

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

Original Application No. 24/2014

Shiv Prasad V/s Union of India & Ors.

CORAM: HON'BLE MR. JUSTICE DR. P. JYOTHIMANI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER
HON'BLE DR. G.K. PANDEY, EXPERT MEMBER
HON'BLE PROF. (DR.) P.C. MISHRA, EXPERT MEMBER
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER

Applicant / Appellant : Mr. Sanjay Upadhyay, Adv. with Ms.
Manisha Badoni, Adv.

Date and Remarks	Orders of the Tribunal
<p>Item No. 1 February 13, 2014</p> <p>DV</p>	<p>We have heard the learned Counsel appearing for the Applicant.</p> <p>The issue involved in this case is about running of various steel industries as well as the sugar industries. According to the applicant, few of the industries are running without consent from the State Pollution Control Board (SPCB). That apart, it is brought to the notice of this Tribunal that upon an inspection conducted by the SPCB in February, 2009, the Board has come to a conclusion that the said industries are running without even making application for consent to the SPCB. It is also seen that thereafter on 7.12.2011, the SPCB has issued a show cause notice to those units indicating that they have been violating the environmental norms under the Air (Prevention and Control of Pollution) Act, 1981. However, it is not known as to the subsequent events.</p> <p>According to the learned Counsel appearing for the applicant, there are many units which are running without obtaining consent to operate from the SPCB. In such circumstances, we are <i>prima facie</i> satisfied that those units which</p>

are operating without consent from the SPCB shall not be permitted to continue.

Accordingly, the application stands admitted.

Issue Notice to the Respondents by registered post/acknowledgment due and Dasti as well. Notice returnable by the next date of hearing.

Having satisfied that the applicant has made out a *prima facie* case, we direct the Respondent No. 4 (Uttarakhand Environment Protection & Pollution Control Board) to take steps to close those industries which are functioning without obtaining consent to operate from the SPCB by following the procedure and file status report about all the industries which are arrayed as respondents in the application.

Stand over to 18th March, 2014.

....., JM
(Dr. P. Jyothimani)

....., JM
(M.S. Nambiar)

....., EM
(Dr. G.K. Pandey)

....., EM
(Prof. (Dr.) P.C. Mishra)

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

