

Item No. 06

Court No. 1

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

Original Application No. 298/2023
(IA No. 149/2024 & IA No. 67/2024)

Dr. Raja Singh

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 18.07.2024

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: Applicant in Person

Respondents: Mr. Narender Pal Singh and Ms. Anjali, Advocates for Respondent No. 1
Mr. Gi. Gi. C. George, Advocate for Ministry of Urban Development and CPWD with Mr. Sridhar Superintending Officer, CPWD.
Mr. Nalin Kohli, Advocate with Mr. Ankit Virmani, Mr. Hrithik Sharma, Mr. Anshul Malik and Mr. Ayuushman Aroraa Advocates for Respondent No. 4.

ORDER

1. Applicant in person.

2. He stated that issue of health hazards caused by use of asbestos sheets for non-occupational reasons in schools is involved in this matter.

3. Learned Advocate appearing for Industries Association i.e. respondent no. 4 stated that issue of ban of asbestos, wholly or partially, and health hazards likely to be caused to workers, has already been considered by Supreme Court in judgments dated 27.01.1995 passed in *Consumer Education & Research Centre & Ors. vs. Union of India & Ors.* (1995) 3 SCC 42 and dated 12.05.2011 passed in *Kalyaneshwari vs. Union of India & Ors.*, *Suo Moto Contempt in Writ Petition (Civil) No. 260 of 2004*, (2011) 3 SCC 287.

4. However, applicant contented that issue of non-occupation damage raised in this OA has not been considered earlier in any matter by Supreme Court. He also heavily relied upon rejoinder dated 02.05.2024 wherein certain new facts and materials have been brought on record but respondents did not have any occasion to file reply to such new facts.

5. In these facts and circumstances, as prayed by learned Counsel appearing for respondents, we allow two month's time to file reply to documents and facts brought before us by way of rejoinder.

6. We also require Ministry of Environment, Forest and Climate Change to find out whether in respect of user of asbestos sheets in Educational Institutions, there are some different kinds of health hazards to students i.e. non-occupational health hazards, comparing to health hazards applicable to workers in Industrial Sector, and if there is a distinction, let the matter be given a scientific study and report of such scientific study be submitted along with reply.

7. List on 25.09.2024.

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

Dr. Afroz Ahmad, EM

July 18, 2024
Original Application No. 402/2022
(IA No. 135/2022)
SN