

Coal based Thermal Power Plants

Some Facts

- ❧ 286 Coal based power plants in the country
- ❧ More than 900 units in these plants
- ❧ Total Capacity 3,16,622 MW
- ❧ Operational Capacity – 1,90,590 MW
- ❧ Maximum number of units in Chhattisgarh (includes announced and under construction) – 108
- ❧ More than 400 workers identified as suffering from noise diseases in Gujarat
- ❧ More than 50 workers identified as suffering from Lung Diseases in Gujarat

Coal Based Thermal Power Plants

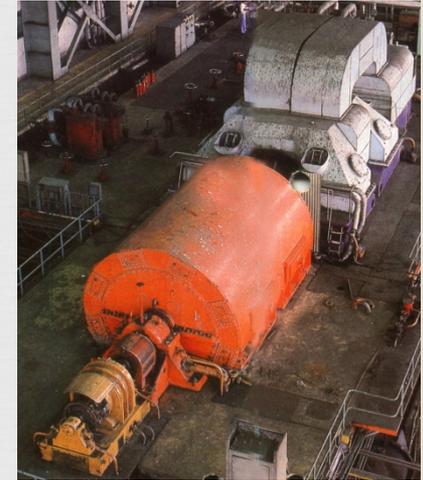
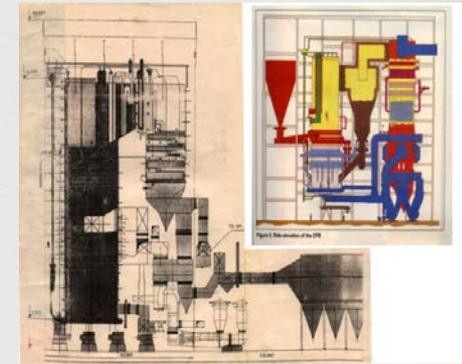
State	Grand Total
Madhya Pradesh	35
Tamil Nadu	33
Chhattisgarh	32
Maharashtra	26
Orrisa	23
Gujarat	22
Jharkhand	19
Rajasthan	18
Uttar Pradesh	18
West Bengal	15
Andhra Pradesh	12
Karnataka	11
Bihar	6
Haryana	6
Punjab	6
Assam	1
Meghalaya	1
New Delhi	1
Telangana	1
Grand Total	286

Unit Wise Categorization

State	Unit Details									Grand Total
	-	Announced	Not operational	Operational	Permitted	Pre-permit development	proposed	Shelved	Under construction	
Chhattisgarh	13	1		59	6				29	108
Madhya Pradesh	30			38	9	7			14	98
Tamil Nadu	35	2		40	14	2			2	95
Maharashtra	10			55	2	1		1	18	87
Gujarat	10	6		50	10				4	80
Orrisa	20			45	5		3		3	76
Jharkhand	7	1		41	4				7	60
Rajasthan	15			37	1				5	58
West Bengal	6			41		2			5	54
Uttar Pradesh				30	6		5		8	49
Andhra Pradesh	3	2		21	2				6	34
Karnataka	16			12	1				2	31
Bihar				12					13	25
Punjab				19		2			2	23
Haryana				15					2	17
New Delhi				5						5
Assam			3							3
Telangana				1		1			1	3
Meghalaya	2									2
Grand Total	167	12	3	521	60	15	8	1	121	908

Sections in a Power plant

1. Coal Yard / कोल्यार्ड
2. Boiler/ बोइलर
3. Turbine / टरबाईन
4. Electric / इलेक्ट्रिक
5. Instrument / इंस्ट्रूमेंट
6. Laboratory / लेबोरटरी
7. Ash Handling / एश हेन्डलिंग
8. General Workshop / जनरल वर्कशॉप
9. Canteen / कैंटिन
10. Sanitation / स्वीपर
11. General Store / जनरल स्टोर
12. Office / ऑफिस
13. Security / सिक्योरिटी
14. Gardening / गार्डनिंग



Supreme Court Order (31-1-2014)

PIL number 079 filed in the Supreme Court in 2005. The court ordered that

1. Comprehensive medical check-up of all workers in all coal fired thermal power stations by doctors appointed in consultation with the trade unions. First medical check up to be completed within six months. Then to be done on yearly basis.
2. Free and comprehensive medical treatment to be provided to all workers found to be suffering from an occupational disease, ailment or accident, until cured or until death.
3. Services of the workmen not to be terminated during illness and to be treated as if on duty.
4. Compensation to be paid to workmen suffering from any occupational disease, ailment or accident in accordance with the provisions of the Workmen's Compensation Act, 1923.

