



JSA Newsletter Environmental Disputes and ESG Regulatory

November 2024

Supreme Court judgements/orders

The Supreme Court of India stays decision of the National Green Tribunal imposing environmental compensation on Executive Officer, Nagar Panchayat Dasna for non-operation of sewage treatment plant

The Supreme Court of India (“**Supreme Court**”) in *Executive Officer vs. Afsar Ali and Anr.*¹ stayed the operation of directions issued by the National Green Tribunal (“**NGT**”) for initiating penal action and imposing environmental compensation of INR 23,72,000 (Indian Rupees twenty-three lakh seventy-two thousand) on the Executive Officer of Nagar Panchayat Dasna (“**Executive Officer**”). The directions were issued by the NGT for discharge of untreated sewage into drain for several years. NGT while passing the impugned order noted that on the previous date of hearing, the Executive Officer had shared incorrect information in respect of operationalisation of sewage treatment plant. NGT imposed interim environmental compensation which was computed for a period for 5 (five) years from the date when NGT took cognisance. The Supreme Court stayed the direction for initiation of penal action subject to deposition of the environmental compensation amount in the Supreme Court.

The governments of Punjab and Haryana directed to take steps for compliance of directions issued by the Commission for Air Quality Management in National Capital Region

The Supreme Court in *M.C. Mehta vs. Union of India and Ors.*² directed the governments of Punjab and Haryana for implementation of directions issued by the Commission for Air Quality Management in National Capital Region (“**NCR**”) and Adjoining Areas (“**CAQM**”). The directions were passed while considering the compliance report filed by CAQM. The Supreme Court noted that CAQM has not made any efforts to ensure compliance with the directions issued by CAQM. It also noted that during the meeting of CAQM sub-committee for safeguarding and enforcement, no direction for prosecution of violators under Section 15 of the Environment (Protection) Act, 1986 was passed. In view of the same the State governments of Punjab and Haryana were directed to show compliance with the directions issued by CAQM. The Supreme Court considered the responses filed by the governments of Punjab and Haryana on October 16, 2024, and noted that no action was taken against non-compliance of the direction of CAQM in both the States. The Chief Secretaries of both the States were directed to personally appear before the Supreme Court to explain the non-initiation of stringent actions against violators and government officials for failing to comply with the directions of CAQM.

¹ C.A. Diary No. 45810 of 2024. Order dated October 23, 2024.

² W.P. (C) No. 13029 of 2024. Orders dated October 3, 2024, October 16, 2024, and October 18, 2024.

Chairperson of Delhi Development Authority directed to personally file response on aspects regarding tree felling in Delhi ridge area.

The Supreme Court in the case of *T.N. Godavarman Thirumulpad vs. Union of India and Ors.*³ directed the Chairperson of the Delhi Development Authority (“DDA”) to file an affidavit responding to the aspects related to the illegal tree felling in Delhi ridge area. The order was passed in a contempt petition filed against the officials of DDA for felling trees despite the dismissal of their application seeking permission before the Supreme Court. The Chairperson is directed to furnish information regarding the steps taken for identification of officers responsible for suppression of facts before the Supreme Court in the earlier responses filed by DDA. Additionally, the Chairperson must clarify whether any disciplinary proceedings or criminal action have been instituted against the responsible officers.

High Court judgements/orders

Rajasthan High Court initiates suo motu proceedings against unauthorised construction and encroachments over rivers and water bodies in the State

The Rajasthan High Court (“Rajasthan HC”), in “*In Re: In the matter of save the rivers, lakes and water bodies from illegal constructions and encroachments*”⁴, initiated *suo motu* proceedings based on a news article published in ‘Rajasthan Patrika’ on October 18, 2024, alleging ongoing encroachments affecting ponds and lakes in the State. The article highlights that despite numerous directions issued by the courts and NGT, several rivers along with various other water bodies across the State are facing severe encroachment, jeopardising the well-being of all living organisms and environment. The Rajasthan HC observed that such news indicated serious failure of the Central and State Government particularly Ministry of Environment, Forest and Climate Change (“MoEF”) and Ministry of Jal Shakti in protecting rivers from illegal encroachments. It also noted that the draft River Conservation Zone (Regulation of Harmful Activities) Rules, 2012 and the notifications regarding river conservation zone and river regulation zone in 2015 remain unimplemented till date. The Rajasthan HC issued show cause notice on why the directions for constituting committees at State level, divisional level and district level should not be issued. It also proposed the demolition of illegal and unauthorised constructions and encroachments on the rivers, flood plains and catchment areas of all rivers, water bodies, water courses and water channels.

