

BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

Original Application No. 199 of 2014

And

Original Application No. 61 of 2017
(Earlier OA No. 199 of 2014)

And

Original Application No. 281 of 2016
(M.A. No. 1007/2016 & M.A. No. 395/2017)

IN THE MATTER OF:

Almitra H. Patel & Anr. Vs. Union of India & Ors.

&

Kudrat Sandhu Vs. Govt. of NCT & 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
HON'BLE DR. AJAY A DESHPANDE, EXPERT MEMBER

Present: Applicant :
Respondent

Mr. Mandeep Kalra, Adv.
Ms. Divya Sharma, Adv
Mr. Gautam Singh and Mr. Rudreswar Singh, Advs.
for State of Bihar and Bihar SPCE
Ms. Priyanka Sinha, Adv. for State of Jharkhand
Ms. K. Enatoli Sema, Mr. Amithj and Mr. Amit Kumar
Singh, Advs. for the State of Nagaland and Pollution
Control Board
Ms. Deep Shikha Bharati, Adv. for MoEF
Mr. Debarshi Bhuyan and Mr. S.S. Rebello, Adv. for
State of Goa and Goa SPCE
Mr. Anil Soni, AAG and Mr. Naginder Benipal, Adv.
Mr. Om Prakash, Adv. Mr. Hemantika Wahi and Mr.
Kabir Hathi, Advs. For State of Gujarat
Mr. R. Rakesh Sharma, Adv. for State of TN & TNPCB
Ms. Aprajita Mukherjee, Adv.
Mr. Pradeep Misra and Mr. Daleep Dhyani, Adv. For
Uttar Pradesh Pollution Control Board
Mr. G.M. Kawoosa, Adv. for State of J&K
Mr. Saurabh Prakash, Adv. for Zorba Entertainment
pvt. Ltd.
Mrs. Molini Sud, Adv., Mr. Ishan Khanna, Adv.
Dr. Abhishek Atrey and Ms. Megha Tyagi, Advs. and
Mr. Vikas Malhotra, Advs. for Ministry of
Environment, Forest and Climate Change
Dr. Abhishek Atrey, Adv. for UT of Lakshadweep
Mr. S. Sukumaran, Mr. Anand Sukumar and Mr.
Bhupesh Kumar Pathak, Advs. for Municipal
Corporation of Gr. Mumbai
Mr. P.K. Agrawal, Ms. Mercy Hussain, ADvs. for hotel
Leela ambience
Mr. Atul Sharma, Adv., Mr. Nitesh Jain, Adv., Ms.
Yamini Khurana, Adv. for Hotel Metropolitan
Mr. Sangram Patnaik, Mr. Dhruvajit Sikik, Mr. Dhiraj
Kumar, Mr. Swyamsidha Panaik, Mr Suresh Chandra,
Advs. For Hotel Samrat
Ms. Manisha T. Karia, Adv., Ms. Nidhi Nagpal, Adv.,
Ms. Soumya, Ms. Mudit Sood, Advs. For Holiday Inn
Hotel
Mr. Rahul Kumar, Adv. for Jawahar lal Nehru society
Mr. Abhimanyu Mahajan, Adv., Ms. Anubha Goel,
Adv. for Hotel Leela Palace
Ms. Sakshi Popli, Adv. Ms. Pritika Singh, Adv. for
NDMC
Mr. Nitish Shrivastava, Adv. for M/s Golden radiance
palm hotel
Mr. Sudarshan Rajan, Adv Mr. Karajot Singh Mainee,
Adv. for Delhi Citizen Society
Ms. Pooja Kalra, Adv.
Mr. Ridwika Nanda, Adv., Mr. Sumit Raj, Adv. for
Noticee No. 1 Max Healthcare Ltd.
Mr. Amit Agarwal, Adv., Ms. Asha Basu, Adv.
Mr. Shiv Mangal Sharma, AAG with Mr. Saurabh
Rajpal, Mr. Adhiraj Adv. for RSPCB
Mr. D.K. Thakur, AAG with Ms. Seema Sharma, Dy.
AG for State of Himachal Pradesh

