

**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (PIL) No. 121 of 2016**

1. Amarnath Agrawal S/o Ram Avatar Agrawal Aged About 46 Years R/o 04- Mahanadi Visthar Complex, Ghantaghar, Korba, Tahsil & District Korba, Chhattisgarh
2. Laxmi Chauhan S/o Late B.R. Chauhan Aged About 40 Years (Environment Activist), R/o Plot No. 6, Rajshree Complex, Kosabadi, Korba, District- Korba, Chhattisgarh

**---- Petitioners****Versus**

1. Registrar, National Green Tribunal (Principal Bench), Faridkot House, Copernicus Marg, New Delhi-110001
2. Registrar, National Green Tribunal (Central Zonal Bench, Bhopal), 3rd Floor, Suchana Bhawan Building, Behind District Court, Bhopal, Madhya Pradesh
3. State Of Chhattisgarh, Through The Chief Secretary, Govt. Of Chhattisgarh, Naya Raipur, PO Rakhi, District- Raipur, Chhattisgarh
4. State Of Chhattisgarh, Through Secretary, Department Of Environment, Naya Raipur, PO Rakhi, District- Raipur, Chhattisgarh
5. Ministry Of Environment & Forest, Through The Secretary, Paryavaran Bhawan, CGO Complex, Lodhi Raod, New Delhi.

**---- Respondents**


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| For Petitioners      | : Shri Sanjay Kumar Agrawal, Advocate.           |
| For Respondent/State | : Shri Y.S. Thakur, Additional Advocate General. |
| For Respondent No.5  | : Shri N.K. Vyas, Assistant Solicitor General.   |

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**Hon'ble Shri Deepak Gupta, Chief Justice**  
**Hon'ble Shri Justice Sanjay Agrawal**

**Order on Board****Per Deepak Gupta, Chief Justice****19/12/2016**

1. The Petitioners, by means of this petition have prayed that the National Green Tribunal should be directed to constitute a Circuit Bench in Chhattisgarh to hear the matters relating to State of Chhattisgarh.
2. The Petitioners have straightaway approached this Court without first approaching the National Green Tribunal. Keeping in view the comity between institution, it would be appropriate to direct the Petitioners to first

approach the Chairman of the National Green Tribunal for constitution of a Bench at Chhattisgarh. They may do so within a period of four weeks from today.

3. We would however like to state that a large number of petitions are being filed in this Court complaining of pollution. We are not entertaining these petitions only on the ground that the Petitioners have an alternative efficacious remedy of approaching the National Green Tribunal.

4. Shri Agrawal has informed us that most of the public spirited citizens neither have the money nor the time to go to Bhopal for this purpose. It may be true that the number of cases pending in the Nation Green Tribunal relating to State of Chhattisgarh may not be too many but we are very sure that if a Bench is established then the number of litigations shall increase dramatically.

5. The State of Chhattisgarh has the highest concentration of coal based thermal power plants. It has a lot of steel industries and mining industries. All these causes environmental pollution. More than 31% of the population in the State of Chhattisgarh are tribals and the forest area in the State of Chhattisgarh is also very large. We are sure that the National Green Tribunal will consider all these factors while taking a decision in this regard. We request the National Green Tribunal to take note of our observations also.

6. Needless to say that the Petitioners shall have the right to approach this Court again if the need so arises.

7. With the aforesaid observations, this petition stands disposed of.

Sd/-

(Deepak Gupta)  
**Chief Justice**

Sd/-

(Sanjay Agrawal)  
**Judge**