

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

**APPLICATION NO.276/2013**

**M.A. No. 59 of 2014**

**IN**

**ORIGINAL APPLICATION No. 20 of 2014**

**ASHWANI KUMAR DUBEY**

**PETITIONER**

**VS**

**UNION OF INDIA & ORS.**

**RESPONDENTS**

**AND**

**JAGAT NARAYAN VISWAKARMA & ORS.**

**PETITIONER**

**Vs.**

**UNION OF INDIA & ORS**

**RESPONDENTS**

**AFFIDAVIT ON BEHALF OF THE RESPONDENT NO.02, THE CENTRAL POLLUTION CONOTRL BOARD, PARIVESH BHAWAN, CBD CUM OFFICE COMPLEX, EAST ARJUN NAGAR, DELHI – 110032 IN COMPLIANCE OF THE ORAL ORDER OF HON'BLE NATIONAL GREEN TRIBUNAL DATED 20.02.2015**

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*S.S.Bala*

**S.S.Bala  
Director**

**Central Pollution Control Board**

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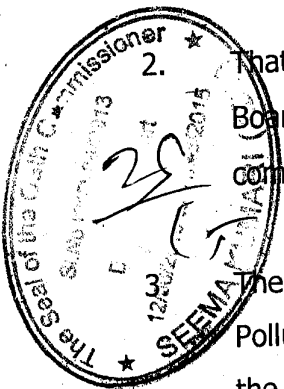
**RESPONDENTS**

**AFFIDAVIT ON BEHALF OF RESPONDENT NO.02, THE CENTRAL POLLUTION CONTROL BOARD, PARIVESH BHAWAN, CBD CUM OFFICE COMPLEX, EAST ARJUN NAGAR, DELHI – 110032 IN COMPLIANCE OF THE ORDER OF HON'BLE NATIONAL GREEN TRIBUNAL DATED 20.02.2015**

1. I, Sib Sankar Bala, s/o Late Shri Harendra Nath Bala , working as Director (Scientist F) in Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi – 110032 do hereby solemnly affirm and declare as under:

That I, in the capacity of the Director (Scientist F) of the Central Pollution Control Board (CPCB), am fully conversant with the facts of the case and hence competent to swear this affidavit.

The Hon'ble Tribunal vide its oral order dated 20.02.2015 has directed Central Pollution Control Board to submit industry specific recommendations based on the observations and recommendations made in the Interim Report-II, submitted before Hon'ble NGT on February 09, 2015 of the Core Committee constituted by this Hon'ble NGT vide its order dated 25.08.2014 to Monitoring of potential hazards of Industrial development in Singrauli area.



4. That the based on the observations and recommendations made by the Core Committee in its Interim Report-II which was submitted on February 09, 2015, industry specific recommendations for consideration and issuance of appropriate directions to respective industry are as under:

**4.1 Thermal Power Plants**

**4.1.1. Anpara Thermal Power Plant (A & B) of Uttar Pradesh Rajya Vidyut Utpadan Nigam Limited ( UPRVUNL)**

4.1.1.1 That the plant shall complete their ash water recirculation system scheme by 31<sup>st</sup> July 2015 and stop discharge of ash pond over flow in Rihand reservoir.

4.1.1.2 That the plant shall achieve target of 100 % flyash utilization as per the 2009 notification, thus it shall submit time targeted action plant to concerned State Pollution Control Boards and regularly submit quarterly compliance report.

4.1.1.3 That the plant shall install and renovate Electrostatic Precipitators on or before 31<sup>st</sup> December 2015 to achieve emission limit of 100 mg/Nm<sup>3</sup> as per the long term action plan prepared under CEPI programme for improvement of air quality of Singrauli area .

4.1.1.4 That the plants shall use beneficiated coal not containing ash more than 34 % as per the January 02, 2014 notification and submit compliance to concerned SPCBs on quarterly basis. This will help in reduction of flyash generation and effective control of emission of particulate matter.

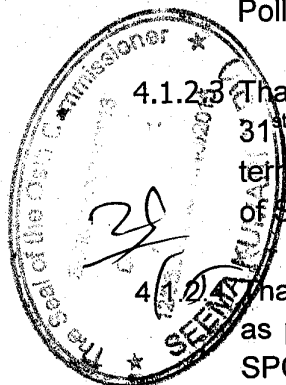
**4.1.2 Obra Thermal Power Plant of UPRVUNL**

4.1.2.1 That the plant shall complete their ash water recirculation system scheme by 31<sup>st</sup> July 2015 and stop discharge of ash pond over flow in Rihand reservoir.

4.1.2.2 That the plant shall achieve target of 100 % flyash utilization as per the 2009 notification, thus it shall submit time targeted action plant to concerned State Pollution Control Boards and regularly submit quarterly compliance report.

4.1.2.3 That the plant shall install and renovate Electrostatic Precipitators on or before 31<sup>st</sup> December 2015 to achieve emission limit of 100 mg/Nm<sup>3</sup> as per the long term action plan prepared under CEPI programme for improvement of air quality of Singrauli area .

