

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

O.A. NO. 537/2022

MUKESH KUMAR CHAUHAN

---- APPLICANT

VERSUS

STATE OF UTTAR PRADESH & ORS.

---- RESPONDENTS

N.D.O.H.:- 28.08.2023

ACTION TAKEN REPORT ON BEHALF OF DRM, NORTH CENTRAL RAILWAY, PRAYAGRAJ,
UTTAR PRADESH

1. That the applicant moved an application before the Hon'ble Tribunal regarding transportation of clinker for manufacture of cement through Harduganj Railway Station near village- Satha, District- Aligarh, Uttar Pradesh in violation of environmental norms.
2. That the Hon'ble Tribunal vide order dt.05.09.2022 constituted a Joint Committee comprising of representative of CPCB, UPPCB and District Magistrate, Aligarh to look into grievances of the applicant, verify the factual position and submit its report within one month.
3. That the Joint Committee filed its report vide email dt.01.12.22, 21.12.22 and 11.01.23
4. That vide order dt.20.02.2023 the Hon'ble Tribunal directed the DRM, North-Central Railway Zone, Prayagraj Division, Uttar Pradesh to take appropriate

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steps for implementation of the recommendations made by the Joint Committee and to file the Action Taken Report.

Implementations of the recommendations made by the joint committee are as under:-

S.N	Recommendations	Implementations
1	Railway authority in cooperation with concerned cement industry must develop proper and permanent facility to control and suppress the fugitive dust emission generation while loading-unloading and transportation of clinker at line no.14 of Harduaganj railway station. An action plan should be submitted in this regard to SPCB.	<p>A. To control the fugitive dust generated during the loading/unloading of clinker in Harduaganj Goods shed, about 600 meters long and 20 feet high wall of green net has been provided on both sides.</p> <p>B. Trees are being planted from time to time by the Railways and M/s J.K Cement Limited along with M/s Mangalam Cement Limited under the plantation program last year, about 300 trees have been planted in premises of Harduaganj Railways Station and goods shed Harduaganj yet. This year also planted 250 new trees have been planted during monsoon season.</p> <p>C. For prevention of air pollution, 02 nos. portable anti smoke guns are being used during loading/unloading of clinker.</p>

2.	The platform area near the line no. 14 should be paved to avoid fugitive emission while movement of trucks.	<p>Regarding controlling of clinker dust (pollution during loading/ unloading of clinker) and development of Harduaganj goods shed many works have been proposed i.e.</p> <ol style="list-style-type: none"> i. Provision of heavy duty warf (700m x 30m x 0.6m) ii. Proper Drainage system.(2 x 700m). iii. Approach Road RCC-1800 m iv. Merchant room+ Toilet+ Bathroom (5m X 5m), Labor room+ Toilet+ Bathroom (5m X 15m), CGS room+ TMS Room+ Toilet (5m x 7m) v. Boundary wall-700 m vi. Earth filling - 14700 cubic m vii. High Mast Tower-02 Nos. viii. Track work for full operation(750m from 360m) ix. Provision of CCTVs for monitoring loading & unloading areas (Proposal Copies are attached here with). The proposed work is under process of sanctioning in Railway Board, New Delhi.
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3.	Regular water sprinkling should be done on the roads and platform area to suppress road dust.	Continuous water sprinkling is being done from water tankers in loading/unloading area and approach road of Harduaganj Goods Shed so that human, wild animals and bird's life are not affected.
4.	Industries/ Railway authority should carry out monthly ambient air quality monitoring near station area and submit compliance report to UPPCB.	Air Quality Monitoring Equipment has been installed at Harduaganj Siding on 22.06.2023.
5.	Industries should comply specific condition no 15 of consent under section 21/22 of air (Prevention and control of pollution) Act 1981 i.e industry shall focus on the different un-assessed source of air pollution in bagging plant and accordingly make a pucca arrangement to control cement dust generating from loading of trucks/railways wagons.	A. Regarding taking consent order under condition no 15 of consent under section 21/22 of air (Prevention and control of pollution) Act 1981 of Air & Water pollution for Harduaganj Goods Shed under North Central Railway, Prayagraj division on line applications was submitted on the official website of Uttar Pradesh Pollution Control Board's Nivesh Mitra - www.niveshmitra.up.nic.in on date 24.04.2023 but the same has been rejected by UPPCB on 06.04.2023. The reason was

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mentioned by UPPCB as-

- i. The land papers have not been uploaded in the name of the person who is the owner/partner of the unit and the land use certificate.
- ii. No documents have been submitted by the unit regarding establishment.
- iii. The unit has not uploaded the information regarding air pollution control.
- iv. Site visited on 05.05.2023 and the provisions made for dust control were not considered to be satisfactory.

B. 2nd time on line applications has been submitted on the official website of Uttar Pradesh Pollution Control Board's Nivesh Mitra - www.niveshmitra.up.nic.in on 16.05.2023 with land papers of unit. The unit (Harduaganj Goods Shed) has also uploaded the photographs of anti smog guns and water sprinkling tanks. Despite the uploading of all above required documents UPPCB

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		<p>once again rejected the same on 07.06.2023. 2nd time the reason of rejection was mentioned by UPPCB was:-</p> <ol style="list-style-type: none">i. The land papers have not been uploaded in the name of the person who is the owner/partner of the unit and the land use certificate.ii. The unit has not uploaded the information regarding air pollution control device.iii. The unit has not uploaded ground water NOC & In Hon'ble NGT Harduaganj railway siding clinker loading-unloading matter O.A No 537/2022 mukesh Kumar Chauhan V/s State of U.P is under process. In the above circumstances desired information & above reasons it is not possible to process this application further. So its CTO application is being rejected/refused.
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C. Regarding controlling of clinker dust (pollution during loading/ unloading of clinker) and development of Harduaganj goods shed many works have been proposed i.e.

1. Provision of heavy duty warf(700m x 30m x 0.6m)
2. Proper Drainage system.(2 x 700m).
3. Approach Road RCC-1800 m
4. Merchant room +Toilet + Bathroom (5m X 5m), Labor room+ Toilet+ Bathroom (5m X 15m), CGS room+ TMS Room+Toilet(5m x 7m)
5. Boundary wall-700 m
6. Earth filling - 14700 cubic m
7. High Mast Tower-02 Nos.
8. Track work for full operation(750m from 360m) 9. Provision of CCTVs for monitoring loading & unloading areas

(Proposal Copies are attached here with). The same proposed works are under process of sanctioning in Railway Board, New Delhi.

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6.	Assessment of environment compensation due to loading and unloading of clinker at railway station should be carried out by SPCB and accordingly environment compensation should be imposed.	Action desires for SPCB.
7.	Permission from CGWA for extraction of ground water should be taken as per rule.	To avoid unnecessary water exploitation the borewell which was located near the approach road of Harduaganj goods shed has been closed on 08.05.2023.

That the Ministry of Railways from time to time issued various Circulars regarding transportation and packing condition of goods moved by Railways. In Railway Board there is separate division for handling Environmental issues.

Indian Railways, being a Central Government organization, always tries to abide and comply with the Environment Acts and the orders of this Hon'ble Tribunal. Consistent efforts are also being made to ensure that there is no pollution in and around the Railway stations and its nearby areas so that the human, wild life animal and birds may not be affected by any means.



**Divisional Railway Manager
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