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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKATA
ORIGINAL APPLICATION. NO. 74/2017/EZ**

IN THE MATTER OF:

MR. TAI MAYA

..... Petitioner

VERSUS

UNION OF INDIA & ORS

..... Respondent

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| 1. | ANNEXURE-A True copies of the Joint Committee Inspection Report | 1-49 |
| 2. | ANNEXURE-B National Highways Infrastructure Development Corporation (NHIDCL) has filed a SLP before the Hon'ble Supreme Court of India. True copy of the diary No.27618/2022 of SLP dated 02.09.2022 | 50-51 |

Respondent No.4

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKATA
O.A. NO. 74/2017/EZ
MR. TAI MAYA
VS
UNION OF INDIA & ORS

Affidavit on behalf of Respondent No. 4 (ARUNACHAL PRADESH STATE POLLUTION CONTROL BOARD) in compliance of order dated 09.05.2022.

1. I, Smt. Koj Rinya, IFS, daughter Shri Koj Tajang aged about 40 years working as Member Secretary, Arunachal Pradesh State Pollution Control Board, and am duly authorized by competent authority to make this reply on behalf of the Respondent No-4, Arunachal Pradesh State Pollution Control Board, and here by solemnly state and affirm as follows :

2. That, I have gone through the order dated 09.05.2022 passed by Honble NGT, Eastern Zone, Kolkata and have understood the contents there in. The State Pollution Control Board has been made the Nodal Agency for coordination of the Joint Committee.

True copy of the inspection report of the Joint Committee is enclosed herewith as **ANNEXURE-A.**

3. The National Highways Infrastructure Development Corporation (NHIDCL) has filed a SLP against the imposition of Environmental Compensation of Rs.10 Cr (Rupees Ten Crores) before the Hon'ble Supreme Court of India.

True copy of the diary No.27618/2022 of SLP dated 02.09.2022 is enclosed herewith as **ANNEXURE-B.**


Member Secretary

Arunachal Pradesh State Pollution Control Board

Member Secretary
State Pollution Control Board
2 of 3 Govt. of Arunachal Pradesh
Naharlagun-791110

VERIFICATION

I, the deponent above named, do hereby verified at Naharlagun on this day of October, 2022 that the contents of my reply affidavit are true and correct to the best of my knowledge and belief. No part of the same is false and no material has been concealed therefrom.

5/8
19/10/22
DEPONENT
Member Secretary
Arunachal Pradesh State Pollution Control Board
Member Secretary
State Pollution Control Board
Govt. of Arunachal Pradesh
Naharlagun-791110

Sworn in before me:

cpc
19/10/22
EXECUTIVE MAGISTRATE
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Date: 20-09-2022

To,

Sri Tapek Riba
CCF, Banderdewa & Member Secretary,
Pollution Control Board
Arunachal Pradesh-791110

Sub: Joint Committee Field Inspection Report dated 19.09.2022 in compliance of order dated 09-05-2022 passed by the Hon'ble National Green Tribunal in O.A.74-2017- Mr. Tai Maya -vs- Union of India & Ors.

Sir,

With reference to the subject mentioned above, It is to inform you that the Joint Committee Field Inspection Report dated 19.09.2022 (Enclosure-I) which was signed by the committee members was filed by this office on 20.09.2022, before the Hon'ble National Green Tribunal, East Zone in the above-mentioned case.

However, the Judicial Section of National Green Tribunal, East Zone, communicated vide its e-mail dated 20-09-2022 (Enclosure-II) that the Field inspection Report may kindly be filed in form of Affidavit. The State PCB being the nodal agency as per the directions given in order dated 09-05-2022 (Enclosure-III) It was further informed that the Nodal Officer (State PCB) is required to file the Joint Committee in form of Affidavit.

Therefore, you are requested to do the needful. This is for your information and necessary action. A copy of the Affidavit alongwith the annexure (Joint Committee Field Inspection Report dated 19.09.2022) may be provided to this office at the earliest.

Kindly acknowledge receipt of the same.

Enclosed as stated above.

Your's sincerely

Mehboob Alam
20-09-2022

MEHBOOB ALAM

Legal Assistant

IRO, Guwahati

Ministry of Environment, Forest
& Climate Change


hif
Member Secretary
State Pollution Control Board
Govt. of Arunachal Pradesh
Naharlagun - 791001

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FIELD INSPECTION REPORT
ON MUCK DISPOSAL SITE IN THE STATE OF ARUNACHAL PRADESH

In compliance of Hon'ble National Green Tribunal
in the matter of "Tai Maya – versus Union of India & Ors"
OA No. 74/2017/EZ vide order dated 09-05-2022

Submitted : 19.09.2022


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State Pollution Control Board
Govt. of Arunachal Pradesh
Naharlagun, 791110


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Background:

The fact of the Case / matter is that the applicant is a social activist and has filed the instant litigation back in 2017 against the development projects undertaken by the State in which gross violations of environmental laws like Environment Protection Act, 1986, Water Act, 1974 & Forest Conservation Act, 1980 were alleged. The Ministry of Environment, Forest & Climate Change is also one of the respondents in the case. Further allegations were made that in some portion of the road, new alignments were proposed as per Detailed Project Reports / Plan & Profiles (DPR/P&P); and assessment of the affected forest lands required to be diverted for non-forest lands use were one but the User Agencies and Contractors have not followed the proposed alignment and have just widened existing roads/alignments and no re-assessments were done. The user agencies made fraudulent bills and the quantity of work as proposed and construction on ground does not match.

Introduction:

Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata heard the matter (OA No. 74/2017/EZ) of "Tai Maya – versus - Union of India & Ors" on 09-05-2022 and constituted a Joint Committee to examine and investigate the Muck dumping site in the road construction project of Arunachal Pradesh.

The Hon'ble Tribunal directed vide order dated 09.05.2022 to form a Joint Committee to undertake tasks mentioned below:

1. Undertake visit to the sites and interact with the project proponents, their agencies and other stake holders.
2. Decide upon action to be taken for the violations, compliance of the environmental norms as well as fixing accountability for the past violations including restoration of environment.
3. Assess the compensation, prepare and approve the action plan for restoration of environment.
4. File its action taken report of compliance status as on 31.08.2022 by 15.09.2022 by email at judicial-ngt@gov.in

In compliance to the Hon'ble NGT order, Arunachal Pradesh State Pollution Control Board notified the constitution of the Joint Committee vide order dt. 25-05-2022 comprising with following members:

- i. Shri W. Longvah, IGF (C), Regional Officer, Integrated Regional Office Guwahati, MoEF&CC
- ii. Shri M. K. Choudhury , Regional Director, CPCB, Shillong
- iii. Shri N. Tam, PCCF (WL&BD) & CWLW representative of PCCF, Arunachal Pradesh.
- iv. Shri P. Ringu, CCF, Central Arunachal Circle, Pasighat representative of PCCF, Arunachal Pradesh for represent Central Arunachal Forest Circle .
- v. Shri Tapek Riba, CCF, Banderdewa & Member Secretary, Pollution Control Board Arunachal Pradesh.

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Govt. of Arunachal Pradesh
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Stipulated conditions in respect of muck dumping for road construction as per approved forest clearance:

1. The overburden shall not be dumped outside the width of the road. The muck generated in the earth cutting will be disposed of at the designated dumping sites and in no case the muck/debris will be allowed to roll down the hill slopes.
2. The muck dumping area shall be stabilized and plantation of suitable species shall be carried out over stabilized dumps on the cost of the user agency under the supervision of State Forest Department.
3. The designing of culverts/ bridges, if any, over the natural streams/rivers/canals should be done in such a manner that it does not hamper the natural course of the water, does not give rise to water logging and also does not hamper the movement of the wild animals.
4. All the site-specific engineering structures like retaining walls, breast wall and drainage shall be constructed to avoid any soil erosion and to provide slope stability of the concerned hills.

Details of road stretches as per the forest clearance proposals of designated dumping site (Annexure -1)

Petitioner's Allegation: Non Compliance of EC and FC condition in regards to muck dumping:

In total 6 projects are under allegation for violations of the aforesaid enactments, rules and regulations and the Project are implemented without approved Muck disposal Plan

The name of the Projects are:

| SI No. | Name of Projects | Name of User Agencies | Name of Contractors | Petitioner's Allegation |
|--------|-----------------------------|--|--|--|
| 1. | Akajan-Likabali-Bam | National Highway Infrastructure Development Corporation Limited (NHIDCL) | M/s. Jugal Kishore Mohanta (JKM) Ivory Enclave, RGB Road, Guwahati, Kamrup, Assam 781021 M/s. TK Engineering Consortium Private Limited Model Village (TKECPL), Naharlagun, Itanagar, Arunachal Pradesh 791110. | Project going on without approved Muck disposal Plan |
| 2. | Yingkiyong-Mariang-Pasighat | PWD / NHIDCL | M/s. Jugal Kishore Mohanta (JKM) Ivory Enclave, RGB Road, Guwahati, Kamrup, Assam 781021 | Project going on without approved Muck disposal Plan |

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| | | | M/s. BSCPL, 8-2-502/1/A, JIVI Towers, Road No.7, Banjara Hills, Hyderabad, Telangana 500034. | |
| 3. | Pasighat-Pangin | PWD /NHIDCL | M/s. Puna Hinda Construction Private Limited, C/o Times Video Library, Akash Deep, PO & PS Itanagar, Arunachal Pradesh 791111 M/s. TK Engineering Consortium Private Limited Model Village (TKECPL), Naharlagun, Itanagar, Arunachal Pradesh 791110. | Project going on without approved Muck disposal Plan |
| 4. | Papu-Yupia (Wild Life Zone) | PWD | M/s. TK Engineering Consortium Private Limited Model Village (TKECPL), Naharlagun, Itanagar, Arunachal Pradesh 791110. | Project completed without approved Muck disposal Plan |
| 5. | Police HQ-Chimpu | PWD | M/s. TK Engineering Consortium Private Limited Model Village (TKECPL), Naharlagun, Itanagar, Arunachal Pradesh 791110. | Project completed without approved Muck disposal Plan |
| 6. | Chimpu-Holong | PWD | M/s. TK Engineering Consortium Private Limited Model Village (TKECPL), Naharlagun, Itanagar, Arunachal Pradesh 791110. | Project completed without approved Muck disposal Plan |

Site visit and observations by the Joint Committee:-

The committee carried out site inspection during the period 05.07.2022 to 10.07.2022 of all the roads mentioned in the NGT order dated 09-05-2022 and made observation of all the designated dumping sites. The detail list of GPS coordinate of the muck dumping sites are enclosed as **Annexure I**.

