

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

.....
ORIGINAL APPLICATION NO. 340 OF 2014

IN THE MATTER OF:

1. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Haque Tanners, Jajmau, Kanpur

.....Respondent

AND

ORIGINAL APPLICATION NO. 344/2014

IN THE MATTER OF:

2. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Anwar Ahamad Tannery
175/158 4C. Nhuriyaghat Jajmau,
Kanpur.

....Respondent

AND

ORIGINAL APPLICATION NO. 345/2014

IN THE MATTER OF:

3. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Habib Leathers
14B 150 Ft Fosd Jajmau, Kanpur

....Respondent

AND

ORIGINAL APPLICATION NO. 347/2014

IN THE MATTER OF:

4. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Karamat Tanning Industries 783
Sanjay Nagar, Kanpur

....Respondent

AND

ORIGINAL APPLICATION NO. 348/2014

IN THE MATTER OF:

5. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Leather World 184 A-1
Wajidpur Jajmau Kanpur

....Respondent

AND

ORIGINAL APPLICATION NO. 349/2014

IN THE MATTER OF:

6. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Mash International 83/69
Hindtsathan Compound,
Jajmau, Kanpur

....Respondent

AND

ORIGINAL APPLICATION NO. 355/2014

IN THE MATTER OF:

7. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Fida Hussain Tannery
(Nafees Leather Finishers) 175/158A
Bhuriyaghat, Jajmau Kanpur.

....Respondent

AND

ORIGINAL APPLICATION NO. 357/2014

IN THE MATTER OF:

8. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Sajid Tanners new Name
Kalid tanners Jajmau
Kanpur

....Respondent

AND

ORIGINAL APPLICATION NO. 360/2014

IN THE MATTER OF:

9. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Abdullah Tannery Pvt. Ltd
Jajmau Kanpur

....Respondent

And
Original Application No. 362/2014

IN THE MATTER OF:

10. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Sajid Tanners,
Jajmau Kanpur

....Respondent

And
Original Application No. 364/2014

IN THE MATTER OF:

11. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

A.P.F Tanners (Shabnam Tanners),
Jajmau Kanpur

....Respondent

And
Original Application No. 366/2014

IN THE MATTER OF:

12. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Alig International, Jajmau
Kanpur

....Respondent

And
Original Application No. 367/2014

IN THE MATTER OF:

13. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Aman Enterprises Taj Trader,
Jajmau Kanpur

....Respondent

And

Original Application No. 368/2014

IN THE MATTER OF:

14. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Ajj Leather Finishers,
Jajmau, Kanpur

....Respondent

And

Original Application No. 373/2014

IN THE MATTER OF:

15. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Everest Export 175/158
B-3, Burhighat, Jajmau Kanpur

....Respondent

And

Original Application No. 376/2014

IN THE MATTER OF:

16. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Bablu Enterprises, Jajmau
Kanpur

....Respondent

And

Original Application No. 377/2014

IN THE MATTER OF:

17. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Farhan Tanners, Jajmau
Kanpur

....Respondent

And

Original Application No. 380/2014

IN THE MATTER OF:

18. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Reliance Tanning Ind. Jajmau
Kanpur

....Respondent

And

Original Application No. 381/2014

IN THE MATTER OF:

19. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Ahmad International, Jajmau
Kanpur

....Respondent

And

Original Application No. 384/2014

IN THE MATTER OF:

20. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Greater Arafat Tannery Pvt. Ltd
Jajmau, Kanpur

....Respondent

And

Original Application No. 390/2014

IN THE MATTER OF:

21. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Farhat Zabi Kl Tannery,
Jajmau Kanpur

....Respondent

And

Original Application No. 391/2014

IN THE MATTER OF:

22. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Islam Tanners, Jajmau
Kanpur

....Respondent

And

Original Application No. 392/2014

IN THE MATTER OF:

23. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Janmal Ind, Jajmau
Kanpur

....Respondent

And

Original Application No. 396/2014

IN THE MATTER OF:

24. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Sariq Tanners, Jajmau Kanpur

....Respondent

And

Original Application No. 401/2014

IN THE MATTER OF:

25. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Ghaush Leather Finisher, Bhalla
State, Jajmau Kanpur

....Respondent

And

Original Application No. 403/2014

IN THE MATTER OF:

26. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Rennet Eastern Exports, Jajmau Kanpur

....Respondent

And

Original Application No. 404/2014

IN THE MATTER OF:

27. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Salik Leather Finishers, Jajmau Kanpur

....Respondent

And

Original Application No. 405/2014

IN THE MATTER OF:

28. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Naj Leather Finishers, Jajmau
Kanpur

....Respondent

And

Original Application No. 407/2014

IN THE MATTER OF:

29. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Top Tanners, Jajmau
Kanpur

....Respondent

And

Original Application No. 410/2014

IN THE MATTER OF:

30. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

GBS Tanners B-6, Site-2 Industrial
Area Unnao

....Respondent

And

Original Application No. 411/2014

IN THE MATTER OF:

31. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Leather Fabrics, Ind. Area Site-2
Unnao

....Respondent

And

Original Application No. 412/2014

M.A. No. 485/2015

IN THE MATTER OF:

32. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Model Tanners(India) Pvt.
A-22, 23, 24, UPSIDC Ind
Area, LTP, Banther, Unnao

....Respondent

And

Original Application No. 415/2014

IN THE MATTER OF:

33. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Rohit Surfactant (Leatan Global Pvt. Ltd.)
L.L.P, Banther, Unnao

....Respondent

And
Original Application No. 416/2014

IN THE MATTER OF:

34. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Ruksh Enterprises, B-5 Leather Technology
Park Banther Unnao

....Respondent

And
Original Application No. 417/2014

IN THE MATTER OF:

35. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Super Tannery Ltd. Unit-III
LTP, Banther Unnao

....Respondent

And
Original Application No. 419/2014

IN THE MATTER OF:

36. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Alig Tannery, A-25, UPSIDC
Leather, Technology Park
Banther Unnao

....Respondent

And
Original Application No. 332/2014

IN THE MATTER OF:

37. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

M.s Garg Duplex & Paper Mills (P)
Ltd. Bhopa Road

....Respondent

And

Original Application No. 334/2014

IN THE MATTER OF:

38. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

M/s Dev Priya Fibers Pvt Ltd Panchli
Bagpath Road Merrut

....Respondent'

And

Original Application No. 335/2014

IN THE MATTER OF:

39. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

M/s Dev Priya Product Ltd
Vill Saini
Mawana Raod Merrut

....Respondent

And

Original Application No. 336/2014

IN THE MATTER OF:

40. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

M/s Dev Priya Paper ltd
Vill Saini
Mawana Raod Merrut

....Respondent

And

Original Application No. 337/2014

IN THE MATTER OF:

41. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

M/s Dev Priya industries Ltd
Vill Saini
Mawana Raod Merrut

....Respondent

And

Original Application No. 339/2014

IN THE MATTER OF:

42. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

M/s Anand Triplex Board Ltd. Vill-
Saini Mawana Road Merrut

....Respondent

And

Original Application No. 297/2015

IN THE MATTER OF:

43. New Javed Tannery

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

**Original Application No. 133/2015
(M.A. No. 384/2015 & M.A. No. 768/2015)**

IN THE MATTER OF:

44. M/S Nisar Sons

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

Original Application No. 187/2015

(M.A. No. 533/2015)

IN THE MATTER OF:

45. Faik Leather Finishers

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

Original Application No. 188/2015

(M.A. No. 534/2015)

IN THE MATTER OF:

46. Kamal Enterprise

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

Original Application No. 192/2015

(M.A. No. 538/2015)

IN THE MATTER OF:

47. Globe Leather Industries

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

Original Application No. 194/2015

(M.A. No. 540/2015)

IN THE MATTER OF:

48. Arshi Enterprises

.....Applicant

Versus
Uttar Pradesh Pollution Control Board

....Respondent

And
Original Application No. 195/2015
(M.A. No. 541/2015)

IN THE MATTER OF:

49. Allianz Leather

.....Applicant

Versus
Uttar Pradesh Pollution Control Board

....Respondent

And
Original Application No. 196/2015
(M.A. No. 542/2015)

IN THE MATTER OF:

50. Arafat Leather Finishers

.....Applicant

Versus
Uttar Pradesh Pollution Control Board

....Respondent

And
Original Application No. 197/2015
(M.A. No. 568/2015)

IN THE MATTER OF:

51. Globe Industries

.....Applicant

Versus
Uttar Pradesh Pollution Control Board

....Respondent

And
Original Application No. 198/2015
(M.A. No. 543/2015)

IN THE MATTER OF:

52. A.K. Finishers

.....Applicant

Versus
Uttar Pradesh Pollution Control Board

....Respondent

And
Original Application No. 200/2015
(M.A. No. 545/2015)

IN THE MATTER OF:

53. Heena Leather Exims (Alvi Leather)

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And
Original Application No. 201/2015
(M.A. No. 546/2015)

IN THE MATTER OF:

54. Shannu Enterprises

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And
Original Application No. 205/2015
(M.A. No. 550/2015)

IN THE MATTER OF:

55. Mercury Leather Industries

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And
Original Application No. 211/2015
(M.A. No. 556/2015)

IN THE MATTER OF:

56. Nizam Tanners

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And
Original Application No. 214/2015

(M.A. No. 559/2015)

IN THE MATTER OF:

57. Shoeb Leather

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

Original Application No. 215/2015

(M.A. No. 560/2015)

IN THE MATTER OF:

58. M.A. Industries

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

Original Application No. 216/2015

(M.A. No. 561/2015)

IN THE MATTER OF:

59. Raza Leather Finishers

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

Original Application No. 217/2015

(M.A. No. 562/2015)

IN THE MATTER OF:

60. N.R. Tanners (Unit-2)

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

Original Application No. 220/2015

(M.A. No. 565/2015)

IN THE MATTER OF:

61. Ahtesham Leather & Leather Product
(Naseer ki Tannery)

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

**Original Application No. 222/2015
(M.A. No. 567/2015 & M.A. No. 871/2015)**

IN THE MATTER OF:

62. Insha Leather Finishers

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

**Original Application No. 98/2015
(M.A. No. 297/2015)**

IN THE MATTER OF:

63. Minar Industries

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

**Original Application No. 103/2015
(M.A. No. 306/2015)**

IN THE MATTER OF:

64. Aftab & Co.

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

**Original Application No. 105/2015
(M.A. No. 316/2015)**

IN THE MATTER OF:

65. Gazala Tannery

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

Original Application No. 350/2014

IN THE MATTER OF:

66. Krishan Kant Singh

H.No. 35, Village Dhanawli – Atta

Post Mudafra, District – Hapur

Uttar Pradesh – 245 101

.....Applicant

Versus

Rider Tanning Ind. 242 Gahhupua

Jajmau, Kanpur.

....Respondent

And

Original Application No. 352/2014

IN THE MATTER OF:

67. Krishan Kant Singh

H.No. 35, Village Dhanawli – Atta

Post Mudafra, District – Hapur

Uttar Pradesh – 245 101

.....Applicant

Versus

Shams Leathers

....Respondent

And

Original Application No. 353/2014

IN THE MATTER OF:

68. Krishan Kant Singh

H.No. 35, Village Dhanawli – Atta

Post Mudafra, District – Hapur

Uttar Pradesh – 245 101

.....Applicant

Versus

Super Leather Finishers 406 K/409

Wajid Sanjay Nagar Jajmau Kanpur

....Respondent

And
Original Application No. 356/2014

IN THE MATTER OF:

69. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Indian Tanning Industry
150 ft Road, Jajmau
Kanpur.

