

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

**Original Application No. 21/2014
(Only Notices)**

AND

Original Application No. 21/2014

(M.A. NO. 156/2016, M.A. NO. 172/2016, , M.A. NO. 949/2016, M.A. NO. 1220/2016, M.A. NO. 13/2017, M.A. NO. 22/2017, M.A. NO. 47/2017, M.A. NO. 52/2017, M.A. NO. 53/2017, M.A. NO. 71/2017, M.A. NO. 84/2017, M.A. NO. 85/2017, M.A. NO. 86/2017, M.A. NO. 27/2017, M.A. NO. 63/2017, M.A. NO. 82/2017, M.A. NO. 104/2017, M.A. NO. 105/2017, M.A. NO. 106/2017, M.A. NO. 108/2017, M.A. NO. 109/2017, M.A. NO. 120/2017, M.A. NO. 136/2017, M.A. NO. 137/2017, M.A. NO. 145/2017, M.A. NO. 147/2017, M.A. NO. 159/2017, M.A. NO. 160/2017, M.A. NO. 176/2017, M.A. NO. 177/2017, M.A. NO. 185/2017, M.A. NO. 218/2017, M.A. NO. 219/2017, M.A. NO. 220/2017, M.A. NO. 221/2017, M.A. NO. 222/2017, M.A. NO. 223/2017, M.A. NO. 224/2017, M.A. NO. 225/2017 & M.A. NO. 226/2017,)

And

**Original Application No. 95/2014
(M.A. No. 1156 of 2016)**

And

Original Application No. 303/2015

And

Original Application No. 609 /2016

And

Original Application No. 179 of 2016

IN THE MATTER OF:

Vardhaman Kaushik Vs. Union of India & Ors.

And

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.

And

Diya Kapur & Ors. Vs. Union of India & Ors.

And

Mahendra Pandey Vs. Govt. of NCT of Delhi & Ors.

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE DR. JUSTICE JAWAD RAHIM, JUDICIAL MEMBER
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER
HON'BLE DR. AJAY A DESHPANDE, EXPERT MEMBER**

Present: Applicant : Mr. Sanjay Upadhyay and Mr. Salik Shafique, Advs.
Mr. Darpan Wadhwa, Mr. Arjun S., Adv.
Mr. Ajay Kohli, Adv.
Mr. Abhijeet Sinha with Mr. Prateek Kumar, Advs.
Mr. Sonal Kr. Singh, Mr. Ashok Kr., Ms. Shivangi Agarwal and Ms. Swati Sehgal, Advs.
Ms. Sumiti Yadava, Adv. in M.A.

Respondent No. 2 & 4 Mr. Narender Pal Singh, Adv. and Mr. Dinesh Jindal, LO, Delhi Pollution Control Committee
Mr. Aviral Mittal with Mr. K. Sunil, Adv. for Hemant Jain & Usha Jain
Mr. Ashish Rana, Adv.
Mr. Sunil K. Jain and Ms. Punya Garg, Advs.
Ms. Khushboo Bari, Adv. in M.A.
Mr. Vijay K. Sondhi and Ms. Cauveri Birbal, Advs. for Intervenors
Mr. Rahul Khurana, Adv. in M.A.s
Mr. Tarveen Singh Nanda, Mr. Anchit Sharma and Mr. Satamita Ghose, Advs. for Delhi Cont. Board.
Mr. Soumyajit Pani, Adv. for State of Odisha
Mr. Rajiv Bansal, Mr. Kush Sharma, and Ms. Arpita, Advs. (DDA)

Ms. Parijat Sinha and Mr. Joydeep Mazumdar, Advs. for State of WB
 Mr. Anil Grover, AAG for State of Haryana
 Mr. A.K. Prasad and Mr. Jaydip Pati, Advs.
 Mr. KTS Tulsii, Sr. Adv, Mr. Rayner Vishal and Mr. Raj Kamal, Adv.
 Mr. Pallav Sishodia, Sr. Adv. and Mr. Arjun S., Adv.
 Mr. Om Prakash, Adv. for Ministry of Railways
 Ms. Nishe Rajen Shonker, Adv. for State of Kerala and Mr. Jogy Scaria, Adv. for Pollution Control Board
 Mr. Edward Balho, Mr. K. Luikang Michael and Ms. Elix Gangmei, Advs. for State of Nagaland
 Mr. Ravindra Kumar, Adv. for NOIDA & Greater NOIDA.
 Ms. Puja Kalra, Adv. for NDMC and SDMC
 Mr. Sachin, Adv. for Ms. Sakshi Popli, Adv. for NDMC
 Mr. Gautam Singh, Adv. For State of Bihar and BSPCB
 Mr. Jayesh Gaurav, Adv. for JSPCB
 Mr. Sarthak Chaturved, Mr. Rohit Pandey, Advs. for Andaman Nicobar Administration
 Mr. Rajul Shrivastav, Advs. For MPPCB
 Mr. Raj Kumar, Adv. with Mr. Bhupender Kumar, LA, Central Pollution Control Board
 Mr. Sanjeev Ralli, Adv.
 Mr. Mukesh Verma and Mr. Bikash Kumar Sinha, Advs. for MPCB & State
 Ms. Priyanka Swami, Adv. for Ghaziabad Nagar Nigam
 Mr. Mukul Singh, Adv. for Ministry of Environment, Forest and Climate Change
 Ms. Priyanka Sinha, Adv. for State of Jharkhand
 Mr. Atul Jha, Adv. For State of Chhattisgarh
 Mr. A.D.N. Rao, Mr. Samar Bansal, Mr. Vinayak Mehrotra and Mr. Sudipto Sarkar, Advs.
 Mr. Atul Arora, Adv. for M/s. Ecogreen G. Solutions Ltd.
 Mr. Harvinder Sekhon, Appearing in person
 Ms. Aruna Mathur, Mr. Avneesh Arputham and Ms. Anuradha Arputham and Mr. Amit Arora Advs. For State of Sikkim & Pollution Control Board
 Ms. Hemantika Wahi and Ms. Puja Singh, Advs. for State of Gujarat
 Mr. Abhishek Yadav, Adv. for State of U.P.
 Mr. Guntur Pramod Kumar, Mr. Guntur Prabhakar & Mr. Prashant Mathur, Advs. For State of Andhra Pradesh
 Dr. Abhishek Atrey, Adv. for MoEF
 Mr. Raman Yadav, Adv. for Ghaziabad Development Authority
 Mr. Pragyan Pradip Sharma, Mr. Ganesh Bapu and Ms. Anandivi Kumari Rathore, Advs.
 Ms. Alpana Poddar, Adv. with Mr. Bhupender Kumar, LA, CPCB
 Mr. S. Anand, Mr. R. Rakesh Sharma, Adv. for State of Tamil Nadu & TNPCB and Mr. Marutha Samy, Adv.
 Mr. D. Rajeshwar Rao and Mr. Madhukar Sharma, Advs. for PWD, Transport Deptt. and Delhi Police
 Mr. Amit Agarwal and Ms. Asha N. Basu, Adv. for West Bengal Pollution Control Board
 Mr. Balendu Shekhar, , Adv. for East Delhi Municipal Corporation
 Mr. Yogmaya Agnihotri, Adv. for CECB
 Mr. Shiv Mangal Sharma, AAG with Mr. Saurabh Rajpal and Mr. Adhiraj Singh, Advs.
 Mr. V.K. Shukla with Mr. Mahendra Gaikwad, Advs. for State of M.P.
 Mr. Charan Jeet Singh, Adv. for Mr. Tarunvir Singh Khehar and Ms. Guneet Khehar, Advs. for Transport Deptt. & GNCTD

