

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE BENCH AT CHENNAI**

ORIGINAL APPLICATION NO.39 OF 2022

IN THE MATTER OF:

Gedam Dilip Kumar and another

...Applicants

And

The Singareni Collieries Company Ltd. & Others

...Respondents

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Place: Hyderabad

Dt:10-10-2022


Counsel for Respondent No.1 & 9

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE BENCH AT CHENNAI**

ORIGINAL APPLICATION NO.39 OF 2022

IN THE MATTER OF:

- 1. Gedam Dilip Kumar**
S/o. Gedam Dikaram, Aged 30 years
R/o. H.No.2-65, Vullipitta Village
Tiryani Mandal
Komurambheem Asifabad District
Telangana – 504 297
Mobile No.9908893247
Mail id: advsravan@gmail.com

- 2. Lekuri Nagesh**
S/o. Lekuri Venkataiah, Age: 31 years
H.No.1-15, Lekureguda
Buruguda, Komurambheem Asifarbad District
Telangana – 504 293
Mobile No.9848167093
Mail id: advsravan@gmail.com

... APPLICANTS

VERSUS

- 1. The Singareni Collieries Company Ltd.,**
Rep. by its Chairman and Managing Director
Kothagudem
Bhadradi Kothagudem District
Telangana – 507 101.
Mail: dp@scclmines.com
Phone No.08744-242301.

2. **Union of India**
Through its Secretary
Ministry of Environment, Forest & CC
Indira Paryavaran Bhavan
Jorbagh, New Delhi-110003
Mail: secy_moef@nic.in
Phone: 011-24695262, 24695265
3. **Union of India**
Through its Secretary
Ministry of Coal
Sastry Bhavan, New Delhi – 110003
Mail: secy.moc@nic.in
Phone: 011-23384884
4. **Telangana State Pollution Control Board**
Rep. by its Member Secretary
A-3, Paryavaran Bhavan
Sanath Nagar Industrial Estate
Sanat Nagar, Hyderabad – 500 018
Mail: ms-tspcb@telangana.gov.in
Mobile: 04023887600.
5. **District Collector and Magistrate**
Komurambheem Asifabad
Telangana – 504293
Mail: collector_kb@ts.inc.in
Phone: 08733279401
6. **District Medical & Health Officer**
Komurambheem Asifabad
Telangana – 504293
Mobile No.9848752915
Mail: kumurambheemdmho@gmail.com
7. **District Agriculture Officer**
Kumurambheem Asifabad
Telangana – 504 293
Mobile No.7288894022
Mail: daokumrambheem@gmail.com

8. **Deputy Executive Engineer, Irrigation Department**
Vattivagu project, Office: Near TS Gurukulam for Girls
Asifabad, Kumaram Bheem Asifabad District
Telangana – 504293
Mobile: 9032765891
Mail: NA
9. **General Manager,**
Singareni Collieries Company Ltd
Bellampalli Area, Kumram Bheem Asifabad District
Phone: 08735-231100
Mail: po_khg@scclmines.com

... RESPONDENTS

**OBJECTIONS ON JOINT COMMITTEE REPORT FILED ON BEHALF
OF RESPONDENT NO.1 & 9
[THE SINGARENI COLLIERIES CO. LTD.]**

The Hon'ble Tribunal vide order dated 28.03.2022 directed that in order to ascertain the genuineness of the allegations made in the application, it is appropriate to appoint a Joint Committee to inspect the area in question and submit a factual as well as action taken report, if there is any violation found. Accordingly, the Joint Committee Report has been filed uploading the same on 12.09.2022. In this regard, The Singareni Collieries Company Limited (hereinafter referred to as the Respondent Company) is filing objections to the committee report regarding the observations.

