

Item No. 11

Court No. 1

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

(By Video Conferencing)

Execution Application No. 04/2020

In

Original Application No. 356/2013

(With report dated 07.08.2020)

S.K. Goyal

Applicant(s)

Versus

Chairperson, CPCB & Ors.

Respondent(s)

Date of hearing: 11.08.2020

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

Applicant(s): Mr. Arjun Rekhi, Advocate

Respondent(s): Mr. Om Prakash, Advocate for Ministry of Railways  
Mr. Raj Kumar, Advocate for CPCB

**ORDER**

1. Prayer in this application is to give effect to the order dated 04.10.2017 passed by this Tribunal in *O.A. No. 356/2013, S.K. Goyal v. Chairperson, CPCB & Ors* whereby, the Tribunal, on consideration of pollution caused by operation of locomotive engines by the Railways, directed that the guidelines containing locomotive standards, be put up on the website of CPCB and expeditious efforts be made by all the stakeholders including MoEF&CC, CPCB and the concerned Ministry to approve the final parameters for locomotive engines after completing the study and then to notify the same.

2. Vide order dated 17.01.2020, a report was sought from the CPCB about the status of compliance against which the CPCB filed its report dated 17.02.2020 to the effect that a Committee was constituted for the purpose which had considered the matter and proposed standards which were deliberated upon by the MoEF&CC. However, the matter is still pending and has not been finalised by the MoEF&CC.

3. It is thus seen that even though more than three years have passed, the standards have still not been finalized without any valid justification. Such unexplained delay and apathy can hardly be conducive to the Rule of Law. It also adversely affects the environment and the public health. Thus, action needs to be taken expeditiously with all sensitiveness to the impact of delay on environment and public health.

4. Let the MoEF&CC, CPCB and the Ministry of Railways take prompt action to finalize the standards positively within three months and furnish a compliance report before the next date by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

The MoEF&CC will be the nodal agency for coordination and compliance. The Secretary, MoEF&CC may nominate a Joint Secretary for the purpose so that accountability can be fixed to avoid any further delay.

List again on 05.02.2021.

A copy of this order be sent to the Secretary, MoEF&CC, CPCB and the Secretary, Ministry of Railways, Government of India by email for compliance.

Adarsh Kumar Goel, CP

S. P. Wangdi, JM

Dr. Nagin Nanda, EM

August 11, 2020  
Execution Application No. 04/2020  
In Original Application No. 356/2013  
AK