

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION NO. 327 OF 2022**

IN THE MATTER OF:

AMARAVATI FLY ASH BRICKS

MANUFACTURERS ASSOCIATION

.....**APPLICANT**

VERSUS

UNION OF INDIA AND OTHERS

.....**RESPONDENTS**

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DRAWN AND FILED BY



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BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION NO. 327 OF 2022

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ADDITIONAL AFFIDAVIT ON BEHALF OF THE APPLICANT

MOST RESPECTFULLY SHOWETH:

I, Nateri Kalidas, S/o Late Sh. Nateri Narsinagrao, aged about 74 years, residing at FaL-G, Mansion, 32-10-53, Venkateshwara Colony, A Block, 4th Road, Sheelanagar, Visakhapatnam, Andhara Pradesh – 530012 do hereby solemnly affirm and declare as under:

1. That I am the applicant in the present Original Application and as such well conversant with the facts and circumstances of the present case.
2. That this Original Application pertains to the legality, sustainability, and environmental propriety of the directions issued by the Ministry of Power, Government of India (Respondent No. 4), dated 22.02.2022 and 22.09.2021, wherein coal and lignite-based Thermal Power Plants (TPPs) have been directed to supply fly ash



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to end users exclusively through a bidding process. The Applicant Association—comprising thousands of small and micro brick manufacturing units—has challenged these directions as being contrary to statutory norms, in derogation of the Hon'ble Tribunal's judgment dated 18.01.2022 in *Ashwani Kumar Dubey v. Union of India*, and in violation of the Environment (Protection) Act, 1986 and the Fly Ash Notification dated 31.12.2021, which collectively require free and unhindered availability of fly ash to promote its 100% utilisation and prevent environmental damage caused by its dumping.

3. That the Applicant in the Original Application sought following prayer
 - a. To quash Office Order dated 22/02/2022 issued by Respondent No. 04.
 - b. To Quash the Office Order dated 16/03/2022 issued by Respondent No. 05
 - c. Direct Respondent No. 04 to issue Office Order to prohibit dumping of ASH into POND ASH as the same not only contaminate the SOIL but also cause Ground Water Pollution and Air Pollution.
 - d. Direct Respondent No. 04 to issue Office Order to all the Thermal Power Plants to put FLY ASH DEPOTS at URBAN GROWTH



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CENTERS to cater the need of FLY ASH to BRICK INDUSTRY so that the maximized FLY ASH consumption would not only save CRORES of RUPEES of Thermal Power Plants but would also result into providing affordable power to consumers.

4. That vide order dated 16.12.2024, this Hon'ble Tribunal, while considering the procedural background of the matter, specifically recorded as under:

"12. In the present case, appeal was filed against order dated 25.08.2022 and it is noteworthy that no appeal was filed against order dated 15.12.2022 passed by this Tribunal in the above-mentioned O.A. so far as the information sought thereby is concerned and the respondents are bound to submit the same by filing appropriate responses."

It is in compliance with the above direction that Respondent No. 4 (Ministry of Power) and Respondent No. 7 (Central Pollution Control Board) submitted their respective affidavits dated 14.01.2025 (uploaded on 30.01.2025) and 19.02.2025, to which the present Additional Affidavit is being filed in rebuttal, highlighting the factual inaccuracies, internal inconsistencies, and legal infirmities in the said responses.



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True copy of the order dated 16.12.2024 is annexed and marked herewith as Annexure A1/1.

On the Affidavit of Respondent No. 4 (Ministry of Power) dated 14.01.2025.

5. It is respectfully submitted that Annexure-I to the affidavit filed by Respondent No. 4 (Ministry of Power) presents fly ash utilisation data for the calendar year (CY) 2022, whereas Respondent No. 7 (Central Pollution Control Board), in its affidavit, relies upon data extracted from the Annual Compliance Reports (ACRs) submitted by individual thermal power plants, corresponding to the financial year (FY) 2022–2023. This lack of uniformity in reporting periods—in the absence of any cogent explanation or justification—seriously undermines the credibility, consistency, and comparative value of the datasets furnished by the respondents.

Such a discrepancy in the temporal framework of data presentation not only violates fundamental principles of administrative transparency but also raises legitimate concerns about statistical integrity and possible obfuscation. By adopting disparate reference periods for ostensibly similar datasets, the respondents have created an opaque factual matrix that impedes meaningful analysis of fly ash generation and utilisation trends.



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To highlight the variance more clearly, a comparative table is presented below:

Description	Data of R-4 for CY 2022	Data of R-7 for FY 22-23
Total ash generated	355.55*	292.8
Fly ash generated	284.44	234.24*
Bottom ash generated	71.11*	58.56*

Note: The figures without asterisk are given by respondents; figures with asterisk are computed based on data provided by respondents, on the conventional basis of 80:20 for fly ash to bottom ash.

6. That the Applicant respectfully submits that Annexure-I to the affidavit of Respondent No. 4 reflects what appears to be a deliberate jugglery of terminologies and numerical figures, aimed at misrepresenting the true extent of fly ash utilisation. By interchanging and ambiguously referencing the terms "ash", "fly ash", "bottom ash", and "pond ash", the Respondent seems to have taken undue advantage of the interpretative inconsistencies present across various government notifications and technical frameworks. This obfuscation appears not merely inadvertent but engineered to inflate utilisation figures and thereby misguiding the Hon'ble Tribunal.

To ensure terminological precision and technical clarity, the Applicant submits the following standard definitions—universally



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accepted within thermal power plant engineering and environmental science:

- a. **Ash:** The residue left after combustion of coal, comprising non-combustible mineral matter, which segregates into fly ash and bottom ash.
 - b. **Fly Ash:** The finer fraction of ash carried away by flue gases and collected through Electrostatic Precipitators (ESPs) or bag filters. It possesses partial pozzolanic reactivity, making it potentially useful in cement, building materials and construction applications.
 - c. **Bottom Ash:** The heavier and over-burnt residue that settles at bottom of the furnace, often partially clinkerised and lacking pozzolanic reactivity.
 - d. **Pond Ash:** A mixture of unutilised fly ash and bottom ash, typically transported hydraulically and deposited in ash ponds. It does not retain the quality of fresh fly ash and has significantly reduced reactivity.
7. It is respectfully highlighted that this technical demarcation has been inconsistently handled across different fly ash utilisation notifications, further contributing to ambiguity:



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- a. That the 1999 Fly Ash Notification, had clearly and correctly categorised fly ash, bottom ash, and pond ash into distinct operational entities.
- b. That the 2009 Notification inexplicably collapsed these distinct categories into a single term—"fly ash", thus enabling thermal power plants to club all ash-based materials, including pond ash used for bund, dyke, and mine-filling purposes, as "fly ash utilisation." This technical misclassification facilitated artificial inflation of fly ash utilisation data submitted to regulatory authorities and even Hon'ble Courts of law.
- c. That based on computations carried out by the Applicant across 49 Thermal Power Plants, using 2016–2017 statistics from the Central Electricity Authority (CEA), it is empirically demonstrated that substantial quantities of pond ash used in internal ash management activities such as dyke construction or mine reclamation were inaccurately projected as fly ash utilisation, falsely enabling several TPPs to claim 100% utilisation compliance.

