

BEFORE THE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE, PUNE

Original Application No. 54/2024

BOOK No. 2-2025  
PAGE No. 225-2025  
SR. No. 2794-2025  
DATE 02-07-2025

M. S.  
MANGLAGAURI P. MAKWANA  
NOTARY  
GOVT. OF INDIA

IN THE MATTER OF:

Kuldipsinh Khimji Sodha

....Applicant(s)

Versus

Union of India & Ors.

....Respondent(s)

REPLY AFFIDAVIT ON BEHALF OF THE RESPONDENT NO. 1 i.e., THE  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE

I, Yogesh Kumar S/o Shri N.K.Prasad, aged about 36 years, presently working as Scientist 'C' in the Ministry of Environment, Forest & Climate Change (hereinafter referred to as "MoEF&CC"), Government of India, Regional Office, Gandhinagar do hereby, in my official capacity, solemnly affirm and state on oath as under:

1. That, I am acquainted with the facts and circumstances of the instant Original Application and duly competent to swear the present reply affidavit on behalf of the Ministry of Environment, Forest Climate Change based on the official records maintained therein.
2. It is humbly submitted at the very outset that the contents of the Original Application unless specifically admitted, are denied to the extent that they are inconsistent with the submissions made hereinafter.
3. It is humbly submitted that the instant Original Application has been filed alleging continuous violation of the Environmental Clearance (hereinafter referred to as "EC"), Consolidated Consent and Authorization (hereinafter referred to as "CCA") and Consent to Operate (hereinafter referred to as "CTO") conditions by the Kutch Lignite Thermal Power Station, particularly with respect to illegal extraction of groundwater, improper handling and disposal of fly ash, and discharge of untreated effluents, resulting in environmental degradation, contamination of nearby water bodies, and adverse impacts on public health and the surrounding ecosystem.
4. It is humbly submitted that the EC for '75 MW Lignite Based thermal Power Plant (Unit-4) at Panandhro, District Kutchm Gujarat by M/s/ Gujarat Electricity Board' was granted to Gujarat Electricity Board by the Answering Respondent vide letter no. J-13012/6/2000.IA-II (T) dated 31.05.2005. A copy of the EC dated 31.05.2005 has been annexed herewith as **Annexure-R1/1**.

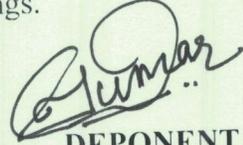
*Yogesh Kumar*



environmental non-compliance while ensuring immediate compliance. A copy of the Show Cause Notice dated 23.06.2025 has been annexed herewith as **Annexure-R1/5**.

10. In light of the above-stated facts and circumstances, it is most humbly prayed that the Hon'ble Tribunal may kindly be pleased to take the present Reply Affidavit on record and may pass appropriate Order(s). direction(s) as deemed fit and proper under the facts and circumstances of the present case.

11. It is most humbly submitted that the Answering Respondent seeks leave to make additional submissions, if required, during the course of the proceedings.



**DEPONENT**

डॉ. योगेश कुमार / Dr. Yogesh Kumar

वैज्ञानिक 'सी' / Scientist 'C'

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय,

Ministry of Environment, Forest & Climate Change,

भारत सरकार / Govt. of India

ए. क्षेत्र. का., गांधीनगर (गुजरात) / IRO, Gandhinagar(Gujarat)

**VERIFICATION**

I Yogesh Kumar, the above-named Deponent, do hereby verify that the contents of the above affidavit are true and correct to my knowledge as per the records of the Answering Respondent. No part of it is false and nothing material has been concealed there from.

Verified at Gandhinagar on 02<sup>nd</sup> July 2025.



**DEPONENT**

डॉ. योगेश कुमार / Dr. Yogesh Kumar

वैज्ञानिक 'सी' / Scientist 'C'

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय,

Ministry of Environment, Forest & Climate Change,

भारत सरकार / Govt. of India

ए. क्षेत्र. का., गांधीनगर (गुजरात) / IRO, Gandhinagar(Gujarat)



**IDENTIFIED BY ME**

ADVOCATE/PERSON

Adv. Enr. No.....

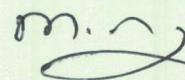
Name.....

Add:.....

Date.....

