

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

EA No. 35/2025

In OA 735 of 2024

IN THE MATTER OF:

Rajaram

Applicant

Versus

State of Haryana & Ors.

Respondent

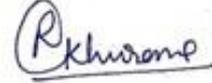
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Date:

25.08.2025

Filed by:



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Settled by:

Lokesh Sinhal,

Sr. Addl. Advocate General, Haryana

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**REPLY ON BEHALF OF RESPONDENT No.3 (Haryana
Power Generation Corporation Ltd) AND RESPONDENT
No. 4 Rajiv Gandhi Thermal Power Plant)**

Most Respectfully Showeth:

1. That present execution application has been filed seeking execution of the order dated 05.07.2024 whereby this Hon'ble Tribunal disposed of the OA permitting the applicant to file a comprehensive complaint alongwith all the relevant material to the chairman State Pollution Control Board who on receipt of the same get an inquiry conducted and ascertain correct position and take appropriate remedial/punitive action, if any violation is found.
2. That present reply is being filed through Executive Engineer, Rajiv Gandhi Thermal Power Plant, Hisar who is authorized and competent to file the reply on behalf of answering respondents. It is most respectfully submitted that no direction was passed vide order under execution qua the

answering respondents. Hence, present execution is not maintainable against answering respondents and same is liable to be dismissed.

3. That answering respondent is a law abiding corporation and have sincere concern regarding protection of environment. Accordingly, the answering respondent is complying with all the instructions and directions issued by Government and regulatory bodies.

4. That without prejudice to submissions made herein above, it will be relevant to place on record certain facts relating to other parallel proceedings pending before this Hon'ble Tribunal, which are as follow:

(i) It is the case of applicant that he submitted representation to Chairman, HSPCB on 22.11.2024. The answering respondents are not aware with the fact of submission of such representation. However, before submission of so stated representation, this Hon'ble Tribunal vide order dated 03.10.2024, in another Original application (OA No.977/2024, Renu Rani Vs State of Haryana) alleging emission of flyash and its unscientific storage and handling, constituted a Joint Committee comprising Central Pollution Control Board ('CPCB'); Haryana State Pollution Control Board; ('HSPCB'), Integrated Regional Office-Ministry of Environment Forest and Climate Change, Chandigarh ;

and District Magistrate, Hisar. It was further directed that Committee shall collect relevant information after visiting the site and submit a factual report within one month. Committee shall also verify as to whether consent conditions as also conditions of Environment Clearance are being observed and complied with by the Thermal Power Plant in question.

- (ii) Said Joint Committee has filed its progress report dated 03.11.2024 and supplementary report 18.12.2024. Ministry of Environment, Forest & Climate Change (MoEF&CC) has also filed its reply dated 11.03.2025 regarding compliance of conditions of Environment Clearance. Respondent No.4 herein (Respondent No.5 in OA No.977/2024) has filed its objections to report of joint Committee. Further, Respondent No.4 herein has filed its reply on 13.12.2024 and additional reply on 16.03.2025. The answering respondents undertakes to place on record these documents, as per directions of this Hon'ble Tribunal
- (iii) This Hon'ble Tribunal vide order dated vide order 20.03.2025, this Hon'ble Tribunal had directed Respondent No. 5 to file additional response/ reply giving complete details regarding disposal of fly ash/ legacy ash during the period from 2021-2022, 2022-2023, 2023-2024 and 2024- 2025. In compliance of order dated 20.03.2025, additional reply containing complete details of disposal of fly ash during the period from 2021-2022, 2022-2023, 2023-2024 and 2024-

2025, was filed by respondent no.4 herein on 22.04.2025.

(iv) Copy of order dated 03.10.2024 and 20.03.2025 passed by this Hon'ble Tribunal in OA No.977/2024 is annexed herewith as **Annexure-R/1 (Colly)**.

5. That answering respondents are committed for compliance of Environmental norms and have filed detailed reply/additional reply explaining the compliances in OA No.977/2024.
6. In view of the facts and circumstances made herein above, it is submitted that multiplicity of proceedings on same issue should be avoid.

In view of the facts narrated above, it is humbly prayed that no cause of action survives to proceed against the answering respondents and the present execution application is liable to be dismissed against the answering respondent.

Therefore, the present execution application may be dismissed against the answering respondent.

