

**BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL BENCH, BHOPAL**

**Original Application No. 05/2014 (CZ)**

**Dr. Subhash C Pandey v. Union of India & Ors.**

**CORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER  
HON'BLE MR. P.S.RAO, EXPERT MEMBER**

**PRESENT :** Applicant : Shri Subhash C. Pandey  
Respondent No. 4: Shri Shivendu Joshi Adv. for  
Shri Purushendra Kaurav, Adv.  
Respondent No.6 & 9: Shri Sachin K Verma, Adv. with  
Shri Ayush Dev Bajpai, Adv.  
Respondent No. 3 & 8: Shri Sandeep Singh, Adv.  
Shri N D Ahirwar, Exe. Engg.  
Respondent No. 1: Shri Rajendra Babbar, Adv.  
Respondent No. 7: Shri Rajendra Giri, Adv.  
Respondent No. 9: Shri R M Saxena, Exe. Engg. UADD

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Order No. 2</b> <b>03<sup>rd</sup> March, 2014</b>	<p>Applicant is present in person. Shri Sachin K Verma, Learned Counsel with Advocate Shri Ayush Dev Bajpai appears for Respondent Nos. 6 &amp; 9. Shri Shivendu Joshi, Learned Counsel appears for Respondent No. 4. Shri Sandeep Singh, Learned Counsel appears for Respondent Nos. 3 &amp; 8. Shri N. D. Ahirwar, Executive Engineer, C.P.C.B. appears in person. Shri Rajendra Babbar, Learned Counsel appears for Respondent No. 1. Shri Rajendra Giri, Learned Counsel appears for Respondent No. 7 and Shri R.M. Saxena, Executive Engineer, Urban Administration and Development Department appears for Respondent No. 9. None appears for Respondent no. 2.</p> <p>Mr. Shivendu Joshi has submitted the reply on behalf of Respondent No. 4. Learned Counsels for Respondent Nos. 1, 3, 5 to 9 pray for time to submit their replies.</p> <p>In the reply filed by Respondent No. 4, copy of which has been given to Shri Sachin K. Verma, Learned Counsel for Respondent Nos. 6 and 9, it is stated that the Applicant raised the issues</p>

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concerning ambient air quality and the water quality in the Betwa river in and around the industrial town of Mandideep. The application also raises the concerns regarding the disposal of hazardous waste and Municipal Solid Waste and sewerage in the aforesaid town.

Shri Shivendu Joshi, Learned Counsel for the Madhya Pradesh State Pollution Control Board pointed out that on inspection some industries were found to be violating the environmental norms and conditions prescribed while granting permission and that it would take some time before the units in Mandideep are inspected.

He further pointed out that the Pollution Control Board staff while conducting inspections shall be issuing on-the-spot notices to erring industries with specified time duration for taking remedial measures as per the Act. The notice itself shall notify the possibility of closure on continued violations or failure to comply in conjunction with penal and other consequences as per the law.

Apart from the above, the Pollution Control Board would be entitled to take such other measures including disconnection of electricity and water as may be necessary in individual cases.

The notice shall also contain the stipulation that the concerned individual would be free to approach the Pollution Control Board with request for inspection to show that all corrective steps have been taken as per the law and in case of satisfactory compliance the Pollution Control Board may permit the industry to restart its activities.

We have been constrained to observe that the matter which has been highlighted has not been viewed in the correct perspective and

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sprit and has not been given its due priority by making a responsible representation before the Tribunal.

We also emphasise to the Learned Counsel of all the Respondents that the matter needs to be dealt on combined front as individual Government Departments may not be able to deal with the problem at their own level.

Shri Sachin K Verma, Learned Counsel for the State submitted and ensured us that the matter will be dealt at the highest level and the concerns which flow from the issues raised shall also be considered in all earnest.

List on **24.04.2014**.



.....JM  
**(DALIP SINGH)**

.....EM  
**(P.S.RAO)**