

# 1315

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH AT NEW DELHI**

MA No. 94 of 2022

IN

OA No.113 of 2020

**IN THE MATTER OF:**

Ramesh Chander Verma

...Applicant

Versus

State of Uttar Pradesh & Ors

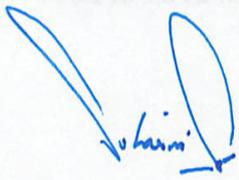
...Respondent(s)

**N.D.O.H. – 12.01.2026**

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**THROUGH**



**SUHASINI SEN  
(COUNSEL FOR MOEF&CC)  
R289B, LGF, GREATER KAILASH I NEW  
DELHI- 110048  
TEL: +91-96500 96066, +91-9953049776,  
[suhasinisen@rschambers.net](mailto:suhasinisen@rschambers.net),  
[office@rschambers.net](mailto:office@rschambers.net)**

New Delhi  
Date: 09.01.2026

**PROCEEDINGS**

Personal Hearing in respect of the project titled “Khadia Opencast Project of Northern Coalfields Limited (NCL), Village Nawatola, Khadia, District Sonbhadra, Uttar Pradesh”. The personal hearing for the project “Khadia Opencast Project of Northern Coalfields Limited (NCL), Village Nawatola, Khadia, District Sonbhadra, Uttar Pradesh,” was held under the Chairmanship of Shri Rajat Agarwal, Joint Secretary, on 26.12.2025 at 15:00 hrs at Indus Meeting Hall, Indira Paryavaran Bhawan. The list of participants is at Annexure-I

Chronology of Events as Follows:-

<b>S. No.</b>	<b>Date / Period</b>	<b>Event / Action</b>
1.	10.04.2007	Environmental Clearance (EC) granted for Khadia Opencast Coal Mine Expansion Project (expansion in production from 4 MTPA to 10 MTPA and lease area from 1460 ha to 1640 ha) of M/s Northern Coalfields Ltd. (NCL), located in villages Khadia/Chilkatand (in Dudhi Tehsil) and Dudhichua (in Singrauli Tehsil), Tehsil Dudhi in District Sonebhadra, Uttar Pradesh and in Tehsil Singrauli in District Sidhi, Madhya Pradesh
2.	23.03.2016	Environmental Clearance (EC) granted for expansion of Khadia Opencast Coal Mine from 10 MTPA to 14 MTPA over an area of 1640 ha.
3.	27.07.2022	EC granted for expansion from 14 MTPA to 15 MTPA, availing 50% relaxation under OM dated 07.05.2022.
4.	07.02.2024	Fresh EC issued for expansion from 14 MTPA to 15 MTPA under updated conditions.
5.	28.11.2024	Project monitored/inspected by RO, MoEF&CC, Lucknow in reference to Hon’ble NGT in OA No. 580/2022 (Mukesh Singh vs State of Uttar Pradesh), Ministry is one of the respondent.
6.	16.12.2024	Inspection report submitted by RO, Lucknow to the Ministry.
7.	14.01.2025	Ministry issued letter seeking Action Taken Report (ATR) from the Project Proponent (PP).
8.	14.02.2025	ATR submitted by the Project Proponent in response to the Ministry’s letter.
9.	30.04.2025	Show Cause Notice (SCN) issued to the Project Proponent based on continued non-compliances.
10.	20.05.2025	PP submitted reply to the Show Cause Notice, forwarded to RO, Lucknow for review.
11.	06.10.2025	RO, Lucknow submitted SCN review report after site inspection and examination of PP’s reply

12.	26.12.2025	Personal Hearing held in Indus Meeting Hall, Indira Paryavaran Bhawan, MoEF&CC to address continued non-compliances
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2. The Chairman welcomed the participants and invited Shri Pankaj Verma, Scientist-F, MoEF&CC to update the background of the matter

