

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
Principal Bench, New Delhi
Appeal No. 19 Of 2017

In the Matter of: -

Social Action for Environment
and Forest (SAFE)

Applicant (S)

Vs.

Union of India & Ors.

Respondent (S)

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(Nazimuddin)

Scientist 'E'

Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar,

Date: - 29.05.2020

Place: - Delhi

**Report of the Joint Committee constituted by the Hon'ble National Green Tribunal,
Delhi in Appeal No. 19/2017- Social Action for Environment and Forest Versus Union of
India**

1. Background:

In Appeal No. 19/2017, Social Action for Environment and Forest Versus Union of India, Hon'ble NGT vide its order dated 28.02.2019 made following observations:

“ The issue for consideration is validity of Environmental Clearance granted for setting up of thermal power station by the THDC India Limited, Respondent No. 3 at Khurja, District Bulandshahar, State of Uttar Pradesh.”

On 13.12.2018, certain issues were considered with regard to analysis of the data by the Expert Appraisal Committee and following order was passed:

One of the points for consideration during the hearing is the correctness of the Ambient Air Quality data furnished by the Project Proponent and relied upon by the Environment Impact Assessment Authority. A perusal of chart at page 185 shows PM2.5 value to be between 32 to 40 from October to December, 2012 and 32 to 45 from March to May, 2016. It is, however, not clear as to what the source of the said data is and how the same was verified by EAC. It is also not clear as to how the wind direction is to be taken to be favourable in the context of its impacts on NCT of Delhi, as suggested by project proponent. Further question is the downstream impact on the water which is said to be sourced from upper Gangetic canal’.

A proper verified information on above aspects has to be looked into before this appeal is decided.”

Accordingly, the Ministry of Environment, Forest and Climate Change (MoEF&CC) has filed an affidavit which merely refers to the report of the accredited agency which was considered by the Expert Appraisal Committee without any further analysis as was expected in terms of the above order.”

Further, Hon'ble National Green Tribunal, New Delhi constituted a joint Committee of representatives of Central Pollution Control Board (CPCB) and Indian Institute of Technology, Delhi to have an independent expert report in the matter.

In compliance to the said order Prof Mukesh Khare, Department of Civil Engineering, IIT, Delhi and Dr. S. K. Paliwal, Scientist D, CPCB were nominated by respective institutions to represent the committee. The said Committee submitted its report in the matter on 23.05.2019

2. Hon'ble NGT Order dated 04.11.2019

After submission of the report by the Joint committee, the Appellant filed an application on the said report before NGT which included a prayer for collecting fresh air quality data for

winter season. On the application, Hon'ble NGT passed order dated 04.11.2019 and subsequently specific order dated 09.12.2019 to the Joint committee on the prayer for collecting fresh air quality data for winter season.

3. Hon'ble NGT Order dated 19.12.2019

Subsequently, Hon'ble NGT passed specific order dated 09.12.2019 on prayer for collecting ambient air quality data during winter. Hon'ble National Green Tribunal observed in order dated 19.12.2019 that "the application has been filed for a direction to collect ambient air quality data for winter months of December, 2019 and January, 2020" and directed that "let the Joint Committee of CPCB and IIT Delhi collect the data and furnish the same before the next date by e-mail at judicialngt@gov.in. The State PCB may provide requisite logistics to the Committee for the purpose".

4. Comments on the objections submitted by the Appellant (in compliance to Hon'ble NGT order dated 04.11.2019)

In Appeal No. 19/2017, Appellant, Social Action for Environment & Forest has filed objections on 02.11.2019. The comments on the same are as under:

Para 1-6 : The averments in para1-6 mention about the previous directions of Hon'ble NGT dated 13.12.2018, 28.02.2019 and report of the Joint Committee submitted on 23.05.2019, needs no comments.

Para 7& 8 : The averments mention about seasonal variation of data with respect to winter and summer as per scientific consensus. It is submitted that the PM_{2.5} data collected by this committee found higher PM_{2.5} concentration in winter compare to summer data (para 4.0 of report)

The PM_{2.5} data collected for winter 2020 (Janaury31-February 04, 2020) by the Committee are found to be varying in the range of 94 & 143.6 µg/Nm³, 56.1 & 84.1µg/Nm³, 94.5 & 129.9 µg/Nm³ and 139.8 & 165.6 µg/Nm³ at Gwarauli village, Jawal village, Nagla shaku and Khuryawali village/Bhogpur RF respectively.

Para 9 : The variation in PM_{2.5} values in EIA 2012 and 2016 and PM_{2.5} values observed during summer 2019 (May 7-11, 2019) and winter 2020 (Janaury31-February 04, 2020) by the Committee may be attributed to influence of seasonal local activities and climatic conditions.

Para 10 : AAQ levels mainly influenced by seasonal and local activities including harvesting, threshing, domestic fuel burring, stubble burning and climatic conditions.

