

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION No. 725 OF 2022

IN THE MATTER OF:

Anurag Sharma

...Applicant(s)

Vs.

State of Uttar Pradesh and Ors.

...Respondents

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THROUGH



Naveen Kumar / Maitreya/ Aprajita Bhardwaj/
Prabhat Kr. Rai /Nitesh Bhandari/
Shourajeet Chakravarty /Stuti Bisht/ Aditya Goyal
Advocate for the Revisionist

D-374, Ground Floor, Defence Colony,
New Delhi-110024

Email ID: naveenkraor@gmail.com

Mobile No. 9899697779

Place: New Delhi

Date: 10.08.2024

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BEFORE THE NATIONAL GREEN TRIBUNAL
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VERSUS

State of Uttar Pradesh and Ors.

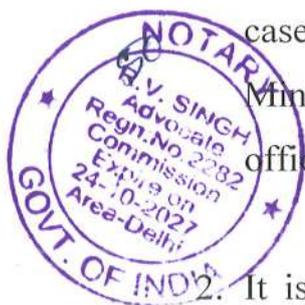
...Respondent(s)

REPLY AFFIDAVIT ON BEHALF OF RESPONDENT NO.3 THE
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE
CHANGE

I, Pankaj Verma S/o Shri R. S. Verma presently working as Scientist 'E' in the Ministry of Environment, Forest & Climate Change (hereinafter referred to as "MoEF&CC"), Government of India, Jor Bag Road, Aliganj, New Delhi-110003, 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 case and duly competent to swear the present affidavit on behalf of the Ministry of Environment, Forest & Climate Change based on the official records maintained therein.

It is humbly submitted that, all the averments made in the instant petition are denied except those, which are specifically admitted herein this reply affidavit.



Pankaj Verma

3. It is humbly submitted that in the present application, the applicant contends that the improper management and disposal of fly ash by the Thermal Power Plant operated by Lalitpur Power Generation Company Ltd. in Lalitpur, Uttar Pradesh, is damaging agricultural crops in the villages of Mirchwara and Burogaon and causing serious health hazards to local residents and stray animals due to air pollution.
4. It is humbly submitted that the Answering Respondent has granted an Environmental Clearance (hereinafter referred to as "EC") to the project 36X660 MW Imported Coal Based Thermal Power Plant at villages Mirchwara and Buraugaon, in Mahroni Taluk, in Lalitpur Distt., in Uttar Pradesh vide letter no. J-13012/118/2009-IA.II (T) dated 31.03.2011. A copy of the EC dated 31.03.2011 is annexed herewith as **Annexure-R3/1**. Subsequently, two amendments were made in the existing EC vide letter dated 20.05.2014 and 30.05.2016. Copies of the EC dated 20.05.2014 and 30.05.2016 is annexed herewith as **Annexure -R3/2** and **Annexure -R3/3**.
5. It is humbly submitted that the Answering Respondent has been following a set procedure for post-Environmental Clearance Monitoring and Compliance of projects based on the Standard Operating Procedure (hereinafter referred to as "SoP") established vide Office Memorandum dated 25.11.2022. A copy of the Office Memorandum dated 25.11.2022 is annexed herewith as **Annexure - R3/4**.
6. It is further submitted that as per the SoP, the Ministry first seeks an Inspection Report/Certified Compliance Report (hereinafter referred to as "CCR") from the concerned Regional Office (hereinafter referred to as "RO"). Based on the observed non-compliance in the Monitoring



Ravindra Singh

Report/CCR, either a Clarification or an Action Taken Report (hereinafter referred to as “ATR”) is sought, or in the case of major non-compliance, a Show Cause Notice (hereinafter referred to as “SCN”) under Section 5 of the Environment (Protection) Act, 1986 is issued. The ATR or the response to the SCN submitted by the Project Proponent is reviewed by the Ministry before concluding any action in the matter. This may also require an SCN after the ATR and a Personal Hearing. Based on the outcome of the Personal Hearing, if necessary, directions for Compensation/Suspension of Environmental Clearance may be issued.

7. It is humbly submitted that, in pursuance of the above-mentioned SoP, the Answering Respondent has issued a letter dated 15.02.2024 to the Regional Office of the Ministry at Lucknow, requesting them to furnish a factual status report concerning the issues raised in the application, along with a condition wise compliance status report (s) for the ECs associated with this project. A copy of the letter dated 15.02.2024 is annexed herewith as **Annexure-R3/5**.

8. It is humbly submitted that, the Regional Office of the Ministry at Lucknow submitted the monitoring report vide email dated 23.07.2024. A copy of the monitoring report is annexed herewith as **Annexure -R3/6**.



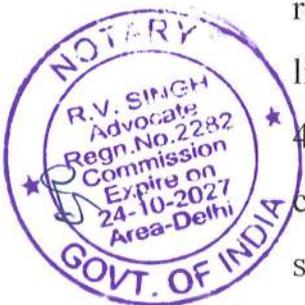
9. It is humbly submitted that, upon examination of the monitoring report in the Ministry it was observed that all the conditions mentioned in the ECs issued to the project have been complied/ being complied with/ not applicable except for one condition related to Sulphur and ash contents in the domestic coal to be used in the project. With respect to the specific condition no. 33 of the EC dated 31.03.2011, which states

Ranjay Verma

“Sulphur and ash contents in the domestic coal to be used in the project shall not exceed 0.5% and 33% at any given time. In case of variation of coal quality at any point of time, fresh references shall be made to the Ministry for suitable amendments to environmental clearance condition wherever necessary.” the RO, Lucknow has noted in its report that the sulphur and ash contents in coal are <0.5% and 35.6% respectively and the amount of ash is higher than the prescribed limit.

10. It is further submitted that with respect to the complaint regarding causing serious health hazards to local/ residents and stray animals due to air pollution the officials from the RO, Lucknow visited the area to verify the factual status of the village of Mirchwara and village Buregaon, post Buregaon, under the block Bar and Tahseel Mehrauni, Lalitpur, and discussed the matter related to impact of air pollution on their health as well as on their cattle, and stray animals due to air pollution. It was observed that no information has been received about any disease in pet animals or any adverse effect on the health of animals due to the waste product ash etc. released from Lalitpur Power Generation Company Limited.

11. It is humbly submitted that based on the observed non-compliance relating to the amount of ash being relatively higher than the prescribed limit (SC-33), the RO, Lucknow issued a letter no. IV/ENV/UP/TH-43//324/2011/91 dated 14.05.2024 to the Project Proponent to take corrective measures to control the generation of high ash content and submit the action taken report to the RO. A copy of the letter dated 14.05.2024 is annexed herewith as **Annexure- R3/7**.



12. It is humbly submitted that the ATR from the project proponent has been received in the Ministry and a copy of the ATR is annexed

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herewith as **Annexure – R3/8**. Upon examination of the said ATR, it was observed that the Project Proponent has cited a notification No. S. O. 1561 (E) dated 21.05.2020 that substituted sub-rule (8) of a previous notification no. G.S.R. 02 (E) dated 02.01.2014. A copy of the notification dated 21.05.2020 and 02.01.2014 is annexed herewith as **Annexre-R3/9** and **Annexre-R3/10**. The notification no. G.S.R. 02 (E) dated 02.01.2014, mandated that as per sub-rule (8) referred under para 2 of the notification, *“coal based thermal power plants to use raw or blended or beneficiated coal with ash content not exceeding thirty-four percent (34%), on quarterly basis, by the time lines”* mentioned therein.

13. It is further submitted that the sub-rule (8) referred under para 2 of the notification dated 02.01.2014, which has been substituted vide notification dated 21.05.2020 states under para 2 of the notification dated 21.05.2020, *“(8) Use of coal by Thermal Power Plants, without stipulations as regards ash content or distance, shall be permitted”* subject to conditions, mentioned there in. Further, as per para 2(4) of the notification dated 21.05.2020, *“This shall also be deemed to be additional conditions of the relevant Environmental Clearances for respective projects for financial year 2020-21 and onwards. The existing Environmental Clearances shall stand modified so as to make the above conditions operative for relevant sectors. The Consent to Operate shall be issued by respective State Pollution Control Boards accordingly”*



14. It is further submitted that, in view of the above notification, the Project Proponent claimed in his ATR that “the conditions using coal with <34% of ash is now waived off and as a part of auto amendment, this waiver/ amendment is now a part of the Environment Clearance

Lawyer

issued to LPGCL.” Accordingly, the project proponent shall ensure that the stipulated additional conditions as per the Notification dated 21.05.2020 are complied with.

15. It is humbly submitted that, the present reply affidavit may kindly be taken on record and into consideration and the Hon'ble Tribunal may pass appropriate Order(s), direction(s) as deemed fit and proper under the facts and circumstances of the present case.

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



VERIFICATION

I, 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 respondents. No part of it is false and nothing material has been concealed there from. Verified at New Delhi on this 9th day of August 2024.

I identified the deponent/executeut who has signed the affidavit in my presence.

solemnly affirmed before me, read over & explained to the deponent:

[Signature]
Notary Public, DELHI

10 AUG 2024

Pankaj Verma

DEPONENT

(पंकज वर्मा)

(PANKAJ VERMA)

वैज्ञानिक 'ई'/Scientist 'E'

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Min. of Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

Pankaj Verma

DEPONENT

(पंकज वर्मा)

(PANKAJ VERMA)

वैज्ञानिक 'ई'/Scientist 'E'

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Min. of Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi



Annexure-1

ANNEXURE -1

BY SPEED POST

J-13012/118/2009-IA.II (T)
Government of India
Ministry of Environment & Forests

Paryavaran Bhawan
CGO Complex, Lodi Road
New Delhi-110 003
Tele/ fax: 011- 2436 3973
E-mail: plahujarai@yahoo.com

Dated: March 31, 2011.

To

M/s Lalitpur Power Generation Company Ltd.
B-10, Sector-3
Noida- 201 301

Sub: 3x660 MW Imported Coal Based Thermal Power Plant at villages Mirchwara and Buraugaon, in Mahroni Taluk, in Lalitpur Distt., in Uttar Pradesh - reg. Environmental Clearance.

Sir,

The undersigned is directed to refer to your letters dated 21.12.2010 and 19.01.2011 on the subject mentioned above. The Ministry of Environment & Forests has examined the application.

