

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.83/2023/EZ

IN THE MATTER OF:

Ankur Sharma,

S/o Shri Ambooj Sharma,
Resident of 13/3, Dr. P. K. Banerjee Road,
P.O., P.S. & District – Howrah,
West Bengal,
Pin – 711101,

.... Applicant(s)

Versus

1. State of West Bengal,

Represented by the Chief Secretary,
Government of West Bengal
Having office at Nabanna (13th Floor),
325, Sarat Chatterjee Road, Shibpur,
Howrah – 711102,

2. The Principal Secretary,

Department of Environment,
Government of West Bengal
Having office at Pranisampad Bhawan,
Block (5th Floor), LB-II, Salt Lake, Sector – III,
Bidhannagar, Kolkata,
Pin – 700106,

3. West Bengal Pollution Control Board

Represented by its Member Secretary,
Having office at Paribesh Bhavan,
10A, Block – L.A., Sector – III, Salt Lake,
Howrah – 700106,

4. Howrah Municipal Corporation

Through its Commissioner,
Having office at 4, M. G. Road,
Howrah – 711101,

5. The Central Pollution Control Board

Represented by its Member Secretary,
Having office at Parivesh Bhawan,
East Arjun Nagar,
Delhi – 110032,

.... Respondent(s)

Date of hearing: 16.07.2024

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s) : Mr. Ankur Sharma, in person

For Respondent(s) : Mr. Sudip Kumar Dutta, Adv. for R-1 & 2 (in Virtual Mode),
Mr. Dipanjan Ghosh, Advocate for R-3,
Mr. Amrita Pandey, Adv. for R-4, (in Virtual Mode),
Mr. Surendra Kumar, Advocate for R-5,

ORDER

1. Mr. Ankur Sharma, the Applicant, is present in person.
2. This Original Application has been filed by the Applicant alleging that within the Howrah Municipal Corporation, Hot Mix Plants are in operation near 'Dalal Pukur' on Mahendra Bhattacharya Road, which is an extension of N. S. Road close to the house of the Applicant. It is stated that a new layer of asphalt has been applied on a small stretch of N. S. Road within the jurisdiction of the Howrah Police Station using Hot Mix technology.
3. It is further stated that on 19.07.2023 the Applicant noticed that hot mix asphalt was being brought on polluting three wheelers and was being laid on a stretch of the said Road and on enquiry it was informed that reconstruction of N. S. Road is being carried out and a Hot Mix Plant has been set-up near 'Dalal Pukur' on Mahendra Bhattacharya Road being the extension of N. S. Road.
4. It is stated that the Applicant thereafter rushed to Dalal Pukur and noticed a huge Hot Mix Plant had been set-up near the lake emitting thick black smoke in which plastic and wood were being used as fuel. The name of the contractor was not available anywhere through any display board to show that he has been engaged by the Howrah Municipal Corporation.

5. It is further stated that on 11.12.2022 while passing along Deshpran Shasmal/Panchanantala Road, Howrah, the Applicant noticed that gross pollution was being caused out by the Howrah Municipal Corporation due to the use of Hot Mix Plant emitting thick black smoke which was causing considerable air pollution in the area.
6. It is stated that thereafter the Applicant sent a complaint vide e-mail dated 20.07.2023 at 10:45 hours (Annexure-P-2 to the Original Application), to the Commissioner, Howrah Municipal Corporation and the West Bengal Pollution Control Board, but no action has been taken till date. It is also stated that another complaint letter vide e-mail dated 12.12.2022 at 11:45 PM was sent by the Applicant to the Commissioner, Howrah Municipal Corporation, copy of which has been filed at page no. 27 of the paper book. Photographs have also been filed as Annexure-P-1 & P-2 (page nos. 18, 19, 20, 21, 24 & 26) to the Original Application.
7. The Applicant has also referred to the directions given by the Tribunal in its order dated 02.05.2022 passed in Original Application No.171/2016/EZ with M.A. No. 57/2018/EZ (*Subhas Dutta Vs. State of West Bengal & Ors.*), wherein the Tribunal had taken note of emissions emerging from Hot Mix Plants. Para 13 of the order reads as under:-

“13. Kolkata - Howrah twin Cities (in KMDA) are included in the nonattainment cities (NACs). They are required to execute Clean Air Action Plan, 2020 under NCAP which includes identification sources contributing to air pollution. The relevant information particularly relating to Hot Mix Plants with reference to short and medium term actions are given:

“1.5 Hot-mix plants for road construction and cement batching

Kolkata Municipal Corporation, as well as the Kolkata Metropolitan Development Area have been witnessing a boom. Greenfield projects, in terms of commercial, residential and mixed land-use area development, as well as expansion of existing areas has led to the intensive increase in emissions emerging from concrete batching as well as from asphalt mixing plants, known as hot-mix plants.

