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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 955 OF 2024

IN THE MATTER OF:

PRESIDENT, MUNICIPAL COMMITTEE THATHRI

...APPLICANT

VERSUS

UNION TERRITORY OF J&K & ORS.

...RESPONDENTS

**BRIEF NOTE ON BEHALF OF RESPONDENT NO. 5 / MEGHA ENGINEERING AND
INFRASTRUCTURES LIMITED**

MOST RESPECTFULLY SHOWETH:

1. The present brief note is submitted on behalf of Respondent No. 5, Megha Engineering and Infrastructures Limited (“**the Answering Respondent**” or “**MEIL**”), in compliance with the oral directions issued by this Hon’ble Tribunal on 23.09.2025. The note provides a concise account of the factual background, highlights MEIL’s consistent and proactive approach, and outlines the extensive compliance and remedial measures implemented to address environmental concerns, all of which have been independently verified by the relevant statutory authorities.
2. The present Original Application was registered *suo motu* under section 14 and 15 of the NGT Act, 2010 by this Hon’ble Tribunal on the basis of a letter petition dated 25.11.2023, which raised apprehensions of illegal dumping of excavated material (muck) into the River Chenab during the construction of the Ratle Hydro Electric Power Project (850 MW) on river Chenab at village Drabshall, District Kishtwar, UT of Jammu & Kashmir (“**the Project**”).
3. The Project, designed to generate 850 MW of clean energy, aims to provide free electricity to approximately 3.1 million households and significantly boost the socio-economic development of the Union Territory. Its strategic relevance under the Indus Water Treaty, 1960, and its vital function in grid stabilisation for states such as Rajasthan, Gujarat, Madhya Pradesh, and Chhattisgarh, further underscores its national importance.
4. It is respectfully submitted that the Answering Respondent is the Engineering, Procurement, and Construction (**EPC**) Contractor for the Project. The Project Proponent and Employer is Ratle Hydroelectric Power Corporation Ltd. (“**RHPCL**” or “**Respondent No. 4**”), a joint venture between NHPC Ltd. and the J&K State Power Development Corporation Ltd.
5. As the EPC Contractor, MEIL’s contractual mandate is to execute the Project works as per the designs, specifications, and directions of the Employer (RHPCL). This includes the disposal of muck at designated locations that are provided and approved by RHPCL, in accordance with the terms of the contract and the Environmental Clearance (EC) granted

to RHPCL in 2012. The Answering Respondent has, at all times, operated within the framework and at the sites provided by the Employer.

5. From the inception of the Project, the Answering Respondent has implemented a robust and environmentally conscious muck management plan, recognising the unique challenges posed by the project's topography and treating the excavated material as a valuable resource. Foreseeing the topographical challenges, MEIL proactively constructed robust, engineered crate walls along the riverbanks prior to commencing any dumping operations. These structures were meticulously designed and implemented to serve as a protective barrier, effectively containing the muck and preventing its displacement into the river.
6. Pursuant to the concerns raised by this Hon'ble Tribunal on the basis of the Original Application, the Answering Respondent has undertaken extensive, time-bound, and substantial remedial measures with the utmost sincerity, effectively addressing all environmental concerns. The Answering Respondent's actions not only go beyond mere compliance but also demonstrate a steadfast commitment to environmental restoration and protection.

I. SUBSTANTIAL COMPLIANCE AND COMPREHENSIVE REMEDIAL ACTIONS:

7. The Answering Respondent recognising the saturation of the designated muck dumping sites due to their challenging topography, the answering Respondent ceased all dumping activities at Zone – 1 by July, 2024, as well as at Zone 2 (Left Bank, Village Durga), which were 100% saturated as of 27.03.2025. This proactive step was taken to prevent any further risk of spillage into the river or surrounding areas. There is no muck dumped at Zone -3 (Right Bank, Kuligardh Nallah, Village Khori) due to the challenging topography of the said site.
 - i. As of the latest status report dated 07.08.2025 filed by MEIL, over 80% of the muck from Zone 1 has been successfully removed and relocated to a new, secure site at Joshana, situated approximately 8 km away from the river.
 - ii. The progressive removal has been meticulously documented, with the quantity remaining at Zone 1 reducing from 1.26 lakh m³ as of 12.12.2024 to a mere 28,464 m³ as of 12.07.2025.
 - iii. The removal of the small remaining quantity of the muck from the designated dumping sites was temporarily suspended due to the onset of the monsoon season, leading to frequent floods, which pose significant safety risks in the hilly terrain. The Answering Respondent undertakes to complete the removal at the earliest opportunity post-monsoon.