True copy of the computations carried out by the Applicant across 49 Thermal Power Plants, using 2016–2017 statistics from the Central Electricity Authority (CEA) is annexed and marked herewith as Annexure A1/2.



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d. That In this context, the 2021 Notification marks a welcome departure by referring to the umbrella term "ash", inclusive of both fly ash and bottom ash. Importantly, the notification mandates that utilisation of pond ash for internal engineering works—such as bund or dyke formation—shall not be clubbed with fly ash utilisation figures, a position correctly reaffirmed by Respondent No. 7 (CPCB). Furthermore, the 2021 Notification introduces a separate utilisation target for pond ash, ensuring improved transparency and accountability in statistical disclosures.

e. That therefore, it logically follows that if any dataset refers solely to fly ash, it must be mandatorily accompanied by corresponding data on bottom ash, failing which, any presentation remains incomplete and potentially misleading.

8. In light of the above submissions, and for the sake of clarity and precision, the Applicant deems it necessary to place the following tabular clarification distinguishing between various forms of ash, their respective technical definitions, and the manner in which such distinctions have been misrepresented or diluted across successive Fly ash Notifications, resulting in statistical jugglery and misreporting of utilisation data:



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Term	Technical Definition	Utilisation Context	Misrepresentation/Issue
Ash	Total residue from coal combustion; includes both fly ash and bottom ash.	Should be reported as total ash generation.	Often confused or incompletely reported when fly ash or bottom ash is selectively shown.
Fly Ash	Fine, pozzolanic ash carried through flue gases and captured in ESPs or bag filters.	Used in cement, concrete, bricks, road base, etc.	Pond ash or bottom ash is sometimes wrongfully clubbed under this category to inflate "utilisation" figures.
Bottom Ash	Coarse, non-pozzolanic residue that settles at the bottom of the furnace.	Has limited application; often stored or used for landfilling.	Its exclusion from datasets where only fly ash is shown leads to incomplete statistics.
Pond Ash	Mixture of unused fly ash and bottom ash deposited in ash ponds.	Typically used in bund/dyke construction, low-lying area filling, or mine reclamation.	Wrongly counted as fly ash utilisation, particularly under 2009 Notification, despite being a degraded mixture not equivalent to fresh fly ash.
1999 Notification	Technically sound notification categorising fly ash, bottom ash, and pond ash distinctly.	Clear definitions promoted accurate reporting.	Was later diluted.
2009 Notification	Referred to all ash types as "fly ash", removing technical distinctions.	Allowed TPPs to club even internal disposal (dykes, bunds) under	Enabled misleading compliance claims; no separate accounting for pond ash or bottom ash.



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Term	Technical Definition	Utilisation Context	Misrepresentation/Issue
		"fly ash utilisation."	
2021 Notification	Reintroduced the term "ash" to include both fly ash and bottom ash; required separate tracking of pond ash utilisation.	Mandated independent reporting of pond ash, discouraging bund/dyke use being shown as fly ash	A positive corrective step, but implementation by TPPs remains questionable.

9. It is respectfully submitted that even on a bare perusal of the figures furnished by Respondent No. 4, it becomes evident that the claim of 100% fly ash utilisation is factually incorrect and misleading. As per the affidavit of R-4, the total fly ash generated during Calendar Year 2022 was 284.44 million tonnes (MT), of which only 213.14 MT was reportedly utilised — amounting to a utilisation rate of approximately 75%, not 100% as is repeatedly and emphatically asserted.

Furthermore, when the bottom ash component—estimated at 71.11 MT on the conventional 80:20 ratio—is rightly factored in, the total ash generation rises to 355.55 MT, reducing the actual utilisation rate to approximately 60% of the total ash generated. This crucial dilution, stemming from the exclusion of bottom ash in the utilisation



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denominator, has been deliberately omitted to present an inflated narrative of compliance. Such selective presentation not only lacks transparency but also undermines the credibility of reported statistics and misguides both regulatory authorities and the Hon'ble Tribunal.

To substantiate the above contention and present the figures in an unambiguous manner, the following tabular representation is set out based entirely on the data disclosed by Respondent No. 4 in its affidavit. The table demonstrates that, even by R-4's own admission, the actual ash utilisation—once bottom ash is rightly included in the computation—falls significantly below the claimed level of compliance:

Particulars	Quantity (in Million Tonnes)	Explanation
Fly ash generated	284.44	As per R-4 affidavit
Fly ash utilised	213.14	As per R-4 affidavit
Reported fly ash utilisation (%)	75%	$(213.14 / 284.44) \times 100$
Bottom ash (estimated at 20%)	71.11	Computed based on standard 80:20 fly



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		ash to bottom ash ratio
Total ash generated (fly + bottom ash)	355.55	284.44 + 71.11
Actual utilisation (%) of total ash	59.94% (\approx 60%)	$(213.14 / 355.55) \times 100$

10. That it is further submitted that Respondent No. 4 has maintained complete silence on the subject of bottom ash, which constitutes approximately 20% of total ash generated in coal-based thermal power plants. This omission is not incidental but appears to be a conscious effort to circumvent the regulatory burden that comes with acknowledging and disclosing the environmental liabilities associated with bottom ash handling and disposal. In practice, bottom ash is generally not utilised due to its lack of pozzolanic reactivity and is invariably diverted, along with unutilised fly ash, into ash ponds.

The non-disclosure of bottom ash quantity and its fate in R-4's affidavit thereby distorts the actual environmental footprint of the thermal power plants and is deliberate attempt to impede the Hon'ble Tribunal's ability to assess the true extent of non-compliance and waste mismanagement.