Tinku
25/8/25
Tinku Goyal
XEN/Env., RGTPP
Executive Engineer

Rajiv Gandhi Thermal Power Plant, Hisar
(For Respondent No.3 and 4)

Date: 25.08.2025

Place: Hisar

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
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AFFIDAVIT

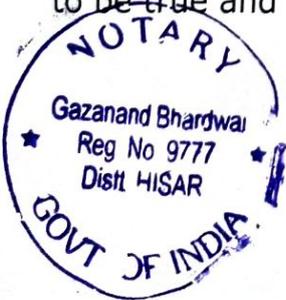
I, Tinku Goyal, Executive Engineer, Rajiv Gandhi Thermal Power Plant, Hisar aged about 31 years do hereby solemnly affirm and state as under:-

1. That in the aforesaid official capacity, I am well conversant with the facts and circumstances of the case and is authorized to file the present reply on behalf of Respondent No.3 and 4. Therefore, I am competent to swear this affidavit.
2. That I have gone through the contents of accompanying reply which has been drafted under my instructions.


Tinku Goyal
 XEN/Env., RGTPP
 HPGCL, Khedar, Hisar
 Deponent

Verification:

Verified at RGTPP, Hisar on this 25th day of August 2025 that the contents of affidavit are true and correct to my knowledge and on the basis of information derived from the official record which I believe to be true and no material fact has been concealed therein.



ATTESTED

NOTARY, HISAR
25 AUG 2025


Tinku Goyal
 XEN/Env., RGTPP
 HPGCL, Khedar, Hisar
 Deponent

Item No.02

Court No. 2

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

Original Application No.977/2024

Renu Rani & Ors.

...Applicants

Versus

State of Haryana

...Respondent

Date of hearing: 03.10.2024

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant(s): None

ORDER

1. A letter petition dated 15.12.2023 sent by Gram Panchayat Khedad, Block Barwala District Hisar, State of Haryana, has been registered as Original Application under Sections 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as '**NGT Act, 2010**') in exercise of *suo-moto* jurisdiction in view of law laid down by Supreme Court in *Municipal Corporation of Greater Mumbai Versus Ankita Sinha and Others, (2022) 13 SCC 401*.

2. Complainant has said that there is a Thermal Power Plant i.e. Haryana Power Generation Corporation Ltd. Panchkula, Haryana which is not managing coal ash produced during generation of electricity in a scientific regulated manner. The emission of flyash and its unscientific storage and handling is causing huge air pollution in area the and also creating health hazards to the local people. Flyash leakage from silos and

other places is also causing damage to roads and serious health hazard due to accidents and breathing ailments as a result whereof there is also a tendency of migration of village people to other places.

3. In our view, before proceeding further in the matter it would be appropriate to verify the facts hence we constitute a Joint Committee comprising Central Pollution Control Board (hereinafter referred to as 'CPCB'); Haryana State Pollution Control Board; (hereinafter referred to as 'HSPCB') Integrated Regional Office Ministry of Environment Forest and Climate Change, Chandigarh ; and District Magistrate, Hisar.

4. CPCB shall be the Nodal Authority for co-ordination and compliance.

5. Above Committee shall collect relevant information after visiting the site and submit a factual report within one month. Committee shall also verify as to whether consent conditions as also conditions of Environment Clearance are being observed and complied with by the above proponent.

6. List for further consideration on 05.11.2024.

Sudhir Agarwal, JM

Dr. Afroz Ahmad, EM

October 03, 2024
Original Application No.977/2024
M

Item No. 07

Court No. 2

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

Original Application No. 977/2024

Renu Rani and Ors.

Applicants

Versus

State of Haryana & Ors.

Respondents

Date of hearing: 20.03.2025

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

Applicants: None for the Applicants.

Respondents: Mr. Naveen Kumar, Mr. Ujjawal Kunerkai and Mr. Aditya Goyal,
Advocates for respondent no. 1.
Mr. Lokesh Sinhal, Senior AAG, with Mr. Rahul Khurana and Mr. Gaurav
Kumar, Advocates for respondents no. 2, 3 and 5.
Mr. Vikrant Panchanda, Advocate for respondent no. 4 (through VC).
Ms. Geeta S.E. RGTPS, Mr. Tinku Goyal, Xen and Mr. Vijay Singh
Consultant, RGTPS.

ORDER

1. In compliance of order dated 19.12.2024, reply affidavit dated 11.03.2025 has been filed by Respondent No. 1- MoEF & CC vide email dated 12.03.2025.
2. Objections dated 16.03.2025 to supplementary Joint Committee report have been filed by Respondent No. 5 vide email dated 17.03.2025.
3. Additional reply dated 16.03.2025 has been filed by Respondent No. 5- Rajiv Gandhi Thermal Power Plant, Khedar vide email dated 17.03.2025.
4. Learned counsel for Respondent No.5 seeks time to file additional reply giving requisite details regarding disposal of fly ash/legacy fly ash

during the period from 2021-2022, 2022-2023, 2023-2024 and 2024-2025.

5. List on 24.04.2025 for further consideration.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

March 20th, 2025
Original Application No. 977/2024
AB