

**BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE
AT CHENNAI**

Original Application No. 65 of 2026.

G.Suresh

... ..Applicant

Vs

Union of India and 12 others

... ..Respondent

INDEX TO TYPE SET

S.No	Date	Description	Page No
1.	30.10.2025	Office Memorandum	1-2
2.	25.11.2025	Letter to TNPCB	3-6
3.	13.01.2026	Consent order	7-10

Dated at Chennai on this the 7th day of July 2026



Counsel for the 2nd Respondent



F. No. IA3-22/22/2025-IA.III [E-280329]
Government of India
Ministry of Environment, Forest and Climate Change
Impact Assessment Division

Indira Paryavaran Bhawan
3rd Floor, Vayu Wing, Jor Bagh Road
Ali Ganj, New Delhi-3

30th October, 2025

OFFICE MEMORANDUM

Sub: Clarification on calculating the validity of EC granted excluding the time taken with regard to proceedings before NCLT or Courts - reg.

Environmental Clearances (EC) are granted under the provisions of EIA Notification, 2006 as amended from time to time. The term 'validity of EC' means the period within which, the Project Proponent attains commencement of production operations in the project or activity, or completion of all construction operations in case of construction projects.

2. Instances have been brought to the notice of the Ministry that, the implementation of the ECs granted to projects or activities have been stalled due to proceedings before National Company Law Tribunal (NCLT) or Courts. These proceedings often take significant time to get resolved and are not in the control of the project proponent. As a result of these proceedings, either the validity of the ECs get expired or the project proponent is left with a reduced duration for commencement of production operations in the project or activity, or completion of all construction operations in case of construction before the said EC expires. Such a duration is insufficient to start production operations, or completion of all construction operations in case of construction projects.

3. As per the provisions of EIA Notification 2006, in the event of the project or activity not starting production operations, or all construction operations not being completed in case of construction projects, within the validity of the EC granted, then the project has to apply *de novo* for the grant of EC which results in further delay for no fault on the part of the Project Proponent.

4. The matter has been examined in the Ministry and it has been decided that, EC validity as laid down under EIA Notification, 2006, as amended, needs to be rationalised with regard to the time lost in view of proceedings before NCLT or Courts. In this regard, the Ministry hereby clarifies that the following time period during which the project proponent was unable to implement the EC granted for the related Project/Activities shall be treated as a zero period for calculating the validity of the EC:

Environment
Clearance

(a) Duration of stay orders of the competent Courts leading to non-implementation of the Projects/Activities for which EC had been duly granted and in respect of which the Project Proponent/Applicant shall provide necessary documentary evidence;

(b) Duration of pendency before NCLT till the Resolution Plan is approved by NCLT and Project/Activity is handed over to the successful Resolution Applicant (New Management/Bidder) and in respect of which the Project Proponent /Applicant shall provide necessary documentary evidence;

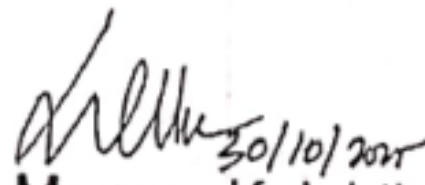
or

(c) Duration of pendency before NCLT till the Liquidator selects the new bidder following due process as part of the liquidation proceedings and NCLT approves the concerned sale or scheme and confirms the transaction of payment and in respect of which the Project Proponent /Applicant shall provide necessary documentary evidence.

5. However, in the event that the period lost in litigation or in NCLT proceedings, as mentioned above, is more than three years, the concerned State Pollution Control Board or Pollution Control Committee shall add appropriate environmental safeguards, as deemed appropriate, in the Consent to Operate (CTO) conditions based on the changes in the site conditions that may have taken place during this period and taking into account the need for installation of appropriate pollution control, prevention and abatement measures that may be necessitated.

