

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

Original Application No. 451 of 2016

Selaqui International School Vs. Union of India & Ors.

**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:	Mr. Suddhesh Kotwal, Ms. Bansuri Swaraj, Ms. Shreya Bhatnagar, Mr. Raghunath Sethupathy and Ms. Urvashi Badhar, Adv.
Respondent Nos. 1	Mr. Ayush Negi, Adv. for State of Uttarakhand
Respondent No.3	Mr. Mukesh Verma and Mr. Bikash Kr. Sinha, Adv.
Respondent No. 6:	Mr. Salik Shafique, Adv. alongwith Mr. Sanjay.
Respondent Nos. 7,8,9,10,11,14,15,17 & 20:	Mr. Sidhharth Batra, Adv.
CPCB	Mr. Rajkumar, Adv. and Mr. Bhupender, LA
Respondent No. 20 & 22.	Ms. Pragya Ohri, Adv. alongwith Ms. Kanika Kumar, Adv.
Respondent No. 16	Mr. Bhaviya Modi and Mr. Nakul Sachdeva, Adv.
Respondent No. 12 & 13.	Mr. Sidhharth Joshi and Mr. Hasib Ur Rehman, Adv.
Respondent No. 18:	Ms. Prachi Mishra, Mr. Chaitanya and Mr. Prayag Garg, Adv.
Respondent No. 19:	Mr. Prashant Manchanda, Adv.
Respondent No. 23 & 05	Mr. Gaurav Kumar Bansal, Adv.

Date and Remarks	Orders of the Tribunal
Item No. 23 July 25, 2017 ss	<p>We have heard the Learned Counsels appearing for the parties. It is submitted that there are 19 industries primarily dealing in production of pharmaceutical products or herbal extracts. It is pointed out by the Learned Counsel appearing for the Uttarakhand Pollution Control Board that out of these industries 5 units are lying closed. In regard to Respondent No. 18, the Board has stated that the industry is lying closed. However, from the reply filed by Respondent No. 18, it appears that the unit is operating. We find that the stand taken by the Board lacks clarity, therefore, we direct as follows:-</p> <ol style="list-style-type: none">1. The Uttarakhand Pollution Control Board shall submit affidavit of its Member Secretary stating that since what time these 14 industries have been

	<p>Item No. 23</p> <p>July 25, 2017</p> <p>ss</p>	<p>operating without consent of the Board. This should be on the basis that the board has no authority to issue consent retrospectively.</p> <p>2. The Uttarakhand Pollution Control Board and the representative of the Central Pollution Control Board shall conduct a joint inspection of all these industries and submit a complete and comprehensive report before the Tribunal within four weeks from today.</p> <p>3. The inspection shall be comprehensive in all respect, including analyses of effluent being discharged from these industries.</p> <p>4. The report preferably should relate to at least 5 preceding years.</p> <p>The copy of the report may be furnished to the Learned Counsels appearing for the respective parties, who may file their response, if any, within one week thereafter.</p> <p>List this matter on for final disposal on 05th September, 2017.</p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,JM (Raghuvendra S. Rathore)</p> <p>.....,EM (Bikram Singh Sajwan)</p>
--	--	---