Para 11 : The committee did not monitor AAQ at Khurja town. Khurja town was considered only for verifying the wind directions with respect to the proposed site of STPP of THDC.

Para 12 & 13: As per the meteorological data monitored during summer 2019 and winter 2020, wind direction at the proposed site of STPP was from W and NW. AS Khurja town is in NW of the site, the proposed site was in downwind of Khurja Town.

Para 14-15: Needs no comments.

Para 16-17: As predominant wind direction is from NW to SE at the proposed site of STPP, emission from the proposed plant may not have severe impact on air quality of Khurja town which in up wind (NW) direction from the proposed site. The study conducted by IIT Kanpur for Delhi in 2016 also suggests that predominant wind direction from NW to SE (**Annexure I**).

Para18-20: Needs no comments

Para 21-22: Details of the proposal of UP Irrigation Department, Government of Uttar Pradesh for lining of Bulandshahar Division Ganga Canal including names of Distributary with their length and wetted area to be lined as well already lined are given in **Annexure II**.

5. Ambient Air Quality of winter 2020 (in compliance to Hon'ble NGT order dated 19.12.2019)

The Committee visited the proposed site of the plant January 28, 2020 to select the air quality monitoring station around the proposed plant. After visiting the area, it was decided to collect micro-meteorological data at proposed plant site and ambient air quality data at the same locations which were selected earlier during May 2019.

Code	Monitoring location	Direction w.r.t STPP site	Distance from site of STPP (Km)	Date of sampling
AQ1	Gwarauli Village	East	4.0	02.02.2020 and 03..2.2020
AQ2	Jawal Village	West	2.5	31.01.2020 and 01.02.2020
AQ3	Nagla Shakhu Village	North	6.5	31.01.2020 and 01.02.2020
AQ4	Khuryawali village	South - East	4.0	02.02.2020 and 03..2.2020

6. Ambient Air Quality Monitoring

The air quality monitoring was conducted by a team of CPCB- HO air lab for 2 days (24 hr per day) at each location during Janury31, 2020 to February 04, 2020.

6.1 Meteorology

6.1.1 Micro-meteorological data was collected by installing a weather monitoring station at the site for the period from 30.01.2020 -05.02.2020. The wind direction during this

period in respect of project site was from W and NW. The wind rose diagram showing wind direction and wind speed during the period is presented in **Fig. 1**.

- 6.1.2 During the EIA studies conducted in 2012 (October-December) and further in 2016 (March-May), the site specific meteorological data (wind speed, wind direction, temperature etc.) was collected by the project proponent through M/s Mantec consultants Pvt. Ltd. (pg 99 of EIA report). Besides, meteorological data was also obtained from nearest IMD observatory located in Aligarh city for the period of 1961-1990 to consider the long term meteorology of the study area pg97-98 of EIA report).

As per the data collected from IMD Aligarh observatory, the predominant wind direction with respect to the proposed site was from NW to SE during non-monsoon period and wind direction during May 7-11, 2019 period was observed from NW to SE and from W to E.

The analysis of all sets of data indicates that the nearest Khurja town which is in NW is in upwind direction from the proposed project site. NCT of Delhi which is in NW is also in upwind direction from the proposed project site.

6.2 AAQ Data

- 6.2.1 The results of monitoring with respect to PM_{2.5} during the EIA study for the period October to December 2012 and March to May 2016 as well as result of monitoring by CPCB HO team for Joint Committee during May 7-11, 2019 and January 31 to February 04, 2020 around the STPP site, are presented in **Table 1**. The monitoring locations are same however monitoring place at one location (AQ4) was slightly shifted to Khuryawali village to get logistical support in terms of power availability and also ensuring the security of the equipment which was not available at the earlier location (Bhogpur reserve forest), both locations are in same SE direction from the proposed site)

Data collected by Joint Committee in May 2019

The 24-hour concentrations of PM_{2.5} monitored for two days each at the same locations location in May 7-11, 2019 were observed as 42 & 91 µg/Nm³ , 73 & 75 µg/Nm³ , 36 & 50 µg/Nm³ and 50 & 171 µg/Nm³ at Gwarauli village, Jawal village, Nagla shaku and Khuryawali village/Bhogpur RF respectively.

Data collected Joint Committee in January -February 2020

The 24-hour concentrations of PM_{2.5} monitored for two days each at the same locations location in January 31 to February 04, 2020 are observed as 94 & 143.6 µg/Nm³ , 56.1 & 84.1 µg/Nm³, 94.5 & 129.9 µg/Nm³ and 139.8 & 165.6 µg/Nm³ at Gwarauli village, Jawal village, Nagla shaku and Khuryawali village/Bhogpur RF respectively.

