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क्षेत्रीय कार्यालय,
REGIONAL OFFICE,
उप्र प्रदूषण नियंत्रण बोर्ड
U.P. POLLUTION CONTROL BOARD
सोनभद्र
SONBHADRA



संदर्भ संख्या:-

Ref.No.: G0211/O.A. No. 862/2024

दिनांक:-

Date: 28.02.2024

To,

The Registrar,
Hon'ble National Green Tribunal,
Copernicus Marg,
New Delhi.
E-mail-judicial-ngt@gov.in

Subject: Submission of Joint committee report pursuant to the order dated 03.01.2024 passed by Hon'ble National Green Tribunal, New Delhi in the matter of O.A. No.862/2022 Pankaj Kumar Mishra Vs Union of India & Ors.

Sir,

In Compliance of Hon'ble NGT order dated 03.01.2024 in the matter of O.A. No. 862/2022 Pankaj Kumar Mishra Vs Union of India & Ors., the Joint committee report is being filed herewith.

It is requested that the aforesaid Joint committee report may be presented before the Hon'ble Tribunal for kind consideration.

Encl.: As above.

Yours faithfully,

(U.K. Gupta)
Regional Officer

Endt. No. & date as above.

Copy to:-

1. District Magistrate, Sonbhadra for kind information please.
2. Chief Environmental Officer (Circle-2), U.P. Pollution Control Board, Lucknow for kind information & necessary action please.
3. Chief Law Officer, U.P. Pollution Control Board, Lucknow for kind information & necessary action please.
4. Shri Pradeep Mishra, Advocate, Supreme Court, 138, New Lawyer's Chamber, Supreme Court of India, New Delhi-110001.

Regional Officer

Joint Committee Report

In pursuant to order dated 03.01.2024 passed by

Hon'ble NGT in the matter of

O.A. No. 862/2022 Pankaj Kumar Mishra versus Union of India & Ors.

Hon'ble NGT vide its Order dated 11.10.2023 on Original Application No. 862/2022 in the matter of Pankaj Kumar Mishra versus Union of India & Ors, instructed the following:-

....."3. The interim report dated 09.10.2023 has been filed by the joint Committee. Learned Counsel for the UPPCB seeks two months' time to file the final report in pursuance to the directions which have already been issued.

.....8. The applicant present in person at this stage has raised the issue that due to heavy transportation of coal ash in Singrauli and Sonbhadra, the roads are damaged and pollution is being caused. He has further submitted that the fly ash is being transported in the open trucks violating the norms and that the entire activity of transportation and storage of the fly ash is done within the area of 30 kms in Singrauli and Sonbhadra falling in the States of UP and MP which is creating health hazard in violation of CPCB guidelines March 2019, for disposal/utilization of fly ash for reclamation of low lying areas and in stowing of abandoned mines/quarries, Para 4.2 of the Guidelines for loading, unloading, storage, transportation of fly ash.

9. The joint Committee will respond to the above submission in the final report which is to be submitted within two months.

10. List on 03.01.2024."

1. In compliance of this order, the joint committee report containing factual status based on the observations made during the field visit has been filed vide reference number G001040/OA-862/2023 dated 30.12.2023.

2. The report has been reviewed on 03.01.2024 by the Hon' able NGT which was submitted by Joint Committee on 30.12.2023. Based on the review and in consideration of the point raised by applicant, Hon'ble NGT vide its Order dated 03.01.2024 directed the followings.

"..... 4.The applicant present in person through virtual mode has pointed out that fly ash is still lying on the road in front of his house and that the trucks which are transporting the fly ash are causing pollution and UPPCB has only issued vague directions in this regard. He has also submitted that once it is admitted that open trucks are transporting fly ash and causing pollution then responsibility should be fixed and action should be taken against the person responsible. In support of his submission he has placed on record the photographs.

5. Sh. Pradeep Misra, Learned Counsel appearing for UPPCB has submitted that prompt action will be taken for stopping the transportation of fly ash by the open trucks and also to ensure that no pollution is caused in the process of transportation. He has also sought time to respond to the submissions made by the applicant.

6. Hence, UPPCB is directed to file a fresh report keeping in view the observations made above within four weeks.

7. The applicant is also granted time to file response to the report filed by the joint committee as also by MoEF&CC. Let the same be filed at least one week before the next date of hearing.

8. List on 01.03.2024.

3. In pursuance of Hon'ble NGT order, the committee members had meeting and discussed the further strategy for field visit and prepare a factual status as per order. Consequently, Regional Officer (RO), UPPCB, Sonebhadra has intimated vide their letter no. - G0164/OA-643/2024 dated 13.02.2024 to all concern. The copy of letter dated 13.02.2024 is attached herewith as Annexure no.-1 for reference.



