

BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL BENCH, BHOPAL

Application No. 01/13 (P.B. No. 73/2012 T<sub>HC</sub>)

Centre for Environment Protection, Research & Development Vs. State of M.P. & Other.

QUORAM : HON'BLE MR. JUSTICE M.CHOCKALINGAM, JUDICIAL MEMBER  
HON'BLE DR. AJAY A. DESHPANDE, EXPERT MEMBER

PRESENT : Applicant : None appeared  
Respondent No. 1, 3 &5 : Shri Sachin K.Verma, Adv.  
Respondent No. 2 : Shri Deepesh Joshi, Adv.  
Respondent No. 4 : Shri Shivendu Joshi, Adv.  
Respondent No. 6 : Shri O.S.Shrivastav, Adv.  
Respondent No. 7 : Shri Sandeep Singh, Adv.  
Shri R.S.Kori, Zonal Officer

Date and Remarks	Orders of the Tribunal
Item No. 1 23 <sup>rd</sup> August, 2013	<p>When the matter is taken up this day all the Counsels for the respondents are present.</p> <p>In so far as the short-term action plan was concerned, it was recorded in the last hearing that the qualitative analysis was made but no quantitative analysis. It has got to be done for which adjournment was sought for. Accordingly, it was given.</p> <p>This day a compliance report is filed by the MP Pollution Control Board a perusal of which alongwith the annexure would be clearly indicative of the fact that all the averments found in the report and also all the particulars given in the annexure, on the face of it, has got to be rejected. On scrutiny, it would indicate that a proper inspection could not have been done and when a query was made by the Tribunal, it was informed that the apparatus and instruments were not available with the industry. If to be so, the contention put forth by the MPPCB that the analysis has been made could not be correct and is unacceptable.</p> <p>Under the circumstances, the Tribunal has no option than to scrap the compliance report filed this day. The circumstances would require that an inspection both quantitative and qualitative analysis has got to be made by the officials of the MPPCB and the same has to be monitored by the Zonal Office, Central Pollution Control Board and a report has to be filed as to the</p>

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compliance of the order.

In so far as the long term action plan is concerned, pursuant to the orders of the Tribunal in the last hearing, there was meeting convened and conducted on 20.08.2013 in which the representatives of the authorities participated and various issues were discussed and further a meeting is convened to take a proper decision in that regard. It is pertinent to point out that the Minutes of Meeting dated 20.08.2013 is not filed. The Counsel for the parties would submit that since, the decision was not taken on that meeting, the Minutes of Meeting, though discussed have not been filed. The Counsel would further submit that a positive decision will be taken in the next meeting.

Hence, for filing the compliance report in respect of the quantitative and qualitative analysis and also the decision in respect of the long term action plan to be filed before the Tribunal, the matter is posted to 27.09.2013.

.....JM  
(M.CHOCKALINGAM)

.....EM  
(Dr. AJAY A. DESHPANDE)

