

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

INDEX

IN

CIVIL MISC. WRIT PETITION (P.I.L) NO.OF 2020

(Under Article 226 of the Constitution of India)

District- Allahabad

Saumitra Anand and ORS.

..... Petitioners

Versus

Registrar General, High Court of Judicature at Allahabad and ORS.

..... Respondents

S. No.	Particular of Documents	Dates	Annex. Nos.	Page Nos.
1.	Dates and Events			A – F
2.	Court Fees			
3.	Writ Petition under Article 226 of the Constitution of India, 1950.			1 – 21
4.	A true copy of the ID Proofs of Petitioners 2 to 5.		1	22 – 24
5.	A true copy of the relevant portion from the Annual Report, Indian Judiciary (2018-2019), published by the Supreme Court of India, <i>inter alia</i> , detailing the quantum of cases instituted in the Courts in U.P., including this Hon’ble Court.		2	25 – 34
6.	A true copy of the news coverage of the Composite Water Management Index, Niti Aayog, published in June 2018, as published and reported in Business Standard dt. 25/06/2018.		3	35 – 41

7.	A true copy of the relevant portion of the Composite Water Management Index, Niti Aayog, published in August, 2019.		4	42 – 47
8.	A true copy of the Circulars of the Supreme Court of India dt. 14/01/2020 and dt. 05/03/2020, along with the Circular of the SCBA dt. 13/02/2020.		5 (colly)	48 – 52
9.	Affidavit of Petitioner No. 1 filed in support of the Writ Petition, together with ID Proof and Declaration.			53 – 55
10.	Vakalatnama			

Dated: [16/06/2020]

[SHASHWAT ANAND] [ANKUR AZAD]

Advocates

A/R : A/S-0638/2018; A/A-0026/2020.

Counsels for the Petitioners

Chamber No. 4, Old Building,

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Mob(s): 7355303659; 9307241414.

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

DATES AND EVENTS

IN

CIVIL MISC. WRIT PETITION (P.I.L) NO.OF 2020

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District- Allahabad

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..... Respondents

S. No.	Dates	Events
1.	--	The protection of the Environment, muchless to prevent the indiscriminate cutting of trees, depletion of forests, water resources, and the prevention of land, air and water pollution, is a common concern of all of humanity.
2.	--	This Hon’ble Court and the Subordinate Courts in the State of U.P., all use legal-size papers with one sided printing, and lakhs of cases are routinely filed in the Courts aforesaid, which consumes enormous amounts of paper unnecessarily, which directly equates to the cutting down of trees, depletion of forests and the water resources and the groundwater level, land, air and water pollution and severe environmental degradation. As per various reports, one tree produces around

		8,333 sheets of virgin paper and it requires around 10 litres of water to create one finished sheet of paper, which only indicates the amount of raw material used and does not depict the enormous amounts of energy used and pollution created, all of which can be minimized and curbed to a great extent by switching to A4 sized paper, with printing on both sides. The facts as above, lay down bare minimum figures/estimates to illustrate the massive amount of consumption and wastage of paper in the Courts, and the same is only a tip of the iceberg. The reality is far more staggering, as there are innumerable amounts of Miscellaneous Applications routinely filed in the Court, which themselves run into hundreds of pages.
3.	--	Most importantly, “Legal paper” or “Legal-size paper” (as it is commonly known), the usage of which is prevalent in this Hon’ble Court, and Subordinate Judgeships, is thicker and requires more pulp to prepare, as compared to A4 sheets, and is more damaging to the environment. A4 Size Paper is the most commonly used paper worldwide; The legal size paper has been junked out of usage in most parts of the world. All the Courts in the United Kingdom (U.K.) and in the United States (U.S.), including the Supreme Courts of U.K. and U.S., mandate the use of A4 Size paper for all petitions, applications, etc.

		and other purposes.
4.	--	Importantly, as a matter of fact, the cost of a Legal Size (FS) bundle costs somewhere around Rs. 350/-, while, a bundle of A4 Paper costs somewhere around Rs. 280/-; and for the Legal Size, the cost of printing or photocopying one page is Rs. 2/-, whereas, for A4 Size, the cost of photocopying or printing one page is Rs. 1/-. Significantly, the cost difference between the two paper sizes, i.e., Legal and A4, is more than double, and the same casts an unwarranted and unnecessary financial burden on the litigants and pinches their pockets, and is unjust and unfair, as it strikes a heavy blow upon the pockets of the poor litigants coming from weaker and underprivileged sections of the society.
5.	--	Notably, as per the Annual Report, Indian Judiciary (2018-2019), published by the Supreme Court of India, on the State level, between 01/07/2018 to 30/06/2019, a total of 3,35,269 cases and 40,17,508 cases were filed before this Hon'ble Court and before the Subordinate Courts in the State of U.P., respectively, which adds up to a total of 43,52,777 cases. Assuming that in each of those cases only around 6 sets of files shall be needed, and that each file consists of around 50 pages, then too, a minimum of around 13,05,83,31,000 (130.5 Crore) pages would be required, which adds up to a total of around 1,56,706 trees felled and

