

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH**

(By Video Conferencing)

Original Application No.474/2022

Rupesh Barma

...Applicant

Versus

State of Andhra Pradesh

...Respondent

Date of hearing: 01.08.2022

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Application is registered based on a complaint received by E-mail.

ORDER

1. The grievances in the present letter petition sent by Mr. Rupesh Barma, resident of Akkiredygyudem village, Andhra Pradesh by E-mail are regarding running of porous factory in housing zone in violation of environmental norms/PCB guidelines in village Akkiredygyudem, District Elluru, Andhra Pradesh and not taking of any action by the concerned Authorities despite addressing many complaints to them.

2. The applicant has also attached copy of the complaint made to the Ministry of Health and Family Welfare. The relevant part of the complaint is reproduced as under:-

“We are having problem with porous factory located in residential area. The locality is highly populated and is completely a residential area. This plastic factory is causing immense pollution which is leading to severe diseases like Tuberculosis and other related disease. Many complaints has been registered in PCB then PCB issued directions to about water pollution but memo did not implement. Factory operating in this residential area since a long time and creates noise and air

pollution all time. The machines used in factories make noise throughout the day and this disturbs the peaceful atmosphere in the vicinity as machines used without proper covering lead to sound pollution. This puts heavy mental strain on the people staying in the nearby areas. Noise is the most pervasive pollution in this area and they run factories late night daily. People and childrens affected asthma and other related problem are sick of these factories as the workers in these factories work from 24 hours on daily basis. As the factory are situated in between the houses of common people, people nearby are not able to sleep at night due to heavy smoke especially at night when working people reach home for some rest and relax and to have air pollution unbearable so we the people cannot tolerate and bear the smoke. They dispatch the smoke directly to the open space. The illegal factories in this residential area any more waste water polluting agriculture lands and crop yield we still facing problem with unit IV product capacity 2940 metric tons how to grant permissions increase 11601 tons capacity so many gradates sent objections to PCB Member of Secretary and Ministry of Family and Health Department through mail as a public hearing hold in my village also not follow guidelines about public hearing consider people attending in public hearing and no one resident people take about factory opinion/objection, only few people attending public hearing so many people did not information about public hearing around 100-150 peoples are attending people total four village people like Akkiredygyudem, Chekkaplli, Ramnakkapeta, Surepalli village. I will submit all proofs in task force committee about water pollution and right to clean and healthy environmental fundamental right please consider my application Article 21 fundamental right.”

3. We are of the view that the factual position needs to be verified and remedial action is required to be taken on the basis thereof. We accordingly constitute a Joint Committee of Regional Office of MoEF, Chennai, CPCB, State PCB and Collector, Elluru and direct the Joint Committee to meet within four weeks, undertake site visits, look into the grievances of the applicant, verify the factual position and take requisite action by following due process of law. The State PCB will be the Nodal agency for coordination

and compliance. Factual and action taken report may be furnished within three months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

List the matter for further consideration on 15.11.2022.

A copy of this order, along with a copy of the application and document enclosed therewith, be forwarded to the Regional Office of MoEF, Chennai, CPCB, State PCB and Collector, Elluru by e-mail for compliance

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

August 01, 2022
AG