

**BEFORE THE NATIONAL GREEN TRIBUNAL(SZ) AT CHENNAI
O.A No. 74 of 2021**

K.Saravanan

....Applicant

-Vs.-

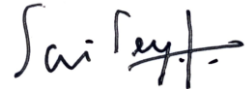
Union of India,
Rep by its Secretary,
MoEF&CC, New Delhi

....Respondent

INDEX TO TYPED SET FILED ON BEHALF OF RESPONDENT (MoEF&CC)

SNo	Date	Particulars	PNo
1	07.01.2025	Reply Affidavit filed by MoEF&CC	1
2	02.01.2025	Annexure 1: Copy of the Minutes of the Meeting held on 02.01.2025	8
3	07.01.2025	Annexure 2: Copy of the amendment to the existing O.M dated 11.11.2020 and 06.12.2023	16

Dated at Chennai this the 8th day of January 2025



Sai Srujan Tayi
Counsel for MoEF& CC/Respondent
Contact No: 98414 41438
Mail ID: sai@girisai.com

BEFORE THE NATIONAL GREEN TRIBUNAL**SOUTHERN ZONE, CHENNAI****Original Application No. 74 of 2021 (SZ)****with****IA No 131 of 2023****in****Original Application No. 74 of 2021 (SZ)****IN THE MATTER OF:****K. Saravanan****...Applicant****Versus****The Union of India****.... Respondent****REPLY AFFIDAVIT ON BEHALF OF MINISTRY OF ENVIRONMENT,
FOREST & CLIMATE CHANGE, RESPONDENT NO. 1**

I, **Dr. E. Arockia Lenin S/o. J. Emanuvel**, aged about 37 working as 'Scientist D' in the Ministry of Environment, Forest and Climate Change, having office located at Chennai, do hereby solemnly affirm on oath and state as under:

1. That I am presently working as **Scientist 'D'** in the office of the Respondent No.1 and as such am well acquainted with the facts and circumstances of the case on the basis of the records available in my office and am thus duly authorized to file this Affidavit on behalf of the Respondent No. 1 herein, i.e. the Ministry of Environment, Forest & Climate Change. specifically admitted hereunder.



Dr. E. Arockia Lenin
Scientist 'D'

Government of India
Regional Office, MoEF&CC
Shastri Bhawan, Haddows Road,
Nungambakkam, Chennai - 600 006

2. The instant application challenges the Office Memorandum (hereinafter referred to as 'O.M.')
- issued by the Ministry of Environment, Forest and Climate Change (hereinafter referred to as "Ministry") vide F.No. J-13012/8/2009-IA, II (T) dated 11.11.2020 which provides exemption from obtaining amendment in Environmental Clearance(EC) to all Thermal Power Plants (TPPs), while fuel source is changed from (i) imported coal to domestic coal, (ii) domestic to imported and (iii) domestic to domestic subject to compliance of certain conditions thereby making earlier conditions in the EC regarding coal source redundant.

Thereafter, vide IA No 131 of 2023, the applicant amended prayer of the present application seeking to quash the O.M. dated 11.11.2020 bearing No. F. No J 13012/8/2009-IA. II (T) as amended by OM dated 06.12.2023 issued by the Ministry.

3. That the Hon'ble Tribunal vide interim order dated 24.05.2023 directed the MoEF&CC to revisit the O.M dated 11.11.2020 regarding 'Amendment in Environmental Clearance for change in coal source by Thermal Power Plants' by the Expert Appraisal Committee (hereinafter referred to as 'EAC'). In compliance of the aforesaid order dated 24.05.2023 passed by the Hon'ble Tribunal, the Ministry referred the matter to the EAC for further examination of the issues. The EAC, after detailed deliberations, finalized its recommendations and proposed changes in applicability of


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OM dated 11.11.2020 stating that “...since the EAC, as per the EAC Report, does not recommend for withdrawal of the OM dated 11.11.2020 rather, it has only proposed certain changes in the applicability of OM dated 11.11.2020 .Therefore, in light of the above the MoEF&CC has decided to issue an amendment to the OM dated 11.11.2020...”

