

Item No. 03

(Court No. 1)

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

(By Video Conferencing)

Original Application No. 32/2021
(I.A. No. 173/2021: For issuance of summons to the private respondents,
I.A No. 15/2022 & I.A. No. 213/2021: seeking rejection of TORs)

National Integrated Forum for Artists and Activists Applicant

Versus

Central Ground Water Authority & Ors. Respondent(s)

Date of hearing: 18.01.2022

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE MR. JUSTICE BRIJESH SETHI, JUDICIAL MEMBER
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: Mr. Harpreet Singh Popli, Advocate

Respondent(s): Mr. Rahul Khurana, Advocate for HSPCB

ORDER

1. Grievance in this application is against violation of environmental norms in running activities for manufacturing formaldehyde and its different resins (including melamine formaldehyde, urea formaldehyde and phenol formaldehyde) without requisite Environmental Clearance (EC) by private respondents-industries, namely, Synorhem Organics Pvt. Ltd., Apolite Polymers Pvt. Ltd., Jai Bharat Polymers & Chemicals, Pahwa Plastics Pvt. Ltd., Pahwa Plastics Pvt. Ltd., Goyal Overseas, Om Chem, Decent Drugs Pvt. Ltd., Banke Bihari Overseas Pvt. Ltd., G.B. Overseas Pvt. Ltd., JRS Industries, NMR Phyrochem Pvt. Ltd., Chemwood Industries, Guruji Overseas, Apcolite Polymers Pvt. Ltd., Globe Panel

Industries Pvt. Ltd. in State of Haryana. Further, the said industrial activity is without requisite safeguards prescribed under the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989. The applicant has referred to pending proceedings before this Tribunal on the same subject *in O.A. No. 840/2019, Ayush Garg v. Union of India & Ors.* and *O.A. No. 287/2020, Dastak N.G.O. v. Synochem Organics Pvt. Ltd. & Ors.*

2. The matter was earlier considered on 09.02.2021. The Tribunal directed a joint Committee of the CPCB and the State PCB to look into the matter and give its joint report. The State PCB was directed to take remedial action in exercise of its statutory powers.

3. In pursuance of above, the joint Committee has filed its report dated 25.08.2021 to the effect that out of 29 units in Haryana, 14 were established by 2006 and they do not require EC and remaining required EC. Since the said 15 units have not obtained EC, closure order has been passed by the State PCB. Some of the units have approached the Hon'ble Supreme Court.

4. We also note that the Tribunal has dealt with the issue earlier vide order dated 03.06.2021 in *O.A No. 287/2020, Dastak N.G.O. vs. Synochem Organics Pvt. Ltd. & Ors.* and vide order dated 21.12.2021 in *O.A No. 298/2020, Vineet Nagar vs. Central Ground Water Authority & Ors.*, and held that EC is required for such units and unless EC is obtained, the State PCBs may not allow the said units to continue.

In view of above, the Application is disposed of with the direction that the State PCB may ensure compliance of requirement of EC

(wherever applicable) and till grant of EC, the units may not be allowed to operate.

All I.As will also stand disposed of.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Brijesh Sethi, JM

Prof. A. Senthil Vel, EM

Dr. Afroz Ahmad, EM

January 18, 2022
Original Application No. 32/2021
(I.A. No. 173/2021 & I.A. No. 213/2021
AB