....Respondent

And
Original Application No. 363/2014

IN THE MATTER OF:

70. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Best Traning Industry, Jajmau
Kanpur

....Respondent

And
Original Application No. 374/2014

IN THE MATTER OF:

71. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Habib Tannery Pvt. Ltd,
Jajmau Kanpur

....Respondent

And
Original Application No. 379/2014

IN THE MATTER OF:

72. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Sultan Tanners, Jajmau
Kanpur

....Respondent

And

Original Application No. 385/2014

IN THE MATTER OF:

73. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Khalid Tannery, Jajmau
Kanpur

....Respondent

And

Original Application No. 389/2014

IN THE MATTER OF:

74. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Firoj Tanneries (II) Iqbal
Street, Jajmau
Kanpur

....Respondent

And

Original Application No. 393/2014

IN THE MATTER OF:

75. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

H.K Tanning, Jajmau Kanpur

....Respondent

And

Original Application No. 394/2014

IN THE MATTER OF:

76. Krishan Kant Singh

H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Liyat Leather Finisers (Aman Tannery)
Jajmau Kanpur

....Respondent

And

Original Application No. 398/2014

IN THE MATTER OF:

77. Krishan Kant Singh

H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Star Tannery, Jajmau Kanpur

....Respondent

And

Original Application No. 399/2014

IN THE MATTER OF:

78. Krishan Kant Singh

H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Sunrise Tannery, Jajmau Kanpur

....Respondent

And

Original Application No. 400/2014

IN THE MATTER OF:

79. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Supriem Tanning Ind., Jajmau Kanpur

....Respondent

And

Original Application No. 408/2014

IN THE MATTER OF:

80. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Iqbal Leather Ltd., Jajmau Kanpur

....Respondent

And

Original Application No. 409/2014

M.A No. 485/2015

IN THE MATTER OF:

81. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Allied Exims A-36
Leather Technology Park,
Babther Unnao

....Respondent

And

Original Application No. 414/2014

IN THE MATTER OF:

82. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus
Omega International G-11 14 Site-II
Unnao.

....Respondent

And
Original Application No. 402/2014
(M.A. No. 280/2015)

IN THE MATTER OF:

83. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus
Gujrat Tanners, Jajmau Kanpur

....Respondent

And
Original Application No. 338/2014

IN THE MATTER OF:

84. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus
M/s Anand Duplex Ltd. Unit-I Vill-
Saini Mawana Road Merrut

....Respondent

And
Original Application No. 132/2015
(M.A. No. 385/2015 & M.A. No. 769/2015)

IN THE MATTER OF:

85. M/s Blue Star Finishers

.....Applicant

Versus
Uttar Pradesh Pollution Control Board

....Respondent

And
Original Application No. 185/2015
(M.A. No. 531/2015 & M.A. No. 873/2015)

IN THE MATTER OF:

86. M/s Mughis Tanners

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

**Original Application No. 189/2015
(M.A. No. 535/2015 & M.A. No. 862/2015)**

IN THE MATTER OF:

87. Gold Star Leather

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

**Original Application No. 191/2015
(M.A. No. 537/2015 & M.A. No. 870/2015)**

IN THE MATTER OF:

88. Khatoon Tanners

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

**Original Application No. 199/2015
(M.A. No. 544/2015 & M.A. No. 869/2015)**

IN THE MATTER OF:

89. S.R. Tannery

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

**Original Application No. 202/2015
(M.A. No. 547/2015 & M.A. No. 867/2015)**

IN THE MATTER OF:

90. New Taj Leather Finishers

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

**Original Application No. 206/2015
(M.A. No. 551/2015 & M.A. No. 868/2015)**

IN THE MATTER OF:

91. M.I. Saddle Works

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

**Original Application No. 207/2015
(M.A. No. 552/2015 & M.A. No. 872/2015)**

IN THE MATTER OF:

92. Shaqib Leather Traders (Imtiaz Traders)

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

**Original Application No. 208/2015
(M.A. No. 553/2015 & M.A. No. 863/2015)**

IN THE MATTER OF:

93. Shubhan Tanners

.....Applicant

Versus
Uttar Pradesh Pollution Control Board

....Respondent

And
Original Application No. 209/2015
(M.A. No. 554/2015)

IN THE MATTER OF:

94. Chaudhary Leather Finishers

.....Applicant

Versus
Uttar Pradesh Pollution Control Board

....Respondent

And
Original Application No. 213/2015
(M.A. No. 558/2015 & M.A. No. 861/2015)

IN THE MATTER OF:

95. Imco Industries

.....Applicant

Versus
Uttar Pradesh Pollution Control Board

....Respondent

And
Original Application No. 219/2015
(M.A. No. 564/2015 & M.A. No. 864/2015)

IN THE MATTER OF:

96. Hamraz Tanner

.....Applicant

Versus
Uttar Pradesh Pollution Control Board

....Respondent

And
Original Application No. 101/2015
(M.A. No. 290/2015)

IN THE MATTER OF:

97. Gem Tanners

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

**Original Application No. 104/2015
(M.A. No. 315/2015)**

IN THE MATTER OF:

98. Diamond Tanners

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

**Original Application No. 114/2015
(M.A. No. 311/2015)**

IN THE MATTER OF:

99. Danish Tanners

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

Original Application No. 343/2014

IN THE MATTER OF:

100. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Swan Tanning Ind. 199/201,
Jajmau

....Respondent

And
Original Application No. 358/2014

IN THE MATTER OF:

101. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Akhilak Tanners Jajmau
Kanpur

....Respondent

And
Original Application No. 359/2014

IN THE MATTER OF:

102. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Nisha Enterprises (Saud Tanners)
Jajmau, Kanpur

....Respondent

And
Original Application No. 372/2014

IN THE MATTER OF:

103. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Everest Tanners 184 C-2 Burhiaghat,
Jajmau Kanpur

....Respondent

And
Original Application No. 375/2014

IN THE MATTER OF:

104. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Khan Leather Finishers, Jajmau
Kanpur

....Respondent

And
Original Application No. 418/2014
(M.A. No. 487/2015)

IN THE MATTER OF:

105. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Upper India Tannery, A-40
LTP, Banther, Unnao

....Respondent

And
Original Application No. 333/2014

IN THE MATTER OF:

106. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Shri Bhawani Paper Mills Ltd.
Raebareli

....Respondent

And

**Original Application No. 186/2015
(M.A. No. 532/2015 & M.A. No. 866/2015)**

IN THE MATTER OF:

107. Sunil Enterprises

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

**Original Application No. 190/2015
(M.A. No. 536/2015 & M.A. No. 874/2015)**

IN THE MATTER OF:

108. Leeza Leather

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

**Original Application No. 203/2015
(M.A. No. 548/2015 & M.A. No. 865/2015)**

IN THE MATTER OF:

109. Roshan & Company

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

**Original Application No. 221/2015
(M.A. No. 566/2015)**

IN THE MATTER OF:

110. Sarfaraz Tanners

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And
Original Application No. 346/2014

IN THE MATTER OF:

111. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Hazi Badde Tanner
Makku Said Ka Bhatta
Jajmau Kanpur

....Respondent

And
Original Application No. 361/2014

IN THE MATTER OF:

112. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Finished Leather Job Work
Jajmau Kanpur

....Respondent

And
Original Application No. 370/2014

IN THE MATTER OF:

113. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Jajmau Leather Finishers,
Bihari Tannery, Jajmau

Kanpur.

