

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO. 95/2023/EZ
(Earlier O.A. No. 362/2023/PB)**

IN THE MATTER OF:

LADDU SAHNI

- APPLICANTS

VERSUS

STATE OF BIHAR

- RESPONDENTS

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Filed by:



(ADARSH TRIPATHI)

ADVOCATE FOR THE RESPONDENT-NTPC Ltd.

ADARSHT912003@GMAIL.COM | 9090416535

Date: 02.03.2024

IN THE HON'BLE NATIONAL GREEN TRIBUNAL**EASTERN BENCH****ORIGINAL APPLICATION NO. 95/2023/EZ
(Earlier O.A. 362/2023/PB)****IN THE MATTER OF:**

LADDU SAHNI - APPLICANT

VERSUS

STATE OF BIHAR - RESPONDENTS

IN THE MATTER OF:Kanti Bijlee Utpadan Nigam Ltd. (Now known as NTPC Ltd.,
Muzaffarpur Thermal Power Station, Kanti, Muzaffarpur)

....Respondent/Non-Applicant

MOST RESPECTFULLY SHOWETH:

1. The present original application has been filed by the Applicant making allegations pertaining to discharge of effluent from the premises of MTPS, NTPC KANTI (erstwhile Kanti Bijlee Utpadan Nigam Ltd.) to Kanti Man, as well as other related allegations. This Hon'ble Tribunal vide order dated 01.02.2024 was pleased to issue notice to the Answering Respondent while impleading as Respondent No. 4, in furtherance of which the present reply is being filed before this Hon'ble Tribunal.
2. The order dated 01.02.2024 came to the knowledge of Respondent recently through NTPC advocate on

06.02.2024. Accordingly, the Answering Respondent without delay took necessary steps to present the detailed reply before this Hon'ble Tribunal to assist in the adjudication of present matter.

3. It is submitted that the presently NTPC Limited owns and operate Muzaffarpur Thermal Power Station, erstwhile Kanti Bijlee Utpadan Nigam Limited (KBUNL) has been merged with NTPC Limited and rechristened as Muzaffarpur Thermal Power Station (MTPS) ,NTPC Limited (A Government of India Enterprise). Muzaffarpur Thermal Power Plant is located at Village Kanti, District Muzaffarpur, Bihar. The present commissioned capacity of the Muzaffarpur Thermal Power Station is 390MW (2 X 195 MW). The present reply is being filed by Shri Vepin Kumar Pandey, DGM (EMG), who is competent to file the present reply and take all necessary steps in the present matter on behalf of the Answering Respondent. A true copy of the authority letter dated 29.02.2024 in favor of Shri Vepin Kumar Pandey, DGM (EMG) is attached herewith and marked as **Annexure R-1**.
4. Before delving into the allegations raised in the present complaint, it is pertinent to highlight certain relevant facts, which are as follows:
 - i. The power generation from the Thermal Power Plant of Answering Respondent is done using coal as the fuel. The combustion of coal in thermal power plant results in steam generation and further steam turbine is used as prime mover for generation of electricity by Electric Generator.

- ii. Answering Respondent is having various system installed and operational for handling waste water /effluent generated from process as per following details.
- iii. The Power Plant of Answering Respondent is equipped with Process waste water/ effluent handling system consisting of localised process water pits and pumping system to collect all the effluent and feed to centralized Effluent Treatment Plant (ETP).
- iv. An Effluent Treatment Plant (ETP) is available and same is under operation for treatment of total effluent generated from process. The ETP has been designed to treat waste water as per the prescribed statutory standards. Further treated water is being re-utilized in the process to meet process water requirement. The availability and operation of ETP has also been observed during site visit on 12.02.24 by joint committee constituted by this Hon'ble court in respect of allegation made by applicant.
- v. Further MTPS Ash dyke lagoons (1, 2 & 3) are having operational Ash Water Recirculation System (AWRS) and accordingly ash water is taken back to plant. Further same is re-utilized in our process i.e. preparation of ash slurry. The operational AWRS has also been demonstrated to the joint committee during site visit on 12.02.2024.
- vi. Further it is to apprise that Sewage treatment plant with latest technology has already been installed and

under operation at MTPS for treatment and re-use of sewage /effluent water. Accordingly, there is no discharge of sewage from MTPS premises. The same has also been shown to the joint committee during their site visit on 12.02.2024. Accordingly, it is established that there no discharge of sewage from MTPS premises as alleged by applicant.