- (1) It is submitted that in the committee report at para-5, it is mentioned that Ullipitta village falls in flood Plain Zone of Vattivagu Reservoir and during heavy rain there are chances of flooding of few houses of the villages from the reservoir and in addition erosion from OB is also observed which may be affect a few houses. In this connection it is to submit that Ullipitta village is about 2.7 m above the Full Tank Level (FTL) of Vattivagu Reservoir. I&CADD of Government of Telangana also confirmed that the upstream villages of Vattivagu Reservoir i.e., Ullipitta , Dampur & Chanduguda were not inundated under back water of vattivagu project since the first diversion of vattivagu. The Respondent Company has taken up various soil erosion control measures in the project like deck drains, garland drains, catch drains, earthen bund, check dams and settling ponds to prevent runoff OB into the Vattivagu reservoir and into the adjacent villages. The garland drains, deck drains, check dams etc., are being regularly de-silted and maintained properly. 3 additional siltation ponds are made near the D-3 dump recently to arrest silt and sediment flows from dumps. An earthen bund of 3.2 km length is made all along Vattivagu reservoir to withstand peak water flow and to prevent mine inundation and arrest silt and sediment flow from OB dumps. The dimensions of the earthen bund are top width-10m, bottom

width-16m and height-3m above HFL. A CC toe wall is constructed along the earthen bund and critical patches are strengthened by stone pitching on the river front side. Further, in order to improve the drainage system in Ullipitta Village, SCCL has strengthened 200 m length of nallah with suitable dimensions, 2 nos. of box culverts and 1 no. hume pipe culvert are also constructed.

(2) The details of soil erosion control measures implemented in the project are furnished hereunder:

- Provided garland drain for a length of 6.6 km, deck drains of 5.1 km length on first deck terrace, 4.44 km length on second deck terrace at Dump-I.
- Provided garland drains for a length of 3.8 km, deck drains of 3.42 km length on first deck terrace, 2.21 km length on second deck terrace at Dump-II.
- Provided garland drains for a length of 6.61 km, deck drains of 6.64 km length on first deck terrace, 4.10 km length on second deck terrace at Dump-III.
- Eight (8) settling ponds of size 30mx30mx2m are made followed by six check dams and 3 additional siltation ponds (100 m X 50 m X 2m) each with a capacity of 22 lakh gallons are also made near D3 dump.

I&CADD has brought out in the report that few people are staying in the PP land 100 m. from FRL of Vattivagu Project, which is left as a safe barrier in order to protect the village and silt has accumulated near the houses during heavy downpours. However, after implementation of additional soil erosion control measures in Khairagura OCP, there is no soil erosion and flooding of Ullipitta village during heavy rains in Monsoon Season this year. Also, the dumping activity on D-3 dump was completed in February 2022. Presently, the dump is being stabilized with plantation.

- (3) It is mentioned in the joint committee report at page No.11, point No.ii & iii that a scientific study is required for stability of 120m D3 dump or its reuse in filling final mine void and also suitability of linking Vattivagu reservoir with water body due to final mine void of the project into a single water body. In this connection, it is to submit that a scientific study was conducted on slope stability of High wall slope and Dump stability of Khairagura OCP in 2008 through Central Mining Research Institute, Dhanbad (a CSIR Institution) and the recommendations of the study are being implemented in the project. It is also to submit that specific condition no. VII of the EC stipulates that the final void of

Khairagura OCP(KH OC) shall be utilized for filling with the OB of Ullipitta Block (relay project), which is adjacent to KHOC and not through dumping from the stabilized OB dump. However, the final mine closure plan will be prepared 5 years before closing of the project and the same will be implemented in the project after its approval by Ministry of Coal. The linking of Vattivagu reservoir and water body formed due to final void into a single water body as suggested in the committee report is technically not feasible due to varying depths of final void and Vattivagu reservoir. However, the final void will be converted as water body by implementing proper engineering interventions for survival of aquatic life and the same can also be used by surrounding villages for irrigation and other purposes.

- (4) As regards implementation of R&R in the project mentioned at page-12, it is to submit that as per Environment Clearance granted on 6th February, 2015, number of families proposed for R&R is mentioned as 556, at point No.xxii of page 3&4 of EC, which includes 18 numbers of families which were given R&R package in 2005 before R&R Policy and 49 numbers of families near Vattivagu proposed for rehabilitation on their request. However, while implementing R&R by including major

sons/daughters, the total no. of PDFs has become 558. With regard to 49 families near Vattivagu, the District Collector has given Gazette Notification No.2-A, Dt.13.02.2013 and accordingly R&R benefits were disbursed to the tune of Rs.61,19,400/- by the RDO/LAO, Utnoor. R&R policy has already been implemented for the total 558 families, including these 49 families. R&R has been completed for all the 558 no's of families and there is no further R&R involved in the project.