- Khadia Opencast Coal Mine Expansion Project (expansion in production from 4 MTPA to 10 MTPA and lease area from 1460 ha to 1640 ha) of M/s Northern Coalfields Ltd. (NCL), located in villages Khadia/Chilkatand (in Dudhi Tehsil) and Dudhichua (in Singrauli Tehsil), Tehsil Dudhi in District Sonebhadra, Uttar Pradesh and in Tehsil Singrauli in District Sidhi, Madhya Pradesh. File No .J-11015/255/2006-IA.II(M) dated 10.04.2007
- Khadia Opencast coal mine expansion project from 10 MTPA TO 14 MTPA in an area of 1640 Ha located in District Sonebhadra and Tehsil Singrauli, Madhya Pradesh. File no. J-11015/255/2006 IA. II (M) dated 23.03.2016
- Expansion of Khadia Opencast coal mining project for increase in production capacity from 14 MTPA to 15 MTPA (increase of 10% w.r.t 10 MTPA) in land area of 1640 Ha by M/s Northern Coalfields Ltd. located in the village Khadia, Tehsil Dudhi, District Sonbhadra,Uttar Pradesh & village Dhudhichua, Tehsil Singrauli, District Singrauli,Madhya Pradesh - Environmental Clearance under OM vide F. No. IA3-22/10/2022-IA .III 07.05.2022- [Availing total 50% relaxation of OM dealing with exemption of public hearing under clause 7 (ii) of EIA notification]. File no. J-11015/255/2006 IA. II (M) dated 27.07.2022, and
- Expansion of Khadia Opencast coal mining project for increase in production capacity from 14 MTPA to 15 MTPA (increase of 10% w.r.t 10 MTPA) in land area of 1640 Ha by M/s Northern Coalfields Ltd. located in the village Khadia, Tehsil Dudhi, District Sonbhadra,Uttar Pradesh & village Dhudhichua, Tehsil Singrauli, District Singrauli,Madhya Pradesh - Environmental Clearance under OM vide F. No. IA3-22/10/2022-IA .III 07.05.2022- [Availing total 50% relaxation of OM dealing with exemption of public hearing under clause 7 (ii) of EIA notification]. File no. J-11015/255/2006 IA. II (M) dated 07.02.2024.

3. The above-mentioned project was monitored by the Regional Office, MoEF&CC, Lucknow on 27.11.2024 and 28.11.2024 in reference to OA No. 580/2022 titled Mukesh Singh v. State of Uttar Pradesh, pending before the Hon'ble NGT (PB).

4. In this regard, the Ministry, vide letter dated 13.09.2024, sought a monitoring report from RO, Lucknow, which was submitted on 16.12.2024. Based thereon, the Project Proponent was directed to submit an Action Taken

Report (ATR) vide letter dated 14.01.2025, which was submitted on 14.02.2025. As per the SoP, the ATR review report was sought from RO, Lucknow and, upon examination of the same, a Show Cause Notice was issued to the Project Proponent vide letter dated 30.04.2025 on account of the observed non-compliances. The Hon'ble Tribunal was apprised accordingly through an additional affidavit filed on 17.05.2025. The matter was subsequently listed for hearing on 10.10.2025, wherein the Hon'ble Tribunal directed the Ministry to file another affidavit apprising the Hon'ble Tribunal of the status after issuance of the Show Cause Notice. The Project Proponent has since submitted a reply to the Show Cause Notice vide letter dated 20.05.2025, which has been forwarded to RO, Lucknow for review.

5. The SCN response review report was examined in the Ministry and it was observed that there was improvement in the compliance status of conditions as compared to compliance status reported by RO in report dated 6.10.2025. However, some conditions were not satisfactorily complied, therefore, to resolve the issue of non-compliance, Personal hearing has been called on 26.12.2025.

6. It was followed by a presentation made by M/s Norther Coalfield Limited on the actions taken to comply with the conditions. PP presented documentary and pictorial evidence of the ATR. The same was deliberated in detailed during the hearing. Accordingly, condition-wise conclusion during the personal hearing in reference to submission of PP, taking into consideration the views of RO, and outcome of deliberation is as given below

S. No	EC Condition	Status of compliance reported by RO in report dated 06.10.2025	Submission of the Project Proponent during PH and conclusion
1.	Mining area should be granted by green belt having thick closed thick canopy of the tree cover. (Specific Condition-xx of EC dated 23.03.2016)	<b>Partially Complied</b> Based on the submitted SCN response and subsequent site inspection conducted by the Regional office, it has been found that the development of green belt work has been assigned to the Renukoot Forest Division by Khadia OCP. Besides, the development of green cover on 05 ha of land has been given to ICFRE, is a premier Institute working on land	PP during the meeting submitted that Plantation has been carried out over 219.16 ha of overburden dumps till date, including 3 ha during FY 2025-26 through the Renukoot Forest Division, with additional green belt development proposed over 270 ha in MP and 100 ha in UP using native, broad-leaved species through designated State agencies and ICFRE. Further, bio-reclamation measures are being