....Respondent

And

Original Application No. 382/2014

IN THE MATTER OF:

114. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Navratan Industries, Jajmau
Kanpur

....Respondent

Original Application No. 388/2014

IN THE MATTER OF:

115. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Firoj Tanneries (I) Iqbal
Street, Jajmau
Kanpur

....Respondent

Original Application No. 204/2015

(M.A. No. 549/2015)

IN THE MATTER OF:

116. N.R Tanners

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

Original Application No. 210/2015

(M.A. No. 555/2015)

IN THE MATTER OF:

117. Tajwar Hussain Ki Tannery (Eurasia Leather Ltd.)
.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

**Original Application No. 212/2015
(M.A. No. 557/2015)**

IN THE MATTER OF:

118. Al Saba Tanners

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

**Original Application No. 218/2015
(M.A. No. 563/2015)**

IN THE MATTER OF:

119. Shafiq Split Works

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

Original Application No. 428/2014

IN THE MATTER OF:

120. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

CETP, Jajmau, Kanpur

.....Respondent

And

And

Original Application No. 341/2014

IN THE MATTER OF:

121. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Thread(India) Ltd. Chowbeypur,
Kanpur-209203

.....Respondent

And

Original Application No. 342/2014

IN THE MATTER OF:

122. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Kathuria Brothers A-12
Merrut Road Ind. Area

....Respondent

And

Original Application No. 386/2014

IN THE MATTER OF:

123. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Hamid Leather Finisers,
Jajmau, Kanpur

....Respondent

And
Original Application No. 387/2014

IN THE MATTER OF:

124. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Imperial Leather Finisers Pvt. Ltd
Jajmau, Kanpur

....Respondent

Original Application No. 331/2014

IN THE MATTER OF:

125. Krishan Kant Singh
H.No. 35, Village Dhanawli – Atta
Post Mudafra, District – Hapur
Uttar Pradesh – 245 101

.....Applicant

Versus

Ved Cellulose Ltd. Khasra No. 231 &
232 16 KM Hapur Road, Hapur (Waste Paper)

....Respondent

Original Application No. 193/2015
(M.A. No. 539/2015)

IN THE MATTER OF:

126. Royal Tanners

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

Original Application No. 392/2015
(M.A. No. 940/2015)

IN THE MATTER OF:

127. Nusrat Tannery Pvt. Ltd.

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

**Original Application No. 393/2015
(M.A. No. 937/2015)**

IN THE MATTER OF:

128. Taha Tanners (New Name Aar Exims)

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

And

**Original Application No. 395/2015
(M.A. No. 935/2015)**

IN THE MATTER OF:

129. Junaid Tanning Industries

.....Applicant

Versus

Uttar Pradesh Pollution Control Board

....Respondent

COUNSEL FOR APPLICANT:

Mr. M. C. Mehta, Advocate and Mr. Rahul Choudhary, Advocate

COUNSEL FOR RESPONDENTS:

Ms. Panchajanya Batra Singh, Advocate for MoEF & CC for Respondent No. 1

Ms. Savitri Pandey and Ms. Azma Parveen, Advocates For Respondent No. 5

Mr. Pradeep Misra, Mr. Daleep Kumar Dhyani and, Advocates For UPPCB Mr. Mukesh Verma, Advocate For UEPPCB Mr. Ardhendumauli Kumar Prasad, Mr. Jidgal G. Chankapa, Ms. Priyanka Swami, Advocates for MoWR & NGRBA Mr. Vishwendra Verma, Advocate for MoEF Mr. I. K. Kapira, Advocate Mr. Sunil Kumar, CE, Mr. YK Mishra, GM and MR. K. K. Rastogi for UK Pey Jal Nigam and Mr. I.K. Kapila, Advocate for U.P. Jal Nigam Ms. Yogmaya Agnihotra,

Advocate for CECB Mr. Rajul Shrivastav and Ms. Sucheta Yadav, Advocates for MPPCB Mr. Devashish Bharuka and Ms. Anu Tygai, Advocates For State of Jharkhand Mr. B.V. Niren, Advocate for CGWA Mr. U. K. Uniyal, AG, Mr. Rajiv Nanda, Standing Counsel with Mr. Manish Kumar Vikkey, Advocate for the State of UK Mr. Kabir S. Bose, Mr. Saakaar Sardana and Ms. Holika Sukhla, Advocates For State of West Bengal and State Pollution Control Board Mr. Rajiv Nanda Standing Counsel for State of Uttarakhand with Mr. Manish Kr. Vikkey, Advs Mr. Rudreshwar Singh, Ms. Divya Singh and Mr. Gautam Singh, Advs for State of Bihar and BSPCB Mr. Jayesh Gaurav, Advocate for JSPCB Mr. Sanjeev Ralli, Advocate with Mr. Dinesh Jindal, LO for GNCTD/DPC Mr. Vivek Sharma, Advocate for NMCG Mr. Aman Madan, Advocate for Laya Global Mr. Vibhav Misra, Ms. Saumya Misra, Advocates item no. 29, 32 to 67, 69, 71 to 86, 88, 89, 91, 93 & 96 Mr. Raj Kumar, Advocates and Mr. S.L. Gundli, SLO for Respondent No. 4

JUDGMENT

PRESENT:

Hon'ble Mr. Justice Swatanter Kumar (Chairperson)

Hon'ble Mr. Justice M.S. Nambiar (Judicial Member)

Hon'ble Dr. D.K. Agrawal (Expert Member)

Hon'ble Mr. Bikram Singh Sajwan (Expert Member)

Reserved on: 02nd November, 2015

Pronounced on: 10th December, 2015

1. Whether the judgment is allowed to be published on the net?
2. Whether the judgment is allowed to be published in the NGT Reporter?

