

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

**Original Application No.509 of 2016  
(M. A. No. 969 of 2016)**

**And**

**Original Application No.510 of 2016  
(M. A. No. 970 of 2016)**

**And**

**Original Application No.511 of 2016  
(M. A. No. 972 of 2016)**

**Original Application No.512 of 2016  
(M. A. No. 973 of 2016)**

**And**

**Original Application No.513 of 2016  
(M. A. No. 971 of 2016)**

**IN THE MATTER OF:**

**Ranaji Stone Crusher Vs. CPCB & Anr.**

**And**

**New Haryana Stone Crusher Vs. CPCB & Anr.**

**And**

**National Associates Vs. CPCB & Anr.**

**And**

**M/s. Swan Tanning Industries Vs. CPCB & Anr.**

**And**

**Shiv Shankar Stone Crusher Vs. CPCB & Anr.**

**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**

**Applicant : Mr. S. A. Zaidi, Adv.  
Mr. Pradeep Misra and Mr. Dalpee Dhyani,  
Advs. for UPPCB**

**Respondent No.1 : Mr. Raj Kumjar, Adv. and Mr. Bhupender  
Kr. LA. CPCB  
Mr. B. V. Niren, Adv.for CGWA**

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item No. 08 to 12 September 23, 2016  jg</b>	<p>Notice. Learned Counsels appearing for the respective respondents accept notice, waive service.</p> <p>In all the above Original Applications except Original Application No. 512 /2016, it is averred that the applicants are carrying on the business of running of stone crushing in District Sharanpur, State of U. P. While in Original Application No. 512 /2016 it is Tannery located at Jajmau, Kanpur. However, the prayer in all these applications is common i.e. the industries/units should be subjected to a Joint Inspection by the respondents/Board and they should be permitted to</p>

operate and their electricity be restored.

It is claim in the applications that they have taken all measures and have installed anti pollution devices and as of now they are compliant and non-polluting. As the units are lying closed as of now, the respondent obviously cannot respond completely.

Before we pass any effective order granting any relief any to the applicant, it is necessary for us to have a consolidated, complete and comprehensive report on the basic facts as to whether the industries/units have taken all anti pollution measures and installed anti pollution devices or not.

The Learned Counsel appearing for the UPPCB submits that from the records it is clear that the applicants have installed generator sets in their premises and had even mentioned so when they applied for obtaining consent from the Board.

At this stage, we do not propose to grant permission to the applicants to operate their units but would prefer to obtain Joint Inspection Report as to the existence of the anti pollution devices, preventive measures taken by the units and amongst other particularly on the following issues before we grant any relief to the applicant industry/unit.

Thus we pass the following directions at this stage:-

1. We direct the Joint Inspection Team to conduct inspection of all the industries/units. The Joint Inspection Team shall consist of Senior Environmental Engineer from CPCB, Senior Environmental Engineer from UPPCB, Senior Scientist from MoEF and nominated representative

of IIT Roorkee. The Head of the Departments of these Institutions shall nominate the Members of the Committee by Tuesday, i.e. 27<sup>th</sup> September, 2016. This shall be communicated to the Member Secretary of UPPCB. The Joint Inspection Team, shall inspect the site record its findings with regard to existence or otherwise of all the required anti pollution devices and preventive measures for prevention and control or air pollution.

2. The Committee shall submit what is the source of water and raw-material for the units. The Committee will record whether the sprinklers in the industries are required to operate during the entire process of stone crushing if not the proportionate time for which the sprinklers must operate and whether the source of water is sufficient to meet that demand. They would also prepare the complete and comprehensive report dealing with all the aspects of the stone crusher and pollution resulting therefrom.

3. The Joint Inspection Team shall also stated as to what is source of power and if the DG sets are installed whether appropriate steps for operation of DG sets have been taken by the industries or not. Inspection report shall also deal with the existence or otherwise of the green belt and wind breakers.

4. The Joint Inspection Team shall also place on record for which the records will be produced by the UPPCB as to the period for which these crushers have operated without consent of the Board or they have operated in violation to the conditions of the

consent order.

5. On the date of inspection the industry would be permitted to operate its generator sets for which purpose even advance notice can be given by the UPPCB. The DG sets shall be sealed after inspection.

6. All these inspection shall be conducted expeditiously and report submitted to the Tribunal positively before the next date of hearing.

7. In relation to the Tannary Unit also the same Team would conduct the inspection and submit the complete and comprehensive report as directed by the Tribunal in various orders. The inspecting Team shall categorically observe whether the unit should be permitted to operate or not.

List the matters on 27<sup>th</sup> October, 2016.

**M. A. No. 969 of 2016, M. A. No. 970 of 2016, M. A. No. 972 of 2016, M. A. No. 973 of 2016 and M. A. No. 971 of 2016**

These are the application for exemption from filing of English translation of the documents. Applications are allowed, subject to just exception. Let translation should be filed in due course.

The M. A. No. 969 of 2016, M. A. No. 970 of 2016, M. A. No. 972 of 2016, M. A. No. 973 of 2016 and M. A. No. 971 of 2016 stand disposed of accordingly.

.....,CP  
(Swatanter Kumar)

.....,JM

		(Raghuvendra S. Rathore)
		.....,EM (Bikram Singh Sajwan)