National Green Tribunal judgements/orders

NGT directs reappraisal of district level Environmental Clearances granted for mining leases

NGT in *Noble M. Paikada vs. Union of India and Ors.*⁵ has directed that the Environmental Clearances (“ECs”) granted at the district level by District Environment Impact Assessment Authorities (“DEIAAs”) should be reappraised by the State Environment Impact Assessment Authorities (“SEIAAs”) at the state level by November 7, 2024. The direction was passed in an application challenging the validity of Office Memorandums (“OMs”) dated November 3, 2023 and March 15, 2024 which extended the validity of the ECs granted by DEIAA. The applicant argued that these OMs contradicted the judgements of Supreme Court and NGT. NGT considered the legal development of the amendments to the Environment Impact Assessment Notification, 2006, in 2016 which allowed DEIAAs to grant ECs for mining projects with area less than 25 ha (twenty-five hectares) without public consultation. This was deemed inconsistent with the judgement of the Supreme Court, which mandated stricter environmental assessments for mining activities. NGT had previously directed that such procedures be aligned with the directions of the Supreme Court and all ECs

³ W.P. (C) No. 202 of 1995. Order dated October 16, 2024.

⁴ CW No. 16799 of 2024. Order dated October 24, 2024.

⁵ O.A. No. 370 of 2024. Judgement dated October 22, 2024.

granted between January 15, 2016 and December 11, 2018 must be reappraised by the SEIAAs by November 7, 2024. It further directed that in cases where the reappraisal is not completed within this period, the mining operation will cease. MoEF was also directed to issue revised guidelines to ensure compliance with the directions issued by the Supreme Court and NGT.

NGT orders investigation into unauthorised occupation of public land and waste burning in Mohali

NGT in ***Sudhir Kumar vs. State of Punjab***⁶ took *suo motu* cognisance of a letter petition regarding unauthorised waste burning by migrants on public land. The petitioner highlighted that the burning of scrap was causing significant smoke emissions, leading to respiratory and other health issues for the residents. The letter further alleged that no action had been taken by local authorities despite multiple complaints. NGT noted the lack of specific details in the complaint, such as the identification of the violators and precise locations of the alleged activities. However, recognising the potential environmental and health impacts, the NGT directed the District Magistrate of Mohali (S.A.S Nagar) and the Punjab Pollution Control Board (“PPCB”) to jointly visit the site to verify the claims of environmental law violations. They were instructed to take remedial, preventive and other necessary actions within 1 (one) month if any violations were found.

NGT directs Himachal Pradesh to improve sanitation and environmental management for Manimahesh Yatra

NGT in ***President (Shiv Nuala Committee) vs. State of Himachal Pradesh***⁷ directed the State of Himachal Pradesh to take steps for improving the sanitation and environmental management for Manimahesh yatra. The order was passed in a *suo motu* application registered based on a letter from the President of the Shiv Nuala Committee, highlighting the environmental issues caused by the influx of pilgrims during the Manimahesh Yatra in Chamba, Himachal Pradesh. The letter pointed out the lack of adequate toilet facilities, unregulated commercial activities, and the resultant environmental damage. NGT constituted a joint committee comprising the District Magistrate, Chamba, the Himachal Pradesh State Pollution Control Board and the Divisional Forest Officer, Chamba, to investigate the issues raised in the application. The report filed by the joint committee revealed that the existing 204 (two hundred and four) temporary toilets were insufficient for the approximately 6,00,000 (six lakh) pilgrims. It also noted the presence of commercial activities along the yatra route without proper permissions, contributing to the environmental degradation. The report further noted the need for better waste management practices and the regulation of commercial activities to protect the eco-sensitive zone. NGT directed the State of Himachal Pradesh to implement the recommendations of the joint committee. These include increasing the number of toilets, enforcing waste segregation at source and regulating commercial activities through a transparent process. NGT also emphasised the need for an annual assessment of the carrying capacity of the trek route and the implementation of an online registration system for pilgrims. The Chief Secretary of Himachal Pradesh was instructed to ensure compliance with these recommendations and submit a report.

