

BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

Original Application No. 115/2023/EZ

In the matter of:-

SankarDayal Mishra.

...Applicants

Versus

State of Bihar & Ors.

...Respondents

AFFIDAVIT FILED BY THE RESPONDENT NO. 5 i.e. District Magistrate
Bhagalpur (Bihar) IN COMPLIANCE WITH THE ORDER passed by THE
NATIONAL GREEN TRIBUNAL, EASTERN ZONE BENCH



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Magistrate, Bhagalpur (Bihar) IN COMPLIANCE WITH THE
ORDER passed by THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH

I, Shilima Kumari Daughter of Ratnesh Kumar aged about 30 Years, by
faith - Hindu, by Occupation - Service, working for gain at Bhagalpur do
* hereby solemnly affirm and state as follows:-

1. I have been authorised on the behalf of respondent No. 5. I am competent and have been duly/authorized by respondent No. 5 to make and affirm this affidavit on behalf of respondent No. 5. I am fully acquainted with the facts and circumstances of the case.
2. I affirm this affidavit in terms of the solemn order passed by the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata.

3. That it is humbly submitted that the compliance of dated 10.10.2023 the respondent had served the notice up on the applicant and informing the next date of hearing.

A photo copy of the notice/letter D.B. No. 2979 dated 12.10.2023 is being annexed herewithand marked as **Annexure-A.**

4. That pursuant to the direction passed by this Hon'ble Court, an inspection was carried out on 09th February, 2023 by the joint committee in compliance of the order dated 04.01.2023 passed by Hon'ble NGT (PB) in O.A. No. 769/2022 Sankar Dayal Mishra v/s State of Bihar & Ors the committee has given some recommendation.



A photo copy of inspection report dated 09.02.2023 is Annexed here and marked as **Annexure-B.**

5. That on the basic of the inspection report the Bihar State Pollution Control Board has issued direction under section 31 A of the Air (Prevention And Control of Pollution) Act, 1981 dated 23.02.2023 and the District Magistrate had also issue the letter dated 23.03.2023 to the NTPC for compliance of the said direction.

A photo copy of the letter dated 23.02.2023 and letter

dated 23.03.2023 are being annexed herewith and marked as **Annexure- C & D.**

6. That the NTPC Kahalgaon has submitted point wise time bound action plan for compliance of direction given by State Pollution Control Board.
7. That the compliance report filed by the NTPC the unit was inspected on 22.07.2023 by the officials of the State Pollution Control Board for verification of compliance status of direction issued by the State Pollution Control Board and action plan submitted by the unit.

A photo copy of the inspection report is annexed here and marked as **Annexure- E.**

8. That the answering respondent respectfully submits that answering respondent is ready and willing to abide by the order/s and direction/s made by this Hon'ble Tribunal and has and shall take all possible steps to comply the directions of the Hon'ble Tribunal.

9. That the statements made in above paragraphs are true to my knowledge and information derived from records.

[Handwritten signature]
4/12/23

SDC

**District Development Section,
Bhagalpur**





AFFIDAVIT

I, Shilima Kumari, Aged about 30 years, (female), Daughter of Ratnesh Kumar, resident of Village- Atimi, PS- Nawanagar, Dist- Buxar, do hereby solemnly affirm and state as follows:-

1. That I am presently posted as SDC, Bhagalpur and as such I am well acquainted with the facts and circumstances of this case.
2. That I have gone through the contents of the show cause and fully understood the same, the averments made herein are true of my knowledge and information derived from the records of the case and part thereof are by way of submission made before this Hon'ble Court which is true to my knowledge and belief.
3. That the annexures are true photocopies of their respective originals.

DATE:

PLACE:

Shilima
4/12/23

SI. No. 42 Date 04/12/23

Identified by
Kanti Pd Singh
Adv
4-12-23

EN-546/95

श्री. शिल्पिमा कुमारी शपथकर्ता को
श्री. कान्ति पद सिंह अधिवक्ता, ने पहचान किया है।
इस शपथ पत्र को आज 06-12-2023 को
सामने 3 P.M. बजे पू. के वेश्म/कार्यालय
पत्र को शपथकर्ता
प्रतीत हुआ कि शपथ-
भिन्न है।

Shilima
6.12.23

शपथ आयुक्त-सह-सरकारी
व्यवहार न्यायालय
भागलपुर

भागलपुर समाहरणालय

D.O. No- 2937 दि 12-10-23
एन0जी0टी0 वाद सं0-115/115-2023

जिला विधि शाखा, भागलपुर

शंकर दयाल मिश्रा
बनाम्
बिहार राज्य

नोटिस बनाम-

(1) श्री शंकर दयाल मिश्रा,
सा0-महेशामुण्डा, अंचल+पो0-कहलगाँव,
जिला-भागलपुर

धूँ वजरिये इस नोटिस द्वारा आपको सूचित किया जाता है कि एन0जी0टी0 वाद सं0-115/2023 (शंकर दयाल मिश्रा बनाम बिहार राज्य) के तहत National Green Tribunal Eastern Zone Bench, Kolkata में अगली सुनवाई की तिथि 07.11.2023 को निर्धारित है।

अतः उक्त के आलोक में पारित आदेश की प्रति को इसके साथ संलग्न कर भेजी जा रही है।

वरीय उप समाहर्ता,
जिला विधि शाखा, भागलपुर।



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**Inspection report of M/s Kahalgaon Super Thermal Power Plant,
NTPC Limited, Kahalgaon, Dist-Bhagalpur.**

A. Background:

1. The unit was inspected on 09.02.2023 by the Joint Committee comprising of Sri C. Madhukant, Sub-Divisional Officer, Kahalgaon as representative of District Magistrate, Bhagalpur; Sri S.N. Jha, Regional Officer, Bhagalpur, BSPCB; Sri S.P. Roy, Regional Officer, Barauni, BSPCB and Sri S.N. Jayaswal, Scientific Advisor, BSPCB, HQ, Patna in compliance with the order of the Hon'ble NGT dated-04.01.2023 in O.A. No. 769/2022 in the matter of Shankar Dayal Mishra Vs State of Bihar for verification of facts & relevant information to submit the report to the Hon'ble Tribunal.

Sri N.P. Shaha, GM (O&M); Sri Rajesh Gupta, GM (ADM); Sri Faizur Rahman, AGM (EMG); Sri Maninath Prasad, DGM (P&S); Sri Manish Kumar, Sr. Manager (AUD); Sri Manish Pandey, Sr. Manager (EMG); and other officials of NTPC, Kahalgaon were present during the inspection.

2. The Hon'ble NGT has registered a complaint case (O.A. No. 769/2022) pursuant to a letter petition dated-03.05.2021 received from Shankar Dayal Mishra, resident of village Maheshamunda, Tahsil-Kahalgaon, Dist-Bhagalpur, State of Bihar with allegation that due to discharge of lacs of tones of fly ash per day from coal based NTPC TPP, huge air pollution is being caused.

The Hon'ble NGT in its order dated-04.01.2023 in the aforesaid matter has stated that fly ash is stored in a huge ash dyke located just 300 meters distance from residential area of village Maheshamunda, Tahsil-Kahalgaon, Dist-Bhagalpur in State of Bihar. Sometimes, height of ash heap reaches to 20 meters. As a result, thereof with little blow of air cloud of fly ash is created within 4-5 Kilometers surrounding area covering various villages like Majdaha, Chayatola, Katoria, Ekchari, Ogri etc. NTPC is also transporting fly ash with help of several poklen and JCBs by uncovered trucks and spread dust throughout the way damaging environment and causing health hazards to the resident to nearby areas.

3. In view of the above, the Hon'ble NGT has constituted a Joint Committee comprising State PCB and District Magistrate, Bhagalpur to visit the site and collect relevant information and submit factual report and also action taken, if any, report to the Hon'ble Tribunal within two months by e-mail at judicial-ngt@gov.in. The District Magistrate, Bhagalpur will be the nodal agency for co-ordination and compliance.

4. Kahalgaon Super Thermal Power Plant, NTPC Limited, Bhagalpur is a coal based Thermal Power Plant (TPP) of 2340 MW electricity generation capacity (Stage-I, 4x210=840 MW, Stage-II, 3x500=1500 MW). The plant site is 3-4 Km south-east of Kahalgaon and about 32 Km east of Bhagalpur city and is approachable from the NH-80 and railway line. Total land area covered by KhSTPP is 3360 acres.

5. The coal requirement as fuel and ash generation in the unit are hereunder:-

Electricity Generation	Coal Requirement (Tones/day)	Ash Generation (Tones/day)	Remarks
On installed Capacity (2340 MW)	45000	18000	> Coal requirement@ 0.80 Kg/Kwh.
On average operation (80% of installed capacity as per demand)	36000	14400	> Ash content in coal: 40%

6. The unit is having wet ash management system and dry fly ash management system.

In wet ash management system, unit has a total of 5 nos. of lagoons/ ash dykes namely IIA, IIB, IIIAB, IIIC, IIID and an Over Flow Lagoon (OFL) with Ash Water Re-circulation System (AWRS) for ensuring reuse of water in ash slurry preparation as well as for dust suppression in the dry area of ash dyke. The total land area covered under ash dykes is approximately 1400 acres.

