

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NOS. 161-163 OF 2019

M/S INDIAN OIL CORPORATION LIMITED

Appellant(s)

VERSUS

ADITYA N PRASAD & ORS.

Respondent(s)

WITH

CIVIL APPEAL NOS. 256-258 OF 2019

AND

CIVIL APPEAL NOS 253-255 OF 2019

O R D E R

Having heard Mr. Tushar Mehta, learned Solicitor General and Mr. Aditya N. Prasad, we are cognizant of the fact that by a letter dated 12.02.2016 sent by the Central Pollution Control Board to all the oil companies, the equipment in question was to have been installed in 46 cities insofar as (above 300 KLD is concerned) by December, 2017 and that this has not yet been done.

The National Green Tribunal's order is, therefore, correct in principle. However, under the aegis of the learned Solicitor General, a meeting has been called in which certain time-lines were discussed so that the aforesaid equipment could be set up within a realistic time-frame both in the NCT as well as in NCR.

So far as Stage 1-A is concerned, a device is installed at the filling depots/terminals. So far as the Stage 1-B is concerned, a separate device (VRD) is installed on the tanks of the retail outlets i.e. petrol pumps where petroleum products are stored underground.

Stage 2 is where a third category of device (VRD) is fitted in the dispensing units of each retail outlet. Each such dispensing unit has more than one nozzle and all the nozzles will have to be fitted with the aforesaid device.

Insofar as the NCT of Delhi is concerned, the learned Solicitor General has informed us that Stage 1-A has been completed by all the three oil companies.

So far as State 1-B is concerned, he says a realistic estimate of time would be by 30.06.2019.

We, therefore, extend the time so far as Stage 1-B & Stage 2 are concerned to 30.06.2019.

We have also taken on record the undertakings given by the authorized persons of each of the three oil companies to see that the aforesaid time-line is strictly adhered to.

Insofar as the NCR is concerned, this has been divided into two different groups : those are selling more than 300 Klspm and those selling less than 300 Klspm.

Insofar as the first category is concerned, the time schedule is extended, insofar as Stage 1-A is concerned till 31.03.2020. So far as the Stage 1-B and 2 are concerned, the time schedule is extended till 31.08.2019.

Insofar as retail outlets selling less than 300 Klspm in the NCR are concerned, so far as Stages 1-A and 1-B are concerned, time is extended till 31.03.2020. So far as Stage 2 is concerned, time is extended till 30.09.2020.

For this also, we have taken on record the requisite undertakings to adhere strictly to the aforesaid time-lines.

In this view of the matter, the NGT orders stand substituted.

The appeals are disposed of accordingly.

Pending applications also stand disposed of.

..... J.  
(ROHINTON FALI NARIMAN)

..... J.  
(VINEET SARAN)

New Delhi;  
February 14, 2019.

ITEM NO.2

COURT NO.6

SECTION XVII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 161-163/2019

M/S INDIAN OIL CORPORATION LIMITED

Appellant(s)

VERSUS

ADITYA N PRASAD &amp; ORS.

Respondent(s)

(IA No.3491/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT  
and IA No.3490/2019-STAY APPLICATION

WITH

C.A. No. 256-258/2019 (XVII)

(FOR ADMISSION and I.R. and IA No.6131/2019-EXEMPTION FROM FILING  
C/C OF THE IMPUGNED JUDGMENT and IA No.6129/2019-STAY APPLICATION  
and IA No.8850/2019-PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES)

C.A. No. 253-255/2019 (XVII)

(FOR ADMISSION and I.R. and IA No.5808/2019-EXEMPTION FROM FILING  
C/C OF THE IMPUGNED JUDGMENT and IA No.5806/2019-STAY APPLICATION  
and IA No.5805/2019-PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES)

Date : 14-02-2019 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN  
HON'BLE MR. JUSTICE VINEET SARAN

For Appellant(s)

Mr. Tushar Mehta, SG  
Mr. Rahul Narayan, AOR  
Ms. Mala Narayan, Adv.  
Mr. Shashwat Goel, Adv.  
Mr. Sachin Sharma, Adv.  
Mr. prashant Kumar B., Adv.

Mr. Neeraj Kishan Kaul, Sr. Adv.  
Mr. Sanjay Kapur, AOR  
Ms. Megha Karnwal, Adv.  
Mr. Bharath Gangadharan, Adv.  
Mr. Kauser Husain, Adv.

Mr. Parijat Sinha, AOR

For Respondent(s) Mr. Aditya N. Prasad  
Mr. Kumar Dushyant Singh, AOR

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

The appeals are disposed of in terms of the signed order.

(R. NATARAJAN)  
COURT MASTER (SH)

(HARI SWAROOP PARASHER)  
ASSISTANT REGISTRAR

(Signed order is placed on the file)