02 JUL 2025

**SOLEMNLY AFFIRMED  
BEFORE ME**



MANGLAGAURI P. MAKWANA  
NOTARY  
GOVT. OF INDIA

02 JUL 2025

411

①

BY SPEED POST

No. J- 13012/6/2000-IA-II(T)  
Government of India  
Ministry of Environment & Forests

\*\*\*

Paryavaran Bhawan,  
CGO Complex, Lodi road,  
New Delhi-110003

Dated: 31<sup>st</sup> May, 2005

To,

**Chief Engineer (P&P)**  
Gujarat Electricity Board  
Sardar Patel Vidyut Bhawan  
Race Course, **BARODA**-390007  
**GUJARAT.**

**Sub: 75 MW Lignite Based Thermal Power Plant ( Unit-4)**  
**at Panandhro, District Kutch, Gujarat by M/s Gujarat**  
**Electricity Board - Environmental clearance – Regarding.**

Sir,

The undersigned is directed to refer to communication no. PP/PL.III/PanandhroEIA/19 dated 14.6.2000 from Gujarat Electricity Board regarding the subject mentioned above. Subsequent information furnished vide letters dated 18.9.2000, 5.10.2001, 19.8.2002, 17.2.2004 has also been considered.

2. The proposal involves expansion of Kutch Lignite Thermal Power Station by installation of a 75 MW unit based on Circulating Fluidised Bed Combustion (CBFC) technology in the premises of existing power plant. The existing infrastructure facilities will be utilized. About 1500 TPD of Lignite will be required for the power plant. Water requirement will be 8640 m<sup>3</sup>/day. Entire fly ash generated will be utilized by dumping in excavated lignite mines. No forest land is involved in the project. Capital cost of the project will be Rs. 369.00 crores.

3. The proposal has been examined and environmental clearance to the said project is hereby accorded subject to effective implementation of following conditions and environmental safeguards:

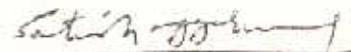
- i) All the conditions stipulated by Gujarat Pollution Control Board vide their letter no. PC/NOC/ Kutch-19(3)/22338 dated 17.7.1999 PC/AIR/ Kutch-34(3)/29826 dated 17.9.1999 should be strictly implemented.
- ii) For the portion of the pipeline passing through CRZ, a separate clearance under the provision of CRZ Notification, 1991 shall be obtained.
- iii) Utilisation of land for the project should be restricted to 43 ha which is already in possession of the project authorities. No additional land will be acquired for the project.
- iv) CFBC boilers should have sulphur trapping efficiency of not less than 95%.
- v) A single flue stack of 190 m height with an exit velocity of 18m/sec should be provided with continuous on-line monitoring equipments. The data collected should be analysed and submitted to Ministry of Environment & Forests regularly.
- vi) Construction of 230 m high stacks for units 1 & 2 should be completed prior to the commissioning of the 4th unit.
- vii) Close circuit cooling system with cooling towers should be provided.
- viii) Water requirement for the entire station (existing + expansion) should be met from the sea. Water drawn from the Kori Creek should be treated and reused. Treated effluents from the project conforming to the prescribed standards should only be discharged into the Kori creek at a location identified by the National Institute of Oceanography, based on modeling studies.
- ix) Lignite having calorific value of at least 2200 Kcal/Kg, ash content of not more than 40 % and sulphur content not exceeding 3.5% should only be used.
- x) For controlling fugitive dust during transportation of lignite from Gujarat Mineral Development Corporation(GMDC's) mines, dust extraction and suppression system and wet systems should be used.
- xi) Ash generated (612 TPD approx.) should be used in a phased manner as per provisions of the notification on Fly Ash Utilisation issued by the Ministry in September,1997. By the end of 9<sup>th</sup> year full utilization of fly ash should be ensured.
- xii) High efficiency Electrostatic Precipitor(ESP) with 99.9% efficiency should be installed to limit SPM emission within 100 mg/Nm<sup>3</sup>.
- xiii) An area not exceeding 23 ha should be used for ash disposal. The mined out areas of GMDC should be used for ash disposal.
- xiv) Noise level should be limited to 75 dBA. Regular maintenance of equipments should be undertaken. People working in high noise

