

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGSWRIT PETITION(S)(CIVIL) NO(S). 13029/1985

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IN RE: COMMISSION FOR AIR QUALITY MANAGEMENT (CAQM) (AIR POLLUTION) AND IMPLEMENTATION OF GRAP IV 1) I.A. NO. 269389/2024 (APPLICATION FOR INTERVENTION) 2) I.A. Nos. 270761 AND 270763/2024 (APPLICATIONS FOR DIRECTION AND INTERVENTION) 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, SR. 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. YASH S VIJAY, MR. SAURABH AGRAWAL ADVOCATES)

Date : 25-11-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIHMs. Aparajita Singh, Sr. Adv. (A.C.)
Mr. A.D.N. Rao, Sr. Adv. (A.C.)
Mr. Siddhartha Chowdhury, Adv. (A.C.)
Ms. Shibani Ghosh, Adv.
Mr. Ishank Ranjan, Adv.
Mr. Aditya Bharat Manubarwala, Adv.Mr. Aditya N. Prasad, Adv./Court Commissioner
(Co-ordinator)
Mr. Manan Verma, Adv./Court Commissioner
Mr. Pratyush Jain, Adv./Court Commissioner

For the Parties

Ms. Aishwarya Bhati, A.S.G.
Ms. Swarupma Chaturvedi, Sr. Adv.
Ms. Ruchi Kohli, Sr. Adv.
Mr. V. Balaji, Adv.
Mr. Mayank Pandey, Adv.
Mr. Bharat Singh, Adv.
Mr. Ishaan Sharma, Adv.
Mr. Arvind Kumar Sharma, Adv.

Mr. Gopal Sankaranarayanan, Sr. Adv.
Ms. Manali Singhal, Adv.
Ms. Diksha Rai, AOR
Ms. Aanchal Kapoor, Adv.
Mr. Deepak Singh Rawat, Adv.
Ms. Shreya Singhal, Adv.
Mr. Santosh Sachin, Adv.
Mr. Vishal Sinha, Adv.
Mr. Tushar Shrivastava, Adv.
Ms. Shreya Nair, Adv.
Ms. Apurva Sachdev, Adv.
Mr. Piyush Vyas, Adv.
Ms. Purvat Wali, Adv.

Mr. Shadan Farasat, Sr. Adv.
Ms. Jyoti Mendiratta, AOR
Ms. Ananya Basudha, Adv.
Ms. Natasha Maheshwari, Adv.
Mr. Prannav Dhawan, Adv.

Dr. Menaka Guruswamy, Sr. Adv.
Mr. Yash S. Vijay, AOR
Mr. Utkarsh Pratap, Adv.
Ms. Arunima Das, Adv.
Ms. Aditi Tripathi, Adv.

Ms. Aishwarya Bhati, A.S.G.
Ms. Swarupma Chaturvedi, Sr. Adv.
Ms. Ruchi Kohli, Sr. Adv.
Mr. Gurmeet Singh Makker, AOR
Ms. Suhashinin Sen, Adv.
Mr. Chitvan Singhal, Adv.
Ms. Sweksha, Adv.
Ms. Neelakshi Bhadouria, Adv.
Mr. Rohan Gupta, Adv.

Mr. K. Parameshwar, Sr. Adv.

Applicant-in-person, AOR

Petitioner-in-person

Mr. P. K. Jain, AOR

Mr. Ramesh Babu M. R., AOR

Mr. Rajesh Kumar Chaurasia, AOR

Mr. Mahesh Agarwal, Adv.

