

**BEFORE THE PRINCIPAL BENCH,
NATIONAL GREEN TRIBUNAL, NEW DELHI
ORIGINAL APPLICATION No. 533/2019**

IN THE MATTER OF:

Anubhav Kumar

... Applicant

VERSUS

Union of India & Ors.

... Respondents

NDOH:- 08.01.2020

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Filed by

(Delhi Pollution Control Committee)

New Delhi:
Dated: 28.12.2020

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

Original Application No. 533/2019

Anubhav Kumar

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Action Taken Report in OA no. 533/2019 in the matter of "Anubhav V/s Union of India and others".

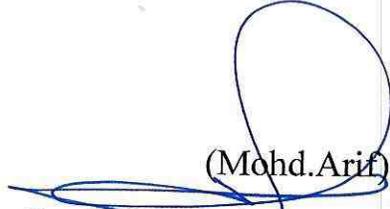
1. That decided in the meeting of Expert Committee constituted by Hon'ble NGT in O.A No. 533/2019 in the Matter of Anubhav Kumar v/s Union of India & Ors. held on 10.09.2020, inspection of the cement siding sites at Shakurbasti Station was carried out by DPCC officials on 09.10.2020, to verify the progress of the work w.r to Environmental Pollution Control Measures taken by Northern Railways and Central Rail side Warehouse Company Limited (CRWC). Inspection report is enclosed here with and annexed as **Annexure-1**.
2. That the Northern Railways has stopped its activity of loading/unloading of cement- bags at line no. 1 and GPF. However, Northern Railways has not taken any measures to control fugitive emission generated due to cement handling and other associated activities. Approx. 25 numbers of trucks were found parked on the peripheral road/ land of the Northern Railways. Heavy dust emissions due to movement of trucks were observed from huge amount of dust deposited on the unpaved peripheral road. No dust mitigation measures were seen at the site.
3. That Show Cause Notice for imposing the Environmental Damages Compensation of an amount of **Rs. 50 Lakhs** (Rs. Fifty Lakhs only) was issued on 28.10.2020 as the heavy dust emissions are caused due to



movement of trucks in the Northern Railways unpaved roads/land. Northern Railways has neither applied for Consent to establish/operate nor deposited EDC of Rs. One Crore to DPCC till date.

4. That it was observed during the inspection on 09.10.2020, Central Rail Side Warehouse Company Limited (CRWC) has taken measures to control fugitive emission generated due to cement handling and other associated activities as per the action plan submitted to the Expert Committee. Central Rail Side Warehouse Company Limited has applied for Consent to Establish and Operate. However, Central Rail Side Warehouse Company Limited has not deposited the imposed EDC of Rs. 20 Lakhs till date.

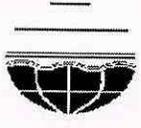
The above action taken report may please be taken on record.


(Mohd. Arif)
Sr. Environmental Engineer

Date: 28/12/20

Place: Delhi

By Speed Post

	<p>DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI) 7TH FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-6 visit us at : http://dpcc.delhigovt.nic.in</p>
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F. No. DPCC/CMC-III/2020/3034/

Dated: 26/10/2020

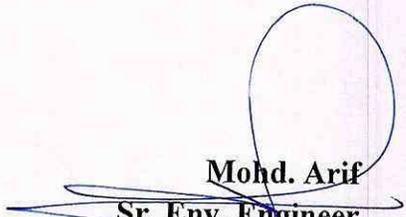
To,
Dr. P. K. Gupta
Divisional Head-AQM
Central Pollution Control Board
Parvesh Bhawan, East Arjun Nagar
DELHI, 1100

Subject: Compliance of Hon'ble NGT order in O.A No. 533/2019 in the Matter of Anubhav Kumar v/s Union of India & Ors.

Sir,

As per recommendations of Expert Committee in its meeting held on 10.09.2020 , please find enclosed herewith inspection report dated 09.10.2020 along with photographs of inspection carried out by DPCC officials to verify the progress of the work w.r t to Environmental pollution Control Measures taken by Northern Railways and Central Rail side warehouse company Limited (CRWC).

This issues with the approval of Competent Authority of Delhi Pollution Control Committee.


Mohd. Arif
Sr. Env. Engineer
(CMC-III & VII)

Enclosures:

1. Inspection report
2. Annexure-I
3. Photographs of CRWC Cement siding/ warehouse site
4. Photographs of Northern Railway cement siding site

o/c

Subject: Hon'ble NGT in O.A No. 533/2019 in the Matter of Anubhav Kumar v/s Union of India & Ors.

As decided in the meeting of expert committee constituted by Hon'ble NGT in O.A No. 533/2019 in the Matter of Anubhav Kumar v/s Union of India & Ors. , inspection of the cement siding site at Shakurbasti Station was carried out by DPCC officials on 09.10.2020, to verify the progress of the work w.r t to Environmental pollution Control Measures as per recommendation of expert committee taken by Northern Railway and Central Rail side warehouse company Limited (CRWC). The following observations are made during the inspection:

1. Northern Railway (line no 1 and G.P.F (General Platform Line):

- i. No Cement handling (loading /unloading of cement bags) was observed at Line no.1 and GP line. As reported activity of cement siding has been stopped since 25.06.2020.
- ii. Numbers (approx. 50 Nos.) of trucks were parked at the land/site of Northern Railway i.e., near line no 1 and G.P.F. Some trucks are loaded with cement bags. A lot of dust deposited on the peripheral road and causing heavy dust emission due to movement of trucks, on the unpaved road / land of Northern railways.
- iii. No warehouse has been constructed at the site till date. Further no progress is made in this regard.
- iv. Flexible belt curtain have not been provided. Only in a small portion (approx. 10 mt in length), steel frame for flexible belt has been constructed.
- v. Conveyer belts for mechanical handing of cement bags have not been provided. Further no progress is made in this regard.
- vi. Arrangements for mechanical cleaning/sweeping of platform and roads not provided.
- vii. Peripheral roads have not been paved. Only small portion of Approx. 90 mt along the line no 1 have been constructed.