- (5) It is submitted that the Joint Committee suggested in its report at page No.23 in point No.10 that project proponent may take necessary remedial measures like construction of bund wall near SC colony or taking up construction of some houses (which are prone to inundation) on higher pedestal. In this connection, it is to submit that an earthen bund of 3.2 km length was already constructed along with CC toe wall and stone pitching on the upstream side of Vattivagu Reservoir to withstand peak water flow as well as to prevent inundation of village. Along with this, additional precautions have also been taken for this purpose like strengthening of garland drains, construction of 3 additional siltation ponds etc. The D3 OB dump facing Vattivagu Reservoir has also been stabilised with plantation. I&CADD of Government of Telangana has also stated that

the Ullipitta village was never inundated in the past subsequent to the diversion of Vattivagu stream. Further the Ullipitta village is about 2.7 m above the Full Tank Level (FTL) of Vattivagu Reservoir.

The Respondent Company has been taking up developmental works in the surrounding villages including Ullipitta village and will continue the activities in future also under Corporate Social Responsibility Policy.



Counsel for Respondent Nos.1 & 9

Dt.10.10.2022

**BEFORE THE HON'BLE
NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE BENCH
AT: CHENNAI**

O. A.No.39 OF 2022

Gedam Dilip Kumar & another
... APPLICANTS
And
The Singareni Collieries Company Ltd.
& Others
....Respondents

OBJECTIONS ON JOINT
COMMITTEE REPORT FILED ON
BEHALF OF RESPONDENT NO.1 & 9
[THE SINGARENI COLLIERIES CO.
LTD.]

Filed On: 10-10-2022

Filed by:



A.Sanjeev Kumar,
Advocate,
Counsel for respondent No.1 & 9.
askspecialgpoffic@gmail.com



THE SINGARENI COLLIERIES COMPANY LIMITED
(A Govt. Company)
ENVIRONMENT DEPT. BELLAMPALLI

Ref: BPA/ENV/59/ 281

Dt. 04.10.2022.

To
The Addl. Director / Scientist 'E'
MoEF&CC, (I. A. Division),
Indira Paryavaran Bhavan,
Jor Bagh Road, Aliganj,
New Delhi-110003
Email : shruti.rai@nic.in

Madam,

Sub: Non-compliances observed with respect to Khairagura Opencast Coal Mining project of M/s The Singareni Collieries Company Limited- Submission of compliance status- Reg.,

Ref: MoEF&CC Lr. No. F.No. IA-L-11011/50/2022-IA-I, dt. 14.09.2022

With reference to the subject cited above, the latest information on implementation of EC conditions, action taken report and action plan regarding the non-compliances observed by MoEF&CC in respect of Khairagura Opencast Mining Project is furnished hereunder.

Observation No.i : Embankment constructed along the river boundary not up to the mark. Embankment needs to be strengthened with stone pitching and plantation along the critical patches of river up to Vattivagu reservoir. (Specific Condition-xxiii)

Compliance status: An earthen bund of 3.2 km length is made all along Vattivagu reservoir to withstand peak water flow and to prevent mine inundation. The dimensions of earthen bund are top width-10m, bottom width-16m and height-3m above HFL. A CC toe wall is constructed along the earthen bund and critical patches are strengthened by stone pitching on the river front side. Photographs depicting earthen bund, plantation and stone pitching works taken up in the project are furnished hereunder:



Earthen bund with stone pitching along vattivagu reservoir



Plantation on earthen bund

Observation No.ii : The present management of OB is inadequate to control the siltation during the heavy rainfall. Toe wall around the D3 Dump not up to mark. Green belt has not been developed as per the EC condition at the OB near to the Vattivagu and adjacent villages. (PA take appropriate action to fix them). (Specific Condition-xxiv)

Compliance status: Various mitigation measures like deck drains, garland drains, earthen bund, check dams and settling ponds have been implemented around D3 dump to prevent OB runoff into the Vattivagu reservoir and into the adjacent villages.