8. The substantial compliance by MEIL is not a self-serving assertion but has been independently verified by the JKPC (‘‘**Respondent No. 3**’’), the statutory authority for the Union Territory. In its latest report dated 20.08.2025, filed pursuant to this Hon’ble Tribunal’s direction vide order dated 21.07.2025, the report of JKPC has been summarily reproduced herein for easy reference of this Tribunal;
- i. The Committee noted that removal of muck from Zone-1 is ongoing, and the same is being relocated to Village Joshana.
 - ii. MEIL’s claim regarding recycling of the remaining muck at Zone-1 is subject to approval from the District Administration, Kishtwar, and a permit from the Department of Geology and Mining, J&K (in this regard, *the DC, Kishtwar vide communication dated 11.09.2025 has directed the District Mineral Officer to take further course of action under the norm*). Crate walls have already been constructed by MEIL at Zone-1 (Right Bank, Downstream).
 - iii. Preventive measures in the form of crate/toe walls around stacked muck near GVK Colony (Dumping Site-I), Village Joshana have been initiated by the contractor. Similar action is required at Dumping Site-II, located downstream of GVK Colony, to ensure proper drainage and strengthening of the crate/toe wall (in this regard, *MEIL has completed and complied with the remedial measures*).
 - iv. MEIL has initiated construction of a concrete drainage channel towards the Hasti Nallah to restore the natural flow that had been blocked due to muck stacking (in this regard, *the concrete drainage and crate wall have been constructed*).
 - v. The Committee confirmed that **no fresh dumping of muck** was observed at Zone-1 during the site inspection.

This verification by the statutory authority effectively demonstrates MEIL’s good-faith compliance and renders the initial allegations inapplicable to the current ground reality.

9. That besides the abovementioned remedial measures, the Answering Respondent has conducted regular quarterly monitoring of the River Chenab’s water quality through Idma Laboratories Limited, a NABL-accredited third-party agency. The test results have been consistently filed before this Hon’ble Tribunal, confirming that all critical parameters, including pH, Biochemical Oxygen Demand (BOD), and Total Dissolved Solids (TDS), are well within the permissible limits prescribed by the Central Pollution Control Board (CPCB). This objective scientific evidence conclusively proves that no discernible adverse impact on the river’s water quality has occurred.
10. The Answering Respondent’s commitment to environmental stewardship extends beyond muck management. A comprehensive Waste Management Plan is in full compliance with

the Construction and Demolition Waste Management Rules, 2016. Formal agreements are in place with authorized agencies for the disposal of bio-medical waste and scrap metal. Furthermore, regular monitoring of air quality and noise levels confirms that all parameters remain within statutory limits, supported by on-ground measures like the daily deployment of water tankers for dust suppression.

11. The Answering Respondent has instituted a rigorous pollution control regime, including the daily deployment of three water tankers for dust suppression along a 5 km project road, a fact which is also acknowledged by CPCB. Further, stone crushers and DG sets are operated with adequate pollution control devices maintained at the site.
12. The Answering Respondent has also established extensive welfare facilities for its workforce of over 1,000 individuals. This includes providing proper meals, accommodation, and two fully operational, 24x7 medical centres supervised by qualified doctors, along with two Basic Life Support (BLS) ambulances for any emergencies.
13. In view of the foregoing, it is evident that the Answering Respondent has acted with due diligence and in good faith, undertaking substantial and effective measures to ensure the scientific disposal of muck, address past deficiencies, and maintain continuous compliance with all applicable environmental norms. The Project stands as a significant initiative in advancing clean and sustainable energy generation, providing free electricity to approximately 3.1 million households and fostering the socio-economic development of the Union Territory of Jammu & Kashmir. Its strategic importance under the Indus Water Treaty, 1960, coupled with its critical role in grid stabilisation for states such as Rajasthan, Gujarat, Madhya Pradesh, and Chhattisgarh, underscores the Project's immense contribution to national energy security and regional development.



THROUGH

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