

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

**Original Application No. 199 of 2014
And
Original Application No. 61 of 2017
(Earlier OA No. 199 of 2014)
And
Original Application No. 281 of 2016
(M.A. No. 1007/2016 & M.A. No. 395/2017)
And
Original Application No. 291 of 2017
(Earlier OA No. 199 of 2014)
And
Original Application No. 292 of 2017
(Earlier OA No. 199 of 2014)
And
Original Application No. 293 of 2017
(Earlier OA No. 199 of 2014)
And
Original Application No. 294 of 2017
(Earlier OA No. 199 of 2014)
And
Original Application No. 295 of 2017
(Earlier OA No. 199 of 2014)
And
Original Application No. 296 of 2017
(Earlier OA No. 199 of 2014)
And
Original Application No. 297 of 2017
(Earlier OA No. 199 of 2014)
And
Original Application No. 298 of 2017
(Earlier OA No. 199 of 2014)
And
Original Application No. 299 of 2017
(Earlier OA No. 199 of 2014)
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Original Application No. 300 of 2017
(Earlier OA No. 199 of 2014)
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Original Application No. 301 of 2017
(Earlier OA No. 199 of 2014)
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Original Application No. 302 of 2017
(Earlier OA No. 199 of 2014)
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Original Application No. 307 of 2017
(Earlier OA No. 199 of 2014)
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Original Application No. 308 of 2017
(Earlier OA No. 199 of 2014)
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Original Application No. 309 of 2017
(Earlier OA No. 199 of 2014)
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Original Application No. 310 of 2017
(Earlier OA No. 199 of 2014)
And
Original Application No. 311 of 2017
(Earlier OA No. 199 of 2014)
And
Original Application No. 312 of 2017
(Earlier OA No. 199 of 2014)
And
Original Application No. 313 of 2017
(Earlier OA No. 199 of 2014)**

And
Original Application No. 314 of 2017
(Earlier OA No. 199 of 2014)
And
Original Application No. 315 of 2017
(Earlier OA No. 199 of 2014)

IN THE MATTER OF:

Almitra H. Patel & Anr. Vs. Union of India & Ors.
And
Kudrat Sandhu Vs. Govt. of NCT & Ors.
And
Almitra H. Patel & Anr. Vs. Taj Palace Hotel
And
Almitra H. Patel & Anr. Vs. V3S East Centre Mall
And
Almitra H. Patel & Anr. Vs. M/s. G.K. Motel Private Limited
And
Almitra H. Patel & Anr. Vs. Hotel Crowne Plaza
And
Almitra H. Patel & Anr. Vs. Metropolitan Hotel
And
Almitra H. Patel & Anr. Vs. Jawaharlal Nehru Co-operative Group Housing
Society Ltd.
And
Almitra H. Patel & Anr. Vs. M/s. Mahatta Towers (P) Ld.
And
Almitra H. Patel & Anr. Vs. Zobra Entertainment Private Limited
And
Almitra H. Patel & Anr. Vs. Hedgewar Arogya Sansthan
And
Almitra H. Patel & Anr. Vs. Jag Pravesh Chandra Hospital
And
Almitra H. Patel & Anr. Vs. Hotel Lalit
And
Almitra H. Patel & Anr. Vs. Dharamshila Hospital & Research Centre
And
Almitra H. Patel & Anr. Vs. Vivanta by Taj
And
Almitra H. Patel & Anr. Vs. Holiday Inn
And
Almitra H. Patel & Anr. Vs. Chacha Nehru Bal Chikitsalaya
And
Almitra H. Patel & Anr. Vs. Rediance Motel
And
Almitra H. Patel & Anr. Vs. Golden Palm Hotel
And
Almitra H. Patel & Anr. Vs. Max Super Speciality Hospital
And
Almitra H. Patel & Anr. Vs. M/s. The Leela Ambience Convention Hotel
And
Almitra H. Patel & Anr. Vs. M/s. Mahagun Hotels Pvt. Ltd.
And
Almitra H. Patel & Anr. Vs. Hotel Pak Inn

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

Present: Applicant : Mr. Mandeep Kalra, Adv.
Ms. Divya Sharma, Adv
Amicus Curiae Sanjay Upadhyay

