

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL
(PRINCIPAL BENCH AT NEW DELHI)**

**Replication to Respondent No. 7 (in respect of their reply
dated 09.10.2024 in compliance of Order dated
17.09.2024) in O.A. No. 739 of 2023**

IN

Environment Protection Society (Regd.) and Anr.

Versus

Ministry of Environment, Forest and Climate Change, Govt. of
India & Ors.

Respectfully Showeth:

1. That the applicants have come before this Hon'ble NGT for adjudication on the prayer as reproduced below:

“Application under section 14, 15 read with section 18, 19 and 20 of the National Green Tribunal Act 2010 for quashing of order (P-1) vide letter no. Revenue/1455 dated 07.06.2023 of Divisional Forest Officer, Department of Forests and Wildlife Preservation, Mohali and consequential actions where only the wood value of standing fully grown green trees (to be axed) has been assessed arbitrarily and feloniously at an average rate of Rs. 3752/- (Rupees Three Thousand Seven Hundred Fifty Two Only) per full grown green tree instead of actual environmental value of green trees [which is Rs. 74,500/- per tree as per (P-3) and Rs. 7,10,260/-

per tree as per (P-4)] without taking into consideration (i) Loss of Production of oxygen (ii) Loss of Controlling of soil fertility & soil erosion (iii) Loss of Recycling of water and controlling humidity and Air temperature (iv) Loss of eco system viz. sheltering of birds, squirrels & insects, flora and fauna (vi) Loss of sequestration, i.e. removal of Suspended Particulate Matter, CO₂, SO₂ from air.

xxxxx.....”

2. That it is apposite to reproduce para no. 4 of Order dated 08.01.2023 of hon’ble NGT hereunder as:

“Prima facie, the averments made in the application raise questions relating to environment arising out of implementation of the enactments specified in Schedule-I to the National Green Tribunal Act, 2010.”

3. That further, it is necessary to reproduce para no. 5 of Order dated 17.09.2024 of hon’ble NGT hereunder as:

“PPCB shall specifically inform, what action it has taken for causing adverse impact on the air quality in Mohali due to trees already cut by respondent 6 and in respect of the trees, proposing to cut for further widening of the road. It will also place on record whether it has

imposed any environmental compensation upon respondent 6 or not and if not, why.”

4. That the reply of Respondent no. 7, i.e. PPCB is **off the mark**. The asked for information has not been provided by PPCB. The respondent no. 7 has intimated the average values of parameters of air quality.

The applicant submits that it is not the average value which matters for existence of life but it is the maximum value of AQI which affects the existence of life.

As an illustration, if at an instant, a person has blood pressure as 400 mm of Hg then he dies. Similarly if he has a blood pressure of 0 mm of Hg still he dies. But if his average blood pressure $(400 + 0)/2 = 200$ mm of Hg is taken into consideration then he survives. But can an average value be taken? So we cannot qualify/quantify the average of extreme figures.

Para no. 3 of the reply of R-7 relies only on the average values which is patently wrong. AQI of the tricity of Chandigarh has touched the **worst level of 500** during the recent past. Copies of newspaper cuttings are enclosed for assessing the gravity of the prevailing situation as Annexures P-10 to P-14.

5. That it has been wrongly stated in para no. 5 by Respondent No. 7 that GMADA has obtained permission for cutting of trees from Department of Forests and Wild Life

Preservation. The Respondent No. 5, i.e. DFO Mohali has categorically stated the fact in Para No. 4 of their reply dated 14.03.2024 submitted to hon'ble NGT which is reproduced below:

*That, it is submitted that, the applicant has wrongly stated that DFO, SAS Nagar has issued any permission/order for felling of said trees, whereas DFO has only carried out the assessment of the timber value of the trees and he clearly mentioned in said letter (P-1), that **“This may not be treated as special permission/NOC to cut/fell the trees. As per rules, you may seek permission of the competent authority of your department to get trees cut/fell.”***

As per documents on record of this OA, no such record of any permission to cut the trees from Department of Forest and Wild Life Preservation exists.