Mr. E.C. Agrawala, AOR

Ms. Hemantika Wahī, AOR
Ms. Binu Tamta, AOR
Mr. Radha Shyam Jena, AOR
Mr. Pradeep Kumar Bakshi, AOR
Mr. Ashok Mathur, AOR
Mr. V. K. Verma, AOR
Mr. Ajit Pudussery, AOR
Mrs. Bina Gupta, AOR
Mr. Rakesh K. Sharma, AOR
Ms. Sujeeta Srivastava, AOR
Mr. Alok Gupta, AOR
Mr. Anil Kumar Jha, AOR
Mr. Mukesh K. Giri, AOR
Mr. Mandaar Mukesh Giri, Adv.
Mr. Aakash Shankar, Adv.
Mr. L.K. Giri, Adv.
M/S. Parekh & Co., AOR
Mr. Sudhir Mendiratta, AOR
Mrs. Anil Katiyar, AOR
Mr. Hardeep Singh Anand, AOR
Mr. Sandeep Narain, AOR
Mr. Sushil Kumar Singh, AOR
Mrs. Rani Chhabra, AOR
Mr. G. Prakash, AOR
Ms. Nandini Gidwaney, AOR
Mr. Shri Narain, AOR
Mr. Umesh Kumar Khaitan, AOR
Ms. Shalini Kaul, AOR

Mr. K. R. Sasiprabhu, AOR
Mrs. K. Sarada Devi, AOR

Mr. Sanjay Kumar Visen, AOR

Mrs. Priya Puri, AOR

Mr. Lokesh Sinhal, Sr. A.A.G.
Mr. B.K. Satija, A.A.G.
Mr. Akshay Amritanshu, AOR
Mr. Rahul Khurana, Adv.
Ms. Himanshi Shakya, Adv.
Mr. Nikunj Gupta, Adv.
Ms. Drishti Saraf, Adv.
Ms. Pragya Upadhyay, Adv.
Ms. Swati Mishra, Adv.
Ms. Aakanksha, Adv.

Ms. Manjula Gupta, AOR

Mr. T.V. Ratnam, AOR

Mr. Balaji Srinivasan, AOR

Mr. Rajiv Ranjan Dwivedi, AOR

M/S. Khaitan & Co., AOR

Mr. S. S. Shroff, AOR

Mr. Sushil Kumar Jain, AOR

Mr. Aniruddha Deshmukh, AOR

Mr. Ravindra Bana, AOR

Mr. Surya Kant, AOR

Mrs. B. Sunita Rao, AOR

Mr. Abhishek, AOR

Mr. Sarvam Ritam Khare, AOR

Mr. R. P. Gupta, AOR

Mr. P. Parmeswaran, AOR

Mr. Mohit D. Ram, AOR

Mr. Pramod Dayal, AOR

Mr. Satya Mitra, AOR

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

Mr. Rakesh Kumar-I, AOR

Mr. Parijat Sinha, AOR

M/S. Saharya & Co., AOR

Mr. Nishe Rajen Shonker, AOR

Mrs. Anu K Joy, Adv.

Mr. Alim Anvar, Adv.

Mr. Pavan Kumar, AOR

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

Mr. Sandeep Narain, Adv.

Ms. Kanak Malik, Adv.

Mr. Chirag M. Shroff, AOR

Mrs. Mahima C Shroff, Adv.

Mr. Anand Thumbayil, Adv.

Mr. Ejaz Maqbool, AOR

Dr. Menaka Guruswamy, Sr. Adv.

Mr. S. Wasim A Quadri, Sr. Adv.

Mr. Praveen Swarup, Adv.

Mr. Ajay Bansal, Adv.

Mr. Devesh Maurya, Adv.

Mr. Ravi Kumar, Adv.

Mr. K.P. Singh, Adv.

Mr. Praveen Swarup, AOR

Mr. Prashant Kumar, AOR

Mrs. Aishwarya Bhati, A.S.G.

Mrs. Archana Pathak Dave, A.S.G.

Mr. Wasim Quadri, Sr. Adv.

Mrs. Ruchi Kohli, Sr. Adv.

Mr. Mukesh Kumar Maroria, AOR

Mrs. Suhasini Sen, Adv.