1. Muck disposal

1. Yingkiyong- Mariyang-Pasighat (site visited on 06.09.2022)

On the date of site visit 06.09.2022, active muck dumping was not observed. The dumps are covered with natural vegetation covered by herbs and shrubs and some places with trees. It may be assumed that before 5 to 10 years at the time of construction phase large quantity of mucks generated from road widening project. Muck dumping plan was approved in the FC clearance proposal.

The public hearing was conducted with the Zila Parishad member in presence of Circle Officer of Mariyang on 06.09.2022.

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(ii) Akajan-Likabali-Bam (site visited on 08.09.2022)

The generated muck are continuously being disposed haphazardly in an unscientific manner leading to number of other environmental issues such as loss of nutrients of the top soil, destruction of vegetation leading to deforestation, siltation of rivers and stream.

The Public hearing was conducted in Basar and Likabali in respect of Akajan-Likabali-Bam road wherein local residents had raised complaint on destruction of their agriculture crops due to improper muck dumping by choking the natural rivers /streams in this stretch of road. The grievances raised by the local residents has been appended (**Annexure III A & B**).

Gross violation of muck dumping plan was observed in this stretch of road. Photographic evidence has been annexed for kind perusal of the Hon'ble NGT (**Annexure IV**).

(iii) Pasighat to Pangin(visited on 07.09.2022)

The muck dumping was carried out in designated sites though it was observed that the encroachment in certain sites has been taken place. The concerned DFO has been directed to remove the encroachment and take possession of the forest land. In one instant it was seen that change in user agency without permission of Central Govt from PWD to NHIDCL.

(iv) Pupu-Yupia(Wild-Life) (visited on 09.09.2022)

The road stretch from 0.00 km to 7.00 Km has been involved in NGT case and muck has been dumped in the private land. Terrain is undulating to hilly. No improper muck dumping site has been observed during the committee visit.

(v) Police HQ-Chimpu

The land transferred from BRTF to PWD without permission of Central Govt for change in user agency from BRTF to PWD.

(vi) Chimpu-Holongi

The above three roads were visited on 09.09.2022. It was informed that project was completed on 2017.

The committee observed that no Forest clearance and wildlife clearance has been obtained for additional 37.30 ha Chimpu Nallah to Holongi (from 2.75 km to 20.37 km by PWD in Papumpare district (four lane specification) and the matter in court. However, no violation of muck dumping plan was observed Chimpu Nallah to Holongi.

The muck dumping sites in respect of road stretches above at (iv), (v) and (vi) is naturally stabilized with the growth of herbs, shrubs and trees. Proper drainage system needs to be provided to ensure un-obstructed flow of runoff into the river. The muck dump site should be compacted for better stability and provision of garland drains around to prevent passing run off through it.

Slope stabilisation and revegetation:

Due to widening of road construction project maximum numbers of muck dumps having slope towards the Siang river/other water body angles ranges between 60 to 85 degree (approx.) and designated dump site distance less than 30mtr from water body in the way to Yingkiyong-Mariang-Pasighat and Pasighat-Panging road. Where due to unscientific disposal of muck cause damage to the ecology of the area and also increase the sedimentation in the river bed and further posing

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potential threat to the nearby water body. The committee recommends the adoption of biological and engineering measures to stabilised and rejuvenate by project authorities at the mucks disposal site by constructing gabion wall, retaining wall, proper drainage system, toe wall, sedimentation piths and vegetative methods.

2. Signage and demarcation:

The signage and demarcation of diverted forest land and erection pillars of boundary of the muck disposal site has not yet fixed. The concerned DFO should immediately demarcate the boundaries and display board with detail information at the cost of user agency.

3. Land slide / Road cutting:

Road cutting in the hill slope is a sensitive issue which lead to the maximum area of land slide under new road construction project compared to virgin hill top. Some of the land slide occurred during rainy season due to cutting road without any scientific study. The committee hold the user agency that responsible for triggering land slide and damage of environment. Cutting of hill top was not observed in benching pattern where during rainy season highest land slide occurred. Nearby land slide area a catchment area need to be developed for arresting sediments. In fact, there should have proper Standard Operating procedure (SOP) for the contractors for such activity of slope cutting and preventing natural springs. However, no such SOPs are available with the contractors which should be made available to the DFO concerned.

4. Diverted / blocked the natural drainage :

At the Gobuk area about 4.3 km Yingkiyong from the natural water body diverted for agricultural irrigation purpose blocked by natural drainage / course of nallahs by the debris / boulders thereby changing the natural course of the nallahs causing erosion to the natural slope towards Seng river side, as a result destroy the local eco-system (land & water) remedial action required.

5. Environmental clearance:


Project has not obtained the EC for this road construction project. They have informed EC is not required for less than 100 Km road construction project. However, it was observed that construction of road from Yingkoing-Mariang- Pasighat FC has obtained for length is about 0.00 km to 130.384 km where project has not obtained the Environmental clearance as per environmental protection act 1986, EIA notification 2006 and 2013.

6. Water and air pollution: (Report attached as annexure-II):

7. Interaction with public:

The joint committee discussed the issue of muck dumping with the Zila Parishad member at Inspection Bungalow, Mariyang on 06.08.2022. On dated 08.08.22 a huge public gathering and interaction has been made by committee at the circuit house Basar in presence of concerned district authorities, Leparada District in the matter about the


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Govt. of Arunachal Pradesh
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impact of muck disposal in the water, fishery and agricultural field. On dated 09.08.22 a public interaction was conducted at Forest guest house Likabali on impacts due to muck disposal. In this regard villagers of Leparada and Likabali have submitted copies of memorandum to the joint committee for further necessary action. (Enclosed as Annexure -III A & III B)

8. As per the observation the road construction from Likabali to Basar is being done by NHIDLC and Bame to Along (now Aalo) by Highway depart of PWD which needs to be ascertained.

Recommendations of Joint Committee:

- i) Stringent monitoring mechanism should be in place regularly oversee and take corrective steps on all the ongoing roads construction in the State of Arunachal Pradesh.
- ii) Prior to road cutting the contractor should ensure construction of gabion wall, retaining wall, etc to prevent muck from rolling down the slopes.
- iii) The top surfaces and slopes of dumping sites of all dumping areas needs to be protected by vegetation cover. In order to stabilize the slopes, the biological measures which includes compaction, plantation, soil treatment, turfing, placing of coir mate/ aluminum mate, uses of hydro seeding, spreading of seed balls. etc. which need to be taken up immediately, if not simultaneously.
- iv) Checking the air and water quality of the affected areas should be made mandatory. Any project activity causing air and water pollution needs to be continuously monitored.
- v) Environmental clearance is mandatory for road Yingkiong-Mariyang- Pasighat, (0-16-130km.) where project proponent should have submitted a copy of EC accorded by MOEFCC, Govt of India.

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Monitoring of Environmental Damage as under:

The committee recommends quarterly monitoring to assess the Environmental Damage due to impact of muck disposal of the road construction project and send report to the PCCF, Govt. of Arunachal Pradesh, Member Secretary SPCB, Arunachal Pradesh, and Integrated Regional Office Guwahati, MOEFCC Govt. of India as under:-

[Handwritten signature]

- (i) The PCCF(WL) or his representative and APSPCB will monitor *Papu - Yupia, Police HQ and Chimpu - Hollongi sectors and report any violation in regards to EC and FC.*
- (ii) The CCF Pasighat or his representative and APSPCB will monitor *Pasighat - Mariyang, Pasighat - Pangin, Bame - Likabali - Akajan and report any violation in regards to EC and FC.*

As regards compensation to crop damages, etc., the user agency should pay the cost of production of Agri / Horticulture products per hectare per annum as per the rate recommended by District Agriculture Officer/District Horticulture Officer/ District Fishery Officer through the respective Deputy Commissioner of the districts.

Environmental compensation:

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Member Secretary
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In light of the observation above the committee recommends that the user agency shall deposit an amount of Rs 3.00 cr with the Arunachal Pradesh State Pollution Control Board as interim penalty for compensating the environmental loss due to haphazard muck dumping specially in regards to Akanjan-Likabali-Bam Road. The DFO and concerned CCF will submit comprehensive mitigation plan in consultation with Arunachal Pradesh State Pollution Control Board which will be approved by the PCCF & HoFF, Govt of Arunachal Pradesh. The total cost of mitigation plan will be funded by the user agency, i.e. NHIDCL.


The expenditure incurred during the preparation of comprehensive mitigation plan and monitoring of roads will be drawn from the interim fund deposited by the user agency i.e. NHIDCL with the APSPCB.

Enclosures:


- Annexure: I** : Details of road stretches as per the forest clearance proposals
- Annexure : II** : Water Quality analysis report of Siang River.
- Annexure: III A & III B** : Copies of the memorandum submitted by villagers of Leparada Dist. & DFO, Office Likabali
- Annexure: IV** : Photographs of project site visit


Signature of committee members


Shri N Tam,
 Principal Chief Conservator of Forests
 (WL&BD) & CWLW,
 Arunachal Pradesh.
 Principal Chief Conservator of Forest
 (WL & BD), Itanagar


Shri P Ringu,
 Chief Conservator of Forests,
 Central Arunachal Circle,
 Pasighat.


