

Item No. 04

Court No. 1

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

Original Application No. 1361/2024

Jitendra Mahajan

Applicant

Versus

GOVT. of N.C.T. of Delhi & Ors.

Respondent(s)

Date of hearing: 16.12.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Ms. Sonia Mathur, Senior Advocate with Mr. Neeraj, Mr. K.K. Mishra, Mr. Nikhil Chandra Jaiswal, Ms. Ronika Taker & Ms. Madhumitha Kesavan, Advs.

ORDER

1. This original application has been filed by the Chairman of the State Development Committee, Shahdara and a Member of Legislative Assembly in NCT of Delhi. He has filed this application based on his personal experience concerning the non-compliance of the norms by his old official vehicle, which was causing excessive air pollution.

2. Learned Counsel for the Applicant referring to Annexure A-2, which is a list of 107 vehicles of the Delhi Government, has pointed out that several diesel and petrol vehicles belonging to the Government of NCT of Delhi have completed their life of 10-15 years, but they are still plying on the road. She has referred to the vehicles at Serial no. 31, 57, 60, 67, 79, in chart A2, which have completed their life and are still plying. She has also submitted this is only a list of 107 vehicles whereas the Government

of NCT has around 3000 vehicles plying on the road. Therefore, there may be many more such vehicles that are plying even after completion of their life. She has also referred to the 6th column of the chart Annexure A-2 and has submitted that several such vehicles are plying on the road without obtaining the PUC, and referring to the 7th column, she has submitted that these vehicles do not even have insurance.

3. Learned Counsel for the Applicant has also referred to the GRAP order filed on page 168 which discloses that the Commissioner or Head of Delhi NCR is the agency responsible for implementing the GRAP order and referred to item 14 of the schedule on page 168 to show that the Commissioner or Head of the Department of Delhi and Commissioner or Head of the Traffic Police Department of Delhi are responsible for enforcing the Hon'ble Supreme Court and NGT order relating to overage diesel/ petrol vehicles.

4. She has submitted that the Authorities who are responsible for enforcing the GRAP order are themselves violating the order.

5. Issue Notice to the Respondents. The Applicant is directed to serve the Respondents and file an affidavit of service at least one week before the next date of hearing.

6. List on 20.02.2025.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

December 16, 2024
Original Application No. 1361/2024
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