6. That it is submitted that as per planning of the old Sectors of Mohali, all roads have metalled width of 14 meters and trees have been planted by the government agencies just on the edge of metalled portion of the road. This fact had been got checked from the officers of GMADA during inspection of the roads alongwith members of various NGOs. Any decision to cut the trees on road from SSP chowk to Mohali village will have affect on the life of approximately 30,000 trees in the old

sectors of Mohali. All the connecting roads from Chandigarh were also got inspected and the width of the metalled portion of the road was approximately the same as in old sectors of Mohali.

Place: Mohali
Date: 27.11.2024



President
Environmental Protection Society (Regd.)
S.A.S. Nagar Applicant

Through Counsel



(SHRI KANT RATTAN)
ADVOCATE

218 AQI breaches 500-mark in certain parts in city

6

Annexure P-10

TIMES NEWS NETWORK

Chandigarh: Chandigarh's air quality plummeted further, with average AQI value touching 372 (very poor category) on Wednesday. Shockingly, there were multiple periods in the day when air quality turned 'severe' with AQI crossing the 400-mark and touching 500-mark in several places in the city.

On Tuesday, city had reported an average AQI of 343.

In the areas around Sector 22 air quality monitoring station, the AQI remained above



Balish Ahuja

Chandigarh reported season's first dense fog on Wednesday

► Health advisory, P 4

the 400-mark after 2pm. The prominent pollutant — 'particulate matter (PM2.5)' — touched 500-mark in these areas after 6pm.

At Sector 53 air quality monitoring station, the AQI crossed 400-mark several times, and was consistently touched the 500-mark after 3pm.

The areas around Sector 25 station fared relatively better, but here too the air quality remained 'very poor' throughout the day.

A UT official said, "We are closely monitoring the situation. If the average AQI remains in the 'severe' category for two consecutive days, drastic steps like closure of schools and shutting down of all construction activities will be taken up. The poor wind conditions and the accumulated pollutants over couple of months (due to stubble burning) now are leading to worsening air quality."

Relief expected in 3-4 days

Expect some relief from worsening air pollution in the next three to four days as weather conditions are beco-

ming favourable for winds.

Weathermen said as there was no wind and rain all these days, it contributed to "very poor" air quality in Chandigarh. But, with current forecast suggesting increase in winds in the coming days, there will be some relief.

"Though there is no major change in sight, but it is expected that winds will increase in the next three or four days. It will lessen the current air pollution if wind blows. Winds cause disbursement of pollution," Surender Paul, director, Chandigarh Meteorological Department, told TOI.

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TOI CITIZEN REPORTER
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Here is your chance to highlight civic problems in your area. Just click pictures using your phone and send us on toichdconnect@gmail.com Use Citizen Reporter in the subject line and give details of the picture

8 held in two stabbing cases

Chandigarh: UT police have arrested eight persons, including a juvenile, in two separate stabbing cases from different parts of the city in the last 24 hours. Two persons — Abhishek of Jhampur village, Mohali, and Rahut of Attawa village, Sector 42, Chandigarh, were injured in the incidents. Abhishek has been battling for his life at PGI. Police produced the seven accused before the local court and sent them to judicial custody, while the minor boy was sent to juvenile home in Sector 24.

32-yr-old man killed in accident

Chandigarh: A 32-year-old man was killed after being hit by an e-rickshaw on the dividing road of Sector 29/30 in the early hours of Monday. Industrial Area Phase-1 police have registered a case against an unknown e-rickshaw driver under the relevant sections of NS. The body has been kept at a mortuary in GMCH-32 for autopsy. Cops said the victim was identified as Manjeet Kumar Awasti, a resident of Badham Colony, Sector 26.

Camera, laptop stolen from car

Chandigarh: Miscreants stole a camera, a laptop and other documents from a car after smashing its windows at Sector 34. Sector 34 police registered a case against unidentified miscreants and started a probe. In a complaint, Abhimanyu Chak, a resident of Sector Panchkula, said he had left the Sector-34 for some personal work on Sunday night and had parked his car near a petrol pump.

Snatchers' gang busted, 5 held

Mohali: Police have arrested five members of a gang involved in snatching mobile phones in Mohali. A scooter and some stolen mobile phones

Air quality plunges, Chd beats Delhi on pollution

City Records 2nd Worst AQI In India

TIMES NEWS NETWORK

Chandigarh: The air pollution in Chandigarh deteriorated on Tuesday with its air quality turning out to be the second worst in the country, only after Hajipur. Chandigarh's air quality was even worse than Delhi.

