

Item No.1

(Pune Bench)

**BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE**

[THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)]

ORIGINAL APPLICATION NO.78 OF 2023 (WZ)

Hasmukh Bhai Bahecharbhai Parmar

.... Applicant

Versus

Alkem Laboratories Ltd and Anr.

.... Respondents

Date of Hearing : 27.07.2023

**CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

Applicant : Applicant-in-person present

Respondents : Mr. Arun Siwach, Advocate for R-1
Mr. Maulik Nanavati, Advocate for R-2

ORDER

1. This order is being passed in continuation to our earlier orders dated 23.05.2023 and 07.07.2023. By our order dated 07.07.2023, we had directed the applicant to provide copy of the Original Application to the learned counsel for respondent No.2 – GPCB through e-mail but the same has not been provided as has been apprised by the learned counsel for GPCB. In this regard, the applicant informs that he had sent copy of the Original Application to the Regional Officer, GPCB. We direct him to serve a copy of the Original Application to the learned counsel for respondent No.2 – GPCB today by e-mail. The learned counsel for GPCB is directed to file fullfledged reply-affidavit in respect of the allegations made in the application within four weeks.

2. On the previous date, the learned counsel for respondent No.1 – Project Proponent had also appeared and was directed to file reply-

affidavit. The same has been filed, copy of which is taken on record. But the learned counsel says that since the annexures annexed with the said affidavit are not legible, he may be permitted to file legible copies of the same. We allow him to file the legible copies within a week. Copy of the said reply-affidavit has been served upon the applicant and other parties.

3. By our previous order dated 07.07.2023, respondent No.2 – GPCB was directed to submit the current status report in the matter, which has been filed by sending us an e-mail dated 27.07.2023. The objections to the said report, if any may be filed by the applicant and respondent No.1 within a week, if so required.

4. We made a query from the applicant as to what relief he wants from this Tribunal. He says that the fire incident which had occurred in the premises of respondent No.1 resulted into huge air pollution, which is evident from the inspection conducted by the GPCB on the same date, report of which is annexed at pages 15 and 16 of the paper-book, wherein the details of air quality have been mentioned and it is also mentioned that one sample of firefighting from internal storm water drain is collected but the report is not found on record in that respect. We direct the learned counsel for GPCB to submit a report in that regard within two weeks.

5. Next we enquired from the learned counsel for GPCB as to what would the mode of calculation of compensation in such case. He says that there are few judgments of this Tribunal and the guidelines issued by CPCB and GPCB. We direct him to place those judgments and guidelines by the next date.

6. It is also reported in the inspection report by GPCB that one person was found to have got injured in the occurrence but he has resumed duty. Details of the injuries sustained by the said person are also required to be submitted by the GPCB before us by the next date.

7. Considering the averments made in this application, our earlier orders and the reports submitted by the GPCB, we admit this Original Application.

8. Put up this matter for next consideration on 21.09.2023.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

July 27, 2023
O.A. No.78 OF 2023 (WZ)
npj