		1,30,58,33,10,000 (1305.8 Crore) litres of water used. Using A4 Paper, with printing on both sides of the paper, would save around 78,353 trees and 6,52,91,65,500 (652 Crore) litres of water.
6.	--	Further, one sided printing on water-marked/foolscap/legal size paper is a relic of the colonial era, and is in vogue since the times of the prevalence of the type-writers, which allowed printing only on one side and the water-marked/foolscap/legal-size paper was used so as to preserve to files for a longer period of time, but now, with the technological advancement, the paper quality of A4 size paper has increased, and also digitization of files and court records has begun, and there is no reason not to use A4 Size paper, printed on both sides, and the same is rather indispensable.
7.	--	As per the NITI Aayog, India is home to more than 17% of the world's population but has only 4% of the world's freshwater resources, and is suffering from the worst water crisis in its history and 21 major cities are expected to run out of groundwater in 2020, affecting more than100 million people, while, more than 40% populace will have no access to drinking water by 2030. In addition to above, 30% of Indian land is degraded or faces desertification, which is strongly linked to poor water management. Extensive groundwater extraction contributes to loss of vegetation cover, which eventually

		leads to desertification. Increasing desertification and land degradation diminishes green cover, which reduces the land's capacity to recharge groundwater and regional water tables. In such circumstances, it is incumbent upon each and every person to save natural resources and this Hon'ble Court by mandating usage of A4 size paper, with printing on both sides, can be a driving force and an instrument of change.
8.	--	The Supreme Court of India and numerous High Courts, <i>inter alia</i>, Tripura High Court, Calcutta High Court, Madhya Pradesh High Court, Delhi High Court, etc. considering the insurmountable costs incurred to the environment owing to wastage and unnecessary and over usage of paper, in order to to bring uniformity about use of paper and printing thereon and to minimize consumption of paper and consequently <u>to save the environment</u>", have directed for the use of A4 Size Paper, with printing on both sides of the paper, for the purposes of all pleadings, petitions, affidavits or other documents to be filed in the respective Courts. Further, in view of the matter of environmental harm, many, including the Supreme Court of India, Madhya Pradesh High Court, Delhi High Court, etc. have also made amendments to their respective Court Rules in respect of the same, with a view to "save the

		environment.”
9.	--	The rational usage and saving of paper from unnecessary and excess use and wastage is a constitutional obligation cast on both the State and the citizen, alike, and the same is in essence the saving of the cutting of trees, conservation of forests and water resources, and protection of the environment, wild life and human life, in conformity with the Constitutional mandate to the State as envisaged under Article 48-A, read with, Article 51-A(g), and enshrined under Right to Life, Right to Water and Right to Live in a Clean and Healthy Environment as guaranteed by Article 21 of the Constitution.
10.	--	The use of A4 Size Paper, with printing on both sides, instead of water-marked/foolscap/legal size paper with one side of printing, is indispensable for the protection of the environment and the ethos of the Constitution and in the good of both the public and the State.
11.	16/06/2020	Hence, this writ petition.

Dated: [16/06/2020]

[SHASHWAT ANAND] [ANKUR AZAD]

Advocates

A/R : A/S-0638/2018; A/A-0026/2020.

Counsels for the Petitioners

Chamber No. 4, Old Building,

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Mob(s): 7355303659; 9307241414.

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD**CIVIL MISC. WRIT PETITION (P.I.L) NO.OF 2020****(Under Article 226 of the Constitution of India)****District- Allahabad**

1. Saumitra Anand,
2. Sagar,
3. Shubham Mishra,
4. Anup Shukla,
5. Vidit Pratap Jaiswal

.....PETITIONERS**VERSUS**

1. Registrar General, High Court of Judicature at Allahabad, Nyaya Marg, Canton, Dhoomanganj, Prayagraj (Allahabad), Uttar Pradesh – 211001.
2. Rules Committee, High Court of Judicature at Allahabad, Nyaya Marg, Canton, Dhoomanganj, Prayagraj (Allahabad), Uttar Pradesh – 211001.
3. State of U.P., through the Secretary, Ministry of Law and Justice, Secretariat – Lucknow.

.....RESPONDENTS

WRIT PETITION IN PUBLIC INTEREST UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, 1950 FOR THE ISSUANCE OF WRIT, ORDER OR DIRECTION IN THE NATURE OF MANDAMUS, DIRECTING THE USE OF A4-SIZE PAPER WITH PRINTING ON BOTH SIDES OF THE PAPER, INSTEAD OF LEGAL-SIZE PAPER WITH ONE SIDE PRINTING, FOR ALL THE PLEADINGS, PETITIONS, AFFIDAVITS OR OTHER DOCUMENTS TO BE FILED IN THIS HON'BLE COURT AND ALL SUBORDINATE COURTS, TRIBUNALS, ETC. IN THE STATE OF U.P., WITH A VIEW TO BRING UNIFORMITY ABOUT USE OF PAPER AND PRINTING THEREON AND TO MINIMIZE COSTS AND CONSUMPTION OF PAPER, AND CONSEQUENTLY TO SAVE THE ENVIRONMENT; ALONGWITH, ISSUANCE OF A FURTHER WRIT, ORDER OR

