

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

**Original Application No. 126 (T<sub>HC</sub>) of 2013**

**Smt. Kanta & Anr. Vs. Meena Sharma & Ors.**

**CORAM :** HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON  
HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER  
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER  
HON'BLE PROF. (DR.) P.C. MISHRA, EXPERT MEMBER  
HON'BLE DR. R.C. TRIVEDI, EXPERT MEMBER

**Present:**

<b>Applicant No.1:</b>	<b>Mr. Kapil Gupta, Son of the Applicant No.1</b>
<b>Applicant No. 2:</b>	<b>Mr. R.C. Gupta, Applicant in person</b>
<b>Respondent No.1&amp;2:</b>	<b>Mr. Anirudh Kumar, Advocate and Mr. Jitendra Kumar Singh, Advocate</b>
<b>Respondent No.3:</b>	<b>Mr. Prabhsahay Kaur, Advocate and Mr. Gusimranjit Singh, Mr. V.K. Taneja (AE, SP Zone) NDMC</b>
<b>Respondent No.5:</b>	<b>Mr. Narender Pal Singh, Advocate</b>

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item No. 6 August 27, 2013</b>	<p>Let statement of the Applicants and learned counsel appearing for the parties be recorded.</p> <p>Mr. Kapil Kumar, son of Applicant No. 1 as well as Mr. R.C. Gupta, Applicant No. 2 have stated that they admit the correctness of the inspection report dated 26<sup>th</sup> August, 2013 placed on record by the Delhi Pollution Control Committee (DPCC), which for the purposes of identification is marked as Exhibit P-I. They submit that their Suit can be disposed of while requiring Defendants/ Respondents to comply with the requirements of taking pollution control clearance.</p> <p>Learned counsel appearing for the Defendant/Respondents No. 1 and 2 submit that they would apply for obtaining consent of DPCC under the Noise Rules for the purposes of carrying on the business of stitching of cloth on 02<sup>nd</sup> and 03<sup>rd</sup> floor of the premises. He admits that they are using ground and first floor for godown etc.</p> <p>Further, it is admitted that roof top is on rent to Reliance Infocom to install a tower and DG sets for which they may be directed to obtain the consent of the DPCC in accordance with law.</p> <p>In view of the statement above recorded, we decree the Suit partially, directing Respondent No. 1 and 2 to obtain the consent of DPCC under the Noise Rules for</p>

running the business of stitching on the 02<sup>nd</sup> and 03<sup>rd</sup> floor of the building in accordance with law, besides complying with the other requirements of law. Let these Respondents make Application to DPCC within one month from today and the same shall be disposed of expeditiously by the DPCC, in any case, not later than 4 weeks from the receipt of such Application.

Subject to the granting the consent by the DPCC, the Respondent No. 1 and 2 can carry on their business of stitching garments on 02<sup>nd</sup> and 03<sup>rd</sup> floor of the premises.

As far as roof top is concerned, let the DPCC issue Notice to the Reliance Infocom for installation of towers and DG sets and direct them to obtain clearance from the Committee in accordance with law.

The Suit is disposed in the above terms without any orders as to costs.

.....,CP  
(Swatanter Kumar)

.....,JM  
(U.D. Salvi)

.....,EM  
(Dr. D.K. Agrawal)

.....,EM  
(Prof. (Dr.) P.C. Mishra)

.....,EM  
(Dr. R.C. Trivedi)

