

IN THE SUPREME COURT OF INDIA

[CIVIL ORIGINAL JURISDICTION]

WRIT PETITION (CIVIL) No. _____ OF 2020

IN THE MATTER OF:

ADITYA DUBEY (MINOR) & ANR. PETITIONERS

//VERSUS//

UNION OF INDIA & ORS.RESPONDENTS

//WITH//

I.A .No. /2020

An application for Directions

PAPER BOOK

(FOR INDEX PLEASE SEE INSIDE)

ADVOCATE FOR THE PETITIONERS: - **NIKHIL JAIN**

SYNOPSIS & LIST OF DATES

The present Writ Petition under Article 32 of the Constitution of India is being filed seeking issuance of urgent directions to the Respondent States to ensure a complete ban on stubble burnings in the State of Punjab & Haryana during the months of September to December, 2020 and for issuance of necessary directions to the Respondent-States to ensure availability of appropriate stubble removing machines, free of cost, to the small and marginal farmers of the State of Punjab & Haryana to prevent stubble burnings; so that the Air Quality Index level in Delhi-NCR does not critical levels during the stubble burning season this year, especially in view of the prevailing Covid Pandemic.

September 2019 That every year during the months of September to January, the air pollution levels rise exponentially in Delhi-NCR and other parts of Northern India. Last year i.e. in 2019 the air quality of this region became extremely bad and AQI levels crossed 1000. Due to the high density of suspended particulate matter in the air the whole Delhi-NCR region got covered with dark smog and the skies had turned grey. Open field

burning of crop stubble results in emission of many harmful gases in the atmosphere like Carbon Monoxide, Sulphur dioxide & methane alongwith particulate matter which are dangerous for human and animal life.

Due to the high levels of suspended particulate matter in the air the citizens of Delhi faced serious respiratory, ophthalmic and skin problems, especially those belonging to the vulnerable sections, like the elderly, children and those who were already suffering from many respiratory diseases like asthma or allergies.

November 2019 As per Central Pollution Control Board, the contribution of stubble burning to air pollution in Delhi was around 40% in 2019. Satellite data showed that over 8,000 cases of stubble burning were detected in Punjab between October 28 and November 4 in 2019. In Haryana, the data showed more than 500 stubble burning incidents that were detected during the period. More than ten millions of tons of paddy residue/stubble was burnt by the farmers in the State of Punjab and Haryana to clear their fields for planting of the

rabi crop.

4/11/2019 Though after widespread public outcry and many public protests, the Prime Minister Office and the Hon'ble Supreme Court intervened in the three state governments made attempts to control the stubble burning by imposing fines etc. but it was all too little and too late and the citizens had to suffer the full consequences of this delayed action by spending almost the entire winter season locked indoors and with the aid of masks and air purifiers. Worst sufferers were the children as schools had to be closed and precious academic time was lost and their lungs suffered long term damage due to exposure to high levels of air pollution. Many citizens with co-morbidities lost their lives, as they were not able to cope with the high concentration of particulate matters in the air.

The Petitioner No.1 himself suffered from severe breathing problems and was forced to wear a N-95 mask and remain inside his room with an air purifier throughout the season. The Petitioner had to be put on a regular dose of Budecort Steroid based Puff; Asthalin Puff and Allegra-M to enable him to breathe properly. However in spite of the said medication the Petitioner was unable to breathe properly; unable to sleep at night; unable to go to school; unable to focus on his studies. However the Petitioner was not the only one facing this problem and millions of young children and adults suffered similar and maybe even more severe medical complications.

Since the air pollution crisis last year, various announcements have been made by the three State Governments that stubble burnings will not be allowed in 2020 and all possible steps will be taken; to ensure that stubble fires are not lit in 2020.

That recently in the Status Reports filed by the States of Punjab and Haryana, the States have detailed many steps proposed to be taken by the States to stop the stubble burning like supplying stubble removal machines, setting up of biomass plants and CHCs to rent out stubble removal machines.

However it is evident that these steps are not sufficient for removal of the 15-20 million tonnes of stubble, which will be created in States of Punjab & Haryana, as:

- A. The rentals of the stubble removal machines sky rocket during the stubble removal season due to hike in demand;
- B. The small and marginal farmers are not in a financial position to pay even a reasonable amount as rental of the said machines.
- C. Covid Pandemic and the related lockdown and economic slowdown has adversely effected the financial

condition of the farmers. So when these farmers were unable to afford the rent for stubble machines last year in normal circumstances, then it is impractical to expect them to afford the rental of the machines this year when they are in a financial crisis.