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11. That, by R-4's own figures, 71.3 million tonnes of fly ash remained unutilised during CY 2022, and when 71.11 million tonnes of bottom ash is added to it (as is standard in operational practice), it results in a cumulative discharge of approximately 142.41 million tonnes of ash to ash ponds within a single year. In such a scenario, it is inconceivable that no dyke or bund raising activity was reported, especially given that ash pond containment requires periodic elevation to accommodate such enormous volumes. Despite this, Annexure-I to R-4's affidavit reflects "0.00 MT" ash used for dyke raising, which is factually implausible and technically untenable.

12. That it is further submitted that Annexure-I of Respondent No. 4's affidavit significantly underreports the quantum of legacy pond ash in a manner that defies basic physical calculations. Vide entry 'f', R-4 claims the total accumulated (legacy) pond ash stock to be 256.13 million tonnes, spread over 23,781.62 hectares of ash pond area. However, even assuming a conservative average ash pond height of 10 metres, and applying a standard pond ash density of 1.1 tonnes per cubic metre, the total volume of legacy ash stored in such an expanse would be far higher, amounting to approximately 2,615 million tonnes, as per the following calculation:



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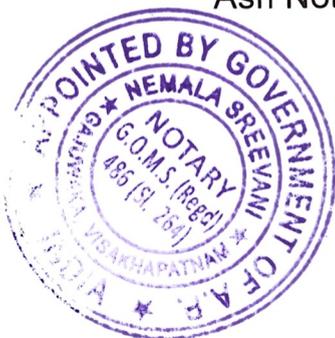
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$23,781.62 \text{ ha} \times 10^4 \text{ m}^2/\text{ha} \times 10 \text{ m} \times 1.1 \text{ tonnes/m}^3 = 2,615 \text{ million tonnes}$

This tenfold disparity between the claimed figure and the scientifically computed estimate casts serious doubt on the reliability of the affidavit, and strongly suggests underreporting of environmental liability associated with legacy ash dumping.

13. That the anomaly is further compounded by the claim made at entry 'j' of Annexure-I, which states that 262.86 million tonnes of pond ash were utilised in a single year—2022—under categories b(i) to b(iii) (namely, mine filling, low-lying area reclamation, and road embankment construction). This figure exceeds the total stock of legacy pond ash (256.13 million tonnes) admitted by R-4 to have accumulated over several decades.

It is statistically impossible to utilise more pond ash in one year than the entire quantity accumulated over decades, particularly in the absence of any concurrent record of fresh pond ash addition or significant ash excavation. This glaring internal inconsistency further undermines the credibility of the affidavit and reflects a pattern of inflated utilisation claims, possibly to project compliance with the Fly Ash Notification, 2021.



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14. In light of the multiple inconsistencies, selective disclosures, and questionable classifications highlighted hereinabove, the Applicant most respectfully submits that there is a compelling need to recompute the ash utilisation statistics in real terms. Such a recalculation must be based on disaggregated and independently verifiable data concerning:

- a. Total ash generation, including both fly ash and bottom ash;
- b. The quantity of fly ash actually utilised in environmentally approved end uses;
- c. The quantity of pond ash generated, accumulated, and shown as “utilised” under non-permissible categories such as bund/dyke formation.

Only through such a scientifically grounded and ‘regulatory-compliant assessment’ the true extent of ash utilisation—and consequential environmental impact— can be understood. It would then become abundantly clear that the repeated assertions of 100% fly ash utilisation by Thermal Power Plants (TPPs) are not only factually unfounded but environmentally misleading.



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**On the Respondent No. 7 (Central Pollution Control Board) dated
19.02.2025**

15. That the Applicant respectfully submits that the genesis of the present proceedings lies in the advisory dated 22.02.2022 issued by Respondent No. 4 (Ministry of Power), which directed coal- and lignite-based Thermal Power Plants (TPPs) to supply fly ash to end users solely through a bidding mechanism, effectively overriding existing regulatory safeguards and economic access granted to micro and small brick manufacturers under the environmental framework.

While the legality and sustainability of that advisory are directly under challenge in the present matter, it is both surprising and procedurally questionable that Respondent No. 1 (MoEF&CC), whose regulations form the substratum of this case, has proceeded to amend the Fly Ash Notification twice during the pendency of these proceedings—first on 30.12.2022 and then again on 01.01.2024. These amendments, enacted while the matter remained sub judice before this Hon'ble Tribunal, have the effect of altering the statutory landscape mid-proceedings, which undermines the principle of judicial supremacy and could potentially render the adjudication academic.



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In these circumstances, the Applicant most respectfully prays that the said amendments dated 30.12.2022 and 01.01.2024 be treated as non-est in law or held in abeyance, pending the final outcome of the present case.

16. That furthermore, the Applicant submits that the issuance of advisories/guidelines by Respondent No. 4 on 22.02.2022 and 15.03.2024—which are executive communications seeking to regulate fly ash distribution and monetisation—exceed the jurisdictional competence of the Ministry of Power, and directly encroach upon the statutory domain of Respondent No. 1 (MoEF&CC), which alone is vested with the authority to frame binding environmental standards under the Environment (Protection) Act, 1986.

It is respectfully contended that Respondent No. 4, acting on behalf of Thermal Power Plants, cannot arrogate unto itself regulatory powers under the environmental regime, especially when it is functionally aligned with the entities (TPPs) who are the principal generators—and hence, deemed polluters—in the fly ash management chain. The issuance of such advisories by a Ministry with no environmental mandate raises serious concerns about conflict of interest, institutional bias, and dilution of environmental governance.



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17. That the Applicant further submits that serious discrepancies exist in the affidavit of Respondent No. 7 (CPCB), particularly in the light of its own responses to Right to Information (RTI) applications filed by the Applicant. In RTI reply dated 21.07.2023, CPCB categorically admitted that it had not received compliance audit reports from any coal- and lignite-based TPPs till June 2023, which contradicts its present affidavit wherein it has relied upon such reports as the primary basis for statistical assertions.

In a separate RTI response dated 20.09.2023, CPCB also admitted to having no information available regarding the quantities of ash or legacy ash issued free of cost by TPPs or the quantum of ash diverted to ash ponds. These contradictions strike at the root of the factual matrix now sought to be placed before the Hon'ble Tribunal and raise grave doubts over the verifiability, origin, and completeness of the data submitted by R-7.