Shri Tapek Riba,
 CCF, Banderdewa & Member
 Secretary, Pollution Control
 Board Arunachal Pradesh
 Member Secretary
 APSPCB
 Naharlagun


Shri M. K. Choudhury,
 Scientist 'F' & Regional Director,
 Central Pollution Control Board, Shillong


Shri W. Longvah, IGF (C),
 Regional Officer, Integrated Regional Office,
 Guwahati, MoEF&CC


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 State Pollution Control Board
 Govt. of Arunachal Pradesh
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Annexure -I

Details of road stretches as per the forest clearance proposals

| SL. No. | Name of the proposal | Road chainage | Area (ha) | Length (km) | EC | FC granted to User agency | Presently Land under possession of | Muck dumping Plan (Yes/NO) | Muck dumping sites | Date of IPA | Date of Final Approval | Remarks |
|---------|----------------------|-------------------|-----------|-------------|----|---------------------------|------------------------------------|----------------------------|--|-------------|------------------------|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | |
| 1 | Akajan-Likabali-Bam | 12.00 km-22.00 km | 6.14 | 10 | NA | BRTF | NHIDCL | YES | Utilized for filling sections of 0.00 km to 12.00 km | 21.01.2013 | 22.09.2014 | 50,000 Cum generated muck to be utilized for filling section of 0.00km to 12.00 km on Akajan-Likabali road (*Permission for change of user agency from BRTF to NHIDCL obtained from Central Govt) |
| | | 22.00 km-40.00 km | 16.20 | 18 | NA | BRTF | NHIDCL | YES | Area approved 9.80 ha (19 nos. of Private Land) | 09.07.2014 | 12.09.2017 | Inspected GPS coordinates (a) MDP at Siji 27°44'49.22",95°42'54.91" altitude 323 m (*Permission for change of user agency from BRTF to NHIDCL obtained from Central Govt) Out of 90,000 Cum generated muck, 34,000 Cum muck utilized for filling section of 0.00km to 12.00 km on Akajan-Likabali road and balance quantity disposed off at GREF land at Likabali(Km12) and Siji location(Km 30.00) The terrain of the muck disposal site at Siji is undulating |

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State Pollution Control Board
Govt. of Arunachal Pradesh
Naharlagun-791110

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| | | | | | | | | | | | and the area is almost stabilized, however plantation of indigenous tree species should be carried by the State Forest Department out at the cost of user agency. |
| 40.00 km- 65.00 km | 22.50 | 25 | NA | BRTF | NHIDC L | YES | Area 9.80 ha (19 nos. of Private Land) | 09.07.201 4 | 12.09.2017 | Inspected GPS coordinates (a) MDP 27°47'48.89",94°44'04.87" altitude 815 m (b) MDP 27°47'41.23",94°43'58.90" altitude 800 m (c) MDP 27°47'39.26",94°43'40.74" altitude 830 m (*Permission for change of user agency from BRTF to NHIDCL obtained from Central Govt) | |
| 65.00 km- 71.00 km | 4.5 | 6 | NA | BRTF | NHIDC L | YES | Area 1.317 ha (2 nos. of Private Land) | 04.03.201 5 | 27.04.2017 | Muck dumping site of 1.317 ha is in private land (2 nos. MDP) (*Permission for change of user agency from BRTF to NHIDCL obtained from Central Govt) | |
| 65.00 km- 71.00 km | 7.497 | 6 | NA | NHIDCL | NHIDC L | YES | 5.454 ha (1.317 ha with 2 nos. sites in Private Land and 4.137 ha with 3 nos. sites of in forest land) | 28.11.201 8 | 19.02.2019 | Muck dumping site of 5.454 ha (1.317 ha with 2 nos. sites in Private Land and 4.137 ha with 3 nos. MDP sites of in forest land) | |
| 71.00 km- | 52.45 | 24 | NA | NHIDCL | NHIDC L | YES | 20.20 ha | 12.10.2018 | 24.01.2019 | Inspected GPS coordinates | |

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| 95.00 km | | | | | L | | (9 nos. MDP) in Unclassified State Forest (USF) | | | | <p>(a) Natural landslide 27°56'16.28", 94°42'7.54" altitude 894 m</p> <p>(b) MDP 27°56'00.76", 94°42'12.28" altitude 973 m</p> <p>(c) MDP 27°55'43.93", 94°42'44.04" altitude 960 m</p> <p>(d) MDP 28°04'03.3", 94°41'08.31" altitude 786 m</p> <p>(e) MDP 28°04'18.81", 94°41'55.35" altitude 831 m</p> <p>(f) MDP 27°57'01.42", 94°41'30.24" altitude 921 m</p> <p>Muck dumping sites has not been acquired by the user agency NHIDCL however consent of the land owner has been taken.</p> |
| 95.00 km-105.62km | 1.951 | 10.62 | NA | BRTF | NHIDCL | YES | 2.33 ha {2.00 ha in Private Land (2 nos.) & 0.33 ha forest land(2 nos.,)} | 12.05.2014 | 22.07.2015 | <p>Inspected GPS coordinates (*Permission for change of user agency from BRTF to NHIDCL obtained from Central Govt)</p> <p>(a) MDP 27°57'01.40", 94°41'29.40" altitude 711 m</p> <p>(b) MDP 27°56'16.28", 94°42'07.54" altitude 894 m</p> <p>General observation:- Public hearing conducted in Basar in respect of Akajan-</p> | |

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Member Secretary
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|---|----------------------------------|--------------------|-------|----|----|-----|-----|-----|---|------------|------------|---|
| | | | | | | | | | | | | Likabali-Bam road wherein local habitants had raised complaint on (i) destroying of their agriculture crops due to improper muck dumping by choking the natural rivers /streams in this stretch of road . |
| 2 | Ying koin g- Mariang - Pasi ghat | 0.00km to 16.00 km | 20.85 | 16 | NA | PWD | PWD | YES | Strip muck plan in the abandoned habitation land and abandoned agriculture land | 16.08.2010 | 11.10.2013 | <p>Chainage 0.00 km to 16.00 km under PWD</p> <p>Inspected GPS coordinates</p> <p>(c) Land slide location 28°08'13.92", 95°17'46.56" altitude 203 m (where culvert had been shifted due to landslide)</p> <p>(d) 28°09'59.26", 95°14'57.53" altitude 195 m</p> <p>(e) 28°10'01.16", 95°14'54.31" altitude 222 m</p> <p>(f) MDP 9 28°10'10.13", 95°14'35.24" altitude 241 m</p> <p>(g) MDP 10 28°10'09.09", 95°14'03.93" altitude 287 m</p> <p>(h) MDP 12 28°10'06.45", 95°13'42.38"</p> <p>(i) 28°10'09.09", 95°14'03.93" Landslide zone</p> <p>(j) MDP 13 28°10'22.56, 95°13'04.98" altitude 324 m</p> <p>(k) 28°10'06.45", 95°13'42.38"</p> <p>(l) MDP 14 28°10'30.62, 95°13'13.94" altitude 325 m</p> <p>(m) MDP 14(13.9 km chainage) 28°10'30.62, 95°13'13.94" altitude 329 m</p> <p>(n) MDP 15</p> |

etc

Ms. Lalit Deka
EXECUTIVE MAGISTRATE
 Kanagar Capital Complex
ITANAGAR

SK
Member Secretary
State Pollution Control Board
 Govt. of Arunachal Pradesh
 Nahartagun-791110

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|-------------------|-------|--------|------------------|-----|------------|-----|---|------------|------------|--|---|
| | | | | | | | | | | | 28°10'38.10, 95°13'34.82" altitude 299 m (o) 28°10'46.01, 95°13'36.73" (p) 28°10'50.79, 95°13'33.42" |
| 0.16km-130.384 km | 90.47 | 114.39 | EC not available | PWD | PWD+NHIDCL | YES | Strip muck plan in the abandoned habitation land and abandoned agriculture land | 22.03.2010 | 24.10.2017 | Chainage 16.00 km to 19.8 km under PWD Inspected GPS coordinates (a) MDP 02 28°12'39.28, 95°13' 58.67" altitude 371 m. (b) MDP 02 28°11'54.39, 95°13' 53.10" altitude 345 m. (c) MDP 03(17.900 km) 28°11'51.13, 95°13' 56.31" altitude 315 m. (d) MDP 04 28°11'42.24, 95°13' 43.18" altitude 311 m. (e) MDP 05 28°11'31.91, 95°13' 33.75" altitude 306 m. (f) MDP 06 28°11'23.57, 95°13'27.06" altitude 285 m. (g) MDP 07 28°11'12.59, 95°13'27.94" altitude 285 m. Chainage 19.88 km to 43.257 km under NHIDCL (*Change of user agency without the permission of Central Govt permission from PWD to NHIDCL) Inspected GPS coordinates 1) MDP 01(CH 22KM) 28°12'44.94", 95°14' 00.33" | |

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|---|------------------------------------|--------------------|-------|----|----|-----|------------|---|---|------------|------------|--|
| | | | | | | | | | | | | <p>26) MDP (CH 8.800 km) 28°37'03.71", 95°03'23.01 " altitude 747 m.</p> <p>27) MDP 28°36'13.24", 95°05'20.65 " altitude 980 m.</p> <p>28) MDP 28°36'25.90", 95°06'10.80 " altitude 1198 m.</p> |
| 3 | Pash igha t to Pan gin | 0.00km- 20.00km | 14.45 | 20 | NA | PWD | NHIDC L | - | - | 05.11.2011 | 25.03.2014 | <p>(i) <u>Chainage 0.00 km to 20.00 km</u> (* change in user agency from PWD to NHIDCL obtained from Central Govt).</p> <p>1) MDP 28°05'23.85", 95°17'48.84 " altitude 224 m.</p> <p>2) MDP 28°05'38.01", 95°17'05.64" altitude 256 m.</p> <p>3) MDP 2 28°05'45.24", 95°16'58.03 " altitude 289 m.</p> <p>4) MDP 3 28°05'52.63", 95°16'46.21 " altitude 324 m.</p> <p>5) MDP 4 28°05'51.17", 95°16'38.93 " altitude 328 m.</p> <p>6) MDP 8 28°06'14.27", 95°16'06.30 " altitude 352 m. (tower of PGCIL observed in this muck dumping location with concrete construction by PHE)</p> |

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|------------------|-------|----|----|-----|--------------|-----------|--|------------|------------|-----------------|---|
| | | | | | | | | | | | <p>7) MDP 10 28°06'33.58", 95°16'11.15 " altitude 369 m.</p> <p>8) MDP 13 28°06'52.35", 95°16'26.34 " altitude 343 m.</p> <p>9) MDP 28°07'19.16", 95°16'26.55 " altitude 249 m.</p> <p>10) MDP 20 28°08'08.70", 95°16'47.51 " altitude 240 m.</p> <p>11) MDP 27 28°08'28.17", 95°15'46.65 " altitude 540 m.</p> <p>12) MDP 32 28°07'56.75", 95°14'56.05 " altitude 478 m.</p> <p>13) MDP 34 28°08'10.01", 95°14'56.05 " altitude 502 m.</p> <p>14) MDP 36 28°08'11.33", 95°14'37.59 " altitude 509 m.</p> <p>15) MDP 37 28°08'14.48", 95°14'30.78 " altitude 525 m.</p> |
| 20.00km-76.00 km | 50.37 | 56 | NA | PWD | PWD & NHIDCL | Submitted | (i) 8 nos of sites in 20.00 km to 28.00 km (ii) 79 | 18.03.2010 | 24.08.2016 | by RO, Shillong | <p>(ii) Chainage 20.00 km to 28.00 km & Chainage 42.00km to 58 km under NHIDCL (* change in user agency without permission of Central Govt from PWD to NHIDCL).</p> <p>Inspected GPS coordinates Muck dumping points from Chainage 20.00 km to 28.00 km are as under :-</p> <p>(a) MDP1(28°08'36.13",95°14'16.47"</p> |

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with growth of *Macaranga spp.*, cassia species, *Eupatorium* species, *perthenium spp.*, *Saccharum spp.*, etc

Not to rule out the occurrence of natural landslide/ roll down of debris/boulders thereby chocking the natural river/streams course in these stretches of the roads due to loose formation of base soil and gravel in the region.