In dry ash management system, the unit has installed silos for collection of dry fly ash as hereunder:-

Stage	Units	Capacity	Total capacity
Stage-I	1 & 2	350 m ³ each	700 m ³
Stage-II	5, 6 & 7	1000 m ³ each	3000 m ³
Present installed & operational capacity of silos			3700 m³
State-I	3 & 4	750 m ³ each	*1500 m ³ (Under Construction)
	Additional	1000 m ³	*1000 m ³ (Under Construction)

Presently, the unit is having operational silos of total 3700 m³ capacity for dry ash collection from units 1 & 2 of Stage-I and from units 5, 6 & 7 of

Stage-II. The silos for units 3 & 4 of Stage-I are under construction and likely to put into operation very shortly as reported. In addition to the above, unit has plan for augmentation/expansion of dry ash collection system by installing one additional silo of 1000 m³ capacity.

7. The unit has Electro Static Precipitator (ESP) attached with all boilers for control of particulate matter emission as air pollution control devices (APCDs).
8. The unit is using Ganga water for industrial & domestic purposes. The unit has liquid waste treatment plant/oil water separator, settling tank at coal handling plants and ETP for maintaining ZLD with provision of sluice gate at Ekchari Nala. Cooling water is kept in closed circuit through open approach channel with cooling towers. The unit has STP of 3050 m³ capacity for treatment of domestic waste water.
9. Bihar State Pollution Control Board has granted Consent-to-Operate (CTOs) vide ref. no. B-3798, dated-12.07.2019 (Discharge consent) and B-3799, dated-12.07.2019 (Emission consent) for operation of KhSTPP (2340 MW) electricity generation for the period from 01.04.2019 to 31.03.2024 with the conditions mentioned therein.

B. Observations:

- a) KhSTPP was operational during the inspection.
- b) The unit is having wet ash management system and dry fly ash management system.
- c) In wet ash management system, unit has a total of 5 nos. of lagoons namely IIA, IIB, IIIAB, IIIC, IIID and an Over Flow Lagoon (OFL) with Ash Water Re-circulation System (AWRS) for ensuring reuse of water in ash slurry preparation as well as for dust suppression in the dry area of ash dyke.
- d) In dry ash management system, presently, the unit is having operational silos of total 3700 m³ capacity for dry ash collection from units 1 & 2 of Stage-I and from units 5, 6 & 7 of Stage-II. The silos for units 3 & 4 of Stage-I are under construction and likely to put into operation very shortly as reported. In addition to the above, unit has plan for argumentation/expansion of dry ash collection system by installing one silo of 1000 m³ capacity.
- e) At present, ash slurry was being discharged/disposed into ash dyke no. IIA, IIB & IIIC during the inspection.



- f) Ash from the ash dykes no. IIIAB and IIID was under lifting/excavatio with the help of several Poclain & JCBs and for its transportation b trucks with cover for its utilization in road construction by NHAI. Th lifting and transportation of ash from IIID has been started few day back.
- g) The height of the ash dykes (IIA, IIB, IIIC, IIIAB) is approximately 2 meter from the nearby ground level. The height of the ash dyke (IIID) is approximately 10 meter from the nearby ground level.
- h) The Majdaha village is located at the distance of approximately 15 meter in east direction from ash dyke no. IIID. The Maheshamunda and Ogri villages are located at the distance of more than 1 Km. in north east direction from ash dyke no. IIA & IIB. The village Ekachari i located at distance of 300 meter in south-west direction from ash dyke no. IIIAB.
- i) The water was discharged and sprinkled on surface of ash dyke no. IIII to avoid fugitive emission through 07 MS pipelines and water sprinklers. The khas grass plantation on ash dyke no. IIID has been done but it has to be maintained properly for its survival.
- j) Lush green agricultural field was found around the ash dykes.
- k) There was high fugitive emission at ash dyke no. IIIAB due to lifting, excavation of ash with the help of Poclain and JCBs and movement of vehicles carrying ash.
- l) There was no any static/permanent water sprinkler in around ash dykes arrangement for dust suppression/control of fugitive emission. The unit uses mobile water tankers for sprinkling of water on peripheral roads. In spite of the above arrangements, there was no proper control of fugitive emission around the ash dyke no. IIIAB.
- m) The vehicles carrying ash, passing through nearby Ekachari end was also causing air pollution in nearby area in addition to the ash lifting activities from ash dyke no. IIIAB.



C. Conclusion:-

- a) KhSTPP is having ash dykes for collection of ash slurry. The height of the ash dykes (IIA, IIB, IIIC, IIIAB) is approximately 20 meter from the nearby ground level. The height of the ash dyke (IIID) is approximately 10 meter from the nearby ground level.
- b) The villages Majdaha and Ekachari are located nearby ash dykes approximately at the distance of 300 meter whereas villages

Maheshamunda and Ogri are located at the distance of more than 1 Km. from ash dyke.

- a) In spite of the uses of mobile tankers, there was air pollution due to lifting, loading and transportation of ash from ash dyke no. IIIAB.
- b) The unit has operational silos of 3700 m³ capacity for collection of dry fly ash in order to channelize to cement industries.

D. Recommendations:

1. The unit shall ensure that excavation, loading, unloading and storage of ash are done in environmentally sound manner with all precautions to prevent air pollution such as regular water sprinkling and transportation of ash in covered vehicles and shall submit the status in the prescribed format as per MoEF&CC, Govt. of India notification no. 5181(E), dated-31.12.2021.
2. The unit shall procure/outsourced and use anti smog gun/truck mounted mist cannon for control of fugitive emission/air pollution due to excavation, loading of ash from ash dykes.
3. The unit shall regularly discharge/sprinkle water on the surface of ash dyke on the other end of lifting/excavation point to avoid fugitive emission/ air pollution.
4. The unit shall provide water jacketing sprinkling facility all around the ash dyke for control of fugitive dust emission.
5. The unit shall construct 100% Water Bound Macadam (WBM) road around all lagoons/ash dykes.
6. The unit shall construct Pavement Quality Concrete (PQC) road from Ekachari end to Narlya Nala Bridge and AWRS pump house to Majdaha village for movement of heavy vehicles.
7. The unit shall ensure lifting of ash from 4th raising and then 3th raising in lagoon IIIAB and IIIC to meet the demand of ash to NHAI road projects.
8. The unit shall install adequate no. of CCTV Camera at different locations of ash dyke to monitor the activities involve in ash lifting and transportation with cover vehicles.
9. The unit shall ensure installation of adequate no. of lighting mast in around ash dyke area.



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- 10. The unit shall expand its dry ash collection system by installing dedicated more silos for storage of dry fly ash for at least 16 hours of ash based on installed capacity.
- 11. The unit shall submit future plan on ash utilization in consistent with MoEF&CC, Govt. of India notification.
- 12. The unit shall ensure regular inspection by dedicated supervisor on use of water sprinkling system for dust suppression/control of fugitive emission.
- 13. The unit shall submit time bound action plan for compliance of the aforesaid recommendations.
- 14. Direction may be issued under section 31A of the Air (Prevention and Control of Pollution) Act, 1981 to ensure the compliances of the aforesaid recommendations.



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20-2-23

(S.N. Jha)
Regional Officer, Bhagalpur,
Bihar. SPCB.

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(S.P. Roy)
Regional Officer, Barauni,
Bihar SPCB.

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24/2/2023

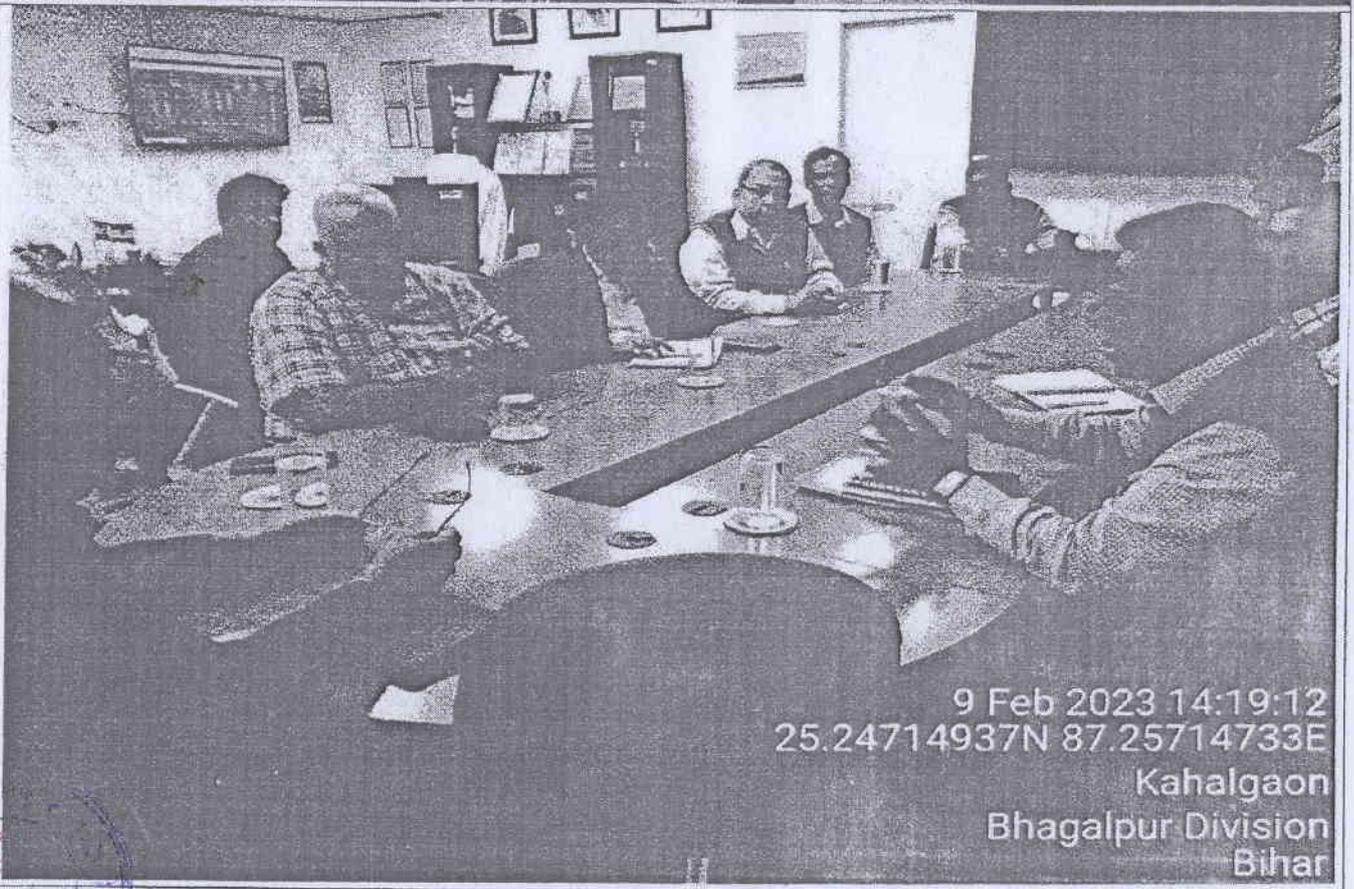
(S.N. Jayaswal)
Scientific Advisor,
Bihar SPCB, Patna.