4. The Joint Committee conducted the field visit to the Thermal Power Plants situated in district Sonbhadra (U. P.) during February 15-16, 2024 to find out the factual status as raised by the applicant.
5. The major issues raised by the applicant in this matter are as follows: -
 - 5.1. The Fly ash is being transported in the open trucks violating the norms and that the entire activity of transportation and storage of the fly ash is done within the area of 30 kms in Singrauli, MP and Sonbhadra, UP.
 - 5.2. The applicant present in person through virtual mode has pointed out that fly ash is still lying on the road in front of his house and trucks which are transporting the fly ash are causing pollution, UPPCB has only issued vague directions in this regard. He has also submitted that once it is admitted that open trucks are transporting fly ash and causing pollution then responsibility should be fixed and action should be taken against the person responsible.
6. As per record, UPPCB has given direction to all 'Thermal Power Plants' (TPP) of District-Sonbhadra for the disposal / utilization of fly ash and reclamation of low lying areas as per guideline issued by CPCB vide letter no. G000801/O.A. No. 862/2022/ 2023 dated 18.10.2023. (Copy attached as Annexure-2.)
7. Total 06 TPP in Sonbhadra district were visited by the Joint Committee during February 15-16, 2024 and the observations made are as under:-



7.1 The Committee observed, coal loaded truck were plying on Shaktinagar-Robertsganj road via Anapara road and covered with tarpaulin sheets as indicated in the photographs through 1-2.



Pic.-1-2: Trucks transporting coal were found covered with tarpaulin

7.2 M/s. Hindalco Industries Ltd. (Renusagar Power Division), Renusagar, District-Sonbhadra:-

a. The ash dyke of the power plant located at village Bichchari, Anpara, district Sonbhadra. The bottom ash/fly ash being pumped into the ash dyke through pipeline. The moist bottom ash/fly ash transported using covered trucks with tarpaulin sheets as indicated in the photographs through 3-4 to avoid air pollution/spillage on road for further utilization.

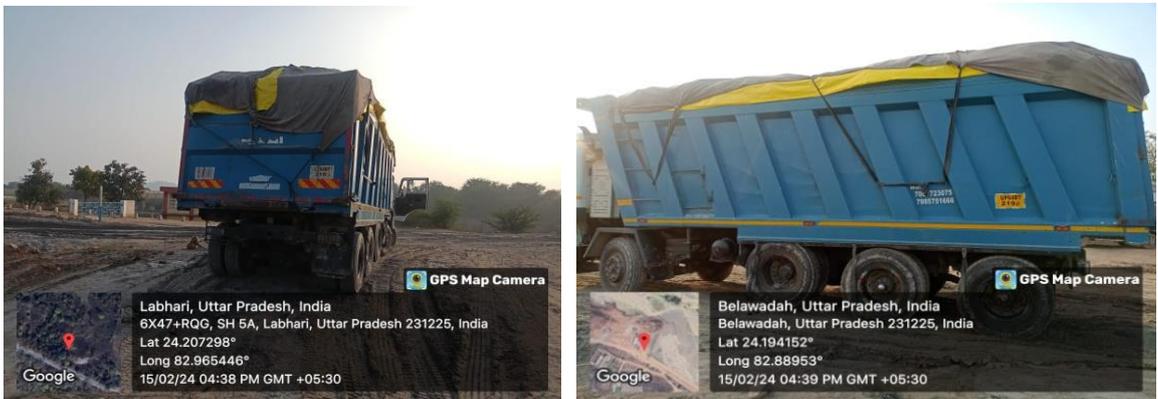


Pic.-3-4: Trucks transporting coal were found covered with tarpaulin

- b. The Committee observed that CCTV Camera have been installed near weigh-bridge at exit gate of ash dyke to verify the compliance status.
- c. In compliance of directions issued by UPPCB, vide letter dated 18.10.2023, the concerned TPP informed that bottom ash/fly ash or coal transportation is being done properly in Bulklers/covered trucks vide letter dated 27.01.2024 (Annexure-3).

7.3 M/s. Lanco Anpara Thermal Power Ltd., Anpara, District-Sonbhadra:-

- a. The ash dyke of the power plant located at Belwadah, Anpara, Sonbhadra. The bottom ash/fly ash being pumped into the ash dyke through pipeline. The moist bottom ash/fly ash transported using covered trucks with tarpaulin sheets as indicated in the photographs through 5-6 to avoid air pollution/spillage on road for further utilization.



Pic.-5-6: Trucks transporting coal were found covered with tarpaulin

- b. The Committee observed that CCTV Camera have been installed near weigh-bridge at exit gate of ash dyke.
- c. In compliance of directions issued by UPPCB vide letter dated 18.10.2023, the concern TPP informed that bottom ash / fly ash or coal transportation

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is being done properly in Bulklers/covered trucks vide letter dated 27.01.2024 (Annexure-4).

7.4 M/s. UPRVUNL Anpara Thermal Power Plant, Anpara, District-Sonbhadra:-

- a. The main ash dyke of TPP is in Belwadah, Anpara, Sonbhadra. The bottom ash/fly ash being pumped into the ash dyke through pipeline. The bottom ash is being transported only for reclamation of low-lying area. The Power plant informed that fly ash is not being transported by Anapara thermal power project vide letter dated 16.02.2024 (Annexure-5).
- b. The TPP has informed that covered trucks / bulker with tarpaulin sheets as indicated in the photographs through 7-8 are being used to transport the fly-ash in less quantity. The committee found that bottom ash transported with proper covering of trucks to avoid any spillage on the road.



