

**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. 22/2017, M.A. No. 52/2017, M.A. No. 82/2017,  
M.A. No. 180/2017, M.A. No. 218/2017, MA. No. 294/2017, MA. No. 352/2017,  
MA. No. 367/2017, MA. No. 375/2017, MA. No. 491/2017, MA. No. 504/2017,  
MA. No. 549/2017, MA. No. 577/2017, MA. No. 585/2017, MA. No. 586/2017,  
MA. No. 587/2017, MA. No. 588/2017 M.A. No. 600/2017 M.A. No. 659/2017,  
M.A. No. 661/2017, M.A. No. 689/2017, M.A. No. 690/2017, M.A. No. 692/2017,  
M.A. No. 694/2017, M.A. No. 726/2017, M.A. No. 748/2017, M.A. No. 753/2017,  
M.A. No. 801/2017, M.A. No. 822/2017, M.A. No. 823/2017, M.A. No. 828/2017,  
M.A. No. 829/2017, M.A. No. 832/2017, M.A. No. 833/2017, M.A. No. 834/2017,  
M.A. No. 847/2017, M.A. No. 896/2017 M.A. No. 858/2017, M.A. No. 859/2017,  
M.A. No. 861/2017, M.A. No. 883/2017, M.A. No. 889/2017, M.A. No. 890/2017,  
M.A. No. 933/2017, M.A. No. 934/2017, M.A. No. 935/2017, M.A. No. 936/2017  
& M.A. No. 937/2017)**

**And**

**Original Application No. 95/2014**

**(M.A. NO. 1156/2016)**

**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. BIKRAM SINGH SAJWAN, EXPERT MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

**Present: Applicant:**

**Mr. Sanjay Updhyay, Mr. Sumitra Jaiswal, and Ms.  
Upama 3.Bhattacharjee, Advs.  
Mr. Bhanu Kaushik, Adv  
Mr. R. K. Gupta, Adv.  
Mr. Preveen Shrawat and Mr. Vijay Singh, Advs.  
Mr. Shaveer Ahmed and Mr. Ashish Rana, Advs.  
Mr. Rishabh Sharma, Adv.  
Ms. Rani Chhabra and Ms. Priyanka Sony, Advs.  
Mr. Harvinder Sekhon appearing in person in M.A. No.  
1220/2016**

