

DISPOSED OFF MATTER

BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL
BENCH, NEW DELHI

ORIGINAL APPLICATION NO.459/2018

IN THE MATTER OF:

RASHMI SINGH

...APPLICANT

VERSUS

NTPC LTD. & ORS.

...RESPONDENTS

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**ADVOCATE FOR THE RESPONDENT NO.1
: SUDHANSHU PRAKASH**

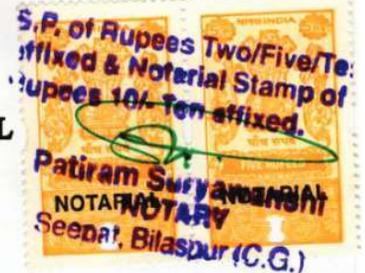


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**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
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RASHMI SINGH

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I, Pankaj Kumar Sharma, S/o. Sh. I. D. Sharma, aged about 58 years, working as Additional General Manager (Environment Management), do hereby solemnly affirm and state as under: -

1. That I am the Authorised Representative of the Respondent No.1 in the above mentioned matter and as such I am well conversant with the facts and circumstances of the case and hence, I am competent to swear the present affidavit.
2. That vide order dated 27/02/2020, this Hon'ble Tribunal had directed the NTPC Ltd. to install the FGD plant at its Sipat unit within a period of 6 months and to ensure to Tarpaulin covering of Coal wagons within one month from the date of the order.



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3. I submit that the order dated 27/02/2020 passed in O.A. No. 459/208 was challenged by the NTPC Ltd. before the Hon'ble Supreme Court of India in Civil Appeal No. 2728/2020. Vide the order dated 21/07/2020, the Hon'ble Supreme Court of India disposed-off the Appeal by extending the timelines for compliance, as follows:



- i. For setting-up of FGD plant, the timelines were extended in terms of the CPCB notification dated 11/12/2017.
- ii. With regard to the Tarpaulin covering of the wagons, a further onemonth time was granted from 21/07/2020.

4. That the Hon'ble Supreme Court has, from to time, been extending the timelines for setting-up of the FGD plants and previously, the timeline for completing the FGD plant installation in Units 1, 2 and 3 were extended till June, 2024. In respect of Unit Nos. 4 & 5 also, the timelines were extended till 30th June, 2024 vide order dated 18/04/2022 passed in MA No. 476/2022. That while extending the period for installation of FGD plant, the Hon'ble Supreme Court had also directed the Respondent No.1/NTPC Ltd. to file quarterly progress report before this Hon'ble Tribunal. This direction was reiterated in orders passed subsequently.

5. That the works in Units 1, 2 & 3 have been completed on 27/06/2024, 03/09/2024 and 06/05/2024 respectively. It appears that inadvertently, the date of completion of work in Unit No.1 was mentioned as 26/06/2024, in the previous report, which is an error. The same may kindly be read as 27/06/2024. That since the works could not be completed in Unit No.2 of Stage-I and Unit Nos. 4 & 5 of the Stage-II, in terms of the order dated 18/04/2022, an application seeking extension of time in respect of those Units was filed before the Hon'ble Supreme Court vide M.A. No. 1165/2024. The same has been allowed by the Hon'ble Supreme Court, on 18/11/2024, and the time for completion of Stage-2 FGD system (comprising of Unit Nos. 4 and 5) was extended till August, 2025.

6. That in terms of the order dated 21/07/2020 passed by the Hon'ble Supreme Court of India in Civil Appeal No. 2728/2020 read with Order dated 28/02/2022 passed by the Hon'ble Supreme Court in

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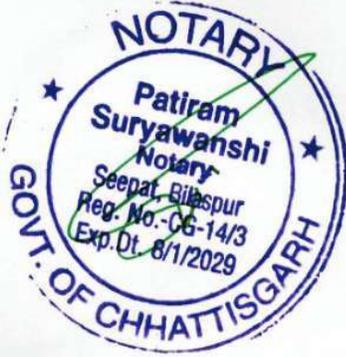
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276/2023, MA No. 1719/2023 & M.A. No. 1165/2024 respectively in Civil Appeal No. 2728/2020, the status of work progress towards setting-up of the FGD plant, as on 30/06/2025, is as per **Annexure-A/1 to this affidavit**. I submit that the **Annexure-A/1** may be treated as part and parcel of the present affidavit.