Pic.-7-8: Trucks transporting coal were found covered with tarpaulin

7.5 M/s. NTPC Singrauli Super Thermal Power Station, Shaktinagar, District-Sonbhadra:-

- a. The Joint committee visited Khadia ash-dyke situated in Village-Yogichaura, Khadia, Sonbhadra. The moist bottom ash/fly ash transported using covered trucks with tarpaulin sheets as indicated in the photographs through-9 to avoid air pollution / spillage on road for further utilization.



- b. The Committee observed that CCTV Camera have installed near weigh-bridge at exit gate of ash dyke.
- c. In compliance of directions issued by UPPCB vide letter dated 18.10.2023, the concern TPP informed that bottom ash/fly ash or coal transportation is being done properly in Bulklers/covered trucks vide letter dated 27.01.2024 (Annexure-6).

7.6 M/s. NTPC Rihand Super Thermal Power Station, Rihandnagar, District-Sonbhadra:-

- a. The ash dyke of TPP located in Rihandnagar, Sonbhadra. The bottom ash/fly ash being pumped into the ash dyke through pipeline. The moist bottom ash/fly ash transported using covered trucks with tarpaulin sheets as indicated in the photographs through 10-11 to avoid air pollution/spillage on road for further utilization.



Pic.-10-11: Trucks transporting coal were found covered with tarpaulin

- b. The Committee observed that CCTV Camera have been installed near weigh-bridge at exit gate of ash dyke.
- c. In compliance of directions issued by UPPCB vide letter dated 18.10.2023, the concern TPP informed that bottom ash/fly ash or coal transportation is being done properly in Bulklers/covered trucks vide letter dated 27.01.2024 (Annexure-7).

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- d. NTPC informed that NTPC, Rihand has installed CCTV at several points all along the roads from Ash Dykes to the point it meets the State Highways vide letter dated 27.01.2024 (Annexure-8).

7.7 M/s. UPRVUNL, Obra Thermal Power Plant, District-Sonbhadra:-

- a. The ash dyke of TPP is located near Village-Panari, Obra, Sonbhadra.
- b. The bottom ash/fly ash being pumped into the ash dyke through pipeline. The moist bottom ash/fly ash transported using covered trucks with tarpaulin sheets as indicated in the photographs through 12-13 to avoid air pollution/spillage on road for further utilization.
- c. The pond ash is handled in moist conditions. The committee observed that the pond ash was wet with moisture.



Pic.-12-13: Trucks transporting coal were found covered with tarpaulin

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8. Findings/Suggestions of the Committee:

The Committee observed that the dry fly ash is being transported in Bulklers and the pond ash containing moisture was being transported in Trucks covered with Tarpaulin sheets.

However, as stipulated in the CPCB Guideline of 2019, presently no such mechanically designed covered trucks are being used to transport the pond ash from ash dyke. Further, the following suggestions shall be issued to concerning power project and departments: -

- a. All Thermal Power Plants shall issue directions to concerned agencies to ensure that the Pond ash to be transported through covered trucks / vehicles of having minimum 15% moisture at the disposal point to avoid air pollution.
- b. All Thermal Power Plant's must ensure that the transportation of fly ash shall be carried out in closed vehicles/ bulkers as per CPCB guideline.
- c. M/s. Obra Thermal Power Plant shall install the CCTV Camera at the exit gate of ash-dyke to ensure the compliance of direction issued by UPPCB.
- d. The CCTV Camera installed at the exit gate of ash dyke / weight-bridge must be reviewed periodically by UPPCB and strict action to be taking against the defaulter as per rule.

- e. All Thermal Power Plants shall issue directions to concerning agencies to avoid the spillage of ash during transportation, collection and disposal of ash in case any accident or unauthorised storage / dumping ash to prevent the air pollution and save the environment.
- f. R.T.O. of district-Sonebhadra is required to ensure the transportation of ash/ coal on closed / covered vehicles.

The Joint Committee report is being filed for the kind perusal and consideration of the Hon'ble NGT.

