

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)

IN RE: REPORT NO. 71 AND 78 SUBMITTED BY EPCA

(REGARDING COMPREHENSIVE ACTION PLAN FOR AIR POLLUTION CONTROL AND SUPPLEMENTARY REPORT ON THE COMPREHENSIVE ACTION PLAN WITH TIMELINES)

Date : 01-05-2018 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(S) Mr. Harish N. Salve, Sr. Adv. (A.C.) [NP]

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Petitioner-In-Person

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Mr. R.D. Upadhyay, Adv.

Mr. Ajit Pudussery, Adv.

Mr. Prashant Bezboruaz, Adv.

Mr. Rakesh Dewan, Adv.

Mr. Munawar Naseem, Adv.

Mr. Akshit Gadhok, Adv.

Ms. Bina Gupta, Adv.

UPON hearing the counsel the Court made the following

O R D E R

An affidavit proposed to be filed by the Ministry of Environment, Forests and Climate Change has been shown to us.

We have also gone through the affidavit filed by the Ministry of Petroleum and Natural Gas.

It is submitted on behalf of the Union of India that in 17 districts out of 23 districts in the NCR and 2 districts adjoining the NCR i.e. Kalori and Dholpur in Rajasthan, BS VI fuel will be available by 1st April, 2019.

It is further stated that it may not be possible to make BS VI fuel available in the remaining districts of the NCR i.e. Bhiwani, Rohtak, Sonapat, Panipat, Jind and Karnal. It is further stated that BS VI fuel will be made available from 1st October, 2019 in the districts of Haryana including Gurugram (NCR).

It is further stated that BS VI fuel will be available in the city of Agra on or before 1st April, 2019. As far as 12 other metropolitan cities are concerned, it is stated that it may not be possible to have BS VI fuel available by 1st April, 2019 but attempts will be made to make it available on or before 1st April,

2020.

With regard to cost of diesel, it is submitted that the maximum basic excise duty is already being levied and it may not be possible to change the pricing structure since it may have certain other repercussions and perhaps a cascading effect on inflation.

It is pointed out by the learned Amicus that the compensatory cess that has been levied on diesel vehicles in terms of order dated 12th August, 2016 may be reconsidered and the compensatory cess on diesel vehicles may be increased so that the incentive to purchase diesel vehicles is reduced.

We propose to hear submissions in this regard on 13th July, 2018.

Liberty is granted to file affidavits.

(MEENAKSHI KOHLI)
COURT MASTER

(KAILASH CHANDER)
COURT MASTER