2. It has been noted that the proposal is for setting up of 3x660 MW Imported Coal Based Thermal Power Plant at villages Mirchwara and Buraugaon, in Mahroni Taluk, in Lalitpur Distt., in Uttar Pradesh. Land requirement will be 1038 acres, which is single crop agricultural land. The co-ordinates of the site are at Latitude 24°47'05" N to 24°48'26" N and Longitude 78°38'01" E to 78°39'38" E. Indigenous coal linkage have also been applied for and is yet to be obtained. Imported coal will be obtained from Indonesia. Coal requirement will be 8.51 MTPA for indigenous coal or 6.70 MTPA for Imported coal. Ash and Sulphur contents in indigenous coal will be 40% and 0.5% respectively. In case of imported coal the ratio will be 10% and 0.7% respectively. Ash pond/dyke area requirement will be 103 acres. The co-ordinates of ash pond site are at Latitude 24°46'46" N to 24°47'06" N and Longitude 78°38'58" E to 78°39'38" E. About 2.72 MTPA of Fly Ash will be generated for indigenous coal and about 0.536 MTPA for imported coal, which will be supplied to cement manufacturer viz. M/s Dalmiya Cement Ltd. and others. Stack height of 275m will be installed. Water requirement of 48.67 MCM will be sourced from Rajghat Dam reservoir through a pipeline at a distance of 50 km. There are no national parks, wildlife sanctuaries, heritage sites, tiger/biosphere reserves etc. within 10 km of the site. Public hearing was conducted on 06.09.2010. Cost of the project will be Rs 12295.8 Crores.

3. The project has been considered in accordance with the provisions of the EIA notification issued by the Ministry of Environment & Forests vide S.O. 1533 (E), dated September 14, 2006.

4. Based on the information submitted by you, as at Para 2 above and others and presentation made before the Expert Appraisal Committee (Thermal Power) in its 17th Meeting held during February 7-8, 2011, by you and your consultant M/s Vimta Labs, Hyderabad, the Ministry of Environment and Forests hereby accords environmental clearance to the above project under the provisions of EIA notification dated September 14, 2006, subject to the compliance of the following Specific and General conditions:

A. Specific Conditions:

- (i) Vision document specifying prospective plan for the site shall be formulated and submitted to the Ministry within **six months**.
- (ii) Coal transportation to plant site shall be by rail. The project proponent shall take up the matter with the Railways and shall submit action taken and implementation status to the Ministry from time to time.
- (iii) Existing de-generated water bodies (if any) in the study area shall be regenerated at the project proponent's expenses in consultation with the state govt.
- (iv) Hydrogeology of the area shall be reviewed annually from an institute/ organization of repute to assess impact of surface water and ground regime (especially around ash dyke). In case and deterioration is observed specific mitigation measures shall be undertaken and reports/ data of water quality monitored regularly and maintained shall be submitted to the Regional Office of the Ministry.
- (v) Source of water for meeting the requirement during lean season shall be specified and submitted to the Regional Office of the Ministry **within three months**.
- (vi) No ground water shall be extracted for use in operation of the power plant even in lean season.
- (vii) No water bodies (including natural drainage system) in the area shall be disturbed due to activities associated with the setting up / operation of the power plant.
- (viii) Minimum required environmental flow suggested by the Competent Authority of the State Govt. shall be maintained in the Channel/ Rivers (as applicable) even in lean season.

- (ix) Water requirement shall be restricted to 5000 cum/hr and COC of 5.0 shall be adopted.
- (x) Regular monitoring of ground water level shall be carried out by establishing a network of existing wells and constructing new piezometers. Monitoring around the ash pond area shall be carried out particularly for heavy metals (Hg,Cr,As,Pb) and records maintained and submitted to the Regional Office of this Ministry. The data so obtained should be compared with the baseline data so as to ensure that the ground water quality is not adversely affected due to the project.
- (xi) Monitoring surface water quality in the area shall also be regularly conducted and records maintained. The monitored data shall be submitted to the Ministry regularly. Further, monitoring points shall be located between the plant and drainage in the direction of flow of ground water and records maintained. Monitoring for heavy metals in ground water shall be undertaken.
- (xii) A well designed rainwater harvesting shall be put in place before commissioning of the plant. Central Groundwater Authority/ Board shall be consulted for finalization of appropriate rainwater harvesting technology/design within a period of three months from the date of this clearance and details shall be furnished. The design of rain water harvesting shall comprise of rain water collection from the built up and open area in the plant premises. Action plan and road map for implementation shall be submitted to the Ministry within six months.
- (xiii) Additional soil for leveling of the proposed site shall be generated within the sites (to the extent possible) so that natural drainage system of the area is protected and improved.
- (xiv) Provision for installation of FGD shall be provided for future use.
- (xv) The project proponent shall undertake measures and ensure that no fugitive fly ash emissions take place at any point of time.
- (xvi) Stack of 275 m height shall be installed and provided with continuous online monitoring equipments for SO_x, NO_x and PM_{2.5} & PM₁₀. Exit velocity of flue gases shall not be less than 22 m/sec. Mercury emissions from stack may also monitored on periodic basis.
- (xvii) High Efficiency Electrostatic Precipitators (ESPs) shall be installed to ensure that particulate emission does not exceed 50 mg/Nm³.
- (xviii) Adequate dust extraction system such as cyclones/ bag filters and water spray system in dusty areas such as in coal handling and ash handling points, transfer areas and other vulnerable dusty areas shall be provided.

- (xix) Utilisation of 100% Fly Ash generated shall be made from 4th year of operation. Status of implementation shall be reported to the Regional Office of the Ministry from time to time.
- (xx) Fly ash shall be collected in dry form and storage facility (silos) shall be provided. Unutilized fly ash shall be disposed off in the ash pond in the form of slurry form. Mercury and other heavy metals (As, Hg, Cr, Pb etc.) will be monitored in the bottom ash as also in the effluents emanating from the existing ash pond. No ash shall be disposed off in low lying area.
- (xxi) Ash pond shall be lined with HDP/LDPE lining or any other suitable impermeable media such that no leachate takes place at any point of time. Adequate safety measures shall also be implemented to protect the ash dyke from getting breached.
- (xxii) Sulphur and ash contents in the imported coal to be used in the project shall not exceed 0.7 % and 10 % respectively at any given time. In case of variation of coal quality at any point of time fresh reference shall be made to the Ministry for suitable amendments to environmental clearance condition wherever necessary.
- (xxiii) Green Belt consisting of 3 tiers of plantations of native species around plant and at least 100 m width shall be raised. Wherever 100 m width is not feasible a 50 m width shall be raised and adequate justification shall be submitted to the Ministry. Tree density shall not less than 2500 per ha with survival rate not less than 80 %.
- (xxiv) At least three nearest village shall be adopted and basic amenities like development of roads, drinking water supply, primary health centre, primary school etc shall be developed in co-ordination with the district administration.
- (xxv) The project proponent shall also adequately contribute in the development of the neighbouring villages. Special package with implementation schedule for providing potable drinking water supply in the nearby villages and schools shall be undertaken in a time bound manner.
- (xxvi) CSR scheme shall be identified based on need based assessment in and around the villages within 5.0 km of the site and in constant consultation with the village Panchayat and the District Administration. As part of CSR prior identification of local employable youth and eventual employment in the project after imparting relevant training shall be also undertaken. Income generating projects consistent with the traditional skills of the people shall be undertaken. Development of fodder farm, fruit bearing orchards, vocational training etc. can form a part of such programme. Company shall provide separate budget for community development activities and income generating programmes. Vocational training programme

for possible self employment and jobs shall be imparted to identify villagers free of cost.

- (xxvii) An amount of Rs 49.10 Crores shall be earmarked as one time capital cost for CSR programme as committed by the project proponent. Subsequently a recurring expenditure of Rs 9.8 Crores per annum shall be earmarked as recurring expenditure for CSR activities. Details of the activities to be undertaken shall be submitted within six month along with road map for implementation.
- (xxviii) It shall be ensured that in-built monitoring mechanism for the schemes identified is in place and annual social audit shall be got done from the nearest government institute of repute in the region. The project proponent shall also submit the status of implementation of the scheme from time to time

B. General Conditions:

- (i) The treated effluents conforming to the prescribed standards only shall be re-circulated and reused within the plant. Arrangements shall be made that effluents and storm water do not get mixed.
- (ii) A sewage treatment plant shall be provided (as applicable) and the treated sewage shall be used for raising greenbelt/plantation.
- (iii) Adequate safety measures shall be provided in the plant area to check/minimize spontaneous fires in coal yard, especially during summer season. Copy of these measures with full details along with location plant layout shall be submitted to the Ministry as well as to the Regional Office of the Ministry.
- (iv) Storage facilities for auxiliary liquid fuel such as LDO and/HFO/LSHS shall be made in the plant area in consultation with Department of Explosives, Nagpur. Sulphur content in the liquid fuel will not exceed 0.5%. Disaster Management Plan shall be prepared to meet any eventuality in case of an accident taking place due to storage of oil.
- (v) First Aid and sanitation arrangements shall be made for the drivers and other contract workers during construction phase.
- (vi) Noise levels emanating from turbines shall be so controlled such that the noise in the work zone shall be limited to 85 dBA from source. For people working in the high noise area, requisite personal protective equipment like earplugs/ear muffs etc. shall be provided. Workers engaged in noisy areas such as turbine area, air compressors etc shall be periodically examined to maintain audiometric record and for treatment for any hearing loss including shifting to non noisy/less noisy areas.

- (vii) Regular monitoring of ambient air ground level concentration of SO₂, NO_x, PM_{2.5} & PM₁₀ and Hg shall be carried out in the impact zone and records maintained. If at any stage these levels are found to exceed the prescribed limits, necessary control measures shall be provided immediately. The location of the monitoring stations and frequency of monitoring shall be decided in consultation with SPCB. Periodic reports shall be submitted to the Regional Office of this Ministry. The data shall also be put on the website of the company.
- (viii) Provision shall be made for the housing of construction labour (as applicable) within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
- (ix) The project proponent shall advertise in at least two local newspapers widely circulated in the region around the project, one of which shall be in the vernacular language of the locality concerned within seven days from the date of this clearance letter, informing that the project has been accorded environmental clearance and copies of clearance letter are available with the State Pollution Control Board/Committee and may also be seen at Website of the Ministry of Environment and Forests at <http://envfor.nic.in>.
- (x) A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parishad / Municipal Corporation, urban local Body and the Local NGO, if any, from whom suggestions/representations, if any, received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent.
- (xi) An Environmental Cell comprising of atleast one expert in environmental science / engineering, occupational health and social scientist, shall be created at the project site itself and shall be headed by an officer of appropriate superiority and qualification. It shall be ensured that the Head of the Cell shall directly report to the head of the organization and he shall be held responsible for implementation of environmental regulations and social impact improvement/mitigation measures.
- (xii) The proponent shall upload the status of compliance of the stipulated environmental clearance conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MOEF, the respective Zonal Office of CPCB and the SPCB. The criteria pollutant levels namely; SPM, RSPM (PM_{2.5} & PM₁₀), SO₂, NO_x (ambient levels as well as stack emissions) shall be displayed at a convenient location near the main gate of the company in the public domain.

