

Item No. 06

**BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL
(Through Video Conferencing)**

Original Application No. 142/2023(CZ)

Prateek Bhosle Applicant(s)

Vs.

State of Madhya Pradesh & Ors. Respondent(s)

Date of Hearing: **25.04.2024**

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

For Applicant(s): None

For Respondent(s): Mr. Prashant M. Harne, Adv.
Mr. Om Shankar Shrivastava, Adv.
Ms. Pranjal Pandey, Adv. for
Ms. Parul Bhadoria, Adv.

ORDER

1. The current matter is related to violation of point No. 3.4 of the Guidelines for Compliances of Environmental Norms by road eateries, restaurants and other establishments issued by the CPCB, where it has been mentioned that every roadside eateries, restaurant and establishment require consent to establish and operate their restaurants from the concerned State Pollution Control Board. The violations are enumerated as follows:
 - i. The restaurants are operating without the CTE/CTO as required from Statutory Authorities.
 - ii. Restaurants are using coal and wood for tandoor as fuel without the proper ducting/hood arrangement and proper exhaust system, thereby releasing huge amount of harmful fumes and polluting the environment.

- iii. These restaurants do not have proper kitchens for the preparation of food, rather they burn coal and wood in the 2 open to cook meat and food, emitting huge amount of harmful fumes.
 - iv. These restaurants are violating Solid Waste Management Rules, 2016 by disposing of unprocessed solid waste in open.
 - v. Restaurants are also causing water pollution by discharging their unprocessed effluent directly into the sewer and have not installed effluent treatment plant for treating the waste water.
2. The matter was taken up by this Tribunal and a committee was constituted to submit the factual and action taken report.
 3. In compliance thereof the committee of three officers was constituted with other officials of the Health Department and the Nagar Nigam, they visited the site and submitted the report which is as follows :-

I. Introduction:-

Hotels and restaurants operation may contribute majorly to air pollution, water pollution, solid waste pollution in different ways as mentioned below:-

Major sources of Air pollution include:

- *Kitchen: Inadequate exhaust treatment options like proper ducting, hooding, draft fans, etc. and use of conventional fuels*
- *DG Sets: Inadequate stack height and improper maintenance of DG sets,*
- *Coal fired tandoors*
- *Traffic congestion due to improper parking*

Major sources of Water pollution include:

- *Washing of utensils and food items*
- *Washing of kitchen floors*

- *Poor housekeeping*
- *Laundry (as applicable)*
- *Improper maintenance of connecting drains*
- *Sewage*

Source of solid waste include:

- *Kitchen waste*
- *Plastic waste from Packaging and use of disposable plastic items such as cups, plates , glasses etc.*
- *Left over food items*

Major source of Noise pollution include:

- *Loudspeakers and DJ music*
- *Operation of DG sets without having proper acoustic enclosures*
- *Traffic congestion due to improper parking*

According to the Guideline prescribed by CPCB, A restaurant with minimum seating capacity of 36 shall install ETP and treated effluent water from ETP installed should meet existing Environmental Standard notified by the MoEF&CC vide GSR 794(E) dated 04.11.2009 and reproduced as under. The standard may be made stringent by concerned SPCB/PCCS.

- As per the Water Act 1974 and Air Act 1981 units obtain Consent to Establish (NOC) before commencement of the construction activities and Consent to Operate (CTO) before starting operation of the Units (individual establishments and the area/ cluster of restaurants/ hotels/ motels/ banquets etc.) from the concerned SPCB/PCC.*
- Further, the SPCB/PCC to direct the defaulting units for paying environmental compensation for damaging the environment considering their operations despite being non-compliant.*
- The SPCB/PCC may workout and assess the amount of*

environmental compensation in-line with the mechanism for charging environmental compensation as evolved by the CPCB. 3.3 Solid Waste Management (a) The units shall properly handle, manage and dispose the solid waste generated and comply with the provisions of the Solid Waste Management Rules, 2016.

II. Field Observations:-

This is a very dense commercial area. In this area, there are 20-25 small scale restaurants operating chicken/mutton roasting, biryani and cooking at a distance of about 100 to 200 meters. Shops carrying all types of commercial activities are located in this area. Since this area is situated on the road connecting Bhopal Railway Station, there is a lot of traffic/vehicular traffic in the area. The restaurants mentioned in the complaint are Singdi, Ba-Dastur, Golden Biryani, Ushman, Nice Restaurant, K.M.C.

