

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

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

Raja Singh		Applicant(s)
	Versus	
Union of India Ministry of Environment Forest & Climate Change (Government of India)		Respondent(s)

Date of hearing: 26.11.2024

**CORAM: HON’BLE MR. JUSTICE SUDHIR AGARWAL JUDICIAL MEMBER
 HON’BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant:	Applicant in Person
Respondent:	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 Mr. Ankit Virmani, Mr. Hrithik Sharma, Advocates for Respondent No. 4.

ORDER

1. Issue of non-occupational health hazards likely to be caused by use of Asbestos sheets in educational institutional to students has been raised in this application.
2. Vide order dated 18.07.2024, we required Ministry of Environment, Forest and Climate Change (hereinafter referred to as ‘**MoEF&CC**’) to find out whether in respect of use 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.
3. Tribunal considered the matter on 25.09.2024 and found that though an affidavit dated 24.09.2024 has been filed by MoEF&CC but no specific reply has been given in respect of scientific study on the question

posed by Tribunal in para 6 of order dated 18.07.2024. Tribunal by order dated 25.09.2024 again directed Ministry to get study conducted by constituting an expert Committee comprising of specialist of multi-discipline and submit report within two months.

4. Shri Narendra Pal Singh, Advocate present on behalf of MoEF&CC has stated that a Committee has been constituted comprising of 12 persons but could not give any reply, whether any study has been conducted and report has been submitted or not. No official from MoEF&CC is present to apprise Tribunal about compliance of Tribunal's order dated 25.09.2024 and no report has been placed on record.

5. In these facts and circumstances, Tribunal, due to lack of appropriate response on the part of MoEF&CC is not in a position to proceed further in the matter and this a serious obstruction caused in functioning of Tribunal by Environmental Ministry itself.

6. In these facts and circumstances, having no option, we are constraint to direct an officer of MoEF&CC to remain present personally before Tribunal, not below the rank of Joint Secretary, who is well conversant with the subject in issue, on the next date, and to explain as to why order dated 25.09.2024 has not been complied with by it though non-compliance of Tribunal's order constitute an offence under Section 26 of National Green Tribunal Act, 2010.

7. List on 17.12.2024.

Sudhir Agarwal, JM

Dr. Afroz Ahmad, EM

November 26, 2024
Original Application No. 298/2023
(I.A. No. 149/2024 & I.A. No. 67/2024)
SN