

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 6174 OF 2023

BHOPAL MUNICIPAL CORPORATION

APPELLANT(S)

VERSUS

DR SUBHASH C. PANDEY & ORS.

RESPONDENT(S)

WITH

CIVIL APPEAL NO. 7728 OF 2023

1. The Father of our Nation, Mahatma Gandhi, firmly believed that sustenance, individual or institutional, is the rightful reward of those who have genuinely labored. His famous quote, "*[h]e who eats without performing physical labor eats stolen food. God created man to work for his food; no one has a right to a meal who does not put in physical labor,*" underscores this belief.
2. The affidavit dated 22.05.2026 of Dr. Amit Love, Addl Director, Ministry of Environment, Forest and Climate Change ("MoEFCC"), and the annexures accompanying the affidavit demonstrate the desire and will, and that the executive has put its best foot forward for the implementation of the SWM Rules, 2026. The success of the steps now taken hinges on the schedules and roadmap laid down by the Secretaries of the Union of

India, who will assist this Court in the implementation of the orders issued from time to time. The ongoing effort needs both a deterrent and a determined approach to accomplish the desired targets. Monitoring the above exercise by this Court has several advantages, and entrusting it to any other expert third-party would entail several logistical disadvantages. Therefore, both in fitness of things and in continuation of the scheme of implementation arrived at between the Union and the States/UTs, the Secretaries of the Union of India who have executive power, logistic support and the command and control of the departments in the country, be constituted as the Supreme Court-empowered Monitoring Committee ("SCMC") for the implementation of SWM Rules, 2026. The SCMC is constituted with the following Secretaries of the Union of India and the Central Pollution Control Board:

- a. *Secretary, Ministry of Housing and Urban Affairs ("MoHUA");*
- b. *Secretary, Ministry of Environment, Forest and Climate Change;*
- c. *Secretary, Department of Drinking Water and Sanitation, Ministry of Jal Shakti;*
- d. *Secretary, Ministry of Panchayati Raj;*

- e. *Secretary, Ministry of Rural Development;*
 - f. *The Member Secretary, Central Pollution Control Board ("CPCB").*
3. The SCMC will be chaired by the senior-most Secretary, and the Member-Secretary Convenor will be the Member Secretary of CPCB. The SCMC members are responsible for supervising pan-India performance and implementation of the SWM Rules, 2026.
 4. Apropos to our earlier orders, the continuing mandamus orders are being issued in furtherance of the Constitutional goal by continuing to repose faith in the executive. Everyone contributes to the betterment of our environment. We recognise that for the current law to be effective and meaningful, the true power lies with local body officers, foot soldiers, and all direct and indirect contributors of Solid Waste, regardless of their level of contribution through their living and activities.
 5. The above begs the question of whether everyone reflects on the quote of Mahatma Gandhi, and contextually adopts it to the present situation, as to whether one deserves to take the next meal and salary, and without discharging the primary function of protecting and preserving the environment.
 6. The SCMC is endowed with and authorised to supervise,

monitor, and issue all primary, ancillary, and incidental directives required for implementing the SWM Rules, 2026 and the Orders of this Court.

7. To ensure the discharge of these functions, there will be seven directions in this Order.

Part I

8. The SCMC will monitor and enforce the task on a structured review schedule, as may be designed on a priority basis.
9. The monitoring exercise is targeted towards the (i) Continuity and consistency in implementation, (ii) Proper and timely implementation of SWM Rules, 2026, (iii) Fixing of responsibility at appropriate levels, and (iv) Making the process answerable to this Court.
10. The Orders of this Court, since they fix responsibility for achieving the targeted results, this Court is of the view that the current leadership by the officers of the Swachh Bharat Mission shall not be disturbed, except in cases of the incumbent's superannuation from service. The SCMC is, however, granted liberty to consider a case for change of leadership received from States on exceptional grounds or non-performance grounds by the concerned officer.

Part II

11. The SCMC specifically issues directions to the District Collectors to identify unauthorised and illegal sources of solid waste transport and dumping that contravene the SWM Rules, 2026. Consequent thereto, the District Collectors shall ensure that all actions, including penal actions, are taken against the offending vehicles and their operators without exception.
12. The District Collectors are directed by the SCMC to have a separate page on their website on the problems, implementation, and progress. There should also be scope to upload photos of degeneration, regeneration, and the generation of legacy and solid waste.
13. The SCMC invites innovative practices and grants functional autonomy to the District Collectors to employ efficient, economical, and effective administrative and technical tools.

Part III

14. The non-finalisation of the Solid Waste Management curriculum shall constitute a major lapse in the effort to bring the younger generation on board. The curriculum must be designed to foster civic responsibility and practical understanding of waste

management systems.

Part IV

15. No State/Union Territory is permitted to exceed the timelines committed to before the SCMC for the disposal of legacy waste. The present contribution of all entities shall conform to the requirements of the Solid Waste Management Rules, 2026, and deviations shall invite accountability proceedings. Steps are taken to obliterate legacy waste using all available scientific and technological methods.

Part V

16. The SCMC issues directions to all the zones of the Indian Railways, informs this Court of the Indian Railways' obligations under the SWM Rules, 2026, and places before this Court the Indian Railways' reply in the next report.

Part VI

17. From the affidavit dated 22.05.2026, it appears that the order copies are not translated into local languages, and this gap is addressed without further delay. The Orders of this Court are forthwith translated into local languages, and soft copies are circulated along with a copy of this entire Order.
18. For complete transparency, the affidavit dated 22.05.2026 is annexed to this order.

Part VII

19. We place on record our satisfaction with the steps taken by the concerned Ministries and expect to translate them into actual results. To ensure compliance, law must nudge, not push, people into compliance. However, in the process of nudging, the law must not be enforced flexibly in a way that undermines fidelity to and obedience to it. The District Collectors, through corporators and panchayat members, ensure, through a democratic process, the participation of everyone in the simple adherence to the requirements of the SWM Rules, 2026. The broad front of the campaign focuses on reducing, reusing, and recycling to regenerate the environment for future generations.
20. The singularity of obligation and compliance under the SWM Rules, 2026, is that every human being and their activities result in pollution, yet all contributors expect a minuscule percentage of sanitary workers to handle it. This perception shall be eradicated, and it shall be the responsibility of all contributors for Waste Management. As a test case, the District Collectors can specifically engage with households and educational institutions. Let the students be the guides and mentors in their respective households, and the Special Cells in each

district educate them in this regard. The Constitution can operate in its full vigour only when there is participation and compliance from all.

21. This Court, for the present, is deferring the prosecution in the hope that, through collaborative efforts, an economic approach to managing solid waste will be put in place.
22. There is tremendous hope for India. But if we are to make this country not only survive but also achieve greatness, which is its due, everyone should take firm, unwavering steps on that path.
23. Case Management Schedule for listing:

<u>WEEK/DATE TO BE LISTED ON</u>	<u>AGENDA</u>
06 August 2026	Interim-Report
2 nd Week of November	Short-Term Report
2 nd Week of January	Medium-Term Report
10 April 2027	Annual Report

24. As noted in the Schedule, list on 06.08.2026 for filing the interim report by SCMC

.....J.
(PANKAJ MITHAL)

.....J.
(S.V.N. BHATTI)

NEW DELHI
25th May, 2026