

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

Original Application No.857/2018
(M.A. No. 1624/2018 &I.A. No. 494/2019)

(With report dated 30.07.2019)

Dr. Pentapati Pulla Rao

Applicant(s)

Versus

Union of India &Ors.

Respondent(s)

Date of hearing: 27.09.2019

CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P WANGDI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER

For Applicant(s): Mr. Sravan Kumar, Advocate

For Respondent(s): Mr. Kumar Rajesh Singh, Advocate for MoEF&CC
Ms. Ruchi Mandal, Advocate for R -2 &4
Mr. Rajkumar, Advocate for CPCB
Ms. Sujajha Gadhi, Advocate for APPCB

ORDER

1. The issue for consideration is the remedial action for protection of environment during the course of construction of the Indira Sagar Polavaram Multipurpose Project in Andhra Pradesh. Present proceedings were initiated on the allegation that illegal dumping of muck was taking place during construction and no remedial action was being taken.
2. Vide order dated 01.11.2018, this Tribunal directed four Members joint Committee comprising representatives of CPCB, Additional PCCF, State PCB and District Collector to give a report on factual aspects.

3. Vide order dated 19.02.2019, this Tribunal noted the report that remedial action was required for maintaining environmental norms. The Tribunal directed the Polavaram Project Authority to take appropriate steps in the matter. The Committee was to submit a status report after re-verification. Further status report filed on 03.05.2019 by the State PCB was that the deficiencies are still continuing and project proponent were given time upto 30.06.2019 to comply.

4. Today, report dated 30.07.2019 has been filed by the State PCB on behalf of the Committee indicating that though the excavation work has been stopped due to monsoon, the project proponent failed to submit action taken reports. No major plantation activity was undertaken as required, additional land which is not required be returned, muck be utilized properly, dumping of muck be stopped and AAQM be implemented, protective measures taken on the sliding of embankments, measures are also required for dust separation. The applicant points out that large scale loss is taking place due to submergence on account of Cofferdam. Flood effect is heavy. Photographs annexed on behalf of the applicant confirm the statement.

5. The project proponent may take remedial action and furnish an action report within one month by e-mail at judicial-ngt@gov.in.

6. The CEO of the Indira SagarPolavaram Multipurpose Project may remain present for assistance of the Tribunal on the next date.

List for further consideration on 7.11.2019.

Adarsh Kumar Goel, CP

S.P Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM
September 27, 2019
Original Application No.857/2018
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