

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

Original Application No. 77 of 2016

M/s Ashok Vihar Mitra Mandel Vs. The 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:	Mr. S.K. Bhattacharya, Adv. WITH Mr. Brij Mohan Garg and Mr. Ratna Aggarwal, Adv.
Respondent No. 2 :	Mr. Tarunvir Singh Khehar and Ms. Gurmeet Khehar, Adv.
Respondent No. 3:	Mr. Rajiv Bansal, Mr. Kush Sharma and Ms. Arpita and Mr. Anirudh Chadha, Adv.
Respondent No. 4:	Mr. Raj Kumar, Adv. and Mr. Bhupendra Kumar LA.
Respondent No. 5:	Mr. Vivek Kumar Tondon and Mr. Manish Chauhan, Adv. Mr. Anil Grover, AAG Haryana with Mr. Rahul Khurana, Adv. for State of Haryana Mr. Sanjeev Ralli, Adv. and Mr. Dinesh Jindal, LO, DPCC Ms. Pujal Kalra, North MCD

Date and Remarks	Orders of the Tribunal
Item No. 05 September 22, 2016 A	<p>We have heard the Learned counsel appearing for the parties at some length.</p> <p>The principal grievance of the Applicant is that the hazardous waste being generated by the CETP, Ashok Vihar, New Delhi is causing environmental hazards and the hazardous waste is being dumped indiscriminately even on the green belt of the area in question.</p> <p>Learned counsel appearing for the CETP submits that they received the industrial trade effluents which is highly toxic and contains heavy pollutants which is treated at the CETP and remnants of process is the sludge which is hazardous waste. According to him they are dumping the hazardous waste within the complex of the CETP society and are not dumping any waste on the green belt.</p> <p>Learned counsel appearing for the DSIIDC submits</p>

that NCT of Delhi does not have any mechanism or plant to treat the hazardous waste and they have taken up meeting with DDA for the purposes of allotting additional land to the society as well with the Government of Haryana for transportation of the sludge to the Government of Haryana plant at Pali for treatment. However nothing constructive has resulted therefrom as of now. The meeting stated to have been taken place on 14th June, 2016.

Learned counsel appearing for the DPCC submits that in terms of the order of Hon'ble High Court and this Tribunal, pickling industries have to stop their operations with effect from 23rd September, 2016. According to him in the master plan pickling activity has been reflected in negative category list of industries and, therefore, not permitted to operate in NCT of Delhi.

In view of the respective submissions made by the Learned counsel appearing for the various Departments and Public Authorities, we pass the following directions:-

1. In terms of the above, that is the order of the Hon'ble High Court, order of the Tribunal and Master Plan 2021, where the pickling industries have been reflected in the list of negative category industries, therefore, not permitted to operate in Delhi shall be enforced by the concerned Authorities including DPCC and Government of NCT of Delhi. This itself would result in reducing effluent load on the CETP as all these industries are located in the same industrial area where CETP is located and consequently reduction in generation of sludge.

2. The Managing Director, DSIIDC shall hold a meeting within one week from today where representative of DDA, DPCC, CETP and the State of Haryana shall be present. In the meeting the Officer-in-Charge of Government hazardous treatment plant at Pali, State of Haryana shall also be present and other private entrepreneurs in the field of treating hazardous waste like M/s Ramky Enviro Engineers Ltd. and M/s Bharat Oil Waste Management Ltd. will also be invited. All these stake holders will be required to take hazardous waste and treat the same at their respective places. The transportation of the sludge (hazardous waste) shall be the responsibility of the CETP and DSIIDC.

3. It is relevant to notice here that in other matters pending before the Tribunal it has been brought to the notice of the Tribunal that the private sector industries authorised to handle hazardous waste have much higher capacity to treat the hazardous waste than what they are presently receiving.

4. From the record it appears that the hazardous waste generate by the CETP is somewhere between 2 to 5 tonnes per day. This absolutely essential that indiscriminate dumping of hazardous waste whether within the premises of the CETP or outside must stop. It cannot go on endlessly as the dumping would have adverse impacts on ground water and otherwise on environment and ecology. The analysis of soil sample conducted by the Boards show high contamination of the soil. The contents

of copper is 872 against the permissible value of 100 while chromium is 2096.25 against the permissible value of 100.

Learned counsel appearing for the State of Haryana has been given notice of this case as well as of order that is being passed in his presence. He shall communicate the same to all the concerned parties.

The CETP will ensure that it does not dump any sludge on the green belt or green areas adjacent to its premises and should take every precaution to ensure that the hazardous waste dumped and maintain strictly in consonance with Hazardous Waste Rule, 2006.

Let these directions be complied by all concerned parties.

Learned counsel appearing for the Government and all Corporations or Authorities should communicate the same for compliance to the highest Officer in the hierarchy.

The Managing Director, DSIIDC shall file compliance report and Minutes of the Meeting on record all Officers present shall sign the Minutes.

List this matter for further directions on 28th October, 2016.

.....,CP
(Swatanter Kumar)

.....,JM
(Raghuvendra S. Rathore)

.....,EM
(Bikram Singh Sajwan)