- (xiii) The environment statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental clearance conditions and shall also be sent to the respective Regional Offices of the Ministry by e-mail.
- (xiv) The project proponent shall submit six monthly reports on the status of the implementation of the stipulated environmental safeguards to the Ministry of Environment and Forests, its Regional Office, Central Pollution Control Board and State Pollution Control Board. The project proponent shall upload the status of compliance of the environment of the environmental clearance conditions on their website and update the same periodically and simultaneously send the same by e-mail to the Regional Office, Ministry of Environment and Forests.
- (xv) Regional Office of the Ministry of Environment & Forests will monitor the implementation of the stipulated conditions. A complete set of documents including Environmental Impact Assessment Report and Environment Management Plan along with the additional information submitted from time to time shall be forwarded to the Regional Office for their use during monitoring. Project proponent will up-load the compliance status in their website and up-date the same from time to time at least six monthly basis. Criteria pollutants levels including NO_x (from stack & ambient air) shall be displayed at the main gate of the power plant.
- (xvi) Separate funds shall be allocated for implementation of environmental protection measures along with item-wise break-up. These cost shall be included as part of the project cost. The funds earmarked for the environment protection measures shall not be diverted for other purposes and year-wise expenditure should be reported to the Ministry.
- (xvii) The project authorities shall inform the Regional Office as well as the Ministry regarding the date of financial closure and final approval of the project by the concerned authorities and the dates of start of land development work and commissioning of plant.
- (xviii) Full cooperation shall be extended to the Scientists/Officers from the Ministry / Regional Office of the Ministry at Bangalore / CPCB/ SPCB who would be monitoring the compliance of environmental status.

5. The Ministry of Environment and Forests reserves the right to revoke the clearance if conditions stipulated are not implemented to the satisfaction of the Ministry. The Ministry may also impose additional environmental conditions or modify the existing ones, if necessary.

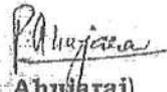
6. The environmental clearance accorded shall be valid for a period of 5 years to start operations by the power plant.

7. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.

8. In case of any deviation or alteration in the project proposed including coal transportation system 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.

9. 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 and rules there under, Hazardous Wastes (Management and Handling) Rules, 1989 and its amendments, the Public Liability Insurance Act, 1991 and its amendments.

Yours faithfully,


(Dr. P.L. Ahujara)
Scientist 'F'

Copy to:

1. The Secretary, Ministry of Power, Shram Shakti Bhawan, Rafi Marg, New Delhi 110001.
2. The Secretary (Environment), Environment Department, Government of Chhattisgarh, Raipur.
3. The Chairman, Central Electricity Authority, Sewa Bhawan, R.K. Puram, New Delhi-110066.
4. The Chairman, Uttar Pradesh Pollution Control Board, PICUP Bhawan, 3rd Floor, B-Block, Vibhuti Khnad, Gomti Nagar, Lucknow - 226 020.
5. The Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi- 110032.
6. The Chief Conservator of Forests, Regional Office (WZ), E-5, Kendriya Bhandar, 5th Floor, Sector-H, Aliganj, Lucknow - 226 020.
7. The District Collector, Lalitpur District, Uttar Pradesh.
8. Guard file.
9. Monitoring File.

1
(Dr. P.L. Ahujara)
Scientist 'F'

J-13012/118/2009 -IA.II (T)
Government of India
Ministry of Environment & Forests

ANNEXURE-2

Paryavaran Bhawan
CGO Complex, Lodi Road
New Delhi-110 003

Dated: 20th May, 2014

To

M/s Lalitpur Power Generation Company Ltd.
Bajaj Bhawan, B-10, Sector-3,
Jamnalal Bajaj Marg,
Noida- 201 301

Ph: 0120-4045100/555, 2543939/40; Fax: 0120-2543949

Sub: 3x660 MW Imported Coal Based Thermal Power Plant at Villages Mirchwara and Buraugaon, in Mahroni Taluk, in Lalitpur Distt., in Uttar Pradesh by M/s. Lalitpur Power Generation Company Ltd.- reg. amendment in EC for change of source of fuel.

Sir,

This has reference to your letter dated 22.01.2014 requesting for amendment of environmental clearance accorded vide letter of even no. dated 31.03.2011 for the change of source of fuel.

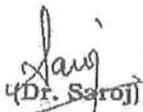
2. The matter was placed before the Expert Appraisal Committee (Thermal Power) in its 11th Meeting held during February 13-14, 2014. In acceptance of the recommendation of the Expert Appraisal Committee (Thermal Power) and in view of the information/clarification furnished by you, with respect to the above mentioned power project, the EC accorded to you vide the above said letter is amended for the change of source of coal from Imported to Domestic for two units aggregating to 1320 MW (Unit 1 (660 MW) and Unit 2 (660 MW)).

3. Further, under Para no.4 of this Ministry's letter of even no. dated 31.03.2011, after the specific condition no. (xxviii), the following conditions shall be added:

(xxix) The source of coal has been changed from imported to domestic coal, resulting in higher generation of fly ash, there by the project proponent should ensure 100% fly ash utilization as per the Notification, 1999 and its amendments thereof. An action plan and its implementation status in compliance to the fly ash utilization shall be submitted to the Regional Office of MoEF on an annual basis.

(xxx) The coal transportation by road shall be through tarpaulin covered trucks for a maximum period of two years and thereafter shall be only through mechanically covered trucks.

- (xxxix) Avenue plantation of 2/3 rows all along the road shall be carried out by the project proponent at its own expenses in consultation with the State Government Authorities.
- (xxxixii) Periodic maintenance of the road shall be done by the project proponent at its own expenses and shall also facilitate the traffic control on the road in consultation with the State Government Authorities.
- (xxxixiii) Sulphur and ash contents in the domestic coal to be used in the project shall not exceed 0.5 % and 33 % at any given time. In case of variation of coal quality at any point of time, fresh reference shall be made to the Ministry for suitable amendments to environmental clearance condition wherever necessary.
- (xxxixiv) A long term study of radio activity and heavy metals contents on coal to be used shall be carried out through a reputed institute. Thereafter, mechanism for an in-built continuous monitoring for radio activity and heavy metals in coal and fly ash (including bottom ash) shall be put in place.
- (xxxixv) Harnessing solar power within the premises of the plant particularly at available roof tops shall be undertaken and status of implementation shall be submitted periodically to the Regional Office of the Ministry.
- (xxxixvi) Fugitive emissions shall be controlled to prevent impact on agricultural or non-agricultural land.
- (xxxixvii) Fly ash shall not be used for agricultural purpose. No mine void filling will be undertaken as an option for ash utilization without adequate lining of mine with suitable media such that no leachate shall take place at any point of time. In case, the option of mine void filling is to be adopted, prior detailed study of soil characteristics of the mine area shall be undertaken from an institute of repute and adequate clay lining shall be ascertained by the State Pollution Control Board and implementation done in close co-ordination with the State Pollution Control Board.
- (xxxixviii) Green belt shall also be developed around the Ash Pond over and above the Green Belt around the plant boundary.
- (xxxixix) The project proponent shall formulate a well laid Corporate Environment Policy and identify and designate responsible officers at all levels of its hierarchy for ensuring adherence to the policy and compliance with the conditions stipulated in this clearance letter and other applicable environmental laws and regulations.
4. All other conditions mentioned in this Ministry's letter of even no. dated 31.03.2011 shall remain the same, as applicable.
5. This issues with the approval of the Competent Authority.


(Dr. Saroj)
Director

Copy to:

1. The Secretary, Ministry of Power, Shram Shakti Bhawan, Rafi Marg, New Delhi 110001.
2. The Chairman, Central Electricity Authority, Sewa Bhawan, R.K. Puram, New Delhi-110066.
3. The Secretary, Department of Environment, Govt. of Uttar Pradesh.
4. The Chairman, U.P. Pollution Control Board, PICUP Bhawan, 3rd Floor, B-Block, Vibhuti Khand, Gomti Nagar, Lucknow-226010.
5. The Chief Conservator of Forests (C), Ministry of Environment and Forests, Regional Office (Central Region), Kendriya Bhavan, 5th Floor, Sector - H, Aliganj, Lucknow.
6. The Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi-110032.
7. The District Collector, District Lalitpur, Govt. of U.P.
8. Guard file.
9. Monitoring file.

(Dr. Saroj)
Director



18

J-13012/118/2009-IA.II (T)
Government of India

Ministry of Environment, Forest and Climate Change

Annexure-3

ANNEXURE-3

3rd Floor, Vayu Block,
Indira Paryavaran Bhawan, Jor Bagh Road,
Aliganj, New Delhi-110003

Dated: 30.05.2016

To

M/s. Lalitpur Power Generation Company Ltd.
Bajaj Bhawan, B-10,
Sector-3, Jamnalal Bajaj Marg,
Noida-201301,
Uttar Pradesh.

Tel. No. 0120-4045100/555; Fax: 0120-2543949

Sub: 3x660 MW coal based TPP at Villages Mirchwara & Buraugaon, Taluk Mahroni, District Lalitpur, Uttar Pradesh by M/s. Lalitpur Power Generation Company Ltd.- reg. amendment of EC for change in source of coal for Unit-III and recurring CSR expenditure.

Sir,

This has reference to your online application dated 09.07.2015 and information/documents submitted vide letters dated 13.07.2015, 17.07.2015 and 11.08.2015 on the above subject. It is inter-alia noted that EC for 3 x 660 MW (1,980 MW) was accorded on 31.03.2011 on imported coal (an interim arrangement in the absence of linkage for indigenous coal). An amendment in EC for change in source of coal to indigenous coal for 2 Units was accorded on 20.05.2014.

