

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

Original Application No. 37(T_{HC})/2013

Wassan Singh V/s State of Punjab & Ors.

CORAM: HON'BLE SHRI JUSTICE DR. P. JYOTHIMANI, JUDICIAL MEMBER
HON'BLE SHRI JUSTICE S.N. HUSSAIN, JUDICIAL MEMBER
HON'BLE DR. G.K. PANDEY, EXPERT MEMBER
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER
HON'BLE Mr. RANJAN CHATTERJEE, EXPERT MEMBER

Applicant / Appellant: Mr. Sanyam Saxena, Adv.
Respondent No. 3: Mr. Anup Singh, Adv.
Maharashtra P.C.B. : Mr. Mukesh Verma, Adv.
Central P.C.B. : Mr. Mukesh Gautam, Mr. Rajkumar, Adv.
Rajasthan P.C.B.: Mr. Sidharth Aggarwal, Adv.
Haryana State P.C.B.: Mr. Narender Hooda, Sr. Adv. and Mr. Devinder Pratap Singh, Adv.

Date and Remarks	Orders of the Tribunal
Order No. 9 September 2, 2013	<p>As per the earlier order of this Tribunal dated 29.08.2013, the Maharashtra Pollution Control Board has filed its status report and the same is taken on record.</p> <p>The present Application is filed by the Applicant for a direction against the Respondents No. 1 to 4 to initiate action against the Respondent No. 5 who is stated to be running an industrial unit against the policy of the Punjab State. The Respondent No. 5 is stated to be carrying on his industrial unit causing noise pollution and air pollution and other environmental hazards. It is now informed by the Learned Counsel for the Pollution Control Board that the Respondent No. 5 has been issued consent to operate in accordance with law by order dated 06.08.2013.</p> <p>It is also informed that the Applicant himself is carrying on industrial activities without obtaining either consent to establish or consent to operate. By the earlier order, we have directed the Applicant to make necessary application to the Pollution Control Board for consent. We have also made it clear in the earlier order that if the said application for consent is not made by the Applicant, the application will be dismissed. The Learned Counsel for the Applicant would submit that inspite of his repeated information to the applicant there is no response from the applicant. This calcitrate</p>

attitude of the Applicant is highly deplorable. Accordingly, taking note of the fact that the Respondent No. 5 has been already granted consent to operate by the competent authority, namely, Pollution Control Board on 06.08.2013 and admittedly the Applicant has not taken steps to apply for the consent in respect of his unit, we dismiss the Application for not taking steps with liberty to the Applicant, if he so desires to challenge the consent to operate issued to the Respondent No. 5 dated 06.08.2013.

Accordingly, the Application is dismissed. No costs. All the Misc. Applications filed in this Application are closed.

We also make it clear that in respect of units which are running without consent the same shall be immediately closed by the concerned Pollution Control Board.

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

....., JM
(S.N. Hussain)

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

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

....., EM
(Ranjan Chatterjee)

