

Head Office
Uttarakhand Environment Protection
and Pollution Control Board
46-B, I.T. Park, Sahastradhara Road,
Dehradun (Uttarakhand)



Action Taken Report
Original Application No.61 of 2019
In compliance of order dated 18.06.2020
of the
Hon'ble National Green Tribunal,
Principal Bench,
New Delhi

Action Taken Report
In the matter of
Original Application No. 61 of 2019

Garm Pradhan and Resident of Tapovan

(Applicant)

Vs

State of Uttarakhand

(Respondent)

In compliance of the order passed by the Hon'ble National Green Tribunal, Principal Bench, New Delhi on dated 18.06.2020, the Regional Office, Uttarakhand Pollution Control Board has conducted site visit of National Thermal Power Corporation, (NTPC) Tapovan, Joshimath, Uttarakhand on dated 23/24 October 2020. According to the site visit report, the National Thermal Power Corporation, Tapovan, Joshimath, Uttarakhand has not complied to the show cause notice issued vide letter no. UEPPCB/HO/Gen-183-368/2020/23 dated 29-06-2020. The copy of show cause notice annexed at **Annexure-01**.

Subsequently, based on the inspection report of the Regional Office, Uttarakhand Pollution Control Board dated 23/24 October 2020, the Uttarakhand Pollution Control Board has imposed the Environmental Compensation of Rs. 5796000/- (Fifty Seven Lakh Ninety Six Thousand Rupees), vide letter no. UKPCB/Ho/Gen-183-368/2020/1176 dated 07-12-2020. The copy of the letter is annexed at **Anneuxre-02**.

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UTTARAKHAND POLLUTION CONTROL BOARD
46B, IT Park, Sahastradhara Road, Dehradun
(Uttarakhand)

HEAD OFFICE



उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड
46बी, आईटीओ पार्क, सहास्रधारा रोड, देहरादून
(उत्तराखण्ड)

E-mail: msukpcb@yahoo.com; Web: www.ueppcb.uk.gov.in

Ref: UEPPCB/HO/Gen-183-368/2020/ 28

Dehradun, 29 June, 2020

Speed Post

COURT MATTER

To,

M/s National Thermal Power Corporation,
Tapovan-Vishnugad Hydro Electric Project.
Distt- Chamoli.

Directions under Section-33(A) of the Water (Prevention and Control of Pollution) Act, 1974

WHEREAS, amongst others, under Section-17 of the Water (Prevention and Control of Pollution) Act, 1974, one of the functions of the State Pollution Control Boards (SPCBs), constituted under the Water (Prevention and Control of Pollution) Act, 1974 is to plan a comprehensive programme for prevention, control or abatement of pollution of streams and wells in the State and to secure the execution thereof; and

WHEREAS, the hydro power projects are constructed and/or under construction to the close proximity to rivers, where they are more prone to contamination to the river and water bodies due to various project activities during construction as well as operation phases; and

WHEREAS, a complaint was raised by the Gram Pradhan & Residents of Tapovan in Hon'ble NGT against the dust pollution generated by the NTPC, Tapovan-Vishnugad Hydro Power Project, and Hon'ble NGT in its OA. No. 61/2019 dated 18.01.2019 has directed Uttarakhand Pollution Control Board to inspect the site and submit Factual & Action Taken Report; and

WHEREAS, in compliance of the Hon'ble NGT order dated 18.01.2019, Board has submitted its Action Taken Report in NGT on dated 29.07.2019; and

WHEREAS, Hon'ble NGT in its order dated 04.11.2019 given the direction that "The report mentions about the muck disposal issue but does not give a complete picture about the same beyond saying that muck disposal is happening at designated places. The extent of muck disposal and the list of designated places where muck is being disposed and the gaps in the process need to be specified. This is necessary to ensure that there is no damage to the environment. Let the same be now done before the next date."

WHEREAS, in compliance of the Hon'ble NGT order dated 04.11.2019, Board has again submitted its revised Action Taken report related to Muck Disposal in NGT on dated 01.01.2020; and

WHEREAS, Hon'ble NGT in its order dated 02.01.2020, directed to form an Expert committee comprising Himalayan Forest Research Institute, Shimla, Central Soil and Water Conservation Research and Training Institute, Dehradun and the SPCB. The SPCB will be nodal agency for coordination and compliance. The Committee may give its report within one month.

WHEREAS, in compliance of the Hon'ble NGT order dated 02.01.2020, inspection of the site was carried out by the Expert committee consisted of Dr. D.V. Singh-Principal Scientist (Soils), ICAR-Indian School of Soil and Water Conservation, Dehradun; Dr. D.K. Verma-Scientist G and Head, Forest Ecology & Climate Change Division, Himalayan Forest Research Institute, Shimla; Shri. Sompal Singh-Environment Engineer, Head Office, UKPCB on dated 07th and 8th March, 2020 and found that :-

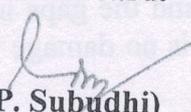
1. Out of 5 muck disposal dumping sites identified in Tapovan-Vishnugad Hydro-electric project, 03 sites have been completed 3-5 years back. These sites are moderately stabilized and native grasses and shrubs have appeared to provide cover.
2. Remaining 02 muck disposal dumping sites are operational.

AND NOW, THEREFORE, in view of the above stated facts and in consideration of loss to inhabitants in the course of construction of barrage by NTPC; and in compliance of the directions of the Hon'ble NGT on dated 02.01.2020; in the matter of **Gram Pradhan & Residents of Tapovan V/s State of Uttarakhand (OA No.61/2019** and in exercise of the powers conferred under **Section-33(A) of the Water (Prevention and Control of Pollution) Act, 1974**, as amended thereafter and with approval of the competent authority of the Board, notice is hereby served to **M/s National Thermal Power Corporation, Tapovan-Vishnugad Hydro Electric Project** to comply the following directions and submit the compliance report to this office within 30 days of time from issue of this notice.

1. Damaged toe protection and contour stone walls should be repaired and strengthened with proper engineering design.
2. Suitable fencing may be provided to control excess human and animal interference.
3. Unattended works of leveling, surface smoothing, and removal of unwanted material and spreading of available soil at Tapovan site should be completed.
4. Manures and fertilizers may be applied to improve the soil fertility.
5. Suitable species of grasses, shrubs and trees may be planted in degraded area.

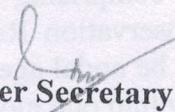
In case of non compliance of aforesaid direction the action will be initiated under **Section-49 of Water (Prevention and Control of Pollution) Act, 1974**.

This issues with approval of the Competent Authority of the Board.


(S.P. Subudhi)
Member Secretary

Copy to:-

1. District Magistrate, Chamoli for kind information please.
2. Regional Officer (I/c), Regional Office, UKPCB, Dehradun for information and compliance of the same.


Member Secretary

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HEAD OFFICE
Uttarakhand Pollution Control Board
"Gaura Devi Paryavaran Bhawan"

46B, IT Park, Sahastradhara Road, Dehra Dun (Uttarakhand)

Web : www.ueppcb.uk.gov.in. E-mail : msukpcb@yahoo.com

UKPCB/HO/Con/Gen-183-368/2020/ 1176

Date: 07.12.2020

By Speed Post

To,

M/s National Thermal Power Corporation,
Tapovan – Vishnugad Hydro Electric Project,
Distt- Chamoli.

Directions under Section-33(A) of the Water (Prevention and Control of Pollution) Act, 1974

WHEREAS, amongst others, under Section-17 of the Water (Prevention and Control of Pollution) Act, 1974, one of the functions of the State Pollution Control Boards (SPCBs), constituted under the Water (Prevention and Control of Pollution) Act, 1974 is to plan a comprehensive programme for prevention, control or abatement of pollution of streams and wells in the State and to secure the execution thereof; and

WHEREAS, the hydro power projects are constructed and/or under construction to the close proximity to rivers, where they are more prone to contamination to the river and water bodies due to various project activities during construction as well as operation phases; and

WHEREAS, in compliance of the Hon'ble NGT order dated 02.01.2020, inspection of the site was carried out by the Expert committee consisted of Dr. D.V. Singh-Principal Scientist (Soils), ICAR-Indian School of Soil and Water Conservation, Dehradun; Dr D.K. Vikram – Scientist G and Head, Forest Ecology & Climate Change Division; Himalayan Forest Research Institute, Shimla; Shri. Sompal Singh-Environment Engineer, Head Office, UKPCB on dated 07th and 8th March, 2020 and found that :-

1. Out of 5 muck disposal dumping sites identified in Tapovan-Vishnugad Hydro-electric project, 03 sites have been completed 3-5 years back. These sites are moderately stabilized and native grasses and shrubs have appeared to provide cover.
2. Remaining 02 muck disposal dumping sites are operational.

WHEREAS, a notice was issued to the Unit under **Section-33(A) of the Water (Prevention and Control of Pollution) Act, 1974** vide this office letter no. UEPPCB/HO/Gen-183-368/2020/23 dated 29.06.2020 with the compliance of following directions :-

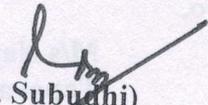
1. Damaged toe protection and contour stone walls should be repaired and strengthened with proper engineering design.
2. Suitable fencing may be provided to control excess human and animal interference.
3. Unattended works of leveling, surface smoothing and removal of unwanted material and spreading of available soil at Tapovan site should be completed.
4. Manures and fertilizers may be applied to improve the soil fertility.
5. Suitable species of grasses, shrubs and trees may be planted in degraded area.

WHEREAS, in compliance of the notice issued to the Unit, inspection of the Unit was carried out by the **Regional Office, Dehradun** of this Board on dated 23.10.2020 and 24.10.2020 and found that **Unit is not complying above directions issued by the Board vide letter dated 29.06.2020**; and

WHEREAS, in compliance of the Hon'ble NGT order dated 18.06.2020 "The State PCB may also assess and recover compensation for the damage to the environment in accordance with law"; and

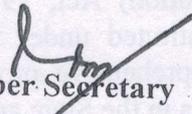
In view of above observations and in exercise of the power conferred under Section-33(A) of the Water (Prevention and Control of Pollution) Act, 1974 and as amended thereafter Unit is directed to submit ₹ 57,96,000/- in first phase as Environment compensation in favour of Uttarakhand Pollution Control Board and also directed to ensure compliance of the above directions issued by the Board vide letter dated 29.06.2020.

This issues with the approval of competent authority of the Board.


(S.P. Subudhi)
Member Secretary

Copy to:

1. District Magistrate, Chamoli for kind information please.
2. Regional Officer, UKPCB, Regional Office, Dehradun for information and compliance of above directions.
3. Guard file.


Member Secretary

Handwritten initials: "SP/PC" and "LP" with a checkmark.