Conclusion:

- Northern Railway has not taken any measures to Control fugitive emission generated due to cement handling and other associated activities. Although Northern Railway stopped its activity of loading/unloading of cement- bags at line no. 1 and GPF **but a lot of dust emissions are seen from the movement of trucks on unpaved peripheral road/ land of Northern Railway.**
- Northern Railway has not applied for Consent to establish and Operate till date.
- Northern Railway has not deposited EDC of Rs One Crore to DPCC. Unit has filed the petition regarding imposition of EDC by DPCC in Hon'ble High Court "W.P.(C) 7176/2020 in the matter of "Union of India Vs Delhi Pollution Control Committee and Ors.". Hon'ble Court vide its order dated **13.10.2020**, declined the request of the

petitioners to stay on recovery and all to allotter the direction of EDC passed by DPCC. Petitioner will draw right for approaching to NGT with the assurance that DPCC will not take coercive steps for recovery of EDC for a week. **Court orally order to DPCC counsel to not take coercive step for a week and dismiss writ as withdrawn.**

Action taken by DPCC:

- SCN for imposing the EDC of Rs. 50 Lakhs is being issued to northern Railway in addition to EDC of One Crore imposed earlier.

Central Rail side Warehouse Company Limited (Line no 2 and 3):

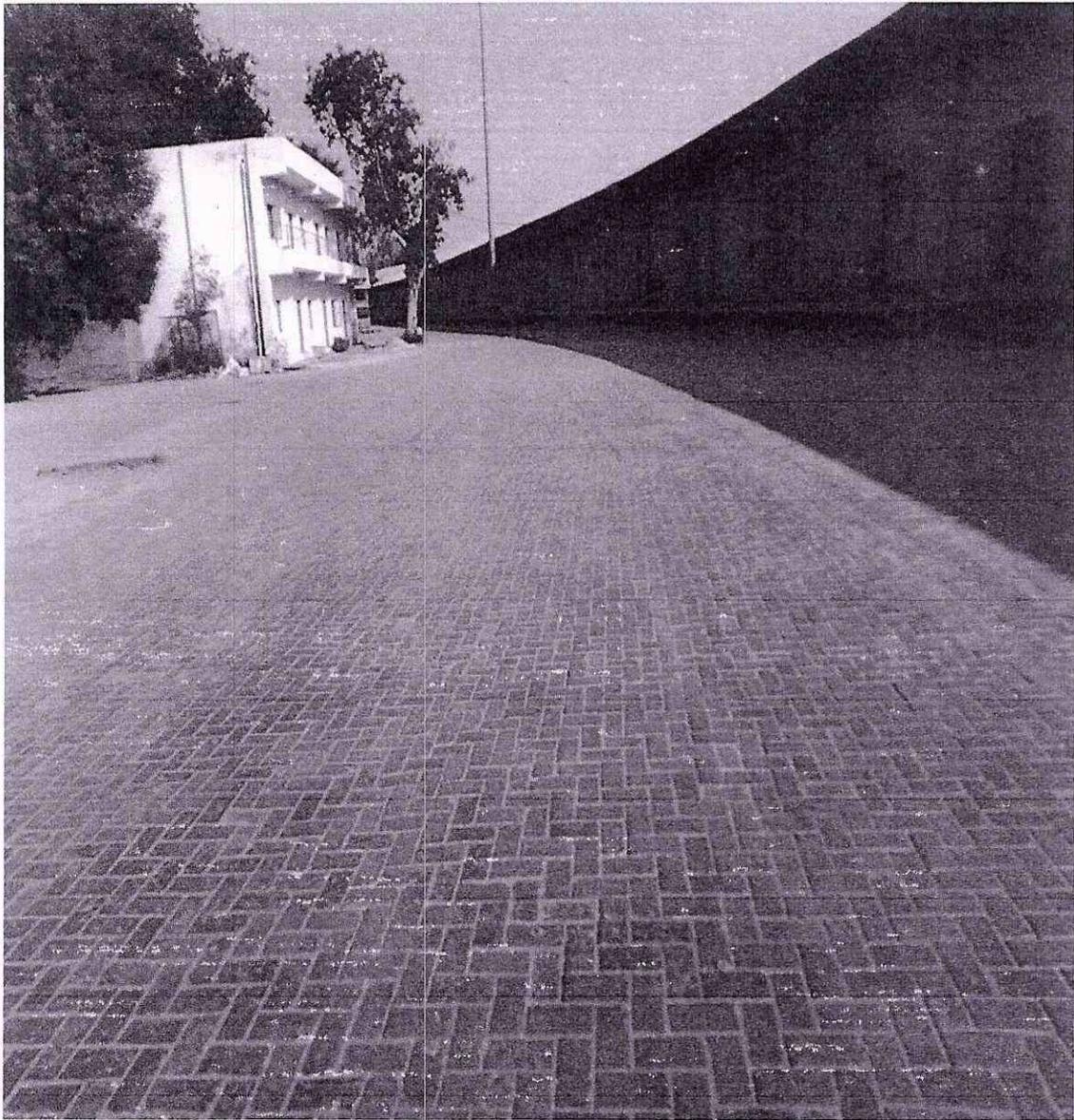
- i. As submitted in Action plan by CRWC, for Mechanical handling of cement bags, **13 Conveyor belt machines** have been installed.
- ii. As per action plan submitted by CRWC, enclosures in the form of **264 PVC strip curtains** at all warehouse gates have been installed.
- iii. For Mechanical cleaning of ware house and circulating area, **four sweeping machines (2 batteries operated + 2 manual)** have been purchased and same were found in working condition. Records of sweeping dust/cement collected were being mentioned in a separate register.
- iv. Area/ Road under jurisdiction of CRWC found paved and maintained.
- v. For cleaning/ sweeping of road, truck loaded sweeping machine has been purchased.

Conclusion:

- Central Rail Side Warehouse Company Limited has taken measures to control fugitive emission generated due to cement handling and other associated activities.
- Central Rail Side Warehouse Company Limited has applied for consent to Establish and Operate.
- Central Rail Side Warehouse Company Limited **has not submitted** the imposed EDC of Rs. 20 Lacs till date.

