

CONSOLIDATED STATEMENT OF PENDING COURT CASES AS ON 31.12.2023

NABINAGAR SUPER THERMAL POWER STATION (NSTPS)

Sl. No.	Category of Cases	Case No.	Name of the Court	Name of the Parties	Description of the Case	Amount involved/ Financial implication	Present Status/ Remarks	Efforts made to expedite disposal of the case	Name of Advocate
1.	Land Acquisition	CWJC No. 7192/2013	Patna Court	Dudheshwar Singh Vs State of Bihar & Others	For quashing of letter dated 10.10.2012 by which DLAO, Aurangabad addressed to CEO, NPGCL by which DLAO directed CEO to pay the enhanced compensation for 1.4875 Acres of land in place of 2.28 Acres of land.		Counter Affidavit has been filed on behalf of NPGCL	None appears for the petitioner. However, learned AC to GP3 for the State is present.	Ms Binita Singh
2.	Contract Cases	CWJC No. 16677/2016	Patna Court	K.N.International Vs State of Bihar & Others	To hold and declare that the petitioner is not liable to obtain permits and to pay royalty to the State of Bihar under the provisions of the Bihar Minor Minerals Concession Rules, 1972 for us of ordinary clay.			Case withdrawn by KN International	Ms Binita Singh
3.	Land Acquisition	CWJC No. 1786/2017	Patna Court	Parvati Devi & Another Vs State of Bihar & Others	To pay full compensation along with interest, solatium and other consequential benefits payable to the petitioners in		CA has been filed on behalf of NPGCL.	The counter affidavit shall be sworn either by respondent No.3, the Collector,	Ms Binita Singh

						accordance with law in respect to the acquisition of the land of Plot No.347 & 350 of Khata No. 5 admeasuring 1.18 Acres and 0.98 acres respectively situated in Village –Narari Kala.				Aurangabad or respondent No.4, the District Land Acquisition Officer, Aurangabad with supporting documents of acquisition of the referred land and determination of its award.	
4.	Land Acquisition	CWJC No. 6800/2017	Patna Court	Hari Dusadh Vs State of Bihar & Others	For direction upon the respondents not to interfere in the peaceful physical possession over the land which has been settled to the petitioner in the year 1976-77.		Counter Affidavit has been filed on behalf of NPGCL.	Heard learned counsel for the petitioner, learned counsel for the State as well as learned counsel for N.G.P.C.	Ms Binita Singh		
5.	Land Acquisition	CWJC No. 10025/2017	Patna Court	Smt. Ajanti Devi Vs Powergrid Corporation of India & Othes			We have yet to receive the Copy of Writ Petition	To be listed in due court	Shri Amaresh Kumar Sinha		
6.	Land Acquisition	CWJC No. 11010/2017	Patna Court	Rajendra Yadav Vs State of Bihar & Others	To quash the Letter No. 703, dated 22.08.2016 of CO, Nabinagar by which completely contrary inspection report has been submitted before the DLAO, Aurangabad & to pay compensation amount to the petitioner for the acquisition of his land of Khata No. 32, Plot No. 258, Area– 0.2975 Acres in Mouza –Beloity.			In the aforesaid background, Interlocutory Application No. 5334 of 2018 stands dismissed.	Shri Amaresh Kumar Sinha		

7.	Land Acquisition	CWJC No. 14236/2017	Patna High Court	Harichandra yadav & Others Vs State of Bihar & Others	For directing the respondent authority to make payment of compensation for the land acquired. Further directing to declare land acquisition proceedings illegal since the non-issuance of notice under Section – 9 of the Act to the person interested.				Case Disposed	Shri Amaresh Kumar Sinha
8.	Land Acquisition	CWJC No. 16617/2017	Patna High Court	Ram Pravesh Bhagat Vs State of Bihar & Others	For payment of compensation with all statutory interest till the date of realization for land acquired for NPGCL.	Nil			As prayed for, learned Counsel appearing on behalf of the petitioner is allowed three weeks' pre-emptory time to remove the defects, as pointed out by the office.	Shri Amaresh Kumar Sinha
9.	Land Acquisition	CWJC No. 12985/2018	Patna High Court	Visthapit Kisan Mazdoor Kalyan Samiti through its President Arun Kumar Singh Vs State of Bihar & Others	PIL – for restraining the authorities concerned from directing the concerned authorities to facilitate the free flow of Shiyapur Sub-Distributory under the North Koel Project or make alternate arrangement for flowing of water through canal by constructing underpass that has been badly affected due to acquisition for installation of NPGCL.				To be listed in due court	Ms Binita Singh