Subsequently, the Ministry accepted the above mentioned recommendations of the EAC and amended the OM dated 11.11.2020 vide OM dated 06.12.2023. In this regard, a Compliance Affidavit was filed on 20.10.2023 followed by Memo dated 07.11.2023.

4. That the Hon’ble Tribunal vide order dated 05.12.2024 directed that until the analysis by the EAC on the study reports from expert institutions is complete, the Office Memorandum dated 11.11.2020 should not be given effect to. The operative extract of the order is reproduced hereunder:

“7. Accordingly, the MoEF&CC seeks further time to get the final EAC report.

8. Be that as it may, the report is silent about how applications from the Thermal Power Plants will be dealt with until the EAC completes its final study. In such circumstances, it would be appropriate for the MoEF&CC to refrain from considering any such applications until the issue raised in this Original Application is resolved.


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9. However, not having such an undertaking given by the MoEF&CC, we will be constrained to state that until the above-required study is complete, the Office Memorandum dated 11.11.2020 should not be given effect to.


10. In case any Thermal Power Plant needs amendment for coal source, they would be at liberty to seek an amendment to the Environmental Clearance by making necessary application at Parivesh portal and subsequent appraisal by the Expert Appraisal Committee.”

5. In this regard, it is pertinent to mention here that a special EAC meeting was conducted on 02.01.2025 to further deliberate on the data compiled by CPCB on the remaining technical aspects viz., coal characteristics w.r.t change in coal quality (including Mercury), ambient air quality and details of transportation of coal before and after change in coal source. The representatives from National Institute of Advanced Studies (NIAS), Indian Institute of Science Campus, Bengaluru & National Environmental Engineering Research Institute (NEERI), Nagpur were also present for taking a considered view on the subject matter of impact of FGD in TPPs and analysis of SO₂ concentration. In this regard, the EAC opined that the study reports of the aforesaid expert institutions are limited to the subject matter of FGD in TPPs and analysis of SO₂ concentration around the TPPs. Since these reports are yet to be finalized therefore, it was recommended that further appropriate action, if any, may be taken by MoEF&CC.


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6. That the above mentioned technical aspects along with the findings of the previous special EAC meetings on the subject under consideration were analysed and following key points were reasoned out:

- i. Coal being the primary fuel for the thermal power plants, it is imperative to have a consistent and uninterrupted supply of coal to ensure uninterrupted operations and sustained electricity generation. However, considering the dynamic nature of the procurement of coal from various sources, restricting the procurement of coal strictly from the sources specified in the ECs will make it difficult to operate the TPPs and may disrupt their day-to-day functionality.
- ii. The OM dated 11/11/2020 followed by the amendment dated 06/12/2023 sufficiently provides the environmental safeguards factoring in the requirements of various notifications and emission norms.
- iii. The boiler units are designed for a wide range of coal which will cover most of the domestic coal sources and blending of imported coal/ domestic coal as the case may be. The TPPs are equipped with environmental control systems like ESP, low NOx burner etc.
- iv. Monitoring the qualitative aspect of coal by the TPPs, compliance of emissions norms, EC conditions and environmental safeguards provided in the OM dated 11/11/2020 as amended from time to time


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would ensure that the environmental parameters are not compromised with. The State Pollution Control Boards or Pollution Control Committees are entrusted with the responsibility of ensuring compliance to environmental limits.

- v. Well defined Enforcement, Monitoring, Audit and Reporting mechanism has already been put in place under the ash utilization notification 2021 to address all concerns related to ash management.

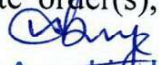
Based on the above mentioned conclusions, the EAC recommended for certain amendments under paragraph 7 of the existing OM dated 11.11.2020 & 06.12.2023 in order to further strengthen the existing environmental safeguards.

Copy of the minutes of the meeting of Special EAC dated 02.01.2025 is annexed as **Annexure 1**.

7. That in view of the above, the MoEF&CC has accepted the recommendation of the EAC and accordingly, the existing OM dated 11.11.2020 as well as its amendment dated 06.12.2023 has been amended.

The copy of the amendment to the existing OM dated 11.11.2020 and 06.12.2023 is annexed as **Annexure 2**.