JUSTICE SWATANTER KUMAR, (CHAIRPERSON)

By this judgment we will dispose of the above 130 Original Applications filed by various industries, in response to the notices issued by the Uttar Pradesh Pollution Control Board (UPPCB) in terms of the order of this Tribunal.

2. During the pendency of this application (O.A. 299 of 2013), the CPCB filed a report dated 7th February, 2014 mentioning the names of industries, which were polluting and/or highly polluting industries and were discharging their effluents directly or indirectly into the

River Ganga or its tributaries. Vide order dated 22nd April, 2014, Tribunal directed the Uttar Pradesh Pollution Control Board (for short 'UPPCB') to issue notice to such industries and directed them to appear before the Tribunal. In furtherance to the said order the UPPCB on 6th May, 2014, issued notices to nearly 956 industries which were polluting River Ganga or its tributaries by discharging their untreated effluents in it. It shall be mentioned here that the UPPCB had further identified 269 polluting industries other than 687 industries pointed out by the CPCB, thus, making a total of 956 industries. Vide order dated 15th September, 2014, the Tribunal directed to put the report prepared by the CPCB and the Local Commissioner on the website of the CPCB. Vide order dated 16th October, 2014, the Tribunal directed that separate files be maintained of the industries to whom notices were issued and who had been served and have put in appearance, before the Tribunal.

3. In response to the notices issued by the Tribunal these industries had appeared and their units were subjected to inspection by the Joint Inspection Team of the Central Pollution Control Board (for short 'CPCB') and UPPCB. As some of them were found to be non-complaint and polluting industries they were directed to close down their operations. Such industries had installed anti-pollution devices and had taken measures to ensure that their trade effluent do not exceed the prescribed parameters. These industries then filed applications praying that they should be permitted to operate their respective units and their names be de-listed from list of polluting industries filed by UPPCB and Joint Inspection Team. Some

industries that were subjected to joint inspection were found to be still wanting in different aspects including performance of their ETPs, maintenance and upkeep of the plant and use of electro-magnetic flow meters and were required to take other remedial measures.

Here, we may notice that the Tribunal vide its order dated 15th December, 2014 had directed the concerned States to report to the Tribunal as to how many industries are located on the bank of River Ganga and its tributaries in respective States? How many of these industries or units are operating without obtaining consent of the Board? What steps have been taken against the defaulting industries? Which are the industries or industrial clusters which are stated to operate with the consent of the board? and whether the effluent discharged by them is within the prescribed limit or not? Also if the industries which are stated to be Zero liquid Discharge units actually discharging no liquid and details of the process. In this very order it was also noticed that number of industries be closed their business voluntarily or under the orders of the Board, Courts and Tribunal. They were nearly three such industries. Vide this very order the Principal Committee appointed in the main case was also directed to declare the criteria for categorization of industries as Red, Green and Orange. They were also directed to provide clear definition of Zero Liquid Discharge Unit and the guidelines which are required to be issued in that behalf. The economic and other aspects examining the possibility and utility, viability of the direction regarding installation of Online Monitoring System even by the small industries.

These matters have been dealt with in the main Original Application No. 200 of 2014 and Original Application No. 299 of 2013.

DISCUSSION ON COMPLIANT INDUSTRIES

4. The Joint Inspection Team and the UPPCB had conducted an inspection of various industries. All the present cases relate to such industries, which were required to be inspected by the Board and the report submitted to the Tribunal. Generally, all the industries or all the applicants under this can be categorized under three different heads. Industries which have been found to be compliant upon joint inspection i.e. they are operating with the consent of the Board and upon physical inspection they are found to be operating in consonance with the prescribed procedure and the trade effluents that they are discharging has been found to be within the prescribed parameters upon analysis. These industries appear at serial number 1 to 65 of the judgment with the exception of industries indicated at serial number 3, 4 37 and 42, respectively. The cases of which, we would deal separately in this judgment. The 61 industries noticed at serial number 1 to 65 with the exception of four above referred are the industries which have obtained the consent of the Board to operate. These consent orders are dated 16th January, 2015, 30th January, 2015, 13th February, 2015, 19th February, 2015, 19th March, 2015 and 23rd April, 2015, respectively. The Board has granted then consent to operate which is valid and is in force. The Joint Inspection Team found all these industries as compliant at the time of inspection. Their inspection reports have been placed on record of the

Tribunal. It is not necessary for us to notice the inspection report of each of these industries as none has come forward to object the authenticity or otherwise of these reports. All these industries have thus filed applications praying that they be de-listed from the list of polluting industries and be permitted to carry on their businesses in accordance with the consent granted to them by the Board. Some of them have prayed that they be allowed to operate their industries in terms of consent to operate granted to them by the Board. In substance the prayer is the same by all the applicants. Another fact that, we must notice here is that the industries shown at serial number 43 to 65 are the industries which had been ordered to be shutdown their activities by the order of the Board. According to the Board they are lying closed. The applications for permission to operate are pending before the Tribunal as already noticed. Since, all these industries have become compliant and non-polluting industries and the Joint Inspection Team has not make any adverse observations in their inspection reports, there is no reason why these industries should not be permitted to recommence their operation forthwith.

Consequently, we direct that all the industries including the industries stated at serial number 43 to 65 would be permitted to carry on their business in accordance with law. They can start their activities without any further delay. However, we make it clear that their operation shall be subjected to surprise as well as planned inspection by the UPPCB as well as the Joint Inspection Team in future. If they are found to be defaulting or discharging their effluents

in excess of their prescribed limit the UPPCB shall take appropriate action against such industries without delay and default. We further specifically notice that the present orders and directions of the Tribunal are subject to the orders of the Tribunal which would be passed in Original Application No. 200 of 2014 and which had been passed 299 of 2013 and relating to cleaning of River Ganga in segment B of Phase-I.

