

BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL BENCH, BHOPAL

Original Application No. 58/2013

Dr. Subash C.Pandey Vs. State of MP & Ors.

**CORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER
HON'BLE MR. P.S.RAO, EXPERT MEMBER**

PRESENT : Applicant : Shri Subhash C.Pandey
Respondent No. 1 : Shri Sachin K.Verma, Advocate,
Respondent No. 3 : Dr. Rajendra K.Garg
Chief Health Officer

| Date and Remarks | Orders of the Tribunal |
|---|---|
| Item no. 7 5 th September, 2013 | <p>The matter which has been raised pertains to pollution due to immersion of idols and <i>tazias</i> in the water bodies as a result of religious functions. We find that the Principal Bench, National Green Tribunal, in Application No. 65/2012 in the matter of Sureshbhai Keshavbhai Waghvankar & Ors. Vs. State of Gujarat & Ors., delivered judgment dated 09.05.2013 with specific directions not only to the respondent Gujarat Pollution Control Board but to all the State Pollution Control Boards in the country with regard to the aforesaid problem of pollution being caused as a result of immersion of idols made of Plaster of Paris (PoP) in the water bodies.</p> <p>The Principal Bench had specifically directed all the State Pollution Control Boards to undertake scientific study of the PoP made idols as a result of their immersion on the water bodies and also to examine whether it is an environment pollutant.</p> <p>A direction was also issued to the Pollution Control Boards of the States to examine whether immersion of the PoP made idols, infact, causes nuisance and to conduct scientific study by appointing an Expert Committee and if necessary, to issue directions in exercise of power conferred under Section 33 (A) of the Water (Prevention and Control of Pollution) Act, 1974.</p> <p>Having done so, the Principal Bench, National Green Tribunal granted three months' time for compliance of the aforesaid directions contained in the judgement dated 09.05.2013 taking into account the</p> |

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ensuing Ganesh festival and other festivals.

Today, the Learned Counsel appearing for respondent no. 1 State of Madhya Pradesh and respondent no. 3 State of Rajasthan have submitted that they were not aware of this judgement and want to seek instructions on this behalf. Surprisingly, despite service of notice, none has appeared on behalf of respondent no.2, State of Chhattisgarh nor any reply has been filed.

It has been brought to our notice that this year the Ganesh Festival commences from 09.09.2013. As such, looking at the paucity of time and in case if any directions are required to be issued, we deem it proper to list the matter tomorrow itself.

The Registry is directed to send a communication by email/fax to the Member Secretary, Chhattisgarh, Rajasthan and Madhya Pradesh Pollution Control Board to remain personally present to explain their stand and the compliance made in pursuance of the judgement of the Principal Bench dated 09.05.2013.

Copy of the order may be given to the Learned Counsel for the parties Dasti today itself.

Stand over to 06.09.2013.

.....,JM
(DALIP SINGH)

.....,EM
(P.S.RAO)