Respondent

Mr. Gautam Singh and Mr. Rudreswar Singh, Adv.
for State of Bihar and Bihar SPCB
Ms. Priyanka Sinha, Adv. for State of Jharkhand
Mr. Divya Prakash Pandey, Adv.
Ms. K. Enatoli Sema, and Mr. Amit Kumar Singh,
Adv. for the State of Nagaland and Pollution Control
Board
Mr. Neeraj Kumar and Mr. Ashok Kumar Adv.
Ms. Deep Shikha Bharati, Adv. for MoEF
Mr. Subhash Nijhawan and Mr. B.B. Bhandari, Adv.
for Jhang CGHS Ltd.
Mr. Debarshi Bhuyan and Mr. S.S. Rebello, Adv. for
State of Goa and Goa SPCB
Mr. Anil Soni, AAG and Mr. Naginder Benipal, Adv.
for State of Punjab.
Mr. Hemantika Wahi, Puja Singh and Mr. Jesol, Adv.
For State of Gujarat.
Mr. Rishi Kapoor, Adv. for MAPPLE HOTEL.
Mr. R. Rakesh Sharma, Adv. for State of TN & TNPCB
Mr. Ranjan Mukherjee and Ms. Aprajita Mukherjee,
Adv. for State of meghalaya
Mr. Pradeep Misra and Mr. Daleep Dhyani, Adv. For
Uttar Pradesh Pollution Control Board
Mr. G.M. Kawoosa, Adv. for State of J&K
Mr. Saurabh Prakash, Adv. for Zorba Entertainment
pvt. Ltd.
Mrs. Molini Sud, Adv., Mr. Ishan Khanna, Adv.
Dr. Abhishek Atrey and Ms. Megha Tyagi, Adv. and
Mr. Vikas Malhotra, Adv. for Ministry of
Environment, Forest and Climate Change
Dr. Abhishek Atrey, Adv. for UT of Lakshadweep
Mr. S. Sukumaran, Mr. Anand Sukumar and Mr.
Bhupesh Kumar Pathak, Adv. for Municipal
Corporation of Gr. Mumbai
Mr. P.K. Agrawal, Ms. Mercy Hussain, Adv. for hotel
Leela ambience
Mr. Nitesh Jain, Adv., and Ms. Yamini Khurana, Adv.
for Hotel Metropolitan
Mr. Nitesh Shrivastava, Adv.
Mr. Sangram Patnaik, Mr. Dhruvajit Sikik, Mr. Dhiraj
Kumar, Mr. Swyamsidha Panaik, Mr. Suresh Chandra,
Adv. For Hotel Samrat
Ms. Manisha T. Karia, Adv., Ms. Nidhi Nagpal, Adv.,
Ms. Soumya, Ms. Mudit Sood, Adv. For Holiday Inn
Hotel
Mr. Tanay A.K. Pareek, Adv. for U.T. of Daman & Diu.
Mr. Rahul Kumar, Adv. for Jawahar Lal Nehru society
Mr. Abhimanyu Mahajan, Adv., Ms. Anubha Goel,
Adv. and Mr. Milan Deep Singh, Adv. for Hotel Leela
Palace
Ms. Puja Kalra, Adv. for North MCD and South MCD.
Dr. Kurtish Mishra, Ad. For respondent No.8.
Ms. Sakshi Popli, Adv. Ms. Pritika Singh, Adv. for
NDMC
Ms. Pooja Kalra, Adv. for North & South MCD
Mr. Ritwika Nanda, Adv., Mr. Aravind Verma, Adv. for
Noticee No. 1 Max Healthcare Ltd.
Mr. Amit Agarwal, Adv., Ms. Asha Basu, Adv.
Mr. Ajay Marwah, Adv. for HPPCB.
Mr. D.K. Thakur, AAG to Himachal Pradesh.
Mr. Shiv Mangal Sharma, AAG with Mr. Saurabh
Rajpal, Mr. Adhiraj Adv. for RSPCB
Mr. D.K. Thakur, AAG with Ms. Seema Sharma, Dy.
AG for State of Himachal Pradesh
Mr. Abhishek Yadav, Adv. for State of Uttar Pradesh
Mr. Jogy Scaria, Adv. for Kerala State Pollution
Control Board.
Mr. Abhimanyu Garg and Ms. Preety Makker, Adv.
for UT of Puduchery.
Mr. Piyush Joshi, Adv. and Mr. Kaustav Som, Adv.
Mr. Dileep Poolakkot, Adv. for State of Goa.
Mr. Rajul Shrivastav, Adv.
Mr. Jayesh Gaurav Adv. for JSPCB
Mr. Gaurav V. Mohumta, Adv.
Mr. B. V. Niren, and Mr. Vinyak Gupta, Adv.
Mr. Pinaki Misra, Sr. Adv. and Mr. Manu Aggarwal,
Adv.
Mr. Arjun Pant, Adv. Mr. Pallav Pandey, Adv. and Mr.
Yuvraj Singh, Adv. for Res. 17-hotel Lalit
Mr. Tarun S. and Mr. Amit Gupta, Adv.
Mr. Anuj Aggarwal for Dharamshala Hospital Noticee
No. 9

