

**PROGRESS REPORT OF THE NGT COMMITTEE
IN THE MATTER OF OA NO. 164 OF 2018 (EARLIER OA NO. 276/2013)
IN CASE OF ASHWANI KUMAR DUBEY Vs. UNION OF INDIA AND OTHERS**

INTRODUCTION

Hon'ble National Green Tribunal (NGT) vide its order dated August 28, 2018 constituted an Oversight Committee under the Chairmanship of Justice (Retd.) Rajes Kumar to monitor the implementation of various directions passed by Hon'ble NGT in case of OA No 164/2018(Earlier OA No 276/2013) in case of Ashwani Kumar Dubey Vs Union of India & Othrs. The Constitution of Oversight Committee with its nominated members is as under:

- | | |
|--|----------|
| A. Justice (Retd.) Rajes Kumar Allahabad High Court and Former Chairman of Debt Recovery Appellate Tribunal | Chairman |
| B. Shri S. K. Gupta Regional Director Central Pollution Control Board Regional Directorate (North), Lucknow | Member |
| C. Shri H. S. Sharma Director M.P. Pollution Control Board, Bhopal | Member |
| D. Shri A. K. Anand Regional Officer U.P. Pollution Control Board Sonebhadra (U.P.) | Member |
| E. The District Magistrate Sonebhadra (U.P.) | Member |
| F. The District Magistrate Singrauli (M.P.) | Member |

PROCEEDINGS OF THE COMMITTEE

The Oversight Committee has convened three meetings so far. The first meeting was convened at Lucknow on 25.09.2018, where the judgement and the order passed by the Hon'ble NGT was discussed with different stake holders mentioned in the Court order. The proceeding of the meeting is attached as Annexure I.

The Oversight Committee made field visit of the area during October 23-25, 2018 to have preliminary survey and general acquittance of Singrauli Area. The Committee visited the following sites:

- Thermal Power Plants (TPP) of NTPC Shaktinagar and Anpara ;

The visits to these TPPs were made to see the fly-ash management and ash water recirculation system (AWRS). In case of Anpara TPP, the Committee observed the over-flow from ash pond to Rihand Reservoir.

Rajes Kumar

- NCL Coal Mine – Khadia Project

The Committee visited the coal mine to see the over burden management and discussed the issue of fly ash disposal in the abandoned coal mines.

- Red Mud Disposal area of HINDALCO industries Limited, Renukoot

The site was visited to see the red mud handling by the plant and their future strategy.

- Stone Crushing units located in Dala, Robertsganj area

A stone crusher unit was visited to understand air pollution issues and control practices adopted.

- A Fly-Ash brick making unit at Village Salkhan (Sonebhadra)

A fly-ash brick making unit (A pilot project started by District Development Department, Sonebhadra) at Village Salkhan was visited to see the utilization of fly-ash in brick making.

The second meeting of the Committee was convened on October 25, 2018 at Robertsganj (Sonebhadra), where all the issues were elaborately discussed with the various stake holders. The proceeding of the meeting is annexed as Annexure II.

The third meeting of the Committee was convened on November 23, 2018 at Lucknow to discuss the progress made by various stake holders in light of decision taken in last meeting at Robertsganj (Sonebhadra). The proceeding of the meeting is annexed as Annexure III.

Status of compliance of various directions issued by Hon'ble NGT in its judgement of August 28, 2018

1. Thermal Power Plants

| S. No. | Directions of Hon'ble NGT | Compliance Status |
|---------------|--|--|
| a. | All the AWRS and ESPs installed by the thermal power plants should be made functional on continuous basis. The stacks of the power plants and the ambient air monitoring stations need to be linked with CPCB/SPCB network | 1. TPPs informed that their ESPs and AWRS are functional. These facilities need to be monitored and verified by a joint team of CPCB and SPCB officials. 2. TPPs informed that OCEMS provided at stacks are connected to CPCB/SPCB server. The Committee has directed to the TPPs to install 03 CAAQMS at various places. Some of the TPPs stated that they have already installed 03 instruments. However, some of the TPPs admitted that they have not installed 03 CAAQMS. Such TPPs are directed to install these instruments by December 31, 2018. In case of failure to install these instruments, necessary action may be taken (Minutes of meeting 23.11.2018). |
| b. | Necessary renovation of the ash dykes needs to be carried out in order to prevent ash slurry going to Rihand Reservoir | On the inspection by the Committee of Rihand reservoir on 24.10.2018 it was found that units of U.P. Vidyut Utpadan Nigam Ltd. and Lanco were found discharging ash pond overflow in the Rihand reservoir which is totally prohibited. The discharge is reducing the level of |