- vii. It is pertinent to point out, the Joint Committee visited Kanti Mann (as indicated by applicant) near lagoon 3 of MTPS ash dyke and found that there is no discharge of effluent from NTPC premises to nearby said KANTI Mann as alleged in the complaint made by the Applicant.
 - viii. The nearby area of Ash dyke lagoon 3 of MTPS indicated by applicant as Kanti Mann is under full ownership of MTPS. The relevant land details are attached as **Annexure-R2**. The above area is to meet ash dyke maintenance and any other contingency/safety requirement arise due to any abnormal/ emergency situation.
 - ix. From the above, it is evident that MTPS has already taken required steps for ensuring treatment & reuse of total effluent inside its premises and ensuring no discharge of effluents from its premises to outside.
5. It is submitted that no discharge of ash water is being made by the Answering Respondent as alleged in the letter complaint.

6. Further, the Answering Respondent submits that it shall provide all necessary information and material as may be further required by this Hon'ble Tribunal for just adjudication of the present application. The Answering Respondent hereby reserves its right to further supplement the present reply, with the leave of this Hon'ble Tribunal.

PRAYER

In these circumstances, it is therefore, respectfully prayed that this Hon'ble Tribunal may graciously be pleased to:

- a) Dismiss the present application in view of the above facts and factual status regarding allegation made by applicant.
- b) Pass any other order/orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.

Filed by:



(ADARSH TRIPATHI)

ADVOCATE FOR THE RESPONDENT-NTPC Ltd.

Date:02.03.2024



**IN THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN BENCH
ORIGINAL APPLICATION NO. 95/2023/EZ
(Earlier O.A. 362/2023/PB)**

IN THE MATTER OF:

LADDU SAHNI

- APPLICANTS

VERSUS

STATE OF BIHAR

- RESPONDENTS

IN THE MATTER OF:

KANTI BIJLEE UTPADAN NIGAM LTD.

-
RESPONDENT/NON-APPLICANT

AFFIDAVIT

I, Vepin Kumar Pandey, S/o Late Sh. Chunni Lal Pandey, aged 46 years, working with the Answering Respondent Company, having its office at KBUNL, PO Kanti Thermal, District Muzaffarpur, Bihar, do hereby solemnly affirm and state as under:

1. That I am the authorized representative of the Answering Respondent in the above said application and as such well conversant with the facts and circumstances of the present case.

2. That the above said reply has been drafted under my instructions and I have read the contents of the same. I state that contents of the accompanying application are true and correct to my knowledge and belief.
3. That the Annexures filed along with this reply are true copies of their respective originals.

Kan du
Deponent

Verification:

I, the above-named deponent do hereby verify that the contents of the above affidavit are true and correct to my knowledge and belief and no part of the above affidavit is false and nothing material has been concealed there from.

Verified at Muzaffarpur on 29 day of Feb, 2024.

Kan du
Deponent



The Deponent Identified
by Advocate has solemnly
affirmed declared before me

PK
Pratibha Kumari
Civil Court, Muzaffarpur
Notary Regd 6047/22

29/02/2024



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एन टी पी सी लिमिटेड⁸

(भारत सरकार का उद्यम)

NTPC Limited

(A Govt. of India Enterprises)

