

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

Misc. Applications No. 275/2015,208/2015 & 269/2015

Original Application No. 05/2014 (CZ)

Dr. Subhash C. Pandey Vs. Union of India & Ors.

**CORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER**

PRESENT : Applicant : Dr. Subhash C. Pandey
Respondent No. 1 : Shri Rajendra Babbar, Adv.
Respondent No. 4 & 5: Ms. Parul Bhadoria, Adv. for
Shri Purushaindra Kaurav, Adv.
Respondent No. 6 to 9: Shri Sachin K Verma, Adv.
Respondent No. 7 : Shri Rajendra Giri, Adv.
M/s Sonic Biochem Ext. Ltd.: Shri Ajay Gupta, Adv. with
Shri Nishant Goel, Adv.
M/s Bansal Iron & Steel Ltd.: Shri Ayush Dev Bajpai, Adv.
Intervener : Shri Vijay B.S. Tomar, Adv.

Date and Remarks	Orders of the Tribunal
Item No. 8 7th May, 2015	<p style="text-align: center;"><u>Misc. Application No. 275/2015</u></p> <p>Pursuant to our order dtd. 03.03.2015 directing M/s Sonic Biochem for installation of Bio Filtration Plant and other apparatus. Shri Ajay Gupta, Learned Counsel has filed Misc. Application No. 275/2015 praying that the facts mentioned in the annexed documents be taken on record. He has submitted that the industry concerned has placed the order for installation of Bio Filtration Plant system and supplier who has to supply the material as well as installs the same has sought 8 to 10 weeks time for installation of the same w.e.f. 30th April, 2015. Having regard to the facts mentioned, we allow the Misc. Application and order the same be taken on record. However, with a view to emphasise and ensure that the work is carried out, we direct that within a week M/s Sonic Biochem industry shall furnish a solvent surety to the satisfaction of the Regional Officer, MPPCB, Bhopal to the tune of Rs. 25,00,000/- (Twenty Five Lakhs Only). This surety is being sought to ensure that the work is completed within a specified time frame as sought by the industry concerned. In the facts and</p>

circumstances, we on our part grant 12 weeks time w.e.f 1st May, 2015 to the industry for carrying out the necessary installation and operation of the Bio Filtration Plant system. It is made clear that in case the industry concerned fails to carry out the work the solvent surety which has been furnished shall be liable to be forfeited and amount recovered from the industry. With the aforesaid directions, Misc. Application No. 275/2015 stands disposed of.

The Applicant has filed application wherein he has highlighted the issues with regard to possible environmental issues that may arise on account of the location of certain industries which he has enumerated in the said application and their impact on the environment as well as on the inhabitants of the adjoining area surroundings the industries. Copy of this application has been furnished to the Learned Counsel for the State and the MPPCB. It has been suggested that with a view to mitigate the possibility and to prevent the environmental impact as a result of operations of the industries, each of the industry mentioned herein may be directed to set up a green belt which can act as a wind breaker along the periphery of the industry with trees to be specified by the authorities of the MPPCB in consultation with the Forest Department. The green belt to be set up shall be of width of 5 to 10 mtrs depending upon the space available with the concerned industry. The Regional Officer shall depute the concerned officer who is responsible for the Mandideep industrial area to visit the industries mentioned in the said application and emphasise the need for the same in terms of our order. Copy of this order shall also be furnished by the Regional Officer, MPPCB to each of the industries concerned. If any of the industries have any submission in this behalf they would be free to approach this Tribunal by means of application.

Shri Sachin K. Verma, Learned Counsel for the State assisted by the Joint Director, Town and Country Planning is directed to go through the contents of the application submitted by the Applicant today and prepare a site plan identifying the location of industry site as also the polluting industries in the surrounding area. The Joint Director, Town and Country Planning, Bhopal who is present submitted that they would after seeing the ground reality and also the land use in the master plan in Mandideep, Raisen District shall prepare a proposal for (1) number of trees of the land use both for expansion of any further industries as well as residential area (2) for creating if possible green belt surrounding the area depending upon the land use as projected in the master plan (3) After further uses have been mentioned in the master plan, same shall be submitted before the Tribunal by the State and Town and Country Planning Department. The State shall also consider freezing the industries both around the Mandideep and creation of a new hub taking into consideration all possible issues including cost of green belt effluent being discharged and air pollution as well as threat to UNESCO World Heritage site at *Bhim Bhetka*.

The CMO, Mandideep who is present, submitted that tenders for the STP have already been examined and the same are under consideration with the Technical Committee. They shall be in a position to finalise the same by the end of this month and issue the work order.

Misc. Application No. 208/2015

In view of the above, Misc. Application No. 208/2015 as filed by the State with regard to the time schedule for the setting up of the STP at Mandideep stands disposed of . We have taken note of the fact

that Bio Filtration Plant has already been installed on some of the Nallahs at Mandideep in consultation with the design of MPPCB.

Misc. Application No. 269/2015

We have also gone through the Misc. Application No. 269/2015 filed on behalf of the intervener. However, none has appeared on behalf of the intervener to pursue the same. Misc. Application No. 269/2015 stands disposed of with liberty to intervener to move application for reconsideration of the matter.

Matter may be listed on **13th July, 2015.**

.....,JM
(DALIP SINGH)

.....,EM
(RANJAN CHATTERJEE)