- areas should be provided with ear plugs and other protection devices.
- xv) Recommendations contained in the risk analysis report should be fully implemented. A programme of mock drills should be prepared and conducted regularly to train the employees to handle effectively any eventuality, which may arise. Safety alarm devices should be installed at strategic points including main gate, assembly points, first aid centre etc.
  - xvi) A greenbelt of adequate width (20-25 m) and density (1500-2000 trees/ha.) should be developed around the proposed unit. Plantation should also be undertaken along the conveyor belt.
  - xvii) The predicted GLC values near the nearest boundary of Narayan Sarovar Sanctuary based on the post monsoon meteorological data and taking into consideration all the four stacks should be recomputed in consultation with the India Meteorological Department and results communicated to this Ministry at the earliest but within 6 months at the latest.
  - xviii) Regular monitoring of the air quality should be carried out in and around the power plant and records maintained. The monitoring station should be suitably selected taking into account, the wind direction and sensitive receptors. Periodic (six monthly) report should be submitted to this Ministry.
  - xix) For controlling fugitive dust, regular sprinkling of water in vulnerable areas of the plant should be ensured.
  - xx) A separate environment monitoring cell with suitable qualified staff should be set up for implementation of the stipulated environmental safeguards.
  - xxi) A half yearly report on the status of implementation of the stipulated conditions and environmental safeguards should be submitted to this Ministry/ Regional Office/CPCB/SPCB.
  - xxii) Regional Office of the Ministry of Environment & Forests located at Bhopal will monitor the implementation of the stipulated conditions. Complete set of Environmental Impact assessment Report and Management Plan should be forwarded to the Regional Office for their use during monitoring.
  - xxiii) Separate funds should be allocated for implementation of environmental protection measures along with item-wise break-up. These cost should be included as part of the project cost. The funds earmarked for the environment protection measures should not be diverted for other purposes and year-wise expenditure should be reported to Ministry.
  - xxiv) Full cooperation should be extended to the Scientists/Officers from the Ministry/Regional Office of the Ministry at Bhopal/the CPCB/the

SPCB who would be monitoring the compliance of environmental status.

xxv) The project proponent should advertise at least in two local newspapers widely circulated in the region around the project, one of which should be in the vernacular language of the locality concerned, informing that the project has been accorded environmental clearance and copies of clearance letters are available with the available the State Pollution Control Board/Committee and may also be seen at Website of the Ministry of Environment and Forests at <http://www.envfor.nic.in>.

4. The Ministry reserves the right to revoke the clearance if stipulated conditions are not implemented to the satisfaction of the Ministry.
5. The environmental clearance accorded shall be valid for a period of 5 years for construction/operation of the power plant. In case, if the project authorities fails to do so within this stipulated period, this environmental clearance shall stand lapsed automatically.
6. In case of any deviation or alteration in the project proposed from those submitted to this Ministry for clearance, a fresh reference should be made to the Ministry to assess the adequacy of the condition(s) imposed and to add additional environmental protection measures required, if any.
7. The above stipulations would be enforced among others under the Water(Prevention and Control of Pollution) Act,1974, the Air(Prevention and Control of Pollution) Act,1981,the Environment (Protection) Act, 1986, Hazardous Wastes (Management and Handling) Rules,1989 and its amendments, the Public Liability Insurance Act, 1991 and its amendments, the Environment Impact Assessment Notification of January,1994 and its amendments.

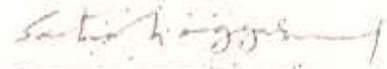


( S.K.AGGARWAL )  
DIRECTOR

**Copy to:**

1. Secretary, Ministry of Power, Shram Shakti Bhawan, Rafi Marg, New Delhi-110001.
2. Secretary, Environment & Forests Deptt., Government of Gujarat, Sachivalaya, 8<sup>th</sup> floor , Gandhi Nagar-382010(Gujarat).

3. Chairman, Central Electricity Authority, Sewa Bhawan, R.K.Puram, New Delhi-110066.
4. Chairman, Gujarat Pollution Control Board, Paryavaran Bhawan, sector-10A, Gandhinagar-382010 with respect to display a copy of the clearance letter at the Regional Office, District Industries Centre and Collector's office for 30 days.
5. Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi-110032.
6. ✓ Chief Conservator of Forests, Central Regional Office, Ministry of Environment & Forests, E-3/240, Arera Colony, Bhopal-462016.
7. Director(EI), MOEF.
8. Guard file.
9. Monitoring file.