6. The aforesaid provisions shall apply *mutatis mutandis* to Coastal Regulation Zone Clearances.

7. This is issued with the approval of the Competent Authority.


(Dr. J.D. Marcus Knight)
Scientist E

To

1. The Chairman, CPCB
2. The Chairman of all the Expert Appraisal Committees
3. The Chairperson/Member Secretaries of all the SEIAAs/SEACs.
4. The Chairpersons/Member Secretaries of all SPCBs/UTPCCs.
5. All the officers of IA Division

Copy for information:

1. PS to Hon'ble Minister for Environment, Forest and Climate Change
2. PS to Hon'ble MoS (EF&CC)
3. PPS to the Secretary (EF&CC)
4. PPS to the AS(AG)
5. PPS to the JS(RA)
6. Website of MoEF&CC/ Guard file



TNPGCL - PROJECT VARIOUS
SEI/EIN Proj
SEICIPAT
SEIN Proj

6-
CEIP Projects

EMC-I	EMC-II ✓
EE-	.
EA/CHD	APOI
28 27/12/16 SE/C/P&E	

Ref: 1) Environmental Clearance issued vide MOEF/GOI's Lr.No.J13012/36/2010 - IA.II (T) dated 07.01.2014
2) CRZ Clearance issued vide MOEF/GOI's Lr. F.No.11-80/2011- IA.III, dated 01.01.2014
3) Amendment of EC dated 14.08.2018
4) Extension of validity issued by MOEF Lr NOJ-13012/36/2010-IA-II(T) vide dt 17.9.2025
5) MoEF & CC notification, (IA) OM dt. 30.10.2025
6) CTE for Air - Proceedings No.T2 /TNPCB /F.0423GMP /RL /GMP/A/ 2025 dated 10.11.2025
7) CTE for Water Proceedings No.T2/ TNPCB/ F.0423GMP/ RL/ GMP/ W/ 2025 dated 10.11.2025

This is with reference to Tamil Nadu Power Generation corporation Limited's (erstwhile TANGEDCO) project namely Ennore SEZ TPP (2 x 660

2x800 MW) Supercritical Thermal Power Plant at Voyalur Village, Ponneri Taluk, Tiruvallur District, Tamil Nadu.

2. INPGCL has obtained prior Environmental Clearance (EC) for this project of capacity 2x800 MW vide EC dated 07.01.2014, & CRZ clearance dt 1.1.2014. Further, the amendment for reduced capacity to 2 X 660 MW was obtained on 14.08.2018. Finally, extension of EC & CRZ clearance for 1 year was obtained on 17.09.2025 with validity up to 31.12.2025. Since, project completion was only 72%, application for obtaining fresh ToR was submitted to MoEF & CC on 14.10.2025. Further, EDS was raised by MoEF & CC on 31.10.2025.
3. In the meantime, MoEF & CC has issued an OM dated 30.10.2025 for Extension of validity of EC & CRZ clearance excluding the time taken with regard to proceedings before NCLT or courts.

In this connection the following are stated.

- 3.1 // The project works of Ennore SEZ TPP (2 X 660 MW) could not be carried out due to certain court cases. The details of cases and the period of halt in project activities are as follows.

- a) The contract for construction of the above of project was awarded to M/s BHEL – L1 tenderer on 27.09.2014 and the work was commenced. In this regard, a case was filed in Hon'ble High Court of Madras WP no 26762 / 2014 & 27529 / 2014 by L2 tenderer challenging the award of contract to M/s BHEL. The single judge has pronounced judgement in favour of TANGEDCO.

Consequently, L2 tenderer has appealed in Division Bench of High Court of Madras. The Division Bench has issued the orders in favour of Petitioner on 07.09.2015. Hence, the work could not be carried out and halted on 7.9.2015. Subsequently, TANGEDCO appealed to Hon'ble Supreme Court of India. After hearing, Hon'ble Supreme court of India had issued order in

favour of TANGEDCO on 18.10.2016. Hence, the project was resumed by EPC contractor M/s BHEL on 18.10.2016.

Hence, the period for which the project work halted in view of above court case was 407 Days (from 07.03.2015 to 18.10.2016)

- b) Due to public agitation, RDO/ Ponneri has ordered to stop the pipe conveyor and CW pipe line works of Ennore SEZ TPP near Kosathalayur river, hence the work was stopped on 27.07.2021.

Further, a suo motto case OA no.162/2021 was taken in NGT (SZ) based on the news paper report.

Due to a final order dt 31.1.2022 of the above case, the necessity of obtaining amendment in EC&CRZ clearance was arisen and hence the pipe conveyor and CW pipeline works of the power project was halted on 31.1.2022

Subsequently, based on the MA 13/2024 of OA 26/2021 submitted by TNPGL, the Hon'ble NGT has disposed off the case on 23.9.2024 and work was resumed.

Due to the above NGT (SZ) court case, the project works in CRZ area was delayed for 966 days or say 2 Years and 7 months and 23 days (From 31.01.2022 to 23.09.2024).

- // c) After obtaining the judgement of MA 13/2024 of OA 26/2021, the work of pipe conveyor and cooling water pipe lines was resumed. M/s TPIPL has issued directions to TANGEDCO on 23.01.2025 to stop the construction activity of pipe conveyor and cooling water line in their land citing the appeal pending with Hon'ble Supreme Court of India against order issued by Hon'ble NGT (SZ) quashing their EC issued for the development of polymer park developed by M/s TPIPL.

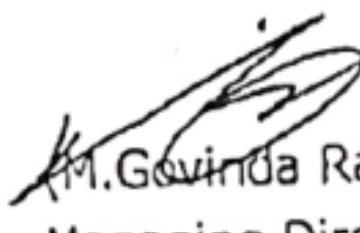
In this regard, Interim application was filed by TNPGL in the Hon'ble Supreme court of India. After hearing, the Hon'ble Supreme court of India has directed TNPGL on 18.09.2025 to resume the pipe conveyor & CW line works.

Due to the above case, the project was delayed for 239 days or 7 months 27 days (From 23.01.2025 to 19.09.2025).

4. The details of the above court cases are furnished in Annexure -I and period of halt of project work is detailed in Annexure - II.

5. Hence, the project work was delayed due to above three cases as mentioned in Para 3 for the total period of 4 years 3 Months. This period may be treated as zero period for calculating the validity of EC & CRZ clearance as per OM dt 30.10.2025 of MoEF&CC.

6. In view of the above, it is requested to issue extension of validity of CTE under Air & Water act upto 31.03.2030 (for 4 years and 3 months) as per the provisions of OM dated 30.10.2025 for the ongoing Ennore SEZ TPP to commission the power project in order to meet out the power demand of the State of Tamil Nadu.


M. Govinda Rao)
Managing Director
For Additional Chief Secretary/
Chairman / TNPGL

Encl: 1) Annexure I & II

- 2) a) i) Copy of Judgment dated 07.09.2015
- ii) Copy of Judgment dated 18.10.2016
- c) i) Copy of Judgment dated 31.01.2022
- ii) Copy of Judgment dated 23.09.2024
- c) i) Copy of letter dated 23.01.2025
- ii) Copy of Judgment dated 18.09.2025
- 3) MoEF & CC notification (IA) OM Dated 30.10.2025

✓ Copy to the Secretary/MoEF&CC/GOI/New Delhi (w.e)

Copy to Director/Thermal/IA II (T)/ MoEF&CC/GOI/New Delhi (w.e)

Copy to Director/CRZ/IA III/ MoEF&CC/GOI/New Delhi (w.e)



Category of the Industry :

RED



CONSENT ORDER NO. 2603272062896

DATED: 13/01/2026.

