

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s).13029/1985

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

Date : 21-01-2026 This petition was called on for hearing today.

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HON'BLE MR. JUSTICE VIPUL M. PANCHOLI

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

1. In deference to the order dated 06.01.2026, the Commission for Air Quality Management (CAQM) has filed a comprehensive status report dated 20.01.2026. The Commission has recommended 15 long-term measures comprising the following:

S. No.	Long-Term Measures	Concerned Agencies
1	Time-bound phasing out of polluted vehicles from Delhi-NCR based on the emission potential of each category of vehicles. NCR States/GNCTD to either ensure scrapping of such vehicles or facilitate their transfer outside NCR so that such polluting vehicles do not ply in Delhi-NCR.	GNCTD/NCR State Govts.
2	Strengthening of PUC 2.0 and monitoring of on-road vehicles with remote sensing devices for advanced emissions surveillance.	Ministry of Road Transport and Highways.
3	Augmentation of Regional Rail Transport and Metro Rail network with more lines and stations in Delhi and NCR	DMRC, NCRTC, GNCTD/NCR State Govts.
4	Development of Multi-Modal Transport hubs connecting Metro, RRTS.	DMRC, GNCTD/NCR State Govts. - Transport Department and

		concerned ULBs/Agencies
5	Ensuring last mile connectivity along with real-time passenger information system with location-based tracking of public transport.	GNCTD/NCR State Govts.
6	To review and revise respective Electric Vehicle (EV) policies to accelerate the transition of all vehicles to Zero tailpipe Emission Vehicles in Delhi-NCR. Higher incentives may be given to the owners for scrapping their old vehicles.	GNCTD/NCR State Govts.
7	Expeditious expansion of EV charging infrastructure, including swappable battery stations in commensurate with vehicle growth	NCR State Govts./GNCTD Transport Department, Power Department, ULBs, Urban Development Authorities
8	Permit retrofitting of vehicles to EV - certification by ARAI/ICAT	Ministry of Road Transport and Highways
9	Augmentation of city public bus service through E-buses/CNG as per model yardsticks and service level benchmark of MoHUA based on population.	GNCTD and NCR State Govts.
10	Develop a plan for the CNG/LNG fueling network in NCR and on highways to shift long-haul trucking and other commercial vehicles to gas.	MoRTH/MoPNG/ GAIL/IGL
11	Installation of ANPR cameras and automated RFID ensuring Multi Lane Free Flow (MLFF) enabled Toll/Cess collection at all Border Entry Points of Delhi	Municipal Corporation of Delhi
12	Deployment of Integrated Traffic Management System (ITMS) in Delhi and other major urban agglomerates, particularly Noida, Greater Noida, Ghaziabad, Meerut, Gurugram, Faridabad and Sonapat, for smooth and improved traffic movement.	Police and Transport Departments in Delhi, UP and Haryana
13	Implementing Parking Area Management Plans in Delhi and NCR.	Municipal Corporation of Delhi and NCR State Govts. - ULBs
14	Imposition of higher Environment Protection Charges (presently only 1%) on vehicles of	Review of the Hon'ble

	the luxury segment, diesel cars/SUVs of 2000 cc capacity and above, as stipulated in Order dated 12.08.2016 in WP(C) No.13029 of 1985.	Supreme Court order
15	Intensity enforcement through technology-based solutions such as Automatic Number Plate Recognition (ANPR), Radio Frequency Identification (RFID), Remote Sensing Techniques, AI-driven surveillance, etc.	GNCTD/NCR State Govts./Police Authorities

2. The CAQM has also identified the concerned agencies, which are competent to give effect to these long-term measures. There might be other long-term measures required to be adopted in addition to the above-reproduced recommendations by the CAQM. There can be no doubt that these long-term measures recommended by the CAQM are required to be given effect without any delay. We, therefore, call upon the stakeholders, who have been mentioned in the last column of the above-reproduced table, to submit their respective action plans to give effect to these measures. We make it clear that this Court is not inclined to entertain any objections to these measures, and that only the implementation plans are required to be submitted.

3. Let the needful in this regard be done within 4 weeks.

4. Ms Aparajita Singh, learned senior counsel & Amicus Curiae, may meanwhile suggest some other long-term measures, and those may also be considered by the CAQM and, if found feasible, may be included in the next supplementary report.

5. In addition to the long-term measures, the CAQM has, after careful deliberations and in view of the persistently poor air quality in the NCR region, recognised the need for decongestion at Delhi border entry points and for the timely adoption of advanced

automated MLFF technology, and has made the following recommendations:

i. MCD to ensure installation and full operationalization of a barrier-free Multi-Lane Free Flow (MLFF) System, integrated with RFID and Automatic Number Plate Recognition (ANPR), at all 126 toll collection points by October 2026, with a view to avoiding vehicular stoppage and reducing congestion at Delhi's border entry points.

ii. In the event of failure to operationalize MLFF by the stipulated timeline, MCD may, be directed to, restrict toll collection at the nine identified toll plazas only from vehicles liable to pay ECC during the peak winter months from November to January, which generally see monthly average AQI of more than 300. All other vehicles passing through these nine identified toll plazas may be exempted from payment of toll during the month of November to January, until MLFF becomes fully operational.

iii. MCD to ensure that all toll and ECC collection infrastructure is located strictly within its territorial jurisdiction. Upon such compliance, the issue raised by GMDA regarding toll collection within its jurisdiction at Rajokari, NH-48, will get resolved.

iv. The Commission observes that MCD toll rates have remained unchanged for a considerable period. Further, ECC rates fixed by the Hon'ble Supreme Court have also not been revised since 2015. Given the tendency of commercial vehicles to pass through Delhi to travel lesser distance and to avoid higher tolls on Eastern/Western peripheral expressways, a review and rationalization of toll and ECC rates is suggested to restore their deterrent effect.

v. Further, ECC funds lying unutilized also need consideration of the Hon'ble Court. It is suggested that the ECC funds so collected are fully utilized for measures as directed for by the Hon'ble Supreme Court."

6. We direct the concerned Agencies, particularly, the Municipal Corporation of Delhi, to submit their immediate response as to why these measures be not implemented without any delay. Once again, we clarify that no objections will be entertained against the recommendations made by the CAQM. Furthermore, the Municipal

Corporation and other agencies of NCR, including those from neighbouring States, will only be required to submit the action plan and timeline by which these directions will be implemented.

7. As regard to the ECC fund, namely, the recommendation nos.(iv) & (v), the CAQM may submit a separate proposal for its suitable revision. The NCT of Delhi, on the other hand, is instructed to submit a plan for utilising the ECC funds that remain unutilised to implement the long-term measures or the interim recommendations made by the CAQM, as outlined above. A separate response in that regard shall also be submitted to this Court.

8 Post this matter on 12.03.2026.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR