



JSA Newsletter Environmental Disputes and ESG Regulatory

October 2024

Supreme Court judgements/orders

The Supreme Court of India sets aside the judgement by National Green Tribunal directing closure of Garbage Processing Plant operated in Pune and shifting it to an alternate location

The Supreme Court of India (“**Supreme Court**”) in *Pune Municipal Corporation vs. Sus Road Baner Vikar Manch and Ors*¹ set aside and quashed the judgement of National Green Tribunal (“**NGT**”) in Original Application (“**OA**”) No. 210 of 2020. The applicant in the OA had approached the NGT praying for restraining the operation of Garbage Processing Plant (“**GPP**”) on the ground that it was established without following the procedure prescribed by law. NGT disposed of the OA based on a report submitted by a joint committee constituted to inspect the GPP. The NGT observed that GPP was in violation of the applicable statutory norms and infringed the right to clean environment of the inhabitants. It directed the closure of GPP and directed that the site should be used to develop a bio-diversity park in terms of its original designation. The concessionaire of the GPP challenged the decision of NGT before the Supreme Court. While setting aside the judgement of the NGT, the Supreme Court observed that closing GPP would be detrimental to the public interest as the organic waste generated in the western part of the city will have to be carried through the city to the eastern side of Pune. It further held that the finding of NGT that the plot where the GPP is constructed was reserved for bio-diversity park is erroneous. The Supreme Court held that the NGT has erred in allowing the OA and directing the closure of the GPP. The Supreme Court also directed the State Government to consider the possibility of growing Miyawaki forests in the bio-diversity park to provide green lungs to the nearby areas.

Supreme Court holds that head of government department will be held responsible for failure of government department to comply with the order of the NGT

The Supreme Court in *Katiya Haidarali Ahmadbhai and Ors vs. Sanjeev Kumar IAS and Ors*² held that the head of the government department will be deemed guilty for failure of the department to comply with the order passed by the NGT. The Supreme Court passed the order while considering an appeal arising out of the order passed by the NGT. NGT in its order held that it could not consider an execution application filed against the officers of the government department because they were not impleaded in their personal capacity in the Original Application. The appellant challenged the order of the NGT on the ground that by legal fiction under Section 28 (1) of the NGT Act, 2010, the head of the government department will be deemed guilty of failure and liable to be proceeded against when the government department has failed to comply with directions of the NGT. The Supreme Court observed that the NGT could not have interfered at the stage of issuing notice and should have allowed the respondents to raise all possible defenses including the defense that they were not responsible for complying with the order sought to be implemented

¹ C.A. No. 258-259 of 2021. Judgement dated September 12, 2024.

² C.A. No. 229 of 2024. Judgement dated September 11, 2024.

in the execution application. The Supreme Court set aside the order passed by the NGT while clarifying that all the respondents are free to raise all defenses before the NGT.

Supreme Court warns project proponents/applicants of contempt proceedings for failure to comply with the conditions imposed while obtaining permission for felling of trees

The Supreme Court in the case of *M.C. Mehta vs. Union of India and Ors*³, has warned the project proponents/applicants which sought permission for tree felling of contempt proceedings in case of failure to comply with the conditions of the tree felling permissions granted by the Supreme Court. The Supreme Court issued the order while considering a report filed by the Central Empowered Committee (“CEC”) wherein it listed the compliance status of conditions imposed in tree felling permissions granted by Supreme Court in 15 (fifteen) cases. The Supreme Court issued notice to these project proponents to file affidavits providing the details of the compliance of the conditions imposed while permitting the felling of trees. It also stated that action under the Contempt of Courts Act, 1971 will be initiated against the concerned parties if full compliance is not reported.

Supreme Court appoints National Environmental Engineering Research Institute to define and clarify the meaning of ‘non-polluting industries’

The Supreme Court in *M.C. Mehta vs. Union of India and Ors (In Re: Taj Trapezium Zone)*⁴ appointed National Environmental Engineering Research Institute (“NEERI”) to define and clarify the meaning of ‘non-polluting industries’. NEERI is directed to consult experts from the Energy and Wetlands Research Group, Centre for Urban Science and Engineering, Environmental Science and Engineering Department, IIT Bombay, Environment Safeguards Specialist, IIT Bombay, Department of Community Medicine and School of Public Health, Post Graduate Institute of Medical Education and Research while undertaking the task. It is also directed to include all the stakeholders before undertaking the exercise and submit a report by October 3, 2024.