The air quality index (AQI), Chandigarh's air remained in the 'very poor' category. The average air quality index (AQI) for the city in

Times View

The authorities should act fast to combat the peaking levels of air pollution in the city and around. The unhampered bursting of crackers in the festival season with no thought to the consequences and farm fires have added to the existing pollution due to traffic congestion and construction, smothering the city under a blanket of gases and finely dispersed solid particles. The authorities should begin real-time monitoring and complaint redressal, and initiate an action plan to address the issue, which has health-related ramifications.

It increased from 331 on Monday to 343 on Tuesday. In some areas, particulate matter (PM) levels touched 400 AQI mark (severe category) for some stretches in the 24-hour period.

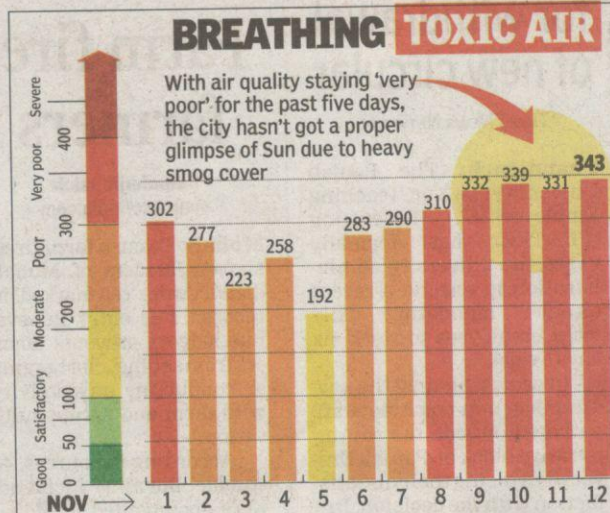
Chandigarh was second only to Hajipur in Bihar, which had an average AQI of 427. Patna (AQI-340) had third worst air quality in the country, followed by Delhi (AQI-334).

The major pollutant in the city was particulate mat-



Balish Ahuja

MOHALI IN DARK: Despite being one of the most important cities in Punjab, Mohali doesn't have its own air quality monitoring station, which ultimately affects measures against air pollution



Air quality stays poor in Panchkula

Panchkula's air quality remained in poor category with an AQI value of 263. The district administration said they are acting against stubble burning cases and even registering cases against farmers violating the norms. Dry weather condition is also adding to the air pollution.

Foggy conditions

Foggy conditions were witnessed in Chandigarh on Tuesday. As per the weather forecast, shallow fog is expected in morning and evening for two more days.

Most polluted cities in India

| | |
|------------|-----|
| Hajipur | 427 |
| Chandigarh | 343 |
| Patna | 340 |
| Delhi | 334 |
| Rajgir | 296 |

HEALTH IMPACT

- 0-50 | Good |** Minimal Impact
- 51-100 | Satisfactory |** Minor breathing discomfort to sensitive people
- 101-200 | Moderate |** Breathing discomfort to people with lungs, asthma and heart diseases
- 201-300 | Poor |** Breathing discomfort to most people on prolonged exposure
- 301-400 | Very poor |** Respiratory illness on prolonged exposure
- 401-500 | Severe |** Affects healthy people and seriously impacts those with existing diseases

Speak Up

What remedies are required to improve air quality in Chandigarh?

Share your view with us and your words might just make it to the pages of The Times of India. Send your view to us at toichdconnect@gmail.com

Nov 15, 2024

AT 412, CHANDIGARH'S AQI 2ND WORST IN THE COUNTRY, ONLY AFTER DELHI

Air quality hits new low, crisis gets severe

TIMES NEWS NETWORK

Chandigarh: After witnessing the longest ever spell of 'poor' to 'very poor' air quality, Chandigarh reported its worst AQI (air quality index) on Thursday, with the value reaching 412, which falls in the severe category.

UT officials said it was the highest AQI level in the city's history.

City's average AQI was only second to Delhi (424). Though, for a period during the day, the city's real-time AQI was highest in the country. At the time, (between 11 am to 12 noon), the real-time AQI in the city stood at 425, while it was 423 in Delhi.

