

**BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL BENCH,
BHOPAL**

Original Application No. 04/2016 (CZ)

Dr. Subhash C.Pandey Vs. MP Pollution Control Board & 2 Ors.

CORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER
HON'BLE Dr. SATYAWAN SINGH GARBYAL, EXPERT MEMBER

PRESENT : Applicant: Dr. Subhash C. Pandey.
Shri K.P. Shrivastav
Shri Rahul Nagariya
Shri Brij Gupta
MPPCB: Ms. Shikha Gupta , for
Mr. Purushaindra Kaurav, Adv.
Respondent State: Mr. Sachin K.Verma, Adv.

Date and Remarks	Order of the Tribunal
<p>Order No. 5 27th April, 2016</p>	<p>In pursuance of our notice dtd. 11.01.2016 the Respondent/ MPPCB has filed it reply on 03.02.2016. We heard the Learned Counsel for the Respondent along with the Applicant who is present. We find from the reply that under the notification Annexure R/3 issued by the CPCB on 18.11.2009 National Air Ambient Quality standards have been prescribed for 12 parameters. As per the reply in the accompanying documents which have been file, at present the Air Ambient Quality is being monitored on only 8 parameters in various towns of State of MP and as far as the remaining 4 parameters are concerned, it is submitted on behalf of the MPPCB that equipments for the same is in the process of being obtained in near future.</p> <p>Our attention has been drawn to the reports which have been annexed and according to which primarily on 2 parameters i.e. are RSPM and PM 2.5 the limits have been found to be in excess of the prescribed norm. Monitoring of Air Ambient Quality is only one aspect, the more important aspect is what steps in pursuance of the aforesaid finding are being taken for preventing, remedying or correcting the situation.</p> <p>While at present the Learned Counsel for the Respondent No. 1 is not in a position to state as to whether or not the MPPCB has made any</p>

recommendations based upon the findings arrived at on the readings of the Air Ambient Quality. We would expect that the MPPCB based upon the data that is collected and after further analysis of the same comes to the conclusion regarding the probable causes wherever such limits are in excess would issue directives for corrective measures to the State Government in accordance with per the Environment Protection Act. We expect that the data that has been collected in the last 3 years of study and a comprehensive report with probable causes based upon prevailing local conditions of the area where such monitoring is being done would be sent to the Government with their recommendations. The Government on its part would immediately on the receipt of the said recommendations issue necessary directions to take corrective steps.

At the same time we would expect that the equipment which is sought to be acquired, be acquired and installed within 6 months from today. We are given to understand that such equipment and monitoring station are to be established not only within the city of Bhopal but also in 13 other major towns of the State of MP.

With the above directions the O.A. No. 04-2016 stands disposed of. For reporting the compliance including the directions if any based upon the study conducted by the PCB as directed above remedial steps taken by the Government, District and Local Administration shall be reported to this Tribunal.

For the aforesaid, let the matter be listed on **1st November, 2016.**

.....,JM
(DALIP SINGH)

.....,EM
(Dr. S.S GARBYAL)

