



Quarterly Roundup: Environmental Law

January to March 2025

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Key Rulings From the Supreme Court, High Courts and National Green Tribunal

Waris Chemicals Private Limited v. Uttar Pradesh Pollution Control Board: The Supreme Court clarifies the procedure for rectifying errors in environmental compensation calculation

Pursuant to an order dated January 9, 2025, the Supreme Court clarified that if the National Green Tribunal (“**NGT**”) finds that the environmental compensation payable (for causing groundwater pollution due to the storage of hazardous chromium waste in this case) has been computed by a State Pollution Control Board (“**SPCB**”) in an incorrect manner, the matter should be sent back to such SPCB for a fresh determination pursuant to law, rather than the NGT correcting the error and/or fixing such compensation itself. Additionally, without getting into the question of the NGT’s jurisdiction, the Supreme Court expressed ‘serious doubt’ about the jurisdiction of the NGT to direct the prosecution of an individual under the Prevention of Money Laundering Act, 2002 (“**PMLA**”) without the filing of a first information report related to a scheduled offence under the PMLA or a complaint alleging offences or violations under environmental laws such as the Water (Prevention and Control of Pollution) Act, 1974 (“**Water Act**”), the Air (Prevention and Control of Pollution) Act, 1981 (“**Air Act**”), and the Environment (Protection) Act, 1986 (“**EP Act**”). *Read more [here](#).*

M.C. Mehta v. Union of India & Ors.: The Supreme Court directs the implementation of color-coded high security registration plates for diesel and petrol vehicles

Pursuant to an order dated January 27, 2025 (“**2025 SC Order**”) with respect to the Motor Vehicles Act, 1988 (“**MV Act**”), the Central Motor Vehicles Rules, 1989 (“**CMV Rules**”), and the Motor Vehicles (High Security Registration Plates) Order, 2018 (“**HSRP Order**”), the Supreme Court modified its previous order dated August 13, 2018 (“**2018 SC Order**”) regarding the placing of color stickers on the windshields of vehicles in the National Capital Region (“**NCR**”) for the purpose of indicating the nature of fuel being used. In the 2018 SC Order, the Supreme Court had issued directions for the display of hologram-based stickers by vehicles in NCR and directed petrol and compressed natural gas (“**CNG**”) vehicles to use light-blue colored stickers and diesel vehicles to use orange-colored stickers. In the 2025 SC Order, the Supreme Court directed the provisions of the HSRP Order to be applied in respect of vehicles sold on or after April 1, 2019, and action under Section 192 of the MV Act to be initiated by concerned State Governments within NCR, including the State of Delhi, in respect of such vehicles sold on or after April 1, 2019 which had not complied with the provisions of the HSRP Order. The Supreme Court also directed such State Governments to ensure, among other things, that the provisions of the HSRP Order are implemented even in respect of vehicles registered prior to April 1, 2019 within NCR states.

Further, in a separate matter dealing with the issue of pollution created by power plants in Delhi NCR, the 2025 SC Order directed the Commission for Air Quality Management (“**CAQM**”) to consider and recommend, in consultation with the Ministry of Power and the Ministry of Environment, Forest and Climate Change (“**MoEFCC**”), the norms which must be followed by 11 coal-based thermal power plants and their respective units until the deadlines provided in Table 1 of Item No. 25 under Schedule I of the Environment (Protection) Rules, 1986 (“**EP Rules**”), for the purpose of curbing environmental pollution pursuant to Rule 3(1) of the EP Rules.

In its subsequent order dated April 9, 2025, the Supreme Court has reviewed submissions of the Central and State Governments on implementation of the 2025 SC Order and directed the Central Government to obtain compliance figures by June 30, 2025 from all State Governments. In addition, the Supreme Court also expressed concerns over the non-enforcement of Section 192(1) of the MV Act and ordered State Governments to report such enforcement to the Central Government by June 30, 2025. *Read more [here](#), [here](#), [here](#) and [here](#).*

S. Muralidharan v. Principal Chief Conservator of Forests & Ors.: The Madras High Court constitutes a Special Investigation Team with respect to illegal earth mining and unauthorized brick kilns

