

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

**Original Application No. 21/2014
(Only Notices)**

AND

Original Application No. 21/2014

(M.A. NO. 156/2016, M.A. NO. 172/2016, M.A. NO. 949/2016, M.A. NO. 567/2016, M.A. NO. 1220/2016, M.A. NO. 13/2017, M.A. NO. 22/2017, M.A. NO. 47/2017, M.A. NO. 52/2017, M.A. NO. 71/2017, M.A. NO. 27/2017, M.A. NO. 63/2017, M.A. NO. 82/2017, M.A. NO. 104/2017, M.A. NO. 106/2017, M.A. NO. 108/2017, M.A. NO. 109/2017, M.A. NO. 120/2017, M.A. NO. 136/2017, M.A. NO. 137/2017, M.A. NO. 145/2017, M.A. NO. 147/2017, M.A. NO. 160/2017, M.A. NO. 177/2017, M.A. NO. 180/2017, M.A. NO. 185/2017, M.A. NO. 218/2017, M.A. NO. 219/2017, M.A. NO. 220/2017, M.A. NO. 237/2017, M.A. NO. 238/2017, M.A. NO. 244/2017 & M.A. NO. 246/2017)

And

**Original Application No. 95/2014
(M.A. No. 1156 of 2016)**

And

Original Application No. 303/2015

And

Original Application No. 609 /2016

And

Original Application No. 179 of 2016

IN THE MATTER OF:

Vardhaman Kaushik Vs. Union of India & Ors.

And

Vardhaman Kaushik Vs. Union of India & Ors.

And

Sanjay Kulshrestha Vs. Union of India & Ors.

And

Supreme Court Women Lawyers Association Vs. Union of India & Ors.

And

Diya Kapur & Ors. Vs. Union of India & Ors.

And

Mahendra Pandey Vs. Govt. of NCT of Delhi & Ors.

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE DR. JUSTICE JAWAD RAHIM, JUDICIAL MEMBER
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER
HON'BLE DR. AJAY A DESHPANDE, EXPERT MEMBER**

Present: Applicant :

**Mr. Rishabh Sharma, Adv. for Ms. Diya Kapur, Adv.
Mr. Sanjay Upadhyay and Mr. Salik Shafique, Adv.
Mr. Keith Varghese, Adv.**

Mr. Prateek Kumar Gupta, Adv. in M.A. 220/17

Mr. Tarang Gupta, Adv. in M. A. No. 244/2017

Mr. Darpan Wadhwa and Mr. Arjun S., Adv.

Mr. Atul Kumar, Mr. Abhimanyu Sharma and Mr. Harshit Sanwal, Adv.

Respondent No. 2 & 4

**Mr. Narender Pal Singh, Adv. and Mr. Dinesh Jindal,
LO, Delhi Pollution Control Committee**

**Mr. Aviral Mittal with Mr. K. Sunil, Adv. for Hemant
Jain & Usha Jain**

Mr. D.K. Thakur, AAG for State of Himachal Pradesh

Mr. Vijay K. Sondhi, Ms. Cauveri Birbal

Mr. Aranyak Pathak, Adv. in M. A. No. 564/2016

Mr. Rahul Khurana, Adv. M.A.No.106 & 145/2017

Mr. Harvinder Sekhon in M. A. No. 1220/2016

**Mr. Anchit Sharma and Mr. Satamita Ghose, Adv.
for Delhi Cont. Board.**

Mr. Nikhil Rathi Kapoor, Adv.