8. That the present additional affidavit may kindly be taken on record and into consideration and the Hon'ble Tribunal may pass appropriate order(s),


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direction(s) as deemed fit and proper under the facts and circumstances of the present case.

9. In view of the above mentioned facts, this Hon'ble Tribunal may pass any orders as may deem fit in the interest of justice. The Answering Respondent prays accordingly.



DEPONENT

Dr. E. Arockia Lenin

Scientist 'D'

Government of India

Regional Office, MoEF&CC

Shastri Bhawan, Haddows Road,

Nungambakkam, Chennai - 600 006

VERIFICATION

I, the above named deponent, do hereby solemnly affirm and state that the contents of above mentioned are true and correct to the best of my knowledge and based on record and I have not suppressed any material fact.

Verified at Chennai on 07th day of January, 2025.



DEPONENT

Dr. E. Arockia Lenin

Scientist 'D'

Government of India

Regional Office, MoEF&CC

Shastri Bhawan, Haddows Road,

Nungambakkam, Chennai - 600 006

Minutes of the Special Expert Appraisal Committee (Thermal Sector) meeting held virtually on 02/01/2025 to deliberate on the Office Memorandum dated 11/11/2020 & 06/12/2023 regarding amendment in Environment Clearance for change in coal source by Thermal Power Plants (TPPs).

1. In continuation to the meeting of the Special Expert Appraisal Committee (EAC) of Thermal sector held on 06/09/2024 and 29/11/2024 on the subject cited above, a meeting was held in virtual mode on 02/01/2025 to deliberate on the way forward action keeping in view of the following directions of the Hon'ble National Green Tribunal (SZ) as mentioned in its Order dated 05/12/2024 in Original Application No. 74 of 2021 and I.A. No. 131 of 2023, titled K. Saravanan, Chennai vs Union of India. The list of participants is enclosed as **Annexure – I.**

“8. Be that as it may, the report is silent about how applications from the Thermal Power Plants will be dealt with until the EAC completes its final study. In such circumstances, it would be appropriate for the MoEF&CC to refrain from considering any such applications until the issue raised in this Original Application is resolved.

9. However, not having such an undertaking given by the MoEF&CC, we will be constrained to state that until the above-required study is complete, the Office Memorandum dated 11.11.2020 should not be given effect to.

10. In case any Thermal Power Plant needs amendment for coal source, they would be at liberty to seek an amendment to the Environmental Clearance by making necessary application at Parivesh portal and subsequent appraisal by the Expert Appraisal Committee.

11. Post the matter on 08.01.2025 for final hearing.”

2. At the outset, the Chairman welcomed all the members and the Special invitees [Representatives from National Institute of Advanced Studies (NIAS), Indian Institute of Science Campus, Bengaluru & National Environmental Engineering Research Institute (NEERI), Nagpur] and apprised the purpose of the meeting. Thereafter, Member Secretary of Thermal sector made a brief presentation in the matter highlighting the concerns raised by the Hon'ble National Green Tribunal, Southern Zone, Chennai in Original Application 74 of

2021 with respect to ash utilization, installation of Flue Gas Desulphurization (FGD) in TPPs, additional fly ash generation due to blending of domestic and additional generation of sulphur oxides when imported coal is blended vis-à-vis with the action taken by MoEF&CC. Thereafter, the Chair opened the floor for discussion.

3. It was apprised to the EAC that during deliberations, the Hon'ble Tribunal sought for information on the following technical aspects for sustaining the OM dated 11.11.2020 and 06.12.2023 (amended OM):

- a. Region-wise; Fly ash utilization status (%)
- b. Utilization of water before and after change in coal source
- c. Flue Gas Desulphurization (FGD) Installation status
- d. Ambient air quality before and after change in coal source
- e. Coal characteristics w.r.t change in coal quality (including Mercury)
- f. Details of transportation of coal before and after change in coal source.

4. The EAC deliberated on the aforementioned information with respect to the technical aspects namely region wise ash utilization, changes in water requirement due to change of coal source and FGD installation status in a meeting held on 06/09/2024. After deliberations, the EAC opined that the O.M. dated 11/11/2020 and 06/12/2023 have been issued after taking into consideration all the environmental impacts arising out of change in coal source. However, the EAC opined to deliberate upon the information on the remaining aspects for taking a considered view in the matter.

5. During discussions, the representative of CPCB informed that they have collated and compiled data from 31 TPPs with respect to the remaining technical aspects namely (d) Ambient air quality before and after change in coal source; (e) Coal characteristics w.r.t change in coal quality including Mercury and (f) details of transportation of coal before and after change in coal source and presented the same before the EAC under the following categories:-

- Category A: Domestic to domestic [26 Nos]
- Category B: Domestic to domestic (Blended with imported coal) [3 Nos]
- Category C: Imported to Imported (Blended with domestic coal) [2 Nos]

The above data was deliberated upon by the EAC in detail. EAC observed that boiler units attached to TPPs, ash handling system and equipment related to ash management are

invariably designed based on the worst quality of coal which will cover the variation in coal characteristics arising due to change of coal source as well as blending with domestic coal/imported coal as the case may be. Further, TPPs are equipped with environmental pollution control systems such as High efficiency Electro Static Precipitator (ESP), low NO_x burner and requisite ash handling system etc., in order to achieve the prescribed emissions norms as well as the provisions contained under the ash utilization notification dated 31/12/2021 and its subsequent amendments. Besides, the EAC also noted that as per extant provisions of Ash utilization notification, the Central Pollution Control Board (CPCB) and the concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) are entrusted with the responsibility of ensuring compliance of the provisions of the said notification.

6. Thereafter, in continuation of the last meeting held on 29/11/2024 on the subject matter of impact of FGD in TPPs and analysis of SO₂ concentration, the representative from NIAS, and NEERI were co-opted in the instant meeting for taking a considered view on the findings/recommendations of their studies.

- a. NIAS representative presented that their study has concluded that due to three factors viz. low sulphur content in the domestic coal, alkaline nature of Indian climatic conditions and high stacks installation, ground level SO₂ concentration is found to be well within the National Ambient Air Quality Standards (NAAQS). The recommendation of their interim report, inter-alia, include retrofitting of High-efficiency Electrostatic Precipitators (ESPs) in all TPPs, minimization of CO₂ emissions from TPPs and impact on global warming due to installation of FGDs etc.
- b. NEERI report was not made available. However, representative of NEERI informed during the meeting that they have conducted a study by analysing the concentration of SO₂ measured by 467 CAAQMS operated by CPCB and 486 CAAQMS operated by TPPs spread across India. As per their analysis on the SO₂ concentration, TPPs emitting SO₂ are not significantly contributing to rise in SO₂ concentration in the atmosphere.
- c. IIT Delhi has carried out a study by analysing stack emissions from 240 stacks from 67 coal based TPPs and ambient air quality around these plants across the country. Further, the near-surface concentrations of two major air pollutants, namely SO₂ and sulphate (SO₄) aerosols in air in the surrounding region of these TPPs have been estimated based on the assumptions of SO₂ control efficiency of FGD. The

recommendations of their study report inter-alia includes life-cycle assessment (LCA) and Life-Cycle Costs (LCC) and benefits of implementing FGD technology in coal-based TPPs across India; detailed study to evaluate the health benefits of reducing sulphate aerosols and develop balanced strategies that effectively address both air quality and climate goals etc. However, the final report is not available and representative of IIT Delhi could not join the meeting.

After deliberations, the EAC noted that prima-facie the above reports are specific to impact of FGD in TPPs and analysis of SO₂ concentration around the TPPs. The reports by the expert institutions are yet to be finalized and further appropriate action if any, is to be considered by MoEF&CC.

7. The above mentioned technical aspects along with the findings of the previous special EAC meetings on the subject under consideration have been analysed and following key points were reasoned out:

- i. Coal being the primary fuel for the thermal power plants, it is imperative to have a consistent and uninterrupted supply of coal to ensure uninterrupted operations and sustained electricity generation. However, considering the dynamic nature of the procurement of coal from various sources, restricting the procurement of coal strictly from the sources specified in the ECs will make it difficult to operate the TPPs and may disrupt their day-to-day functionality.
- ii. The OM dated 11/11/2020 followed by the amendment dated 06/12/2023 sufficiently provides the environmental safeguards factoring in the requirements of various notifications and emission norms.
- iii. The boiler units are designed for a wide range of coal which will cover most of the domestic coal sources and blending of imported coal/ domestic coal as the case may be. The TPPs are equipped with environmental control systems like ESP, low NOx burner etc.
- iv. Monitoring the qualitative aspect of coal by the TPPs, compliance of emissions norms, EC conditions and environmental safeguards provided in the OM dated 11/11/2020 as amended from time to time would ensure that the environmental parameters are not compromised with. The State Pollution Control Boards or Pollution Control Committees are entrusted with the responsibility of ensuring compliance to environmental limits.