Pursuant to an order dated January 10, 2025, the Madras High Court asked for urgent measures to protect elephant corridors in the Coimbatore district of Tamil Nadu and forest division, including by preventing illegal earth mining and shutting down illegal brick kilns. The High Court took note of the disruptions caused by illegal sand mining in the area which forced elephants to alter their routes and enter local villages, leading to human-animal conflicts. In particular, the High Court ordered for the transfer of all investigations in respect of pending cases related to illegal mining activities to a special investigation team (“SIT”) constituted by it, including to take action against unauthorized miners and brick kiln operators in the area. Periodical status reports are required to be filed by the SIT with reference to the progress of its investigation which will be monitored by the Madras High Court. *Read more [here](#).*

Kerala Coastal Zone Management Authority v. P.M. Sukhilesh & Ors.: The Kerala High Court upholds the quashing of a CRZ clearance granted for the construction of a crematorium in a mangrove area

Pursuant to a judgement dated January 7, 2025, a division bench of the Kerala High Court upheld the November 2020 decision of a single judge bench of such court that quashed the CRZ permission for constructing a public crematorium in a dense mangrove area. Pursuant to CRZ notifications issued under the EP Act, coastal regulation zones have been classified under different areas, where CRZ-I, i.e., the most environmentally critical zones, have been further sub-classified, including as CRZ-IA, which constitute geomorphological features that play a role in the integrity of coasts, such as mangroves. Being the most ecologically sensitive areas and requiring the highest level of protection, no activities are generally permitted in CRZ-IA other than certain exceptions. The Kerala High Court found the area in question to be covered with dense

mangroves, thereby justifying its classification as CRZ-IA, where construction of a crematorium was not permissible, including for the purpose of (i) protecting an ecologically fragile coastal area from disruptive activities, (ii) upholding the essence of CRZ notifications, and (iii) the larger public interest in environmental protection. Although the concerned CRZ authority had attempted to address the issue by reclassifying the area as CRZ-III, the division bench of the Kerala High Court held that the single bench was right to reverse this reclassification and quashing the CRZ permissions on the basis of the region’s dense mangrove cover. *Read more [here](#).*

Registrar General, High Court of Meghalaya v. State of Meghalaya: The Meghalaya High Court initiates suo motu PIL on protection of wetlands in the state

Pursuant to a judgement dated February 27, 2025, the Meghalaya High Court took *suo motu* cognizance of the status of wetlands in the state of Meghalaya, including with respect to identifying, maintaining and preserving such wetlands that were considered of heritage value and international importance. The Meghalaya High Court registered a public interest litigation (“PIL”) pursuant to a Supreme Court order (issued in the case of *Anand Arya v. Union of India*) dated December 11, 2024 and the MoEFCC’s affidavit filed in an earlier writ petition (*M.K. Balakrishnan v. Union of India*) concerning the National Wetland Inventory and Assessment Project. The Supreme Court order had requested all High Courts to oversee the protection and upkeep of Ramsar sites¹ within their respective jurisdictions. In this regard, pursuant to an administrative order of the Chief Justice of the Meghalaya High Court seeking a report, the Meghalaya State Wetland Authority had reported that there were no notified [Ramsar sites](#) in the state. However, the Chief Justice found it necessary to confirm such report and sought other directions in compliance with the Supreme Court’s order, leading to the registration of the PIL. *Read more [here](#), [here](#) and [here](#).*

¹ Pursuant to the [Convention on Wetlands of International Importance](#) (Ramsar, 1971), each Contracting Party undertakes to designate at least one wetland site for inclusion in the ‘[List of Wetlands of International Importance](#)’. There are over 2,000

such Ramsar sites in the territories of over 160 Contracting Parties across the world. *Read more [here](#).*

Vinod Kumar Sharma v. State of Rajasthan & Ors.: The NGT considers policy measures for regulating illegal sawmills across India

Pursuant to an order dated February 3, 2025, the Principal Bench of the NGT issued notice to unrepresented respondents in a matter involving the illegal operation of certain sawmills in Rajasthan. Previously, pursuant to an order dated January 2, 2025 with respect to an original application filed before it, the NGT's Central Zonal Bench, Bhopal had transferred such application to the Principal Bench since the matter might involve policy considerations at the national level and thereby require the latter's consideration. In the original application filed before the Central Zonal Bench, it was alleged that over 274 unauthorized sawmills were functioning in Tehsil Lalsot, District Dausa, Rajasthan, resulting in widespread tree felling across both forest and revenue lands. Recognizing the importance of the matter, the Central Zonal Bench had observed that in the absence of appropriate steps by state authorities, such matter may require the consideration of similar parameters across all states in view of the Supreme Court's orders and guidelines. *Read more [here](#).*