DIRECTION, DIRECTING THE RULES COMMITTEE OF THIS HON'BLE COURT, IF NECESSARY, TO MAKE SUITABLE AMENDMENTS IN THE ALLAHABAD HIGH COURT RULES, 1952, SO AS TO GIVE EFFECT TO THE DIRECTIONS FOR THE USE OF A4 SIZE PAPER WITH PRINTING ON BOTH SIDES, FOR ALL THE PLEADINGS, PETITIONS, AFFIDAVITS OR OTHER DOCUMENTS TO BE FILED IN THIS HON'BLE COURT; AND FURTHER, FOR ISSUANCE OF WRIT, ORDER OR DIRECTION, TO TAKE SUCH MEASURES AS MAY BE NECESSARY TO STREAMLINE THE PROCEDURE FOR E-FILING, SO AS TO MAKE IT HASSLE-FREE, EFFICIENT AND MORE-EFFECTIVE, DESIRABLY, SOMEWHAT ON THE LINES OF THE E-FILING PROCEDURE OF THE HON'BLE SUPREME COURT, SO AS TO FACILITATE THE ADVOCATES IN EASILY FILING THEIR RESPECTIVE CASES AND TO PROMOTE PAPERLESS COURTS, THEREBY REDUCING THE WASTAGE OF PAPER AND TO MAKE IT MORE ENVIRONMENT FRIENDLY.

**TO,
THE HON'BLE THE CHIEF JUSTICE AND
HIS LORDSHIP'S COMPANION JUSTICES
OF THE HON'BLE COURT, AFORESAID.**

**THE HUMBLE PETITION OF THE
PETITIONERS ABOVE-NAMED,**

MOST RESPECTFULLY SHOWETH:

1. That, this is the first writ petition of the petitioners, filed pro bono publico in this Hon'ble High Court with regard to the cause of action or matter(s) contemplated and the reliefs claimed herein.
2. That, the petitioners have not received any notice of caveat in this matter, lodged by the respondents, jointly or severally, and sent by them directly or on their behalf through their counsel(s).
3. That, all the petitioners 1, 3, 4 and 5 are law students of the B.A.LL.B (Honours), Five-Year Integrated Course, while, petitioner no. 2 is a law student of the LL.B Course, of the Faculty of Law, University of Allahabad, and as such, they are all well aware of their rights and duties as public spirited citizens

of India and are concerned with the rights of the public generally. Further, all of them have been students of Environmental Science and Education and are members of People's Charioteer Organization (PCO) (Hindi Equivalent: Jan Saarthi Mahasangh; formerly known as 'Jan Saarthi Sangathan'), an unregistered public charitable trust/NGO, *inter alia*, working for the cause of the environment and environment related issues, such as pollution, etc.. The ID Proofs of the petitioners 2 to 5 are **Annexure No. 1** to the instant petition.

4. That, this is a Public Interest Litigation, inasmuch as, the petition is bona fide and purports to genuinely espouse the cause of the public at large, and is in the interest(s) of the public generally, as there are no personal or private interests of the petitioners, of any sorts, involved in the matter involved in the instant writ petition.

Further, there is no authoritative pronouncement by the Supreme Court or the High Court on the question(s) raised herein and the result of the litigation shall not lead to any undue gain to the petitioners or anyone associated with them, or any undue loss to the respondents or any person(s), body of persons or the State, or any prejudice to the public at large.

5. **That, by means of this writ petition in public interest, the petitioners are, *inter alia*, seeking:**

Issuance of writ, order or direction in the nature of Mandamus, directing the use of A4-Size Paper, with printing on both sides of the paper, instead of legal-size paper with one side printing, for all the pleadings, petitions, affidavits or other documents to be filed in this Hon'ble Court and all Subordinate Courts, Tribunals, etc. in the State of U.P., with a view to bring uniformity about use of paper and printing thereon and to minimize consumption of paper, including the costs of the proceedings, *supra*, and consequently to save the environment.

Alongwith, a further writ, order or direction, directing the Rules Committee of this Hon'ble Court, if necessary, to make suitable amendments in the Allahabad High Court Rules, 1952, so as to give effect to the directions for the use of A4 Size Paper, with printing on both sides of the paper, for all the pleadings, petitions, affidavits or other documents to be filed in this Hon'ble Court.

And further, a writ, order or direction, to take such measures as may be necessary to streamline the Procedure for E-Filing, so as to make it hassle-free, efficient and more-effective, desirably, somewhat on the lines of the E-Filing procedure of the Hon'ble Supreme Court, so as to facilitate the Advocates in easily filing their respective cases and to promote paperless Courts, thereby reducing the wastage of paper and costs of proceedings, and to make it more environment friendly.

6. That, the factual matrix of the case falls in a narrow compass and may be encapsulated as under:

This Hon'ble Court inaugurated its E-Court System on 19 August, 2017, the chief aim of which was to establish paperless courts and thereby to reduce and minimize the use and wastage of papers and thus to curb and downsize the adverse environmental impact.

7. That, the E-Courts have been established and made functional since 2017, still, a mere 2740 cases (2023 at Allahabad and 717 at Lucknow Bench), 6071 Misc. Applications (4055 at Allahabad and 2016 at Lucknow Bench) and 548 Caveat (at Allahabad) have been filed in electronic mode (online) under the e-Courts from the date of inauguration of the e-Courts at Allahabad (19/08/2017), which is only a miniscule fraction of and pales in comparison with the total number of cases instituted through the physical filing mode(s).