In various previous old dumping area from Pashighat to Pangin, debris/fresh muck from the landslide zone has been observed dumped/mounted in old muck dumping area without proper retaining wall on the right bank of the river Siang .

Mudslides and erosions caused by overflowing streams and waterfalls are also some of the factors which block the highways frequently during the incessant rainy season.

Measures to be taken immediately by the user agency & State Govt:-

- (i) Soil conservation measures required to reduce the continuous washing of soil at higher slope.
- (ii) The check dams, nallah bunds and percolation tanks required to reduce the water velocity and increase the ground water availability in the stiff slope area.
- (iii) Plantation of suitable indigenous species shall be carried out at the cost of the user agency under the strict supervision of the concerned Divisional Forest Division.
- (iv) The user agency to undertake immediate

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|---|-------------------------|-------------------|-----------|----|---------|---------|-----|---|-----------------|------------|---|--|
| | | | | | | | | | | | | <p>construction / maintenance of retaining / breast wall and drainage in steep slopes to ensure soil stabilization and provide drains/cross drains etc.</p> <p>(v) Immediate action to be taken by the user agency for proper culvert/drainage over the natural streams/rivers/canal so that it should not hamper the natural course of the water.</p> <p>(vi) Site specific engineering structure like retaining walls, breast wall and drainage shall be constructed to avoid any soil erosion and for slope stability of the hills.</p> <p>(vii) The fresh muck from landside and natural mudslide/rolled down boulders has been observed to be dumped in the approved muck disposal sites. Such area need to be taken care by providing proper</p> <p>N.B. :- State Govt not submitted the proposal for additional area of 20.22 ha forest land for disposal of muck in connection with Pasighat- Pangin road 20 km to 76 km by PWD in Upper Siang District of Arunachal Pradesh.</p> |
| | 0.00km-20.00km | 7.33 | Muck area | NA | NHIDC L | NHIDC L | YES | 7.33 ha in forest land of 37 Nos. Muck disposal points. | 12.10.2018 | 06.05.2019 | 7.33 ha in forest land of 37 Nos. Muck disposal points. No retaining wall construction observed at the sites. Plantation on the stabilized muck disposal points to be taken up by the State Govt at the cost of the user agency | |
| 4 | Papu - Yupia (wildlife) | 0.00km to 7.00 km | 7 | | | | | | No FC clearance | | - | |
| | 7.00km-20.00km | 16.8 | 13 | NA | PWD | PWD | - | - | - | - | The road stretch from 0.00 km to 7.00 Km has been involved in NGT case and muck has been dumped in the | |

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| zone) | | | | | | | | | | | | |
|-------|------------------|---|-------|-------|-----|------|-----|--|-----------------------------------|-----------------------------------|--|---|
| | 20.00km-50.00km | 38.045 | 30 | NA | PWD | PWD | Yes | Muck Disposal Strip Plan (Proposed in 12 nos. of chainage) | 18.05.2017 by Ministry, New Delhi | 23.10.2017 by RO, Shillong | private land. Terrain is undulating to hilly. No improper muck dumping site has been observed during the committee visit. GPS points (i) point at 9.6 km (27°09'02.76" 93°43'59.34") (ii) at 7 km (Nyorch) (27°08'28.74" 93°42'55.32") (iii) at 0 km (27°06'00.13" 93°40'44.86") | |
| 5 | Police HQ-Chimpu | 0.00km to 17.490 km (double land specification) | 30.98 | 15.49 | NA | BRTF | PWD | - | - | 27.12.2002 by Ministry, New Delhi | 06.06.2016 by RO, Shillong | Violation involved in this proposal. Land transferred from BRTF to PWD without permission of Central Govt for change in user agency from BRTF to PWD. GPS coordinates: (i) At 4.5km (27°03'45.13" 93°36'36.64") (ii) (27°04'58.37" 93°35'52.40") The muck dumping has been done in private land. No Forest clearance has been granted for additional 37.30 ha Chimpu Nallah to Holongi (from 2.75 km to 20.37 km by PWD in Papumpare district. (four land specification) |
| 6 | Chimpu Holong | | | | | | | | | | | |

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Annexure II

Water Quality Analysis report of Siang river


ARUNACHAL PRADESH STATE POLLUTION CONTROL BOARD
 PARYAVARAN BHAWAN, PAPU HILL, YUPIA ROAD
 NAHARLAGUN
 MONTH - SEPTEMBER 2022

| Sl. | Station code | River Name | Location | Sampling date & time | Weather | GPS | Turbidity (FAU) | Temp (°C) | pH | DO (mg/l) | EC (µS) | BOD (mg/l) | COD (mg/l) |
|-------------------------|--------------|------------|---------------------------|-----------------------|---------|----------------------------|-----------------|-----------|---------|-----------|---------|------------|------------|
| Permissible limit (BIS) | | | | | | | 5 | | 6.5-8.5 | 5 | 500 | 3 | 250 |
| 01 | 3098 | Siang | Near RCC Bridge, Pasighat | 12/09/2022 10:25AM | Sunny | N28°04'48" E093°18'043" | 145.76 | 26.4 | 7.31 | 7.3 | 151.8 | 2.4 | 3.3 |
| 02 | | Siang | Yamne, Mariyang | 12/09/2022 1:19 PM | Sunny | N28°30'34" E095°10'36" | 10.5 | 26.7 | 7.31 | 6.8 | 152 | 2.8 | 3.8 |
| 03 | | Siang | Byorong Bridge, Yngkiang | 12/09/2022 4:05 PM | Sunny | N28°39'45" E095°00'43" | 63.08 | 24.6 | 7.42 | 8.2 | 231 | 0.6 | 1.2 |


 (Igo Lollen, JRF)
 APSPCB, Naharlagun


 (Bonita Nath, JRF)
 APSPCB, Naharlagun


 (J. Kato, Scientist 'B')
 APSPCB, Naharlagun


 Member Secretary
 State Pollution Control Board
 Govt. of Arunachal Pradesh
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Central Pollution Control Board
Regional Directorate - Shillong
Near Firebrigade H.O., Lower Motinagar
Shillong - 793014

Observations and comments on SIANG RIVER based on Analysis Report of
Arunachal Pradesh State Pollution Control Board

Observations:

- A. Siang river water samples were collected at three locations at 1) Byorong Bridge, Yingkiang, 2) Yamne, Mariyang, 3) Near RCC Bridge, Pasighat.
- B. The Siang River: pH ranges from 7.31-7.42, DO ranges from 6.8-8.2 mg/l, BOD ranges from 0.6-2.8mg/l.
- C. Total Coliforms was Not Analysed.

Comments:

- 1. Based on the available data of pH, DO and BOD and if the Total Coliforms Organism MPN/100ml is 500 or less. The Siang River will fall under Class of Water: 'B', Designated-Best-Use: Outdoor bathing (organized), as per Designated Best Use Water Quality Criteria.
- 2. Depending upon the level of BOD the river does not fall under polluted river stretch as per Criteria for Priority for Polluted River Stretches.

[Handwritten Signature]
16/9/22

[Handwritten Signature]
(RAKESH BASUMATARY)
SSA

[Handwritten Signature]
Member Secretary
State Pollution Control Board
Govt. of Arunachal Pradesh
Naharlagun-791110

[Handwritten Signature]
19/10/2022
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Annexure: III A & IIIB: Copies of the memorandum submitted by villagers of Leparada Dist. and DFO Office Likabali

To,
The Joint Committee
M.o EF & CC, IRO
Camp Likabali, Lower Siang District
Arunachal Pradesh
Dated Garu the 8th August 2022.

Sub: - Prayer for grant of compensation against lost of forest private plantation by dumping of soil and defires.

R/Sir,
With due respect, I have the honour to state that the ongoing high way road cutting from Likabali to Bame has caused damaged to my forest plantation; located in valley side at 15th to 16th from Garu Camp Side to Likabali. Moreover, our family have LPC against the said forest land.


Besides, we have earlier request the concerned company no to dump in said area and a copy of application is enclosed herewith.

Therefore, I request your honour kindly to look into matter seriously and take immediate action.