( S.K.AGGARWAL )  
DIRECTOR

IA-J-11014/112/2022-IA-I  
Government of India  
Ministry of Environment, Forest & Climate Change  
Impact Assessment Division  
\*\*\*

Indira Paryavaran Bhavan,  
Jor Bagh Road, New Delhi-110 003  
Dated: 25<sup>th</sup> November, 2022

## Office Memorandum

**Sub:- Standard Operating Procedure (SOP) for Post Environmental Clearance Monitoring and Compliance of the project -reg.**

### Background

The Ministry has established 19 Integrated Regional Office (IROs) vide Notification No. 1-5/2013-ROHQ dated 13<sup>th</sup> August, 2020 with a view to achieving mandated outcomes related to Monitoring and Compliance of the project in an improved, timely and effective manner.

2. As far as monitoring and compliance of EC conditions are concerned, as per para 10 of the EIA Notification, 2006, it is mandatory for the project proponent to submit half-yearly compliance reports in respect of the stipulated EC conditions to the Ministry and its Integrated Regional Offices (IROs).

**The prescribed SOP wrt the Monitoring & Compliance is as given below:**

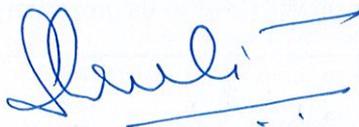
#### 1. IROs undertake inspection of the unit, with respect to the following scenarios:

- i. IRO identifies ambiguity in half-yearly compliance reports with respect to the stipulated EC conditions submitted by Project Proponent (PP).
- ii. PP request IRO for issuance of Certified Compliance Report (CCR) in order to apply for expansion of the project under EIA, Notification 2006.
- iii. Complaint received against the project.
- iv. Direction from the Ministry based on PMO/VIP/PG/RTI etc. references.
- v. Random Inspection of projects.
- vi. Direction from Hon'ble court in various Court Matter.

2. Based on the observations during Monitoring IRO seeks Clarification/Action Taken Report (ATR) to the PP and submit Monitoring Report along with the clarification letter to the Ministry.

3. If PP fails to respond to it a reminder letter is sent by IA-Monitoring Cell allowing PP to submit ATR in 15 days.

4. **Action on the Monitoring Report by the Monitoring Cell:** Monitoring Cell of Ministry analyse the monitoring report submitted by IRO. Based on the observed Major and Minor partial/non-compliances clarification/ATR, if necessary, is sought from Project Proponent with direction to submit the response within a period of Thirty (30) days. If PP fails to submit the response of clarification/ATR letter within the time line period, a reminder letter as warning issued to the PP.



5. The response submitted by PP is examined in the Ministry and the Action taken report submitted by PP is sent to IRO for further verification. Based on IRO's verification report following actions are contemplated:

- i. If no satisfactory action has been taken by the PP and EC conditions are yet to be complied Ministry may issue Show-Cause Notice under the Section 5 and other provisions which may include Section 15 and 19 of the Environment (protection) Act, 1986.
- ii. If it is observed that the non-compliances are not rectified, Ministry provides an opportunity to PP for clarification in personal hearing under the chairmanship of officer not below the rank of Joint Secretary. Based on the outcome of the personal hearing if necessary, direction for Compensation/Suspension of EC may be issued.
- iii. If it is observed that PP has taken credible action to comply with the condition and the action is expected to be completed with some additional time, Ministry grant additional time in which actions are expected to be completed by PP to fully comply with the conditions mentioned in the EC and submit the compliance report duly verified by concerned IRO to the Ministry.
- iv. If it is observed that PP has now complied with all the conditions and the same has been confirmed in the verification report, Ministry issues Action Closure Letter (ACL) to the PP with direction to continuously submit six monthly compliance report on time.
- v. If it is observed that PP has violated the provisions of EIA Notification, 2006 and attracts the provisions of SOP dated 07.07.2022, Monitoring Cell intimates the concerned sector for taking appropriate action as deem fit.

