

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

Original Application No. 632/2023

In re: News item appearing in Hindu dated 06.10.2023 titled **“Pollution takes a front seat as stubble fires spike in Punjab”**

Date of hearing: 08.11.2023

**CORAM: HON’BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON’BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON’BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Respondent: Mr. G.S. Majithia, Member Secretary (Through VC) with Ms. Richa Kapoor, Mr. Kunal Anand & Ms. Eesha Sharma, Advs. for Punjab PCB
Dr. Abhishek Atrey & Mr. Vaibhav Kandpal, Advs. for Commission for Air Quality Management for NCR & Adjoining Areas
Mr. Jitendra Bharti & Mr. Ashish Kumar Bhagat, Advs. for MoEF & CC
Ms. Suman Arora, Adv. for CPCB

ORDER

1. The present OA was registered *suo motu* on the basis of the newspaper report relating to the pollution being caused on account of stubble fires (burning).
2. The Tribunal, on 20.10.2023 after noticing the reports of the Punjab Pollution Control Board (PPCB) and the Commission for Air Quality Management for NCR & Adjoining Areas, had directed the PPCB to prepare and place on record the area-wise Crop Residue Management Plan. The plan has not been placed on record till now.
3. Learned Counsel appearing for the PPCB submits that she has received the plan and will file the same within two days.
4. It has also been pointed out to us that the issue relating to stubble burning has been taken up by the Hon’ble Supreme Court in Writ Petition No(s). 13029/1985, *M.C. Mehta vs. Union of India & Ors. (In Re: Crop*

Burning "Only"), wherein the Hon'ble Supreme Court on 07.11.2023 has issued the following direction:

"We direct the State Government of Punjab and for that matter to all other States adjacent to Delhi, which are Haryana, Rajasthan and Uttar Pradesh and some parts of Delhi to ensure that crop burning is stopped forthwith and local SHO is made responsible for it under the overall supervision of the DGP and Chief Secretary for the time being."

5. In terms of the aforesaid direction, the State of Punjab and all other States adjacent to Delhi were required to ensure stopping of crop burning "**forthwith**". The order was passed by the Hon'ble Supreme Court yesterday and we have taken out the Indian Space Research Organization (ISRO) Satellite image at 10:00 am today depicting the near real time active agricultural fire in the country.

6. A perusal of the above image reveals large number of active agricultural fire incidents in the State of Punjab as the entire State of Punjab is shown as "Red" in that map. The direction issued by the Hon'ble Supreme Court is required to be complied with by all the concerned authorities in true spirit so that a proper compliance can be gathered from taking a real time active agricultural fire report from the ISRO satellite image. It has not been denied that from ISRO satellite image, the longitude and latitude of the pinpointed active agricultural fire incident can be ascertained. Thus, concerned authorities at Punjab need to take the issue seriously and fully comply with the direction of Hon'ble Supreme Court.

7. The matter is coming before the Hon'ble Supreme Court on 10.11.2023. Hence, we adjourn this OA to 20.11.2023. Let further action taken report be filed on or before the next date of hearing.

8. List on 20.11.2023.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

November 08, 2023
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DV