

Item No. 06

Court No. 1

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

Original Application No. 326/2024

Jogindra Kumar

Applicant

Versus

State of Uttar Pradesh & Ors.

Respondent(s)

Date of hearing: 22.03.2024

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

Applicant: Mr. Rahul Khurana, Mr. Hasil Jain, Mr. Shaim Hasan & Mr. Satish Kapoor, Advs.

**ORDER**

1. In this original application, Applicant has raised the grievance against the Respondent No. 4, which is stated to be a sugar unit located at Village Khatauli, District Muzaffar Nagar, Uttar Pradesh and the allegation is that Respondent No. 4 is generating fly ash in the boilers of the factory and dumping it illegally on both side of the road in complete violation of the environmental norms, consent conditions and Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016. Further allegation of the Applicant is that several persons have suffered accidental burn injuries by stepping into heap of dumped fly ash and few such incidents have been disclosed in the OA.

2. In the OA, Applicant has stated that the Applicant had suffered burn injuries by stepping into the heap of fly ash in May 2023. Similarly, one Munesh Devi had suffered burn injuries on 26.11.2023 and boy named Umang Tomar had suffered burn injuries subsequently.

3. The OA raises substantial issue relating to compliance of the environmental norms.

4. Issue notice to the Respondents. Applicant is directed to serve the respondents and file affidavit of service at least one week before the next date of hearing.

5. Respondent No. 2 is directed to file a comprehensive report in respect of the allegation made in the OA and the remedial/punitive action taken by the said respondent at least one week before the next date of hearing.

6. List on 22.05.2024.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

March 22, 2024  
Original Application No. 326/2024  
DV