

**BEFORE THE NATIONAL GREEN TRIBUNAL, WESTERN ZONE
BENCH, PUNE**

Application No.21/2015 (WZ)
(Disposed of on 08.09.2015)
[M.A. No.217/2015]

In the matter of:-

Mr. Babubhai Ramubhai Saini & Ors. Vs. G.P.C.B & Ors.

**CORAM: HON'BLE DR JUSTICE JAWAD RAHIM, JUDICIAL MEMBER
HON'BLE DR. AJAY A. DESHPANDE, EXPERT MEMBER**

Present:

Applicant/Appellant	: Mr. Dhaval Barot, Adv. a/w Mr. Abhishek Singh, Adv.
Respondent No.1	: Mr. Viral K. Shah, Adv.
Respondent No.4	: Aspi M. Kapadia, Adv.
Respondent No.5	: Mr. Maulik Nanavati, Adv.
Respondent No.6	: Mr. Parth H. Bhatt, Adv.
Respondent No.12	: Mr. B.M. Mangukiya, Adv. a/w Ms. Bela A Prajapati, Adv.

Date and Remarks	Orders of the Tribunal
Item No.1 25th April, 2016 Order Nos.8,6	<p>We have perused the proceedings as recorded in this case beginning from 14th December, 2015. It admits of no doubt that the Applicant herein is Petitioner before the Honble Supreme Court which Petition is stated to be still pending. Learned Counsel for GPCB brings to our notice as also learned Counsel for the Applicant that the Order of the Honble Supreme Court has directed Union of India to make a statement as to whether Union of India has specified any parameters/standards for using Coal Tar as fuel in Ceramic industry/coal Gasifiers and Silicate and Frit Industries and if no such standards have been prescribed whether the constitution of Committee by the Tribunal in terms of the impugned order, shall in any manner entrenched upon its power and jurisdiction to do so.</p> <p>The contention of the Applicant is that this issue can be segregated from the second part of the Order of this Tribunal whereby specific directions have been issued to GPCB to shut down industries who are using Coal Tar as fuel, if there is no consent obtained by them.</p> <p>GPCB has filed affidavit in which it is stated that action has been taken for closure of such industries.</p> <p>For the present, in view of the statement by GPCB that action has been taken in pursuant to second part of the Order and more importantly the direction of the Honble Supreme Court to Union of India to make statement regarding prescribing of parameters or norms regarding use of</p>

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2016
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Coal Tar fuel, we feel that it is desirable to wait for further Orders in the SLP.

List it on 28th July, 2016.

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

....., EM
(Dr. Ajay A. Deshpande)

