

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

**Appeal No. 180/2018
(M.A. Nos. 1303/2018 & 1304/2018)**

IN THE MATTER OF:

M/s ParleAgro Private Ltd.

Vs.

Uttar Pradesh Pollution Control Board &Anr.

**CORAM : HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE DR. JUSTICE JAWAD RAHIM, JUDICIAL MEMBER
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Present: Applicant: Mr. Prag Tripathi Sr. Adv., Mr. Gopal Jain, Sr. Adv., Mr. Ajay Bhargava, Ms. Vanita Bhargava, Mr. Aseem Chaturvedi, Mr. Abhisar Bairagi and Mr. Gauri P. Desai, Advs.

Date and Remarks	Orders of the Tribunal
<p style="text-align: center;">Item No. 01</p> <p style="text-align: center;">August 31, 2018</p> <p style="text-align: center;">A</p>	<p>1. This appeal has been preferred against order dated 03.08.2018 read with corrigendum dated 10.08.2018 passed by Uttar Pradesh Pollution Control Board – respondent no. 1, revoking the consent order earlier granted in favour of the appellant under Section 25/ 26 of the Water (Prevention and Control of Pollution) Act, 1974. The industry has been directed to be shutdown.</p> <p>2. The impugned order states as under:</p> <p style="text-align: center;"><i>“Whereas, in compliance of order dated 16.01.2018, 19.03.2018 and 03.05.2018 passed in O.A. No. 231/2014 and 67/2015 Doaba Paryavaran Samiti vs. State of U.P. &Ors. pending consideration before the Hon’ble N.G.T., New Delhi, Report “Comprehensive Report on Prevention and Control of Pollution in River Hindon” was filed on 06.07.2017 by Central Pollution Control Board in the Hon’ble National Green Tribunal.</i></p> <p style="text-align: center;"><i>Hon’ble N.G.T. in the above O.A. under consideration has given direction on 12.07.2018 that “..... Let the report be complied with. As suggested by Dr. A.B. Akolkar, Former Member Secretary, Central Pollution Control Board, who is now a member of the committee constituted by this Tribunal, identified sources from industries which are contributing to the pollution</i></p>

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by dumping of mercury by shut down. Those industries, which are not complying with the standards, be shut down as suggested in the report

3. Main contention put forward on behalf of the appellant is that there is no deviation from the laid down standards of mercury. In the case of the appellant the inspection report found the content of mercury to be 1.0 mg/l as against prescribed limit of 0.01 mg/l. The insignificant deviation alleged cannot infact be detected as per WHO guidelines for drinking water purposes which mention the limit of detection as follows:

Guideline value	0.006mg/l (6 ug/l) for inorganic mercury
<i>Limit of detection</i>	<i>0.05ug/l by cold vapour AAS; 0.6ug/l by ICP; 5 ug/l by flame AAS</i>

4. We direct joint team of Central Pollution Control Board and Uttar Pradesh Pollution Control Board to look into this contention in accordance with law within two weeks from today. The said joint team may also consider whether, in an area declared to be critical from the point of view of ground water as per norms of Central Ground Water Authority, permission to draw ground water can be given for commercial purposes for the beverages business. In this connection, reference may be made to the orders of this Tribunal dated 28thAugust, 2018, Shailesh Singh V/s. Hotel Holiday Regency, Moradabad &Ors. - Original Application No. 176/2015and 29thAugust, 2018, M/s. A-One Mineral Water IndustryVs. Central Ground Water Authority &Ors - Original Application No. 411/2018. In the light of its conclusion, if necessary, a fresh decision be taken. CPCB will be the

	<p>Item No. 01</p> <p>August 31, 2018</p> <p>A</p>	<p>coordinator.</p> <p>The appeal is disposed of in above terms.</p> <p>A copy of this order be sent to the Uttar Pradesh Pollution Control Board and Central Pollution Control Board by email.</p> <p>The appellant may furnish complete set of paper to the Central Pollution Control Board and Uttar Pradesh Pollution Control Board.</p> <p>.....,CP (Adarsh Kumar Goel)</p> <p>.....,JM (Dr. Jawad Rahim)</p> <p>.....,JM (S.P. Wangdi)</p> <p>.....,EM (Dr. Nagin Nanda)</p> <p>31.08.2018</p>
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