

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

Original Application No. 251/2015

Mahaganga Printpack Industries & Ors. Vs. State of U.P. & Ors.

**CORAM: HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER**

Present: **Applicant/Appellant(s)** :Mr. Vishwendra Verma, Adv.
 Respondent No. 1,2,4,5 :Ms. Savitri Pandey, Ms. Azma Parveen, Advs.
 UPPCB :Mr. Pradeep Misra and Mr. Daleep Kr. Dhayani, Advs.
 Respondent No. 5 :Mr. Raman Yadav, Mr. Sharad Chauhan, Advs.
 Respondent Nos. 6,8,9 :Antima Bazaz, Adv.

	Date and Remarks	Orders of the Tribunal
	Item No. 5 August 10, 2015	<p style="text-align: center;">Heard. Perused.</p> <p>The Applicants – industrial units situated at Dheerkhera Industrial Area are seeking directions against the Respondent Nos. 6 to 9 for stopping their industrial activities on the plea that their activities are air polluting and generally adverse to the environment in terms of noise pollution and water pollution etc. On 22.6.2015, the directions to file status reports and replies with reference to the allegations made in the pleadings in the application were passed and the Respondent - Authorities No. 1 to 4 were expected to file the status reports.</p> <p>Today, the Respondent No. 3 – UPPCB is only tendering the status reports. Let the status report be filed in the registry and be taken on record. Learned Counsel appearing for the Respondent nos. 1, 2 & 4 adopt the said status report. It is revealed through the status report that the industrial units of Respondent nos. 6 to 9 were inspected on 27.7.2015 and following was the status of the said industrial units :</p>

Sl. No.	Industry	Status
1.	M/s Sai Industries, 100, Industrial Area, Dheerkhera, Hapur Road, Meerut	1. At the time of inspection all plant/machinery found dismantled. 2. Presently the industry is closed/dismantled.
2.	M/s Ganesh Oil Industries, 92/2, Industrial Area, Dheerkhera, Hapur Road, Meerut	1. Consent Air/Water application rejected. 2. Action has been initiated under section 31 A of the Air (Prevention and Control) Act 1981 vide letter no. 890/C/G-62/2015 dt. 28.7.2015. 3. At the time of inspection the industry found not in production and informed that the production is stopped for last 1.5 years (Approx.)
3.	M/s Kiran Industries, S-7, Industrial Area, Dheerkhera, Hapur Road, Meerut	1. Consent Air/Water revoked vide letter no. 888/C/Kiran industries - 2005 Dt. 27.7.2015. 2. Action has been initiated under section 31 A of the Air (Prevention and Control) Act 1981 vide letter no. 892/C/K-60/2015 dt. 28.7.2015. 3. At the time of inspection the industry found not in production and informed that the production is stopped for since July 2015 (Approx.)
4.	M/s Shri Shyam Udyog, 92/1, Industrial Area, Dheerkhera, Hapur Road, Meerut	1. Consent Air/Water application rejected. 2. Action has been initiated under section 31 A of the Air (Prevention and Control) Act 1981 vide letter no. 889/C/S-238/2015 dt. 28.7.2015. 3. At the time of inspection the industry found not in production and informed that the production is stopped for last 1.5 year (Approx.)

Learned Counsel appearing for the Respondent no. 3 – UPPCB submitted that this application can be disposed of with the direction that the industrial units - Respondent Nos. 6 to 9 shall not recommence their industrial activities unless they obtain a valid consent from the Respondent No. 3 – UPPCB and the approval

from this Tribunal thereafter.

Learned Counsel appearing for the Respondent No. 5 points out that there is typographical error in the report dated 28.7.2015 at para-5, page-86 wherein it is pleaded that “On the other hand, Respondent Nos. 6 to 9 maps are not approved by the authorities.....” He submits that this ought to have been typed as follows: ‘On the other hand, Respondent Nos. 6 to 9 and the applicants ‘B’ & ‘C’s maps are not approved by the authorities.....”. Let this correction be made in the pleadings and necessary affidavit be filed on record in support of the corrected pleadings.

Learned Counsel appearing for the Respondent Nos. 6, 8, 9 seek time to file replies. No reply has also been filed by Respondent no. 1, 2 & 4. We do not see any reason in granting further time to these respondents. We can only presume there-from that these respondents have nothing to say as regards the factual content of this application. If any of the respondents, who have not filed any reply, wish to file reply, they may do so before the next date.

Presumption as afore-stated shall be drawn and order passed in event of their failure to file replies.

List this matter on 19th August, 2015.

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

.....,EM
(Ranjan Chatterjee)