

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

**M.A. No. 284 of 2015, M.A. No. 755 of 2016, M.A. No. 756 of 2016,
M.A. No.766 of 2016, M.A. No. 847 of 2016, M.A. No. 848 of 2016, M.A. No. 924
of 2016, M.A. No. 892 of 2016, M.A. No. 974 of 2016, M.A. No. 979 of 2016, M.A.
No. 983 of 2016, M.A. No. 984 of 2016, M.A. No. 967 of 2016, M.A. No. 986 of
2016 & M.A. No. 1050 of 2016**

In

Original Application No. 21/2014

And

M.A. No. 156 of 2016

In

Original Application No. 21/2014

And

Original Application No. 21/2014 (Only Notices)

And

Original Application No. 21/2014

**(M.A. NO. 172/2016, M.A. NO. 567/2016, M.A. NO. 690/2016, M.A. NO. 783/2016, M.A.
NO. 949/2016, M.A. NO. 950/2016, M.A. NO. 1037/2016, M.A. NO. 1038/2016, M.A.
NO. 1078/2016, M.A. NO. 1079/2016, M.A. NO. 1080/2016, M.A. NO. 1091/2016, M.A.
NO. 1092/2016, M.A. NO. 1082/2016, M.A. NO. 1083/2016, M.A. NO. 1142/2016, M.A.
NO. 1134/2016, M.A. NO. 1135/2016, M.A. NO. 1136/2016, M.A. NO. 1137/2016, M.A.
NO. 1138/2016, M.A. NO. 1155/2016 & M.A. NO. 1162/2016)**

And

Original Application No. 95/2014

(M.A. No. 1156/2016)

And

Original Application No. 303/2015

And

Original Application No. 181 /2013

(M.A. No. 824/2015)

IN THE MATTER OF :

Vardhaman Kaushik Vs. Union of India & Ors.

And

Vardhaman Kaushik Vs. Union of India & Ors.

And

Vardhaman Kaushik Vs. Union of India & Ors.

And

Vardhaman Kaushik Vs. Union of India & Ors.

And

Sanjay Kulshrestha Vs. Union of India & Ors.

And

Supreme Court Women Lawyers Association Vs. Union of India & Ors.

And

Omesh Saigal Vs. Govt. Of NCT of Delhi & Ors.

**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**

**Present: Applicant:
Respondent No. 1:**

**Mr. Sanjay Upadhyay and Mr. Salik Shafique, Advs.
Ms. Panchajanya Batra Singh, Advs. For MoEF & CC
Mr. Rajiv Bansal, Mr. Kush Sharma and Mr. Anurag
Tripathi, Advs.
Mr. D. Rajeshwar Rao, Mr. Charajeet Singh, Advs. with
Sh. Dinesh Kr. Gupta, DCP traffic south for PWD, Delhi
Police and Transport Deptt.
Mr. Rajul Shrivastava, with Ms Ayushi Sharma, Advs.
MPPCB
Ms. Sakshi Popli, Adv. NDMC**

