

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

**Original Application No. 193/2016
(M.A. No. 367/2016 & M.A. No. 435/2016)**

Rupesh Sharma Vs. Union of India & Ors.

**CORAM: HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE R. S. RATHORE, JUDICIAL MEMBER
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER**

**Present: Applicant :Mr. Rupesh Sharma, PS. Sharda
Respondent No. 1 :Mr. Balendu Shekhar, Akshay
Respondent No. 2 :Mr. Raj Kumar with MS. Niti Choudhary**

	Date and Remarks	Orders of the Tribunal
	Item No. 01 May, 11 2016	<p style="text-align: center;"><u>M.A. NO. 435/2016</u></p> <p>The applicant is seeking amendment to elaborate the pleadings and to place the relevant facts before us. The application is allowed. Necessary amendment be carried out forthwith.</p> <p>M.A. NO. 435/2016 stands disposed of accordingly.</p> <p>Learned Counsel appearing on behalf of the applicant submits that the local residents in the vicinity of the project of 66 KV GIS sub-station situated in Sector 4, Gurgaon, Haryana are the victims of noise generated by the sub-station as well as the electromagnetic radiation and as such, restorative measures including the shifting of the project is necessary.</p> <p>We have already held in the case of Dr. Arvind Gupta Vs. Union of India & Ors. (Original Application No. 61 of 2012) that emissions of electromagnetic waves do not fall within the ambit, scope and jurisdiction of this Tribunal under the Provisions of the NGT Act, 2010 with reference to the Environment (Protection and Prevention of Pollution) Act, 1986. As regards the noise</p>

generated by the functioning of this sub-station, we pass the following directions before we pass any orders admitting the present application. We direct Haryana State Pollution Control Board and CPCB to carry out the Joint Inspection of the project of 66 KV GIS sub-station situated in Sector 4, Gurgaon, Haryana referred to in the application and record the noise level of the noise generated while the sub-station is functioning both in day as well as night time and place its Report before us on the next date of hearing.

Registry to communicate this order to Haryana State Pollution Control Board and CPCB.

List this matter on 04th July, 2016.

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

.....,JM
(R.S. Rathore)

.....,EM
(Ranjan Chatterjee)

