

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

Original Application No. 473/2017
(M.A. No. 924/2017)

Niharika

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 27.02.2019

CORAM:

**HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

For Applicant(s)

Ms. Meenakashi Arora Sr.
Advocate with Mr. Abhinav Goyal
Advocate

For Respondent(s)

Ms. Sharmila Upadhyay and Mr.
Sarvjit Pratap Singh Advocates
for CPCB
Mr. Ardhendumauli Kumar
Prasad, Advocate for MNRE
Mr. Rajesh K. Singh and Mr.
Rovins Verma, Advocates for
MoEF & CC
Mr. Rajesh Kumar Sinha,
Advocate

ORDER

Heard the Learned Counsels for the parties.

In this matter, the primary grievance raised by the applicant is with regard to uses, manufacture and import of Solar module and glass containing Antimony in the country. Therefore, it has been prayed by the applicant that the respondent Ministry be directed to frame a policy for effective disposal of Solar module/ Solar panel.

During the course of the proceedings it was thought proper that a Report from Experts on the subject be called for. Report of the Committee constituted by the Tribunal vide order dated 27.02.2018, has been received.

We are informed by the Learned Counsel for respondent no. 2- Ministry of New and Renewable Energy that the Ministry is preparing a blue print on the issue which shall thereafter be sent to the Ministry of Environment, Forest and Climate Change. The MoEF & CC shall then frame a policy and issue appropriate direction so as to have an effective use and disposal of Antimony Coated Solar Panels.

The exercise in respect of preparing the blue print be done within a period of three weeks from today. Thereafter the MoEF & CC shall declare a policy for use and disposal of Antimony Coated Solar Panels.

Keeping in view the nature of the issue involved and in the larger public interest, we direct the respondent- MoEF & CC to give an opportunity of hearing to the applicant/his representative before finalizing the policy.

The MOEF & CC shall complete the exercise of preparing and declaring the policy within three weeks, after receipt of the blue print from the Ministry of New and Renewable Energy.

A copy of this order be sent to the Secretaries of Ministry of Environment, Forest and Climate Change and Ministry of New and Renewable Energy through e-mail, forthwith

Accordingly, the original application No. 473 of 2017 is disposed of, with no order as to cost.

M.A. No. 924 of 2017

This misc. application does not survive for consideration as the main application itself stands disposed of.

Accordingly, M. A No. 924 of 2017 stands disposed of.

Raghuvendra S. Rathore, JM

Dr. Satyawan Singh Garbyal, EM

February 27, 2019