Rajeev Kumar

| | | |
|----|---|---|
| | | <p>the Rihand reservoir and polluting water. The Committee is of the view that discharge of ash pond over flow in reservoir is totally illegal and in violation of the Hon'ble NGT order. The Committee proposed to take necessary action against such TPPs.</p> <p>Decision was taken in the last meeting (dated 25.10.2018) directing all TPPs to install CCTV camera and electromagnetic flow meters at AWRS to observe the discharge in Rihand reservoir. However, the progress report reveals that most of the units have not installed the systems. The representatives from TPPs submitted that they have taken steps to install CCTV camera and electromagnetic flow meter at AWRS and the same shall be operational by January 31, 2019.</p> |
| c. | <p>District Administration/State Government is required to declare an area in the 300 km radius of the power plants as a utilization zone where fly ash/bottom ash derived bricks/blocks and building products are made mandatory to be used in the buildings and other construction activities. It is gathered that there are few brick making units which are mixing soil with fly ash to make bricks. It shall be ensured that at least 25% of flyash shall be mixed in making clay bricks within 100 Km radius of thermal power plants, otherwise it will be in contravention to the Fly ash Notification 2009 issued by the MoEF&CC, New Delhi. The making of bricks from soil or mixed soil is to be banned forthwith</p> | <p>Committee in its meeting, held on 25.09.2018, decided to convene meeting with different stake holders (NCL, PWD, Railway department, Fly ash brick manufacturing associations and DM of district Sonebhadra and other neighboring districts to discuss the fly ash utilization from TPPs in light of MOEF&CC notification of 25.01.2016.</p> <p>DM Sonebhadra informed that its office has received complaints from brick manufacturing units that the TPPs are not supplying fly ash up to 100 KM radius free of cost and 100-300 KM on equal sharing transportation charges. The Committee asked DM to provide the details of such complaints so that necessary action may be taken against such plants. It was advised that TPPs may also explore use of fly ash in road construction and negotiate with NHAI in this regard.</p> |
| d. | <p>All Thermal Power Plants in Sonebhadra and Singrauli Districts must be supplied with coal containing ash less than 34% on quarterly average basis as stipulated vide Notification No. GSR 02 (E) dated January 02, 2014</p> | <p>NCL was asked to take a note of Hon'ble NGT direction to ensure the supply coal containing less than 34% of ash as per Notification No. GSR 02 (E) dated January 02, 2014</p> |
| e. | <p>Shaktinagar Super Thermal Power Plant of NTPC Ltd. must repair their damaged pipeline and stop discharge of sewage into Ballia Nallah with immediate effect</p> | <p>It was informed by the Shaktinagar TPP that they have repaired the damaged pipe line and not discharging any sewage to Ballia Nallah. A letter in this regard to UPPCB on 28.03.2018.</p> |
| f. | <p>Transportation of coal in open trucks is continued unabated thereby defying the very</p> | <p>DM Sonebhadra is directed to ensure installation of CCTV cameras at the exit of coal mines to monitor the</p> |