2. The matter was placed before the Expert Appraisal Committee (Thermal Power) in its 40th Meeting held during 23rd July 2015. In acceptance of the recommendation of the Expert Appraisal Committee (Thermal Power) and in view of the information/clarification furnished by you, with respect to the above mentioned power project, the Ministry accords *amendment in EC for change in source of coal for Unit-III from Imported to Domestic subject to stipulation of the following additional conditions.*

- (i) *The Sulphur and ash content of coal shall not exceed 0.5 % and 34 % respectively. In case of variation of quality at any point of time, fresh reference shall be made to the Ministry for suitable amendments to the environmental clearance.*
- (ii) *The transportation of coal shall be by Rail to the extent feasible. If road transportation of coal from Pit-Head to Railway Siding is unavoidable, the same shall be through mechanically covered trucks to the extent feasible, else through tarpaulin covered trucks.*
- (iii) *Avenue plantation of 2/3 rows all along the road shall be carried out by the project proponent at its own expenses in consultation with the State Government.*
- (iv) *Periodic maintenance of the road shall be done by the project proponent at its own expenses and shall also facilitate the traffic control on the road in consultation with the State Government Authorities.*

3. Further, the specific condition no. (xxvii) of the EC shall be amended as, "An amount of Rs.49.10 crores shall be earmarked as one time capital cost for CSR programme as committed by the project proponent. Subsequently, the recurring

Page 1 of 2

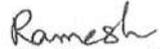
Ramesh

expenditure shall be as per the CSR policy of GoI. Details of the activities to be undertaken in this regard shall be submitted along with the six monthly compliance reports”.

4. All other conditions mentioned in this Ministry's letters of even no. dated 31.03.2011 and its amendment dated 20.05.2014 shall remain the same, as applicable.

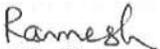
5. This issues with the approval of the Competent Authority.

Yours faithfully,


(Dr. M. Ramesh)
Scientist 'D'

Copy to:

1. The Secretary, Ministry of Power, Shram Shakti Bhawan, Rafi Marg, New Delhi 110001.
2. The Chairman, Central Electricity Authority, Sewa Bhawan, R.K. Puram, New Delhi-110066.
3. The Secretary, Environment and Forests Department, Government of Uttar Pradesh.
4. The Chairman, U.P. Pollution Control Board, PICUP Bhawan, 3rd Floor, B-Block, Vibhuti Khand, Gomti Nagar, Lucknow-226010.
5. The Chief Conservator of Forests (C), Ministry of Environment and Forests, Regional Office (Central Region), Kendriya Bhavan, 5th Floor, Sector - H, Aliganj, Lucknow.
6. The Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi-110032.
7. The District Collector, District Lalitpur, Govt. of U.P.
8. Guard file/Monitoring file.
9. Website of MoEF&CC


(Dr. M. Ramesh)
Scientist 'D'

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

ANNEXURE-4

Indira Paryavaran Bhavan,
 Jor Bagh Road, New Delhi-110 003
 Dated: 25th 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 13th 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 non-compliance 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.

ANNEXURE-5URGENT
Speed Post/Online

F. No. IA-L-11011/6/2024-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
Email: bhardwaj.adiraju@gov.in
Dated: 15 February, 2023

To,

Deputy Director General of Forests (C),
Ministry of Environment, Forest and Climate Change,
Integrated Regional Office Kendriya Bhawan,
5th Floor, Sector 'H', Aliganj, Lucknow - 226020

Sub: Original Application No. 725 of 2022 titled "*Anurag Sharma v. State of UP and Anr.*" pending before the NGT (PB) - reg.

Ref:

- i. Ministry's EC letter No. J-13012/118/2009-IA. II (T) dated 31.11.2011.
- ii. Ministry's Amendment EC letter No. J-13012/118/2009-IA. II (T) dated 20.05.2014.
- iii. Ministry's Amendment EC letter No. J-13012/118/2009-IA. II (T) dated 30.05.2016.

This is in reference to the Original Application No. 725 of 2022 titled "*Anurag Sharma v. State of UP and Anr.*" pending before the National Green Tribunal (Principal Bench) at New Delhi. The applicant has sent a letter petition to the NGT, which has been treated and registered as the original application, complaining about damage to the agricultural crops by fly ash dust emission from 3X660 MW Thermal Power plant established in the year 2015 in the area of village Mirchwara and Burogaon in District Lalitpur, Uttar Pradesh. The applicant has submitted that dust emission from the fly ash dumps of the plant is causing serious health hazards to local residents and stray animals due to air pollution.

2. In this regard, the Regional Office of the Ministry at Lucknow is requested to furnish Condition Wise Compliance Report(s) with respect to the following ECs associated with the projects:

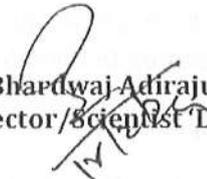
- i. EC granted vide letter no. J-13012/118/2009-IA. II (T) titled "*3x660 MW Imported Coal Based Thermal Power Plant at villages Mirchwara and Buraugaon, in Mahroni Taluk, in Lalitpur Distt., in Uttar Pradesh - reg. Environmental Clearance.*" Dated 31.11.2011.
- ii. Amendment EC granted vide letter no. J-13012/118/2009-IA. II (T) titled "*3x660 MW Imported Coal Based Thermal Power Plant at Villages Mirchwara and Buraugaon, in Mahroni Taluk, in Lalitpur Distt., in Uttar Pradesh by M/s.*

Lalitpur Power Generation Company Ltd.- reg. amendment in EC for change of source of fuel” dated 20.05.2014.

- iii. Amendment EC granted vide letter no. **J-13012/118/2009-IA. II (T)** titled “: 3:660 MW coal base TPP at Villages Mirchwarra and Buraugaon, in Mahroni Taluk, in Lalitpur Distt., in Uttar Pradesh by M/s. Lalitpur Power Generation Company Ltd - reg. amendment in EC for change in source of coal for Unit-III and recurring CSR expenditure” dated **30.05.2016**.
3. In addition to above, the Regional Office, Lucknow is also requested to furnish the factual status report w.r.t. issues raised in the petition copy.
4. Being the 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.


(Dr. Bhardwaj Adiraju)
Joint Director/Scientist 'D'

Copy to:

1. The Chairman, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi-110032.
2. The Member Secretary, Thermal, Ministry of Environment, Forest & Climate Change, Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi-110003.
3. The Chairman, U.P. Pollution Control Board, Building.No. TC-12V, Vibhuti Khand, Gomti Nagar, Lucknow-226 010.


Dr. Bhardwaj Adiraju)
Joint Director/Scientist 'D'

ANNEXURE-6



भारत सरकार
Government of India
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest & Climate Change
एकीकृत क्षेत्रीय कार्यालय, लखनऊ
Integrated Regional Office, Lucknow



केन्द्रीय भवन, स्यारवां तल, सेक्टर एच, अलीगंज, लखनऊ-226024
Kendriya Bhawan, 11th Floor, Sector H, Aliganj, Lucknow-226024, Phone No : 0522-2326696
Email : roc.lko-mcf@nic.in, goimofrolko@gmail.com

Monitoring Report

S.No.	Items	Details
1	परियोजनाकानाम Name of Project	3 X 660 MW coal based thermal power plant, at village mirchwara and Buraugaon in Mahroni talluk, in Lalitpur district, UP m/s lalitpur power gen. Co Lalitpur, UP
2	परियोजनाप्राधिकरणकापता Address of project authorities	M/S Lalitpur Power gen. Co, B-10 Sec-3 Noida
3	पर्यावरणीयस्वीकृतिपत्रसं० एवंतिथी Env. Clearance letter no. & Date	J-13012/118/2009-IA. II (T) Dated 31.03.2011 Subsequent amendment in Environmental Clearance vide letter no. J-13012/118/2009-IA.II (T) Dated 20.05.2014 J-13012/118/2009-IA.II (T) Dated 30.05.2016
4	क्षेत्रीयकार्यालयपत्रसं० Regional Office File no.	IV/ENV/UP/TH-43/324/2011
5	स्थलदौरातिथी Date of site visit	04.04.24
6	परियोजनाकीस्थिति Status of Project	Operational

7. स्थलदौराकेदौरानअवलोकन/ Observations made during the site visit:

As per information submitted by PA, this project was accorded EC vide letter no. J-13012/118/2009-IA. II (T) Dated 31.03.2011 for the capacity of 3 X 660 MW coal based thermal power plant, at village Mirchwara and Buraugaon in Mahroni talluk, in Lalitpur district, UP. Later on, in the year 2014, the EC was amended with the addition of some specific conditions for the change of source of coal from imported to domestic for two units aggregating to 1320 MW (unit 1-660 MW and unit 2-660MW). In addition to the this amendment and in acceptance of the recommendation of the EAC and in view of the information/clarification furnished by PA, with respect to this project, the Ministry accords amendment in EC for change in source of coal for unit-III from imported to domestic subject to stipulation of some additional conditions in the year 2016.

As per observations made during site visit, documents submitted by PA and discussions held with PA on the site, the status of EC condition has been prepared. However, time bound action is required to be taken for following issues in order to achieve overall satisfactory compliance status:

1. According to the submitted report, the amount of ash is higher than the prescribed limit (SC-33). Therefore, the PA is requested to take corrective measures to control the generation of high ash content and submit the action taken report to this RO within 15 days of the receipt of this letter for review and for future monitoring of the project.
8. निर्णय लिया यदि कोई/Action taken (if any): A letter is being issue to PP to submit information/ action taken report to this office within 15 days of the receipt of the letter.

