

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION NO. 262 OF 2022**

IN THE MATTER OF:

Sanjay Sharma

...Applicant

VERSUS

Union of India & Ors.

...Respondents

**1 AFFIDAVIT IN COMPLIANCE OF THE ORDER
DATED 10.05.2022 ON BEHALF OF THE
APPLICANT**

**Pg.No.
1-12**

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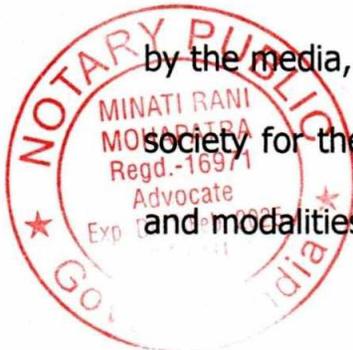
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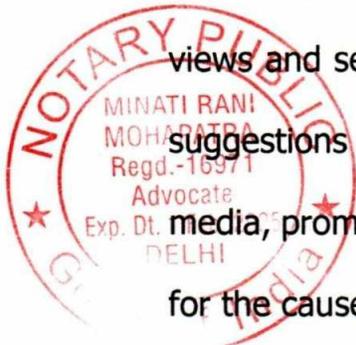
**AFFIDAVIT OF THE APPLICANT IN COMPLIANCE OF
ORDER DATED 10.05.2022**

I, Sanjay Sharma, aged about 52 years, Son of Shri M.R. Sharma, R/O 5/600, Vikas Khand, Gomti Nagar, Lucknow (U.P.), presently in New Delhi, do hereby solemnly affirm and state as under:

1. That I am the Applicant in the present Application and as such I am conversant with the facts of the present case and hence competent to swear this Affidavit.
2. That *vide* order dated 10.05.2022 passed by this Hon'ble Tribunal in the present matter, the Applicant was also directed to "file his affidavit giving suggestions regarding creating of public awareness by the media, promoting public participation and involvement of civil society for the cause and improving efficacy of steps already taken and modalities of steps required to be taken".



3. That since the Applicant/Deponent has made detailed research prior to the filing of the instant O.A., the Applicant was conscious of the responsibility he owed towards the society at large which was impacted as a result of the improprieties which was detailed and described in the present O.A.
4. That as a conscientious individual, the Applicant ensured that he sensitized the public at large by way of his news reports and videos which were carefully aired by the Applicant on his news channel – 4PM News Network which has a huge viewership and received dozens of comments from the public at large. The Applicant's News Youtube Channel has 4.6 Lakh subscribers and some of his videos have 12 Million views.
5. That the Applicant, upon receiving knowledge of the order passed by this Hon'ble Tribunal in the present matter had released a video through his news channel – 4PM News Network on YouTube calling for suggestions from the public on the issue (https://youtu.be/_8LKAhAajxM). The said video garnered huge views and several members of the public came forward with fruitful suggestions for creation of creating of public awareness by the media, promoting public participation and involvement of civil society for the cause. Thus, the applicant commenced his obligation to fulfill



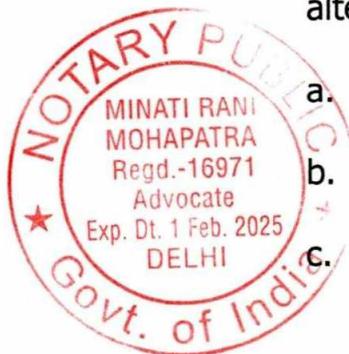
his duty by posting the news concerning the proceedings and in order to engage the viewers invited suggestions. This enabled a sense of ownership amongst the members of the public.

6. That the Applicant is listing below several suggestions which have been either mooted by the applicant/deponent himself or by the members of public through the publicity provided by the Applicant in order to provide suggestions to this Hon'ble Court:

6.1 Electric crematoriums should be set up near every ghat where dead bodies are cremated near river beds. Such electric crematoriums, (wherever feasible having regard to availability of power, operational costs etc). They should be set up not only at the district level but also at the village/block level and provided at subsidized rates.

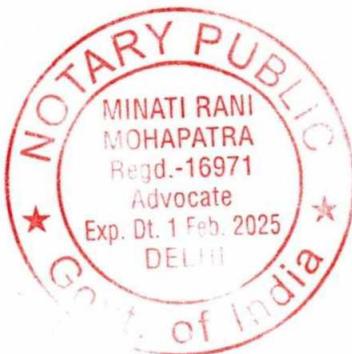
(A) Suggestions have been received that approximately 350-500kgs of wood is required for each funeral pyre in conventional pyres; and therefore, to save wood and trees it is imperative to ensure system that use alternative sources of energy including :

- a. Improved Wood crematorium
- b. Scientifically altered design of pyre crematorium
- c. Diesel, LNG or CNG fired crematorium



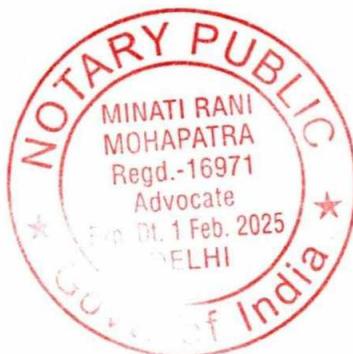
- d. Combined Gas and Wood crematorium
- e. Biomass crematorium
- f. Solar crematorium
- g. Electric Crematorium

