

**BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL
BENCH, BHOPAL**

**Original Application No. 137/2014(THC)(CZ)
Sahtruhan Lal Vs. Union of India & Ors.**

CORAM : HON'BLE MR. JUSTICE U.D.SALVI, JUDICIAL MEMBER
HON'BLE MR. P.S.RAO, EXPERT MEMBER

PRESENT : Applicant : None
Respondent No. 2 & 4 : Shri Sachin K.Verma, Adv.
Respondent No. 6 & 7 : Shri Ayush Dev Bajpai, Adv.

Date and Remarks	Orders of the Tribunal
Order No. 11 22nd January, 2015	<p>Today the matter has been posted to oversee the compliance of the final order passed vide judgement dtd. 09.09.2014. We had noted in our judgement that MoEF granted environmental clearance to the project of NTPC for installing V stage power plant at village Jaitpur, Singrouli, Madhya Pradesh on the condition of planting 16,556 new trees in lieu of 4,139 trees required to be cut for the project. We also noticed that the company had entered into an agreement with MPRVVN Ltd. during the year 2012 itself and planting has been taken up and 37,500 trees were planted and it was further proposed to extend the plantation by planting 10,000 more number of trees by MPRVVN Ltd. making a total number of 47,500 trees. Company was directed to issue directions to the MPRVVN Ltd. entrusted with the task of planting and maintenance of the trees, to carry out the following improvement/maintenance works to make the plantation successful:</p> <ol style="list-style-type: none">1. <i>A detailed plantation journal shall be opened, if not yet opened for all the plantation bits taken up from 2012 and the journal should be posted with up-to-date particulars.</i>2. <i>Circular weeding of at least 1 mt. radius around the base of each plant shall be taken up to prevent competition from the weeds and grasses.</i>

3. *Those young plants which are growing bushy particularly Karanj (Pangamia pinnata) should be pruned and side branches coming from the base should be removed carefully with a sharp instrument to make the plant grow straight with prominent /distinct stem.*
4. *Wherever possible the space between the planting rows may be taken up with inter cultivation by Tractor cultivator plough to prevent further growth of weed and grass and also to conserve soil moisture.*
5. *Strict protection from cattle and wild animals by creating/strengthening the fence, shall be taken up.*
6. *Regular watering particularly during summer season, should be taken up.*
7. *Row wise planting points in each Bit/Location/Sector where the 37500 number of plants were planted from 2012 onwards along with species wise details should be recorded in the Journal.*

Shri Vikas Kumar Jaiswal, Sr. Manager of the NTPC has placed before us a bunch of 16 photographs in order to provide latest view of the plantation done in the NTPC campus pursuant to the directions in the present case. We have perused the affidavit dtd. 09.09.2014 of the Sr. Manager, NTPC, Shri Vikas Kumar Jaiswal and the annexure thereto as well as compliance report and the plantation journal filed on 17.11.2014. Having noted the progress of plantation, we would like to close this case with the following guidelines :

1. Details of row wise planting points for the plantation raised during 2014 monsoon should also be posted in the plantation journal as done in the case of 2012 & 2013 plantations.
2. Row wise survival of plants should be regularly recorded in the journal for every six months and

casualties replaced.

3. Removal of multiple shoots, shoots coming from the base as well as double leaders should be regularly removed carefully with a sharp instrument without causing damage/injury to the plant.
4. As per the details posted in the journal the expenditure proposed is as follows :

Year	Amount (in Rs.)	No. of plants planted	Approx. average cost per plant (in Rs.)
2012	70,65,330	37,500	188
2013	46,65,446	25,000	186
2014	58,78,160	25,000	235
Total	1,76,08,936	87,500	201

If a spacing of 2.5 mt. X 2.5 mt. is followed for raising the above block plantation as stated 87,500 numbers of trees occupy 54.65 hectares of area @ 1600 trees per hectare. Therefore, average expenditure per hectare for raising and maintenance for 5 years comes to (Rs. 1,76,08,936 ÷ 54.65 ha) Rs. 3.22 lakhs which appears to be quite high.

The NTPC shall review the agreement made with the MPRVVN Ltd. and satisfy themselves before making payment.

5. In future, planting space may be made not less than 3 x 3 mt. making 1111 per hectare while raising block plantations with broad leaved species such as Karanj (*Pongamia pinnata*)

Case is closed and consigned to record. However, we hope and trust that the above guidelines are followed sincerely in

order to make the plantations successful and to bring into existence an effective mechanism to curb environmental pollution generated by the Thermal Power Plant.

.....JM
(U.D.SALVI)

.....EM
(P.S.RAO)

