

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

**Original Application No. 199 of 2014
&
Original Application No. 281 of 2016
(M.A. No. 1007/2016)**

IN THE MATTER OF:

**Almitra H. Patel & Anr. Vs. Union of India & Ors.
&
Kudrat Sandhu Vs. Govt. of NCT & Ors.**

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

Original Application No. 199 of 2014

**Present: Applicant :
Respondent No. 6:**

**Mr. Abhinay Sharma, Adv.
Mr. Mukesh Verma and Mr. Biklash Kumar Sinha,
Adv.
Mr. Biraja Mohapatra, Adv. Mr. Dinesh Jindal, LO,
Delhi Pollution Control Committee
Mr. Gautam Singh and Mr. Rudreswar Singh, advs.
for State of Bihar and Bihar SPCB
Ms. Priyanka Sinha, Adv. for State of Jharkhand
Mr. Jayesh Gaurav for JSPCB
Ms. Seema Sharma DAG and Mr. D. K. Thakur DAG
for State of Himachal Pradesh
Mr. Gopal Singh, Ms. Varsha Poddar and Mr. Vikram
Singh Chauhan, Adv. for State of Tripura and Tripura
SPCB
Ms. Deep Sikha Bharati, Adv. for MoEF
Mr. Edward Belho, Mr. K. Luikang Michael and Ms.
Ms. K. Enatoli Sema, Adv. for the State of Nagaland
and Pollution Control Board
Mr. Pradeep Misra and Mr. Daleep Dhyani, Adv. For
Uttar Pradesh Pollution Control Board
Ms. Hemantika Wahi, Adv. for the State of Gujarat
and GPCB
Dr. Abhishek Atrey, Adv. for UT of Lakshadweep
Mr. Rajiv Bansal, Mr. Kush Sharma and Ms. Arpita,
Adv.
Mr. Devraj Ashok, Adv. for State of Karnataka &
KSPCB
Ms. Guntur Prabhakar, Ms. Guntur Pramod Kumar
and Mr. Prashant Mathurl, Adv. for State of A. P.
Mr. Jogy Scaria, Adv. for Kerala State Pollution
Control Board
Mr. Nishe Rajen Shonker, Adv. for State of Kerala
Mr. Anil Grover, AAG with Mr. Rahul Khurana, Adv.
for State of Haryana and Haryana Pollution Control
Board
Mr. Amit Agarwal, Ms. Asha N Basu, Adv's for West
Bengal/PCB.
Mr. Sapam Biswajit Meitei, Adv. for State of Manipur
Ms. Aruna Mathur, Mr. Avneesh Arputham, Mr. Amit
arora and Mr. Anuraha Arupatham, Adv. for State of
Sikkim.
Ms. Yogmaya Agnihotri, Adv. for CECB
Mr. Sarthak Chaturvedi, Mr. Rohit Pandey and Mr.
Berendra Singh, Adv. for Andaman & Nicobar Island
Mr. B.V. Niren, Adv.
Mr. V. K. Shukla, Adv. for State of M. P.
Mr. Anil Srivastava, Mr. Rituraj Biswas and Ms.
Sanjay Bardhan, Adv.
Ms. Shibani Ghosh Chowdhury, Adv. for State of
Maharashtra, Dept. of Urban Development
Mr. Balendu Shekhar with Mr. R.K. Maurya, Adv. for
EDMC & MoEF
Ms. D. Bharti Reddy for the State of Uttarakhand
Ms. Priyanka Singh, Adv. for State of Punjab
Mr. Vijay Panjwani, Adv. for Central Pollution
Control Board
Dr. Abhishek Attrey and Mr. Vikas Malhotra, Adv. for
Ministry of Environment, Forest and Climate Change**

Mr. A.K. Panda, Sr. Adv., Mr. M. Parikar, Adv. for
Odisha SPCB, Adv.
Ms. Sakshi Popli, Adv. for NDMC

Original Application No. 281 of 2016

Present: Applicant:
Respondent No. 1 & 2:

Mr. Tarunvir Singh Khehar and Ms. Guneet Khehar,
Mr. Charanjit Singh, Adv. for GNCTD
Ms. Deep Shikha Bharti, Adv. for Ministry of
Environment, Forest and Climate Change
Mr. Balendu Shekhar Adv. for EDMC
Mr. Biraja Mohapatra, Adv. and Mr. Dinesh Jindal,
LO, Delhi Pollution Control Committee
Ms. Puja Kalra, Adv.
Mr. Raman Yadav and Mr. Dalsher Singh, Adv.

	Date and Remarks	Orders of the Tribunal
	<p>Item No. 01 & 02</p> <p>January 13, 2017</p> <p>ss</p>	<p>We are entirely dissatisfied with the assistance rendered to the Tribunal by the Corporations, Delhi Development Authority, Central Pollution Control Board, Delhi Pollution Control Committee and all other concerned stakeholders. None has provided appropriate answer to the queries that were raised before the Tribunal yesterday. Today, numbers of officers are present, but hardly of any help.</p> <p>We direct all the Corporations, stakeholders, Delhi Development Authority, Central Pollution Control Board and Delhi Pollution Control Committee to take clear and comprehensive instructions on the issues that have been raised before the Tribunal yesterday and today. We would like to know from Central Pollution Control Board and Delhi Pollution Control Committee as to what action they have taken in relation to dealing with municipal solid waste of Delhi and what directions have been issued to the authorities concerned; whether any action/prosecution have been taken against the Corporation and Delhi Government for violating the Municipal Solid Wastes (Management & Handling) Rules, 2000 and Solid Waste Management Rules, 2016.</p> <p>Needless to notice again, problems arising from</p>

	<p>Item No. 01 & 02</p> <p>January 13, 2017</p> <p>ss</p>	<p>mishandling of municipal solid waste are immense and of very serious consequences. Public Authorities cannot be permitted to take this matter leisurely and for such an apathy cannot be permitted to continue. All the officers present have been directed to provide due assistance to the Learned Counsel who would ensure to have appropriate document in relation to queries raised before the Tribunal which we again record as follows:</p> <ol style="list-style-type: none"> 1. Total income generated by the Corporation along with the money that is advanced by the Government to the Corporation. 2. Total expenditure, Plan and Non-Plan. 3. Total number of vehicles used for transportation of generated waste. Whether such vehicles are fixed with GPS System or not. 4. Methodology weighing of waste loading and unloading. 5. What directions were issued by the Central Pollution Control Board and Delhi Pollution Control Committee keeping in view chaos in relation to municipal solid waste in Delhi now for years. 6. If, Corporations has prepared any Joint Action Plan for collection, processing, transportation and disposal of municipal solid waste in accordance with rule in Delhi, particularly in relation to 94 Acres of land that have been allotted by Delhi Development Authority to various Corporations. The purpose for which such sites are to be used. 7. The Learned Counsel appearing for the NCT, Delhi would specifically submit that as to what steps have been taken by the Chief Secretary, Delhi/Additional
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	<p>Item No. 01 & 02</p> <p>January 13, 2017</p> <p>ss</p>	<p>Secretary, Urban Development in furtherance to the order of the Tribunal dated 02nd December, 2016.</p> <p>We are informed that, subject to verification, no amount, much less than the amount of Rs. 1800 Crores, have been invested on land or otherwise in the Delhi Development Authority by all the Municipal Corporations. The Learned Counsel to verify the same in this behalf.</p> <p>List this matter on 17th January, 2017 at the end of the board.</p> <p>All concerned officers will be present before the Tribunal on that date.</p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,JM (Raghuvendra S. Rathore)</p> <p>.....,EM (Dr. Ajay A Deshpande)</p>
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