Eateries and restaurants operating at Ashoka Garden 80 Feet Road Bhopal were inspected. At the time of inspection, representatives of the complainant was contacted, but were not able to join the inspection team. During visit the committee visited and verified eateries namely KMC , Nice Restaurant, Ba-Dastor, Sigdi, The Nayab, The Golden Biryani, ZamZam, Zaika, The Munch Box, Balveer da Dhaba, Dada ji Hotel, The Osman. During inspection all the eateries were directed to install gas tandoor in place of tandoors operated by coal or wood. The food safety department suspended the food license temporarily for compliance of the guidelines. It was informed to the shopkeepers that once you install the gas tandoor suspension of your food license will be revoked and after verification they were revoked too. On the irregularities found related to issues of disposal of waste, cleanliness, usage of Single use plastic items, spot fine was imposed by the officials of Nagar Nigam, Bhopal.

The main points of inspection of restaurants like Nayaab Restaurant, Darbar-e- Bhopal etc. are as follows:-

1. **Sigdi Restaurant:-** This restaurant is located at H. No. 8 Mayur Vihar Colony, 80 Feet Road,

Ashoka Garden, Bhopal. The restaurant has seating arrangement for approximately 20 persons. The restaurant serves chicken/mutton roasting, biryani, tandoori roti and cooked food. The restaurant uses 01 tandoor, 01 barbeque and 03 LPG gas based furnaces for chicken/mutton roasting. To control smoke in the furnaces, chimneys with hood covers and exhaust fans have been installed. During inspection it was noticed that the exhaust fan was functional. Since the furnaces for roasting (operated by gas) have been installed outside the restaurant and due to lack of parking system, vehicles are also parked on the road outside the restaurant. Due to which the traffic movement is blocked. The water generated from the kitchen by the restaurant is discharged into the drain. The coal tandoor/furnace has been converted to gas tandoor/furnace. No CTE/CTO/ authorization taken from the State Pollution Control Board.

2. **Ba-Dastur Restaurant:-** This restaurant is situated in plot no.9, G-Sector, MayurVihar Colony, 80 Feet Road, Ashoka Garden, Bhopal. The restaurant has seating arrangement for approximately 40 persons. The restaurant serves chicken/mutton roasting, biryani, tandoori roti and cooked food. The restaurant uses 01 charcoal-powered tandoor, 01 barbeque and 03 gas-powered furnaces for chicken/mutton roasting. To control smoke in the furnaces, chimneys with hood covers and exhaust fans have been installed. But during inspection the exhaust fan was found to be switched off. Due to which a situation of smoke spreading was found in the surroundings. Since the furnaces for roasting have been installed outside the restaurant and due to lack of parking system, vehicles are also parked on the

road outside the restaurant. Due to which the traffic movement is blocked. The water generated from the kitchen by the restaurant is discharged into the drain. The coal tandoor/furnace has been converted to gas tandoor/furnace. No CTE/ CTO/ authorization taken from the State Pollution Control Board.

3. **Golden Biryani:-** This restaurant is located in Mayur Vihar Colony, 80 Feet Road, Ashoka Garden, Bhopal. During inspection it was found that the reataurant was closed permanently and a cycle shop was opened in place.
4. **Ushman Restaurant:-** This restaurant is located in Mayur Vihar Colony, 80 Feet Road, Ashoka Garden, Bhopal. In place of KMC, a new ice cream parlour was found. The parlour was found clean. No CTE/ CTO/ authorization taken from the State Pollution Control Board
5. **Darbar-E-Bhopal:-** This restaurant is located at B-1, Ground Floor, Mayur Vihar Colony, 80 Feet Road, Ashoka Garden, Bhopal. The restaurant has seating arrangement for approximately 60 persons. The restaurant serves chicken/mutton roasting, biryani, tandoori roti and cooked food. The restaurant uses 01 tandoor, 01 barbeque and 02 gas operated furnaces operated on wood and charcoal for roasting chicken/mutton. To control smoke in the furnaces, chimneys with hood covers and exhaust fans have been installed. But during inspection the exhaust fan was found to be switched off. This caused the situation of smoke spreading was found in the surroundings. Since the furnaces for roasting have been installed outside the restaurant and lack of parking system, result in trafficcongestion. The water generated from the kitchen by the restaurant is discharged into the drain. The coal tandoor/furnace has been converted to gas tandoor/furnace. No CTE/

CTO/ authorization taken from the State Pollution Control Board.