 28/02/2024	 28/2/24	 28/02/24	 28/02/2024
(U.K. Gupta), Regional Officer U.P.P.C.B., Sonebhadra	(Kamal Kumar) Scientist-E, Regional Directorate, C.P.C.B., Lucknow	(Sahadev Kumar Mishra) ADM (F/R) Sonebhadra	Divisional Forest Officer, Renukoot, Sonebhadra



क्षेत्रीय कार्यालय,
REGIONAL OFFICE,
उ०प्र० प्रदूषण नियंत्रण बोर्ड
U.P. POLLUTION CONTROL BOARD
सोनभद्र
SONBHADRA



संदर्भ संख्या:-

Ref.No.: G0164/04 No- 643/2024

दिनांक:-

Date: 13/02/2024

सेवा में,

क्षेत्रीय निदेशक,
केन्द्रीय प्रदूषण नियंत्रण बोर्ड,
पिकप भवन, गोमती नगर,
लखनऊ।

विषय:- मा० राष्ट्रीय हरित अधिकरण में दायर ओ०ए० संख्या-862/2022 "पंकज कुमार मिश्रा बनाम भारत संघ" में पारित आदेश दिनांक-03.01.2024 तथा ओ०ए० संख्या-643/2023 राजेश कुमार बनाम स्टेट ऑफ यू०पी० व अन्य में पारित आदेश दिनांक-02.01.2024 के अनुपालन में संयुक्त समिति के क्षेत्रीय भ्रमण के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक संदर्भ ग्रहण करने का कष्ट करें। उपरिसंदर्भित प्रकरणों में आच्छादित उद्योगों/परियोजनाओं की स्थलीय विजिट दिनांक-15.02.2024 एवं 16.02.2024 को प्रस्तावित है।

अतः आपसे अनुरोध है कि उपरोक्त प्रस्तावित क्षेत्रीय भ्रमण में संयुक्त समिति के साथ प्रतिभाग करने हेतु तत्सम्बन्धी को निर्देशित करना चाहें।

भवदीय,


(यू०के० गुप्ता)
क्षेत्रीय अधिकारी
dc

पू०सं० एवं दिनांक उपरोक्तानुसार।

प्रतिलिपि:-

1. डॉ० सुश्री सत्या सिंह, एडिशनल डायरेक्टर/वैज्ञानिक 'ई', पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, एकीकृत क्षेत्रीय कार्यालय, लखनऊ को मा० एन०जी०टी० में विचाराधीन ओ०ए० संख्या-643/2023 राजेश कुमार बनाम स्टेट ऑफ यू०पी० व अन्य के सम्बन्ध में।
2. अपर जिलाधिकारी (वि०/रा०) महोदय, सोनभद्र को मा० एन०जी०टी० में विचाराधीन ओ०ए० संख्या-643/2023 राजेश कुमार बनाम स्टेट ऑफ यू०पी० व अन्य के सम्बन्ध में।
3. प्रभागीय वनाधिकारी, रेनुकूट वन प्रभाग, रेनुकूट, सोनभद्र को मा० एन०जी०टी० में विचाराधीन ओ०ए० संख्या-862/2022 "पंकज कुमार मिश्रा बनाम भारत संघ" के सम्बन्ध में।
4. उपजिलाधिकारी, दुद्धी, सोनभद्र मा० एन०जी०टी० में विचाराधीन ओ०ए० संख्या-862/2022 "पंकज कुमार मिश्रा बनाम भारत संघ" के सम्बन्ध में।
5. मुख्य पर्यावरण अधिकारी (वृत्त-2), उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ को सूचनार्थ एवं आवश्यक कार्यवाही हेतु सादर प्रेषित।


13/02/2024
क्षेत्रीय अधिकारी
dc



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क्षेत्रीय कार्यालय,
REGIONAL OFFICE,
उ०प्र० प्रदूषण नियंत्रण बोर्ड
U.P. POLLUTION CONTROL BOARD
सोनभद्र
SONBHADRA

Annexure No.2



संदर्भ संख्या:-

Ref.No.: G000801/O.A. No. 862/2022/2023

दिनांक:-

Date: 18.10.2023

सेवा में,

1. महाप्रबन्धक, मे० एन०टी०पी०सी० लि०, शक्तिनगर, सोनभद्र।
2. महाप्रबन्धक, मे० एन०टी०पी०सी० लि०, रिहन्द नगर, सोनभद्र।
3. मुख्य महाप्रबन्धक, मे० उ०प्र० राज्य विद्युत उत्पादन निगम लि० ('अ', 'ब' एवं 'द'), अनपरा, सोनभद्र।
4. मुख्य महाप्रबन्धक, मे० उ०प्र० राज्य विद्युत उत्पादन निगम लि० ('अ' एवं 'ब'), ओबरा, सोनभद्र।
5. अध्यक्ष, मे० लैंको पॉवर प्रोजेक्ट्स लि०, अनपरा, सोनभद्र।
6. उपाध्यक्ष, मे० हिण्डालको इण्डस्ट्रीज लि०, (रेनुसागर पॉवर डिवीजन), रेनुसागर, सोनभद्र।

विषय:- मा० राष्ट्रीय हरित अधिकरण में विचाराधीन ओ०ए० संख्या-862/2022 पंकज कुमार मिश्रा बनाम यूनियन ऑफ इण्डिया एवं अन्य में दिनांक-11.10.2023 को पारित आदेश के अनुक्रम में।

महोदय,

कृपया उपरोक्त विषयक का संदर्भ ग्रहण करने का कष्ट करें। मा० राष्ट्रीय हरित अधिकरण में विचाराधीन ओ०ए० संख्या-862/2022 पंकज कुमार मिश्रा बनाम यूनियन ऑफ इण्डिया एवं अन्य में दिनांक- 11.10.2023 को पारित आदेश के अंश निम्नवत् हैं:-

8."He has further submitted that the fly ash is being transported in the open trucks violating the norms and that the entire activity of transportation and storage of the fly ash is done within the area of 30 kms in Singrauli and Sonbhadra falling in the States of UP and MP which is creating health hazard in violation of CPCB guidelines March 2019, for disposal/utilization of fly ash for reclamation of low lying areas and in stowing of abandoned mines/quarries, Para 4.2 of the Guidelines for loading, unloading, storage, transportation of fly ash.....".

