

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

**M.A. No. 879 of 2013
In
Original Application No. 299 of 2013**

Krishan Kant Singh & Anr. Vs. National Ganga River Basin Authority & 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 DR. R.C. TRIVEDI, EXPERT MEMBER

Present: Applicant: Mr. Rahul Choudhary, Advocate
Respondent No. 1&2: Mr. Vikas Malhotra, Mr. M.P. Sahay, Advocates.
Respondent No. 3: Mr. Rajkumar, Advocate and Mr. M. Dutta, Advocate.
Respondent No. 4: Mr. B.V. Niren, Advocate with Mr. Gupta, Advocate.
Respondent No. 5: Ms. Savitri Pandey, Advocate.
Respondent No. 6: Mr. Daleep Kr. Dhayani, Advocate for Mr. Pradeep Misra, Advocate.
Respondent No. 7: Mr. Sudhir Kulshreshtha, Advocate.
Respondent No. 8: Mr. Amit Shukla, Advocate.

Date and Remarks	Orders of the Tribunal
Item No. 6 February 10, 2014	<p>Despite our previous Order none of the Counsel is ready to answer the queries of the Tribunal, in fact the Officers who have come to assist the Counsel are not even familiar with the facts and the circumstance of the case. All these Officers would not be entitled for any TA, DA for today's visit.</p> <p>Let now the complete record by the CPCB, UPPCB and even by the MoEF be produced before the Tribunal on the next date of hearing.</p> <p>The Officers who are familiar with the case should remain present before the Tribunal on the next date of hearing.</p> <p>The Pollution Control Board shall also inform the Tribunal. as to how the Unit has been permitted to carry on its industrial activity despite the fact that the right from the year 2010 it has been stated that they are polluting industry and were required to take various steps to bring down the pollution levels. The Unit having failed to take the requisite anti pollution measures, even their bank guarantee of five lakhs was encashed.</p> <p>Despite these facts the consent was granted which has lapsed on 31st December, 2013 and renewal Application is pending before the Pollution Control Board.</p> <p>Let the Board also inform the Tribunal as to what</p>

steps are taken to deal with this application in accordance with law. The Unit shall also produce before us the first application/s submitted by them before the Board as well as renewal application/s.

These queries will be answered in regard to all the polluting industries including M/s Simbhaoli Sugars Ltd. and M/s Gopalji Milk food & Pvt. Ltd.

The Learned Counsel appearing for the parties are also requested to argue on the next date of hearing as to how the Units can operate and carry on their activities despite the fact that admittedly the consents in their favour to operate have already been lapsed.

The above directions primarily relate to M/s Simbhaoli Sugars Ltd.

List this matter on Wednesday, i.e. 12th February, 2014.

.....,CP
(Swatanter Kumar)

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

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

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