At the two air quality monitoring centres, Sector-22 and Sector 53, the real-time AQI even touched 500-mark (severe). At the Sector 25 station, the maximum AQI level recorded was 426 (severe). In areas around Sector 53 station, the lowest AQI registered was 304 at around 5 pm, but by 8 pm, the AQI increased to 358.

At Sector 22 station, the minimum AQI (308) was recorded around 6 pm; thereafter there was again an uptick with the air quality deteriorating and by 8 pm, the real-time AQI had again climbed 362.

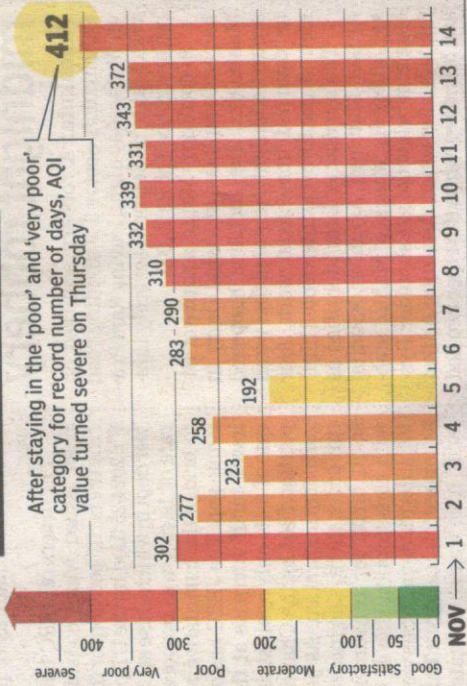
A UT official said, "There was a trend of declining AQI after it peaked early Friday morning. With wind picking some movement in the afternoon, the AQI started to decline. In the coming days, there are indication that wind speed will further pick up, and the city will get some relief from the air pollution."

"Directions have been is-



VISIBILITY BLUES: Dense fog in morning and evening hours took a heavy toll on visibility, making commuting extremely difficult and dangerous in Chandigarh

CLIMBING GRAPH IN NOV



FOG ADDS TO WOES
Commuters had another tough day with dense fog making their life hell on Thursday. While visibility was recorded at 800 meters at 5.30 am, it fell to 190 meters by 8.30am. As per the Met dept forecast, partly cloudy sky with shallow/moderate fog during morning and evening hours is likely to continue for at least three more days.

VISIBILITY METER
800m | 5.30am

RELIEF FROM AIR POLLUTION ON CARDS

According to meteorologists, a significant reduction in air pollution is expected in the next two to three days as wind speeds are anticipated to increase, helping to disperse the accumulated pollutants. "Some

TIMES NEWS NETWORK

Chandigarh: With air quality in Chandigarh turning severe on Thursday, local MP Manish Tewari sought closure of schools if the situation continues in future.

In a post on X, Tewari tweeted, "Chandigarh has an AQI of 500 today. If things stay this way I urge the governor of Punjab and administrator of Chandigarh Gulab Chand Kataria to seriously consider shutting down all schools, especially for small children till the situation mitigates."

The tweet drew comments from some people, who urged the school education dept to consider MP's suggestion.

In light of the ongoing pollution, TOI reached out to local parents for their opinion on the matter.

Nitin Goyal, president of Chandigarh Parents' Association, said, "The current AQI levels in Chandigarh are alarmingly high, which pose severe health risks to our children. We strongly believe that closing at least kindergarten schools until the air quality improves is crucial to protect them from the harmful effects of air pollution. Additionally, we advocate for exploring alternative options, such as online classes."

Some private schools have said they are trying to limit outdoor activities.

SEVERAL FLIGHTS DELAYED

Several afternoon and late evening flights experienced delays for the second day in a row owing to heavy smog in Chandigarh, reports **Barinderjit Saluja**. Flights witnessed delayed departures varying between one hour to two-and-a-half-hours. Indigo's evening flight 6E-6203 to Mumbai was delayed by 52 minutes. Vistara flight UK-660 to Mumbai was also delayed by an hour. Air India flight AI-2660 to Mumbai was delayed by 2 hours. Delhi-bound Indigo flight 6E-2113 was delayed by 1.25 hours. Bengaluru-bound Indigo flight 6E-593 was delayed by 1.09 hours. Air India flight AI-2625 to Mumbai was delayed by 1.25 hours. Alliance Air flight 91-832 to Delhi was delayed by 1.30 hours. However, the arriving flights were not much affected as these saw a delay ranging between 15 to 25 minutes.