The Eastern Zone bench of the NGT took notice of the emissions emerging from these hot-mix plants, and in a series of orders dated 18 September 2018 and 01 October 2018, banned the operation of all Hot Mix plants within Kolkata and Howrah. The order also asks the state government, KMC, and the WB PWD to ‘adopt more environment friendly and cleaner methods for the purpose’. The KMC also moved the NGT on 01 October 2018 to get a 4-month window to continue to operate the KMC run hot-mix plants within Kolkata. The deadline of 31 January 2019 has been set for these plants by the KMC to finish the ongoing repair of roads across Kolkata and Howrah. However, it must be noted that the longer term plan of the KMC for its hotmix plants is to relocate these to areas such as Dum Dum and Rajarhat that are outside the jurisdiction of KMC. While this may suffice for the purpose of the NGT order, the emissions from these re-located plants, along with others within the KMDA will continue to affect air quality in the Kolkata-Howrah airshed. The KMC has begun implementation of this order, through the constitution of a panel of experts from WBPCB, IIT-Kharagpur, KMDA, Hooghly River Bridge Commissioners (HRBC) and KMC, with a mandate to monitor emissions from existing hot-mix plants, and suggest technical, technological and other measures to reduce the emissions from this sector.

XXXXXX.....XXX

3. BRICK KILNS, HOT-MIX PLANTS AND STONE CRUSHERS

Sr. no.	Action points	Agency responsible	Timeline

Short-term priority action			
3.1	There are about six brick kilns in close vicinity of the city. Enforce restrictions on operations of brick kilns within urban airshed zones during high pollution periods; allow only those brick kilns that comply with rectangular zig-zag design with induced draft or those with improved technology. Initiate phasing out of traditional brick kilns.	Dept. of land and Land Reform WBPCB, KMDA, HMC, Department of MSME	6 months
3.2	Relocate and discourage any hot-mix plants within Howrah boundaries. Shut down small and mobile hot-mix plants.	HMC, WB PWD, NHAI and other road operating agencies	Immediately
Medium-term action			
3.3	Identify and convert all brick kilns to rectangular design zigzag technology. If any FCBT natural draft kilns are found they need to be converted to induced draft kilns with rectangular zigzag	Department of Land and Land Reform, WBPCB, CPCB, ICE and MSME	1 year

	<i>design.</i>		
3.4	<i>Prescribe design specifications for improved kilns and ensure compliance checking of conversion. Ensure provision of infrastructure in terms of viewing platform and chimney emission testing point for compliance.</i>	<i>CPCB, WBPCB, Department of ICE, MSME</i>	<i>1 year</i>
3.5	<i>Establish a protocol for using cleaner fuels & technology for asphalt mixing and minimizing the number of hot-mix plants.</i>	<i>MoRTH, HMC, WB PWD, NHAI and other road operating agencies</i>	<i>2 years”</i>

8. The Tribunal while disposing of the said Original Application, had constituted a Joint Committee comprising of; (i) Secretary Environment, Government of West Bengal, (ii) Secretary Transport, Government of West Bengal, (iii) Secretary Urban Development, Government of West Bengal, (iv) Secretary Local Bodies, Government of West Bengal, (v) Central Pollution Control Board, and (vi) State Pollution Control Board, to prepare/update Action Plan for Kolkata Metropolitan Area for control of air pollution with Secretary Environment, Government of West Bengal, as the Nodal Agency for compliance. This Joint Committee was directed to come up with an updated plan within three months. Para 16 of the order reads as under:-

“16. In the light of above discussion, we direct constitution of a joint Committee comprising Secretary Environment, Secretary Transport, Secretary Urban Development, Secretary Local Bodies, (all West Bengal Govt), CPCB and State PCB to prepare/update action plan for Kolkata metropolitan Area for control of air pollution. Secretary Environment will be nodal agency for compliance. The joint Committee may meet within one month and finalise/update its plan within three months. It may consider outline of suggested plans in the order dated 8.10.2018, quoted in para 11 and 12 above and other plans finalised by AQMC in respect of NACs in the State of West Bengal, in pursuance of the said order. It will be open to any stake holder to put forward suggestions for consideration of the Committee. The Committee will also be free to interact with any other expert/institution/department on the subject.”