High Court judgements/orders

Delhi High Court issues notice to Commissioner, Municipal Corporation of Delhi, Deputy Conservator of Forest, North and Principal Secretary, Public Works Department for initiating contempt proceedings for violation of directions to de-concretise and revive trees

The Delhi High Court (“Delhi HC”), in *Bhavreen Kandhari vs. Shri C.D. Singh and Ors*⁵, has issued notice for initiating contempt proceedings against the Municipal Corporation of Delhi, Deputy Conservator of Forest, North for their failure to comply with its earlier directions to take steps for de-concretisation of trees. The Delhi HC observed that in its earlier order dated February 14, 2022, it had noted that 3909 (three thousand nine hundred and nine) trees were under the jurisdiction of South Delhi Municipal Corporation. It also noted that 50 (fifty) trees had dried due to concretisation of earth around the tree trunks and needed to be revived. The Delhi HC observed that despite passage of two and a half years, no steps are taken on ground for de-concretisation of trees and compliance of the order. It also noted that *vide* order dated October 17, 2023, the Delhi HC had directed the Public Works Department to ensure that all the trees in the District Courts of Delhi and Delhi HC are de-concretised within 48 (forty eight) hours. It noted that despite the passage of almost a year, the trees in Delhi HC have not been de-concretised. In view of the observations made by the Delhi HC, it issued notice for initiating contempt proceeding against the Principal Secretary, Public Works Department.

³ W.P. (C) No. 4677 of 1985. Order dated September 6, 2024.

⁴ I.A. No. 64225 of 2022 in W.P. No. 13381 of 1984. Order dated September 6, 2024.

⁵ C.M. Application No. 53844 of 2024 and Contempt Case (C) No. 1149 of 2022. Order dated September 13, 2024.

Kerala High Court restrains Kerala Government from transferring captive elephants into the State due to 'pathetic' condition of captive elephants within the State

The Kerala High Court ("Kerala HC") in *Walking Eye Foundation for Animal Advocacy vs. Union of India*⁶ has restrained the State of Kerala and the Chief Wildlife Warden from issuing any order under Captive Elephant (Transfer or Transport) Rules, 2024 permitting the transfer of any elephant from outside the State into the State of Kerala. The Kerala HC passed the interim order based on the observations made in another case titled *In Re Captive Elephants vs. Union of India*⁷ wherein it noted that the condition of captive elephants in State of Kerala is far from satisfactory and can be even termed 'pathetic'. It further noted that between 2018 and 2024, 154 (one hundred and fifty-four) elephants have died in captivity within the State due to ill treatment and lack of proper care. In view of such observations, the Kerala HC passed the interim order.

National Green Tribunal judgements/orders

NGT issues notice in plea seeking implementation of star rating mechanism for passenger vehicles based on fuel efficiency and carbon dioxide emissions

The NGT in *Tsunami on roads through Dr. Sanjay Kulshresthra vs. Ministry of Road, Transport and Highways and Ors*⁸ directed the Ministry of Heavy Industries and Public Enterprises, Ministry of Road Transport and Highways, Ministry of Environment, Forest and Climate Change ("MoEF"), Ministry of Power to file responses to a plea seeking implementation of star rating system for all passenger vehicles based on fuel efficiency and carbon dioxide emissions. The application claims that such star rating systems of vehicles have already been introduced in most of the developed countries including Thailand, Vietnam and Singapore. The application further claims that vehicular pollution is the most important contributor in air pollution as it is responsible for 40% of such air pollution.

