



**REGIONAL OFFICE,  
C.G. ENVIRONMENT CONSERVATION BOARD,  
VYAPAR VIHAR, NEAR Pt. DEENDAYAL UPADHYAY PARK, BILASPUR (CG)**

**E-mail: [cecb.robilaspur@gmail.com](mailto:cecb.robilaspur@gmail.com), Ph. No. 07752-261172**

No. 1258 /R.O./T.S./C.E.C.B./2022

Bilaspur, dated: 07/09/2022

To,

The Registrar  
Principle Bench,  
Hon'ble National Green Tribunal,  
Faridkot House, Copernicus Marg,  
New Delhi - 110 001

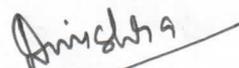
Subject :- Order of the Hon'ble NGT in the Original Application No. 323/2022 G. Pramod Naidu Vs State of Chhattisgarh.

Reference :- Order of The Honorable Tribunal dated 11/05/2022 passed in OA no. 323/2022.

Respected Sir/Madam,

As per the order dated 11/05/2022 of the Honorable Tribunal in OA no. 323/2022, G. Pramod Naidu Vs State of Chhattisgarh, a joint committee was formed and inspected the residence of Mr. G. Pramod Naidu on date 24/08/2022. The factual and action taken report is hereby attached with this letter for your kind perusal and necessary further action.

Attachment: as per above.

  
**REGIONAL OFFICER,**  
Regional Office

Entd. No.- /R.O./T.S./ C.E.C.B./ 2022  Chhattisgarh Environment Conservation Board  
Bilaspur, dated : / /2022

Copy to : The Member Secretary, Chhattisgarh Environment Conservation Board, Nawa Raipur Atal Nagar, Raipur for information please.

  
**REGIONAL OFFICER,**  
Regional Office  
Chhattisgarh Environment Conservation Board  
Bilaspur (C.G.)

**Report of the Committee formed as per order of the Hon'ble NGT in the Original Application  
No. 323/2022 G. Pramod Naidu Vs State of Chhattisgarh**

This Application is filed based on the complaint of Mr. G. Pramod Naidu resident of 17/A, Bobji Park, Ring Road No 2, District- Bilaspur, Chhattisgarh raising the issue that South Eastern Railway is transporting coal filled from Bilaspur in open coaches due to which coal dust is spreading and causing heavy air pollution creating serious health hazards to local residents living near the railway tracks.

As per the order of the Hon'ble Tribunal dated 11/05/2022, a joint committee was formed comprising of State PCB, DRM South East Central Railway, Bilaspur and Collector, District-Bilaspur (C.G.). The State PCB (Chhattisgarh Environment Conservation Board), DRM South East Central Railway, Bilaspur and Collector, District-Bilaspur (C.G.) have nominated the following officials for comprising the joint committee-

1. Mr. Tularam Bharadwaj, Sub-Divisional Magistrate (Revenue), Division- Bilaspur, District- Bilaspur (C.G.) as representative for Collector, District- Bilaspur (C.G.).
2. Mr. Devvrat Mishra, Regional Officer, Regional Office, Chhattisgarh Environment Conservation Board, Bilaspur (C.G.) as representative for Chhattisgarh Environment Conservation Board (CECB).
3. Mr. Rajesh Kumar Sah, Assistant Commercial Manager- I (Goods), South East Central Railway as representative for DRM South East Central Railway, Bilaspur, District- Bilaspur (C.G.).

The joint committee visited and inspected the site on date 24/08/2022. The factual and action taken report of the committee on the issue raised in OA No. 323/2022 is submitted for your kind perusal/ further necessary action. The Joint Committee has relied upon several documents for making this report and the documents are annexed along with report. The list of annexures is as follows-

1. **Annexure-1:-** Copies of the Photographs taken during the visit of the committee.
2. **Annexure-2:-** The copy of the letter sent by the Regional Officer, Chhattisgarh Environment Conservation Board to Assistant Commercial Manager- I (Goods), South East Central Railway.
3. **Annexure-3:-** The copy of the letter received by the Regional Officer, Chhattisgarh Environment Conservation Board from Assistant Commercial Manager- I (Goods), South East Central Railway.