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(Madhukant)
Sub-Divisional Officer,
Kahalgau, Bhagalpur.



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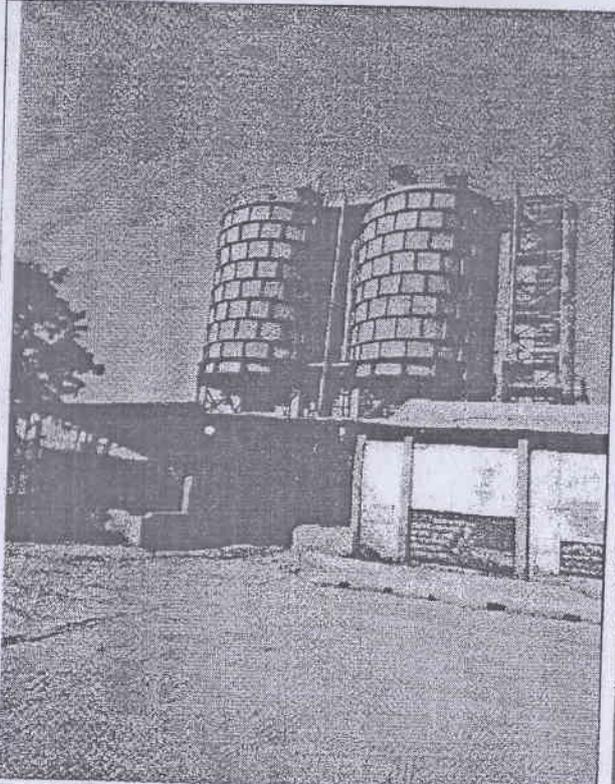


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Bhagalpur Division
Bihar

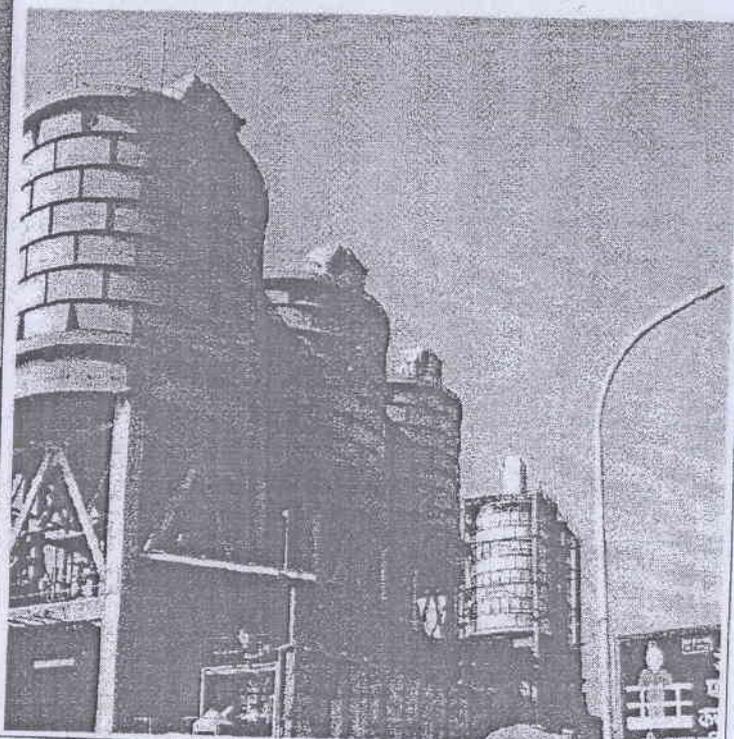


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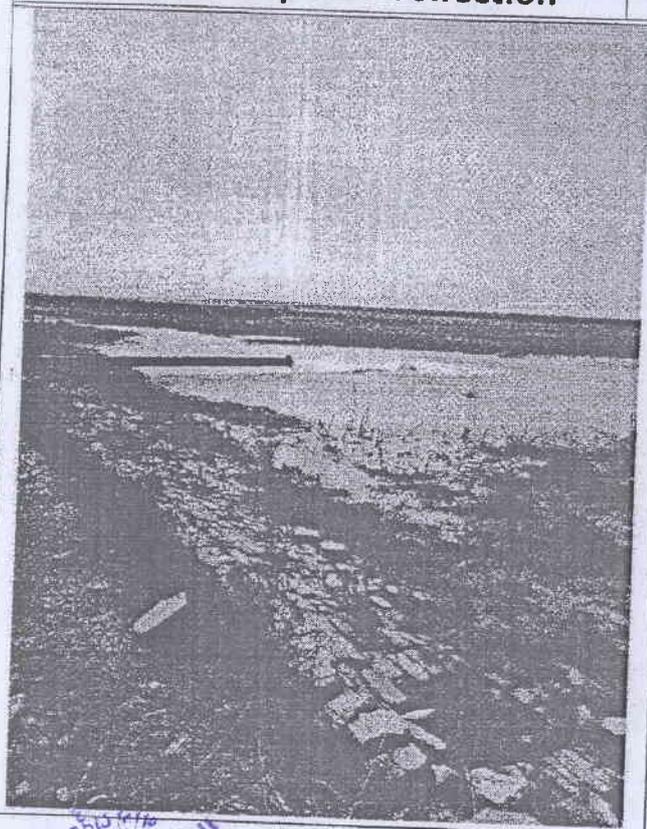
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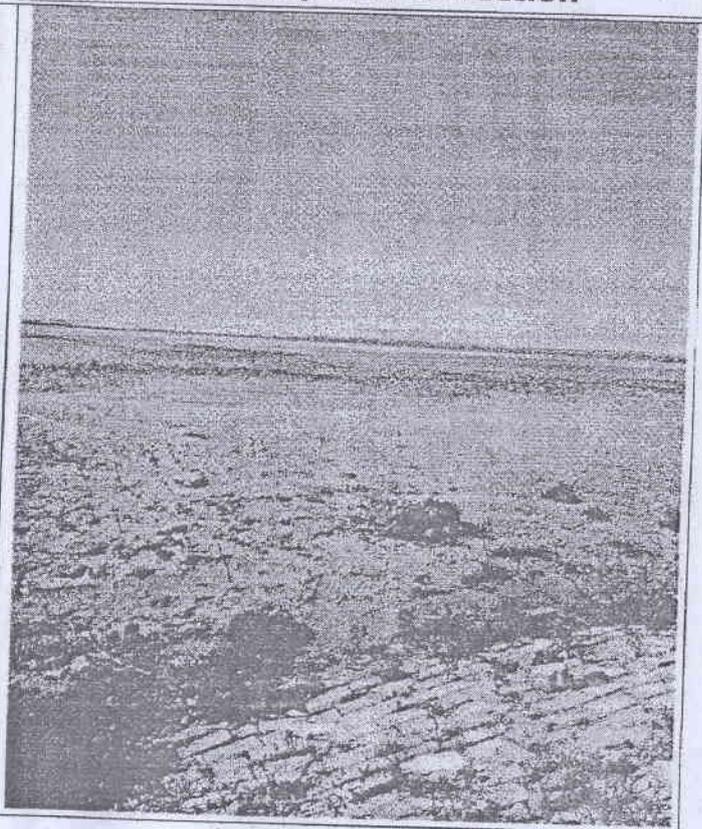
Silos for Dry Ash Collection



