

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

**M.A. No. 365 of 2016 & M.A. No. 35 & 36 of 2016)**

**In**

**Original Application No. 323 of 2014**

**IN THE MATTER OF:**

**Krishan Kant Singh & Anr.**

**Vs.**

**M/s. United Spirits Limited Rosa Shahjahanpur**

**CORAM :** HON'BLE MR. JUSTICE U.D.SALVI, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER  
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER  
HON'BLE Mr. RANJAN CHATTERJEE, EXPERT MEMBER

**Present:** **Applicant:** Mr. Rahul Choudhary and Ms. Meera Gopal, Advs.  
**Respondent No. 1 :** Mr. Pinaki Misra, Sr. Adv. with Mr. Ajay Bhargava, Mr. Vanita Bhargava and Mr. Jeevan B. Panda, Advs.  
**Respondent No. 2 :** Mr. Pradeep Misra and Mr. Daleep Dhyani, Advs.  
**Respondent No. 3 :** Mr. Raj Kumar, Adv. with Mr. Bhupender Kumar, LA, CPCB

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<p style="text-align: center;"><b>Item No. 09</b></p> <p style="text-align: center;"><b>April 29, 2016</b> SN</p>	<p style="text-align: center;"><b><u>M.A. No. 365 of 2016</u></b></p> <p>The Applicant is seeking extension of the period to operate granted vide Order dated 2<sup>nd</sup> March, 2016 in the following terms:</p> <p><i>“In the circumstances afore-noticed and the joint inspection report dated 29<sup>th</sup> February, 2016 we permit the industry to operate for a period of two months from Monday that is 07<sup>th</sup> March, 2016 within which period the industry would operate to its optimum capacity subject to the joint inspection by CPCB, UP Pollution Control Board, representative of IIT Roorkee and MoEF. There shall be complete and comprehensive inspection report in terms of the previous orders of the Tribunal as passed in other cases. The trade effluent shall be analysed and the analyses reports placed before the Tribunal. If the report submitted before the Tribunal is favourable to the industry and it is found compliant and non-polluting the consent order will be issued but same would become operative subject to the orders of the Tribunal. In the event of default the Unit shall be closed forthwith.”</i></p> <p>According to the Applicant, the want of molasses and the time required for stabilizing the digester are the two good reasons for seeking such extension. Learned Counsel appearing on behalf of the Applicant submits that the Applicant has not been able to commence the</p>

distillation operation on 7<sup>th</sup> March, 2016 as the required amount of molasses had to be obtained after passing through bureaucratic wrangles and the same has been made available of late and the operation could be started on 21<sup>st</sup> April, 2016. According to him the digester operation would be stabilized only after 98 days of run at the optimum capacity and only thereafter its efficacy can be properly assessed. These reasons, the Applicant submits are the reasons beyond its control and, therefore, justify the grant of extension of time.

Learned Counsel appearing on behalf of the UPPCB has no issue with what is contended before us. We therefore, pass the following Order:

1. Time granted for operation is extended till 15<sup>th</sup> August, 2016.
2. Joint Inspection of the industry shall be carried out by the CPCB and UPPCB on or about 27<sup>th</sup> July, 2016 and the Report be placed before us on or before the next date of hearing.

Thus, M.A. No. 365 of 2016 stands disposed of.

**M.A. No. 35 & 36 of 2016**

List the matter on 10<sup>th</sup> August, 2016.

.....,JM  
(U.D. Salvi)

.....,JM  
(Raghuvendra S. Rathore)

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

.....,EM  
(Ranjan Chatterjee)