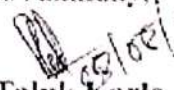
Thanking you sir,

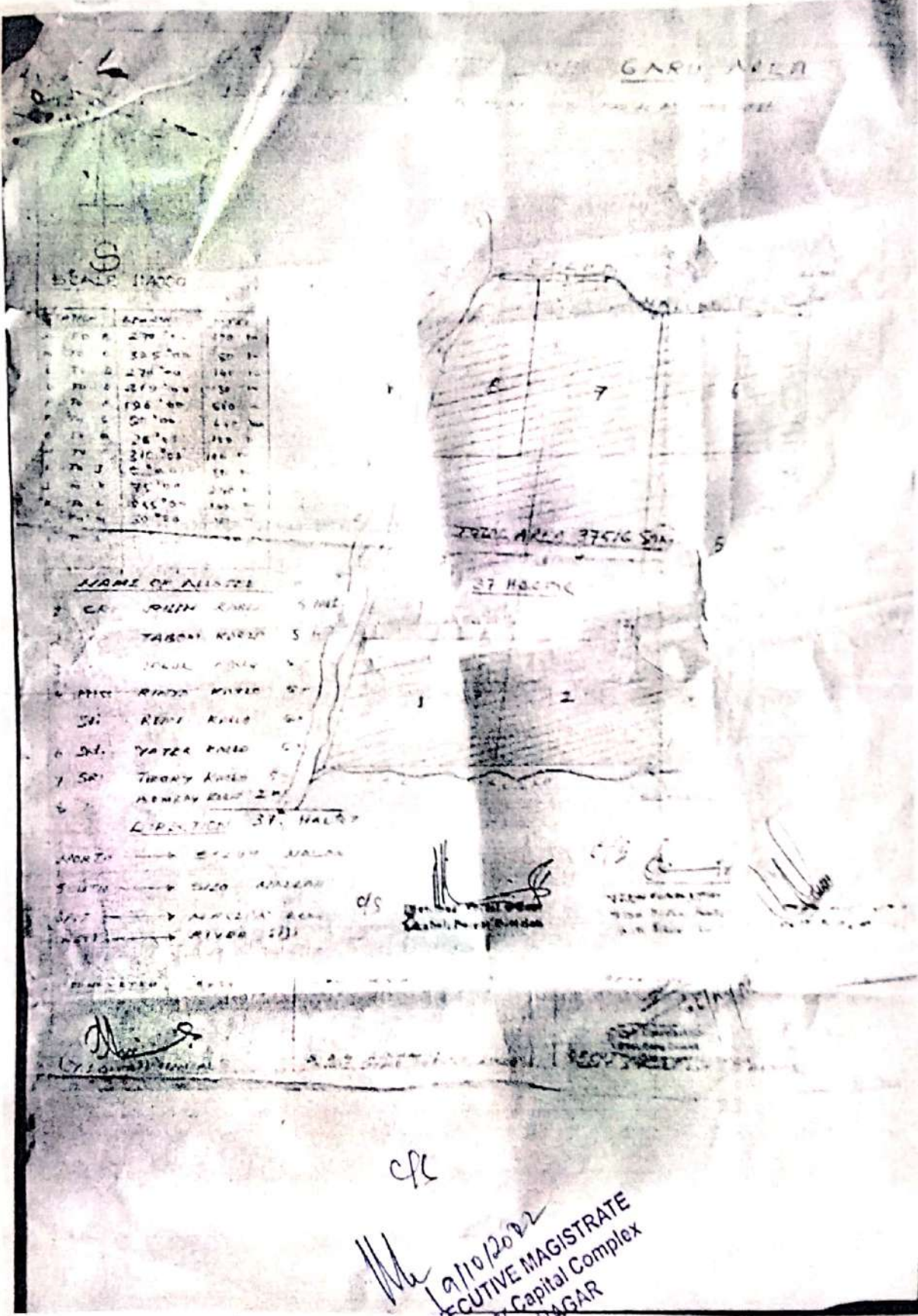
Enclosure: -

1. LPC 6 nos.
2. Sketch Map
3. Application for stopping of dumping.


Member Secretary
State Pollution Control Board
Govt. of Arunachal Pradesh
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Yours Faithfully,

Shri Taluk Karlo
Village- New Bonte
Lower Siang District
Arunachal Pradesh



Member Secretary
 State Pollution Control Board
 Govt. of Arunachal Pradesh
 Naharlagun-791110

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To

The Project Manager
T.K Engineering Consortium Pvt. Ltd.
Garu, District West Siang (A.P)

Dated Garu the 9th Dec. 2016

Sub: Stoppage of dumping soil / debris at my plot and request for compensation for dumping soil /debris in my land sloping area covering road side at Km:35+600 to 35+750 H.S. area and many others covered under my LPC No. WS/Rev-16/39 (PT), Dated Along the 5th Dec. 2006.

Sir,

It is to inform you that I and my family has a vast sloping land in the down side of the existing road cutting of the highway in between Siji to Garu area near 25 km from Likabali to Garu camp. The land possession certificate of the said land was issued to me and my family members namely in the name of Shri Taluk Karlo (myself) measuring 50,000 sq. mtrs., Shri Theory Karlo (my father) measuring 50,000 sq. mtrs., Shri Rilin Karlo (my younger brother) measuring 50,000 sq. mtrs., Smt Yater Karlo (my mother) measuring 50,000 sq. mtrs., Shri Remi Karlo (my younger brother) measuring 50,000 sq. mtrs., and Miss Rinya Karlo (my younger sister) measuring 50,000 sq. mtrs.

Sir, it is seen that the land owned by me, my father Shri Theory Karlo, my younger brother Shri Rilin Karlo, my mother Smt Yater Karlo, my younger brother Shri Remi Karlo which is in the slop area side of the existing highway road has been completely damaged with its forest products during the excavation or earth cutting. Me and my family has not been enlisted in the beneficiary list for compensation as our land exist in the slop area, but now due to earth cutting our area is completely devastated.

Sir, the earth cutting covering the land of my younger brother Shri Remi Karlo, my sister Miss Rinya Karlo is likely to start. I would like to request you not to damaged the slop area of said land.

Therefore, I highly request you to verify the damaged plots of my family and award sufficient compensation for the loss and damage to our land and its forest products. And also to stop dumping soil / debris at the plot of my younger brother Shri Remi Karlo and my sister Miss Rinya Karlo.

This is for your kind information and necessary action and to avoid further legal proceedings.

Thanking you

Enclosed,
1. L.P.C 6 nos.

Member Secretary
State Pollution Control Board
Govt. of Arunachal Pradesh
Nahartagun-791110

R. Karlo
Karlo
10/12/16
19/10/2022
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Sincerely
[Signature]
Shri Taluk Karlo
(land owner)
On behalf of all family members

GOVERNMENT OF ARUNACHAL PRADESH
OFFICE OF THE DEPUTY COMMISSIONER : WEST SIANG DIST : AALO

LAND POSSESSION CERTIFICATE

NO. WS/REV-16/39 (PT)
Dated Along the 5th
Dec/06



This is to certify that Shri Taluk Karlo
S/O Shri T.Karlo of Village-New Bomte, PO/PS-Gensi, District
West Siang, Arunachal Pradesh is in possession of his own
private land measuring 50000 sqmtrs located at Garu area
as described below.

This LPC is issued as per NOC issued by the
Sub-Divisional Officer, Likabali vide No. LKB/LPC- 96/05
dated 5/12/06

DESCRIPTION OF BOUNDARY

- North :- Plot No. 8
- South :- Plot No. 1
- East :- Plot No. 4
- West :- Siji river

Book No. 2000
Year of Registration 2006
Registered Document No. 133/06
Page No. 1 (3 A)
Date of Registration 06/12/06
Deputy Commissioner
West Siang District
AALO

(Tope Bam)
Deputy Commissioner
West Siang District
AALO

Member Secretary
State Pollution Control Board
Govt. of Arunachal Pradesh
Naharlagun-791110

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19/10/2007
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GOVERNMENT OF ARUNACHAL PRADESH
OFFICE OF THE DEPUTY COMMISSIONER : WEST SIANG DIST : ALON

LAND POSSESSION CERTIFICATE

NO. WS/REV-16/39 (PT)
Dated Along the 5th Dec

This is to certify that Shri Rilin Karlo
S/o Shri T. Karlo of New Bomte Village, PO/PS-Gensi, District
West Siang, Arunachal Pradesh is in possession of his own
private land measuring 50000 sqmtrs located at Garu area
as described below.

This LPC is issued as per NOC issued by the
Sub-Divisional Officer, Likabali vide No. LKB/LPC- 56/200
dated 4/12/06

DESCRIPTION OF BOUNDARY

- North :- Plot No. 3
- South :- Silo Nallah
- East :- Plot No. 2
- West :- Siji river

2006
2006
Registration Document No. 132/06
Page: 1 (of 1)
Date of Registration: 13/12/06
By: Registrar
At: Likabali

(Tope Bam)
Deputy Commissioner
West Siang District
Paper AALO

Member Secretary
State Pollution Control Board
Govt. of Arunachal Pradesh
Naharlagun-791110

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GOVERNMENT OF ARUNACHAL PRADESH
OFFICE OF THE DEPUTY COMMISSIONER : WEST SIANG DISTRICT : AALO



LAND POSSESSION CERTIFICATE

NO. WS/REV-16/39 (PT)
Dated Aalo the 5th
Dec/06

This is to certify that Shri Theory Karlo
S/O Late G.Karlo of Village-New Bonte, PO/PS-Gensi, District-
West Siang, Arunachal Pradesh is in possession of his own
private land measuring 50000 sqmtrs located at Garu area as
described below.

This LPC is issued as per NOC issued by
the Sub-Divisional Officer, Likabali vide No. LKB/LPC- 96/2005
dated 4/12/06

DESCRIPTION OF BOUNDARY

- North :- Silum Nallah
- South :- Plot No. 4
- East :- Plot No. 6
- West :- Plot No. 8

Handwritten notes:
By order of the
Deputy Commissioner
West Siang District
AALO
06/12/06

Handwritten signature: (Tope Eam)
Deputy Commissioner
West Siang District
AALO

Handwritten signature:
Member Secretary
State Pollution Control Board
Govt. of Arunachal Pradesh
Naharlagun-791110

Handwritten signature:
EXECUTIVE MAGISTRATE
Itanagar Capital Complex
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GOVERNMENT OF ARUNACHAL PRADESH
OFFICE OF THE DEPUTY COMMISSIONER : WEST SIANG DIST : : AALO

LAND POSSESSION CERTIFICATE

NO. WS/REV-16/39 (PT)
Dated Along the 5th
Dec/06

This is to certify that Smty Yater Karlo
W/O Shri T.Karlo of Village-New Bomte, PO/PS-Gensi, District-
West Siang, Arunachal Pradesh is in possession of her own
private land measuring 50000 sqmtrs located at Gara area as
described below.

This LPC is issued as per NOC issued by the
Sub-Divisional Officer, Likabali vide No. LKB/LPC- 96 / 1005
dated 4/12/06.

DESCRIPTION OF BOUNDARY

- North :- Silum Nallah
- South :- Plot No. 5
- East :- NH 52 A
- West :- Plot No. 7

(Tope Bah)
Deputy Commissioner
West Siang District
AALO

10/12/06

Yif
Member Secretary
State Pollution Control Board
Govt. of Arunachal Pradesh
Naharlagun-791110

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10/12/06
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GOVERNMENT OF ARUNACHAL PRADESH
OFFICE OF THE DEPUTY COMMISSIONER : WEST SIANG DIST : AALO



LAND POSSESSION CERTIFICATE

NO. WS/REV-16/39 (PT)
Dated Along the 5th
Dec/06

This is to certify that Miss Rinya Karlo D/O Shri T.Karlo of Village-New Bonte, PO/PS-Gensi, District-West Siang, Arunachal Pradesh is in possession of her own private land measuring 50000 sqmtrs located at Haru area as described below.