The detailed condition wise compliance report is as following:

SL. NO.	Environmental Conditions	Compliance status
Specific Conditions		
1.	Vision document specifying prospective plan for the site shall be formulated and submitted to the Ministry within six months.	Vision document specifying prospective plan for the site was formulated and submitted to ministry. Complied.
2.	Coal transportation to plant site shall be by rail. The project proponent shall take up the matter with the Railways and shall submit action taken and implementation status to the Ministry from time to time.	It has been stated by PA that the coal is being transported to plant site through rail line only. Being complied.
3.	Existing de-generated water bodies (if any) in the study area shall be regenerated at the project proponent's expenses in consultation with the state Government.	As per submitted report there are no any existing degenerated water bodies in the study area as reported by PA. Not Applicable
4.	Hydrogeology of the area shall be reviewed annually from an institute/ organization of repute to assess impact of surface water and ground regime (especially around ash dyke). In case and deterioration is observed specific mitigation measures shall be undertaken and reports/ data of water quality monitored regularly and maintained shall be submitted to the Regional Office of the Ministry.	Hydro-geological study of the area has been carried out by Saikat Mandal, Niranjana Vedantam and M. Dinesh Kumar, Institute for Resource Analysis and Policy (IRAP), Hyderabad. The water quality has been monitored by the M/S Newcon consultants & laboratories, Ghaziabad and all the parameters are found within the prescribed limit. Being complied.
5.	Source of water for meeting the requirement during lean season shall be specified and submitted to the Regional Office of the Ministry within three months	As per submitted report PAs have agreement with UP Irrigation to cater the water from Kachnauda Dam during lean season apart from Rajghat Dam. They have also constructed water reservoirs for storage of water and its further utilization in lean season. A copy of the water use agreement has been submitted by PA. Being complied.
6.	No ground water shall be extracted for use in operation of the power plant even in lean season.	As per submitted report the ground water is not being extracted for the use of power plant operation. As per submitted report PAs have agreement with UP Irrigation to cater the water from Kachnauda Dam during lean season apart from Rajghat Dam. They have also constructed water reservoirs for storage

		of water and its further utilization in lean season. A copy of the water use agreement has been submitted by PA. Being complied.
7	No water bodies (including natural drainage system) in the area shall be disturbed due to activities associated with the setting up / operation of the power plant.	It has been submitted by PA that no water bodies in the area have been disturbed due to activities associated with the setting up / operation of the power plant. Being complied.
8.	Minimum required environmental flow suggested by the Competent Authority of the State Govt. shall be maintained in the Channel/Rivers (as applicable) even in lean season.	Not Applicable as stated by PA. It has been stated by PA that the minimum required environmental flow suggested by the Competent Authority of the State Govt. is being maintained in the Channel/Rivers (as applicable) even in lean season. There is no any natural drain/Canal/River inside the plant area as reported by PA. The water is being extracted from intake structure designed and approved from irrigation department Govt. of UP, without disturbing the flow as submitted by PA.
9	Water requirement shall be restricted to 5000 cum/hr and COC of 5.0 shall be adopted	It has been submitted by PA that the water requirement is less than 5000 cum/hr and COC is >5.0. Being complied.
10	Regular monitoring of ground water level shall be carried out by establishing a network of existing wells and constructing new piezometers. Monitoring around the ash pond area shall be carried out particularly for heavy metals (Hg, Cr, As, Pb) and records maintained and submitted to the Regional Office of this Ministry. The data so obtained should be compared with the baseline data so as to ensure that the ground water quality is not adversely affected due to the project.	Piezometers have been installed & quality monitoring particularly for heavy metals (Hg, Cr, As, Pb) around the ash pond is being carried out. As per the third-party analytical report submitted by PA, all the parameters including heavy metals (Hg, Cr, As, Pb) are found within the permissible limits. The analysis has been done by Newcon Consultants and Laboratories Ghaziabad, UP. Being complied.
11.	Monitoring surface water quality in the area shall also be regularly conducted and records maintained. The monitored data shall be submitted to the Ministry regularly. Further, monitoring points shall be located between the plant and drainage in the direction of flow of ground water and records maintained. Monitoring for heavy metals in ground water shall be undertaken.	

Monitoring points are located as prescribed between the plant and drainage towards the direction of flow of ground water. Following data has been submitted by PA:

Sampling Description : Surface Water
 Sampling Location : Sajram River (Near Village Gernag)
 Sampling Protocol : IS 3025 (1*1)
 Packing Condition : Sealed
 Sample Quantity : 2 Ltr
 Packing : PVC BOTTLE

TEST RESULT

S.No.	Parameters	Unit	Test Method	Result
1	Total Dissolved Solids	mg/l	APHA 23rd 2540 (C)	165
2	Total suspended Solid	mg/l	APHA 23rd 2540 (C)	12
3	pH Value	-	APHA 23rd 4500 H+ (B)	8.27
4	Iron (as Fe)	mg/l	APHA 23rd 3111 (B)	0.25
5	Manganese (as Mn)	mg/l	APHA 23rd 3111 (B)	0.013
6	Copper (as Cu)	mg/l	APHA 23rd 3111 (B)	0.050
7	Lead (as Pb)	mg/l	APHA 23rd 3111 (B)	BDL (DL-0.01)
8	Arsenic (as As)	mg/l	IS 3025 Part 65 : 2014	BDL (DL-0.05)
9	Chromium (as Cr)	mg/l	APHA 23rd 3111 (B)	BDL (DL-0.05)
10	Mercury (as Hg)	mg/l	IS 3025 Part 65 : 2014	BDL (DL-0.001)
11	Dissolved Oxygen	mg/l	IS 3025 Part 38	7.2
12	Bio-Chemical Oxygen Demand (BOD)	mg/l	APHA-5210 (B)	5.0
13	Chemical Oxygen Demand (COD)	mg/l	APHA-5210 (B)	20
14	Oil & Grease	mg/l	APHA-5320	BDL (DL-5.0)

End of Report

Remarks : BDL-BELOW DETECTION LIMIT

Sampling Description : Surface Water
 Sampling Location : Uttar River (Near Village Udaynara)
 Sampling Protocol : IS 3025 (1*1)
 Packing Condition : Sealed
 Sample Quantity : 2 Ltr
 Packing : PVC BOTTLE

TEST RESULT

S.No.	Parameters	Unit	Test Method	Result
1	Total Dissolved Solids	mg/l	APHA 23rd 2540 (C)	278
2	Total suspended Solid	mg/l	APHA 23rd 2540 (C)	15
3	pH Value	-	APHA 23rd 4500 H+ (B)	7.67
4	Iron (as Fe)	mg/l	APHA 23rd 3111 (B)	0.21
5	Manganese (as Mn)	mg/l	APHA 23rd 3111 (B)	0.222
6	Copper (as Cu)	mg/l	APHA 23rd 3111 (B)	0.051
7	Lead (as Pb)	mg/l	APHA 23rd 3111 (B)	BDL (DL-0.01)
8	Arsenic (as As)	mg/l	IS 3025 Part 65 : 2014	BDL (DL-0.05)
9	Chromium (as Cr)	mg/l	APHA 23rd 3111 (B)	BDL (DL-0.05)
10	Mercury (as Hg)	mg/l	IS 3025 Part 65 : 2014	BDL (DL-0.001)
11	Cadmium (Cd)	mg/l	APHA 23rd 3111 (B)	BDL (DL-0.01)
12	Bio-Chemical Oxygen Demand (BOD)	mg/l	APHA-5210 (B)	2.0
13	Chemical Oxygen Demand (COD)	mg/l	APHA-5210 (B)	32
14	Oil & Grease	mg/l	APHA-5320	BDL (DL-5.0)

End of Report

Remarks : BDL-BELOW DETECTION LIMIT

12. A well designed rainwater harvesting shall be put in place before commissioning of the plant. Central Groundwater Authority/ Board shall be consulted for finalization of appropriate rainwater harvesting technology/design within a period of three months from the date of this clearance and details shall be furnished. The design of rain water harvesting shall comprise of rain water collection from the built up and open area in the plant premises. Action plan and road map for implementation shall be submitted to the Ministry within six months.

Rain Water Harvesting system/structures within the Plant have been constructed, comprising of:
 Check Dam - 1 No.
 Pond with Bore - 1 No.
 Nala revival - 880 mtrs
 Percolation well- 5 Nos.
 Bore well - 24 Nos.

 Being complied.

13. Additional soil for leveling of the proposed

It has been reported by PA that the during the

	site shall be generated within the sites (to the extent possible) so that natural drainage system of the area is protected and improved.	construction phase, additional soil required for the leveling purpose had been generated within the site only to protect and improve the natural drainage system of the area. Complied.
14	Provision for installation of FGD shall be provided for future use.	A space has been earmarked for FGD. Complied.
15	The project proponent shall undertake measures and ensure that no fugitive fly ash emissions take place at any point of time	Fly ash silo was found equipped with pneumatic chute to fill the ash in the Bulkheads as well as Silo. The area was found isolated by the partition wall to control fugitive fly ash emission. Mobile water sprinklers were deployed to suppress the fugitive dust while movement of vehicles. The dust suppression and extraction equipments were found installed to prevent the fugitive emission. Fixed water mist/sprinklers were found at around the coal yard side. Being complied.
16	Stack of 275 m height shall be installed and provided with continuous online monitoring equipments for SO _x , NO _x and PM _{2.5} & PM ₁₀ . Exit velocity of flue gases shall not be less than 22 m/sec. Mercury emissions from stack may also monitored on periodic basis	As submitted by PA the stack of 275 meters height has been constructed for better dispersion. Continuous online monitoring equipment for SO _x , NO _x and PM were found. It has been stated by PA that flue gas exit velocity is being maintained as ≥ 22 m/sec. Being complied.
17	High Efficiency Electrostatic Precipitators (ESPs) shall be installed to ensure that particulate emission does not exceed 50 mg/Nm ³ .	High efficiency Electrostatic Precipitators was found installed to restrict particulate emissions below 50 mg/Nm ³ . However, as per the submitted report, the value of SO ₂ (range 828-874 mg/Nm ³) is high. It has been stated by PA that as per MOEF&CC notification dated 5 th Sept, 2022, timeline given for category C projects to comply with the SO ₂ emission norms is upto 31 st Dec, 2026. Being complied.
18	Adequate dust extraction system such as cyclones/ bag filters and water spray system in dusty areas such as in coal handling and ash handling points, transfer areas and other vulnerable dusty areas shall be provided.	To control fugitive emission, rain gun type water sprinkling system has been installed in coal yard. Closed conveyor belts were found on the day of site visit. Cyclones followed by a Dry fog dust suppression system were found installed at each coal transfer point (JNT's). Mobile water sprinklers were also found at CHP area to suppress fugitive dust while

movement of vehicles. Being complied.

19 Utilization of 100% Fly Ash generated shall be made from 4th year of operation. Status of implementation shall be reported to the Regional Office of the Ministry from time to time.