Silos for Dry Ash Collection

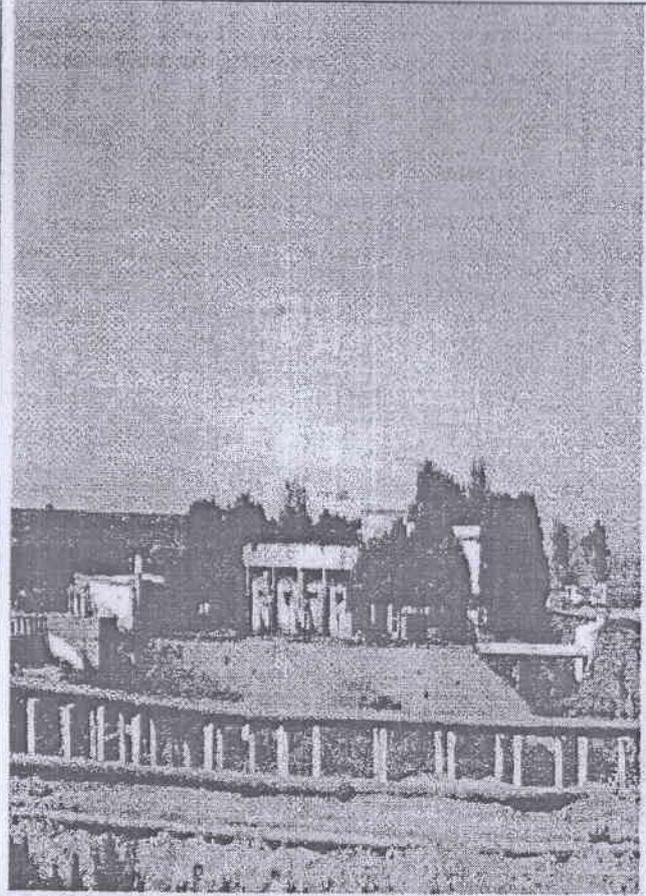


Ash Dyke IIID

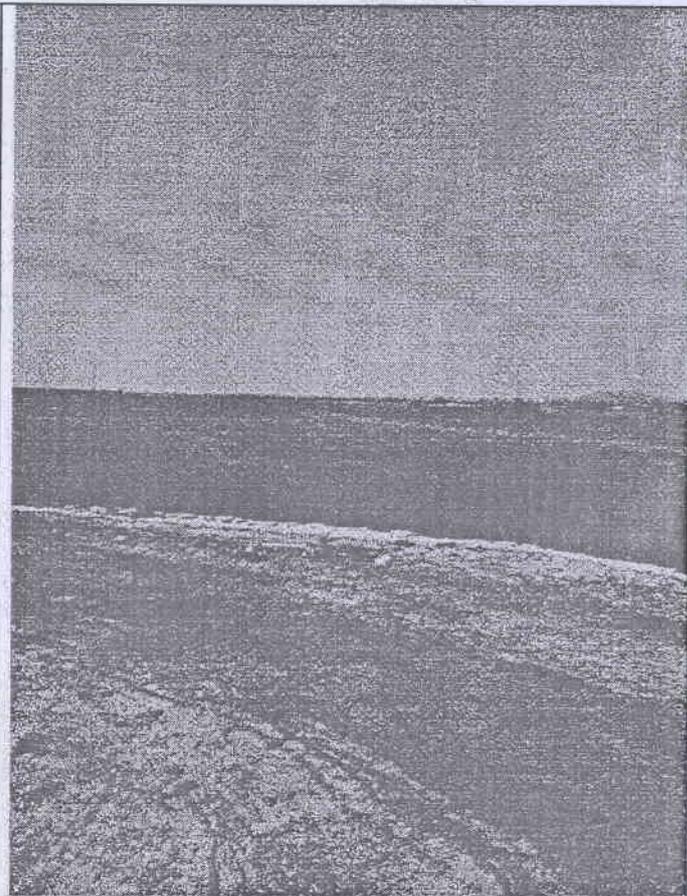


Ash Dyke IIID

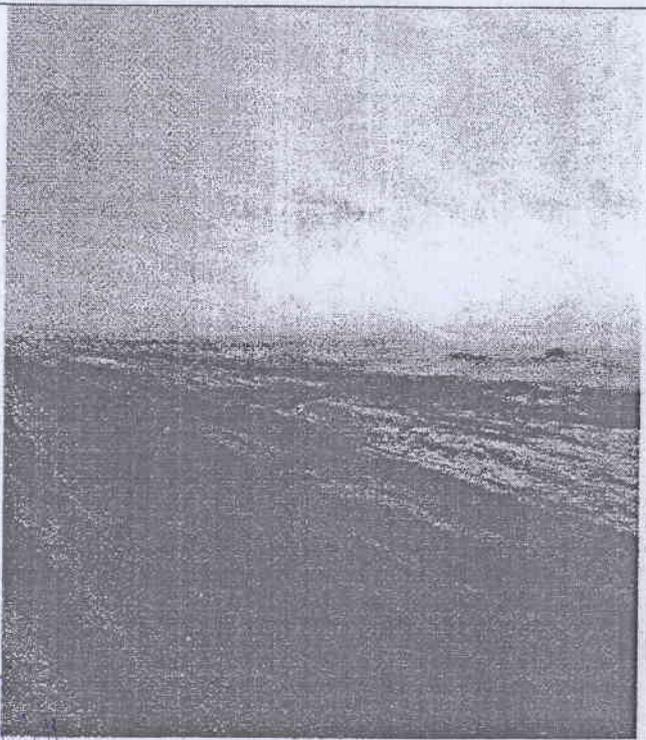




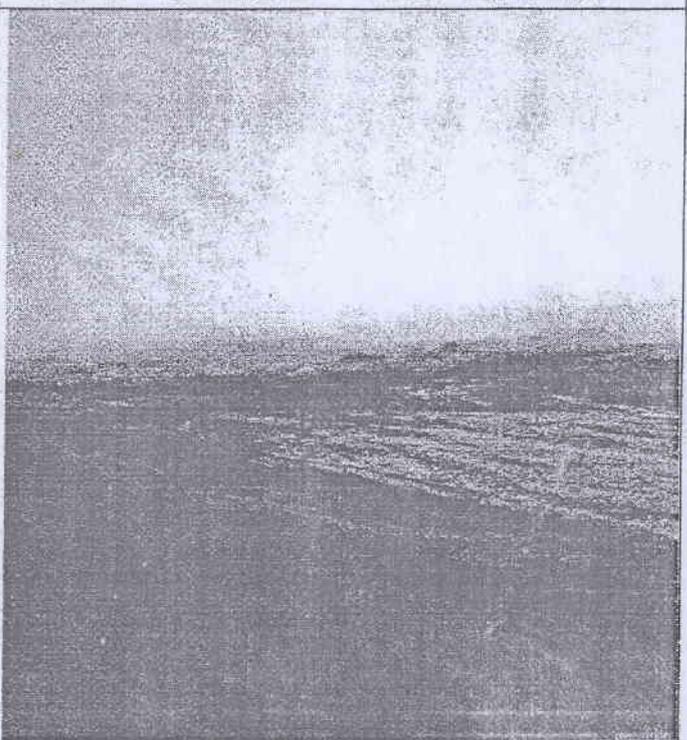
AWRS



Ash Slurry Disposal in Ash Dyke IIA& B

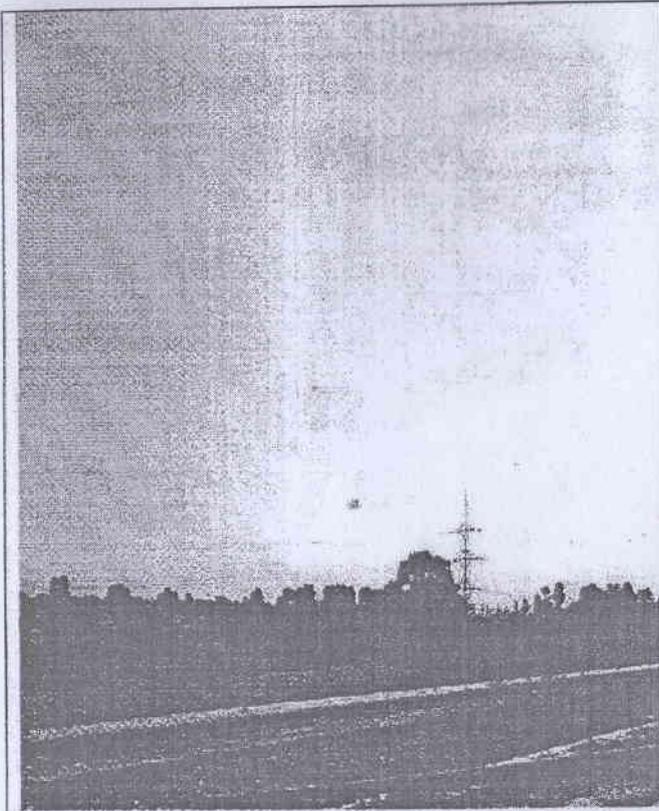


Fugitive Dust Emission at Ash Dyke IIAB



Fugitive Dust Emission at Ash Dyke IIAB

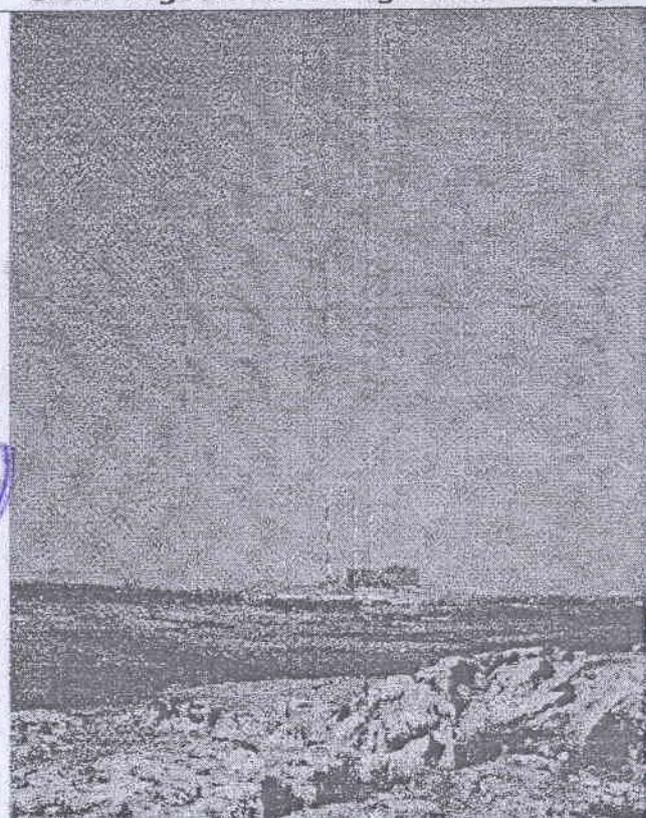




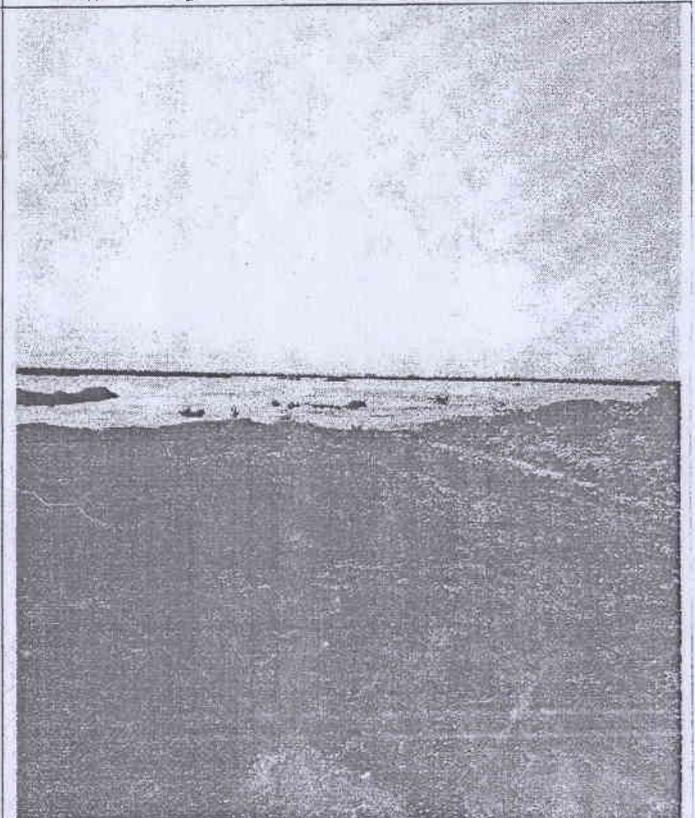
Green Vegetation and Agricultural Crops



Green Vegetation and Agricultural Crops



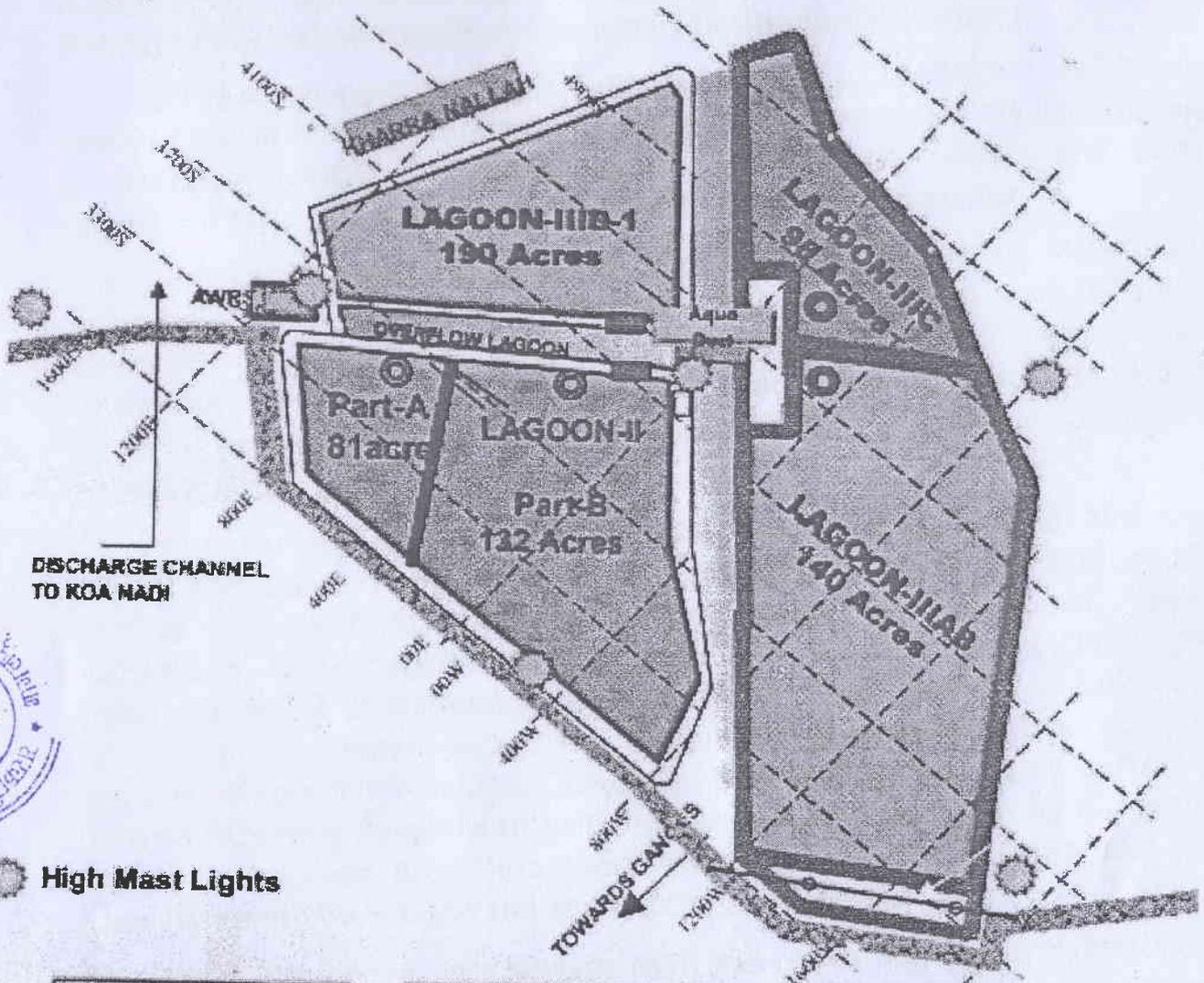
View of KhSTPP from Ash Dyke



Ash Dyke IIIC with Slurry Discharge

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एनटीपीसी
NTPC

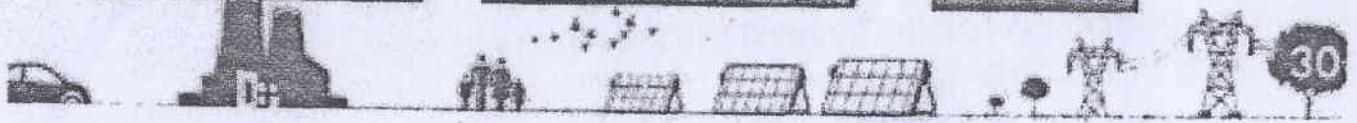


High Mast Lights

NHAI Lifting

Slurry discharge

Filled



(17)

R-7-85 (30)
6-3-23

(20)

जिलाधिकारी, भागलपुर
समाहरभवालय गोपनीय शाखा

प्राप्ति की तिथि... 25/2/23

CR No... 5592

पृष्ठांकित तिथि... 25/2/23

जिलाधिकारी

REGISTERED
BIHAR STATE POLLUTION CONTROL BOARD
Purivesh Bhawan

Phone-0612-2261250/2262265, Fax-0612-2261050

E-mail: msbspcb-bih@gov.in, Website <http://bspcb.bihar.gov.in>

श्रीय उप समाहता
नला विकास शाखा
भागलपुर

Ref. No.:-

Patna, dated:-

From

Ashok Kumar Ghosh
Chairman

To

The Executive Director,
M/S NTPC Limited,
Kahalgaon,
Dist-Bhagalpur.

Direction Under Section 31A of the Air (Prevention and Control of Pollution) Act, 1981.

1. WHEREAS, the State Govt. has declared the entire State of Bihar as "Air-Pollution-Control-Area" under the provisions of section 19 of the Air (Protection and Control of Pollution) Act, 1981.
2. WHEREAS, you were required to obtain previous 'Consent-to- Establish' (hereinafter referred to as CTE) and 'Consent-to- Operate' (hereinafter referred to as CTO) from Bihar State Pollution Control Board (hereinafter referred to as the 'Board') under Section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as 'Water Act') and under section 21 of the Air (Prevention and Control of Pollution) Act, 1981 (hereinafter referred to as 'Air Act') before establishing and operating your Thermal Power Plant.

