

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL (SZ)
O.A. 8 of 2016**

Ravimaran (Deceased)
And 2 Others

...Applicants

Vs.

Union of India & Ors.

...Respondents

MEMO DT. 25.09.2023 FILED ON BEHALF OF THE APPLICANTS

It is respectfully submitted as follows:

1. It is submitted vide the Judgement dated **05.07.2022**, the Hon'ble NGT issued detailed directions (directions (a) to (x)) to the Respondents herein to initiate the process of remediation, replace the old ash slurry carrying pipelines, initiation of action by TNPCB against TANGEDCO, carry out the other recommendations of the Expert Committee etc.
2. However, to the knowledge of the Applicants, ONLY the tender has been called for in February 2023 to identify the agency for preparation of the DPR for the remediation process and there has been NO other progress in complying with the directions of the Hon'ble NGT **14 months** since the Judgement was delivered.
3. **PROCESS OF REMEDIATION:**

It is submitted that the Hon'ble Tribunal even prior to passing of the Judgement had appointed an Expert Committee including Ms. Santha Sheela Nair I.A.S (Retd.) and other experts to ascertain the nature of damage caused and remediation process to be undertaken. The Committee submitted a detailed report and also made recommendations for the Terms of Reference for preparation of the DPR.

4. This Hon'ble Tribunal vide **direction (g)** in its judgement dated **05.07.2022** held:

Direction	Timeline	Status
Additional Chief Secretary, Environment through Director to take steps to identify the agency for preparation of DPR by issuing tender	6 months	Steps were taken even to issue a tender notice only after 8 months, after MA.11 of 2022 was filed by the Applicant.
Preparation of DPR by the agency identified	9 months	Not commenced
Remediation process	Earliest	Not commenced

5. Further directions of the Hon'ble Tribunal regarding undertaking the remediation process, its implementation, assessment of environmental compensation, monitoring the implementation of the DPR etc. can follow only if this primary step is undertaken. The same is still at step 1 while the TANGEDCO continues to violate the laws and consent conditions with no action or consequence from TNPCB.

6. REPLACEMENT OF OLD PIPELINES:

During the pendency of the present O.A, there have been several directions to TANGEDCO regarding the continuous leakage of the ash slurry carrying pipelines of the NCTPS and the continuous damage being caused. These include orders dated 21.12.2017 and 20.01.2020.

7. Finally, an undertaking was filed by NCTPS on 29.11.2021 regarding their action plan for replacement of the old pipes and the Hon'ble Tribunal vide order dated 30.11.2021 made it clear that ALL pipes that are damages have to be replaced by new pipes within the timelines mentioned in the

undertaking , **at the most by June, 2022** and they will have to file periodical compliance reports regarding the same.

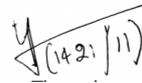
8. The Hon'ble Tribunal vide the judgement at direction (s) reiterated the timeline above for completion of the replacement of pipes. It is submitted that the replacement of these pipelines has not been done **TILL DATE.**

ACTION AGAINST TANGEDCO

9. It is submitted that the Tribunal time and again during the course of proceedings observed that TNPCB has not been strictly monitoring the operations of TANGEDCO and compliance of the consent conditions and there have been no consequences attached to TANGEDCO's violations. The Tribunal vide direction (f) of the Judgement also directed TNPCB to take action against TANGEDCO for operating the unit without obtaining renewal of CTO, impose compensation and initiate prosecution. Till date, there has been NO information from the TNPCB, 14 months since the judgement whether ANY action has been taken against the TANGEDCO's continued violations.

10. As a matter of fact, till date NO compliance report has been filed to this Hon'ble Tribunal either by TANGEDCO, nor by TNPCB nor the Department of Environment regarding the aspects highlighted above. It is respectfully submitted that immediate measures and directions have to be issued for compliance of the comprehensive directions of the Hon'ble NGT dated 05.07.2022.