काँटी/Kanti

Ref: NTPC/Kanti/HOP/02/2024

Date : Feb. 29, 2024

TO WHOMSEVER IT MAY CONCERN**AUTHORITY LETTER**

This is to Certify that Sh. **Vepin Kumar Pandey, (Emp No. 008926) DGM (Env. Mgt. Dept.)**, is duly authorized on behalf of NTPC Limited, (A Government of India Enterprise) Muzaffarpur Thermal Power Station, (erstwhile KBUNL) PO: Kanti Thermal, District Muzaffarpur, Bihar-843130 to sign and execute all the Application(s), Pleading(s), Affidavit(s), Vakalathnama(s) and other relevant documents in respect of **Original Application No. 95/2023/EZ (earlier OA No. 362/2023/PB) Laddu Sahni V/s. State of Bihar & others** at before the Hon'ble NGT Eastern Zone, Kolkata.

For and on behalf of NTPC Limited

Executive Director
(Head of Project)Muzaffarpur Thermal Power Station,
Kanti, Muzaffarpur**ए.के. मनोहर /A.K. MANOHAR**
परियोजना प्रमुख/Head of Project
एनटीपीसी काँटी/NTPC Kanti
पोस्ट:काँटी थर्मल, जिला-मुजफ्फरपुर-843130
P.O.: Kanti Thermal, Distt. Muzaffarpur-843130

//True Copy//

पोस्ट - काँटी थर्मल, जिला-मुजफ्फरपुर-843130/ P.O. Kanti Thermal, Distt.- Muzaffarpur - 843130 (Bihar)
टेली/फैक्सो. नं. / Tel/Fax:06223-267310

पंजीकृत कार्यालय : एनटीपीसी भवन स्कोप कॉम्प्लेक्स, 7 इंस्टीट्यूशनल एरिया, लोधी रोड नई दिल्ली - 110 003

Registered Office : NTPC Bhawan, SCOPE Complex, 7 Institutional Area, Lodhi Road, New Delhi - 110 003

Visit : /ntpc1

/ntpcltd1

/ntpclimited

/company/ntpc

ntpclimited

Ash Dyke
Kanti Kasba, Thana no. 63
KANTI , DIST: Muzaffarpur Case No. 01/79-80

SI No	Khata	Khesra	Area (acre)	SI No	Khata	Khesra	Area (acre)
671	2141	7707	15.340	695	2283	7737	0.060
672	1030	7708	0.280	696	2286	7738	0.070
673	1487	7709	0.480	697	2286	7739	0.080
674	1487	7710	0.480	698	2019	7745	0.170
675	1030	7711	0.170	699	2019	7746	0.200
676	1030	7712	0.280	700	1116	7750	0.100
677	1030	7713	0.100	701	2056	7751	0.090
678	415	7714	0.290	702	2282	7752	0.020
679	415	7715	0.290	703	2141	7794	0.450
680	1028	7715	0.180	704	937	7796	0.020
681	1679	7716	0.250	705	1101	7805	0.070
682	631	7717	0.100	706	1101	7806	0.080
683	2019	7719	0.020	707	1243	7875	0.140
684	2019	7720	0.110	708	78	7945	0.110
685	415	7721	0.110	709	2286	9425	0.750
686	2019	7722	0.100	710	75	9426	0.040
687	1226	7723	0.280	711	75	9427	0.470
688	2286	7724	53.020	712	142	9438	1.470
689	1693	7725	0.220	713	68	9439	0.900
690	2286	7726	0.080	714	2286	10421	50.270
691	1693	7727	0.090	715	2286	10444	0.200
692	2283	7731	0.050	716	2286	10445	0.090
693	2286	7734	0.020	717	823	4922/10396	0.080
694	2286	7735	0.090	718	1134	7067/10479	0.080
Total							286.66

Total Land = 286.66 Acres

Ash Dyke
Vill: Narasanda, Thana-465, Panchayat - Kaparpura
Block-Kanti, Dist: Muzaffarpur, Case no. 01/79-80