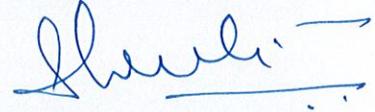
**6. Action after issuance of Show Cause Notice:**

- i. Monitoring Cell of the Ministry prescribes a time line of Fifteen (15) days or Thirty (30) days for submission of reply of SCN based on the gravity of non-compliances. If PP fails to submit the response of SCN within the prescribed time period, if necessary, a warning letter may be issued.
- ii. The response to SCN submitted by PP is examined in the Ministry and if found necessary the reply submitted by PP is sent to IRO for further verification. Based on IRO's verification report following actions are contemplated:
  - a) If it is observed that PP has now complied with all the conditions and the same has been confirmed in the verification report, Ministry issues ACL to the PP with direction to continuously submit six monthly compliance report on time.
  - b) If it is observed that the non-compliances are not rectifiable, Ministry provides an opportunity to PP for clarification during personal hearing under the chairmanship of officer not below the rank of Joint Secretary. Based on the outcome of the personal hearing if necessary, direction for Compensation/Suspension of EC may be issued.

**7. Action in other scenarios:**

- i. If it is observed that there is imminent risk to the environment and health due to noncompliance by the PP, SCN with time line of Fifteen (15) days is issued to PP. If PP fails to submit the response of SCN within the prescribed time period, if necessary

- a warning letter may be issued otherwise after Fifteen (15) days personal hearing may be conducted under the chairmanship of officer not below the rank of Joint Secretary.
- ii. Based on the outcome of the personal hearing if necessary, direction for Suspension of EC or other prescribed action under EPA may be issued.
  - iii. If it is observed that due to non-compliance, accident has already been taken place, Ministry may immediately suspend the EC of the project till all the conditions are complied and duly verified by concerned IRO.



**(Dr. Shruti Rai Bhardwaj)**  
**Addl. Director/Scientist 'E'**

Encl.: As above

To,  
All Concerned

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 Secretary (EF&CC)
4. PPS to DGF&SS (EF&CC)
5. PPS to AS (TK)/PPS to JS(SKB)
6. Guard File/Spare Copies
7. US(IT)/Consultant(IT)

**URGENT**  
**Speed Post/Online**

**File no. IA-L-11011/39/2024-IA-I**  
**Government of India**  
**Ministry of Environment, Forest and Climate Change**  
**(I.A. Division)**  
\*\*\*\*\*

Indira Paryavaran Bhavan  
Jor Bagh Road, Aliganj  
New Delhi-110 003  
Dated: 04<sup>th</sup> November 2024

To,

Deputy Director General of Forests (C),  
Ministry of Environment, Forest and Climate Change,  
Integrated Regional Office, Gandhi Nagar A wing- 407 & 409,  
Aranya Bhawan, Near CH-3 Circle, Sector-10A, Gandhi Nagar-382010

**Sub: Original Application No. OA 54/2024 titled 'Kuldipsinh Khimji Sodha v. Union of India & Ors.'** Pending before NGT (WZ), Pune- reg. Ref:

- i. **A copy of O. A. No. No. 54/2024 titled 'Kuldipsinh Khimji Sodha v. Union of India & Ors.'**
- ii. **Ministry's EC letter no. J-13012/6/2000.IA-II(T) dated 31.05.2005**

Sir,

This has reference to the O.A No. OA 54/2024 titled 'Kuldipsinh Khimji Sodha v. Union of India & Ors.' pending before Hon'ble NGT (WZ), Pune (*a copy of petition is enclosed*). The applicant's grievance is that the Kutch Lignite Thermal Power Station, operated by Gujarat State Electricity Corporation Ltd., is violating environmental laws including the Environmental Clearance by continuously discharging untreated wastewater into the Kali River, causing health issues for local residents and the death of domestic animals. Additionally, the plant is extracting groundwater through over 35 borewells without permission, worsening the environmental damage.

2. In this regard, the Regional Office (RO) of the Ministry at Gandhinagar is requested to furnish a (i) factual status report concerning the issues raised in the application, along with (ii) condition-wise compliance status report (s) for all the ECs associated with the project.
3. Being a Court Matter, the reports may be furnished to the Ministry at the earliest.

This issues with the approval of the competent Authority.

Enclosed: as above.