True copy of the RTI Reply dated 20.09.2023 is annexed and marked herewith as Annexure A1/3.

18. That, without prejudice to the above, even assuming the data submitted by CPCB is accurate, the Applicant points out that approximately 20% of total ash generated constitutes bottom ash, which, due to its lack of pozzolanic reactivity, does not lend itself to



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any meaningful or sustainable end-use. However, CPCB has claimed bottom ash utilisation figures of 58.56 million tonnes in FY 2022–23 and 65.82 million tonnes in FY 2023–24, without providing any details as to the mode, location, end-use, or approval status of such “utilisation.”

In the absence of any evidence to support these figures—such as utilisation certificates, industry tie-ups, or project-specific disclosures—the figures appear to be arbitrary, unsupported, and inflated, thereby undermining the credibility of CPCB’s entire affidavit.

19. That in light of the above submissions, the Applicant respectfully submits that the affidavits filed by Respondent No. 4 and Respondent No. 7 may be disregarded for being factually inconsistent, statistically unreliable, and contrary to the regulatory framework. The advisories dated 22.02.2022 and 15.03.2024 issued by the Ministry of Power may be treated as ultra vires, having been issued without authority and in contravention of the mandate of the MoEF&CC. In order to ensure transparency, accountability, and a scientifically accurate assessment of fly ash utilisation, it is submitted that the Hon’ble Tribunal may consider constituting an independent expert committee with representation from the



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Applicant to review the national data and assist in framing corrective directions.

20. That balance of convenience is in the favour of the applicant and the ends of the justice shall suffer if the relief as prayed is not granted.

21. The applicant has not approached any other court or tribunal seeking similar relief as prayed before this Hon'ble Court.

For Amaravathi Flyash Bricks Manufacturers Association

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DEPONENT

Chief Advisor

VERIFICATION:

Verified at New Delhi on this day of April, 2025, that the contents of the above affidavit are true and correct to the best of my knowledge and nothing material is concealed therein.

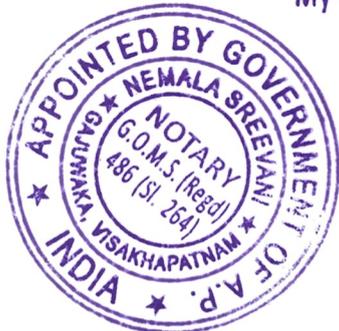
For Amaravathi Flyash Bricks Manufacturers Association

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DEPONENT

Chief Advisor

My Commission Expires on 29-7-2027



NEMALA SREEVANI, B.A.,B.L
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Items No.02 to 04

Court No. 2

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

Original Application No. 327/2022
(I.A. No.666/2024, I.A. No.256/2022, I.A. No.174/2022
&
I.A. No.110/2022)

Amravati Fly Ash Bricks Manufacturers
Association

Applicant

Versus

Union of India & Others

Respondents

And

Original Application No. 878/2022

Tamilnadu Fly Ash Brick and Blocks
Manufactures Association

Applicant

Versus

Union of India & Others

Respondents

With

Original Application No.661/2024

Tamilnadu Fly Ash Brick and Blocks
Manufactures Association

Applicant

Versus

Union of India & Others

Respondents

Date of hearing: 16.12.2024

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicants: Ms. Chandrika Upadhyaya Proxy Counsel for the
Applicant (in O.A. No. 327/2022 and in O.A. No.
878/2022.).

Mr. Akhil Pal Chhabra, Advocate for Applicant (through VC) in O.A. No. 661/2024.

Respondents: Mr. K M Natraj, ASG (through VC) with Mr. Gigi C George and Mr. Watsal, Advocates for Respondent no. 4 in O.A. No. 327/2022, Respondent no. 2-in O.A. No. 878/2022 and Respondent no. 4-in O.A. No. 661/2024.

Ms. Bihu Sharma, Advocate for Respondent no. 1 in O.A. No. 327/2022, Respondent no. 1 in O.A. 878/2022 and Respondent no. 1 in O.A. No. 661/2024 (through VC).

Mr. Chetan Sharm, ASG, Mr. Shailesh Madiyal, Senior Advocate with Mr. Sudhanshu Prakash, AOR, Vikramaditya Singh, Mr. Shubham Sharma and Mr. Animesh Verma, Advocates for Respondent no. Respondent No. 9 in O.A. No. 327/2022 and Respondent no. 5 in O.A. No. 878/2022.

Mr. Raj Kumar, Advocate for Respondent No. 7 in O.A. No. 327/2022 and Respondent no. 3 in O.A. No. 878/2022.

Ms. Anush Nagarajan and Ms. Carina Arora, Advocates for respondent no. 6, 10 to 13 in O.A. No. 878/2022.

Mr. N. Nithianandam, Advocate for Respondent No.7 (through VC) in O.A. No. 878/2022.

Ms. Ritwika Nanda, Advocate and Ms. Swasti Misra, Advocates for Respondent no. 8 in O.A. No. 878/2022.

Mr. Munawar Naseem and Ms. Anisha Gupta, Advocates for respondent no. 14 to 17 in O.A. No. 878/2022.

Mr. Adarsh Tripathi, Mr. Vikram Singh Baid and Mr. Ajitesh Garg Advocates for Respondent No. 18 in O.A. No. 878/2022 (through VC).

None for Respondents no. 2,3,5,6,8,10,11,12,13,14 and 15 in O.A. No. 327/2022.

None for Respondents no. 4 and 9 in O.A. No. 878/2022.

None for Respondent no. 2 and 3 in O.A. No. 661/2024.

ORDER

1. Interlocutory Application No.666/2024 has been filed by Respondent no.4-Ministry of Power (MOP) in O.A. No.327/2022 for passing an order

taking on record additional facts of amendment notification dated 01.01.2024 issued by Respondent No.1-MoEF&CC amending notification dated 31.12.2021 issued earlier and Guidelines dated 15.03.2024 issued by Respondent No.4-MOP in supersession of guidelines dated 22.02.2022 and disposal of similar O.A. No. 436 of 2023 by this Tribunal as infructuous.

2. Ms. Chandrika Upadhyaya, Proxy Counsel for Mr. Gaurav Kumar Bansal, Counsel for the Applicant in O.A. No. 327/2022 and O.A. No. 878/2022 seeks adjournment on the ground of personal difficulty of learned counsel for the applicant in appearing before this Tribunal today.