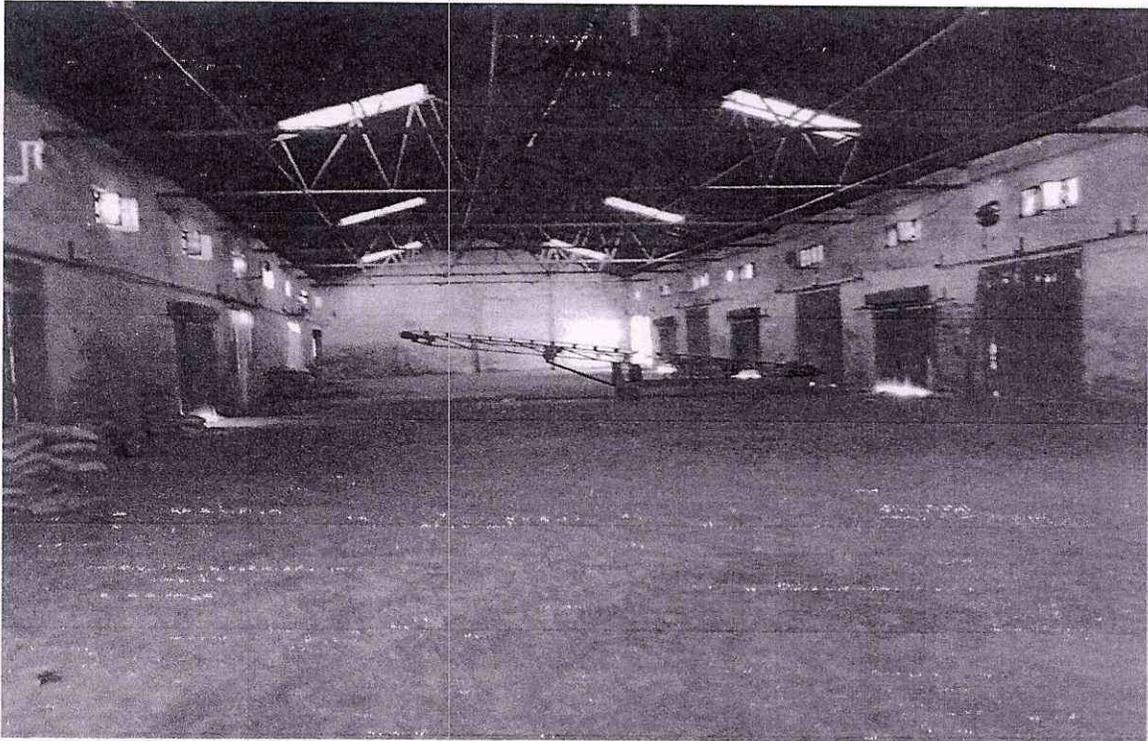
Progress of the work of Northern Railway and Central Rail side warehouse company Limited (CRWC) with respect to the recommendations of Expert committee in tabular form and photographs taken during inspection are enclosed in **Annexure-I** and **II** for kind perusal please.

S.No.	Recommendation as per Expert Committee report filed on 22.06.2020 in Hon'ble NGT	Findings of inspection on 09.10.2020 (Northern Railway)	Findings of inspection on 09.10.2020 (CRWC)
1	Northern Railway shall immediately construct warehouse for handling of cement bags so as to minimize fugitive emissions until then no cement handling shall be permitted.	Not constructed	N.A (Already having the warehouses at line no 2 & 3)
2	Mechanical handling of cement bags using conveyor belts shall be introduced by NR and CRWC in order to reduce fugitive emissions.	Conveyor belt for mechanical handling of cements bags has not been provided.	13 Conveyor belt machine have been installed for mechanical handling of cement bags.
3	The enclosures in the form of flexible belt curtain may be provided for the unloading sides.	Flexible belts curtains has not been provided.	267 PVC strip curtains at all warehouse gates have been installed .
4	Warehouse cleaning shall be done with only mechanical means by NR and CRWC and it shall be done on regular basis. Cement collected shall be properly stored and records be maintained.	No arrangement for mechanical cleaning/ sweeping has been provided.	04 sweeping machines (2 battery operated and 02 Manual) for cleaning the warehouse have been installed. Record of sweeping dust collected are being maintained in a separate register.
5	Peripheral roads for vehicle movement should be paved and these should be properly maintained.	Only 90 mts of road has been constructed along the railway line no.1. All the premises and peripheral road found unpaves. Huge dust emission observed due to movement of trucks on unpaved roads/ land of northern Railway.	Premises/ Road of CRWC found paved and maintained. Cleaning/Sweeping of peripheral road is being done through mini truck loaded road sweeping machine.