Thus, although there is saving of paper through the e-Court/e-filing mode, the same is meagre and negligible.

8. That, in the Subordinate Courts, Tribunals, etc. in the State of U.P., enormous number of cases are filed on a daily basis and the filings are accepted on legal-size paper, with one side print, which greatly contributes to creation of a storage crisis and insurmountable wastage of paper, thereby causing great damage to the environment.

Further, it is a commonplace fact that this Hon'ble Court also faces a huge storage crunch as to the keeping of the records and files of the matters before it, and to cope with the same has begun to digitize the files of cases, and as per the Annual Report, Indian Judiciary (2018-2019), published by the Supreme Court of India ('Indian Judiciary Report,' for short), more than 32.89 lakh files consisting of around 19.39 crore pages have been digitized.

9. That, it goes without saying, that "Legal paper" or "Legal-size paper" (as it is commonly known), the usage of which is prevalent in this Hon'ble Court and in Subordinate Judgeships, is thicker and requires more pulp to prepare, as compared to A4 sheets, and is more damaging to the environment.

It is pertinent to mention, that ISO 16 is the international standard for paper sizes, having A4 Size Paper as the most commonly used paper worldwide; The legal size paper is more of a relic and legacy of the colonial era, and has been junked out of usage in most parts of the world.

Notably, all the Courts in the United Kingdom (U.K.) and in the United States (U.S.), including the Supreme Courts of U.K. and U.S., mandate the use of A4 Size paper for all petitions and other purposes.

10. That, further, the legal-size paper is far more expensive to use and difficult to procure than the A4 Size Paper, and not all printers are compatible with the Legal-size paper, although, on the other hand, A4 Size printing is the

default setting and compatibility in most of the printers in India and around the world.

As a matter of fact, the cost of a Legal Size (FS) bundle costs somewhere around Rs. 350/-, while, a bundle of A4 Paper costs somewhere around Rs. 280/- (JK Copier prices, may vary). Moreover, the cost of printing and photocopying charged by photocopiers on this High Court's premises and outside in the city and all over the State, also greatly differs for the two sizes: For the Legal Size, the cost of printing or photocopying one page is Rs. 2/-, whereas, for A4 Size, the cost of photocopying or printing one page is Rs. 1/-.

11. That, significantly, the cost difference between the two paper sizes, i.e., Legal and A4, is more than double, and the same casts an unwarranted and unnecessary financial burden on the litigants and pinches their pockets, and is unjust and unfair, as it strikes a heavy blow upon the pockets of the poor litigants coming from weaker and underprivileged sections of the society.

12. That, it is pertinent to mention, that saving the paper costs, by using A4 Size sheets with printing on both sides, and thereby saving the unwarranted and unnecessary costs of the proceedings, would directly benefit the ordinary litigants, muchless be a boon for the poor litigants from weaker and underprivileged sections of the society, and the same would indirectly boost the economy of the State by keeping the money in the pockets of the people/litigants, as it would augment the demand and accordingly the supply.

13. That, the High Court Rules of the type-writer era mandated the use of water-marked/foolscap type-written paper ('legal-size' in common use) with one-sided print. For ready reference, the relevant provisions from the High Court of Allahabad Rules, 1952 are quoted as under:

***“CHAPTER IX
APPEALS AND APPLICATIONS***

6. Water-marked paper to be used:- Every memorandum of appeal or objection or application shall be fairly and legibly written or typewritten, lithographed or printed with quarter margin on one side only of Government watermarked paper :

Provided that the Court may, when considered necessary, permit any other paper of foolscap size or both sides of the paper to be used for the purpose.

11. Memorandum of appeal or objection or application to be accompanied by copies thereof :- (4) The copies shall be fairly and legibly written or type written, lithographed or printed with quarter margin on one side of durable paper : *Provided that the Court may, when considered necessary, permit any other paper of foolscap size or both sides of the paper to be use for the purpose.*

CHAPTER XIII

PAPER BOOK IN FIRST APPEAL

2. Papers to be included in Paper Book :- The paper book in a First appeal shall, unless otherwise directed by the Chief Justice, be either typewritten or cyclostyled on one side of stout paper with double spacing and consist of a fly-leaf, an index and copies, transliterations or translation of the following papers, namely—

.....

CHAPTER XIV

PAPER-BOOK IN CASES OTHER THAN FIRST APPEALS

3. Paper-book to be type-written :- Unless otherwise ordered, every copy included in a paper-book shall be typewritten and the paper-book shall be paged. The index shall indicate the pages of all the papers included in the paper-book together with their identification numbers as entered in the general index prepared in the Court below. Papers flagged and not included in the paper-book shall also be entered in the index along with their identification numbers.

CHAPTER XV-A

SPECIAL PROVISIONS RELATING TO THE TRIAL OF ELECTION PETITIONS

8. Full description of parties etc. :- All pleadings and applications shall be drawn up in the manner provided in Rules 1, 4, 5 and 6 of Chapter IX with such modifications and adaptations as circumstances may require.

Copies of the election petition, applications and other documents filed in Court shall be on durable paper and written, typewritten, lithographed or printed on one side of the paper only.