3. Learned Additional Solicitor General has submitted that in view of above referred subsequent developments these Original Applications have become infructuous and has relied on order dated 16.04.2024 passed in O.A. No.436/2023 whereby the above said Original Application was disposed of as infructuous.

4. Notification dated 31.12.2021 has been amended on 01.01.2024 and guidelines dated 22.02.2022 have been superseded on 15.03.2024 during pendency of O.A. No. 327/2022 and O.A. No. 878/2022.

5. The question as to whether all the reliefs sought in these applications have become infructuous or not has to be adjudicated upon after filing of reply by applicants and hearing of submissions in respect thereof.

6. It may also be observed here that it is now well settled that the parties before the Court/Tribunal can amend the pleadings in view of subsequent developments and the Court/Tribunal can also mould the relief in view of subsequent developments.

7. It may also be observed here that O.A. No. 661 of 2024 has been filed for quashing order dated 01.01.2024 issued by Respondent No.1-MOEF&CC and order dated 15.03.2024 issued by Respondent No.4 MOP.

8. Replies by applicants may be filed to I.A. No.666/2024 at least one week before the date of hearing fixed.

9. In their replies the applicants may also specifically mention as to whether the reliefs sought by them have become infructuous or not, as to whether any relief survives despite subsequent developments and as to whether any amendments are desired to be made to reiterate the grievances and assail validity of subsequent notification and guidelines.

10. In view of the facts that Hon'ble Supreme Court has given directions to this Tribunal for deciding the matters within a period of six months from the date of its order short dates of hearing have to be fixed in the matter for hearing and adjudication of the questions involved in compliance thereof.

11. It may also be observed here that vide order dated 18.01.2022 passed in **O.A No.164/2018 (earlier O.A No. 276/2013) titled as "Ashwani Kumar Dubey Vs. Union of India and Others**, this Tribunal had directed the respondents to file their responses giving information with respect to aspects mentioned therein which have the bearing on the question of scientific and expeditious disposal of fly ash for protection against adverse environmental impact thereof. Even under the notifications issued by MoEF&CC the concerned TPPs were required to upload the relevant information on their websites and also the High Level Committee constituted by MoEF&CC was required to deliberate upon the issues and upload its Minutes of Meeting on the website.

12. In the present case appeal was filed against order dated 25.08.2022 and it is noteworthy that no appeal was filed against order dated 15.12.2022 passed by this Tribunal in above mentioned O.A. so far as the information sought thereby is concerned and the respondents are bound to submit the same by filing appropriate responses.

13. Even otherwise, we reiterate the above order as part of this order as the information thereby sought is required for just and proper adjudication of the questions involved in the present applications.

14. Responses by the concerned respondents be filed specifically mentioning as to whether the information as directed by notification issued by MoEF&CC and guidelines issued by Ministry of Power, Central Pollution Control Board or concerned State Pollution Control Board/Pollution Control Committee is being uploaded on the website of concerned respondents or not.

15. It may be observed here that in the present cases despite service of notices, Respondents no. 2, 3, 5, 6, 8, 10, 11, 12, 13, 14 and 15 in O.A No. 327/2022, Respondents no. 4 and 9 in O.A. No. 878/2022 and Respondents no. 2 and 3 in O.A. No. 661/2024 have not appeared before this Tribunal and have not filed their responses.

16. Adjudication of cases involving substantial environmental questions is not governed by the principles of adversarial litigation and is on the other hand, governed by the principles of Sustainable Development Precautionary Principle and Polluter Pays Principle embodied in Section 20 of the National Green Tribunal Act, 2010 which are also part of our Municipal Environmental Law in view of treaties entered into by Government of India and Judgments of Hon'ble Supreme Court. In view of nature thereof the provisions of the Code of Civil Procedure, 1908, Indian

Evidence Act, 1872/Bhartiya Sakshya Adhiniyam, 2023 and similar procedural laws are not applicable to adjudication of substantial environmental questions.

17. State and its instrumentalities are under constitutional obligation to protect and improve environment and in view thereof State and its instrumentalities cannot absent from adjudication of substantial environmental questions on any ground and are constitutionally bound to cooperate and participate in the same.

18. Even though the National Green Tribunal (Practices and Procedure) Rules, 2011 provides for taking of ex-parte proceedings against the absentee respondents but we consider that in cases involving substantial environmental questions concerned respondents cannot be allowed to suffer themselves to be proceeded against ex-parte as any order passed ex-parte is also likely to adversely impact environment for lack of information which could be provided by such respondents.

19. However, in the present case we are giving one more opportunity to the absenting respondents to appear and file their responses and ensure their representations before this Tribunal. In the absence thereof not only exemplary costs may be imposed on absenting respondents on further dates of hearing but also their presence may be secured for being examined as witnesses in the case.

20. I.A. No.174/2022 and I.A. No. 256/2022 are pending before this Tribunal and replies to the same may also be filed by the concerned parties at least one week before the date of hearing fixed.

21. Mr. Munawar Naseem and Ms. Anisha Gupta, learned Counsels for respondents no.14 to 17 (in O.A. No. 878/2022) have submitted that copies of the original applications have not been supplied to them.

22. Learned counsels for the applicants are directed to supply copies of the original applications to them.

23. In case of failure of learned counsels for the applicants to do so, learned Counsels for respondents no.14 to 17 may obtain relevant copies from the Court Master of this Bench who is directed to do the needful if so requested.

24. Responses by respondents no.14 to 17 and all other respondents who have not filed their responses so far may be filed at least one week before the date of hearing fixed.

