

**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 U.D. SALVI, JUDICIAL MEMBER
HON'BLE DR. G.K. PANDEY, EXPERT MEMBER
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER**

Present:

Applicant / Appellant	:Mr. Sanjay Upadhyay, Adv. with Ms. Manisha Badoni, Adv.
Respondent No. 1	:Mr. Vikas Malhotra, Adv., Mr. M.P. Sahay, Adv.
Respondent Nos. 2&6	:Mr. Rahul Verma, Adv.
Respondent No. 3	:Mr. Abhishek Paruthi for Mr. Alok Kumar, Adv. & Mr. S.L. Gundli, Sr. Law Officer
Respondent No. 4	:Mr. Mukesh Verma, Adv.
Respondent No. 5	:Mr. Aditya Singh Adv.
Respondent No. 7	:Mr. Daleep Kr. Dhayani, Adv. for Mr. Pradeep Misra, Adv.
Respondent Nos. 8 to 20 & 22 to 25	:Mr. Vivek Singh, Ms. Ritwika Nanda, Adv.

Date and Remarks	Orders of the Tribunal
Item No. 3 August 20, 2014	<p>Heard. Perused.</p> <p>Learned Counsel appearing for the CPCB tenders joint inspection report dated 14.08.2014 in compliance of the order dated 15.07.2014 passed by us. We direct the CPCB to file this report as is done usually through the office and give copy of it to all the parties.</p> <p>However, cursory glance at it reveals the stack emissions from the 18 industries in operation to be within standards. Ambient air quality monitoring of the area indicates similar results. However, the cumulative impacts of all these industries will have something more to tell about the facts disclosed before us vide photographs produced by the Applicant. It is also revealed in the report that out of 18 listed operational units 16 units have been granted consent by the Uttarakhand Pollution Control Board on condition of installing upgraded air pollution control devices such as wet scrubbers for controlling of</p>

particulate emissions from stack. It further reveals that there has been provision made for installation of electrical interlocking between process unit and pollution control facilities to ensure simultaneous operations of pollution control facility and process unit. All these looks fine but there is no candid statement made in the report that these interlocking devices as well as air pollution control devices were in functioning condition or not.

The SPCB, therefore, will have to look into the efficacy of air pollution control devices and the electrical interlocking devices installed at the units in questions. We, therefore, direct the Uttarakhand Pollution Control Board to check all these devices installed in respect all the units and report back to us on the next date of hearing.

Further problem is of the slag. It is submitted on behalf of the Respondent Units that they continue to store the slag in their premises and do not litter it indiscriminately to do away with the burden.

Learned Counsel appearing for the Respondent Units submitted that commercial exploitation of the slag is feasible as the slag can be utilized for manufacturing of cement as well as the bricks, which can be utilized for construction purposes. We, therefore, direct the Respondent Units to place before us year-wise data from beginning regarding the production done by each of the units, slag produced as a result of such production and the disposal of the slag done by them from time to time. The District Magistrate/Deputy Commissioner and Superintendent of Police of the District Kotdwar shall report about the steps taken by them for removal of the slag dumped

in the river or river bed. Parties to respond to the joint inspection report by the next date of hearing.

The Respondent Units shall also place before us, if there are any commercial demands for the slag.

The Applicant shall file rejoinder to the replies, if any, filed by the Respondents before the next date of hearing

List the matter on 16th September, 2014.

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

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

....., EM
(Ranjan Chatterjee)