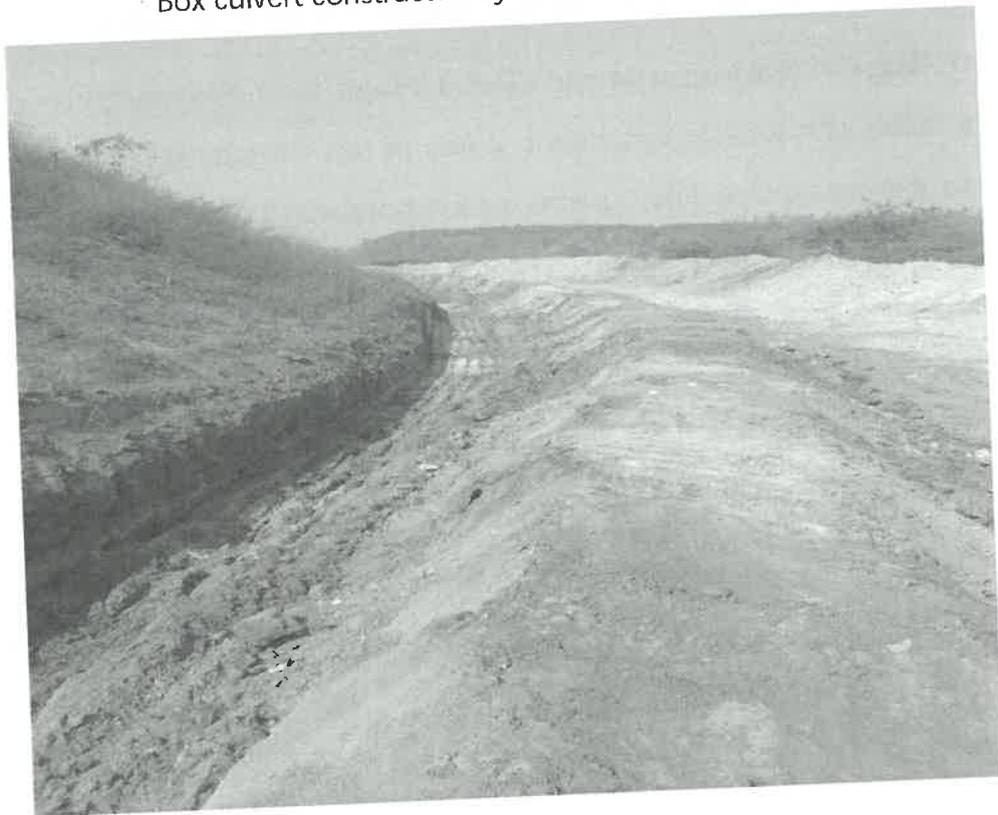
The garland drains, deck drains, check dams etc., have been de-silted periodically to control siltation. After implementation of additional soil erosion control measures in Khairagura OCP, there is no soil erosion and flooding of Ullipitta village during heavy rains in Monsoon Season this year.

The dumping activity on D-3 dump was completed in February 2022. The D3 dump has been stabilized with plantation. Also, green belt has been developed on the earthen bund at the OB dump near to the Vattivagu reservoir and adjacent village.