**Report of the Committee formed as per order of the Hon'ble NGT in the Original Application  
No. 323/2022 G. Pramod Naidu Vs State of Chhattisgarh**

<b>S.no.</b>	<b>Key point mentioned in the order of the Hon'able National Green Tribunal</b>	<b>Response of the Committee</b>
1.	<p>This Application is filed based on the complaint of Mr. G. Pramod Naidu resident of 17/A, Bobji Park, Ring Road No 2, District- Bilaspur, Chhattisgarh raising the issue that South Eastern Railway is transporting coal filled from Bilaspur in open coaches due to which coal dust is spreading and causing heavy air pollution creating serious health hazards to local residents living near the railway tracks.</p> <p>In view of the averment made in the application, it would be appropriate to have a factual and action taken report from a Joint Committee comprising of State PCB, DRM South East Central Railway, Bilaspur and Collector, Bilaspur. State PCB will be the Nodal agency for coordination and compliance. The Joint Committee may meet within four weeks, undertake site visits, look into the grievances of the applicant and take requisite action by following due process of law.</p>	<p>The Committee visited the house of the applicant on date 24/08/2022. The applicant was not present in his house during the inspection. The committee observed that the railway line so complained is situated just behind the residence of the applicant. However, no accumulation of coal dust was observed around the premises of the residence of the applicant nor was there any coal dust found in the residential colony within which the house of the applicant is situated. Photographs taken during the visit of the committee are hereby attached as <b>Annexure-1</b>.</p> <p>The Regional Officer of Chhattisgarh Environment Conservation Board sent a letter to Assistant Commercial Manager- I (Goods), South East Central Railway on date 24/08/2022, thereby directing them to ensure that the transportation of coal through the railway line situated behind the house of the applicant should only be done through covered railway wagons and also asked them to take necessary action on the complaint of the applicant. The copy of the said letter is hereby attached as <b>Annexure-2</b>.</p> <p>The Assistant Commercial Manager- I (Goods), South East Central Railway replied to the letter of the Regional Officer by their letter dated 25/08/2022. In this letter, the Assistant Commercial Manager- I annexed the letter of Joint Director, Traffic Commercial (Rates) Railway Board. This letter contains the revised packing conditions for goods moved by railway. It would be appropriate to iterate the following extract of this letter-</p>

*“P-2 Loose/Bulk Consignments*

*(a) No specific packing condition is required for commodities such as Ashes, Bricks, Coal & Coke, Gypsum, Clay, Limestone & Dolomite, Pig Iron, Sand, Stone, Ores etc., which are offered in Bulk/Loose consignments.”*

The said letter of Assistant Commercial Manager- I also contained a letter from Director, Traffic Commercial (Rates), Railway Board. It would be appropriate to iterate the following extract of this letter-

*“General conditions have been notified for packing various commodities being transported by rail. For transportation of loose/bulk consignments, no specific packing condition is required vide letter referred at (ii) above.”*

It is clear from a mere reading of the extracts mentioned above that there is no specific packing condition or terms for loose/bulk consignments and coal is considered a loose/bulk consignment. Hence, there is no obligation of covering the coal so transported via open wagons on either the consigner or the railway department. The railway merely acts as a transporter of the goods, which is clear from the above iterated extracts. A copy of the letter from Assistant Commercial Manager-I (Goods), South East Central Railway is hereby attached as **Annexure-3**.



(Mr. Rajesh Kumar Sah)  
Assistant Commercial  
Manager- I (Goods),  
South East Central Railway,  
District-Bilaspur (C.G.)



(Mr. Devvrat Mishra)  
Regional Officer,  
Regional Office,  
Chhattisgarh Environment  
Conservation Board, Bilaspur  
(C.G.)



