

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

Appeal No. 7/2013(T_{HC})

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

**CORAM: HON'BLE MR. JUSTICE DR. P. JYOTHIMANI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER
HON'BLE DR. G.K. PANDEY, EXPERT MEMBER
HON'BLE PROF.DR. P.C MISHRA, EXPERT MEMBER
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER**

**Present: Applicant / Appellant : Mr. Kamal Garg, Adv.
Respondents No.1& 2 : Mr. Narender Hooda, Sr. Adv., and Mr. Vineet Malik, Adv.
Respondent No. 3 : Mr. Vipin Jai, Adv.
Respondent No. 4 : Mr. Devinder Pratap Singh, Adv. AAG
Respondent No. 5 : Ms. Suruchi Suri , Adv.
Respondent No. 6 : Mr. N.K. Gupta, Sr. Env. Eng.
Respondent No. 7 : Ms. P. Batra Singh, Adv. with Mr. S. Khan, Adv.**

Date and Remarks	Orders of the Tribunal
Item No. 1 March 12, 2014	<p>As per the earlier direction of this Tribunal, the Central Pollution Control Board (CPCB) on inspection of both the Appellant unit as well as Respondent No. 5 unit has filed its detailed report. The report <i>prima facie</i> shows that not only the respondent no.5 but the appellant is also a polluter.</p> <p>However, the Learned Counsel appearing for the appellant as well as the respondent no. 5 seeks time to go through the report. We are prepared to give time till tomorrow i.e. on 13.03.2014.</p> <p>On going through the report we find that in so far as it relates to the respondent no. 5 concerned, paragraph 14 of the report while explaining about the overall observations regarding implementation of the CPCB recommendation shows that nearly 15 deficiencies are found and reading of each one of the deficiency stated by the CPCB makes it clear that the intention of the respondent no. 5 is not only bad but causing environmental pollution to the maximum possible extent.</p>

It also shows that respondent no. 5 whose learned senior counsel has submitted on the previous occasion merely on 17.01.2014 to the fact that if 4 weeks time is granted to respondent no. 5 would rectify all the defects and comply with all requirements of the CPCB standards in respect of the same. Even as on date there are lot of deficiencies as found by the CPCB. In so far as it relates to the appellant on reading the report we have come to the conclusion that the appellant is a clear polluter. It shows an alarming situation wherein the appellant having installed ETP has not allowed the same to be functional. The overall observations show that there was no proper disposal of capsules, tablets and foils being practised. Expired tablets and capsule foils were found disposed off in the open land in the backyard in an unscientific manner. According to the CPCB, it may cause serious environmental hazards. Since we are satisfied that both the appellant as well as the respondent no. 5 are polluters, we hereby direct both the units to be closed down immediately and the SPCB shall ensure that both the appellant as well as the respondent no. 5 are not carrying on any activity till further orders from this Tribunal.

Issue copy of this order today and HPCB shall report compliance of the closure of units tomorrow i.e. on 13.03.2014.

Stand over to 13th March, 2014.

....., JM
(Dr. P. Jyothimani)

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

....., EM
(Dr. G.K. Pandey)

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

....., EM
(Ranjan Chatterjee)

