

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

**Original Application No. 124 of 2015
(M.A. No. 375 of 2016, M.A. No. 307 of 2017, M.A. No. 308 of 2017, M.A. No. 310 of 2017 & M.A. No. 327 of 2017)**

And

**Original Application No. 127 of 2016
(M.A. Nos. 300 of 2017, 301 of 2017, 309 of 2017, 323 of 2017, 324 of 2017 & 326 of 2017)**

IN THE MATTER OF:

Sumitra Devi Vs. CPCB & Ors.

And

Dr. Laxman Raghav Vs. State of Rajasthan & Ors.

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER
HON'BLE DR. AJAY A DESHPANDE, EXPERT MEMBER**

Present:

Applicant:

**Mr. Rahul Kuhrana, Adv. for Applicant in OA 127/16
Mr. Mayank Jain, Ms. Madhu Jain and Mr. Parmatma Singh, Adv.
Mr. Vaibhav Gaggar, Adv. and Ms. Sumedha Dang, Adv.**

Respondent No. 1:

**Ms. Alpana Poddar, Mr. Raj Kumar, Adv. with Mr. Bhupender Kr., LA, Central Pollution Control Board
Mr. Krishna Kumar Singh, Adv. for MoEF
Mr. Anil Grover, AAG and Mr. Sandeep Yadav, Adv. for State of Haryana**

State of Rajasthan

**Mr. B.V. Niren, Adv. for CGWA
Mr. Shiv Mangal Sharma, AAG with Mr. Saurabh Rajpal, Ms. Shikha Sandhu and Mr. Adhiraj Singh, Adv.**

Mr. Vivek Kr. Tandon, Ms. Mamta Tandon, Mr. Mayank Jain and Mr. Parmatma Singh, Adv.

Mr. Manav Gupta, Mr. Prabhsahay Kaur, Ms. Esha Dutta and Mr. Sahil Garg and Ms. Ridhi Munjal, Adv.

Mr. Akash Tyagi, Adv. for R- 7 & 9

Respondent No.4

Mr. Raj Panjwani, Sr. Adv for (RIICO)

Date and Remarks	Orders of the Tribunal
Item No. 47 & 48 May 03, 2017 ss	<p>Mr. Abhay Singh Soni, Scientist 'E' of Central Pollution Control Board submits that the report that has been submitted to the Tribunal suffers from lapses, deficiencies and therefore it cannot be stated to be complete and comprehensive. He further submits that in the interest of justice and to find out the exact pollution that is being caused by the industries a fresh inspection team be constituted to conduct complete and comprehensive inspection.</p>

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In view of the statement made by him today and the unconditional apology tendered by him in open court yesterday's order for recovery from his salary be kept in abeyance for the present.

We hereby constitute the following Committee for conducting fresh inspection of the 10 industries, the CETP and Acid Treatment in that area. The Committee shall consist of the followings:-

1. Senior Scientist, from MoEF other than the Scientist who was associated in the previous inspection.
2. Senior Scientist from Central Groundwater Authority other than the officer who had been sent for inspection earlier.
3. Mr. Abhey Singh Soni and another Senior Scientist from Central Pollution Control Board nominated by Member Secretary.
4. Professor in the specialty concerned (Prof. Nema) or his nominee from I.I.T., Delhi.
5. Professor Asolkar from I.I.T., Bombay.

Let the inspection report be prepared immediately and submitted to the Tribunal.

Once the Committee is prepared to conduct the inspection, the Committee would be free to pass appropriate directions for the purpose of inspection and on inspection if the unit be permitted to operate or not or to be shut down. The Committee may also make recommendations for prevention and control of pollution.

The Rajasthan Pollution Control Board and RIICO shall submit their report regarding status of their plan for de-sludging and cleaning the pond and drain within one

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week from today. In the event of default the Managing Director of RIICO and the Member Secretary, Rajasthan Pollution Control Board shall be present before the Tribunal.

The Rajasthan Pollution Control Board shall submit a status Report with regard to the remaining 9 industrial units which are stated to be polluting. The Learned Counsel appearing for the Board submits that all these 9 industries have also been shut down. Let this fact be physically verified. There should be an inspection of CETP as well.

List this matter on 12th May, 2017.

The Applicant is also permitted to be present before the Committee. None of the parties will obstruct or interfere with the functioning of the Committee.

.....,CP
(Swatanter Kumar)

.....,EM
(Bikram Singh Sajwan)

.....,EM
(Dr. Ajay A Deshpande)