

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

Application No. 56(T_{HC}) of 2013

And

Application No. 57(T_{HC}) of 2013

In

Satish Kumar Vs. Union of India & Ors.

With

Mahavir Singh Vs. Union of India & Ors.

CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE DR. D. K. AGRAWAL, EXPERT MEMBER
HON'BLE DR. G.K. PANDEY, EXPERT MEMBER
HON'BLE DR. R.C. TRIVEDI, EXPERT MEMBER

Present: **Appellant:** Mr. Sudeep Dey, Advocate
Respondent No. 1: Ms. Neelam Rathore, Advocate and Mr. Vikramjeet, Advocate
Respondent No. 2 to 5: Mr. D. Rajeshwar Rao, Advocate
Respondent No. 6&7 (in Application No. 57(T_{HC}) of 2013: Mr. Narender Hooda, AAG and Mr. D.P. Singh, Advocate
Mr. Aayush Chandra for DPCC
Mr. Balendu Shekhar, Advocate for North MCD
Mr. Harish Malik, Advocate for Interveners

Date and Remarks	Orders of the Tribunal
Item No. 1&2 May 21, 2013	<p>Status Report in terms of the earlier order of the Tribunal has been filed in Court today the same is accepted on record.</p> <p>Learned counsel appearing for the Applicant has stated that there is plastic collection and plastic burning as a regular feature in the area of Mundka and Nangloi Villages. He has further filed some photographs showing burning of the plastic. It is brought to notice that new technology is available for re-use of plastic waste in road construction. In this direction, Central Road Research Institute, New Delhi and Central Institute of Plastic Engineering and Technology Chennai carried out significant work. Accordingly, at the oral request of the Petitioner, these Institutes are impleaded as Respondents to file Status Report regarding usage of plastic waste in road construction.</p> <p>Learned counsel appearing for the Intervener Applicant prays for time to file Affidavit. Let the Affidavit be filed within two weeks from today.</p> <p>In the said Affidavit, the Applicant shall show cause as to why the Tribunal should not impose the heavy cost/compensation upon them for damage of environment. Admittedly the burning of plastic results in release of</p>

obnoxious gases viz. Dioxin and Furan, which are most injurious and cancerous to the human health.

From the Status Report it is clear that plastic and other waste is carried out in these areas. Some of the photographs show burning marks on the land. Police Officer who had gone along with the other Members of the Committee did not even care to collect the sample of earth from the burnt spots which could have clearly shown as to whether the burning at that place was of plastic and/or of any other articles.

Along with the Status Report, an order passed by the Division Bench of Hon'ble High Court of Delhi dated 22nd August, 2012 has been brought to our notice wherein the Hon'ble High Court had directed the Police Authorities and SDM to ensure surveillance and vigil over the area by installing of pickets or otherwise so that transportation of waste material does not takes place.

Despite such order of the Hon'ble High Court of Delhi the Police have failed to discharge their duty.

We reiterate the order of the Hon'ble High Court of Delhi as well as the interim order passed by the Tribunal. These directions shall continue in force. The Police shall ensure that no plastic is burnt in that area nor any plastic waste is carried out from that area.

List the matter on 10th July, 2013.

.....,CP
(Swatanter Kumar)

.....,JM
(U.D. Salvi)

.....,EM
(Dr. D.K. Agrawal)

.....,EM
(Dr. G.K. Pandey)

.....,EM
(Dr. R.C. Trivedi)