100% utilization of Fly Ash has been achieved before 4th year of the power plant operation as submitted by PA. The following implementation status has been submitted by PA:

MINISTRY OF POWER
CENTRAL ELECTRICITY AUTHORITY
THERMAL CIVIL DESIGN DIVISION

FORMAT - III

Monthly Abstract of Ash Generation and Utilization
For the Period from 1st April 2023 to 31st March 2024

Name of Power Utility: Lalpur TPS Name of Thermal Power Plant: Lalpur Power generation company Limited

Installed Capacity (Total): 2x500 MW

PERIOD OF REPORT: 1st April, 2023 to 31st March 2024

Sl. No.	Month	ASH GENERATION AND UTILIZATION (in TMT)					MODES OF ASH UTILIZATION AND UTILIZATION IN EACH MODE (in TMT)											
		Coal consumed	Ash content of coal	Ash Generation	Ash Utilization	% Ash Utilization	Fly ash based products viz. bricks, blocks, tiles, floor cement sheets, pipes, boards, etc.	Cement manufacturing ready mix concrete,	Construction of road and fly over embankment, Ash and Geo-polymer based construction material	Construction of dam,	Filling up of low lying areas,	Filling of mine voids,	Manufacturing of slotted or cold bonded ash aggregate,	Agriculture in a controlled manner based on soil testing,	Construction of shoreline protection structures in coastal districts,	Export of ash to other countries,	Any other use- kindly purpose as notified from time to time.	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	
1	APRIL-2023	701824	38.52	271001	273952	99.64	0.0041	156515	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	
2	MAY-2023	747327	39.45	295234	276291	93.57	0.0674	272205	0.0000	0.0000	0.0000	1.8305	0.0000	0.0000	0.0000	0.0000	0.0000	
3	JUNE-2023	313518	39.36	124515	277524	106.81	0.0070	279381	0.0000	0.0000	0.0000	117512	0.0000	0.0000	0.0000	0.0000	0.0000	
4	JULY-2023	541599	38.31	207395	222740	107.45	0.0000	147633	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	
5	AUG-2023	729555	37.77	275024	229234	83.37	0.0084	141215	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	
6	SEPTEMBER-2023	726581	36.25	265331	332028	125.12	0.0215	133504	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	
7	OCTOBER-2023	744494	37.35	278277	320347	115.15	0.0000	147443	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	
8	NOVEMBER-2023	544762	38.75	211161	239030	113.21	0.0049	235822	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	
9	DECEMBER-2023	536743	39.50	211132	206532	97.82	0.0000	133022	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	
10	JANUARY-2024	620729	36.31	226589	247719	109.36	0.0071	140011	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	
11	FEBRUARY-2024	496485	37.72	187520	213654	114.50	0.0000	144472	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	
12	MARCH-2024	587311	34.35	203804	212135	104.10	0.0013	147532	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	
TOTAL		7729131	37.96	2913560	2980885	102.31	0.0036	1829232	0.0000	0.0000	0.0000	182184	0.0000	0.0000	0.0000	0.0000	0.0000	

*Notes: (i) Ash means all types of ash including Fly Ash, bottom Ash and Fines Ash etc.
(ii) Quantity of ash may be provided in Lakh Metric Ton (LMT) upto five decimal places.
(iii) Ash utilization in Column (6) shall be equal to summation of modes of ash utilization in each mode i.e. summation of column (8) to column (18).*

Abbreviations:
MW- Mega Watt
TPS- Thermal Power Station
KM- Kilometre
LMT- Lakh Metric Tonne
Ld- Kilocalories

Being complied.

20 Fly ash shall be collected in dry form and storage facility (silos) shall be provided. Unutilized fly ash shall be disposed off in the ash pond in the form of slurry form. Mercury and other heavy metals (As, Hg, Cr, Pb etc.) will be monitored in the bottom ash as also in the effluents emanating from the existing ash pond. No ash shall be disposed off in low lying area.

It was observed and reported by PA that Fly ash is being collected in dry form at 6 fly ash storage silos. Unutilized fly ash along with bottom ash is being disposed of in ash pond in the form of slurry. Mercury and other heavy metals (As, Hg, Cr, Pb etc.) are being monitored in the fly ash and the effluents emanating from the existing ash pond is being recycled using Ash Water Recirculation System (AWRS) as submitted by PA. The analytical status of the ground water near ash pond and effluent reports indicating that all parameters are within the prescribed limit. The analytical report of As, Hg, Cr, Pb, etc. in the bottom ash

		has been submitted by PA. As per the documents submitted, the ash is being used by the farmer to level the infertile/unsuitable land. Being complied.																																																																	
21	Ash pond shall be lined with HDP/LDPE lining or any other suitable impermeable media such that no leachate takes place at any point of time. Adequate safety measures shall also be implemented to protect the ash dyke from getting breached.	Well-designed Ash dyke with HDPE lining have been established as per guidelines of MoEF, CEA and CPCB as submitted by pa. It has been stated that the lining is also covered with PCC. Being complied.																																																																	
22	Sulphur and ash contents in the imported coal to be used in the project shall not exceed 0.7 % and 10 % respectively at any given time. In case of variation of coal quality at any point of time fresh reference shall be made to the Ministry for suitable amendments to environmental clearance condition wherever necessary.	As per the amended EC, they can use domestic coal. As per submitted documents the Environmental Compliance Conditions has been amended on dated 20 th May 2014 and 30 th May 2016 through which permission granted to use domestic coal for all 3 x 660 MW units. Therefore the project is not using imported coal. Not applicable at present.																																																																	
23	Green Belt consisting of 3 tiers of plantations of native species around plant and at least 100 m width shall be raised. Wherever 100 m width is not feasible a 50 m width shall be raised and adequate justification shall be submitted to the Ministry. Tree density shall not less than 2500 per ha with survival rate not less than 80 %.																																																																		
	<p>Nursery has been developed for afforestation & horticultural activities. In last 6 years we have planted 5.51 lakh of saplings within the campus especially in dusty area like coal yard, wagon Tripler, silos, FOPH, Ash dyke areas, in Township, at local villages and 50000 plants are also adopted from irrigation department & regular care being taken as submitted by PA. Approximately 93 varieties of plants like Sisam, Kanji, Alastonia, Gulmohar, Amaltas, Kadam, Aowla, Neem, Ashok, Peepal etc have been planted in green belt area as submitted by PA. Following details have been submitted by PA:</p>																																																																		
	<table border="1"> <thead> <tr> <th colspan="5">Details of Plantation</th> </tr> <tr> <th>Sr. No.</th> <th>Financial Year</th> <th>Total Plant planted</th> <th>Survival Rate</th> <th>Survived Plant</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>11-16-17</td> <td>76165</td> <td>90%</td> <td>68549</td> </tr> <tr> <td>2</td> <td>17-18</td> <td>45482</td> <td>90%</td> <td>40933</td> </tr> <tr> <td>3</td> <td>18-19</td> <td>33353</td> <td>90%</td> <td>30017</td> </tr> <tr> <td>4</td> <td>19-20</td> <td>25000</td> <td>90%</td> <td>22500</td> </tr> <tr> <td>5</td> <td>20-21</td> <td>37000</td> <td>92%</td> <td>34035</td> </tr> <tr> <td>6</td> <td>21-22</td> <td>34260</td> <td>84%</td> <td>28760</td> </tr> <tr> <td>7</td> <td>22-23</td> <td>174570</td> <td>54%</td> <td>164091</td> </tr> <tr> <td>8</td> <td>23-24</td> <td>176000</td> <td>58%</td> <td>123178</td> </tr> <tr> <td colspan="2">Total</td> <td>553830</td> <td>93%</td> <td>515603</td> </tr> <tr> <td colspan="2">Natural Plants transplanted & survived</td> <td>50000</td> <td>100%</td> <td>50000</td> </tr> <tr> <td colspan="2">Grand Total</td> <td>603830</td> <td></td> <td>565603</td> </tr> </tbody> </table> <p>Note- 50000 Plants adopted from Irrigation department at Nachnada and care being taken continuously</p>		Details of Plantation					Sr. No.	Financial Year	Total Plant planted	Survival Rate	Survived Plant	1	11-16-17	76165	90%	68549	2	17-18	45482	90%	40933	3	18-19	33353	90%	30017	4	19-20	25000	90%	22500	5	20-21	37000	92%	34035	6	21-22	34260	84%	28760	7	22-23	174570	54%	164091	8	23-24	176000	58%	123178	Total		553830	93%	515603	Natural Plants transplanted & survived		50000	100%	50000	Grand Total		603830		565603
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Jaitpur Power Generation Company Limited Location and Green Fields			
Sr. No.	Location	No. of plots	Remark
1	Security Area	3290	
2	Winged Area & Area 23	2853	
3	Winged Near Nala Area	2315	
4	Winged Road Side Area	2260	
5	Winged Area	2260	
6	Road Area	2023	
7	Switch Yard Area	2054	
8	FD Area	1450	
9	Substn Corridor	1400	
10	Substn Area	10000	
11	WTF Area	2053	
12	Cooling Tower Area	2204	
13	Compressor Station to FGD	5821	
14	FGD and Compressor Area	22120	
15	FGD Area	3625	
16	APF Area	1637	
17	Store Area	1293	
18	BHEE Yard near Security	5520	
19	Below Compressor Panchayat	3200	
20	Boundary BHEE yard to AHA	4285	
21	Boundary Road Mirchwarra C	1225	
22	Ash Nala Area	7294	
23	Main Road Side	6288	
24	Hydrogen Plant Area	8105	
25	Gochara Temple	2160	
26	Canal Bank & Can Area	3327	
27	Water Garden Colony	2433	
28	Udhwar Railway Station	285	
29	101 Project Office Area	2141	
30	103 Project Office Area	8200	
31	Chikmagur Railway Station	4210	
32	Plant Outside Near Baran	17202	
33	Near T.P. towards Nala	5165	
34	Near school Ground	2393	
35	Substn Area & Road side	8253	
36	Reservoir into de and Road	5625	
37	Near Baran Township	1103	
38	Mirchwarra Railway Station	215	
	Mirchwarra Forest	1500	Inside Plant Area Page 13-24

Being complied.

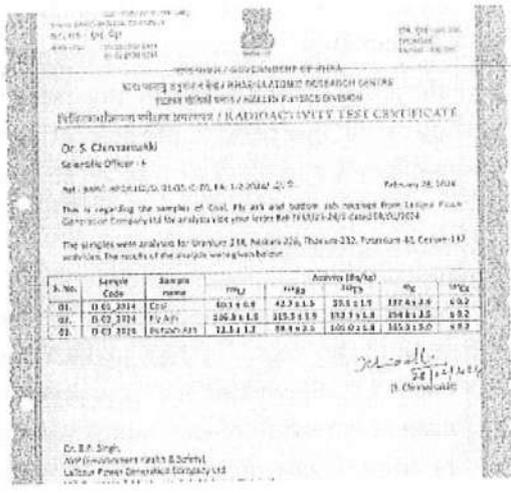
24. At least three nearest village shall be adopted and basic amenities like development of roads, drinking water supply, primary health centre, primary school etc shall be developed in co-ordination with the district administration. It was observed and as per report submitted by PA that three nearest village viz. Mirchwarra, Burogaon, and Surikalan have adopted in co-ordination with District Administration. All the basic amenities like water, health camps, sanitation, etc. are being provided. Being complied.