Rajeev Kumar

| | |
|---|---|
| <p>purpose of installation of the Pipe Conveyor System. Further, the residents in the concerned area complained about severe noise pollution caused by the prevailing coal transportation system. Necessary compliance should be carried out to reduce the noise pollution to the level required by the concerned SPCB with immediate effect. In case of dire necessity of transportation of fly ash and bottom ash, CPCB Guidelines for Loading/Unloading and Transportation of Flyash (December 2013), made for this purpose should be strictly followed. CCTV cameras are to be installed at strategic locations to monitor such transports by the concerned SPCBs. NCL, Gorbi Block B mine shall complete its railway track at the earliest and stop road transportation of coal up to Morwa Railway siding. Similarly, Jayant mine shall either transport coal upto Morba railway siding by conveyor system or make arrangements to load the entire coal in railway wagons from the mine itself and stop the road transportation of coal</p> | <p>transportation of coal. NCL representative (Director technical) stated that currently they are transporting coal from Gorbi Block B mine to Morwa Railway siding by road due to non-availability of railway track (approx. 03 KM stretch). He submitted that serious steps have been taken with Railways to connect with the railway track for the stretch. He submitted that this process may be started by railways very soon. It was decided that the NCL management shall complete the construction of rail line within six months (Minutes of Meeting 25.10.2018).</p> <p>So far as the transportation of coal through road to M/s Lanco TPP, it is contended that their arrangement of transport by rail (MGR) is ready and it will come in operation by the end of December 2018. The statement of Lanco has been certified by DM Sonebhadra. The Committee is of the view that let both Lanco and NCL shall abide by the Hon'ble NGT order by December 2018. Failing which, they will be subjected to heavy penalty.</p> <p>Hon'ble NGT in its referenced Order completely prohibited road transportation of coal from Jayant Mine to Morwa Railway Siding and has directed NCL to transport coal either by Conveyor system or through Railway Wagons. In this regard, Shri Gunagar Pandey (Director technical, NCL) stated that the major quantity of the coal is transported through Rail. However, transportation of additional quantity of coal is being done by road. For the complete transportation of coal either by Conveyor System or by Railway, at least two and half years will be required for development of necessary infrastructure. He further submitted that NCL has already approached to Hon'ble NGT for modification of the referenced NGT order seeking permission for transportation of coal by road till such time construction of railway network is completed in a period of two and half year.</p> |
|---|---|

2. Aluminum Smelter: M/s Hindalco Industries Ltd, Renukoot

| | | |
|-----------|--|---|
| <p>a.</p> | <p>Industry shall achieve emission limit of 50 mg/Nm³ for particulate matter in respect of all Baking furnaces. The mission from boilers shall be reduced to the level of 50 mg/Nm³ from the</p> | <p>Shri Mukesh Mittal, Vice President (Safety and Environment) from Hindalco Industries informed that old baking furnace no. 1, 2 and 3 have been phased out and baking furnace no. 4, 5 and 6 are achieving norms of</p> |
|-----------|--|---|

Rajendra Kumar

| | | |
|----|--|--|
| | <p>existing norms of 150 mg/Nm³ by December 31, 2019 retrofitting of exiting ESPs and also meet emission limit of SO₂ & NO_x notified for industrial boilers</p> | <p>50 mg/Nm³ for particulate matter. This shall be verified by a joint team of CPCB and SPCB officials.</p> <p>Regarding emission from the boiler and achieving the level of 50 mg/Nm³, the unit representative submitted that their boilers are equipped with ESP and have the capacity of 15 TPH and as per EPA notified standards the emission limit for particulate matter is 150 mg/Nm³, which they are achieving. The Committee asked the unit to comply the directions of Hon'ble NGT or approach to Hon'ble NGT for modification of order.</p> |
| b. | <p>Industry shall ensure that no red mud is leached out to ground water during monsoon and post monsoon period. Piezometers/monitoring wells should be installed in and around the red mud disposal sites in consultation with the CGWB/concerned SGWB. Regular monitoring of the leachate should be carried out as per the sampling and analysis plan as proposed by the concerned SPCB. Besides, industry shall facilitate utilization of Red Mud in nearby cement industries, including those located in MP. The industry shall also explore the possibility of extraction of titanium and other heavy metals from the Red Mud.</p> | <p>The industry stated that 10% red mud out of total production is being utilized in manufacturing of Cement & bricks etc. and 90% is disposed. The Committee visited the site where this red mud is dumped. The Committee observed that the red mud is in dry form and causes air pollution. The Committee directed the Industry to find out the ways for its disposal immediately, otherwise the Committee will be compelled to take necessary action (Minutes of Meeting 25.10.2018).</p> <p>Hindalco representative stated that they have also explored the possibility of use of red mud in manufacturing bricks and plaster. However, they are not able to explore the market for these two products. They further submitted that the production of red mud as waste is in all the aluminum manufacturing companies and the possibility of its generation cannot be avoided. The Committee is of the view that the red mud in dry form is like a dust and whenever wind blows it causes air pollution. Therefore, proper storage of red mud is necessary. We request the Hon'ble NGT to examine the contention of the Company and pass the appropriate order. The representative of the Company stated that the red mud contains 35 % moisture at the time of dumping and it never blow in the air from the dumping site. Let UPPCB and CPCB may get the chemical analysis of red mud and may also get spot inspection to verify that whether it blows as a dust and mixes in air or not. The issue requires verification by making spot inspection.</p> |
| c. | <p>The Core Committee was informed that the industry has taken a zero wastewater</p> | <p>There is discharge of 10,000 KL of wastewater per day as per Sri Mukesh Mittal, Vice President, M/S Hindalco</p> |