Mr. S.K.Pandey, Adv . for Noticee No.2.
Ms. Priyanka Sinha, Adv. for State of Jharkhand
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
Ms. Sapam Biswajit, Adv., Mr. Naresh Kumar Gaur,
Adv. for State of Manipur.
Mr. Guntur Prabhakar and Mr. Guntur Pramod Kumar
and Mr. Prashant Mathur, Advs. for State of AP
Mr. Sidharth Bhatnagar and Mr. Mannu Aggarwal,
Adv. for Ginger Hotel.
Ms. Asha Basu and Mr. Amit Agarwal, Advs. For West
Bengal Pollution Control Board
Mr. Debarshi Bhuyan, Adv. for state of Goa
Mr. P. Venkat Reddy, Adv., Mr. Prashant Tyagi, Adv.
for State of Telangana
Mr. Tayenjam Momo Singh, Adv. for Meghalaya SPCB
Ms. Shibani Ghosh Choudhary, Adv for State of
Maharashtra
Ms. Aruna Mathur, Ms. Anuradha Arputham and Mr.
Avneesh Arputham, Advs. for State of Sikkim
Mr. Rajiv Bansal, Mr. Kush Sharma, Mr. Anirudh
Chadha and Ms. Arpita, Advs. for Delhi Development
Authority
Mr. Sanjay Mann, Mr. R.K.Pillai and Mr.Vinay Kumar,
Advs. for Printers Apartment.
Mr. S.S. Shamsery, AAG, Rajasthan and Mr. Ankit
Raj, Adv. for State of Rajasthan.
Mr. Arun Monga and Ms. Divya Sharma, Advs.
Mr. Sunny Choudhary, Adv. for MPPCB
Mr. M. Paikaray and Mr. A. K. Panda, Advs.
Mr. Sameer Chaudhary, Adv. for Park Inn by
Radison
Mr. Baldev Singh, Adv. for HPPCB
Mr. Shuvodeep Roy and Mr. Sayooj Mohandas, Advs.
for State of Assam and Assam PCB
Dr. Amita Saxena, MS, LBSH.
Mr. V.K. Shukla with Ms. Vijay Lakshmi, Advs. for
State of MP
Mr. Vijay Panjwani, Adv. for Central Pollution
Control Board
Mrs. Avnish Ahlawatg for Delhi Technical University
College.
Ms. Pragyan Pradip Sharma, Adv. for the State of
Mizoram
Mr. Anil Shrivastav, Mr. Rituraj Biswas and Ms.
Sujaya Bardhan, Advs.
Mr. Aruna Mathur, standing counsel, Mr. Avneesh
Arputham, Adv., Mr. Anuradha Arputham, Adv.
Mr. Tarunvir Singh Khehar, Ms. Guneet Khehar and
Mr. Charan Jeet Singh, Advs.
Ms. Yogmaya Agnihotri, Adv. for CECB
Mr. Bhavya Sethi, Adv. for Fortis Hospital.
Mr. Sarthak Chaturvedi, Mr. Rohit Pandey and Mr.
Shubham Jaiswal, Advs. for Andaman & Nicobar
Island
Mr. Om Prakash, Adv. for Ministry of Railways.
Mr. Anuj Aggarwal, Ms. Neeti, Dr. Vikas Rampal,
DMS, Legal, Mr. Anil KUMAR PAL, FOR LNJP HOSPITAL.
Mr. Balendu Shekhar, Adv. with Mr. Vivek Jaiswal
and Raj Kumar Advs. for East Delhi Municipal
Corporation,
Mr. Anil Shrivastva, Adv. for State of Aruchachal
Pradesh.
Mr. Biraja Mahapatra, Adv. with Mr. Dinesh Jindal,
LO for Delhi Pollution Control Committee
Mrs. D. Bharathi Reddy, Adv. for State of
Uttarakhand
Mr. Gopal Singh, Ms. Varsha Poddar, Mr. Rituraj
Biswas, and Mr. Kumar Milind, Adv. for State of
Tripura
Dr. Abhishek Atrey, Megha Tyagi and Ms. Megha
tyagi for UT of Lakshadweep.
Mr. Arush Khanna, Adv. for J.P. Hotels & Resorts
Mr. Balendu Shekhar and Mr. R.K. Maurya, Advs
Dr. Rajeshwar Rao and Mr. G.C. Chaturvedi, Adv. for
DTIDC.
Mr. Mukesh Verma and Mr. Bikas Kr. Sinha, Advs.
Ms. Sakshi Popli, Adv. for NDMC & DJB
Mr. Balendu Shekhar, Adv. for Noticee Hospital
Swamy Daynand Hospital