25. The project proponent shall also adequately contribute in the development of the Neighboring villages. Special package with implementation schedule for providing potable drinking water supply in the nearby villages and schools shall be undertaken in a time bound manner. Providing potable drinking water supply in the nearby villages and schools are undertaken in a time bound manner to contribute in the development of the neighboring villages as reported by PA. Being complied.

26. CSR scheme shall be identified based on need based assessment in and around the villages within 5.0 km of the site and in constant consultation with the village Panchayat and the District Administration. As part of CSR prior identification of local employable youth and eventual employment in the project after imparting relevant training shall be also undertaken. It has been stated by PA that they are working through Kamal Nayan Jannalal Bajaj Foundation (KJBF) for CSR activities. KJBF has been actively involved in community development programmes in the nearby villages focussing on development of water resources, sustainable agriculture development, Livelihood promotion through Income Generating Activities, promotion of

	Income generating projects consistent with the traditional skills of the people shall be undertaken. Development of fodder farm, fruit bearing orchards, vocational training etc. can form a part of such programme. Company shall provide separate budget for community development activities and income generating programmes. Vocational training programme for possible self employment and jobs shall be imparted to identity villagers free of cost.	vegetable cultivation & fruit orchards, in partnership with local people, Govt. and development organizations like NABARD, Research Institutions etc. CSR scheme is being put within 10.0 Km of the site in consultation with the respective village Panchayat and the District Administration based on need based assessment as reported by PA. Vocational training for possible self employment and jobs is also being imparted to identify villagers free of cost. It has been submitted by PA that they have made budget provisions for community development activities and income generating programmes. Being complied.
27	An amount of Rs 49.10 Crores shall be earmarked as one time capital cost for CSR programme as committed by the project proponent. Subsequently a recurring expenditure of Rs 9.8 Crores per annum shall be earmarked as recurring expenditure for CSR activities. Details of the activities to be undertaken shall be submitted within six month along with road map for implementation.	Dedicated fund of Rs 49.10 Crores as one time capital cost and recurring expenditure as per the CSR policy of Government of India, is being utilized gainfully for implementation of CSR activities as reported by PA. As per submitted records, the details of recurring expenditure of Rs 9.8 crore per year for CSR activities has been attached with this report. Being complied.
28	It shall be ensured that in-built monitoring mechanism for the schemes identified is in place and annual social audit shall be got done from the nearest government institute of repute in the region. The project proponent shall also submit the status of implementation of the scheme from time to time	The annual social audit has been conducted and report submitted. For current year, annual report has been submitted by PA which was prepared by department of Sociology, Nehru Mahavidhyalay, Lalitpur. Being complied.
29.	The source of coal has been changed from imported to domestic coal, resulting in higher generation of fly ash there by the project proponent should ensure 100% fly ash utilization as per the Notification, 1999 and its amendments thereof. An action plan and its implementation status in compliance to the fly ash utilization shall be submitted to the Regional Office of MoEF on an annual basis.	It has been stated by PA that they have achieved the 100% Ash utilization before 4th year of operation. The status of implementation has already been mentioned in the previous condition. Being complied.

30.	The coal transportation by road shall be through tarpaulin covered trucks for a maximum period of two years and thereafter shall be only through mechanically covered trucks.	The coal is transported through Rail rakes as per submitted report. Railway track for the transportation of coal was found during the site visit. Not applicable at present.																																																																										
31.	Avenue plantation of 2/3 rows all along the road shall be carried out by the project proponent at its own expenses in consultation with the State Government Authorities.	The coal is transported through Rail rakes only as reported by PA. Coal transportation through rail was found. Not applicable at present.																																																																										
32.	Periodic maintenance of the road shall be done by the project proponent at its own expenses and shall also facilitate the traffic control on the road in consultation with the State Government Authorities.																																																																											
33.	Sulphur and ash contents in the domestic coal to be used in the project shall not exceed 0.5% and 33% at any given time. In case of variation of coal quality at any point of time, fresh reference shall be made to the Ministry for suitable amendments to environmental clearance condition wherever necessary.	<p>As per the submitted report the sulphur and ash contents in coal is <0.5% and 35.6% respectively. However, according to the report, the amount of ash is higher than the prescribed limit. Not complied.</p> <table border="1" data-bbox="861 1232 1324 1803"> <tr> <td>TEST REPORT NO. NCLD-372/11/2013</td> <td>DATE OF REPORT: 30/09/2013</td> </tr> <tr> <td>Name And Address Of Customer</td> <td>MSL SULTAN PULAU KEHANG SUPPLY COMPANY LIMITED, VILLAGE: M. KEDIRI AND 3, ROSOKAN, TONGKONG, KAMPONG LATEH, PULAU PINANG</td> </tr> <tr> <td colspan="2">SAMPLING DETAIL</td> </tr> <tr> <td>Analysis Start Date: 13/09/2013</td> <td>Analysis End Date: 30/09/2013</td> </tr> <tr> <td>Date of Sampling: 10/09/2013</td> <td>Sample ID No: NCLD/11/11/2013</td> </tr> <tr> <td>Sampling Agency: MSL</td> <td></td> </tr> <tr> <td>Sampling Description: Coal Sample</td> <td></td> </tr> <tr> <td>Sampling Location: Coal Field</td> <td></td> </tr> <tr> <td colspan="2">TEST RESULT</td> </tr> <tr> <th>S.No.</th> <th>Parameter</th> <th>Protocol Used</th> <th>Observed Value</th> </tr> <tr> <td>1</td> <td>Gross Calorific Value (GCV) in kcal/kg</td> <td>(IS 1350:11)</td> <td>412</td> </tr> <tr> <td colspan="4">Proximate Analysis (by mass) (on air and basis)</td> </tr> <tr> <td>(a)</td> <td>Moisture (M)</td> <td>(IS 1350:11)</td> <td>1.11</td> </tr> <tr> <td>(b)</td> <td>ASH (by mass)</td> <td>(IS 1350:11)</td> <td>35.6</td> </tr> <tr> <td>(c)</td> <td>Volatile Matter (VM) (by mass)</td> <td>(IS 1350:11)</td> <td>34.4</td> </tr> <tr> <td>(d)</td> <td>Fixed Carbon (FC) (by mass)</td> <td>(IS 1350:11)</td> <td>28.8</td> </tr> <tr> <td>(e)</td> <td>Total Moisture Content (TMC) (by mass)</td> <td>(IS 1350:11)</td> <td>4.11</td> </tr> <tr> <td>(f)</td> <td>Sulphur Content (Dry Basis)</td> <td>(IS 1350:11)</td> <td>0.31</td> </tr> <tr> <td colspan="4">Ash Analysis (mg/kg)</td> </tr> <tr> <td>(i)</td> <td>Mercury Content (in mg/kg)</td> <td>Alpha 2100 Atomic with cold vapor technique</td> <td>0.01 (x 0.1)</td> </tr> <tr> <td>(ii)</td> <td>Lead Content (in mg/kg)</td> <td>GG (Pb 1392) II</td> <td>4.4</td> </tr> <tr> <td>(iii)</td> <td>Arsenic Content (in mg/kg)</td> <td>GG (Pb 1392) II</td> <td>0.02 (x 0.1)</td> </tr> <tr> <td>(iv)</td> <td>Cadmium Content (in mg/kg)</td> <td>GG (Pb 1392) II</td> <td>0.02 (x 0.1)</td> </tr> </table> <p>IS: Bureau of Indian Standards MSL: MSL Analytical Services</p>	TEST REPORT NO. NCLD-372/11/2013	DATE OF REPORT: 30/09/2013	Name And Address Of Customer	MSL SULTAN PULAU KEHANG SUPPLY COMPANY LIMITED, VILLAGE: M. KEDIRI AND 3, ROSOKAN, TONGKONG, KAMPONG LATEH, PULAU PINANG	SAMPLING DETAIL		Analysis Start Date: 13/09/2013	Analysis End Date: 30/09/2013	Date of Sampling: 10/09/2013	Sample ID No: NCLD/11/11/2013	Sampling Agency: MSL		Sampling Description: Coal Sample		Sampling Location: Coal Field		TEST RESULT		S.No.	Parameter	Protocol Used	Observed Value	1	Gross Calorific Value (GCV) in kcal/kg	(IS 1350:11)	412	Proximate Analysis (by mass) (on air and basis)				(a)	Moisture (M)	(IS 1350:11)	1.11	(b)	ASH (by mass)	(IS 1350:11)	35.6	(c)	Volatile Matter (VM) (by mass)	(IS 1350:11)	34.4	(d)	Fixed Carbon (FC) (by mass)	(IS 1350:11)	28.8	(e)	Total Moisture Content (TMC) (by mass)	(IS 1350:11)	4.11	(f)	Sulphur Content (Dry Basis)	(IS 1350:11)	0.31	Ash Analysis (mg/kg)				(i)	Mercury Content (in mg/kg)	Alpha 2100 Atomic with cold vapor technique	0.01 (x 0.1)	(ii)	Lead Content (in mg/kg)	GG (Pb 1392) II	4.4	(iii)	Arsenic Content (in mg/kg)	GG (Pb 1392) II	0.02 (x 0.1)	(iv)	Cadmium Content (in mg/kg)	GG (Pb 1392) II	0.02 (x 0.1)
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1	Gross Calorific Value (GCV) in kcal/kg	(IS 1350:11)	412																																																																									
Proximate Analysis (by mass) (on air and basis)																																																																												
(a)	Moisture (M)	(IS 1350:11)	1.11																																																																									
(b)	ASH (by mass)	(IS 1350:11)	35.6																																																																									
(c)	Volatile Matter (VM) (by mass)	(IS 1350:11)	34.4																																																																									
(d)	Fixed Carbon (FC) (by mass)	(IS 1350:11)	28.8																																																																									
(e)	Total Moisture Content (TMC) (by mass)	(IS 1350:11)	4.11																																																																									
(f)	Sulphur Content (Dry Basis)	(IS 1350:11)	0.31																																																																									
Ash Analysis (mg/kg)																																																																												
(i)	Mercury Content (in mg/kg)	Alpha 2100 Atomic with cold vapor technique	0.01 (x 0.1)																																																																									
(ii)	Lead Content (in mg/kg)	GG (Pb 1392) II	4.4																																																																									
(iii)	Arsenic Content (in mg/kg)	GG (Pb 1392) II	0.02 (x 0.1)																																																																									
(iv)	Cadmium Content (in mg/kg)	GG (Pb 1392) II	0.02 (x 0.1)																																																																									