Rajeev Kumar

| | |
|---|--|
| <p>discharge initiative though no such action plan could be obtained. This action plan must be made ready within a month's time and submitted to UPPCB for necessary approval</p> | <p>Industries Ltd. Out of which at present 6500 KL of treated water is recycled and remaining wastewater is discharged to the Rihand River. The industry is planning to setup additional treatment facilities to achieve ZLD by end of December, 2018. The industry is to submit its detail plan to achieve ZLD by December, 2018.</p> |
|---|--|

3. M/s Aditya Birla Chemicals, Renukoot

| | | |
|-----------|---|--|
| <p>a.</p> | <p>Industry shall ensure proper operation of effluent treatment plant so as to ensure the compliance of the effluent discharge standard. The industry shall also ensure that no untreated/partially treated effluent finds its way in to the Nallah leading to the Rihand Reservoir. The channel leading to Rihand Reservoir has to be intercepted, diverted and treated within the industry. The nallah presently passing through the factory should be isolated so that the industry cannot discharge any treated/partially/treated/untreated effluent which is being done now.</p> | <p>In the meeting on 25.09.2018, it was decided by the Committee that a joint inspection of the unit by the officials of CPCB and SPCB shall be carried out. The report of inspection shall be presented to the Committee. The inspection has been completed and report will be presented to the Committee in its next meeting.</p> |
| <p>b.</p> | <p>There is also an urgent need for the preparation of an action plan by the industry to shift the mercury bearing brine sludge and the muck contaminated with chlorinated chemicals from the factory premises to the TSDF in consultation with the UP State Pollution Control Board. It may be stated here that storage of hazardous mercury bearing brine sludge and the muck contaminated with chlorinated chemicals inside the premises is not permitted by the prevailing Hazardous Waste Management Rules, 2016 and, therefore, to be shifted to a suitable TSDF immediately.</p> | <p>Mr. R.K. Sitali, Unit Head, Grasim industries Renukoot stated that they have stored hazardous goods in a very safe prescribed manner after obtaining permission / directives from CPCB in the year 2003. It is stored in fully secured captive landfill. Reopening of the cover for shifting the same to TSDF Kanpur may cause serious problems. They have stored the hazardous waste in the same manner as TSDF would store. The TSDF is near Ganga, shifting and storage may likely to pollute Ganga. Therefore, the unit may be allowed to maintain the hazardous waste in safe manner which is at present stored in the premises of the Factory.</p> <p>Hon'ble NGT in its order has directed to shift the hazardous waste to TSDF Kanpur despite the direction and warning given by the authority till date the waste has not been shifted. In case if company wants to raise the aforesaid reasons, to store the hazardous waste in their premises they should approach Hon'ble NGT for modification of its order and get necessary direction</p> |

Rajesh Kumar

| | |
|--|---|
| | from Hon'ble NGT. Committee cannot modify the direction given by Hon'ble NGT. In view of above circumstances. the Committee directed the industry to get modified order from Hon'ble NGT within 03 month (Minutes of Meeting 23.11.2018). |
|--|---|

