

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI**

O.A. NO. 1292 OF 2024

RENUMBERED AS

Execution Application No. 45 Of 2024

IN

O.A. No. 498 of 2015

IN THE MATTER OF:

GANESH SINGH PANCHAL

... APPLICANT

VERSUS

STATE OF UTTARAKHAND & ORS.

...RESPONDENTS

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THROUGH COUNSEL



Place: Dehradun, Uttarakhand

Date: 14.02.2025

ADARSH CHAMOLI

**Counsel For Respondent No. 1
5, Lawyers' Chamber Block-I,
Delhi High Court, New Delhi – 110003
Mobile: 8375955697
Email: adarshchamoli93@gmail.com**

BEFORE THE NATIONAL GREEN TRIBUNAL, NEW
DELHI

RESPONSE AFFIDAVIT ON BEHALF OF
SECRETARY, ENVIRONMENT

IN

Original Application No. 1292/2024

Ganesh Singh Panchal

Petitioner


Versus

State of Uttarakhand

Respondents



Affidavit of Kahkashan
Naseem, aged about 44 years,
D/o Late Shri Abdul Sattar
Ansari, presently posted as
Additional Secretary,
Department of Environment
Conservation and Climate
Change, Government of
Uttarakhand, Dehradun.


Deponent

I, the above-named deponent does hereby solemnly affirm and state on oath as under: -

1. That the deponent is presently posted as Additional Secretary and has been duly authorized by the....., Secretary Environment, Uttarakhand to sign and swear the instant affidavit on his behalf.
2. That the above noted O.A. was listed for hearing on 25.11.2024, wherein the Hon'ble National Green Tribunal was pleased to issue the following directions:

"6. Office shall issue notices to the above respondents who shall file their reply with regard to the compliance of Tribunal's order dated 09.08.2017 passed in O.A. No.498/2015 Pushp Saini Vs. Ministry of Environment, Forest & Climate Change & Ors. Within one month from the date of receipt of notice.

....."



3. That in compliance of the above directions, it is humbly submitted that an inspection of site was conducted on 16.12.2024. That it is pertinent to mention here, report pointed out that the Parvatiya Power Pvt. Ltd. (mini hydel power less than 25 MW) comes under the **white category** as per the Categorization of Industries, 2016 issued by the Central Pollution Control Board where above category industries are not required to obtain consent to operate from the State Pollution Board. In this connection, copy of report dated 02.01.2025 along

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with its annexures is being marked and filed as **Annexure No. 1** to this Affidavit.

4. That the report also mentioned: -

“.....उपरोक्तानुसार न्यूनतम पर्यावरणीय प्रवाह (ई-फ्लो) के आंकलन के संबंध में संबंधित विभाग से आख्या प्राप्त किया जाना उचित होगा।.....”

5. That UKPCB vide letter dated 03.01.2025 requested Managing Director, Uttarakhand Jal Vidyut Nigam to provide the details of minimum environment impact e-flow to be released by M/s Parvatiya Power Pvt. Ltd. Hydroelectric Project, Munar, Bageshwar. In this connection, copy of the letter dated 03.01.2025 is being marked and filed as **Annexure No. 2** to this affidavit.

6. Managing Director, Uttarakhand Jal Vidyut Nigam vide letter dated 10.01.2025 submitted the report to Member Secretary, UKPCB. In this connection, copy of letter dated 10.01.2025 is being marked and filed as **Annexure No.03** to this Affidavit.

a. The report submits that the e-flow measurement equipment was duly installed by the Parvatiya Power Ltd., but due to flood got washed away. However, they are taking immediate corrective actions to ensure compliance with the GoUK order dated 05.06.2018, which mandates strict adherence to the prescribed e-flow requirements for maintaining river ecology and other related purposes. As mentioned, they are in the process of finalizing the reinstallation of the measurement instruments at the site ensuring that the e-flow release and monitoring system are in place at the earliest.



[Handwritten signature]

b. Further, the procedure for calculating e-flow in the absence of measurement equipment and the mechanism for its release from Loharkhet SHP is submitted as follows:

- i. As per design data for generating 1 KW, the flow of 0.0006 cubic meters per second (qmec) is required.
- ii. During the lean period, average water flow is around 1.473 qmec. 15% of the lean period water flow is calculated to be 0.221 qmec.
- iii. To ensure compliance with the e-flow requirements during the lean period, the load has been reduced by around 400 KW, which results in a flow of 0.24 qmec. This excess water, which is not used for power generation, is directed back into the river from the trench water to maintain the river's ecological flow.



c. Additionally report also states that:

“उपरोक्त के क्रम में विकासकर्ता द्वारा प्रेषित प्रतिउत्तर एवं इस कार्यालय में उपलब्ध अभिलेखों के अध्ययन उपरांत पाया गया है कि लोहारखेत परियोजना हेतु सरयू नदी का औसत लीन प्रवाह लगभग 1.40 क्यूमेक है। अतः उत्तराखण्ड शासन द्वारा दिनांक 05.06.2018 को पारित आदेश के अनुसार लोहारखेत परियोजना हेतु न्यूनतम पर्यावरणीय प्रवाह लगभग 0.21 क्यूमेक (औसत लीन प्रवाह 1.40 का 15%) आता है। विकासकर्ता द्वारा उक्तानसार न्यूनतम ई - फ्लो छोड़ते हुये मासिक आधार पर सूचना उपलब्ध कराया जाता है। पर्वतीय पावर लि० द्वारा लोहारखेत जल विद्युत परियोजना से छोड़े गये पर्यावरणीय प्रवाह (ई-फ्लो) की विगत 03 माह की सूचना संलग्न कर सूचनार्थ प्रेषित है।”

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7. That the deponent is a responsible Government servant having the highest regards for the Hon'ble Tribunal and orders passed by them. The deponent has always made his sincerest efforts to carry out the orders passed by this Hon'ble Tribunal in its letter and spirit and shall continue to do so in the future.