(B) It is respectfully submitted that in original application as well, the applicant has annexed a report prepared by 7 IITs together on "Ganga river basin management plan". The said report has a chapter on cremation practices, which notes that for a variety of reasons alternative methods of cremation have not appealed to the society at large; and the report notes that the reservations are attributable to social religious beliefs, customs and traditions or plain technical issues that relate to their performance and cost. **As per the IIT Report, there are about only 125 crematoria installed in India, and under Yamuna Action Plan two such facilities were installed in Delhi. In a country of 1.2 Billion, it is unfortunate that there are only 125 such crematorium. Therefore, rightly, the suggestion came in that more such facilities are needed; and more importantly, the**



Government should encourage the use electric crematorium. It is stated that some suggestions, and also IIT Report also alluded to a lack of conclusive proof that electric crematorium are 'environment friendly'. Therefore, before issuing firm directions for installation of electric crematorium, **this Hon'ble Court may consider directing a carbon footprint study of electric crematorium, regular funeral pyre and other crematoria so that State funds can be used for the most efficient and environmentally sustainable mode of cremation. This Hon'ble Court may direct that assistance of IITs that have authored the report may be taken for this purpose.**

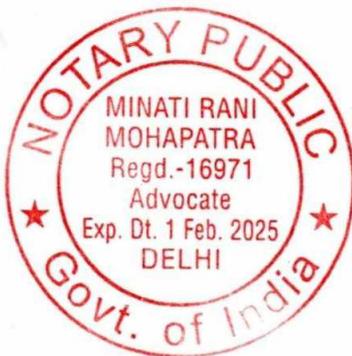
- (C) In Rural areas where electricity supply remains a problem, non-electric but energy efficient and cheap crematoria must be provided. It is stated that in areas where rural electrification is not a problem, the pricing may be worked out to incentivize electric or such other method of cremation that is found environmentally sustainable.



6.2 The crematoriums should not be set up near and around the catchment areas of the rivers and lakes.

6.3 **Monitoring stations for pollution level in river water should be set up on all district borders so that responsibility can be fixed on State which pollute more in their jurisdiction than receiving water quality level from upper districts.**

(A) It is stated that the attention of the applicant was drawn to the World Bank funded WQM project, where purportedly water quality monitoring of river Ganga is carried out through bio-monitoring as well as sensors based real time system. This is being done, apparently, by CPCB under *Water Quality Monitoring (WQM) System for River Ganga Overview*. It is unfortunate that even though the exercise is done with the public money but the outcome of such project, especially such on going monitoring is not disclosed on any public platform. **Therefore, directions be issued to set up WQM display monitors for River Ganga on live basis on the CPCB website, so that people can be made aware on "live basis" the changes in water quality.**

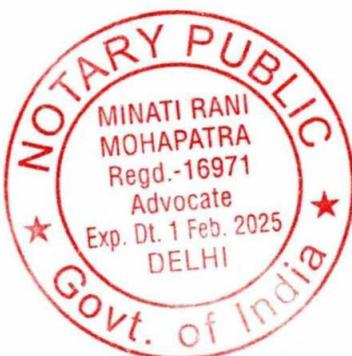


6.4 Media Houses should come together to create awareness amongst people at large by disseminating information and inputs gathered by them post a serious discussion and study undertaken by experts.

A. **The Applicant had received suggestions that akin corporate social responsibility, it is the social responsibility of the media houses to ensure that there is awareness amongst people at large.** The social message of the media should be coterminous with the reach of the media.

B. The Applicant has also received a suggestion that **Union of India's Department of Audio Visual Publicity (DAVP) should ensure that due attention is paid to environment and climate change in advertisement policy, which even the State Government should emulate.**

C. The Applicant is separately planning a conclave of media houses and social media influencers on "media social responsibility" on environmental aspects, particularly, the right to decent burial.

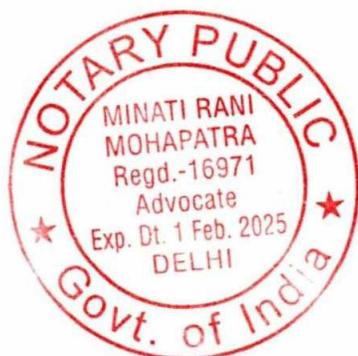


D. The Media Houses should also set aside prime advertising time for airing advertisements to raise public awareness, as a part of "media social responsibility".

6.5 The Ministry of Environment, Forest and Climate Change should tie up with various media houses to ensure participation of civil society and its members.

(A) **It is respectfully submitted that there is a need to tap small and regional newspapers and media that is accessed by the rural Indian populace. The MOEF along with DAVP should ensure the same,** by ensuring that the environmental and social messages reach the masses in villages.

6.6 People who are residing in areas adjoining regions wherein cremation takes place should be resettled and such residents should be tested for long term effects and possible diseases which might arise as a natural consequence of haphazard exploitation of water resources.

