

Item No. 04

Court No. 1

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

Original Application No. 621/2018  
(M.A. No. 1505/2018)  
(Earlier O. A. No.58/2017)

(With Report dated 03.08.2019)

Mahendra Pandey

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 23.09.2019

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

For Applicant(s): Mr. Gaurav Bansal, Advocate

For Respondent(s): Mr. Krishna Kumar Singh, Advocate for MoEF&CC  
Mr. Pradeep Mishra, Advocate for UPPCB  
Mr. Abhishek Yadav and Mr. Utkarsh Sharma, Advocates for State of UP  
Mr. Rajkumar, Advocate for CPCB

**ORDER**

1. The issue for consideration is disposal of e-waste and black powder generated in the process. The matter has been dealt with by this Tribunal in earlier orders. On 10.09.2018, the Tribunal considered the report of the CPCB that illegal and unscientific disposal of e-waste was taking place in violation of the Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016. Level of mercury was

found to be above screening level at Ramganga River. It was observed that District Administration was not able to handle the situation in spite of repeated orders. Accordingly, the Chief Secretary, Uttar Pradesh was directed to monitor the steps to be taken in the interest of public health and to report compliance to this Tribunal.

2. Accordingly the Chief Secretary, UP, gave a report which was considered on 16.01.2019 to the effect that an action plan was prepared to be executed in two stages. In Stage- I, there will be temporary storage and in Stage - II, permanent facility will be set up.

3. Status report as on 03.08.2019 has been handed over during the hearing to the effect that temporary storage has been ensured and several steps taken for permanent disposal in TSDF at Amroha. The entire process will be completed within three months.

4. In view of the above status report, steps for disposal of e-waste and black powder generated be processed in accordance with law. It may be ensured that there is no illegal dismantling of e-waste. Any dismantling/recycling has to be in accordance with the Rules. TSDF must also be compliant with the Rules. Such precautions of compliance of Rules are required by all handlers/recyclers of e-waste/hazardous or other waste throughout the country. This direction may be circulated by CPCB to all concerned and status of compliance may be filed

before this Tribunal in pending matters dealing with the issue of e-waste/hazardous and other waste<sup>1</sup>.

5. Let a final compliance report be filed before the next date by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in).

A copy of this order may be sent to CPCB by e-mail.

List for further consideration on 12.02.2020.



Adarsh Kumar Goel, CP

S.P Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

September 23, 2019  
Original Application No. 621/2018  
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<sup>1</sup> Rajiv Narayan & Anr. Vs. Union of India & Ors. (Hazardous and other waste), O.A No. 804/2017 listed on 28.04.2020 and Shailesh Singh Vs. State of UP & Ors. (E-waste), O.A No. 512/2018 listed on 12.02.2020