9. The two orders of the Tribunal dated 18.09.2018 and 01.10.2018 referred to in para 13 of the final order of the Tribunal dated 02.05.2022 read as under:-

“(Order dated September 18, 2018)

.....XXX.....XXX.....XXX.....

2. The affidavits filed by the respondents in reply to the application appear to contain statements which are unsatisfactory and grossly wanting of compliance of the directions issued in Original Application No.33/2014. This would be evident from the supplementary affidavit filed by the applicant on 24.11.2017 which illustrates the brazen violation of the directions. Hot mix plants appears to be in use rampantly for road repairs and also use of fossil fuel in the heart of the city of Kolkata adding tremendously to the already polluted air.

.....XXX.....XXX.....XXX.....

4. We, therefore, direct the state respondents, the State Public Works Department and the Kolkata Municipal Corporation to ensure that the use of Hot Mix Plants and burning of fossil fuel is discontinued for road construction and repair forthwith and adopt more environment friendly and cleaner methods for the purpose as already directed earlier.”

“(Order dated October 01, 2018)

.....XXX.....XXX.....XXX.....

4. We reiterate our order dated 18.09.2018 and direct closure of all Hot Mix Plants failing which exemplary penalty of not less than Rs. 5 lakh shall be imposed upon the Kolkata Municipal Corporation and other authorities apart from taking appropriate steps against the erring officers for non-compliance of the directions.”

10. At the stage of admission, this Tribunal constituted a Committee comprising of the following Members:-

- (i) Senior Scientist, West Bengal Pollution Control Board,*
- (ii) Senior Scientist, Central Pollution Control Board,*
- (iii) Principal Secretary, Department of Environment, Govt. of West Bengal, or his nominee of a senior rank, and*
- (iv) Municipal Commissioner, Howrah Municipal Corporation, or his nominee of a senior rank,*

11. The Committee was directed to visit the site in question and submit its Report. The Committee was also directed that in case violations are found, it shall not only determine the Environmental Compensation against the violator but also recommend disciplinary action against the officer responsible for disregarding the orders of the Tribunal.

12. The West Bengal Pollution Control Board, Respondent No.3, has filed affidavit dated 19.09.2023 bringing on record the Inspection Report of an inspection carried out on 29.08.2023. The Inspection Report reads as under:-

***“Report in the matter of Original Application No.83/2023/EZ
(Regarding operation of hot mix plant within Howrah
Municipal Corporation, Mr. Ankur Sharma Vs The State of***

West Bengal & Ors.) vide Hon'ble NGT order (Eastern Zone Bench, Kolkata) dated 02.08.2023.

The Hon'ble National Green Tribunal, Eastern Zone Bench constituted a Committee, comprising Senior Scientist, West Bengal Pollution Control Board, Senior Scientist, Central Pollution Control Board, Principal Secretary, Department of Environment, Govt. of West Bengal or his nominee, Municipal Commissioner, Howrah Municipal Corporation or his nominee, in the matter. The Howrah Municipal Corporation was to act as the nodal agency for all logistic purpose.

Pursuant to the order of the Hon'ble NGT, the Committee comprising of the following members was constituted as per nominations received from the participating departments/offices.

1. Sri Pradip Acharyya, WBCS (Exe.), Additional Secretary, Environment Department
2. Sri Sandeep Roy, Scientist-D, Regional Directorate, Central Pollution Control Board
3. Smt. Rita Datta, Environmental Engineer, Howrah Regional Office, WBPCB
4. Sri Manas Das, Secretary, Howrah Municipal Corporation representing the Commissioner, HMC

Accordingly, the members of the committee accompanied by Sri Prithwish Roy, Exe. Engineer (Roads) & Sri goutam Nag, Asst. Engineer (Roads), HMC visited the areas on 29.08.2023 at 13:00 hrs.

