

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

**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 Dr. DEVENDRA KUMAR AGRAWAL, EXPERT MEMBER**

PRESENT : Applicant : In person
Respondent No. 1 : Shri Rajendra Babbar, Adv.
Respondent No. 4 & 5: Ms. Parul Bhadoria, Adv. for
Shri Purushaindra Kaurav, Adv.
Respondent No. 7 : Shri Rajendra Giri, Adv.
Shri Vineet Singh, Adv.
CPCB: Shri Sandeep Singh, Adv.
State of MP : Shri Sachin K. Verma, Adv.
M/s S.D.Bansal Iron & Steel: Shri Ayush Dev Bajpai, Adv.

Date and Remarks	Orders of the Tribunal
Item No.2 14th December, 2015	<p>Pursuant of the direction of 27.11.2015, MPPCB has filed the analysis report of ambient air quality from two points; one near Bhimbetka and second near Bhojpur Temple. It is further found that parameters for which the particulars are provided are only five in number as against 12 that are provided under the NAAQS, 2009. The MPPCB is accordingly directed to submit the revised ambient air quality for the parameters as provided under the notification dated 16.11.2009 in so far as they have the facility to carry out such tests. It shall also be open for the MPPCB to get the samples tested in addition from any accredited laboratory or government agency which may be carrying out such tests for the parameters as provided under the Notification of 2009. The monitoring shall be carried out at the pivotal point of HEG Ltd. at Mandideep and at a distance of one kilometre radius in all directions. The MPPCB shall make an effort to take samples at a time when the industries are at their optimum level of functioning and operations.</p> <p style="text-align: center;">The MPAKVN shall submit whether any time frame is</p>

proposed within which they are proposing to shift the Transport Nagar and create parking facility for vehicles engaged in transportation activities at Mandideep so that the Highway passing through Mandideep can remain free from stationary vehicles obstructing such traffic which may adversely affect the ambient air quality as a result of congestion of traffic.

In additional to the above, the MPPCB shall also do water sample testing by collecting the samples from the following locations for which photographs have been submitted by the Applicant:

- (i) Adjacent to Bhaskar Industries Ltd. before flowing into river Kaliasote
- (ii) Nayapur Mewati over bridge
- (iii) In the canal adjacent to Vardhman Yarns directly flowing into river Betwa
- (iv) Canal behind Dawat Rice Food directly mixing river Betwa
- (v) Confluence of the canal mixing into Betwa river

The testing shall be done in respect of not only pH, CoD, BoD levels but also for the purpose of residuals of pesticides, heavy metals, etc. on the standards of drinking water quality.

While taking the said samples, the MPPCB shall make an endeavour to identify the source from which such chemicals and hazardous waste may be coming into the water quality samples. The MPPCB shall also obtain the printout from HEG Ltd. of the online monitoring of air emissions recorded by the said industry untampered for the period of last one month and submit the same before this Tribunal.

The MPPCB shall submit the detailed information in respect of the 31 industries regarding which it is submitted that they had been found not in order which would include

shortcomings in taking environment pollution control measures, not having valid consents, renewal / authorisation under the environmental laws against the chart that was submitted in separate columns indicating :

- (1) Whether corrective measures have been put in place, if yes details thereof.
- (2) Consent, post inspection after finding each shortcoming, granted or not granted.
- (3) Whether such industry is running at present or not.

In addition to the above, the MPPCB shall also submit a copy of last inspection carried out by it in respect of each of these industries. The inspection report in respect of each of these industries shall be accompanied by the respective test report. For each of these industries, a separate file shall be prepared and submitted.

List on 14th January, 2016.

.....JM
(DALIP SINGH)

.....EM
(Dr. D.K. AGRAWAL)