D. Smog Tower and Biomass Units are not functional as of now.

That though the State Governments may have arranged more stubble removal machines and made arrangements for providing the machines on rent to farmers, to expect the farmers to bear the cost of rental for these machines may be incorrect, more so when the incentive of Rs. 100/quintal directed by the Court to be paid to farmers for not burning the stubble, has not yet reached all the farmers.

Thus this year again the small and marginal farmers in Punjab and Haryana will be left with no option but to burn the stubble in their fields and the environmental emergency which Delhi-NCR faced in 2019 is likely to be repeated again.

23rd-24th September, 2020 That though the stubble burning season has not yet begun, but already for last one week the farmers in Punjab & Haryana have started stubble burning as is evident from pictures shared by NASA which shows more than 80 stubble fires. So the fear and apprehension of the Petitioners that the arrangements made by the Respondent States for preventing stubble burning this year are inadequate are proving to be true.

A Harvard University Study has found that a small increase of 1 Ug/m³ in PM_{2.5} is associated with increase of 8% in Covid 19 Death Rate. Similarly according to the CCAPC Researchers in 2019 nearly 2.0 lakh respiratory deaths in India were linked to air pollution exposure and air pollution may now be an important factor that aggravates a mild covid infection into an acute one.

Thus any increase in the air pollution levels of Delhi-NCR this year while the covid pandemic is spiralling out of control, will exponentially increase the mortality rates due to Covid-19, by compromising the respiratory systems of the

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citizens, moreso in the case of senior citizens and children. Thus the consequences of allowing any stubble burning to take place in the times of this pandemic may well be catastrophic.

27/9/2020 Hence, the present petition is being filed.

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

W.P (C) NO._____/ 2020

IN THE MATTER OF :-

1. Aditya Dubey (Minor)

....Petitioner No.1

2. Aman Banka

....Petitioner No.2

//Versus//

1. Union of India

Through Secretary- Ministry Of environment,

Govt. Of India, NEW DELHI.

Contesting Respondent NO.1

2. State of Punjab

Through Secretary Home,
state of secretariat Chandigarh, (Punjab).

Contesting Respondent NO.2

3. State of Haryana

Through Secretary Home,
State secretariat Chandigarh, Haryana

Contesting Respondent NO.3

4. State of National Capital Territory.

Through its secretary, New Delhi

Contesting Respondent NO.4

PETITION UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA
FOR ISSUANCE OF A WRIT IN THE NATURE OF MANDAMUS OR
ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTIONS TO THE
RESPONDENT STATES TO ENSURE A COMPLETE BAN ON STUBBLE
BURNINGS IN THE STATE OF PUNJAB & HARYANA DURING THE
MONTHS OF SEPTEMBER TO DECEMBER, 2020 AND FOR
ISSUANCE OF NECESSARY DIRECTIONS TO THE RESPONDENT-
STATES TO ENSURE AVAILABILITY OF APPROPRIATE STUBBLE
REMOVING MACHINES, FREE OF COST, TO THE SMALL AND
MARGINAL FARMERS OF THE STATE OF PUNJAB & HARYANA TO
PREVENT STUBBLE BURNINGS

To,

The Hon'ble the Chief Justice of India and His Companion Justices of
the Hon'ble Supreme Court of India.

The humble petition of the
Petitioner above named

MOST RESPECTFULLY SHOWETH:

1. That the present petition under Article 32 of the Constitution of India is being filed seeking issuance of urgent directions to the Respondent States to ensure a complete ban on stubble burnings in the State of Punjab & Haryana during the months of September to December, 2020 and for issuance of necessary directions to the Respondent-States to ensure availability of appropriate stubble removing machines, free of cost, to the small and marginal farmers of the State of Punjab & Haryana to prevent stubble burnings; so that the Air Quality Index level in Delhi-NCR does not critical levels during the stubble burning season this year, especially in view of the prevailing Covid Pandemic.
2. That the Petitioner No.1 is a 17 year old environmentalist studying in Class 12th of _____ The
Petitioner has been working in the field of environment, for last four years and is the Founder of Plant A Million Trees Initiative, whereunder more than 1.5 Lakh Trees have been planted in Delhi-

NCR. The Petitioner No.2 is a Third Year Law Student and environmental activist, studying in Lloyd Law College, Noida and was one of the signatories in the AAREY Forest matter in which this Hon'ble Court had taken suo moto cognizance and granted relief. The Petitioners have been also working for reducing the use of Single Use Plastic and through his public and social media campaigns and petitions before the National Green Tribunal have been successful in preventing creation of thousands of tons of plastic waste by Companies like Amazon, Flipkart, BurgerKing etc.