The observations of the constituted Committee are as follows:

1. The site near "Dalalpukur" where the hot mix plant had been set up as physically identified by the HMC engineers was found to be clear and no such plant was spotted in the area.
2. The work for which the hot mix plant was used was improvement of a stretch of road. As per the documents available to the committee the following work was undertaken:

Name of work	Improvement of "Netaji Subhash Road" by Bituminous (Mastic
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	<i>Asphalt) work from Mullick Fatak to Shymasree Cinema Hall (Jn. Of N.S. Road) under ward no-24,26,27 & 28 HMC</i>
Contractor allotted work order	<i>Soumik Enterprise 7, Kankrapara Lane, Santragachi, Howrah-711104</i>
Issue Date of work order	<i>05.07.23</i>

3. *The area of the above work was at least at an approx. distance of 1.5 km from the site and it was informed during the visit that wheel barrows were used for carrying the material to the place of work.*
4. *The work had been carried out at night time as it is a very congested stretch. Also the hot mix plant had been set up on Mahendra Bhattacharya Road which is an extension of N.S. Road near a water body locally known as Dalalpukur, in a place which was likely to cause less congestion.*
5. *As per the Howrah Municipal Corporation, initial road dressing was started on 09.07.2023. Later bituminous work was started. The Bituminous work was stopped on 08.08.2023.*
6. *The area where the work was undertaken as identified by the HMC engineers was also visited and it was observed that no work was being carried out at the time.*
7. *As per the Howrah Municipal Corporation no communication was received by them regarding the non-operation of hot mix plant. However a clause was included in the contract to abide by all applicable clauses rules regulations laws acts etc. in force at present and or any other applicable rules in force which are relevant in the context of the job or would be in force during the period of contract.*
8. *As per the Howrah Municipal Corporation their own hot mix plant has stopped functioning long back.*

On the day of inspection, i.e. 29.08.2023, a committee found no evidence of operation of Hot Mix Plant as Howrah Municipal Corporation already directed them to stop the operation of Hot Mix Plant, as Howrah Municipal Corporation received Public Complaint (PGC) in this regard.

Considering the environment violation in past (from 20th July – 5th Aug 23), the Committee members were in opinion to calculate Environmental Compensation (EC) based on methodology given in “Report of the CPCB In-house Committee on Methodology for Assessing Environmental Compensation and Action Plan to Utilize the fund” formulated in response to OA No. 593/2017(PB), for an industry can be assessed using the following formulae:

$$EC = PI \times N \times R \times S \times LF$$

Where,

EC is Environmental Compensation in ₹

PI = Pollution Index of industrial sector

N = Number of days of violation took place

R = A factor in Rupees (₹) for EC

S = Factor for scale of operation

LF = Location factor

The above formulae incorporate the anticipated severity of environmental pollution in terms of Pollution Index, duration of violation in terms of number of days, scale of operation in terms of micro & small/medium/large industry and location in terms of proximity to large habitations.

Based on the concept of Pollution Index (PI) as used by CPCB for classification (Final Document on Revised Classification of Industrial Sectors Under Red, Orange, Green and White Categories, February 29, 2016) of industries Hot Mix Plant considered under orange Category. Any of the industrial sector having only air pollution (A) the score will be normalized to 100 as per the following formula –

$$\text{Normalized Score} = \{100 \times A\} / 40$$

Thus Hot Mix Plant has a normalized PI of 50.

Further, N is the number of days of violation i.e., the period between the date of start of Improvement Work for improvement of Netaji Subhash Road by Bituminous (Mastic Asphalt) and the date of close down of the mentioned job. Therefore N is 30 days.

R is a factor in rupees for estimating environmental compensation which as per CPCB guidelines is taken as Rs.250.

S is a factor representing the scale of operation of the industry and in this case it is considered as small scale and therefore value of S is 0.5.

LF is the location factor depending on the population of the area as per recent census 2011 is below 1 million, so LF may be taken as 1.25 following CPCB's guidelines.