Mr. Ashish Rana, Adv. for Hindustan Petroleum

Mr. Ashish Negi and Ms. Richa Kapoor, Adv. for PPCB

**Mr. Naginder Benipal, Adv. for Mr. Anil Soni, AAG for
State of Punjab**

Mr. Soumyajit Pani, Adv. for State of Odisha and Mr. Siddharth Jain, Adv.
Mr. Pradeep Misra and Mr. Daleep Dhyani, Adv. for UPPCB
Mr. Rajiv Bansal, Mr. Kush Sharma, and Ms. Anirudh Chadha, Adv. (DDA)
Mr. Parijat Sinha and Mr. Joydeep Mazumdar, Adv. for State of WB
Mr. Anchit Sharma and Ms. Satwita Ghosh, Adv. for Delhi Cantonment Board
Mr. Vibhav Mishra, Adv. for DTC
Mr. Anil Grover, AAG for State of Haryana with Mr. Rahul Khurana, Adv. for HSPCB, MCG, MCF & HUDA
Mr. Anil Shrivastava, Mr. Rituraj Biswas and Ms. Sujaya Bardhan, Adv. for State of Arunachal Pradesh
Mr. Gopal Singh, Mr. Rituraj Biswas and Ms. Varsha Poddar, Adv. for State of Tripura
Mr. Shashank Bajpati, Adv. for State of Odisha and Mr. Shakum Sudha Shukla, Adv.
Ms. Khushboo B. and Ms. Natasha, Adv. in M. A. No. 172/2016
Mr. A.K. Prasad and Mr. Jaydip Pati, Adv.
Mr. KTS Tulsi, Sr. Adv and Mr. Navandeep Singh Matta, Adv.
Mr. Pallav Sishodia, Sr. Adv. and Mr. Arjun S., Adv.
Mr. Om Prakash, Adv. for Ministry of Railways
Ms. Nishe Rajen Shonker, Adv. for State of Kerala and Mr. Jogy Scaria, Adv. for Pollution Control Board
Mr. Edward Balho, Mr. K. Luikang Michael and Ms. Elix Gangmei, Adv. for State of Nagaland
Mr. Ravindra Kumar and Mr. Gudipati G. Kashyap, Adv. for NOIDA & Greater NOIDA.
Ms. Bhumika Kapoor, Adv. for Apex Health Education & Research Trust
Ms. Puja Kalra, Adv. for NDMC
Mr. Pinaki Misra, Sr. Adv. with Ms. Puja Kalra, Adv. for SDMC
Ms. Sakshi Popli, Adv. for NDMC
Mr. Gautam Singh and Mr. Rudreshwar Singh, Adv. for State of Bihar and BSPCB
Mr. Jayesh Gaurav, Adv. for JSPCB
Mr. Sarthak Chaturved, Mr. Rohit Pandey, Adv. for Andaman Nicobar Administration
Mr. Rajul Shrivastav, Adv. For MPPCB
Mr. Raj Kumar, Adv. with Mr. Bhupender Kumar, LA, Central Pollution Control Board
Mr. Sanjeev Ralli, Adv.
Mr. Mukesh Verma and Mr. Bikash Kumar Sinha, Adv.
Ms. Priyanka Swami, Adv. for Ghaziabad Nagar Nigam
Mr. Mukul Singh, Adv. for Ministry of Environment, Forest and Climate Change
Mr. Dinesh Kumar Garg and Mr. Dhananjay Garg, Adv. for State of Uttarakhand
Ms. Priyanka Sinha, Adv. for State of Jharkhand
Mr. Atul Jha, Adv. For State of Chhattisgarh
Ms. Aruna Mathur, Mr. Avneesh Arputham and Ms. Anuradha Arputham and Ms. Sandesh Subba, Adv. For State of Sikkim & Pollution Control Board
Mr. Abhishek Yadav, Adv. for State of U.P.
Mr. Shiv Mangal Sharma, AAG for State of Rajasthan with Mr. Saurabh Rajpal and Mr. Adhiraj Singh, Adv.
Mr. Guntur Pramod Kumar, Mr. Guntur Prabhakar and Mr. Prashant Mathur, Adv. For State of Andhra Pradesh
Dr. Abhishek Atrey, Adv. for Ministry of Environment, Forest and Climate Change
Mr. Sarad K. Sunny, Adv. in MA 244 of 2017
Mr. Raman Yadav, Adv. for Ghaziabad Development Authority
Mr. Pragyan Pradip Sharma, MS. Anandrin Kumari, Adv. for State of Mizoram
Mr. R. Rakesh Sharma, Adv. for State of Tamil Nadu & TNPCB
Mr. D. Rajeshwar Rao and Mr. Madhukar Sharma, Adv. for PWD, Transport Deptt. and Delhi Police
Ms. Asha N. Basu and Mr. Amit Agarwal, Adv. for West Bengal Pollution Control Board
Mr. B.V. Niren, CGSC
Ms. Pinky Anand, ASG with Mr. Balendu Shekhar, Mr. Rajesh Ranjan, Ms. Somya Rathore and Ms. Snidha Mehra, Adv. for MoRTH & MHI