NGT directs Central Pollution Control Board to submit report on incomplete combustion in vehicles leading to air pollution

The NGT in *suo motu* case titled *How partial combustion fuels your bad air woes*⁹, directed the Central Pollution Control Board ("CPCB") to file a report on the issue of incomplete combustion in the vehicles leading to air pollution. The case was registered *suo motu* based on a news article referring to a study claiming that incomplete combustion of various fuels in vehicles contributed significantly to poor air quality. The study found that older, poorly maintained vehicles and ones lying idle can cause incomplete combustion, leading to greater air pollution. The NGT issued the direction upon consideration of CPCB's previous report and noting that it did not address the main issue of incomplete combustion in the vehicles.

NGT takes *suo motu* cognizance of a news article claiming that the forest department in Pune is struggling to reclaim 14,000 (fourteen thousand) hectares of land

The NGT has taken *suo motu* cognizance of a news article titled '*Forest Dept. struggling to regain 14,000 hectares of land in Pune*'¹⁰ published in Hindustan Times dated August 28, 2024. The article claims that the Pune Forest Department is facing challenges in reclaiming land which is being held by the Revenue Department. The article claims that the earlier state policies resulted in large scale transfers of forest land while negligence resulted in encroachment over time. It claims that now the Forest Department is struggling to regain its land and prevent it from future encroachment. The article explains that the issue has historical roots, dating back to the British era, when the forest

⁶ WP (C) No. 27607 of 2024. Order dated September 6, 2024.

⁷ W.P.(C) No.31520 of 2024. Order dated September 6, 2024.

⁸ OA No. 638 of 2024. Order dated September 20, 2024.

⁹ OA No. 646 of 2024. Order dated September 20, 2024.

¹⁰ OA No. 1165 of 2024 (PB). Order dated September 19, 2024.

and defence departments owned majority of the land. Subsequently, the Indian government in 1978 ordered the Forest Department to transfer some land to the Revenue Department for administration, town planning and agriculture. However, due to incomplete documentation during subsequent land transfers, some portions of the forest land were encroached upon and over time both the Forest Department as well as the Revenue Department neglected the land. The NGT noted that the issue indicates violation of provisions of the Forest (Conservation) Act, 1980 and Environment (Protection) Act, 1986 and impleaded the Principal Chief Conservator of Forest, Maharashtra, MoEF and District Magistrate, Pune to file their responses.

NGT disposes of application alleging illegal excavation of sand from rivers Khari and Mansi in Rajasthan based on inspection report

The NGT has disposed of an application titled ***Bhanwar Lal Gurjar vs. State of Rajasthan and Ors***¹¹ alleging that illegal excavation of *bajri* sand was being undertaken in violation of environmental rules resulting in demolition of open wells, irrigation pipelines, standing crops, full grown trees and causing huge financial losses to villagers and residents of Shahpura. While disposing of the case, the NGT considered the observation made by the committee constituted by the NGT. The NGT noted the observations of the State Pollution Control Board (“SPCB”) and the committee stating that no mining activity relating to *bajri* sand was observed in the river bed area and there is no violation based on the production report received from the mining department. It further noted that machinery is being used for excavation of *bajri* and as per the visual observation of active working and old working, mining had not been done beyond the permissible depth. The NGT disposed of the application based on the observations that no violation has been reported.

NGT issues notice in plea challenging implementation of in situ slum redevelopment and rehabilitation by Delhi Development Authority in Southern Central Ridge in Delhi

The NGT issued notice in an application titled ***Society for Protection of Culture, Heritage, Environment, Traditions and Promotion of National Awareness vs. Union of India and Ors***¹² The applicant claimed that the slum redevelopment was being undertaken in violation of Aravalli Notification of 1992 which bars construction of buildings and roads, electrification and felling of trees in ‘*gair mumkin pahar*’ land. The applicant claims that an area of 692 (six hundred and ninety-two) acres located northwest of Vasant Vihar in Kusumpur Pahadi is notified as protected forest by Delhi government and no non-forest activity is permissible in that area. The applicant also claims that the in situ slum rehabilitation scheme of Kusumpur Pahadi for development of 2,800 (two thousand eight hundred) dwelling units is impermissible under law. The NGT observed that the allegations raised substantial issues related to compliance of environmental norms and implementation of the provisions of the scheduled enactment and directed the MoEF and other respondents to file their responses.