S. No.	Population * (million)	Location Factor# (LF)
1	1 to <5	1.25
2	5 to <10	1.5
3	10 and above	2.0
*Population of the city/town as per the latest Census of India #LF will be 1.0 in case unit is located >10km from municipal boundary LF is presumed as 1 for city/town having population less than one million		

Now, using formulae (1), environmental compensation is:

$$EC = PI \times N \times R \times S \times LF$$

$$EC = 50 \times 30 \times 250 \times 0.5 \times 1.25$$

$$= \text{INR } 2,34,375$$

(Rupees Two lakh thirty four thousand three hundred seventy five only)

As the work had been allotted by Howrah Municipal Corporation to a contractor and it had been mentioned in the contract that they were to abide by all applicable clauses rules regulations laws acts

etc. it is a negligence on the part of contractor in compliance of existing order.”

13. The Central Pollution Control Board, Respondent No.5, in its affidavit dated 07.12.2023 has stated that the Ambient Air Quality of Howrah, West Bengal, reported during January, 2023, to July, 2023, in terms of PM₁₀ and PM_{2.5} were found to be in the range of 13 to 407 µg/m³ and 5 to 237 µg/m³, respectively. It was also observed that during January, 2023 to March, 2023, on most of the occasions, the air quality in terms of PM₁₀ and PM_{2.5} exceeded the National Ambient Air Quality Standards but no direct conclusions can be drawn regard impact on ambient air quality due to operation of the Hot Mix Plant. It is also stated that the ambient air quality may also have been influenced by local factors such as – vehicular traffic, natural dust, DG sets etc. rather than the emissions from the Hot Mix Plant.
14. The Central Pollution Control Board has also placed on record the Notification dated 18.05.2023 issued by the Ministry of Environment, Forests and Climate Change ('MoEF&CC' for short), which requires that Hot Mix Plant shall be installed on the following siting criteria:-
 - (a) 1 kilometer from boundary of cities and towns;*
 - (b) 0.5 kilometer from habitation;*
 - (c) 0.2 kilometer from National or State Highways (from Centre Line)*
 - (d) 0.5 kilometer from Schools or Colleges and Temples;*
 - (e) 1 kilometer from Hospital, Court and Tourist spot.*
15. The Notification dated 18.05.2023 also provides that in case Hot Mix Plants are not able to meet the above siting criteria, they may be allowed with the condition that minimum 6 meters high

compound wall of GI sheets along the periphery shall be installed. The Notification further enjoins that the Hot Mix Plants shall be equipped with appropriate air pollution control devices to ensure optimum efficiency to achieve the standards, namely:-

(a) Drum Type: Cyclone or multi-clones with wet scrubber,

(b) Batch Type: Multi-clones with bag filters.

16. The Applicant has filed rejoinder affidavit dated 16.03.2024 stating that in the affidavit of the West Bengal Pollution Control Board it is disclosed that the Howrah Municipal Corporation has accorded work for improvement of Netaji Subhas Road by Bituminous (Mastic Asphalt) in favour of one M/s Souvik Enterprise vide work order dated 05.07.2023 but it did not hold the Howrah Municipal Corporation liable for environmental violations carried out by the contractor. It is stated that Howrah Municipal Corporation did not accord work for improvement of road using Cold Mix Technology and thereby the Howrah Municipal Corporation has itself violated the order passed by the Tribunal.
17. The Applicant has also made certain suggestions regarding use of Concrete/Pavement Quality Concrete (PQC) roads whose live span is stated to be more than 20 years.
18. The Howrah Municipal Corporation, Respondent No.4, has filed affidavit dated 12.07.2024, wherein it is stated that concrete made Portland cement, aggregate (stone), reinforcing steel and water is the most common alternative to bitumen (asphalt) for hard surface road construction, however, for that the entire existing structure/road has to be removed and it is very expensive and moreover it will result in more carbon emission in order to remove the existing road. It is also stated that in the matter of repair of

roads presently undertaken, patchworks of craters such as – potholes is being carried out by fixing small cement blocks but due to heavy rains and plying of heavy vehicles, the same is not sustaining.

