

BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL BENCH, BHOPAL

Original Application No. 113/2013

Dr. Subhash C. Pandey Vs. Union of India & Ors.

CORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER
HON'BLE MR. P.S.RAO, EXPERT MEMBER

PRESENT : Applicant : Shri Subhash C. Pandey
MPPCB & CECB : Shri Shivendu Joshi, Adv.
Rajasthan PCB : Shri Sandeep Singh, Adv.
Respondent No. 2 : Shri Sachin K.Verma, Adv.
Shri Ayush Dev Bajpai, Adv.

Date and Remarks	Orders of the Tribunal
Order no. 2 31st October, 2013	<p>Shri Sandeep Singh, Learned Counsel appearing on behalf of the Rajasthan Pollution Control Board as well as Shri Shivendu Joshi, Learned Counsel appearing on behalf the MP Pollution Control Board and Chhattisgarh Environment Conservation Board have submitted before us the Action Taken Reports dated 30.10.2013 with regard to checking the air and noise pollution level and maintaining the same in accordance with the Rules of 1999 as well the provisions of the Environment (Protection) Act, 1986 and notifications issued thereunder.</p> <p>We have noted that the State Pollution Control Boards have apprised the District Administration and the State Government on the requirement of allowing the fire crackers within the permissible decibel levels and in some cases, samples have been taken and sent for analysis and which are found beyond the prescribed limits, action against the concerned persons has been proposed to the District Administration.</p> <p>It has been submitted that as regards the ambient air quality, air pollution and noise pollution levels, the State Pollution Control Boards have deployed teams with monitoring equipment at various places in the State and results of the samples so taken during the</p>

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festivities of Deepawali would be monitored as required by law. We have been assured that the State Pollution Control Boards have apprised the District Administration and the State Governments about the guidelines issued by the Hon'ble Supreme Court vide order dated 18.07.2005 and the same would be implemented. It was also given out that the PCBs and District Administration have chalked out a programme creating awareness against the pollution as a result of bursting of crackers and its effect on human beings and other living creatures.

Accordingly, we are satisfied that at present, adequate measures have been adopted and as such no directions are required to be issued by the Tribunal to the State Pollution Control Boards and the District Administration in this behalf as the festival of Diwali is only two days away. So far as the data which is collected by the respective State Pollution Control Boards of the three States is concerned, that shall be supplied to the applicant Dr. Subhash C.Pandey by 15.11.2013 though it is submitted that the same will be uploaded on the website and in case the applicant wants to make any further suggestions or wants to reopen the matter, he may file a fresh application, for issuing necessary directions.

Accordingly, the Original Application No. 113/2013 stands disposed of.

.....JM
(DALIP SINGH)

.....EM
(P.S.RAO)