PROCEEDINGS NO.T2/TNPCB/F.0423GMP/RL/GMP/A/2026 DATED: 13/01/2026

SUB: TNPC Board-Consent for Establishment – EXTENSION -M/S ENNORE SEZ SUPER CRITICAL THERMAL POWER STATION (TANGEDCO) , S.F. No. SF NO 2049/1, 2042/2, 2043, 2044, 2045, 2046, 2047, 2048, 2050(Part), 1501/1B, 1501/2A, 1501/2C, 1501/2B, 1507, 1508/1A, 1508/1B, 1508/2, 1511/1, 1508/3, 1509/1A, 1501/1A, 1510/1C, 1509/1B, 1509/2, 1510/1B, 1510/2, 1511/2, 1512, 1513, 1514/1, 1514/2, 1516/1A, 1516/2A, 1516/3A, 1516/4C, 1516/2B, 1516/3B, 1516/4B, 1516/1B, 1516/4A, 1515/1, 1515/3, 1515/2, 1515/4, 1517/1, 1518, 1523/1, 1533/1B, 1533/3, 1534, 1517/2, 1517/3, 1519/1, 1521/3, 1519/3, 1519/2, 1526, 1519/4, 1520/1, 1520/2A, 1520/2B, 1521/1, 1521/2, 1523/2A, 1522, 1523/2B, 1524/1A, 1524/2A, 1524/1B, 1524/2B, 1525/1, 1525/2, 1525/3, 1527, 1533/2, 1558/1, 1558/3, 1558/2, 1558/4, 1559, 1562, 1563, 1564, 1566/1, 1566/2, 1566/3, 1566/4A, 1566/4B, 1566/5, 1567/1, 1567/2, 1568/1A, 1568/1B, 1568/1C, 1568/2, 1569, 1570, 1571/1, 1572/6, 1571/2, 1572/5, 1572/1, 1573, 1574, 1572/2, 1572/4, 1572/3, 1572/7, 1576/3, 1577/2C, 1575/1, 1576/1, 1577/2B, 1575/2, 1576/2, 1577/2A, 1578, 1577/1, 1580, 1581, 1582/2, 1583/1A2, 1587/2, VOYALUR Village, Ponneri Taluk, Tiruvallur District- for the establishment or take steps to establish the industry under Section 21 of the Air(Prevention and control of Pollution)Act,1981, as amended in 1987 (Central Act, 14 of 1981)–Issued- Reg. (Industry User ID- R16AMB4445988)

REF: Proc. No.T2/TNPCB/F.0423GMP/RL/GMP/W&A/2020 dated 26/11/2020
 2. Unit's online application No.72062896 dated 08/12/25 resubmitted on 17/12/25
 3 .Minutes of the CCC meeting vide item No.349-10 dated 31/12/2025
 4. IR.No : F.0423GMP/RL/JCEE-M/GMP/2025 dated 24/12/2025

