

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
ORIGINAL APPLICATION NO. 977 OF 2024**

**IN THE MATTER OF:**

Renu Rani

Applicant

Versus

State of Haryana

Respondent

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**Filed by:**



Adv. Vikrant Pachnanda / Mukul Katyal  
On behalf of Central Pollution Control Board  
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Place: Delhi

Dated: 04.11.2024

**Progress Report in the matter of No. 977/2024; Renu Rani & Ors. Versus State of Haryana, in compliance to the orders of Hon'ble NGT dated 03/10/2024**

**1. Background:**

The matter in Original Application No. 977/2024; Renu Rani & Ors. Versus State of Haryana has been registered suo moto based on a letter petition of Gram Panchayat Khedad, Block Barwala District Hisar, State of Haryana. The complainant has alleged 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 fly ash and its unscientific storage and handling is causing huge air pollution in area the and also creating health hazards to the local people. Fly ash 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.”*

**2. Orders of Hon'ble National Green Tribunal:**

Hon'ble NGT has observed and directed in the order dated 03/10/2024 (**Annexure-1**) that:

**Para 03:** *“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.*

**Para 04:** *CPCB shall be the Nodal Authority for co-ordination and compliance.*

**Para 05:** *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.”*

**3. Progress made by the Joint Committee for compliance of the orders of Hon'ble NGT:**

**3.1. Constitution of the Joint Committee:**

In compliance to the directions of the Hon'ble NGT, a letter with a request for nominating the members was sent by CPCB, to the concerned Departments and based on the nominations received, a joint committee comprising of the following members, was constituted:

- i. Ms. Kanika Goyal, IAS, Assistant Commissioner (Under Training), Hisar (Member nominated by Deputy Commissioner, Hisar)
- ii. Dr. K.M. Selvan, Scientist 'E', Regional Office, MoEF&CC, Chandigarh (Member nominated by Regional Office (earlier Integrated Regional Office), MoEF&CC, Chandigarh)
- iii. Dr. Sunil Sheoran, Scientist 'C', Regional Office, HSPCB, Hisar (Representative of Haryana State Pollution Control Board)
- iv. Dr. Narender Sharma, Scientist 'F', CPCB Regional Directorate, Chandigarh (Member and Nodal Officer, nominated by Member Secretary, CPCB)

### **3.2. Site visit and collection of relevant Information:**

The Joint Committee conducted a site visit on 25/10/2024 to: (i) verify the facts mentioned in the letter petition and (ii) collect relevant information for compiling the factual report as directed by the Hon'ble National Green Tribunal. Officers from the HSPCB and senior officials from M/s Rajiv Gandhi Thermal Power Plant, Khedar, Barwala, District Hisar, also participated in the site visit.

*Although the joint committee was unable to contact Ms. Renu Rani, the complainant and Sarpanch of the Gram Panchayat Khedar, as well as the other villagers who signed the petition, they did converse with some residents of Khedar village at the Gram Panchayat Office during their visit to finalize the locations for ambient air quality monitoring. The villagers with whom the Joint Committee interacted stated that they do not have any pollution related problem from the thermal power plant.*

*The Joint Committee inspected the sites namely i) Ash Silo Area and ii) Ash dyke storage area, which have been indicated in the letter petition, as sources of pollution.*

The following information was requested by the Joint Committee from M/s Rajiv Gandhi Thermal Power Plant, Khedar, Barwala, District Hisar, MoEF&CC Regional Office, Chandigarh and Haryana State Pollution Control Board (HSPCB):

- i. Copy of all half-yearly compliance reports submitted by the project proponent to MoEF&CC regarding compliance of the conditions of Environmental Clearance.
- ii. Copy of report of last verification conducted by MoEF&CC regarding the compliance of the conditions of Environmental Clearance
- iii. Copy of Consent to Establish (CTO) granted by HSPCB and the copy of the last inspection/monitoring report of HSPCB
- iv. Details regarding total power generation, coal consumption, ash generation and ash utilization for the period from 2020-21 to 2024-25.
- v. Approved Ash Management plan.
- vi. Site plan/Map showing Green Belt, CAAQMS Stations and Ground water sampling locations.
- vii. Details of Effluent Treatment Plant and Zero Liquid Discharge scheme followed by the Unit.

While the requested information, except for all half-yearly compliance reports from M/s Rajiv Gandhi Thermal Power Plant in Khedar, Barwala, Hisar District, was received on 28/10/2024. HSPCB provided two inspection reports namely i) Inspection report dated 08/08/2021 & 01/09/2021 and ii) Inspection report dated 15/01/2024 w.r.t. CM Window compliant dated 09/11/2023, alongwith relevant documents on 03/11/2024, which are yet to be examined by the Joint Committee.

*As per information shared by the Unit, the latest compliance report for Environmental Clearance conditions has been submitted on 19/10/2024 and therefore, the MoEF&CC has yet to receive the same and verify compliance with the conditions specified in the Environmental Clearance granted to the project proponent.*

### **3.3. Verification of the facts mentioned in the letter petition:**

The Joint Committee inspected the sites mentioned in the letter petition as sources of pollution: (i) the Ash Silo Area and (ii) the Ash Dyke Storage Area. The Committee gathered relevant information and took photographs for inclusion in the factual report.