The Auroville Foundation v. Navroz Kersasp Mody: The Supreme Court permits Auroville Township Project, emphasizing sustainable development

Pursuant to a judgement dated March 17, 2025, the Supreme Court set aside earlier orders dated April 28, 2022 and July 27, 2022 issued by the NGT, Chennai on the ground that such orders were passed without jurisdiction and therefore deserved to be quashed. Since no substantial question relating to the environment had arisen, nor had a violation of any of the enactments specified in Schedule-I of the National Green Tribunal Act, 2010 been alleged in the matter, the Supreme Court found that the NGT had committed a gross error in assuming jurisdiction and giving legally untenable directions in such matter, which involved environmental clearances ("ECs") for the Auroville Township Project in Puducherry. Previously, the NGT had directed the Auroville Foundation to pause development in respect of such project until the EC was obtained. Highlighting the importance of balancing environmental preservation with the need for development, the Supreme Court observed that

while the 'Precautionary Principle' and the 'Polluter Pays Principle' are part of Indian environmental law and the right to a clean environment is a fundamental right under Articles 14 and 21 of the Constitution of India, the right to development through industrialization claims equal priority under such fundamental rights, particularly under Articles 14, 19 and 21 of the Constitution. Accordingly, the Supreme Court underscored the need to harmonize sustainable development with environmental safeguards, as well as to balance socioeconomic needs with environmental considerations, since the objective of all environment laws should be to create harmony between development and the environment. *Read more [here](#).*

M.C. Mehta v. Union of India & Ors.: The Supreme Court reinstates tree-felling restrictions and addresses industrial expansion in the Taj Trapezium Zone

Pursuant to an order dated March 25, 2025 ("**March 2025 Order**"), the Supreme Court recalled its earlier order dated December 11, 2019 ("**December 2019 Order**") with respect to IA Nos. 104091/2018, 104097/2018 and 112177/2019 and restored such applications to their original numbers for listing. In IA No. 104097/2018 ("**Application**"), the applicant had, *inter alia*, prayed for (i) the passing of appropriate orders and directions for promoting agroforestry on non-forest and private land situated in the Taj Trapezium Zone ("**TTZ**") for the purpose of increasing the green cover of such area to curb air pollution and improve ambient air quality (such prayer, "**Prayer 1**"); and (ii) the modification of previous orders dated May 8, 2015 and May 9, 2018 ("**Permission Orders**") issued by the Supreme Court in IA Nos. 527 and 109556 of 2017, respectively, by doing away with the condition of obtaining prior permission of such court to fell trees on non-forest and private lands within the TTZ area (such prayer, "**Prayer 2**").

In the absence of clarity with respect to, or any material on record to show, the meaning and concept of 'agroforestry', the Supreme Court observed in its March 2025 Order that, although the Application had purportedly been made for the purpose of promoting agroforestry, the Prayer 1 related to modifying the Permission Orders was not limited to agroforestry alone. Further, for the purpose of enabling it to decide the restored applications

(including the restored Application), the Supreme Court asked the Central Empowered Committee (“CEC”) to (i) submit a report clarifying the meaning and concept of agroforestry, and (ii) make recommendations with respect to the Prayer 2 for promoting agroforestry in the TTZ.

Separately, pursuant to its December 2019 Order issued with respect to IA Nos. 576/2017 and 184391/2018 (“SC Relaxations”), the Supreme Court had relaxed the requirement for seeking its prior approval with respect to felling trees on non-forest and private lands within the TTZ. Issued pursuant to a request from the North Central Railway, Agra, the SC Relaxations had allowed tree felling over a 30-kilometer distance for a proposed railway line subject to certain conditions, since the Supreme Court had found such additional line to be both important and necessary for the existing railway network.

However, pursuant to its March 2025 Order issued with respect to Report No.17/2024 submitted by the CEC the Supreme Court was of the view that its past order, through which a complete embargo had been imposed on the felling of trees without its prior permission, ought to continue with regard to lands abutting the Taj Mahal. While the Supreme Court will continue to hear the parties concerned in this aspect, it has allowed the CEC to provide suggestions on such aspect as well.

