

Item No. 02

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 602/2023

Sardar Satnam Singh & Ors.

Applicant(s)

Versus

State of Uttar Pradesh

Respondent

Date of hearing: 23.11.2023

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

ORDER

1. This OA has been registered on the basis of the letter petition dated 30.06.2023 received from Pradhan of Gram Panchayat Maksudapur, Block Banda, District Shahjahanpur, Uttar Pradesh raising a grievance that Bajaj Energy Pvt. Limited, Maksudapur which has set up 90 MW power plant at Village Maksudapur is causing pollution by throwing the fly ash by the side of Sharda Canal and that there is no collection pond near the power plant for collecting the fly ash and there is no provision for the greenery.

2. It is further alleged that on account of pollution caused by the power plant the crops are being damaged and fly ash is thrown on the road leading to Village Sadiya. It is also alleged that the polluted water from the plant is discharged in river Khannot which is affecting aquatic life and the health of cattles drinking the said water. There is also an allegation of air pollution being caused by the power plant. Further allegation is that the rain water drain is blocked by throwing the fly ash

as a result of which the water logging takes place and the crops are destroyed.

3. Perusal of the letter petition reveals that the substantial issue relating to non-compliance of the provisions of environmental laws is involved in the matter.

4. Hence, at this stage, we deem it proper to implead following as respondents in this petition:

- i. Member Secretary, Central Pollution Control Board (CPCB).
- ii. Member Secretary, Uttar Pradesh Pollution Control Board (UPPCB).
- iii. Regional Officer, Ministry of Environment, Forest and Climate Change (MoEF&CC), Lucknow.
- iv. Representative from Ministry of Power, Govt. of India.
- v. Representative from Ministry of Coal, Govt. of India.
- vi. Pradhan, Gram Panchayat Maksudapur, Majra Kuiya Maholiya, Block Banda, District Shahjahanpur, Uttar Pradesh.
- vii. Bajaj Energy Pvt. Limited through its Plant In-charge, Maksudapur, District Shahjahanpur, Uttar Pradesh.

5. Let notice be issued to the above respondents.

6. The Member Secretary, CPCB is directed to get the spot inspection done and ascertain the correct position in respect of compliance of the environmental laws by the Project Proponent and the truthfulness of allegation made in the letter petition about violation of environmental norms by the Project Proponent and to submit a report before this Tribunal within a period of 8 weeks 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.

7. List on 02.02.2024.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

November 23, 2023
Original Application No. 602/2023
DV