4. M/s Northern Coalfields Limited (NCL)

| | | |
|----|---|---|
| a. | As per the provisions of the Notification of 2009, 25% percent of flyash should, along with Over Burden (OB) generated in the mines of NCL, be used for back filling the abandoned mine. NCL must sign an MOU with NTPC and make available the abandoned Gorbi Mine for this purpose without further delay. NCL is required to obtain the necessary permission from the concerned DGMS in this regard. Further, the external dump and exhausted pits should be scientifically reclaimed using suitable biological and engineering measures as well as by mixing fly ash as per fly ash notification. Since human habitation has been seen to exist in the close proximity of the OB dump, NCL must take all possible initiatives for slope stabilization thereby preventing any possibility of accidents of sliding OB causing damage to property and life. | UPPCB continue to pursue since long with NCL to declare Gorbi mine as abandoned for the purpose of filling of fly ash, but they could not succeed. However, with the persuasion of the Committee, the NCL has declared Gorbi mine as abandoned and they have also negotiated with NTPC for filling it with fly ash. Mr. D. Shrivastava, G.M. environment of NCL stated that draft MoU between NCL and NTPC for filling Fly ash in abandoned Gorbi mine has been sent for approval to the NTPC. The representative of NTPC Mr. M.K. Jain, AGM informed that delay in approval of MoU by Board is on account of arbitration clause, which should be as per Department public enterprises GOI. He stated that on that ground further amendment is required. He stated the copy of amended MoU will be provided to NCL, which on approval by their Board shall be finally executed. Mr. Jain stated that he will do his best to get approval of the MoU by the next Board meeting. The Committee directs the NTPC and NCL should execute MoU within 20 days or before 15 December, 2018 (Minutes of Meeting 23.11.2018). |
| b. | The norm of ash content equal to or below 34 percent is not strictly complied with by the NCL and ash content is going as high as 40 percent and beyond. Coal beneficiation is, therefore, be initiated to obtain coal having less than 34% ash. | The NCL was asked to take the appropriate measures for ensuring coal quality and ash content less than 34%. |
| c. | Also, the coal mines shall ensure that transportation of coal shall only be either by railway wagons or by the dedicated conveyor system. No transportation of coal shall be permitted by road to any of the industries in | M/s Hindalco Industries Ltd. (Renu Sagar Power Division) Renu Sagar, Sonbhadra also purchases coal through E-Auction beyond their linkage allotment. It also came to know that such coal is being transported through conveyer belt and also by road. It is clear violation of NGT order. Let NCL may provide details of |

Rajeev Kumar

| | |
|---|---|
| <p>the Singrauli area, as recommended earlier also. The railway wagon loading area requires better material management as severe dust pollution is found in the area.</p> | <p>total quantity of coal supplied to M/s Hindalco Industries Ltd. Renu Sagar, TPP, through road. The Committee is of the view for such transportation, NCL is liable for penalty. The representative of M/s Hindalco Industries Ltd. Renu Sagar TPP stated that they need more coal over and above the linkage allotment. For the extra requirement, sometimes they purchase from NCL, but some time they purchase from other coal mine through E-Auction. In case of purchase from other mines there is no facilities for coal transport through belt conveyer. In this regard they stated that rail siding at Krishnshila mining project is required. They also submitted that they can lay pipe conveyer belt structure up-to NCL, if NCL allow them to use their premises which is about 2.68 acre, which is lying vacant, and negotiations regarding this with NCL is in process. NCL representative stated that they will look into the matter and expedite the process. Hon'ble NGT has put restriction on transportation of coal by road. It is clear violation of the Hon'ble NGT order. The Company will be liable for penalty. Regarding transportation of coal in M.P. by NCL, Shri Srivastava stated that NCL has taken necessary steps to approach Hon'ble NGT for clarification. They expect that some order may be passed very soon. NCL is directed to provide relevant papers to show bona-fide intention to approach Hon'ble NGT in next meeting (Minutes of Meeting 23.11.2018).</p> |
|---|---|

5. Stone crushers

| | |
|---|---|
| <p>a. All stone crushers in Singrauli are have not taken adequate pollution control measures as the level of air pollution in the vicinity of stone crushers is high and causes a health hazard. Most of the crushers are located very near to habited area or very near to the roads/highways. All such stone crushers which are not suitably located as well as which do not have adequate pollution control systems should be immediately closed. Relocation of stone crushers may also be explored.</p> | <p>The Committee has visited the area where the stone crushers are situated. It was informed that there are about 400 stone crushers in the area. The Committee inspected one of the stone crushers and found that a lot of dust generated in the working area during stone crushing. The Committee seen that stone crushers are not fully covered and dust is emitted go out of the plant. As per the order of Hon'ble NGT and the guidelines, it is the responsibility of owner of stone crusher to control the dust flow in the air. The Committee found that crushers owners are not following the guidelines. We were informed that by some reason industry representative of crusher stones/associations could not attend the meeting. The Committee further directed</p> |
|---|---|

Rajendra Kumar

the UPPCB to issue specific guideline to check the dust. We further directed the officer of UPPCB to take a frequent visit to the crushers to verify whether they are following the guidelines or not.