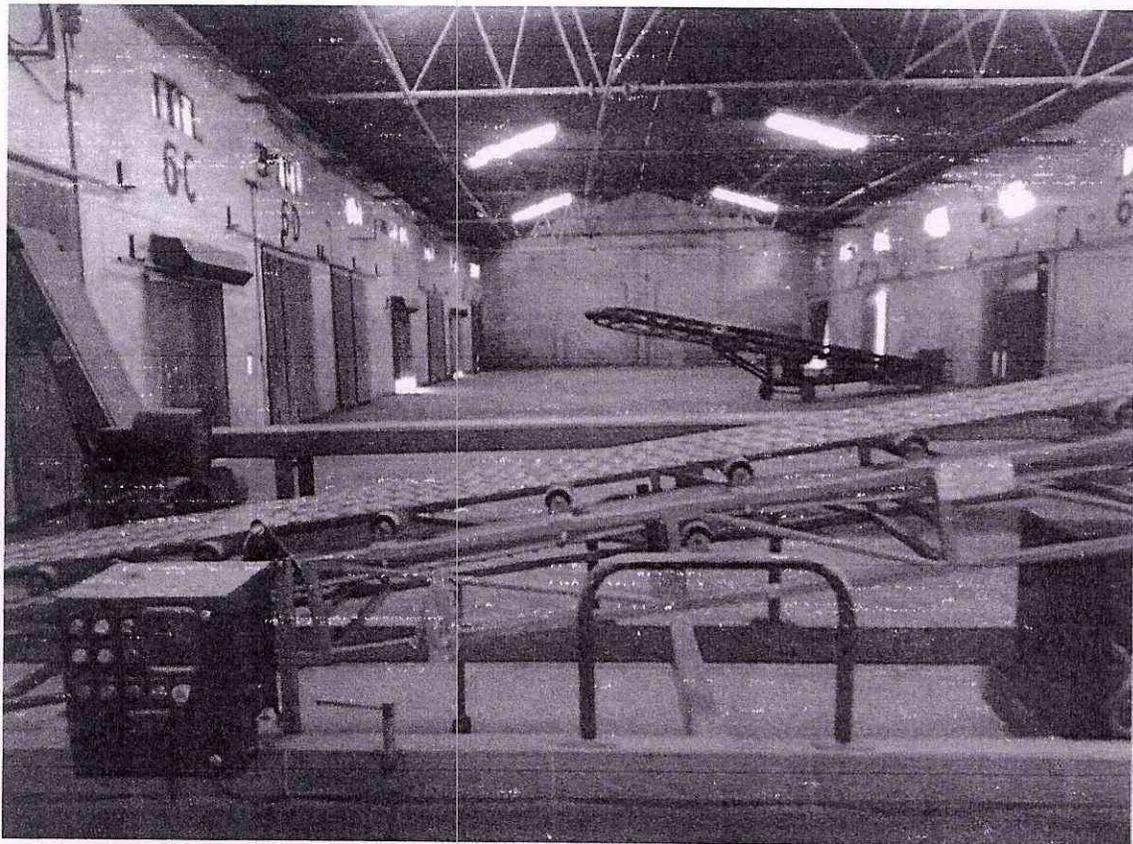


CRWC warehouse at Line No.2

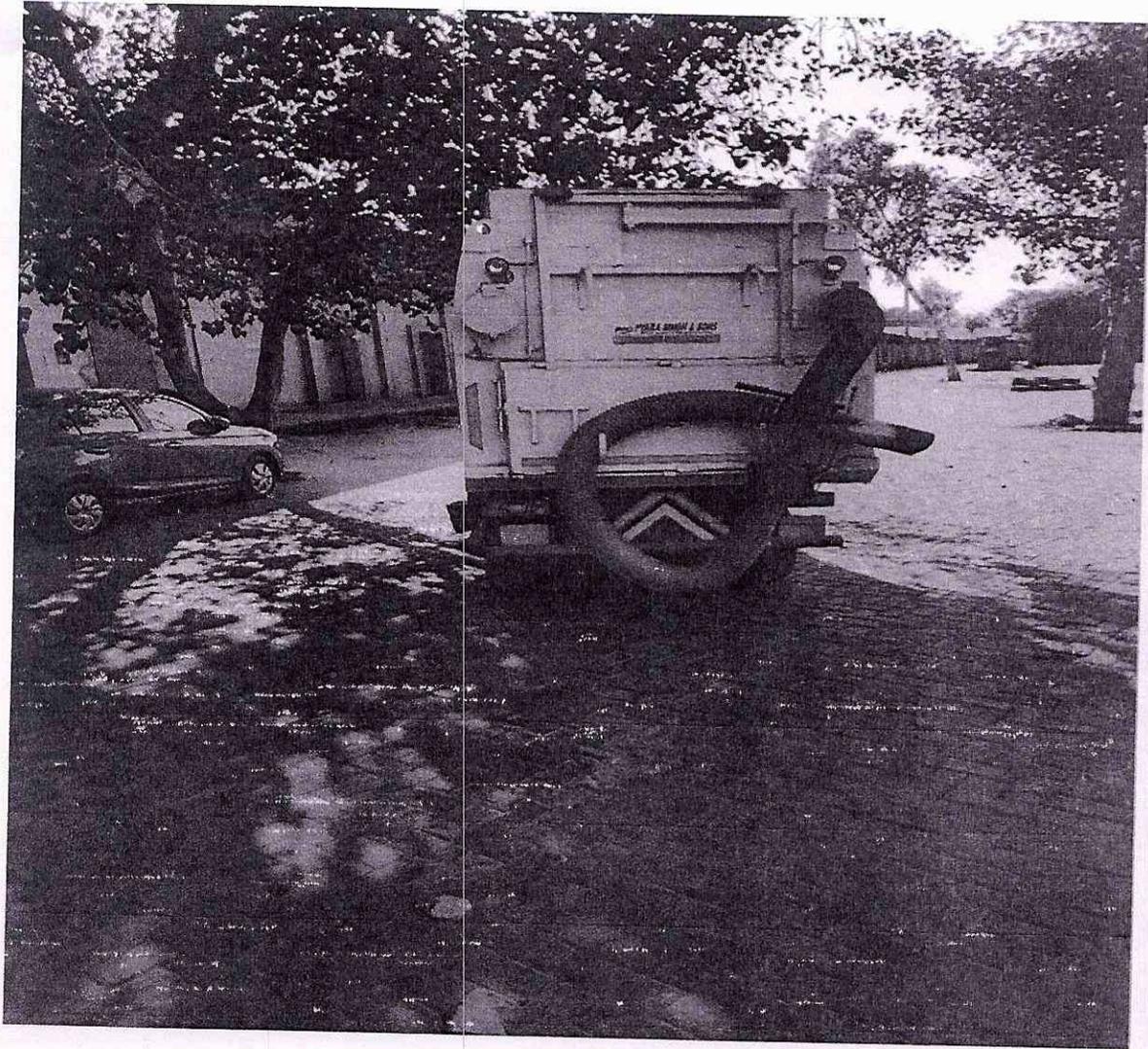
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Flexible PVC belt curtains and Conveyor machines installed in warehouse of CRWC