- v. Well defined Enforcement, Monitoring, Audit and Reporting mechanism has already been put in place under the ash utilization notification 2021 to address all concerns related to ash management.

8. In view of the foregoing and after detailed deliberations, the EAC recommended for following amendment under paragraph 7 of the existing OM dated 11/11/2020& 06/12/2023 in order to further strengthen the existing environmental safeguards.

Condition No.	Details of the safeguard as per MoEF&CC OM dated 11/11/2020 & 06/12/2023	Suggested amendment
b)	The applicable flue gas emissions standards for Particulate Matter (PM), Sulphur Dioxide, Oxides of Nitrogen and Mercury shall be complied inline with Ministry's Notification vide S.O. 3305(E) dated 7.12.2015 and subsequent emissions. A progress of implementation and its compliance shall be submitted as part of compliance report.	The applicable flue gas emissions standards for Particulate Matter (PM), Sulphur Dioxide, Oxides of Nitrogen and Mercury shall be complied in line with Ministry's Notification vide S.O. 3305(E) dated 7.12.2015 and its subsequent amendments from time to time, by installation/upgradation of requisite pollution control systems if required. A progress of implementation and its compliance shall be submitted as part of compliance report.
d)	Additional ash pond shall not be permitted on account of increase in ash content in the raw coal due to change in coal source including lignite other than ash pond permitted and specified in the Prior Environmental Clearance. 100% fly ash utilization is to be achieved within 4 years in accordance with with the extant provisions laid down in the Fly ash notifications dated 14.09.1999, 27.08.2003, 3.11.2009 & 25.01.2016, 31.12.2021 and 30.12.2022 as amended from time to time.	Additional ash pond shall not be permitted on account of increase in ash content in the raw Coal due to change in coal source including lignite other than the ash pond permitted and specified in the Prior Environmental Clearance. 100% ash utilization shall be achieved in accordance with the ash utilization notification dated 31.12.2021 and its subsequent amendments from time to time.
f)	The details regarding monthly generation, utilization and disposal of fly ash (including bottom ash) shall be submitted to the Ministry and its Regional Office.	Every coal or lignite based thermal power plant shall ensure that loading, unloading, transport, storage and disposal of ash is done in an environmentally sound manner and that all precautions to prevent air and water pollution are taken and status

Condition No.	Details of the safeguard as per MoEF&CC OM dated 11/11/2020 & 06/12/2023	Suggested amendment
		in this regard shall be reported to the concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) as per the Annexure attached to ash utilization notification dated 31.12.2021 and its subsequent amendments from time to time.
g)	Nil	For controlling fugitive dust, regular sprinkling of water in the coal handling area and other vulnerable areas of the plant shall be ensured.
h)	Nil	Project proponent shall comply with the specific water consumption for the Thermal Power Plants as per Ministry's Notification S.O. 3305(E) dated 7.12.2015 and G.S.R.593 (E) dated 28.6.2018 as amended from time to time.

The meeting ended with vote of thanks to the Chair.

