

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

Application No. 11/2012

Note of the Registry	Orders of the Tribunal
Order No. 5 Dated 31st July, 2012	<p>The sole contention in this case is with regard to dumping of Industrial Waste (Dolo-char) in private property. It is alleged that seepage of the said Industrial Waste would affect the ground water and also create environmental hazards.</p> <p>By order dated 19th July, 2012, we had directed all the parties concerned not to dump any Dolo-char or any other industrial waste over the plots. The only other question which remained to be considered is with regard to removal of industrial waste (Dolo-char) from the site. The State Government was directed to file an affidavit, indicating the steps taken.</p> <p>Today, when the matter is taken up, an affidavit has been filed on behalf of Respondent No.1, Shri. Prabhakar Prasad Singh, Assistant Conservator of Forests, Dept. of Forest and Environment, Govt. of Jharkhand, inter alia, stating that due to heavy rains the layers of the top soil has been washed out, and no industrial waste (Dolo-char) is lying on the disputed site.</p> <p>The Appellant has also filed an affidavit taking the stand that about 1500 truckloads of industrial wastes were dumped over the private plots and the same has not been removed as yet. In view of the above contention, we direct the Central Pollution Control Board, New Delhi to inspect the site by deputing a responsible officer either from Delhi or from its zonal offices which is near to the disputed plots and submit a report as to</p>

whether any industrial waste (Dolo-char) is still found dumped or being dumped over plot Nos. 65, 67 & 71 of Kadamdih Residential Area near Chandil Bus stand, Post Office-Chandil, Police Station-Chandil, District Saraikela (Kharsawan) Jharkhand.

For the said inspection, the Department of Forest and Environment, State of Jharkhand, as well as the State Pollution Control Board, Jharkhand shall render all cooperation and assistance to the CPCB team for carrying out the said inspection and make available the required information and data.

A copy of memorandum of Appeal along with the replies and copies of our order shall be communicated to Central Pollution Control Board (CPCB) at the cost of the appellant within one week hence. Requisites will be filed for the said purpose.

The report shall be submitted by the CPCB, within a period of two months from the date of receipt of the order as well as other documents.

List this matter on 9th October, 2012.

(Dr. G.K. PANDEY)
EXPERT MEMBER

(JUSTICE A. S. NAIDU)
ACTING CHAIRPERSON