10.	Land Acquisition	CWJC No. 19371/2018	Patna High Court	Awadhesh Singh Vs State of Bihar & Others	For direction to the respondent to pay annuity to the petitioner @ Rs. 39,000/- with an increment of Rs. 1,000/- biennial for thirty years in respect of his land acquired with interest @ 18% p.a. from the date it became due to till the date of actual payment.				To be listed in due court	Ms Binita Singh
11.	Land Acquisition	CWJC No. 22034/2018	Patna High Court	Ambika Singh Vs State of Bihar & Others	For quashing Notice dated 16.09.2018 by which DLAO, Aurangabad directed the petitioner to deposit Rs. 9,50,005/-, which is the compensation amount received by petitioner for acquired land.		Counter Affidavit has been filed on behalf of NPGCL. Court has stayed the proceedings.	This application will be heard. In the meanwhile, the notice dated 16.09.2018 shall not be given effect to. Respondent no. 7 shall be at liberty to apply for vacating the order of stay.		Ms Binita Singh
12.	Land Acquisition	CWJC No. 2927/2019	Patna High Court	Bhola Singh & Others Vs State of Bihar & Others	For restraining the concerned Respondents from taking the lands of the petitioner forcibly to get the land register for installation of NPGC and further direction to the authority concerned to take the land after following due procedure under the L/A Act, 2013.		Counter Affidavit has been filed on behalf of NPGCL.	Four weeks time is allowed to the respondents-State of Bihar and the N.T.P.C. to file their respective counter affidavits.		Shri Tuhin Shankar

13	Land Acquisition	MJC No. 4055/2019	Patna High Court	Rajendra Singh & Others Vs State of Bihar & Others	Contempt has been filed against the OPs who have willfully and deliberately disobeyed the order dated 20.08.2010 passed in CWJC No. 10046/2010 by not sending the matter to the reference court for adjudication on the point of quantum of compensation under Section – 18 of the LA Act, 1894.	Not Defined		To be listed in due course	Amaresh Kumar Sinha
14.	Land Acquisition	CWJC No. 3260/2020	Patna High Court	Rajmuni Devi Vs State of Bihar & Others	To fix annuity to the land oustees on land yields, yearly income from the land etc. as per R&R Policy, 2010 of NTPC @ Rs. 1,43,440/- per acre per year with minimum 5% yearly increment for acquired land.	Not Defined		Two weeks time is granted to remove the defects, failing which the application shall stand dismissed without further reference to the Bench.	Amaresh Kumar Sinha
15.	Land Acquisition	Civil Writ Jurisdiction, Case No. 13379 of 2022	Land Acquisition, Rehabilitation and Resettlement Authority (LARRA), Gaya	Ambika Prasad Singh vs NPGCL	This is the case filed by Ambika Prasad Singh stating a dispute relating to Fair Compensation of the land situated in NTPC, Nabinagar.	Not Defined		To be listed in due course	Ashutosh Pathak
16.	Land Acquisition	Civil Writ Jurisdiction, Case No. 12822 of 2022	Land Acquisition, Rehabilitation and Resettlement Authority (LARRA), Gaya	Arun Kumar Singh and Rajmuni Devi vs NPGCL	Dispute relating to Fair Compensation of the land situated in NTPC, Nabinagar.	Not Defined		To be listed in due course	Ashutosh Pathak
17.	Land Acquisition	Civil Writ Jurisdiction, Case No. 12822 of 2022	Land Acquisition, Rehabilitation and Resettlement Authority (LARRA), Gaya	Rajendra Singh vs NPGCL	Dispute Relating to Fair Compensation of the land situated in NTPC, Nabinagar.	Not Defined		To be listed in due course	Ashutosh Pathak