Deponent

I,, Advocate, do hereby declare that the person making this affidavit and alleging himself to beis the same person who is known to me from the papers produced by him before me in this case.

.....
Advocate

Enroll. No.

Solemnly affirmed before me on this day of 14 February, 2025 at Dehradun at about 2:25 AM/PM by the deponent who has been identified by the aforesaid person.

I have satisfied myself by examining the deponent who understood the contents of this affidavit.

The person has signed in my presence on the affidavit.



S.No - 991/25

This affidavit is sworn before me by
Shri. Kab Kasher Naseem

Who is identified by Shri. Sammi Kumar Tamta

At Dehradun on.....

14/02/25
NEELAM JOSHI
Advocate & Notary, Dehradun

Notary



(सम्मी कुशर ताम्टा)

अनुभाग अधिकारी

पर्यावरण संरक्षण एवं जलवायु परिवर्तन
अनुभाग, उत्तराखण्ड शासन

ANNEXURE = 01

UKPCB

Ph No- 05946-225618, 221532 Web Site-www.ueppcb.uk.gov.in

क्षेत्रीय कार्यालय
उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड
आवास विकास कालोनी, हल्द्वानी (नैनीताल)

पत्रांक-यूकेपीसीबी/आरओएचओ/रिज/24/2353-1443

दिनांक:- 02/01/2025

सेवा में,

सदस्य सचिव महोदय,
उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड,
देहरादून।

Uttarakhand Pollution Control Board
Diary No. 9100
Date 20/1/25

विषय- मा0 राष्ट्रीय हरित अधिकरण में योजित मूल आवेदन संख्या-1292/2024 Ganesh Singh Panchal Vs.
State of Uttarakhand & Ors. के संबंध में।

महोदय,

कृपया उपरोक्त विषयक बोर्ड मुख्यालय के पत्रांक यूकेपीसीबी/एच.ओ./सा0-183-837/2024/1340 दि0 12.12.2024 के अनुपालन में सन्दर्भित मै0 पर्वतीय पावर लि0 मुनार, लोहारखेत, जिला-बागेश्वर का स्थल निरीक्षण इस कार्यालय द्वारा दि0 16.12.2024 को किया गया है। निरीक्षण आख्या संलग्नको सहित अग्रिम आवश्यक कार्यवाही हेतु सादर प्रेषित है।

संलग्नक-यथोपरि।

भवदीय

Anurag
(अनुराग नेगी) 02/01/2025
क्षेत्रीय अधिकारी

रिज 24/2353

*Dr. Chandra**h2*Riz
24/2353

मा0 राष्ट्रीय हरित अधिकरण में योजित मूल आवेदन संख्या-1292/2024 Ganesh Singh Panchal Vs. State of Uttarakhand & Ors. में पारित आदेश दि0 25.11.2024 के अनुपालन में आख्या-

उपरोक्त विषयक मा0 राष्ट्रीय हरित अधिकरण में योजित मूल आवेदन संख्या-1292/2024 Ganesh Singh Panchal Vs. State of Uttarakhand & Ors. में दिनांक 25.11.2024 को आदेश पारित किये गये हैं। पारित आदेश के कार्यकारी अंश निम्नवत है:-

“Office shall issue notices to the above respondents who shall file their reply with regard to compliance of Tribunal’s order dated 09.08.2017 passed in O.A No. 498/2015 Pushp Saini Vs. Ministry of Environment, Forest & Climate Change & Ors. Within one month from the date of receipt of notice”

List for further hearing on 15.01,2025.

मा0 राष्ट्रीय हरित अधिकरण नई दिल्ली द्वारा पारित आदेशों की प्रति संलग्न है। (संलग्नक-01)

उक्त संबंध में बोर्ड मुख्यालय के पत्रांक यूकेपीसीबी/एच0ओ0/सा0-183-837/2024/1340 दिनांक 12.12.2024 के अनुपालन में संदर्भित स्थल का निरीक्षण दिनांक 16.12.2024 को इकाई प्रतिनिधि श्री अजय जोशी (सहायक प्रबंधक) की उपस्थिति में किया गया। (संलग्नक-02)

