

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

M.A.No. 365/2014

and

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. P.S.RAO, EXPERT MEMBER**

PRESENT : Applicant : Dr. Subhash C. Pandey
Respondent No. 1: Shri Rajendra Babbar, Adv.
Respondent No. 3: Shri Rohit Sharma, Adv. for
Shri Sandeep Singh, Adv.
Respondent No. 4&5: Ms. Parul Bhadoria, Adv. for
Shri Purushendra Kaurav, Adv.
Shri P.S.Bundela, RO
Respondent No.2, 6, 9 & 10: Shri Sachin K Verma, Adv.
Respondent No. 7: Shri Rajendra Giri, Adv.

Date and Remarks	Orders of the Tribunal
Item No. 16 4th August, 2014	<p>Pursuant to our order dated 1st August, 2014 notices have been served on the six industries by the State Pollution Control Board as directed. The receipts of notices have also been produced for our perusal. However, the representatives of none of these 6 industries have chosen to appear before this Tribunal despite service. The counsel for the State Pollution Control Board shall furnish the names of the Principal Officer/Proprietor/Owner of such industries who are in-charge of running such industries so thatailable warrants may be issued against them for their presence before this Tribunal. Such information be furnished within 10 days.</p> <p>Learned counsel for the SPCB submitted that in terms of our direction ordering disconnection of water and electricity of six industries mentioned in our previous order, the request by the SPCB shall be sent to the District Collector, Raisen who shall immediately carry out disconnection as ordered by this Tribunal.</p> <p>Shri Sachin K. Verma, learned counsel undertakes to convey our</p>

order to the District Collector, Raisen.

As far as the requirement with regard to the siting of new industries is concerned, it was submitted by Shri Sachin K. Verma that the Master Plan for Raisen District still is under finalization as the draft Master Plan has already been prepared. It has also been submitted that presently future leases for the industrial sites are being granted based upon the draft Master Plan. At present the guidelines which have been framed by the MoEF with regard to the location and siting of industries requires a distance of atleast 25 kilometres from archaeological monuments and sites and in the present case Bhimbetka, the UNESCO World Heritage site, falls within the 25 kilometre distance from the existing industrial area in Mandideep.

We would, therefore, pending finalization of the Master Plan for the Mandideep area, direct that no lease shall be granted and no further industry shall be allowed to come up till the Master Plan is finalized. It is further directed that before finalization of the Master Plan consultation with the MoEF with regard to the recommendations and suggestions given in the guidelines shall be carried out as also with the Archaeological Department, Govt. of India to consider the adverse impact if at all it has been noticed by them and the possibility of any such adverse impact occurring at Bhimbetka and the rock shelters and paintings therein.

The Government of Madhya Pradesh shall be responsible for giving effect to the above order. A copy of this Order be sent to the Chief Secretary, Govt. of Madhya Pradesh for compliance.

It was also brought to our notice that there are about 25 such industries in Mandideep emitting various pollutants in the air though some of them have taken measures for curtailing the emissions.

However, considerable number of industries are still using coal for their boilers and have not installed ESP. It is reported that sometimes the measures which are required to be taken for containing the emission, are not taken either on account of improper maintenance of equipment or failure to operate, resulting in higher pollution level. It was submitted that there is a proposal for installation of continuous monitoring system for monitoring the aforesaid and ambient air quality.

Shri Sachin K. Verma, learned counsel is directed to inform the Tribunal on or before the next date of hearing as to at what stage the aforesaid proposal for installation of the monitoring system is with the Government and by when they would be in a position to install the same.

List on 22nd August, 2014.

.....JM
(DALIP SINGH)

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