NGT restricts sand mining in Rayan Ramchandrapur sand source till the completion and approval of District Survey Report by State Environment Impact Assessment Authority, Odisha

The NGT in ***Abani Kumar Sahu vs. State of Odisha and Ors***¹³ has imposed environmental compensation on a mining operation for carrying out mining operations during monsoon and held that no mining operation will be undertaken until the State Environment Impact Assessment Authority (“SEIAA”), Odisha approves District Survey Report (“DSR”). The NGT was considering an application alleging illegal sand mining in Rayan Ramchandrapur sand source in Jaleswar, Balasore, Odisha. The NGT observed that the environmental clearance for sand mining was granted without a valid DSR and was therefore illegal. It further noted that SEIAA, Odisha was entirely at fault for acting in gross ignorance

¹¹ OA No. 148 of 2023 (CZ). Order dated September 19, 2024.

¹² OA No. 1151 of 2024 (PB). Order dated September 10, 2024.

¹³ OA No. 84 of 2023 (EZ). Judgement dated September 18, 2024.

and violation of the Sand Management Guidelines of 2016 and 2020 by granting environmental clearance for sand mining in absence of DSR. The project proponent was held liable for payment of environmental compensation for undertaking mining during the monsoon season. The NGT directed SEIAA, Odisha to compute environmental compensation payable by the project proponent.

Regulatory updates

MoEF notifies the Ecomark Rules, 2024

MoEF, *vide* notification dated September 26, 2024, notified the Ecomark Rules, 2024 prescribing the procedure for grant of ecomark to products that meet specified environmental criteria. The eligibility criteria for grant of ecomark include certificate of conformity to Indian standards under the Bureau of Indian Standards Act, 2016, environmental impacts, use of natural resources, disposal of product and its packaging, compliance with extended producer responsibility, suitability for recycling etc. The products which are covered for consideration of ecomark include architectural paints and powder coating, cosmetics, batteries, lubrication oils, soaps and detergents, paper, food items etc. which can obtain ecomark from CPCB through the online portal established by CPCB.

India signs the Biodiversity Beyond National Jurisdiction agreement

The Minister of External Affairs of India, on September 25, 2024, signed the Biodiversity Beyond National Jurisdiction (“BBNJ”) [agreement](#) or the ‘Treaty of the High Seas’. The goal of the BBNJ agreement is to protect marine life and biodiversity in areas of the ocean where no country is the owner. As per the agreement, nations cannot claim sovereign rights over marine resources on the high seas.

The treaty aims to address the growing concerns over the long-term protection of marine biodiversity in the high seas. It sets precise mechanisms for the sustainable use of marine biological diversity through international cooperation and coordination for ensuring equitable sharing of benefits from those resources.

The Ministry of Corporate Affairs notifies the Companies (Accounts) Amendment Rules, 2024

The Ministry of Corporate Affairs (“MCA”), *vide* notification dated September 24, 2024, issued the Companies (Accounts) Amendment Rules, 2024. Pursuant to this amendment, companies are required to file form CSR-2 for the financial year 2023-24 by December 31, 2024. The CSR-2 return must be filed separately from the form AOC-4, which is the annual return due within 30 (thirty) days from the company’s annual general meeting. Previously, for FY 2022-23, companies were allowed to submit their CSR-2 returns by March 31, 2024.

Form CSR-2, requires companies to provide detailed information about their Corporate Social Responsibility (“CSR”) initiatives, including projects undertaken, CSR committees, expenditures, and unspent funds. The revised timelines will promote greater transparency and accuracy, requiring companies to maintain distinct records for AOC-4 and CSR-2 filings.

International Financial Services Centre Authority issues circular on trading and settlement of Sovereign Green Bonds

The International Financial Services Centre Authority (“IFSCA”) [issued](#) a circular dated September 24, 2024 on trading and settlement of Sovereign Green Bonds (“SGB”) in International Financial Services Centre (“IFSC”). The Reserve Bank of India (“RBI”) on August 29, 2024, introduced a scheme for trading and settlement of SGBs in IFSC with the intent of facilitating wider non-resident participation in SGBs. This initiative of RBI seeks to boost non-resident investor participation, channelling global capital into India’s green infrastructure projects.

