

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

**Original Application No. 396 of 2015**

**And**

**Original Application No. 397 of 2015**

**And**

**Original Application No. 398 of 2015**

**IN THE MATTER OF:**

**Khushbu Process Vs. Haryana State Pollution Control Board  
And  
Shiv Process Vs. Haryana State Pollution Control Board  
And  
Ghanshyam Finishers Vs. Haryana State Pollution Control Board**

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON  
HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER  
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER  
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER**

**Present: Applicant: Mr. Shivesh P. Singh, Adv.  
Respondents Mr. Anil Grover, AAG with Mr. Rahul Khurana,  
Adv.**

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item Nos. 05 to 07 September 14, 2015</b>	<p style="text-align: center;"><b><u>Original Application No. 396 of 2015, Original Application No. 397 of 2015 and Original Application No. 398 of 2015</u></b></p> <p>Notice.</p> <p>Learned counsel appearing for the Respondents accept Notice.</p> <p>The prayers in these Applications are that after serving of the closure order the Applicant – industries have become compliant and non-polluting. They further claim that they have removed all the deficiencies that were pointed out by the inspecting teams. It is also contended that the effluents have been analyzed and they are within the prescribed parameters. The analysis reports have been placed on record. The Learned counsel appearing for the Board contends that even if the Units have become</p>

compliant there has to be some protection and assurance to show that they continue to operate their ETPs and other mechanism in the Units for adhering to the prescribed parameters. In other words according to the counsel they have to ensure due and continuous implementation of the directions issued by the Board.

In view of the above, we dispose of all these Applications with the following directions:-

1. The Applicant Units would be permitted to operate the Units with the terms and conditions imposed by the Respondent – Board.
2. The Applicants Units shall furnish a bank guarantee of Rs. 2.5 Lakh in favour of the Board. The said bank guarantee is invocable at the discretion of the Board in event of non-compliance of any of the directions, non-operating of ETPs and other allied Units or if the parameters at any time are found to be violative. The Bank guarantee shall be furnished within one month from today.
3. The inspection would be conducted by the Officers of the Board in the presence of the Local Commissioner appointed by the Tribunal, whose expenses as fixed by the Tribunal will be borne by the Applicant – industry.
4. The Applicant shall install separate energy meter for electric consumption through normal supply as well as from DG sets with its ETPs within one week from today.
5. After the Unit has complied with the directions it will be permitted to operate.

Liberty is also granted to the Board to mention the matters before the Tribunal.

With the above directions, Original Application No. 396 of 2015, Original Application No. 397 of 2015 and Original Application No. 398 of 2015 stand disposed of without any order as to costs.

.....,CP  
(Swatanter Kumar)

.....,JM  
(M.S. Nambiar)

.....,EM  
(Dr. D.K. Agrawal)

.....,EM  
(Prof. A.R. Yousof)

