

**GOVERNMENT OF INDIA  
MINISTRY OF RAILWAYS  
RAILWAY BOARD**

No. 2018/EnHM/01/02

New Delhi, dated: 01.04.2019

The General Managers  
All Zonal Railways

**Sub: Orders of Hon'ble NGT of Delhi in OA no. 141/2014 in the matter of Saloni Singh & others Vs. UOI & Ors.**

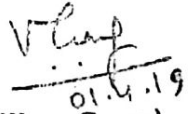
Copy of order dt. 26.03.2019 of Hon'ble NGT, subsequent to hearing in respect of subject matter on 26.03.2019, is enclosed herewith for action as indicated.

Hon'ble NGT has, inter-alia, advised as under:

1. Nodal officer of each station to act as regulator for environment norms and to lay down and collect compensation on Polluter Pays Principle.
2. Action plans be prepared for remaining of the 720 major stations (NSG1 to 4, SG1 & 2), so as to cover these within one year, on the pattern of 37 major stations already identified.
3. De-centralised municipal solid waste plants to be set up at the identified locations in terms of Solid Waste Management Rules, 2016.
4. The Railway Board to compile data of preparation of action plans for the remaining major stations within three months and furnish the same to the CPCB for analysis.
5. ED/EnHM to compile the progress of execution of action plans periodically, and furnish such compiled action taken report to the CPCB by 31.07.2019. CPCB shall also verify the implementation of parameters of "ISO 14001".
6. Railway Administration to coordinate with the Local Bodies to ensure cleanliness in Railway area. Railways to verify the situation in Bhopal and other 36 major stations.

It is requested to issue instructions to all concerned down the line to start implementation immediately to avoid any adverse consequences from NGT. Since co-ordination and action by various departments is required, it is desirable that AGM at Zonal level and identified ADRM at Divisional level be nominated as Nodal Officers.

**Encl:** As above (06 pages).

  
(Vijay Garg)  
Executive Director/EnHM/CE  
Railway Board

**Copy to:** MD/KRCL: For Similar action over KRCL.  
MD & CEO/IRSDC: To note in respect of stations where facility management has been taken over.

Item No.01

Court No. 1

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

Original Application No. 141/2014

Saloni Singh & Anr.

Applicant(s)

Versus

Union of India &Ors.

Respondent(s)

Date of hearing: 26.03.2019

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant(s):

For Respondent (s): Ms. Pinky Anand, ASG, Mr. Om Prakash and  
Ms. Snidha Mehra, Advocates  
Mr. Krishna Kumar, Advocate for MoEF&CC  
Mr. Rajeev Sharma and Mr. Rajat Krishna,  
Advocates for DUSIB

**ORDER**

1. The issue for consideration is compliance of plastic and other waste management rules at railway compartments, stations, tracks etc., removal of encroachments from the railway properties, preventing of unlawful discharge of effluents and management of water, including its re-use by the Railways.
2. The matter has been considered from time to time by various orders of this Tribunal in the last five years. Vide order dated 01.10.2018, the matter was considered in light of the report of the Comptroller and Auditor General (CAG) titled "Environment Management in Indian Railways". The report

found unsatisfactory state of affairs with regard to handling of waste, uncontrolled open defecation on railway tracks, unhygienic conditions and health hazards. The Tribunal also noted the study conducted by Central Pollution Control Board (CPCB) at 14 major stations which found that there was no system of monitoring of waste water, non-compliance of requirement of ETPs, discharge of effluents in water bodies, absence of measures to conserve flora and fauna, unsatisfactory segregation, transportation and collection of waste, bulk generation of waste including pet bottles, food packaging, plastic carry bags, disposal cups, etc. for which adequate measures were not being taken.