The circular issued by IFSCA gives details on procedures for both primary and secondary market participation, specifying investor eligibility, the use of over the counter markets and USD based transaction settlements. Additionally, the circular enforces compliance with know your customer regulations, anti-money laundering protocols, tax withholding requirements along with incorporating provisions for transaction reporting and transparency. IFSCA has issued this circular with a goal to streamline trading and settlement processes, fostering green finance while aligning with global compliance standards.

CPCB issues guidelines for one-time financial support for establishing recycling plants and machinery for abandoned, lost and discarded fishing gears and high littering plastic wastes in coastal areas

CPCB on September 21, 2024 issued the [guidelines](#) for one time financial support for establishing recycling plants and machinery for abandoned, lost and discarded fishing gears and high littering plastic wastes in coastal areas. The guidelines were issued with the objective of reducing plastic waste and abandoned, lost and discarded fishing gears littering in the 12 (twelve) blue flag certified beaches in the country by establishing plastic recycling facilities and encouraging channelisation of plastic waste from collection to recycling. It also aims at reducing the use of virgin plastics, encouraging and promoting a circular economy. The eligibility criteria for obtaining the financial support are that the unit should have a valid consent to establish from the concerned SPCB for establishing the plastic waste recycling unit. Further the units should be located beyond the coastal regulation zone and compliant under the applicable local bylaws. The unit should have land possession for a minimum of 10 (ten) years.

MoEF amends the provisions for raising compensatory afforestation under the Van (Sanrakshan Evam Samvardhan) Rules, 2023

MoEF, *vide* notification dated September 20, 2023, [amended](#) the Van (Sanrakshan Evam Samvardhan) Rules, 2023. The amendments substitute the provisions in respect of raising compensatory afforestation. The amended rules provide that in exceptional circumstances, when the land suitable for compensatory afforestation is not available, the compensatory afforestation may be considered on degraded forest land which is twice the area of the land proposed to be diverted by the Central Government agencies, Central Public Sector Undertakings and State Public Sector Undertakings.

Commission for Air Quality Monitoring in National Capital Region and adjoining areas amends the Graded Response Action Plan for addressing air pollution in National Capital Region

Commission for Air Quality Monitoring in National Capital Region and adjoining areas (“CAQM”) on September 19, 2024, amended the Graded Response Action Plan (“GRAP”). The CAQM issued [Direction](#) No. 83 dated September 19, 2024 to amend the existing GRAP schedule. The direction provides that the GRAP will be invoked in advance of the Air Quality Index (“AQI”) reaching projected levels. The restrictive actions undertaken in terms of the previous stages will continue in addition to the later air pollution stage under which the restrictive actions are envisaged to be taken. Among the various stage wise restrictions, the direction also provides the citizen charter for steps to be taken by the citizen during each stage.

India and European Union strengthen partnership for sustainable water management at 6th European Union-India Water Forum

India and European Union (“EU”) have agreed to deepen their [cooperation](#) in sustainable water management during the 6th EU-India Water Forum, held alongside the 8th India Water Week in New Delhi between September 17 – 20,

2024. Both parties committed to advancing efforts in river basin management, promoting innovation and fostering technology transfer to address water-related challenges. They also discussed the potential for trilateral collaboration with East Africa, particularly focusing on issues affecting water bodies like Lake Victoria and Lake Tanganyika. The India-EU Water Partnership (“IEWP”), established in 2016 and currently in its third phase, aims to enhance technological and policy frameworks in water management, with joint funding for several research projects.

The forum brought together government representatives, policymakers and experts from both regions to address critical water challenges and explore innovative solutions. Officials emphasised the successful achievements of the IEWP in supporting India’s water management strategies, which align with both India’s National 2030 Agenda and the EU’s Global Gateway Strategy. This partnership also aims to contribute to the United Nations Sustainable Development Goals, particularly those related to clean water and climate action. Through collaborative efforts, the India-EU partnership seeks to promote sustainable water management practices and ensure the resilience of water resources for future generations.

