

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

(BY VIDEO CONFERENCING)

Original Application No. 202/2023
(I.A. No. 89/2023 & I.A. No. 90/2023)

Gaurav Sharma

Applicant

Versus

Govt. of NCT of Delhi & Ors.

Respondent(s)

Date of hearing: 17.03.2023

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Ms. Jasmine Damkewala, Advocate.

ORDER

1. Grievance in this application is against failure of the statutory and administrative authorities to control air pollution around All India Institute of Medical Sciences (AIIMS), Delhi, jeopardizing the health of the indoor as well as OPD patients and doctors and other staff of AIIMS. It is stated that large number of hawkers, shopkeepers and vehicles are causing pollution and obstructing emergency movement of ambulances. Pavements are encroached by residence or commercial activities. There is no adequate green belt necessary to absorb dust and Carbon Dioxide generated. With a view to keep air quality within prescribed limits, measures to scientifically handle garbage and bio-medical waste are not adequately taken.

2. It is further stated that AIIMS is an institution of excellence with multi-specialty treatment facilities where daily footfall has increased to

65,000 persons and footfall of vehicles has increased to 7500 per day. Even healthy people visiting such environment may be affected by disease on account of air pollution, apart from treatment of patients becoming more difficult. The applicant has annexed photographs of encroachments and articles about adverse impact of air pollution. Further, as per data of three AAQ Monitoring Stations near AIIMS in the month of November-December is of 'Severe' category. The chart giving specific readings at Sirifort, Jawaharlal Nehru Stadium and R.K. Puram AAQ Monitoring Stations has been filed in para 12 of the application.

3. We have heard learned Counsel for the applicant and considered the material on record.

4. Having regard to above, we are satisfied that the matter needs consideration. Facts need to be verified by an independent expert Committee to consider further order. Accordingly, we constitute a seven member joint Committee to be headed by Member Secretary, CPCB with other members being DCP (Traffic), area DFO, MCD, DPCC and Director-AIIMS or his nominee and a nominee of Vardhman Mahavir Medical College & Safdarjung Hospital. The Committee will be free to co-opt any other expert/institution for its assistance. The Committee may meet within one week and will be free to conduct proceedings online or offline, undertake visit to the site and interact with concerned authorities and stakeholders, coordinate with any other concerned authorities and submit its factual report with recommendations or short term and long term measures. The Committee may consider the allegations noted, including traffic/parking status and deliberate upon plan for mitigation measures to control air pollution in the area such as regulation of traffic, shifting to battery operated vehicles in specified areas, no vehicle zones, removal of encroachments and hawkers, dense plantations, noise and

dust control measures at strategic locations, water sprinkling etc. Member Secretary, DPCC and Director, AIIMS or his nominee will jointly be nodal agency for coordination and compliance. The Committee may make its recommendations to remedy the situation. It may furnish its report to this Tribunal within one month by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF

5. I.A. No. 89/2023 for interim directions cannot be accepted at this stage and stands disposed of accordingly. I.A. No. 90/2023 for exemption from certified copies of documents stands allowed.

List for further consideration on 28.04.2023.

A copy of this order be forwarded to Member Secretary, CPCB, DCP (Traffic), PPCF, Delhi, MCD, DPCC, Director, AIIMS and Director-Vardhman Mahavir Medical College & Hospital by e-mail for compliance.

The applicant may serve a set of papers on Member Secretary, CPCB, DCP (Traffic), PPCF, Delhi, MCD, DPCC, Director, AIIMS and Director-Vardhman Mahavir Medical College & Hospital and file affidavit of service within one week.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

March 17, 2023
O.A. No. 202/2023
(I.A. No. 89/2023 & I.A. No. 90/2023)
AVT