25. List on 16.01.2025 for further hearing.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

December 16th, 2024
O.A. No. 327/2022 With
O.A. No. 878/2022 With
O.A. No. 661/2024.
M

		Top 49 Plants who claimed more than 100% ash utilisation: Source CEA for 2016-17											Million tons.			
		Generation	brick/block tiles	in PPC	Replacement of cement in concrete	Highways & Roads; RCC Dam constn.	Unutilised pumped in ponds	Ash dyke raising	reclamation of low-lying	Mine filling	others	total utilisation	Utilisation Claimed %	Actual fly ash utilisation %	Unutilised fly ash to pond %	
		7	10	11	13	12		15	16	17	18+19	20				
1	7 Kasal Pali	Chattisgarh	1.1354	0.0864			0.062	0.987		1.0087		1.1571	101.91	13.07	86.93	
2	9 Chakabura TPP	Chattisgarh	0.1859	0.0146				0.171		0.1713		0.1859	100	7.85	92.15	
3	10 Chakabura TPP Ext.	Chattisgarh	0.1648	0.0146				0.150		0.1502		0.1648	100	8.86	91.14	
4	12 Mundra TPS	Gujarat	0.994	0.0013	0.421		0.104	0.468		0.2878	0.251	1.0650	107.14	52.95	47.05	
5	23 BBGS of CESC	WB	1.05	0.037	0.787	0.004		0.222		0.222		1.05	100	78.86	21.14	
6	24 SGS of CESC	WB	0.0777	0.0069	0.0529	0.0071		0.011		0.0108		0.0777	100	86.10	13.90	
7	25 TGS of CESC	WB	0.026	0.011	0.012			0.003		0.003		0.026	100	88.46	11.54	
8	30 Mutiara Coastal Ene.	Tamilnadu	0.0902	0.0247	0.0675			-0.002				0.0922	102.22	102.22	-2.22	
9	32 Bokaro B of DVC	Jharkhand	0.5046	0.00008				0.505		1.1738		1.1738	232.63	0.02	99.98	
10	34 Durgapur DVC	WB	0.1993	0	0.0158			0.184		0.549		0.5648	283.31	7.93	92.07	
11	35 Mejia of DVC	WB	3.7276	0.0137	0.9113			2.803		0.0286	3.0353	3.9889	107.01	24.81	75.19	
12	43 Surat Lignite-GIPCL	Gujarat	0.5848	0.4964				0.088			0.0885	0.5848	100	84.88	15.12	
13	44 Akrimota- GMDCL	Gujarat	0.1916					0.192		0.2621		0.2621	136.81	0.00	100.00	
14	45 Gandhinagar-GSECL	Gujarat	0.0446	0.0274	0.0443	0.0113		-0.038			0.0004	0.0834	186.99	186.10	-86.10	
15	46 Kutch Lignite-GSECL	Gujarat	0.0303		0.0028			0.028		0.0275		0.0303	100	9.24	90.76	
16	49 Wanakbori-GSECL	Gujarat	0.0911	0.0137	0.0591			0.018	0.0322		0.0176	0.1226	134.57	79.91	20.09	
17	55 Yamunanagar-HPGCL	Gujarat	0.64	0.0270	0.534		0.754	-0.675			0.1979	1.5129	236.39	205.47	-105.47	
18	56 Panipat- HPGCL	Haryana	0.556	0.0470	0.847		0.428	-0.766		0.022	0.013	1.3570	244.06	237.77	-137.77	
19	59 Dishergarh Power Stn	WB	0.0288					0.029		0.0288		0.0288	100	0.00	100.00	
20	68 Vijaynagar-JSW Energy	Karnataka	0.152	0.012	0.113			0.027	0.007		0.21	0.153	100.65	82.24	17.76	
21	75 Maithon RBTPP	Jharkhand	1.76	0.0903	0.0064		0.0895	1.574		1.7496		1.9359	109.99	10.58	89.42	
22	84 Nashik MSPGCL	Maharashtra	0.8441	0.8249	0.2817		0.0001	-0.263	0.0461			1.1528	136.56	131.11	-31.11	
23	85 Parli MSPGCL	Maharashtra	0.407	0.357	0.161			-0.111			0.2037	0.7217	177.32	127.27	-27.27	
24	88 Thaminapatnam TPS	AP	0.0432	0.0231				0.020	0.07		0.0931	0.0931	215.34	53.47	46.53	
25	92 Neyveli-II NLC Ltd	Tamilnadu	0.5966	0.1494	0.2787			0.169		0.2505		0.6786	113.75	71.76	28.24	
26	93 Neyveli-II expn	Tamilnadu	0.0690	0.0407				0.028	0.0095		0.0193	0.0695	100.78	58.99	41.01	
27	94 Barsingsar Lignite-NLC	Rajasthan	0.291	0.0718	0.1093			0.110		0.1099		0.291	100	62.23	37.77	
28	95 Bhilai- NSPCL	Chattisgarh	1.0207	0.153	0.7437		0.0873	0.037	0.08		0.0544	1.1184	109.56	96.40	3.60	
29	97 Badarpur-NTPC	Delhi	0.365	0.186	0.179		0.207	-0.207				0.572	156.71	156.71	-56.71	
30	98 Dadri-NTPC	UP	1.834	0.313	1.082		1.91	-1.471		0.421		3.726	203.43	180.21	-80.21	
31	101 Feroze Gandhi-Unchar	NTPC-UP	1.486	0.023	1.022		0.394	0.047	0.21	0.021	0.205	1.875	126.17	96.84	3.16	
32	102 Tanda-NTPC	UP	0.749	0.194	0.347		0.044	0.164	0.123	0.01	0.167	0.885	118.15	78.10	21.90	