उपरोक्त प्रकरण में आवेदक द्वारा अवगत कराया गया है कि फलाई ऐश का परिवहन खुले वाहनों के माध्यम से कराया जा रहा है जो केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा जारी मार्ग-दर्शिका का उल्लंघन है।

अतः उपरोक्त के परिप्रेक्ष्य में आपको निर्देश दिये जाते हैं कि फलाई ऐश/कोल ऐश का परिवहन कवर्ड वाहनों अथवा बल्कर्स के माध्यम से ही कराया जाना सुनिश्चित करें। अग्रेतर फलाई ऐश/कोल ऐश का परिवहन कवर्ड वाहनों/बल्कर्स के माध्यम से सुनिश्चित किये जाने हेतु परियोजना द्वारा अपने परिसर में ऐश लोडेड वाहनों के निकासी गेट पर एक पी०टी०जेड कैमरा की स्थापना किया जाना सुनिश्चित करें। किसी भी दशा में खुले वाहनों के माध्यम से फलाई ऐश/कोल ऐश का परिवहन नहीं होने दिया जाय। उपरोक्त निर्देशों की अनुपालन आख्या राज्य बोर्ड को प्रेषित करें। अन्यथा की दशा में कृत कार्यवाही का उत्तरदायित्व आपके स्वयं का होगा।

भवदीय,

(आर०के० सिंह)
क्षेत्रीय अधिकारी

पृ०सं० एवं दिनांक उपरोक्तानुसार।

प्रतिलिपि:-

1. जिलाधिकारी महोदय, सोनभद्र को सूचनार्थ सादर प्रेषित।
2. मुख्य पर्यावरण अधिकारी (वृत्त-2), उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ को सूचनार्थ सादर प्रेषित।

क्षेत्रीय अधिकारी



Ref. No. Env/ 075

Date: 27.01.2024

The Regional Officer
U.P. Pollution Control Board
House No. 162, 1st Floor
Uttar Mohal, Robertsganj
Distt: Sonbhadra - (UP) – 231 216

Sub: Status of compliance of points regarding Hon' ble NGT order dated 11.10.2023 in the matter of O.A.862/2022 the case of Pankaj Kumar Mishra Vs Union of India and ors-reg

Ref: Your letter No.G 000801/O.A. No 862/2022/2023 dated 18.10.2023

Dear Sir,

We kindly submit that Fly ash is not transported in Open trucks by M/s Renusagar Power Division. Fly ash is being transported through Bulklers and mechanically covered trucks to Cement company. For Brick plants covered trucks are used. In low lying areas covered trucks area used as per CTE from UPPCB. We have already installed Camera at Fly ash outgoing location.

We are transporting coal through Trucks covered with Tarpaulin and properly tagged. We ensure that no coal spillage occurs during coal transportation.

We ensure that Fly ash or Coal transportation done properly in Bulker/ covered trucks.

Thanking you and assuring you of our best co-operation at all times.

Yours faithfully,

For-HINDALCO INDUSTRIES LIMITED
(Renusagar Power Division)

(Kamlesh Maurya)
Manager(Environment)

Hindalco Industries Limited

Renusagar Power Division, P.O. Renusagar-231218, District, Sonbhadra, Uttar Pradesh, India
T: +91 5446 278592-95 | F: +91 5446 278596/277164 | E: hindalco@adityabirla.com | W: www.hindalco.com
Registered Office: Ahura Centre, 1st Floor, B Wing, Mahakali Caves Road, Andheri (East), Mumbai 400 093
T: +91 22 6691 7000 | Fax: 91 22 6691 7001
Corporate ID No.: L27020MH1958PLC011238

Ref: MEILANPL/Ash/2023-24/149

Date 27.01.2024

To,

**The Regional Officer
UP Pollution Control Board,
Sonebhadra (UP)-231216**

Ref: UPPCB Letter Vide No G000801/O.A.No862/2022/2023,

Sub: Compliance of NGT Order Dated 11.10.2023 in OA 862/2022.

Sir,

The subject letter vide no **G000801/O.A.No862/2022/2023** has been received here at our office on dated 27.01.2024, in this regard it is necessary to mention here Lanco Anpara Power Limited (Anpara-C) is strictly complying the following the Central Pollution Control Board (CPCB) guidelines on subject matter.

