

**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 : Mr. Abhinay Sharma, Adv.
Respondent No. 1: Dr. Abhishek Atrey and Mr. Vikas Malhotra, Advs. for Ministry of Environment, Forest and Climate Change
Respondent No. 6: Mr. Mukesh Verma and Mr. Biklash Kumar Sinha, Advs.
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. Rituraj Biswas for State of Tripura and Tripura SPCB
MR. Santosh Salvador, Adv.
Mr. Edward Belho, Mr. K. Luikang Michael and Ms. Elix Gangmei, Advs. for the State of Nagaland and Pollution Control Board
Mr. Tayenjam Momo Singh, Adv. for Meghalaya SPCB
Mr. Pradeep Misra and Mr. Daleep Dhyani, Adv. For Uttar Pradesh Pollution Control Board
Mr. Dhruv Pal and Ms. Hemantika Wahi, Advs. for the State of Gujarat and GPCB
Dr. Abhishek Atrey and Mr. Vikas Malhotra, Advs. for MoEF
Ms. Guntur Prabhakar, Ms. Guntur Pramod Kumar and Mr. Prashant Mathurl, Advs. for State of A. P.
Mr. Jogy Scaria, Adv. for Kerala State Pollution Control Board
Mr. Ashish Negi for Ms. Richa Kapoor, Adv. for Punjab Pollution Control Board
Mr. Nishe Rajen Shonker, Adv. for State of Kerala
Mr. Anil Grover, AAG with Mr. Rahul Khurana and Mr. Sandeep Yadav, Advs. for State of Haryana and Haryana Pollution Control Board
Mr. Sapam Biswajit Meitei and Ms. B. Khushbansi, Advs. for State of Manipur
Ms. Aruna Mathur, Mr. Avneesh Arputham, Ms. Anuradha Arputham, Advs.
Ms. Yogmaya Agnihotri, Adv. for CECB
Mr. Sarthak Chaturvedi, Mr. Rohit Pandey, Advs. for Andaman & Nicobar Island
Mr. S.S. Rebello and Mr. Debarshi Bhuyan, Advs.
Mr. P. Venkat Reddy, Adv.
Mr. B.V. Niren, Adv.
Mr. V. K. Shukla, Adv. for State of M. P.
Mr. Balendu Shekhar Adv. for EDMC
Ms. D. Bharti Reddy for the State of Uttarakhand
Mr. Anil Soni, AAG with Mr. Naginder Benipal for State of Punjab
Mr. Vijay Panjwani, Adv. for Central Pollution Control Board
Mr. R. Rakesh Sharma, Adv. for TN and TNPCB and Corporation of Chennai
Mr. Anil Shrivastav, Mr. Rituraj Biswas and Ms. Sujaya Bardhan, Advs. for Arunachal Pradesh
Mr. Amit Agarwal and Ms. Asha N. Basu, Advs.

Mr. G.M. Kawoosa, Adv.

Original Application No. 281 of 2016

Present:

Applicant:

Respondent No. 1 & 2:

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

	Date and Remarks	Orders of the Tribunal
	Item No. 03 & 04 January 11, 2017 sn	<p>Yesterday, we had passed a detailed order in regard to inspection by a specially constituted Committee for all hospitals which are more than 200 bedded Government, Private or run by Corporate etc. Four and Five star hotels in Delhi, Group Housing Societies which have more than 300 flats, markets, shopping malls having built up area of more than 50000 Sq. Mtrs., colleges having hostel and accommodating more than 500 students and such other places in entire NCT, Delhi and submit a Report, particularly in regard to:</p> <p>A. Hospitals:-</p> <ol style="list-style-type: none">i) Generation of bio-medical wastesii) Generation of Municipal Solid Wastesiii) Generation of Hospital hazardous wastes.iv) Waste generated from pathological laboratories and sewage system andv) Causes for hospitals infection and remedies for prevention. <p>B. In regard to other institutions afore-indicated:</p> <ol style="list-style-type: none">i) Generation of Municipal Solid Wastes,ii). Sewerage system andiii). Other kind of wastes. <p>The Committee is directed to Report to the Tribunal,</p>

	<p>Item No. 03 & 04</p> <p>January 11, 2017</p> <p>sn</p>	<p>whether any and all of these above stated places, institutions, market etc. are complying with all the environmental laws in force or not. If found lacking or non-compliant, show cause notice should be issued by the Committee itself requiring them to remedy, rectify all deficiencies, defects and shortcomings and if required, they should install anti-pollution devices including STP's etc. Notice to such persons would also mention as to why they be not called upon to pay environmental compensation determined by the Tribunal in accordance with law.</p> <p>Report should be submitted to the Tribunal within the time specified i.e. is six weeks from the date of the Order. The meeting of the Committee should be held with utmost expeditiousness and in accordance with the terms of our Order. We direct all the Learned Counsel appearing for the parties concerned and stakeholders to ask their respective clients to comply with this order, without delay and default.</p> <p>In relation to Municipal Solid Waste lying on the roads particularly in East Delhi Municipal Corporation, we are informed that some directions have been passed by the High Court of Delhi. Let copy of that Order be placed before the Tribunal on the next date of hearing.</p> <p>In the meanwhile, we direct Learned Counsel appearing for the East Delhi Municipal Corporation as well as NCT, Delhi to take clear instructions from their respective clients as to what is the cause of repeated dumping of wastes in the colonies and on the roads and what steps they propose to take for proper collection, processing and disposal of the Municipal Solid Waste.</p>
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	<p>Item No. 03 & 04</p> <p>January 11, 2017</p> <p>sn</p>	<p>They shall also inform the Tribunal as to what steps have been taken by them in furtherance to Order of the Tribunal in the case of Almitra H. Patel & Anr. Vs. UOI & Ors. (Original Application No. 199 of 2014) and Kudrat Sandhu Vs. Govt. of NCT & Ors. (Original Application No. 281 of 2016).</p> <p>It is unfortunate that in the Capital city of the country, the Municipal Solid Waste is being thrown anywhere and everywhere and there is no proper and regular system which would ensure that the waste is not thrown on the road and dhalaos indiscriminately, resulting in a serious adverse impact on Environment and Public Health. Let a responsible Officer from the EDMC, DDA, NCT and the concerned Ministry of the Government of India to be present before the Tribunal tomorrow.</p> <p>List the matter on 12th January, 2017.</p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,JM (Raghuvendra S. Rathore)</p> <p>.....,EM (Dr. Ajay A Deshpande)</p>
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