33	111 Talcher-NTPC	Odisha	1.175	0.026				1.149	0.009		1.148		1.183	100.68	2.21	97.79
34	113 Mouda TPS-NTPC	Maharashtra	0.898	0.481	0.105		0.305	0.007				0.008	0.899	100.11	99.22	0.78
35	116 Bathinda PSPCL	Punjab	0.17	0.0266	0.1745		0.0828	-0.114					0.2839	166.95	167.00	-67.00
36	117 Lehra Mohabat-PSPCL	Punjab	0.0633	0.0021	0.0437	0.0012	0.0193	-0.003					0.0663	104.8	104.74	-4.74
37	118 Ropar PSPCL	Punjab	0.6466	0.0279	0.7793	0.0058	0.0926	-0.259		0.1734		0.0003	1.0794	166.94	140.06	-40.06
38	121 Kota RRVUNL	Rajasthan	1.5389	0.524	1.0103	0.0081		-0.004				0.0097	1.5521	100.85	100.23	-0.23
39	122 Chhabra RRVUNL	Rajasthan	1.4254	0.3225	0.8914		0.0197	0.192				0.2185	1.452	101.86	86.54	13.46
40	126 Jalpa Kapurdi RWPL	Rajasthan	1.0301	0.0861	0.8931			0.051			0.1698		1.149	111.53	95.06	4.94
41	128 Dahanu Reliance Infra	Maharashtra	0.591	0.0008		0.297		0.293	0.113			0.2128	0.6235	105.5	50.39	49.61
42	129 Amravati TPS RattanInd	Maharashtra	0.3085	0.2581			0.0049	0.046	0.0284	0.0172			0.3085	100.02	85.25	14.75
43	133 Jojobera TP Co	Jharkhand	1.0554	0.0049	0.6534	0.0111		0.386		0.4004			1.0698	101.36	63.43	36.57
44	134 Trombay TP Co	Maharashtra	0.05			0.0417		0.008			0.006	0.0024	0.0501	100.2	83.40	16.60
45	135 Sabarmati Torent Power	Gujarat	0.3951		0.2995			0.096	0.0912			0.0044	0.3951	100	75.80	24.20
46	146 Panki UPRVUNL	UP	0.2429	0.0056	0.0329		0.3097	-0.105					0.3482	143.32	143.35	-43.35
47	149 Butibori Vidarbha Inds	Maharashtra	0.694	0.2184	0.3204		0.0077	0.148		0.149			0.6956	100.21	78.75	21.25
48	150 Kolaghat	WB	2.0578	0.0581	0.2811			1.719				2.0817	2.4209	117.64	16.48	83.52
49	155 Sai Wardha Power Ltd	WPCL Maharash	0.262	0.262				0.000					0.262	100	100.00	0.00
			32.5443	5.56408	13.5631	0.3873	4.9216		0.8194	3.0964	8.5296	4.0394	40.6385			
	Total Fly ash generation	Million tons	32.5443													
	Fly ash utilisation	Million tons		24.43608				8.10822								
	Pond ash utilisation	Million tons							16.48							
	% of utilisation	%		75.09				24.91	50.65							
	107 Simhadri	AP	3.058	0.475	0.25			2.333	1.628	0.206			2.559			
	Fly ash utilisation		0.725													
	Pond ash utilisation								1.834							
	% of utilisation		23.71	15.53	8.18			76.29	59.97							

Statistics of NTPC power plants based on CEA data for 2016-17																
			Generation	brick/block tiles	in PPC	Replacement of cement in concrete	Highways & Roads; RCC Dam constn.	Unutilised pumped in ponds	Ash dyke raising	reclamation of low-lying	Mine filling	others	total utilisation	% of utilisation	Actual fly ash utilisation %	Unutilised pumped to pond %
			7	10	11	13	12		15	16	17	18+19	20			
1	97 Badarpur	Delhi	0.3650	0.1860	0.1790		0.2070	-0.2070					0.5720	156.71	156.71	-56.71
2	98 Dadri	U.P.	1.8340	0.3130	1.0820		1.9100	-1.4710		0.4210			3.7260	203.43	180.21	-80.21
3	99 Singrauli	U.P.	3.6770	0.0100	0.0200			3.6470	0.3040				0.3340	9.08	0.82	99.18
4	100 Rihand	U.P.	4.8530	0.1110	0.0270			4.7150	0.2160	0.3630		0.0350	0.7520	15.4900	2.84	97.16
5	101 Feroze Gandhi Unachar	U.P.	1.4860	0.0230	1.0220		0.3940	0.0470	0.2100	0.0210		0.2050	1.8750	126.1700	96.84	3.16
6	102 Tanda	U.P.	0.7490	0.1940	0.3470		0.0440	0.1640	0.1230	0.0100		0.1670	0.8850	118.1500	78.10	21.90
7	103 Korba	Chhattisgarh	5.0660	0.1680	0.0260		0.0220	4.8500	1.0340	0.0190	0.0070	1.0020	2.2780	44.9600	4.26	95.74
8	104 Vindhyachal	M.P.	7.6390	0.1280	0.0390			7.4720	0.7530	0.1120		0.7670	1.7990	23.5200	2.19	97.81
9	105 Sipat	Chhattisgarh	5.4490	0.2340	0.4590		0.0020	4.7540	0.2740	0.2560		0.0200	1.2450	22.8400	12.75	87.25
10	106 Ramagundam	Andhra Pradesh	4.7110	1.5530	0.8100		0.0000	2.3480	0.0720	0.0450	1.4980	0.4080	4.3860	93.1000	50.16	49.84
11	107 Simhadri	Andhra Pradesh	3.0580	0.4750	0.2500		0.0000	2.3330	1.6280	0.2060			2.5590	83.6800	23.71	76.29
12	108 Farakka	W.B.	3.0360	0.0310	0.2610		0.0610	2.6830	0.1100	0.9620		0.2530	1.6780	55.2700	11.63	88.37
13	109 Kahalgaon	Bihar	5.0560	0.1790	0.6530		0.0450	4.1790	0.4250	0.5590		0.3660	2.2270	44.0400	17.35	82.65
14	110 Barh Super TPS	Bihar	2.0860	0.0290	0.0370		0.0300	1.9900					0.0960	4.6000	4.60	95.40
15	111 Talchar (TPS)	Odisha	1.1750	0.0260				1.1490	0.0090		1.1480		1.1830	100.6800	2.21	97.79
16	112 Talchar (KAN)	Odisha	7.1210	0.1080	0.0250			6.9880	2.9430				3.0760	43.1900	1.87	98.13
18	113 Mouda TPS	Maharashtra	0.8980	0.4810	0.1050		0.3050	0.0070				0.0080	0.8990	100.1100	99.22	0.78
19	114 Bongaigaon	Assam	0.2070					0.2070					0.0000	0.0000	0.00	100.00
			58.4660	4.2490	5.3420		3.0200	45.8550								

