

ITEM NO.2 Court 1 (Video Conferencing) SECTION PIL-W

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)

(BS-IV VEHICLES(i) IA NOS. 85655 AND 85658/2020 (APPLNS. FOR INTERVENTION AND DIRECTION ON B/O DELHI WASTE MGT. NAJAFGARH PVT. LTD.)(ii) I.A. NOS. 86182 AND 86184/2020 (APPLNS. FOR INTERVENTION AND DIRECTIONS ON B/O METRO WASTE HANDLING PVT. LTD.)"ONLY" IN W.P. (C) NO. 13029/1985 ARE LISTED."ONLY" 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.)MR. A.D.N. RAO, ADVOCATE (A.C.)MR. SIDDHARTHA CHOWDHURY, ADVOCATE (A.C.)PETITIONER-IN-PERSONMR. G.S. MAKKER, ADVOCATEMR. B.K. PRASAD, ADVOCATEMR. B.V. BALRAM DAS, ADVOCATEMR. CHIRAG M. SHROFF, ADVOCATEMR. SANJAY KR. VISEN, ADVOCATEMR. KAMLENDRA MISHRA, ADVOCATEMR. SANDEEP KR. JHA, ADVOCATEMS. NIDHI MOHAN PARASHAR, ADVOCATE )

Date : 18-09-2020 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE A.S. BOPANNA  
HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN

Counsel for the parties:

Mr. Harish N. Salve, Sr. Adv. (AC)

Ms. Aparajita Singh, Sr. Adv. (AC)

Mr. A.D.N. Rao, Adv. (AC)

Mr. Siddhartha Chowdhury, Adv. (AC)

Mr. B.K. Prasad, Adv.

Mr. Maninder Singh, Senior Advocate

Ms. Nidhi Mohan Parashar, AOR

Mr. Sarad Kumar Sunny, Adv

Mr. Vikrant Kumar, Adv

Mr. Tushar Mehta, SG  
Ms. Aishwarya Bhati, ASG  
Mr. Gurmeet Singh Makker, AOR  
Mr. D L Chidananda, Adv.  
Ms. Suhasini Sen, Adv.  
Mr. S S Rebello, Adv  
Mr. Rajesh Kr Singh, Adv.

Mr. Tushar Mehta, LD SG  
Ms. Aishwarya Bhati, LD ASG  
Ms. D.L. Chidananda, Adv.  
Ms. Suhasini Sen, Adv.  
Mr. Rajesh Kr. Singh, Adv.  
Mr. S.S. Rebello, Adv.  
Mr. Raj Bahadur Yadav, Adv.

Ms. Aishwarya Bhati, ASG  
Shri W.A. Quadri, Sr. Adv.  
Shri Vibhu Shankar Mishra, Adv.  
Ms. Snidha Mehra, Adv.  
Mr. B.V. Balram Das, Adv.

Mr. Anil Grover , Sr. AAG HARYANA  
Ms. Noopur Singhal, Advocate  
Mr. Rahul Khurana, Advocate  
Mr. Satish Kumar, Advocate  
Mr. Sanjay Kumar Visen, AOR

Mr. V. Shekhar, Sr. Adv.  
Mr. Rajeev Kumar Dubey, Adv.  
Mr. Mukesh Verma, Adv.  
Mr. Kamlendra Mishra, Adv.

Dr. Manish Singhvi, Senior Advocate  
Mr. Sandeep Kumar Jha (AOR)

**Applicant-in-person, AOR**

**Petitioner-in-person**

Mr. Jatinder Kumar Bhatia, Adv.  
Mr. Ashutosh Kumar Sharma, Adv.

Mr. Rajesh Kumar Chaurasia, AOR

Mr. Mukesh Kumar Maroria, AOR

Mr. P. K. Jain, AOR

Mr. Ramesh Babu M. R., AOR

Mr. Surya Kant, AOR

Mr. Annam D. N. Rao, AOR

Mr. S. K. Bhattacharya, AOR

Mr. Rakesh Kumar-i, AOR

Mr. Ashok Mathur, AOR

Ms. Shalini Kaul, AOR

Mr. R. P. Gupta, AOR

Mr. Munawwar Naseem, AOR

Mr. Sushil Kumar Singh, AOR

Mr. Balaji Srinivasan, AOR

Mr. Pavan Kumar, AOR

Mr. Rakesh K. Sharma, AOR

Mrs. Priya Puri, AOR

Mr. Satya Mitra, AOR

Ms. Nandini Gidwaney, AOR

Mr. Sushil Kumar Jain, AOR

Mr. Ejaz Maqbool, AOR

M/S. Parekh & Co., AOR

Mr. Vivek Bhojrajka, Adv.

Mr. Vinod Kumar, Adv.

