
(2021) 07 UK CK 0090
In the Uttarakhand High Court
Case No : Writ Petition (PIL) No. 113 Of 2021

Sangram Singh & Others

APPELLANT

Vs

Union Of India & Others

RESPONDENT

Date of Decision : 14-07-2021

Acts Referred:

Citation : (2021) 07 UK CK 0090

Hon'ble Judges : Raghvendra Singh Chauhan, CJ;Alok Kumar Verma, J

Bench : Division Bench

Advocate : D.K. Joshi, B.P.S. Mer, Rakesh Thapliyal, Aditya Pratap Singh, Dr. Kartikey Hari Gupta

Final Decision : Dismissed

Judgement

Raghvendra Singh Chauhan, CJ

1. The petitioners have filed this writ petition for seeking the following reliefs before this Court:-

â??a. Direct the respondent No.1 (MoEF& CC) and respondent-State of Uttarahand to revoke the forest clearances and environmental

clearances granted prior to February, 2021 to Rishi Ganga and Tapovan-Vishnugad Hydro Projects since the old clearances have become

redundant in the current post-flood scenario.

b. Direct cancellation the Tapovan-Vishnugad and Rishi Ganga Hydro Projects in view of future safety and stability of the terrain and

direct respondent No.1 (MoEF& CC) and Ministry of Jalshakti to initiate ecological restoration of the entire watershed area of the Rishi

Ganga sub-basin to ensure future stability of the terrain.

c. Direct NTPC and Rishi Ganga Hydro Power Ltd. to ensure compensation for the

affected families who have lost one or more member of their family.

d. Direct the State of Uttarakhand to ensure secure and safe rehabilitation of the Raini village along with ecological restoration of the

affected areas, the cost of rehabilitation and restoration works of the affected areas may be given by the hydro projects proponents.

e. Direct to fix an accountability of respondents for criminal negligence in continuing the unscientific and harmful construction and

operation of hydro power projects in the disaster prone area and that too without any early warning system which caused loss of more than

200 lives. Directions to initiate legal proceedings against the culprits as per the law.

f. Direct the State of Uttarakhand to ban blasting, river-bed mining and stone crushing activities in the entire area of Rishi-Ganga and

Dhaulti Ganga sub-basin.

g. Direct the respondent No.1 (MoEF &CC) to blacklist NTPC and Rishi Ganga Hydro Project Ltd. from Hydro Power Sector for inflicting

irreparable damage to the local ecology through willful non-compliance and violations of the various environmental norms and

recommendations of the Supreme Court expert body.â??

2. Petitioner Nos.1, 2 and 3 claim to be the residents of Village Raini (Palla), District Chamoli, and Petitioner Nos.4 and 5 claim to be the residents of

Joshimath, District Chamoli. They further claim to be â??social activistsâ?. However, there is no piece of evidence produced by these petitioners to

establish the fact that they are â??social activistsâ?. They have neither mentioned if they had spearhead a social movement, or raised any social issue

on any previous occasion, nor have they submitted any evidence to show that they are the part of a Non-Governmental Organization, or a Social

Activist Organization. Yet, their prayers are that respondent No.1, the Union of India, Ministry of Environment, Forests & Climate Change, should be

directed to revoke the forest clearances and environmental clearances granted prior to February, 2021 to Rishi Ganga and Tapovan-Vishnugarh Hydro

Projects. Their other prayer is that the projects which are already under construction should be cancelled by this Court.

3. This petition seems to be a highly motivated petition which has been filed at

the behest of an unknown person or entity. The unknown person or entity is merely using the petitioners as a front. Therefore, the petitioners are merely puppets at the hand of an unknown puppeteer.

4. Needless to say, this certainly amounts to abuse of the PIL jurisdiction. Therefore, this Court is not convinced with the bona fide of this petition.

Hence, this petition is dismissed, while imposing costs of Rs.10,000 on each of the petitioner. The petitioners are directed to deposit Rs.10,000/-each

before the Registrar General of this Court within a period of two weeks. The said amount shall be transferred into the High Court Advocates' Welfare Fund.