3. That every year during the months of September to January, the air pollution levels rise exponentially in Delhi-NCR and other parts of Northern India. Last year i.e. in 2019 the air quality of this region became extremely bad and AQI levels crossed 1000. Due to the high density of suspended particulate matter in the air the whole Delhi-NCR region got covered with dark smog and the skies had turned grey. Open field burning of crop stubble results in emission of many harmful gases in the atmosphere like Carbon Monoxide, Sulphur dioxide & methane alongwith particulate matter which are dangerous for human and animal life.
4. Due to the high levels of suspended particulate matter in the air the citizens of Delhi faced serious respiratory, ophthalmic and skin problems, especially those belonging to the vulnerable sections,

like the elderly, children and those who were already suffering from many respiratory diseases like asthma or allergies.

5. The rise in air pollution levels during the months of September to January is an annual problem for Delhi-NCR. The air quality of Delhi-NCR is generally bad throughout the year due to industrial, vehicular and other causes of air pollution and Delhi is considered to be one of the worst polluted cities in the world. However in the months between September-December the situation gets worse and completely out of control as the farmers of Punjab and Haryana burn the stubble/crop residue to clear their fields for the planting of fresh crop. As per Central Pollution Control Board, the contribution of stubble burning to air pollution in Delhi was around 40% in 2019. Satellite data showed that over 8,000 cases of stubble burning were detected in Punjab between October 28 and November 4 in 2019. In Haryana, the data showed more than 500 stubble burning incidents that were detected during the period. More than ten million tons of paddy residue/stubble was burnt by the farmers in the State of Punjab and Haryana to clear their fields for planting of the rabi crop.
6. Since the window between the harvesting of the paddy crop grown in Kharif Season and the sowing of the Rabi crops is very small in these regions, due to existing regulations, therefore the farmers

do not have sufficient time to manually remove the stubble and hence they clear the field by burning the same.

7. The mechanical option for stubble removal is through stubble removing machines which are able to clear the stubble within a very short time span, but the problem of availability and high purchase-cost and rentals of these machines, render them out of reach of the small and marginal farmers.
8. Thus the primary causes for stubble burning in Punjab & Haryana, are as under:-
 - A. Small window between harvesting of the Kharif Crop and sowing of RabiCrop leaving no time for manual removal of stubble;
 - B. High Cost of the stubble removal machines making it impossible for small and marginal farmers to purchase the same;
 - C. High rentals of the stubble removal machines during the peak season making it financially difficult for small and marginal farmers to even rent these machines.
 - D. The cost of stubble removal being much higher as compared to the fine imposed for burning of stubble, the farmers opt for paying the fine rather than spend their limited resources on renting the machines.

9. Due to the aforesaid reasons the stubble removal machines remained out of reach of most farmers last year and the farmers were thus left with no option but to burn the stubbles in their fields itself. Thousands of fires were lit all over Punjab and Haryana leading to critically high level of air pollution in most parts of North India, especially in Delhi-NCR. The problem was further precipitated by the fact that the three States which were parties to this problem i.e. Delhi, Punjab and Haryana were ruled by three different political parties and thus were neither able to nor willing to work together to resolve this problem.

10. Though after widespread public outcry and many public protests, the Prime Minister Office and the Hon'ble Supreme Court intervened in the three state governments made attempts to control the stubble burning by imposing fines etc. but it was all too little and too late and the citizens had to suffer the full consequences of this delayed action by spending almost the entire winter season locked indoors and with the aid of masks and air purifiers. Worst sufferers were the children as schools had to be closed and precious academic time was lost and their lungs suffered long term damage due to exposure to high levels of air pollution. Many citizens with co-morbidities lost their lives, as they were not able to cope with the high concentration of particulate

matters in the air. Copy of order dated 4/11/2019 passed by this hon'ble Court is being annexed herewith and marked as

ANNEXURE P/1.(Pg 25-41)