4.1.2.4 That the plants shall use beneficiated coal not containing ash more than 34 % as per the January 02, 2014 notification and submit compliance to concerned SPCBs on quarterly basis. This will help in reduction of flyash generation and effective control of emission of particulate matter



4.1.3.2 That the plant shall achieve target of 100 % flyash utilization as per the 2009 notification, thus it shall submit time targeted action plant to concerned State Pollution Control Boards and regularly submit quarterly compliance report.

4.1.3.3 That the plant shall install and renovate Electrostatic Precipitators on or before 31<sup>st</sup> December 2015 to achieve emission limit of 100 mg/Nm<sup>3</sup> as per the long term action plan prepared under CEPI programme for improvement of air quality of Singrauli area

4.1.3.4 That the plants shall use beneficiated coal not containing ash more than 34 % as per the January 02, 2014 notification and submit compliance to concerned SPCBs on quarterly basis. This will help in reduction of flyash generation and effective control of emission of particulate matter

**4.1.4 Rihand Super Thermal Power Plant of NTPC Ltd.**

4.1.4.1 That the plant shall achieve target of 100 % flyash utilization as per the 2009 notification, thus it shall submit time targeted action plant to concerned State Pollution Control Boards and regularly submit quarterly compliance report.

4.1.4.2 That the plant shall install and renovate Electrostatic Precipitators on or before 31<sup>st</sup> December 2015 to achieve emission limit of 100 mg/Nm<sup>3</sup> as per the long term action plan prepared under CEPI programme for improvement of air quality of Singrauli area

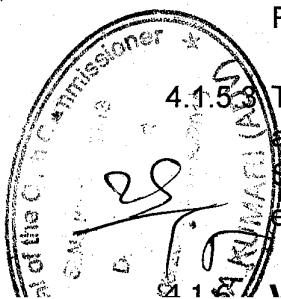
4.1.4.3 That the plants shall use beneficiated coal not containing ash more than 34 % as per the January 02, 2014 notification and submit compliance to concerned SPCBs on quarterly basis. This will help in reduction of flyash generation and effective control of emission of particulate matter

**4.1.5 Anpara C thermal power plant of M/s Lanco Power**

4.1.5.1 That the plant Power shall complete their ash water recirculation system scheme by 31<sup>st</sup> July 2015 and stop discharge of ash pond over flow in Rihand reservoir.

4.1.5.2 That the plant shall achieve target of 100 % flyash utilization as per the 2009 notification, thus it shall submit time targeted action plant to concerned State Pollution Control Boards and regularly submit quarterly compliance report.

4.1.5.3 That the plants shall use beneficiated coal not containing ash more than 34 % as per the January 02, 2014 notification and submit compliance to concerned SPCBs on quarterly basis. This will help in reduction of flyash generation and effective control of emission of particulate matter



action plan prepared under CEPI programme for improvement of air quality of Singrauli area

4.1.6.3 That the plants shall use beneficiated coal not containing ash more than 34 % as per the January 02, 2014 notification and submit compliance to concerned SPCBs on quarterly basis. This will help in reduction of flyash generation and effective control of emission of particulate matter

4.1.7 **Captive Power Plant( renusagar power Company of M/s Hindalco Industries Ltd.**

4.1.7.1 That the plant shall achieve target of 100 % flyash utilization as per the 2009 notification, thus it shall submit time targeted action plant to concerned State Pollution Control Boards and regularly submit quarterly compliance report.

4.1.7.2 That the plant shall install and renovate Electrostatic Precipitators on or before December 2015 to achieve emission limit of 100 mg/Nm<sup>3</sup> as per the long term action plan prepared under CEPI programme for improvement of air quality of Singrauli area

4.1.7.3 That the plants shall use beneficiated coal not containing ash more than 34 % as per the January 02, 2014 notification and submit compliance to concerned SPCBs on quarterly basis. This will help in reduction of flyash generation and effective control of emission of particulate matter

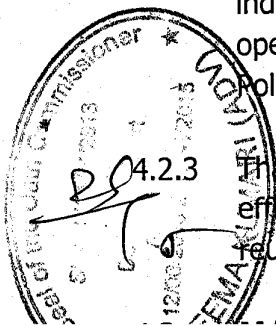
4.1.7.4 That the plant shall commission Pipe Conveyor System for transportation of coal from Krishanshila coal mine of NCL to Renusagar Power Company within three months and shall stop transportation of coal by trucks thereafter.

4.2 **Aluminum Smelter : M/s Hindalco Industries, Renukoot**

4.2.1 That the industry shall achieve emission limit of 50 mg/Nm<sup>3</sup> for particulate matter in respect of Baking furnace No. 4 & 5

4.2.2 That the industry shall facilitate utilisation of Red Mud in nearby cement industries and concerned State Pollution Control Boards shall suitably issue operating mechanisms under the Water & Air ( Prevention and Control of Pollution ) Acts, 1974 & 1981 respectively.