Mr. Shibashish Misra, Adv. for State of Odisha.
 Mr. Nikhil Mehta, Adv. for Noticee No.11 under
 Hotels: Golden Petal Hotels & Banquets.
 Mr. Saurabh Kumar Adv., Mr. Ishay Kashyap, Adv.
 and Dr. R.K. Julka (MS) ESIC Hospital, Jhilmil.
 Ms Priyanka Swami, Adv. for Noticee 1 for G.K.
 Motels Pvt. Ltd.
 Ms. Priyadarshi Manish, Adv. for Transporter
 Mr. Badal Dayal, Adv. with Mr. Vineet Parashar for
 V3S East Centre Mall.
 Mr. Harish Sharma, Adv for State of Chattisgarh
 Mr. Ankit Prakash, Advs. For Fraser Suites
 Mr. Vibhav Misra, Adv., Ms. SOumya Misra, Adv. for
 DTC
 Mr. Santosh Kumar, Adv. for Vivekanda Mahila
 College
 Mr. Santosh Kumar, Adv. for Shaeed Sukhdev College
 Mr. Dr. R.K. Mahajan , Consultant Mr Anil Bhatt, for
 Dr. RMC Hospital
 Ms. Deep Shikha Bharati, Adv. MoEF
 Mr. Krishna Kumar Singh, Adv. for MoEF
 Dr. V.N.V. Satish, for GTB Hospital
 Mr. Shubham Bhalla, Adv., Mr. Dhruv Pal, Adv. for
 State of Punjab
 Mr. Edward Belho, AAG, Mr. K. Luikang Michael,
 Adv., Ms. Elix Gangmei, Adv.

	Date and Remarks	Orders of the Tribunal
	<p>Item No. 01 to 24</p> <p>May 15, 2017</p>	<p><u>M.A. No. 551 of 2017</u></p> <p>This is an Application for modification of the order dated 25th April, 2017, to the extent that the Bailable warrant issued against the Medical Superintendent of the Jag Pravesh Chandra Hospital be not executed. For the reasons stated in the application and the fact that the Deputy Medical Superintendent was present at the time of hearing but could not get his presence marked and further that the reply has been filed, we recall our order dated 25th April, 2017 and direct that the Bailable Warrant issued be not executed.</p> <p>With the above direction, M.A. No. 551 of 2017 stands disposed of.</p> <p><u>Item No. 04 to 24</u></p> <p>The Replies had already been filed by the parties. Copies thereof be furnished to all the concerned Learned Counsels appearing in these cases.</p> <p>List these matters for hearing on 31st May, 2017.</p>

HOSPITALS

The Notices had been issued to the following 15 hospitals:

1. Max Super Speciality Hospital, Patparganj
2. Dr. Hedgewar Arogya Samasthan, Karkarduma
3. IG ESI Hospital, Jhil Mill Colony, East Delhi
4. GTB Hospital, Dilshad Garden
5. Swamy Dayanand Hospital, Dilshad Garden
6. Jag Pravesh Chandra Hospital, Shastri Park
7. Lal Bahadur Shastri Hospital, Khichripur
8. Chacha Nehru Bal Chikistalaya, Geetha Colony
9. Dharamshila Cancer Hospital & Research Institute, Vasundhara Enclave
10. RML Hospital
11. Lady Harding Hospital
12. Kalawati Saran
13. LNJP Hospital
14. Fortis Hospital, AB Block
15. Safdarjung Hospital

The Hospitals which have not filed their replies so far, are granted last opportunity to file the Reply to the show cause within two weeks from today.

List these matters, related to hospitals, on 30th May, 2017 for arguments.

