

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

**M.A. No. 98 of 2016  
In  
Original Application No. 204/2014**

**IN THE MATTER OF :-**

**Krishan Kant Singh & Ors.  
Vs.  
M/s. Deoria Papers**

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

**Present:**

<b>Applicant:</b>	<b>Mr. Rahul Choudhary and Ms. Meera Gopal, Advs</b>
<b>Respondent No. 1:</b>	<b>Ms. Antima Bazaz, Adv.</b>
<b>Respondent No.4:</b>	<b>Mr. Pradeep Misra and Mr. Daleep Kr. Dhayani, Advs. Mr. Rajkumar, Adv. and Mr. Bhupender Kumar, LA, Central Pollution Control Board Ms. Savitri Pandey, Ms. Azma Parveen Adv. for State of Uttar Pradesh Mr. B.V. Niren, Adv. for CGWA</b>

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item No. 6 February 15, 2016</b>	<p>The Joint Inspection Team has filed its report and the same is placed on record. It has been pointed out in the report that the unit is operating, the trade effluent on analysis has been found to be compliant and meet the prescribed parameters. However, the unit has operated without consent of the UPPCB since January, 2014. Further it is pointed out that the unit has been found to be operating in excess of the consented production. It has sanctioned capacity of 12.5 TPD while it has been found to be manufacturing 77.070 TPD.</p> <p>It is pointed out that the unit was granted NoC for 100 TPD on trial basis, however, the final consent has not been issued. Keeping in view the above stated facts we dispose of this Application with the following directions:</p>

1. Industry shall pay a sum of Rs. 2 lac as Environmental compensation for operating without obtaining consent for 100 TPD.

2. The Applicant has already filed application for obtaining consent to operate from the Board.

3. We direct the UPPCB to dispose of that application within two weeks from today in light of the Joint Inspection Report.

4. The rights of the applicant to challenge refusal of the consent is kept open. The unit would comply with the recommendations made by the Joint Inspection Team within a period of four (4) weeks from today.

With the above directions M. A. NO. 98 of 2016 stands disposed of with no order as to costs.

.....,CP  
(Swatanter Kumar)

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

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

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