

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

**Original Application No. 124 of 2015  
(M.A. No. 375 of 2016, M.A. No. 307 of 2017, M.A. No. 308 of 2017, M.A. No. 310 of 2017 & M.A. No. 327 of 2017)**

**And**

**Original Application No. 127 of 2016  
(M.A. Nos. 300 of 2017, 301 of 2017, 309 of 2017, 323 of 2017, 324 of 2017 & 326 of 2017)**

**And**

**Appeal No. 11 of 2017  
(M.A. No. 532 of 2017)**

**IN THE MATTER OF:**

**Sumitra Devi Vs. CPCB & Ors.**

**And**

**Dr. Laxman Raghav Vs. State of Rajasthan & Ors.**

**And**

**Arvind Press Caps Limited Vs. Rajasthan State Pollution Control Board**

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON  
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER  
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER**

**Present:**

<b>Applicant:</b>	<b>Mr. Rahul Kuhrana, Adv. for Applicant in OA 127/16 Mr. Mayank Jain, Mr. Madhur Jain and Mr. Parmatma Singh, Adv. Mr. Vivek Chib, Adv. alongwith Ms. Pracheta Kar, Adv. Mr. Rahul Khurana, Adv. Mr. Sumit Sharma &amp; Dr. Sarbjit Sharma and Ms. Sunaina Pasricha, Adv.</b>
<b>Respondent No. 1:</b>	<b>Mr. Raj Kumar, Adv. with Mr. Bhupender Kr., LA, Central Pollution Control Board</b>
<b>Respondent No.4</b>	<b>Mr. Raj Panjwani, Sr. Adv. with Mr. Naveen Kr. Gautam with Mr. Anuj Bhardwaj, Adv. for (RIICO) Mr. Krishna Kumar Singh, Adv. for MoEF Mr. Anil Grover, AAG and Mr. Sandeep Yadav, Adv. for State of Haryana Mr. B.V. Niren, Adv. and Mr. Vinayak Gupta, Adv. for CGWA Ms. Sumedha Dang, Adv. for Winsome Brewereis Mr. Shiv Mangal Sharma, AAG with Mr. Saurabh Rajpal, Adv. Mr. Vivek Kr. Tandon, Ms. Mamta Tandon, Mr. Mayank Jain and Mr. Madhur Jain, Adv. in M.As. Mr. Piyush Singh and Mr. Aditya Parolia, Adv. Mr. Akash Tyagi, Adv. for R- 7 &amp; 9 Mr. Rakesh Kumar, Mr. Mohd. Atif with Mr. Virender Agrawal, Director of M/s. Prayag Polymers Pvt. Ltd.</b>

**State of Rajasthan**

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item No. 29 to 31 May 23, 2017 sn</b>	<b><u>M.A. No. 307 of 2017</u></b>  This is with regard to an industry called M/s Shanti Drugs Pvt. Ltd. From the report of the Joint Inspection Team, it appears that this industry has been operating without the consent of the Board with effect from 1 <sup>st</sup>

December, 2014. The Joint Inspection Team has pointed out serious deficiencies in the working of this industry including need for a suitable effluent treatment system to be designed and approved by the Experts. It also does not have permission from the CGWA to operate the borewells.

The Learned Counsel appearing for the Applicant upon instructions from Mr. Rakesh Gupta, Director of the Company submits that they would pay environmental compensation of Rs. 15 lakhs and would carry out all the recommendations and directions issued by the Joint Inspection Team in their Inspection note within a period of three months. Further, he states, if the industry does not carry out these directions to the satisfaction of the Joint Inspection Team, the industry may be directed to be shut down forever thereafter.

In view of the statement made on behalf of the industry, we direct the industry to carry out all the directions issued by the Joint Inspection team within a period of three months. Obtain the permission from the CGWA and also comply with all the other requirements of law in relation to operation of this industry. This industry would be permitted to operate only for a period of three months and if it does not comply with the directions, the RSPCB and the Joint Inspection Team shall shut down the unit which will not be permitted to operate thereafter. However, the operation will be permitted to start only when the environmental compensation voluntarily offered Rs. 15 lakhs is deposited with the RSPCB and 25% thereof is sent to the Central Pollution Control Board. They would install the rain water harvesting system within a period of

three months and they will apply for obtaining the consent of the Board within one week from today.

With the above direction, M.A. No. 307 of 2017 stands disposed of accordingly.

**M.A. No. 326 of 2017**

This is with regard to an industry called M/s Prayag Polymers Pvt. Ltd. We have heard the Learned Counsel appearing for the parties as well as perused the Joint Inspection Team Report. The Learned Counsel appearing for the industry upon instruction from Mr. Varender Agarwal, the Director the Company submits that they will pay the Environmental Compensation of Rs. 10 lakhs and would remove all the deficiencies, rectify the defects pointed out in the Joint Inspection Team Report within two months from today. If within two months, the deficiencies are not removed, the industry would be shut down forever. He further submits that they will obtain the consent from the CGWA in accordance with law and would also install the rain water harvesting system within the same time and apply for consent to the Board afresh, which should be considered by the Board.

In view of the statement made by the Learned Counsel appearing for the industry, we dispose of this Application. They will abide by their statement under which undertaking is accepted by the Tribunal. Let the sum of Rs. 10 lakhs be paid to the RSPCB and 25% of which will be sent to the Central Pollution Control Board immediately. All other conditions shall be complied with within two months from today, failing which the unit shall be directed to be shut down forever and will be closed by

the RSPCB.