Pursuant to a separate order dated March 18, 2025 (“Separate Order”) passed with respect to IA Nos. 32568 and 33549 of 2025 in response to an allegation that a certain parcel of land, where tree felling activities had been undertaken and which sought the grant of an EC, was part of the TTZ area, the Supreme Court directed the TTZ Authority, with the help and protection of police from the state of Rajasthan, to (i) depute its officers to the concerned site for the purpose of ascertaining whether such allegation was true and if any such activities continued; and (ii) ensure that no tree felling takes place on such land.

Separately, in I.A. No. 22551 of 2025, the TTZ Authority had sought a blanket modification in respect of the directions contained in a previous Supreme Court order dated October 14, 2024, pursuant to which a stay had been imposed on the setting up or expanding of industries in the TTZ

region. However, pursuant to its Separate Order, the Supreme Court observed that unless the TTZ Authority makes out a case for granting approval to a particular industry, including by making the court aware that such industry was not going to create pollution, such blanket permission could not be considered or granted by it. *Read more [here](#), [here](#), [here](#), [here](#).*

[Zon Hotels Private Limited v. Goa Coastal Zone Management Authority & Ors.: The Supreme Court overturns environmental compensation order for violating principles of natural justice](#)

Pursuant to a judgement and order dated February 19, 2025, the Supreme Court set aside an environmental compensation order dated May 9, 2022 issued against the appellant by the Goa Coastal Zone Management Authority (“GCZMA,” and such GCZMA order, “GCZMA Order”) on the ground that such determination was undertaken by the GCZMA unilaterally and without hearing the appellant, thereby violating principles of natural justice. The GCZMA Order had been issued pursuant to an order dated April 19, 2022 issued by the High Court of Bombay at Goa (such order, “Bom HC Order”), where such High Court had directed the GCZMA to estimate in monetary terms the environmental damage caused by illegal and unauthorized construction in an area affected by Coastal Regulation Zone (“CRZ”) notifications issued under the EP Act. Subsequently, the appellant had contested the GCZMA Order before the NGT, Western Zone, arguing that the GCZMA had failed to issue a show cause notice or provide an opportunity for a hearing prior to its order being passed. Although the NGT found a violation of the principles of natural justice in connection with the passing of the GCZMA Order, it did not remand the matter to the GCZMA for a re-determination of environmental compensation. Instead, the NGT determined the question of correctness with respect to such calculation by itself on the premise that it had given an opportunity to the appellant to be heard. The Supreme Court found that the NGT was not right in sustaining the GCZMA Order and accordingly set aside the NGT’s order on the ground of violating principles of natural justice (but not on merits). While quashing the GCZMA Order, the Supreme Court construed it as a show cause notice instead, thereby granting the appellant time to reply to such notice as

well as an opportunity to be heard, and also ordered a re-determination of the environmental compensation payable by the appellant, having regard to the directions issued by the Bombay High Court pursuant to the Bom HC Order. *Read more [here](#) and [here](#).*

Regulatory Updates

MoEFCC notifies the Plastic Waste Management (Amendment) Rules, 2025

Pursuant to a notification dated January 23, 2025, the MoEFCC issued the Plastic Waste Management (Amendment) Rules, 2025 (“**Plastic Waste Amendment**”) to amend the Plastic Waste Management Rules, 2016 (“**Plastic Waste Rules**”). Rule 11(1) of the Plastic Waste Rules relates to marking or labeling obligations and requires each plastic carry bag, plastic packaging and multilayered packaging to have certain specified information printed in English, including with respect to name, registration number and thickness. In this regard, with effect from July 1, 2025, the Plastic Waste Amendment allows producers, importers and brand-owners (“**Obligated Entities**”) to provide the information specified under Rule 11(1) of the Plastic Waste Rules as follows: (i) in a barcode or quick response (“**QR**”) code printed on the plastic packaging; (ii) in the product information brochure; or (iii) by printing the unique number issued under any law in force on the plastic packaging, as long as the requirements of Rule 11(1) of the Plastic Waste Rules are fulfilled before the issuance of such number. However, the Obligated Entities are required to inform the Central Pollution Control Board (“**CPCB**”) about the details of publishing with respect to such barcode, QR code, brochure or unique number, pursuant to which the CPCB is required to publish the list of such Obligated Entities which provide such details and product information on its website and update the information every quarter. In addition, the Plastic Waste Amendment includes a new Rule 19 to the Plastic Waste Rules (*‘Action for Contravention’*), which specifies that a person who fails to comply with, or contravenes, the provisions of such rules will be liable to a penalty pursuant to Section 15 of the EP Act² (*‘Penalty for Contravention of the Provisions of the Act and the Rules, Orders and Directions’*). [Read more here.](#)