Ministry of Power introduces revised guidelines for electric vehicle charging infrastructure

The Ministry of Power on September 17, 2024, issued the guidelines for installation and operation of Electric Vehicle (“EV”) charging infrastructure with the aim to make installation of public charging stations more financially viable by introducing a new revenue-sharing model. The guidelines apply to various EV charging locations, including private parking spaces, commercial complexes, railway stations, airports and highways. The government will provide land at subsidised rates to private operators, who will then share revenue based on electricity consumption over a 10 (ten) year period.

The aim is that by 2030, at least 1 (one) charging station should be available within every 1 km x 1 km urban grid, and stations will be positioned every 20 (twenty) km along highways for regular EVs and every 100 (one hundred) km for heavy duty vehicles. Further, the electricity cost at charging stations will not exceed the average cost of supply until March 2028, with lower tariffs during solar hours to encourage renewable energy use.

The Ministry of Power will maintain a national database of public charging stations, enabling users to locate charging points easily via mobile apps or online platforms.

India – United States of America agree on initiatives to strengthen global clean energy supply chains

The Strategic Clean Energy Partnership Ministerial was convened by the United State of America (“US”) Energy Secretary Jennifer Granholm and Indian Minister of Petroleum and Natural Gas Hardeep Singh Puri in Washington D.C. on September 16, 2024. US and India have committed to enhance the collaboration in clean energy supply chains to promote economic growth, job creation and climate goals. This initiative aims to leverage both countries’ manufacturing capacities for clean energy technologies, focusing on partnerships in Africa.

As a part of the initiative, US and India plan to unlock USD 1 billion (US Dollars one billion) in multilateral financing through the International Bank for Reconstruction and Development to support India’s clean energy supply chain. The initiative will prioritise investment in key clean energy components, such as solar panels, wind turbines, energy storage systems and electric vehicle parts.

Further, the roadmap includes building relationships with African nations committed to clean energy deployment, focusing on solar and battery storage projects. Both countries will consult on policies to strengthen demand certainty for locally manufactured clean technologies, building on existing initiatives like the US Bipartisan Infrastructure Law and India’s production linked incentive schemes.

This roadmap aims to drive short-term cooperation while informing a long-term strategy for sustainable clean energy development.

The Union Cabinet approves PM Electric Drive Revolution in Innovative Vehicle Enhancement scheme; a major push for electric mobility and sustainable transportation

On September 11, 2024, the Union Cabinet, chaired by Prime Minister Narendra Modi, has [approved](#) the PM Electric Drive Revolution in Innovative Vehicle Enhancement (“**PM E-DRIVE**”) scheme, with an outlay of INR 10,900 crore (Indian Rupees ten thousand nine hundred crore) over 2 (two) years. The scheme aims to promote electric mobility in India by providing subsidies and incentives worth INR 3,679 crore (Indian Rupees three thousand six hundred seventy nine crore) for EVs, including e-2 (two) wheelers, e-3 (three) wheelers, e-ambulances and e-trucks. A key feature is the introduction of e-vouchers, making the EV purchase process easier by allowing buyers to claim demand incentives digitally. Additionally, INR 500,00,00,000 (INR five hundred crore) has been allocated for the deployment of e-ambulances, INR 4,391 crore (Indian Rupees four thousand three hundred ninety-one crore) for procuring 14,028 (fourteen thousand and twenty-eight) e-buses in major cities and intercity routes.

The scheme also tackles infrastructure development by allocating INR 2,000 crore (Indian Rupees two thousand crore) for the installation of public EV charging stations, including 22,100 (twenty-two thousand one hundred) fast chargers for e-four wheelers, 1,800 (one thousand eight hundred) for e-buses and 48,400 (forty eight thousand four hundred) for e-2 (two) wheelers/3 (three) wheelers. With a dedicated INR 780,00,00,000 (Indian Rupees seven hundred eighty crore) fund for enhancing vehicle testing infrastructure, the scheme promotes domestic EV manufacturing, supports the scrapping of old vehicles and encourages the deployment of e-trucks. Overall, the PM E-DRIVE scheme is set to reduce environmental pollution, improve air quality and boost India’s EV ecosystem while creating employment opportunities and driving sustainable transportation solutions.