Mr. Narender Pal Singh, Adv. with Mr. Dinesh Jindal, LO  
Mr. Sarthak Chaturvedi and Mr. Rohit Pandey, Mr. Shubham Jaiswal, Advs.  
Mr. D. Rajeshwar Rao, Adv.  
Mr. Hasan Khushid, Adv.  
Mr. Harvinder Sekhon, in person  
Mr. Sumit Kishore, Adv.  
Mr. Balendu Shekhar, Mr. R. K. Maurya, Advs. for EDMC  
Mr. Edward Balho, and Mr. K. Luikang Michael, Ms. Elix Gangmei, Mr. Hoine Thiam Advs. for State of Nagaland  
Mr. Rudreshwar Singh, Mr. Soheab Alam and Mr. Gautam Singh, Advs. for State of Bihar & Bihar PCB  
Mr. Raj Shekhar Mishra and Ms. Kirti Mishra, Advs.  
Mr. R. K. Gupta, Adv.  
Mr. Mukul Singh, Adv.  
Mr. Chauhan, Adv. M.A. No. 180  
Mr. Jogy Scaria, Adv.  
Mr. Nishe Rajen Shonker, Adv. for State of Kerala  
Mr. Vibhav Misra, Ms. Saumya Misra and Mr. Yashveer Nirvana, Advs.  
Mr. Debarshi Bhuyan and Mr. S. S. Rebello, Advs.  
Mr. Darpan Wadhwa and Mr. Arjun Syed, Advs.  
Mr. Gaurav Abay, Adv.  
Mr. Varinder Kr. Sharma, Adv.  
Mr. Tarunvir Singh Khehar and Ms. Guneet Khehar, Advs. GNCTD  
Mr. Mukul Singh, Adv. for Ministry of Environment, Forest and Climate Change  
Mr. Mukesh Verma, for MPCB  
Mr. Jayesh Gaurav, Adv. for JSPCB  
Mr. Atul Jha, Adv. for State of chattisgarh  
Mr. Pradeep Misra and Mr. Daleep Dhyani, Advs. UPPCB  
Mr. Raman Yadav, Adv.  
Mr. Narneder Pal Adv. with Mr. Dinesh Jindel, LO Delhi Pollution Control Committee  
Ms. Sakshi Popli, Adv. for NDMC  
Mr. Shiv Mangal, AAG with Mr. Saurabh Rajpal, Adv, Mr. Raman Yadav, Adv.  
Mr. Anil Grover AAG with Mr. Rahul Khuran, Advs.  
Mr. Gopal Singh, Mr. Rituraj Biswas, Advs. for State of Tripura  
Mr. Anil Shrivastav, mr. Rituraj Biswas and Ms. Sujaya Bardhan, Advs. for State of Arunachal Pradesh  
Mr. Dinesh K. Garg and Mr. Dhananjay Garg, Advs  
Mr. Raja Chatterjee & Mr. Chanchal Ganguli, Advs. for State of WB  
Mr. A. K. Prasad and Mr. Shashank Saxena, Advs.  
Mr. Kamaljeet Singh, Adv.  
Mr. Soumyajit Pani, Adv.  
Mr. Abhimanyu Garg and Ms. Pretty Makkar, Advs.  
Mr. Ravinder Kumar Adv.  
Dr. Abhishek Atrey, Mr. Harshit Kaushik and Ms. Megha Tyagi, Advs. for Ministry of Environment, Forest and Climate Change  
Mr. R. Rakesh Sharma, Adv. for State of Tamil Nadu and TNPCB  
Ms. Aruna Mathur, Mr. Avneesh Arputham, Ms. Anuradha Arputham and Ms. Simran, Advs. for State of Sikkim  
Ms. Priyanka Swami, adv. For Nagar Nigam Ghaziabad  
Ms. Puja Kalra, Adv. for SDMC & NDMC  
Mr. Rajul Shrivastav, Adv. for MPPCB  
Mr. V.K. Shukla, Adv. for State of M.P.  
Mr. Rajkumar, Adv. for Central Pollution Control Board  
Ms. Alpana Poddar, Adv. for CPCB  
Mr. Rajiv Bansal Sr. Adv. with Mr. Kush Sharma and Mr. Anirudh Chadha, Advs.  
Mr. Sandeep Narain, Ms. Natasha & Ms. Khushboo, Bari, Advs. for TATA Motors  
Mr. Amit Agarwal and Ms. Asga Basu, Advs.

**Mr. Anchit Sharma and Mr. Satanuka Ghosh, Adv. for  
Delhi Cantonment Board  
Mr. Ardheudumauli Kr. Prasad and Mr. Shashank  
Saxena, Adv. for CBEC  
Mr. Adiya Swamp Agarwal, Adv.**

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<p><b>Item Nos. 25-30</b></p> <p><b>August 03, 2017</b></p> <p><b>SS &amp; PS</b></p>	<p><b><u>M.A. No. 689 of 2017, M.A. No. 690 of 2017, M.A. No. 692 of 2017 and M.A. No. 694 of 2017</u></b></p> <p>In these applications the applicant prays that the registration authority may be directed to register the new vehicles that the applicant has purchased. The newly purchased vehicles are BS-IV compliant and are to be used only for the purpose of carriage of petroleum products or on behalf of Indian Oil Corporation.</p> <p>These applications are allowed subject to the following conditions:-</p> <ol style="list-style-type: none"> <li>1. They shall file an affidavit before the registering authority as well as before the Tribunal that none of the applicant company has any diesel truck/vehicle which are more than 10 years old and the they are not plying any such vehicle carrying on for petroleum and other products in NCR Delhi.</li> <li>2. The affidavit shall also stating the proof thereof that all these vehicles are BS-IV compliant.</li> <li>3. They shall be used only for the purpose of carrying on petroleum products under the oil companies i.e. Indian Oil Corporation, Bharat Petroleum and Hindustan Petroleum.</li> <li>4. All these vehicles will be fitted GPS and maintain the prescribed height, which in no circumstances will be violated.</li> <li>5. The log book should also be maintained.</li> </ol> <p>With the above directions all these applications are</p>