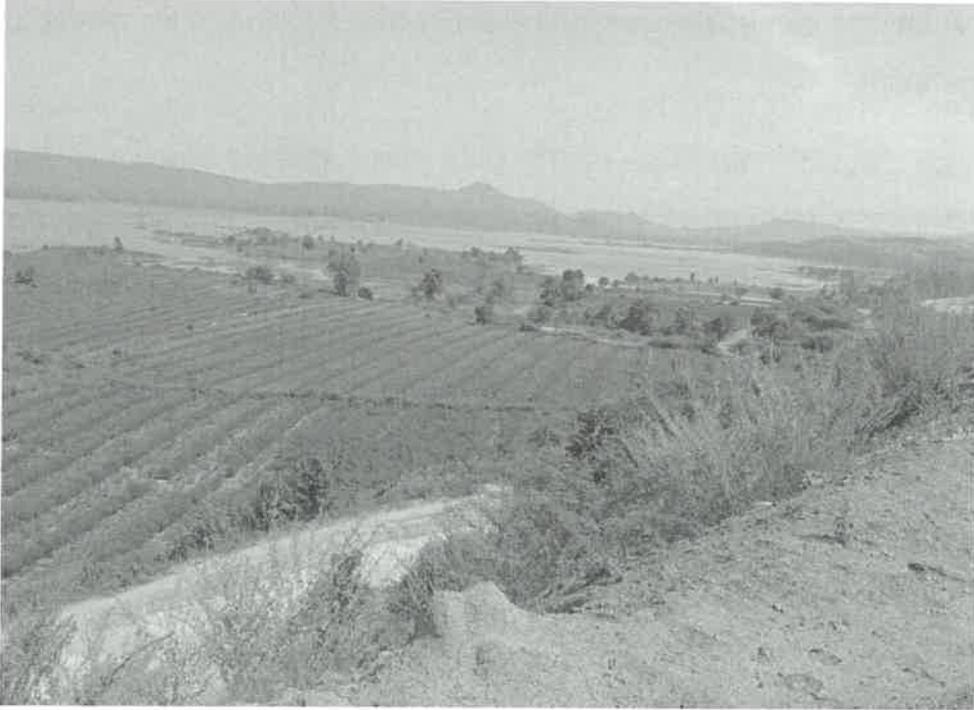
In order to improve drainage system in Ullipitta Village, SCCL has strengthened 200 m length of nallah with suitable dimensions, 2 nos. of box culverts and 1 no. hume pipe culvert are also constructed. Photographs depicting stabilized D3 dump, garland drains, box culvert, nallah strengthening near village, drains, agriculture fields near D3 Dump are furnished hereunder.



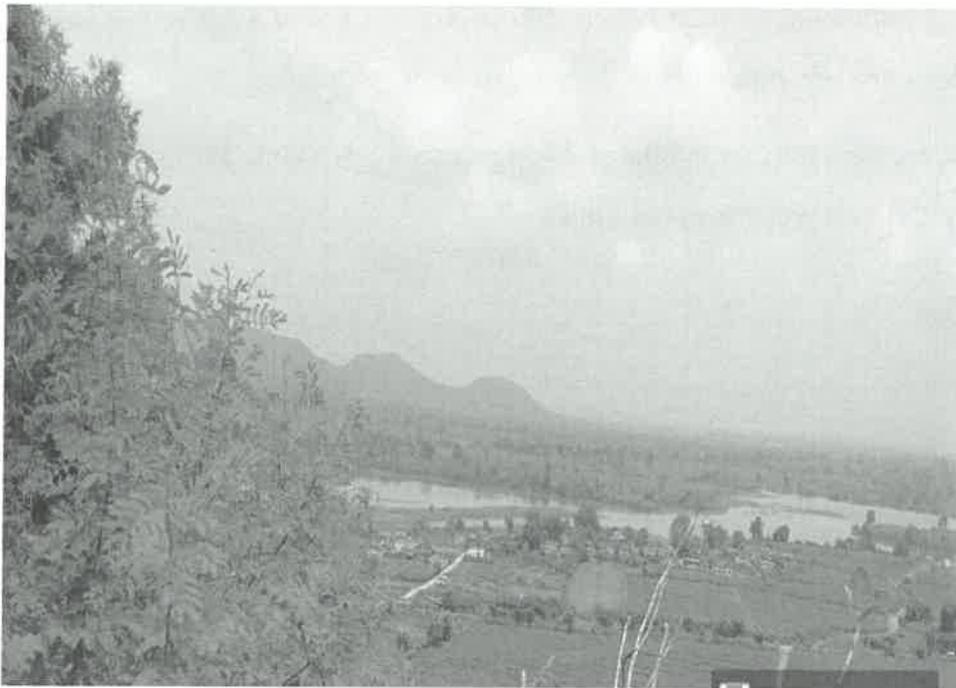
Box culvert constructed by SCCL in Ullipitta village



Deck drain at 1st deck of D-3 Dump



Agriculture fields near D-3 Dump adjacent to Ullipitta village



Agriculture fields near D-3 Dump adjacent to Ullipitta village

Observation No.iii: Catch drains and siltation ponds constructed by PP to arrest silt and sediment flows from soil, OB and mineral dumps are not up to mark. PA Shall provide

additional siltation ponds with increased capacity focusing on sudden rainfall. (Specific Condition-XXVI)

Compliance status: Various measures like deck drains, garland drains, earthen bund , check dams and settling ponds were provided to prevent silt and sediment flow from OB dumps. The details of soil erosion control measures are taken up in the project are:

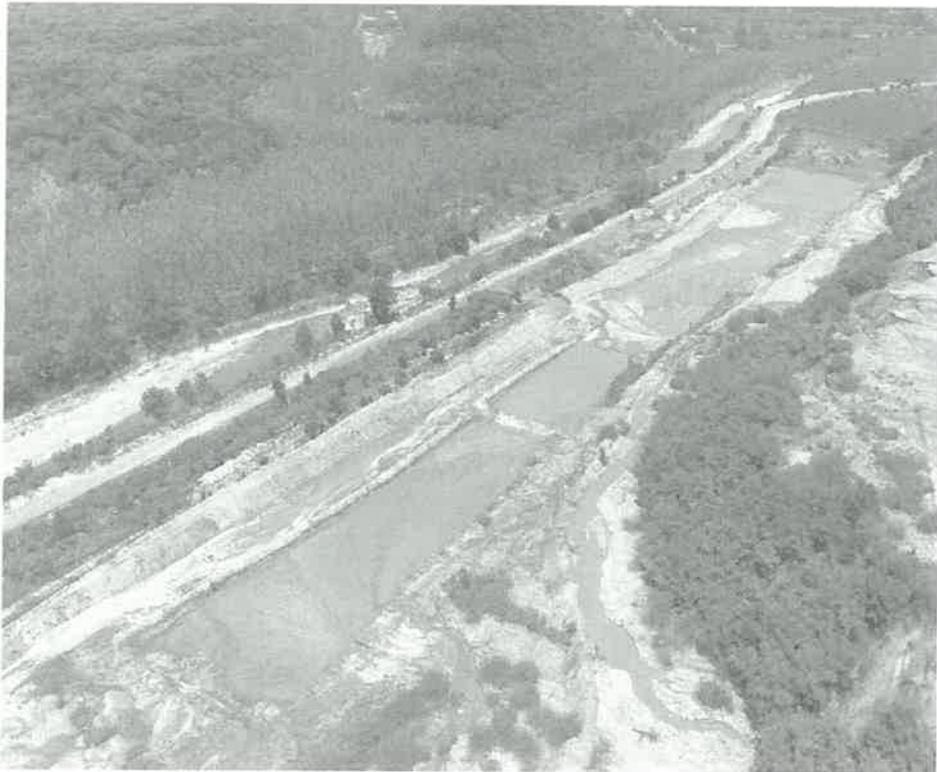
- Provided garland drain for a length of 6.6 km, deck drains of 5.1 km length on first deck terrace, 4.44 km length on second deck terrace at Dump-I.
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- Eight (8) settling ponds of size 30mx30mx2m are made followed by six check dams and 3 additional siltation ponds are made for dumps to arrest silt and sediment flows from dumps.

Recently, 3 additional siltation ponds (100 m X 50 m X 2m) each with a capacity of 22 Lakh gallons are also made near D3 dump to arrest siltation.

Photographs depicting additional siltation ponds constructed along the D3 dump and the Garland drains are shown hereunder:



Garland drain along D-3 Dump



Additional siltation ponds along D-3 dump



Additional siltation ponds along D-3 dump



Stabilised D-3 Dump with plantation

The garland drains, deck drains, check dams etc., will be regularly de-silted and maintained properly. Also, the garland drains will be further widened on the village front in future in order to channelize the surface run off.

Observation No.IV : Retaining wall at the toe of the dumps and OB benches is not up to mark. (Specific Condition-xxvii)

Compliance status: An earthen bund is provided all along the toe of the dumps with dimension of base width 5m, top width 3m and height 3m, which acts as a retaining wall.