This LPC is issued as per NOC issued by the Sub-Divisional Officer, Likabali vide No. LKB/LPC- 96/05 dated 4/12/06.

DESCRIPTION OF BOUNDARY

- North :- Plot No. 7
- South :- Plot No. 2
- East :- NH 52 A
- West :- Plot No. 3

Serial No. (2006)
No. of Plots 2006
Registration No. 1357/06
Date of Registration 06/12/06
Area 50000 sqm

(Tope Bam)
Deputy-Commissioner
West Siang District
AALO

Member Secretary
State Pollution Control Board
Govt. of Arunachal Pradesh
Naharlagun-791110

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19/10/2007
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GOVERNMENT OF ARUNACHAL PRADESH
OFFICE OF THE DEPUTY COMMISSIONER : WEST SIANG DIST :

LAND POSSESSION CERTIFICATE

NO.WS/REV-16/3
Dated Along the
Dec/06



This is to certify that Shri Remi Karlo
S/O Shri T.Karlo of Village-New Bomte, PO/PS-Gensi,
District-West Siang, Arunachal Pradesh is in possession
of his own private land measuring 50000 sqmtrs located
at Garu area as described below.

This LPC is issued as per NOC issued by
the Sub-Divisional Officer, Likabali vide No. LKB/LPC-7
dated 6/12/06.

DESCRIPTION OF BOUNDARY

- North :- Plot No. 6
- South :- NH 52 A
- East :- NH 52 A
- West :- Plot No. 4

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13070.5
1 (1000)
06/12/06
Deputy Commissioner
West Siang District

06/12
(Tope Bam)
Deputy Commissioner
West Siang District
AAALO

[Signature]
Member Secretary
State Pollution Control Board
Govt. of Arunachal Pradesh
Naharlagun-791110

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[Signature]
19/10/2022
EXECUTIVE MAGISTRATE
Itanagar Capital Complex
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IGP
I.R.O. Guhadi
The Deputy Commissioner
Leparada District, Basar
Arunachal Pradesh.

X
Date: 15th July 2019
2024.8.2025
To Basar

Subj: Request for Immediate stop of rampant dumping into valley side in between Nyigam and Kamdak village, particularly within 5 Km away from Nyigam Village by the contracting agency Shivam Company, under NHIDCL.
SOW JV.

Sir,

We the undersigned would like to draw your kind attention regarding cited above subject for your kind consideration and immediate necessary action please. On 7th July 2019, the Project Manager of Shivam Company working under NHIDCL, in segment Basar to Ego project was called at the resident of HMLA Shri Gokar Basar and briefly discuss about the ill effect of rampant dumping into valley side at that location by the honourable sir. However, the said company are continuously disposing their mug disposal directly into valley side as results flora and fauna and aquatic life of Mite stream are highly in danger. And also Mite River is our main source of drinking water for whole Rese Rijo WRC field which now becomes highly polluted. Also as results of rampant dumping into Rese river mud sludge during rainy season, the stream are damaging our Head Work and Irrigation Chanel constructed along the Rese Stream.

Therefore, we the undersigned would like to pray for your kind immediate intervention and ask the contracting agency to dump their mug disposal at the designated dumping yard.

Your early action is highly solicited

Thanking you

1. Shri Toi Basar, GRK President Nyigam Village.
2. Shri Enya Basar, Ex- BJP State Council Members
3. Shri Raduk Basar to Nyigam
4. Shri Jumbhar Basar (GRK)
5. Shri ... Basar (Advocate)

Member Secretary
State Pollution Control Board
Govt. of Arunachal Pradesh
Naharlagun-791110

19/10/2022
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Basar dated the 17th January 2020

To,

The Deputy Commissioner,
Leparada District, Basar
Arunachal Pradesh

Sub: Prayer for spot verification of Highway earth cutting and issue of stop order to their ongoing rampant dumping into Rese river.

Sir

In moving to the cited above subject this is to bring into your attention for your immediate necessary action please. That Sir, on many occasion we the undersigned have made a verbal request to the representative of ongoing Highway project work being carrying out in stretch between Nyigam and Kandak village not to through mug disposal (earth & debris) directly into Mite stream major tributary of Rese river. However, they are not ready to listen our request and they continuously dumping earthwork directly into the said river. As a matter of fact the whole WRC field owner comprising of 23 (Twenty Three) family along the Rese river are under grave threat of damage during coming monsoon. Because of it all the Head work and Irrigation canal in Rese river will be completely damage during the period of coming monsoon. So considering the above serious fact, here we would like to pray to your good self to intervene the matter and stop faulty dumping immediately. And if they don't halt their rampant dumping into the river, we will be compel to knock the door of Principle Chief Conservator of Forest which may invite disturbance to the smooth progress of ongoing Highway Project Work.

Therefore, Sir, this is to pray your good self to intervene the matter and issue the stop order immediately.

Your's faithfully

1. Shri Toi Basar (Ex-ASM) *[Signature]*
2. Shri Emo Riba (Ex-ASM) *[Signature]*
3. Shri Bha Basar (EX-GPM) *[Signature]*
4. Shri Jumkar Basar (GB) *[Signature]*
5. Shri Tokar (Teacher) *[Signature]*
6. Shri Todak Basar (GB) *[Signature]*
7. *[Signature]* (Advocate)

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To,

The Deputy Commissioner
Basar, Lepa Radar District
Arunachal Pradesh

DATE = 12/11/2022

Sub: Complain against Shivam Trans Construction Private Limited for deliberately destroying the agricultural fields of Resi area.

Sir,


We, on behalf of people of Resi area under Basar Sub-Division, Lepa Rada District, Arunachal Pradesh are writing with great pain and anguish and pray to kindly look into the matter promptly on priority.

That Sir, Shivam Trans Construction Private Limited (herein after referred as "User Agency) which is engaged in 2 Laning of Trans Arunachal Highway in the stretch from Bam-Basar Road is carrying out its work in rampant and in gross violation of several statutes enacted with the sheer aim and motive to protect the environment and ecology from all sorts of harm, hazard and degradation and to preserve the same. Such Acts primarily being Air (Prevention and Control of Pollution), Act,1981, Water (Prevention and control of Pollution), Act,1974, Environment (Protection) , Act,1986 and Forest Conservation, Act,1980.

The user agency which is engaged in 2 Laning in the stretch of Bam-Basar Road has damaged the agricultural fields of people of Resi area, Basar by illegally dumping of muck directly into the valley leading to disappearance of the stream that flowed there earlier. The user agency has not disposed the unearh muck as per the Muck Disposal Plan duly approved by the competent authority in the whole stretch of the road making lives of the daily commuters very difficult. The muck has been indiscriminately dumped or roll down the valley in contravention of Forest Conservation Act, 1980 and other allied Rules in force including Undertaking given in the Forest Clearance by the user agency. As per the approved Muck Disposal Plan for the construction works, the user agency has to construct a RCC retaining wall, RCC breasts wall and RC drainage to save and protect the environment.

The photographs of indiscriminate dumping of muck/debris in the valley and dumping of muck/debris in the valley leading to clogging of streams is annexed as **PICTURE-1 & PICTURE- 2.**

Before the user agency started its work, the agricultural fields of people of Resi area were very fertile with massive agricultural production every year. Ever since, the earth cutting work started by the user agency, dumping of muck/debris in the valley followed, the streams in the valley is covered with huge quantities of muck/debris. The stream which use to flow freely, is now flowing beneath the muck/debris that has been


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dumped. Whenever there is heavy rain/downpour the stream swells beyond its limit and carries down the entire muck along with it and deposit it along the riverbed. Now the course of the river has changed and is flowing into the agricultural fields as the riverbed height has raised due to deposition of muck along the riverbed. During rainy season the agricultural fields is filled with huge, volume of water leading to loss of agricultural productivity. The photo of raised riverbed height due to muck deposition and change of course of water is annexed as **PICTURE-7 to 12**.

The Muck Disposal plan had not been properly regulated. The dumping of muck has also affected the whole aquatic life in downstream of the project. The river that was filled with various species of fishes is barren now.

As per the Forest Clearance granted to the user agency, the construction agency has to comply with the condition No.7 wherein it states "over burden shall not be dumped outside the width of the road. The muck generated in the earth cutting will be disposed off at the designated dumping sites and in no case, the muck/debris will be allowed to roll down the hilly slopes". But, in instant case not a single dumping sites has been maintained properly in a prescribed manner in the whole stretch of the construction sites by the user agency. The photo of muck/debris rolling down the valley is shown as **PICTURE-3 & 5**.

The user agency has deliberately and intentionally avoided to uphold and abide by Article 48A of the Indian Constitution whereby it is one of the fundamental duty of every citizen to protect and improve the natural environment including forest, lakes, rivers and wildlife and to have compassion for all living creatures.

The user agency has proceeded with the construction work violating and contravening all the guidelines laid down by the competent authorities and the SOPs laid down in various statutes especially enacted by the legislature to protect and preserve the environment and ecology such as Air Act, 1981, Water Act, 1974, Environment (Protection) Act, 1986, Indian Forest Conservation Act, 1980, Schedule Tribes and other Traditional Forest Dwellers Recognition of Forest Right Act, 2006, and Wild Life Protection Act, 1972.

The User agency not only created environmental hazard, but also destroyed the sole livelihood of the people of Resi area by damaging the agricultural fields due to muck dumping. The activity of the user agency tantamount to gross violation of "Natural Justice" and "Rule of Law" widely recognized and cherished by the makers of Indian Constitution. Various photographs related to this complaint with description are annexed as **PICTURE-3, 4 & 6**.

The user agency is violative of Article 21 of Indian Constitution as the Hon'ble Apex Court of India have held and opined in plethora of its judgments that "Right to Life" and "Personal Liberty" includes Right to have pollution free and clean environment. The user agency is making way for usherance of several natural calamities such as flood, soil erosion, landslide in our area in days to come.

