

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

**Application No. 11/2012**

Note of the Registry	Orders of the Tribunal
<p>Dated 19th July 2012</p>	<p>The dispute with regard to dumping of Dolo-char and industrial waste over plot nos. 65 and 71 is the issue in this case. The main allegation is against Respondent No.4 M/s Adhunik Alloys &amp; Power Limited. Mr. Biswajit Das, Learned Counsel for Respondent No. 4 however denies the allegations in toto. In the reply filed by the said respondent the positive stand taken is that no industrial waste of Dolo-Char is ever dumped by the said respondent over the plots in question and that the Industry of respondent no. 4 is situated far away from the disputed site.</p> <p>A reply has also been filed on behalf of Respondent Nos. 1, 3, 5, &amp;6. Learned Counsel appearing for State of Jharkhand Respondent No.1 emphatically submitted that as on date no Dolo-char or any other industrial waste is being dumped on the disputed site. The said fact is also corroborated by the affidavit filed by respondent no. 2 (JSPCB).</p> <p>We had earlier directed all the parties to maintain <i>status quo</i> with regard to dumping. In view of the averments made and the submissions advanced on behalf of the State Government to the effect that dumping over disputed plots has already stopped. We feel the apprehension of the applicant with regard to dumping is mitigated. To avoid further confusion we prohibit dumping of Dolo-char and other industrial waste on the disputed land by any of the parties and direct accordingly.</p> <p>The only other question which needs to be considered is whether the industrial waste of Dolo-char which is dumped over the site earlier is still pending or removed in the meanwhile. According to the appellant the dumping is still existing on the plot. Learned Counsel appearing for the State of Jharkhand wants to obtain instruction on the matter. In the aforesaid scenario we adjourn the case by one week and post the same on <b>31<sup>st</sup> July, 2012</b>. On the said date, the only question which would be decided is as to also whether waste materials of Dolo-char is still lying over the plot or has been removed. Let the parties file respective affidavit on the said question.</p> <p align="right"> <b>(Dr. D. K. AGRAWAL)</b>                      <b>(JUSTICE A. S. NAIDU)</b>  <b>EXPERT MEMBER</b>                      <b>ACTING CHAIRPERSON</b> </p>