Mr. Rajesh Kr. Singh, Adv.

Mr. Subhranshu Padhi, Adv.

Mr. S S Rebello, Adv.

Mr. Jagdish Chandra Solanki, Adv.

Ms. Pritha Srikumar Iyer, AOR

Ms. Surabhi Sanchita, AOR

Mr. Vinod Sharma, AOR

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

Mr. Mahfooz Ahsan Nazki, AOR

Mr. Vinodh Kanna B., AOR

Mr. Sandeep Singh, AOR

Ms. N. Annapoorani, AOR

Mr. S. Gowthaman, AOR

Ms. Neeru Vaid, AOR

Ms. Aishwarya Bhati, A.S.G.
Ms. Archana Pathak Dave, A.S.G.
Ms. Suhashini Sen, Adv.
Mr. Subhranshu Padhi, Adv.
Mr. Gaurang Bhushan, Adv.
Mr. Raghav Sharma, Adv.
Mr. Rajesh Kumar Singh, Adv.
Mr. Shreekant Neelappa Terdal, AOR
Ms. Kanu Agrawal, Adv.
Mr. Bhuvan Kapoor, Adv.
Mr. Varun Chugh, Adv.
Mr. Krishna Kant Dubey, Adv.
Mr. Indira Bhakar, Adv.

Ms. Indira Bhakar, Adv.
Mr. Vineet Singh, Adv.
Mr. Shreekant Neelappa Terdal, AOR

Mr. Avi Singh, Adv.
Mr. Saurabh Agrawal, AOR
Mr. Shiven Varma, Adv.
Mr. Dhruv Malik, Adv.
Ms. Pragya Dubey, Adv.
Ms. Komal Mundhra, Adv.

Mr. Vivek Gupta, AOR

Mr. Vinay Garg, AOR

Ms. G. Indira, AOR

Mr. Subhro Sanyal, AOR
Mr. Sagar Roy, Adv.
Mr. Satya Dev Singh, Adv.
Ms. Anki Kashyap, Adv.
Mr. Abhishek Sahay, Adv.
Mr. Rajbir Singh Takshak, Adv.
Avni Singh, Adv.

Ms. Misha Rohatgi, AOR

Mr. Ravi Prakash, AOR

Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Karun Sharma, Adv.
Ms. Rajkumari Divyasana, Adv.

Mr. Vikrant Singh Bais, AOR

Mr. Alok Gupta, AOR

Mr. K.V. Mohan, AOR

Ms. Surbhi Mehta, AOR

Mr. Shovan Mishra, AOR

Ms. G. Indira, AOR

Mr. Yoginder Handoo, AOR

Ms. Nidhi Jaswal, AOR

Mr. Rakesh Kumar-I, AOR

Mr. Parminder Singh Bhullar, AOR

Mr. Shantanu Jugtawat, Adv.
Mr. Chandrakant Sukumar Sarkar, Adv.
Mr. Mukesh Kumar Singh, Adv.
Mr. C M Dwivedi, Adv.
Mr. Savyasachi Dubey, Adv.
Mr. Narendra Kumar Goyal, Adv.
For M/S. Mukesh Kumar Singh And Co., AOR

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

Mr. Kumar Dushyant Singh, AOR
Mr. Rohit Sharma, Adv.
Mr. Nikhil Purohit, Adv.
Mr. Jatin Lalwani, Adv.
Mr. Jay Rawat, Adv.

