

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
R E C O R D O F P R O C E E D I N G S

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.

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

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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