

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

**Original Application No. 21/2014  
(M.A. Nos. 155, 248, 394, 412 to 414, 420, 502, 618, 631, 683, 778, 812, 1014,  
1015, 1029 of 2015, 1086 of 2015 & 1313 of 2015)**

**And**

**Original Application No. 95/2014**

**And**

**Original Application No. 303/2015**

**IN THE MATTER OF :**

**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.**

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON  
HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER  
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER**

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

**Present: Applicant:**

**Mr. Vardhaman Kaushik, Mr. Nishant Gautam,  
Mr. Syed Meesam and Mr. Sanjay Upadhyay and Mr.  
Salik Shafique.**

**Respondent No. 1:**

**Ms. Panchajanya Batra Singh, Advs. For MoEF & CC**

**Respondent No. 2 & 4 :**

**Mr. Narendra Pal Singh, Adv, with Mr. Dinesh Jindal,  
LO For DPCC.**

**Respondent No. 6 & 7 :**

**Mr. Ardhendumuali Kumar Prasad, Mr. Jigdal G.  
Chankapa and Mr. Pryanka Swami, Advs. for MoUD &  
MoPNG**

**Mr. D. Rajeshwar Rao, Advs. for Transport Deptt. and  
Delhi Police, GNCT, Delhi**

**Mr. Vivek Jaiswal & Ms. Somya Rathore, Adv. for  
EDMC**

**Ms. Pinky Anand, ASG, Mr. Balendu Shekhar, Mr.  
Vivek Paul Oriell, Mr. M.V. Kiwi and Mr. Rajesh  
Ranjan, Advs. for MoRTH(NHAI)**

