

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

Application No. 64/2012(T<sub>HC</sub>)

Vajubhai Arsibhai Dodiya & Ors. V/s Gujarat PCB & Ors.

CORAM: HON'BLE SHRI JUSTICE V. R. KINGAONKAR, JUDICIAL MEMBER  
HON'BLE DR. G.K. PANDEY, EXPERT MEMBER  
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER  
HON'BLE SHRI B.S. SAJWAN, EXPERT MEMBER  
HON'BLE DR. R.C. TRIVEDI, EXPERT MEMBER

Applicant / Appellant : Ms. Parul Gupta, Adv.  
Respondents No. 1,2,3,4& 6 : Mr. S. Panda, Adv. For Ms. Hemantika Wahi  
Respondent No. 5 : Mr. Chetan Sharma (Sr. Adv.) along with  
Mr. Sharan Thakur, Adv.

Date and Remarks	Orders of the Tribunal
<p>Order No. 12 July 18, 2013</p>	<p>We have heard Learned Counsel for the parties.</p> <p>Ms. Parul Gupta, Learned Counsel for the applicant submits that she seeks time to give response to the affidavit and regarding correctness of the map which is filed by Gujarat Ambuja Cement Ltd.</p> <p>We grant two weeks time for giving response.</p> <p>In the meanwhile, we also direct the Gujarat Ambuja Cement Ltd. to obtain authentic data from the Indian Metrology Department in the context of wind direction, the spell of impact thereof and other details. We further direct Gujarat Ambuja Cement Ltd. to place on record the data relevant pertaining to the fuel that was used in the relevant evening prior to the accident in question as well as immediate steps which were taken in order to verify the area covered in the wind direction which had faced the spreading of the emission from the chimney including the particulate matter etc.</p> <p>We direct the Gujarat Pollution Control Board that the concerned Pollution Control Board's officer who gave the direction to parties to settle claims outside without doing any spread work shall also remain present and file an affidavit as to why immediate action was not taken and shall place on record the relevant material. He shall come prepared pertaining to the compliance and the enquiry.</p> <p>As per the request fo the Learned Counsel for the Gujarat Ambuja Cement Ltd, leave granted to substitute the list of the affected farmers/claimants.</p>

Stand over to 3<sup>rd</sup> September, 2013

....., JM  
(V. R. Kingaonkar)

....., EM  
(Dr. G.K. Pandey)

....., EM  
(Prof. A.R. Yousuf)

....., EM  
(B. S. Sajwan)

....., EM  
(Dr. R.C. Trivedi)

