

Item No. 02

Court No. 1

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

Original Application No. 61/2019

(With report dated 07.12.2019)

Gram Pradhan & Residents of Tapoban

Applicant(s)

Versus

State of Uttarakhand

Respondent(s)

Date of hearing: 02.01.2020

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER
HON'BLE MR. SIDDHANTA DAS, EXPERT MEMBER**

For Applicant(s): None

For Respondent(s): Mr. Mukesh Verma, Advocate for UEPPCB
Mr. Pawan Upadhyay, Advocate for NTPC

ORDER

1. The issue for consideration is loss to inhabitants in the course of construction of barrage by National Thermal Power Corporation Limited (NTPC) in the year 2005 for which land of the people was taken for the Vaishnugad project in village Tapovan, District Chamoli, State of Uttarakhand but no employment was given.
2. The matter was reviewed on 01.08.2019 in the light of report furnished by the Uttarakhand State Pollution Control Board (Uttarakhand SPCB) vide e-mail dated 29.07.2019. It was observed:

"2.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.

List for further consideration on 04.11.2019.”

3. Accordingly, a report has been filed on 07.12.2019 by the SPCB giving details of the muck disposal sites as follows:

S. No.	Muck Disposal Site	Area Allocated (Ha)	Capacity of the disposal site (Lac M ³)	Muck Disposal dated 27.11.2019 (Lac M ³)	Distance from river bank/HFL (M) (Distance is approximate)	Present status	Remarks
1	Near TBM Adit	7.00	40.00	1.86 completed	Center of Zone is Appx. 550 M away from River Alaknanda	Dumping site inforce	Photograph attached
2	Dhak Near ITI	5.50	16.00	4.57 completed	Center of Zone is approximately 600 M away from River Dhauliganga	Dumping site inforce	Photograph attached
3	Barrage site at Tapovan	5.25	10.00	9.50 completed	Center of Zone is approximately 300 M away from River Dhauliganga	Dumping completed 3-4 years back	Photograph attached
4	Near BVC/ Pressure Shaft	1.90	1.00	0.80 completed	Center of Zone is more than 500 M away from River Bed	Dumping Completed 2-3 years back	Photograph attached
5	Power House site at Animath	3.10	5.00	2.50 completed	Approximately 300 M away from River Dhauliganga	Dumping completed 4-5 years back	Photograph attached
	Total	22.75	72.00	19.23 Disposed 1.72 yet to be done			Photograph attached

4. The photographs annexed to the report show clear possibility of the muck reaching the river system which needs to be prevented by way of adequate protective measures.
5. Let the NTPC and the TDCL take necessary steps in the matter forthwith. Once such steps are identified by 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.
6. Let a compliance report be furnished to this Tribunal by the SPCB by 31.03.2020 by e-mail at judicial-ngt@gov.in.

List for further consideration on 20.04.2020.

Adarsh Kumar Goel, CP

Dr. Nagin Nanda, EM

Siddhanta Das, EM

January 02, 2020
Original Application No. 61/2019
DV