² Pursuant to Section 15 of the EP Act, any person who violates the provisions of the EP Act, its rules, or related orders and directions, will be liable for fine ranging from INR 10,000 to INR

MoEFCC notifies the Battery Waste Management Amendment Rules, 2025

Pursuant to a notification dated February 24, 2025, the MoEFCC issued the Battery Waste Management Amendment Rules, 2025 (“**Battery Waste Amendment**”) to further amend the Battery Waste Management Rules, 2022 (“**Battery Waste Rules**”). Pursuant to a previous amendment of the Battery Waste Rules in 2023, a new clause (ia) had been added to paragraph 2 (*‘Labeling Requirements’*) of Schedule I (*‘Prohibitions and Labeling Requirements’*) of such rules, requiring producers to ensure on or before March 31, 2025 that all battery or battery packs produced are appropriately marked with Extended Producer Responsibility (“**EPR**”) registration number issued under Rule 4 of the Battery Waste Rules (*‘Functions of Producer’*). The Battery Waste Amendment inserts a new clause (ib), permitting producers to fulfil the requirements of clause (ia) as long as they provide the necessary information in writing to the CPCB by printing QR codes or barcodes to display EPR registration numbers on batteries or battery packs, or on equipment/packaging/non-retail bulk packaging related to such batteries or battery packs. Alternatively, producers may fulfil such requirements by printing the EPR registration number on product information brochures. In addition, the Battery Waste Amendment inserts a proviso to such clause (ia), specifying that the provisions of such clause will not apply to packaging covered under Rule 26 of the Legal Metrology (Packaged Commodities) Rules, 2011 (*‘Exemption in respect of Certain Packages’*). Further, batteries containing a metal concentration by weight of less than or equal to (i) 20 parts per million of Cadmium ($\leq 0.002\%$), or (ii) 40 parts per million of Lead ($\leq 0.004\%$), have now been exempted from displaying/marketing the chemical symbols “Cd” or “Pb”, respectively. [Read more here.](#)

MoEFCC issues new rules for end-of-life vehicle management

Pursuant to a notification dated January 6, 2025, the MoEFCC issued the Environment Protection (End-of-Life Vehicles) Rules, 2025 (“**Vehicle Rules**”), which came into effect on April 1, 2025. The Vehicle

1.5 million where no specific penalty has been prescribed. In case of continued non-compliance, such person will be liable to additional penalty of INR 10,000 for every day during which such contravention continues.

Rules apply to, and lay down compliance requirements for, producers, registered vehicle owners, bulk consumers, collection centers, registered vehicle scrapping facilities, automated testing stations, as well as entities involved in the (i) testing of vehicles, and (ii) handling, processing and scrapping of 'End-of-Life' vehicles (together, "**Covered Entities**"). The Vehicle Rules require certain such Covered Entities to register themselves with the CPCB. Further, the Vehicle Rules require registered vehicle scrapping facilities to obtain an EPR certificate through a centralized online portal, which can be purchased by a producer through such portal to meet EPR obligations under such rules. The Vehicle Rules also introduce a mechanism for imposing liability upon producers, bulk consumers and registered vehicle scrapping facilities to pay environmental compensation for causing loss, damage or injury to the environment or public health due to their non-compliance with provisions of the Vehicle Rules with respect to the handling and scrapping of End-of-Life vehicles in an environmentally sound manner. The compensation payable by producers, bulk consumers and vehicle scrapping facilities in such circumstances may be equal to the loss, damage or injury caused, pursuant to the guidelines issued by the CPCB in this regard. [Read more here.](#)

CPCB issues directions for revised classification of industrial sectors

Previously, in 2016, the CPCB had developed a scoring methodology based on pollution index ("**PI**") to harmonize criteria for categorizing industries. PI was determined by evaluating water pollution, air pollution, and hazardous waste generation. Pursuant to such methodology, the CPCB had classified various industrial sectors into four categories (i.e., red, orange, green and white). The white category had been introduced in 2016 for sectors that were considered 'practically non-polluting'. In addition, SPCBs and PCCs had been authorized to categorize new or leftover sectors according to the CPCB's 2016 methodology.