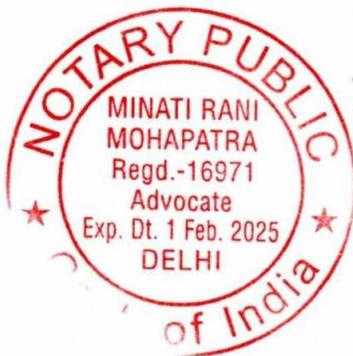


(A) That the amongst the suggestions received by Applicant, it **has been suggested that the WQM data collected by the Government should be**

adequately utilized to identify regional pockets which need medical attention;

- (B)** That a suggestion has also been received that **in State where rural posting or rural experience is mandatory for doctors pursuing MBBS, explanation on environmentally sustainable methods of burial should be included as a part of interaction with the rural populace. This may also involved other aspects of being sensitive to environmental degradation and climate change.**
- (C)** State Government should ensure that Primary Health Centre also display information on 'Do's and Dont's' of disposal of human corpses.

6.7 That an immediate ad-hoc study must be undertaken of aquatic life and adjoining plant resources to ensure protection and prevention of further destruction of natural resources.



- A.** The Applicant had received suggestion that while biological studies are a part of Clean Ganga part of CPCB, however, the details of the same are not uploaded periodically on the website in a manner that the public

understand. It is imperative for the people of India to see the changes that the holy river is going through to put their act together to protect it. **Therefore, suitable directions be issued to conduct ad-hoc studies of bio impact of places where the river had swelled up with dead bodies and report of the same be made publicly available.**

6.8 That the Ministry of Environment, Forest and Climate Change should attempt to create an alliance with various corporate houses to ensure that the CSR funds could be utilized for the instant cause i.e. the establishment of electric crematoriums and other less polluting crematorium, their operation and maintenance making provisions for free cremation of dead bodies belonging to destitute, BPL card holders and those below poverty lines.

(A) A suggestion had been received by the Applicant that due to poverty many persons could not provided a decent burial and in urban areas NGOs had come forward for the same.

(B) It is therefore important that Government should consider providing mechanisms to ensure free



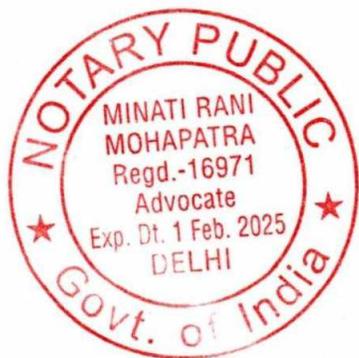
burial/cremation to certain identified class of citizens irrespective of their religion;

(C) Further, in States such as Uttar Pradesh where that had been an ad hoc scheme to give Rs. 5,000/- to the families; a status report of its beneficiaries may be called upon and it may be examined as to why despite the Government offering money, there were no takers and many bodies were dumped in the river.

6.9 The State Pollution Control Boards (SPCBs) of all catchment states should be accountable for any lapse by any persons or unit(s) for violating discharge standards or throwing dead bodies and other pollutants in the river.

(A) A suggestion had been received that in the absence of specific responsibility, the Government departments tend to shift the blame. **Therefore, it is prayed that a nodal officer being an officer of certain rank be made responsible for enforcement and receiving public grievances;**

(B) Rigorous implementation of legal provisions regarding decent burial/ cremation and initiation of penal action on any cremation/burial in open areas and river catchment areas.



7. That the Applicant is aware of his fundamental duties and through his various initiatives strives to "to protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures". The instant initiative of the Applicant is in furtherance of the same.
8. That Applicant also believes that a "clean, healthy and sustainable environment" is a basic human right and is very well covered within the ambit of Article 21 and as such comes within the wider dimension of Article 21 as a facet of life and human existence and as such the efforts of the applicant/deponent are aimed at ensuring that the said right is not to be compromised at any cost.
9. That it is therefore most earnestly prayed that the aforesaid suggestions may be considered by this Hon'ble Tribunal and may be implemented/ directed to be implemented by various authorities.

CEPITILED THAT THE DEPONENT
 Smt. K. Sanyal Chandra
 No. W/O
 identified by Shri Sm
 has solemnly affirmed before me at Delhi
 No.
 that the contents of the affidavit which have
 been read Over & explained to him are true
 & correct to his knowledge

05 AUG 2022

IDENTIFIED


 Deponent

I, the deponent abovenamed, do hereby verify the contents of the above affidavit in paragraph 1 to 9 as being true and correct to my personal knowledge. Nothing material has been concealed. So help me God. Verified at New Delhi on this the 5th day of August 2022.

NOTARY PUBLIC
 MINATI RANI MOHAPATRA
 Regd.-16971
 Advocate
 Exp. Dt. 1 Feb. 2025
 DELHI
 Govt. of India

ATTESTED

MINATI RANI MOHAPATRA
 NOTARY DELHI-R-16971
 GOVERNMENT OF INDIA
 SUPREME COURT OF INDIA
 COMPOUND NEW DELHI
 REGISTER Pg./Sl. No. 1650


 Deponent