

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

Appeal No. 07/2013(T_{HC})

Advik Laboratories Ltd. & Anr. V/s State Government of Haryana & Ors.

CORAM: HON'BLE SHRI JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE DR. P.C. MISHRA, EXPERT MEMBER
HON'BLE SHRI RANJAN CHATTERJEE, EXPERT MEMBER
HON'BLE SHRI B.S. SAJWAN, EXPERT MEMBER

Applicant / Appellant : Mr. Kamal Garg, Adv.
Respondents No. 1 & 4 : Mr. Devinder Pratap Singh, Adv.
Respondent No. 5 : Mr. R.S. Suri, Sr. Adv. & Ms. Suruchi Suri,
Adv.

Date and Remarks	Orders of the Tribunal
Order No. 8 May 13, 2013	<p>Heard Learned Counsel for the parties.</p> <p>The service is complete.</p> <p>It is the grievance of the Applicants that air pollutants emitted by the polluting industry of the Respondent No. 5 (Capital Auto Rubber Products (P) Ltd.) are in the nature of soot, dust, smoke and gaseous substance which by reason of their chemical properties tend to cause damage to life saving drugs manufactured by them in adjoining pharmaceutical unit. We feel that further elaboration is required as to the chemical or physical intermeddling of the alleged air pollutants in the manufacturing of life saving drugs which is being done in the pharmaceutical unit of the Applicants. The Applicants may, therefore, file an affidavit placing on record the elaboration in respect of intermeddling of the air pollutants in manufacturing of life saving drugs as stated above.</p> <p>Meanwhile, the Learned Senior Counsel for the Respondent No.5 submits that he wants to go through the record which may throw light on the controversy in question, and for that purpose some more time is required.</p> <p>Surprisingly, none is present on behalf of the Respondent No. 3 (HUDA) who could have rendered valuable assistance in resolving the controversy in question. We, therefore, direct the Chairman, HUDA to depute any Technical Officer sufficiently Senior in rank to remain present before us on the next date, failing which we</p>

would be constrained to take coercive measures.

Haryana State Pollution Control Board shall file report regarding the present status of ambient air quality in the vicinity of the manufacturing unit of the Applicants as well as stack emission qualities while the industries of Respondent No. 5 are in operation at their optimum, on or before the next date. Such exercise shall be undertaken while visiting the premises and inspecting the same.

Liberty is granted to the parties to come forth with any relevant document on the next date.

Copy of the additional affidavit filed by the Applicant shall be supplied to the contesting parties well in advance, preferably a week before.

Stand over to 29th May, 2013.

....., JM
(U.D. Salvi)

....., EM
(P. C. Mishra)

....., EM
(Ranjan Chatterjee)

....., EM
(Bikram Singh Sajwan)

