

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

Original Application No. 533/2019

Anubhav Kumar

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

(Report filed in O.A. No. 533/2019)

Date of hearing: 14.08.2019

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant(s): Mr. Rahul Khurana, Advocate

For Respondent (s): Mr. K.K. Tyagi, Mr. I. Ahmed, Advocates for R-3  
Mr. Om Prakash, Advocate for R-2, Railways  
Ms. Sakshi Popli, Advocate for DPCC with Mr.  
Dinesh Jindal, Law Officer, DPCC

**ORDER**

1. The question for consideration is the air pollution affecting the environment in and around the areas Rani Bagh, Shakurbasti, Raja Park, Punjabi Bagh, Srinagar, Madipur near Shakurbasti Railway Station on account of unscientific manner in which loading/unloading of cement is being undertaken.
2. Vide order dated 04.06.2018, a factual and action taken report was sought from the Delhi Pollution Control Committee (DPCC), the Station Superintendent/Terminal Manager (CRWC), Cement Siding at

Shakurbasti Railway Station, New Delhi-110034 and the Chief Goods Supervisor, Cement Siding at Shakurbasti Railway Station, New Delhi-110034.

3. Accordingly, such reports have been received. The DPCC has found that the loading and reloading was being done manually causing emissions. Significant dust was found deposited on the floors. Sweeping was done manually. Labour and handlers are exposed to dust. As regards warehouses, out of two warehouses, one was covered from the top and other was partly covered and partly opened. Sweeping of roads was very poor. No measures were taken for suppression of dust. Road condition was poor. DPCC issued directions to the Northern Railways to explore possibility of handling cement bags by mechanical means.

4. The observations from the report are reproduced below:

*“2. That a team of Delhi Pollution Control Committee (hereinafter referred to as DPCC) has inspected the Cement Siding Site and following are the observations:*

*I. The Cement Siding area has 04 warehouses. 02 out of 04 warehouses are maintained by Central Railside Warehouse Company Ltd. (CRWC) and remaining 02 warehouses are maintained by Northern Railways. Each warehouses has capacity of handling of 01 rake. 01 rake of goods train having maximum capacity of 58 Wagons. 01 Wagon having the capacity of 1300 to 1400 cement bags.*

*II. 02 warehouses of Central Railside Warehouse Company Ltd. (CRWC) are Located along the line no. RDSO2 and RDSO3. Both the warehouses are covered from top and both the sides (fully covered). Capacity of the warehouses is 19330 MT. The details of the quantity of the cement bags handled from April, 2018 to July, 2019 and layout plan is annexed herewith as Annexure-1.*

- Unloading from the rakes and reloading in the trucks is done manually and causes emissions of*

*cement by the result of impact between the bags when the cement bags are stacked over each other.*

- *Significant dust (cement) was found deposited on the floors of warehouses. However, the Warehouse Officials claimed that the sweeping is done regularly through manual labour and during every handling of cement bags, the settled dust deposition took place on floor.*
- *The warehouses are situated away from the general public inhabitants, however, the labour and handlers as well as re-loaders may expose to the dust arises from cement bags handling.*
- *The Terminal Manager of the warehouse has informed during the inspection that they have protected measures i.e. mask as well as gloves to the labour involved in the handling of cement bags.*
- *Dust from the movement of the heavy trucks during reloading of the cement by the result of impact between the bags when the stacked over each other.*

*III. 02 warehouses towards the new Rohtak Road on line no. 01 and GPF (General Platform) line are maintained by Northern Railways itself.*

