

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

**M.A. No. 1119/2015
In
Original Application No. 245/2015**

M.R. Proofing Industries Vs. U.P.P.C.B.

CORAM: HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER

HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER

Present: Applicant /Appellant :Mr. Shariq Zaidi, Ms.Gulnaz Parveen, Advs.
Respondent No. 1 :Mr. Pradeep Misra, Mr. Daleep Kr. Dhyani,
Adv.
CPCB :Mr Rajkumar, Adv. Mr. S.L. Gundli, Law
Officer

	Date and Remarks	Orders of the Tribunal
	<p>Item No. 02 October 28, 2015</p> <p style="text-align: center;">R</p>	<p style="text-align: center;"><u>M. A. No. 1119 of 2015:</u></p> <p>Heard. Perused.</p> <p>This is an application for waiving the penalty/environmental compensation of Rs. 5 Lakhs imposed on the Applicant vide order dated 19th October, 2015.</p> <p>The Learned Counsel appearing on behalf of the Applicant submits that the Applicant is running a small industry and as such is not in position to pay the environmental compensation.</p> <p>Perusal of the order dated 19th October, 2015 reveals that the Applicant industry was discharging effluent in violation of the prescribed parameters and causing pollution. It further reveals that the Learned Counsel appearing for the Applicant industry had submitted that within 2 weeks the pH level of the effluent shall be brought to the prescribed limits. Pertinently, it reveals that the Learned Counsel appearing for the Applicant industry accepted the</p>

request subject to payment of Rs. 5 Lakhs as environmental compensation for causing pollution in the past; and this amount was to be paid for correcting the environmental degradation. The Applicant industry was thus allowed to continue its operation on payment of Rs. 5 Lakhs towards environmental compensation.

The Learned Counsel appearing on behalf of the Applicant industry now contends, without their being any specific pleading, that it was verbally directed that the application for waiving of the environmental compensation can be made in a case the finances do not permit the Applicant to bear such compensation. Learned counsel appearing on behalf of the Applicant submits that this application may, therefore, be placed before the Bench which passed the order dated 19th October, 2015. Let this case be placed before the Hon'ble Chairperson for appropriate orders.

List this case on 04th November, 2015.

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

.....,EM
(Ranjan Chatterjee)