

ITEM NO.17

COURT NO.5

SECTION PIL(W)

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

I.A.NO. 345 in Writ Petition(s)(Civil) No(s). 13029/1985

M.C.MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS. Respondent(s)

APPLICANT: SANGAL PAPERS LTD.

(REGARDING BAN ON SALES & USE OF FURNACE OIL & PET-COKE IN NCR  
ALONGWITH REPORT NO. 72 SUBMITTED BY EPCA)

Date : 02/05/2017 This application was called on for hearing  
today.

CORAM : HON&#39;BLE MR. JUSTICE MADAN B. LOKUR

HON&#39;BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s) Mr. Harish N. Salve, Sr.adv. (A.C.)

Ms. Aparajita Singh (A.C.), AOR

Mr. A.D.N. Rao (A.C.), AOR

Mr. Siddhartha Chowdhury (A.C.), AOR

Petitioner-in-person

For Respondent(s) Mr. Ranjit Kumar, SG

Mr. S. Wasim A. Qadri, Adv.

Mr. D.L. Chidananda, Adv.

Mr. Zaid Ali, Adv.

Mr. G.S. Makker, AOR

Ms. Sumita Hazarika, Adv.

Mr. B.K. Prasad, AOR

Mr. Dushyant Dave, Sr. Adv.

Mr. Asheesh Jain, Adv.

Mr. Mohit D. Ram, Adv.

Mr. Anil Grover, AAG

Ms. Noopur Singhal, Adv.

Mr. Sanjay Kr. Visen, AOR

Mr. Pramod Swarup, Sr. Adv.

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Mr. Sandeep Singh, Adv.

Mr. Anuvrat Sharma, AOR.

Ms. Alka Sinha, Adv.

Mr. Sanjiv Sen, Sr. Adv.

Mr. R.K. Singh, Adv.

Mr. Ajay Bansal, Adv.

Mr. Praveen Swarup, AOR

CPCB Mr. Vijay Panjwani, AOR

Mr. S.S. Shamsbery, AAG

Mr. Amit Sharma, Adv.

Mr. Ankit Raj, Adv.

Ms. Ruchi Kohli, AOR

M/s. Narain & Co.

Mr. Saurabh Ajay Gupta, Adv.

Mr. Nishant Bishnoi, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Learned Amicus has briefed us on the Report. The use of  
Furnace Oil and Pet Coke is prohibited in Delhi. It is further  
stated that the State Governments of U.P., Haryana and Rajasthan  
have no objection if a ban is placed on the use of Furnace Oil and  
Pet Coke. These State Governments are, of course, at liberty to  
place such a ban.

It is further pointed out that SO

2 , Nox and Sox standards have

not been fixed for almost 35 industries. A list of such industries  
has been given to us which includes:

SO

2 Nox Sox (new) Nox (new)

2. Sugar â¬ â¬

3. Thermal Power

Plant â¬ â¬ 100-600\* 100-600

4. Cotton Textile â¬ â¬

5. Composite woollen mills
6. Dye and dye
7. Electroplating industries
8. Cement plants
9. Stone crushing units
10. Coke ovens
11. Synthetic rubber
12. Pulp and paper
13. Distilleries
14. Leather industries
15. Fertilizer industry
16. Calcium carbide
17. Carbon black
18. Copper, lead and zinc smelter Off gases must be utilised.
- No standard prescribed for emissions
19. Nitric acid 3 kg of oxides of Nitrogen per tonne of acid
20. Sulphuric acid plant 1250-1370 950-1250
21. Iron and steel 800 500
22. Natural rubber
23. Asbestos
24. Caustic soda
25. Re-heating furnaces
26. Foundries
27. Small boilers

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28. Aluminium plants
29. Petro-chemical
30. Pesticides
31. Tannery
32. Inorganic chemical
33. Glass industry
34. Lime kiln
35. Ceramic

In view of the above, we direct the Union of India as well as the Central Pollution Control Board (CPCB) to fix SO<sub>2</sub>, Nox and Sox

standards for the above industries after giving a hearing to a limited number of authorized representatives of these industries keeping in mind the provisions of the Environment Protection Act, 1986.

The standards should be fixed on or before 30 th June, 2017. In

case there is some difficulty, the CPCB and the Union of India can always move an application for a limited and reasonable extension

of time.

In the meanwhile, we would like to caution the above industries as submitted by the learned Amicus and agreed to by the learned Solicitor General that necessary steps will have to be taken by these industries to ensure that the pollution standards that are fixed by the Central Pollution Control Board are adhered to by 31.12.2017 as far as possible. The above industries should therefore start making their plans with immediate effect keeping the above in mind since sufficient notice is being given to them in this regard.

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List the matter on 20.07.2017.  
(Meenakshi Kohli)  
Court Master (SH)

(Sharda Kapoor)  
Court Master (NS)

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