

BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

Original Application No. 200/2014
(M.A. No. 205 of 2016, M.A. No. 206 of 2016,
M.A. No. 224 of 2016, M.A. No.585 of 2016, M.A. No.815 of 2016
& M.A. No.1199 of 2016)
(C.W.P. No. 3727/1985)

And

Original Application No. 501 of 2014
(M.A. No. 404 of 2015)

And

Original Application No. 146 of 2015

IN THE MATTER OF :-

M.C. Mehta Vs. Union of India & Ors.

And

Anil Kumar Singhal Vs. Union of India & Ors.

And

Society for Protection of Environment & Biodiversity & Anr.

Vs.

Union of India & Ors.

CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE U.D.SALVI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER
HON'BLE DR. AJAY A DESHPANDE, EXPERT MEMBER

Present Applicant: Mr. M. C. Metha, Adv. Petitioner in person with
Ms. Katyani, Mr Rahul Shukl,. Adv.
Mr. Rahul Choudhary and Ms. Meera Gopal, Adv.
Mr. Sanjay Upadhyay, Ms. Divya Sharma, and Mr.
Salik Shafique, Adv.
Mr. Pradeep Misra and Mr. Daleep Dhayani
Mr. Mukesh Verma, Adv. for UP
Mr. Anil Grover, AAG and Mr. Rahul Khurana,
Adv., State of Haryana
Mr. I.K. Kapila, Adv. for UP Jal Nigam & UK Pey
Jal Nigam
Mr. Abhishek Yadav, Adv. for State of U.P.
Mr. M. Z. Choudhary, Mr. S.A. Zaidi, Ms. Mansi
Chahal, Adv. for Leather Industries.
Ms. Neelam Rathore Adv. for Association of
Textile Processors & Uttar Pradesh Dyes and
Bleachers Association (Micro & Small) & MLA
Group
Ms. Priyanka Sinha, Adv. for State of Jharkhand
Mr. Rudreshwar Singh and Mr. Gautam Singh,
Adv. for State of Bihar & Bihar SPCB
Mr. Gaurav Dhingra Adv. Along with Mr. Prakash
Singh Sec. Urban Deve. Deptt. State of UP
Ms. Alpana Poddar, Adv. with Mr. Niti Choudhary,
LA, Central Pollution Control Board
Mr. Raj Kumar, Adv. For CPCB
Ms. Panchajanya Batra Singh, Adv for Ministry of
Environment, Forest and Climate Change with
Mr. Ishwer Singh, Adv. with Mr. Sandeep,
Director and Dr. Praveen Kumar, Director, NMCG
Mr. Rajul Shrivastava and Ms. Ayushi Sharma,
Adv. For MPPCB
Ms. D. Bharati Reddy, Adv. For State of
Uttarakhand

Mr. Abhishek Yadav, Advs. for State of U.P.
Mr. Ravindra Kumar Adv. for NOIDA and Greater NOIDA
Mr. Jayesh Gaurav, adv. for JSPCB
Mr. Sanjeev Ralli, Adv. with Mr. Dinesh Jindal, LO, Delhi Pollution Control Committee
Mr. Kundan Kumar Mishra, Mr. Atul Batra, Advs. for Mother Dairy, Pilakhua Unit
Ms. Sushma Singh, Adv.
Ms. Yogmaya Agnihotri, Adv. for CECB
Mr. Sanjeev Ralli, Adv. Mr. Dinesh Jindal, LO, Delhi Pollution Control Committee
Mr. Jayesh Gaurav, Adv. for JSPCB
Mr. V. K. Shukla, Adv. for State of MP
Mr. Ishwer Singh, Adv for NMGC
Mr. Abhishek Yadav, Adv
Mr. Ravi P. Mehrotra and Mr. Abhinav Kr. Malik, Advs. for UPSIDC
Ms. Panchajanya Batra Singh, Adv. With Mr. Dinesh Runiwal, Scientist D for Ministry of Environment, Forest and Climate Change
Ms. Antima Bazaz, Adv. For AIDA
Mr. Gaurav Dhingra, Adv. For State of Uttar Pradesh (Urban Dev.)
Mr. Rashid Saeed Adv. for CETP Bantha & Unnao.
Mr. Ajay Kumar Misra and Mr. Kuma Shivam and Mr. Kumar Anurag singh, Advs. for Uttar Pradesh Sugar Coperative Mills
Mr. B. V. Niren and Mr. S. N. Jha, Advs.