CHAPTER XL

COPIES

16. Application to be accompanied by copy folios and stamp labels:-

Except in a case where no copying fee is chargeable under these Rules, every application for copy shall be accompanied by copy folios bearing extra adhesive copy stamp labels of the requisite value, unless the copy required be of a book, register, map or plan or an extract therefrom. If the whole of the copy cannot be written upon the copy folios accompanying the application it shall be completed upon ordinary foolscap size paper :

Provided that where the copy required is a copy of decree of the Court the application shall be accompanied only by adhesive [Copy] stamp labels of the requisite value and the copy shall be made on the printed form prescribed for the preparation of decrees, [the copy stamp labels] being affixed thereon.”

14. That, keeping in view, the scope of this petition, it is stated that as per various studies and reports, on an average, a single tree produces around 8,333 sheets of virgin paper and it requires around 10 litres of water to create a finished piece of paper. Notably, Ruth Anne Robbins, a Law Professor at Rutgers University, New Jersey, United States wrote a paper titled "*Conserving the Canvas: Reducing the Environmental Footprint of Legal Briefs by Re-Imagining Court Rules and Document Design Strategies*" in 2010 wherein she discussed ways to reduce paper usage in courts. As per the said Article:

- i. Printing on a piece of paper involves several natural resources. The most obvious is trees. Another is the energy that it takes to produce paper. A third resource that most people can easily appreciate as precious, even if they don't normally connect it to paper production, is water.

- ii. The number of pages per tree depends on the size and type of the tree, one generic estimate to use for the conversion is 8333.3 sheets of virgin paper per tree. That number reflects only the raw material, however, and does not include the water or energy involved.
 - iii. Paper production also involves a great deal of energy consumption, when you add up the costs of logging, transportation, and the conversion of wood pulp to paper product. A 2002 study and report, repeated for re-release in 2010, calculated that the paper industry is the fourth highest source of carbon dioxide emissions.
 - iv. Water is used in the papermaking process to create pulp, to wash out contaminants, and to again wash the pulp after it has been bleached. According to one estimate, it takes approximately 10 litres of water (2.6 gallons) to create a piece of paper.
 - v. According to the most recent statistics published by the Office of Waste in the United States Environmental Protection Agency, paper products make up the largest component of municipal solid wastes.
15. That, significantly, as per the Indian Judiciary Report, between 01/07/2018 to 30/06/2019, a total of 3,35,269 cases were filed before this Hon'ble Court alone. For a overarching grasp of the matter, for a general estimate, let's assume that in each of those cases there are only 2 parties. Then, on an average around 6 sets of files shall be needed: Two for the Court, two for the counsels and two for the parties (assumedly). And assuming that each file consists of around 50 pages, then too, a minimum of around 10,05,80,700 (10.05 Crore) pages would be required, which adds up to a total of around 12,070 trees felled and 1,00,58,07,000 (100.5 Crore) litres of water used.

Using A4 Paper, with printing on both sides of the paper, would drastically reduce this environmental impact and would save around 6,035 trees

and 50,29,03,500 (50 crore) litres of water, and even if we subtract the excess printing space as provided by a Legal Sized paper compared to an A4 sized sheet, then too, on an average of more than 5000 trees and around 40,23,22,800 (40 crore) liters of water will be saved.

16. That, significantly, as per the Indian Judiciary Report, between 01/07/2018 to 30/06/2019, a total of 40,17,508 cases were filed before the Subordinate Courts in the State of U.P.. For a overarching grasp of the matter, for a general estimate, let's assume that in each of those cases there a only 2 parties. Then, on an average around 6 sets of files shall be needed: Two for the Court, two for the counsels and two for the parties (assumedly). And assuming that each file consists of around 50 pages, then too, a minimum of around 1,20,52,52,400 (120.5 Crore) pages would be required, which adds up to a total of around 144,636 trees felled and 12,05,25,24,000 (1205.2 Crore) litres of water used.

Using A4 Paper, with printing on both sides of the paper, would drastically reduce this environmental impact and would save around 72,318 trees and 6,02,62,62,000 (602.6 crore) litres of water, and even if we subtract the excess printing space as provided by a Legal Sized paper compared to an A4 sized sheet, then too, on an average of more than 60,000 trees and around 4,82,10,09,600 (482 crore) liters of water will be saved.

17. That, further, the facts as above, lay down bare minimum figures/estimates to illustrate the massive amount of consumption and wastage of paper in the Courts, and the same is only a tip of the iceberg. The reality is far more staggering, as there are innumerable amounts of Miscellaneous Applications routinely filed in the Court, which themselves run into hundreds of pages.

A true copy of the relevant portion from the Indian Judiciary Report (2018-2019), published by the Supreme Court of India, *inter alia*, detailing the quantum of cases instituted in the Courts in U.P., including this Hon'ble Court is germane and the same is being filed herewith as marked as **Annexure No. 2** to instant petition.

18. That, India is one of the biggest waste-generators in the whole world, with more than 1 lakh metric tons of waste paper is generated every day. Usage of waste paper in India is at 27 per cent only, which means that more than 67 per cent of the paper is wasted and contributes to land pollution. Using A4 Size as to standardize and make uniform the usage of paper in all Courts, along with using double-sided printing, i.e., half the paper-usage, would greatly contribute to alleviation of the problem of solid waste management. Although, paper is bio-degradable, yet the process takes years and unnecessary consumption should be avoided in the first place.