HOTELS

Notices were issued to the following 24 hotels:

1. The Leela Ambience Convention Hotel, Surajmal
2. Ginger Hotel, Vivek Vihar, East Delhi
3. Park Plaza, Karkarduma Court
4. Golden Palm, Patparganj
5. Lemon Tree Hotels, East Delhi Mall
6. Park Inn By Radison, Patparganj
7. JP Hotel & Resort, Patparganj, I.P. Extension
8. Holiday Inn., Mayur Vihar
9. Crown Plaza, Mayur Vihar
10. Fraser Suites, Mayur Vihar, Phase-I

11. Golden Petal Hotel & Banquet, Shiv Puri, Geeta Colony
12. Hotel Taj Vivanta
13. Hotel Royal Plaza
14. Hotel Taj Palace
15. Hotel Ashoka
16. Hotel Samrat
17. Hotel Lalit
18. Hotel Metropolitan
19. Hotel Leela Palace
20. M/s. Lillywhite Hotel
21. M/s. G.K. Motel Pvt. Ltd.
22. Zorba Entertainment Pvt. Ltd.
23. M/s. Mapple Exotica, A unit of Nine Dimension Hotel and Resort
24. M/s. Radiance Motel, A Unit of Radiance Motels

The Hotels which have not filed their Replies, should do so within 10 days from today.

List these matters, related to hotels along with the Leela Ambience Conventional Hotel, Surajmal, for hearing on 25th May, 2017.

COLLEGES, MALLS AND RAILWAY STATIONS

Notices have been issued to the following 4 Colleges, 6 Malls and 4 Railway Stations:

Colleges :-

1. Shaheed Sukhdev College of Business Studies, Vivek Vihar
2. Vivekanand Mahila College, Vivek Vihar
3. Shyam Lal College, Shahdara
4. Delhi Technological University

Malls :-

1. V3S East Centre Mall, Lakshmi Nagar
2. Cross River Mall (EPMS), Shahdara
3. Aggarwal Fun City Mall, Shahdara
4. Park Plaza, East Delhi
5. DLG Galleria, Mayur Vihar
6. Star City, Mayur Vihar, Phase-I Extension

Railway Stations:-

1. Shahdara Railway Station
2. Vivek Vihar Railway Station
3. Anand Vihar Railway Station
4. Shakurbasti Railway Station

Let Replies be filed within 10 days from today.

The matter in relation to DLF Galleria, Mayur Vihar mall be placed before Court No. 2.

List the matters, related to colleges, malls and railway stations, for hearing on 29th May, 2017.

Bus Terminals, Waste to Energy Plant and Residential

Societies

Notices have been issued to the following 4 Bus Terminals, Waste to Energy Plant and 9 Residential Societies:

Bus Terminals:-

1. Anand Vihar ISBT
2. Shahdara Bus Terminal
3. DTC Bus Depot, Rohini Sector-3
4. DTC Bus Depot, Nangloi

Waste to Energy Plant:-

1. Ghazipur

Residential Societies:-

1. Jhang Society
2. Ekta Enclave
3. Delhi Citizen Society
4. Bharat Apartment
5. Residential Society, Police Colony
6. Ghalib Memorial Cooperative GP Housing Society
7. Jawaharlal Nehru Cooperative GP Housing Society
8. Neelkanth Apartments
9. Printer Society, Rohini

Let Replies be filed by them within 10 days from

today.

List the matters related to Bus Terminals, Waste to Energy Plant and Residential Societies for hearing on 26th May, 2017.

The Bailable warrants issued in any of the above cases shall stand withdrawn, as they are represented by the Learned Counsel appearing for the respective parties.

The cases will be listed in respective batches and would be disposed of in accordance with law, on the aforesaid dates.

Main Matter

The Department of Urban Development, NCT Delhi is granted last opportunity to file their action plan, within 10 days from today.

The Central Pollution Control Board, some of the States and Ministries of Urban Development have not filed their Replies to the Status Report, in furtherance to the directions issued in the main case of Almitra H. Patel & Anr. Vs. UOI & Ors. We grant them last opportunity. Let the needful be done and in the event of failure by any State Government or Department to comply with the directions now, we will be compelled to impose heavy cost for non-compliance of the orders of the Tribunal.

List these matters on 23rd May, 2017.

The Report of the Central Pollution Control Board may be uploaded on its website.

.....,CP
(Swatanter Kumar)

.....,JM
(Raghuvendra S. Rathore)

		<p>.....,EM (Bikram Singh Sajwan)</p> <p>.....,EM (Dr. Ajay A Deshpande)</p>
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