

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

**Original Application No. 21 of 2014**

**(M.A. NO. 87 OF 2015, M.A. NO. 90 OF 2015, M.A. NO. 155 OF 2015, M.A. NO. 200 OF 2015, M.A. NO. 203 OF 2015, M.A. NO. 219 OF 2015, M.A. NO. 234 OF 2015, M.A. NO. 247 OF 2015, M.A. NO. 248 OF 2015, M.A. NO. 274 OF 2015, M.A. NO. 283 OF 2015, M.A. NO. 284 OF 2015, M.A. NO. 382 OF 2015, M.A. NO. 392 OF 2015, M.A. NO. 393 OF 2015, M.A. NO. 394 OF 2015, M.A. NO. 408 OF 2015, M.A. NO. 411 OF 2015 TO M.A. NO. 414 OF 2015, M.A. NO. 416 OF 2015, M.A. NO. 420 OF 2015, M.A. NO. 437 OF 2015, M.A. NO. 438 OF 2015, M.A. NO. 445 OF 2015, M.A. NO. 455 OF 2015, M.A. NO. 482 OF 2015 & M.A. NO. 483 OF 2015)**

**AND**

**Original Application No. 95 of 2014**

**IN THE MATTER OF:**

**Vardhaman Kaushik Vs. Union of India & Ors.**

**And**

**Sanjay Kulshrestha Vs. Union of India & Ors.**

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON  
HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER  
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER  
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER  
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER**

**Original Application No.21 of 2014**

**Present:**

<b>Applicant:</b>	<b>Mr. Sanjay Upadhyay along with Mr. Salik Shafique</b>
<b>Respondent No.1:</b>	<b>Ms. Panchajanya Batra Singh, Adv.</b>
<b>Respondent No. 2&amp;4:</b>	<b>Mr. Narender Pal Singh, Adv., Dr. M.P. George, Scientist `D` with Mr. Dinesh Jindal, LO and Ms. Alpna Poddar, Adv.</b>
<b>Respondent No.3:</b>	<b>Mr. D. Rajeshwar Rao, Adv. Counsel for Delhi Traffic Police</b>
<b>Respondent No.6&amp;7:</b>	<b>Mr. Ardhendumauli Kr. Prasad, Adv. Mr. Rajiv Bansal &amp; Mr. Kush Sharma, Adv. (DDA) Mr. Balendu Shekhar, Ms. Somya Rathore and Mr. Vivek Jaiswal, Advs. Mr. Atul Jha, Adv. Ms. Vanita Bhargava, Mr. Jeevan Ballav Panda and Ms. Kudrat Dev, Advs. Mr. S.S. Shamshery, AAG and Mr. V.M. Vishnu, Advs. Ms. Pinky Anand, Sr. Adv., ASG, Mr. Prabal Bagchi, Mr. Balendu Shekhar and Mr. Rajesh Ranjan, Advs. Ms. Savitri Pandey and Ms. Azma Parveen, Adv. for State of U.P. Mr. K.V. Jagdishvaran and Mrs. G. Indira, Advs. For UT of Andaman &amp; Nicobar Islands Mr. Sunil Satyarthu, Adv. For Delhi Cantonment Board Mr. Anil Grover, AAG and Mr. Rahul Khurana, Adv. For State of Haryana Mr. Guntur Pramod Kumar, Prerna Singh and Mr. Prashant Mathur, Advs. For State of Andhra Pradesh Mr. Ravindra Kumar and Mr. Gudipati G. Kashyap, Advs. Ms. Nupur Kanungo and Ms. Hemantika Wahi, Advs. for Gujarat PCB Mr. Sapam Biswajit Meitei, Mr. Z.H. Issac Holding and Ms. Kalyani Devi, Advs. Mr. D.K. Thakur and Mr. Alok Kumar, Advs. for Daman Diu Dadar Nagar Haveli</b>



Learned Addl. Solicitor General would also take instructions from the concerned Ministries.

List this matter on 25<sup>th</sup> May, 2015.

**M.A. No. 411 of 2015**

This Application is dismissed while leaving the parties to bear their own costs.

With the above directions, M.A. No. 411 of 2015 stands disposed of.

**M.A. No. 408 of 2015**

Nobody is present on behalf of the Applicant.

In any case appropriate orders in this regard have already been passed and we are informed by the learned counsel appearing for PWD and Police Department that the orders have already been complied.

Consequently, M.A. No. 408 of 2015 stands disposed of without any order as to costs.

**M.A. No. 413 of 2015**

Copy of this Application be furnished to the learned counsel appearing for the non-Applicants who may file Reply to this Application, if any, within one week from today.

List this matter on 25<sup>th</sup> May, 2015.

**M.A. No. 412 of 2015**

Copy of this Application be furnished to the learned counsel appearing for the non-Applicants who may file Reply to this Application, if any, within one week from today.



List this matter on 25<sup>th</sup> May, 2015.

**M.A. No. 416 of 2015**

This Application is allowed subject to just exceptions. The certified copy of the annexures be filed in due course.

With the above orders, M.A. No. 416 of 2015 stands disposed of.

**M.A. No. 394 of 2015**

Copy of this Application be furnished to the learned counsel appearing for the non-Applicants who may file Reply to this Application, if any, within one week from today.