On account of certain factors witnessed over time, including the increased use of cleaner fuels, such as piped natural gas ("**PNG**") and bio-CNG, the adoption of cleaner technologies resulting in reduced wastewater generation, normalization approaches, different formulae for calculating PI,

etc., the CPCB's classification methodology of 2016 was revisited to identify areas for improvement. For instance, separate scoring mechanisms for trade and sewage effluents, respectively, were required to be factored in due to their differing characteristics and treatment methods. Accordingly, directions were issued by the CPCB under Section 18(1)(b) of the Water Act and the Air Act, respectively ("**CPCB Directions**"), through its letter dated February 12, 2025 to all SPCBs and PCCs with respect to harmonizing the classification of industrial sectors under red, orange, green, white and blue categories, respectively, along with a report containing guidelines for progressive environmental management ("**CPCB Report**"). The CPCB Directions *inter-alia* revise the previous methodology to calculate PI for the purpose of classifying industrial sectors according to their pollution potential (red representing the highest PI range, and white, the lowest). Such revised classification aims to enhance environmental management and regulatory oversight, while the CPCB Report further outlines guidelines for implementing the revised classification system, which can be used for *inter-alia* consent management, inspection frequency, siting criteria, cluster development, pollution control plans, levying environmental compensation and promoting progressive environmental management.

Further, a separate blue category has now been introduced for essential environmental services (ESS) which are required for the management of waste generated, and environmental concerns arising, from anthropogenic pollution due to domestic/household activities which otherwise have significant potential to cause littering.

In addition, the CPCB revisited and further revised its 2025 classification of compressed biogas ("**CBG**") and bio-CNG based on representations received for the reclassification of such sector. Accordingly, pursuant to a letter dated March 25, 2025, the CPCB directed SPCBs and PCCs to adopt such revised classification of CBG plants.

Further to the CPCB Directions, the SPCBs of Uttarakhand and Kerala have updated their industrial categorization frameworks pursuant to an office order dated March 3, 2025 and a circular dated March 7, 2025, respectively.

While the Uttarakhand SPCB has used the new 'blue' industry category to reclassify certain industries, the Kerala PCB has classified certain industries/activities such as certain kinds of hydrogen production, egg-packing units and certain specifications of food waste processing units into green, orange and white category industries based on their respective PI, pursuant to the revised methodology of the CPCB Directions. [Read more here, here, here and here.](#)

MoEFCC issue guidelines regarding consent and grants for establishing industrial plants

Pursuant to notifications dated January 29 and January 30, 2025, the MoEFCC, in consultation with the CPCB, issued the Control of Air Pollution (Grant, Refusal or Cancellation of Consent) Guidelines, 2025 and the Control of Water Pollution (Grant, Refusal or Cancellation of Consent) Guidelines, 2025, respectively ("**Consent Guidelines**"). The Consent Guidelines deal with procedures related to the applications necessary for consents to establish or operate an industrial plant under the Air Act and the Water Act, respectively, and for the grant, renewal, refusal, and cancellation of such consents for industries, as well as the criteria for establishing industrial plants under the Air Act and Water Act, respectively.

The Consent Guidelines introduce a common consent mechanism involving a single step procedure, enabling industries to submit applications for approvals under the Air Act and Water Act, respectively, along with authorization under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 ("**Hazardous Waste Rules**") for managing hazardous and other wastes.

The Consent Guidelines prescribe the forms and procedure for applications for *Consent to Establish* ("**CTE**") an industrial unit, and once an industrial unit is established with the necessary pollution control system and is ready to operate, an application to obtain *Consent to Operate* ("**CTO**").

Additional compliance documentation demonstrating adherence to environmental standards for CTO renewals require the inclusion of particulars related to the following: (i) environmental

statement as specified under the EP Rules; (ii) annual returns as specified under the Hazardous Waste Rules; and (iii) a declaration on no change in the manufacturing process, production capacity, pollution load, and emissions.

CTE will be valid for a period of five years from the date it is granted and may be extended by a maximum two-year period if an application is made in this regard. CTO validity periods will vary by industrial classification as follows:

- Red-category: 5 years
- Orange-category: 10 years
- Green-category: 15 years
- Blue-category: Additional 2 years

To encourage timely compliance, industries renewing their CTO at least four months before expiry are eligible for a 5% fee rebate. However, consent renewal applications may need to pay late fees, comprising a one-time additional fee ranging from 25% to 100% of the consent fee—depending on the period of applying, with the maximum fee imposed on applications which are submitted after the expiry of the validity period.

