



SPEED POST

AQM/NGT-533/Shakurbasti/2019-20 2505

October 29, 2020

To:

General Manager,
Northern Railway Headquarters Office
Baroda House,
New Delhi- 110001

Subject: Direction under Section 5 of Environment (Protection) Act, 1986 regarding submission of Action plan and deposition of Environmental compensation in O.A. 533/2019: Anubhav Kumar v/s Union of India & Ors. -reg.

WHEREAS, an application was filed in the Hon'ble NGT in O.A. 533/2019: Anubhav Kumar Versus Union of India & Ors., regarding the air pollution issue at cement siding area at Shakurbasti caused on account of cement loading/unloading operations being carried out in unscientific manner;

WHEREAS, the Hon'ble NGT vide order dated 14.08.2019 appointed an independent Expert Committee to go into the issue and suggest remedial measures.

WHEREAS, the Expert Committee conducted site inspection and observed that Northern Railway had no measures in place to control fugitive emissions generated due to cement handling and other associated activities;

WHEREAS, the Expert Committee submitted a detailed report to the Hon'ble NGT based on field observation, assessment of air quality, carrying capacity assessment and health impact on workers;

WHEREAS, the Expert Committee recommended implementation of various pollution control measures by Northern Railways such as construction of warehouse, use of mechanical system for cement handling (conveyor belts) and cleaning of platforms, construction of peripheral roads etc.;

WHEREAS, the Hon'ble NGT accepted the Expert Committee report and recommendations and directed Northern Railways vide its order dated 10.01.2020 to act upon the report and take necessary steps in terms of the recommendations made in the report.

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WHEREAS, the Hon'ble NGT directed Northern Railway to submit an action plan to be examined and duly approved by the Expert Committee;

WHEREAS, Northern Railway vide letter 07.02.2020 submitted action plan to Expert Committee for consideration and the same was examined in meeting held on 4.3.2020 and the Expert Committee recommended for submission of revised action plan which was communicated to Northern Railways vide CPCB letter/email dated 20.3.2020;

WHEREAS, Northern Railway did not submit the revised action plan and the same was brought to the notice of Hon'ble NGT vide CPCB report dated 22.6.2020 along with assessment of interim Environmental Compensation amount of Rs 71,62,500/- to be deposited by Northern Railway;

WHEREAS, Hon'ble NGT vide its order dated 23.06.2020 directed Northern Railway to take action in the light of observations in the report and further the Environmental Compensation be recovered;

WHEREAS, Northern Railway vide letter dated 24.07.2020 submitted the revised action plan but did not pay the Environmental Compensation;

WHEREAS, Expert committee in the meeting held on 10.09.2020 examined the revised action plan of Northern Railways and opined on implementing its recommendations, and further deposition of Environmental Compensation;

WHEREAS, the objective of construction of warehouse was to have cement handling operations and stacking in a closed environment and thereby minimizing fugitive emissions, and its carry over to surrounding residential areas. The construction of warehouse (closed structure) does not make it necessary for Northern Railway to use it as warehouse.

WHEREAS, CPCB vide letter dated 17.9.2020 communicated the observations of the Expert Committee to Northern Railways;

WHEREAS, CPCB again vide letter dated 14.10.2020 asked Northern Railway to submit revised action plan and deposit the Environmental Compensation which is still not submitted.

NOW THEREFORE, in view of the above and in exercise of the power vested under Section 5 of the Environment (Protection) Act, 1986, Northern Railway is hereby

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directed to submit action plan indicating timelines for implementation of pollution control measures, and, deposit Environmental Compensation of Rs 71,62,500/- by November 10, 2020.

In case of failure to comply with the above directions, action may be initiated as per law.

(Shiv Das Meena)
Chairman



Copy to:

1. **Chairman, Railway Board & CEO** :for information please
Ministry of Railways,
Rail Bhavan, Raisina Marg,
New Delhi — 110001

2. **Joint Secretary (CP Division)** :for information please
Ministry of Environment, Forests and Climate Change,
Indira Paryavaran Bhawan, Jorbagh Road,
New Delhi - 110 003

3. **Divisional Head,** :for uploading directions on
IT Division, CPCB CPCB website

(Prashant Gargava)
Member Secretary