NGT seeks response from authorities on news article claiming presence of heavy metals in PM 2.5 in East Delhi

NGT in a *suo motu* application titled ‘***Heavy metals in PM 2.5 New Study reveals air quality concerns in East Delhi***⁸ has sought response from authorities on article claiming the presence of heavy metals in PM 2.5 in East Delhi. The application was registered based on newspaper article about a study conducted by the Indian Institute of Technology, Delhi revealing severe heavy metal pollution in East Delhi’s air, raising significant health concerns. As per the news item, the study detected alarming levels of heavy metals such as lead, cadmium and nickel in the air. In East Delhi

⁶ O.A. No. 989 of 2024. Order dated October 21, 2024.

⁷ O.A. No. 689 of 2024. Order dated October 18, 2024.

⁸ O.A. No. 1233 of 2024. Order dated October 16, 2024.

district, chromium, copper, zinc, molybdenum and lead were the major heavy metals found in PM2.5. The news item states that the study formulated the heavy metal exposure index in East Delhi (part of a mega city), Jaisalmer (desert), Ludhiana (industrial city), Visakhapatnam (coastal), Panchkula and Patiala. The news item claims that the primary sources of these pollutants include industrial emissions, vehicular exhaust and construction activities. Furthermore, the presence of heavy metals poses serious health risks, particularly to vulnerable populations such as children and the elderly. NGT impleaded the Delhi Pollution Control Committee, PPCB, Central Pollution Control Board (“CPCB”), MoEF, District Magistrate, East Delhi and District Magistrate, Ludhiana and directed them to file responses to the issues raised in the article.

NGT proposes action against officials responsible for making false statements in respect of concretisation of trees in Noida

NGT in *Vikrant Tongad vs. State of Uttar Pradesh*⁹ addressed the issue of continued concretisation around trees in Noida. The applicant argued that despite previous orders, the Noida Authority had not removed the concretisation and had made false statements to the NGT to obtain favorable orders. NGT considered the photographs presented by the applicant, showing ongoing concretisation around trees in various locations such as Noida Golf Course, Hosiery Complex Phase-II and certain sectors of Noida. NGT noted that the Noida Authority had indeed made false statements in their replies, which were misleading and resulted in the rejection of the applicant’s stay application. NGT directed the Chief Executive Officer of Noida and the Deputy General Manager (Work Circle) of Noida, who signed the misleading reply, to appear personally before it to explain why they should not be prosecuted for making false statements and misrepresentation. NGT emphasised the seriousness of the issue, highlighting that the false statements had led to judicial orders being obtained under false pretence.

NGT orders investigation into pollution by pyrolysis industry in Andhra Pradesh

NGT in *Thota Surya Prakash Reddy vs. State of Andhra Pradesh*¹⁰ took *suo motu* cognisance of a letter petition highlighting severe pollution caused by Sri Raghvendra Swamy Pyrolysis Industry in Akuledu village, Ananthapuramu District, Andhra Pradesh. The petitioner reported that the industry was emitting poisonous gases and foul smells, leading to respiratory problems, eye irritation and other health issues among local residents. NGT formed a joint committee comprising the Andhra Pradesh Pollution Control Board and the District Magistrate of Ananthapuramu to verify the claims and gather factual data. NGT directed the said joint committee to visit the site, collect relevant information and submit a factual report to the Registrar of the Southern Zone Bench of the NGT within 2 (two) months.

NGT seeks report on illegal tree felling for solar plant in Rajasthan

NGT in *Ganeshdan Beetu vs. State of Rajasthan*¹¹ took *suo motu* cognisance of a letter petition alleging that Ayana Renewable Power Private Limited was cutting down *khejri* trees illegally at night and selling the wood to nearby factories. NGT noted that similar issues had been addressed in previous cases, where illegal tree felling by solar companies in Rajasthan was found to be a significant environmental concern. NGT had previously directed the planting of ten times the number of trees cut and imposed fines on the violators. In this case, the NGT constituted a joint committee comprising the District Magistrate of Bikaner, the Rajasthan State Pollution Control Board, a representative from the Central Arid Zone Research Institute and the Principal Chief Conservator of Forests, Rajasthan, to investigate the matter.