1. CPCB guidelines for loading and unloading and nuisance free transportation of all types of fly ash including bottom ash etc- 2013.
2. CPCB Guidelines for disposal/utilisation of Fly Ash for reclamation of Low Lying Areas and in stowing of Abandoned mines/Quarries 2019.

Considering aforesaid guidelines it has been fully ensured entire transportation of ash is being carried out through closed bulkers or mechanically designed covered trucks or trucks covered with good quality of tarpaulin (made of HDPE)

At the exit gate of the plant a CCTV camera has already been provided to ensure the compliance of guidelines.

Further once again it is being completely ensured that there is no ash transportation is being carried out through open trucks/uncovered trucks.

We once again ensure you that we are conscious to our social responsibilities and committed towards creating clean and safe environment in and around power plant.

Yours Sincerely,



**(A.K.Singh)
Station Head**

Cc: Chief Environment Officer (Circle-2), UPPCB Lucknow (UP)



Site Office : P.O. Anpara, District : Sonebhadra - 231225, Uttar Pradesh, India.

Tel: +91 5446 272102 Fax: +91 5446 272091, 272023

Registered Office: 411/9, Riverside Apartments, New Hyderabad, Lucknow-226 007, Uttar Pradesh, India.

Tel: +91 522 4027803 Fax: +91 522 2780132



Office of the Superintending Engineer
Civil Maintenance Circle-I
Anpara 'A' Thermal Power station
U.P.Rajya Vidyut Utpadan Nigam Ltd.
Anpara, Sonbhadra-231225



कार्यालय अधीक्षण अभियन्ता
जानपद अनुशिक्षण मंडल-प्रथम
अनपरा 'अ' तापीय पट्टियोजना
उ०प्र०राज्य विद्युत उत्पादन निगम लि०
अनपरा-सोनभद्र-231225

पत्रांक: 268 / जा०अनु०मं०-1/अताप/

दिनांक: 16/02/2024

विषय:—साईट निरीक्षण के दौरान राख एवं कोयला परिवहन के सम्बन्ध में वांछित सूचना।

क्षेत्रीय अधिकारी,
उ०प्र० प्रदूषण नियंत्रण बोर्ड,
सोनभद्र।

महोदय,

कृपया उपरोक्त विषयक आज दिनांक 16.02.2024 को अनपरा तापीय परियोजना भ्रमण के दौरान आप द्वारा निरीक्षणोपरान्त वांछित सूचना का विवरण निम्नवत है :-

1. अनपरा तापीय परियोजना द्वारा राख उपयोगिता के अन्तर्गत कार्यादेश सं० 227/जा०अनु०खं०-तृतीय /अताप/टी-12 दिनांक 26.07.2023 एवं कार्यादेश सं० 337/जा०अनु०खं०-तृतीय/अताप/टी-15 दिनांक 25.10.2023 के अन्तर्गत मुख्य राख बॉध के निकट निचले तल के क्षेत्र में राख भराव का कार्य प्रगति पर है। जिसके लिए यू०पी०पी०सी०बी० द्वारा अनापत्ति प्रमाण पत्र भी प्रदान किया गया है। सूच्य है कि राख भराव के कार्य हेतु सी०पी०सी०बी० एवं यू०पी०पी०सी०बी० द्वारा निर्धारित मानदण्डों का पालन किया जा रहा है। अनपरा तापीय परियोजना द्वारा राख उपयोगिता के अन्तर्गत वर्तमान में मुख्य राज्य मार्ग से राख का परिवहन नहीं किया जा रहा है।
2. अनपरा तापीय परियोजना द्वारा विद्युत उत्पादन हेतु अधिकांश कोयले का परिवहन एम०जी०आर० द्वारा किया जा रहा है तथा आवश्यकतानुरूप कोयले की खपत के अनुसार अल्प मात्रा में राख का परिवहन सड़क मार्ग द्वारा कवर्ड ट्रक/डम्पर के माध्यम से निर्धारित माप दण्डों के अनुसार किया जा रहा है।

उपरोक्त आपके सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।


16/02/2024
(आर०पी० मल्ल)
अधीक्षण अभियन्ता



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NTPC Limited
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रिहन्द / RIHAND

सन्दर्भ संख्या / Ref No.:070/EMG/2024 / 3424

दिनांक / Date: 27.01.2024

To,

Regional Officer

U.P. Pollution Control Board,

H. No. – 162, Uttar Mohal, Near Chadi Hotel

Roberstganj, Sonebhadra,

Pin – 231 216

Sub: Regarding order dated 11.10.2023 of Hon'ble NGT in case no. 862/2022 in the matter of Pankaj Kumar Mishra vs. Union of India & Ors.

Ref: Your letter no. G000801/O.A. No. 862/2022/2023 dtd. 18.10.2023.

Dear Sir,

With reference to your above cited letter on subject matter received by us on 27.01.2024 we are hereby submitting the pointwise status for your perusal please.