While consents may be granted with certain prescribed conditions, the Consent Guidelines provide a list of grounds ("**List**"), any one of which may be used for refusing or canceling consents. Before refusing or canceling a consent, SPCBs (including pollution control committees ("**PCCs**")) are required to provide a reasonable opportunity to be heard, and the reasons for such refusal or cancellation must be recorded in writing and duly communicated to the person to whom the consent is refused with necessary directions. [Read more here and here.](#)

CPCB releases Guidelines for Used Oil Collection, Handling, Transportation and Storage under EPR Framework

In January 2025, the CPCB released guidelines for the collection, handling, transportation and storage of used oil by collection agents ("**Oil Guidelines**"). Pursuant to the EPR framework under the Hazardous and Other Wastes (Management and Transboundary Movement) Second Amendment

Rules, 2023, every producer of base and/or lubrication oil and importer of used oil is obligated to fulfil EPR obligations by purchasing EPR certificates from registered recyclers, and collection agents are responsible for the safe collection of such used oil from generators (including bulk generators) and supply to registered recyclers. To this end, the Oil Guidelines provide a framework for collection agents to handle, store and transport used oil in a safe and environmentally sound manner, including with respect to regulatory requirements, standardized practices, and minimal necessary facilities for such activities. The Oil Guidelines introduced by the CPCB categorize collection agents as Collection Agents Level 1 (“CA-1”) and Collection Agents Level 2 (“CA-2”), respectively. CA-1 are agents who collect and transport used oil without having a storage facility. CA-2 are agents who maintain adequate storage facilities while collecting and transporting used oil. The Oil Guidelines lay down detailed compliance obligations for the two kinds of collection agents, including in relation to registration, annual returns, record keeping, handling, transportation and storage of used oil, as well as packaging and labeling of storage containers. *Read more [here](#) and [here](#).*

CPCB issues Standard Operating Procedure for Petrol Depots

Previously, pursuant to an order dated April 20, 2023, the NGT, Eastern Zone Bench, Kolkata had directed the CPCB to prepare a standard operating procedure (“SOP”) for petrol depots. Accordingly, the CPCB has issued a final draft of such SOP applicable to, and for the purpose of environmental compliance by, petrol depots (other than petrol pumps/retail outlets) which have facilities for storing, handling, distribution, transportation, loading or unloading of petrol, and which are liable to obtain an approval or license from the Chief Controller of Explosives for the storage of petrol. The SOP covers key areas such as general compliance, leakage prevention, secondary containment, monitoring, accident prevention, depot location and siting, and tank decommissioning. Among other things, the SOP mandates petrol depots to obtain a consent to establish and a consent to operate from the relevant

SPCB or PCC prior to establishment and operations, respectively, together with authorization under the Hazardous Waste Rules for managing hazardous and other wastes and maintain insurance policies pursuant to stipulations under the Public Liability Insurance Act, 1991 prior to commissioning. *Read more [here](#) and [here](#).*

MoEFCC tightens emission standards for the caustic soda industry

Pursuant to a notification dated March 26, 2025, the MoEFCC issued the Environment (Protection) Second Amendment Rules, 2025 (“**EP Amendment**”) to amend the EP Rules. The EP Amendment will come into force one year after the date of publication in the Official Gazette. It introduces stricter effluent and emission (both fugitive³ and process) standards for the caustic soda industry and omits existing standards under Item 28 and related entries of Schedule I of the EP Rules. The EP Amendment also prescribes certain revised and additional standards for wastewater generation and load-based limits, respectively, with respect to caustic soda under Parts B and C of Schedule VI of the EP Rules. *Read more [here](#).*

MoEFCC removes linear projects from exempted activities under the EIA Notification, 2006

Pursuant to a notification dated March 17, 2025 (“**EIA Amendment**”), the MoEFCC amended notification number S.O.1533(E) dated September 14, 2006, issued by the Government of India through its erstwhile Ministry of Environment and Forests (“**EIA Notification**”). The EIA Notification imposed certain restrictions on (i) the construction of new projects or activities, and (ii) the expansion or modernization of existing projects or activities, requiring *inter-alia* prior EC before undertaking of such projects or activities, including those covered under the Schedule to the EIA Notification.