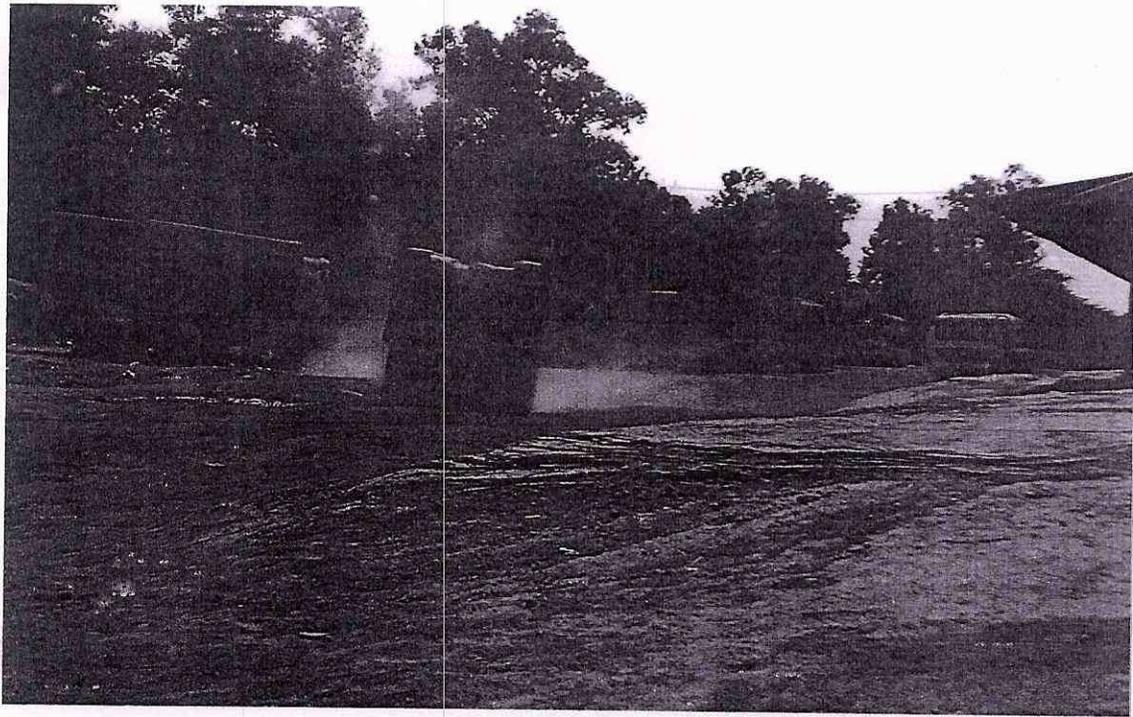
Flexible PVC belt curtains and Conveyor machines installed in warehouse of CRWC



Mini Truck loaded Road sweeping Machines at CRWC



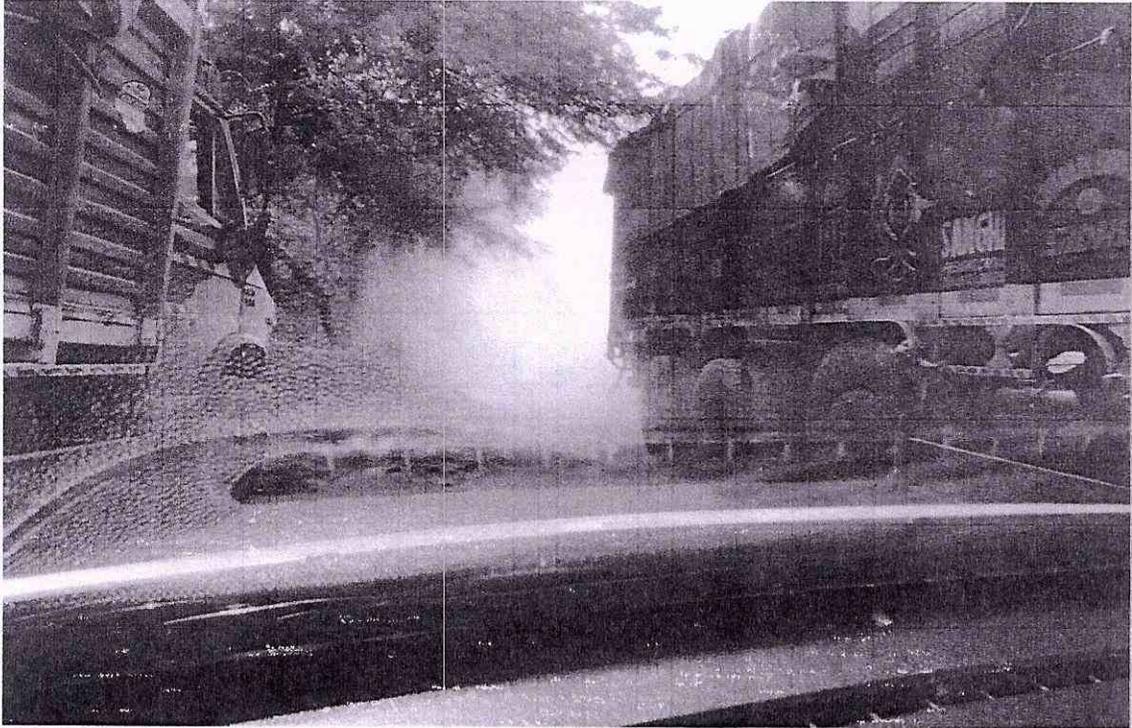
Battery operated sweeping machine for sweeping warehouse