Mr. Abhishek Yadav, Adv. for State of Uttar Pradesh
 with Mr. Raghuvendra Singh, Sr. Adv. General
 Mr. Jogy Scaria, Adv. for Kerala State Pollution
 Control Board
 Ms. Sunita Sharma President and Mr. Arun Lal
 Gudda, Sec. for Bharat
 Mr. Taruna Sharma, Adv.
 Mr. Pradeep Hans, President, Neelkanth Apartment
 Rohini Delhi
 Mr. M.I.H Khan President RWA
 Mr. RAjul Shrivastav, Adv.
 Mr. D. K. Thakur AAG with Ms. Seema Sharma, DAG
 for State of Himachal Pradesh
 Mr. Jayesh Gaurav Adv. for JSPCB
 Mr. Vikas Sood, Adv.
 Mr. B. V. Niren, and Mr. Vinyak Gupta, Adv.
 Mr. Pinaki Misra, Sr. Adv. and Mr. Manu Aggarwal,
 Adv.
 Mr. Arjun Pant, Adv. Mr. Pallav Pandey, Adv. for Res.
 17-hotel Lalit
 Mr. Tarun S. and Mr. Amit Gupta, Adv.
 Dr. V.N.V Satish, Adv. for GTB Hospital.
 Mr. Anuj Aggarwal for Dharamshala Hospital Noticee
 No. 9
 Ms. Priyanka Sinha, Adv. for State of Jharkhand
 Ms. Meenakshi PARIhan, Mr. Anurag Dubey, Adv. for
 M/s Lillywhite hotel Mr. Nishe Rajen Shonker, Adv.
 for State of Kerala
 Mr. Sudeep Kr. Shatriya, Adv., Mr. Pratyaksh Raj,
 Adv. for Park Plaza Hotel
 Mr. Anil Grover, AAG with Mr. Rahul Khurana Adv.
 for State of Haryana and Haryana Pollution Control
 Board
 Ms. Sapam Biswajit, Adv., Mr. Naresh Kumar Gaur,
 Adv.
 Mr. Guntur Prabhakar and Mr. Guntur Pramod Kumar
 and Mr. Prashant Mathur, Adv. for State of AP
 Ms. Asha Basu and Mr. Amit Agarwal, Adv. For West
 Bengal Pollution Control Board
 Mr. Debarshi Bhuyan, Adv. for state of Goa
 Mr. P. Venkat Reddy, Adv., Mr. Prashant Tyagi, Adv.
 for State of Telangana
 Mr. Tayenjam Momo Singh and Mr. Amith J., Adv.
 for Meghalaya SPCB
 Ms. Shibani Ghosh Choudhary, Adv for State of
 Maharashtra
 Ms. Aruna Mathur, Mr. Amit Arora, Ms. Anuradha
 Arputham and Mr. Avneesh Arputham, Adv. for
 State of Sikkim
 Mr. Rajiv Bansal, Mr. Kush Sharma, Mr. Anirudh
 Chadha and Ms. Arpita, Adv. for Delhi Development
 Authority
 Ms. Divya Sharma, Adv., Mr. Arun Monga, Adv.
 Mr. Saurabh Kumar, Adv.
 Mr. Sunny Choudhary, Adv.
 Mr. M. Paikaray and Mr. A. K. Panda, Adv.
 Mr. Anil Soni, AAG with Mr. Naginder Benipal, Adv.
 Mr. Ashish Negi Adv. for Ms. Richa Kapoor, Adv.
 Mr. Sameer Chaudhary, Adv. for Park Inn by
 Radison
 Mr. Baldev Singh, Adv. for HPPCB
 Mr. Shuvodeep Roy and Mr. Sayooj Mohandas, Adv.
 for State of Assam and Assam PCB
 Mr. V.K. Shukla with Ms. Vijay Lakshmi, Adv. for
 State of MP
 Mr. Vijay Panjwani, Adv. for Central Pollution
 Control Board
 Ms. Pragyan Pradip Sharma, Adv. for the State of
 Mizoram
 Mr. Anil Shrivastav, Mr. Rituraj Biswas and Ms.
 Sujaya Bardhan, Adv.
 Mr. Aruna Mathur, standing counsel, Mr. Avneesh
 Arputham, Adv., Mr. Anuradha Arputham, Adv.
 Mr. Tarunvir Singh Khehar, Ms. Guneet Khehar and
 Mr. Charan Jeet Singh, Adv.
 Mr. Rajul Shrivastav, Adv. for MPPCB
 Ms. Yogmaya Agnihotri, Adv. for CECEB
 Mr. Sarthak Chaturvedi, Mr. Rohit Pandey, Adv. and
 Mr. Shubham Jaiswal, Adv. for Andaman & Nicobar
 Island
 Mr. Balendu Shekhar, Adv. with Mr. R.K. Maurya,
 Adv. for East Delhi Municipal Corporation,