Consent to establish or take steps to establish was granted under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981, as amended in 1987 (Central Act, 14 of 1981) (hereinafter referred to as 'The Act') to the Occupier of the unit of M/s.ENNORE SEZ SUPER CRITICAL THERMAL POWER STATION (TANGEDCO) authorizing to establish or take steps to establish the industry in the site of S.F.No.SF NO 2049/1, 2042/2, 2043, 2044, 2045, 2046, 2047, 2048, 2050(Part), 1501/1B, 1501/2A, 1501/2C, 1501/2B, 1507, 1508/1A, 1508/1B, 1508/2, 1511/1, 1508/3, 1509/1A, 1501/1A, 1510/1C, 1509/1B, 1509/2, 1510/1B, 1510/2, 1511/2, 1512, 1513, 1514/1, 1514/2, 1516/1A, 1516/2A, 1516/3A, 1516/4C, 1516/2B, 1516/3B, 1516/4B, 1516/1B, 1516/4A, 1515/1, 1515/3, 1515/2, 1515/4, 1517/1, 1518, 1523/1, 1533/1B, 1533/3, 1534, 1517/2, 1517/3, 1519/1, 1521/3, 1519/3, 1519/2, 1526, 1519/4, 1520/1, 1520/2A, 1520/2B, 1521/1, 1521/2, 1523/2A, 1522, 1523/2B, 1524/1A, 1524/2A, 1524/1B, 1524/2B, 1525/1, 1525/2, 1525/3, 1527, 1533/2, 1558/1, 1558/3, 1558/2, 1558/4, 1559, 1562, 1563, 1564, 1566/1, 1566/2, 1566/3, 1566/4A, 1566/4B, 1566/5, 1567/1, 1567/2, 1568/1A, 1568/1B, 1568/1C, 1568/2, 1569, 1570, 1571/1, 1572/6, 1571/2, 1572/5, 1572/1, 1573, 1574, 1572/2, 1572/4, 1572/3, 1572/7, 1576/3, 1577/2C, 1575/1, 1576/1, 1577/2B, 1575/2, 1576/2, 1577/2A, 1578, 1577/1, 1580, 1581, 1582/2, 1583/1A2, 1587/2, VOYALUR village, Ponneri Taluk, Tiruvallur District vide reference First cited with validity for Five years .

The unit has requested for extension of time limit for establishing the plant since they could not establish the plant within the period of Five years vide reference second cited.

The subject was placed before the committee meeting vide reference third cited and the committee decided to extend the validity of the Consent to establish for further period.

In view of the above, the validity of the Consent to establish is extended for further period upto March 31, 2030, or till the industry obtains consent to operate under Section 21 of the Air (Prevention and control of Pollution) Act, 1981, as amended in 1987 whichever is earlier subject to special and general conditions specified in the Consent for Establishment issued vide reference first cited.

Special Additional Conditions:

The unit shall obtain No Objection Certificate (NOC) from the Tamil Nadu Bio Diversity Board /National Bio Diversity Authority if the unit is using any Biological resources or knowledge associated thereto as per the provisions of Biological Diversity Act 2002.

The industries shall take all efforts to use and popularize "Mission LiFE" logo and mascot which is available in TNPCB & MoEFCC website. They shall also request their employees to adopt "Mission LiFE" action points and document the same and furnish half yearly report to Board.

Additional Conditions:

1. The unit shall obtain Environmental Clearance Extension/Fresh Environmental Clearance from the competent authority as applicable, for carrying out the remaining construction activity if any after the expiry of the EC validity as considered based on MoEF&CC OM dated 30.10.2025.
2. The unit shall comply with the conditions stipulated in the Environmental Clearance accorded to the unit vide MoEF&CC dated 07.01.2014 and amended further dated 14.08.2018, 04.02.2019, 09.04.2021 and 17.09.2025 under Schedule1(d) of the EIA Notification dated 14.09.2006 as amended.
3. The unit shall comply with the conditions stipulated in the CRZ Clearance accorded to the unit vide MoEF&CC dated 01.01.2014 under the CRZ Notification 2011 as amended.
4. The unit shall comply with the special conditions stipulated in the CTE issued dated 11.03.2014 under the Water Act and additional conditions stipulated in the CTE Extension issued dated 29.06.2016, 26.11.2020, 10.05.2022, 05.11.2024 and 10.11.2025.
5. The unit shall comply with the emission standards prescribed for Thermal Power Plants as per Ministry's Notification S.O. 3305(E) dated 7.12.2015, G.S.R.593(E) dated 28.6.2018 and as amended.
6. The unit shall comply with MoEF&CC Notification G.S.R 02(E) dated 02.01.2014 as amended regarding use of raw or blended or beneficiated/washed coal with ash content not exceeding 34% as applicable.
7. The unit shall comply with MoEF&CC Notifications on Fly Ash Utilization S.O.763(E) dated 14.09.1999, S.O. 979(E) dated 27.08.2003, S.O. 2804(E) dated 3.11.2009, S.O.254(E) dated 25.01.2016, as amended.
8. The unit shall install Flue Gas Desulphurization (FGD) System based on Lime/Ammonia dosing to capture Sulphur in the flue gases to meet the SO₂ emissions standard of 100 mg/Nm³.
9. The unit shall install either Selective Catalytic Reduction (SCR) system or the Selective Non-Catalytic Reduction (SNCR) system or Low NOX Burners with Over Fire Air (OFA) system to achieve NO_x emission standard of 100 mg/Nm³.
10. The unit shall install High Efficiency Electrostatic Precipitators (ESPs) in each unit to ensure the Particulate Matter (PM) emission to meet the stipulated standard of 30 mg/Nm³.