⁹ O.A. No. 363 of 2022. Order dated October 17, 2024

¹⁰ O.A. No. 984 of 2024. Order dated October 16, 2024.

¹¹ O.A. No. 834 of 2024. Order dated October 14, 2024.

NGT seeks response on application alleging notification of e-tender for riverbed sand mining without district survey report

NGT in *Yadram Singh vs. District Magistrate, Hamirpur and Ors.*¹² has sought response from the District Magistrate, Hamirpur, on an application challenging the notification of e-tender for riverbed sand mining for various sites in Hamirpur, Uttar Pradesh. The applicant alleged that e-tenders are issued in absence of District Survey Report (“DSR”) in Hamirpur district. The applicant claims that the DSR prepared in 2017 expired in 2022 and during the validity of the DSR an amendment was made in February 2019 which also expired in February 2024. Subsequently, no DSR has been prepared for district Hamirpur. NGT directed the state authorities to respond to the allegations raised by the application.

NGT seeks response on application challenging the approval of DSR of districts Banda, Basti and Shamli by Uttar Pradesh SEIAA without conducting replenishment study

NGT in *Yadram Sing vs. SEIAA, UP and Ors.*¹³ has directed the State authorities to respond to the allegations raised in the application challenging the approval of DSRs of districts Bandi, Basti and Shamli by Uttar Pradesh SEIAA. The applicant alleges that the DSRs have been approved without conducting any replenishment study and the study mentioned in the DSR has been undertaken mechanically without conducting any study. NGT issued notice to the State respondents and directed them to file responses on the allegations raised in the application.

NGT seeks response of State authorities in Haryana on allegations regarding sale of Aravalli Forest for mining

NGT registered a *suo motu* case based on news item titled “*Notified Aravalli forest portion sold for mining*”¹⁴ published in the Times of India on September 15, 2024. The news report alleged that 506 (five hundred and six) acres of the Aravalli tract in Rajawas village, Mahendergarh, Haryana was declared as ‘protected forest’ under the Forest (Conservation) Act, 1980 (“FCA”) on July 20, 2023. This designation was part of a compensatory afforestation effort intended to offset environmental damage from a major infrastructure project in Great Nicobar, which had resulted in the loss of a million trees. However, on the same day, 119.5 (one hundred and nineteen point five) acres of this land was auctioned for mining and a company was awarded a 10 (ten) year lease to quarry stones and operate stone crushers. The article alleged that the mining department is unaware of the notification of the land as a protected forest, while forest officials confirmed that a no objection certificate has not been issued for mining in the protected area. NGT impleaded the Inspector General of Forest, MoEF, and the Principal Chief Conservator of Forests, Haryana, Haryana State Pollution Control Board, CPCB and District Magistrate, Mahendergarh for filing their responses on the claims made in the article.

Regulatory updates

The Securities and Exchange Board of India issues consultation paper on “Proposals for Ease of Doing Business by Environment, Social and Governance Rating Providers”

The Securities and Exchange Board of India (“SEBI”) [issued](#) a consultation paper, dated October 31, 2024, aimed at enhancing the operational framework for Environment, Social and Governance (“ESG”) Rating Providers (“ERPs”). The paper proposes a subscriber-pays model to improve the functioning and transparency of ESG ratings. Key recommendations include allowing ERPs to share ESG rating reports simultaneously with both rated companies and

¹² O.A. No. 1215 of 2024. Order dated October 14, 2024.

¹³ O.A. No. 1220 of 2024. Order dated October 14, 2024.

¹⁴ O.A. No. 1203 of 2024. Order dated October 1, 2024.

subscribers, as long as no non-public information influences the ratings. Additionally, the paper suggests that rated entities or their affiliates should not subscribe to their own ratings to maintain impartiality.

The following consultations are open for public comment from SEBI:

1. **Consultation 1:** Requirement of sharing draft ESG rating report with the issuer in case of ERPs following a subscriber - pays model.
2. **Consultation 2:** Dealing with appeal and representation by the rated issuer in case of ERPs following a subscriber-pays model.
3. **Consultation 3:** Dispensing with the requirement to disclose the ESG ratings to the stock exchange(s) where the issuer or the security is listed, in case of ERPs following a subscriber-pays model.
4. **Consultation 4:** Specifying activity-based regulation for ERPs.