It is also informed several crushers are running illegally without license or without renewal of license. The Committee directs to the office of UPPCB to take action immediately and get such units closed forth with and heavy penalty be imposed. Necessary action may also be taken against these units which are not following the guidelines. A detail in this regard be submitted within 15 days.

It is informed that Sri A.K. Anand, R.O. Varanasi is holding additional charge of District Sonbhadra. The Committee has been informed that there are 02 Junior Engineers at Sonbhadra, who sit mainly at Robertsganj Head Quarter. Since the area of Sonbhadra has been declared Critically Polluted Area, a permanent R.O. for Sonbhadra Office is necessary. The UPPCB is directed to post a permanent R.O. for Sonbhadra office with all necessary infrastructure and facilities. The Committee suggested that since Shaktinagar, Anpara, Singrauli have been declared a Critically Polluted Area, it would be more appropriate to establish office of RO, UPPCB at Shaktinagar or at Anpara. In any case one A.E. and one J.E. must be posted in the critically polluted area namely Shakti Nagar, Anpara to monitor the industries on daily basis. J.E. is directed to maintain daily pollution level in morning & evening and also to prepare a notebook for his visit to various industries every day and send the details to Lucknow office of CPCB and UPPCB and also to the Chairman at Prayagraj (Minutes of Meeting 25.10.2018).

UPPCB has opened a sub-office in compliance of directives given by the Committee and posted one A.E. and one J.E. at Anpara.

Regional Officer, U.P. Pollution Control Board, Sonbhadra informed that there are 264 Stone crushers existing in Sonbhadra and 77 Illegal stone crushers were closed by joint team. He also stated that all the stone crusher units have been informed to install proper air

Rajesh Kumar

| | | |
|--|--|--|
| | | <p>pollution control system as per CPCB guidelines. However, it is felt to make more provisions such as covering of all openings and conveyor belts and use of jute bags, tarpaulin as bag filter at material transfer points to avoid spreading of dust in the atmosphere. The Committee directs to the RO, Sonbhadra to make a model stone crusher with the clothes filter. Inspection of stone crusher unit installed in M.P. can be done by Regional Officer, UPPCB, Sonbhadra with help of MPPCB to see the method adopted by them (Minutes of Meeting 23.11.2018).</p> |
|--|--|--|

6. Pollution Control Boards and MoEF&CC

| | | |
|----|---|---|
| a. | <p>The regional carrying capacity of the entire Singrauli region is to be assessed before allowing any expansion scheme with respect to the existing industries. This assessment is the prerequisite for such consideration in future.</p> | <p>Noted. The regional carrying capacity of the entire Singrauli region shall be assessed by SPCB while allowing any expansion scheme with respect to existing industries.</p> |
| b. | <p>The concerned SPCBs must ensure that all the major stacks from all the industries are being continuously monitored and these are linked with the CPCB/SPCB network. Effluent discharges from the industries are monitored once a month.</p> | <p>Noted. SPCB shall comply with the direction of Hon'ble NGT.</p> |
| c. | <p>The existing network of monitoring system for AAQ monitoring in both the districts of UP & MP need to strengthened and expanded to get representative air quality status of Singrauli area. Industries in the area should install at least three continuous ambient air quality monitoring stations forthwith on "Polluter Pays Principle" at such locations as may be decided by CPCB in consultation with the respective SPCBs. The data generated should be transferred to SPCBs, CPCB and MoEF&CC on continuing basis.</p> | <p>Some of the TPPS stated that they have already installed 03 CAAQMS. However, some of the TPPs admitted that they have not installed 03 CAAQMS. Such TPPs are directed to install these instruments by December 31, 2018. In case of failure to install these instruments, necessary action may be taken (Minutes of meeting 23.11.2018).</p> |
| d. | <p>It is also essential that at least three continuous monitoring systems for mercury (Hg) monitoring in the ambient air should be</p> | <p>Noted. Some of the TPPS stated that they have already installed 03 CAAQMS. However, some of the TPPs admitted that they have not installed 03 CAAQMS. Such</p> |