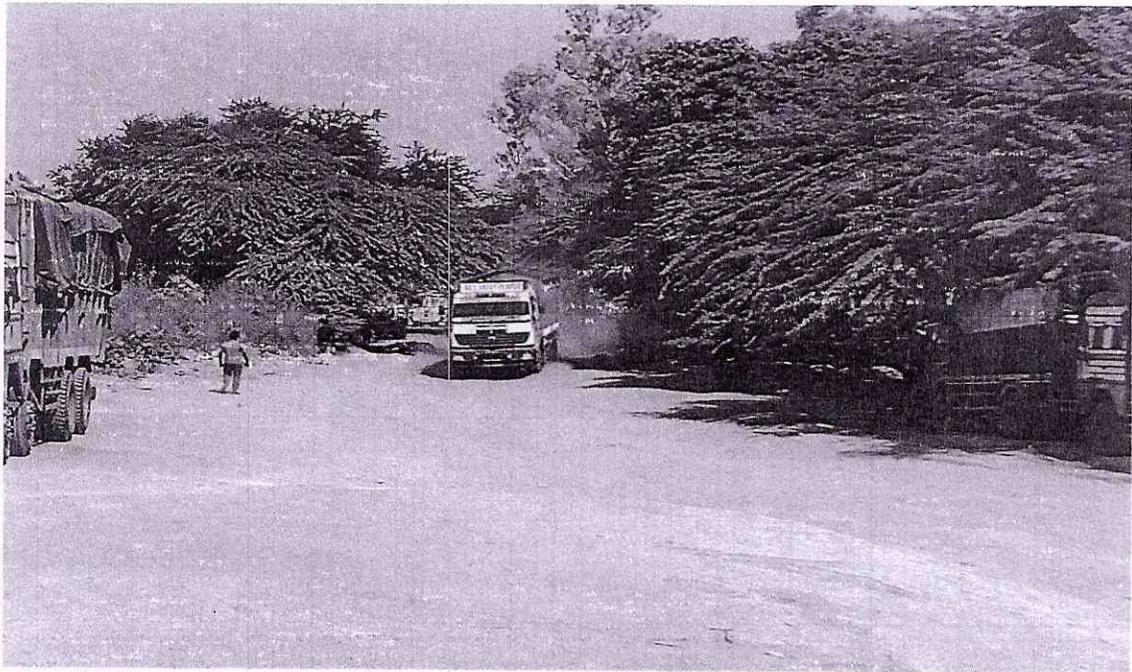
Dust emissions due to movement of Trucks near GPF Line



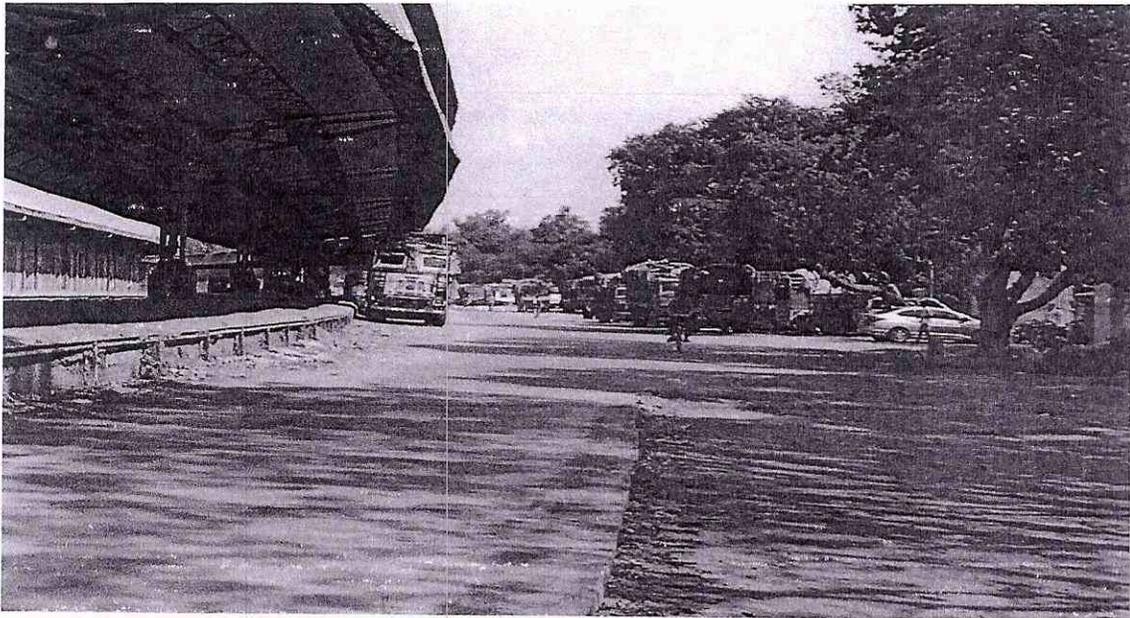
Trucks parked on Northern Railway Road along Line 1



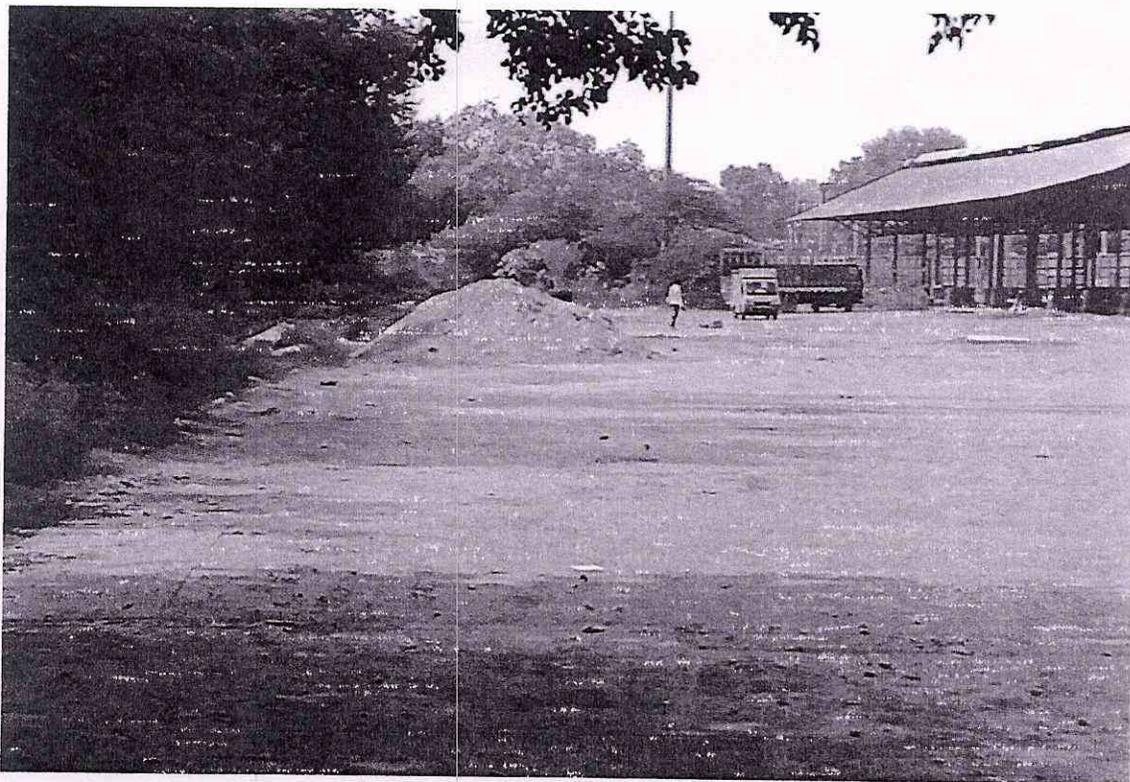
Dust emissions due to movement of Trucks near GPF line