Mr. Jayesh Gaurav, Adv. for JSPCB
 Mr. Biraja Mahapatra, Adv. with Mr. Dinesh Jindal,
 LO for Delhi Pollution Control Committee
 Mr. B.V. Niren, Adv. for MoUD
 Mrs. D. Bharathi Reddy, Adv. for State of
 Uttarakhand
 Mr. Gopal Singh, Ms. Varsha Poddar, Mr. Rituraj
 Biswas, and Mr. Kumar Milind, Adv. for State of
 Tripura
 Mr. Jayant K. Mehta, and Mr. Abhijeet Srivastava,
 Adv.
 Dr. Abhishek Atrey and Mr. Vikas Malhotra, Adv.
 Dr. Abhishek Atrey and Ms. Megha Tyagi, Adv s.
 Mr. Shiv Chopra and Mr. Arush Khanna, Adv,
 Mr. Balendu Shekhar and Mr. R. K. Maurya advs and
 Mr. Vipin LDC
 Mr. Sanjay Manu and Mr. R. K. Pillar, and Mr. Vinay
 Kanwar, Adv.
 Ms. D. Bharathi Reddy, Adv.
 Dr.
 Mr. Ashish Negi, Adv. for Ms. Richa Kapoor, Adv. for
 PPCB
 Mr. Mukesh Verma and Mr. Bikas Kr. Sinha, Adv.
 Mr. Saurabh N. President and Mr. BB Bhandari, Sec.
 Ms. Sakshi Popli, Adv. for NDMC & DJB
 Mr. Balendu Shekhar, Adv. for Noticee Hospital
 Swamy Daynand Hospital
 Mr. M.Z. Chaudhary, Adv., Mr. Shariq Zaidi, Ms.
 Mansi, Adv.
 Mr. Mukesh Verma and Mr. Bikash Kumar Sinha,
 Adv.
 Mr. Sunny Choudhary, Adv. for MPPCB
 Mr. Saurabh Kumar Adv.
 Mr. Nitesh Shrivastava, Adv for Noticee 1 for G.K.
 Motels Pvt. Ltd.
 Mr. Harish Sharma, Adv for State of Chattisgarh
 Mr. Tanuj Agrawal, Mr. Ankit Prakash, Adv. For
 Fraser Suites
 Mr. Vibhav Misra, Adv., Ms. SOumya Misra, Adv. for
 DTC
 Mr. Santosh Kumar, Adv. for Vivekanda Mahila
 College
 Mr. Santosh Kumar, Adv. for Shaeed Sukhdev College
 Mr. Dr. R.K. Mahajan , Consultant Mr Anil Bhatt, for
 Dr. RMC Hospital
 Ms. Yogmaya Agnihotri, Adv. for CECB
 Mr. V.K. Shukla, Adv iwth Mr. Vijay Lakshmi, Adv
 Mr. G.M. Kawoosa, Adv.
 Ms. Deepshikha Bharati, Adv. MoEF
 Dr. V.N.V. Satish, for GTB Hospital
 Mr. Shubham Bhalla, Adv., Mr. Dhruv Pal, Adv. for
 State of Punjab
 Mr. Edward Belho, AAG, Mr. K. Luikang Michael,
 Adv., Ms. Elix Gangmei, Adv.

Date and Remarks	Orders of the Tribunal
Item No. 01-03 April 25, 2017 ss	<p>The Learned Counsel appearing for the Ministry of Environment, Forest and Climate Change prays for time to seek instruction, if any of the Sub-Committees have filed their final report and also whether the all interim reports filed by the Committee with the Ministry and/or filed before the Tribunal by the Ministry. Let him take instructions positively by the next date of hearing and without default.</p> <p>In terms of order dated 10th April, 2017, Notices were</p>

Item No.
01-03

April 25,
2017

ss

issued to all the defaulter Noticees Hospitals, Hotels, Schools, Railway stations and other buildings belonging to Public or Private both.

Hospitals :-

From the Hospital's list of Sl. No. 1 to 15, Notices were issued, however, nobody appears on behalf of the following:-

1. IG ESI Hospital, Jhil Mill Colony, East Delhi.
2. GTB Hospital, Dilshad Garden, Delhi.
3. Jag Pravesh Chandra Hospital, Shastri Park, Delhi.
4. Lok Nayak Jai Prakash Narayan Hospital, Near Delhi Gate, Jawaharlal Nehru Marg, New Delhi

As nobody is present on their behalf, therefore, we direct issuance of bailable warrants against the Medical Superintendents of all above theses hospitals in the sum of Rs. 25,000/- to the satisfaction of the arresting Officer, in exercise of our powers and in terms of the provision of Section 19 (4) (a) of the National Green Tribunal Act, 2010 read with Order XVI Rule 10(3) and Section 151 of Code of Civil Procedure, 1908, for their production before the Tribunal on the next date of hearing. The bailable warrant shall be executed by the SHO of the concerned Police Station.

The Noticees stated at Sl. No. 1, 2, 5, 7, 8, 10, 11, 12, 14 and 15 are present personally or represented through counsels. They pray for time to file their replies. Replies be filed within two weeks from today with advance copy to all the Learned Counsel appearing in this case.

List these cases for hearing on 15th May, 2017.

Hotels :-

All the hotels from Sl. No. 1 to 24 are present

