

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI**

IN O.A. 298 OF 2023

IN THE MATTER OF:

Dr. Raja Singh

.....Applicant

Vs.

Union of India, Through the Secretary, Ministry of Environment,
Forests and Climate Change and Ors.

.....Respondents

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Response to 'Report of the Expert Committee' placed in affidavit by R1-MoEFCC dated 13.12.2024 praying for directions of the Hon'ble National Green Tribunal for phasing out asbestos roofing in schools under Air (Prevention and Control of Pollution) Act 1981 read along with Environmental Protection Act, 1986 and read along with Precautionary Principle as in Section 20 of the National Green Tribunal Act, 2010.

The humble applicant Most Respectfully Showeth:

1. That, in Order dated 17.12.2024, the Hon'ble National Green Tribunal had directed as follows:

8. Objections/suggestions by the applicant and Additional Study Report by MoEF&CC may be filed at least one week before the next date of the hearing fixed (i.e., 28.02.2025)

2. That, at the outset, the humble applicant reiterates that this matter is non-adversarial in nature and linked only to the non-occupational exposure to asbestos in schools and phasing out of asbestos cement roofs in schools in larger public interest and in good faith for health and well-being of children who are a vulnerable section of the society. It is not about any banning, especially of asbestos in general in India.

3. The humble applicant bows down before the combined wisdom of the learned experts of the Expert Committee and the wisdom of this Hon'ble Tribunal and is only capable of placing suggestions for the consideration by the Hon'ble Tribunal.

4. The humble applicant at first begs to place the key important highlights of the report which are as follows:
 - a. In point 3 (e) on page running page 1738, the report has acknowledged a very important scientific and medical fact which is:

'It is true that even low dose exposure of asbestos can result in a disease but after several years (about 20 or more) and in many instances such disease represents

in sub-clinical form (patient do not have any sign symptoms and only X-Ray/HRCT will have opacities).

This clearly indicates that there is no safe level of asbestos exposure, and the continued use of this Group 1 carcinogen in schools may be a foolhardy risk. Further the fact that the disease will remain in sub-clinical form and will manifest after 20 or more years means this may be a silent killer and a time bomb. It may be noted that for the sake of the school children, this risk may be avoided for a healthy future.

- b. In point 3 (f) on running page 1738, there have been observations by experts from IIT Roorkee which have not been included in the body of the report but have been included as annexure VI (running page 1778 to 1781). These may kindly be considered by the Hon'ble Tribunal as they may be important for the adjudication of this matter. Further, comments of the expert from National Institute of Cancer Prevention and Research (part of Indian Council of Medical Research) may be noted.

5. The humble applicant also respectfully wishes to place suggestions on the Recommendations provided by the Expert Committee located in Point 4 on running page 1739. These are as follows:

- a. On whether the recommendations are mandatorily enforced or a mere guideline for schools may kindly be noted, and it is prayed before the Hon'ble Tribunal that mandatory enforceable directions by the MoEFCC may be given in this regard.
- b. On the recommendation given in point 4 (a), any step including maintaining of existing sheets in schools in good condition and application of protective coating as a precautionary measure may be the first important step.
- c. With respect to the installation of fresh asbestos sheets in schools or future use of asbestos as part of roofing material in schools, as it may not have been covered in the recommendations, the Hon'ble Tribunal may direct the MoEFCC to provide a suitable enforceable regulation.

- d. It has been admitted by MoEFCC that asbestos '*can enter the air, water and soil from weathering, renovation, or demolition of manufactured asbestos products.*' And that '*people are likely to be exposed to asbestos through inhalation of airborne fibres*'. Under this context, the issue of disposal of waste cement-asbestos sheets has been included in recommendations. It is prayed that the awareness and creation of policies on waste disposal may be given a strict time frame, as the Hon'ble Tribunal may deem correct. Further, the issue of asbestos waste disposal is second to the issue of **minimizing** of the asbestos waste generation itself as has been highlighted in the report. For this the industry with a spirit of reform, and with their enormous capability can lead by coming up with solutions.
- e. India has had roofing for centuries, and for the sake of use in schools, many low-cost techniques which give power to local decentralized artisans and workers to create roofing solutions may be worked upon/innovated by the industry along with the government in face of