		<p>degradation etc. As informed, the outcome of the ICFRE work will also apply to other areas of the mines for better development of the green belt. It is also required to strengthen the plant density on OB and fill the gap that arise due to various reasons on OB with suitable plant saplings</p>	<p>strengthened through ICFRE-led interventions and innovative methods such as drone-based seed ball spraying on OB dumps, which will be continued in subsequent monsoon seasons.</p> <p>The Chairman observed that placing the liability for plantation with the Divisional Forest Officer (DFO) is not appropriate. While the technical execution of plantation activities may be carried out through the State Forest Department/ICFRE or any other implementing agency, the overall responsibility and liability for plantation, including survival and maintenance, shall rest solely with the Project Proponent and shall not be transferred to the DFO or any other agency.</p> <p><b>Accordingly, the Project Proponent shall ensure effective monitoring, conduct survival audits, and ensure compliance with the stipulated plantation and bio-reclamation obligations. In view of the above clarification and the submissions made, it was concluded that the condition is being complied with.</b></p>
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<p>2.</p>	<p>There shall be no overflow of OB into the river and into the agricultural field and massive plantation of native species shall be taken up in the area between river and the project. (Specific Condition-xxii of EC dated 23.03.2016)</p>	<p>---same as above---</p>	<p>---same as above---</p>
<p>3.</p>	<p>Further, it may be ensured that as per the time schedule specified in mine closure plan it should remain live till the point of utilization. The topsoil shall temporarily be stored at earmarked site(s) only and shall not be kept unutilized. The top soil shall be used for land reclamation and plantation purposes. Active OB dumps shall be stabilised with native grass species to prevent erosion and surface run off. The other overburden dumps shall be vegetated with native flora species. The excavated area shall be backfilled and afforested in line with the approved Mine Closure Plan. Monitoring and management of</p>	<p>---same as above---</p>	<p>---same as above---</p>

	<p>rehabilitated areas shall continue until the vegetation becomes self-sustaining. Compliance status shall be submitted to the Ministry of Environment, Forest and Climate Change/ Regional Office. (Standard Condition f (v) of EC dated 07.02.2024 )</p>		
<p>4.</p>	<p>Catch drains and siltation ponds of appropriate size shall be constructed to arrest silt and sediment flow from soil. OB and mineral dumps. The water so collected shall be utilised for watering the mine area, road, green belt development, etc. The drains shall be regularly desilted and maintained properly. Garland drains (size, gradient and length) and sump capacity shall be designed keeping 50% safety margin over and above the peak sudden rainfall and maximum discharge in the area adjoining the mine site. Sump capacity shall also be adequate retention for the period to allow proper settling of silt material. (Specific</p>	<p><b>Partially Complied</b> Based on the submitted SCN response and subsequent site inspection conducted by the Regional office, it has been found that the three-tier plantation along the major road has not been developed so far. PP has constructed the CC road of about 6.61 km within the lease area to avoid further dust emission. To control the road dust, it is required to blacktop the parking area. Deployment of a mist gun and water sprinkling in the parking area cannot be sufficient to control the dust emitted from the parking area. Management of OB dumps needs to be improved, including cleaning of the garland drain and maintenance of the retained wall, especially during the rainy season. As informed, the plantation is being carried out through the Renukoot Forest Division. It is also</p>	<p>During the meeting PP submitted that Pucca roads have been developed at all the permanent roads. Khadia OCP has constructed Cement Concrete Road of 6.61 KM Length within the mine premises in order to reduce the dust generation during transportation of coal. Further, 1.5 KM CC road has also been built in Khadia mines for the movement of light vehicle. Khadia OCP is committed towards construction of parking with blacktopping or cement concreting, and will be completed by Sept 2025. Activity for the same has been approved by NCL HQ and currently under tendering stage. In the meantime, proper sprinkling is being ensured through mobile tankers and truck-mounted fog cannons. MoU has been finalised with UP Forest</p>

