

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

**Appeal No. 13 of 2016**

**IN THE MATTER OF:**

**M/s Tokshi Auto Components Vs. Uttarakhand Environment Protection Pollution  
Control Board**

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON  
HON'BLE MR. JUSTICE DR. JAWAD RAHIM, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE SONAM PHINTSO WANGDI, JUDICIAL MEMBER  
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER  
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER**

**Present: Applicant  
Respondent No. 1 :**

**Mr. S. A. Zaidi Gulnaz Praveen, Adv.  
Mr. Mukesh Verma, Adv.  
Mr. B. V. Niren, Adv.**

	<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
	<b>Item No. 11 February 22, 2016</b>	<p>We have heard the Learned Counsel appearing for the parties. This application is disposed of with the following directions:</p> <ol style="list-style-type: none"><li>1. The industry has filed an application for consent to operate which is stated to be pending with the Board. Let Board deal with the same expeditiously.</li><li>2. The consent to operate shall be granted only after the Joint Inspection Team has inspected the industry and finds the Unit to be compliant and non-polluting.</li><li>3. Admittedly, the industry has operated without obtaining the consent of the Board. Thus, has acted in clear violation of the law and was causing pollution.</li><li>4. We would have imposed heavy environmental compensation in term of the Section 15 and 17 of the National Green Tribunal Act, 2010. However, the Learned Counsel submits that it is small industry and he can pay only a sum of Rs. 3 lacs as</li></ol>

compensation.

5. We accept the undertaking. Let the sum of Rs. 3 lacs be paid within one week from today and the same shall be paid to the UKPCB. The Board will permit the industry initially only to operate for the purpose of Joint Inspection otherwise the industry would remain closed.

6. The period would not exceed more than two weeks.

7. The Joint Inspection shall be comprehensive and definite in its term and in accordance with the orders passed by the Tribunal in that behalf.

In view of the above directions the Appeal No. 13 of 2016 stands disposed of with no order as to costs.

Let Appearance be marked of Mr. Mukesh Verma, Learned Counsel appearing for the Respondent No. 1 in the order dated 19<sup>th</sup> February, 2016.

.....,CP  
(Swatanter Kumar)

.....,JM  
(Dr. Jawad Rahim)

.....,JM  
(Sonam Phintso Wangdi)

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

.....,EM  
(B.S. Sajwan)