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We, the people of Resi area therefore, request your august honour to kindly direct the Shivam Trans Construction Private Limited to immediately compensate the damage caused to the agriculture fields as mentioned above or to restores the river, as it was before the illegal muck dumping into the valley started. Failing to redress immediately will compel the people of Resi area under Basar Sub-division, Leparada District to knock the door of Hon'ble National Green Tribunal, Principal Bench, New Delhi.

Encls: As mentioned above

Copy circulated to:

1. The Deputy Commissioner, Basar Leparada District (A.P) for information and necessary action please.
2. The Hon'able MLS, 29 (ST) Basar Constituency for kind information.
3. The PCCF & Principal Secretary, Department of Environment and Forest, Govt. of A.P for kind information.
4. The Executive Engineer, PWD (Highway), Basar, Govt. of A.P for information.
5. The Project Manager, Shivam Trans Construction Private Limited for kind information and necessary action.
6. The DFO, Aalo Forest Division, Govt. of A.P for kind information.
7. The Zila Chair Person (ZPC), Basar for information.
8. The Joint Committee, Hon'ble NGT for honour of kind information.
9. Spare Copy.


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|-------------------------|---------------------------|
| 1. Shri Tope Basar | 12. Shri Enya Basar |
| 2. Shri Dakkar Basar | 13. Shri Kido Kamsi |
| 3. Shri Imo Riba | 14. Shri Nyato Riba |
| 4. Shri Jumgo Kamsi | 15. Smti. Nyabi Taba |
| 5. Shri Y. Nyato Basar | 16. Shri Marka basar |
| 6. Shri Jummar Basar | 17. Shri Marken Basar |
| 7. Shri T. Jumli Basar | 18. Shri Hemi Basr |
| 8. Shri Todak Basar, GB | 19. Shri Penmar Basar |
| 9. Shri Tokar Basar | 20. Shri Nyadar Basar |
| 10. Shri Boge Basar | 21. Shri Mimo Basar |
| 11. Smti. Yumpu Basar | 22. Shri Jumkar Basar, GB |
| 12. Shri Bigi Sora | 23. Smti. L. Basar, GPC |

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23. Shri Toi Basar, In. ASM

24. Shri Chigo Basar

25. Shri Tomar Basar

26. Shri Jumgo Basar

27. Shri Doi Basar

28. Shri Jumbe Basar

29. Shri Toli Kamdak

30. Shri Jummar Kamdak

31. SRJ LIGO BASAR

32. SRI PEGI BASAR

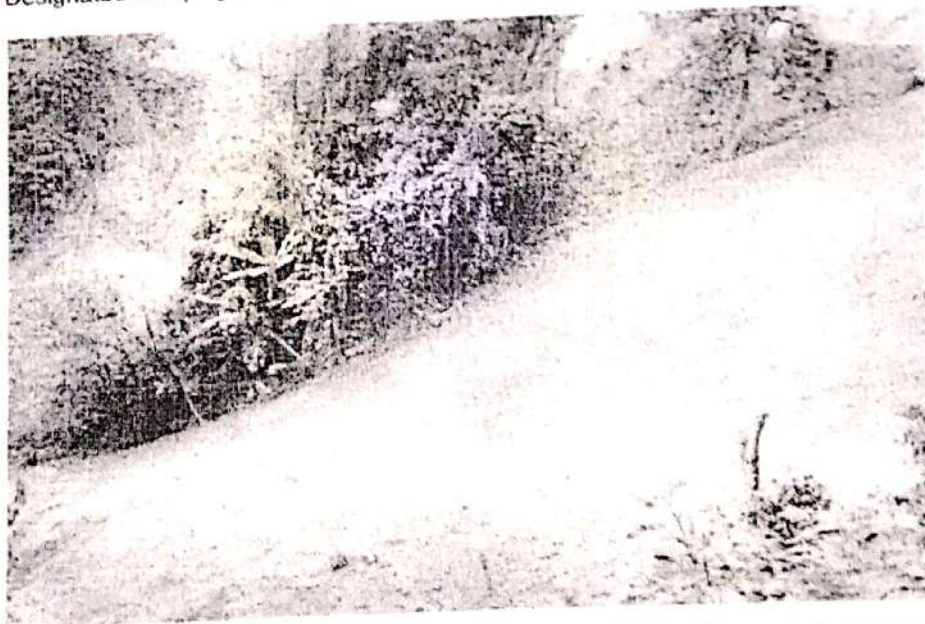
33. SRI NYAKEN BASAR

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Picture-1. Indiscriminate dumping of muck/debris in the project site by Shivam Trans Construction Private Limited. The muck/debris are seen rolling down the hill slopes in total violation of the guidelines of the Forest Clearance and making a mockery of the Designated Dumping site guidelines.



Picture:2: The Muck/Debris seen rolling down the hill slope. This muck/debris are directly rolling into the river and clogging the river at Bolek area, Basar, Lepa Rada District


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Picture:3 The muck/debris rolling down the hill slopes have uprooted making trees & other plants and also damaged the aquatic life of the river in flagrant violation of Forest Conservation Act, 1980 and other allied Rules. As per the approved Muck Disposal Plan of the construction works, the user agency has to construct a RCC retaining wall, RCC Breast Wall and RCC Drainage to protect the environment, but the user agency failed to do so and hoodwinked the people of the area in profit making spree.



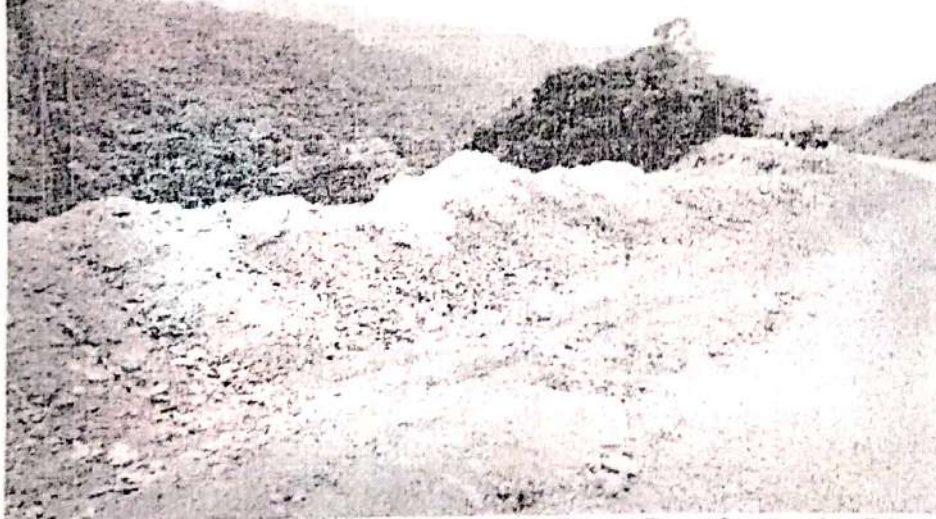
Picture:4 The muck being along the road side in flagrant violation of Muck Disposal Plan issued to Shivam Trans Construction Private Limited. These muck roll down the hilly slope and also the dust emitted from these muck make the life of commuters a hell.

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Picture:5. The river seen below is filled with muck/debris rolling down in total violation of forest conservation Act, 1980.



Picture:6: Self made designated dumping site of Shivam Trans Construction Private Limited.

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Picture:7: The raised level of the river bed due to mixing RBM with of muck/debris dumped by Shivam Trans Construction Private Limited. The raised level of river bed has changed the course of the river, letting them into the paddy fields of the local poor people.



Picture:8: The river is seen filled with muck/debris dumped by Shivam Trans Construction Private Limited. The muck/debris has totally damaged the river and also the agricultural fields of the local poor people.

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Annexure: IV:

Some photographs of Akajan-Likabali-Bame Road during project site inspection

(Dated 05.07.2022 to 10.07.2022)

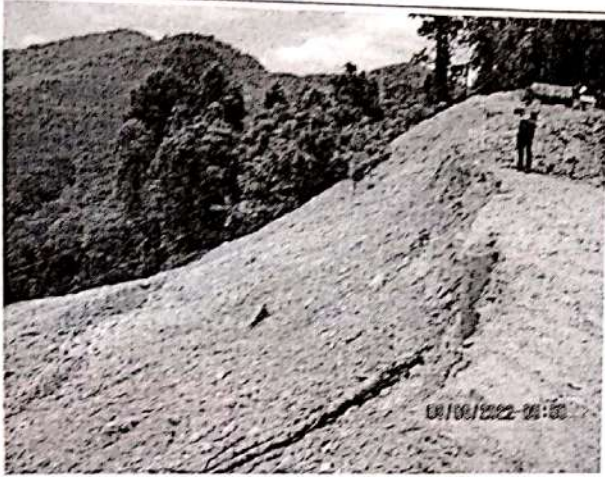


Photo 1&2. Mucks disposal nearby waterbody and natural vegetation and not maintained the slope.

Photo 2.

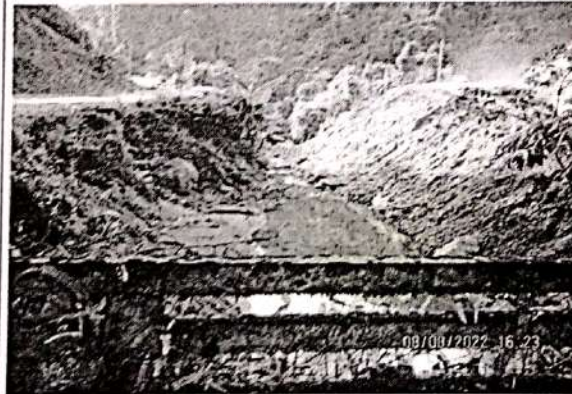


Photo 3. Onsite NGT team

Photo 4. Obstruting natural nallah by mucks

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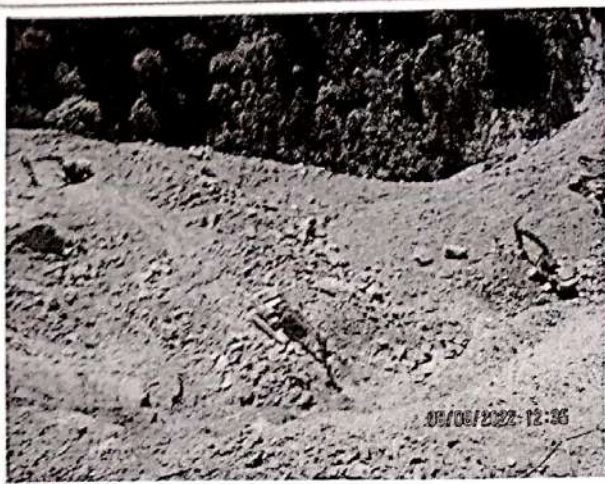


Photo.5. Obstructing natural nallah for construction of culvert.

