

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

**Original Application No. 277 of 2013  
(M.A. No. 214 of 2016)**

**Dr. Irfan Ahmad & Ors. Vs. Mr. Nawang Rigzin Jora & Ors.**

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON  
HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER  
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER  
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER**

**Present:**                      **Amicus:**                                      **Mr. Narender Pal Singh, Mr. Mithilesh Kumar,  
Adv.**  
**Respondent Nos.1 to4:**                      **Mr. Jahangir Iqbal Ganai, Adv. Gen. and Mr.  
G.M. Kawoosa, Ms. Mithu Jain and Dr. Shafaqat  
Khan adn Mr. Vasu Yadav, Adv.**  
**Mr. B. V. Niren, Adv. for MoUD**  
**Ms. Renu Gupta, Adv. for Shri Mata Vaishno  
Devi Shrine Board**

	<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
	<b>Item No. 01</b> <b>August 11, 2016 A</b>	<p>In furtherance to our order dated 20<sup>th</sup> July, 2016 no steps have been taken. We are informed that despite the fact the State of Jammu &amp; Kashmir has invited tender 3 times and on the last occasion even extended the date for submission of tender, not a single tender was submitted. Still in case of the only tenderer who had earlier shown willingness to do the work, according to the Government, they are of the opinion it should be not be awarded to him. This is a most critical case of municipal solid waste being thrown at a site which is causing serious public health and environmental issues. We had directed that the Secretary concerned and Municipal Commissioner be present. Despite our orders they are not present. We do not know what effective alternative method Government is adopting. There is no reason whatsoever for the Officer not to comply with the orders of the Tribunal and not remain present today.</p> <p>Consequently, we issueailable warrant against Secretary concerned and the Commissioner of Municipal</p>

	<p><b>Item No.</b> <b>01</b></p> <p><b>August 11,</b> <b>2016</b></p>	<p>Corporation in the sum of Rs. 10,000/- to the satisfaction of the arresting Officer, in exercise of our powers and in terms of the provision of Section 19 (4) (a) of the National Green Tribunal Act, 2010 read with Order XVI Rule 10(3) and Section 151 of Code of Civil Procedure, 1908. The bailable warrant shall be executed by the SHO of the concerned area for their production. They shall be present with complete records. Keeping in view the massive collection of waste and the same continuing indiscriminately, even now, without any effective measures including segregation and proper dumping, we direct and prohibit the Municipal Corporation and the State Government from throwing any waste, municipal solid waste or any kind of waste at the site in question that is Achan at Srinagar.</p> <p>List this matter on 22<sup>nd</sup> August, 2016.</p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,JM (M.S. Nambiar)</p> <p>.....,JM (Raghuvendra S. Rathore)</p> <p>.....,EM (Prof. A. R. Yousuf)</p> <p>.....,EM (Bikram Singh Sajwan)</p>
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