	<p>Condition-xxiv of EC dated 23.03.2016)</p>	<p>required to strengthen the plant density on OB and fill the gap that arises due to various reasons on OB with suitable plant saplings</p>	<p>Department for planation besides newly constructed CC road and mine boundary.</p> <p>Overburden dumps are being maintained scientifically with proper technical and biological reclamation. For the purpose of stability of the OB dump, a scientific study has been conducted by M/s CMPDIL, Ranchi and As per the report, it is clear that benching and slopes are safe for overburden dump. Garland drains and retaining walls are being constructed at the toe of the dump</p> <p>With regard to density of plantation, the plantation is being done carried out through Renukoot Forest Division at the density of 2500 Plants per Hectare with 04 years of maintenance. The survival rate of plantation is around 80%. Further, seedball spraying through drone has also been carried out in FY 2025-26 (Total 21150 seedballs were sprayed).</p> <p><b>The Chair observed that the construction of the parking area with blacktopping or cement concreting was not completed by September, 2025. The Chair further directed</b></p>
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			<p>that, in order to effectively control road dust, the parking area shall be blacktopped or cement concreted, as deployment of mist guns and water sprinkling alone is not sufficient to control dust emissions from the parking area. The status of compliance shall be submitted to the concerned Regional Office (RO), which shall verify the same. Accordingly the condition may be considered as Partially Complied.</p>
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<p>5.</p>	<p>The project authorities shall undertake regular repairing and tarring of roads used for mineral transportation. A 3-tier green belt comprising of a mix of native species shall be developed all along the major approach roads. (Specific Condition-xxviii of EC dated 23.03.2016)</p>	<p>---same as above---</p>	<p>---Same As Above---</p>
<p>6.</p>	<p>A Progressive afforestation plan shall be implemented at the end of mining, which includes reclaimed External O B dump area (258 ha), Internal OB dump area (808 ha) and Green belt (49 ha) and in township located outside the lease by planting</p>	<p>---same as above---</p>	<p>---Same As Above---</p>

<p>native species in consultation with the local DFO/ Agriculture Department. The density of the trees shall be around 2500 plants per ha. Massive plantation shall be carried out in open spaces in and around the mine and a 3-tier avenue plantation along the main approach roads to the mine. (Specific Condition-xxx)</p>		
<p>7. An estimated total 1255.72 Mm<sup>3</sup> of OB will be generated during the entire life of the mine. Out of which 254.33 Mm<sup>3</sup> of OB will be dumped in two external OB Dumps an earmarked area covering 258 ha of land. 1001.72 Mm<sup>3</sup> of will be tow internal OB dump in covering an area of 808 ha. The maximum height of external OB dump will not exceed 28 degrees. Monitoring and management of reclaimed dump sites shall continue till the vegetation becomes self submitted to MOEFCC and its Regional Office on yearly basis. (Specific Condition-xxxi)</p>	<p>---same as above---</p>	<p>---Same As Above---</p>

8.	Compensatory Ecological & Restoration of waste Land other degraded land and OB dumps in lieu of breaking open the land be carried out (Specific Condition-xxxiii of EC dated 23.06.2016)	---same as above---	---Same As Above---
9.	The entire excavated area, backfilling, external OB dumping (including topsoil), and afforestation plan shall conform to the "during mining" and "post-mining" land-use pattern, as outlined in the approved Mining Plan and the EIA/EMP submitted to this Ministry. Progressive compliance status concerning the post-mining land-use pattern shall be submitted to the MOEFCC/RO. (Standard Condition f (iii) of EC dated 07.02.2024	---same as above---	---Same As Above---
10.	Encourage the use of cleaner fuel in trucks. If the road needs to be widened up to the nearest railway siding, the same should be constructed to avoid	The Matter is related to EAC (Coal) Based on the submitted SCN response and subsequent site inspection conducted by the Regional office, it has	PP submitted that Khadia Opencast Project applied for exemption of this condition to MoEF&CC, New Delhi vide EC amendment proposal no. IA/UP/CMIN/509697/20

<p>traffic congestion (Additional Specific condition-ii) of EC dated 2022)</p>	<p>been found that the PP is equipped with three nos. of draglines for handling of overburden, which are not only electricity driven but also reduce truck movement (which would otherwise be required for transportation of overburden), 06 nos. of shovel and 07 nos. of drills are electrical driven, which are engaged for excavation. In addition to above, Coal is being transported through conveyor belts of Coal Handling Plants of 04 MTPA and 06 MTPA, which are electricity driven and reduces truck movement (which would otherwise be required for transportation of coal by road within mine premises) and a Rapid Loading System of 04 MTPA is under construction, which shall be electricity driven. As informed, the trial run for the use of the XtraGreen diesel is to start within one month. PP has also informed that the exemption application of this condition has also been submitted to MoEF&amp;CC, New Delhi, vide EC amendment proposal no. IA/UP/CMIN/509697/2024 submitted on 01.12.2024. However, the application is yet to be considered in EAC</p>	<p>24 submitted on 01.12.2024. The proposal was considered in 33rd meeting of EAC (Coal) held on 14.10.2025. As per Minutes of the meeting available on Parivesh Portal, the said condition is not binding in nature. Further EC amendment has also been granted with the condition amended to 'PP shall explore the feasibility for deployment of dumpers/trucks/other vehicles/passenger cars as electrical or CNG/LNG based for transportation of coal / OB etc. Considering the ambient air quality, all the vehicles carrying the coal shall comply the BS-VI standards" For the purpose of exploring the possibility to deploy CNG/LNG/electrical dumpers/trucks/other vehicles in NCL, a letter seeking availability of such vehicles have been submitted on 06.08.2024 to all major Manufacturers and response of them are still awaited.</p> <p><b>The Chair agreed with submissions of the PP.</b></p>
<p>11 PP shall explore at least 20% of the overall fleet of</p>	<p>---Same As Above---</p>	<p>---Same As Above---</p>

