

TRIPURA HUMAN RIGHTS COMMISSION
KUNJABAN: AGARTALA

Complaint No. 12 of 2024
(A Suo-Motu cognizance)

(Unscientific construction of NH 44 A by NHIDCL at Tlakshi Village, Vangmoon).

ORDER SHEET

SL. No.	Date	Order	Note
01	03/07/2024	<p>Attention of the Commission has been drawn to numerous reports published in different newspapers including one Tripura Times, dated 25th June -2024 and 2nd July-2024, wherein, it is reported that NH44-A has been constructed by NHIDCL through Tlakshi village under Vangmoon Tehsil Kachari of North Tripura District and it is reported that because of irresponsible and unscientific construction of the road, there were huge landslides in the surrounding areas causing immense hazard to the residents of the area.</p> <p>It has also been reported that numerous graveyards have exposed because of the massive landslide and as a result the skeletons of the buried bodies came out of the buried condition for which the local people had shifted those skeletons for burial again in different other places. It is also reported that NH 44 A has been blocked because of the landslide in different places of Jampui Hills in the village Tlakshi and Humpui. It is also reported that because of unscientific cutting of hill sides without keeping proper slope etc. as well as without having any protection, the cutting of earth has created the situation which has traumatized the common people of that locality.</p> <p>It has also been brought to the notice of the Commission that the State Government while noticed the serious condition of the villages, constituted an expert committee on 26/07/2023 consisting of nine members headed by Er. Ratiranjana Deb Nath, SE, PWD(R&B), 1st Circle, Kumarghat and that Committee after field visit submitted a detailed report with photographs to the State Government suggesting certain immediate measures.</p>	


Thereafter, another expert committee was constituted by the State Government vide memo dated 05/08/2023 and the Committee again visited the site and submitted another detailed report with certain specific recommendations to the State Government. The recommendations are quoted here, which reads as follows:

1. *Relocation of the affected families to a safer place.*
2. *Measurement of the land (ROW) is to be carried out for construction of the protection walls.*
3. *Gravity retaining wall/toe wall should be provided if sufficient slope is available for earth cutting (1:1). If required, slope is not available then RCC walls should be constructed.*
4. *During execution, if landslide is occurred, other approach of stabilization i.e. step by step retaining wall may be considered with appropriate investigation and execution.*
5. *NHIDCL should also consider for providing necessary compensation and assistance to the affected families.*
6. *NHIDCL should also consider for construction of alternate approach road for the village as the main approach road is very steep and dangerous.*
7. *Immediate appropriate measures should be taken for preventing water percolation.*
8. *To find the extent of crack, geological mapping should be conducted.*
9. *Proper centralized drainage system along with minor drainage for every household of the village should be constructed.*
10. *Quality of construction materials along with appropriate monitoring and execution should be ensured.*
11. *The precautionary measures should not be limited to Tlakshi village but also extended to the new road constructions by NHIDCL.*
12. *Reference may be taken from GSI landslide susceptibility maps for composite vulnerability assessment of the slope. Moreover, all hazard assessment including seismic vulnerability study, building assessment etc. should be taken immediately.*
13. *Tlakshi SB School should be dismantled and alternative construction should be done immediately. Land identification and reconstruction of new building should be taken up by TTAADC.*
14. *Regular monitoring of the landslide/surface cracks/subsidence should be done with prospering recording on daily basis.*
15. *Alternate channel of communication may be commissioned (HAM radio etc.).*



Under another memo, dated 17/08/2023, the state government constituted expert team which revisited the site and submitted report on 19/08/2023 with following recommendations:

1. *As an immediate measure, NHIDCL to cover the exposed areas with appropriate geo-members and other high-end products.*
2. *Opening of an alternate approach road to Tlakshi village should be taken up immediately.*
3. *As per the view of the Prof. Debasih Roy, Professor and Geo-Technical Expert, IIT-Kharagpur, for taking any mitigation and preventive measures, necessary study is required which may take about a month and after that more one and half month is required for solution to address the issue. Prof. Roy also informed that the deadline for implementation of the preventive and mitigation measure may be the next monsoon season if all procedure of NHIDCL goes well.*
4. *Immediate compensation to the affected families by NHIDCL, in this regard NHIDCL to take necessary steps for rehabilitation of the affected families.*
5. *NHIDCL to submit the immediate report on the actions to be taken up with specific timeline.*
6. *Necessary short and medium remedial measures should be implemented immediately.*
7. *NHIDCL officials working in the village should be compassionate to the affected villagers and share regular updates with them on preventive and mitigation actions.*



As it appears the Principal Secretary, Revenue Department, Govt. of Tripura vide letter, dated 15/02/2024 has written a letter to the Managing Director, NHIDCL Corporate Office to take step in the interest of the affected people of the community in that area, but it is reported in the newspaper that no step has been taken as yet.

Addl. Secretary to the Govt. of Tripura in the Revenue Deptt. wrote another letter dated 21/06/2024 to the Managing Director, NHIDCL to take measures to protect the area and compensate the affected people to the locality. It is reported in the newspaper that no step has been taken as yet by the NHIDCL.

The indigenous people of the state has been affected because of the alleged construction without taking care of the impact and since the NHIDCL authority has not responded to the situation even after information given by the state government, we consider it fit case to issue notices to the NHIDCL authority as to why they shall not be directed to pay adequate compensation to the affected people of the locality.

Therefore, issue notice to the Managing Director, NHIDCL, Pandit Nehru Complex, Gorkhabasti, Agartala, West Tripura, PIN-799006, to submit written response in respect of the news items as to why they should not be directed to pay adequate compensation to the affected people for not taking due care and step to protect the villages through which NH 44-A has been constructed, i.e. Tlakshi and Hmunpui village of Jampui Hills, North Tripura District.

Notices may be issued along with the paper cuttings of the dates 25/06/2024 & 02/07/2024.

Copy of the reports by the expert committee submitted time to time may also be sent along with the notices.

Notices may also be given to the Secretary, Revenue Department, Govt. of Tripura to submit a response in writing before the next date.

Notice may be issued along with the copy of the newspaper reports and the expert committee reports.

List it after 6(six) weeks.

Fix on... 20/08/2024



(Justice S. C. Das)

Chairperson