11. The failure of the Respondent-States to take steps to stop the air pollution level from rising to hazardous levels, resulted in a situation that more than Ten Million Citizens of Delhi-NCR were exposed to very dangerous levels of air pollutants and will have to suffer the consequences of the same in future.
12. The Petitioner No.1 himself suffered from severe breathing problems and was forced to wear a N-95 mask and remain inside his room with an air purifier throughout the season. The Petitioner had to be put on a regular dose of Budecort Steroid based Puff; Asthalin Puff and Allegra-M to enable him to breathe properly. However in spite of the said medication the Petitioner was unable to breathe properly; unable to sleep at night; unable to go to school; unable to focus on his studies. However the Petitioner was not the only one facing this problem and millions of young children and adults suffered similar and maybe even more severe medical complications.
13. However that is not all, the doctors have opined that the long term damage which is being caused to the lungs of millions of

children, of Delhi-NCR, like the Petitioners, maybe irreversible. One report says that those who are being exposed to this hazardous air pollution may lose up to seven years of their lives. Another report has stated that everyone who is living in Delhi-NCR was inhaling smoke equal to fifty cigarettes. Due to continuously living in this high level of air pollution, the children are also being exposed to a greater chance of lung cancer.

14. Thus it is evident that due to the inactions of the Central and State Governments the Petitioners and millions of other citizens of Delhi are suffering grave medical problems at present and are also being exposed to long term critical diseases. Thus the Right to Life of the Petitioner as enshrined in Article 21 of the Constitution of India is being violated by the inaction of the State Governments and the Petitioners have a right to approach this Court seeking protection of their Right to Breathe.

15. Since the air pollution crisis last year, various announcements have been made by the three State Governments that stubble burnings will not be allowed in 2020 and all possible steps will be taken; to ensure that stubble fires are not lit in 2020.

16. This Hon'ble Supreme Court is also seized with this issue and has issued many directions since last year on how to prevent stubble fires. The EPCA has also made various recommendations on how

to deal with the problem of stubble burning. A smog tower is also proposed to be set up in Delhi.

17. That recently in the Status Reports filed by the States of Punjab and Haryana, the States have detailed many steps proposed to be taken by the States to stop the stubble burning like supplying stubble removal machines, setting up of biomass plants and CHCs to rent out stubble removal machines.

18. However it is evident that these steps are not sufficient for removal of the 15-20 million tonnes of stubble, which will be created in States of Punjab & Haryana, as:

- A. The rentals of the stubble removal machines sky rocket during the stubble removal season due to hike in demand;
- B. The small and marginal farmers are not in a financial position to pay even a reasonable amount as rental of the said machines.
- C. Covid Pandemic and the related lockdown and economic slowdown has adversely effected the financial condition of the farmers. So when these farmers were unable to afford the rent for stubble machines last year in normal circumstances, then it is impractical to expect them to afford the rental of the machines this year when they are in a financial crisis.
- D. Smog Tower and Biomass Units are not fully functional as of now.

19. That though the State Governments may have arranged more stubble removal machines and made arrangements for providing the machines on rent to farmers, to expect the farmers to bear the cost of rental for these machines may be incorrect, moreso when the incentive of Rs. 100/quintal directed by the Court to be paid to farmers for not burning the stubble, has not yet reached all the famers.
20. Thus this year again the small and marginal farmers in Punjab and Haryana will be left with no option but to burn the stubble in their fields and the environmental emergency which Delhi-NCR faced in 2019 is likely to be repeated again.
21. That though the stubble burning season has not yet begun, but already for last one week the farmers in Punjab & Haryana have started stubble burning as is evident from pictures shared by NASA which shows more than 80 stubble fires. So the fear and apprehension of the Petitioners that the arrangements made by the Respondent States for preventing stubble burning this year are inadequate are proving to be true. Copy of the Sattelite Map from NASA FIRMs showing stubble fires between 23rd-24th September, 2020 are being annexed herewith and marked as **ANNEXURE P/2**.(Pg. 42)

22. Though a repeat of last years high AQI levels itself would have been very dangerous, damaging and hazardous for the respiratory systems of the citizens of Delhi-NCR, however the Covid Pandemic has further complicated the situation. Many medical studies claim that people with weak respiratory systems or living in polluted areas are liable to face more severe symptoms and even fatality due to Covid-19.

