

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

SUO MOTO WRIT PETITION (CIVIL) No(s).1/2021

IN: RE REMEDIATION OF POLLUTED RIVERS

O R D E R

1. These *suo moto* proceedings were initiated by this Court pursuant to an order dated 13.01.2021 passed by a three-Judge Bench in Writ Petition (C) No.8/2021 (*Delhi Jal Board vs. State of Haryana and others*).

2. While the original matter dealt with increasing levels of pollution in the Yamuna River, this Court deemed it appropriate to take *suo moto* cognizance of the issue of contamination of rivers by sewage effluents in general. To that end, this Court also thought it appropriate to first address the contamination of the Yamuna River. Consequently, notices were issued to the States of Uttarakhand, Himachal Pradesh, Haryana, Delhi and Uttar Pradesh. In addition, the Union of India, through the Ministry of Environment, Forest and Climate Change, the Ministry of Housing and Urban Affairs, and the Central Pollution Control Board, were also impleaded as party respondents.

3. At this juncture, we must preliminarily observe that there is no gainsaying that the right to live under hygienic conditions in a clean environment is an intrinsic part of

the right to human dignity, which is deeply embedded in Article 21 of the Constitution of India. Moreover, this Court has, in a catena of decisions, held that clean water is a basic necessity for the survival of human beings. Thus, we find that the right to life, along with a plethora of other human rights, is *inter alia* guaranteed under Article 21 of the Constitution of India, and can only be meaningfully served by providing clean and potable source(s) of water where there are none.

4. It is doubtless in recognition and furtherance of the aforestated principles that this Court initiated these *suo moto* proceedings.

5. Notably, this Court also took notice of the fact that under the relevant legislative scheme, namely, the Water (Prevention and Control of Pollution) Act, 1974, the Central Pollution Control Board and the State Pollution Control Board(s) were statutorily obligated to take all the necessary remedial measures for ensuring that sewage effluents of cities are not discharged directly into rivers, ponds and lakes unless it is completely treated so as not to deteriorate the quality of water. The necessity of the establishment of common effluent treatment plant(s), sewage treatment plant(s), etc., was also duly acknowledged. Thereafter, the Central Pollution Control Board was directed as follows:

“18. We direct the CPCB to submit a report

identifying municipalities along the river Yamuna, which have not installed total treatment plants for sewage as per the requirement or have gaps in ensuring that the sewage is not discharged untreated into the river. CPCB may also highlight any other source of prominent contamination within the limits of Municipalities. It shall also submit priority-wise list of Municipalities, river stretches adjacent to which have been found to be most polluted."

6. We may hasten to add that under the National Green Tribunal Act, 2010 (in short, the "NGT Act"), the National Green Tribunal (in short, the "Tribunal") has been established, *inter alia*, to perform numerous judicial/quasi-judicial duties. The Tribunal is vested with wide adjudicatory authority under Sections 14, 15 and 16 of the NGT Act to entertain civil cases involving substantial questions relating to the environment, to grant relief and compensation for environmental damage, and to pass orders for restitution of the environment.

7. Needless to say, through the various provisions of the NGT Act, ample powers have been conferred upon the Tribunal to ensure that all the stakeholders, particularly the statutory authorities such as the Pollution Control Boards, Municipalities and local bodies, perform their duties towards meticulous compliance with the statutory environmental laws.

8. Adverting to the facts of these proceedings, we find from the record that in purported performance of its duties under the NGT Act, the Tribunal had passed certain orders, essentially directing the Central Pollution Control Board and other statutory agencies to ensure meticulous compliance with

the relevant environment laws and implement the directions issued by the Tribunal from time to time *vis-à-vis* the subject-issues.

9. Be that as it may, much water has flown during the pendency of these proceedings for the past five years. In the absence of any latest report on record, we shall refrain from confidently commenting on any possible improved condition of the Yamuna river or other ponds, lakes etc. Here, we are constrained to observe that the statutory obligations of the Tribunal do not cease to exist merely because of cognizance taken by this Court. At the same time, the governmental agencies such as the Pollution Control Board(s) also do not get absolved from their responsibility only with the issuance of certain directions.

10. All that we wish to notice presently is that the protection and de-contamination of our rivers has to be an ongoing process, not one which can be resolved by one-time omnibus directions. If the statutory Authorities, concerned Governments or even private entities find or create any impediment(s) in giving effect to the provisions of the environmental laws or the directions issued by the Tribunal, it is imperative upon the Tribunal to monitor the subject and ensure that necessary directions are issued from time to time and status reports are obtained in furtherance of the stated compliance.