INDUSTRIES WHO HAVE NOT FILED ANY SPECIFIC APPLICATION

5. Now we shall deal with the cases of the industries show at serial no. 3, 4, 37 and 42. These are the industries who have not filed any specific application with the prayer like other applicants. In response to the notice they have simply filed their Vaklat Nama and have relied upon the report of the joint inspection team. These are Original Applications 332 of 2014, 339 of 2014, 345 of 2014 and 347 of 2014 relating to M/s Anand Triplex Board Meerut. The joint inspection team had conducted an inspection on 12th June, 2015 and in the inspection report nothing materially adverse was noticed. The trade effluent was analysed and parameters were found to be below the prescribed limits or below the detectable limits. However, the joint inspection team had issued advisory to the industries to take various steps and measures to improve its operations and management, heavy metal concentration was noticed in regard to 3 metals, the esthetic and house-keeping at effluent treatment facility was directed to be improved. Record keeping of all the data was required to be improved and industry had to explore possibilities for maximum re-use of effluent by using tertiary treatment techniques. The other 3 industries

which are the subject matter of Original Application – 345 of 2014, 347 of 2014 and 332 of 14 were also inspected by the joint inspection team on different dates. As per the statement submitted to the Tribunal these industries were found to be compliant and their inspection reports have been placed on record of the Tribunal in the main matter. All these units have been granted consent to operate by the Board and they are stated to be operational. There is no reason why these industries should also not be put at parity with the above industries and be permitted to operate. However, in addition to the conditions that we have imposed for all the other industries falling at serial no. 1 to 65, we directed another condition that all these industries must comply with the advisory/directions issued by the joint inspection team or the UPPCB within 3 months from the date of pronouncement of this order. In the event they are found to be non compliant or polluting upon surprise inspection thereafter they shall be ordered to be closed by the Board in accordance with law. This application would be treated as adequate notice to these industries.

DISCUSSION ON NON-COMPLIANT INDUSTRIES

6. Non compliant industries are the next category of industry upon which we would now deliberate. The industries shown at serial no 66 to 99 of the Judgment can broadly be bifurcated into 2 categories firstly non compliant industries, which are presently operational, secondly the one non compliant industries which are lying closed or have been ordered to closed by the board and application for permission to re-commence their operations are pending before the

Tribunal and are being dealt with in this judgment. All these industries were subjected to joint inspection by the joint inspection team consisting of officers from the CPCB and UPPCB. At the time of joint inspection it was seen that all the industries except the ones stated at serial no. 83 and 84 have been granted consent to operate by the Board. All these are the industries which were found to be non compliant and thus polluting. We do not understand on what basis industries shown at serial no. 66 to 82 were permitted to carry on their operations, while the industries stated at serial no. 83 to 99 with the exception of 2 were directed to be closed down. All of them have the consent from the Board and all of them were defaulting. There is no clear feature deciphering the classification introduced by the Board. Be as that it may be we do not think that the action of the Board should have created any differentiation as no proper deferential criteria existed. In relation to all these industries we pass the following directions.

1. All the industries stated at S. No. 66 to 99 with the exception of the industries stated on serial no. 83 and 84 of this judgment would be permitted to carry on operations forthwith.

2. All these industries shall be issued a directive by the Joint Inspection Team consisting of CPCB and UPPCB providing them with the guidelines as to what steps they need to take for bringing their effluent within the prescribed limits, as well as to ensure that the chromium definitely be removed, before the effluent is put into drains/conveyer belt for being taken to the CETP. They would be provided a period of 3 months from the date of such notice which

shall be issued with the directions in terms of Section 5 of the Environmental Protection Act, 1986.

3. In the event they fail to achieve the required parameters and ensure removal of chromium from their effluents and/or upon joint inspection within 1 month after the expiry of the period of 3 months they are found to be non compliant, these units shall be directed to close their business and shut down in all respects. The water and electricity supplied to these units shall be disconnected by the concerned authorities.

The industries shown at serial no. 83 to 84 (Original Applications No. 402 and 338 of 2014) are the industries which are not only non-compliant but have also failed to carry out the directives issued by the Board from time to time. These are the units which have been established for quite some time but they have failed to install appropriate anti-pollution devices. M/s Anand Duplex Ltd was directed to install fiber recovery unit as well as online monitoring system which it has not done till today. The primary effluent treatment plants of M/s Gujarat Tanners was found to be ineffective. Consent to operate has not been granted by the Board to these units. M/s Gujarat Tanners according to the Board officials is already lying closed and for the other no comments have been made. Thus, we direct that both these units should be ordered to be shut down forthwith. They would be permitted to re-apply to the Board for joint inspection, after such inspection if such an application is moved, the Board would take appropriate steps and grant consent to these units

to operate. Their operationalization would be subject to the Orders of the Tribunal.

INDUSTRIES WHICH WERE LYING CLOSED ON THE DATE OF INSPECTION.

7. The industries shown at serial no. 100-110 are the industries which were found non-operative or closed on the respective dates of their inspections. The Joint inspection team went to inspect these units on different dates but on that date they noticed that though the industries were operational but they were not in operation at the time of inspection. These consist of industries at S.No. 100-110 while the industries shown at serial no. 107-110 had already been ordered to be closed by the order of the Board and had filed the applications before the Tribunal for permission to re-start their business or seeking permission to operate.

This group of industries has to dealt with somewhat differently as already noticed. The industries were the ones which were operational but chose to shut down their plants so that the joint inspection team which even included representatives from IIT Roorkee could not inspect the unit and find the correct position in regard to their operations and the extent of pollution that they were causing and direct them to operate strictly in consonance with the prescribed parameters and standards. There right to carry on business is not absolute but is subject to the reasonable restriction imposed by law that is the Water (Prevention) and Control of Pollution Act, 1974 and the Air(Prevention) and Control of Pollution Act of 1981. The conduct

of these industries is such that they cannot be granted any discretionary relief. Admittedly all of them are using chromium which is found in the effluents some of them have installed chromium recovery units while some of them have not even done that. Whether the chromium recovery units are working effectively and the effluent finally discharge into the conveyer belt or the river carries chromium or not, is a question of serious consequence. Since they have been granted consent by the Board they have no reason to stop their operations on the date of inspections. The units which are lying closed under the Orders of the Board obviously shown that they were polluting units which lead to revoking of the consent which was granted to them by the Board in and directing the closure. Thus, for this reason we direct that all the industries shown at serial no. 100-110 of the Judgment remain closed and if operating shall be shut down forthwith. They would be at liberty to install anti pollution devices including Chromium recovery unit and ensure that the trade effluent that they are discharging into the drain or the conveyer belt leading to the CETP should be strictly in accordance with the prescribed parameters. They should also ensure that their plant is perfectly in operation and management in all respects. Then they can move an application to the Board for grant of consent to operate with appropriate documents. If the consent is granted by the Board same shall become effective only after the joint inspection team has inspected the unit and submitted report in that regard and further orders of the Tribunal.