Supreme Court Order continued

5. Modern protective equipment to be provided to workmen as recommended by an expert body in consultation with the trade unions.
 6. Strict control measures to be immediately adopted for the control of dust, heat, noise, vibration and radiation to be recommended by the National Institute of Occupational Health (NIOH) Ahmadabad, Gujarat.
 7. All employees to abide by the Code of Practice on Occupational Safety and Health Audit as developed by the Bureau of Indian Standards.
 8. Safe methods be followed for the handling, collection and disposal of hazardous waste to be recommended by NIOH.
- ❖ Individual cases to be heard in respective High Courts in different states to monitor the implementation of the order of the Supreme Court

Occupational Diseases in a Power Plant

1. Silicosis / सिलिकोसिस
2. Asbestosis / एस्बेस्टोसिस
3. Noise Induced hearing Loss / बहरापन
4. Occupational Cancer / केन्सर
5. Cataract / मोतिया बिंदु
6. Occupational Headache / हेडक
7. Skin Disease / चमड़ी के रोग



State wise case summary

High Court of Gujarat

Case Number - WP 54 / 2014

- ❧ 17 respondents which includes 11 Thermal Power Plants and 6 Govt. bodies.
- ❧ OHSA has joined as a respondent. Proof of several workers suffering from occupational disease filed in court
- ❧ The court ordered to form an expert body through which appropriate facts should be brought, further to which the court would consider the aspect of deficiency and issuance of further directions in this regard.
- ❧ The report has been submitted by the expert committee which did not find any cases of occupational disease.
- ❧ The report of committee is being challenged

High Court of Jharkhand

Case Number - WP 1073 / 2014

- ❑ Notice issued to all the CFTPPs and to various other government bodies.
- ❑ Chief Factory Inspector of State of Jharkhand has asked for reports from all the Factory Inspectors for giving a report of each respondent TPP
- ❑ ROHC, Kolkata joins as party. The high court direct the State of Jharkhand to constitute an Executive/Standing Committee which should consist of various government officials. The Chief Secretary to make available minimum 25 lakhs for this work to be done through ROHC for the executive committee.
- ❑ The Amicus Curiae suggested that a team of experts on the subject may be constituted who can visit the respondent thermal power plants and physically verify the same after taking samples and analysis.
- ❑ Vinova Bhave University has been asked to assist to constitute a committee (a body of experts) by suggesting the names and help prepare a detailed questionnaire/check list for the respondents. The court will ask the respondents to supply details to take any further actions.
- ❑ **As per papers filed by the plant management, no worker is suffering from any disease and they follow all the norms including on discharge of waste**

High Court of Chhattisgarh

Case Number - **WP(PIL) 87 / 2016**

- ❧ Case filed only in 2016 after repeated application in the high court
- ❧ Government departments of Labour, health and Environment directed to file their separate affidavits giving all the details of Coal Fired Thermal Power Plants operating in the State of Chhattisgarh and what steps have been taken to ensure the health of the employees working in Coal Fired Thermal Power Plants in line with the judgment of the Supreme Court.
- ❧ IIT, Mumbai and Karagpur be requested to in fact study what is the pollution caused by the Coal Based Thermal Power Plants in the areas in question and what steps can be taken to improve the situation and to ensure that pollution is reduced to the minimum level without affecting the generation of electricity
- ❧ out of 83 CFTPPs, only 75 were found functional and out of these 75, prosecutions have been lodged against 62 CFTPPs and only 13 were complying with the statutory directions.

High Court of Karnataka

Case Number - WP 18321 / 2014

- ❧ An inspection to be conducted by the Bureau of Indian Standards (BIS) in the three CFTPPs, suggesting further actions. The remedial measures suggested by BIS will be immediately taken up by the CFTPP. After the remedial measures are implemented, the BIS will conduct another inspection and submit final report
- ❧ BIS Submits inspection report for the 3 CFTPPs
- ❧ Two of the respondents are asked to submit Action Taken Report on the implementation of the suggestions made by BIS.
- ❧ **BIS finds violation of several laws and workplace conditions but does not find a single fault with the guidelines of Supreme Court**
- ❧ The plant managements state that they have undertaken remedial measures. BIS directed to hold a fresh inspection and report back

