

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

**Original Application No. 352/2016**

**M/s Micro Turners Vs. MoEF & Anr.**

**CORAM : HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER  
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER  
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER**

**Present: Applicant: Mr. Narender Hooda, Sr. Adv., Mr. Siddharth Batra, Mr. Aviral  
Dhirendra and Mr. Ravinder Kumar, Advs.  
Respondent No. 2: Mr. Mukesh Verma, Adv.**

	<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
	<b>Item No. 01  July 14, 2016 A</b>	<p>The Applicant is an industry manufacturing auto parts of Bajaj Auto Ltd. The Application is filed under Section 14 of the National Green Tribunal Act, 2010 for a direction to the MoEF and the Uttarakhand Pollution Control Board to permit the operation of the industry under the provisional consent granted dated 22<sup>nd</sup> June, 2016. Learned counsel appearing for the Respondents Nos. 1 and 2 accept notice and waive service.</p> <p>Vide our order dated 22<sup>nd</sup> June, 2016, the Second Respondent – Pollution Control Board has granted consent which is valid upto 31<sup>st</sup> March, 2017 finding that the industry is a compliant industry. In view of the consent granted and the industry being compliant in all respects, the Applicant is to be permitted to operate.</p> <p>Learned counsel appearing for the second Respondent submit that though a closure order was issued, the industry was not closed and even the consent order dated 22<sup>nd</sup> June, 2016 direct the closing of the industry till getting the approval of the Tribunal and therefore before closing the Unit, it cannot be permitted to operate.</p> <p>We find no force in this submission. Though a closure order was issued by the Pollution Control Board, pursuant to directions of the Tribunal in Original Application No. 10 of 2015, the industry challenged the order of closure before the</p>

	<p><b>Item No. 01</b></p> <p><b>July 14, 2016</b></p>	<p>Hon'ble High Court of Uttarakhand and in turn the High Court stayed the order and that order continued till it was disposed of. The Pollution Control Board was directed to decide the representation and pass appropriate orders in accordance with law. It is pursuant to the said order, the Pollution Control Board granted consent dated 22<sup>nd</sup> June, 2016 finding that the industry fully compliant. In such circumstances we do not find it necessary to close the industry on one day and permit it to operate on next day.</p> <p>The Applicant industry is permitted to operate. The conditions in the consent order shall be fully complied and in violation the Pollution Control Board shall take appropriate action in accordance with law.</p> <p>Original Application No. 352 of 2016 stands disposed of without any order as to costs.</p> <p>.....,JM (M.S. Nambiar)</p> <p>.....,JM (Raghuvendra S. Rathore)</p> <p>.....,EM (Prof. A. R. Yousuf)</p> <p>.....,EM (Bikram Singh Sajwan)</p>
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