

Item No. 01

Court No. 1

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

Original Application No. 544/2023

Paras Nath & Anr.

Applicant(s)

Versus

Uttar Pradesh Pollution Control Board & Ors

Respondent(s)

Date of hearing: 15.09.2023

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant(s): Mr. Gaurav Agarwal, Adv. for Applicant (Through VC)

**ORDER**

1. The issue raised in this application is about pollution being caused by Respondent No.8 namely Indian Farmers Fertilizers Cooperative Limited, Phulpur.

2. Learned Counsel for the Applicant has submitted that Respondent No.8 was granted consent only in respect of urea and no consent for production of ammonia has been granted, yet Respondent No.8 is operating the Ammonia and Urea Plant at IFFCO, Phulpur, Prayagraj in violation of environmental clearance and consent to operate under the Air and Water Act and releasing untreated ammonia water affecting the soil and crops of the nearby agricultural land and contaminating underground water.

3. It is also the case of the Applicant that the residual waste, untreated water is drained out to the concrete drain and then to trench

which goes from the field of the farmers upto the river and pollutes the entire area as well as river part.

4. The Learned Counsel for the Applicant has further pointed out that the Applicant had earlier approached the High Court at Allahabad as also approached Supreme Court but he was required to avail consent and other statutory alternate remedies.

5. In view of the issue raised in the original application, we deem it proper to constitute a Joint Inspection Committee comprising of the Director deputed by the Member Secretary, Central Pollution Control Board (CPCB); Member Secretary, State Pollution Control Board (SPCB), Secretary, Central Ground Water Authority (CGWA) and District Magistrate, District Prayagraj. The District Magistrate will act as a nodal agency.

6. The Joint Inspection Committee will visit the site and examine if the Respondent No.8 is operating and producing ammonia without their being any consent and other requisite clearances from the competent authority, ascertain the extent of pollution and damages caused by Respondent No.8 and also suggest the remedial measures taken and to be taken.

7. The Committee is directed to submit the action taken report within a period of 8 weeks by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

8. A copy of this order be forwarded to the Members of the Committee by e-mail for compliance.

9. In the meanwhile, let notice be issued to Respondent No.8.

10. Applicant is directed to serve Respondent No.8 and file affidavit of service before the next date of hearing.

11. List the matter on 07.12.2023.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

September 15, 2023  
Original Application No. 544/2023  
JG