

BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI

Original Application No. 219 of 2016  
(M.A. No. 233 of 2017 & M.A. No. 544 of 2017)

Friends Vs. Government of Uttarakhand

CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON  
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER

Present: Applicant: Mr. Amit Khenka, Adv. and Ms. Aditi Kharpate, Adv.  
Respondent: Mr. Rahul Verma, AAG and Mr. Jaswant Singh, Adv. for State of Uttarakhand  
Mr. Mukesh Verma, Adv. and Mr. Pawan Kumar Shukla, Adv. for UPCB

Date and Remarks	Orders of the Tribunal
<p>Item No. 14</p> <p>September 05, 2017</p> <p>SS &amp; AK</p>	<p><b><u>M.A. No. 544 of 2017</u></b></p> <p>The Learned Counsel appearing for State of Uttarakhand submits that there are 91 Hot-mix Plants, out of which some are functional, against some of them they have already taken action, some are lying closed while to others, nearly 35 Hot-mix Plants, they have served Notices for closure. He submits that the last date for submission of reply to show cause notice was on 31<sup>st</sup> August, 2017. The Board has already passed closure orders and would ensure implementation of the closure orders.</p> <p>He further submits that if there is any Hot-mix Plant in the State of Uttarakhand which has not been mentioned in the list filed by the State, and if the applicant furnishes name of those Hot-mix Plants in the State, the Board will immediately close those Hot-mix Plants which are operating without consent of the Board and would serve Notices on the one's that are operating without consent, and are violating the prescribed standards.</p>

**Item No.  
14**

**September  
05, 2017**

SS & AK

In light of the above, we pass the following directions:-

1. The State Government of Uttarakhand and the State Pollution Control Board also shall abide by their statements. The State Government shall provide all assistance to the Uttarakhand State Pollution Control Board for closure of these Hot-mix Plants as directed in the list, particularly those which have already been ordered to be closed and/or to the 35 Hot-mix Plants to whom orders have already been passed.
2. Compliance report in this regard should be submitted within two weeks from today before the Tribunal.
3. The applicant may furnish a list of all the Hot-mix Plants which are operating in the State of Uttarakhand, but have not been specifically mentioned in the list filed by the State before the Tribunal. The list will be furnished within one week from today. If such list is furnished within one week whichever the Hot-mix Plants according to the applicant are operating without consent or violating the consent granted to them. The State shall take appropriate action in accordance with law including the closure of those non-compliant Hot-mix Plants.

We also direct the State Government and the Uttarakhand Pollution Control Board to issue general directions to all the district authorities to prepare a list of Hot-mix Plants which are operating under their jurisdiction. That list will be circulated to the



**Item No.  
14**

**September  
05, 2017**

SS & AK

Uttarakhand Pollution Control Board for appropriate action as above recoded in accordance with law, expeditiously.

The compliance report shall be filed before the Tribunal within four weeks from today. As and when the report is filed, the same shall be registered and numbered by the Registry and put up for direction before the Tribunal.

With the above directions M.A. No. 544 of 2017 stands disposed of. No order as to cost.

**Main Matter**

List this matter on 12<sup>th</sup> September, 2017.

.....,CP  
(Swatanter Kumar)

.....,EM  
(Bikram Singh Sajwan)