

Item No.5

(Court No. 2)

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH**

(By Video Conferencing)

Original Application No. 205/2022
(I.A No. 207/2022)

Rana Singh Chouhan

Applicant

Versus

State of Jharkhand

Respondent

Date of hearing: 12.10.2022

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

Applicant: Applicant in person.

Respondents: Mr. Kaustubh Mishra, Advocate for respondent no. 6-
M/s Kathotia Coal Mines Hindalco Ltd.

Application is registered based on a complaint received by Post

ORDER

1. The grievances in the present letter petition sent by Mr. Rana Singh Chouhan and other residents of village Padwa P.O- Rajhara Distt.- Palamu, Jharkhand are that Kathotia Coal Mines Hindalco Ltd., is illegally transporting coal through Ambey Mining Pvt., Ltd. from NH- 75 to Rajhara Coal Mines site by use of 100s of HYWA vehicles through narrow 10 feet wide road in thickly populated area day and night causing severe air and noise pollution. The dust generated is creating breathing problems for the inhabitants of the locality and is also damaging the green trees. Big trees have been illegally cut. Excessive coal mining has also led to huge mountains/heaps of coal dumps and water level has also depleted in the surrounding area resulting in shortage of drinking water causing hardships to the inhabitants and animals.

2. Vide order dated 22.04.2022, this Tribunal constituted a Joint Committee and directed the same to submit factual and action taken report within one month.

3. The report of the Joint Committee has been filed by Jharkhand State Pollution Control Board, Dhurwa Ranchi vide email dated 10.10.2022.

4. In view of the averments in the application and observations in the report of the Joint Committee, we consider it appropriate to have response of (1) State of Jharkhand through Chief Secretary, Government of Jharkhand, (2) Special Secretary, Department of Forest, Environment and Climate Change, Government of Jharkhand, (3) Director, Department of Mines and Geology, State of Jharkhand, (4) State PCB, (5) District Magistrate, Palamu, Jharkhand and (6) the Project Proponent- M/s Kathotia Coal Mines Hindalco ltd., who stand impleaded as respondents No. 1 to 6. The Registry is directed to prepare and attach memo of parties to the application and issue notices to respondents No. 1 to 6 requiring them to file their reply/response within two months at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

5. Mr. Kaustubh Mishra, Advocate has appeared on behalf of the Project Proponent- M/s Kathotia Coal Mines Hindalco Ltd. I.A. No. 207/2022 for impleadment has also been filed on behalf of the Project Proponent. Since the Project Proponent stands impleaded as respondent no. 6, the application has become infructuous and is disposed of accordingly. Learned counsel for the Project Proponent seeks time to file reply/response on behalf of the Project Proponent. Reply/response on behalf of the Project Proponent be filed within two months as directed above.

6. List the matter for further consideration on 18.01.2023.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

October 12, 2022
AG