Dust emissions due to movement of Trucks on unpaved Road near GPF line



Trucks parked on Northern Railway Road along Line 1

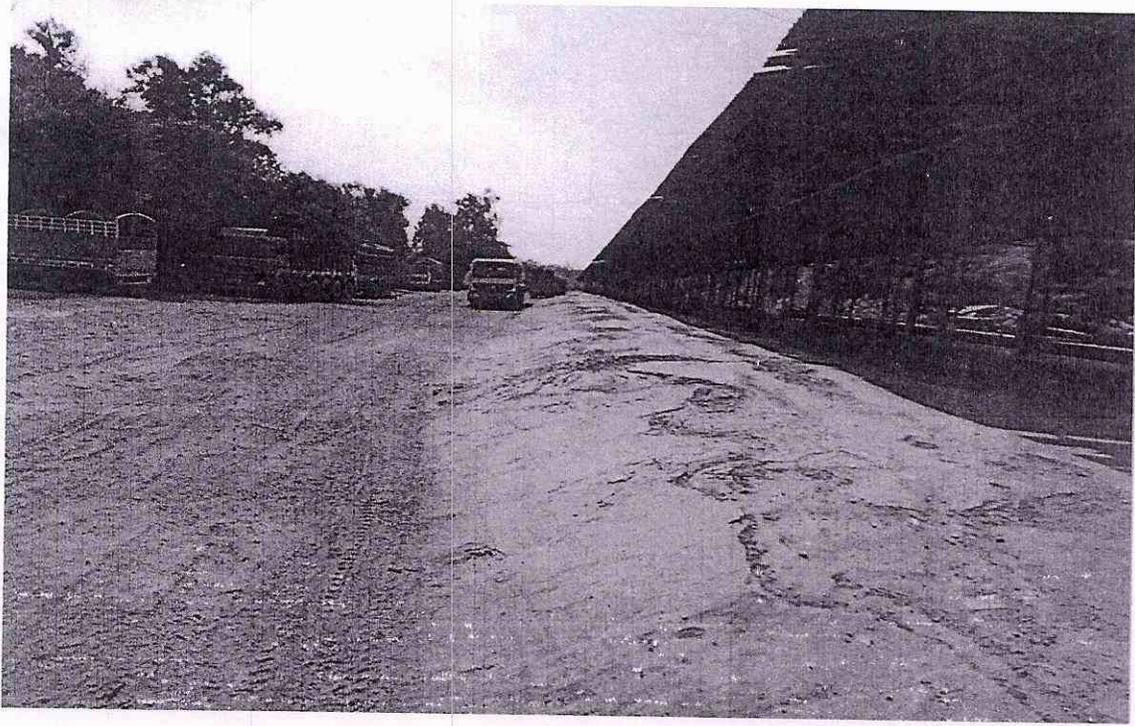


Dust emission from land of Northern Railway

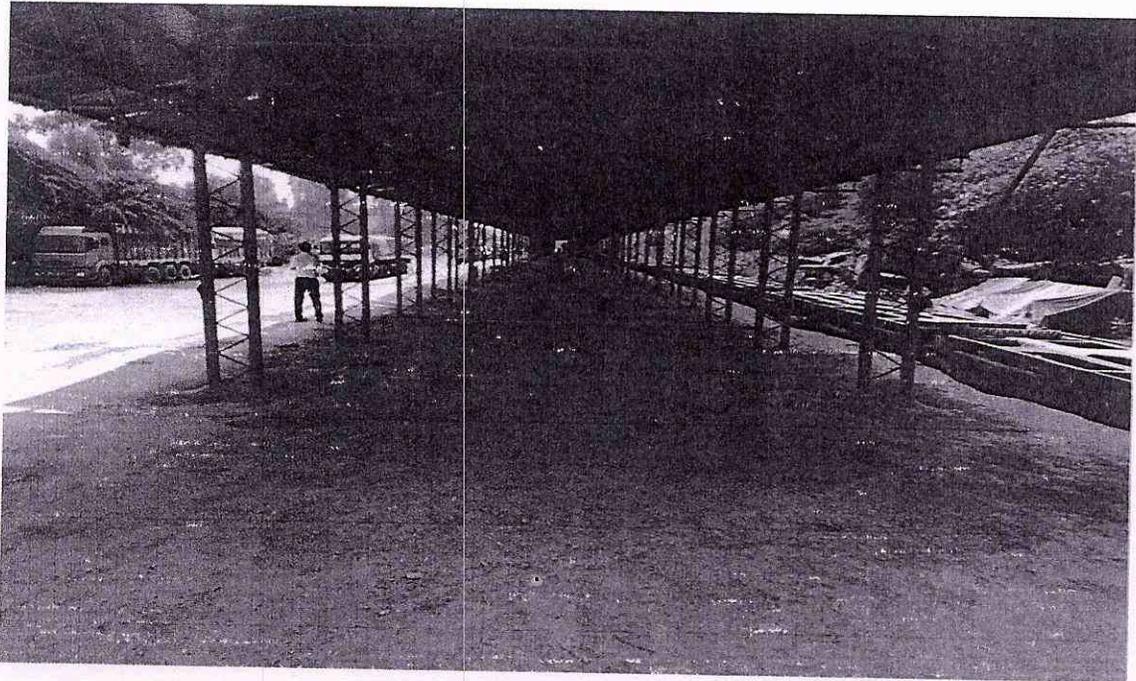


Road constructed along Line No.1 (approx. 90 mtr)