Yours faithfully,

(Pankaj Verma)  
Addl. Director/Scientist 'E'  
Email: Pankaj.verma@nic.in  
Tel: 011-20819270 (O)

**JOINT REPORT IN REFERENCE TO HON'BLE  
NGT MATTER OA 54/2024 (WZ)**

**MATTER RELATED WITH GSECL – KUTCH LIGNITE THERMAL POWER  
STATION, PANANDHRO**

Jointly Prepared By:

MINISTRY OF ENVIRONMENT FOREST AND CLIMATE CHANGE – RO,  
GANDHINAGAR

&

GUJARAT POLLUTION CONTROL BOARD – REGIONAL OFFICE, KUTCH (WEST)

**April 2025**

## 1. Background.

The Applicant Shri Kuldipsinh Khimji Sodha resident of Bhuj, Kutch has filed the application OA No. 54 of 2024 in the Hon'ble National Green Tribunal (WZ), regarding the pollution caused by the Kutch Lignite Thermal Power Plant. Recently the applicant has filed a composite rejoinder affidavit on 29.03.2025 as mentioned in the Hon'ble NGT order dated 01.04.2025. In this reference the Kutch Lignite Thermal Power Station (KLTPS), Panandhro is visited on 07.04.2025 jointly by the officials of MoEF&CC – RO, Gandhinagar & GPCB Regional Office, Kutch (West).

The following officials were part of the inspection team:

1. Yogesh Kumar, Scientist 'C', MoEF&CC – RO, Gandhinagar.
2. Hitesh Sorathia, Scientific Officer, GPCB Regional Office, Kutch (West).
3. Rajendrasinh Gaekwad, Asst. Environmental Engineer, GPCB Regional Office, Kutch (West).

## 2. Observations during the visit.

The KLTPS belongs to Gujarat State Electricity Corporation Limited (GSECL) is located near Panandhro village in Kutch District. It is a Lignite Based Power Station. There are two units of 70 MW each (Unit no. 1 & 2) and two units of 75 MW (Unit no. 3 & 4) with a total installed capacity of 290 MW. The commissioning dates of unit no. 1 to 4 are 29.03.1990, 25.03.1991, 31.03.1997 & 20.12.2009 respectively. The unit no. 4 is having CFBC boiler and unit is taken under commercial operation from 20.12.2009. The 2 x 70 MW Unit no 1 & 2 have been retired from service w.e.f. 01.01.2020 & the Station Capacity has reduced to 150 MW accordingly w.e.f. 01.01.2020.

KLTPS is operating since 1990 as per the consent given by Gujarat Pollution Control Board (GPCB). Environment clearance is granted by the Ministry of Environment Forest and Climate Change (MoEFCC) for Unit – 4 vide No.J-13012/6/2002.IA-II(T) dated 31.05.2005. At present the unit has valid CCA AWH – 128069 upto 23.08.2028 for Unit – 3 (Power – 75 MWH) & Unit – 4 (Power – 75 MWH).

During the visit, Unit – 3 is found in operation at 59.7 MW power generation rate which is running as per the consent of Gujarat Pollution Control Board. Unit – 4 was not in operation at the time of inspection. It was informed by the project proponent that the unit 4 is non operative since October 2023. The Unit – 3 has been recently resumed operation from 30.03.2025.

In the present scenario the conditions stipulated under the environment clearance can't be verified or certified as the plant is not in operation since 2023. However, the project proponent has submitted the six-monthly compliance report up to March 2025 which highlights the establishments at the site (copy enclosed). Being non-operational neither the stack nor the waste

water consumption and treatment can be monitored or checked or verified for unit 4. However, the conditions mentioned in the consent granted by GPCB are monitored and verified.

## 2.1 Water and Wastewater Management

The source of water is through Borewell. Unit has total 38 Nos. of borewells, out of which 9 Nos. of borewells are in working condition. As per the records, Unit has applied for CGWA permission vide application no: 21-4/11810/GJ/IND/2024 for extracting ground water from 38 nos. of borewell with capacity of 27240 m<sup>3</sup>/day.

Unit has provided primary ETP for treatment of wastewater generated from DM plant. The ETP is operated in batch mode. Treated water is reused in dust suppression within premises. Cooling tower bleed is directly utilized for fly ash slurry preparation. Unit has provided online analyzers at the final outlet of ETP and connected with online CPCB & GPCB server.