6. **Nayaab Restaurant:-** This restaurant is located at B-1, Ground Floor, Mayur Vihar Colony, 80 Feet Road, Ashoka Garden, Bhopal. The restaurant has seating arrangement for approximately 18 persons. The restaurant serves chicken/mutton roasting, biryani, tandoori roti and cooked food. The restaurant uses 01 wood and charcoal fired tandoor, 01 barbeque and 01 gas fired furnace for chicken/mutton roasting. No system was found to control air pollution in the furnaces to control smoke. Due to which the situation of smoke spreading was found in the surroundings. Since the furnaces for roasting have been installed outside the restaurant and due to lack of parking system, vehicles are also parked on the road outside the restaurant. Due to which the traffic movement is blocked. The water generated from the kitchen by the restaurant is discharged into the drain. The coal tandoor/furnace has been converted to gas tandoor/furnace. No CTE/ CTO/ authorization taken from the State Pollution Control Board
7. **K.M.C. Restaurant:-** This restaurant is located at S-14, Mayur Vihar Road, 80 Feet Road, Ashoka Garden, Bhopal. In place of KMC, a new eatery was found which serves junk foods such as Pizaza, Burger etc. in the name of Hunger House. The restaurant was found clean. No CTE/ CTO/ authorization taken from the State Pollution Control Board.
8. **Nice Restaurant:-** This restaurant is located at S-14, Mayur Vihar Colony, 80 Feet Road, Ashoka Garden, Bhopal. The restaurant has seating arrangement for approximately 28 persons. The restaurant serves chicken/mutton roasting, biryani, tandoori roti and cooked food. The

restaurant uses 01 tandoor, 01 barbeque and 04 gas operated furnaces powered by wood and charcoal for roasting chicken/mutton. No system was found to control air pollution in the furnaces to control smoke. Due to which the situation of smoke spreading was found in the surroundings. Since the furnaces for roasting have been installed outside the restaurant and due to lack of parking system, vehicles are also parked on the road outside the restaurant. Due to which the traffic movement is blocked. The water generated from the kitchen by the restaurant is discharged into the drain. The coal tandoor/furnace has been converted to gas tandoor/furnace. No CTE/ CTO/ authorization taken from the State Pollution Control Board.

9. **Amrit-da-dhaba& Munch Box:-** This restaurant is located at 111, Old Ashoka Garden, 80 Feet Road, Bhopal. The restaurant has seating arrangement for approximately 20 persons. Munch Box serves chicken/mutton roasting, biryani, tandoori roti and cooked food. Both the restaurants use 02 tandoors, 01 barbeque powered by wood and charcoal for roasting chicken/mutton and 04 gas operated furnaces. Air pollution control device was found in the furnaces to control smoke. Since the furnaces for roasting have been installed outside the restaurant and non-availability of parking system, vehicles are parked on the road outside the restaurant resulting in traffic congestion. The water generated from the kitchen by the restaurant is discharged into the drain. Inside the kitchen area cleanliness is not maintained. The coal tandoor/furnace has been converted to gas tandoor/furnace. No CTE/ CTO/ authorization taken from the State Pollution Control Board.

10. **Balveer da Panjabi Dhaba:-***This restaurant is located at 106, Ashoka Garden, 80 Feet Road, Bhopal. The restaurant has seating arrangement for approximately 25 persons. The restaurant use 04 gas operated furnaces. Air pollution control device was found to control smoke. The water generated from the kitchen by the restaurant is discharged into the drain. Inside the kitchen area proper cleanliness is not maintained. The coal tandoor/furnace has been converted to gas tandoor/furnace. No CTE/CTO/ authorization taken from the State Pollution Control Board.*
11. **Sharmaji Pure Veg Family Restaurant:-***This restaurant is located at Plot No. 07, Ashoka Garden, 80 Feet Road, Bhopal. The restaurant has seating arrangement for approximately 10 persons. The restaurant use 01 tandoor powered gas, 04 gas operated furnaces. Air pollution control device was found to control smoke. The water generated from the kitchen by the restaurant is discharged into the drain. Inside the kitchen area proper cleanliness is not maintained. The coal tandoor/furnace has been converted to gas tandoor/furnace. No CTE/CTO/ authorization taken from the State Pollution Control Board.*
12. **Punjabi RasoiThali Restaurant:-***This restaurant is located at Plot No. 07, Ashoka Garden, 80 Feet Road, Bhopal. The restaurant has seating arrangement for approximately 10 persons. The restaurant use 01 tandoor powered gas and 03 gas operated furnaces. Air pollution control device was found to control smoke. The water generated from the kitchen by the restaurant is discharged into the drain. Inside the kitchen area proper cleanliness is not maintained. Use of Single Use Plastic products*

also found. The coal tandoor/furnace has been converted to gas tandoor/furnace. No CTE/ CTO/ authorization taken from the State Pollution Control Board.