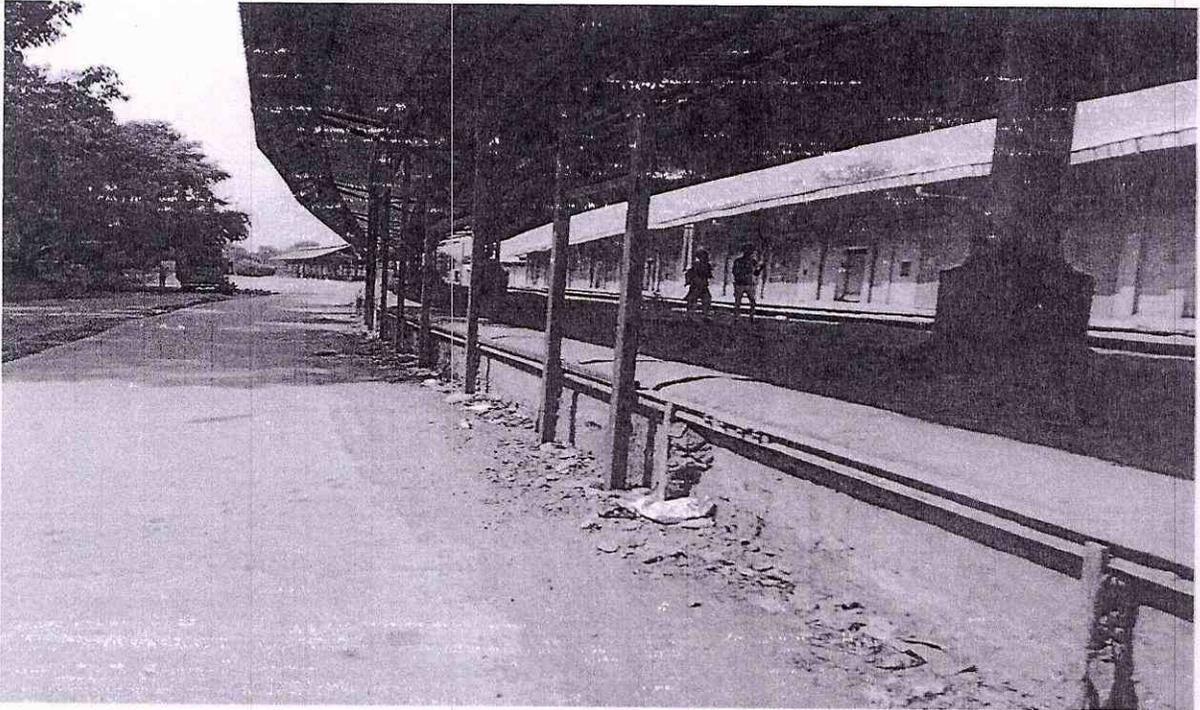
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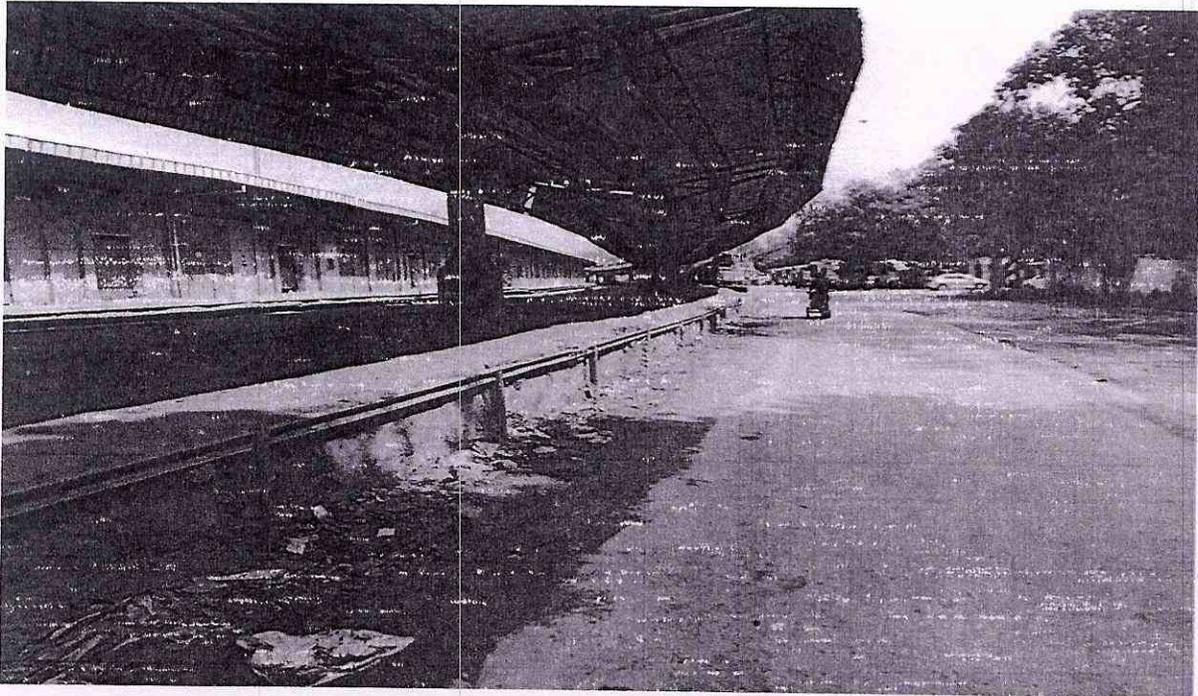
Northern Railway GPF Line



Northern Railway GPF Line



Northern Railway Line 1



Northern Railway line No. 1