Pankaj
DEPONENT

पंकज शर्मा
PANKAJ SHARMA
अपर महाप्रबंधक (ई एम जी)
AGM (EMG)
एनटीपीसी लिमिटेड, सीपत, बिलासपुर (छ.ग.)
NTPC Limited, Sipat, Bilaspur (C.G.)

VERIFICATION

Verified at *Sipat* on this 29th day of August 2025 that the contents of my above affidavit from paras 1 to 6 are true and correct to my knowledge and belief, no part of it is false and nothing material has been concealed therefrom.

Pankaj
DEPONENT

पंकज शर्मा
PANKAJ SHARMA
अपर महाप्रबंधक (ई एम जी)
AGM (EMG)
एनटीपीसी लिमिटेड, सीपत, बिलासपुर (छ.ग.)
NTPC Limited, Sipat, Bilaspur (C.G.)

Jyotsna
Witness

ज्योत्सना कुशवाहा
JYOTSNA KUSHWAHA
उप प्रबंधक (मानव संपादन-कानून)
DEPUTY MANAGER (HR-LAW)
एनटीपीसी लिमिटेड, सीपत, बिलासपुर (छ.ग.)
NTPC Limited, Sipat, Bilaspur (C.G.)

I SOLEMNLY AFFIRMED OR SWORN
BEFORE ME BY THE WITHIN NAMED
परे समक्ष इस दस्तावेज पर संबंधित व्यक्ति ने
सहकार/पढ़वाकर शपथपूर्वक कथन आज कहा और
इस दस्तावेज पर हस्ताक्षर/अंगूठा चिह्नानि किया।

Patiram Suryawanshi
Patiram Suryawanshi
NOTARY
Seepat, Bilaspur (C.G.)

29 AUG 2025



Status report of Wet Flue Gas Desulphurization (WFGD) System installation at NTPC -Sipat (As on 30.06.2025)⁴
ANNEXURE-A/1

1.1 Status of work progress w.r.t. Project Schedule as on 30.06.2025 for Stage # I FGD Units (Unit 1, 2 & 3)

Project Name:	3 x 660 MW Sipat stage-I (Unit 1, 2 & 3): Wet Flue Gas Desulphurization (WFGD) System.
Date of Notification of Award	24th May 2019
Agency Name	GE Power India Limited (GEPIL)
LOA Value (Crores) of Stage # I Units (Unit #1, Unit # 2 & Unit #3)	Award value: INR 701.69 Cr First Contract- INR 426.13 Cr (Ex-Works Supply) Second Contract - INR 275.56 Cr (All Services)
Status	U#3 – Completed on 06.05.2024 U#1 – Completed on 27.06.2024 U#2 - Completed on 03.09.2024

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Status report of Wet Flue Gas Desulphurization (WFGD) System installation at NTPC -Sipat (As on 30.06.2025) 5

2.1 Status of work progress w.r.t. Project Schedule as on 30.06.2025 for Stage # II Units (Unit 4 & 5)

Project Name:	2 x 500 MW Sipat stage -II (Unit 4 & Unit 5); Wet Flue Gas Desulphurization (WFGD) System.
Date of Notification of Award	06.10.2021
Agency Name	Bharat Heavy Electricals Limited (BHEL)
LOA Value (Crores) of Stage # II Units (Unit # 4 & Unit # 5)	Award value: INR 494.17 Cr First Contract- INR 314.49 Cr (Ex-Works Supply) Second Contract - INR 179.68 Cr (All Services)
Status	Work in progress in Stage # 2 Units (Unit # 4 & Unit # 5). Details are given below.

2.2 Financial Progress

Description	Total Value	Amount Paid till date (Including GST)	Actual % Payment released to vendor
Supplies	INR 314.49 Cr (371.10 Cr with GST)	INR 276.19 Cr	74 %
Installation Services	INR 179.68 (212.03 Cr with GST)	INR 127.74 Cr	60 %
Total	INR 494.17 Cr (583.13 Cr with GST)	INR 403.93 Cr	70 %

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Status report of Wet Flue Gas Desulphurization (WFGD) System installation at NTPC-Sipat (As on 30.06.2025) 6