It was observed by the Joint Committee that:

- i. M/s Rajiv Gandhi Thermal Power Plant in Khedar, Barwala, District Hisar, *has implemented measures to control pollution associated with ash storage and handling in the fly ash silo area (Photographs 1-4 of Annexure-2), which include:*
  - *Enclosed silos with a pneumatic loading/unloading system.*
  - *Water sprinkling throughout the silo and truck parking areas.*
  - *A green belt surrounding the silo and parking areas.*
  - *Paving of both the silo and truck parking areas.*
  - *Collection and recycling of the water used for sprinkling.*
- ii. *The sufficient measures were not in place to control pollution from ash handling in the ash dyke area. The access roads leading to this area are unpaved, and there are not proper arrangements for water sprinkling to prevent the spread of ash during strong winds, truck movements, and the loading of trucks for ash transportation. While ash handling was not occurring during the inspection, dust pollution caused by the wind was observed drifting toward nearby areas (Photographs 5-6 of Annexure-2).*

M/s Rajiv Gandhi Thermal Power Plant, Khedar, Barwala, District Hisar has submitted the following action plan alongwith target dates for implementation of pollution control measures in the ash dyke area, through email dated 28/10/2024:

S.No.	Description for Initiative for curbing environmental impact due to wet ash mining	Target date
1	Proposal for installation of Sprinkling system over Ash Dyke boundary wall to suppress airborne ash particles from ash dykes.	31.12.2024
2	Proposal for Use of fog cannons around pond ash weighing area to minimize the air borne ash due to vehicle movement.	22.11.2024
3	Proposal for installation of automatic truck wheel wash system under consideration.	31.01.2025
4	The pathway leading from gate of Ash dyke upto top of dyke will be constructed as RCC road by Civil wing.	01.11.2025
5	Bund road at top of ash dyke will be repaired by Civil wing.	28.02.2025


#### 4.0. Submission and Prayer of the Joint Committee:


It is submitted that in compliance of the directions of the Hon'ble NGT, the following progress has been made by the Joint Committee:

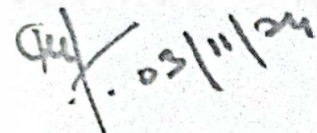
- i. The Joint Committee conducted a site visit on October 25, 2024, to verify the issues raised in the letter petition. *It was observed that while M/s Rajiv Gandhi Thermal Power Plant, Khedar, Barwala, District Hisar, has implemented measures to control the air pollution in the fly ash silo area, however sufficient measures were not in place to control the air pollution during ash handling in the ash dyke area.*
- ii. Some of the information requested by the Joint Committee, from M/s Rajiv Gandhi Thermal Power Plant, Khedar, Barwala, District Hisar. HSPCB provided two inspection reports namely i) Inspection report dated 08/08/2021 & 01/09/2021 and ii) Inspection report dated 15/01/2024 w.r.t. CM Window compliant dated 09/11/2023, alongwith relevant documents on 03/11/2024, which are yet to be examined by the Joint Committee.
- iii. The Joint Committee was unable to conduct stack monitoring because the lift used to access the monitoring facility on the stack was not functioning at the time of inspection.
- iv. *To know the impact of coal and fly ash handing, the ambient air quality monitoring is yet to be conducted by the Joint Committee. However, the Joint Committee has identified the locations for ambient air quality monitoring within and outside the premises, during the inspection.*
- v. *The Joint Committee is yet to examine the documents made available to the Joint Committee by the Project Proponent on 28/10/2024. The verification of the compliance of the conditions of Environmental Clearance and consent to Operate, based on the details provided by the project proponent and provided by HSPCB, as directed by Hon'ble NGT, is yet to be done by the Joint Committee*

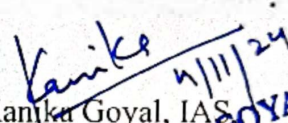
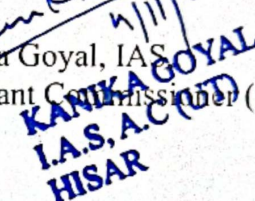
Therefore, it is respectfully requested that the progress made by the Joint Committee be considered and recorded by the Hon'ble National Green Tribunal.

Additionally, the Joint Committee kindly requests a 6-weeks extension, until December 15, 2024, to complete the remaining activities necessary for filing the factual report, including verifying compliance with the conditions of the Consent to Operate (CTO) and Environment Clearance as directed by the Hon'ble National Green Tribunal.

  
Dr. Sunil Sheoran, Scientist 'C',  
Regional Office, HSPCB, Hisar

  
K MUTHAMIZH SELVAN  
Dr. K.M. Selvan, Scientist 'E',  
Regional Office, MoEF&CC, Chandigarh

  
Dr. Narender Sharma  
Scientist F, CPCB, RD, Chandigarh

  
Kanika Goyal, IAS  
Assistant Commissioner (UT), Hisar  
  
KANIKA GOYAL  
I.A.S., A.C (UT)  
HISAR

Dated: November 03, 2024

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  
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Annexure 2

Photographs taken by the Joint Committee during inspection on 25/10/2024

Photograph 1



Photograph 2



Photograph 3



Photograph 4



Photograph 5



Photograph 6