	Date and Remarks	Orders of the Tribunal
	<p>Item Nos. 20 to 25</p> <p>February 23, 2017 ss</p>	<p><u>M.A. No. 176 of 2017</u></p> <p>The vintage car sports activity to be held on 24th to 26th February, 2017 is permitted subject to the terms and</p>

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23, 2017
ss**

conditions that are contained in the order dated 27th January, 2017. All the directions should be strictly complied with and these cars will not be permitted to run on road as a part of the regular traffic.

With the above directions M.A. No. 176 of 2017 stands disposed of.

Copy of this order be furnished by Dasti.

M.A. No. 84 of 2017, 85 of 2017, 86 of 2017, 221 of 2017, 222 of 2017 and 225 of 2017

All these applications are allowed and the Applicant is permitted to get their vehicles registered which are heavy diesel vehicles and are BS-IV compliant to registered in Delhi. They shall be utilized only for the purpose of carriage of petroleum products within the NCR. These vehicles will not be used for any private purpose and carriage of any liquid petroleum products for the private party except the mentioned three Public Sector Companies. Besides the above directions other directions which are contained in our order dated 29th November, 2016 shall also apply mutatis mutandis. The Applicant would be under obligation to comply with the directions strictly in its entirety.

With the above directions M.A. No. 84 of 2017, 85 of 2017, 86 of 2017, 221 of 2017, 222 of 2017 and 225 of 2017 stand disposed of. No order as to cost.

M.A. No. 53 of 2017 and M.A. No. 105 of 2017

The Applicant is permitted to get his diesel vehicle BS-IV compliant registered in Delhi subject to the following:-

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1. That Applicant in both these applications does not have any diesel vehicle which is more than 10 years old. Proof thereof should be produced before the Registering Authority.
2. All vehicles should be registered only if the vehicles are BS-IV compliant and would have GPS system installed therein.
3. They will be used only for carriage of LPG Cylinders in NCR and will not be plied in NCR for any private parties.
4. Directions contained in our order dated 29th November, 2016 shall also apply mutatis mutandis to these applications as well.

Applicant shall be responsible for strict compliance of the order and directions of the Tribunal.

With the above directions M.A. No. 53 of 2017 and M.A. No. 105 of 2017 stand disposed of. No order as to cost.

Main Matter

We grant last and final opportunity to M/s. Indian Oil Corporation, M/s. Hindustan Petroleum and Bharat Petroleum Company Limited to file a complete status report in relation to the heavy vehicles being used for these companies directly or upon contract with private parties for carriage of petroleum and allied products in the country more particularly in NCR, Delhi. It should be stated in the affidavit-cum-report the number of BS-I, BS-II, BS-III and BS-IV compliant vehicles and how old the vehicles are. What is the scheme for phasing out of heavy vehicles which are diesel vehicles more than 10 years old

<p>Item Nos. 20 to 25</p> <p>February 23, 2017</p> <p>ss</p>	<p>and the scheme of each of the company.</p> <p>We make it clear that if this Status Report and affidavit not filed within the time granted, the Managing Director of all the above stated three companies would be present before the Tribunal on the next date of hearing. We make it clear that we will be compelled to impose heavy cost for non-compliance of the orders of the Tribunal. List these matters on 2nd March, 2017.</p> <p>Indian Oil Company within one week shall place minutes of the meeting on Thursday i.e. 02nd March, 2017.</p> <p>List all other Miscellaneous Applications on 28th February, 2017.</p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,JM (Dr. Jawad Rahim)</p> <p>.....,JM (Raghuvendra S. Rathore)</p> <p>.....,EM (Bikram Singh Sajwan)</p> <p>.....,EM (Dr. Ajay A Deshpande)</p>
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