

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

**Appeal No. 43/2014
And
M.A. No. 375/2014**

**M/s Hindustan CocaCola Beverages Pvt. Ltd.
V/s
U. P. Pollution Control Board**

**CORAM: HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER**

Present: Applicant / Appellant : Mr. Pinaki Mishra, Sr. Adv. along with Ms. Ruby Singh Ahuja, Ms. Anisha Mitra and Ms. Deepti Sarin, Advs.
Respondent No. 1 : Mr. Pradeep Misra, Mr. Daleep Kr. Dhayani, Advs.
Respondent No. 2 : Mr. B.V. Niren and Mr. V.V. Vardhan, Advs.
Respondent No. 5 : Ms. Savitri Pandey, Ms. Azma Parveen, Advs.

	Date and Remarks	Orders of the Tribunal
	Item No. 25 April 21, 2015 Dharamvir	<p>Learned Counsel appearing for the appellants submits that he had already moved the CGWA for no objection. However, learned Counsel appearing for CGWA submits that no application in the given format is submitted by the appellant. Learned Counsel appearing for the appellant submits that the format which has been prescribed is only for the new industries and not for the existing industries and the CGWA will have to come out with the necessary format for an application seeking no objection to abstract ground water by notifying guidelines governing the entire process of granting permissions to the existing industries.</p> <p>Learned Counsel appearing for the CGWA invited our attention to the order dated 15.04.2015 passed in Krishankant Singh Vs. Devaria Paper Limited and other connected matters Original Application No. 204 of 2014</p>

and others, he pointed out that the directions were given to the CGWA that it would be obligatory upon it to ensure that any person operating tubewell or any means to extract ground water should obtain its permission and should operate the same subject to law in force. It makes its incumbent upon the CGWA to duly notify the guidelines and prescribe the format for obtaining their no objection for continuation of extraction of ground water in the existing units.

Learned Counsel appearing for CGWA submits that steps would be taken expeditiously for notifying the guidelines and for prescribing format of the application for obtaining no objection for abstraction of ground water for existing units.

In the meanwhile, the UPPCB and CPCB shall jointly verify the correctness of water user ratio given for the years 2002 to 2014 at page-10 of the appeal from the record of water consumption and effluent discharge for the said years and further also to verify the present actual water consumption and actual effluent discharge at the optimum capacity and submit its findings.

Registrar to communicate this order to CPCB.

List the matter on 7th July, 2015.

.....,JM
(U.D. Salvi)

.....,EM
(Dr. D.K. Agrawal)

.....,EM
(Prof. A. R. Yousuf)