Dated at Chennai on this the 25th day of September, 2023



Counsel for Applicants

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

APPLICATION NO. 162 OF 2021 (SZ)

BETWEEN

Suo Motu

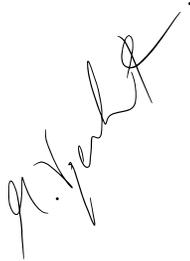
... Applicant

And

Union of India and Ors.

... Respondents

UNDERTAKING FILED ON BEHALF OF 9th and 10th RESPONDENT



M VIJAYA MEHANATH

COUNSEL FOR THE 9th and 10th RESPONDENT

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**BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE
ORIGINAL APPLICATION. 162 OF 2021**

IN THE MATTER OF :

Tribunal on its own motion- Suo-Motu based on the news item Published in the Times of India Newspaper, Chennai Edition dated 01.07.2021, under the caption "Another Pipeline leak at Ennore power plant".

... APPLICANT(S)

Versus

UNION OF INDIA & 11 ORS

... RESPONDENT(S)

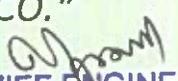
UNDERTAKING FILED ON BEHALF OF THE 10th RESPONDENT

I, R.Ramkumar, son of Ramdas, aged about 58 years residing at A2 Power Apartment 25, Zackaria Colony Main Road Choolaimedu, Chennai 600 094 , do hereby solemnly affirm and sincerely state as follows:

1. I state that I am the Chief Engineer, representing the 10th Respondent herein and as such I am well acquainted with the facts of the case from the available records. I am filing this undertaking for myself and on behalf of Respondent No.9.

2. I state that this Hon'ble Tribunal on 22.11.2021 was pleased to pass the following order :

"17.So, we feel that short time can be given to TANGEDCO to come with an action plan with shorter time line for replacing the pipes and stating the difficulties they are facing for the purpose of procuring funds and administrative sanction , then necessary direction can be given to the higher level officials to deal with the same and remedy the situation. They are also directed to come with the report regarding study if any, conducted by TANGEDCO themselves for the purpose of implementing the remediation process through an independent agency as recommended by the Joint Committee in the year 2017. They are directed to submit these reports and action plan on or before 30.11.2021. If they did not come with a proper action plan to the satisfaction of this Tribunal, then this Tribunal will be compelled to pass some coercive orders to implement the same with shorter time line and also appoint an independent committee to go into these aspects and submit a report at the expense of TANGEDCO."


CHIEF ENGINEER
NORTH CHENNAI THERMAL POWER STATION
TNEB, CHENNAI-600 120.

3. I state that pursuant to the said order and in compliance of the directions therein, the following present status/action taken report is submitted as hereunder.

4. I state that In North Chennai Thermal Power Station-I, 60% of Ash generated is disposed as fly ash to Cement Companies through open tender. Rest of the Ash being handled as wet Ash and the same is disposed as Ash Slurry into the Ash Dyke. The wet Ash is also shipped to some extent for ground filling such as Road filling etc., utmost care is taken to dispose the Ash to maximum extent securely.

5. I state that in North Chennai Thermal Power Station-I (NCTPS-I), 5 Nos. Ash Slurry Disposal Lines (ASDL) were erected in the year 1994, for conveying Ash slurry from NCTPS-1 into Ash Dyke for about 5 Km each.

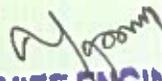
6. I state that the above pipelines are being exposed in saline atmosphere and carrying Ash slurry which is in abrasive nature. Hence the above pipelines tend to get corrosion & erosion. The most damaged pipelines were identified and replaced in piece meal manner. All the above five pipelines have fully corroded since they have served its full lifetime.

The present status of action taken on replacement of eroded ASDL Pipelines:

ASDL No.1& 5 - (5129 mtrs each) – Administrative approval is under process and the replacement of entire length of both pipelines will be completed by June 2022. Meanwhile both the above pipelines have been replaced by using the released pipes from ETPS and it disposes Ash slurry reasonably.

ASDL No.2 - (5511 mtrs) - 1728 meters of new cast basalt pipe lines have already been replaced with available 3498 metres pipes and work is being carried out on emergency basis and will be completed by December 2021.

