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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 803/2016**

M/S SATIA INDUSTRIES LIMITED & ORS Petitioners
Through: Ms. Meenakshi Arora, Sr. Advocate with
Mr. Rahul Narayan, Mr. Vasav Anantharaman,
Mr. Mohit Singh and Ms. Shruthi Parasa,
Advocates

versus

**DIRECTORATE GENERAL OF SUPPLIES AND DISPOSALS
(DGS&D) & ORS** Respondents
Through: Mr. Jos Chiramel with Ms. Apoorva
Srivastava and Mr. Sandeep Chatterjee, Advs. for
R-2

**CORAM:
HON'BLE MR. JUSTICE MANMOHAN**

ORDER
% **01.02.2016**
CM Appl. 3493/2016

Exemption allowed, subject to just exceptions.

W.P.(C) 803/2016 & CM Appl. 3492/2016

The present writ petition has been filed with the following
prayers:-

*“a.Issue an appropriate Writ, order or direction
quashing and setting aside and declaring as null and void
the registration under Type A Ecomark of the
manufacturers of paper from recycled paper by the
DGS&D as well as the BIS being contrary to the
provisions of clause 4.8.2 of the IS 1848/2007 read with*

the Notification of 1992: and

b. Issue a Writ, order or direction making it mandatory that Type A Ecomarks can only be issued to manufacturers who can establish that they use “virgin pulp” to manufacture paper and that manufacturers using recycled paper are eligible to Type B Ecomarks provided that it can be established that all other conditions of eligibility are met;

c. Issue a Writ, order or direction directing the Respondent No. 1 DGS&D to consider the offers made by various tenderers after ascertaining the nature of raw materials used to manufacture of paper and to issue rate contracts on that basis alone and to quash such rate contracts as ignore this vital distinction; and

d. Issue a Writ of Mandamus or any other appropriate writ, order or direction, directing the Respondents, to immediately take steps to curb the grant of Type A Ecomark registrations contrary to the provision of clause 4.8.2 of IS 1848: 2007; and

e. Pass such other or further order(s) as this Hon’ble Court may deem fit and proper in the facts and circumstances of the case.”

It is the case of the petitioners that under clause 4.8.2 of the IS 1848:2007, manufacturers who produce paper from waste paper are not entitled to Type A Ecomark licence.

Learned counsel for the petitioners states that Type A Ecomark licence could not be given to M/s. Katyayini Papers Ltd., M/s. Fiber Max Paper Pvt. Ltd., M/s. Vishal Coaters Ltd., Shah Paper Mills Ltd., Shah Pulp and Paper Mills Ltd. and NR Agarwal Industries Ltd.

A perusal of the paper book reveals that the petitioners have made various representations to the Bureau of Indian Standards which have not been replied to or dealt with.

Consequently, the present writ petition and application are disposed of with liberty to the petitioners to file a comprehensive representation with the Bureau of Indian Standards within a period of two weeks.

If such a representation is filed, the same shall be decided by the Bureau of Indian Standards after giving an opportunity of hearing to the petitioner as well as to the aforesaid five affected parties whose licences have been sought to be cancelled.

The Bureau of Indian Standards is directed to decide the petitioner's representation as expeditiously as possible preferably within a period of four months. The rights and contentions of all parties are left open.

If the petitioners are aggrieved by the decision by the Bureau of Indian Standards, they shall be at liberty to file appropriate proceedings in accordance with law.

MANMOHAN, J

FEBRUARY 01, 2016
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