Rajeev Kumar

| | |
|---|--|
| <p>installed (covering both the Districts of UP & MP) forthwith at suitable locations in the Singrauli area by the industries on "Polluter Pays Principle". CPCB in consultation with the SPCBs shall guide the industries regarding the location of the monitoring stations. Besides mercury in and surface and ground water should also be monitored manually once in each three months.</p> | <p>TPPs are directed to install these instruments by December 31, 2018. These TPPs shall be asked to also facilitate mercury monitoring in their CAAQMS.</p> |
|---|--|

7. District Administration of respective States

| | | |
|-----------|---|--|
| <p>a.</p> | <p>The Auri-Shaktinagar Marg and Singrauli-Auri-Dibulgunj Marg are extensively used for heavy traffic and for clandestine coal transport leading to dust pollution. Further, the dense population which are residing along these roadsides are severely affected by dust pollution. As has been mentioned, coal transportation by open truck is to be banned forthwith. CCTV cameras are to be installed at strategic location to record any violation in this regard.</p> | <p>Shri Ramesh Chandra Katiyar, Executive Engineer, UPPWD who has been entrusted the work construction of four lane from Auri More to Shaktinagar stated that they will apply for forest permission (online application to Parivesh Portal Part-I) as per procedure by 05 December 2018. Sri M.P. Singh, DFO, Renukoot stated that on the receipt of online application he shall complete process expeditiously not later than one month and thereafter refer the matter to State/Central Govt. for permission, which may likely to take one month. MS, UPPCB states that they will pursue the matter with the Central Govt. and UPPWD can start the construction on deposit of the money (Minutes of meeting 23.11.2018).</p> |
| <p>b.</p> | <p>To improve the prevailing situation, these roads are required to have 4/6 lanes and the pavements should be furnished with interlocking bricks of suitable quality to arrest air entrainment of dust.</p> | <p>Noted. The matter is discussed with UPPWD.</p> |
| <p>c.</p> | <p>Since there is no strategy for disposal of the RO reject in an environmentally friendly manner, prevailing practice of dumping of RO reject shall affect nearby land as well as water resources with long term consequences leading to irreversible ecological damage. Therefore, no further installation of RO plants in affected villages is recommended. Instead water supply should now be practiced using water tankers as an interim measure. Piped water supply from Rihand reservoir will be a</p> | <p>Sri Himanshu Yadav, E.E. U.P. Jal Nigam stated in the Committee meeting on 25.10.2018 that 1054 nos. of hand pumps are installed by U.P. Jal Nigam in Fluoride affected area. Total 1054 hand pumps have been installed with fluoride removal device. The vendor company has given AMC for five years. For five years, the hand pumps operated properly and maintained by vendor company. Thereafter, due to absence of budget, the AMC has not been renewed and UP Jal Nigam has handed over these hand pumps to Gram Panchayat. UP Jal Nigam officials could not explain the reason for handing over of these hand pumps to Gram Panchayat and whether these hand pumps are working or not. The</p> |

Ramesh Kumar

| | | |
|----|--|--|
| | <p>long-term solution for drinking water supply to fluoride and mercury affected villages.</p> | <p>Committee is of the opinion that the U.P. Jal Nigam is responsible to provide potable drinking water to all the habitants of the district. They have not discharged their duties and therefore it is directed that G.M. UP Jal Nigam will appear before the Committee on a schedule date to explain that why they are not providing potable drinking water in critically polluted area and what is their further plan. Till date no proper and permanent arrangement have been made for providing drinking water to the habitants of the area. Needless to say to get drinking water is a fundamental right of a citizen as provided in the Constitution of India.</p> <p>The Committee directed to all industries to provide potable drinking water in fluoride affected area. They must submit undertaking to the Committee that they are supplying safe drinking water to the community residing in the fluoride affected area.</p> <p>Shri Pankaj Mishra Social Worker stated that at present the supply of drinking water by iron tanks are being used which are corroded reduce the purity of water. He suggested that in its place stainless steel tankers should be used to maintain water purity. The Committee directed to all the industries to supply water in steel tankers within fortnight (Minutes of meeting 25.10.2018).</p> <p>Shri J.P. Singh, S.E. stated that U.P. Jal Nigam has undertaken various projects to supply water through pipelines in critically polluted area. He further stated although such schemes are mainly maintained through DMF, However he will pursue Govt. for supply of water through pipeline. He was directed by the Committee to give complete detail of the works, which have been carried-out and are proposed for the future (Minutes of meeting 23.11.2018).</p> |
| d. | <p>In the past Rihand reservoir was polluted by the major industries in the area such as thermal power plants, coal mines, M/s Aditya Birla Chemicals, Renukoot and M/s Hindalco</p> | <p>Noted. Matter is under deliberation.</p> |