With the above direction, M.A. No. 326 of 2017 stands disposed of accordingly.

**M.A. No. 324 of 2017**

This is with regard to an industry called M/s Winsome Breweries Ltd. We have heard the Learned Counsel appearing for the parties as well as perused the Joint Inspection Team Report. The Learned Counsel appearing for the industry upon instruction submits that they will pay the Environmental Compensation of Rs. 10 lakhs and would remove all the deficiencies, rectify the defects pointed out in the Joint Inspection Team Report and make the improvements directed within two months from today. If within two months, the deficiencies are not removed, the industry would be shut down forever. She further submits that they have already obtained the consent from the CGWA in accordance with law and shall obtain the consent of the Board for which they will make an Application within two weeks from today and if the deficiencies are not removed within two months from today, the RSPCB shall shut the industry forever without any further Notice. She further submits that they would also install the rain water harvesting system within the same time.

In view of the statement made by the Learned Counsel appearing for the industry, we dispose of this Application. They will abide by their statement under which undertaking is accepted by the Tribunal. Let the sum of Rs. 10 lakhs be paid to the RSPCB and 25% of which will be sent to the Central Pollution Control Board

immediately. All other conditions shall be complied with within two months from today, failing which the unit shall be directed to be shut down forever and will be closed by the RSPCB.

With the above direction, M.A. No. 324 of 2017 stands disposed of accordingly.

**M.A. No. 300 of 2017 and 301 of 2017**

This is with regard to the industries called M/s Shree Prakash Prasad Re-Rolling Pvt. Ltd., M/s Pannar Strips Pvt. Ltd., M/s Amit Re-Rolling Pvt. Ltd. and M/s Nirmal Enterprises Pvt. Ltd. We have heard the Learned Counsel appearing for the parties as well as perused the Joint Inspection Team Report. The Learned Counsel appearing for the industries submit that they will pay the Environmental Compensation of Rs. 7 lakh each and would remove all the deficiencies, rectify the defects pointed out in the Joint Inspection Team Report within two months from today. If within two months, the deficiencies are not removed, the industries would be shut down forever. He further submits that they will obtain the consents from the CGWA in accordance with law and would also install the rain water harvesting systems within the same time and apply for consents to the Board afresh, which should be considered by the Board.

In view of the statement made by the Learned Counsel appearing for the industries, we dispose of these Application. They will abide by their statement under which undertaking is accepted by the Tribunal. Let the sum of Rs. 7 lakhs each be paid to the RSPCB and 25% of which will be sent to the Central Pollution Control Board

immediately. All other conditions shall be complied with within two months from today, failing which the units shall be directed to be shut down forever and will be closed by the RSPCB.

With the above directions, M.A. No. 300 of 2017 and 301 of 2017 stand disposed of accordingly.

**M.A. No. 323 of 2017**

This is with regard to an industry called M/s Alka Laboratories Pvt. Ltd. We have heard the Learned Counsel appearing for the parties as well as perused the Joint Inspection Team Report. The Learned Counsel appearing for the industry submits that they will pay the Environmental Compensation of Rs. 10 lakhs and would remove all the deficiencies, rectify the defects pointed out in the Joint Inspection Team Report within two months from today. If within two months, the deficiencies are not removed, the industry would be shut down forever. He further submits that they will obtain the consent from the CGWA in accordance with law and would also install the rain water harvesting system within the same time and apply for consent to the Board afresh, which should be considered by the Board.

In view of the statement made by the Learned Counsel appearing for the industry, we dispose of this Application. They will abide by their statement under which undertaking is accepted by the Tribunal. Let the sum of Rs. 10 lakhs be paid to the RSPCB and 25% of which will be sent to the Central Pollution Control Board immediately. All other conditions shall be complied with within two months from today, failing which the unit shall

be directed to be shut down forever and will be closed by the RSPCB.

With the above direction, M.A. No. 323 of 2017 stands disposed of accordingly.

**Appeal No. 11 of 2017 (M.A. No. 532 of 2017)**

This is with regard to an industry called Arvind Press Caps Ltd. We have heard the Learned Counsel appearing for the parties as well as perused the Joint Inspection Team Report. The Learned Counsel appearing for the industry submits that they will pay the Environmental Compensation of Rs. 10 lakhs and would remove all the deficiencies, rectify the defects pointed out in the Joint Inspection Team Report within three months from today. If within three months, the deficiencies are not removed, the industry would be shut down forever. He further submits that they will improve the treatment and disposal of RO rejects, they will obtain the consent from the CGWA in accordance with law, would also install the rain water harvesting system within the same time, apply for consent to the Board afresh, which should be considered by the Board and will rectify all the other recommendations and suggestions made by the Joint Inspection Team within the stipulated period. In the event of default, they shall be liable to be shut down.

In view of the statement made by the Learned Counsel appearing for the industry, we dispose of this Application. They will abide by their statement under which undertaking is accepted by the Tribunal. Let the sum of Rs. 10 lakhs be paid to the RSPCB and 25% of which will be sent to the Central Pollution Control Board

immediately. All other conditions shall be complied with within three months from today, failing which the unit shall be directed to be shut down forever and will be closed by the RSPCB.

With the above direction, Appeal No. 11 of 2017 (M.A. No. 532 of 2017) stands disposed of accordingly.

**Main matter**

List these matters tomorrow i.e. on 24<sup>th</sup> May, 2017.

.....,CP  
(Swatanter Kumar)

.....,EM  
(Bikram Singh Sajwan)

.....,EM  
(Ranjan Chatterjee)

