BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

Original Application No. 435 of 2017

M/s Nusrat Tannery Pvt. Ltd. Vs. Uttar Pradesh Pollution Control Board

Rawat, Advs.

CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER

Present:

Applicant:

and

Date

Remarks Item No. 04

> July 25, 2017

Respondent No. 1 :

Mr. S.A. Zaidi, Adv. and Ms. Mansi Chahal, Adv. Mr. Pradeep Misra and Mr. Daleep Kr. Dhyani, Advs. Mr. Rajkumar, Adv. and Mr. Bhupendra Kumar, LA Mr. B.V. Niren, Adv. and Mr. Viayak Gupta, Adv. for CGWA Mr. Vinay Garg, Mr. Uday Singh and Ms. Neetu

We have heard the Counsel appearing for the Applicant. It is not necessary for us to issue notice in this application, in view of the approach that has been adopted in this case. The Learned Counsel appearing for the Applicant submits that the Uttar Pradesh Pollution Control Board had issued consent to operate after inspection and the unit is permitted to operate.

Orders of the Tribunal

We have perused the consent firstly, it is not clear, at least from the translation copy, whether it is the consent to operate or issuance of the directions simpliciter. The said copy has blanks such as not specify the parameters for SPM etc. Furthermore, this consent imposes certain conditions which the applicant is required to fulfill within a period of one month.

Consequently, we dispose of this application with the permission to the applicant that if he has complied with all the conditions that have been imposed. The applicant should approach Uttar Pradesh Pollution Control Board for issuance of consent to operate which should be complete, comprehensive and definite in all Item No. 04 July 25, 2017

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respects. If such application is moved, the unit shall be subjected to an inspection by the joint inspection team, report of which shall be submitted before the Tribunal. The cost of the inspection shall be paid by the Applicant.

It also needs to be noticed that the consent has been issued without proper application of mind. According to the Applicant, it is vegetable tannery unit while mention made about recovery of chromium, its storage and maintenance of log-book, in the consent is somewhat surprising.

With the above directions, Original Application No. 435 of 2017 stands disposed of. No order as to cost.

(<mark>Sw</mark>atanter Kumar)

(Raghuvendra S. Rathore)

.....CP

....,EM (Bikram Singh Sajwan)