स्थलीय निरीक्षण आख्या निम्नवत है:-

1. मै0 पर्वतीय पावर प्रा0लि0 (4.8 MW) जल विद्युत परियोजना मुनार, लोहारखेत (Longitudes-79°59’30’’E, Latitudes-30°02’00’’N) तहसील-कपकोट जिला-बागेश्वर में सरयू नदी पर स्थापित/संचालित है।
2. जनपद-बागेश्वर के लोहारखेत जल विद्युत परियोजना के निर्माण हेतु मै0 पर्वतीय पावर प्रा0लि0, रानीखेत के पक्ष में भारत सरकार पर्यावरण एवं वन मंत्रालय, क्षेत्रीय कार्यालय (मध्य क्षेत्र), लखनऊ के पत्र संख्या-8 बी/यू0पी0सी0/01/45/2006/एफ0सी0/2931 दिनांक 17.02.2006 के द्वारा शर्तों के साथ 2.876 है0 वन भूमि 30 वर्षों की लीज पर दिये जाने की अनुमति प्रदान की गयी है तथा उत्तराखण्ड शासन से प्राप्त शासनादेश संख्या-1045/7-1-2006-300(1421)/2006 दिनांक 07.03.2006 के द्वारा स्वीकृति प्राप्त है। (संलग्नक-02)
3. उक्त जल विद्युत परियोजना का जल संग्रहण क्षेत्र सरयू नदी पर स्थित है तथा परियोजना की संरचना ट्रन्च टाइप वियर की है। परियोजना के पावर हाउस में (1.6 MW X 3) क्षमता की तीन टरबाईनें स्थापित है। निरीक्षण के दौरान एक टरबाईन (1.6 MW) संचालन में पायी गयी। (संलग्नक-03)
4. मै0 पर्वतीय पावर प्रा0लि0 (4.8 MW) मुनार परियोजना द्वारा न्यूनतम पर्यावरणीय प्रवाह (ई-फ्लो) के आंकलन हेतु इनटेक प्वाइंट पर कोई भी श्राव मापक यंत्र अधिष्ठापित नहीं किया गया है। निरीक्षण के दौरान इकाई प्रतिनिधि द्वारा अवगत कराया गया कि प्लांट के संचालन की स्थिति में इनटेक चैनल से 15 प्रतिशत विद्युत लोड कम कर टरबाईन मशीन चलाने हेतु पानी टनल में लेकर विद्युत उत्पादन किया जाता है तथा 15 प्रतिशत पानी ओवर फलों के रूप में नदी में वापस प्रवाहित होता है। जिसे इनटेक प्वाइंट पर बने गेट से नियंत्रित किया जाता है। निरीक्षण के दौरान परियोजना के जल संग्रहण प्वाइंट से पावर हाउस तक के नदी क्षेत्र में जल-प्रवाह सामान्य रूप से प्रवाहित पाया गया। (संलग्नक-04)
5. जल विद्युत परियोजना केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा जारी औद्योगिक वर्गीकरण-2016 यथासंशोधित के अन्तर्गत (मिनी हाईडल पावर 25 मेगावाट से कम) सफेद श्रेणी में आच्छादित है। सफेद श्रेणी के अन्तर्गत आच्छादित इकाईयों को राज्य बोर्ड से संचालनार्थ सहमति प्राप्त किये जाने की व्यवस्था से बाहर रखा गया है। (संलग्नक-05)

उपरोक्तानुसार न्यूनतम पर्यावरणीय प्रवाह (ई-फ्लो) के आंकलन के संबंध में संबंधित विभाग से आख्या प्राप्त किया जाना उचित होगा। आख्या अवलोकनार्थ एवं आवश्यक कार्यवाही हेतु सादर प्रस्तुत है।

(चन्द्रबल्लभ जोशी)
अनु0सहायक

क्षेत्रीय अधिकारी

Amul
02/01/2025



(हरिश चन्द्र जोशी)
सहा0वैज्ञा0अधिकारी

//TRUE TRANSLATED COPY//

REGIONAL OFFICE
Uttarakhand Pollution Control Board
Awasth Vikas Colony, Haldwani (Nainital)
Ph No- 05946-225618, 221532
Web Site-www.ueppcb.uk.gov.in

UKPCB

Ltr No.UKPCB/ROH/Writ/24/2353-1043 Dt: 02.01.2025

To

The Member Secretary,
Uttarakhand Pollution Control Board,
Dehradun.

Subject- Hon'ble National Green Tribunal Planned Main Application No. 1292/2024 titled Ganesh Singh Panchal Vs. State of Uttarakhand & Ors. : in relation to

Sir,

Kindly refer to the abovesaid related HQ Board Letter bearing No. UKPCB/H.O./SA-183-837/2024/1340 dated 12.12.2024 The site scrutiny of M/s Parvatiya Power Ltd. Munar, Loharkhet, District Bageshwar referred to in compliance has been carried out by this office on 16.12.2024. the clarifications along with attachments are submitted for advance required action.

Encl : As above

Sincerely,
Sd/-
02.01.2025
(Anurag Negi)
Zonal Officer

Hon'ble National Green Tribunal Planned Main Application No.1292/2024 in compliance with the order dated 25.11.2024 passed in case titled as Ganesh Singh Panchal Vs. State of Uttarakhand & Ors.

That in relation to the aforesaid matter in the National Green Tribunal Planned Original Application No. 1292/2024 in relation to case titled Ganesh Singh Panchal Vs. State of Uttarakhand & Ors. Order passed on 25.11.2024. The operative part of the order passed is as follows:-

“Office shall issue notices to the above respondents who shall file their reply with regard to compliance of Tribunal's order dated 09.08.2017 passed in O.A No. 498/2015 Pushp Saini Vs. Ministry of Environment, Forest & Climate Change & Ors. Within one month from the date of receipt of notice”.

List for further hearing on 15.01. 2025.

Copy of the orders passed by Hon'ble National Green Tribunal New Delhi is attached. (Annexure 01)

In this regard, in compliance with Board Headquarters letter No. UKPCB/HO/S0-183-837/2024/1340 dated 12.12.2024, the scrutiny of the referred site was conducted on 16.12.2024 in the presence of Unit Representative Mr. Ajay Joshi (Assistant Manager). (Annexure-02)

Ground inspection particulars are as follows:-

1. M/s Mountain Power Pvt Ltd (4.8 MW) Hydroelectric Project Munar, Loharkhet (Longitudes 79°59'30"E, Latitudes 30°02'00"N) Tehsil- Kapkot District - Bageshwar is installed / functioning on Saryu River.
2. Government of India Ministry of Environment and Forests, Regional Office (Central Region), Lucknow in favour of Mai Mountain Power Pvt. Ltd., Ranikhet for the construction of Loharkhet Hydroelectric Project in District - Bageshwar vide letter No.8B/UPC/01/ 45/2006/FC/2931 dated 17.02.2006 of 2.876 Hect forest land for 30 years with conditions. Lease permission granted and Government Order received from Government of Uttarakhand No.1045/7-1-2006-

300 (1421) / 2006 dated 07.03.2006 is accepted.
(Annexure-02)

3. The water storage area of the said hydroelectric project is situated on Saryu River and the project structures are drain type weirs. Three turbines of (1.6 MW X 3) capacity are installed in the Power House of the Project. One turbine (1.6 MW) was put into operation during the scrutiny. (Annexure-03)

4. No Effluent Meter has been installed at intake point for estimation of minimum environmental flow (E-flow) by M/s Mountain Power Pvt Ltd (4.8 MW) Munar Project. During the scrutiny, it was informed by the unit representative that in the operating condition of the plant, 15 percent of the electric load is reduced from the intake channel by taking water into the tunnel to run the turbine machine and electricity is produced and 15 percent of the water flows back to the river as over flow, which is controlled by a gate at the intake point. During the

scrutiny, water flow was found to flow usually in the river area from the water harvesting point of the Project to the power house. (Annexure-04)

5. Hydro Power Project is covered in white category (mini hydel power less than 25 MW) under Industrial Classification issued by Central Pollution Control Board - 2016 as modified. Units covered under the white category are excluded from the system of procurement operational approval from the State Board. (Annexure-05)

As per above it would be advisable to attain information from the concerned Department about the assessment of minimum environmental flow (E-flow). The report is submitted for analysis and required action.