Mr. Guntur Prabhakar and Mr. Guntur Pramod Kumar, Advs. for State of A.P.
Mr. Raman Yadav, Adv. for Ghaziabad Dev. Authority
Mr. Atul Jha Adv. for State of Chattisgarh
Mr. Devraj Ashok, Adv. for State of Karnataka
Mr. Ardhendumauli Kumar Prasad, Mr. Panshul Chandrachud and Mr. Jaydip Pati, Advs.
Mr. Balendu Shekhar and Mr. Vivek Jaiswal, Advs. for EDMC
Mr. Pinky Anand, ASG with Mr. Balendu Shekhar, Mr. Rajesh Ranjan, Ms. Somya Rathore and Ms. Smidha Mehra, Mr. Ansh S. Luthra, Advs. for MoRTH and Ministry of Heavy Industries, MoEF
Mr. Edward Balho, Ms. Elix Gangmel and Mr. K. Luikang Michael, Advs.
Mr. Rudreshwar Singh and Mr. Gautam Singh, Advs.
Ms. Puja Kalra, Adv. for NDMC, SDMC
Ms. Bhavana Duhoon, Advs. for National Highways Authority of India
Mr. Sanjeev Ralli with Mr. Trinayan Sonowal, Advs. for Intervener (Chandni Chowk Vyapar Mandal)
Mr. Raj Kamal and Mr. Sachin Ghai, Advs. for HMC
Mr. Jogy Scaria, Adv. for Kerala Pollution Control Board
Mr. Mahesh Dutt Tripathi, adv. for Delhi cantonment Board
Mr. Anil Soni, AAG and Mr. Naginder Beniwal, Advs. for State of Punjab
Mr. Ashish Negi, Adv. for Ms. Richa Kapoor, Advs. for State of Punjab
Mr. Abhishek Yadav, Adv. for State of U.P.
Mr. Ashish Rana, Adv. for HPCL
Mr. Suryanarayan Singh, Addl. AAG
Mr. Tarunvir Singh Khehar and Ms. Guneet Khehar, Advs. for GNCTD, Mr. C. Bharti, Secy. (Env.), Mrs. Varsha Joshi, Secy. (UD) and Mr. Dinesh Jindal, LO
Ms. Alpna Poddar, Adv. and Mr. Bhupinder Kr. LA., CPCB
Mr. Mukesh Verma, Mr. Devesh Kr. Agnihotri, Advs. for MPCB
Mr. Vinay P. Singh, Adv. for Mercedes Benz.
Mr. Amit Agarwal and Ms. Asha Basu, Adv. for West Bengal Pollution Control Board
Ms. Puja Singh, Adv. for Hemantika Wahi, Adv. for State of Gujarat & GSPCB
Mr. Hemant Jain, Ms. Usha Jain and Mr. K. Sunil, and Mr. Aviral Mittal, Advs.
Mr. Sumit Kishore, Adv. for PNGRB
Mr. P. Venkat Reddy and Mr. Prashant Kr. Tyani, Advs. for State of Telangana
Mr. Ravindra Kr. Kashyap and Mr. Gudipti G. Kashyap, Advs. for NOIDA and Greater NOIDA
Mr. Jayesh Gaurav, Adv. for JSPCB
Mr. Gaurav Dubey, Adv. for K2 International
Ms. Priyanka Sinha Advs for State of Jharkhand
Mr. Sandeep Narain and Ms. Natasha Sarawat and Ms. Khushboo Bari and Mr. Bipin Das, Advs. for Tata Motors Ltd. M. A. No. 172 of 2016
Mr. Gopal Singh and Ms. Varsha Poddar, Advs.
Mr. Anil Grover AAG and Mr. Rahul Khurana, Adv. Mr. Sandeep Yadav, Adv. Mr. Mohan Saram, IAS Principal Secy and Mr. Shri Kant Walgad, IAS, Principal Secy., for State of Haryana, HSPCB, MCF, MCG, HUDA
Mr. Narendra Pal Singh, Adv. and Mr. Dinesh Jindal, LO, DPCC
Mr. Rahul Khurana, Adv. for Mr. Priyanaka Swami, Adv.
Mr. Shiv Mangal Sharma, AAG, Mr. Sarurabh Rajpal, and Mr. Adhiraj Singh, Advs. for Rajasthan PCB
Mr. Taruna A. Prasad, adv. for MoEF
Mr. R. Rakesh Sharma and Mr. M. Marutha Samy, Advs. for State of Tamil Nadu and TNPCB
Mr. V.K. Shukla, with Ms. Vijay Lakshmi, Advs. from State of M.P.
Mr. Hemant Jain with Ms. Usha Jain and Mr. K. Sunil and Mr. Amiral Mittal, Advs.