ANNEXURE-I**LIST OF PARTICIPANTS OF SPECIAL EAC MEETING HELD ON 2ND JANUARY, 2025
THROUGH VIRTUAL MODE****A) EAC members**

S. No.	Name	Role
1.	Dr. Sharad Singh Negi (I.F.S. Retd.)	Chairman
2.	Shri Inder Pal Singh Matharu, (IFS Retd.)	Member
3.	Dr. Umesh Jagannathrao Kahalekar	Member
4.	Dr. Santosh Kumar Hampannavar	Member
5.	Shri Savalge Chandrasekhar	Member
6.	Shri K. B. Biswas	Member
7.	Dr. Vinod Agrawal	Member
8.	Shri Harmeet Sahaney, Scientist 'E'	Representative of Indian Meteorological Department (IMD)
9.	Dr Nazimuddin, Scientist - F	Representative of Central Pollution Control Board
10.	Shri Mahi Pal Singh, Chief Engineer	Representative of Central Electricity Authority (CEA)
11.	Prof. R M Bhattacharjee	Representative of IIT/ISM Dhanbad
12.	Shri Sundar Ramanathan	Member Secretary
13.	Sh. Rajesh Prasad Rastogi	Scientist 'D'
14.	Ms. Ishanvi Makhaik	Legal Associate

B) Special invitees

15. Dr. R Srikanth, Professor and Dean, National Institute of Advanced Studies, Indian Institute of Science (IISc) Campus, Bengaluru.
16. Dr. K.V.George, Chief Scientist & Head, Environmental Resource Planning and Management Division, NEERI, Nagpur

Re: Fwd: Draft MoM of Special EAC meeting on 02/01/2025 at 11.00 Hrs - OA No 74 of 2021 titled as K. Sarvanan vs Union of India pending before the Hon'ble NGT, Chennai.-reg.

sn sharad negi <sharadnegi1957@gmail.com>
Fri, 03 Jan 2025 1:19:02 PM +0530 •
To "Sundar Ramanathan" <r.sundar@nic.in>
Cc "RAJESH PRASAD RASTOGI" <rp.rastogi@gov.in>, "ishanvi ishanvi" <ishanvi.m@govcontractor.in>

Approved MoM of Special EAC Thermal power sector held on 2/1/25 as proposed.
Dr S S Negi

Vice Chairman, Rural Development and Migration Commission, Uttarakhand
former Director General Forest and Special Secretary Govt of India
Address: 178 Subhash Road Dehradun
Mob 09411173194

On Fri, Jan 3, 2025 at 1:09 PM Sundar Ramanathan <r.sundar@nic.in> wrote:



Sir,

Please find attached here with the revised draft MoM for kind perusal, consideration and approval please.

With regards,
Sundar

---- On Fri, 03 Jan 2025 12:01:24 +0530 **sharad negi** <sharadnegi1957@gmail.com> wrote -
--

Dr S S Negi
Vice Chairman, Rural Development and Migration Commission, Uttarakhand
former Director General Forest and Special Secretary Govt of India
Address: 178 Subhash Road Dehradun
Mob 09411173194

----- Forwarded message -----

From: **Chandrasekhar S** <savalgec@gmail.com>
Date: Fri, Jan 3, 2025 at 11:14 AM
Subject: Re: Draft MoM of Special EAC meeting on 02/01/2025 at 11.00 Hrs - OA No 74 of 2021 titled as K. Sarvanan vs Union of India pending before the Hon'ble NGT, Chennai.-reg.
To: sharad negi <sharadnegi1957@gmail.com>

Dear Sir,

In para 7(iii) Coal quality is constant may be rephrased as quality may vary slightly in small band width.

Further, if it is not coming in the way of present situation, we may add in the OM, that no additional fresh water will be sourced on account of Change in Coal Source.

With Regards.,

S. Chandrasekhar

F. No. J-13012/8/2009-IA.II (T) [E-167634]
Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhawan,
Jor Bag Road, Aliganj,
New Delhi – 110003

Dated: 7th January, 2025

OFFICE MEMORANDUM

Subject: Amendment in Environment Clearance for change in coal source by Thermal Power Plants (TPPs) - reg.

The Ministry has issued an Office Memorandum (O.M.) of even no. dated 11/11/2020, facilitating the change in coal source for Thermal Power Plants (TPPs) subject to compliance of relevant notifications as mentioned therein and a procedure to be followed as described therein. Subsequently, the Ministry issued an amendment on 06/12/2023, whereby Para no 7 of the OM dated 11/11/2020 was amended, limiting the grant of exemption from requirement of amendment in Environmental Clearance for change in coal source to only those TPPs which falls in the following category of change in coal source:

- a. from domestic to domestic,
- b. from domestic to domestic (blended with imported coal up to 30% content of imported coal)
- c. from imported to imported (blended with domestic coal up to 10% content of domestic coal)
- d. from imported to domestic (where the GCV of the domestic coal is of the same grade as of imported coal)

All the Thermal Power Plants (including Captive Power Plants) having Prior Environmental Clearance and going in for change in the coal source other than those falling in the aforementioned category of change in coal source shall approach the Ministry for amendment in environmental clearance along with a study on additional impact assessment and revised EMP based on the change in source of coal.

