

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,

PRINCIPAL BENCH, NEW DELHI

Original Application No. 298 of 2023

**IN THE MATTER OF:**

Dr. Raja Singh

.....Applicant

Versus

Union Of India & Ors.

.....Respondents

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**N.D.O.H- 19/02/2024**

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Place: New Delhi

Date: 26/12/2023

Filed by:



**NARENDER PAL SINGH**

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH AT NEW DELHI  
ORIGINAL APPLICATION NO. 298 OF 2023

IN THE MATTER OF:

DR. RAJA SINGH

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AFFIDAVIT ON BEHALF OF RESPONDENT - MINISTRY OF  
ENVIRONMENT, FOREST AND CLIMATE CHANGE.

I, Ved Prakash Mishra S/o Sh. R.S. Mishra aged about 48 Years,  
presently working as Director with the Ministry of Environment, Forest  
and Climate Change (hereinafter referred to as MoEF&CC) having office

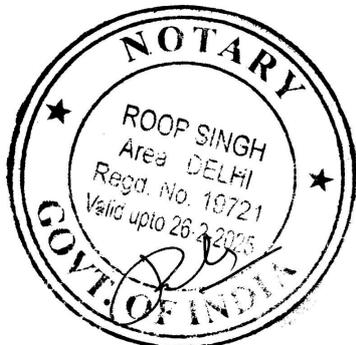


*Ved Prakash Mishra*

वद प्रकाश मिश्रा  
VED PRAKASH MISHRA  
निदेशक/Director  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
M/o Environment, Forest and Climate Change  
भारत सरकार, नई दिल्ली

at Indira Paryavaran Bhawan, Jor Bagh, New Delhi -110003, do hereby solemnly affirm and state as hereunder:

1. That, That, I am well acquainted with the facts and circumstances of the case and competent to swear this affidavit on behalf of MoEF&CC being the Respondent in the present Original Application.
2. That, I have gone through each and every paragraph of this Original Application and have understood the contents thereof. The averments contained in the Original Application are denied unless specifically admitted hereunder by the answering Respondent.
3. That the Answering Respondent is engaged in, *inter alia*, policy formulation for abatement, control, and prevention of pollution and prescribing environmental standards to be implemented through the Central Pollution Control Board (CPCB) and State Pollution Control Boards (SPCBs)/ Pollution Control Committees (PCCs).



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Govt. of India, New Delhi

Besides, the concerned State Pollution Control Boards / Pollution Control Committees are empowered to take all such measures as are deemed necessary or expedient for the purpose of protecting and improving the quality of the environment as well as prevention, control, and abatement of environmental pollution.

4. That it is submitted that the present Original Application has raised the issue regarding public health & safety and environmental hazard from asbestos and requested for issuance of directions to stop the use of asbestos roof sheets for the schools.

5. That it is submitted that Asbestos is a hydrated mineral silicate, which is generally fibrous & brittle. It has a variety of industrial applications due to its resistance to heat and chemicals, high tensile strength, and lower cost compared to man-made minerals.

6. That Asbestos is mainly used in a wide range of manufactured goods, mostly in building materials (roofing shingles, ceiling and floor



  
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tiles, paper products, and asbestos cement products), friction products (automobile clutch, brake, and transmission parts), heat-resistant fabrics, packaging, gaskets, and coatings.

7. That it is most humbly submitted that Asbestos in the building does not spontaneously releases fibres, but it can enter the air, water, and soil from the weathering, renovation, or demolition of manufactured asbestos products. People are likely to be exposed to asbestos through inhalation of airborne fibres.

8. That the waste asbestos generated from the Production of asbestos or asbestos-containing materials are regulated under the Hazardous and Other wastes (Management & Transboundary Movement) (HOWM) Rules, 2016, and has been classified as under S. No 15 of Schedule I of Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016 (hereinafter referred to as 'HOWM Rules') which includes (i) Asbestos-containing residues; (ii) Discarded asbestos and (iii) Dust or particulates from exhaust gas treatment. Also, as per Schedule-II, Class B of HOWM Rules, any waste containing Asbestos



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*Ved Prakash Mishra*

Total Threshold Limit Concentration (TTLC) of asbestos of 10,000 mg/Kg or above be considered hazardous waste. Further, the import of waste Asbestos (dust and fibres) is prohibited in the country under Schedule-VI of above said Rules.

9. That it is most humbly submitted that the waste containing asbestos shall be handled and managed in an environmentally sound manner as per the provisions outlined in the HOWM Rules, 2016, and be sent to Treatment, Storage, and Disposal Facilities (TSDF) for final disposal.

10. Further, the Central Pollution Control Board (hereinafter referred to as 'CPCB;) had issued a report titled "Human Health Risk Assessment Studies in Asbestos Based Industries in India" 2008. In the report, various recommendations have been made to reduce the human risk of asbestos exposure.



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11. The Answering Respondent craves leave of this Hon'ble Tribunal to add, amend, or alter the said Counter if so required.

*[Signature]*

**DEPONENT**

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VED PRAKASH MISHRA  
निदेशक/Director  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
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*[Signature]*  
D/4448/2023  
I Identified the deponent/ executant who has signed in my presence.

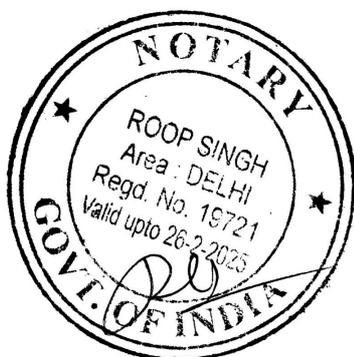
**VERIFICATION:**

Verified at New Delhi on the 26 DEC 2023 June, 2023 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing material has been suppressed or concealed therein.

*[Signature]*

**DEPONENT**

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VED PRAKASH MISHRA  
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CERTIFIED THAT THE DEPONENT  
Shri/Smt./Km... *[Signature]*  
S/o, W/o, D/o... *[Signature]*  
Identified By Sh./Smt. *[Signature]*  
has Solemnly affirmed me at Delhi  
on 26/12/23 at St. No. *[Signature]*  
that the contents of the affidavit which  
have been read & explained to him are  
true and Correct to his knowledge.

*[Signature]*  
ROOP SINGH  
Notary Public, Delhi (INDIA)

26 DEC 2023