2.3 Status of Major heads with respect to Contractual Schedule

S. N	Activity Description	Contractual schedule		Anticipated completion	Present Status	Remarks/ major reasons for delay
		Start	Finish			
1	Basic Engineering	-	Dec'21	-	Completed	-
2	Detail Engineering	Jan'22	June'22	-	Completed	-
3	BOI Ordering	-	Apr'22	-	Completed	With respect to item No. 4, it is submitted that while placing orders and procurement of a few distinctive materials, various issues as submitted by the EPC vendor (M/S BHEL) such as exorbitant price rise of material post covid -19, Limited vendor base/ response from vendors, change of law for make in India and restriction on sourcing of material from border sharing countries were faced.
4	Manufacturing & Supply	June'22	April'23	Oct'25	90 % completed	A. For Absorber, C-276 clad plate, very limited vendor base is available in India and the materials were being sourced from China by all vendors executing NTPC FGD projects prior to change of law. With repetitive procurement action and poor vendor response, orders could be placed by BHEL only in Sep'2023 to Indian vendors, sourcing raw material from non-border sharing countries which has caused a total delay of 10 months. Further U#5 supply was impacted due to red sea crisis linked to Israel – Hamas war from 19.10.2023 and transportation of material delayed.
5	Civil & structural works	Dec'21	May'23	Sep'25	95 % completed	B. For Chimney flue can titanium material also, change of law for sourcing of material from border sharing countries has impacted supply, material is supplied from Indian vendor received only by Apr'24 with 19 months delay.
6	Mechanical Equipment erection	June'22	July'23	Apr'26	50 % completed	C. For Gypsum dewatering System, for high-capacity requirement (more than 35 MT/hour), limited Indian vendors are available barring vendors of Chinese base and with available Indian vendors BHEL could place order in Jan'24 only to M/s Eimco.
7	Electrical & C&I works	Sep'22	Sep'23	May'26	40 % Completed	With Manufacturing cycle of 10-12 months, sequential Erection of 6 months, A total delay of 17 months is envisaged.
8	Commissioning of U#4	-	Oct'23	June'26	-	Considering above unforeseen circumstances resulting into delay in completion of FGD, an application was moved before Hon'ble Supreme Court, on 30.06.2024, seeking time extension till Aug'2025. The Hon'ble Supreme Court heard the application on 18.11.2024 and extended the timeline for completion of FGD (Stage-II) by Aug'2025.
9	Commissioning of U#5	-	Jan'24	Sep'26	-	
10	Completion of facilities	-	Apr'24	Dec'26	-	

Status report of Wet Flue Gas Desulphurization (WFGD) System installation at NTPC -Sipat (As on 30.06.2025) 7

2.4 Major Areas works in progress and major achievements till 30.06.2025.

S N	Area	Major milestones achieved and Status of Work
1	Chimney	<ul style="list-style-type: none"> Chimney #4 – Chimney Shell casting completed, painting 90% completed. Flue Can fabrication completed, flue can erection – 323/323 MT. Chimney #5 – Chimney Shell casting and painting completed. Flue Can fabrication completed, flue can erection – 128/323 MT.
2	Absorber Tanks & RCPHs	<ul style="list-style-type: none"> Absorber & RCPH #4 – Foundation work completed. Base plate work & Lower casing work completed. Intermediate - Columns and casing and RCPH Structure work in progress. RC Pumps placed on foundation. Absorber & RCPH total erection – 502/907 MT Absorber & RCPH #5 – Foundation work completed. Absorber base plate, bottom casing in progress, Structure and RCPH Structure work in progress. RC Pumps placed on foundation. Absorber & RCPH total erection – 310/907 MT
3	Booster Fans & Existing duct connection	<ul style="list-style-type: none"> U#4 & 5 Bypass Damper installation work completed. Unit#4 Booster Fan foundation completed. Both Booster Fans Motors ready for trial, balance erection and alignment activities in progress. Unit#5 Booster Fan foundation completed. Both Booster Fans Motors & diffuser placed, Balance Erection and alignment i p.
4	Ducting	<ul style="list-style-type: none"> U#4 Foundation work completed. U#4 Duct Support structure & Ducting - 1385/2616 MT erection completed. U#5 Foundation work completed. U#5 Duct Support structure & Ducting 1039/2404 MT erection completed. <p>Duct Preassembly work and erection work for both units in progress simultaneously</p>
5	Gypsum Dewatering and Handling System	<ul style="list-style-type: none"> Gypsum Dewatering building – Foundation work completed. Structure work in progress (354/451 MT erection completed) Gypsum Shed – Civil works finishing nearing completion. Structure erection -80/196 MT
6	Other Common Systems	<ul style="list-style-type: none"> Compressor House: Building civil works completed, equipment erection and Piping works completed. ECW/ ACW Building foundations completed. Structure work 50% completed (17/35 MT) Control Room Building – All 4 slabs (till 19.2 mtr) completed. Brick work completed. Building finishing in progress. Control Room Building – AC & ventilation system work in progress All common tanks (Auxiliary Absorber, PHC, Process Water Tanks etc.) Fabrication erection work completed for all 13 Tanks. Water fill test completed for 12/13 Tanks. Painting and finishing in progress Pipe Rack structure erection in progress (45/174 MT completed).
7	Electrical & Instrumentation Systems	<ul style="list-style-type: none"> ECR Building Electrical & Instrumentation Panels erection, Cable tray and Cabling laying work in progress. 11KV Switchgear -1/2 Sections charged. Balance Panels and Equipment charging activities in progress.