18.	Misc. Case	Title Suit No. 63/2021	In the Court of Sub Judge I at Civil Court Aurangabad	Jyoti Kumar Vs Samir Kumar Kashyap & Others	This Title Suit has been filed before the Court with prayer to pass a decree declaring the election of office bearers of NEAN held on 21.01.2021 for the posts of Vice-President, General Secretary, Joint Secretary, Treasurer, Joint Treasurer, Secretary (P&PR) and Organizing Secretary as null & void.		At Final arguments	Next hearing date 16.01.2024	Adv. Santosh Ajay Kumar
19.	LA Case	Title Suit No. 18/2020	In the Court of Munsif at Civil Court Aurangabad	Ramchandra Singh vs. State of Bihar through chief secretary Govt of Bihar and 08 others	The suit has been filed for compensation of Gair Majarua Malik Jungle Land. The claim of the plaintiff was rejected by the Collector.		WS submitted by NSTPS	Injunction sought by the plaintiff has been rejected and a favourable order has been passed. Next hearing date 19.01.2024	Shri Ajay Kumar
20.	Service Matter	CW/JC No. 17643/2021	Patna High Court	Jyoti Kumar Vs Union of India & Others	This writ petition has been filed before Hon'ble Patna High Court for promotion to the retrospective date 01.10.2017 from his present post of Sr. Manager (E6) to the post of Deputy General Manager (Grade E7) with effect from 01.10.2017 (now w.e.f. 01.06.2018 old Grade E6 is termed as Grade E7 and old Grade E7 is termed as Grade E8, therefore the petitioner be given promotion in Grade E8) with salary and consequential monetary benefits of promotion post.		Counter Affidavit has to be filed.	To be listed in due course	Shri Tuhin Shankar

21.	Insolvency matter	Company Appeal (AT) (Insolvency) No. 478/2021	NCLAT, Delhi	NPGC Limited Nabinagar Super Thermal Power Project ... Appellant Versus Ram Ratan Modi, Liquidator of Dc Industrial Plant Service	Liquidator rejected the legitimate claims of NPGCL of Rs. 13 Crores (approx.) on the ground that the project is still continuing, and the Corporate Debtor is continuing as a going concern, and it would not be possible to crystallize the claim of the Appellant at this stage.			7 hearings completed since the matter was remanded back to NCLT, Kolkata. Reply to liquidator's report (rejecting our claim) has been duly submitted to Argus partners. Next date of hearing is 31.01.2024	Senior Advocate Ratnanko Banerjee & M/S Argus Partners
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ARBITRATION RELATED MATTERS, NSTPS (Nabinagar).

Sl No	Name of Package/Case	Agency	Date of Arbitrator/ Adjudicator/ ESC members Appointment	Details of Arbitrator (s)/Adjudicator/ES C	Claim by Agency	Counter Claim by NTPC	Present Status	Efforts made to expedite disposal of the case	Name of Advocate
1.	Work of Design, Manufacture, Supply, Delivery and Installation of Portable Pre-Fabricated Temporary Accommodation. (Porta Cabin)	M/s Vidhya Cylinders	Before Bhopal District Court	CONCILIATION- Madhya Pradesh Micro and small industries facilitation council at Bhopal, MP	Full Payment already made by NPGCL of Rs.1,46,90,249/- Remaining Amount Claimed as per the Contractor Rs 84,30,956/- + Interest of Rs. 48,05,647	--	The hon'ble tribunal rejected all of the claims of the claimant. Award in favour of NPGCL. The claimant has proceeded to challenge the said award passed by the MSME Council. Next date of hearing is 19.01.2024	Regular follow-up with the advocate.	Shri Sachin Kumar Verma
2.	SLP(C) No. 2457 / 2020 Merged With SLP (Civil) No. 7477 / 2023 Nabinagar Power Generating Company Limited Vs. Amr India Limited (Amril Formerly Amr Construction Ltd.)	AMR Ltd.	Before Supreme Court	Hon'ble Mr. Justice Sanjay Kishan Kaul And Hon'ble Mr. Justice Ahsanuddin Amanullah	Rs 18,31,77,539 (including interest)	--	- Ld. Arbitrator passed order dated rejected the entire claim of NPGC and allowed partial claim of M/s ARM to the tune of Rs 17,51,11,610 (BG+ Royalty) - NPGC deposited Rs 18,31,77,539 (including interest) - NPGCL filed the application for stay of arbitral amount, but Hon'ble Delhi High Court dismissed the NPGC application.	Regular follow-up with the advocate.	Senior Advocate C.S. Vaidyanathan & M/S ARGUS PARTNERS. (Dattatre Vyas)