(Mr. Tularam Bharadwaj)  
Sub-Divisional Magistrate  
(Revenue),  
Division- Bilaspur, District-  
Bilaspur (C.G.)





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Powered by Dual Camera



क्षेत्रीय कार्यालय,

छत्तीसगढ़ पर्यावरण संरक्षण मण्डल,

व्यापार विहार पं. दीनदयाल उपाध्याय पार्क के पास, बिलासपुर (छ.ग.)

e-mail: cecb.robilaspur@gmail.com, Ph. No. 07752-261172

क्रमांक 1157 / क्ष.का. / छ.ग.प.सं.म. / 2022 बिलासपुर, दिनांक : 24/08 / 2022  
प्रति,

श्री राजेश कुमार शाह,  
सहायक वाणिज्य प्रबंधक (गुड्स),  
डी.आर.एम. कॉम्प्लेक्स,  
बिलासपुर स्टेशन के पास, जिला-बिलासपुर (छ.ग.)

- विषय:- ओ.ए. क्रमांक 323/2022 (PB) जी. प्रमोद नायडू विरुद्ध स्टेट ऑफ छ.ग. के संबंध में।
- संदर्भ: 1. माननीय एन.जी.टी. प्रिंसिपल बेंच द्वारा ओ.ए. क्रमांक 323/2022 (PB) जी. प्रमोद नायडू विरुद्ध स्टेट ऑफ छ.ग. में दिनांक 11/05/2022 को पारित आदेश।
2. जांच समिति द्वारा शिकायत स्थल का निरीक्षण दिनांक 24/08/2022

—: 000 :—

उपरोक्त विषयांतर्गत लेख है कि माननीय एन.जी.टी. प्रिंसिपल बेंच में दायर ओ. ए. क्रमांक 323/2022 में पारित आदेश दिनांक 11/05/2022 के अनुक्रम में शिकायतकर्ता श्री जी. प्रमोद नायडू, मकान नं. 17/ए, बाबजी पार्क कॉलोनी, रिंग रोड नं. 2, बिलासपुर के आवास के पीछे स्थित रेलवे लाईन जांच समिति द्वारा दिनांक 24/08/2022 को निरीक्षण किया गया। निरीक्षण दौरान शिकायतकर्ता उपस्थित नहीं थे। शिकायतकर्ता के आवास से लगकर रेलवे लाईन है। उक्त लाईन में अनकवर्ड वेगन के माध्यम से कोयले का परिवहन होने पर आसपास के क्षेत्र में प्रदूषण की संभावना है।

अतः उक्त रेलवे लाईन में कोयले का परिवहन यथासंभव कवर्ड वेगन के माध्यम से किया जाना सुनिश्चित करें तथा शिकायत के संबंध में आवश्यक कार्यवाही करें। उक्त के संबंध में की गई कार्यवाही से 03 दिवस के भीतर इस कार्यालय को अवगत करायें। इसे अति आवश्यक समझा जावे एवं प्राथमिकता के आधार पर कार्यवाही करें।

क्षेत्रीय अधिकारी  
क्षेत्रीय कार्यालय,

छ.ग. पर्यावरण संरक्षण मण्डल,  
बिलासपुर (छ.ग.)



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Powered by Dual Camera

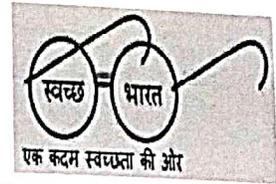


दक्षिण पूर्व मध्य रेलवे/South East Central Railway

Office of the

Sr. Divisional Commercial Manager  
DRM Complex, Bilaspur- 495004

फोन 07752-247130(कार्या.) 07752-247136(फैक्स)



No: - COM/G/Frt/Env./Corros/BSP/22

Date: - 25/08/2022

To

The Regional Officer,  
Chhattisgarh Environment Conservation Board,  
Vyapar Vihar , Near Deen dayal Park,  
Bilaspur, C.G.