International Financial Services Centre Authority issues circular on framework for ESG ratings and data products providers in the Internal Financial Services Centre

The International Financial Services Centre Authority (“**IFSCA**”) issued a circular dated October 30, 2024 outlining the framework for entities wishing to operate as ESG Ratings and Data Products Providers (“**ERDPP**”) within the International Financial Services Centre (“**IFSC**”). The circular emphasises the growing global importance of ESG ratings due to increasing investor demand for transparency and accountability, as well as various international regulatory requirements for ESG disclosures. It prescribes the approach for registration, outlining eligibility criteria, obligations, permissible activities and compliance requirements for entities wishing to provide ESG related services.

Key components of the circular include definitions of ESG ratings and data products, the registration process and ongoing compliance obligations. Entities must maintain a minimum net worth, appoint qualified personnel and adhere to a code of conduct focusing on governance, transparency and conflict management. The circular also stipulates requirements for annual audits, grievance redressal and the maintenance of operational integrity. It emphasises that registered ERDPP must ensure their activities are distinctly segregated from other services to avoid conflicts of interest and uphold the integrity of ESG assessments.

MoEF notifies the Biological Diversity Rules, 2024

MoEF, *vide* notification dated October 26, 2024, notified the [Biological Diversity Rules, 2024](#) in supersession of the Biological Diversity Rules, 2004. The rules prescribe the manner of selection and appointment, term of office, pay and allowances of Chairperson and other members of the National Biodiversity Authority. It provides the procedure to be followed for access to biological resources and knowledge associated to it, sharing and transfer of research results to foreign entities, grant of intellectual property rights, obtaining certificate of origin for cultivated medicinal plants, conducting non-commercial research or research for emergency purposes outside India by Indian researcher or institution. It also provides the procedure to be followed by the adjudicating officer for inquiry into any complaint of non-compliance against any entity.

CAQM issues order on use of diesel generator sets during melas, outdoor exhibitions/processions and in community centres/banquet halls

CAQM issued [order](#) dated October 21, 2024 on use of polluting Diesel Generator sets (“**DG sets**”) during melas, outdoor exhibitions/processions and in community centres/banquet halls. The order is issued in view of the representations from resident welfare associations reporting rampant use of non-compliant DG sets by organisers of outdoor melas, exhibitions, community centres etc. The order clarifies that the use of DG sets falls within the purview its Direction No. 76 dated September 29, 2023, and should mandatorily be complied with by the organisers of such melas, exhibitions, processions, community centres, marriage halls etc. including outsourced DG sets by such agencies across the NCR.

Central Consumer Protection Authority issues the Guidelines for Prevention and Regulation of Greenwashing or Misleading Environmental Claims, 2024

The Central Consumer Protection Authority, *vide* circular dated October 15, 2024, issued the [Guidelines](#) for Prevention and Regulation of Greenwashing or Misleading Environmental Claims, 2024. The guidelines are issued to address the issue of greenwashing in environmental claims made in marketing and advertisement of products. The guidelines define 'green washing' as any deceptive or misleading practice including concealing, omitting or hiding relevant information, by exaggerating, making vague, false or unsubstantiated environmental claims. It also includes the use of misleading words, symbols or imagery, placing emphasis on positive environmental aspects while downplaying or concealing harmful attributes. The guidelines apply to all environmental claims made by a manufacturer, service provider or trader whose goods, product or service is the subject of an advertisement. For a detailed analysis, please refer to the

For a detailed analysis, please refer to the [JSA Prism of October 29, 2024](#).

Bureau of Energy Efficiency publishes list of approved sectors in offset mechanism under Carbon Capture and Trading Scheme by Central Government

On October 15, 2024, the Bureau of Energy Efficiency ("BEE") [published](#) an office memorandum dated September 20, 2024 which includes a list of approved sectors for India's Carbon Capture and Trading System ("CCTS"). This marks a significant advancement in the country's climate action strategy. Key sectors included in this initiative are energy, manufacturing, agriculture, waste management, and transport, all vital for reducing carbon emissions and promoting sustainable development.