19. That, what is more, as regards the water usage and wastage in creating paper, it is pertinent to mention, that as per the NITI Aayog, Composite Water Management Index (CWMI), August 2019, India is home to more than 17% of the world's population but only has 4% of the world's freshwater resources. A similar report, published by the NITI Aayog, CWMI, June, 2018, while noting that, "India is suffering from the worst water crisis in its history and millions of lives and livelihoods are under threat. Currently, 600 million Indians face high to extreme water stress and about two lakh people die every year due to inadequate access to safe water.

The crisis is only going to get worse. By 2030, the country's water demand is projected to be twice the available supply, implying severe water scarcity for hundreds of millions of people and an eventual ~6% loss in the country's GDP," states, that 21 major cities are expected to run out of

groundwater as soon as 2020, affecting more than 100 million people, and more than 40% populace will have no access to drinking water by 2030. Thus, saving water and managing these resources is a delicate and mammoth task and the need out the hour.

A true copy of the news coverage of the NITI Aayog's CWMI report, 2018, as published and reported in Business Standard dt. 25/06/2018 is germane and the same is being filed herewith and marked as **Annexure No. 3** to this petition.

20. That, of all the sectors and human activities, agriculture and food security are most intimately tied to water, and also affect water the most. The scarcity of water resources has many cascading effects including desertification, risk to biodiversity, industry, energy sector and risk of exceeding the carrying capacity of urban hubs. It not only affects Gross Domestic Product (GDP) directly in the form of loss of productivity of agriculture, industrial and service sector (including infrastructure) but also decreases the ability of the population to think, invent and produce which indirectly hampers the growth of the nation.

Further, 30% of Indian land is degraded or faces desertification, and this outcome is strongly linked to poor water management. Extensive groundwater extraction contributes to loss of vegetation cover, which eventually leads to desertification. Increasing desertification and land degradation diminishes green cover, which reduces the land's capacity to recharge groundwater and regional water tables. According to the United Nations Convention to Combat Desertification (UNCCD), land degradation can also cause up to 4% losses in Agricultural Domestic Product in the future for India.

A true copy of the relevant portion of the Composite Water Management Index, Niti Aayog, August 2019 is germane and the same is being filed herewith and marked as **Annexure No. 4** to the instant petition.

21. That, in view of the above, there is an imminent need to deepen our understanding of the limited available water resources and their pragmatic usage, and put in place interventions that make water use efficient and sustainable. This Hon'ble Court must act and take steps for the responsible usage of water, as far as regards the issue of excess and unnecessary production, usage and wastage of paper used for Court purposes, and the exorbitant amounts of water consumed and wasted therein: and so as to reduce the same, directing the use of A4 Size Paper, with printing on both sides of the paper, is imperative and indispensable.

22. That, in addition to above, it takes around 2.8 – 3.7 litres of crude oil to produce one laser cartridge and 50-100 millilitres of crude oil to produce one ink cartridge, as per 'Preton Ltd, white paper: Environmental issues associated with toner and ink usage.'

Further, Greenhouse gas (GHG) emissions from manufacturing an original laser cartridge emits approximately 4.8 Kg CO₂. So, if 10 Lakh OEM (original equipment manufacturer) laser cartridges are used, it equates to 48 Lakh Kg GHG emissions being released into the atmosphere. And, around more than 70-80% of cartridges are used once and then disposed of. This equates to approximately 7 lakh Kg of non-degradable, hazardous waste, ending up in our landfills; all which only goes on to illustrate the enormous amount of, both direct and indirect, environmental damage excess paper use, misuse and wastage can cause to the ecosystem, all of which can greatly be reduced by using A4 Size paper, with printing on both sides of the paper, as far as this Hon'ble Court and the Subordinate Judgeships, Tribunals, etc. in the State of U.P. are concerned.

23. That, in view of the above, the use of A4 Size Paper, with printing on both sides, instead of water-marked/foolscap/legal size paper with one side of

printing, is the indispensable for the protection of the environment and is the ethos of the Constitution and in the good of both the public and the State.

24. That, it is a well settled law that the Fundamental Rights and the Directive Principles have to be read together, since it is mentioned in Article 37 of the Part IV of the Constitution of India, 1950 ('Constitution,' for short) that the principles laid down in the Directive Principles are fundamental in the governance of the country and it shall be the duty of the State to apply these principles in making laws and in its usual functioning.

25. That, the Article 48-A of Part IV of the Constitution provides that the State shall endeavour to protect and improve the environment and to safeguard the forests and the wildlife of the country. For convenience and ready reference the Article 48-A is quoted as below:

“48A. Protection and improvement of environment and safeguarding of forests and wild life – The State shall endeavour to protect and improve the environment and to safeguard the forests and wild life of the country.”

26. That, further the Article 51A(g) of the Part IVA of the Constitution, provides that *“to protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures;”* as one of the Fundamental Duties of every citizen of India, and since the State is made up of nothing but a body-corporate/group/aggregate of citizens, so the same is also a bounden duty of the State, to protect, *inter alia*, the natural environment, including the forests and water resources.