ASDL No.3 - (4942 mtrs) - New cast basalt pipe has been replaced successfully from ash dyke to NCTPS gate and there are no leaks developed in this pipeline.


CHIEF ENGINEER
 NORTH CHENNAI THERMAL POWER STATION
 TNEB, CHE. 041-600 120.

ASDL No.4 – (4942 mtrs) - Tender for procurement of 4942m of new cast basalt Pipes is under process and will be completed by May 2022.

7. I state that due to Covid-19 pandemic, Nationwide lock down has been imposed from March 2020 to September 2020 as per the guidelines of Government of India. Afterwards partial lockdown was continued. At that time all the manufacturer have stopped/restricted their manufacturing activities and hence the supply & erection works in ASDL 2 & 3 are getting delayed.

8. I state that the Ash deposits of about 4.35 Lakh Cum in the Kosasthalaiyar River for a length of 2.4 Kms from NCTPS main Gate to KPL main Gate has been desilted at a cost of Rs. 28.5 Crore through PWD during the period from June to Dec' 2020.

9. I state that similarly Ash deposits of about 134 Lakh Cum in the Buckingham Canal for a length of 2.4 Kms NCTPS main Gate to KPL main Gate has been desilted at a cost of Rs. 66.23 Lakhs through PWD during the period from June to Dec' 2020.

10. I state that as per the direction of District Collector Thiruvallur, Ash deposits of about 8813 Cum in the Buckingham Canal on the northern and southern sides of the Ash Slurry Pipelines of NCTPS-I & II has been desilted for al length of about 200 mtrs at an expenditure of 17.7 Lakhs during the period from 24.10.2021 to 15.11.2021.

11. I state that ash dyke Bund and ASDL Bund strengthening works are being taken up continuously. Also ASDL supplying sleepers are replaced / repaired then and there to improve ASDL system.

12. I state that necessary steps are being taken by planting Bamboo Saplings for greening throughout the area of Ash Slurry Disposal Lines from North Chennai Thermal Power Stations (NCTPS-I & II), up to Ash Dyke through Social Forestry Scheme by outsourcing the works to Forest Department.


CHIEF ENGINEER
NORTH CHENNAI THERMAL POWER STATION
TNEB, CHENNAI-600 120.

Hence, it is humbly prayed that this Hon'ble Tribunal may be pleased to take the present undertaking on record and thus render justice.

DATED AT CHENNAI ON THIS THE 29th DAY OF NOVEMBER 2011

10th RESPONDENT


CHIEF ENGINEER
NORTH CHENNAI THERMAL POWER STATION
TNEB, CHENNAI-600 120.

VERIFICATION

I, R.Ramkumar, son of Ramdas, aged about 58 years years residing at at A2 Power Apartment 25, Zackaria Colony Main Road Choolaimedu, Chennai 600 094 do hereby verify that the contents of paras 1 to 12 are true to the best of my knowledge and I have not suppressed any material fact.

Verified at Chennai on 29thday of November, 2021.

10th RESPONDENT


CHIEF ENGINEER
NORTH CHENNAI THERMAL POWER STATION
TNEB, CHENNAI-600 120.

::TAMIL NADU GENERATION AND DISTRIBUTION CORPORATION LIMITED::
(a subsidiary of TNEB Ltd.)

**O/o Director/Generation
Chennai-2**

Note Submitted:

Sub: TANGEDCO – Generation Wing – North Chennai Thermal Power Station-I, –
Ash handling – Dry & Wet Ash – 5 Nos Ash Slurry Disposal Lines (ASDL)
erected during 1994 – Replacement of eroded Pipe Lines – Present Status
and Action Taken Report – Regarding.

&&&&&

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For kind perusal please.

Handwritten initials and date: 27/11/21

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Dir. Gen.

Handwritten signature and date: 25.11.2021

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CMD

DIRECTOR (A)
TANGEDCO
25 NOV 2021
520

L.A
No: 783
Date: 25/11/2021

CMD TANGEDCO
TH

Handwritten number: 492
CHIEF ENGINEER
NORTH CHENNAI THERMAL POWER STATION
TNEB, CHENNAI-600 120.