During the visit, no wastewater is found going outside the premises into the river Kali. However, it was found spread and accumulated along the Dyke-A area. The PP has been instructed to take effective measures to stop the flow of wastewater and advised to trap near the sump for further treatment. No such leakage is observed in the Ash slurry pipelines which are laid upto the operational Dyke – D (Abandoned Mine of GMDC Panandhro). However, the pipeline needs to be changed at the earliest. Fly ash is observed along the pipeline area at Abandoned Mine of GMDC Panandhro which needs to be disposed as per guidelines in a time bound manner. During visit, no seepage is observed from the Dyke – A. Presently Dyke – A is not in use and only water is accumulated in the same, Solar plant is installed in Dyke – E and Dyke – C is abandoned and presently not in use. However, the trace marks of water flown out earlier from the premises have been observed during inspection.

It has been observed that the concentrated water is going out from the plant premises in the form of mist from cooling towers containing anti scaling agents and gets deposited on the plants outside the boundary wall giving whitish appearance on plant leaves. It is advised to install wind barrier to stop any such accumulation as it is hampering the plant growth and ultimately lead to mortality.

The generated domestic wastewater is disposed through soakpit.

During the visit, no wastewater is found going outside the premises into pond of village Khanot. During visit, one sample is collected from the Khanot village pond. The analysis results of the same are as below:

Parameter	Analysis Results
pH	8.41
TDS	53016
Chloride	24900
Sulphate	1150

COD	126
BOD (3 days at 27 C)	10
DO	3.06
Color	10
Ammonical Nitrogen	0.56
O&G	BDL
Suspended Solids	64

*Note: All parameters are in mg/l except pH and Colour in Pt/Co scale*

As per the records of GPCB, The samples of Khanot village are collected previously which shows TDS – 17662 mg/l (15.02.2023), 20009 mg/l (06.08.2016), & 59024 mg/l (29.06.2016).

## 2.2 Air Pollution Control and Management

During visit, stack sampling is carried out with the stack attached to the Boiler – 3 of the Unit – 3 for the PM, SO<sub>2</sub> & NO<sub>x</sub>. 10 Field ESP is provided as APCM with the Boiler – 3, which is observed in operation during the visit. The monitoring results of the same are PM – 1116 mg/Nm<sup>3</sup>, SO<sub>2</sub> – 5072 mg/Nm<sup>3</sup>, NO<sub>x</sub> – 272 mg/Nm<sup>3</sup>. The monitoring results of PM & SO<sub>2</sub> for the Boiler – 3 (Unit - 3) are exceeding the prescribed norms of the CCA.

During visit, online analyzer provided with the Boiler – 3 for PM parameter is not found in operation and parameters SO<sub>2</sub> & NO<sub>x</sub> shows reading as 3734 ppm & 202 ppm respectively. Unit has connected the online analyzers with CPCB & GPCB server; however during the visit the online analyzers were not showing the readings on CPCB server. The KLTPS has issued LOI to Forbes Marshall Pvt. Ltd. on 26.03.2025 for procurement of opacity analyzer for PM parameter.

It is advised to PP to take a leap forward to implement the coal handling guidelines issued by Central Pollution Control Board (CPCB) in a time bound manner. The action plan for the same should be submitted to RO MoEFCC/RO GPCB. The same is applicable to fly ash guidelines.

During visit, no fly ash dumps are found near coal yard or outside the premises. During the visit, fugitive emission is observed from the coal handling and conveying area due to its dilapidated condition which requires maintenance and revamping.

The condition of green belt is partly complied as the sufficient green cover is not maintained at the plant premises which is required to be increased in a phased manner.

*R.R. Gaekwad*

*Hitesh Sorathia*

*Yogesh Kumar*

Date: 07.04.2025

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F. No. IA-L-11011/39/2024-IA-I  
Government of India  
Ministry of Environment, Forest and Climate Change  
(IA- Compliance & Monitoring Division)  
\*\*\*\*\*

Indira Paryavaran Bhavan  
Jor Bagh Road, Aliganj  
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Dated: 23<sup>rd</sup> June, 2025

**Sub: Show Cause Notice under Section 5 of Environment (Protection) Act, 1986 for Non- Compliances observed with respect to the project "Kutch Lignite Thermal Power Station, at Panandhro District kutch, Gujarat by M/s. Gujarat Electricity Board - reg.**

**Ref: Joint Inspection Report submitted by Regional Office, Gandhinagar**

WHEREAS, Original Application No. OA 54/2024 titled '*Kuldipsinh Khimji Sodha v. Union of India & Ors.*' is pending before NGT (WZ), Pune wherein a joint inspection by the officials of Ministry's, Regional Office, Gandhinagar & GPCB Regional Office, Kutch (West), Gujarat of the Kutch Lignite Thermal Power Station (KLTPS), Panandhro was conducted on 07.04.2025 and report was submitted to the Ministry by vide Email dated 28.05.2025.