19. We have heard the learned Counsel for the parties and perused the documents on record.
20. The Tribunal by its order dated 02.05.2022 passed in Original Application No.171/2016/EZ with I.A. No.57/2018/EZ (*Subhas Datta Vs. State of West Bengal & Ors.*), had taken note of emissions emerging from Hot Mix Plants and had given certain directions which have been extracted hereinabove and, therefore, need not be repeated for sake of brevity. Directions were also given to relocate and discourage of Hot Mix Plants within the boundaries of Howrah; to shift and to shut down small and mobile Hot Mix Plants; and establish a protocol for using cleaner fuels and technology for asphalt mixing and minimizing the number of Hot Mix Plants.
21. The MoEF&CC in its Notification dated 18.05.2023 has prescribed standards of Particular Matter Concentration (mg/Nm³) in stack emission, namely, Batch Type Hot Mix Plant which has prescribed standard of 150 and for Drum Type Hot Mix Plant the standard prescribed is 300. The Notes (i) to (x) to the Notification for Hot Mix Plant reads as under:-

“.....xxx.....xxx.....xxx.....”

Notes:

(i) The minimum stack height for Hot Mix Plant shall be calculated as: Stack height (Hs) = $14(Q)^{0.3}$, where, Q is the SO₂ emission rate in kg/hr.

(ii) Only approved fuel as specified by State Pollution Control Boards or Pollution Control Committees shall be used.

(iii) Dust emission from material handling shall be contained with water sprinkling or by covering the points of dust emission.

(iv) The internal roads, working platform, loading and unloading areas in premises should be paved and kept clean all times.

(v) Provisions of the Noise Pollution (Regulation and Control) Rules, 2000 shall be followed and workers shall be provided with personal protective equipments.

(vi) The green belt shall be developed along the periphery.

(vii) Use of Recycled Asphalt Pavement (RSP) shall be allowed in the aggregates.

(viii) Any process rejects or left over of the hot mix shall be recycled in the process.

(ix) The site shall be reinstated at the end of operation phase i.e. after dismantling the plant.

(x) State Pollution Control Boards or Pollution Control Committees may decide the size and capacity to permit hot mix plants based on available technology and prevailing environmental conditions.”

22. It is noticed that while carrying out patchwork repair of roads small Hot Mix Plants are used on the road itself which are pulled out from place to place. However, it is common knowledge that such Hot Mix Plants cause large quantities of black soot to emerge from its chimneys thereby causing immense pollution in the area.

23. The following directions are, therefore, being issued:-

A. The West Bengal Pollution Control Board is directed to ensure that such Hot Mix Plants shall conform to the parameters and standards in stack emission as prescribed in the MoEF&CC Notification dated 18.05.2023. It shall also ensure that the siting criteria laid down in the Notes (xi) (xii) & (xiii)

to the said Notification are strictly observed and complied meaning thereby that all Hot Mix Plants shall be situate;

- (i) At least 0.5 kilometers from habitation,
- (ii) 0.5 kilometers from Schools or Colleges and Temples,
- (iii) 1 kilometer from Hospital, Court and Tourist spot,
- (iv) 0.2 kilometers from National or State Highways (from Centre Line), and
- (v) 1 kilometer from boundary of cities and towns, as the case may be.

B. The West Bengal Pollution Control Board shall also ensure that such Hot Mix Plants during their operation shall have a 6 meters high wall of GI sheet along its periphery as provided in Note (xii) to the Notification and shall be equipped with appropriate air pollution control devices such as – Drum Type/Batch Type as provided in Note (xiii) to the Notification, so as to ensure optimum efficiency to achieve standards, namely, cyclone or multi-clones with wet scrubber for Drum Type and multi-clones with bag filters for Batch Type.

C. The West Bengal Pollution Control Board shall also ensure that the chimneys of such Hot Mix Plants shall possess the necessary smoke emission devices for control of smoke/SO₂ and the prescribed Particular Matter Concentration (mg/Nm³) shall at all times maintain standards of 150 for Batch Type Hot Mix Plant and 300 for Drum Type Hot Mix Plant.

D. So far as the suggestions of the Applicant that Pavement Quality Concrete shall be used for construction of roads or even during its preparation, in our opinion, this issue needs to be addressed by the State Government keeping in mind the

efficacy of Pavement Quality Concrete for small items of work also bearing in mind all times that preservation of a clean environment should be of the utmost concern for the State Government for which budgetary constraints cannot be taken as a plea to perpetuate environmental degradation.

24. With the aforesaid directions, the Original Application No.83/2023/EZ is disposed of.
25. I.As. if any, stand disposed of accordingly.
26. There shall be no order as to costs.

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B. Amit Sthalekar, JM

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Dr. Arun Kumar Verma, EM

July 16, 2024,
Original Application No.83/2023/EZ
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NGT