Sd/-
(Chandraballabh Joshi)
Sr. Assistant

Sd/-
(Harish Chandra Joshi)
Asstt Scientific Officer

Sd/-
02.01.2025
Zonal Officer

//TRUE TRANSLATED COPY//



उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड

“गौरा देवी पर्यावरण भवन”

46बी, आई.टी. पार्क, सहस्त्रधारा रोड़, देहरादून

E-mail : ukpcblegalcell@gmail.com, दूरभाष : 0135-2607092

पत्रांक : यूकेपीसीबी/एच.ओ./सा0-183-837/2025/1481

दिनांक 03.01.2025

कोर्ट मैटर

ई-मेल/स्पीड पोस्ट द्वारा

सेवा में,

प्रबन्ध निदेशक

उत्तराखण्ड जल विद्युत निगम लि0

महारानी बाग, जी.एम.एस. रोड़

देहरादून-248006

E-mail ID- md@ujvnl.com, mdujvnl@ujvnl.com

विषय:- पर्वतीय पॉवर लि0 (4.8 MW) मुनार, लोहारखेत द्वारा छोड़े जाने वाले प्रतिदिन न्यूनतम पर्यावरणीय प्रवाह ई-फ्लो के सम्बन्ध में।

महोदय,

उपरोक्त विषयक प्रकरण पर मा0 राष्ट्रीय हरित अधिकरण में योजित मूल आवेदन सं0 1292/2024 में पारित आदेश दिनांक 25.11.2024 का सन्दर्भ ग्रहण करना चाहें। मा0 राष्ट्रीय हरित अधिकरण द्वारा अन्य निर्देशों के साथ-साथ निम्नलिखित निर्देश निर्गत किये गये हैं:-

6. Office shall issue notices to the above respondents who shall file their reply with regard to the compliance of Tribunal's order dated 09.08.2017 passed in O.A. No.498/2015 Pushp Saini Vs. Ministry of Environment, Forest & Climate Change & Ors. Within one month from the date of receipt of notice.

तत्काल में इस कार्यालय द्वारा दिनांक 16.12.2024 को इकाई का निरीक्षण किया गया निरीक्षण में पाया गया कि "मै0 पर्वतीय पॉवर प्रा0 लि0 (4.8 MW) मुनार परियोजना द्वारा न्यूनतम पर्यावरणीय प्रवाह (ई-फ्लो) के आंकलन हेतु इनटेक प्वाइंट पर कोई भी श्राव मापक यंत्र अधिष्ठापित नहीं किया गया है। निरीक्षण के दौरान इकाई प्रतिनिधि द्वारा अवगत कराया गया कि प्लांट के संचालन की स्थिति में इनटेक चैनल से 15 प्रतिशत विद्युत लोड कम कर टरबाईन मशीन चलाने हेतु पानी टनल में लेकर विद्युत उत्पादन किया जाता है तथा 15 प्रतिशत पानी ओवर फ्लो के रूप में नदी में वापस प्रवाहित होता है। जिसे इनटेक प्वाइंट पर बने गेट से नियंत्रित किया जाता है।" जिससे उपरोक्त निरीक्षण में यह सत्यापित नहीं हो पाया कि परियोजना द्वारा कितनी मात्रा में जलप्रवाह छोड़ा जा रहा है।

मा0 अधिकरण द्वारा मूल आवेदन सं0 491/2015 Pushp Saini Vs. Ministry of Environment, Forest & Climate Change & Ors. में पारित आदेश के अनुपालन हेतु आपसे अपेक्षित है कि प्रश्नगत मै0 पर्वतीय पॉवर प्रा0 लि0 जल विद्युत परियोजना, मुनार, लोहारखेत, बागेश्वर द्वारा छोड़े जाने वाले न्यूनतम पर्यावरणीय प्रभाव ई-फ्लो का विवरण मानदण्डों सहित इस कार्यालय को उपलब्ध कराना चाहें जिससे मा0 राष्ट्रीय हरित अधिकरण का अनुपालन सुनिश्चित किया जाय। प्रकरण पर अगली सुनवाई दिनांक 15.01.2025 को नियत है।

भवदीय

(डा0 पराग मधुकर धकाते)

सदस्य सचिव



Clean Environment and Healthy Life Style
स्वच्छ पर्यावरण व स्वस्थ जीवन शैली

4

//TRUE TRANSLATED COPY//

LIFE

Lifestyle for
Environment

Headquarters

Uttarakhand Pollution Control
Board

“Gaura Devi Environment Bhavan”
46B, I.T. Park, Sahastradhara
Road, Dehradun

E-mail: ukpclegalcell@gmail.com,
Tel 0135-2607092

Lt No. UKPCB/HO/S-183-837/2025/1481 Dt 03.01.2025

COURT MATTERS**BY E-MAIL / SPEED POST**

To,

The Managing Director
Uttarakhand Jal Vidyut Nigam Ltd
Maharani Bagh, G.M.S. the road
Dehradun - 248006
E-mail ID- md@ujvnl.com, mdujvnl@ujvnl.com

Subject: For daily minimum environmental flow e-flow
discharged by Mountain Power Ltd. (4.8 MW)
Munar, Loharkhet.