In the initial phase of the CCTS, emphasis will be placed on sectors such as energy, chemical manufacturing, waste management and agriculture, utilising innovative technologies like green hydrogen production, biochar, landfill gas capture, and afforestation. The second phase will broaden the scope to incorporate additional sectors, including construction, fugitive emissions, and carbon capture, utilisation, and storage. Specific technologies approved in this phase include energy efficiency improvements, green ammonia usage, systematic rice intensification, and electric vehicles ("EVs"), reflecting a comprehensive approach to tackling emissions across various industries.

CAQM issues direction for implementation of plans of action for prevention and control of paddy stubble burning

CAQM, issued [direction](#) dated October 10, 2024, on implementation of plans of action for prevention and control of paddy stubble burning. It noted that despite targeted elimination of fire counts during 2024, a total of 267 (two hundred and sixty-seven) and 187 (one hundred and eighty-seven) paddy residue burning events were reported between September 15, 2024 and October 9, 2024 from the States of Punjab and Haryana respectively. It also notes that CAQM has called for entrusting responsibility and accountability on the nodal officers for various villages/blocks and supervisory officers. It authorises Deputy Commissioners/ District Collectors / District Magistrates in the States of Punjab, Haryana, NCR areas of Rajasthan and Uttar Pradesh and in the NCR to file compliant/prosecution before jurisdictional judicial magistrates, in case of inaction in respect of officials, including nodal officers and supervisory officers at various levels and station house officers, responsible for effective enforcement towards ensuring elimination of paddy stubble burning in their respective jurisdiction.

Ministry of Heavy Industries launches PM E-DRIVE Scheme

The Ministry of Heavy Industries, on October 9, 2024 [launched](#) the PM Electric Drive Revolution in Innovative Vehicle Enhancement ("PM E-DRIVE") scheme, with a financial outlay of INR 10,900 crore (Indian Rupees ten thousand nine

hundred crore), effective from October 1, 2024, until March 31, 2026. The PM E-DRIVE scheme aims to accelerate the adoption of EVs in India by providing incentives for EV purchases, enhancing charging infrastructure, and promoting a robust domestic EV manufacturing ecosystem. It focuses on mass mobility, supporting public transportation systems and reducing transportation-related environmental impacts all aligned with the Aatmanirbhar Bharat initiative.

Key components of the PM E-DRIVE scheme include demand incentives for electric 2 (two)-wheelers, 3 (three)-wheelers, e-ambulances, e-trucks and e-buses, alongside significant funding for establishing charging infrastructure and upgrading testing facilities. The initiative emphasises advanced battery technology for eligibility and sets specific targets for the number of vehicles incentivised. Additionally, the scheme plans to deploy e-vouchers for customers to streamline the incentive process, further encouraging the transition to electric mobility. Overall, this initiative is positioned to enhance sustainable transportation, improve air quality, and generate employment opportunities within the EV sector in India.

Ministry of New and Renewable Energy issues guidelines for implementation of component 'Innovative Projects' under PM-Surya Ghar: Muft Bijli Yojana

The Ministry of New and Renewable Energy ("MNRE"), on October 8, 2024, [released](#) the operational guidelines for implementation of component 'innovative projects' under the PM-Surya Ghar – Muft Bijli Yojana. The Government of India approved the PM Surya Ghar: Muft Bijli Yojana on February 29, 2024, to enhance solar rooftop capacity and empower residential households to generate their own electricity. The scheme is set to run until the financial year 2026-27, following administrative approval on March 16, 2024. These guidelines pertain to the 'Innovative Projects Component' of the scheme, aimed at showcasing and demonstrating innovative solar technologies and integration techniques to promote industry advancement.

The Innovative Projects Component aims to identify and fund innovations in rooftop solar business models and technical deployments; support startups and institutions in conducting collaborative pilots and scaling new business models to generate innovative rooftop solar technologies; facilitate new deployment pathways for distributed renewable energy and create management tools for distribution companies to manage distributed energy resources, incorporate cutting-edge technology in practical rooftop solar applications. A budget of INR 500,00,00,000 (Indian Rupees five hundred crore) is designated for the Innovative Projects Component. Potential projects include blockchain-based peer-to-peer rooftop solar, digital solutions, smart building materials, and grid-responsive rooftop solar with battery storage.

