

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

Principal Bench, New Delhi

In

Original Application No. 109/2020

In the matter of:-

Ramesh Agarwal

Versus

Applicant(S)

Union of India &Ors

Respondent(S)

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(S.K.Verma)

Regional Officer

Chhattisgarh Environment Conservation Board

Regional Office

TV Tower Road

Raigarh- Chhattisgarh

Place- Raigarh

Date- 12th April 2021

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BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

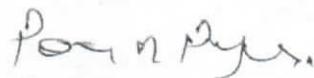
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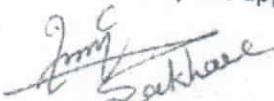
Ramesh Agrawal & Others Versus Union of India & Others

1. The Hon'ble NGT vide its order dated 16.03.2021 has constituted a joint committee comprising members from MoEF&CC, NEERI, CPCB, State PCB and the collector, Raigarh (C.G.) to look into the matter of violation of environmental norms against M/s Ambuja Cement Limited in Raigarh District of Chhattisgarh.
2. The issue raised by the applicant is about extension of validity of Environmental clearance for commissioning of pit head captive wet coal washery without assessment of fresh baseline data with respect to various environmental parameters, adverse impact of reduction of width of green belt from 50 meters to 20 meters, mode of utilization of middling (reject), non-compliance of EC conditions like carrying out of Cumulative Impact Assessment which was mandated to be done in compliance with Specific Condition No. (i) of EC dated 10.06.2013 .
3. In compliance of Hon'ble NGT order the matter raised by applicant was discussed in the meeting convened through video conferencing on 10.04.2021 with the committee members comprising MoEF&CC, NEERI, CPCB and CECB. Following members were present in the video conferencing :-
 - i. Sh. Bhim Singh, IAS, Collector, Raigarh
 - ii. Dr. R.P. Mishra, Scientist-D, CPCB Bhopal.
 - iii. Dr. P.R. Sakhare, Scientist-D, MoEF&CC Nagpur.
 - iv. Mr. Paras Ranjan Pujari, Senior Principal Scientist, NEERI Nagpur.
 - v. Mr. S.K. Verma, Regional Officer, R.O. Raigarh.

- 4. The committee has also invited the representative of M/s Ambuja Cement Limited, Gare pelma IV/8 coal mine. Mr. Kambalii, Sr. VP of M/s Ambuja Cement Limited was present to provide their submission on the issues raised by the applicant.
- 5. The committee upon detailed discussion and hearing to respondent no. 05 observed that the issues raised by the applicant are in order. Hence the committee feels that the extension given by EAC needs to be reviewed in the light of issues raised by the applicants. Respondent no 5 M/s Ambuja Cement Limited has given their concurrence to the observation of the committee and agreed to provide updated status on utilization of rejects from the washery, submission of fresh baseline data of the surrounding area etc.

In view of the above the committee recommends that MoEF & CC may cancel the extension given for the validity of EC to M/s Ambuja Cement Limited, Gare pelma IV/8 coal mine and also review the conditions of the EC in the light of issues raised by the applicant.


 (Dr. P.R. Pujari)
 Senior Principal Scientist,
 NEERI Nagpur
 (Member)


 (Dr. P.R. Sakhare)
 Scientist-D, MoEF&CC Nagpur
 (Member)

(S.K. Verma)
 Regional Officer, CECB,
 Raigarh
 (Member)

(Dr. R.P. Mishra)
 Scientist-D, CPCB Bhopal
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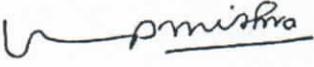
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NEERI Nagpur
(Member)

(Dr. P.R. Sakhare)
Scientist-D, MoEF&CC Nagpur
(Member)

(S.K. Verma)
Regional Officer, CECB,
Raigarh
(Member)


(Dr. R.P. Mishra)
Scientist-D, CPCB Bhopal
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(Bhim Singh) , IAS
Collector Raigarh

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(Member)

(Dr. R.P. Mishra)
Scientist-D, CPCB Bhopal
(Member)


(Bhim Singh) , IAS
Collector Raigarh

Item No. 2

(Bhopal Bench)

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

(By Video Conferencing)

Original Application No. 109/2020 (CZ)
(I.A. No. 118/2020)

Ramesh Agarwal

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 16.03.2021

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Applicant: Mr. Saurabh Sharma, Advocate

ORDER

1. Grievance in this application is against running of Ambuja Cement Limited in District Raigarh, Chhattisgarh in violation of environmental norms. Earlier EC was granted on 10.06.2013 for pit head captive wet coal washery which has now been extended. According to the applicant, the activities are in red category, in polluted industrial area. While granting extension, the EAC has not considered cumulative impact to the environment. The applicant has referred to proceedings in O.A. No. 104/2018, *Shivpal Bhagat & Ors. v. UOI & Ors.* wherein inter-alia, the issue of carrying capacity of the area and damage to the environment are being dealt with against some other industries. In the said matter, further report has been sought from the joint Committee *inter-alia* comprising MoEF&CC, NEERI, CPCB, State PCB, Dr. Sarat Chander

Lele, EAC Member Coal and Thermal, MoEF&CC and the Collector, Raigarh.

2. In view of the above, we consider it appropriate to require the Committee of MoEF&CC, NEERI, CPCB, State PCB and the Collector, Raigarh to look into the present matter also and furnish its report before the next date 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.

A copy of this order be forwarded to the MoEF&CC, NEERI, CPCB, State PCB and the Collector, Raigarh by e-mail for compliance.

The applicant may serve a set of papers to the MoEF&CC, NEERI, CPCB, State PCB and the Collector, Raigarh and file affidavit of service within one week.

List for further consideration along with O.A. 104/2018 on 13.04.2021.

Adarsh Kumar Goel, CP

S.K. Singh, JM

Dr. Nagin Nanda, EM

March 16, 2021
Original Application No. 109/2020 (CZ)
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