Sir,

On the above-mentioned subject, reference may be
made to the order dated 25.11.2024 passed in National
Green Tribunal in Original Application No.1292/2024. The
following instructions have been issued by Hon'ble
National Green Tribunal along with other directives:-

6. *Office shall issue notices to the above respondents who shall file their reply with regard to the compliance of Tribunal's order dated 09.08.2017 passed in O.A. No.498/2015 Pushp Saini Vs. Ministry of Environment, Forest & Climate Change & Ors. Within one month from the date of receipt of notice.*

The Unit was scrutinised by this office on 16.12.2024. In the inspection, it was found that “No leakage measuring device has been installed at the intake point for estimation of minimum environmental flow (E-flow) by the M/s Parbatiya Power Pvt. Ltd. (4.8MW) Munar Project. During the inspection, the representative of the unit informed that 15 percent electrical load decrease from the intake channel in the operating condition of the plant. Electricity is generated by taking water into the tunnel to run the turbine machine and 15 percent of the water flows back into the river as overflow, which is controlled by a gate at the intake point. Due to which it was not possible

to confirm in the above observation how much water flow is being unconfined by the Project.

By Hon'ble Court Original Application No. 491 / 2015 Pushp Saini Vs. Ministry of Environment, Forest & Climate Change & Ors. and in order to conform the order passed, you are anticipated to provide to this office the minimum environmental impact e-flow statement released by the concerned M/s Parvatiya Power Pvt. Ltd. Jal Vidyut Project, Munar, Loharkhet, Bageshwar along with the criteria so as to guarantee the compliance of Hon'ble National Green Authority. The next date of hearing on the matter is fixed for 15.01.2025.

Sincerely

Sd/-
(Dr. Parag Madhukar Dhakate)
Member Secretary

//TRUE TRANSLATED COPY//



यूजेवीएन लिमिटेड

(उत्तराखण्ड सरकार का उपकर्म)

UJVN LIMITED

(A Govt. of Uttarakhand Enterprise)

कार्यालय प्रबन्ध निदेशक, "उज्ज्वल", महारानी बाग, जी०एम०एस० रोड, देहरादून-248 006 (उत्तराखण्ड), दूरभाष: 0135-2761485, फैक्स: 0135-2761549
Office of the Managing Director, "Ujjwal", Maharani Bagh, G.M.S. Road, Dehradun-248006 (Uttarakhand), Phone: 0135-2761485, Fax: 0135-2761549
CIN No. U40101UR2001SGC025866

ISO 9001:14001 Certified

पत्रांक: 216 / यूजेवीएन/01/प्र०नि०/W-1

दिनांक : 10-01-2025

सेवा में

डॉ० पराग मधुकर धकाते
सदस्य सचिव, उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड
"गौरा देवी पर्यावरण भवन"
46 बी, आई०टी० पार्क,
सहस्रधारा रोड, देहरादून।

विषय: पर्वतीय पावर लि० (4.8 मे०वा०) मुनार लोहारखेत द्वारा छोड़े जाने वाले प्रतिदिन न्यूनतम पर्यावरणीय प्रवाह ई-फ्लो के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक आपके कार्यालय पत्रांक यूकेपीसीबी/एच०ओ०/सा०-183-837/2025/1481 दिनांक 03.01.2025 का सन्दर्भ ग्रहण करने का कष्ट करें, जिसके माध्यम से आपका द्वारा मै० पर्वतीय पावर प्रा० लि० जल विद्युत परियोजना मुनार, लोहारखेत, बागेश्वर द्वारा छोड़े जाने वाले न्यूनतम पर्यावरणीय प्रवाह (ई-फ्लो) का विवरण मानदण्डों सहित आपके कार्यालय को उपलब्ध कराने हेतु अनुरोध किया गया था।

उक्त के क्रम में अवगतनीय है कि मूल आवेदन सं 498/2015 पुष्प सैनी बनाम वन एवं पर्यावरण मंत्रालय एवं अन्य में मा० राष्ट्रीय हरित अधिकरण द्वारा दिनांक 09.08.2017 को नदियों में न्यूनतम पर्यावरणीय प्रवाह हेतु दिये गये आदेश के अनुपालन में उत्तराखण्ड शासन द्वारा अपने कार्यालय ज्ञाप 708 दिनांक 05.06.2018 के माध्यम से राज्य के समस्त जल विद्युत परियोजनाओं के विकासकर्ताओं को पर्यावरणीय संतुलन एवं नदियों में सतत जल प्रवाह रखने के दृष्टिगत निरंतर न्यूनतम 15 प्रतिशत लीन सीजन फ्लो छोड़ने हेतु आदेश निर्गत किये गये थे। उक्त आदेश के अनुपालन में उत्तराखण्ड राज्य में स्थित समस्त जल विद्युत परियोजनाओं के विकासकर्ताओं के द्वारा मासिक आधार पर पर्यावरणीय प्रवाह (ई-फ्लो) की सूचना उपलब्ध करायी जाती है, जिसको संकलित करते हुये मासिक आधार पर उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड को उपलब्ध कराई जाती है।

EE-Dr. Chaturvedi

20-1-25

पंजीकृत कार्यालय "उज्ज्वल", महारानी बाग, जी०एम०एस० रोड, देहरादून-248 006 (उत्तराखण्ड), दूरभाष: 0135-2763808, फैक्स: 0135-2763508
Regd. Office "Ujjwal", Maharani Bagh, G.M.S. Road, Dehradun-248006 (Uttarakhand), Phone: 0135-2763808, Fax: 0135-2763508 website-www.ujvnl.com



