

ITEM NO.17

COURT NO.4

SECTION XVII

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

Civil Appeal No(s). 4020/2020

AMRAVATI MUNICIPAL CORPORATION

Appellant(s)

VERSUS

GANESH DADARAO ANASANE & ORS.

Respondent(s)

[HEARD BY : HON. PAMIDIGHANTAM SRI NARASIMHA AHDN HON. ALOK ARADHE,
JJ.]..... Ms. Shibani Ghosh, A.C.

IA No. 47064/2023 - APPLICATION FOR PERMISSION
IA No. 117825/2021 - EARLY HEARING APPLICATION
IA No. 112360/2021 - EARLY HEARING APPLICATION
IA No. 129690/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT
IA No. 6975/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
ANNEXURES
IA No. 177796/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
ANNEXURES
IA No. 109518/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
ANNEXURES
IA No. 35947/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
ANNEXURES
IA No. 46920/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
ANNEXURES
IA No. 254815/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
ANNEXURES
IA No. 129692/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
ANNEXURES
IA No. 123490/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
ANNEXURES
IA No. 129691/2020 - STAY APPLICATION

WITH

C.A. No. 8630/2022 (XVII)

IA No.178074/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT and IA No.178077/2022-STAY APPLICATION
IA No. 178074/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

No. 178077/2022 - STAY APPLICATION

Signature Not Verified
Digitally Signed by
JAYANT KUMAR ARORA
Date: 2026.09.29
17:27:36 (IST)
Reason: I am the signatory

Date : 29-09-2026 These matters were called on for hearing today.

**CORAM : HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE ALOK ARADHE**

Ms. Shibani Ghosh, [Amicus Curiae]

**For Appellant(s) : Mr. Nikhil Nayyar, Sr. Adv.
Mr. Sangramsingh R Bhosale, Adv.
Mr. Nrupal Digankar, Adv.
Mrs. Pushkara R Bhonsale, Adv.
Ms. Sneha S Bhonsale, Adv.
Ms. Sugandha Batra, Adv.
Ms. Sanmitra Y Pol, Adv.
Ms. Shruti Sharma, Adv.
Mr. Brahamjyot Singh, Adv.
Ms. Anshula Vijay Kumar Grover- 2754, AOR**

**Mr. Sudhanshu Choudhari, Sr. Adv.
Mr. Karunakar Mahalik, AOR
Mr. Dhananjay B., Adv.
Ms. Damini Vishwakarma, Adv.
Mr. Prashant Kenjale, Adv.
Ms. Srishty Pandey,, Adv.
Mr. Pradeep Kumar, Adv.
Ms. Kumudini Priyadarshini, Adv.
Mr. Anil Karnwal, Adv.**

**For Respondent(s) : Ms. Archana Pathak Dave, ASG
Mr. Vaibhav Dwivedi, Adv.
Ms. G.S. Makkar, AOR**

Respondent-in-person

**Mr. Mukesh Kumar Singh, AOR
Mr. Narendra Kumar Goyal, Adv.
Mr. C.M.dwivedi, Adv.
Mr. Chirayu Sharma, Adv.
Ms. Komal Singh, Adv.
Ms. Kajal Rani, Adv.
Mr. Jeetendra Kumar, Adv.
Mr. Subodh, Adv.
Mr. Saroj Kumar Sinha, Adv.
Mr. Pawan Kumar Dhiman, Adv.
Mr. Shantanu Jugtawat, Adv.**

**Mr. Omkar Deshpande, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande- 3259, AOR
Mr. Shrirang B. Varma, Adv.**

Mr. Mukesh Verma, Adv.

Ms. Vatsala Tripathi, Adv.
Mr. Kamal Kumar Pandey, Adv.
Mr. Shashank Singh, AOR
Mr. Pankaj Kumar Singh, Adv.

