

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

Original Application No. 552/2017  
(Earlier O.A. No. 199/2014)

And

Original Application No. 553/2017  
(Earlier O.A. No. 199/2014)

And

Original Application No. 554/2017  
(Earlier O.A. No. 199/2014)

And

Original Application No. 555/2017  
(Earlier O.A. No. 199/2014)

**IN THE MATTER OF:**

**Almitra H. Patel & Anr. Vs. Vivek Vihar Railway Station**

And

**Almitra H. Patel & Anr. Vs. Anand Vihar Railway Station**

And

**Almitra H. Patel & Anr. Vs. Delhi Shahdara Railway Station**

And

**Almitra H. Patel & Anr. Vs. Shakur Basti Railway Station**

**CORAM :** HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON  
HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER  
HON'BLE DR. JUSTICE JAWAD RAHIM, JUDICIAL MEMBER  
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER

**Present:**

**Applicant :  
Respondent**

**:Ms. Priyanka Swami, Adv. for State of Uttar Pradesh  
Mr. Birja Mahapatra, Adv, Mr. Dinesh Jindal, LO,  
Delhi Pollution Control Committee  
Mr. Om Prakash, Adv with Station superintendent for  
Northern Railways  
Mr. Abhishek Atrey, Adv., Ms. Mehga Tyagi, Adv. and  
Mr. Harshit Kaushik, Adv., for MoEF  
Mrs. D. Bharathi Reddy, Mr. Gautham Singh, Ms.  
Vidhyothma, adv  
Mr. Jogy Scaria, Ms. Beena Victor, Ms. Miranda  
Solaman and Mr. Reeghan S. Bel., Adv. for Kerala  
Pollution Control Board  
Mr. Nishe Rajen Sanker and Ms. Anu K. Joy, for State  
of Kerala  
Mrs. Aruna Mathur, Mr. Avnessh Arputham, Ms.  
Anuradha Arputham and Ms. Simran Jeet, Adv.**

	<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
	<b>Item No. 04 to 07  October 23, 2017 SN</b>	<p>We have heard the Noticees who are the Station Superintendents/Station Masters of the respective stations. The matter relates to collection, transportation and disposal of the municipal solid waste collected from the platforms. It was pointed out by the Committee that there has been apparent non-compliance with the Solid Waste Management Rules, 2016 and there was noticeable</p>

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waste spread on the platform.

According to the reply filed on behalf of the Railways, it is said that the tenders were invited and work have been awarded to the contractors for collection and disposal of the municipal solid wastes. Whatever be the submission, the primary responsibility to comply with the Rules of 2016 and to ensure that the platforms and railway lines remain free of municipal solid wastes and other wastes is primary the obligation of the Railway authority. What process or methodology it follows for the purposes of execution of the said work is the prerogative of the Railways and we do not deliberate thereupon.

In the circumstances afore-stated, we direct each of these railways to pay environmental compensation of Rs. 1 lakh each within four weeks from today. The 75% of the amount is payable to Delhi Pollution Control Committee and 25% of the compensation will be paid to Central Pollution Control Board which will be disposed of in terms of the directions issued by the Tribunal in the case of Almitra H. Patel and Anr. Vs. UOI & Ors. We make it clear that the Railway authority would be at liberty to recover the same partially or in its entirety from the contractors who are responsible for non-compliance of the Solid Waste Management Rules, 2016.

With the above direction, Original Application Nos. 552 of 2017, 553 of 2017, 554 of 2017 and 555 of 2017 stand disposed of, without any order as to cost.

.....,CP  
(Swatanter Kumar)

.....,JM  
(Dalip Singh)

	<p><b>Item No. 04 to 07</b></p> <p><b>October 23, 2017</b></p>	<p>.....,JM (Dr. Jawad Rahim)</p> <p>.....,EM (Bikram Singh Sajwan)</p>
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