2. And whereas, the Hon'ble National Green Tribunal (Southern Zone) Chennai thereafter vide its orders dated 12/08/2024 and 23/09/2024 in Original Application No. 74 of 2021 titled K. Saravanan, Chennai vs Union of India directed the Ministry to examine the technical aspects in order to sustain the Office Memorandum dated 11/11/2020 & 06/12/2023 regarding amendment in EC for change in coal source by TPPs or resort to the original procedure.

3. And whereas, all the technical aspects inter-alia the observations of Hon'ble NGT (Southern Zone) Chennai and the environmental impacts on account of change of coal source have been deliberated upon by the Expert Appraisal Committee (EAC) in its meeting held on 02/01/2025. After deliberations, the EAC recommended for partial modification in the existing O.Ms dated 11/11/2020 and 06/12/2023.

4. The aforesaid matter has been examined in the Ministry. Based on the recommendations of EAC and subsequent approval of Competent Authority, the Ministry hereby make the following amendment in O.M dated 11/11/2020 and 06/12/2023:

- i. Condition no. (b) mentioned in Para 7 of the O.M. dated 11/11/2020 shall stand substituted as follows:

The applicable flue gas emissions standards for Particulate Matter (PM), Sulphur Dioxide, Oxides of Nitrogen and Mercury shall be complied in line with Ministry's Notification vide S.O. 3305(E) dated 7/12/2015 and its subsequent amendments from time to time, by installation/upgradation of requisite pollution control systems, as may be required. A progress of implementation and its compliance shall be submitted as part of compliance report.

- ii. Condition no. (d) mentioned in Para 7 of the O.M. dated 06/12/2023 shall stand substituted as follows:


Additional ash pond shall not be permitted on account of increase in ash content in the raw Coal due to change in coal source including lignite other than the ash pond permitted and specified in the Prior Environmental Clearance. 100% ash utilization shall be achieved in accordance with the ash utilization notification dated 31/12/2021 and its subsequent amendments from time to time.

- iii. Condition no. (f) mentioned in Para 7 of the O.M. dated 11/11/2020 shall stand substituted as follows:

Every coal or lignite based thermal power plant shall ensure that loading, unloading, transport, storage and disposal of ash is done in an environmentally sound manner and that all precautions to prevent air and water pollution are taken and status in this regard shall be reported to the concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) as per the Annexure attached to ash utilization notification dated 31/12/2021 and its subsequent amendments from time to time.

Subsequent to the condition no (f) mentioned in Para 7 of the O.M. dated 11/11/2020, the project proponent shall comply with the following environmental conditions:

- g. For controlling fugitive dust, regular sprinkling of water in the coal handing area and other vulnerable areas of the plant shall be ensured.
 - h. Project proponent shall comply with the specific water consumption for the Thermal Power Plants as per Ministry's Notification S.O. 3305(E) dated 7/12/2015 and G.S.R.593 (E) dated 28/6/2018 as amended from time to time.
5. This issues with the approval of the Competent Authority.


 (Sundar Ramanathan)
 Scientist 'F'

To,

1. All the Thermal Power Plants
2. The Chairman/Member Secretaries of all the Expert Appraisal Committees
3. The Chairman /Member Secretaries of all the SEIAAs /SEACs
4. The Chairman/Member Secretaries of all SPCBs /UTPCCs
5. The Deputy Director General of Forests (Central) of all ROs of MoEF&CC
6. All the Officers of I.A. Division

Copy for information to:

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 (NPG)/AS(AG)
5. The Joint Secretary, Ministry of Coal, Gol
6. The Joint Secretary, Ministry of Power, Gol
7. Website of MoEF&CC/ Guard file