	Andhra Pradesh														
20	V Ramagundam	Andhra Pradesh	4.7110	1.5530	0.8100			2.3480	0.0720	0.0450	1.4980	0.4080	4.3860	50.16	49.84
21	VI Simhadri	Andhra Pradesh	3.0580	0.4750	0.2500			2.3330	1.6280	0.2060			2.5590	23.71	76.29
22	I Bongaigaon	Assam	0.2070	0.0000	0.0000			0.2070					0.0000	0.00	100.00
23	II Kahalgaon	Bihar	5.0560	0.1790	0.6530		0.0450	4.1790	0.4250	0.5590		0.3660	2.2270	17.35	82.65
24	III Barh Super TPS	Bihar	2.0860	0.0290	0.0370		0.0300	1.9900					0.0960	4.60	95.40
25	XIII Korba	Chhattisgarh	5.0660	0.1680	0.0260		0.0220	4.8500	1.0340	0.0190	0.0070	1.0020	2.2780	4.26	95.74
26	XIV Sipat	Chhattisgarh	5.4490	0.2340	0.4590		0.0020	4.7540	0.2740	0.2560		0.0200	1.2450	12.75	87.25
	DELHI														
27	Badarpur	Delhi	0.3650	0.186	0.1790		0.2070						0.5720		
	Madhya Pradesh														
28	VII Vindhyaachal	Madhya Pradesh	7.6390	0.1280	0.0390				0.7530	0.1120		0.7670	1.7990		
	Maharashtra														
29	XII Mouda TPS	Maharashtra	0.8980	0.4810	0.1050		0.3050					0.0080	0.8990		
	Odisha														
30	II Talchar (TPS)	Odisha	1.1750	0.0260	0.0000				0.0090		1.1480		1.1830		
31	III Talchar (KAN)	Odisha	7.1210	0.1080	0.0250				2.9430				3.0760		
	Uttar Pradesh														
32	VII Dadri	Uttar Pradesh	1.8340	0.3130	1.0820		1.9100			0.4210			3.7260		
33	VIII Singrauli	Uttar Pradesh	3.6770	0.0100	0.0200				0.3040				0.3340		
34	IX Rihand	Uttar Pradesh	4.8530	0.1110	0.0270				0.2160	0.3630		0.0350	0.7520		
35	X Feroze Gandhi Unachar	Uttar Pradesh	1.4860	0.0230	1.0220		0.3940		0.2100	0.0210		0.2050	1.8750		
36	XI Tanda	Uttar Pradesh	0.7490	0.1940	0.3470		0.0440		0.1230	0.0100		0.1670	0.8850		
	West Bengal														
37	IX Farakka	West Bengal	3.0360	0.0310	0.2610		0.0610		0.1100	0.9620		0.2530	1.6780		
38															
39															
40															
41															
42															
43															
44															
45															
46															
47															
48															

49																	
	Total Fly ash generation	Million tons	0														
	Fly ash utilisation	Million tons		0				0									
	Pond ash utilisation	Million tons								0.00							
	% of utilisation	%		#DIV/0!				#DIV/0!	#DIV/0!								
	107 Simhadri	AP	3.058	0.475	0.25			2.333	1.628	0.206					2.559		
	Fly ash utilisation		0.725														
	Pond ash utilisation								1.834								
	% of utilisation		23.71	15.53	8.18			76.29	59.97								

Final Status of CPCBD/R/E/23/00611

ame	gaurav bansal
ipt	21/07/2023
id With	Central Pollution Control Board, Delhi
lication	<p>Sir</p> <p>Please provide the following information under Section 06 of the Right to Information Act 2005:</p> <ol style="list-style-type: none"> 1. Documents concerning compliance audit for ash disposal by the thermal power plants and the user agency authorized by the CPCB as per part E5 of the Fly Ash Notification dated 31 December 2021 submitted in CPCB from January 2022 till June 2023. 2. Reports or Records of any action taken against non-compliant power plants after receipt of audit report as per part E5 of the Fly Ash Notification dated 31 December 2021 submitted in CPCB from January 2022 till June 2023. <p>In order to save public exchequer, applicant requests you to please provide soft copy of the reply on the email id of applicant which is advocategauravkumarbansal@gmail.com</p> <p>Further, applicant also requests your goodself to kindly use the window available on the RTI ONLINE for additional payment, in case it is required.</p>
ocument (if any)	document not provided
on	03/08/2023
	<p>Reply :- As per Para E(5) of the Ash Notification No. S.O. 5481(E) dated 31.12.2021 issued by the Ministry of Environment, Forest and Climate Change (MoEF&CC), Government of India (amended by notification dated 30.12.2022) regarding ash utilisation from coal or lignite based thermal power plants, Central Pollution Control Board (CPCB) has issued the updated list of authorised auditors to undertake the compliance audit for ash disposal by the coal and lignite based thermal power plants vide O.M. No. IPC-II/TPP/CP-11/76/2022/285 dated 17.07.2023 (Link: https://cpcb.nic.in/uploads/flyash/Authoriztion_of_Auditors.pdf).</p> <p>CPCB has not received compliance audit report of authorised auditors in respect of any coal and lignite based thermal power plants till June 2023.</p>

Print



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Note: Fields marked with * are Mandatory.

Enter Registration Number	CPCBD/R/E/23/00781
Name	Nateri Kalidas
Received Date	28/09/2023
Public Authority	Central Pollution Control Board, Delhi
Status	REQUEST DISPOSED OF
Date of action	20/10/2023
<p>Reply :- The information available with CPCB in respect of Points 1 to 5 of your application is as follows:</p> <p>1, 2) Information not available with CPCB. It is advised to approach concerned thermal power plants for these informations which are plant specific.</p> <p>3) Information not available with CPCB. It is advised to approach concerned thermal power plants for these informations which is plant specific. However, as per the ash data uploaded by 240 thermal power plants (with total installed capacity of 2,19,449.08 MW) on the Ash Portal for FY 2022-23, the quantity of total ash generation and ash utilization are recorded as 3,067.12 Lakh Metric Ton (LMT) and 2,907.3 LMT, respectively. Therefore, the balance ash is likely to be stored in the ash ponds during the year.</p> <p>4 and 5) As per Para C(1) of the ash notification dated 31.12.2021, environmental compensation shall be assessed and imposed at the end of last year of the first compliance cycle as per the various utilisation categories as mentioned in sub-paragraph (4) of Para A.</p> <p>As regards utilization of legacy ash, --ash stored in all ash ponds or dykes other than operational ash pond or dyke designated for temporary storage of ash as specified in sub-para (6) shall constitute the legacy ash and either to be reclaimed or stabilised or utilised--.</p> <p>Further, as per the Para A(5) of the notification dated 31.12.2021 (amended on 30.12.2022), ---...Provided further that the legacy ash utilisation shall not be required where ash pond or dyke has stabilised and the reclamation has taken place with greenbelt or plantation or solar power plant or wind power plant as per the guidelines issued by the Central Pollution Control Board (CPCB) as specified in sub-para (6) and the concerned State Pollution Control Board shall certify in this regard. Stabilisation and reclamation of an ash pond or dyke including certification by the State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) shall be carried out within three years from 1st April, 2022---. The ash remaining in all other ash ponds or dykes shall be utilised in progressive manner as per the above mentioned timelines.</p> <p>Therefore, environmental compensation with respect to non-compliance of utilization targets of legacy ash shall be imposed on thermal power plants after expiry of the time limit permitted for stabilizing the legacy ash (31.03.2025)</p>	
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