2. WHEREAS, Joint Inspection report has been examined in detail within the Ministry wherein it is observed that as far as project is concerned there are two units of 70 MW each (Unit no. 1 & 2) and two units of 75 MW (unit no. 3 and 4) with total installed capacity of 290MW.

3. WHEREAS, the Unit 1 and 2 have been retired from service. Unit-4 is non-operational and at present, only Unit 3 (59.7 MW) remains operational, which is operating on the basis of valid Consolidated Consent and Authorization (CCA) from GSPCB valid till August 2028.

4. WHEREAS, The Environmental clearance for Unit-4 was granted by the MoEFCC vide letter dated 31.05.2005, however, considering that Unit 4 is non-operational since October 2023, the compliance status of the EC conditions could not be verified during the joint inspection.

5. WHEREAS, the Joint Inspection report, accordingly confined to Unit-3 operating on the basis of valid Consolidated Consent and Authorization (CCA) from GSPCB valid till August 2028.

6. WHEREAS, the examination of the joint inspection report indicate major environmental non-compliance posing serious risk to the environment and surrounding ecosystem. The reported non-compliance are as given below:

- I. The unit is currently operating 9 borewells without Valid CGWA permission which required permission and the the groundwater extraction is being carried out without prior approval
- II. Improper wastewater and ash management observed, including spreading along Dyke-A, fly ash accumulation near pipeline, and damaged ash slurry pipeline has been observed

- III. Emission of mist containing anti-scaling agents from cooling towers is affecting vegetation outside the plant boundary is observed.
- IV. The stack monitoring results for Boiler-3 (Unit-3) show that PM (116 mg/Nm<sup>3</sup>) and SO<sub>2</sub> (5072 mg/Nm<sup>3</sup>) exceed the prescribed norms specified in the Consent to Operate (CTO), which needs to be addressed urgently
- V. Online PM analyzer for Boiler-3 was found non-operational during inspection, and despite high SO<sub>2</sub> (3734 ppm) and NOx (202 ppm) levels
- VI. An action plan must be prepared and submitted to the Regional Office of MoEF&CC for the implementation of CPCB guidelines on coal handling and fly ash management
- VII. Fugitive emissions were observed from the coal handling and conveying areas due to poor infrastructure, necessitating immediate maintenance and revamping
- VIII. Action plan to increase the green cover at the plant premises

7. **Now, therefore, you are hereby directed to submit a detailed response within the stipulated time of 30 days to Gujarat Pollution Control Board (GPCB) with copy to the Ministry, explaining why appropriate legal and administrative action should not be proceeded against you under the relevant legislation which *inter alia* including Environment (Protection) Act, 1986, Air (Prevention and Control of Pollution) Act, 1981, and Water (Prevention and Control of Pollution) Act, 1974 .**

This issues with the approval of the Competent Authority.

To,

The Chief Engineer (P&P)  
Gujarat Electricity Board  
Sardar Patel Vidyut Bhawan  
Race Course, BARODA- 390007  
GUJARAT.



(Dr. Shruti Rai Bhardwaj)  
Director/Scientist 'F'

Copy to:

1. The Member Secretary, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi-110032.
2. The Additional Principal Chief Conservator of Forest(C), Ministry of Environment Forest and Climate Change Environment Forest and Climate Change, Regional Office, A Wing – 407 & 409, Aranya Bhavan, Near CH-3 Circle, Sector-10A, Gandhinagar – 382010, Gujarat, India.
3. The Chairman, Gujarat State Pollution Control Board, Gujarat, Sector 10A, Gandhinagar – 382043, Gujarat. **(For concluding necessary action wrt observed environmental non-compliance while ensuring immediate compliance, with intimation to the Ministry)**
4. The Member Secretary, IA-Thermal Power, Ministry of Environment, Forest & Climate Change, Paryavaran Bhawan, CGO Complex, Lodhi Road, New Dellhi-110003



(Dr. Shruti Rai Bhardwaj)  
Director/Scientist 'F'