**INTERIM REPLY**

Sub: - O. A. 323/2022 (PB) G. Pramod Naydu Vs State of Chhattisgarh - Reg

Ref:- Your letter No. 57/क्षे. का /छ.ग.प.सं.मं./2022/, बिलासपुर, दिनांक: 24/08/2022.

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With regard to the letter under reference, it is to inform that directives issued by Railway Board vide letter No. TCR/1057/2006/2, dtd.23.03.2006 and TCR/1057/2018/02, dtd. 30.09.2019 are being followed by the railway administration. Further development, if any, will be intimated in due course.

This is for your kind information and necessary disposal please.

Encl: As above.

(Rajesh Kumar Sah)

Asstt. Comml. Manager- I(Goods)

For, Sr. Divl. Comml. Manager

Bilaspur

Government of India (Bharat Sarkar)  
Ministry of Railways (Rail Mantralaya)  
Railway Board

No.TCR/ 1057/ 2006/ 2

New Delhi, dated 23 .03.2006

The General Manager (Comml.),  
All Indian Railways.

**Sub: Revised Packing Conditions for goods moved by Rail**

Sanction of the Central Government is hereby accorded to the revised Packing Conditions for Goods moved by Rail under the provisions of Section 98 (2) (a) of the Indian Railways Act 1989. Accordingly, Rule 120 of IRCA Goods Tariff No 41 Part -I (Volume-I) for Packing conditions for goods is modified as under:

Rule 120. Packing conditions for goods. Packing conditions prescribed under the provisions of Section 98(2)(a) of the Indian Railways Act, 1989 are given herein under:

1. General Conditions

- (i) The packing conditions prescribed below are the minimum desirable conditions. Commodities offered with better packing conditions shall be accepted.
- (ii) Bags, cases, cardboard, cartons, containers, tins, drums, bottles, jars etc used for packing should be made of high quality and adequate strength. The package offered for the booking should be able to withstand the rigours of transportation and also provide ease of handling and not liable to damage, deterioration, leakage, wastage etc during transit.
- (iii) Packing conditions for dangerous/hazardous commodities, as given in the "Red Tariff" must be strictly complied with.

2. Specific Packing Conditions

In addition to general conditions as mentioned in Para (i) to (iii) above, the specific packing conditions applicable to the commodity shall be as under:

P-1 Bagged Consignments

Commodities such as Cement, Chemical Manures, Foodgrains & Pulses, Flours, Groceries, Salt, Jagree, Oil Seeds, Soda Ash, Starch, Sugar, Tobacco,

## Rates Circular No 24 of 2006

etc when offered in bagged condition should be securely packed in gunny bags/multiply paper bags / high density polythene bags/ synthetic jute bags etc.

### P-2 Loose/Bulk Consignments

a) No specific packing condition is required for commodities such as Ashes, Bricks, Coal & Coke, Gypsum, Clay, Limestone & Dolomite, Pig Iron, Sand, Stone, Ores etc., which are offered in Bulk/Loose consignments.

b) Commodities such as Bamboos, Brooms, Sugarcane, Fodder, Coir, Timber, Pipes, etc., when offered in loose condition, should be securely tied in bundles.

P-3 Commodities such as Cotton & other textiles, Gunnies, Handloom products etc. should be securely packed in bales, boxes, cases, cartons etc.

P-4 Commodities such as Soap, Machinery & Machine tools, Electrical appliances, Milk products, Coffee, Tea, Rubbers & Plastics, Leathers etc. should be packed in plywood/wooden cases, cardboard boxes/cartons/baskets.

P-5 Liquid items such as Edible oil, Hydrogenated oils, Colours & Dyes, Bitumen, Packaged water etc. should be packed in leak proof tins, metal containers, drums, bottles/jars in wooden cases/boxes/cartons.