8. Industries whose effluents were found to be beyond the prescribed limits and were affected by the order of the Tribunal dated 15th May, 2015 fall under this category being industries stated at serial no. 111 to 119. All these industries were subjected to a joint inspection by the joint inspection team. They were found to be releasing effluent containing very high pH. Furthermore, vide order dated 19th May, 2015 the Tribunal had directed that the industries which are operating without the consent of the Board and were polluting, the inspection team should inspect such units and report be submitted. It was also noticed in terms of the statement made on behalf of the Board that the industries which are lying closed were entirely under the orders of the Tribunal. However, it appears that the consent had been granted to these units but at no point of time they had brought their effluent within the prescribed parameters particularly in relation to pH. The pH was found to be varying between 9.37 to 10.99 against the prescribed value of 7. Besides this industries shown at serial no. 111 to 115 have been shown to be operational while industries shown at serial no. 116 to 119 were closed under the orders of the Board and had filed application for permission to operate which was pending before the Tribunal. These are the industries which are connected to CETP like others. If they generate effluents in excess of the prescribed limits the CETP at Jajmau would be rendered entirely in-effective. We may notice that 60 per cent of the effluent from CETP at Jajmau is being discharged into river Ganga without any treatment and the remaining 40 per cent if contains high effluent then it could hardly be brought to the

prescribed limits for its release into the rivers. Therefore, we direct all these industries to be closed down forthwith. They would be at liberty to install anti pollution devices including Chromium recovery unit and ensure that the trade effluent they are discharging into the drain or the conveyer belt leading to the CETP should be strictly in accordance with the prescribed parameters. They should also ensure that their plant is perfect in operation and management in all respects. Then they can move an application to the Board for grant of consent to operate with appropriate documents. If the consent is granted by the Board same shall become effective only after the joint inspection team has inspected the unit and report submitted and orders of the Tribunal.

9. Now, we would deal with some industries which clearly do not fall in any of the categories afore-stated. We would deal with them under the head of "**Miscellaneous**". There are 10 industries mentioned at Serial numbers 120 to 129 of the judgment. All these industries have one or more distinguishing features than the industries which have been specifically dealt by us under different heads. Industries shown at serial number 120 is a CETP at Jajmau which has been refused consent to operate. It is still operational. This CETP is getting sewage and trade effluent from tannery industries at Jajmau much in excess of its capacity, large quantity of sewage and effluent is being directly diverted from the conveyer belt to river Ganga, remaining part is processed through CETP. The CETP does not have any technology or chromium recovery plant to recover chromium in the effluent. It is only treating the trade effluent for other parameters. Normally,

refusal of consent should result in closure of the industry. If this plant is shut down even the little treatment that this CETP is performing in relation to the trade effluent and sewage would stop and entire effluent would go untreated and unchecked into the river Ganga which serves no purpose.

10. In another case before the Tribunal relating to cleaning of Ganga this plant is a subject matter of deliberation before the Tribunal. The Tribunal is examining the steps that are required to be taken to upgrade this plant and/or make it effective. This plant forms part of the Segment – B of Phase- I of the project cleaning Ganga under Original Application No. 200 of 2014 (*M.C. Mehta Vs. Union of India*) and Original Application No. 10 of 2015 (*Indian Council for Enviro-Legal Action Vs. National Ganga River Basin Authority and Ors*). Therefore, the Original Application No. 428 of 2014 stands disposed of without any order as to costs with directions to the management of CETP to ensure proper operation and management of the plant till passing of the final direction in Original Application No. 200 of 2014 (*M.C. Mehta Vs. Union of India*) and Original Application No. 10 of 2015 (*Indian Council for Enviro-Legal Action Vs. National Ganga River Basin Authority and Ors*). .

11. The industry shown at Serial number 129 (Original Application No. 395 of 2015 and Misc. Application No. 935 of 2015, Junaid Tanning industry has been granted consent by the Board to operate. It has installed its primary effluent treatment plant and is connected to the CETP at Jajmau. The industry was closed down by the order of

the Board as it was found to be non-compliant and polluting during inspection. Despite directions the industry has failed to attain discharge of effluent as per prescribed parameters. As per the report of the Board this industry under closure and has filed the Application for permission to operate. The industry would remain close till compliance of the directions contained herein. The industry should move to the Pollution Control Board for obtaining the consent to operate within two weeks from today. The UPPBC and CPCB shall conduct a joint inspection and grant the consent if it is found to be absolutely complaint and non-polluting. However, the industry would be permitted to undertake its operation subject to the orders of the Tribunal. With these directions Original Application No. 395 of 2015 and Misc. Application No. 935 of 2015 stand disposed of without any order as to costs.

12. Industries shown at serial no. 121 to 126 are carrying on the business of tannery and leather products. All these industries were inspected by the Joint Inspection team on 23rd March, 2015 or thereafter. Joint Inspection reports have been filed on record. All these industries have been granted consent to operate by the UPPCB and they are operational except industries shown at serial nos. 123 and 126 which we shall deal with separately. These industries have also installed their ETPs/PETPs. Some of them have also installed chromium recovery units to remove chromium from the effluents. Their ETPs were found to be operating as per norms. However, the Board has issued them certain directions. All of them have prayed that the notice issued to them by the Tribunal be withdrawn, they be

delisted from the list of polluting industries and they be permitted to operate and carry on their activity in terms of their respective consent orders.

In view of these circumstances we permit all these industries at serial nos. 121, 122, 124 and 125 to carry on their operations in terms of the consent orders and strictly in accordance with law. They shall be regularly subjected to surprise inspection by the Joint Inspecting Team, if they are found to be non-compliant and polluting, the UPPCB shall take action against them in accordance with law.

13. Coming to industries specified at serial nos. 123 Ms. Kathuria brothers and 126, Royal Tanners it may be noticed that industry at serial no. 123 has been sealed by the bank for non-payment of its dues. As and when the bank removes from the seal from the unit it shall not be permitted to operate except with prior consent to operate from the Board and specific orders of the Tribunal in that behalf. The industry shown at serial no. 126 is stated to have only dying process. It has been granted consent by the Board but as it was found to be non-compliant and polluting it was ordered to be closed under the orders of the UPPCB. The unit has filed an application for permission to operate. We dispose of this application with a direction that this industry would remain closed and after it has become compliant and non-polluting it would apply afresh to obtain the consent of the Board to operate in accordance with law. If such consent is granted upon Joint inspection then the industry would be permitted to operate subject to the orders of the Tribunal.

