

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

**Appeal No. 14 of 2016
(M.A. No. 159 of 2016)**

IN THE MATTER OF :-

M/s Bee Chems Vs. Central Pollution Control Board & Anr.

CORAM : HON'BLE MR. JUSTICE U.D.SALVI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE PROF. DR. R. NAGENDRAN, EXPERT MEMBER
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER
HON'BLE Mr. RANJAN CHATTERJEE, EXPERT MEMBER

Present: Applicant: Mr. S.A. Zaidi and Mr. M.Z. Choudhary, Advs.
Respondent No. 1: Mr. Rajkumar, Adv. and Mr. Bhupendra Kumar, LA
Respondent No. 2: Mr. Pradeep Misra and Mr. Daleep Kr. Dhyani, Advs.
Mr. B. V. Niren, Adv. for CGWA

Date and Remarks	Orders of the Tribunal
Item No. 10 April 27, 2016 SS	<p>The present appeal is preferred for challenging the order dated 19-01-2016 passed for closure of the appellant industry. Show Cause notice was issued before the closure order was passed. The appellant responded to this show cause notice with a plea that it is not a polluting unit. However, necessary details substantiating the plea have not been furnished before the Central Pollution Control Board. The issue as to whether the industry is polluting or not can well be decided on the basis of the details concerning the raw material used, process undertaken for production, effluents emerging from such process, mass balance and the disposal of the effluent generated be furnished before the concerned authority.</p> <p>We, therefore, dispose of this appeal with the following directions:</p> <ol style="list-style-type: none">1. The appellant shall file a representation giving afore-said details before the Central Pollution

Control Board within a week.

2. The respondent-Central Pollution Control Board shall consider the said details as well as other contentions, if any, raised by the appellant in the said representation and pass the reasoned order within a fortnight.

3. Liberty is granted to the Central Pollution Control Board to vary or rescind the order dated 19th January, 2016 if required to dispense justice.

With the above directions the Appeal No. 14 of 2016 stands disposed of with no order as to costs.

M. A. No. 159 of 2016

This application does not survive for consideration as the main appeal itself stands disposed of.

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

.....,JM
(Raghuvendra S. Rathore)

.....,EM
(Prof. Dr. R. Nagendran)

.....,EM
(Prof. A.R. Yousuf)

.....,EM
(Ranjan Chatterjee)