BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH, NEW DELHI

M.A. No. 885 of 2017 In Original Application No. 177 of 2017

Ashwini Kumar & Anr. Vs. Central Pollution Control Board & Ors.

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

HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER

HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER

Present: Applicant:

CPCB

Respondent No. 2&3:

Mr. S.A. Zaidi, Adv. with Ms. Mansi Chahal, Adv. Mr. Raj Kumar, Adv. with Mr. Bhupendra Kumar, LA Mr. Pradeep Misra and Mr. Daleep Kr Dhyani

Advs.

Respondent No. 4: Mr. Chetan Sharma, Mr. Anunaya Mehta and

Mr. Amit Gupta, Advs.

| Date and Remarks | Orders of the Tribunal |
|----------------------|-------------------------------------------------------------|
| Item No. 08 July 21, | M.A. No. 885 of 2017 |
| 2017 sn | We have heard the Learned Counsel appearing for |
| | the parties at some length. There are two inspection |
| VIII | reports of the joint inspection team which states that the |
| 3 | industry has installed all the anti-pollution devices |
| 11/2 | directed by the joint inspection team and as of present, if |
| | the devices operate properly, the industry is not likely to |
| 20 | cause any pollution. Further, it is stated that the various |
| 2 | instruments like online monitoring system/cameras and |
| _ | flow meters that have been fixed in the industry under the |
| | directions passed should function without default and |
| | should be subjected to proper supervision of the |
| | concerned court. |
| | In light of the above and particularly the joint |
| | inspection report, we pass the following directions: |
| | 1. The industry could be permitted to carry on its |
| | manufacturing activity with the immediate effect. |
| | 2. The industry shall ensure that all its anti-pollution |

Item No. 08

July 21, 2017 sn

devices as well as surveillance mechanism operates without default and efficiently.

- 3. The UPPCB shall keep a strict vigilance and regularly inspect the industry to ensure that the industry does not cause any pollution and is compliant.
- 4. Within one month of starting its manufacturing activity, the industry shall be subjected to joint inspection by the Central Pollution Control Board and UPPCB and a joint inspection report be submitted to the Tribunal. The inspection shall be conducted at the cost of the industry.
- 5. The industry would operate strictly in terms of the conditions of the consent to operate.
- 6. The industry shall pay a sum of Rs. 15 lakhs as environmental compensation. The environmental compensation shall be paid within two week from today to the UPPCB which in term would pay the requisite share as per the order of the Tribunal to the Central Pollution Control Board.

With the above direction, M.A. No. 885 of 2017 stands disposed of. There shall be no order as to cost.

The industry shall within a period of three months from today install in an open area an RO Plant in discharge of its corporate social responsibility to ensure that the villagers around that area can get the water which is portable and can safely be consumed by the residents residing in that area. This RO shall be installed by the industry on its boundary wall and the drinking water outlet would be outside the boundary wall of the

| | industry premises. The maintenance of the RO shall be |
|------------------------|-------------------------------------------------------|
| Item No. 08 | the responsibility of the industry. |
| July 21, 2017 sn | ,CP (Swatanter Kumar) |
| | ,JM (Raghuvendra S. Rathore) |
| | ,EM (Bikram Singh Sajwan) |

