

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

Original Application No. 289/2013

R.C. Jain V/s Govt. of NCT of Delhi & Ors.

CORAM: HON'BLE SHRI JUSTICE DR. P. JYOTHIMANI, JUDICIAL MEMBER
HON'BLE DR. G.K. PANDEY, EXPERT MEMBER
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER
HON'BLE SHRI B.S. SAJWAN, EXPERT MEMBER

Applicant / Appellant : Mr. Shyam Moorjani along with Mr. Sanjeev Kumar, Advs.

Date and Remarks	Orders of the Tribunal
<p>Item No. 3</p> <p>September 27, 2013</p>	<p>We have heard Learned Counsel appearing for the Applicant.</p> <p>Learned Counsel has filed additional affidavit which is taken on record.</p> <p>The present Application No. 289/2013 is filed for the purpose of restraining the Respondents from constructing the garbage dump (Dhalao) within the vicinity of the institutional area. The said construction of garbage dump (Dhalao) made by the Respondents is with an idea of dumping waste materials and the applicant apprehended that it may pose health hazards especially for hundreds of students visit the CBSE Office and there is also a National Public School which is affiliated to CBSE and there are other schools in the vicinity of this area. The photographs filed along with the application show that the Respondents authority are putting up certain structures for the purpose of dumping the waste materials and it is clear that the</p>

same is just near the schools and other areas where people are occupying and we see reasons in the contention of the Learned Counsel appearing for the Applicant that it is likely to cause health hazard to the students.

Accordingly, we are of the view that balance of convenience in passing some interim order is in the interest of the public especially the health of the children who come in a large number everyday and are more susceptible to contracting diseases. Accordingly, we direct the Respondents to maintain *status quo* as it exists today making it clear that no further construction shall be proceeded with till the next date of hearing.

Issue Notice to the Respondents by registered post/acknowledgement due as well as *dasti*. Private Notice also allowed. Notice returnable on 9th October, 2013.

In the meantime, the Municipal Commissioners of East Delhi Municipal Corporation, South Delhi Municipal Corporation, North Delhi Municipal Corporation and NDMC shall file a report regarding the scheme of Municipal Solid Waste (MSW) management for their areas of the city of Delhi.

....., JM
(Dr. P. Jyothimani)

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

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

....., EM
(B.S. Sajwan)

