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

#### M.A. No. 375 of 2014 In

# Appeal No. 43/2014

## M/s Hindustan Coca-cola Beverages Pvt. Ltd.

V/s

#### **U. P. Pollution Control Board**

# CORAM: HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER

## HON'BLE MR. B. S. SAJWAN, EXPERT MEMBER

**Present:** 

Date and

Remarks Item No. 8

June 13, 2014

Applicant / Appellant Respondent No. 1 Mr.Sandeep Sethi, Sr. Adv., Ms. Ruby Singh Ahuja, Mr. Manu Aggarwal and Ms. Neha Gupta, Advs.
Mr. Pradeep Misra and Mr. Daleep Kr. Dhayani, Advs.

: Mr. Y.B. Kaushik, Suptd. Hydro geologist, Central Ground Water Authority.

### Orders of the Tribunal

Mr. Y.B. Kaushik, Suptd. Hydrogeologist appearing for Central Ground Water Authority submits that the concerned Officer who will be filing Affidavit before the Tribunal is not available today and pray for time to submit the same.

Since the Appellants are pressing hard for the interim directions as their plant has been ordered to be closed by UP Pollution Control Board it is submitted that they are suffering financial hardships and losses as a result of closure.

We accordingly direct that Central Ground Water Authority shall submit their response on the issues which have been raised, particularly with regard to the requirements of NOC from the Central Ground Water Authority, even in respect of the existing plant regarding which reference is made in Annexure A – 7, the letter dated 07<sup>th</sup> May, 2013 of the CGWA to the Appellant.

The Central Ground Water Authority shall also explain whether in the changed scenario based upon the data for ground water available, post 2009 and looking to the fact that the area where the Unit of the Appellant is located has been declared critical/ dark zone area, whether it is necessary for the Central Ground Water Authority to review the permission or requirements of the permissions of the Central Ground Water Authority for utilization of ground water for the existing plant also as it is not disputed that at the time of establishment of the original plant in 1999 there was no such requirement. However, when data available post the report of 2009 has earmarked the site a dark zone and declared it critical what measure does the CGWA wants to suggest for conservation and replenishment of the water resource and how it has the means to regulate the utilization of water or review the existing utilization of the ground water if no permission is necessary.

Let this matter be listed on 16<sup>th</sup> June, 2014.

(Dalip Singh)

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