The Union Cabinet approves INR 12,261 crore (Indian Rupees twelve thousand two hundred and sixty-one crore) outlay to support hydro power projects

The Union Cabinet, chaired by Prime Minister Narendra Modi, on September 11, 2024, has [approved](#) modifications to the scheme of budgetary support for enabling infrastructure in hydroelectric projects. With a total outlay of INR 12,461 crore (Indian Rupees twelve thousand two hundred and sixty-one crore), the scheme will be implemented from FY 2024-25 to FY 2031-32. It aims to address challenges in hydro power development, such as remote locations and lack of infrastructure, by providing financial support for key infrastructure components including roads, bridges, transmission lines, ropeways, and communication systems. The revised scheme will apply to all hydro power projects exceeding 25 MW (twenty-five megawatt) capacity, including private sector and Pumped Storage Projects (“**PSPs**”).

The modifications are designed to accelerate the development of hydroelectric projects, especially in remote areas, by improving infrastructure and boosting local employment opportunities. The budgetary support is expected to encourage fresh investments in the hydro power sector and incentivise the timely completion of new projects. This will contribute to the generation of approximately 31,350 MW (thirty one thousand three hundred and fifty megawatt) of power and will also support a cumulative PSP capacity of around 15,000 MW (fifteen thousand megawatt).

CPCB issues guidelines for Environmental Compensation under Battery Waste Management Rules, 2022

CPCB, *vide*, circular dated on September 10, 2024 issued the [guidelines](#) for Environmental Compensation (“**EC**”) under the Battery Waste Management Rules, 2022. The guidelines envisage the levying of EC under 2 (two) regimes *vis.* EC regime 1 and EC regime 2. EC regime 1 is levied for failure to fulfil the metal wise Extended Producer Responsibility (“**EPR**”) target by the producers and includes costs such as cost of handling, collection, transportation of waste battery as well as the processing cost to recover metal. EC regime 2 is applicable for non-compliance of other conditions by the producers, recyclers, refurbishers and is calculated based on the application fees of the producers, recyclers and refurbishers. The EC in case of lead acid batteries is prescribed to be INR 18 (Indian Rupees eighteen) per kilogram

while in case of lithium-ion batteries, the EC cost for shortfall in recovery of various metals such as lithium, cobalt, nickel, manganese, copper, aluminium and iron are prescribed.

MoEF amends effluent and emission standards for Common Effluent Treatment Plants

The MoEF on September 10, 2024 [amended](#) the Environment (Protection) Rules, 1986 and updated the effluent and emission standards prescribed for Common Effluent Treatment Plants (“**CETP**”). The amendment prescribes the roles and responsibilities of State Governments or SPCB, CETP operating agencies and member industries of the CETP. The SPCB is obligated to carry out real time online monitoring with random physical inspection of all CETPs and associated industrial areas to check compliance with inlet quality parameters of the CETP, notified discharge standards for CETPs, occurrence of any bypass of untreated industrial effluents from the member industries or CETP or industrial area. The CETP is mandated to be managed through a special purpose vehicle or society (registered under the Societies Registration Act, 1860) or trust. Further, the CETP operating agencies are empowered to access the premises of member industries without prior notice to collect waste water samples.

CPCB issues guidelines for EC under E-Waste (Management) Rules, 2022

CPCB, *vide* circular dated September 9, 2024 issued the [guidelines](#) for EC under E-Waste (Management) Rules, 2022. The guidelines are applicable on entities involved in manufacture, sale, transfer, purchase, refurbishing, dismantling, recycling and processing of e-waste or electrical and electronic equipment listed in Schedule I of the rules. The guidelines envisage 2 (two) regimes wherein EC regime 1 covers producers which are not meeting their end product wise targets. Short fall in the end product wise targets has been considered as having an adverse impact and damage to the environment due to failure in the environmentally sound collection, transportation to recycling facility of e-waste. Under EC regime 1, the average cost of collection, transportation of e-waste and processing cost to recover end product metals are taken as parameters for deciding the EC and levied to producers for non-fulfillment of end product wise EPR target. In EC regime 2, EC is levied to any entity for non-compliances of the rules.

