

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

Application No. 38/2013(T_{HC})

Dera Sandhu Ashram V/s State of Punjab & Ors.

CORAM: HON'BLE SHRI JUSTICE V.R. KINGAONKAR, JUDICIAL MEMBER
HON'BLE SHRI JUSTICE DALIP SINGH, JUDICIAL MEMBER
HON'BLE DR. G.K. PANDEY, EXPERT MEMBER
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER
HON'BLE DR. R.C. TRIVEDI, EXPERT MEMBER

Applicant/Appellant : Mr. Puneet Agrawal, Adv.
Respondent No. 1 : Mr. Abhimanyu Garg, Adv. on behalf of Mr. Anil
Soni, Adv.
Respondent No. 2 : Mr. Sandeep Khunger along with Mr. P.N. Puri &
Mr. Raktim Gogoi, Adv.
Respondent No. 4 : Mr. Ramandeep Singh(AEE, PPCB)
Respondent No. 5 : Mr. Alpana Pachauri, Proxy Counsel
Respondent No. 6 : Mr. Sunil, Adv.

Date and Remarks	Orders of the Tribunal
Order No. 8 August 22, 2013	<p>We have heard Learned Counsel for the parties.</p> <p>The Counsel for the contractor submits that he has been served only with the notice without any copy of the Application. The Counsel for the Applicant undertakes to furnish the copy of the Application during course of the day.</p> <p>The Counsel for the Applicant seeks time to obtain instructions pertaining to the issue of dumping of solid waste or the waste which is caused by the Applicant. In the meanwhile, the Applicant may collect map under the RTI, in order to specify the territorial limits of both the towns and also to indicate the location of Dera Sandhu Ashram qua the present site used for dumping of the Municipal Solid Waste. The Municipal Committee i.e. Respondent No.3 shall not continue the dumping of the Municipal Solid Waste at the proposed site unless legal permission i.e. EC is granted. The Competent Authority is to take the decision for grant or refusal of the EC within 15 days hereafter.</p> <p>In the meanwhile, ad hoc arrangement is made to allow the dumping as is going on but subject to condition that in case the EC is refused then Respondent No. 3 will be liable to pay the amount that will be determined for the restoration of the environment as well</p>

as for removal of the dumped Municipal Waste and also for causing of miseries to others.

The Collector of Mansa may depute a responsible officer of Rank of Deputy Collector in order to inspect the site which is being proposed for the purpose of dumping and to also to conduct work of measurement of the distance between Dera Sandhu Ashram and the proposed site to give a status report for next date of hearing. The order may be given for information to the Collector by dasti through Counsel of the State of Punjab i.e. Respondent No. 1 and liberty is granted to the Counsel for the Applicant to serve the copy of the order on the concerned Collector.

Stand over to 13th September, 2013.

....., JM
(V.R. Kingaonkar)

....., EM
(Dalip Singh)

....., EM
(Dr. G.K. Pandey)

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

....., EM
(Dr. R.C. Trivedi)

