

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

**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: None**  
**Respondent State: Mr. Sachin K.Verma, Adv.**  
**Mr. Abhay Sarafee, SE, OIC**  
**Respondent / MPPCB : Ms. Parul Bhadoria, Adv. for**  
**Mr. Purushaindra Kaurav, Adv.**  
**Mr. S.N. Tiwari, OIC**

<b>Date and Remarks</b>	<b>Order of the Tribunal</b>
<b>Order No. 7</b> <b>28<sup>th</sup></b> <b>November,</b> <b>2016</b>	<p>In response to our order dtd. 27.04.2016 the MPPCB has submitted before us about the steps taken so far for monitoring the Ambient Air Quality (AAQ). They submitted that for monitoring 11 parameters in the city of Bhopal 6 monitoring stations have been established likewise in 13 cities of M.P. monitoring stations have been established and their readings are being periodically received. It is further stated that out of 12 parameters prescribed how the MPPCB have achieved the ability to monitor 11 parameters except the Carbon Mono-oxide for which also the steps are being taken.</p> <p>In the light of what has been submitted before us as also the reports for the air monitoring which has been filed for the last 3 years by way of compilation, we further direct that efforts should be made for continuous monitoring on daily basis. At the same time in all major cities at lease at two points which are have higher density of vehicular traffic as well as markets etc. electronic display board should be set up by the local Municipality for creating awareness with regard to the air quality in the area as also its impact on human beings and other living creatures. The Ministry of Urban Development should issue necessary directions to the local municipalities of all towns having the head office of the Commissioner / Division for providing such display boards in the first instance. These electronic display boards should be arranged to be procured and made</p>

functional on or before 31.03.2017. It had been experienced that during the *Sinhasth* at Ujjain in April & May, 2016 for continuous monitoring of water in Shipra display boards had been established at four points and as such the technology and the means to carry out such a task is available with the MPPCB and with the help of R.Os, MPPCB the local municipalities should make all possible arrangements for establishment of such boards and financial assistance if necessary must be obtained from the State Government by the local municipalities which *inter alia* can also examine at the local levels whether under CSR from the industrial units it can be made available in the R.O. regions concerned of the MPPCB. These display boards can also display the temperature and other useful information for the public knowledge. We would also direct that the R.Os, MPPCB shall make arrangements for having at least one mobile unit as a monitoring station which would record the ambience air quality at peak hours of traffic at different locations on a periodical basis. We have been given to understand that for monitoring the ambient air quality these stations have been established at rooftop level. However, we are of the view since majority of the people are travelling during the peak hours on the road the air quality at that level is also necessary to be monitored since people are more exposed at the ground level. This is particularly so when a large population is either travelling on two wheelers or the cycle and on foot tend to be affected more. It is for their benefit and to create awareness about the air pollution and to seek the cooperation and ensuring that the pollution control measures or regular check up of vehicles are taken by all concerned. We would therefore, recommend that at least one such mobile unit with necessary equipments are placed at different location at different time and to start with this will be done in four major cities of MP i.e. Bhopal, Gwalior, Indore & Jabalpur.

Based upon the data available with the PCB up to 15.11.2016 of those locations which have been identified in Bhopal the Member Secretary MPPCB and the RO of the PCB Bhopal shall convene a meeting of the ADM city

Bhopal, SP traffic Bhopal, the Commissioner Municipal Corporation Bhopal, the RTO Bhopal as well as the PWD which is responsible for the maintenance or the construction of the road which will find ways and means for the improvement of the air quality at the points which may be in the red and orange category bordering the limits prescribed and exceeding the prescribed limits. This will include ensuring smooth flow of traffic and also ensuring that no parking on inter-sections and roundabouts particularly of city buses, hawkers are allowed to take place during peak hours considering the conditions of the road particularly post monsoon and examining the necessity of having traffic diversion and one way traffic movement if necessary among other issues that may be discussed.

The major component of air pollution in cities come from burning of waste giving rise to methane in the MSW dump sites. Effective measures therefore, must be taken for ensuring that there are prohibitive and preventive measures for putting out any accidental or other fires that may be caused. In the past some fire accidents have occurred in the city of Bhopal where plastic and rubber factories and godowns have caught fire. Wherever necessary these hazardous occupants need to be shifted out from colonies and areas with high density pollution to safer and more appropriate locations. For the aforesaid the district administration as well as the PCB which may have the details of all such occupants and businesses shall provide the same to the district administration for their appropriate locations.

Vehicular pollution control measures have so far not become very effective and therefore, on a continuous basis a drive for ensuring that the vehicles meet the pollution under control (PUC) certificate norms must be carried out. We have been informed that the police has resorted to and are carrying out a drive for e-challans with help of CCTV cameras to convey the information to the defaulters. This in our opinion should be extended to take photographs from the onscreen of the vehicle with the registration number and PUC certificate in order to send notice to obtain the necessary PUC certificate within the notice period failing which action be initiated against the offending

vehicle for not responding favourably in terms of the notice issued by the police and the transport authorities.

So far as the, meeting at the instance of our order to be convened by the Member Secretary of the PCB / ROs we direct that this meeting should be convened and steps be taken in the light of the decision taken therein within one month from today.

Copy of this order be sent to all the above authorities. The RO shall be at liberty to invite participation and opinion on the above from the citizens in writing and for the Member Secretary may invite any other concerned department or authority for this purpose.

Let this matter be listed **4<sup>th</sup> January, 2017.**

.....JM  
(DALIP SINGH)

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