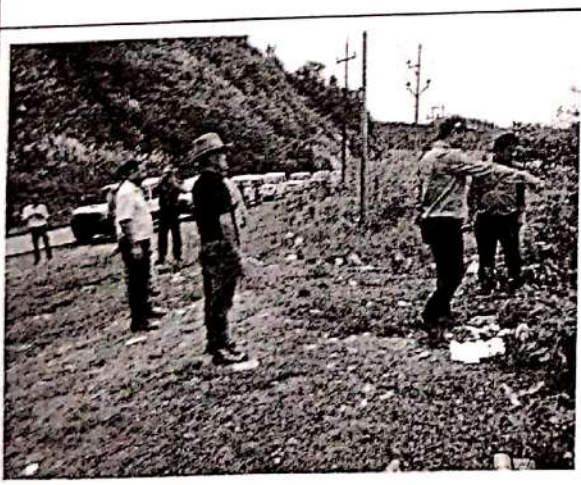
Photo 6. Stabilized muck dumpimg site



Photo.7&8. Committee interacting with public

Photo.8.Public hearing at Leparada district

Some photographs of Yingkoing -Mariang -Pasighat road during project site inspection
(Dated 05.07.2022 to 10.07.2022)



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Photo. 9. &10 Committee observed stabilized muck dumping site



Photo.10. Eupatorium sp. growth in the muck dumping site

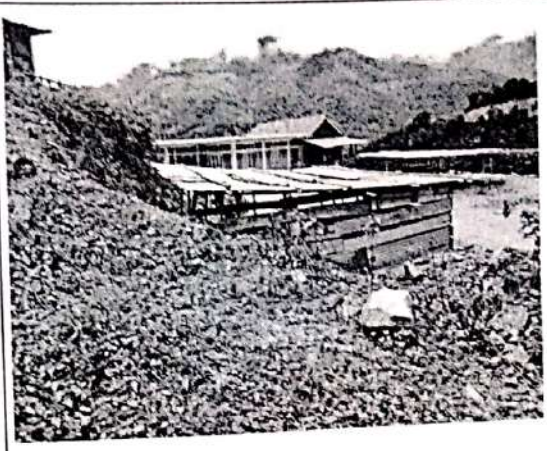


Photo. 11. Obstructing natural nallah

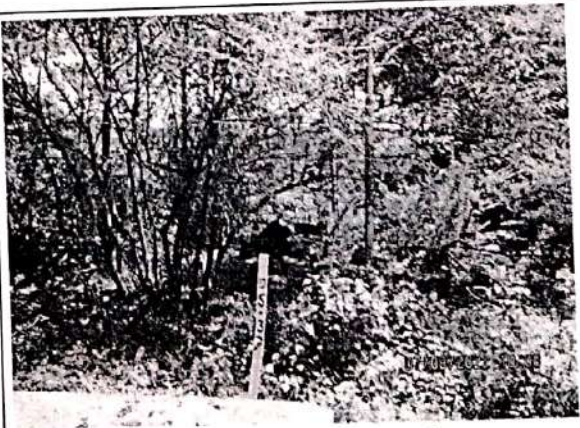
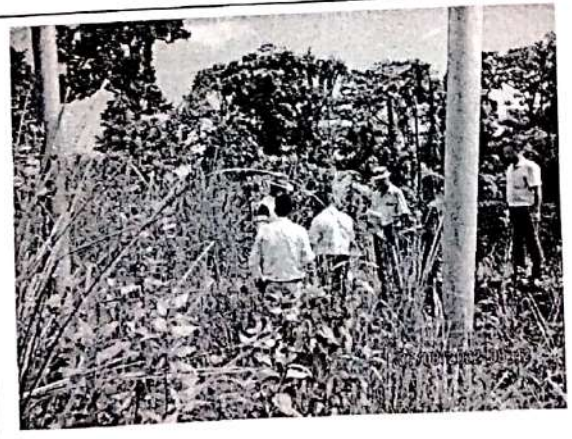
Photo. 12&13. Constructed house over the muck disposal site

Some photographs of Pasighat to Panging road during project site inspection
(Dated 05.07.2022 to 10.07.2022)



Photo. 13. Construntion of houses and hotels in the muck dumping sites

Photo.14. Committee Iteration with local people



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Photo.15. & 16. Stabilized muck disposal site

Photo. 16

Some photographs of Papu-Yupia -Holangi (wildlife zone) road during project site inspection

(Dated 05.07.2022 to 10.07.2022)



Papu-Yupia road with proper drainage

Photo 17&18. Naharlagun city drainage system over the Muck disposal area

Photo.18.

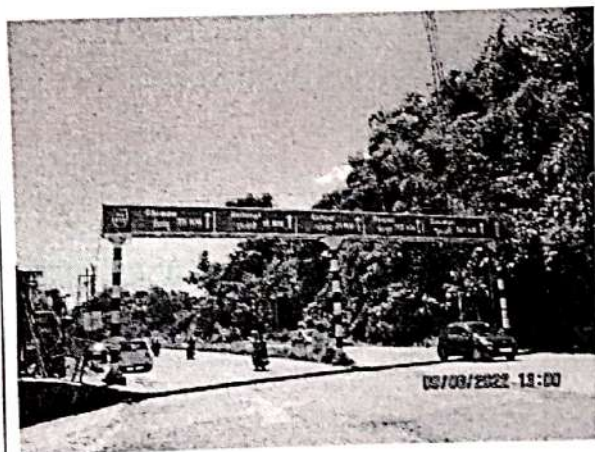


Photo.19. On the way to Itanagar via holongi

Photo.20. construction site over the muck disposal area.

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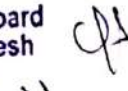
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| 27618 | 2022 | | Submit | | |
| Diary No.- 27618 - 2022 | | | | | |
| NATIONAL HIGHWAY INFRASTRUCTURE DEVELOPMENT CORPORATION LIMITED vs. UNION OF INDIA | | | | | |
| Case Details | | | | | |
| Diary No. | 27618/2022 Filed on 02-09-2022 03:03 PM | | | | PENDING |
| Case No. | C.A. No. | | | | |
| Petitioner(s) | 1 NATIONAL HIGHWAY INFRASTRUCTURE DEVELOPMENT CORPORATION LIMITED THROUGH ITS GENERAL MANGER (TECH.) OFFICE AT 3RD FLOOR, PTI BUILDING, PARLIAMENT STREET ,NEW DELHI , DELHI | | | | |
| Respondent(s) | 1 UNION OF INDIA THROUGH THE PRINCIPAL SECRETARY OFFICE AT 3RD FLOOR, PRITHVI WING, INDIRA PARYAVARAN BHAWAN, JOR BAGH NEW DELHI ,NEW DELHI , DELHI 2 GOVERNMENT OF ARUNACHAL PRADESH thr. the chief secretary ITANAGAR 791111 ARUNACHAL PRADESH , , OTHER 3 ADDITIONAL PRINCIPAL CHIEF CONSERVATOR OF FOREST (CENTRAL) NORTH EAST REGIONAL OFFICE LAW-SUB-SIB, LAMBATNAGEN NEAR MTC WORK SHOP SHILLONG MEGHALAYA 793021 , , OTHER 4 ARUNACHAL PRADESH POLLUTION CONTROL BOARD thr. member secretary DEPARTMENT OF ENVIRONMENT AND FOREST, PARYAVARAN BHAWAN YUPIA ROAD, PAPUNALLAH, NAHARLOAGUN 791 110, ARUNACHAL PRADESH , , OTHER 5 PRINCIPAL CHIEF CONSERVATOR OF FOREST GOVERNMENT OF ARUNACHAL PRADESH ITANAGAR 791111, ARUNACHAL PRADESH , , OTHER 6 DIRECTOR, GEOLOGY AND MINING DEPARMENT, ITANAGAR, ARUNACHAL PRADESH , , OTHER 7 CHIEF ENGINEER NH ITANAGAR ARUNACHAL PRADESH , , OTHER 8 M/S. TK ENGINEERING CONSORTIUM PVT. LTD. thr. its representative MODEL VILLAGE NAHARLAGUN ITANAGAR 791110, ARUNACHAL PRADESH , , OTHER 9 M/S. PUNAHINDA CONSTRUCTION PVT. LTD. thr. its representative C/O. TIMES VIDEO LIBRARY AKASH DEEP PS ITANAGAR 791111, ARUNACHAL PRADESH , , OTHER 10 M/S. JUGAL KISHORE MOHANTA IVORY ENCLAVE thr. its representative RGB ROAD, GUWAHATI KAMRUP ASSAM 781021 , , OTHER 11 M/S. BSCPL thr. its representative 8-2-5021/1/A JIVI TOWERS, ROAD NO. 7, BANJARA HILLS, HYDERABAD, TELANGANA 500034 , , OTHER 12 M/S. DINESH CHANDRA R. AGARWALA INFRACOM PVT. LTD. thr. its representative 401, THE GRAND MALL, OPP STATE BANK ZONAL OFFICE S.M. ROAD, AMBAWADI, SANAND AHMEDABAD 380015, GUJARAT , , OTHER S/D/W/Thru - TAI NUKU DIVISION NAHARLAGUN ITANAGAR ARUNACHAL PRADESH , , OTHER | | | | |


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| Pet. Advocate(s) | ABHINAV MUKERJI |
| Resp. Advocate(s) | KAUSHIK CHOUDHURY(caveat) |

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Earlier Court Details

Interlocutory Application / Documents

Court Fees

Defects

Mention Memo

Restoration Details

Caveat

Correspondence
The Registrar,
 Supreme Court of India,
 Tilak Marg, New Delhi-110001
 e-mail:
 supremecourt[at]nic[dot]in
 Contact Details: 011-
 23116400, 23116401,
 23116402, 23116403

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Former Chief Justices (/former-chief-justices)
Former Justices (/former-justices)
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AOR Examination (/aor_examination)
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Organizational Structure (/organizational-structure)
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Telephone Directory (/telephone-directory)

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Corona Steps (/corona_steps)
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Publication (/publication)
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SC Rules - 2013 (/supreme-court-rules-2013)

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