- *01 warehouse is covered from the top but open from both the sides. The other one warehouse is partly covered from top and open from both the sides. Both the warehouses have the capacity of handling of 01 rake.*
- *In the warehouse covered from the top, cement bags covered with plastic sheets and reloading to the trucks was seen during the inspection.*
- *The deposition of cement was seen on the floor of warehouses.*
- *Sweeping of the roads was very poor resulting re-suspended dust due to movement of trucks and other vehicles.*
- *No measures taken for suppression of dust and the road condition is also very poor.*
- *To prevent the dust emission from the road during vehicle movement can be controlled by the strict compliance for their minimum speed limit as well as by installing suitable speed breaking system improving road condition and also give suitable awareness lessons to the persons who are directly involved in the handling of the cement stocks.*
- *The peripheral roads of cement siding site are not for public use. These roads are meant for uses for*

*the customers arrive with their trucks and other vehicles and by the official staff of Northern Railway.*

3. *That the cementing property of dispersed cement particles when come across to contact with atmospheric moisture they fused/ binds together and become of heavier in mass and settle near the source/es.*

4. *That the Northern Railway has been issued following directions on 09/08/2019:*

- *That the Northern Railway shall fully cover both the warehouses within 06 months.*
- *That the Northern Railway shall stop the operation of warehouses if the warehouses are not covered within 06 months.*
- *That the Northern Railway shall explore the possibility of handling of cement bags by mechanical means while loading and reloading to do away with the manual handling of cement bags and submit action plan for implementation with time line within 01 month.*
- *That the Northern Railway shall repair or relayed the peripheral roads within 06 months.*
- *That the Northern Railway shall put in place the effective sweeping of the roads and floor of the warehouse with immediate effect.*
- *That the Northern Railway shall provide protected measures i.e. mask as well as gloves to the labour involved in the handling of cement bags.*
- *That the Northern Railway shall stack cement bags covered with sheets under the sheds.*
- *That the Northern Railway shall not allow the reloading of trucks which are not covered from all sides.*

*Copy of the directions issued is annexed herewith as Annexure-II.*

5. *That the Central Railside Warehouse Company Ltd. (CRWC) has been issued following directions:*

- *That the CRWC shall explore the possibility of handling of cement bags by mechanical means while loading and reloading to do away with the manual handling of cement bags and submit action plan for implementation with time line within 01 month.*
- *That the CRWC shall put in place the effective sweeping of the roads and floor of the warehouse with immediate effect.”*

- That the CRWC shall not allow the reloading of trucks those are not covered.”

5. A report has also been received from the Chief Goods Supervisor, Cement Siding of the Railway Station to the effect that sheds are damaged in absence of basic amenities at Platform No. 1 but at platform nos. 2 and 3 covered warehouses with full amenities are available.

6. The CRWC has denied the allegations and stated that its warehouses are fully covered. All its activities are within the closed and fully covered Complex. Cement bags loaded in trucks are also fully covered.

7. The applicant has disputed the Stand of CRWC.

8. After hearing learned Counsel for the parties, we are of the view that an independent Expert Committee needs to go into the issue and suggest remedial measures. Accordingly, we constitute a four members Committee comprising as follows:

- i. Dr. Prashant Gargava, Member Secretary, CPCB.
- ii. Dr. Mukesh Khare, Professor, IIT Delhi.
- iii. Dr. Mukesh Sharma, Professor, IIT Kanpur.
- iv. Member Secretary, DPCC.

The Member Secretary, CPCB will be the nodal officer for coordination and compliance.

9. The Committee may study the problem area in terms of ambient air quality, carrying capacity, health impact on the inhabitants and the workers involved in the process and suggest remedial measures. The Committee may give its report within three months by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in).
10. In the meanwhile, the remedial measures suggested by the DPCC may be adopted by the CRWC and the Railway Administration.

A copy of this order be sent to Dr. Prashant Gargava, Member Secretary, CPCB, Dr. Mukesh Khare, Professor, IIT Delhi, Dr. Mukesh Sharma, Professor, IIT Kanpur and the Member Secretary, DPCC by email for compliance.

List for further consideration on 10.01.2020.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

Dr. Nagin Nanda, EM

August 14, 2019  
Original Application No. 533/2019  
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