4.2.3 That industry shall submit an action plan within three months to achieve zero effluent discharge by adopting best management practices for recycling and reusing the treated waste.



#### 4.4 **M/s Northern Coalfields Limited (NCL)**

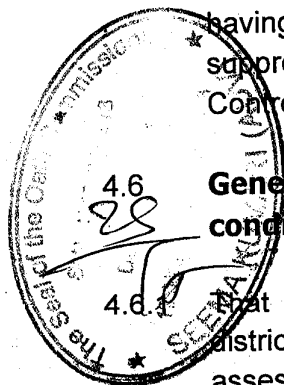
- 4.4.1 That all the coal mines of NCL in Singrauli area shall ensure that their wastewater from different processes is integrated and subjected to treatment in effluent treatment plant. Entire treated effluent shall be reused in dust suppression on haul roads, irrigation on mine overburden and other associated operations which shall eventually result in zero discharge from coal mines.
- 4.4.2 That NCL shall provide land for setting up of Common Treatment, Storage and Disposal Facility (CTSDF) for hazardous waste from entire Singrauli (U.P and M.P) area for integrated management of hazardous waste. The State Pollution Control Boards shall also issue necessary approvals for setting of the TSDF.
- 4.4.3 That NCL shall take action measures to manage mine overburden for providing adequate vegetative cover to prevent slope failure and siltation in water courses leading to Rihand reservoir
- 4.4.4 That all mines of NCL should submit and execute the approved mine closure plan strictly in accordance to the guidelines issued by Ministry of Coal vide letter dated 07.06.2013
- 4.4.5 That the all mines of NCL shall ensure supply of beneficiated coal not containing ash more than 34 % to the thermal power plants in Singrauli area ( both UP & MP) as per the January 02, 2014 notification and submit compliance to concerned SPCBs on quarterly basis.
- 4.4.6 That NCL and power plants shall prepare an action plan for the disposal of fly ash into the quarry voids , concurrent back filling of active mines and as a constituent in external OB dumps with the consent of competent authorities wherever required. The plants and NCL will sign a MOU as per action plan and submit to concerned SPCBs within 2 months' time.

#### 4.5 **Stone crushers**

- 4.5.1 That all stone crusher, without effective dust suppression system and not having consent, should be closed forthwith. Stone crushers provided with dust suppression system, can be allowed to operate. The concerned State Pollution Control Board shall ensure compliance of the same

#### **General Recommendations for overall improvement of environmental conditions in Singrauli area**

- 4.6.1 That a comprehensive carrying capacity study in critically polluted area of districts Singrauli and Sonebhadra be carried out in order to make an assessment of environmental quality for future industrialization in the area. The study should be sponsored by the all the industries in the area and coordinated



- 4.6.3 That industries shall provide on line monitoring systems for emissions and effluent discharge and also strengthen existing AAQ monitoring network in both the districts of UP & MP need to be expanded to get representative air quality status of Singrauli area. Industries in the area should install atleast three continuous ambient air quality monitoring stations within six months on "Polluter Pays Principle" at the locations to be decided in consultation of CPCB and respective SPCBs.
- 4.6.4 That continuous monitoring system for mercury (Hg) monitoring should be installed (covering both Districts of UP & MP) at least three locations in Singrauli area by the industries on "Polluter Pays Principle" within six months. The concerned SPCBs shall ensure installation of mercury monitoring system besides their regular operation & maintenance and data reporting.
- 4.6.5 That fluoride affected villages be supplied with safe drinking water under the supervision of the District Administration. All the tube wells supplying contaminated water should carry boards informing public not to use the same for drinking purposes. District Administration should file compliance report to SPCB every month.
- 4.6.6 That regular monitoring in Rihand reservoir through remote sensing should introduced by the concerned SPCBs, in order to make assessment of silting of Rihand reservoir due spillage of flyash from the ash ponds located on periphery of the reservoir.

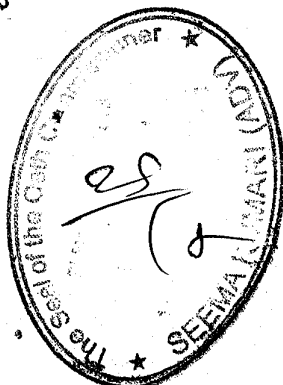
18 MAR 2015

**VERIFICATION :**

Verified at Delhi on this 17<sup>th</sup> day of March, 2015 that the contents of the above affidavit are correct to the best of my knowledge and belief and nothing has been concealed thereon.

*I identify the deponent as the person who has signed the affidavit in my presence.*

S. S. Bal  
**DEPONENT**



CERTIFIED THAT THE DEPONENT  
Shri/Com. P. M. Singh Balg  
S/o. P. M. Singh Balg  
18 MAR 2015  
read over to his/her knowledge & correct  
Commissioner, NCD Court, Delhi