Mr. Mukesh Verma, Adv.
Mr. Pankaj Kumar Singh, Adv.
Mr. Vatsala Tripathi, Adv.
Mr. Yash Pal Dhingra, AOR

Mrs. Rajshri Dubey, Adv.
Mr. Abhishek Chauhan, Adv.
Mr. Amit P Shahi, Adv.
Mr. Amit Kumar, Adv.
Mr. H B Dubey, Adv.
Mr. Rahul Sethi, Adv.
Mr. Shashibhushan Nagar, Adv.
Mr. Sumant A Khan, Adv.
Mrs. Sona Khan, Adv.
Mr. Rajendra Anbhule, Adv.
Mr. Ashutosh Dubey, AOR

Mr. Chandra Prakash, AOR

Mr. Anuj Bhandari, AOR

Mr. Anil Kumar, AOR

Ms. Lubna Naaz, AOR

Ms. Shashi Kiran, AOR

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

Mr. Raghvendra Kumar, AOR

Mr. Anando Mukherjee, AOR

Ms. Sanjivani Aggarwal, Adv.
Ms. Jyoti Aggarwal, Adv.
Mr. Pradeep Shekhavat, Adv.
Ms. Filza Moonis, AOR

M/S. Karanjawala & Co., AOR

Mr. V. N. Raghupathy, AOR

Ms. Charu Ambwani, AOR

Ms. Astha Sharma, AOR
Ms. Ripul Swati Kumari, Adv.

Mr. Rajesh Kumar Maurya, Adv.
Mr. Neeraj Shekhar, AOR

Mr. Ashok Kumar Rai, Adv.

Mr. Mohit Paul, AOR

Mr. Nischal Kumar Neeraj, AOR

Mr. Nishit Agrawal, AOR

Mr. Yashraj Singh Bundela, AOR

Mr. Surjeet Singh, Adv.

Mr. Chanakya Baruah, Adv.

Ms. Saloni, Adv.

Mr. Rohan Singla, Adv.

Mr. Pulkit Agarwal, AOR

Mr. Abhaya Nath Das, Adv.

Mr. S S Bandyopadhyay, Adv.

Mr. Vinod Kumar Shukla, Adv.

Mr. B C Bhatt, Adv.

Mr. N D Kaushik, Adv.

Ms. Monica Goel, Adv.

Mrs. Barnali Basak, Adv.

Mr. Kishor Kumar Mishra, Adv.

Mr. Aditya Mishra, Adv.

Mr. Hukum Deo Prasad, Adv.

Mr. Satish Kumar, AOR

Mr. Gaurav, AOR

Mr. Shuvodeep Roy, AOR

Mr. Deepayan Dutta, Adv.

Mr. Saurabh Tripathi, Adv.

Ms. Divya Jyoti Singh, AOR

Mr. Vinay Garg, AOR

Mr. T. R. B. Sivakumar, AOR

Ms. Manju Jetley, AOR

Mr. Amrish Kumar, AOR

Mr. Harsh V. Surana, AOR

Ms. Rakhi Ray, AOR

Ms. Ishita Jain, AOR

Mr. Anand Kumar Shrivastava, Adv.

Mr. Ankit Bhandari, Adv.

Mr. Manish Kumar Gupta, AOR
Ms. Tulika Mukherjee, AOR
Mr. Akshay Girish Ringe, AOR
Ms. Aswathi M.k., AOR
M/S. M. V. Kini & Associates, AOR
Mr. Pradeep Misra, AOR
Mr. Daleep Dhyan, Adv.
Mr. Suraj Singh, Adv.
Mr. Manish Kumar, AOR
Mr. Divyansh Mishra, Adv.
Mr. Puneet Taneja, AOR
Mr. Manmohan Singh Narula, Adv.
Mr. Amit Yadav, Adv.
Mr. Anil Kumar, Adv.
Ms. Vrinda Bhandari, AOR
Ms. Charu Mathur, AOR
Ms. Sakshi Kakkar, AOR
Ms. Shagun Matta, AOR
Mr. Gaurav, AOR
Mr. Gopal Jha, AOR
Mr. Shishir Deshpande, AOR
Mr. D. Kumanan, AOR
Ms. Deepa S, Adv.
Mr. Sheikh F Kalia, Adv.
Mr. Veshal Tyagi, Adv.
Mr. Chinmay Anand Panigrahi, Adv.
Ms. Pritha Srikumar Iyer, AOR
Ms. Rooh-e-hina Dua, AOR
Mr. Mudit Gupta, AOR
Ms. Divya Roy, AOR
M/S. S. Narain & Co., AOR
Mr. Sandeep Narain, Adv.