SI No	Khata	Khesra	Area (acre)	SI No	Khata	Khesra	Area (acre)
1	64	3	0.005	15	48	17	0.010
2	64	4	0.020	16	48	18	0.025
3	64	5	0.020	17	58	19	0.050
4	64	6	0.010	18	58	20	0.020
5	145	7	0.040	19	132	21	0.020
6	145	8	0.030	20	132	22	0.040
7	131	9	0.020	21	2	24	0.050
8	131	10	0.020	22	1	25	0.005
9	106	11	0.020	23	132	26	0.005
10	106	12	0.010	24	58	27	0.010
11	66	13	0.020	25	81	28	0.005
12	66	14	0.020	26	167	29	0.005
13	56	15	0.015	27	24	30	0.010
14	56	16	0.010	28	132	31	0.010

//True Copy//

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IN THE MATTER OF:

LADDU SAHNI

- APPLICANT

VERSUS

STATE OF BIHAR & ORS.

- RESPONDENTS

Know all to whom these presents shall come that I/We NTPC Ltd., them above named the Respondent No.4 do hereby appoint

- 1. Adarsh Tripathi, Advocate**
- 2. Vikram Singh Baid, Advocate**
- 3. Ajitesh Garg, Advocate**

G-34, Basement, Lajpat Nagar-3, New Delhi-110024
9090416535/9425308454
adarsh912003@gmail.com

Advocate(s), to be my/ our true and lawful attorney (s), in the matter noted above, to do all the following acts, deeds and things, or any of them, (jointly and severally) and also ratify anything already done on our behalf that is to say: -

1. To sign, verify and present and send notices, replies rejoinders, pleadings, appeals, cross-objections or petitions for execution, review, revision, other petitions or affidavit or other documents as shall be deemed necessary or advisable for the prosecution of the case or in relation thereto in all its stages.
2. To appear, act, and plead in the above-mentioned case in any court or tribunal etc, in which the same be heard or tried in the 1st instance or in appeal or review or revision or execution or in any other stage of its progress until its final decision.
3. To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise to or in any manner relating to the said case.
4. To receive documents, papers, records, orders etc. and to do all other acts all things, which may be necessary or proper to be done for the progress and in all course of the prosecution of the said case.
5. To employ any other legal practitioner, advocate or consultant authorizing him to exercise the power and authority hereby conferred on the Advocate (s) whenever he/they may think fit to do so.

And I/We hereby agree that whatever the Advocate (s) or his/ there substitute shall do in the premises shall be binding on me in all intents and purposes just as if it would have been done by me.

And I/We hereby agree not to hold the Advocate (s) or his/their substitute responsible for the said case in consequence of his absence from the court when the said case is called up for hearing.

And I/We hereby agree that in the event of the whole or any part of the free agreed by me/ us to be paid to the Advocate (s) remaining unpaid he/they shall be entitled to withdraw from the prosecution of the said case, or not to appear until the same is paid.

In witness whereof I/We hereunto set my/our hand to these presents the contents of which have been explained to and understood by me/us.

Date: 01.03.2024

Advocate (s)

Adv. Adarsh Tripathi
MP/1256/2014

Adv. Ajitesh Garg
D/5097/2021

Adv. Vikram S. Baid
D/3896/2018

02.03.24
Client
Yepin Kumar Pandey
DGM (EMG)
MTPS



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Adarsh Tripathi <adarsh912003@gmail.com> **11**

OA No. 95/2023/EZ Laddu Sahini -versus- The State of Bihar Pending before Hon'ble NGT Kolkata

1 message

Adarsh Tripathi <adarsh912003@gmail.com>

Sat, Mar 2, 2024 at 5:22 PM

To: mefcc@gov.in, io-bih@nic.in

Ma'am/Sir,

PFA the Reply on behalf of Respondent No.4 NTPC Ltd being filed before the Hon'ble NGT Kolkata in the captioned matter. Please be in receipt of the same.

Regards.

--

Adarsh Tripathi

Advocate on Record, Supreme Court of India

G-34, Basement, Lajpat Nagar-3, New Delhi-110024

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 **laddu sahani reply.pdf**
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