

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)

WITH

C.A. No. 8564/2022 (XVII)

T.C.(C) No. 148/2025 (XVI-A)

Date : 12-03-2026 These matters were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MR. JUSTICE VIPUL M. PANCHOLIMs. Aparajita Singh, Sr. Advocate (A.C.)
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UPON hearing the counsel the Court made the following
O R D E R

Re: Enhancement of ECC

1. It has been brought to our notice that, in deference to our

order dated 21.01.2026, the Commission for Air Quality Management ("CAQM") has made some proposals for revision of the Environment Compensation Charge (ECC). Paragraph 21 of the proposal reads as follows:

"21. In view of the deliberations held with concerned agencies, information provided by them and the foregoing analysis, the Commission proposes revision of ECC rates w.e.f. 01.04.2026, as under:

S. No.	Vehicle Category	Existing Rate	Proposed Rate
(i)	Category 2 (light duty vehicles etc.) and Category 3 (2 axle trucks)	Rs.1400/-	Rs.2000/-
(ii)	Category 4 (3 axle trucks) and Category 5 (4 axle trucks and above)	Rs.2600/-	Rs.4000/-

2. Further, in paragraph 23 of the proposal, it is suggested that the ECC rates may be enhanced by 5% every year, w.e.f. April 1. It will be useful to reproduce paragraphs 22, 23 and 24 of the recommendations, which read as follows:

"22. The aforesaid proposed revision will broadly restore the deterrence value of ECC as originally fixed in 2015 and reinstate a significant cost differential between transit through Delhi and diversion via peripheral expressways.

23. An analysis of increase in toll rates through EPE of NHAI (Table-B) indicates that there has been about 4.8% compounded annual increase in rates of toll since 2018. With a view to discourage entry of diesel commercial vehicles into Delhi and taking into account inflation and increase in vehicle operating costs as well as annual increase in NHAI toll rates the Commission recommends that the ECC rates may be enhanced by 5% every year w.e.f. 1st April (rounded off to nearest 10 rupees) and such revision may be notified by GNCTD.

24. The Commission further recommends that MCD may undertake rationalisation of its toll structure for revision of the existing toll rates, address the existing disparities in vehicle classification vis-a-vis the framework adopted by NHAI and also undertake a comprehensive Traffic and Revenue Study to assess traffic potential and route diversion patterns, particularly in light of the proposed ECC revision."

3. We have considered the proposal submitted by the CAQM and find the same to be reasonable, just, and fair. The proposals given in paragraphs 21 and 23 are, accordingly, approved, subject to the clarification that 5% enhancement shall take place w.e.f. 01.04.2026. Ordered accordingly.

4. In addition, all stakeholders shall continue to take all necessary steps to ensure that commercial and other heavy vehicles which are not required to enter Delhi, except for the supply of essential commodities, etc., ply on the expressways constructed to circumvent Delhi. Such recourse will also save them from payment of the revised ECC.

5. Meanwhile, the Municipal Corporation of Delhi ("MCD") is also directed to have instructions in terms of paragraph 24 of the CAQM's proposal, as quoted above. Further, the National Highways Authority of India and the MCD are directed to work in tandem and ensure compliance with the directions contained in the order dated 21.01.2026, particularly for the purpose of shifting the toll plazas to some other suitable location(s).

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6. In terms of the signed reportable judgement, the Writ Petition is disposed of with directions, as mentioned in the judgement.

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7. In terms of the signed reportable judgement, following direction was issued in paragraph 18:

"An exercise analogous to that contained in Paragraph 16 shall be taken with respect to the Appeals and Petitions, except

Contempt Petitions, tagged with the instant Writ Petition. Accordingly, if they are required to be considered by this Court, they shall be registered as IAs within the respective Suo Moto Writ Petition. In that respect, all tagged Contempt Petitions shall be separately listed after taking directions from the Chief Justice of India on the administrative side."

(ARJUN BISHT)

ASTT. REGISTRAR-cum-PS

(signed reportable judgement is placed on the file)

(PREETHI T.C.)

ASSISTANT REGISTRAR