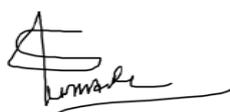
Comparison of data

Summer 2019 & Winter 2020

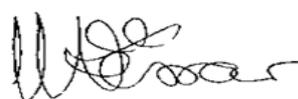
The maximum 24 hr concentration of PM_{2.5} observed in January 31 to February 04, 2020 (winter) are higher as compared to that monitored in May 7-11, 2019 (summer) at all four locations namely Gwarauli village, Jawal village, Nagla shaku and Khuryawali village/Bhogpur RF respectively. This is because of the reason that during winter month's dispersion of pollutants are lower than the summer due to adverse weather conditions such as low temperature, low wind speed and low mixing height. *This is also as per the observation of the petitioner in this regard in para 07 on the submission made on November 02, 2019.* In addition, the committee is of opinion that AAQ levels are of dynamic in nature and influenced by the local conditions and climatic conditions which should be considered while comparing EIA data of post monsoon 2012 & summer 2016 of the proposed project and the data collected by the committee.

7.0 Conclusion

- 7.1 The higher concentration of PM_{2.5} in winter 2020 (January 31- February 04, 2020) could be due to enhanced local activities and weather conditions (low wind, low ambient temperature and domestic fuel burning, particularly in morning hours) etc.
- 7.2 Wind direction at site is from NW to SE and W to E. The nearest Khurja town which is in NW and upwind direction from the proposed project site. NCT of Delhi which is in NW is also in upwind direction from the proposed project site.



(Dr. S.K. Paliwal)
Scientist D, CPCB
Delhi

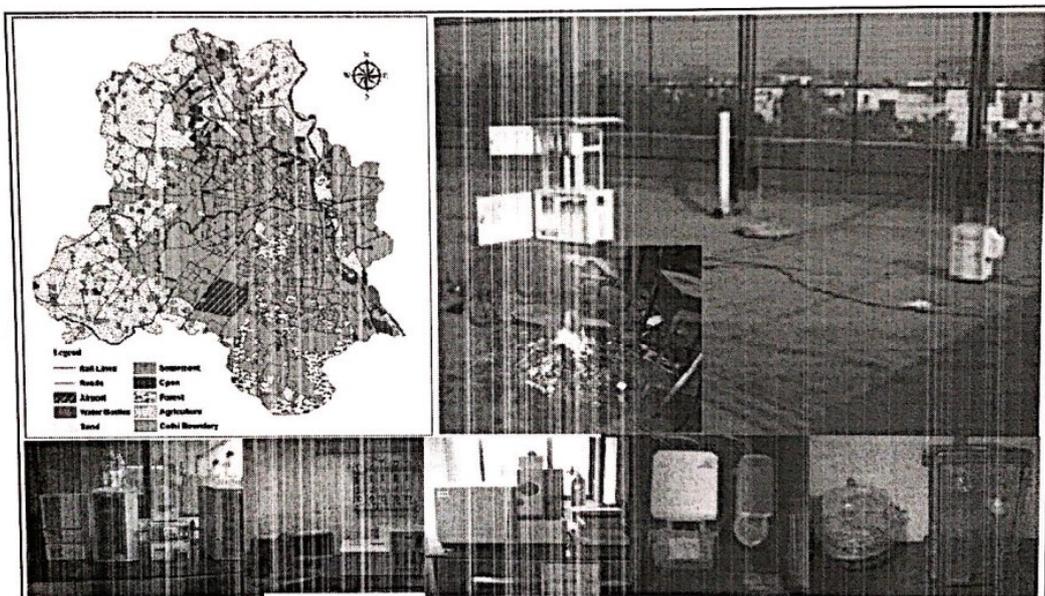


(Prof. Mukesh Khare)
Civil Engineering Department, IIT,
Delhi

Comprehensive Study on Air Pollution and Green House Gases (GHGs) in Delhi

(Final Report: Air Pollution component)

Submitted to
Department of Environment
Government of National Capital Territory of Delhi
and
Delhi Pollution Control Committee, Delhi



Mukesh Sharma; PhD and Onkar Dikshit; PhD
Professors, Department of Civil Engineering
Indian Institute of Technology Kanpur, Kanpur- 208016

January 2016

Dispersion Modeling for Existing Scenario

5.1 Introduction

USEPA's AERMOD model (described later) was run for PM₁₀, PM_{2.5} and NO_x to understand the impact of emissions occurring within Delhi on the ambient air at multiple locations. Centre of every grid cell (described in Chapter 3) and six sampling sites were the assigned receptors. This modeling exercise was performed for two seasons (winter and summer) and the model was calibrated for better predictions. Local meteorological data generated through WRF (Weather Research and Forecasting) model (described later) were used for the dispersion modeling and inputs emission inventory (EI) were taken from EI developed in Chapter 3. The model was first validated against the 20 day measurements carried out at six sites in each season. A Validated model ensures that physical and chemical description of atmospheric process are duly accounted and model can be used for assessing the impact and examining efficacy of pollution control action in terms of air quality improvements.