अवगतनीय है कि इस कार्यालय द्वारा अपने पत्रांक 03 दिनांक 07.01.2024 के माध्यम से लोहारखेत जल विद्युत परियोजना के विकासकर्ता मै0 पर्वतीय पावर प्रा0 लि0 को लोहारखेत जल विद्युत परियोजना से छोड़े जाने वाले न्यूनतम पर्यावरणीय प्रवाह (ई-फ्लो) की गणना हेतु विस्तृत प्रक्रिया (Mechanism) एवं पर्यावरणीय प्रवाह छोड़ने हेतु क्या Procedure अपनाया जाता है के सम्बन्ध में पत्राचार किया गया था।

उपरोक्त के क्रम में विकासकर्ता अपने ई-मेल 09.01.2025 (छायाप्रति संलग्न) के माध्यम से अपना प्रतिउत्तर दिया गया जो कि निम्नवत है:-

We like bring in your notice that is past we had installed the measurement equipment, but due to flood it got washed away. We assure you that we are taking immediate corrective actions to ensure compliance with the GoUK order dated 05.06.2018, which mandates strict adherence to the prescribed e-flow requirements for maintaining river ecology and other related purposes.

In response to your request, we are submitting the following procedure for calculating e-flow in the absence of measurement equipment and the mechanism for its release from the Loharkhet SHP:

- *As per design data for generating 1 KW, we require a flow of 0.0006 cubic meters per second (qmec).*
- *During the lean period, average water flow is around 1.473 qmec. 15% of the lean period water flow is calculated to be 0.221 qmec.*
- *To ensure compliance with the e-flow requirements during the lean period, we have reduced the load by around 400 KW, which results in a flow of 0.24 qmec. This excess water, which is not used for power generation, is directed back into the river from the trench wear to maintain the river's ecological flow.*

We are in the process of finalizing the reinstallation of the measurement instruments at the site and will ensure that the e-flow release and monitoring system are in place at the earliest.

उपरोक्त के क्रम में विकासकर्ता द्वारा प्रेषित प्रतिउत्तर एवं इस कार्यालय में उपलब्ध अभिलेखों के अध्ययन उपरांत पाया गया है कि लोहारखेत परियोजना हेतु सरयू नदी का औसत लीन प्रवाह लगभग 1.40 क्यूमेक है। अतः उत्तराखण्ड शासन द्वारा दिनांक 05.06.2018 को पारित आदेश के अनुसार लोहारखेत परियोजना हेतु न्यूनतम पर्यावरणीय प्रवाह लगभग 0.21 क्यूमेक (औसत लीन प्रवाह 1.40 का 15%) आता है। विकासकर्ता द्वारा उक्तानुसार न्यूनतम ई-फ्लो छोड़ते हुये मासिक आधार पर सूचना उपलब्ध कराया जाता है। पर्वतीय पावर लि0 द्वारा लोहारखेत जल विद्युत परियोजना से छोड़े गये पर्यावरणीय प्रवाह (ई-फ्लो) की विगत 03 माह की सूचना संलग्न कर सूचनार्थ प्रेषित है।

संलग्नक-यथोपरि



[Signature]
10.1.25

(डॉ० संदीप सिंघल)
प्रबन्ध निदेशक एवं
निदेशक-ऊर्जा सैल

//TRUE TRANSLATED COPY//

UJVN LIMITED

(A Govt. of Uttarakhand Enterprise)

Office of the Managing Director, "Ujjwal", Maharani Bagh,
G.M.S. Road, Dehradun-248006 (Uttarakhand), Phone:
0135-2761485, Fax: 0135-2761549 CIN No.U40101
UR2001SGC025866,
ISO 9001:14001 Certified

Letter No: 216/ UJVN/01/PONI0/W-1 Dated : 10.01.2025

From :

Dr. Parag Madhukar Dhakate
Member Secretary,
Uttarakhand Pollution Control Board
"Gaura Devi Environment Bhavan"
46-B, I.T PARK,
Sahastradhara Road,
DEHRADUN

Subject: In relation to regular minimum environmental
flow e-flow discharged by Mountain Power Ltd.
(4.8 May) Munar Loharkhet.

Sir,

Kindly make endeavour to take reference to your
office letter No. UKPCB/HO/S-183-837/2025/1481 dated
03.01.2025 in relation to the above, through which you
were requested to deliver your office with the details of the

minimum environmental flow (E-flow) discharged by M/s Parvatiya Power Pvt. Ltd.

In the aforesaid order, it is to be distinguished that in compliance with the order passed by the Hon'ble National Green Tribunal dated 09.08.2017 in Original Application No.498/2015 case titled Pushpa Saini vs. Ministry of Forest and Environment and others for minimum ecological flow in rivers, the Government of Uttarakhand vide its Office Memorandum No.708 dated 05.06.2018 to the Developers of all Hydropower Projects in the State to guarantee the ecological balance and continuous water flow in rivers. Orders were issued to continuously release minimum 15 percent lean season flow with a view to maintaining. In compliance with the said order, environmental flow (e-flow) notices are provided by the Developers of all Hydropower Projects situated in the state of Uttarakhand on a regular basis, the compilation of which is made available to the Uttarakhand Pollution Control Board on a monthly basis.

It is recognized that vide its letter No. 03 dated 07.01.2024, a letter was written by this office to the developer of Loharkhet Hydro Power Pvt. Ltd. about the mechanism for calculating the minimum environmental flow (e-flow) to be released from the Loharkhet Hydro Power Project and the procedure to be followed for releasing the environmental flow.

That in pursuance of the above, the developer has specified his response vide his e-mail dated 09.01.2025 (copy attached) which is as under :

We prefer to bring to your notice that in the past we had installed the measurement equipment, but due to flood it got washed away. We guarantee you that we are taking immediate helpful actions to confirm compliance with the GoUK order dated 05.06.2018, which mandates strict adherence to the prescribed e-flow requirements for maintaining river ecology and other related purposes.