3. WHEREAS, you were granted Consent-to-Operate (CTOs) vide ref. no. B-3798, dated-12.07.2019 and B-3799, dated-12.07.2019, both under the Water Act and Air Act respectively, for operating the Thermal Power Plant of 2340 MW capacity for the period from 01.04.2019 to 31.03.2024 with conditions mentioned therein.
4. WHEREAS, The Hon'ble NGT, Principal Bench, has registered an Original Application (O.A. No. 769/2022) pursuant to a letter petition dated-03.05.2021 received from Shankar Dayal Mishra, resident of village Maheshamunda, Tahsil-Kahalgaoon, Dist-Bhagalpur, State of Bihar with allegation that due to discharge of lacs of tones of fly ash per day from coal based NTPC TPP, huge air pollution is being caused in the area.
5. WHEREAS, the Hon'ble NGT, Principal Bench, has constituted a Joint Committee in the aforesaid original application comprising State PCB and District Magistrate, Bhagalpur to visit the site and collect relevant information and submit factual report to the Hon'ble Tribunal.
6. WHEREAS, your unit was inspected on 09.02.2023 by the Joint Committee as constituted by the Hon'ble Tribunal.
7. WHEREAS, during inspection, *inter-alia*, it was observed that ash from the ash dykes no. IIIAB and IIID is being lifted/excavated with the help of several Poclain & JCBs and transported by trucks with cover for its utilization in road construction by NHAI. The lifting and transportation of ash from IIID has been started few days back. There was high fugitive emission at ash dyke no. IIIAB due to lifting/ excavation of ash with the help of Poclain and JCBs and movement of vehicles carrying ash & there was no any static/permanent water sprinkler in around ash dykes arrangement for dust suppression/control

बिहार प्रदूषण नियंत्रण बोर्ड
 बिहार सरकार
 मुंबई

of fugitive emission. The unit uses mobile water tankers for sprinkling of water on peripheral roads. In spite of the above arrangements, there was no proper control of fugitive emission around the ash dyke no. IIIAB.

I, therefore, in exercise of the powers conferred by Under Section 31A of the Air (Prevention and Control of Pollution) Act, 1981, direct you to:-

- (a) Ensure that excavation, loading, unloading and storage of ash are done in environmentally sound manner with all precautions to prevent air pollution such as regular water sprinkling and transportation of ash in covered vehicles and shall submit the status in the prescribed format as per MoEF&CC, Govt. of India notification no. 5181(E), dated-31.12.2021;
- (b) Use anti smog gun/truck mounted mist cannon for control of fugitive emission/air pollution due to excavation, loading of ash from ash dykes;
- (c) Regularly discharge/sprinkle water on the surface of ash dyke on the other end of lifting/excavation point to avoid fugitive emission/ air pollution;
- (d) Provide water jacketing sprinkling facility all around the ash dyke for control of fugitive dust emission;
- (e) Construct 100% Water Bound Macadam (WBM) road around all lagoons/ash dykes;
- (f) Construct Pavement Quality Concrete (PQC) road from Ekachari end to Nariya Nala Bridge and AWRS pump house to Majdaha village for movement of heavy vehicles;

- (g) Ensure lifting of ash from 4th raising and then 3th raising in lagoon IIIAB and IIC to meet the demand of ash to NHAI road projects;
- (h) Install adequate no. of CCTV Camera at different locations of ash dyke to monitor the activities involving ash lifting and transportation with covered vehicles;
- (i) Ensure installation of adequate number of high mast lighting in around ash dyke area;
- (j) Expand dry ash collection system by installing more dedicated silos for storage of dry fly ash for at least 16 hours of ash, based on installed capacity;
- (k) Submit future plan on ash utilization in consistent with MoEF&CC. Govt. of India notification;
- (l) Ensure regular inspection by dedicated supervisor on use of water sprinkling system for dust suppression/control of fugitive emission; and
- (m) Submit time bound action plan for compliance of the aforesaid directions.

Sd/-
(Ashok Kumar Ghosh)
Chairman

Memo No.

Copy To: The District Magistrate, Bhagalpur, for information and necessary action.

Patna, dated:

Sd/-
(Ashok Kumar Ghosh)
Chairman

Memo No.

Patna, dated:

Copy to: Sub-Divisional Magistrate, Kahalgaon, Bhagalpur, for information and necessary action.

Sd/-

(Ashok Kumar Ghosh)
Chairman

Memo No.

Patna, dated:

Copy to: The Regional Executive Director, NTPC Ltd., Lok Nayak, Jai Prakash Bhawan; Dak Bunglow Chowraha, Patna, for information and necessary action.

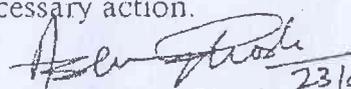
Sd/-

(Ashok Kumar Ghosh)
Chairman

Memo No. 309
Copy to:

Patna, dated: 23.02.23.

- i. R.O. Bhagalpur, BSPCB, for information and necessary action.
- ii. Legal Cell, BSPCB, for records.


(Ashok Kumar Ghosh)
Chairman

23/02/23

*



भागलपुर समाहरणालय
(जिला विकास शाखा)

पत्रांक 19-01/2022 271 /वि० भागलपुर दिनांक 23-03-23

प्रेषक ,

जिलाधिकारी,
भागलपुर।

सेवा में,

कार्यपालक निदेशक,
एन०टी०पी०सी० लि०,
कहलगाँव।

विषय:-

बिहार राज्य प्रदूषण नियंत्रण पर्षद के द्वारा Section 31A of the Air (Prevention and control of Pollution) Act, 1981 के तहत दिये गये निदेश के अनुपालन के संबंध में।

प्रसंग:-

अध्यक्ष, बिहार राज्य प्रदूषण नियंत्रण पर्षद का पत्रांक 309 दिनांक दिनांक 23.02.2023।

महाशय,

उपर्युक्त विषयक प्रासंगिक पत्र जो सीधे आपको संबोधित है, उक्त के माध्यम से Section 31A of the Air (Prevention and control of Pollution) Act, 1981 के तहत दिये गये निदेश के अनुपालन के संबंध में निदेशित किया गया है।

अतः पुनः प्रासंगिक पत्र की प्रति संलग्न करते हुए अनुरोध है कि दिये गये निदेश का अनुपालन सुनिश्चित करते हुए अनुपालन प्रतिवेदन बिहार राज्य प्रदूषण नियंत्रण पर्षद के साथ साथ अधोहस्ताक्षरी को भी उपलब्ध कराना सुनिश्चित किया जाय।

अनुलग्नक यथोपरि।

वरीय उप समाहर्ता,
जिला विकास शाखा।

11-3-23

ज्ञापांक:- 19-01/2022 271 /वि० भागलपुर दिनांक 23-03-23

प्रतिलिपि:-

अनुमंडल पदाधिकारी, कहलगाँव को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

वरीय उप समाहर्ता,
जिला विकास शाखा।

11-3-23

उप विकास आयुक्त,
भागलपुर।

जिलाधिकारी,
भागलपुर।

(23)

Inspection report of M/s NTPC, Kahalgaon, District- Bhagalpur, regarding verification of compliance status of unit in reference to the direction issued vide the Board's Memo No. 309 dated 23.02.2023

In compliance with the order of the Hon'ble NGT dated 04.01.2023 in O.A. No. 769/2022 in the matter of Shankar Dayal Mishra V/s State of Bihar, joint committee comprising of Sri Madhukant, SDO, Kahalgaon, Sri S.N. Jayaswal, Scientific Advisor, BSPCB, Patna, Sri S.N. Jha, Regional Officer, Bhagalpur, and Sri S.P. Roy Regional Officer, Barauni, BSPCB was constituted for verification of facts.

Joint Committee inspected M/s Kahalgaon Super Thermal Power Plant, NTPC Limited, Kahalgaon, District- Bhagalpur on 09.02.2023. In reference to the inspection report, Direction under section 31A of the Air (Prevention and Control of Pollution) Act, 1981 vide Board's Memo No. 309 dated 23.02.2023 was issued to the unit.

KhSTPP, NTPC Limited submitted point wise time bound action plan with target date for compliance of the conditions mentioned in direction vide Ref. No. Khs 092-ED(Kh)/BSPCB date 04.03.2023.

BSPCB issued letter to the unit vide Ref. No. 763 dated 05.04.2023 for acceptance of action plan and target date and unit was directed to complete proposed action plan within target date.

Unit was inspected on 22.07.2023 by S.N. Jha, Regional Officer, Bhagalpur, BSPCB and Amish Kumar, A.S.O., BSPCB, Bhagalpur, for verification of pointwise compliance status of direction issued by the Board and action plan submitted by KhSTPP. Following official of NTPC, Kahalgaon were present during inspection-

- i. Sri N.P. Sahar, HoP,
- ii. Sri Shyamal Mondal, AGM, ash utilization,
- iii. Md. Khaliful Zama, AGM, ash handling,
- iv. Sri Jagannath Day, DGM, Ash handling,
- v. Sri Manish Pandey, Sr. Manager, EMG,
- vi. Sri Manish Kumar, Sr. Manager, ash utilization,
- vii. Sri Chandrasekhar, Somu, Sr. Manager, O&M civil, and,
- viii. Sri Ram Krishna Dubey, Assistant Officer, EMG

Unit was operational during inspection with production of 2130 megawatt. One unit of 210 MW capacity was not in operation. Ash slurry was being discharged in Lagoon IIA and IIB. Ash was being lifted/excavated from lagoon IIIAB, IIIC&IIID. Toe-drain pump was under construction for re-use of water discharge from toe-drain of ash dyke. Good vegetation along ash dyke area was observed.