Mr. Rajiv Ranjan Dwivedi, AOR

Mr. Parijat Sinha, AOR

Mr. K. R. Sasiprabhu, AOR

Mrs. B. Sunita Rao, AOR

Mr. E. C. Agrawala, AOR

Mr. Ravindra Kumar, AOR

Ms. Ruchi Kohli, AOR

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

Mr. V. K. Verma, AOR

**Mr. Vijay Panjwani, AOR**

**Mr. P. Parmeswaran, AOR**

**Mr. Radha Shyam Jena, AOR**

**Mr. Hardeep Singh Anand, AOR**

**Mr. Aniruddha Deshmukh, AOR**

**Mr. Wasim Qadri, Sr. Adv.**

**Mr. Praveen Swarup, AOR**

**Mr. Amit Singh, Adv.**

**Mr. Kanishik Chaudhary, Adv.**

**Mr. R.K. Singh, Adv.**

**M/s Divya Kushwaha, Adv.**

**Ms. Sujeeta Srivastava, AOR**

**Dr. Monika Gusain, AOR**

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

**Mr. Pukhrambam Ramesh Kumar, Adv.**

**Ms. Anupama Ngangom, Adv.**

**Mr. Karun Sharma, Adv.**

**Mr. Ajit Pudussery, AOR**

**Mrs. Rani Chhabra, AOR**

**Mr. Abhishek, AOR**

**Ms. Hemantika Wahi, AOR**

**Mr. Sudhir Mendiratta, AOR**

**Ms. Manjula Gupta, AOR**

**M/S. Saharya & Co., AOR**

**Mr. Anil Kumar Jha, AOR**

**Mr. Shri Narain, AOR**

**Mr. Mohit D. Ram, AOR**

**Mr. Pradeep Kumar Bakshi, AOR**

**Mr. Sandeep Narain, AOR**

**M/S. Khaitan & Co., AOR**

Mr. Chirag M. Shroff, AOR  
Ms. Sanjana Nangia, Adv.  
Ms. Abhilasha Bharti, Adv.

Mrs. K. Sarada Devi, AOR

Mrs. Bina Gupta, AOR

Mr. Jishnu M.L. Adv.  
Ms. Priyanka Praksh, Adv.  
Ms. Beena Praksh, Adv.  
Mr. G. Prakash, AOR

Mr. Ravindra Bana, AOR

Mr. Prashant Kumar, AOR

Mr. T. V. Ratnam, AOR

Mr. Mukesh K. Giri, AOR

Mr. Umesh Kumar Khaitan, AOR

Mr. Sarvam Ritam Khare, AOR

Ms. Binu Tamta, AOR

Mr. S. S. Shroff, AOR

Mrs. Anil Katiyar, AOR

Mr. Sanjay Kumar Visen, AOR

Mr. Pramod Dayal, AOR

Mr. Bimal Roy Jad, AOR

Ms. Pritha Srikumar, AOR

Mr. Jogy Scaria, AOR  
Ms. Beena Victor, Adv.

Mr. Sunil Fernandes, AOR

Ms. Divya Jyoti Singh, AOR

Ms. Nidhi Jaswal, AOR

Mr. Vinay Garg, AOR

Mr. Prakash Ranjan Nayak, AOR

Mr. Santosh Kumar - I, AOR

Mr. Anas Tanwir, AOR  
Mr. Senthil Jagadeesan, AOR  
Mr. Akshay Girish Ringe, AOR  
Mr. Vishwajit Singh, AOR  
Mr. Shovan Mishra, AOR  
Mr. Aakarshan Aditya, AOR  
Mr. Kamlendra Mishra, AOR  
Mr. Rishi Matoliya, AOR  
Ms. Kiran Bhardwaj, AOR  
Ms. Shagun Matta, AOR  
Mr. Anil Kumar, AOR  
Mr. Ashutosh Dubey, AOR  
Mr. Mahfooz Ahsan Nazki, AOR  
Mr. Polanki Gowtham, Adv.  
Mr. Amitabh Sinha, Adv.  
Mr. Neeraj Singh Deswal, Adv.  
  
Ms. Uttara Babbar, AOR  
Ms. Nidhi Mohan Parashar, AOR  
Mr. M. P. Devanath, AOR  
Mr. Ajay Aggarwal, Adv.  
Mr. Kishan Rawat, Adv.  
Mr. Rajan Narain, AOR  
Mr. Neeraj Shekhar, AOR  
Mr. M. Yogesh Kanna, AOR  
Mr. Subhro Sanyal, AOR  
Mr. Kumar Anurag Singh, Adv.  
Mr. Nishant Piyush, Adv.  
Ms. Tulika Mukherjee, AOR  
Mr. Rishi Malhotra, AOR  
Mr. Pranav Sachdeva, AOR

Ms. Astha Tyagi, AOR

Mr. T. R. B. Sivakumar, AOR

Mr. V. N. Raghupathy, AOR

Mr. Yoginder Handoo, AOR

Ms. Sakshi Kakkar, AOR

Mr. D. Abhinav Rao, AOR

Ms. Surabhi Sanchita, AOR

Ms. Madhumita Bhattacharjee, AOR

Mr. Gopal Jha, AOR

Mr. M. Shoeb Alam, AOR

Mr. Siddhesh Kotwal, Adv.

Mr. Divyansh Tiwari, Adv

Ms. Astha Sharma, AOR

Ms. Divya Roy, AOR

Mr. Debojit Borkakati, AOR

Mr. Vivek Gupta, AOR

Mr. Vipin Nair, AOR

Mr. Mohit Chaudhary, Adv.

Ms. Puja Sharma, AOR

Mr. Kunal Sachdeva, Adv.

Mr. Shyam Singh Yadav, Adv.

Mr. Imran Ali, Adv.

Mr. Balwinder Singh Suri, Adv.

Ms. Garima Sharma, Adv.

Mr. Parveen Kumar, Adv.

Mr. V. G. Pragasam, AOR

Mr. S. Prabu Ramasubramanian, Adv.

Ms. Aswathi M.k., AOR

Mr. Shekhar Kumar, AOR

Mr. Ram Sankar, Advocate.

Ms. G. Chitrakala, Advocate.

Mr. Om Prakash Kr. Srivastava, Advocate.

Mr. Ashish Cheaubey, Advocate.

Mr. G. Anandan, Advocate

**RAM SANKAR & CO, AOR**

**Mr Pradeep Misra Advocate**

**Mr Suraj Singh Advocate**

**Ms. Surbhi Mehta, AOR**

**Ms. K. Enatoli Sema, AOR**

**Mr. Amit Kumar Singh, Adv.**

**Mr. Anurag Kishore, AOR**

**Mr. B. V. Balaram Das, AOR**

**Mr. D. N. Goburdhan, AOR**

**Ms. Jaikriti S. Jadeja, AOR**

**Mr. K.V. Jagdishvaran, Adv.**

**Ms. G. Indira, AOR**

**Ms. Rangoli Seth, Adv.**

**Mr. Aman Panwar Advocate**

**Mr. Nitin Saluja AOR**

**Mr. Mukesh Verma, Adv**

**Mr. Yash Pal Dhingra, AOR**

**Mr. R. C. Kohli, AOR**

**Mr. Kuldip Singh, AOR**

**Mr. Shuvodeep Roy, AOR**

**Mr. Kabir Shankar Bose, Adv.**

**Mr. Rahul Raj Mishra, Adv.**

**Mr. Sandeep Kumar Jha, AOR**

**Ms. GARIMA PRASHAD. AOR**

**Mr. G.S. OBEROI, ADV**

**Mr. Chandra Prakash, AOR**

**Mr. Vinodh Kanna B., AOR**

**M/S. Karanjawala & Co., AOR**

**Mr. Sameer Shrivastava, AOR**

**Mr. Vikrant Singh Bais, AOR**

**Mr. Tapesk Kumar Singh, AOR**



Mr. Ayush Sharma, AOR

Mr. Rajiv Yadav, AOR

Ms. Charu Ambwani, AOR

Ms. Misha Rohatgi, AOR

Mr. Gaurav, AOR

Mr. Vikas Mahajan (A.A.G State of H.P)

Mr. Vinod Sharma, AOR

Mr. Anil Kumar (ADV)

Mr. Mritunjay Kumar Sinha, AOR

Mr. S. Udaya Kumar Sagar, AOR,

Ms. Swati Bhardwaj, Adv.

Mr. Raghvendra Kumar, Adv.

Mr. Anand Kumar Dubey, Adv.

Mr. Narendra Kumar, AOR

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

IA NOS. 85655 AND 85658/2020 (APPLNS. FOR INTERVENTION AND DIRECTION ON B/O DELHI WASTE MGT. NAJAFGARH PVT. LTD. AND I.A. NOS. 86182 AND 86184/2020 (APPLNS. FOR INTERVENTION AND DIRECTIONS ON B/O METRO WASTE HANDLING PVT. LTD.)

Applications for impleadment are allowed for the purpose of instant applications for directions.

These are applications for registration of three types of vehicles viz., (a) CNG vehicles (2) BS-IV compliant vehicles and (3) BS-VI compliant vehicles for being used for essential public utility services.

Insofar as CNG vehicles are concerned, there cannot be any valid rejection to the vehicles, as the emission from these vehicles is within the limits. Therefore, we direct that these vehicles may be registered.

Insofar as BS-IV and BS-VI compliant vehicles are concerned, admittedly BS-VI norms came into force on 01.04.2020. The vehicles purchased upto 31.03.2020 were BS-IV compliant.

Admittedly the emission from BS-VI compliant vehicles is within the norms and hence the vehicles purchased on or after 01.04.2020 and which are BS-VI compliant, should also liable to be registered.

Insofar as vehicles purchased upto 31.03.2020 which are BS-IV compliant are concerned, they must have been registered with the E-Vahan Portal before the cut-off date to establish the date of purchase. If the purchase had been made on or before 31.03.2020 and these vehicles are BS-IV compliant, such vehicles necessary for the Municipal Corporation to carry essential public utility services should also be registered. But such cases shall be scrutinized by the Environment Pollution Control Authority (EPCA).

In order to avoid repeated applications being filed before this Court just for the purpose of getting registration, we direct that the EPCA shall scrutiny the pending cases and submit a report to this Court so that a common order could be passed without the necessity for several interlocutory applications.

The interlocutory applications stand disposed of in the above terms.

(MADHU BALA)  
AR-CUM-PS

(INDU KUMARI POKHRIYAL)  
ASSISTANT REGISTRAR