Mr. Balendu Shekhar, and Mr. Vivek Jaiswal, Advs. for East Delhi Municipal Corporation
 Ms. Yogmaya Agnihotri, Adv. for CECB
 Mr. V.K. Shukla with Ms. Vijay Lakshmi, Advs. for State of M.P.
 Mr. Tarunvir Singh Khehar, Ms. Guneet Khehar and Mr. Charan Jeet Singh, Advs. for GNCTD

	Date and Remarks	Orders of the Tribunal
	<p>Item Nos. 24 to 29</p> <p>March 06, 2017</p> <p>ss</p>	<p>The Learned counsel appearing for the Applicant as well as some of the interveners have brought to our notice some photographs showing indiscriminate burning of waste. It is in relation to the dumping sites at Ghazipur and Bhalswa, Mukraba Chowk. The photographs are showing the dumps of waste which are already much beyond the prescribed limit and are on fire. The gases emission visibly are highly polluting and dangerous to human health.</p> <p>Needless to note that these dumping sites, even without being put on fire, generate gases which are injurious to the environment and public health. Once they are put on fire, intentionally or otherwise, to reduce the quantum of the dumped waste at site, certainly becomes worst, both for human health and environment.</p> <p>We therefore constitute a Committee consisting of Member Secretary, Central Pollution Control Board; Member Secretary, Delhi Pollution Control Committee and Chief Engineers of the respective Municipal Corporations who shall visit the site today itself and would submit a report to the Tribunal. The Secretary Urban Development, NCT, Delhi shall be Chairman of the Committee and shall personally visit the site. The report should be specific and comprehensive in all respect. They would also collect air and gases samples and the same would be analysed in relation to all its possible constituents.</p> <p>This Committee shall also specifically report as to</p>

<p>Item Nos. 24 to 29</p> <p>March 06, 2017</p> <p>ss</p>	<p>why the directions issued by the Tribunal in the case of <i>Almitra H. Patel Vs. Union of India (Original Application No. 199 of 2014)</i> and <i>Kudrat Sandhu Vs. Govt. of NCT & Ors. (Original Application No. 281 of 2016)</i> have not been complied with. If any steps had been taken in that direction the Corporation and NCT, Delhi would be at liberty to bring it to the notice of the Committee. If no such submission is made before the Committee, it shall be presumed that no step whatsoever had been taken, in furtherance to those judgments. If steps taken are brought to the notice of the Committee, it shall verify the same upon physical inspection of the site. Inspection should be completed continuously, if necessary tomorrow or day after.</p> <p>We appoint Mr. Rahul Khurana, Adv. as an observer who shall also be the member of the Committee. Let the report be submitted before the Tribunal within two days from today. The copy of the order should be placed on the Website of NGT today itself and copy be provided to all the Learned counsel appearing in this case.</p> <p>List these matters on 09th March, 2017.</p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,JM (Dr. Jawad Rahim)</p> <p>.....,JM (Raghuvendra S. Rathore)</p> <p>.....,EM (Bikram Singh Sajwan)</p> <p>.....,EM (Dr. Ajay A Deshpande)</p>
--	--