List this matter on 25<sup>th</sup> May, 2015.

**M.A. No. 392 of 2015**

Heard.

This Application is allowed subject to just exception. The Applicant is permitted to intervene and address the Tribunal at the time of final hearing of the matter.

With the above directions, M.A. No. 392 of 2015 stands disposed of.

**M.A. No. 393 of 2015**

Heard.

This Application is allowed subject to just exception. The Applicant is permitted to intervene and address the Tribunal at the time of final hearing of the matter.

With the above directions, M.A. No. 393 of 2015 stands disposed of.

**M.A. No. 437 of 2015**

Heard.

This Application is allowed subject to just exception. The Applicant is permitted to intervene and address the Tribunal at the time of final hearing of the matter.

With the above directions, M.A. No. 393 of 2015 stands disposed of.

**M.A. No. 438 of 2015**

Heard.

This Application is allowed subject to just exception. The Applicant is permitted to intervene and address the Tribunal at the time of final hearing of the matter.

With the above directions, M.A. No. 393 of 2015 stands disposed of.

**M.A. No. 445 of 2015**

Nobody is present on behalf of the Applicant. The Application is dismissed for default of appearance.

With the above orders, M.A. No. 445 of 2015 stands disposed of. However the suggestions made therein will be considered at the time of passing of the final orders.

**M.A. No. 455 of 2015**

Heard.

This Application is allowed subject to just exception. The Applicant is permitted to intervene and address the Tribunal at the time of final hearing of the matter.

With the above directions, M.A. No. 455 of 2015 stands disposed of.

**M.A. No. 483 of 2015**

Heard.

This Application is allowed subject to just exception. The Applicant is permitted to intervene and address the Tribunal at the time of final hearing of the matter.

With the above directions, M.A. No. 483 of 2015 stands disposed of.

**M.A. No. 482 of 2015**

Copy of this Application be furnished to the learned counsel appearing for the non-Applicants who may file Reply to this Application, if any, within one week from today.

List this matter on 25<sup>th</sup> May, 2015.

**M.A. No. 155 of 2015**

Copy of this Application be furnished to the learned counsel appearing for the non-Applicants who may file Reply to this Application, if any, within one week from today.

List this matter on 25<sup>th</sup> May, 2015.

**M.A. No. 219 of 2015**

This matter is adjourned to 06<sup>th</sup> July, 2015.

**M.A. No. 234 of 2015**

This Application is disposed of as the Applicant does not wish to press this Application at this stage.

With the above orders, M.A. No. 234 of 2015 stands disposed of.

**M.A. No. 247 of 2015**

Nobody is present on behalf of the Applicant. The Application is dismissed for default of appearance.

Misc. Application No. 247 of 2015 stands disposed of.

**M.A. No. 248 of 2015**

Nobody is present on behalf of the Applicant. The Application is dismissed for default of appearance.

Misc. Application No. 248 of 2015 stands disposed of.

**M.A. No. 274 of 2015**

Nobody is present on behalf of the Applicant. The Application is dismissed for default of appearance.

Misc. Application No. 274 of 2015 stands disposed of.

**M.A. No. 283 of 2015**

Copy of this Application be furnished to the learned counsel appearing for the non-Applicants who may file Reply to this Application, if any, within one week from today.

List this matter on 25<sup>th</sup> May, 2015.

**M.A. No. 284 of 2015**

Nobody is present on behalf of the Applicant. The Application is dismissed for default of appearance.

With the above orders, M.A. No. 274 of 2015 stands disposed of.



**Original Application No.21 of 2014 & Original Application No. 95 of 2014**

List this matter on 25<sup>th</sup> May, 2015.

It has been brought to our notice that NDMC and all other Departments are making their best efforts to ensure that there is no burning of leaves and other material to prevent air pollution.

Learned counsel appearing for NDMC brings to our Notice that Mr. Ayodhya Prasad, Mali working at 12, Teen Murti Marg, New Delhi was found burning leaves and was required to pay compensation in terms of the orders of the Tribunal as well as to not burn leaves. But he disobeyed the Orders and is even declining to pay the amount required.

In light of the above, we direct that Notice be issued to Mr. Ayodhya Prasad, Mali and Assistant Director Horticulture, CPWD incharge of the area.

Notice returnable on 13<sup>th</sup> July, 2015.

In the meanwhile, we direct the Horticulture Department of the CPWD as well as NDMC to provide composting pits for composting the leaves that are collected from the entire Lutyens Zone area. These composting pits should be provided within the nursery that are being run by different Departments in the Lutyens zones. The Officer incharge would ensure that leaves are not permitted to be burnt but are collected on every alternate day and brought to the composting sites. The manure so produced shall be used for horticulture purposes in the same area.

Let the compliance report be submitted by these Departments on 13<sup>th</sup> July, 2015.



The photographs of the composting pits shall be placed on record both by the CPWD as well as by NDMC.

The learned Local Commissioners along with Counsel, Police Officer and Officers from the Corporations are directed to visit the Lajpat Nagar on three consecutive dates and report to the Tribunal compliance in that regard.

.....,CP  
(Swatanter Kumar)

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

.....,JM  
(M.S. Nambiar)

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

.....,EM  
(Prof. A.R. Yousuf)

.....,EM  
(B.S. Sajwan)

