

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

Original Application No. 164/2013

Pankaj Sharma Vs. MoEF & Anr.

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE DR. JUSTICE JAWAD RAHIM, JUDICIAL MEMBER
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER**

Present:

Applicant /Appellant	: Mr. Pushkar Taimni, Adv.
Respondent No. 2	: Mr. Biraja Mahapatra, Adv with Mr. Dinesh Jindal, LO, DPCC
Respondent no.32 & 33	: Mr. I. K. Kapila, Adv.
Respondent no.34	: Mr. Arun Kr. Sharma and Mr. Varun Sharma, Adv.
SDMC	: Mr. Balendu Shekhar, Mr. Srinash Prakash, Mr. Ravi Gopal and Mr. R. K. Maurya Adv. Mr. Vikas Malhotra, Adv. for MoEF Ms. Sakshi Popli, Adv. for DJB Ms. Priyanka Swami, Adv. Dr. Lalit Bhasin adv.with Mr. Sanjay Gupta Adv, Mr. Mudit Sharma Adv. and Mr. Neeraj Redhu, Adv.

Date and Remarks	Orders of the Tribunal
<p>Item No. 17</p> <p>October 26, 2017</p> <p>Ss</p>	<p>The only prayer in this application is that the restaurants in South Delhi i.e. Respondent Nos. 6 to 33 should not be permitted to run without obtaining environment clearance.</p> <p>The prayer in the application ex-facie is misconceived and Environmental clearance is not required to be obtained under the notification of 2006 for running a restaurant unless it is part of the project which is otherwise covered under the said notification.</p> <p>Learned Counsel appearing for Delhi Pollution Control Committee and the Corporation submit that they would ensure that no restaurants much less Respondent No. 6 to 33 are permitted to carry out their operations or commercial activities unless they have obtained consent to operate from Delhi Pollution</p>

<p>Item No. 17</p> <p>October 26, 2017</p> <p>ss</p>	<p>Control Committee and license from the Municipal Authorities.</p> <p>The corporation shall also ensure that the drain to which these restaurants are connected is not permitted to be choked because of discharge from the Restaurants, if it is so noticed by the authority concerned they shall take action as in accordance with law.</p> <p>Respondents shall abide by their statements.</p> <p>In view of the submissions made, nothing survive in this application and the same is disposed with no order as to cost.</p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,JM (Dr. Jawad Rahim)</p> <p>.....,EM (Bikram Singh Sajwan)</p>
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