

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

Original Application No. 85(T_{HC}) of 2012

Bharosilal Sharma Vs. State of M.P. & Ors.

CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER
HON'BLE PROF. (DR.) P.C. MISHRA, EXPERT MEMBER
HON'BLE DR. R.C. TRIVEDI, EXPERT MEMBER

Present:

Applicant:	Mr. Santosh Kumar, Advocate
Respondent Nos. 1 to 4:	Ms. Archi Agnihotri Advocate for Ms. Vibha Datta Makhija, Advocate
Respondent No. 5 to 6:	Mr. Rajul Shrivastava, Advocate
Respondent No. 7:	Mr. Aagney Sail, Advocate Mr. Prakhar Dhenguza for Shiva Stone Crusher, Shri Ram Stone Crusher, Amarnath Stone Pvt. Ltd., Vinayak Grid Udyog, Balaji Stone Crusher, Dev Shakti Stone Crusher, M/s Sadguru Stone Crushaers, Shiv Shakti, Ritu Raj Stone, Sheetal Stone crushers, Amarjeet Stone Crushers, Ganesh Stone crushers, A.K. Stone crushers and J.J. Stone crushers

Date and Remarks	Orders of the Tribunal
Item No. 12 August 26, 2013	<p>Learned counsel appearing for the Madhya Pradesh Pollution Control Board (MP PCB) has placed on record an Affidavit along with a list of the industries, photographs and the videography done during the course of the inspection. In terms of this Affidavit there are 7 stone crushers which have been found closed and not functioning. According to the Learned counsel appearing for the MP PCB these 7 stone crushers would not be permitted to operate till the time they obtain the consent from the MP PCB in accordance with the provisions of the Air (Prevention and Control of Pollution) Act, 1981. Let the Board ensure that these Units are not permitted to operate until they comply with all the conditions of the consent Order, if issued in future. The SHO of the concerned area would ensure that these Units do not operate without specific Order of the Board which in turn will seek the permission of the Tribunal before permitting these 7 Units leave to operate.</p> <p>There are 3 other new Units which have filed Applications for obtaining the consent of the Board, one has been granted the consent and two are pending consideration to establish and operate. Let the Board expedite the consideration of the applications of these two Units in accordance with law. Rest of the Units are stated to be complying with the conditions imposed by the Board. Let all these Units be allowed to operate in accordance with law.</p> <p>However, we grant liberty to the Applicant to revive this</p>

Application in the case of default in complying with the prescribed parameters.

With the above directions, this Application stands disposed of without any order as to costs.

.....,CP
(Swatanter Kumar)

.....,JM
(U.D. Salvi)

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

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

.....,EM
(Dr. R.C. Trivedi)

