

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

(By Video Conferencing)

Original Application No. 644/2019  
With  
Original Application No. 694/2019

(With Reports dated 20.09.2019 and 12.05.2020)

Sudhir

Applicant(s)

Versus

State of Chhattisgarh

Respondent(s)

With

Sri Kant

Applicant(s)

Versus

State of Chhattisgarh

Respondent(s)

Date of hearing: 14.05.2020

**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**

**ORDER**

1. This order deals with Original Application Nos. 644/2019 and 694/2019 pertaining to the allegation that pollution was being caused by M/s Metallic Alloys, Plot No. 29, Industrial Growth, Centre Sitara, Phase-III, Raipur, Chhattisgarh by using coke in the course of operation of furnace.
2. By two separate orders dated 20.08.2019 and 16.09.2019, reports were sought from the State PCB. Accordingly, two reports dated

20.09.2019 and 12.05.2020 have been filed. Report filed in O.A No. 644/2019 is that coal was not being used. It is also stated that the unit was set up prior to 14.09.2006 and therefore EC was not necessary. It is further stated that the unit was not found operational being shut down for maintenance. Report filed in O.A No. 694//2019 further adds that the furnace is operated by electricity. Bag filters have been installed with the heat exchanger to control pollution. The height of the chimney is 30 meters.

3. However, the applicant in O.A NO. 644/2019 has filed I.A No. 147/2020 to the effect that EC was required as consent to establish was granted in the year 2011 and the unit was set up thereafter and not earlier as mentioned in the two reports. It is also stated that pollution was being caused by the unit and requisite safeguards such as plantations etc. do not exist. There is illegal withdrawal of ground water.

4. In view of the above, it will be appropriate that a fresh report is furnished by a joint Committee comprising of the CPCB, MoEF&CC and the State PCB. The report may be furnished by 31.08.2020 by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in).

A copy of this order be sent to the CPCB, MoEF&CC and the State PCB by email for compliance.

List for further consideration on 03.09.2020.

Adarsh Kumar Goel, CP

Sheo Kumar Singh, JM

Dr. Nagin Nanda, EM

May 14, 2020  
Original Application No. 644/2019  
(I.A No. 147/2020) &  
Original Application No. 694/2019  
AK