Durgesh Jha, another parent, said, "It is very dangerous for the health of kids commuting to school amid dense smog. I strongly advocate for closure of schools and introduction of online classes for higher classes."

The task force has also asked MC to take other measures. The civic body has already started using water sprinklers and water cannons across the city to suppress the dust. But, many other measures like sweeping on the internal roads using water sprinklers

'Hike parking fee, reduce traffic on roads'

But any decision on the matter needs approval of the MC general house. The members of the general house are quite firm on their demand to make parking completely free and had passed a resolution in this regard too and sent the same to the UT administration for its approval.

Deepak Yadav
@timesofindia.com

Chandigarh: Aiming to improve air quality in the city, the task force set up under graded response action plan (GRAP) of the UT administration has asked the Chandigarh municipal corporation

Poison in the air

At 425, City Beautiful AQI worst ever on Thursday, beats Delhi's 423

DUSHYANT SINGH PUNDIR
TRIBUNE NEWS SERVICE

CHANDIGARH, NOVEMBER 14

Toxic smog choked city residents, as air quality remained in 'severe' category during the day today. The air quality in the city was recorded as worst in the country around noon. The highest ever 425 average Air Quality Index (AQI) in the city was registered around 11 am, followed by Delhi where it stood at 423. The Air Quality Monitoring Station Sector 22, in the heart of the city, registered AQI of 460 around 11 am. Similarly, at Sector 53 air monitoring station, bordering Mohali district, the AQI was 452. At the Sector 25 station, the AQI was registered at 363.

This is the first time that Chandigarh has witnessed such a long spell of bad air quality. In the past, air pollution has never remained at such a high level for more than a day or two. While the AQI remained between 300 and 400 in the past six days, it entered the 'severe' category on Wednesday night.

As the day progressed, the air quality improved in the city. According to the data of the Central Pollution Control Board, around 4 pm the AQI in Chandigarh was 412. Around 6 pm, it improved to 'very poor' category as the average AQI was registered at 400. The situation improved further and AQI dropped to 396 around 7 pm.

Meanwhile, Member of Parliament Manish Tewari urged UT Administrator Gulab Chand Kataria to consider shutting down schools, espe-



Vehicles move amid low visibility due to smog in Chandigarh on Thursday. TRIBUNE PHOTO: PRADEEP TEWARI

CITY'S AIR QUALITY

| Day | AQI |
|-------------|-----------------|
| November 8 | 310 (VERY POOR) |
| November 9 | 332 |
| November 10 | 339 |
| November 11 | 331 |
| November 12 | 345 |
| November 13 | 380 |
| November 14 | 425 (SEVERE) |

DEVOTEES URGED TO SHUN FIREWORKS

In view of the worsening air quality in the city, the Sector 34 gurdwara management committee head Tejwant Singh Gill has appealed to devotees not to burst firecrackers on the Parkash Purb of Guru Nanak Dev. The committee also shared the appeal on social media and urged the devotees to spread the word.

cially for small children, till the air quality improves.

Ajay Jagga, former member of District Consumer Protection Council, UT, urged Kataria for urgent revival and implementation of the 2022 EV Policy to combat severe pollution in Chandigarh. "It is alarming to note that Chandigarh recently recorded the worst air quality in the country, with an AQI reaching an

alarming level of 425, which is classified as 'severe'. This hazardous level of pollution poses significant health risks, particularly to vulnerable groups such as children, the elderly and those with respiratory issues," he said.

The situation has deteriorated to the point where visibility has been compromised due to smog, disrupting routine life.

CONTINUED ON PAGE 4

15% rise in asthma cases: Health Director

SHEETAL
TRIBUNE NEWS SERVICE

CHANDIGARH, NOVEMBER 14

With a thick layer of smog enveloping the tricity, residents are complaining of redness in eyes and breathing issues. Smog, which is a mix of fog, smoke and air pollutants, predominantly affects eyes, nose and throat. It leads to coughing, wheezing and difficulty in breathing on a short-term basis. All of these health issues are being reported at Government Hospitals and private facilities of the tricity. There's also escalation of symptoms in pre-existing patients of cardiovascular disease.

As per Director of Health Services Dr Suman Singla "There is about 15 per cent rise in cases of asthma." S patients with asthma or cardiovascular ailments would require inhalers.

Dr Amit Kumar Manda Director, Pulmonology, Sleep & Critical Care, in a private hospital, explains that the bad air quality can lead to worsening of existing lung condition like COPD exacerbations and can affect lung function. He adds, "The pollutants in the air affect individuals who are active outdoors. Hence, such activities should be curtailed during these times

CONTINUED ON PAGE

14/11/2024

Tribune

FORECAST



PARTLY CLOUDY

MAX 25°C | MIN 17°C

YESTERDAY

MAX 25.3°C | MIN 16.8°C

SUNSET

THURSDAY

5.27 PM

SUNRISE

FRIDAY

6.48 AM



RASHMIKA REVEALS DETAILS ABOUT PUSHPA: THE RULE

Rashmika took to Instagram, where she shared a picture from the dubbing session. **P4»**



TWITTER/THETRIBUNECHD f FACEBOOK/CHANDIGARHTRIBUNE

City gasps for fresh air as AQI hits 'severe' category

Enveloped by smog for sixth day, longest such spell since 2020

DUSHYANT SINGH PUNDIR
TRIBUNE NEWS SERVICE

CHANDIGARH, NOVEMBER 13

Air quality in the city slipped into the 'severe' category today, leaving residents to gasp for fresh air.

As the region grappled with the rising pollution levels, the city was the worst hit with the AQI reaching 424 points at the Air Quality Monitoring Station, Sector 22, around 10 pm for the first time this season. At the Sector 53 station, bordering Mohali district, the AQI was 419 and at the Sector 25 facility 335. The average AQI of the city stood at 393.

For the sixth consecutive day today, the average AQI remained in the 'very poor' category in the city and it is the longest spell since 2020.

According to the data of the Central Pollution Control Board, the second highest average AQI was registered at 400 in the city on November 9, 2022.

During the night of Diwali, the AQI was 395 in the city.

In the morning and evening, a thick blanket of smog enveloped the city. Dr Ravin-



A girl wearing mask crosses a road near the airport light point in Chandigarh on Wednesday. TRIBUNE PHOTO: RAVI KUMAR

POSES HEALTH RISK

Dr Ashutosh N Aggarwal, Prof & Head, Department of Pulmonary Medicine, PGIMER Chandigarh, said: "Smog poses considerable health risk to those engaged in outdoor activities. It can cause throat and chest irritation, shortness of breath, and also aggravate pre-existing lung diseases in patients."

dra Khaiwal, Professor of Environment Health, Department of Community Medicine and School of Public Health, PGI, said air pollution emissions, meteorology and atmospheric chemistry worked together in complex ways to influence the build-up of pollutants near ground levels, especially in urban environments like that of Chandigarh.

"This interplay is especially evident during winter when

pollutants like PM2.5 and ground-level ozone accumulate due to lower temperatures, limited wind dispersal and stubble burning, leading to "severe" AQI levels that impact the health and well-being of residents," he said.

Stubble burning in the neighbouring states was considered as one of the major causes of the increasing air pollution in the city.

UT ISSUES ADVISORY

- Avoid outdoor morning and late evening physical exercise. Do not open external doors and windows during morning and late evening hours, may ventilate if necessary between 12 pm and 4 pm (on days with 'poor' to 'severe' AQI)
- Avoid burning wood, coal, animal dung, kerosene.
- Avoid use of room fresheners. It consumes oxygen very fast
- Do not smoke cigarettes, bidis and related tobacco products
- Avoid burning mosquito coils and incense sticks in closed premises
- Practice wet mopping instead of sweeping or vacuum cleaning
- Keep washing your eyes with running water regularly and do regular gargles with warm water
- Consult the nearest doctor in case of breathlessness, giddiness, cough, chest discomfort or pain, irritation in eyes (red or watery)
- Patients with underlying medical conditions should be more careful to avoid exposure to air pollution. They should keep their medications readily available

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