Pointwise compliance status of above direction and action plan submitted by unit are as following-

Sl. No.	Direction	Action plan submitted by unit	Compliance status
a	Ensure that excavation, loading, unloading and storage of ash are done in environmentally sound manner with all precautions to prevent air pollution such as regular water sprinkling and transportation of ash in covered vehicles and shall submit the status in prescribed format as per MOEF&CC, Govt. Of India notification no 5181 (E) dated 31.12.2021;	1) Additional 01 No of 12000 Ltr capacity water tanker shall be deployed. 2) The annual status in prescribed format as per MOEF&CC, Govt of India notification no 5481 (E) dated 31.12.2021 shall be submitted at the end of FY-2022-2023	Water is being sprinkled in ash dyke movement area. Additional truck mounted water tanker of 20,000 litre capacity has been deployed for water sprinkling around ash lifting/excavation area. Vehicles engaged in ash transportation were covered. Annual ash compliance report has been submitted for FY 2022-23.

b	Use anti-smog gun/truck mounted mist cannon for control of fugitive emission/air pollution due to excavation, loading of ash from ash dykes;	Deployment of fog canon machine will be processed though tendering for control of fugitive emission/air pollution.	At present static water sprinklers and flexible hose pipes are being used for dust suppression near ash lifting/excavation area It was informed that vendor has been contacted for site visit and submission of technical suitability.
c	Regularly discharge/sprinkle water on the surface of ash dyke on the other end of lifting /excavation point to avoid fugitive emission/ air pollution	<p>1) In addition to 17 nos. of tractor mounted tankers, 02 nos. of 12000 Ltr water tankers will be added for sprinkling of water throughout the year for effective suppression of ash from ash dyke roads.</p> <p>2) Additionally, 2 more no of flexible hose pipe will be installed in Lagoon III D.</p> <p>3) Additionally, 200 no of static sprinkler will be installed.</p> <p>4) Water ponding will be ensured by NTPC as per requirement.</p> <p>5) Vegetation in all lagoons will be maintained/ensured to suppress ash emission</p>	<p>One no. of 12000 litre and one no. of 20000 litre water tankers deployed additionally through transporting agencies for water sprinkling around lifting/excavation area.</p> <p>Flexible hose pipes have been deployed at lagoon IIID for dust suppression near lifting/excavation area. Water sprinklers have been installed in lagoon IIID</p> <p>Water ponding is being done in lagoon IIIAB, IIIC and IIID</p> <p>Cover of vegetation was observed at lagoon IIID.</p>
d	Provide water jacketing sprinkling facility all fugitive dust emission.	Water jacketing in all the four lagoons will be ensured by NTPC on or before 31.12.2023 in phased manner.	Approx. 1500 meter water jacketing pipelines has been installed along lagoon IIIAB towards Ekchari village. Purchase requisition (PR) has been raised for water jacketing around the ash dyke area (approx. 16 Km. length)
e	Construct 100 % Water Bound Macadam (WBM) road around all lagoons/ash dykes	Construct 100 % Water Bound Macadam (WBM) road around all lagoons/ash dykes	Construction of WBM road along lagoon II (approx. 2.7 Km.) completed. Construction of GSB Road at 1 st raising of lagoon IIIAB & IIIC in progress. PO issued for construction of WBM road at Ekchari side.
f	Construction Pavement Quality Concrete (PQC) road from Ekchari end to Nariyan Nallah Bridge and AWRS pump house to Mazda Village for movement of heavy vehicles.	Award of contract and start of construction – PQC road – by 30.06.2023.	Purchased order issued for PQC Road.

JK

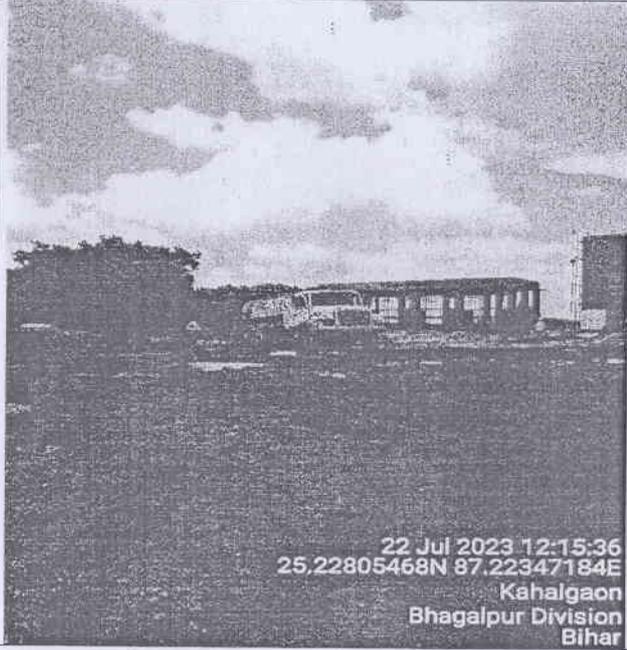
JK

g	Ensure lifting of ash from 4th raising and then 3rd raising in lagoon III AB & III C to meet the demand of ash to NHAI road projects.	NTPC kahalgaon in planning for lifting from 3rd raising in lagoon III AB & III C after suitable modification in ash dyke bund to meet the demand of NHAI road projects.	It was informed that proposal for dismantling of lagoon IIIAB & III C 4 th raising initiated, as proposal has been sent to department.
h	Install adequate no. of CCTV camera at different locations of ash dyke to monitor the activities involving ash lifting and transportation with covered vehicles	NTPC kahalgaon will install 12 nos. of CCTV across different locations of Ash dyke to monitor the activities involving ash lifting and transportation with covered vehicles	Purchase requisition (PR) has been raised for procurement and installation of 12 Nos. CCTV
i	Ensure installation of adequate number of high mast lighting in and around ash dyke area	Additional 08 nos. high mast light will be installed in ash dyke area.	Purchase requisition (PR) has been raised for additional 8 nos. of high mast lights with 6 Nos. of existing high mast lights.
j	Expand dry ash collection system by installing more dedicated silos for storage of dry fly ash for at least 16 hours of ash based on installed capacity.	Total capacity after installation of all silo's will be 6200MT, which will cater the storage requirement of 16 Hours of dry fly ash. (Note: Considering Sp. Coal of 0.75 kg/kWh, Avg. PLF-75% (LAST FOUR YEARS) AND Avg. ash content 35%, Total DFA produced in 16 hours shall be approx. 5900 MT.	Installation and commissioning of two silos (1500 MT each) completed. Total dry fly ash silo capacity is 52000 MT. is. Erection work started for construction of proposed one new silo of capacity 1000 MT.
k	Submit future plan on ash utilization with MOEF&CC Govt. of India notification.		Future plan of ash utilization for 5 years submitted.
l	Ensure regular inspection by dedicated supervisor on use of water sprinkling system for dust suppression/control of fugitive emission.	Additionally, 03 Nos. of dedicated supervisor have been deployed for monitoring /control of fugitive dust emission.	Work order awarded.
m	Submit time bound action plan for compliance of the aforesaid directions.		Action plan submitted to the Board vide Ref. No. Khs 092-ED(Kh)/BSPCB date 04.03.2023

On the basis of above facts, necessary action may be taken.

Amish Kumar
26/07/2023
(Amish Kumar)
A.S.O., BSPCB, Bhagalpur

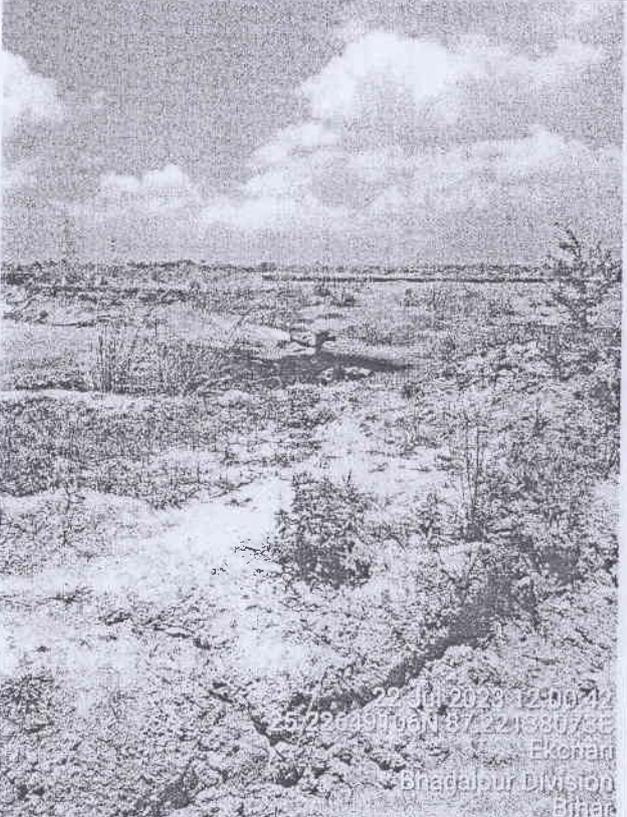
S.N. Jha
26/07/2023
(S.N. Jha)
Regional Officer, BSPCB, Bhagalpur



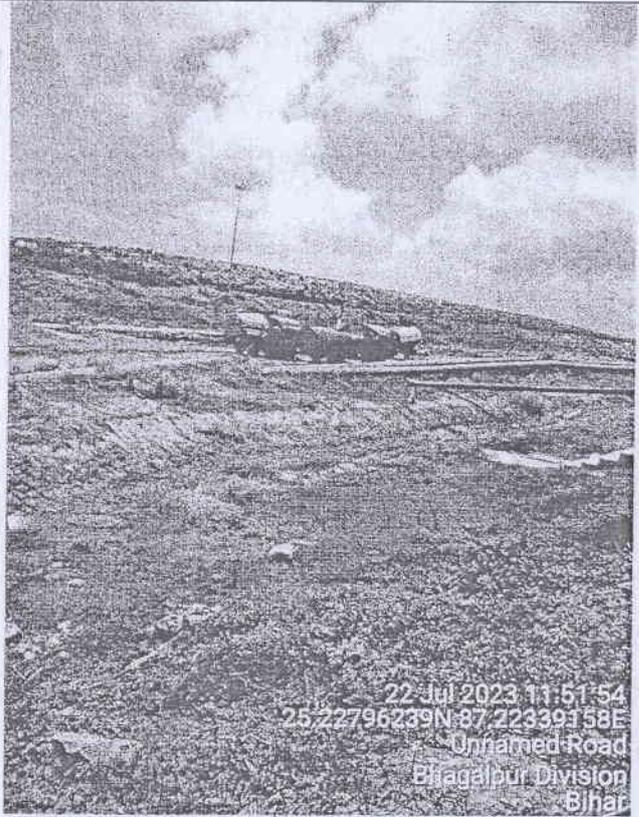
12000 litre capacity truck mounted water tanker