In response to your request, we are submitting the following procedure for calculating e-flow in the non - appearance of measurement equipment and the mechanism for its release from the Loharkhet SHP:

- As per design data for generating 1 KW, we require a flow of 0.0006 cubic meters per second (qmec).
- During the lean period, average water flow is around 1.473 qmec. 15% of the lean period water flow is calculated to be 0.221 qmec.
- To ensure compliance with the e-flow requirements during the lean period, we have reduced the load by around 400 KW, which results in a flow of 0.24 qmec. This excess water, which is not used for power generation, is directed back into the river from the trench wear to maintain the river's ecological flow.

We are in the process of finalizing the reinstatement of the measurement instruments at the site and will ensure

that the e-flow release and monitoring system are in place at the earliest.

After studying the response sent by the developer in the above order and the records available in this office, it is found that the normal lean flow of Saryu River for Loharkhet Project is about 1.40 cumec. Henceforth, as per the order passed by Uttarakhand Government dated 05.06.2018, the minimum environmental flow for Loharkhet project is about 0.21 cumec (15% of average lean flow 1.40) now. Notifications are provided on once-a-month basis leaving minimum e-flow as per the developer. Environmental flow (E-flow) discharged from Loharkhet Hydroelectric Project by Mountain Power Ltd. for the past 03 months is enclosed and referred for your information.

Encl : As above

Sd/-
10.1.25
(Dr. Sandeep Singhal)
Managing Director
& Director - Energy Cell

Regd. Office "Ujjwal", Maharani Bagh, G.M.S. Road, Dehradun-
248006 (Uttarakhand), Phone: 0135-2763808, Fax: 0135-2763508
website-www.ujvnl.com

//TRUE TRANSLATED COPY//



Urja PMO <urjapmo@gmail.com>

Parvatiyapower e flow compliance

2 messages

Urja PMO <urjapmo@gmail.com>

Tue, Jan 7, 2025 at 2:31 PM

To: Parvatiya Power Ltd Ppl <loharkhethep@yahoo.in>

Sir,

With reference to the above mentioned subject please find enclosed herewith.

Sent from my iPhone

 Adobe Scan 7 Jan 2025.pdf
742K

Parvatiya Power Ltd Ppl <loharkhethep@yahoo.in>

Thu, Jan 9, 2025 at 9:37 AM

To: Urja PMO <urjapmo@gmail.com>

Dear Sir,

With reference to your letter No. 03/Dir. U.C./U.C./IPP/P-33 dated 07.01.2024 regarding the daily minimum e-flow release from the Loharkhet SHP (4.8 MW), we would like to acknowledge the communication received and the observations made by the Uttarakhand Pollution Control Board (UKPCB) regarding the lack of a measurement instrument at the site.

We sincerely apologize for the oversight in not installing the required e-flow measurement instrument. We like bring in your notice that is past we had installed the measurement equipment, but due to flood it got washed away. We assure you that we are taking immediate corrective actions to ensure compliance with the GoUK order dated 05.06.2018, which mandates strict adherence to the prescribed e-flow requirements for maintaining river ecology and other related purposes.

In response to your request, we are submitting the following procedure for calculating e-flow in the absence of measurement equipment and the mechanism for its release from the Loharkhet SHP:

- As per design data for generating 1 KW, we require a flow of 0.0006 cubic meters per second (qmec).
- During the lean period, average water flow is around 1.473 qmec. 15% of the lean period water flow is calculated to be 0.221 qmec.
- To ensure compliance with the e-flow requirements during the lean period, we have reduced the load by around 400 KW, which results in a flow of 0.24 qmec. This excess water, which is not used for power generation, is directed back into the river from the trench wear to maintain the river's ecological flow.

We are in the process of finalizing the reinstallation of the measurement instruments at the site and will ensure that the e-flow release and monitoring system are in place at the earliest.

We understand the importance of this matter and assure you of our commitment to compliance. Please feel free to contact us if any further clarification or action is needed.

Thank you for your understanding and support.

Sincerely,
Parvatiya Power Ltd.

On Tuesday 7 January, 2025 at 02:31:21 pm IST, Urja PMO <urjapmo@gmail.com> wrote:

Sir,

With reference to the above mentioned subject please find enclosed herewith.

Sent from my iPhone



जल विद्युत परियोजनाओं के बांध/बैराज /वियर से नदीयों में प्रतिदिन छोड़े गये जल प्रवाह का विवरण

माह September वर्ष 2024

जल विद्युत परियोजना का नाम एवं क्षमता	पर्वतीय पावर लि० 4.8MW
विकासकर्ता	

1	2	3	4
दिनांक	औसत लीन सीजन प्रवाह (क्यूमेक)	बांध/बैराज /वियर से नदी में छोड़ा गया जल प्रवाह (क्यूमेक)	कालम 2 के अनुसार छोड़े गये जल प्रवाह का प्रतिशत
1-Sep-21	1.473	2.697	183.096
2-Sep-21	1.473	2.673	181.466
3-Sep-21	1.473	2.684	182.213
4-Sep-21	1.473	2.657	180.380
5-Sep-21	1.473	2.676	181.670
6-Sep-21	1.473	2.694	182.892
7-Sep-21	1.473	2.675	181.602
8-Sep-21	1.473	2.668	181.127
9-Sep-21	1.473	2.669	181.195
10-Sep-21	1.473	2.651	179.973
11-Sep-21	1.473	2.648	179.769
12-Sep-21	1.473	2.644	179.498
13-Sep-21	1.473	2.649	179.837
14-Sep-21	1.473	2.645	179.566
15-Sep-21	1.473	2.647	179.701
16-Sep-21	1.473	2.631	178.615
17-Sep-21	1.473	2.634	178.819
18-Sep-21	1.473	2.632	178.683
19-Sep-21	1.473	2.630	178.534
20-Sep-21	1.473	2.597	176.307
21-Sep-21	1.473	2.548	172.980
22-Sep-21	1.473	2.473	167.889
23-Sep-21	1.473	2.426	164.698
24-Sep-21	1.473	2.341	158.927
25-Sep-21	1.473	2.105	142.906
26-Sep-21	1.473	1.974	134.012
27-Sep-21	1.473	1.523	103.394
28-Sep-21	1.473	1.421	96.470
29-Sep-21	1.473	1.246	84.589
30-Sep-21	1.473	1.187	80.584