5.2 Meteorological Data

Hourly wind speed, wind direction, temperature, pressure, cloud cover (opaque), precipitation, global horizontal radiation and relative humidity for the period of October 1, 2013 - Jun 30, 2014 were generated from WRF (Weather Research and Forecasting) model at a height of 10 meter from the ground level. This generated data is validated with IMD observed information (Aryanagar, Delhi) and the results are presented in Figures 5.1 and 5.2. Windrose as summary of meteorological data are shown for the six air quality sampling sites for the period of October 1, 2013 - Jun 30, 2014 in Figure 5.1.

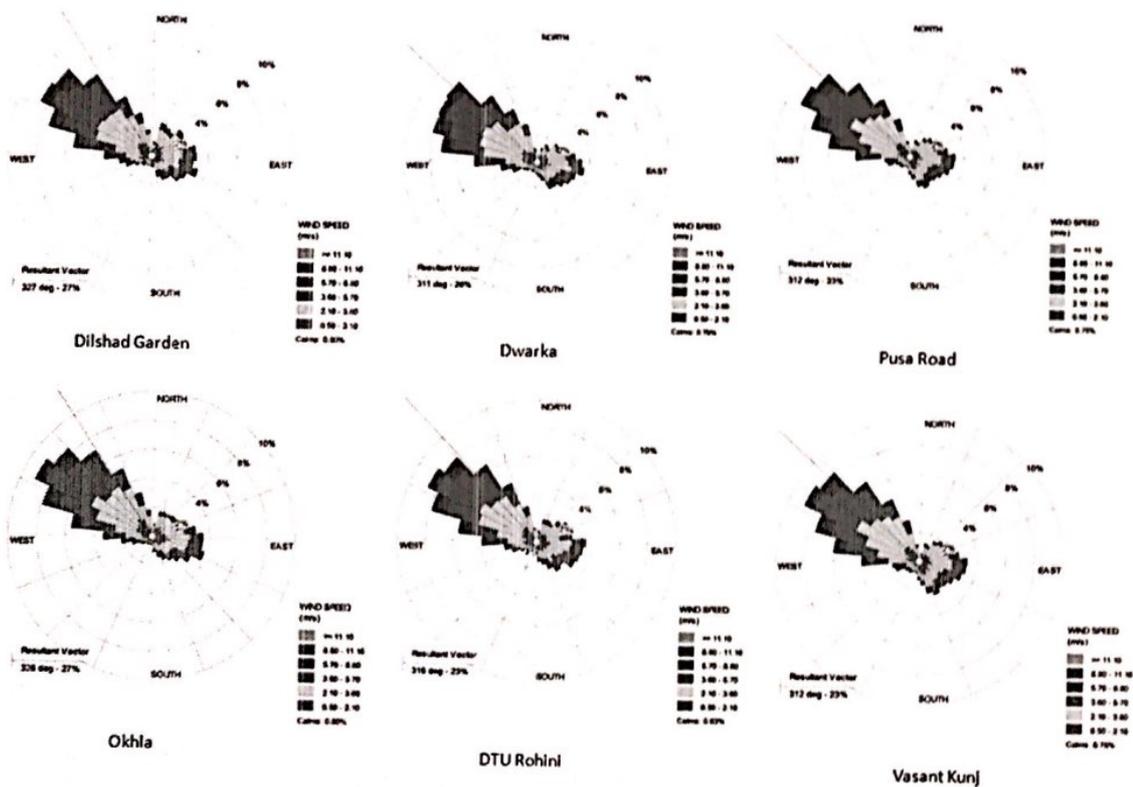


Figure 5.3: Wind Rose Diagram at Six Air Quality Sampling Locations.

As expected the meteorology does not change much from one location to another. The most of the time the wind is from NW, NNW and WNN in a narrow channel. However, some wind is from SE, SSE, and ESE. The wind direction suggests that most of the pollutants will come from NW sector and some also from SE sector. The average wind speed is 3 m/s. Although not shown here, the wind speed in winter can be less than 1 m/s causing calm conditions and resulting in poor dispersion.

AERMOD

American Meteorological Society/Environmental Protection Agency Regulatory Model (AERMOD) is a dispersion model having the ability to characterize the planetary boundary layer (PBL) through both surface and mixed layer scaling.

AERMOD Modeling System – It is a steady-state plume model that incorporates air dispersion based on planetary boundary layer turbulence structure and scaling concepts, including treatment of both surface and elevated sources, and both simple and complex terrain (USEPA AERMOD manual). The major components of AERMOD are:

- 1) AERMET – a meteorological preprocessor

BULANDSHAHR DIVISION GANGA CANAL, BULANDSHAHR
PROJECT ESTIMATE FOR PROVIDING 53.00 CUSECS WATER SUPPLY TO M/s T.H.D.C.,
DASHERA, (KHURJA) IN DISTT - BULANDSHAHR

AREA OF LINING REQUIRED TO SAVE 53.00 CUSEC OF WATER

Under " Upper ganga Canal Modernisation Project" whole the Bulandshahr Distributary System has been lined since 1995. according to information collected from above the following losses has been observed pre and post lining of the whole system.