Confederation of Indian Industry launches the ‘ESG Guidebook and Ready Reckoner for Board of Directors’

The Confederation of Indian Industry (“**CII**”) on September 4, 2024, [launched](#) the ‘ESG Guidebook and Ready Reckoner for Boards of Directors’ during an interactive session with board members and independent directors. Developed in partnership with PwC, the guidebook offers a practical, step-by-step reference to Environmental, Social, and Governance (“**ESG**”) strategies, tailored to global best practices and India-specific frameworks. Its aim is to help Indian businesses embed ESG principles into their organisational structure, processes and performance, fostering ESG transformation.

As global focus on ESG grows, regulatory bodies such as MCA and Securities and Exchange Board of India have introduced guidelines and regulations to support ESG adoption. Companies are increasingly incorporating ESG into their business strategies. To assist companies, navigate the complex landscape of ESG reporting and compliance, the guidebook provides an overview of ESG concepts, detailed insights into reporting standards and actionable steps for implementation. The ESG ready reckoner serves as a checklist to help organisations ensure compliance. With this resource, board members will be better equipped to identify risks and opportunities, align organisational goals with ESG priorities and integrate ESG as a core component of their growth strategy.

CPCB issues guidelines for EC under waste tyre EPR regime

CPCB, *vide* notification dated September 3, 2024, issued the [guidelines](#) for EC under waste tyre extended producer responsibility regime under the Hazardous and Other Wastes (Management and Transboundary Movement) Amendment Rules, 2022. The guidelines provide that under EC regime 1, EC will be levied to the producers for non-

fulfillment of EPR obligations while under EC regime 2, EC shall be levied to any entity for non-compliances of the rules as per EC regime 2. The EC under EC regime 1 is calculated at INR 8.40 (Indian Rupees eight point four) per kilogram. The EC computed under EC regime 1 includes the cost of collection, cost of transportation and processing cost of per kilo gram of waste tyre. Under EC regime 2, the average registration fee is taken while prescribing the applicable EC.

Environment, ESG and Climate Change Practice

The Firm advises and represents clients in environmental disputes before the National Green Tribunal, High Court(s) and the Supreme Court of India. We also advise clients on environment, social and governance (ESG) issues and assist them in ensuring compliance with the relevant laws. The firm has been regularly advising clients in matters relating to climate change and energy transition.

This Prism has been prepared by:



Amit Kapur

Joint Managing Partner



Nawneet Vibhaw

Partner



Prannoy Joe Sebastian

Senior Associate



Komal Karnik

Associate



18 Practices and
25 Ranked Lawyers

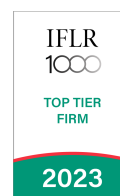


7 Ranked Practices,
16 Ranked Lawyers

Elite – Band 1 -
Corporate/ M&A Practice

3 Band 1 Practices

4 Band 1 Lawyers, 1 Eminent
Practitioner



12 Practices and
42 Ranked Partners

**IFLR1000 APAC
Rankings 2023**

Banking & Finance Team
of the Year

Fintech Team of the Year

Restructuring & Insolvency
Team of the Year



14 Practices and
38 Ranked Lawyers



20 Practices and
22 Ranked Lawyers



Ranked Among Top 5 Law Firms in
India for ESG Practice



Recognised in World's 100 best
competition practices of 2024



Among Top 7 Best Overall
Law Firms in India and
11 Ranked Practices

11 winning Deals in
IBLJ Deals of the Year

12 A List Lawyers in
IBLJ Top 100 Lawyer List

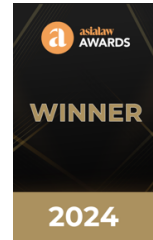


Asia M&A Ranking 2024 – Tier 1

Employer of Choice 2024

Energy and Resources Law Firm of
the Year 2024

Litigation Law Firm of the Year
2024



Energy - Law Firm of
the Year (APAC)



7 Practices and
3 Ranked Lawyers

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