

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH**

(By Video Conferencing)  
Original Application No.611/2022

Panna Lal ...Applicant

Versus

State of Uttar Pradesh & others ...Respondent

Date of hearing: 22.09.2022

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

**Application is registered based on a Letter Petition received by post.**

**ORDER**

1. Mr. Panna Lal, Secretary, Communist Party of India (Marxist) has sent to this Tribunal by post copy of the letter petition, addressed to General Manager, NCL, Kakri Project, which has been treated and registered as Original Application. The grievances in the application are that village Raheta is a rehabilitated village under NCL Kakri Project in Sonbhadra. Eight R.O.Plants have been installed there under CSR. Out of them only three are operating and five RO plants are closed. The residents are deprived of drinking water in the scorching summer. Similarly, community center constructed under CSR about thirty four years ago is in dilapidated condition and is not in use for the last five years. Persons belonging to Kakri, Nakti, Basi, Parasi forming part of SC/ST/backward community have been rehabilitated in village Raheta who are suffering and agitated due to lack of basic facilities there.

2. This Tribunal is empowered to ***suo moto*** take cognizance of the cases involving questions relating to environment arising out of the

implementation of enactments specified in Schedule I of the National Green Tribunal Act, 2010 as held by Hon'ble Supreme Court in **Municipal Corporation of Greater Mumbai V/s. Ankita Sinha and others 2021 SSC Online SC 897**. This Tribunal can also take cognizance of such cases on the basis of letter petitions in accordance with settled principles of law governing Public Interest Litigation.

3. *Prima facie*, the averments made in the application raise questions relating to environment arising out of the implementation of the enactments specified in Schedule I to the National Green Tribunal Act, 2010. Also clean water and sanitation is one of the sustainable Development goals (SDGs) of the UN adopted by world's leaders in September, 2015 at UN Summit on Sustainable Development. In view of the averments made in the application, we consider it appropriate that a Joint Committee be constituted to verify the factual position. Accordingly, we constitute a Joint Committee comprising of **State PCB and Deputy Commissioner, Sonbhadra** and direct the same to meet within two weeks, undertake visits to the sites, look into the grievances of the applicant, associate the applicant and representatives of the concerned project proponents, verify the factual position and submit its report **within one month** by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF. The State PCB will be the nodal agency for coordination and compliance.

4. In case the Joint Committee observes any violation of consent conditions/environmental norms, then it shall forward a copy of its report to:-

- (i) The concerned Project Proponents to enable them to comply with the recommendations in the report of the Joint Committee or file objections against the observations/recommendations contained in the same and file their response before this Tribunal as desired,

**within one month from the date of receipt of a copy of the report of the Joint Committee**, by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF; and

(ii) the concerned Authorities including State PCB and Deputy Commissioner, Sonbhadra to enable them to take appropriate remedial action, in accordance with Statutory provisions mandating them to take remedial action for prevention, control and abatement of environmental pollution/degradation and for protection and improvement of environment, by giving notice to/hearing the concerned project proponents and following due process of law and they shall submit their action taken reports separately, **within one month from the date of receipt of a copy of the report of the Joint Committee**, by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

5. List for further consideration on 19.01.2023.

6. A copy of this order, along with a copy of the application and documents attached with the same, be forwarded to the State PCB and Deputy Commissioner, Sonbhadra by e-mail for compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

September 22, 2022  
AG