Sl.	Particulars	Status
	8."He has further submitted that the fly ash is being transported in the open trucks violating the norms and that the entire activity of transportation and storage of the fly ash is done within the area of 30 kms in Singrauli and Sonbhadra falling in the States of UP and MP which is creating health hazard in violation of CPCB guidelines March 2019, for disposal/utilization of fly ash for reclamation of low lying areas and in stowing of abandoned mines/quarries, Para 4.2 of the Guidelines for loading, unloading, storage, transportation of flyash.....".	Ash is being transported through bulkers / covered trucks only. Presently no activities related to low lying area development is undergoing at NTPC Rihand. It is also submitted that NTPC Rihand is supplying pond ash to road construction projects of NHAI located at distance of approximately 150 km to 250 kms. And dry fly ash is being supplied in bulkers to asbestos industries located at distance of approx. 400 kms to 500 kms. Further, it is pertinent to mention here that we store ash in our ash ponds & fly ash silos only and not at any other place. PTZ camera has also been installed at the ash trucks exit points.

Thanking you.

Yours earnestly,

Vishwajeet Ghosh
27.01.2024.

(Vishwajeet Ghosh)
AGM (EMG)

Copy: CEO-2, UPPCB, Lucknow

रिहन्द सुपर थर्मल पावर प्रोजेक्ट, पोऔ - रिहंदनगर, जिला - सोनभद्र (उ.प्र.), पिन - 231 223, टेली / Tel: 05446-242021
Rihand Super Thermal Power Project, PO: Rihand Nagar, Dist: Sonebhadra (UP), Pin: 231 223, Fax: 05446-242115
पंजीकृत कार्यालय एनटीपीसी भवन, स्कोप कॉम्प्लेक्स, 07 इन्स्टीट्यूट ऑफ एरिया, लोधी रोड, नई दिल्ली - 110 003
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सन्दर्भ संख्या / Ref No.:070/EMG/2024/3426

दिनांक / Date: 27.01.2024

To,

Regional Officer

U.P. Pollution Control Board,

H. No. – 162, Uttar Mohal, Near Chadi Hotel

Roberstganj, Sonebhadra,

Pin – 231 216**Sub: Regarding compliance of directions dated 19.10.2023 issued by Mission for Fly Ash Management & Utilization constituted by Hon'ble NGT.****Ref: Letter No. H-04086/C-2/सा.०-632/2023 dated 13.12.2023.**

Dear Sir,

With reference to the above cited letter of CEO-2, UPPCB received by us on 27.01.2024 we are hereby submitting the pointwise status for your perusal please.

Sl.	Particulars	Status
1.	Environmental compensation imposed on TPPs, coal mine, stone crushers in Singrauli and Sonbhadra to be monitored and action to be taken against non-compliance. Status in this regard may be shared in the next meeting.	With reference to the order of Hon'ble NGT in case no. 453/2019 and subsequent directions of UPPCB vide letter ref. H42337/C-2/NGT-40/OAN-453/2019 dated 04.10.2019 for submitting the amount of Rs. 45.90 Lacs as Environmental Compensation, it is submitted that we have filed a civil appeal vide diary number 1197/2020 dtd. 09.01.2020 and case no. 2983/2020 in Hon'ble Supreme Court. Hon'ble Supreme Court vide order dated 08.10.2020 has granted stay for recovery of Environmental Compensation amount.
2.	Recommendations of Joint Committee as mentioned in the directions of Hon'ble NGT (PB) OA 862/2022 vide order dated 25.11.2022 to be shared with MPPCB and UPPCB for submitting the details of action taken report regarding its compliance and implementation. All respective industries, TPPs, mines / stone crushers and railway sidings to ensure the compliance of the recommendation of Joint Committee and submit the compliance report to respective SPCBs.	Status is enclosed as Annexure – 01.

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3.	Necessary directions shall be issued for covering the trucks with tarpaulin sheets for transportation of coal and ash by road and not to use thin LDPE sheets / green net only to prevent spillage and fugitive emission of coal dust and fly ash during transportation.	In order to avoid spillage of ash enroute, instructions are in place to use heavy duty tarpaulin by the transporters. Use of tarpaulin having GSM more than 400 is being ensured through surprise checks.
4.	Identification of available low lying areas for disposal of ash by TPPs and monitoring of specific conditions stipulated in the consent granted for dumping of ash in it. Utilization of ash for filling allotted sites of low lying areas must be monitored through geo-tagging and / or video monitoring. Ash disposed in low lying area to be stabilized with soil cover and grass. green belt.	Presently no activities related to low lying area development is undergoing at NTPC Rihand. We have given our request to District administration for allotment of low lying areas within 50 Kms of NTPC Rihand for its filling using pond ash in phased manner.
5.	Commencement of backfilling of ash in mine void of allotted Gorbi pit no. 3 by Anapra TPS by December, '2023. Progress in this regard may be shared with the concerned SPCB and CPCB.	Not applicable to NTPC Rihand
6.	All the pending / ongoing activities in respect of implementation of decisions made during 1 st , 2 nd , 3 rd and 4 th meeting of the Mission shall be undertaken and action taken report shall be furnished. Progress to be updated on the website on monthly basis. Necessary formats may be put up on the website to enable all stakeholders to upload the progress online. Login and passwords for all stakeholders to be generated immediately.	Being done on regular basis.