27. That, thus, it is a constitutional duty both of the State and of the citizen, to protect and improve the environment and the natural resources of the country. Although, neither Article 48-A nor Article 51-A is judicially enforceable by itself, it becomes judicially enforceable through a expanding

interpretation of the Article 21, and any failure of the foregoing duties may well be considered and entertained as a Public Interest Litigation under Articles 32 or Articles 226.

Needless to say, as per the Supreme Court in **F.K. Hussain v. Union of India (AIR 1991 Cal 321)** and in **Subhash Kumar v. State of Bihar (AIR 1991 SC 420)** it has been held that the Right to Life is not only a mere animal existence and its attributes are manifold as life itself. The right to sweet water, fresh air and the right to wholesome environment are interpreted to be attributed to the right to life guaranteed by Article 21 of the Constitution.

28. That, in addition to above, as per the Supreme Court in **Sachidanand Pandey v State of West Bengal (AIR 1987 SC 1109)**, it was held that whenever a problem of ecology is brought before the Court, the Court is bound to consider Article 48-A of the Constitution and not to shrug its shoulders. The least that the Court may do is to examine whether appropriate consideration are borne in mind and irrelevancies excluded. In appropriate cases, the Court may further and may always give necessary directions.

29. That, as is well settled by numerous judgments of the Supreme Court, as regards the issue of environmental degradation and pollution, *inter alia*, land pollution from the wastage of paper and depletion of forests, groundwater levels and environmental resources, the Court must not hesitate in issuing appropriate directions for the preservation of the environment and to ensure a pollution free atmosphere, as the same directly affects the Right to Life, including the Right to Live in a Clean and Healthy Environment and the Right to Water, as enshrined under Article 21 of the Constitution.

30. That, the rational usage of paper is in essence, the saving of the cutting of trees, conservation of forests and water resources, and protection of the environment, wild life and human life, in conformity with the Constitutional

mandate to the State as envisaged under Article 48-A, read with, Article 51-A(g), and enshrined under Right to Life, Right to Water and Right to Live in a Clean and Healthy Environment as guaranteed by Article 21 of the Constitution.

31. That, the Supreme Court of India considering the insurmountable costs incurred to the environment owing to wastage and unnecessary and over usage of paper, “in order to to bring uniformity about use of paper & printing thereon and to minimize consumption of paper & consequently to save the environment”, vide its Circular dt. 14/01/2020 directed for the use of A4-size Paper, with both sides printing, on its Administrative Side, and vide Circular dt. 05/03/2020, directed for the usage of A4 Size Paper, with printing on both sides of the paper, for the purposes of all pleadings, petitions, affidavits or other documents to be filed in the Supreme Court.

In addition to above, the Supreme Court Bar Association (SCBA) in its Circular, SCBA/Registry.31/2020 dt. 13/02/2020, notified that in a meeting of the Hon’ble Judges of the Committee for the Rationalization of the use of Papers, with the SCBA and the SCAORA members, resolved to use standard A4 size paper with printing on both sides, to save the environment.

A true copy of the Circulars of the Supreme Court of India dt. 14/01/2020 and dt. 05/03/2020, along with the Circular of the SCBA dt. 13/02/2020, are germane and the same are being filed herewith and marked as **Annexure No. 5 (colly)** to this petition.

32. That, in view of the matter of environmental harm, numerous High Courts, *inter alia*, Tripura High Court, Calcutta High Court, Madhya Pradesh High Court, Delhi High Court, etc. have directed for the use of A4 Size Papers, along with printing on both sides of the paper, for all uses and purposes in all pleadings, petitions, affidavits or other documents to be filed before such

Courts and Courts subordinate, and many, including the Supreme Court of India, Madhya Pradesh High Court, Delhi High Court, etc. have also made amendments to their respective Court Rules in respect of the same, with a view to “save the environment.”

The abovesaid facts are all in the public domain.

33. That, the instant petition is based upon the information, government and expert reports, research papers, studies, Court circulars and notices, and documents which are well within the public domain and it is in the pleasure of this Hon’ble Court to take a judicial notice thereof.

34. That, in the facts and circumstances of the case and in the light of the submissions aforesaid, the petitioners have no other equally efficacious and alternative remedy except to invoke the extraordinary jurisdiction of this Hon’ble Court under Article 226 of the Constitution by filing the instant writ petition in public interest, inter alia, on the following grounds: –

GROUND

- a. **Because**, the use of A4 Size Paper, with printing on both sides, instead of water-marked/foolscap/legal size paper with one side of printing, is the indispensable for the protection of the environment and is the ethos of the Constitution and in the good of both the public and the State.
- b. **Because**, the rational usage of paper is in essence, the saving of the cutting of trees, conservation of forests and water resources, and protection of the environment, wild life and human life, in conformity with the Constitutional mandate to the State as envisaged under Article 48-A, read with, Article 51-A(g), and enshrined under Right to Life, Right to Water and Right to Live in a Clean and Healthy Environment as guaranteed by Article 21 of the Constitution.