High Court of Maharashtra

Case Number - WP 223 / 2014

- ❑ All 35 CFTPPs in the state made respondents.
- ❑ Directed the District Legal Services Committees in State to enroll/allow the students of law colleges and other colleges in their respective districts to make personal visits of the plants and to interview the workers employed in such power plants for getting first hand information about occupational health – **Ministry does not allow this saying TPP are sensitive installations**
- ❑ The court ordered to form a committee ensuring implementation of all the relevant Legislations and Regulations and Rules. Power Plants to submit a copy of the respective audit report to the Committee.
- ❑ The expert committee of four member was constituted. **Does not find any fault. Did not visit a single power plant but relied on information given by the management**
- ❑ **Report of the committee is being challenged. Medical camps are being planned in the state to diagnose workers with the help of unions**

High Court of Punjab

Case Number - WP 2876 / 2014

- ❧ All the TPPs ; both government and private are made parties in the case and has been asked to file their reply, Notice was issued to the NIOH and Punjab Pollution Control Board.
- ❧ Some respondents have filed their affidavits/written statements, the remaining respondents have still not filed their reply
- ❧ Progress in case is slow with repeated adjournments

High Court of Haryana

Case Number - WP 2877 / 2014

Notice has been issued to few power plants and also to few governing bodies.

- ❧ All parties asked to file responses.
- ❧ Reply has been filed by the respondent on behalf of Union of India. Mr. Puneet Gupta has been appointed as the Amicus-Curiae.
- ❧ No further action being taken place.

High Court of Delhi

Case Number - WP 466 / 2015

- ❧ Notices issued to various TPPs and Government
- ❧ Only case where unions are also made a party
- ❧ Notices issued to Unions from Pragati Power and Indraprastha. Amicus Curiae has been asked to suggest further directions which can be issued by the court for evaluating occupational health hazards.
- ❧ NTPC has submitted a health report which is more than 7 years old. No health survey done since then

High Court of Madhya Pradesh (Disposed)

Case Number - WP 08724 / 2014

- ❧ High Court requested to focus on two main aspects (i) Whether there is adequate and effective health delivery system in place and (ii) Whether there is any evaluation of occupational health status of the workers.
- ❧ Joint Director asked to make random surprise visit to check the authenticity of information submitted in the court. Report submitted
- ❧ The affidavit filed by the Joint Director does not show as to what are the measures available in the industry for preventing the occurrence of occupational hazards
- ❧ The High Court asks the Joint Director for a specific report with regard to the occupational disease and its prevalence.
- ❧ 17 August 2017 - As per the reports filed, no worker in Thermal Power Plant is suffering from an occupational disease. In view of the said fact, the petition is disposed of with a direction to the State to take all possible steps for the health of workers working in the Thermal Power Plants in future as well."
- ❧ **The State government is submitting reports based on records maintained by the management. No other efforts are being made**

High Court of Rajasthan (Disposed)

Case Number - WP 2581 / 2014

- ❧ The High Court directed Chief Secretary, Government of Rajasthan to form a committee, to appoint nodal officers and to issue notices to 29 industries.
- ❧ The High Court asked the expert committee to verify the presented report submitted by the CFTPPs, the representative of Rajasthan Pollution Control Board was made the Convenor, the expert committee was asked to verify the report and then send the mutual verified report to the managing director of Rajasthan Rajya Vidyut Utpadan Nigam Ltd.
- ❧ 4-4-2017 - Necessary compliance of the directions given by the Supreme Court has already been made. We close the proceedings of this PIL with appointment of a Committee consisting of a unit head of the respective units of coal thermal plants and also the manager of the factory concerned with at least two representatives of trade unions operating in the industry. The Committee constituted shall be responsible to ensure compliance of the direction given by the Supreme Court as well as by this Court.

Other High Courts

❧ High Court of West Bengal - 5254 (W) / 2014

❧ The case is not coming up for hearing. It is not being listed.

❧ High Court of Tamil Nadu - 14982/2014

❧ The case has been disposed after the government submitted that the power plants are forming all the requisite norms

❧ High Court of Assam - PIL 25/ 2014

❧ The case has been disposed as the only power plant in the state has shut down

❧ High Court of Andhra Pradesh - PIL 10318/2014

❧ The case is not being heard currently

NOTE- For Orissa, Bihar, Uttar Pradesh, there is no information available regarding the case in these courts

Thank You