their immense power, influence, and capability. This will enable actual *Atmanirbhar Bharat* and by not having schools use a Group 1 carcinogen will we contribute to *Viksit Bharat*, retaining worker jobs and health and safety for users at schools, waste handlers and others, etc. In this regard, the Government of India, Ministry of Home Affairs through its National Disaster Management Authority has come up with 'House Owner's Guide to Alternate Roof Cooling Solutions' where 16 techniques which can work for schools, have been used against heatwave action. This has already been placed on record (running pages 1078-1112). These may kindly be considered by the Hon'ble Tribunal.

6. Further, the humble applicant has learnt that the Ministry of Education, Government of India through the Kendriya Vidyalaya Sangathan and the Navodaya Vidyalaya Samiti have issued directions to their schools to ensure that in any ongoing or future school projects, asbestos may not be used. Further, the directions include the replacement of existing asbestos structure in a phased manner. These may serve as

beacon lights for other schools in India and **highlights the positive intention of the Government of India towards the health and safety of school children in India.** The directions by Kendriya Vidyalaya Sangathan and Navodaya Vidyalaya Samiti, under Ministry of Education, Government of India are placed as **Annexure A.**

PRAYER

Therefore, the humble applicant prays for the following:

1. This response to the report by R.1-MoEFCC placed in affidavit dated 13.12.2024 may kindly be considered and be placed on record.
2. Suitable directions that the Hon'ble Tribunal may deem fit and appropriate may be passed.

For the above, the humble applicant shall forever be grateful.



(Applicant: Dr Raja Singh)

Date: 19th February 2025

Place: New Delhi



केन्द्रीय विद्यालय संगठन (मू0)
 KENDRIYA VIDYALAYA SANGATHAN (Hqrs.)
 18, संस्थागत क्षेत्र, शहीद जीत सिंह मार्ग, नई दिल्ली -110016.
 फ़ैक्स : 26514179 फ़ोन : 26858570
 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi-110016
 FAX: 26514179 PHONE : 26858570
 Website : www.kvsangathan.nic.in

एफ -110116-21/06-KVS(HQ)/WK-II /210

दिनांक:-02.12.2024

उपायुक्त
 केन्द्रीय विद्यालय संगठन
 समस्त क्षेत्रीय कार्यालय एवं जीट

विषय:-Directions for prohibiting use of asbestos in ongoing/future projects of KVS and replacement of existing asbestos with other material.

महोदय/महोदया,

In compliance with the recent instructions received from the Ministry of Education, KVS has been directed to ensure that asbestos is not used in any of the ongoing or future construction projects and replacement of existing asbestos structure in phased manner in all of the Kendriya Vidyalaya Sangathan (KVS) School and administrative building if any. Asbestos, once valued for its affordability and heat-resistance, is now recognized as a serious health hazard. To promote a safe, healthy, and sustainable environment for both students and staff, it is imperative that KVS take immediate steps to eliminate its use in all KVS infrastructure projects.

It is, therefore, essential to communicate this directive to all the Principals under your jurisdiction to strictly ban asbestos in all ongoing/future projects of KVS and necessary steps to be taken for replacement of existing asbestos structure if any, with other desired material in phased manner:

This issue with the approval of competent authority.

भवदीय,

Ajay Singh 02/12/24
 (ई०ज्ञानदीप सिंह आर्य)
 सहायक अभियंता

नवोदय विद्यालय समिति
शिक्षा मंत्रालय
(स्कूल शिक्षा एवं साक्षरता विभाग)
भारत सरकार
बी-१५, संस्थानिक क्षेत्र, सेक्टर-६२
नोएडा - २०१३०७ (उत्तरप्रदेश)
वेबसाइट - www.navodaya.gov.in



Navodaya Vidyalaya Samiti
Ministry of Education
(Dept. of School Education & Literacy)
Government of India
B-15, Institutional Area, Sector-62
Noida - 201307 (Uttar Pradesh)
Website - www.navodaya.gov.in

F. No. 2-(Common Data)/2022-NVS(W)/ 609

Dated: 04.12.2024

BY SPEED POST / EMAIL

To,
NVS Section,
D/o School Education & Literacy
Ministry of Education, Govt. of India

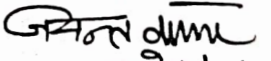
Sub: Ensuring safe and healthy environment for safety of students- reg.