Rajeev Kumar

| | | |
|----|--|---|
| | <p>Industries, Renukoot. Since this reservoir is the only drinking water source in the area, the reservoir needs restoration and protection. A comprehensive study needs to be undertaken to assess the reservoir's water and sediment quality and to delineate water and sediment remediation and restoration measures on Polluter Pays Principle. All the streams and nullahs joining the reservoir need to be intercepted and diverted to save the reservoir from further pollution. CSIR NEERI, Nagpur and/or CSIR-IITR, Lucknow may be entrusted with this study for which both these organizations have the requisite expertise.</p> | |
| e. | <p>As the patients with clinical manifestations suggestive of fluorosis were also noted to have severe malnutrition, mineral and nutrient supplements for these areas should be ensured by the District Administration. Further, patients with clinical manifestations suggestive of fluorosis must be monitored for their health through a scientific plan of periodic checkup as recommended by KGMU, AIIMS, Bhopal and IMS, BHU. Dental as well as bone fluorosis can be improved, if detected in the early stage. It is also essential to establish a Standard Toxicological Testing and Analysis Laboratory in the region. The earlier recommendation of establishment of Training Centers to train Health care workers including Doctors in KGMU, Lucknow and AIIMS, Bhopal for identifying the sources of diseases due to fluoride/mercury emission/discharge and treating the affected patients must now be done at an early date.</p> | <p>To give effect to the order of Hon'ble NGT with regard to health sector, a model has been discussed with the D.M. He informed that health department has constructed a 100 bedded hospital in Dibbulganj. The district administration is facing difficulties in getting specialized doctors. However, it has sent a plan to govt. of U.P. to give the hospital to Heritage group for running the hospital. As far as the lab for various testing, DM assured that necessary efforts will be made to develop the lab. The Committee is of the view that the development of the lab may take some time. Therefore, the polluters, mainly the industries, who are having a good hospital and lab in area are directed to entertain the common public for treatment and testing. The Industries are also directed to conduct medical camps at the various places time to time as per schedule fixed by the DM (Minutes of meeting 25.10.2018).</p> |
| f. | <p>There is a number of health-related issues like silicosis, fluorosis, and the impact of mercury on the people in the area, which need to be examined in detail. The District Administration is urgently required to identify long term project needs with proper funding and</p> | <p>Noted. DM of District Sonbhadra (U.P.) and District Singrauli (M.P.) has been directed by the Committee to address the health issues.</p> |

Rajendra Kumar

| | | |
|----|--|---|
| | adequate manpower under "Polluter Pays Principle" for estimating the magnitude of health-related problem with special reference to silicosis, fluorosis, and the impact of mercury on the people in the area. | |
| g. | The District Administration of both the States are required to hold monthly meetings of all the stakeholders of Singrauli area, prepare minutes signed by the Stake holders and place it before the Supervisory Committee constituted by NGT in its order dated December 6, 2017." | Noted. DM of District Sonbhadra (U.P.) and District Singrauli (M.P.) has been directed by the Committee to comply the Hon'ble NGT directions. |

Conclusion:

The Committee has deliberated all the issues with Private stake holders (Industries), Public Sector Units (TPPs, NCL), NGOs and local District Administrations. The status of outcome of meetings and field visits are tabulated above. Time line has been defined for compliance of each direction issued by Hon'ble NGT. The follow-up is needed by the Oversight Committee with stake holders through meetings and field visits for timely implementation of various directions.

Rajes Kumar
 (Justice Rajes Kumar)
 Chairman
 Oversight Committee