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

1. Ms. Archana Pathak Dave, learned Additional Solicitor General submitted that pursuant to the judgment dated 04th August, 2026, the Ministry of Environment, Forest and Climate Change (MoEF&CC) has filed an affidavit, which is to the following effect:

"1. That, I am well acquainted with the facts and circumstances of the present case and duly authorized to sign the present affidavit

2. That the present affidavit is being filed in compliance to the order dated 04.08.2026, whereby, inter alia, MoEF&CC has been directed to take into account the principles referred to in the said order for determination and imposition of environmental compensation, as also the Rules that operate in the field, to formulate the necessary guidelines to be issued under Rule 17(2) of the Solid Waste Management Rules, 2026 (hereinafter referred to as "SWM Rules, 2026"), and place on record the progress in the making and the issuance of regulations.

3. It is humbly submitted that, as per sub-rule (2) of Rule 17 of the SWM Rules, 2026, the Central Implementation Committee (hereinafter referred to as 'CIC') constituted by Central Pollution Control Board (CPCB) under these rules shall prepare guidelines for imposition and collection of environment compensation from entities involved in collection, sorting, transportation and treatment or processing of solid waste and disposal, in case of violation or non-compliance under the rules. That the Central Implementation Committee (CIC) has been constituted by the CPCB vide Office Memorandum dated 09.03.2026, and is chaired by the Chairman, CPCB.

4. It is humbly submitted that in compliance with the directions of the Hon'ble Supreme Court dated 04.08.2026, MoEF&CC forwarded the judgment/order of this Hon'ble Court, vide Office Memorandum dated 25.08.2026, to the Central Pollution Control Board (hereinafter referred to as 'CPCB') for taking necessary action and for placing the matter before the CIC for preparation of the necessary Environmental Compensation guidelines under Solid Waste Management Rules, 2026. Copy of the Office Memorandum dated 25.08.2026 is annexed and marked as Annexure-I.

5. It is humbly submitted that, pursuant thereto, the second meeting of the Central Implementation Committee (CIC) was convened on 25.09.2026 through hybrid mode under the chairmanship of the Chairman, Central Pollution Control Board (CPCB). The meeting was attended by the Members of the Committee and officials of the Regional Directorates of the CPCB and its Head Office, Delhi.

6. It is humbly submitted that, during the meeting, the Members were, inter alia, apprised of the order dated 04.08.2026 passed by the Hon'ble Supreme Court regarding the formulation of Guidelines under Rule 17(2) of the Solid Waste Management Rules, 2026 for the determination and imposition of Environmental Compensation. After detailed deliberations, the following decisions were taken with respect to the formulation of the said Guidelines:

(1) A Sub-Committee comprising representatives from the selected Expert Institution(s)/Technical Agency(ies) and CIC may be constituted for preparation of "Guidelines for imposition and collection of EC", under SWM Rules, 2026.

(2) The Draft Guidelines may be placed for consideration of the CIC in its next meeting, scheduled to be held within one month.

Copy of the minutes of meeting dated 26.09.2026 is annexed and marked as Annexure-II.

7. That, in view of the facts and circumstances stated hereinabove, it is most respectfully

prayed that this Hon'ble Court may be pleased pass such order as this Hon'ble Court may deem fit and proper in the interests of justice."

2. Pursuant to our order dated 11th November, 2025, the State Pollution Control Board (for short, 'the Board') was required to file an affidavit about the legacy waste, which needs to be dealt with. But, the said affidavit has not been filed so far. Mr.Kamal Kumar, learned counsel representing respondent No.3, prays for and is permitted to file the said affidavit within a period of two weeks from today. The Board shall also file a detailed affidavit about the legacy waste as regards the Ulhasnagar Municipal Corporation.

3. List the appeals for compliance on 01st December, 2026.

4. In the meantime, the learned A.S.G. shall place draft guidelines on record.

5. Ms. Shibani Ghosh, learned amicus curiae, to submit a short note on the compensation payable by the appellant(s) as also on joint and several liability of the Municipal Corporation(s), State Government and/or the Urban Development Authority, as the case may be.

6. The appellant(s) shall also file an appropriate affidavit as regards the steps taken by them with respect to the legacy waste.

7. In the meantime, interim order granted earlier by this Court shall continue to operate.

(SHUBHAM SONI)
COURT MASTER (SH)

(NIDHI WASON)
ASSISTANT REGISTRAR