Ref.: Director, O/o MoS for Education (JC) letter dated 05.11.2024.

Sir,

1. This is with reference to Director, O/o MoS for Education (JC) letter dated 05.11.2024 cited above, vide which it has been intimated that there is a need to eliminate asbestos use in all government schools, including Jawahar Navodaya Vidyalayas (JNVs).
2. In this regard, it is to mention here that the use of Asbestos sheet in construction of JNV campus has already been discontinued long back. Further, a comprehensive survey was conducted across all JNVs running on permanent campus to identify the existing structures with Asbestos sheets and 81 JNVs have been identified to have asbestos in the campus and necessary funds are being provided to regional offices for replacing of asbestos sheets.
3. This is issued with the approval of GM (Const).

भवदीय,

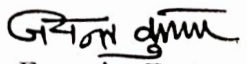

Jayant Kumar
Executive Engineer

प्रतिलिपि:

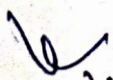
1. PA to Commissioner, NVS
2. PA to GM(C), NVS

- for information please.

- for information please.


Executive Engineer

ISSUED


4/12/24

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI

IN O.A. 298 OF 2023

IN THE MATTER OF:

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.....Applicant

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.....Respondents

AFFIDAVIT

I, Dr. Raja Singh, S/o Sh. Gurmit Singh, aged 32 years, R/o E 205/206, GF, Amar Colony, Lajpat Nagar 4, New Delhi 110024, do hereby solemnly affirm and state as follows:

1. That I am the Applicant in the above captioned document and as such fully conversant with the facts of the present case and hence competent to swear the present affidavit.
2. That I have gone through the contents of the accompanying document and has been drafted by me.
3. That I have understood the meaning thereof and the content of the accompanying document is true and correct to the best of my knowledge.

self.
I Identify the Executant Deponent who has Signed in my Presence

[Signature]
DEPONENT

Verification

19 FEB 2025

Verified at New Delhi on this 19th day of February 2025 that the contents of the above affidavit are true and correct to the best of my knowledge. No part of it is false and nothing material has been concealed therefrom.



ATTESTED

[Signature]
Notary Public, Delhi

[Signature]
DEPONENT

19 FEB 2025

Proof of Service of Response to Expert Committee Report in compliance of order dated 17.12.2024.

From Dr. Raja Singh <dr.rajasingh@proton.me>

To danubeconsulting@gmail.com, mbalodhi.cpcb@nic.in, bhaskar.chhikara@gmail.com, nazim.cpcb@nic.in, mishra.vp@gov.in

CC Ankit Virmani<ankit@virmani.in>, Hrithik Sharma<hrithik@virmani.in>, Vaibhav Bhadana<vaibhav.bhadana@virmani.in>, office@virmani.in, dheeraj.adv001@gmail.com, Gigicgeorge.adv42@yahoo.in<gigicgeorge.adv42@yahoo.in>, secy.sel@nic.in

Date Wednesday, 19 February 2025 at 4:23 PM

Before The National Green Tribunal
Principal Bench at New Delhi

In the matter OA 298 of 2023
Dr Raja Singh vs Union of India & Ors

Subject: Proof of Service of Response to Expert Committee Report in compliance of order dated 17.12.2024.

Most Respectfully,

The Hon'ble National Green Tribunal on 17.12.2024 passed an order as follows:

'8. Objections/suggestions by the applicant and Additional Study Report by MoEF&CC may be filed at least one week before the next date of hearing fixed' (ie. 28.02.2025)

In compliance of the above, please find the attached Response to Report of the Expert Committee' which is being served to you.

Kindly confirm the receipt of the same.

Thanks and regards,
Dr Raja Singh

2.11 MB 1 file attached

response_19feb25_paged_ns_oa298.pdf 2.11 MB