Ms. Kanak Malik, Adv.

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

Ms. Puja Sharma, AOR

Mr. Gautam Narayan, AOR
Ms. Asmita Singh, Adv.
Mr. Tushar Nair, Adv.
Mr. Anirudh Anand, Adv.
Mr. Punishk Handa, Adv.

Mr. Neeraj Kumar Gupta, AOR

Mr. Danish Zubair Khan, AOR

Mr. Vikas Mehta, AOR

Ms. Garima Prashad, Sr. Adv./AAG
Mr. Sudeep Kumar, AOR
Ms. Rupali, Adv.
Ms. Nidhi Singh, Adv.

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

Mr. Shekhar Kumar, AOR

Mr. Rajan Narain, AOR

Mr. Ayush Sharma, AOR

Mr. Anurag Kishore, AOR

Ms. Mayuri Raghuvanshi, AOR

Dr. Brij Bhushan K Jauhari, Adv.
Mr. Deepak Jyoti Ghildiyal, Adv.
Mr. O.P. Singh, Adv.
Mr. Harsh Mahan, Adv.
Ms. Purnima Jauhari, AOR

Mr. Hiren Dasan, AOR

Mr. Ajay Vikram Singh, AOR
Mrs. Priyanka Singh, Adv.
Mr. Shubham Kumar Singh, Adv.

Mr. M. Aamir Faiyaz, Adv.
Mr. K. Paari Vendhan, AOR
Mr. Gurminder Singh, AG Punjab, Sr. Adv.
Mr. Prashant Manchanda, A.A.G.
Mr. Vivek Jain, D.A.G.
Mr. Karan Sharma, AOR
Ms. Jaikriti S. Jadeja, AOR
Ms. Astha Tyagi, AOR
Mr. Sunil Fernandes, AOR
Mr. Kuldip Singh, AOR
Ms. Anushree Prashit Kapadia, AOR
Mr. Ketan Paul, AOR
Dr. Ram Sankar, Adv.
Mrs. Harini Ramsankar, Adv.
Mrs. Usha Prabakaran, Adv.
Mr. Maheswaran Prabakaran, Adv.
M/S. Ram Sankar & Co, AOR
Ms. Malvika Kapila, AOR
Mr. Gaurav Kejriwal, AOR
Mr. Sameer Abhyankar, AOR
Mr. Rahul Kumar, Adv.
Mr. Aryan Srivastava, Adv.
Mr. Aakash Thakur, Adv.
Mr. S. S. Shroff, AOR
Ms. Madhumita Bhattacharjee, AOR
Ms. Debarati Sadhu, Adv.
Ms. Srija Choudhury, Adv.
Mr. Anant, Adv.
Mr. Anas Tanwir, AOR
Mr. Vikrant Singh Bais, AOR
Mr. Soumya Dutta, AOR
Mr. Sameer Kumar, AOR
Mr. Ajay Pal, AOR

Mr. Dhananjaya Mishra, AOR

Mr. Rahul Khurana, AOR

Mr. Rajiv Yadav, AOR

Mr. Vipin Nair, AOR

Mr. Rishi Matoliya, AOR

Mr. D. Abhinav Rao, AOR

Mr. Durga Dutt, AOR

Mr. Avijit Mani Tripathi, AOR

Mr. Vikas Bansal, Adv.

Ms. Preeti Sehrawat, Adv.

Ms. Rashmi Malhotra, AOR

Ms. Aishwarya Bhati, A.S.G.

Ms. Swarupma Chaturvedi, Sr. Adv.

Ms. Ruchi Kohli, Adv.

