

Item No. 03

(Court No.01)

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

(By Video Conferencing)

Original Application No. 118/2022  
(I.A. No. 59/2022)

Uday Education & Welfare Trust

Applicant

Versus

State of U.P. & Ors.

Respondent(s)

Date of hearing: 23.03.2022

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER  
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: Mr. Ankit Verma, Advocate

**ORDER**

1. Grievance in this application is against illegal operation of chipper/cutter machines by respondent Nos. 5 to 37 and other unknown persons in District Muzaffarnagar, UP.
2. According to the applicant, the said respondents as well as others are using such machines for converting round timber into small chips and pieces to make the raw material for MDF/HDF and particle Board Units, without following regulatory regime under U.P. Saw Mill Rules, 1978, as amended upto 2017. The statutory authorities have failed to take remedial action as per MoEF&CC Guidelines dated 11.11.2016. 40 HP power engines are used in the process which requires obtaining of license from the Forest Department.

3. Having regard to the above averments, we find it necessary to require the Commissioner, Saharanpur, DIG, Saharanpur, State PCB, and PCCF (HoFF), U.P. to jointly look into the matter in coordination with the other concerned authorities and ensure further remedial action following due process of law. The State PCB will be the nodal agency for coordination and compliance. An action taken report may be filed within two months by email 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. If violations are found, apart from taking action in exercise of statutory powers of the authorities, the violators may be informed about these proceedings so that if they so wish, they may file their respective responses before this Tribunal.

4. I.A. No. 59/2022 for closure of the wood based industries of Respondents No. 5 to 37 cannot be entertained at this stage till the facts are verified. However, the statutory authorities may consider appropriate action, as already directed, in light of facts found. I.A. is accordingly stands disposed of.

5. The applicant may furnish a set of papers to the Commissioner, Saharanpur, State PCB, DIG, Saharanpur and PCCF (HoFF), U.P. to facilitate compliance of the above order.

List for further consideration on 08.07.2022.

A copy of this order be forwarded to the Commissioner, Saharanpur, State PCB, DIG, Saharanpur and PCCF (HoFF), U.P. by e-mail for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

Dr. Vijay Kulkarni, EM

Dr. Afroz Ahmad, EM

March 23, 2022  
Original Application No. 118/2022  
(I.A. No. 59/2022)  
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