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

## Original Application No. 100 of 2014 (M.A. No. 302 of 2014)

Dr. A. Kishan Rao & Ors. Vs. Union of India & Ors.

CORAM: HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON

HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER

HON'BLE MR. DR. D.K. AGRAWAL, EXPERT MEMBER

Present: Applicant: Mr. Rahul Shukla and Mr. Ajay Sipahiya, Advs.

Respondent No. 1: Mr. Vikas Malhotra, Adv.

Respondent No. 2: Mr. Raj Kumar, Adv. along with Mr. S.L. Gundli,

SLO, CPCB

Respondent No. 3: Mr. B.V. Niren and Mr. V. V. Vardhan, Advocates

Respondent 5: Mr. Nikhil Nayyar, Adv.

Date and Remarks	Orders of the Tribunal
Item No.	
March	We have heard the Learned counsel appearing for
09, 2015	the parties. From the reports submitted by the Telangana
	Pollution Control Board it is evident that certain
11	parameters are in violation to the prescribed parameters of
3	the trade effluents and the ground water and the water
	stored in the tanks.
11/2	Learned counsel appearing for the Board upon
1/8	instructions from Mr. I. Raghunatha Swamy, Joint Chief
2	Environmental Engineer, T.S.P.C.B. submits that there
	are 26 pharmaceutical industries which have been
	required to achieve zero discharge in their operations.
	Upon instructions from this Officer, it is further stated
	that M/s Neuland Laboratories Ltd., Unit – VII,
	Pashamailaram and M/s Suven Life Science,
	Pashamailaram are two industries which are in the
	process of achieving zero discharge while others have
	already obtained. It is undisputable that there is a
	serious pollution of ground water of that area where
	pharmaceutical industries are situated. They are also a

serious source of pollution. Before we proceed to deal with this matter any further and pass appropriate directions, will require scientific data and information before us to enable us to pass effective and implementable orders. Therefore, we direct as follows:-

- 1. MoEF shall file before the Tribunal an Affidavit duly supported by the data as to what studies was carried out by MoEF before relaxing on the moratorium period and permitting new industries to be established in that area. It shall also inform as to why the industries were permitted to be established despite the serious environmental issues existing in that area.
- 2. We direct a joint inspection team consisting of a representative of the CPCB, a Senior Scientist of MoEF and a representative each of the Andhra Pradesh Pollution Control Board and of Telangana Pollution Control Board. This joint inspection team shall conduct inspection of all or majority of the 26 pharmaceutical industries stated at Page No. 223 of the Paper Book before the Tribunal and report:-
  - (a) Whether these are actually zero discharge units as per new guidelines provided by MoEF and the CPCB as well as per existing guidelines, in the light of the Orders of the Tribunal as well.
  - (b) They shall also analyze ground water from the areas where pharmaceutical industries are located.
  - (c) Functioning of the CETP.
  - (d) Whether all these industries are discharging their

effluents into the CETP or not.

- (e) What is the source of their water and if there is ground water extraction whether they have permission from the Central Ground Water Authority or not.
- (f) It shall also be pointed out if these industries have any bye pass provided in their Unit or are discharging effluents into the earth by any methodology.
- (g) All the major pharmaceutical industries in that area would be directed to install online system which will be connected to the Telanagana Pollution Control Board as well as Central Pollution Control Board.
- (h) The report shall also submitted in regard to stack ambient air quality.

We make it clear that till further directions of the Tribunal, no new pharmaceutical industry or any polluting industry would be permitted to come up in this area.

List this matter on 10th April, 2015.

,CP (Swatanter Kumar)
,JM (M.S. Nambiar)
,EM (Dr. D.K. Agrawal)