	<p><b>Item Nos. 25-30</b></p> <p><b>August 03, 2017</b></p> <p><b>SS &amp; PS</b></p>	<p>allowed. The R.T.O. will register these vehicles subject to the above conditions.</p> <p>With the above directions the M.A. No. 689 of 2017, M.A. No. 690 of 2017, M.A. No. 692 of 2017 and M.A. No. 694 of 2017 stand disposed of. No order as to cost.</p> <p><b><u>M.A. No. 585 of 2017, M.A. No. 586 of 2017, M.A. No. 587 of 2017 and M.A. No. 588 of 2017</u></b></p> <p>In these applications the applicant prays that the registration authority may be directed to register the new vehicles that the applicant has purchased. The newly purchased vehicles are BS-IV compliant and are to be used only for the purpose of carriage of petroleum products.</p> <p>These applications are allowed subject to the following conditions:-</p> <ol style="list-style-type: none"> <li>1. They shall file an affidavit before the registering authority as well as before the Tribunal that none of the applicant company have any diesel truck/vehicle which are more than 10 years old and the they are not plying any such vehicle carrying on for petroleum and other products in NCR Delhi.</li> <li>2. The affidavit shall also stating the proof thereof that all these vehicles are BS-IV compliant.</li> <li>3. They shall be used only for the purpose of carrying on petroleum products under the oil companies i.e. Indian Oil Corporation, Bharat Petroleum and Hindustan Petroleum.</li> <li>4. All these vehicles will be fitted GPS and maintain the prescribed height, which in no circumstances will be violated.</li> </ol>
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	<p><b>Item Nos. 25-30</b></p> <p><b>August 03, 2017</b></p> <p><b>SS &amp; PS</b></p>	<p>5. The log book should also be maintained.</p> <p>With the above directions all these applications are allowed. The R.T.O. will register these vehicles subject to the above conditions.</p> <p>With the above directions the M.A. No. 585 of 2017, M.A. No. 586 of 2017, M.A. No. 587 of 2017 and M.A. No. 588 of 2017 stand disposed of. No order as to cost.</p> <p><b><u>M.A. No. 883 of 2017</u></b></p> <p>This application is for direction to registering authority for registration of four ambulances that have been purchased by AIIMS. This application is allowed subject to the 10 years old ambulances have been scrapped and condemned as informed by the officer present from AIIMS. Proof thereof should be produced. These ambulances will be used only for carrying patients and will not be used for any other purpose.</p> <p>It is stated by the officer, these ambulances are BS-IV compliant. Proof thereof should be furnished before the registering authority and upon furnishing these conditions these vehicles may be registered and permitted to ply in accordance with law.</p> <p>With the above directions M.A. No. 883 of 2017 stands disposed of. No order as to cost.</p> <p><b><u>M.A. No. 662 of 2017</u></b></p> <p>List this application for directions on 10<sup>th</sup> August, 2017.</p> <p><b><u>Main Matter</u></b></p> <p>We direct the Learned counsel appearing for the State of Uttar Pradesh and all other States to take clear</p>
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	<p><b>Item Nos. 25-30</b></p> <p><b>August 03, 2017</b></p> <p><b>SS &amp; PS</b></p>	<p>instructions by the next date of hearing as to whether the State have identified no or low vehicular pollution shown in their respective State or not, if so done, the detail thereof.</p> <p>We also direct the Learned counsel appearing for Ministry of Petroleum and Natural Gas to take instructions as to when CNG would be made available in outside cities for which applications have been filed by different applicants.</p> <p>The Learned counsel appearing for the Petroleum Companies i.e. Indian Oil Corporation Ltd., Bharat Petroleum and Hindustan Petroleum shall ensure the senior most officers from each company to be present before the next date of hearing.</p> <p>They will provide complete detail with regard to vehicles, scrapping certificate should be placed before the Tribunal. They would apply not only to the company, but to the contractors working with these companies.</p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,JM (Dr. Jawad Rahim)</p> <p>.....,EM (Bikram Singh Sajwan)</p> <p>.....,EM (Dr. Nagin Nanda)</p>
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