Ms. Suhashinin Sen, Adv.

Mr. Chitvan Singhal, Adv.

Ms. Sweksha, Adv.

Ms. Neelakshi Bhadouria, Adv.

Mr. Rohan Gupta, Adv.

Mr. Gurmeet Singh Makker, AOR

Mr. Gaurav Choudhary, AOR

Mr. Ravindra Kumar, Sr. Adv.

Mr. Binay Kumar Das, AOR

Mr. Shivam Saxena, Adv.

Mr. Vipin Kumar Saxena, Adv.

Ms. Priyanka Das, Adv.

Ms. Neha Das, Adv.

Mr. Vikas Bharti, Adv.

Mr. V.P. Pandey, Adv.

Ms. K. Enatoli Sema, AOR

Ms. Limayinla Jamir, Adv.

Mr. Amit Kumar Singh, Adv.

Ms. Chubalemla Chang, Adv.

Mr. Prang Newmai, Adv.

Ms. Nidhi Mohan Parashar, AOR

Mr. P. Parmeswaran, AOR

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

Mr. Nirnimesh Dube, AOR

Mr. Ravindra S. Garia, AOR
Mr. Shashank Singh, Adv.
Mr. Madan Chandra Karnatak, Adv.

Mr. Talha Abdul Rahman, AOR

Mr. Guntur Pramod Kumar, AOR
Mr. Dhruv Yadav, 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. D. Abhinav Rao, AOR

Mr. Prakash Ranjan Nayak, AOR

Mr. Nitin Saluja, AOR

Mr. Deepayan Mandal, AOR

Ms. Shalu Sharma, AOR

Mr. Sahil Tagotra, AOR
Mr. Sujay Jain, Adv.
Mr. Zubin Dash, Adv.

Mr. Akhil Anand, AOR

Mr. Prashant Singh, AOR
Mrs. Perna Dhall, Adv.
Mr. Piyush Yadav, Adv.
Ms. Akanksha Singh, Adv.

Mr. Pranav Sachdeva, AOR

Mr. Sameer Shrivastava, AOR

Mr. Debojit Borkakati, AOR

Mr. Aakarshan Aditya, AOR

Mr. Vibhu Tiwari, Adv.

Mr. Satish C Kaushik, Adv.

Mr. Satya Mitra, AOR

Mr. Prasanna S., AOR

Ms. Mithu Jain, AOR

Ms. Asha Gopalan Nair, AOR

M/S. Ahmadi Law Offices, AOR

Ms. Aishwarya Bhati, A.S.G.

Ms. Archana Pathak Dave, A.S.G.

Ms. Suhasini Sen, Adv.

Mr. Rajesh Kr.singh, Adv.

Mr. Subhranshu Padhi, Adv.

Mr. Gaurang Bhushan, Adv.

Mr. Sweksha, Adv.

Dr. N. Visakamurthy, AOR

Mr. Pushkar Sharma, AOR

Ms. Nagma Bee, Adv.

Mr. Shyel Trehan, Adv.

Mr. Chirayu Jain, Adv.

Mr. Rohan Poddar, Adv.

Mr. Shivendra Singh, AOR

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

1. A joint report dated 25th November, 2024 submitted by Shri Aditya N. Prasad, learned Advocate, the Coordinator of the Court Commissioners, is taken on record. At the outset, we must complement the 13 members of the Bar who are appointed as Court Commissioners for the excellent work done by them. Their appointment as Court Commissioners will continue and they will continue their visits to various entry points and keep on

submitting the reports to the Court.

