

# News

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## Jairam Ramesh's Supreme Court appeal against retroactive environmental permits for media attention

*The Supreme Court warned against utilizing writs for publicity or review attempts and pointed out that judicial remedies must adhere to correct procedure.*

Jairam Ramesh, a Congress politician and Rajya Sabha MP, filed a writ suit against the granting of retrospective facto environmental clearances (EC), but the Supreme Court denied it on Thursday.

A bench made up of Justice Joymalya Bagchi and Chief Justice of India (CJI) Surya Kant noted during the hearing that the petition seemed to be more intended to garner public attention than to resolve a legal issue.

***According to CJI Kant, "all of this is just for media publicity."***

Since the plea essentially contested the November 2025 ruling of the supreme court permitting retrospective ECs, the bench also questioned the strategy of bringing up review grounds through a writ petition.

The Court stated today that rather than filing a writ petition, the appropriate line of action would have been to submit a review petition against the Court's decision.

The Court informed Ramesh that he would be subject to costs.

***Why didn't you submit a review? You are simply bringing up all of these issues in***

***court. How can you request a review of a judgment in a writ, and if you do, be prepared to pay exemplary costs?" CJI Kant asked.***

Ramesh's attorney asked to have the plea withdrawn in light of the observations.

***"My lord, I would like to withdraw the plea."***

Additionally, the court permitted the same.

***"Allowed to withdraw with the freedom to pursue legal remedies."***

In his request, Ramesh contested the practice of giving environmental permits to projects after construction or work has already started, claiming that these approvals are illegal, harmful to public health, and compromise government.

***Late in January, he stated in an X post, "I just submitted a case to the Supreme Court contesting ex post facto environmental clearances, motivated by the court's reconsideration of a previous decision on the redefining of the Aravallis on December 29, 2025.***

He argued that ex post facto clearances endanger communities and circumvent appropriate environmental processes.

The topic of ex post facto environmental clearances has been discussed by the Supreme Court on numerous occasions.

***Before beginning any construction or operation, projects must obtain environmental approval in accordance with the 2006 Environment Impact Assessment (EIA) regulations.***

Government notices in 2017 and 2021, however, permitted certain projects that had already started without permission to apply for retroactive clearances; this action was contested in court as compromising required environmental protections.

***The Supreme Court invalidated the practice in the May 2025 case of Vanashakti v. Union of India, holding that retroactive clearances are against both environmental law and constitutional norms and that no project can lawfully begin without previous***

**approval.**

The Court invalidated a 2021 Office Memorandum and a 2017 notification that allowed for the retroactive granting of ECs with that ruling.

Retrospective ECs were revived in November 2025, however, when a three-judge Supreme Court bench granted a review appeal against the May 2025 ruling.

***This ruling was made in response to a review petition filed by the Confederation of Real Estate Developers of India (CREDAI), which contended that the ruling severely harmed the real estate sector and other related industries.***

The three-judge Bench subsequently softened its previous ruling, ruling that if EC is not reconstituted, public projects worth ₹20,000 crore will have to be demolished. It further stated that such demolitions would contribute to more pollution.

***A forceful opposing opinion was issued by Justice Ujjal Bhuyan, one of the three judges on the bench.***