						• NPGC filed SLP in Supreme Court against the award and reconsideration of counter claims. • M/s AMR filed the application for release of arbitral amount deposited by NPGC against the bank guarantee. Hon'ble Delhi High Court dismissed the application filed by M/s AMR • SLP filed in Honorable Supreme Court. The Hon'ble Supreme Court was pleased to notice in the matter. • Case in now on a stage of Final arguments. Next date for hearing is 8.01.2024.	Regular follow-up with the advocate.	Senior Advocate Sanjay Jain & Advocate Adarsh Tripathi
3.	Steam Turbine Generator Package (STG Package)	G.E. Power System India Pvt. Ltd.	Arbitration proceedings are concluded. Award has been passed by the tribunal. Matter is now in Hon'ble Delhi High Court	Mr Justice Mannohan Singh (Retd.), Presiding Arbitrator Mr Justice G S Sistani (Retd.), Co-Arbitrator And Mr S. L. Garg, Fie, Co-Arbitrator	INR 8.5 Crores/- along with interest @12% PA	--	• Arbitral tribunal has passed an award in favour of the claimant dated 03.08.2023 • The amount awarded in favour of claimant is 8.5 crores • Recommendations from Site has been forwarded to the region for the purpose of challenging the said award in Delhi high court.	

						- The said award has been challenged in Hon'ble Delhi High Court on 03.11.2023 - The matter for hearing will be listed on 09.02.2024		
4.	Ashy Dyke Package	M/s K.N. International Limited	Before Expert Settlement Council (ESC)	1. Sh. Ravi Kapoor 2. Sh. Rakesh Mishra 3. Sh. Ram Lakhan Singh	Rs. 9.02 Crores This amount includes 5.53 Crores as the amount withheld by NTPC on account of royalty payable. & 3.48 Crores as the amount of Interest on that amount	- The said matter related payment of royalty on the account of earth extracted within NTPC acquired Land. - The ESC passed the recommendations suggesting that royalty won't be payable on such land excavated. - The ESC passed the following recommendations – Rs. 5.53 Crores to be payable by NTPC to M/s KNIL on the account of withheld of Amount. Rs. 3.48 Crores won't be payable by NTPC - The above-mentioned Recommendations of ESC is acceptable to SRLC formed. - Settlement agreement to be framed accordingly.	--	--

Item No.01

Court No. 2

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

Original Application No.976/2024

Vijay Kumar Singh

...Applicant

Versus

State of Bihar

...Respondent

Date of hearing: 03.10.2024

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant(s): None

ORDER

1. On a letter petition dated 17.12.2023 sent by Vijay Kumar Singh @ W Singh resident of Kshatriya Nagar, G.T. Road, Aurangabad, State of Bihar, this Original Application has been registered under Sections 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as '**NGT Act, 2010**') exercising *suo-moto* jurisdiction in view of law laid down by Supreme Court in ***Municipal Corporation of Greater Mumbai Versus Ankita Sinha and Others, (2022) 13 SCC 401.***

2. Complainant has said that there are two Thermal Power Plants of National Thermal Power Corporation namely BRBCL and NPGC functioning at Nabinagar, District Aurangabad, wherein fuel used for

generation of electricity comprised a waste material, black filter dust and rejected coal which is causing air pollution effecting local people and creating health hazards.

3. In our view, facts stated in Original Application required verification before taking any further action in the matter and therefore, we constitute a Joint Committee comprising Central Pollution Control Board (hereinafter referred to as '**CPCB**'); Bihar State Pollution Control Board; (hereinafter referred to as '**BPCB**') Integrated Regional Office Ministry of Environment Forest and Climate Change, Aurangabad; and District Magistrate, Aurangabad.

4. CPCB shall be the Nodal Authority for co-ordination and compliance.

5. Said Committee shall collect relevant information after visiting the site, and submit a factual report within one month. Committee shall also verify as to whether consent conditions and EC conditions have been complied with by the above proponents.

6. List for further consideration on 04.11.2024.

Sudhir Agarwal, JM

Dr. Afroz Ahmad, EM

October 03, 2024
Original Application No.976/2024
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