Present: Applicant:
Respondent No.3: Mr. Pradeep Misra and Mr. Daleep Dhayani, Advs.
Respondent No.8: Mr. Mukesh Verma, Adv. for UPCB
Mr. Abhishek Yadav, Adv

Present: Applicant: Mr. Rahul Choudhary & Ms. Meera Gopal, Advs.
Respondent No.2: Mr. Pradeep Misra and Mr. Daleep Dhayani, Advs.
Respondent No. 5: Mr. Sudhir Kulshrestha, Adv.
Respondent No.8: Mr. Mukesh Verma, Adv. for UPCB
Respondent Nos. 11 and 12:Mr. Ravindra Kumar, Adv. SPENBIO
Mr. Rajkumar, Adv. & Mr. Bhupender CPCB
Mr. Abhishek Yadav, Adv
Ms. Panchajanya Batra Singh, Adv. With Mr. Dinesh Runiwal, Scientist D for Ministry of Environment, Forest and Climate Change

Date and Remarks	Orders of the Tribunal
Item No. 27 to 29 November 22, 2016 ss	<p>Professor Dr. Vinod Tare is present before us. He submits that to answer the queries raised by the Tribunal, he would need time to consult the records and submit a short note besides showing the slides and all the presentation if it becomes necessary for this purpose. We direct that Professor Dr. Vinod Tare along with Professor</p>

<p>Item No. 27 to 29</p> <p>November 22, 2016</p> <p>ss</p>	<p>Gussain and team would be present on 01st December, 2016 for final hearing of these matters.</p> <p>We further direct the Learned Counsel appearing for Tannery Association of Jajmau to take clear instructions and inform the Tribunal as to why the industrial complex be not asked to be shifted to an appropriate site (plant industrial complex) with complete infrastructure and also to take clear instructions on how many total tannery industries are there in Jajmau and how many of them are lying closed. The Learned Counsel appearing for Uttar Pradesh Pollution Control Board has informed us that there are 400 tannery industries at Jajmau out of which 128 are lying closed as on 16th November, 2016 either under the orders of the Court, Tribunal or Pollution Control Board. He will also seek clear instructions as to how many tannery units are in Jajmau who have installed online system. We are informed by the Learned Counsel appearing for the respondents that there are only 120 industries who have installed flow meters and only flow meters are made available for online monitoring system.</p> <p>The Learned Counsel appearing for Central Pollution Control Board submits that they will file the complete report which has been prepared by the team headed by Member Secretary, Central Pollution Control Board in relation to the number of drains, quantum and quality of effluents therein during the course of the day. Copies be put up on the website of the Central Pollution Control Board if not already given to the parties so that all the parties before the Tribunal can download the same.</p>
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<p>Item No. 27 to 29</p> <p>November 22, 2016</p> <p>ss</p>	<p>Learned Counsel for Central Pollution Control Board submits that the team headed by Member Secretary, Central Pollution Control Board and the Central Pollution Control Board has done the entire work of sampling and analysis of samples.</p> <p>The Ministry of Water Resources shall file the complete reports which have been directed by the Tribunal within one week from today and provide copies thereof to all the Learned Counsel appearing in this case and put those report on the website of the Ministry.</p> <p>The Learned Counsel appearing for the Ministry of Environment, Forest and Climate Change would seek instructions completely with regard to ZLD and online system in view of the submissions that have been made on behalf of industry and other respondents. Learned Counsel appearing for Uttar Pradesh Pollution Control Board and Nigam will provide the requisite information on all the points that have been advanced before the Tribunal during the course of hearing in the last days.</p> <p>The Ministry of Water Resources will file a complete note in response to the queries raised by the Tribunal. The Learned Counsel appearing State of Uttar Pradesh will take clear instructions on all the issues that have been deliberated upon today and file a note within one week from today. The Learned Counsel appearing for Jal Nigam along with officer who has physically conducted survey in relation to the report submitted by the Central Pollution Control Board shall furnish complete information on variation noticed. This should be done within three days</p>
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<p>Item No. 27 to 29</p> <p>November 22, 2016</p> <p>ss</p>	<p>from today and Central Pollution Control Board should respond to that within three days thereafter.</p> <p>The Learned Counsel appearing for tannery industries will also furnish before us any particular service or infrastructure requirement which they need, in the event they are directed to be shifted to a new industrial complex.</p> <p>List these matters on 01st and 02nd December, 2016.</p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,JM (U.D. Salvi)</p> <p>.....,JM (Raghuvendra S. Rathore)</p> <p>.....,EM (Bikram Singh Sajwan)</p> <p>.....,EM (Dr. Ajay A Deshpande)</p>
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