Mrs. Rani chhbra and Ms. Priyanka Samy, Advs. In MA 358/2016 and 545/2016
 Mr. Yatendra Sharma and Mr. Satyarat Sharma, adv. in M. A. No. 979/2016
 Ms. Rasna Kaukat, adv. for Manushi Sangathan
 Mr. Anoop Verma, adv. in M. A. Nos. 983 & 984
 Ms. Arushi Khandelwal, adv. in M. A. No. 976/16
 Mr. Sunil K. Jain AOR and Mr. Punya Garg, adv. in M. A. No. 949/16
 Mr. Darpan Wadhwa, Mr. Shlok Chandra and Mr. Arjun Syal, Advs. in M. A. Nos. 1078/1097/1080/1091/1092
 Ms. Aruna Mathur and Mr. Avneesh Arputham and Ms. Anuradha Arputham, Advs. for State of Sikkim
 Mr. Soumyajit Pani, Adv. for State of Odisha
 Mr. Vijay K. Sondhi and M,s. Cauveri Birbal Ms. Durga Sharma Ms. Avantika and Mr. Aranyak Pathak, advs.
 Mr. Sapam Biswajit Meiti and Mr. Naresh Kumar Gaur, Advs.
 Mr. Om Prakash, Adv.
 Ms. Neha Makhija, Adv. for Mr. Gaurav Dubey, Adv. in MA Nos. 1082 & 1083
 Mr. Pranav A. Kapur, Mr. Siju Thomas and Mr. Amit Kumar, Advs. in MA 783/2016
 Mr. Vinod S. Bhardwaj, Adv.
 Mr. A.R. Takkar, Mr. Ankur Sharma and Ms. Shriya Takkar, Advs.
 Mr. Joydeep Mazumdar and Mr. Debojyoti Bhattacharya, Advs.
 Mr. Nishe Rajen Shonker and Mr. Gajendra Khichi, Advs.
 Mr. Manoj Mittal and Mr. Tahay Ayde, Advs.
 Mr. Pragyan Sharma and Ms. Ananditi Kumar, Advs.
 Mr. Sarthak Chaturvedi, Mr. Rohit Pandey and Mr. D.N. Tripathi, Advs.
 Mr. Raman Yadav, Adv. for Ghaziabad Dev. Authority

Date and Remarks	Orders of the Tribunal
<p>Item No. 25 to 31</p> <p>November 08, 2016</p> <p>ss</p>	<p>We have heard the matter at some length. Various senior officers of the State of Punjab, State of Rajasthan, State of Uttar Pradesh and Delhi are present. They seek some time to answer the queries raised by the Tribunal, particularly in relation to implementation of five Judgments that had been passed by the Tribunal with regard to prevention and control of air pollution and adhere to the prescribed ambient Air Quality Standards. This has greater reference to the rising pollution of air in Delhi and the surrounding States. At their request we direct the matter be listed tomorrow for further submissions and orders.</p> <p>In the meanwhile we direct the following:-</p> <ol style="list-style-type: none"> 1. No Stone Crusher would operate in NCR, Delhi and

	<p>Item No. 25 to 31</p> <p>November 08, 2016</p> <p>ss</p>	<p>the aforesaid States concerned for a period of one week from today. There shall not be transportation whatsoever of any construction material.</p> <p>2. All the officers of the respective Corporations, DDA, Municipal Corporation Committee and Corporations in the respective district of NCR, Delhi shall ensure that half of their staff is sent to field duty for inspection and ensuring that there is no burning of Municipal Solid Waste or any other waste; no pollution is generated by the construction activity and all the protection/measures are taken as directed in the earlier Judgments of the Tribunal in relation to control of air pollution by construction activity and the concerned department staff shall also see there is not crop residue burning anywhere in these five states. The Judgment of the Tribunal in regard to the punitive directions, incentives, collection and utilization of agricultural residue are to be implemented without default.</p> <p>Such staff of the Corporations will report back to their senior officer and submit report in regard to compliance and defaulters as afore-indicated.</p> <p>3. We also prohibit all brick kiln operating in NCR, Delhi for a period of one week from today.</p> <p>4. There shall not be any construction activity for a period of one week from today.</p> <p>5. We direct Central Pollution Control Board to jointly prepare Ambient Air Quality Data currently; last one week and in future with the Pollution Control Board of the respective States. This data would not only give an Ambient Air Quality Standard but would</p>
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	<p>Item No. 25 to 31</p> <p>November 08, 2016</p> <p>ss</p>	<p>also give apparent causes of pollution. Let this report be submitted to the Tribunal.</p> <p>6. Proposals in relation to mechanized cleaning of dust from the roads shall be examined in terms of our Judgment. We should be informed about it by the authority concerned by tomorrow.</p> <p>List these matters tomorrow i.e. on 09th November, 2016 at the 02:00 PM.</p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,JM (Raghuvendra S. Rathore)</p> <p>.....,EM (Bikram Singh Sajwan)</p>
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