations which are still happening can be reported by way of complaints on the MCD 311 Application so that the MCD can take penal action against the violators.

9. We direct the MCD to implement what we have stated above within a period of one month from today. We direct the MCD to continue all the initiatives which are set out in the affidavit dated 17th March, 2025 and file a further compliance affidavit by end of June, 2025. While filing the compliance affidavit, special emphasis should be on the implementation of Rule 4 of the 2016 Rules.

IN RE: COMPLIANCE AFFIDAVIT FILED BY GNCTD

10. At this stage, the learned Amicus Curiae invited our attention to the compliance affidavit filed by Government of National Capital Territory of Delhi (GNCTD) in terms of the order dated 19th December, 2024 of this Court which highlights that as on the date of filing the affidavit, 27 per cent of the solid waste generated every day cannot be processed. This gap of 27 per cent must be reduced in a phase-wise manner. Even on this aspect, the MCD shall file a compliance affidavit within a period of one month from today.

IN RE: COMPLIANCE REPORTED BY THE OTHER ENTITIES

11. We request the learned Amicus Curiae to prepare a chart about the compliance reported by the other entities with the 2016 Rules so that a comprehensive order can be passed regarding that. This issue will be considered on 23rd April, 2025 at 12.00 Noon.

(ANITA MALHOTRA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER