

SYNOPSIS

The instant Public Interest Litigation under Article 32 of the Constitution of India is being filed on behalf of Youth Bar Association of India (YBAI) seeking direction to direct High Courts', Tribunals, Judicial and Quasi-judicial authorities within the territory of India to consider the urgent necessity of changing rules to allow both side of a page to all judicial proceedings and to issue necessary guidelines in this regard.

Vide instant Public Interest Litigation the petitioner seek indulgence of this Hon'ble Court in an important and urgent issue of using both side of the paper for printing in all judicial and quasi- judicial proceedings. The petitioner association addressed the issue to the Hon'ble Chief Justice, Supreme Court of India; Hon'ble the Minister for Law and Justice, Government of India; Hon'ble the Minister for Environment, Forest and Climate Change, Government of India; and to the Chief Justices of all the High Courts in India vide representation dated 20.02.2020. That though the Hon'ble Chief Justice of the Supreme Court of India considered the issue and allowed the same, however, High Courts except a few did not pay heed to the issue.

As per the data issued by the Indian Paper Manufacturers Association (IPMA) the Indian paper industry accounts for about 4% of the world's production of paper. Per capita paper consumption in India is

about 13 Kg¹ which likely to increase as much as 23.5 Kg by the year 2025. Relevant facts shows that manufacturing/production of paper involves inter alia several natural resources in the form of raw material. The first raw material used for its production is trees; whereas another important resource is water. According to one generic estimate, one tree makes 16.67 reams of paper or 8333.3 sheets and as per another broad-scale estimate, it takes 3 gallons (approximately 10 liters) of water to create a piece of paper. Therefore, to produce 16.67 reams or 8333.3 sheets of paper from a single tress approximately $8333.3 \times 10 = 83330.30$ liter of water is required. Further, as per the Technical EIA Guidance Manual for Pulp and Paper Industries prepared for The Ministry of Environment and Forests Government of India, there is a direct impacts of paper industry on environment *i.e.* direct impact occur through direct interaction of an activity with an environmental, social, or economic component. For example, a discharge of pulp and paper industry or an effluent from the Effluent Treatment Plant (ETP) into a river may lead to a decline in water quality in terms of high biochemical oxygen demand (BOD) or dissolved oxygen (DO) or rise of water toxins. Moreover, it causes several other environmental complications viz. Air Pollution, Soil Pollution, Water Pollution and imbalance to Biodiversity due to deforestation. Deforestation, further, leads to landslides that ultimately

¹ Available at < <http://ipma.co.in/overview/>. Last accessed on 15.04.2020.

get converted in to natural calamities like the incident happened in the Uttarakhand in the year 2013-2014 wherein thousand of thousands have lost their life. Whereas, the 2013-2014 incident of State of Uttarakhand exhibit direct consequences of confrontation with the nature; the subtle consequences of declining environment, both- quantitatively and qualitatively are even more disastrous. Use of single side of papers of different sizes in different forums prompts wastage of it and aggravate the users and manufacturers to abuse resources that are non renewable. Therefore, this is the high time to ponder over the issue of using single side of paper in the courts and other forums to achieve environmental sustainability. In K. M. Chinnappa v. Union of India, AIR 2002 SC 724 this Hon'ble Court has observed that:

“It cannot be disputed that no development is possible without some adverse effect on the ecology and environment, and the projects of public utility cannot be abandoned and it is necessary to adjust the interest of people as well as the necessity to maintain the environment. Where the commercial venture or enterprise would bring in results, which are far more useful for the people, the difficulty of smaller number of people has to be by-passed. The balance has to be struck between the two interests.”

It is submitted that numerous fresh cases are filed before this Courts every month. Considering each case to have two parties then at least 6 set of files i.e. two for Court, one each for counsel of both the parties, one for each party will be required. If on an average filing to be mere 50 pages, then also a minimum of 300 pages are required per case which would be in lakhs if assuming 1000 cases are filed per month in the Hon'ble High Court. If the court may consider using double sided prints then it might save many trees with respect to fresh filling. Similarly, on a national scale, 13914226 (One Crore Thirty Nine Lakh Fourteen Thousand Two Hundred Twenty Six) and 113012 (One Lakh Thirteen Thousand Twelve) new cases have been filed in the sub-ordinate courts and High Courts alone. Considering all these cases to be of mere 50 pages, using single sided prints a total of 601775200 pages (Sixty Crore Seventeen Lakh Seventy Five Thousand Two Hundred) were used. Had double side prints been used, it would have saved approx. 36,108 trees along with 3008876000 liters of water. From the aforesaid it can be deduced that merely by using both side of the paper for the purposes of printing in judicial and quasi judicial proceedings more than 300 billion liters of water and 36 thousand numbers of trees can be saved.

In as much as it is the fundamental duty of every citizen of India
'to protect and improve the natural environment including forests, lakes,

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rivers and wild life...’ as enumerated under Article 51-A (g) of the Constitution enshrined under Part IV-A; the State is under an obligation by virtue of Article 48-A, *‘to endeavor to protect and improve the environment and to safeguard the forests and wild life of the country’*. Whereas the duty is casted upon the State under Article 48-A; It is restrained under Article 21 from depriving any person of his ‘right to life’ and ‘personal liberty’ except in accordance to procedure established by the law.

Article 21 of the Constitution of India read as follows: “No person shall be deprived of his life or personal liberty except according to procedure established by law.”

‘Life’ does not merely means animal existence rather life ensuring ‘dignity’. The Judiciary through its judicial pronouncements have broadened the concept of ‘life’ and extended the scope of ‘life’ so as to include Right to Health, preservation of the sanitation and environment. The right of “enjoyment of pollution free water and air for full enjoyment of life”² was included into ‘right to live’. Justice Nagendra Singh remarked that;

“...it would be correct to state that the right to environment in so far as it relates directly to human existence and human

² Subhash Kumar v. State of Bihar, AIR 1991 SC 420.

survival is of the same category and potency as the right to life and peace....”³

It is submitted that environment deterioration could eventually endanger life of present and future generation. Therefore, the right to life has been used in a diversified manner in India. It includes, inter alia, the right to survive as a species, quality of life, the right to live with dignity, right to good environment and the right to livelihood. In India, these rights have been implicitly recognized as constitutional rights. The right to healthy environment has been incorporated directly or indirectly into judgments of court as fundamental right and human right. In AIR 1999 SC 812 at 825, the Apex Court held that:

Environmental concerns...are in our view, of equal importance and human rights. In fact both are to be traced to Article 21 which deals with fundamental right to life and liberty. While environmental aspects concern life, human rights aspects concern liberty

Thus, it could be stated that Article 21 has a multidimensional interpretation. Whereas want of pollution free environment has been delineated a fundamental right and human right, the natural resources has

³ Nagendra Singh, “Right to Environment and Sustainable Development as a Principle of International Law” 29 JILI (1967) pp 289-312, at 291. Available at < https://shodhganga.inflibnet.ac.in/bitstream/10603/201575/12/12_chapter%206.pdf . Last Visited on 22.04.2020.

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been earmarked as Trust upon the present generation, therefore, the present generation has a moral obligation to manage the earth in a manner that will not jeopardize the aesthetic and economic welfare of the forthcoming generation. 'State' being Trustee of the resources any arbitrary, whimsical or fanciful act on the part of 'State' depriving of the 'life or personal liberty' would be against ideals of Article 21 of the Indian Constitution.

That the Hon'ble this Court considering the representation dated 20.02.2020 made by the petitioner association to bring uniformity about use of paper in day-to-day working, to minimize consumption of paper and consequently to save the Environment pleaded to allow the use of A4 size paper (on both sides) vide notification F.No.01/Judl./2020 dated 05th March, 2020. It is most respectfully submitted that though the Hon'ble Supreme Court of India has allowed the use of A4 size paper (on both sides) to cop up with the challenges of the environment, majority of the High Courts have not considered the same, so far. Though the steps taken by the Apex Court in this regard is a significant contribution of the Apex judicial body in the preservation, protection and improvements of the environment; it is sine qua non that High Courts and subordinate judicial bodies should take part in this greater cause of saving the earth. **Hence, this Writ Petition**

LIST OF DATES

20.02.2020

The petitioner/‘Association’ approached the respondents viz. Hon’ble the Minister for Law and Justice, Government of India; Hon’ble the Minister for Environment, Forest and Climate Change, Government of India; and the Chief Justices of all the High Courts’ vide representation dated 20.02.2020.

True Copy of representation dated 20.02.2020 is annexed herewith and marked as **Annexure P-1 at Pg. (23 – 26)**

05.03.2020

Hon’ble Supreme Court, considering the representation dated 20.02.2020, pleased to allow the use of A4 size paper (on both sides) vide notification F.No.01/Judl./2020 dated 05th March, 2020. True copy of notification dated

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05.03.2020 is annexed herewith and marked as **Annexure P-2 at Pg. (27-28).**

Though the Hon'ble Supreme Court of India has allowed the use of A4 size paper (on both sides) to cop up with the challenges of the environment, however, majority of the High Courts have not considered the same so far.

Hence, this Writ Petition.

**IN THE SUPREME COURT OF INDIA
EXTRAORDINARY WRIT JURISIDCTION
(UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA)
WRIT PETITION (PIL) NO. _____ OF 2020**

IN THE MATTER OF:

1. Youth Bar Association of India (Regd.)
Registered Office at: 2nd Floor,
Savitri City Center, Jail Road Chauraha,
Haldwani, District- Nainital, Uttarakhand.

...Petitioner No.1

2. Sanpreet Singh Ajmani, Advocate
National President,
Youth Bar Association of India,

...Petitioner No.2

Versus

1. UNION OF INDIA
Through, Hon'ble the Minister for Law and Justice, Government of
India;
New Delhi-110001

2. Allahabad High Court
Through Registrar
Nyaya Marg, Prayagraj
Uttar Pradesh 211 001

... Respondent No.2

3. Andhra Pradesh High Court
Through Registrar
Nelapadu, Amaravati, Andhra Pradesh 522237

....Respondent No.3

4. Bombay High Court
Through Registrar

- Fort, Mumbai-32
Maharashtra ... Respondent No.4
5. Calcutta High Court
Through Registrar
3, Esplanade Row W, B.B.D. Bagh, Kolkata
West Bengal 700001 ... Respondent No.5
6. Chhattisgarh High Court
Through Registrar
Raipur - Bilaspur Expressway Bodri, Bilaspur
Chhattisgarh 495220 ... Respondent No.6
7. Delhi High Court
Through Registrar
Shershah Road, Justice SB Marg, New Delhi
Delhi 110503 ... Respondent No.7
8. Gauhati High Court
Through Registrar
MG Road, Latasil, Uzan Bazar, Guwahati
Assam 781001 ... Respondent No.8
9. Gujarat High Court
Through Registrar
Sarkhej - Gandhinagar Hwy, Sola, Ahmedabad
Gujarat 380060 ... Respondent No.9
10. Himachal Pradesh High Court
Through Registrar
The Mall, Ravenswood, Himachal Pradesh
171001 ... Respondent No.10
11. Jammu & Kashmir High Court
Through Registrar
High Ct Ln, Noor Bagh, High Ct Ln, Shaheed Gunj
Srinagar, Jammu and Kashmir 190009 ... Respondent No.11
12. Jharkhand High Court
Through Registrar
Ambedkar Chowk, near JAP Ground, Doranda
Ranchi, Jharkhand 834002 ... Respondent No.12

- 13.Karnataka High Court
Through Registrar
Opp. to Vidhana Soudha, Ambedkar Veedhi
Bengaluru, Karnataka 560001 ... Respondent No.13
- 14.Kerala High Court
Through Registrar
High Ct Rd, Marine Drive, Kochi
Kerala 682031 ... Respondent No.14
- 15.Madhya Pradesh High Court
Through Registrar
53, Denning Rd, South Civil Lines, Jabalpur
Madhya Pradesh 482001 ... Respondent No.15
- 16.Madras High Court
Through Registrar
High Ct Rd, Parry's Corner, George Town, Chennai
Tamil Nadu 600108 ... Respondent No.16
- 17.Manipur High Court
Through Registrar
High Court Complex, Mantripukhri, Imphal
Manipur 795002 ... Respondent No.17
- 18.Meghalaya High Court
Through Registrar
MG Road, Police Bazar, Shillong
Meghalaya 793001 ... Respondent No.18
- 19.Orissa High Court
Through Registrar
Chandini Chowk, Cuttack, Odisha 753002 ... Respondent No.19
- 20.Patna High Court
Through Registrar
Jawaharlal Nehru Marg, Veerchand Patel Road
Patna, Bihar 800028 ... Respondent No.20
- 21.Punjab & Haryana High Court
Through Registrar
Sector 1, Chandigarh ... Respondent No.21

22. Rajasthan High Court
Through Registrar
Jodhpur, Rajasthan 342034 ...Respondent No.22
23. Sikkim High Court
Through Registrar
Sungava, Gangtok, Sikkim 737101 ... Respondent No.23
24. Telangana High Court
Through Registrar
Ghansi Bazaar, Madina, Telangana 500066 ... Respondent No.24
25. Tripura High Court
Through Registrar
New Capital Complex, Agartala
Tripura 799010 ... Respondent No.25
26. Uttarakhand High Court
Through Registrar
Mallital, Nainital, Uttarakhand 263002 ... Respondent No.26
27. Minister for Environment, Forest and Climate Change,
Government of India;
Indira Paryavaran Bhawan,
Jorbagh Road,
New Delhi- 110001. ...Respondent No.27

**WRIT PETITION UNDER ARTICLE 32 OF THE
CONSTITUTION OF INDIA FOR VIOLATION OF
RIGHTS GUARANTEED UNDER ARTICLE 21 OF THE
CONSTITUTION OF INDIA AND SEEKING
DIRECTION TO THE HIGH COURTS', TRIBUNALS,
JUDICIAL AND QUASI-JUDICIAL AUTHORITIES
WITHIN THE TERRITORY OF INDIA TO
CONSIDER THE URGENT NECESSITY OF**

**CHANGING RULES TO ALLOW USE OF BOTH
SIDE OF A-4 SIZE PAGE AND TO ISSUE
NECESSARY GUIDELINES IN THIS REGARD.**

TO,

THE HON'BLE CHIEF JUSTICES AND HIS
COMPANION JUSTICES OF HON'BLE
THE SUPREME COURT OF INDIA

THE HUMBLE PETITION OF
THE ABOVE NAMED PETITIONER

MOST RESPECTFULLY SHOWETH:

1. That, instant Writ Petition (PIL) is being filed in the larger Public Interest under Article 32 of the Constitution of India for infringement of rights guaranteed under Article 21 of the Constitution of India. Vide petition the petitioner seeking direction to the High Courts', Tribunals, Judicial and Quasi-judicial authorities within the territory of India to consider the urgent necessity of changing the rules to allow use of both side of A-4 size page and to issue necessary guidelines qua this.

- 1 A.** The petitioner '**Youth Bar Association of India**' is an association of public spirited, young and vigilant lawyers of India registered under Society Registration Act, 1860 bearing registration no. 24/2013-2014 and have Registered Office at: 2nd Floor, Savitri City Center, Jail Road Chauraha, Haldwani, District- Nainital, Uttarakhand and correspondence address at, B-3, LGF, Jangpura Extension, New

Delhi-110014, Email: **youthbarassociationofindia@gmail.com**,

Phone number . The petition is being filed through its

National President, Mr. Sanpreet Singh Ajmani, Advocate R/o-
Ajmani Bhawan, Ambika Vihar, Haldwani, Nainital, Uttarakhand.

1 B. That, the petitioner ‘Association’ approached the respondents viz.

Hon’ble the Chief Justice, Supreme Court of India; Hon’ble the
Minister for Law and Justice, Government of India; Hon’ble the
Minister for Environment, Forest and Climate Change, Government of
India; and to the Chief Justices of all the High Courts’ vide
representation dated 20.02.2020. Though the Hon’ble Chief Justice of
the Supreme Court of India considered the issue and allowed the same,
however, High Courts but a few did not pay heed to the issue.

1 C. That the petitioner/‘Association’ have no personal gain or interest,
or private/oblique motive in filling the instant petition. There is no
civil, criminal, revenue or any litigation involving the
petitioner/Association which has or could have a legal nexus with the
issues involved in the PIL.

1 D. That, the petitioner declares that he has no personal interests of
whatsoever nature connected with the subject matter of the present
Public Interest Litigation and same is being filed purely for benefit of
society at large.

1 E. That, cause of action arose on 20.02.2020 when the petitioner-Association vide representation dated 20.02.2020 approached the authorities and prayed to do the needful in the subject matter which is of grave concern in the present scenario of degrading environment condition. Though the Hon'ble Chief Justice of the Supreme Court of India considered the issue and allowed the same, however, High Courts but a few did not pay any heed to the issue.

1 F. That, the 'State' being guardian of 'right to life' guaranteed under Article 21 of the Constitution which includes right to 'pollution free environment'. Any 'act' of the 'State' deteriorating the environment endangers the 'life' of present and future generations 'to live with dignity' and 'to survive as the species', therefore, contrary to Right guaranteed under Article 21 of the Constitution.

1 G. That, the Respondent no. 1 is Government Entity and the necessary party; and Respondent No. 2 to 26 are proforma respondents and are 'State' under Article 12 of the Constitution of India in its administrative capacity.

1 H. That, the petitioner state that neither any other similar petition has been filed by the petitioner either before this Hon'ble Court or before any Court in India nor is pending.

1 I. That, all the documents annexed herewith are true copy of its original.

2. **FACTS OF THE CASE:**

- 1) That, as per the data issued by the Indian Paper Manufacturers Association (IPMA) the Indian paper industry accounts for about 4% of the world's production of paper. Per capita paper consumption in India is about 13 Kg¹ which is likely to increase as much as 23.5 Kg by the year 2025.
- 2) That, manufacturing/production of paper involves inter alia several natural resources in the form of raw material. The first and foremost raw material used for paper production is 'tree' whereas another important resource is 'water'.
- 3) That, according to one generic estimate, single tree makes 16.67 reams of paper or 8333.3 sheets and as per another broad-scale estimate it takes 3 gallons (approximately 10 liters) of water to create a piece of paper. Therefore, to produce 16.67 reams or 8333.3 sheets of paper from a single tree approximately 8333.3 x 10 = 83330.30 liter of water is required.
- 4) That, as per the Technical EIA Guidance Manual for Pulp and Paper Industries prepared for The Ministry of Environment and

¹ Available at < <http://ipma.co.in/overview/>. Last accessed on 15.04.2020.

Forests Government of India, there is direct impact of paper industry on environment *i.e.* direct impact occur through direct interaction of an activity with an environmental, social, or economic component.

- 5) That, a discharge of pulp and paper industry or an effluent from the Effluent Treatment Plant (ETP) into a river lead to a decline in water quality in terms of high biochemical oxygen demand (BOD) or dissolved oxygen (DO) or rise of water toxins.
- 6) That, it causes several other environmental complications viz. Air Pollution, Soil Pollution, Water Pollution and imbalance to 'Biodiversity' due to deforestation.
- 7) That, deforestation, further, leads to landslides that ultimately get converted in to natural calamities. It is worth mentioning, in this regard, the incident occurred in Uttarakhand in the year 2013-2014 wherein thousand of thousands have lost their life. Whereas, the 2013-2014 incident of State of Uttarakhand exhibit direct consequences of confrontation with the nature; the subtle consequences of declining environment, both- quantitatively and qualitatively are even more disastrous.
- 8) That, use of single side of papers of different sizes in different forums prompts wastage of it and aggravate the users and manufacturers to abuse resources that are non renewable.

- 9) That numerous fresh cases are filed before this Hon'ble Courts every month. Considering each case to have two parties then at least 6 set of files i.e. two for Court, one each for counsel of both the parties, one for each party will be required. If on an average filing to be mere 50 pages, then also a minimum of 300 pages are required per case which would be in lakhs if assuming 1000 cases are filed per month in the Hon'ble High Court. If the court may consider using double sided prints then it might save many trees with respect to fresh filling.
- 10) That, on a national scale, 13914226 (One Crore Thirty Nine Lakh Fourteen Thousand Two Hundred Twenty Six) have been filed in the sub-ordinate courts and 113012 (One Lakh Thirteen Thousand Twelve) new cases have been filed in High Courts alone. Considering all these cases to be of mere 50 pages, using single sided prints a total of 601775200 (Sixty Crore Seventeen Lakh Seventy Five Thousand Two Hundred) pages were used. Had both side of pages been used it would have been saved approx. 36,108 trees along with 3008876000 liters of water.
- 11) That, from the aforesaid it can be deduced that merely by using both side of the paper for the purposes of printing in judicial and quasi judicial proceedings more than 300 billion liters of water and 36 thousand numbers of trees can be saved. Therefore, this is

the high time to ponder over the issue of using single side of paper in the courts and other forums to achieve environmental sustainability.

- 12) That, use of different size of paper in various forums causes' trouble to the forums, lawyers and the litigants which eventually result into wastage of it. Uniform use of both side of A-4 size papers potentially reduce its wastage, its consumption, the troubles and the carbon emission.
- 13) That, in as much as it is the fundamental duty of every citizen of India '*to protect and improve the natural environment including forests, lakes, rivers and wild life...*' as enumerated under Article 51-A (g) of the Constitution enshrined under Part IV-A; the State too is under an obligation by virtue of Article 48-A, '*to endeavor to protect and improve the environment and to safeguard the forests and wild life of the country*'.
- 14) That, whereas the duty is casted upon the State under Article 48-A; it is restrained under Article 21 from depriving any person of his 'right to life' and 'personal liberty' except in accordance to procedure established by the law. **Article 21 reads thus:** "*No person shall be deprived of his life or personal liberty except according to procedure established by law.*"

- 15) That, 'Life' under Article 21 includes within its sweep not merely animal existence rather life ensuring 'dignity'. The Writ Courts through its judicial pronouncements have broadened the concept of 'life' and extended the scope of 'life' so as to include 'Right to Health, preservation of the sanitation and environment. The right of "enjoyment of pollution free water and air for full enjoyment of life"² was included into 'right to live'.
- 16) That, keeping in mind the seriousness of the issue the petitioner-association addressed the issue to the Hon'ble Chief Justice, Supreme Court of India; Hon'ble the Minister for Law and Justice, Government of India; Hon'ble the Minister for Environment, Forest and Climate Change, Government of India; and to the Chief Justices of all the High Courts' vide representation dated 20.02.2020. True copy of representation dated 20.02.2020 is annexed herewith and marked as **Annexure P-1 at pg. (23 – 26)**.
- 17) That, the Hon'ble this Court considering the representation dated 20.02.2020, to bring uniformity about use of paper in day-to-day working, to minimize consumption of paper and consequently to save the environment pleased to allow the use of A4 size paper (on both sides) vide notification F.No.01/Judl./2020 dated 05th

² Subhash Kumar v. State of Bihar, AIR 1991 SC 420.

March, 2020. True copy of notification is annexed herewith and marked as **Annexure P-2 at Pg. (27– 28)**

- 18) That, though the Hon'ble Supreme Court of India has allowed the use of A4 size paper (on both sides) to cop up with the challenges of the environment, however, majority of the High Courts have not considered the same so far.
- 19) That, though the steps taken by the Apex Court in this regard is a significant contribution of the Apex judicial body in the preservation, protection and improvements of the environment; it is sine qua non that High Courts and subordinate judicial bodies should take part in this greater cause of saving the earth.
- 20) **Hence, this Writ Petition.**

3. GROUNDS

A. BECAUSE manufacturing/production of paper involves several natural resources in the form of raw material. The first and foremost are 'trees' and 'water' that are non renewable natural sources. According to one generic estimate, one tree makes 16.67 reams of paper or 8333.3 sheets and as per another broad-scale estimate, it takes 3 gallons (approximately 10 liters) of water to create a piece of paper. Therefore, to produce 16.67 reams or 8333.3 sheets of paper from a single tress

approximately $8333.3 \times 10 = 83330.30$ liter of water is required.

It is worth mentioning that it takes about 5-7 years for a tree to grow itself fullest. If the consumption of paper is not restricted on time the environment deterioration will eventually endanger life of present and future generation.

B. BECAUSE discharge of pulp and paper industry or an effluent from the Effluent Treatment Plant (ETP) into a river further lead to a declination in water quality in terms of high biochemical oxygen demand (BOD) or dissolved oxygen (DO) or rise of water toxins. Moreover, it causes several other environmental complications viz. Air Pollution, Soil Pollution, Water Pollution and imbalance to Biodiversity due to deforestation.

C. BECAUSE deforestation, further, leads to landslides that ultimately get converted in to natural calamities like the incident happened in the Uttarakhand in the year 2013-2014 wherein thousand of thousands have lost their life. Whereas, the 2013-2014 incident of State of Uttarakhand exhibit direct consequences of confrontation with the nature; the subtle consequences of declining environment, both- quantitatively and qualitatively are even more disastrous.

D. BECAUSE use of single side of papers of different sizes in

different forums prompts wastage of it and aggravate the users and manufacturers to abuse resources that are non renewable. Therefore, this is the high time to ponder over the issue of using single side of paper in the courts and other forums to achieve environmental sustainability

In **K.M. Chinnappa v. Union of India, AIR 2002 SC**

724 this Hon'ble Court has observed that: *"It cannot be disputed that no development is possible without some adverse effect on the ecology and environment, and the projects of public utility cannot be abandoned and it is necessary to adjust the interest of people as well as the necessity to maintain the environment. Where the commercial venture or enterprise would bring in results, which are far more useful for the people, the difficulty of smaller number of people has to be by-passed. The balance has to be struck between the two interests."*

E. BECAUSE allowing the use of both side of paper for the purposes of printing in the court proceedings will halve the consumption of paper in courts. On a national scale, 13914226 (One Crore Thirty Nine Lakh Fourteen Thousand Two Hundred Twenty Six) new cases are filed in the subordinate courts and 113012 (One Lakh Thirteen Thousand Twelve) new cases have been filed in the High Courts' alone. Considering all these cases

to be of mere 50 pages using single sided prints a total of 601775200 (Sixty Crore Seventeen Lakh Seventy Five Thousand Two Hundred) pages were used. Had both side of a page been used, it would have saved approx. 36,108 trees along with 3008876000 liters of water. Thus, merely by using both side of the paper more than 300 billion liters of water and 36 thousand numbers of trees could have been saved.

F. BECAUSE use of different size of paper in various forums causes' trouble to the forums itself, the lawyers and the litigants which eventually result into wastage of it. Uniform use of both side of A-4 size papers potentially reduce its wastage, its consumption, the troubles and the Carbon emission.

G. BECAUSE every citizen of India is duty bound '*to protect and improve the natural environment including forests, lakes, rivers and wild life...*' under Article 51-A (g) of the Constitution; and the State is under an obligation by virtue of Article 48-A, '*to endeavor to protect and improve the environment and to safeguard the forests and wild life of the country*'.

H. BECAUSE whereas the duty is casted upon the State under Article 48-A; the state is prohibited to deprive any person of his 'right to life' under Article 21. 'Life' here does not merely mean animal existence rather life ensuring 'dignity' of an

individual. Meaning of life through judicial pronouncements has been extended so as to include ‘right to health’, ‘preservation of the sanitation and environment’ etc. In **Subhash Kumar v/s State of Bihar, AIR 1991 SC 420**, the right of “enjoyment of pollution free water and air for full enjoyment of life” was included into ‘right to live’.

- I. BECAUSE** degradation in environment eventually endangers life of the present and the generations to come. Therefore, clean environment is sine qua non for the existence of human life. Justice Nagendra Singh remarked that; “...*it would be correct to state that the right to environment in so far as it relates directly to human existence and human survival is of the same category and potency as the right to life and peace....*”³

Therefore, ‘right to life’ has diverse meaning to the extent of including the ‘right to survive as a species’, ‘quality of life’, the ‘right to live with dignity’, and ‘right to good environment’. These rights have been implicitly recognized as constitutional rights.

- J. BECAUSE** Hon’ble Supreme Court has recognized the ‘right to healthy environment’ as fundamental right and ‘human right’.

³ Nagendra Singh, “Right to Environment and Sustainable Development as a Principle of International Law” 29 JILI (1967) pp 289-312, at 291. Available at < https://shodhganga.inflibnet.ac.in/bitstream/10603/201575/12/12_chapter%206.pdf . Last Visited on 22.04.2020.

In AIR 1999 SC 812 at 825, the Apex Court observed that:

“Environmental concerns...are in our view, of equal importance and human rights. In fact both are to be traced to Article 21 which deals with fundamental right to life and liberty. While environmental aspects concern life, human rights aspects concern liberty.”

K. BECAUSE ‘State’ being ‘Trustee’ of the natural resources any arbitrary, whimsical or fanciful act on the part of ‘State’ depriving the citizen of the ‘life’ would be against ideals of Article 21 of the Indian Constitution.

L. BECAUSE the Hon’ble Supreme Court has considered the representation dated 20.02.2020; has allowed the use of A4 size paper (on both sides) vide notification F.No.01/Judl./2020 dated 05th March, 2020 to bring uniformity about use of paper in day-to-day working and to minimize consumption of paper and consequently to save the environment, however, majority of the High Courts have not considered the same so far.

M. BECAUSE the step taken by the Apex Court in this regard is a significant contribution of the Apex judicial body in the preservation, protection and improvements of the environment; it is sine qua non that High Courts and subordinate judicial

bodies too should take part in this greater cause of saving the earth, the environment and the 'life'.

4. PRAYER:

In view of the facts and circumstances stated aforesaid, it is most respectfully prayed that Hon'ble this court may graciously be pleased to:

- a) Remand the cases which are pending before various High Courts seeking similar reliefs, for adjudication by this Hon'ble Court;
- b) Direct the respondents to allow both side use of A-4 size papers in all judicial and quasi judicial proceedings;
- c) Pass such other and further order as this court may deem just and proper in the facts and circumstances of the case.

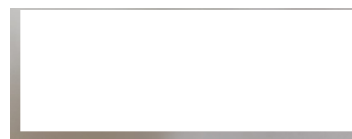
AND FOR THIS ACT OF KINDNESS THE PETITIONER AS IN DUTY BOUND SHALL FOREVER PRAY.

DRAWN BY

Sanpreet Singh Ajmani
Varun Mishra
Advocates

Drawn On: 18.11.2020
Filed On: 23.11.2020

FILED BY



MANJU JETLEY
(Advocate for the Petitioner)
Place: New Delhi