Status report of Wet Flue Gas Desulphurization (WFGD) System installation at NTPC -Sipat (As on 30.06.2025) 8

<p>Progress status as on 31.03.2025</p> <p>Chimney U#4 – After Dec'24 Flue can erection 14/22 segments and 70% Painting completed</p>  	<p>Progress status as on 30.06.2025</p> <p>Chimney U#4 – Flue Can erection and 90% Painting completed after Mar'25</p>   
<p>Chimney #5</p>  	<p>Chimney #5 - Flue can erection started after Mar'25</p>  

Status report of Wet Flue Gas Desulphurization (WFGD) System installation at NTPC -Sipat (As on 30.06.2025)

Progress status as on 31.03.2025

Absorber & RPCH U#4 – Middle casing done after Dec'24



Progress status as on 30.06.2025

Absorber & RPCH U#4 – Middle casing and further structure erection after Mar'25



Absorber & RPCH U#5 – Bottom casing done after Dec'24



Absorber & RPCH U#5 – Structure erection continued after Mar'25



Status report of Wet Flue Gas Desulphurization (WFGD) System installation at NTPC -Sipat (As on 30.06.2025)

<p>Progress status as on 31.03.2025</p> <p>Booster Fan U#4</p> 	<p>Progress status as on 30.06.2025</p> <p>Booster Fan U#4 – Both Fans Made ready for Motor Trials after Mar'25</p> 
<p>Booster Fan U#5</p> 	<p>Booster Fan U#5 – Diffuser and Motor Erection after Mar'25</p> 

Status report of Wet Flue Gas Desulphurization (WFGD) System installation at NTPC -Sipat (As on 30.06.2025) 1

Progress status as on 31.03.2025



U#5 Duct and Common Duct Support Structure

Progress status as on 30.06.2025



Duct U#4 & U#5 – Major ducting work completed after Mar'25 (Approx 700 MT)



Status report of Wet Flue Gas Desulphurization (WFGD) System installation at NTPC -Sipat (As on 30.06.2025)

Progress status as on 31.03.2025

ECR #1 – Electrical and Instrumentation work



Progress status as on 30.06.2025

ECR #1 – Panels erection, Cable laying and Panel charging activities continued after mar'25



Status report of Wet Flue Gas Desulphurization (WFGD) System installation at NTPC -Sipat (As on 30.06.2025)

Progress status as on 31.03.2025

Compressor House



Compressor House - Equipment and piping Made ready After Mar'25

Progress status as on 30.06.2025

Gypsum Shed



Gypsum Shed – Finishing and Structure erection activities after Mar'25



Status report of Wet Flue Gas Desulphurization (WFGD) System installation at NTPC -Sipat (As on 30.06.2025) 4

<p>Progress status as on 31.03.2025</p> <p>Gypsaum Dewatering Building</p> 	<p>Progress status as on 30.06.2025</p> <p>Gypsum Dewatering Building – Structure erection (Tier 3) after Mar '25</p> 
<p>ECW/ ACW Building</p> 	<p>ECW/ ACW Building</p> 

Status report of Wet Flue Gas Desulphurization (WFGD) System installation at NTPC -Sipat (As on 30.06.2025)

Progress status as on 31.03.2025

Common Tanks Erection



Progress status as on 30.06.2025

Common Tanks Erection – Water Fill tests finishing and Pumps placement after Mar'25