2. It is apparent that the Authorities, which are mentioned against clauses 1, 2 and 3 of Stage IV of the Graded Response Action Plan (for short, "the GRAP"), have made no earnest effort to implement the action in terms of clauses 1, 2 and 3. There is inaction on their part. Some Police teams were deputed only at a few entry points, and that also without any specific instructions. Most of them were clueless. In fact, the report of the Court Commissioners indicates that at most of the entry points in Delhi State, the Police were deputed only after the order of this Court of 22nd November 2024. There is a serious lapse on the part of the Authorities mentioned against clauses 1, 2 and 3. We, therefore, direct the Commission for Air Quality Management (for short, "the Commission") to immediately initiate action in terms of Section 14 of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act, 2021 (for short, "the Act") against the defaulting officers/entities.

3. Now, the question is whether Stage IV norms need relaxation. Unless the Court is satisfied that there is a consistent downward trend of AQI, we cannot permit the Commission to go down to Stage III or Stage II of the GRAP, as the case may be.

4. As we are continuing the Stage IV norms, pending further orders, we direct all the NCR States to use the funds which have been collected as labour cess for the welfare of the construction workers by providing them weekly subsistence allowance for the

period during which the construction activities are prohibited. In substance, all the NCR States will comply with the directions issued by this Court in terms of clause (ii) of the order dated 24th November 2021 relating to payment of the requisite amount by way of subsistence allowance. The action shall be taken immediately by the State Governments.

5. It is obvious that due to the implementation of Stage IV measures, several sections of society may have been adversely affected. The Commission has all the powers under Section 12(1) of the Act to issue directions to various Authorities to take several measures to ensure that the persons in the category of labourers, daily wagers, economically weaker sections, etc., do not suffer. We, therefore, direct the Commission to immediately consider the issue of taking mitigating measures by issuing necessary directions in the exercise of the powers in Section 12 of the Act.

6. A chart has been tendered across the Bar by Ms Aishwarya Bhati, learned ASG, which shows that AQI in Delhi (not the entire region) from 20th November 2024 to 24th November 2024 ranges between 318 and 419. We direct the Commission to place updated data on the next date so that the Court can take a call on the continuation of Stage IV measures of the GRAP.

7. In the meanwhile, we direct the Commission to consider the grant of relaxation of actions in terms of clauses 5 and 8 of Stage IV measures (only in relation to educational institutions) as well as clause 11 of Stage III measures. The Commission may consider of

grant of exemptions to certain classes from the aforesaid actions/measures. The Commission will have to consider the grant of relaxation/exemption as regards the actions under the aforesaid three clauses for various reasons, including the following:

(i) A large number of students are being deprived of the facility of Mid Day Meals as the schools and *anganwadis* are closed;

(ii) A large number of students do not have the facilities to take benefit of online education. Many educational institutions do not have facilities to provide online education; and

(iii) The residences of many students do not have air purifiers, and therefore, there may not be any difference between the children sitting at home and the children attending school.

An appropriate decision shall be taken by the Commission on the above aspects immediately, even if a copy of this order is not available. The learned ASG appearing for the Commission to communicate this order to the Commission. We also leave it to the Commission to decide on the continuation of the ban on conducting physical classes of X and XII standards on the same grounds.

8. Various options can be considered by the Commission. One can be of granting relaxation to those schools and educational institutions which do not have the facility of online education, and the other can be of granting relaxation to those students who do not have the facilities of attending online education at their

respective homes. We make it clear that we are leaving it to the Commission to decide to what extent, if any, the measures relating to education which are otherwise applicable in Stages III and IV of the GRAP can be either relaxed or exceptions can be carved out. We expect that a decision shall be taken by the Commission during the course of the day or, at the latest, by tomorrow morning so that it can be implemented. We make it clear that all other actions provided in stage IV shall be scrupulously implemented. The Court Commissioners are free to bring to the notice of the Court violations of the actions under the GRAP.

9. The Commission will look into the suggestions made by the Court Commissioners, especially against Item No.7 in paragraph 2 of their report.

10. For issuing further directions, list the Petition on 28th November 2024 at 3:30 p.m.

(ASHISH KONDLE)
COURT MASTER (SH)

(AVGV RAMU)
COURT MASTER (NSH)