Earthen bund along D3 Dump towards Ullipitta Village side

Observation No.V : Sewage treatment plant has not been installed yet by PP. (Specific condition-xli)

Compliance status: Sewage treatment plant (2X100 KLD) is under construction in Goleti township and it will be completed within 3 months.

Observation No.Vi. PA has not followed the compensation policy (as per the norms laid out in R&R Policy of CIL/National R&R Policy/R&R Policy of the State Government) as

PA has not complied the shifting of 49 families who are near Vattivagu under Rehabilitation. (Specific Condition-Xliii)

Compliance status: As per EC granted on 6th Feb. 2015, number of families proposed for R&R was mentioned as 556, at point no. xxii of page 3&4, which includes 18 numbers of families which were given R&R package in 2005 before R&R Policy and 49 number of families near Vattivagu were proposed for rehabilitation on their request. However, while implementing R&R by including major sons/daughters, the total no. of PDFs have become 558.

With regard to 49 families near Vattivagu, the District Collector has given Gazette Notification No.2-A, Dt.13.02.2013 and accordingly R&R benefits were disbursed to the tune of Rs.61,19,400/- by the RDO/LAO, Utnoor. The total 558 families for which R&R policy has already been implemented including these 49 families.

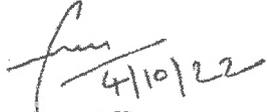
R&R has been completed for all the 558 nos of families and there is no further R&R involved in the project.

The village-wise details of R&R is furnished below:

Sl. No.	Name of the village	Total No. of PDFs as per DAP/R&R Acquittance (including major sons/daughters)	Remarks
1.	Old Bordham	33	C/1024/2010, Dt.02.12.2010
	New Bordham	92	C/1047/2010, Dt.02.12.2010
2.	Areguda	69	A1/4562/2007, Dt.25.03.2009
3.	Pedakunta	14	A1/4562/2007, Dt.25.03.2009
4.	Arjuguda	04	C/1046/2010, Dt. 02.12.2010
5.	Nambaiah colony	15	C/1047 /2010, Dt.02.11.2010
6.	Khairaguda	34	C/703 /2010, Dt.02.12.2010
7.	Lingiguda	28	C/339/2010, Dt.02.02.2011
8.	Chanduguda	78	C/668 /2010, Dt.02.12.2010
9.	S.C.Colony (Devaiguda)	125	R&R Acquittance
10.	Goverguda	17	C/1841/2002, Dt.22.09.2005

11.	Affected families near Vattivagu	49	C/370/2007, Dt.06.12.2012
	Total	558	

Copies of the orders relating to implementation of R&R package in the project are enclosed as Annexure.


4/10/22
Project Officer
Khairagura OCP



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THE ADILABAD DISTRICT GAZETTE**PART-I EXTRAORDINARY****Published by Authority**

Gazette No. 2-A

ADILABAD,

Dated.13.02.2013

NOTIFICATION BY DISTRICT ADMINISTRATION**PUBLICATION OF DRAFT ACTION PLAN IN RESPECT OF PROJECT AFFECTED FAMILIES OF KHAIRGUDA OPEN CAST PROJECT OF SCCL LTD.,****NO.G3/ 4562/2007**

Dated.11.02.2013

NOTIFICATION

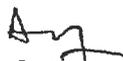
In exercise of the powers conferred Under Para-5.19, Chapter-V of the A.P. Resettlement and Rehabilitation Policy, 2005 issued in G.O.Ms.No.68, Irrigation & CAD(PW) Department, Dated 8-4-2005 read with G.O.Ms.No.120, Irrigation & CAD (PW-LA.IV-RR.II) Dept. Dt.26-6-06 ,the District Administration hereby publish the details of Draft Action plan in respect of Project affected families of Khairguda Open Cast Project of SCCL: Ltd as per the Annexure enclosed.

The details of Proposals are as follows.

SL.No.	No.of PAFs	Category of PDF
1	2	3
1	16	Marginal farmers
2	33	Land Less
		Total

Sd/- Dr.A.Ashok
DISTRICT COLLECTOR,
ADILABAD.

// Attested //


Superintendent -G