Previously, pursuant to its notification number S.O. 1224(E) dated March 28, 2020 (“**2020 CG Notification**”), the Central Government had amended items 6 and 7 of Appendix-IX of the EIA Notification to provide *inter-alia* an exemption from

³ Fugitive emissions are those that are not emitted as intentional or desirable releases through a stack or vent. These emissions can include leakages or discharges of gases or vapors from

plants, pipes/pipelines and pressure-containing equipment, or from facilities and components inside plants such as valves, pumps, storage tanks, compressors, etc.

the requirement to obtain prior EC for extracting, sourcing or borrowing ordinary earth for linear projects such as roads, pipelines, and others, as well as for dredging and desilting dams, reservoirs, weirs, barrages, river and canals for the purpose of their maintenance, upkeep and disaster management.

Subsequently, pursuant to an order October 2020 (“**NGT EIA Order**”) in a matter related to *Noble M. Paikada* (“**Petitioner**”), the NGT had directed the MoEFCC to revisit the 2020 CG Notification. Thereafter, in compliance with the NGT EIA Order, and in consultation with the Expert Appraisal Committee related to non-coal mining, river valley and hydro-electric projects, the Central Government had issued an office memorandum dated August 8, 2022 (“**First CG Clarification**”) to clarify the applicability of the 2020 CG Notification with respect to the excavation of ordinary earth from borrowed areas for linear projects. Pursuant to the First CG Clarification, the Central Government had also issued an SOP for the identification and redevelopment of borrowed areas, along with the operational, safety and environmental safeguards which were required to be observed.

Thereafter, based on hearings in a civil appeal filed by the Petitioner before the Supreme Court (“**Petitioner’s SC Appeal**”), and pursuant to its notification number S.O. 3840(E) dated August 30, 2023, the Central Government re-amended items 6 and 7 of Appendix-IX to the EIA Notification to the effect that the exemption it had previously provided would be subject to compliance with the SOP and environmental safeguards, as issued from time to time in this regard.

Later, pursuant to its judgement dated March 21, 2024 in the Petitioner’s SC Appeal, the Supreme Court struck down item 6 of the Appendix-IX to the EIA Notification on the ground that the term “linear projects” was undefined and vague, and the process required for excavation had not been set out. Accordingly, the Supreme Court held that since such item 6 provided an unguided and blanket exemption, it was arbitrary and violative of Article 14 of the Constitution of India. The EIA Amendment has been issued for the purpose of addressing the issues and concerns raised by the Supreme Court in its judgement on the Petitioner’s SC Appeal.

The EIA Amendment has substituted item 6 and its related entries under Appendix-IX of the EIA Notification by specifying that the extraction, sourcing or borrowing of ordinary earth for linear projects will be subject to compliance with the conditions set out in Appendix XIV. In that regard, the EIA Amendment has added a new Appendix–XIV to the EIA Notification, in which a definition of ‘linear projects’ has been provided to mean projects of slurry pipelines, oil and gas transportation pipelines, highways or the laying of railway lines, which require extraction, sourcing or borrowing of ordinary earth above the threshold of 20,000 cubic metre and do not require prior EC under the EIA Notification. The newly added Appendix-XIV also contains environmental safeguards and an SOP among the compliance requirements for such projects. *Read more [here](#), [here](#), [here](#), [here](#), [here](#), [here](#), [here](#), [here](#), and [here](#).*

Nagaland Pollution Control Board mandates registration of lead acid battery dealers

Pursuant to a notice issued on February 26, 2024 (“**Nagaland Notice**”), the SPCB of Nagaland (“**NPCB**”) had mandated all lead acid battery dealers, refurbishers and recyclers dealing or operating in the state of Nagaland to compulsorily register with the NPCB. With reference to Section 5 of the EP Act and the Battery Waste Rules, the Nagaland Notice had directed such establishments to apply for registration with the NPCB within 15 days and further stated that all informal/illegal waste battery recycling/refurbishment operators who do not have a consent to operate would be immediately closed down and a failure to comply with such directions would attract legal action. In connection with the Nagaland Notice, pursuant to notifications issued on January 24, 2025, the NPCB released a list of battery dealers in Nagaland and a form for the registration of lead acid battery dealers, respectively. The purpose of mandating such registration is to ensure the environmentally responsible handling, disposal, and recycling of lead acid. *Read more [here](#), [here](#), [here](#) and [here](#).*

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