- c. **Because**, the saving of paper, from unnecessary and excess use and wastage, is a constitutional obligation cast on both the State and the citizen, alike.
- d. **Because**, one sided printing on water-marked/foolscap/legal-size paper is a colonial era practice and is in vogue since the times of the prevalence of the type-writers, which allowed printing only on one side and the water-marked/foolscap/legal-size paper was used so as to preserve to files for a longer period of time, but now, with the technological advancement, the paper quality of A4 size paper has increased, and also digitization of files and court records has begun, and there is no reason not to use A4 size paper, printed on both sides, and the same is indispensable.
- e. **Because**, saving the paper costs, by using A4 Size sheets with printing on both sides, and thereby saving the unwarranted and unnecessary costs of the proceedings, would directly benefit the ordinary litigants, muchless be a boon for the poor litigants from weaker and underprivileged sections of the society, and the same would indirectly boost the economy of the State by keeping the money in the pockets of the people/litigants, as it would augment the demand and accordingly the supply.
- f. **Because**, the cost difference between the two paper sizes, i.e., Legal and A4, is completely double, and the same casts an unwarranted and unnecessary financial burden on the litigants and pinches their pockets, and is unjust and unfair, as it strikes a heavy blow upon the pockets of the poor litigants coming from weaker and underprivileged sections of the society.

- g. Because**, in view of the fact, that one tree produces around 8,333 sheets of virgin paper and it requires around 10 litres of water to create one finished sheet of paper, and considering the fact that this Hon'ble Court and the Subordinate Courts in the State of U.P., all use legal-size papers with one sided printing, and lakhs of cases are routinely filed in the Courts aforesaid, which consumes enormous amounts of paper unnecessarily, which directly equates to the cutting down of trees, depletion of forests and the water resources and the groundwater level, land, air and water pollution and severe environmental degradation, all of which can be minimized and curbed to a great extent by switching to A4 sized paper, with printing on both sides.
- h. Because**, using the A4 sized paper with printing on both sides will contribute to saving the environment and, *inter alia*, would reduce the storage burden of the Courts and the make the files less bulky.
- i. Because**, the e-Courts and the Paperless Courts are the future and the way forward and switching to A4 Size paper with printing on both sides would make the transition more environment friendly.
- j. Because**, all the pages in books, magazines, journals, newspapers, etc. are printed on both sides and all the Hon'ble Judges, the lawyers and the litigants are very well accustomed to reading them with convenience and ease.
- k. Because**, keeping in view the fact that this Hon'ble Court shall set an example for the other Courts in India to emulate and the same shall greatly be beneficial to the environment.
- l. Because**, as per the NITI Aayog, India is home to more than 17% of the world's population but only has 4% of the world's freshwater resources, and is suffering from the worst water crisis in its history and

millions of lives and livelihoods are under threat, and 21 major cities are expected to run out of groundwater in 2020, affecting more than 100 million people, and more than 40% populace will have no access to drinking water by 2030.

m. Because, as per NITI Aayog, 30% of Indian land is degraded or faces desertification, and this outcome is strongly linked to poor water management. Extensive groundwater extraction contributes to loss of vegetation cover, which eventually leads to desertification. Increasing desertification and land degradation diminishes green cover, which reduces the land's capacity to recharge groundwater and regional water tables. In such circumstances, it is incumbent upon each and every person to save natural resources and this Hon'ble Court by mandating usage of A4 size paper, with printing on both sides, can be a driving force and an instrument of change.

n. Because, it is indispensable, imperative and necessary that this Hon'ble Court as the *parens patriae* and upholder of the Constitution, mandate the use of A4 size paper, with printing on both sides, to save and protect the environment and thereby secure the right of the people, and in the interests of justice and the public at large.

PRAYER

It is, therefore, Most Respectfully prayed that this Hon'ble Court may graciously be pleased to:

- i.** Issue a writ, order or direction in the nature of *Mandamus*, directing the use of A4-Size Paper, with printing on both sides of the paper, instead of legal-size paper with one side printing, for all the pleadings, petitions, affidavits or other documents to be filed in this Hon'ble Court and all Subordinate Courts, Tribunals, etc. in the State of U.P.,

with a view to bring uniformity about use of paper and printing thereon and to minimize consumption of paper, including the costs of the proceedings, *supra*, and consequently to save the environment.

- ii. Issue a writ, order or direction, directing the Rules Committee of this Hon'ble Court, if necessary, to make suitable amendments in the Allahabad High Court Rules, 1952, so as to give effect to the directions for the use of A4 Size Paper, with printing on both sides of the paper, for all the pleadings, petitions, affidavits or other documents to be filed in this Hon'ble Court.
- iii. Issue further, a writ, order or direction, to take such measures as may be necessary to streamline the Procedure for E-Filing, so as to make it hassle-free, efficient and more-effective, desirably, somewhat on the lines of the E-Filing procedure of the Hon'ble Supreme Court, so as to facilitate the Advocates in easily filing their respective cases and to promote paperless Courts, thereby reducing the wastage of paper and costs of proceedings, and to make it more environment friendly.
- iv. Pass such other and further order(s) in addition to or in substitution for, as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.
- v. To award the costs of the writ petition.

Dated: [16/06/2020]

[SHASHWAT ANAND] [ANKUR AZAD]

Advocates

Drawn By:
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(With the help of
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