	<p>dumpers, trucks, and other vehicles as electric or CNG/LNG-based for the transportation of coal, overburden, etc. (Specific condition-xxviii) of EC dated 07.02.2024)</p>		
12	<p>PP shall commission the additional Rapid Loading System (Silo) of 4.0 MTPA before December 2024, in addition to the existing coal transportation facility, which includes 2 nos. of CHPs with Silo loading facility of 10.0 MTPA and a Merry Go-Round (MGR) arrangement. (Specific condition-i) of EC dated 07.02.2024)</p>	<p>Partially Complied</p> <p>Based on the submitted SCN response and the subsequent site inspection conducted by the Regional office, it has been found that the construction work of the rapid loading system was in progress on the site and will be completed by February 2026. It is required to expedite the above work on a priority basis.</p>	<p>PP informed the Chair that an application was submitted before MoEF&amp;CC for amendment of the said condition for extension of timeline given for completion of additional RLS. The proposal was considered in 33rd meeting of EAC (Coal Mining) held on 14.10.2025. Based on the EAC, amended EC vide J-11015/255/2006-IA-II(M) dated 19.11.2025 with EC identification no. EC24A0101UP5538506A, the timeline for completion of RLS has been extended till June 2026. Khadia OCP is committed towards completion of additional RLS by June 2026</p> <p><b>The Chair agreed with submissions of the PP.</b></p>

7. On the basis of detailed deliberation, following was concluded:-

1. In respect of plantation and green belt development, the Chairman observed that the liability for plantation cannot be shifted to the DFO. It was categorically directed that the entire responsibility for plantation, survival and maintenance shall vest solely with the Project Proponent, irrespective of technical execution through State Forest Departments/ICFRE. The Project proponent (PP) shall strengthen plantation density, address gaps on overburden dumps and ensure

effective monitoring and survival audits to achieve full compliance with EC conditions. Project proponent to submit the undertaking wrt timeline and submit progress report regularly to the Ministry's Regional Office.

2. The progress of green belt development shall be improved with the involvement of professional agencies to address the existing gaps, and by promoting the use of native, broad-leaved and fruit-bearing species to reduce pollution.
3. The concerned sector may consider the timelines furnished by the PP and the updated compliance status to be submitted by the PP, while examining the proposal for expansion, as and when submitted.
4. PP shall apply for amendment of EC conditions on PARIVESH, which are not applicable/feasible to the project.
5. Project proponent shall continue to ensure all efforts towards achieving compliance of EC conditions as concluded in the table of para 6 above.
6. RO shall review the six-monthly compliance report of the project submitted by PP regularly.

The meeting ended with the vote of thanks to the Chair.

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**Annexure-I**

List of participants for the personal hearing for the project “*Khadia Opencast Project of Northern Coalfields Limited (NCL), Village Nawatola, Khadia, District Sonbhadra, Uttar Pradesh*”. The personal hearing for the project “*Khadia Opencast Project of Northern Coalfields Limited (NCL), Village Nawatola, Khadia, District Sonbhadra, Uttar Pradesh*”

<b>S.no.</b>	<b>Name</b>	<b>Designation</b>
MoEF&CC		
1.	Shri Rajat Agarwal	Joint Secretary
2.	Shri Pankaj Verma	Scientist F, IA-CMD
3.	Dr. A K Gupta	Scientist E, RO-Lucknow
3.	Dr. Rajesh Prasad Rastogi	Scientist-D, Coal Sector
4.	Dr. Bhardwaj Adiraju	Scientist D, IA-CMD
5.	Shri Paranjay Kumar Singh	Consultant, IA-CMD
6.	Shri Sahodhar Kumar	Consultant, IA-CMD
7.	Shri Vinay Rana	ASO, IA-CMD
Project Proponent		
M/s Northern Coalfield Limited		
1.	Shri K. D. Jain	Area General Manager
2.	Shri Rohit Kumar Gupta	Manager (Environment)