1. Seepage losses will be reduced from 8 to 2 cusecs of wetted perimeter per million square feet. Thus 6 cusecs is saved per million square feet of lined area.

A. Evaporation Losses :-

Saving is Zero as surface area is same in both the conditions.

B. Operational Losses :-

Thus Operational Losses shall be 5%

$$5 \% \text{ of } 53.00 \text{ Cusecs} = 2.65 \text{ Cusecs}$$

Balance seepage water is required to be saved by lining

$$= 53.00 - 2.65 = 50.35 \text{ Cusecs}$$

C. Seepage Losses :-

50.35 Cusec water shall be saved by lining. Saving of water per square meter of lining

$$= 10.76 \times \frac{6}{10^6} = 0.00006456$$

Say 6.456×10^{-5} Cusecs per Sqm.

Therefore to save 50.35 cusecs of water from seepage, area of lining required shall be

$$= 50.35 / 6.456 \times 10^{-5} = 7.799 \text{ Lacs Sqm area with wetted perimeter is required to be lined}$$

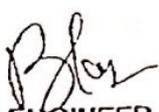
Channel running as according to Roster

Roster factor is 1.86 (as per annexure 1 enclosed)

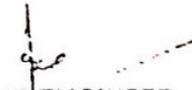
Hence $7.799 \times 1.42 = 11.07$ Lacs Sqm area with wetted perimeter is required to be lined

Resultant,

Therefore, the lining area shall be 13.62 Lacs sqm including free board etc., as per details enclosed.


 JUNIOR ENGINEER


 ASSISTANT ENGINEER
 B.D.G.C., BULANDSHAHR


 EXECUTIVE ENGINEER
 B.D.G.C., BULANDSHAHR

BULANDSHAHR DIVISION GANGA CANAL, BULANDSHAHR
PROJECT ESTIMATE FOR PROVIDING 53.00 CUSECS WATER SUPPLY TO M/S T.H.D.C., DASHERA
KHURJA, DISTT.- BULANDSHAHR

C-WORKS

DETAILS OF QUANTITY OF LINING

S. No	Name of Distributary	Proposed Length for Lining (in km)	Wetted Area perimeter in Sqm	Lined Area in Sqm	Remarks
1	Jarcha Dy.	5.600	17998.40	25160.69	
2	Khatana Dy.	1.480	4551.59	6471.15	
3	Ikda Dy.	1.300	4217.20	5874.80	
4	Right Dadupur Dy.	4.000	19380.80	23648.50	
5	Hasangarh Dy.	12.000	38361.60	53736.19	
6	Walipura Dy.	18.400	116394.74	132484.54	
7	Veerapura Dy.	12.000	38361.60	53736.19	
8	Left Dadupur Dy.	11.600	61345.58	73053.53	
9	Mundakhera Dy.	7.200	26071.20	34898.90	
10	Sohanpur Dy.	10.000	32403.58	45159.12	
11	Dasna Dy.	9.800	53379.32	63068.65	
12	Noorpur Dy.	4.950	15529.33	21996.68	
13	Khichra minor	1.400	2912.78	4315.76	
14	Amarpur minor	1.600	2996.16	4642.82	
15	Usmanpur minor	2.000	5193.60	7063.63	
16	Achheja minor	1.500	2808.90	4352.64	
17	Kalonda minor	2.050	5078.72	7040.05	
18	Kanwara minor	3.680	6927.97	10710.50	
19	Khaguwabas minor	5.800	10919.08	16880.68	
20	Left Daryapur minor	4.630	12023.18	16352.31	
21	Right Daryapur minor	3.260	8465.57	11513.72	
22	Hajratpur minor	3.150	8179.92	11125.22	
23	Dushera minor	1.400	3635.52	4944.54	
24	Chandrawali minor	5.320	13814.98	18789.26	
25	Sabdapur minor	2.220	5712.96	7770.00	
26	Maman minor	3.940	10231.39	13915.36	
Quantity C/O		116.370	526995.08	678705.43	

S. No	Name of Distributary	Proposed Length for Lining (in km)	Wetted Area perimeter in Sqm	Lined Area in Sqm	Remarks
Quantity BIF		116.370	526995.68	678705.43	
27	Dakar minor	1.860	4830.05	6569.18	
28	Jawal minor	1.520	3947.14	5368.36	
29	Kerola minor	3.700	9608.16	13067.72	
30	Utsara minor	4.500	14018.69	18304.74	
31	Mithepur minor	3.080	6203.12	9316.32	
32	Nahal minor	2.290	7097.11	9088.74	
33	Masuata minor	1.000	2596.80	3531.82	
34	Dhabarsi minor	2.200	4812.96	6987.00	
35	Parpa minor	5.000	17484.00	21574.08	
36	Goverdhanpur minor	3.880	11172.85	14658.07	
37	Galand minor	1.400	4031.44	5288.99	
38	Sholana Minor	3.280	11413.09	14103.51	
39	Beeghepur Minor	2.000	3575.52	5655.90	
Total		152.080	627786.60	812219.86	