11. Having said that, we are equally cognizant of the fact that multiple and/or parallel proceedings before different

judicial fora create rampant uncertainty and confusion with respect to the nature or uniformity of the directions.

12. Consequently, it appears to us that, rather than initiating *suo motu* proceedings, this Court ought to have directed the Tribunal to continue monitoring the implementation of its earlier directions until the intended objectives were effectively achieved. We say so while remaining fully conscious that the Tribunal is not the final adjudicatory forum. Its orders, as well as those of other statutory authorities, are amenable to challenge by way of statutory appeals, special leave petitions or appropriate writ proceedings, and remain subject to judicial review by this Court.

13. In light of the above, and in view of the admitted position that little progress has occurred on the ground since these proceedings were initiated, we are satisfied that it is high time that the *suo moto* proceedings should be closed and the proceedings which were pending before the Tribunal, which have seemingly been closed, be revived.

14. We, therefore, direct the Central Pollution Control Board or the agencies of the relevant States, as well as the Union of India, to submit their respective compliance/status reports before the NGT, Principal Bench at New Delhi. Similarly, the original applicants or the intervenors before this Court shall be at liberty to assist the Tribunal in the aforementioned matter. The Tribunal shall be free to issue a fresh set of directions, as may be required, after

considering the latest status report of the prevailing conditions on-site.

15. With liberty and the directions issued hereinabove, these proceedings stand closed.

16. All pending applications, including intervention application(s), if any, also stand disposed of.

.....CJI.
(SURYA KANT)

.....J.
(JOYMALYA BAGCHI)

NEW DELHI;
FEBRUARY 24, 2026

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

SUO MOTO WRIT PETITION (CIVIL) No(s).1/2021

IN: RE REMEDIATION OF POLLUTED RIVERS

IA No. 39182/2023 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 39181/2023 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 99277/2023 - CLARIFICATION/DIRECTION
IA No. 10350/2026 - CLARIFICATION/DIRECTION
IA No. 100720/2022 - PERMISSION TO APPEAR AND ARGUE IN PERSON

Date : 24-02-2026 This matter was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI

For Parties: Ms. Meenakshi Arora, Senior Advocate (A.C.)
Ms. Vanshaja Shukla, AOR
Mr. Vikas Negi, Adv.
Mr. Siddhant Yadav, Adv.

By Courts Motion

Applicant-in-person

Mr. Divyanshu Kumar Srivastava, AOR
Mr. Alok Nayak, Adv.
Mr. Shivam Nagpal, Adv.

Mr. B K Satija, Adv.
Mr. Aditya Sharma, AOR
Mr. Rahul Khurana, Adv.

Ms. Aishwarya Bhati, A.S.G.
Mr. Gurmeet Singh Makker, AOR
Ms. Suhashini Sen, Adv.
Mr. Navanjay Mahapatra, Adv.
Mr. Rohit Khare, Adv.
Ms. Prabhati Nayak, Adv.
Ms. Ruchi Kohli, Adv.
Mr. Rohan Gupta, Adv.
Mr. Abhinav Aggarwal, Adv.
Mr. Sunit Choudhary, Adv.
Ms. Shweta Singh Verma, Adv.
Mr. Mukesh Kumar Maroria, AOR

Mr. Zoheb Hossain, AOR

Mr. D. S. Parmar, A.A.G.
Ms. Mrinal Gopal Elker, AOR
Mr. Bittu Kumar Singh, Adv.
Ms. Silpi S Swain, Adv.

Mr. Saurabh Rajpal, Adv.
Ms. Nidhi Jaswal, AOR

Mr. Sandeepan Pathak, AOR
Mr. Rahul Gupta, Adv.

Mr. T. N. Singh, AOR
Ms. Rajshree Singh, Adv.
Mr. Kumar Gaurav, Adv.

Mr. Nitesh Ranjan, AOR

Mr. Gaurav Goel, AOR
Ms. Nivedita Sharma, Adv.
Mr. Gaurav Goel, Adv.
Mr. Rajesh Kumar, Adv.
Mrs. Aparna Rohtagi Jain, Adv.
Mr. Jns Tyagi, Adv.

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

1. The petition is disposed of in terms of the signed order.
2. All pending applications, if any, also stand disposed of.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR

(signed order is placed on the file)