13. **Kamran wala Restaurant:-**This restaurant is located at Shop No. 01, Ashoka Garden, 80 Feet Road, Bhopal. The restaurant has seating arrangement for approximately 10 persons. The restaurant use 03 gas operated furnaces. No air pollution control device was found. The water generated from the kitchen by the restaurant is discharged into the drain. Inside the kitchen area proper cleanliness is not maintained. The coal tandoor/furnace has been converted to gas tandoor/furnace. No CTE/ CTO/ authorization taken from the State Pollution Control Board.
14. **Dadaji Pure Veg Restaurant:-**This restaurant is located at Shop No. 01, Ashoka Garden, 80 Feet Road, Bhopal. The restaurant has seating arrangement for approximately 10 persons. The restaurant use 03 gas operated furnaces. Air pollution control device was found operational. No tandoor is used. The water generated from the kitchen by the restaurant is discharged into the drain. The coal tandoor/furnace has been converted to gas tandoor/furnace. No CTE/ CTO/ authorization taken from the State Pollution Control Board.
15. **Makrani Catering Services:-**This road side eatery is located at Shop No. 03, MayurVihar, Ashoka Garden, 80 Feet Road, Bhopal. The road side eatery do not have any seating arrangement. The restaurant use 01 coal/ wood operated Tandoor. Only chapatis are prepared here but in a very unhygienic condition. No CTE/ CTO/ authorization taken from the State Pollution Control Board.
16. **Indian Café and Family Restaurant:-**This restaurant is located at House No. 508, Pushpa

Nagar, 80 Feet Road, Ashoka Garden, Bhopal. The restaurant has seating arrangement for approximately 15 persons. The restaurant use 02 gas operated ovens. Air pollution control device was not found adequate. No tandoor is used. The water generated from the kitchen by the restaurant is discharged into the drain. Inside the kitchen area proper cleanliness is not maintained. No dustbins were found for proper segregation of dry and wet waste. No CTE/ CTO/ authorization taken from the State Pollution Control Board.

17. **R. K. Udippi Restaurant:-** This restaurant is located at House No. 01, 80 Feet Road, Ashoka Garden, Bhopal. The restaurant has seating arrangement for approximately 25 persons. The restaurant use 02 gas operated ovens and coal/ wood operated Tandoor. Air pollution control device was not found adequate. The water generated from the kitchen by the restaurant is discharged into the drain. Inside the kitchen area proper cleanliness is not maintained. No separate dustbins were found for proper segregation of dry and wet waste. The coal tandoor/furnace has been converted to gas tandoor/furnace. No CTE/ CTO/ authorization taken from the State Pollution Control Board.

18. **The Cook DoohKooch:-** This road side eatery is located at House No. 03, 80 Feet Road, Ashoka Garden, Bhopal. The restaurant has seating arrangement for approximately 10 persons. The restaurant was at its initial stage and on the day of inspection, it was inaugurated. All legal aspects to run a restaurant was explained to the owner and directed to implement at the earliest. No CTE/ CTO/ authorization taken from the State Pollution Control Board.

19. **Bamboo Ville Restaurant:-***This restaurant is located at Plot No. 36, 80 Feet Road, Ashoka Garden, Bhopal. The restaurant has seating arrangement for approximately 25 - 40 persons. The restaurant uses 04 gas operated ovens and 01 coal/ wood operated Tandoor. Air pollution control device was not found installed. The water generated from the kitchen by the restaurant is discharged into the drain. Inside the kitchen area proper cleanliness is not maintained. No separate dustbins were found for proper segregation of dry and wet waste. No CTE/ CTO/ authorization taken from the State Pollution Control Board.*
20. **Foodistan Restaurant:-***This restaurant is located at 80 Feet Road, Ashoka Garden, Bhopal. The restaurant has seating arrangement for approximately 25 - 40 persons. The restaurant uses 04 gas operated ovens and 01 coal/ wood operated Tandoor in the open air. Air pollution control device was not found installed. The water generated from the kitchen by the restaurant is discharged into the drain. Inside the kitchen area proper cleanliness is not maintained. No separate dustbins were found for proper segregation of dry and wet waste. The coal tandoor/furnace has been converted to gas tandoor/furnace. No CTE/ CTO/ authorization taken from the State Pollution Control Board.*
21. **Chicken Dum Biryan Restaurant:-***This restaurant is located at Shop No. 01, House No. 3, 80 Feet Road, Ashoka Garden, Bhopal. The restaurant has seating arrangement for approximately 10 persons. The restaurant uses gas operated ovens. But it was informed that the actual cooking is done at house of the owner. The water generated from the kitchen by the restaurant is discharged into the drain. No CTE/*

CTO/ authorization taken from the State Pollution Control Board.

