

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

**Original Application No. 124 of 2015
(M.A. No. 375 of 2016, M.A. No. 307 of 2017, M.A. No. 308 of 2017, M.A. No. 310 of 2017 & M.A. No. 327 of 2017)**

And

**Original Application No. 127 of 2016
(M.A. Nos. 300 of 2017, 301 of 2017, 309 of 2017, 323 of 2017, 324 of 2017 & 326 of 2017)**

And

**Appeal No. 11 of 2017
(M.A. No. 532 of 2017)**

IN THE MATTER OF:

Sumitra Devi Vs. CPCB & Ors.

And

Dr. Laxman Raghav Vs. State of Rajasthan & Ors.

And

Arvind Press Caps Limited Vs. Rajasthan State Pollution Control Board

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER**

Present:

Applicant:	Mr. Rahul Kuhrana, Adv. for Applicant in OA 127/16 Mr. Mayank Jain, Mr. Madhur Jain and Mr. Parmatma Singh, Advs. Mr. Vivek Chib, Adv. alongwith Mr. Asif Ahmed, Adv. and Mr. Kushal Gupta, Adv. Mr. Sumit Sharma & Dr. Sarbjit Sharma , Advs.
Respondent No. 1:	Mr. Raj Kumar, Adv. with Mr. Bhupender Kr., LA, Central Pollution Control Board
Respondent No.4	Mr. Naveen Kr. Gautam with Mr. Anuj Bhardwaj, Adv. for (RIICO) Mr. Krishna Kumar Singh, Adv. for MoEF Mr. Anil Grover, AAG and Mr. Sandeep Yadav, Adv. for State of Haryana Mr. B.V. Niren, Adv. and Mr. Vinayak Gupta, Adv. for CGWA
State of Rajasthan	Mr. Shiv Mangal Sharma, AAG with Mr. Saurabh Rajpal, Advs. Mr. Vivek Kr. Tandon, Ms. Mamta Tandon, Advs. in M.As. Mr. Akash Tyagi, Adv. for R- 7 & 9 Mr. Rakesh Munjal, Sr. Adv. with Mr. Rakesh Kumar with Mr. Virender Agrawal, Director of M/s. Prayag Polymers Pvt. Ltd.

Date and Remarks	Orders of the Tribunal
Item No. 17 to 19 May 22, 2017 ss	The report in relation to CETP and two industries have been filed. The Learned counsel appearing for CETP is provided an opportunity to respond to the report, as large deficiencies have been pointed out in the functioning of the CETP. Even the averment of industries is that the

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CETP is incapable to treat metal and therefore it is causing pollution rather than curing. It is also operating without consent of the Board.

Be that as it may, let the response be filed within one week from today with advance copy to all the Learned counsel appearing in this case. Response/Rejoinder thereto, if any, be filed by the Learned counsel appearing for Central Pollution Control Board within two weeks thereafter.

List this matter on 05th July, 2017.

The Learned counsel appearing for M/s. HSIL Ltd., Kaharani submits that they have no objection to the report filed by the joint inspection team and they accept the same and would carry out all the remedial measures within three months without delay and default. They further submit that since they have been polluting in the past therefore they voluntary pay environmental compensation of Rs. 10 Lakh and also assure the Tribunal that they would not cause any pollution and would take extra precautions in future. Even they are in opinion for moving of the underground tank to above the ground and treatment of R.O. reject water through evaporation which they will do within a period of one month, besides the other recommendations pointed out by the joint inspection team.

Subject to the industry depositing of Rs. 10 Lakh as environmental compensation with the Central Pollution Control Board and the undertaking given to the Tribunal which is accepted, we permit the industry to operate, but in the event of default the industry would be liable to be

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shut down and would also liable to pay further environmental compensation for polluting the environment in the past and the current period.

The State Pollution Control Board shall take appropriate steps, but only after the payment of Rs. 10 Lakh to Central Pollution Control Board, to restore the electricity. The consent had been granted by the Board, the same shall be revived subject to above conditions.

We make it clear that in the event of breach, the Board shall be entitled to shut down this industry.

The Learned counsel appearing for M/s. Poonam Strips Pvt. Ltd.

The Learned counsel appearing for M/s. Poonam Strips Pvt. Ltd. submits that they have no objection to the report filed by the joint inspection team and they accept the same and would carry out all the remedial measures within three months without delay and default. They further submit that since they have been polluting in the past therefore they voluntary pay environmental compensation of Rs. 5 Lakh and also assure the Tribunal that they would not cause any pollution and would take extra precautions in future.

Subject to the industry depositing of Rs. 5 Lakh as environmental compensation with the Central Pollution Control Board and the undertaking given to the Tribunal which is accepted. We permit the industry to operate, but in the event of default the industry would be liable to be shut down and would also liable to pay further environmental compensation for polluting the

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environment in the past and the current period.

The State Pollution Control Board shall take appropriate steps, but only after the payment of Rs. 5 Lakh to Central Pollution Control Board, to restore the electricity. The renewal of consent for which application is stated to have been submitted to the Board, shall be dealt with by the Board subject to above conditions and in accordance with law.

We make it clear that in the event of breach, the Board shall be entitled to shut down this industry.

Besides the recommendations made by the joint inspection team, each of the industry which is permitted to operate under the order of the Tribunal, shall without further delay obtain permission from Central Ground Water Authority if industry is extracting ground water. Further, they would provide Rain Water Harvesting System within the premises of the industry within the time provided for to carry out remediation.

List this matter tomorrow i.e. on 23rd May, 2017..

.....,CP
(Swatanter Kumar)

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