CHECKED

ASSISTS MAN
K. S. B. Bulandshahr

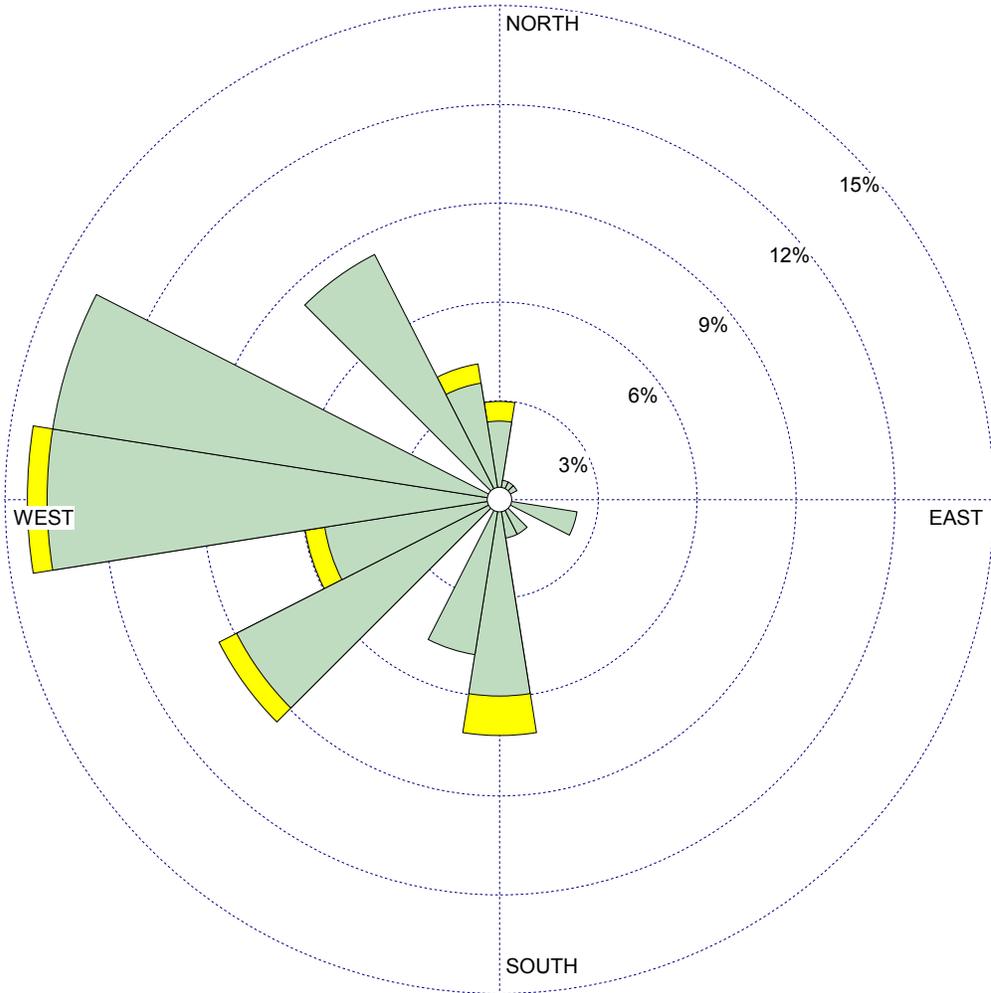
JUNIOR ENGINEER

ASSISTANT ENGINEER
B.D.G.C. BULANDSHAHR

EXECUTIVE ENGINEER
B.D.G.C. BULANDSHAHR

WIND ROSE PLOT:
Khurja STPP Site
30.01.2020 to 5.02.2020

DISPLAY:
Wind Speed
Direction (blowing from)



WIND SPEED (m/s)

- >= 11.10
- 8.80 - 11.10
- 5.70 - 8.80
- 3.60 - 5.70
- 2.10 - 3.60
- 0.50 - 2.10

Calms: 22.62%

COMMENTS:	DATA PERIOD:	COMPANY NAME:	
	Start Date: 1/30/2020 - 00:00 End Date: 2/5/2020 - 23:00	THDC	
	CALM WINDS:	MODELER:	
	22.62%	TOTAL COUNT:	
AVG. WIND SPEED:	DATE:	PROJECT NO.:	
0.86 m/s	2/11/2020		

Table 1.0: Ambient Air Quality Data at 04 locations around proposed site of Khurja STPP of M/s THDC India Limited