22. **Food Stone Restaurant and Yadav**

Bhojnalay:-Both the restaurants are located at 80 Feet Road, Ashoka Garden, Bhopal. The restaurantsdo not use any tandoor, only has gas operated ovens. The water generated from the kitchen by the restaurant is discharged into the drain. Proper cleanliness was not found inside the kitchens. No CTE/ CTO/ authorization taken from the State Pollution Control Board.

Keeping in view the commercial activities in the said area, the level of air pollution was measured with the help of the ambient air quality measurement plant.

The restaurants were strictly told to hand over municipal solid waste generated by them to Municipal Corporation, Bhopal failing which ready to face spot fine/ legal action. BMC is always not only ensuring efficient door to door garbage collection, Segregation and proper disposal of waste on daily basis but also regularly monitoring proper compliance of solid waste management rules. The traffic department is authorized to take action regarding traffic blockage due to roadside illegal parking in this area. For resolving the issue the Traffic Department may issue notice to the owners of the restaurants.

III. **Action Taken by various Departments**

S. No.	Hotel Restaurant Name	Violation of Rules	Hotel Restaurant Address	Action
01	Balveer Da Punjabi Dhaba	1. Burning Coal Tandoor. 2. Mixed garbage was found, dustbins were not found, chimney was found indamaged condition.	Ashoka Garden	1. Spot fine of Rs 5000/- was made on 28.10.2023 2. Rs. 500/- Spot fine Imposed by BMC on 23.11.2023.
02	Munch Box	Water was flowing from the overflow pipe of the wash basin, causing dirt.	Ashoka Garden	Spot fine of Rs 500/- wasdone.

03	Jain Bhojnalay	Polythene was found.	Ashoka Garden	Polythene was confiscated and a spot fine of Rs 500/-was imposed.
04	SamudrManthan	Polythene and plastic spoons were found.	Ashoka Garden	A spot fine of Rs 2000/- was imposed while polythene and plastic were seized.
05	Joginder Punjabi Dhaba	Polythene was found.	Ashoka Garden	Polythene was confiscated and a spot fine of Rs 500/- was imposed.
06	Manpreet Hotel	Two bags of C&D waste were found.	Ashoka Garden	Spot fine of Rs 500/- was done.
07	Nice Restaurant	The tandoor was found burning and polythene was also found.	80 Feet Road Swadesh Nagar	Spot fine of Rs 10000/- was done on 30.10.23. Presently, the food license was suspended, polythene was confiscated and a spot fine of Rs 2500 was again imposed on 03.11.2023 for the same on non-compliance. After conversion of Coal/ wood tandoors to gas tandoor, the suspension was revoked.
08	Panjabi RasoiThali	Polythene was found and there was dirt in the kitchen.	80 Feet Road Swadesh Nagar	Polythene was confiscated and a spot fine of Rs 1000/- was imposed by BMC on 03.11.2023.
09	Dada ji Restaurant	Operating Coal / Wood tandoor	80 Feet main Road	3000/- Spot Fine by BMC on 27.10.23.
10	Sigdi	Operating Coal / Wood tandoor	80 Feet main Road	5000/- Spot Fine by BMC on 27.10.23.
11	Nayab Restaurant	Operating Coal / Wood tandoor	80 Feet main Road	3000/- Spot Fine by BMC on 29.10.23.
12	Makrani Catering Service	Burning Coal / Wood tandoor	80 Feet main Road	1000/- Spot Fine by Bmc On 23.11.23.
13	Amrit Da Dhaba	Litter / Filth found	80 Feet main Road	Rs 500/- Spot Fine imposed by BMC on 3-11- 23. 200/- Spot Fine imposed by BMC on 23-11-23
14	Indian Cafe & Family Restaurant	Filth found and litter bin not found	80 Feet main Road	1000/- Spot Fine imposed by BMC on 23.11.23.
15	Sharma ji pure veg Family Restaurant	Litter / Filth found	80 Feet main Road	500/- Spot Fine by BMC on 3.11.23.
16	Foodistan Restaurant	Polythene was found.	80 Feet Road Swadesh Nagar	Polythene was confiscated and a spot fine of Rs 500/- was imposed by BMC.
17	Ba-Dastur	The tandoor was found burning and mixed garbage was	80 Feet Road Swadesh Nagar	Spot fine of Rs 5000/- was done by BMC on 27-10-23 Again Spot

		<i>found in the kitchen.</i>		<i>fine of Rs 5000/- was imposed by BMC on 03.11.23</i>
18	<i>Famous Hotel and Restaurant</i>	<i>Polythene and plastic spoons were found.</i>	<i>80 Feet Road Swadesh Nagar</i>	<i>Polythene and plastic spoons were confiscated and a spot fine of Rs 1000/- was imposed.</i>
19	<i>R. K. Udippi Restaurant</i>	<i>Cleanliness not maintained and coal tandoor was found</i>	<i>80 Feet Road Swadesh Nagar</i>	<i>Food licence was suspended till the period of compliance to install gas tandoor. After conversion of Coal/ wood tandoors to gas tandoor, the suspension was revoked.</i>
20	<i>Darbaar – E-Bhopal Restaurant</i>	<i>Usage of coal tandoor was found</i>	<i>80 Feet Road Swadesh Nagar</i>	<i>Rs. 5000/- Spot Fine Imposed by BMC on 27.10.2023. Food licence was suspended on 23.11.2023 till the period of compliance to install gas tandoor. After conversion of Coal/ wood tandoors to gas tandoor, the suspension was revoked.</i>

IV. Recommendations

- *Individual units to provide necessary facilities for control of air, water & noisepollution, solid waste management, etc.*
- *Individual units to take necessary approvals from the concerned authorities as listedbelow:*
 - *Consent to Establish under Air/ Water Act*
 - *Consent to operate under Air/ Water Act*
 - *Permission for concerned Authorities in accordance with provisions ofNoise Rules*
 - *Permission for Ground Water Extraction from concerned Authorities*
 - *Building Plan Approval from concerned Authorities*
 - *Fire Safety Certificate/NoC from concerned Authorities*
- *Local Authorities to ensure proper monitoring of solid waste management, discharge of water etc.*

- *The State Board to have robust monitoring mechanism to evaluate compliance with norms of such units atleast twice a year. As per NGT Directions, SPCBs/PCCs are required to submit compliance report to CPCB as per the enclosed format.”*

4 In view of the above report this Tribunal directed the Municipal Corporation Bhopal to submit the compliance report and to take action according to rules. In pursuance to the order and the report of the Joint Committee the Bhopal Municipal Corporation issue notices to the violators to follow the guidelines and to obtain the consent to establish and consent to operate in accordance with the Water (Prevention and Control of Pollution) Act, 1974 and Water (Prevention and Control of Pollution) Act, 1981. The notices were also issued to 9 numbers of eateries and restaurant, who thereafter submit the reply and Bhopal Municipal Corporation with State Pollution Control Board is taking action in accordance with the rules. They have been directed to follow the guidelines as quoted above and those restaurants who have not complied with the order and rules, the State Pollution Control Board has imposed environmental compensation and realized it. Learned Counsel for the BMC has submitted that these are the small scale restaurant of local roasting, biryani and cooking at distance of 100 and 200 meters and carrying all types of commercial activities from day to day livelihood. The only thing required is that these activities must be operated in accordance with the rules.

5. In view of the above discussion, we direct the state Pollution Control Board and Bhopal Municipal Corporation to periodical monitor the eateries and restaurant as stated in the application and throughout the cities and to ensure that the guidelines issued from the CPCB for maintaining the environmental norms by road side eateries and restaurants and other establishment prepared by CPCB must be strictly complied with and in

case of any violation legal punitive action must initiated in addition to realization of environmental compensation. There must be proper management of solid waste disposal and the fuel must be used as LPG cylinders.

6. The regulations of use of cooking oil effluent treatment, sitting capacity, consent to establish and consent to operate must be in accordance with the rules

With these observations the Original Application No. 142/2023 stands **disposed** of.

Sheo Kumar Singh, JM

Dr. Afroz Ahmad, EM

25th April, 2024
O.A. No. 142/2023 (CZ)
PN