Parvatiya Power Ltd.
Loharkhet Hydro Electric Power Plant
Loharkhet, Bageshwar

Parvatiya Power Ltd.
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Uttarakhand



जल विद्युत परियोजनाओं के बांध/ बैराज /वियर से नदीयों में प्रतिदिन छोड़े गये जल प्रवाह का विवरण

माह October वर्ष 2024

जल विद्युत परियोजना का नाम एवं क्षमता	पर्वतीय पावर लि० 4.8MW
विकासकर्ता	

1	2	3	4
दिनांक	औसत लीन सीजन प्रवाह (क्यूमेक)	बांध/ बैराज /वियर से नदी में छोड़ा गया जल प्रवाह (क्यूमेक)	कालम 2 के अनुसार छोड़े गये जल प्रवाह का प्रतिशत
1-Oct-23	1.473	1.850	125.594
2-Oct-23	1.473	1.749	118.737
3-Oct-23	1.473	1.542	104.684
4-Oct-23	1.473	1.264	85.811
5-Oct-23	1.473	1.087	73.795
6-Oct-23	1.473	0.989	67.142
7-Oct-23	1.473	0.985	66.870
8-Oct-23	1.473	0.853	57.909
9-Oct-23	1.473	0.754	51.188
10-Oct-23	1.473	0.621	42.159
11-Oct-23	1.473	0.509	34.555
12-Oct-23	1.473	0.397	26.952
13-Oct-23	1.473	0.287	19.484
14-Oct-23	1.473	0.241	16.361
15-Oct-23	1.473	0.231	15.682
16-Oct-23	1.473	0.221	15.003
17-Oct-23	1.473	0.222	15.071
18-Oct-23	1.473	0.221	15.003
19-Oct-23	1.473	0.222	15.071
20-Oct-23	1.473	0.222	15.071
21-Oct-23	1.473	0.221	15.003
22-Oct-23	1.473	0.222	15.071
23-Oct-23	1.473	0.222	15.071
24-Oct-23	1.473	0.222	15.071
25-Oct-23	1.473	0.221	15.003
26-Oct-23	1.473	0.222	15.071
27-Oct-23	1.473	0.222	15.071
28-Oct-23	1.473	0.222	15.071
29-Oct-23	1.473	0.222	15.071
30-Oct-23	1.473	0.221	15.003
31-Oct-23	1.473	0.222	15.071

Parvatiya Power Ltd.

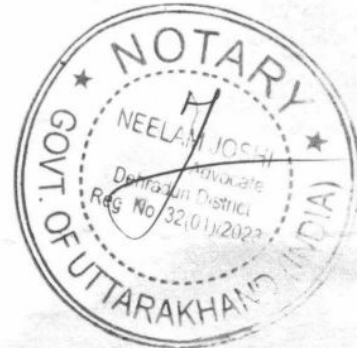
Loharkhet Hydro Electric Power Plant

Loharkhet, Bageshwar

Loharkhet Hydro Electric Power Plant

Loharkhet, Distt. Bageshwar

Uttarakhand




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जल विद्युत परियोजनाओं के बांध/ बैराज /वियर से नदियों में प्रतिदिन छोड़े गये जल प्रवाह का
विवरण

माह November वर्ष 2024

जल विद्युत परियोजना का नाम एवं क्षमता	पर्वतीय पावर लि० 4.8MW
विकासकर्ता	

1	2	3	4
दिनांक	औसत लीन सीजन प्रवाह (क्यूमेक)	बांध/ बैराज /वियर से नदी में छोड़ा गया जल प्रवाह (क्यूमेक)	कालम 2 के अनुसार छोड़े गये जल प्रवाह का प्रतिशत
1-Nov-23	1.473	0.221	15.003
2-Nov-23	1.473	0.222	15.071
3-Nov-23	1.473	0.221	15.003
4-Nov-23	1.473	0.222	15.071
5-Nov-23	1.473	0.222	15.071
6-Nov-23	1.473	0.221	15.003
7-Nov-23	1.473	0.222	15.071
8-Nov-23	1.473	0.222	15.071
9-Nov-23	1.473	0.222	15.071
10-Nov-23	1.473	0.221	15.003
11-Nov-23	1.473	0.222	15.071
12-Nov-23	1.473	0.222	15.071
13-Nov-23	1.473	0.222	15.071
14-Nov-23	1.473	0.222	15.071
15-Nov-23	1.473	0.221	15.003
16-Nov-23	1.473	0.221	15.003
17-Nov-23	1.473	0.222	15.071
18-Nov-23	1.473	0.221	15.003
19-Nov-23	1.473	0.222	15.071
20-Nov-23	1.473	0.222	15.071
21-Nov-23	1.473	0.222	15.071
22-Nov-23	1.473	0.221	15.003
23-Nov-23	1.473	0.222	15.071
24-Nov-23	1.473	0.222	15.071
25-Nov-23	1.473	0.222	15.071
26-Nov-23	1.473	0.221	15.017
27-Nov-23	1.473	0.221	15.003
28-Nov-23	1.473	0.221	15.003
29-Nov-23	1.473	0.222	15.071
30-Nov-23	1.473	0.221	15.003


 Parvatiya Power Ltd.
 Loharkhet Hydro Electric Power Plant
 Loharkhet, Bageshwar
 Loharkhet, Distt. Bageshwar
 Uttarakhand