23. A Harvard University Study has found that a small increase of 1 Ug/m³ in PM_{2.5} is associated with increase of 8% in Covid 19 Death Rate. Similarly according to the CCAPC Researchers in 2019 nearly 2.0 lakh respiratory deaths in India were linked to air pollution exposure and air pollution may now be an important factor that aggravates a mild covid infection into an acute one. Copy of the Harvard Study is annexed hereiwth and marked as **ANNEXURE P/3.(Pg. 43- 78)**

24. Similarly another study by Mr Satheesh Kumar of Manipal University, Sivan Chandran of Cochin University and Kalliat Valsraj of Louisiana State University has also found that enhances air pollution can offer a direct pathway for airborne transmission of Covid 19. Copy of the said study is being enclosed as **ANNEXURE P/4.(Pg. 79-104)**

25. Thus any increase in the air pollution levels of Delhi-NCR this year while the covid pandemic is spiralling out of control, will exponentially increase the mortality rates due to Covid-19, by compromising the respiratory systems of the citizens, moreso in the case of senior citizens and children. Thus the consequences of allowing any stubble burning to take place in the times of this pandemic may well be catastrophic.
26. The petitioners appreciate that this Hon'ble Court is already siezed with the matter and has issued many directions for taking long terms measures for controlling air pollution in Delhi and preventing the stubble burning, but many of these measures like setting up of Smog Tower & Biomass Units may not have a significant impact on completely preventing stubble burning this year i.e. in 2020.
27. Therefore till the time the State Governments are able to come up with measures and plans to completely stop stubble bruning and the impact of the long terms measures put in place sets in, the Petitioners submit that the following urgent directions maybe issued by this Honble Court to ensure that no stubble burning takes place between September, 2020 to December, 2020:-

- A. The rent for stubble removal machines maybe fixed by the government and anyone charging a higher rent be severly punished;
- B. The rent payable for the stubble removal machines maybe paid in advance by the State Governments to the small and marginal farmers;
- C. The work of 'Stubble Removal' maybe included in the list of works permissable to be performed under the MNREGA so that the Gram Panchayat may utilize MNREGA workers for removal of the stubble from fields in places, where stubble removal machines may not become available inspite of best efforts.
- D. Impose heavy fines/punishment on farmers who burn stubble in their fields inspite of facilities being made available by the States to them for removal of the stubble.
- E. All polluting industries and construction activities in Delhi-NCR may be allowed to operate only on days when the AQI level is less than 150, during the period between September, 2020 to January, 2021 and upon an increase above this AQI level an automatic ban on industrial and construction activities may become operational, tll the AQI level comes below 150;
- F. Incase the AQI level increases about 200 then the Odd-Even Policy of the Delhi Government with regard to vehicular traffic

may automatically become operational, till the AQI level drops back below 200;

- G. Appointment of a one man committee headed by a Retired Supreme Court Judge, to control & supervise the efforts of the Union & State Governments to ensure that AQI levels in Delhi do not rise to hazardous levels this year.

28. That the Petitioners feel issuance of the abovesaid directions is of utmost importance to ensure that the air pollution levels in Delhi-NCR do not rise to a level, which would be hazardous for the citizens of Delhi-NCR and also exponentially increase the Covid19 related death rate.

29. That, the Petitioners are filing the present writ petition on the following amongst others:

GROUNDS

- A.** Because the "Right To Breathe" Clean Air is an integral part of the Fundamental 'Right to Life' enshrined in Article 21 of the Constitution of India and the said fundamental right is being violated by the failure of the Union Government and the State Governments, to keep the air pollution levels in Delhi-NCR below hazardous levels every year during the period between September to January.

- B.** Because in the Year 2019, thousands of stubble fires were lit in Punjab and Haryana by farmers to clear their fields for next sowing season, which filled the air in Delhi-NCR with Suspended Particulate Matter and resulted in the AQI levels in Delhi crossing 1000 and caused severe respiratory, ophthalmic and skin diseases amongst the citizens of Delhi-NCR and even resulted in death of many citizens. This was a clear violation of the Fundamental Right to Breathe of the Citizens of Delhi-NCR.
- C.** Because many international and national studies, including that of Harvard University, have found that the rise in air pollution level by even a small amount leads to very high increase in Covid19 related mortality and thus its of utmost importance that the AQI levels are not allowed to rise to Very Unhealthy Hazardous levels in the Year 2020 and thereafter till the Covid-19 Pandemic comes under control.
- D.** Because as per the Central Pollution Control Board the stubble burning in Punjab and Haryana contributes to almost 40-45% of air pollution in Delhi.
- E.** Because the stubble fires in Punjab & Haryana are a direct result of the inability of the small & marginal farmers of Punjab & Haryana to purchase or rent out stubble removal machines due to financial incapacity, which leaves them with no option but to burn the plant residue in their fields to clear it for next sowing

season. Due to the limited time period between the harvesting and sowing season the small and marginal farmers do not have the time to manually remove the stubble and thus are forced to burn the same.