**Ms. Pinky Anand, ASG and Mr. Akshay Abrol, Advs.  
for CONCOR**

**Ms. Savitri Pandey and Ms. Azma Parveen, Adv. for  
State of U.P.**

**Mr. Atul Jha, Adv. for State of Chhattisgarh**

**Mr. Apoorv Kurup and Mr. A.C. Boxipatro, Advs. for  
State of Chhattisgarh.**

**Mr. Rajiv Bansal and Mr. Kush Sharma, Mr. Jasmeet  
Singh and Mr. Amit Bansal, Advs. (DDA)**

**Ms. Aruna Mathur, Standing Counsel, Ms. Anuradha  
Arputham and Mr. Yusuf Khan, Advs. For State of  
Sikkim**

**Mr. Sapam Biswajit Meitei and Ms. Kalyani, Advs. for  
State of Manipur & PCB**

**Ms. Vinakshi Kadar and Ms. Hemantika Wahi, Advs.  
For State of Gujarat & GPCB**

**Mr. Ravindra Kumar and Mr. Gudipati G. Kashyap,  
Advs. for NOIDA and Gr. NOIDA**

**Ms. Priyanka Sinha, Adv. for State of Jharkhand**

**Ms. Anu Tyagi, Adv.**

**Mr. Jayesh Gaurav, Adv. for JSPCB**

**Mr. Rudreshwar Singh, Mr. Gautam Singh and Mr.  
Divya Singh, Advs. for State of Bihar and BSPCB**

**Ms. Nandini Gore, Ms. Natasha Sehrawat, Mr. Bipin  
and Mr. Shermendra Choudhary, Advs. for Tata  
Motors**

**Mrs. G. Indira and Mr. K.V. Jagdishvaran, Advs. For  
UT of Andaman & Nicobar Islands Administration**

Ms. Indira Unnayar, Adv. for Intervener  
Miscellaneous Application 248/2015  
Mr. Anil Grover, AAG and Mr. Rahul Khurana, Advs.  
For State of Haryana  
Mr. Balendu Shekhar & Mr. Akshay Abrol, Advs. for  
MCD and EDMC  
Mr. Jogy Scaria, Adv. and Ms. Beena Vicky, Advs. for  
State of Kerala  
Ms. Sakshi Popli, Advs. for NDMC  
Ms. Puja Kalra, Adv. for South Delhi Municipal  
Corporation and North Delhi Municipal Corporation  
Mr. Sunil Satayarth, Adv. and Mr. Ashok Kumar, Adv  
s. For Delhi Cantonment Board  
Mr. P. Venkat Reddy, Adv. for State of Telangana  
Mr. Prashant Tyagi, Adv.  
Mr. D. Rajeshwar Rao, Adv. Counsel for Transport  
Deptt. and Delhi Police, GNCT, Delhi  
Mr. Utkarsh Goel, Advs., Advs. For HMCI  
Mr. Jai Prakash Singh, S.O. Hort., PWD  
Mr. Tarunvir Singh Khehar, Adv. for GNCTD  
Mr. Om Prakash, Adv. for MoR Northern Railway  
Ms. Soumya Jit Pani, Adv. for State of Odhisa  
Mr. Dinesh Kumar Garg and Mr. Dhananjay Garg,  
Advs. for State of Uttarakhand  
Mr. Guntur Prabakar and Mr. Prashant Mathur, Advs.  
For State of Andhra Pradesh  
Mr. Yogesh Kanna and Mr. Jayant Patel, Advs. for  
Tamil Nadu State  
Mr. Atmaram. N. S. Nadkarni, Adv. General, Ms. S.S.  
Rebello, Mr. Anshuman Srivastava and Mr. Debarshi  
Bhuyan, Advs. for State of Goa and Goa SPCB.  
Mr. D.K. Thakur, Mr. Deepak Jain and Mr. Alok  
Kumar, Adv. for UT of Daman Diu & Dadar & Nagar  
Haveli  
Mr. Shubham Bhall, Adv. for UT of Chandigarh  
Ms. Alpana Poddar, Adv. along with Mr. Bhupender  
Kumar, LA, Central Pollution Control Board  
Mr. Vishwendra Verma, Advs. For MoEF

**Present:** Applicant:  
Respondent No.1:  
Respondent Nos. 2 to 6:  
Respondent No. 10 :

Dr. Sanjay Kulshreshtha  
Mr. Vikas Malhotra, with M. P. Sahay, Advs.  
Mr. Ardhendumuali Kumar Prasad, Mr. Pryanka  
Swami and Mr. Jigdal G. Chankapa, Advs.  
Mr. Rahul Choudhary, Adv. for Invenor  
Mr. Guntur Prabakar and Mr. Prashant Mathur, Advs.  
For State of Andhra Pradesh  
Mr. Rudreshwar Singh, Mr. Gautam Singh and Mr.  
Divya Singh, Advs. for State of Bihar and BSPCB  
Mr. Atul Jha, Adv. for State of Chhattisgarh  
Mr. M. Yogesh Kanna and Mr. Jayant Patel, Advs. For  
State of Tamil Nadu & TNPCB  
Mr. Dinesh Kumar Garg and Mr. Dhananjay Garg,  
Advs. for State of Uttarakhand  
Mr. Shubham Bhall, Adv. for UT of Chandigarh  
Ms. Savitri Pandey and Ms. Azma Parveen, Adv. for  
State of U.P.  
Mr. D. Rajeshwar Rao, Adv. Counsel for Transport  
Deptt. and Delhi Police, GNCT, Delhi  
Mr. Apoorv Kurup and Mr. A.C. Boxipatro, Advs. for  
State of Chhattisgarh.  
Mrs. G. Indira and Mr. K.V. Jagdishvaran, Advs. For  
UT of Andaman & Nicobar Islands Administration.  
Mr. Jayesh Gaurav, Adv. for JSPCB  
Ms. Aruna Mathur, with Ms. Anuradha Arputham,  
Advs. For State of Sikkim  
Mr. Sapam Biswajit Meitei and Ms. Kalyani, Advs. for  
State of Manipur & PCB  
Mr. Alok Kumar, Mr. Dinesh Kr. Thakur and Ms.  
Vernika Singh, Advs. for Daman & Diu & Dadra &  
Nagar Haveli