11. The unit shall provide stack of prescribed height 275 m with continuous online emission monitoring sensors for SO_x, NO_x and Particulate Matter which shall be connected with TNPCB, CAC and CPCB server through OCEMS.
12. Exit velocity of flue gases shall not be less than 20-25 m/s. Mercury emissions from stack shall also be monitored periodically which shall be below 0.03 mg/Nm³.
13. The unit shall set up Continuous Ambient Air Quality Monitoring System(CAAQMS) to monitor common/criteria pollutants from the flue gases such as PM₁₀, PM_{2.5}, SO₂, NO_x within/outside the plant area at least minimum four locations covering upwind and downwind directions at an angle of 120° each.
14. The unit shall install adequate dust extraction/suppression system in coal handling, ash handling areas and material transfer points to control fugitive emissions.
15. The unit shall install appropriate Air Pollution Control Measures (Dust Extraction System/Dust Suppression System) at all the dust generating sources including sufficient water sprinkling arrangements at various locations viz., roads, excavation sites, crusher plants, transfer points, loading and unloading areas, etc.
16. The unit shall develop green belt at least for 33% of the plant area with thick canopy covering 3m width all around the boundary inside the premises and also wherever possible.
17. The Mangrove plantation shall be taken up in an area of 30 ha, along the Coast /on the banks of Kosasthalaiyar River and Ennore Creek in consultation with State Forest Department.
18. The unit shall resume the laying of structure for carrying the proposed pipelines and coal conveyer across backwater / Kosasthalaiyar River and the related works in the above water bodies only after getting clarification/amendment from MoEF&CC.
19. The unit shall comply with the directions / orders issued by the Hon'ble NGT in OA.No.162 of 2021 and OA No. 26 of 2025 from time to time.
20. The unit shall comply with the directions/ orders issued by the Hon'ble High Court of Madras in WP No.16353 of 2021 from time to time.

To
Chief Engineer/Projects,
M/s.ENNORE SEZ SUPER CRITICAL THERMAL POWER STATION (TANGEDCO),
Chief Engineer / Projects, M/s. Ennore SEZ Super Critical Thermal Power Station (TANGEDCO), 5th floor, NPKRR Maaligai,
No.144, Anna Salai, Chennai-600002.
Pin: 600002

Copy to:

1. The Commissioner, MEENJUR-Panchayat Union, Ponneri Taluk, Tiruvallur District .
2. The District Environmental Engineer, Tamil Nadu Pollution Control Board, GUMMIDIPOONDI.
3. The JCEE-Monitoring, Tamil Nadu Pollution Control Board, Chennai.
4. File

Signature valid

Digitally Signed by :Shanmugam A
For Member Secretary
Tamil Nadu Pollution Control Board,
Chennai

Date: 2026.01.13 16:02:52 IST

**BEFORE THE NATIONAL GREEN
TRIBUNAL SOUTHERN ZONE
AT CHENNAI**

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G.Suresh

.....Applicant

Vs

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.....Respondent

INDEX TO TYPE SET

M/s. S.Suresh
S.Udhayasankar
Suganya Ethiraj
Counsel for 2nd Respondent

