

# **M.C MEHTA V. UNION OF INDIA**

## **[Vehicular Pollution Case (1991)]**

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### **FACTS OF THE CASE**

The population of the Union Territory of Delhi is 96 lakhs. Around 90 lakh people live in urban areas out of this total population. Delhi had a population of roughly 5 lakh people at the time of freedom. It multiplied 19 times in over 40 years. Due to an increase in the population, the demand for automobiles has increased. With an increase in the usage of vehicles, the pollution levels have gradually gone up. The pollution in the city was at an alarming rate. Due to this, M.C. Mehta filed this writ petition, demanding that the court issue appropriate remedies to reduce vehicular pollution in Delhi.

### **ISSUES**

Along with the growing population, the usage of automobiles has gradually increased. With the extensive usage of automobiles, the pollution in the Union Territory of Delhi has gone beyond control. Automobiles emitted various harmful gasses such as carbon dioxide, sulfur oxide and nitrogen oxide, causing global warming. Due to the rise in pollution, the Air Quality Index of the national capital was threatening, making it one of the most polluted cities in the world. Due to the pollution and high Air Quality Index, the citizens of the national capital faced various health issues.

- Acknowledging the necessity and urgency of environmental conservation and improvement.
- Possessing a threat to human life as it caused chronic diseases amongst citizens.

### **RULE**

Environment Protection Act, 1986 was enacted with the primary goal of protecting and improving the environment, as well as matters related to it.

Article 48 (a) of the Indian Constitution states that the state will work to maintain and improve the environment, as well as the country's forests and wildlife.

Article 51 (a) (g) states that citizens of India have a responsibility to maintain and improve the natural environment and exhibit compassion for all living beings.

Air Pollution and Control Act, 1981 states to provide for the prevention, control, and abatement of air pollution, the formation of Boards to carry out the purposes above, the conferring and assigning of powers and functions relevant to the objects mentioned above, and other things connected in addition to that.

### **ANALYSIS**

The Supreme Court recognised that environmental contamination is a worldwide issue. The impact of pollution is not limited by a country's or state's political boundaries. It has a wide range of direct and indirect effects. The United Nations Conference on the Human Environment, which took place in Stockholm in 1972, declared that "Man is both creature and moulder of his environment which gives him physical sustenance and affords him the opportunity for intellectual, moral, social and spiritual growth. In the long and tortuous evolution of the human race on this planet, a stage has been reached when man has acquired the power to transform his environment in countless ways and on an unprecedented scale through the rapid acceleration of science and technology. Both aspects of man's environment, the natural and the man-made, are essential to his well-being and to the enjoyment of basic human rights-even of life itself." The Declaration's first principle reads as follows: "Man has the fundamental right to freedom, equality, and appropriate living conditions in a quality environment that allows for a life of dignity and well-being, and he holds solemn responsibility for protecting and improving the environment for current and future generations." The court cited articles 48A and 51A of the Indian Constitution in this case. "The State shall endeavour to protect and improve the environment, as well as to safeguard the country's forests and wildlife," according to Article 48A. "Every citizen of India shall have the duty to safeguard and improve the natural environment, including forests, rivers, and wildlife, and to have compassion for living creatures," according to Article 51A (g). According to the Court, the inclusion of environmental conservation as a duty of the state in the Directive Principles and the mandate in Article 51, according to the Court, show that the Constitution recognises the importance of the environment.

The Court took note of the Director of Transport, Delhi Administration's "report of a monitoring Committee on ambient and automobile emission levels," which was produced to examine the impact of car pollution on Delhi's air. According to the survey, there were 5,92,584 vehicles in Delhi, with 65% being two-wheelers, 3.5 % being three-wheelers, 25% being automobiles, jeeps, and other medium-sized vehicles, 1.5 % being buses, and the remaining

7% being goods carriers. According to this, in 1990, the vehicular population was 13.5 lakhs. This suggests that in the last 8 years, the number of automobiles has increased by around 8 lakhs in Delhi. The Central Pollution Control Board, established by the Air (Prevention and Control of Pollution) Act of 1981, was the third respondent. The law allows the government to give instructions to the Transportation Authorities in order to improve competence and reduce vehicle pollution. M.C. Mehta requested the Court to investigate the case not merely from a legal standpoint but also to move forward with practical deliberations in order to find actual answers. He gave them some materials and gadgets that could help them reduce traffic pollution. The Court considered whether the use of motor spirit should be phased out in favour of battery-powered two-wheelers. The Association of Indian Automobile Manufacturers filed an intervention request and provided some technical information. As a result, the Court raised the possibility of forming a committee capable of dealing with technical elements of vehicular pollution.

The Supreme Court decided to keep the writ petition continuing in order to monitor the situation and issued the following interim orders:

1. Under Article 51 A and Directive principles of state policy, the Indian Constitution recognises the need of protecting the environment, life, flora, and fauna. As a result, it is the government's responsibility to protect the environment.
2. Everyone who drives a car or uses an automobile should be aware of the adverse effects on the environment caused by their vehicle's emissions. Environmental awareness is a powerful tool for minimising pollution.
3. A committee was formed to investigate the problem of vehicular pollution in Delhi and come up with solutions. M.C. Mehta (the petitioner), the Chairman of the Central Pollution Control Board, and a representative of the Association of Indian Automobile Manufacturers made up this committee, which was chaired by a retired Supreme Court judge. Members were given the authority to seek advice from no more than three people. The Committee's Convener-Secretary was appointed by the Ministry of Environment and Forests' Joint Secretary. The Union Government issued a notification on March 18, 1991, establishing this committee.
4. The committee was formed with the following goals in mind:
  - i. Make a global review of the technology available for reducing vehicle pollution
  - ii. To analyse the current state of technology available in India for the reduction of vehicle pollution

- iii. Examine low-cost solutions for operating automobiles in India's major cities while reducing pollution levels.
  - iv. Examine the viability of short- and long-term methods to reduce/eliminate pollution from motor vehicles and provide appropriate recommendations in this regard
  - v. To offer detailed recommendations on the administrative/legal regulations needed to put the proposals in (iii) above into action.
5. This committee was given two months to submit a report to the Supreme Court detailing the steps taken in the case. The Union Government and the Delhi Administration have been urged to work closely with the committee to ensure its smooth operation.

### **CONCLUSION**

In terms of vehicular contamination in India, this was a watershed decision. Later, the Supreme Court issued decisions mandating the use of lead-free petroleum across the country, as well as the use of natural gas and other forms of energy in cars. In 1995, four large urban communities received lead-free petroleum. To minimise emissions, all cars built after 1995 were equipped with catalytic converters. CNG stations have been set up to supply CNG to automobiles. Between 1997 and 2010, there was a significant drop in the number of automobiles in Delhi as a result of this decision. While the EPCA was watching, the city was constantly enrolling over 1,000 new private vehicles by 2010. As a result, between 1997 and 2011. As a result of this case, Delhi became the first city on the planet to run its entire public transit system on compressed natural gas. In addition, there was a significant reduction in vehicular contamination in Delhi not long after this forced fuel change.