**Mr. Sarthak Chaturvedy and Mr. Rohit Pandey, Adv.  
with Mr. D.N. Tripathi, Adv.**

**Original Application No. 303 of 2015**

**Applicant :**

**Respondent No. 1 :**

**Respondent No. 3 :**

**Respondent No. 4 :**

**Respondent No. 5 :**

**Mr. Vishwendra Verma, Adv. For MoEF**

**Mr. D. Rajeshwar Rao, Adv. Counsel for Transport  
Deptt. and Delhi Police, GNCT, Delhi**

**Mr. Tarunvir Singh Khehar, Adv. for GNCTD**

**Ms. Savitri Pandey along with Ms. Azma Parveen,  
Adv. for State of UP.**

**Mr. Anil Grover, AAG with Mr. Rahul Khurana, Adv.  
For State of Haryana**

	<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
	<p><b>Item No. 22 to 24</b></p> <p><b>January 06, 2016</b></p> <p><b>ss</b></p>	<p>The Tribunal is concerned with the three Original Applications i.e. Original Application No. 21 of 2014 – Vardhaman Kaushik Vs. Union of India &amp; Ors., Original Application No. 95 of 2014 – Sanjay Kulshrestha Vs. Union of India &amp; Ors. and Original Application No. 303 of 2015 – Supreme Court Women Lawyers Association Vs. Union of India &amp; Ors.</p> <p>In the first Application, the Applicant has pleaded general facts of air pollution particularly in NCT, Delhi. However the prayer is generally applicable to the entire country. In the case of Sanjay Kulshrestha; the Applicant is more children oriented that is young infant suffering from different diseases as a result of pollution majorly generated by air pollution. This petition relates to major cities of India including Delhi. The Original Application No. 303 of 2015 deals with the matter relating to air pollution in NCT, Delhi.</p> <p>In view of the fact that the matter is pending before the Hon’ble Supreme Court of India, particularly the order dated 16<sup>th</sup> December, 2015 in relation to matter relating to air pollution in NCT, Delhi, we are of the considered view that Tribunal should not pass any directions in this</p>

regard at this stage. Therefore we would restrict these petitions for the present only to the places other than Delhi, in relation to air pollution by different sources and subject to such orders as may be passed by the Hon'ble Supreme Court of India.

We therefore have to decide the matter relating to air pollution in other major cities like Bombay, Kolkata, Bangalore, Patna, Lucknow, Allahabad, Kanpur, Varanasi, Pune, Nagpur, Chennai, Hyderabad, Ludhiana, Jalandhar and Amritsar. Let Notice be issued to all the Learned Counsel appearing for the respective states relating to these cities. The Learned Counsel appearing for State of Gujarat, State of Bihar, State of Punjab, State of U.P., State of Telangana, State of Odisha, State of Chhatisgarh, State of Maharashtra, State of Karnataka and State of Jharkand are present. All these States would file a comprehensive affidavit stating the steps taken by the respective states in the respective cities, for prevention and control of air pollution. The ambient air quality samples will be taken and analysis report be submitted before the Tribunal. They shall also state the steps they are taking for controlling and preventing the air pollution, resulting from dust emission because of the constructions and other activities, emission from burning of Municipal Solid Waste and other waste including burning of agriculture residue and vehicular pollution. The Pollution Control Board of the respective States in consultation with the Central Pollution Control Board shall prepare a report and analyse the ambient air quality samples forthwith in the related cities as indicated.

The Miscellaneous Application No. 284 of 2015 be listed separately for hearing.

This order would be read in conjunction with the order dated 17<sup>th</sup> April, 2015.

The Central Pollution Control Board is directed to be added as Respondent No. 7 in Original Application No. 303 of 2015.

List this matter on 09<sup>th</sup> February, 2016.

.....,CP  
(Swatanter Kumar)

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

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