The industry shown at serial no. 127 M/s Nusrat Tannery Pvt. Ltd. has installed PETP and is doing vegetable tanning and has been granted consent by the Board to operate. It is also connected to the CETP. However, it was found to be non-compliant and polluting upon inspection and therefore, the Board had directed closure of the industry. It is stated to be lying closed. The unit has filed an application for permission to operate in terms of order of the consent dated 11th May, 2015. We dispose of this application in the facts and circumstances of the case with the direction that unit shall remain closed. It would be inspected by the Joint Inspection Team and if found to be compliant and non-polluting the report will be submitted to the Tribunal within one month from the date of passing of this Judgment upon which the Tribunal would permitted the industry to operate.

The industry shown at serial no. 128 Taha Tanners/Aar Exims is stated to be dry process industry. It has dismantled its PETP and consent to operate has been granted by the Board to the unit vide 19th February, 2015. It is presently lying closed. Application has been filed by the industry for permission to operate. In the circumstances we dispose of this application with the direction that this industry would be permitted to operate and the joint inspection thereof would be conducted within 1 month from today and report submitted to the Tribunal and if the industry is found to be a dry industry, compliant and non-polluting in relation to Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution of

Pollution) Act, 1981 then the industry should be permitted to operate with the consent the Tribunal.

14. With the above orders we dispose of all the 129 Original Applications however, without any order as to costs. Consequently all the M.As also stand disposed of as the main application has been finally disposed of.

- (1) The applicants, CPCB, UPPCB and State of UP shall comply with the directions given in the case of each industries named in this Judgment.
- (2) The CETP at Jajmau is directed to pay sum of Rs. One Lakh as a token environmental compensation for causing pollution and for improper operation and maintenance. The amount shall be paid to the UPPCB and it shall obtain the consent of the Board within three months from the date of this Judgment.

15. The Order and directions passed by the Tribunal in these applications would strictly be subject to the orders and directions that may be passed by the Tribunal in Original Application No. 200 of 2014 (*M.C. Mehta Vs. Union of India*) and Original Application No. 10 of 2015 (*Indian Council for Enviro-Legal Action Vs. National Ganga River Basin Authority and Ors*).

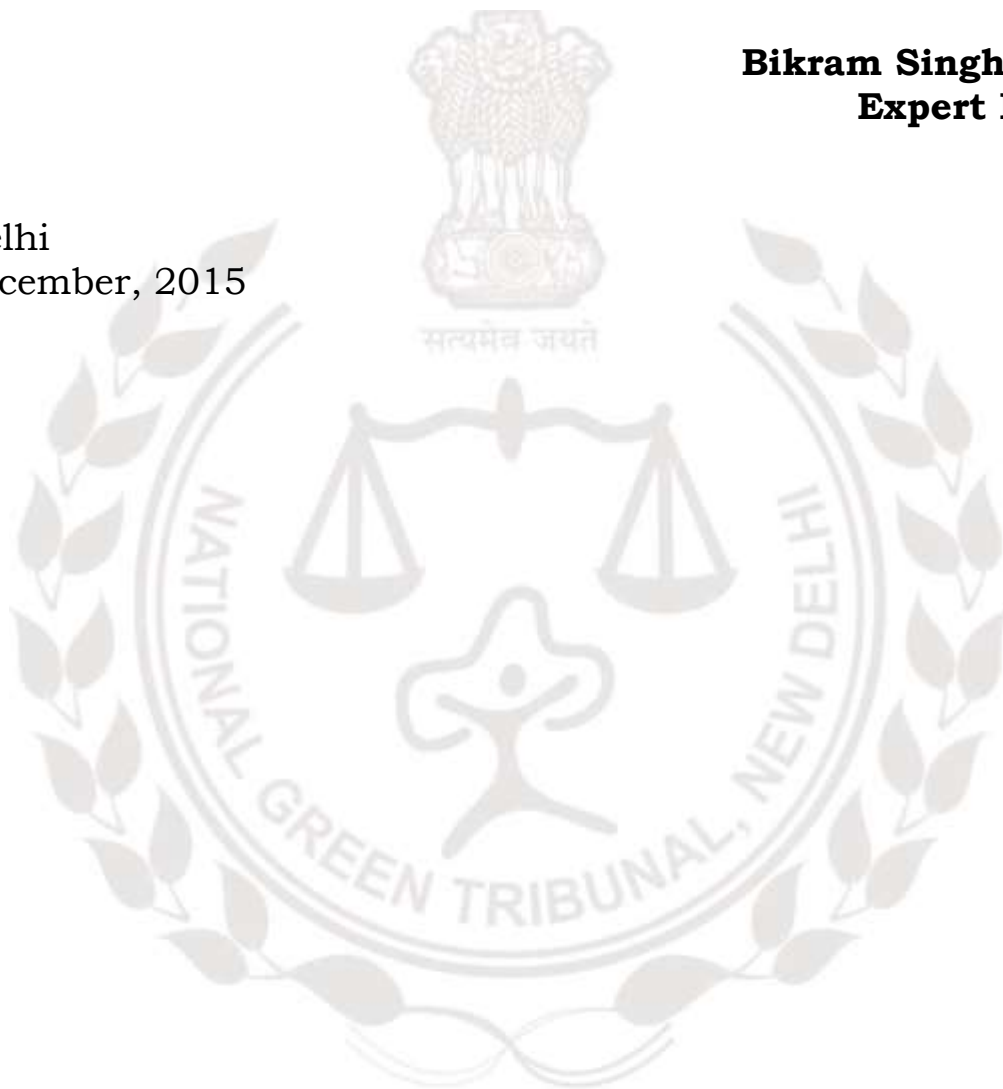
**Justice Swatanter Kumar
Chairperson**

Justice M.S. Nambiar
Judicial Member

D.K. Agrawal
Expert Member

Bikram Singh Sajwan
Expert Member

New Delhi
10th December, 2015



NGT