Thanking you.

Yours earnestly,

Vishwajeet Ghosh
27/01/2024
(Vishwajeet Ghosh)
AGM (EMG)

Copy: CEO-2, UPPCB, Lucknow

Page 02/02

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Annexure – 01**Compliance of recommendations, case no. 862/2022 of Hon'ble NGT**

Sl. No,	Recommendation	Status at NTPC Rihand
1.	The transporters are using poor quality/ineffective tarpaulin of thin layer as the thickness of tarpaulin is not specified yet. The coal mines & TPPs may be directed to ensure that the truck/tippers cover is of heavy duty such as 400GSM & more thickness and adequate is size to avoid fall of coal & ash on road during transport.	In order to avoid spillage of ash enroute, instructions are in place to use heavy duty tarpaulin by the transporters. Use of tarpaulin having GSM more than 400 is being ensured through surprise checks.
2.	Coal mines, Thermal Power plants and District Administration may jointly establish night vision Pan-tilt-zoom CCTVs & lights at prominent locations along the roads used for transportation of coal & ash. Also establish a control room (24x7) at the Office of Collector/traffic police office with dedicated staff to have effective vigilance on the vehicles engaged in coal and ash transportation.	NTPC Rihand has Installed CCTV at several points all along the Roads from Ash Dykes till the point it meets the state Highways.
3.	The TPPs / Coal mine should also device a mechanism to impose penalty on violation by the truckers / transporters including blacklisting the violators or not allowing the trucks found with improper body or insufficient covers to enter their premises to load coal / fly ash. A checklist in this regard shall be maintained at the entry to the mines/TPPs and vehicles not adhering to the norms shall not be allowed to enter the mines/TPPs. Such checklist shall be made available to all the regulatory authorities on request.	Penalty provisions are already kept in the Purchase Order given to Ash transporters deployed in the job of Ash transportation from TPPs. Regular surprise checks are being done at NTPC Rihand.

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4.	Coal mines in consultation with third party agency and road making authorities (NHAI, MPRDC/PWD) shall formulate a traffic management plan with emphasis on road safety on the prominent routes of coal & ash transportation to decongest the traffic and minimize possibility of accidents.	Not Applicable to NTPC Ltd
5.	Coal mines & TPPs to ensure that all the vehicle engaged in transportation of fly ash & coal has valid Pollution Under Check (PUC) certificate and also carryout periodic random PUC check of the vehicles in co-ordination with Regional Transport Office.	Periodic Checking is done at Site. PUC is checked by CISF before giving Entry to Ash trucks deployed in carrying Ash from Silos.
6.	MPPCB to ensure effective implementation of the CPCB guideline (2016) for "disposal/utilization of Fly ash for reclamation of low-lying areas and in stowing of abandoned mines/quarries". Further, MPPCB shall provide the low-lying area for filling as per the notification and place the allotted locations details (agency, capacity, geo-location etc.) on their website.	Not Applicable to NTPC Ltd
7.	Thermal Power plant shall engage mechanically designed vehicles to transport the wet ash too.	"On an average, about 1000 trucks (of avg 40 Tons Capacity) carry Pond Ash for Road Projects, Low lying area filling and other useful means of Ash disposal, as specified in MoEF Gazette Notification dated 31.12.2021, from 03 stations of NTPC i.e. Rihand, Shaktinagar and Vindhyachal, on a daily basis. Against this requirement, hardly any mechanically covered trucks, as envisaged in guidelines issued by CPCB in the year 2013, are available in this region. In absence of such trucks, proper covering of trucks with minimum 400 GSM tarpaulin is ensured while exiting

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		the Ash Dyke from NTPC Stations. Further, fugitive dust control measures like water sprinkling on roads in the dykes & nearby areas, ensuring sufficient moisture content in the pond ash being transported, periodic cleaning of the roads through which pond ash is being transported etc. are in place. Enforcing use of only mechanically covered trucks, will adversely affect Ash Utilization in this region. It will be difficult to achieve stupendous target of 100 % ash utilization, as mandated in Gazette Notification dated 31.12.2021, in an utilization avenue starved area."
8.	Nagar Nigam shall deploy mechanized road sweeping machines (on contractual basis) all along the coal & fly ash transportation corridor falling within the municipal limits and the expenditure incurred for the said contract shall be borne by the respective coal/fly ash producers based on their contribution towards road transport	Not Applicable to NTPC Ltd
9.	The district administration in consultation with the neighboring state of UP as well as PWD / Nagar Nigam shall make short term and long-term plan to create alternate / separate roads for the coal / fly ash transportation and for the commuting of the general public.	Not Applicable to NTPC Ltd
10.	The NHAI should ensure that the work of the National Highway (NH 39) that is being under construction for a long time should be completed at the earliest.	Not Applicable to NTPC Ltd

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