- F.** Because many of the measures, which have been directed by this Hon'ble Court and taken by the State Governments, regarding reduction of stubble fires in Punjab and Haryana may not have impact on the ground this stubble burning season and therefore its imperative that some additional measures are taken this year to ensure that the AQI levels remain below hazardous levels till the effect of long term measures sets in.
- G.** Because the primary strategy of the State Governments to control the stubble fires seems to be to provide stubble removing machines to farmers through CHCs, however the same is unlikely to have much impact as the small and marginal farmers are not in a position to afford to pay the rent of these machines, in view of their precarious financial position, which has been further worsened this year due to Covid Pandemic and the consequent lockdown. It's relevant to note that in the Year 2019, when this Court had provided Rs. 100/quintal as an incentive to stop farmers from burning plant residue, even then it did not have much impact on stubble fires, so it cannot be expected that the

farmers will rent out the machine this year when their financial position has further worsened.

H. Because the three State Governments are of three different political parties and thus are not willing to or able to coordinate a joint response to the stubble burning crisis and the farmers form a very strong community in Punjab and Haryana and none of the political parties are willing to take a stand against them, therefore it's necessary that an independent Commission headed by a Retired Supreme Court Judge is appointed to control and supervise the efforts to manage the air pollution levels of Delhi-NCR till the Covid19 Pandemic goes away.

I. Because apart from stubble burning, the industrial emissions, construction activities and vehicular traffic are the main causes of air pollution in Delhi-NCR therefore it's necessary and important to issue directions for an automatic ban/control on these activities, if the AQI levels reach Unhealthy or Severe Levels.

30. The Petitioners state that they have not filed any other or similar petition either in this Hon'ble Court or in any other Court within the territory of India.

31. That the present Writ Petition is bonafide and is being moved in the interest of justice.

PRAYER

It is therefore most respectfully prayed that this Hon'ble Court may be pleased to:-

- a) Issue a writ in the nature of Mandamus directing the Respondent-States to prevent/stop any stubble burning by farmers in their States during the period between September, 2020 to January, 2021;
- b) Issue a writ in the nature of Mandamus directing the Respondent-States to fix a ceiling on the rental of stubble removing machines during the period between September, 2020 to January, 2020;
- c) Issue a writ, rule, order or direction in the nature of Mandamus directing the Respondent-States to pay to all small and marginal farmers the amount spent by them on renting the stubble removal machines;
- d) Issue a writ in the nature of Mandamus directing the Respondent-States to include the work of 'stubble removal' from private farms of small and marginal farmers in the list of work allowed under MNREGA so that the MNREGA workers can be used to ensure removal of stubble if and wherever stubble removal machines are not available;

- e) Issue a writ in the nature of Mandamus directing the Respondent-States to Impose heavy fines/punishment on farmers who burn stubble in their fields inspite of facilities being made available by the States to them for removal of the stubble.
- f) Issue a writ in the nature of Mandamus directing that all polluting industries and construction activities in Delhi-NCR may be allowed to remain in operation only on days when the AQI level is less than 150, during the period between September, 2020 to January, 2021 and upon an increase above this AQI level an automatic ban on industrial and construction activities may become operational, which may continue till the AQI level comes below 150;
- g) Issue a writ in the nature of Mandamus directing that incase the AQI level increases about 200 then the Odd-Even Policy of the Delhi Government with regard to vehicular traffic may automatically become operational, and may continue till the AQI level drops back below 150;
- h) Issue a writ nominating a one man commission headed by a Retired Supreme Court Judge, preferably Justice Madan Lokur, to control & supervise the efforts of the Union &

State Governments to ensure that AQI levels in Delhi do not rise to hazardous levels this year.

- i) Pass such further orders(s) as this Hon'ble Court deems fit and proper in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS, THE PETITIONERS AS IN DUTY BOUND SHALL EVERY PRAY.

FILED ON: 27/9/2020

FILED BY


(**NIKHIL JAIN**)
Advocate for the Petitioners