3. The Tribunal directed preparation of remedial action plan by 30.11.2018 which was to be notified on the website for the comments of general public and finalised before 31.03.2019. The CAG was to conduct Performance Audit on or before 30.06.2019 on the issue of solid waste, plastic waste, open defecation along railway tracks, encroachments, waste water/ sewage treatment, water recycling and reuse, energy efficiency, etc.
4. The Railway Administration had filed an action plan but the same was not complete as noted by the Tribunal vide order dated 22.01.2019. It was noted that there are 720 major stations, apart from more than 6000 other stations. It was directed that in the first phase, environment management system of '14001' (ISO) standard be achieved in atleast 5% of

major stations i.e. 36 stations which may be developed as model stations. This may be replicated in phases first for all the major stations and then for others. 'Polluters Pays' principle be evolved consistent with the law laid down by the Hon'ble Supreme Court in the matter of *Vellore Citizens Welfare Forum Vs. Union Of India & Ors.*<sup>1</sup>. The action plan should have verifiable indicators and progress may be reviewed periodically. The identified major stations may have the websites to receive grievances with regard to cleanliness and hygiene issues. The Railway Administration may coordinate with the Local Bodies for solid and plastic waste management.

5. In pursuance to above, proposed action plans have been filed with regard to 37 major stations.
6. We have heard Ms. Pinky Anand, learned ASG appearing for the Railway Administration and perused some parts of the action plans to which our attention has been drawn. We leave consideration of adequacy of action to be considered later after some progress is achieved.
7. Learned ASG has made a statement that the action plans with regard to 37 identified major stations will be implemented in the timeline of three months from today for which budget allocation has already been made. The Nodal Officers have been identified by the Railway Administration to oversee

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<sup>1</sup> (1996) 5 SCC 647

implementation of environment management systems of the said 37 stations. They will also act as a regulators for environment norms and will have authority to lay down and collect compensation on 'Polluter Pays' principle. They will be authorised to issue receipts for the compensation so recovered. This mechanism will be put on the website.

8. We are also of the view that with regard to next phase, action plans be prepared for all the remaining major stations indicating phase wise steps and categories of implementation. The action plans may have categories for number of stations for different phases but all the major stations should be covered within one year on the pattern of 37 major stations already identified.
9. We also expect that de-centralised municipal solid waste plants may be set up at the identified locations in terms of Solid Waste Management Rules, 2016.
10. The Executive Director, Environment and Health Management (ENHM), Railway Headquarters, may compile the progress of execution of action plans periodically and also lay down adverse consequences for the Nodal Officers or others who fail to execute the action plans within the targeted timeline by way of entry into their annual reports. Such action taken may be compiled. The Executive Director, ENHM, may furnish such compiled action taken report to the CPCB by 31.07.2019. The CPCB may audit the same and furnish its report to this

Tribunal within one month thereafter by e-mail at [ngt.filing@gmail.com](mailto:ngt.filing@gmail.com).

11. We also direct the Executive Director, ENHM, Railway Board to remain present in person on the next date.
12. The Railway Board may also compile data of preparation of action plans for the remaining major stations within three months and furnish the same to the CPCB which may be analysed by CPCB within one month thereafter. The whole exercise may be taken up simultaneously without holding up the action plans already prepared. There will be no bar to action plans being prepared for medium stations as well as other than major/medium stations which aspect may be monitored by different set of Officers. This exercise need not await completion of other steps. If the CPCB finds that action plan has been duly implemented and selected railway stations are meeting the parameters of ISO 14001, such stations may be certified as eco-smart stations.
13. The Railway Administration may have a mechanism to coordinate with the Local Bodies so that Local Bodies which are doing well in terms of cleanliness do not feel helpless in maintaining the city clean on account of lack of adequate efforts at the railway stations. We are informed that at Bhopal the Local Body is finding it difficult to declare the city clean on account of lack of efforts of the Railway Administration at railway stations at Bhopal. Such a situation may be verified

at Bhopal as well as other major stations in the first phase  
and for other stations at a later stage.

List for further consideration on 12.09.2019.

Need not be listed on the earlier scheduled date i.e.  
30.04.2019.

Adarsh Kumar Goel, CP

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

March 26, 2019  
Original Application No. 141/2014  
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