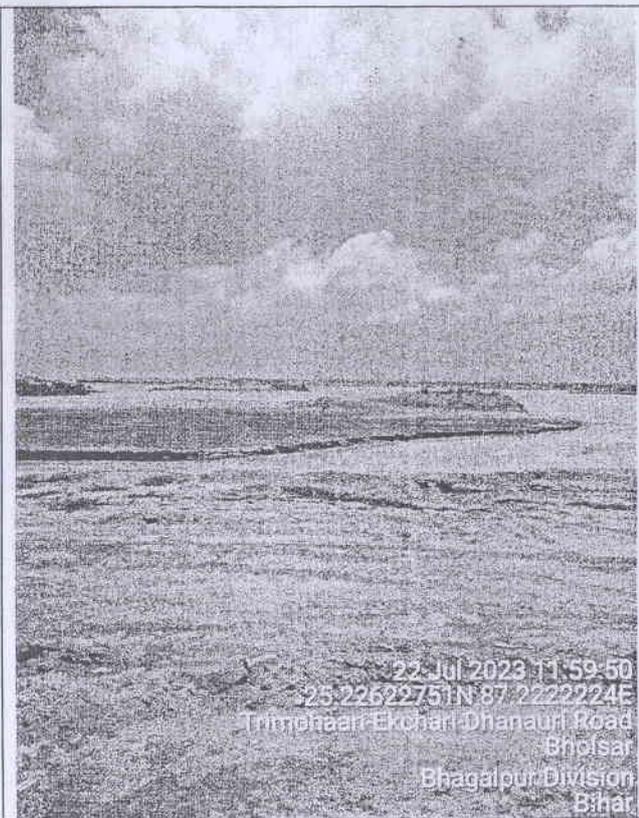
Covered vehicles engaged in loading & transportation of pond ash



Water ponding through water pipeline in lagoon IIIAB



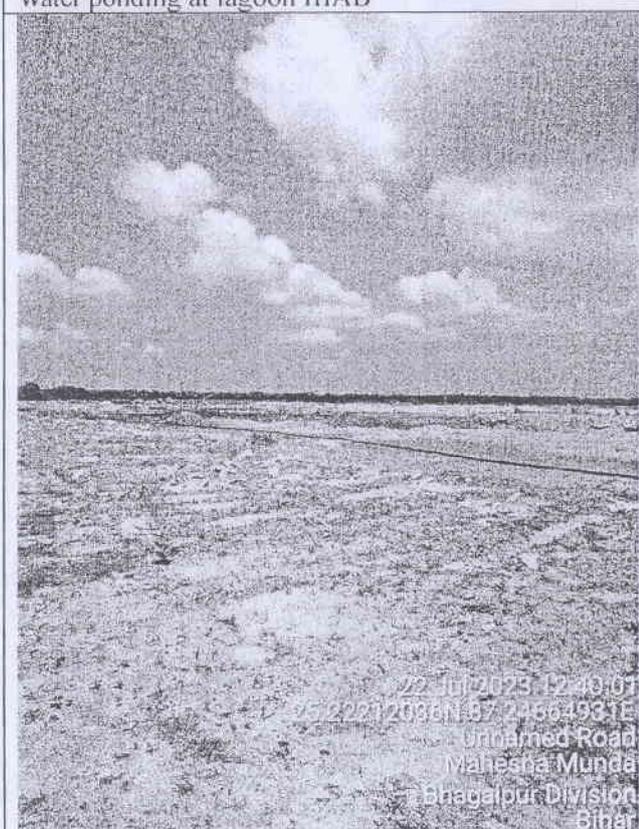
Water tankers for sprinkling around ash dyke movement area.



Water ponding at lagoon IIIAB



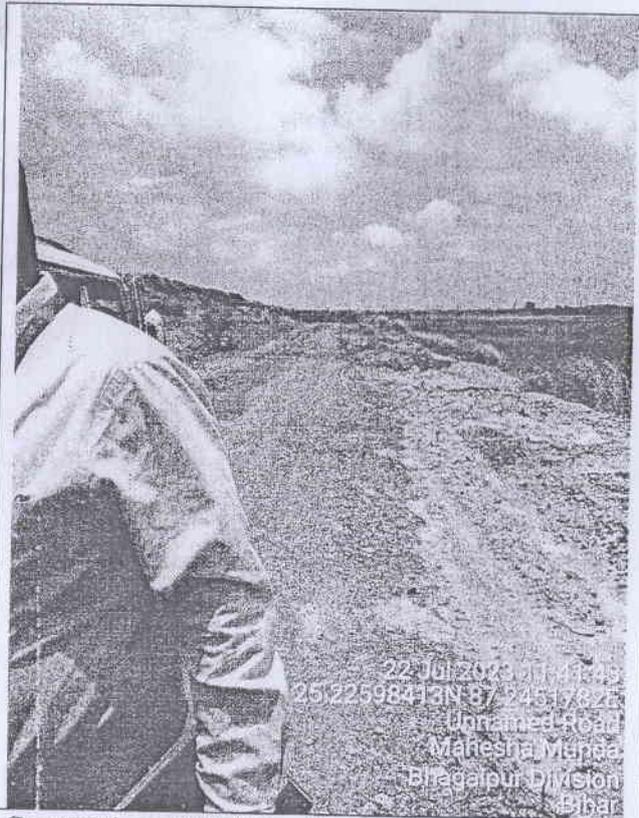
Vegetation at lagoon IIID



Water sprinklers at lagoon IIID

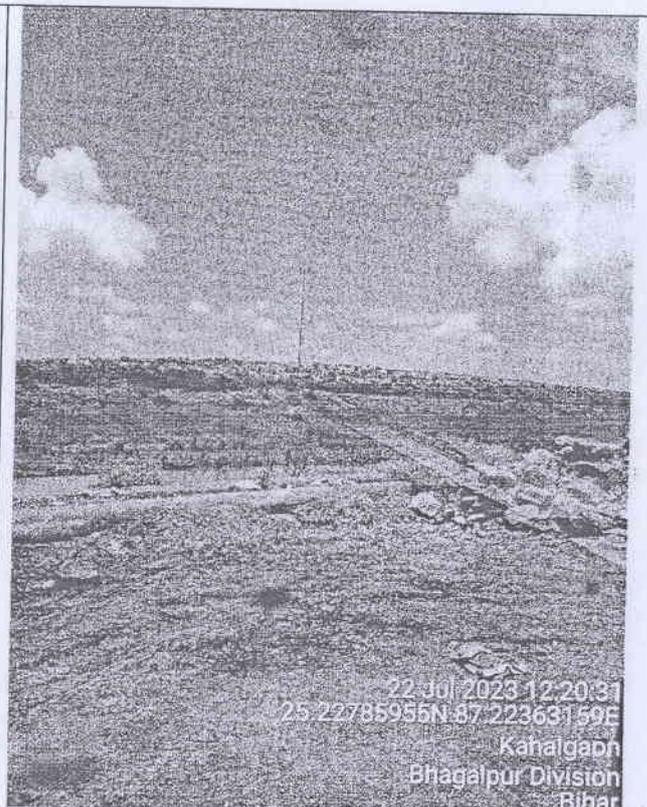


Water jacketing at lagoon IIIAB (Ekchari village side)



22 Jul 2023 11:41:43
 25.22598413N 87.2431782E
 Unnamed Road
 Mahesha Mendia
 Bhagalpur Division
 Bihar

Construction of WBM road around lagoon II



22 Jul 2023 12:20:31
 25.22785955N 87.22363159E
 Kahalgadh
 Bhagalpur Division
 Bihar

High Mast light at ash dyke area.



22 Jul 2023 12:58:12
 25.23790867N 87.27325039E
 Unnamed Road
 Bhagalpur Division
 Bihar

Existing silos



22 Jul 2023 12:59:20
 25.23792481N 87.27330363E
 Unnamed Road
 Bhagalpur Division
 Bihar

Erection of 1000 MT capacity dry ash silo in progress


भारत सरकार
Government of India


 शिलिमा कुमारी
 Shilima Kumari
 जन्म तिथि/DOB: 30/03/1993
 महिला/ FEMALE



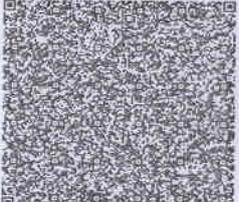
6956 4844 6874
 VID : 9106 6038 1435 5258

मेरा आधार, मेरी पहचान


भारतीय विशिष्ट पहचान प्राधिकरण
Unique Identification Authority of India

पता:
 C/O रत्नेश कुमार, अतिमी, नवानगर, बक्सर,
 बिहार - 802129

Address:
 C/O Ratnesh Kumar, atimi, Nawanagar,
 Buxar,
 Bihar - 802129



QR Code with Photograph

6956 4844 6874
 VID : 9106 6038 1435 5258

Shilima
 4/14/23