P-6 (a) Motor Vehicles accepted for carriage should not be charged with electricity, gas, oil or other inflammable liquid or vapour, except that in the case of motor vehicles in the possession of armed forces and Motor cars, quantity of petrol not exceeding 9.09 litres may be left in the tank, provided that –

- (i) The flow of the petrol to the carburetor has been cut off.
- (ii) Pressure, if any, has been released from the tank.
- (iii) Tank is in sound condition and is closed by well- fitting cap.

(b) Detachable fittings of motor vehicles should be separately packed.

### 3. Special Packing Conditions.

S-1 For Metal Scrap – The commodity shall not be accepted for booking unless it is accompanied by a certificate “free from Explosives” as specified in Rule 155.

**Rates Circular No 24 of 2006**

S-2 For Foodgrains & Pulses – Consignment when loaded in wagons should invariably be protected at the doors with dunnage material by the consignor. The dunnage will consist of 12 bags of standard size for 8-wheeled wagons, to be placed 3 on each of flap door. The bags should be stuffed with suitable material such as crushed sugarcane, paddy husk or straw. The bags shall be placed in a vertical position side by side so as to fully cover up the flap-door services.

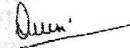
In case of non-compliance of above condition, suitable remarks should be made by the consignors in the Forwarding Note, which should be reproduced in Railway Receipt also.

S-3 For Salt (Human Consumption) - A declaration should be given by the consignor on the forwarding note to the effect that the Salt is not intended for industrial use and the booking staff should make a suitable endorsement on the invoice as well as on Railway Receipt. A similar declaration should also be obtained from the consignee/endorsed consignee at the time of delivery.

Packing conditions contained in Chapter VIII stand deleted.

This issues with the concurrence of the Finance Directorate in the Ministry of Railways.

Kindly acknowledge receipt.



(N.K.Parsuramka)  
Jt. Director, Traffic Comml. (Rates)  
Railway Board.

No.TCR/1057/2006/2

New Delhi, dated 23 .03.2006

Copy for information:-

- 1.FA & CAOs, All Indian Railways
- 2.Dy.C&AG (Rlys.), Room No.222, Rail Bhavan, New Delhi with 6 spares copies.

for Financial Commissioner(Railways)

भारत सरकार (GOVERNMENT OF INDIA)  
रेल मंत्रालय (MINISTRY OF RAILWAYS)  
रेलवे बोर्ड (RAILWAY BOARD)

No. TCR/1057/2018/02.

New Delhi, Dated : 30.09.2019

Principal Chief Commercial Manager  
All Indian Railways

Sub : Covering loaded wagons with Tarpaulin Sheet.

- Ref. : (i) Boards letter No. 2015/EnHM/15/01 dated 16.04.2018;  
(ii) Rates Circular No. 24 of 2006 dated 23.03.2006;  
(iii) Rates Circular No. 27 of 2016 dated 20.10.2016;

Board has been receiving requests for guidelines on the above subject.

Issue has been examined and it has been observed that detailed guidelines for Prevention of Pollution in handling of pollution intensive commodities have been notified by Environment Directorate of Ministry of Railways vide letter referred at (i) above.

General conditions have been notified for packing various commodities being transported by rail. For transportation of loose/bulk consignments, no specific packing condition is required vide letter referred at (ii) above.

As per condition 1.0 (x) (ii) of letter referred at (iii) above, Tarpaulin Sheet, if any for covering the open and flat wagons should be provided by the consignor at their own cost under Freight Incentive Scheme for loading packed consignment in open and flat wagons.

It is therefore, advised that due precaution should be taken while transporting/handling pollution intensive commodities. Tarpaulin sheet for covering the wagons should be securely tied before transportation to comply directive of State Pollution Control Board.

(This disposes off South Eastern Railway's letter No. RA.41/Rates/Misc./(Loose) dated 05.09.2019 and Western Railway's letter No. C 711/Pollution-Vol.II dated 15.02.2019)

*Shilpi Bishnoi*  
30/09/19  
(Shilpi Bishnoi)

Director Traffic Commercial (Rates)  
Railway Board