

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
(BY VIDEO CONFERENCE)**

Original Application No. 426/2023

Surendra Singh Chouhan		Applicant
	Versus	
State of U.P.		Respondent

Date of hearing: 01.08.2023

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Application is registered based on a letter petition received by Post

Applicant: Mr. Surendra Singh Chouhan, Applicant in person

ORDER

1. The grievance in this present application is regarding air pollution caused in the area of Village Satha, District Aligarh, UP during loading and unloading of clinker by Birla Uttam Cement Company, C.D.F., Cherat at Harduaganj Railway Station.

2. The applicant has submitted that clinker is being loaded and unloaded at the above-mentioned Railway Station by the Project Proponent for the last six years. The air and dust pollution caused during loading and unloading of clinker is posing serious health hazards to the residents of the locality and is also adversely affecting fertility of the adjoining agricultural land.

3. *Prima facie*, the averments made in the application raise questions relating to environment arising out of the implementation of the

enactments specified in Schedule I to the National Green Tribunal Act, 2010. In view of the averments made in the application, we consider it appropriate that a Joint Committee be constituted to verify the factual position and take appropriate remedial action. Accordingly, we constitute a Joint Committee comprising of State PCB and District Magistrate, Aligarh and direct the same to meet within one week, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and take appropriate remedial action by following due course of law and giving opportunity of being heard to the project proponent. The State PCB will be the nodal agency for coordination and compliance.

4. Factual and Action taken Report may be submitted within one month by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

5. List for further consideration on 10.10.2023.

6. A copy of this order, along with a copy of the application and documents attached with the same, be forwarded to the Member Secretary, State PCB and District Magistrate, Aligarh by e-mail for requisite compliance.

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

August 01, 2023
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