MoEF issues the Draft Liquid Waste Management Rules, 2024 for public consultation

MoEF, *vide* notification dated October 7, 2024, [issued](#) the Draft Liquid Waste Management Rules, 2024 for public consultation. The draft rules are proposed to be applicable from October 1, 2025, and will be applicable on every urban body, rural local body and all public authorities and entities responsible for generation and management of wastewater, sludge from wastewater treatment facilities and fecal sludge including all entities within their jurisdiction whether controlled and managed by the government, private sector or in public private partnership. 'Liquid waste' has been defined as any liquid/wastewater and associated sludge, including fecal sludge, which is discharged into the environment in such a volume, composition and manner likely to cause an alteration of quality of the environment. The proposed rules provide that every wastewater generator is required to dispose of wastewater generated in drainage systems provided by local body. It is also required not to dispose of wastewater generated on open land or in water body in a manner to adversely affect environmental quality.

SEBI extends timeline for submission of annual disclosures, impact report by social enterprises

On October 7, 2023, SEBI **extended** the deadline for social enterprises registered with the social stock exchange to submit their annual disclosures and impact reports for the financial year 2023-24. The new deadline is January 31, 2025, moving from the previous date of October 31, 2024.

SEBI's circular states that these reports must comply with regulation 91C (1) for annual disclosures and regulation 91E(1) for annual impact reports under the SEBI (Listing Obligations and Disclosure Requirements) Regulations, 2015. The reports will cover governance, financial aspects and the social impact generated by the enterprises.

BEE issues draft guidelines for installation and operation of battery swapping and battery charging stations for public consultation

BEE on October 7, 2024, issued the **draft** guidelines for installation and operation of battery swapping and battery charging stations. These guidelines aim to promote battery swapping as a viable alternative for EV power and encourage a 'battery as a service' model, where users can lease batteries instead of purchasing them outright. They apply to providers of swappable batteries and operators of Battery Charging Stations ("BCS") and Battery Swapping Stations ("BSS"), outlining essential definitions and requirements for establishing these facilities in accordance with existing regulations.

Key proposals in the draft include the promotion of charging and swapping infrastructure through government incentives, such as subsidised land rates and financial support for electricity usage at stations. The guidelines also specify tariff structures, requiring BCS and BSS to maintain separate meters for electricity consumption and adhere to pricing regulations. Additionally, BEE will create a national database of all charging and swapping stations, while a central nodal agency will oversee implementation. The guidelines aim to ensure a well-coordinated rollout of EV infrastructure, integrating renewable energy sources and encouraging open communication standards for data sharing among operators.

BEE publishes the Energy Conservation and Sustainable Building Code

BEE in October 2024 **published** the 'Eco Niwas Samhita ("ENS") – Energy Conservation and Sustainable Building Code (Residential)', September, 2024 to provide norms and standards for energy efficiency and its conservation, use of renewable energy and other green building requirements for a building. These standards aim to minimise heat gains in cooling-dominated climates and reduce heat loss in heating-dominated climates, while also promoting sufficient natural ventilation and daylighting. Lodging & rooming houses, dormitories, hotels and resorts have been excluded from the definition of 'residential buildings' under the code. The code also applies to alterations made to existing residential buildings that exceed the prescribed threshold, where only the altered parts need to comply with specific requirements. The code outlines 3 (three) levels of energy conservation and sustainability: (a) ENS compliance requires adherence to mandatory requirements; (b) ENS+ compliance involves meeting those requirements and earning additional points; and (c) super ENS compliance necessitates both adherence and achieving a higher number of points across the code's sections.

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



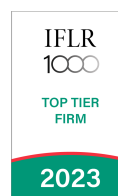
7 Ranked Practices,
16 Ranked Lawyers

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

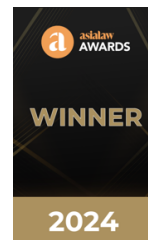


Asia M&A Ranking 2024 – Tier 1

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

For more details, please contact km@jsalaw.com

www.jsalaw.com



Ahmedabad | Bengaluru | Chennai | Gurugram | Hyderabad | Mumbai | New Delhi



This newsletter is not an advertisement or any form of solicitation and should not be construed as such. This newsletter has been prepared for general information purposes only. Nothing in this newsletter constitutes professional advice or a legal opinion. You should obtain appropriate professional advice before making any business, legal or other decisions. JSA and the authors of this newsletter disclaim all and any liability to any person who takes any decision based on this publication.