

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

Original Application No.305 of 2013

IN THE MATTER OF:

Balam Singh Rawat Vs. Govt. of NCT of Delhi & 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. A.R. YOUSUF, EXPERT MEMBER**

Present:

Applicant :	Mr. Niraj B. Paonam, Advocate for Mr. S.K. Bhattacharya, Adv.
Respondent No. 1&2:	Mr. Biraja Mahapatra, Adv. and Mr. Dinesh Jindal, LO
Respondent No.3:	Mr. Rajkumar, Adv. with Mr. S.L. Gundli, slo
Respondent No.5:	Mr. Arun Kumar Sharma And Mr. Varun Sharma, Adv.
Respondent No.6:	Mr. B.V. Niren, Adv.
Respondent No.7:	Mr. Varun Chawla, Adv. for Mr. Sunil Goel, Adv.
Respondent No.9:	Mr. Manjit Singh and Mr. Tarjit Singh, Adv.
Respondent No.10:	Mr. Raman Yadav and Ms. Savitri Pandey, Adv. for State of UP Mr. Vikas Malhotra and Mr. M.P. Sahay, Adv. for MoEF Mr. Narender Hooda and Mr. Vineet Malik, Adv. for State of Haryana

Date and Remarks	Orders of the Tribunal
Item No.9 October 1, 2014	<p>We have heard the Learned Counsel appearing for the various parties and the respective State Governments. It is a matter of not only concern but of a great surprise that the Capital city of our country does not even have the Treatment, Storage and Disposal Facility (TSDF) for hazardous waste. It is not only the statutory obligation of the NCT of Delhi to ensure establishment of such a site but to provide the complete methodology as well for collection, transportation and disposal of the hazardous waste which will be entirely environmentally compatible.</p> <p>Since no steps have been taken in that regard despite the fact that this Application is pending before this Tribunal since 2013, a plea was raised by the Counsel appearing for DPCC for appropriate directions. The Learned Counsel appearing for the DPCC submits that there is no land available in Delhi for establishment of</p>

such a site and the Government of Delhi had written to the neighbouring States to provide space for the said purpose. However, there has been no effective response. Be as that it may, it is a matter of regret that the environmental issues of such serious concerns are being ignored by all concerned for such a long period. We see no reason as to why appropriate steps could not to have been taken by the concerned authorities to ensure establishment of such a site in accordance with the norms of the Environment.

For these we are compelled to pass the following directions:

1. We direct constitution of a Committee comprising of Secretary of Environment and Urban Development of each of the Governments i.e. NCT of Delhi, State of U.P., State of Rajasthan, and State of Haryana and Joint Secretary from the Ministry of Urban Development, Govt. of India to hold the meeting within two weeks from today.
2. The meeting shall be chaired by the Joint Secretary of the Delhi Administration. While the Secretary of Environment/ Urban Development, NCT Delhi would be the coordinator or the Nodal Officer.
3. The Member Secretary of the respective Pollution Control Boards shall also participate in the said meeting.
4. This Committee shall submit its Report to the Tribunal in regard to identification of site for TSDF.
5. It shall also specify the guidelines for collection, transportation and disposal of the hazardous waste in relation to that site in accordance with the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008.

Needless to point out that they have to identify the extent of hazardous waste generated in NCT, Delhi. The Report will be submitted to the Tribunal positively within four weeks from today.

List this matter on 14th November, 2014.

.....,CP
(Swatanter Kumar)

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

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

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