Code	Stations	Direction	Distance (Km)	October - December, 2012*		March - May, 2016*		Two 24 hrly sample at each location during May 07 - 11, 2019**		Two 24 hrly sample at each location during Jan 31 - Feb 04, 2020**	
				PM _{2.5} (µg/m ³)		PM _{2.5} (µg/m ³)		PM _{2.5} (µg/m ³)		PM _{2.5} (µg/m ³)	
				Min	Max	Min	Max				
AQ1	Gwarauli Village	East	4.0	32.8	40.2	32	45	42	91	94.0	143.6
AQ2	Jawal Village	West	2.5	30.2	38.0	32	47	36	50	56.1	84.1
AQ3	Nagla Shakhu	North	6.5	31.0	40.8	33	46	73	75	94.5	129.9
AQ4	Kuryawali Village ¹	South - East	4.0	-	-	-	-	50	171	139.8	165.6
AQ4	Bhogpur RF ²	South - East	9.0	32.5	42	34	48	-	-	-	-

*: As per EIA report, **: As per monitoring conducted by CPCB, ¹: monitoring conducted at Kuryawali Village which is 4.0 km SE from project site (during May 07-11, 2019 and Jan 31 - Feb 04, 2020), ² monitoring conducted at Bhogpur RF which is 9.0 km SE from project site (during EIA study 2016).

Note: (i). AAQ monitoring was conducted on January 31 and February 01, 2020 at Jawal and Nagla Shekhu villages
(ii). AAQ monitoring was conducted on February 02 and 03, 2020 at Gwarauli and Khuriyawali villages

Item No. 01

Court No. 1

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

Appeal No. 19/2017

(M.A. No.827/2017, M.A. No.1000/2017, M.A. No.1001/2017, M.A. No.170/2018, M.A. No.837/2018 & I.A. No.666/2019)

(With objections dated 02.11.2019 to the report dated 31.07.2019)

Social Action for Environment and Forest (SAFE)

Appellant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 04.11.2019

CORAM: **HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON**
HON'BLE MR. JUSTICE S.P WANGDI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER
HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER

For Respondent(s): Mr. Manoj Sardana, AGM, THDCIL

ORDER

In pursuance of order dated 28.02.2019, an expert report dated 31.07.2019 has been furnished by the joint Committee of the CPCB and the IIT Delhi, negating the apprehensions of the appellant against the project.

The appellant has filed objections on 02.11.2019.

Without expressing any opinion on the said objections, we consider it appropriate to seek comments thereon from the same Committee which may be furnished by email.

List for further consideration on 19.02.2020.

Adarsh Kumar Goel, CP

S.P Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

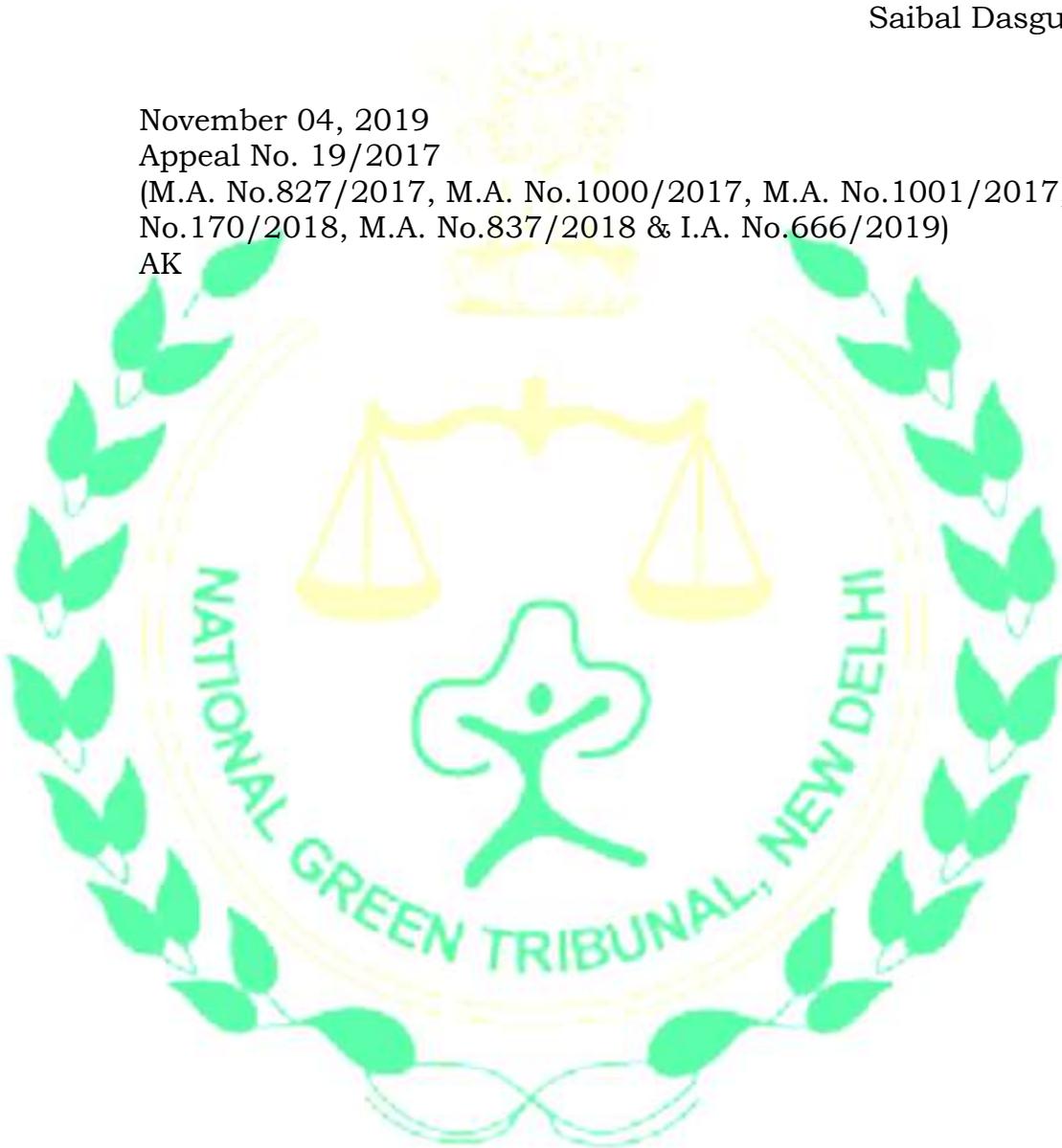
Saibal Dasgupta, EM

November 04, 2019

Appeal No. 19/2017

(M.A. No.827/2017, M.A. No.1000/2017, M.A. No.1001/2017, M.A.
No.170/2018, M.A. No.837/2018 & I.A. No.666/2019)

AK



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

I. A. No. 746/2019

IN

Appeal No. 19/2017

(Validity of Environment clearance granted for setting up of thermal power station by the THDC India Limited, R-3 at Khurja, District Bhulendshahar U.P.)

Social Action for Forest and Environment (SAFE)

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 19.12.2019

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Appellant (s): Mr. Ritwick Dutta, Mr. Sharan Balakrishna Saurabh
Sharma, Advocates

For Respondent(s): Mr. Pradeep Mishra, Advocate for UPPCB

ORDER

I. A. No. 746/2019

1. This application has been filed for a direction to collect ambient air quality data for winter months of December, 2019 and January, 2020.
2. The issue for consideration is validity of Environmental Clearance granted for setting up of thermal power station by the THDC India Limited, Respondent No. 3 at Khurja, District Bhulendshahar, State of Uttar Pradesh.

3. On 13.12.2018, certain issues were considered with regard to analysis of the data by the Expert Appraisal Committee and following order was passed:

“One of the points for consideration during the hearing is the correctness of the Ambient Air Quality data furnished by the Project Proponent and relied upon by the Environment Impact Assessment Authority. A perusal of chart at page 185 shows PM_{2.5} value to be between 32 to 40 from October to December, 2012 and 32 to 45 from March to May, 2016. It is, however, not clear as to what is the source of the said data and how the same was verified by EAC. It is also not clear as to how the wind direction is to be taken to be favourable in the context of its impacts on NCT of Delhi, as suggested by project proponent. Further question is the downstream impact on the water which is said to be sourced from upper Gangetic canal.

A proper verified information on above aspects has to be looked into before this appeal is decided.

Let an affidavit be filed by Ministry of Environment, Forest and Climate Change on above points, within three weeks from today.

List for further consideration on 20.02.2019.”

4. The matter thereafter was considered on 28.02.2019 as follows:-

“Accordingly, the Ministry of Environment, Forest and Climate Change (MoEF&CC) has filed an affidavit which merely refers to the report of the accredited agency which was considered by the Expert Appraisal Committee without any further analysis as was expected in terms of the above order.

In view of above, we consider it necessary to have an independent expert report in the matter from a joint Committee of representatives of Central Pollution Control Board (CPCB) and Indian Institute of Technology, Delhi. The nodal agency will be the CPCB for coordination and compliance.

Let such report be furnished within two months by e-mail at ngt.filing@gmail.com.

Parties are at liberty to furnish relevant documents to the CPCB within two weeks. ”

5. Though a report has been furnished, the matter is now scheduled to come up for hearing on 19.02.2020.
6. Let the joint Committee of CPCB and IIT Delhi collect the data and furnish the same before the next date by e-mail at judicial-ngt@gov.in. The State PCB may provide requisite logistics to the Committee for the purpose.
7. Copies of the order be sent to CPCB, IIT Delhi and State PCB for compliance by e-mail.

The application is disposed of.

Adarsh Kumar Goel, CP

S.P Wangdi, JM

Dr. Nagin Nanda, EM

December 19, 2019
I.A. No. 746/2019 in Appeal No. 19/2017
A.