<p>34.</p>	<p>A long term study of radio activity and heavy metals contents on coal to be used shall be carried out through a reputed institute. Thereafter, mechanism for an in-built continuous monitoring for radio activity and heavy metals in coal and fly ash (including bottom ash) shall be put in place.</p>	<p>Radioactivity in coal is being analyzed through the Laboratory of Bhabha Atomic Research Centre, Trombay, Mumbai. Thereafter, mechanism for an in-built continuous monitoring for radio activity and heavy metals in coal and fly ash (including bottom ash) shall be put in place as submitted by PA. The recent report is placed below:</p> 
<p>35.</p>	<p>Harnessing solar power within the premises of the plant particularly at available roof tops shall be undertaken and status of implementation shall be submitted periodically to the Regional Office of the Ministry.</p>	<p>Solar lamps, lights & lanterns, etc. are provided to the villagers. A consultant was engaged to prepare pre-feasibility reports particularly on harnessing solar power at available roof tops as reported by PA. A 5.76 KW solar panel is already installed on Canteen roof. However they have commissioned total 47 KW solar power (Lakhenjer – 21 KW, Varguan – 15KW & Barai – 11 KW) in three villages under CSR drive in coordination with district administration. The solar panel was found on the day of site visit. Being complied.</p>
<p>36.</p>	<p>Fugitive emissions shall be controlled to prevent impact on agricultural or non-agricultural land.</p>	<p>All the appropriate measures are in place to control the fugitive emissions to prevent impact on agricultural or non-agricultural land. The status in details has already been mentioned in relevant condition. Being complied.</p>
<p>37.</p>	<p>Fly ash shall not be used for agricultural purpose. No mine void filling will be</p>	<p>As per submitted record and observation made during site visit the fly ash is being utilize as</p>

	undertaken as an option for ash utilization without adequate lining of mine with suitable media such that no leachate shall take place at any point of time. In case, the option of mine void filling is to be adopted, prior detailed study of soil characteristics of the mine area shall be undertaken from an institute of repute and adequate clay lining shall be ascertained by the State PCB.	leveling of the non infertile land. The related documents have been submitted by PA to this office. As per Ministry's OM dated 28 August, 2019 the Ministry hereby stipulates the conditions in the existing Environmental Clearances of Thermal Power Plants and Coal mines which have valid Environmental Clearance accorded by the Ministry/SEIAA, that will replace the existing conditions (Specific & General) which prohibited the use of fly ash in abandoned mines/low lying areas/soil conditioner in agriculture. Being complied.
38.	Green belt shall also be developed around the Ash Pond over and above the Green Belt around the plant boundary.	Green belt around the Ash pond and around the boundary is developed by PA. As per submitted report total 20700 plants has been developed at around ash dyke area. Being complied.
39.	The project proponent shall formulate a well laid Corporate Environment Policy and identify and designate responsible officers at all levels of its hierarchy for ensuring adherence to the policy and compliance with the conditions stipulated in this clearance letter and other applicable environmental laws and regulations.	The formulated corporate Environment Policy, was found displayed at every section of plant. They have also formulated a Environmental Management Cell headed by the Chief Sustainability Officer reporting to Head of the organization for ensuring adherence to the policy and compliance with the conditions stipulated in this clearance and other applicable environmental laws and regulations. The detail of Environment Policy & Environment Management Cell has been submitted. Being complied.
40.	The sulphur and ash content of coal shall not exceed 0.5% and 34% respectively. In case of variation of quality at any point of time, fresh reference shall be made to the ministry for suitable amendments to the environmental clearance.	The status of this condition has already been mentioned in previous condition.
41.	The transportation of Coal shall be by rail to the extent feasible. If road transportation of coal from Pit head to railway siding is unavoidable, the same shall be through mechanically covered trucks to the extent feasible, else through tarpaulin covered	Coal is being transported through rail rake only. Not applicable at present.

	trucks	
42.	Avenue Plantation of 2/3 rows all along the road shall be carried out by the Project Proponent at its own expenses in consultation with the state Government	Being complied
43.	Periodic Maintenance of the road shall be done by the Project Proponent at its own expenses and shall also facilitate the traffic control on the road in consultation with the state Government authorities	Coal is being transported through rail rake only. Not applicable at present.
44.	Further the specific condition No. (xxvii) of the EC shall be amended as, "An amount of Rs. 49.10 Crores shall be earmarked as one time Capital cost for CSR Programme as committed by the Project proponent	The status of this condition has already been mentioned in previous condition.
Sl. No.	GENERAL CONDITIONS	
	Details	Action Details
1.	The treated effluents conforming to the prescribed standards only shall be re-circulated and reused within the plant. Arrangements shall be made that effluents and storm water do not get mixed.	As per submitted report the treated effluent is conforming to the prescribed standards and is being recycled & reused gainfully in process within the Plant. Both storm water & effluent drains are separate. Being complied.
2.	A sewage treatment plant shall be provided (as applicable) and the treated sewage shall be used for raising greenbelt/plantation.	An appropriate capacity sewage treatment plant has already been installed and PA has submitted that the treated sewage is utilized in horticulture/raising greenbelt & toiletry flush. Being complied.
3.	Adequate safety measures shall be provided in the plant area to check/minimize spontaneous fires in coal yard, especially during summer season. Copy of these measures with full details along with location plant layout shall be submitted to the Ministry as well as to the Regional Office of the Ministry.	Fire hydrants were found. Following details are submitted by PA: Fire extinguishers- 1230 Nos., Fire Hydrant Point- 353 Nos., Hose reel- 55 Nos., Water monitor- 69 Nos., Fire tender- 2 Nos., Jet gun (CHP)-80 Nos., MVWS & HVWS- In cable gallery, conveyors & transformer area. Being complied.
4.	Storage facilities for auxiliary liquid fuel such as LDO and/HFO/LSHS shall be made in the plant area in consultation with Department of Explosives, Nagpur. Sulphur	The fuel LDO properly stored in minimum risk area & as per the norms fixed by the Chief Controller of Explosive. Disaster management plan and on-site emergency plan prepared &

	content in the liquid fuel will not exceed 0.5%. Disaster Management Plan shall be prepared to meet any eventuality in case of an accident taking place due to storage of oil.	maintained at the project site. PA has submitted that the mock drills are being conducted periodically to meet any eventuality in case of an accident taking place due to the storage of oil. Being complied.
5.	First Aid and sanitation arrangements shall be made for the drivers and other contract workers during construction phase.	Presently the plant is under operation phase. Not applicable at present.
6.	Noise levels emanating from turbines shall be so controlled such that the noise in the work zone shall be limited to 85 dBA from source. For people working in the high noise area, requisite personal protective equipment like earplugs/ear muffs etc. shall be provided. Workers engaged in noisy areas such as turbine area, air compressors etc shall be periodically examined to maintain audiometric record and for treatment for any hearing loss including shifting to non noisy/less noisy areas.	Personnel protective equipment like earplugs/ear muffs were provided to people working in noisy area. Audiometric test are carried out periodically and records maintained for treatment for any hearing loss apart from shifting to non noisy/less noisy areas. As per submitted analysis report the noise level is found within the prescribed limit. Being complied.
7.	Regular monitoring of ambient air ground level concentration of SO _x , NO _x , PM _{2.5} & PM ₁₀ and Hg shall be carried out in the impact zone and records maintained. If at any stage these levels are found to exceed the prescribed limits, necessary control measures shall be provided immediately. The location of the monitoring stations and frequency of monitoring shall be decided in consultation with SPCB. Periodic reports shall be submitted to the Regional Office of this Ministry. The data shall also be put on the website of the company.	As per submitted analytical report of ambient air quality the parameters of SO _x , NO _x , PM 2.5 & PM 10 and Hg are found within the prescribed limit. Being complied.
8.	Provision shall be made for the housing of construction labour (as applicable) within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the	Presently the plant is under operation phase. This condition is not applicable at present.

	completion of the project.	
9.	The project proponent shall advertise in at least two local newspapers widely circulated in the region around the project, one of which shall be in the vernacular language of the locality concerned within seven days from the date of this clearance letter, informing that the project has been accorded environmental clearance and copies of clearance letter are available with the State Pollution Control Board/Committee and may also be seen at Website of the Ministry of Environment and Forests at http://envfor.nic.in .	As per record submitted by PA the environmental clearance detail had already been published in two local news papers for public information. Complied.
10.	A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parisad / Municipal Corporation, urban local Body and the Local NGO, if any, from whom Suggestions/ representations, if any, received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent.	Copy of the Environment Clearance letter had also been sent to concerned Panchayat, Zila Parisad/Municipal Corporation, urban local Body and the Local NGO as submitted by PA. On the day of site visit the copy of Environment Clearance was available on the web site of the company. Being complied.
11.	An Environmental Cell comprising of atleast one expert in environmental science / engineering, occupational health and social scientist, shall be created at the project site itself and shall be headed by an officer of appropriate superior and qualification. It shall be ensured that the Head of the Cell shall directly report to the head of the organization and he shall be held responsible for implementation of environmental regulations and social impact improvement/mitigation measures.	Environmental Management Cell is already in place headed by Chief Sustainability Officer reporting to Head of the organization. Being complied.
12.	The proponent shall upload the status of compliance of the stipulated environmental clearance conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MOEF, the respective Zonal Office of CPCB and the SPCB. The criteria	The status of the uploading of compliance report, AAQM has already been mentioned in the relevant conditions. SPM, RSPM (PM2.5 & PM10), SOx, NOx, (ambient levels as well as stack emissions) were found to be displayed at a suitable location near the main gate of the project. Being complied.

	pollutant levels namely; SPM, RSPM (PM _{2.5} & PM ₁₀), SO _x , NO _x , (ambient levels as well as stack emissions) shall be displayed at a convenient location near the main gate of the company in the public domain.	
13.	The environment statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State PCB as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental clearance conditions and shall also be sent to the respective Regional Offices of the Ministry by e-mail.	Environmental Statement for the each financial year ending 31 st March is being submitted in Form-V to State Pollution Control Board as reported by PA. The Environmental Statement and compliance status of Environmental Clearance were found on the project website. Last Environmental statement compliance report was submitted in the month of Oct 2023. Being complied.
14.	The project proponent shall submit six monthly reports on the status of the implementation of the stipulated environmental safeguards to the Ministry of Environment and Forests, its Regional Office, Central Pollution Control Board and State Pollution Control Board. The project proponent shall upload the status of compliance of the environment of the environmental clearance conditions on their website and update the same periodically and simultaneously send the same by e-mail to the Regional Office, Ministry of Environment and Forests.	Being Complied.
15.	The Regional Office of the Ministry of Environment & Forests will monitor the implementation of the stipulated conditions. A complete set of documents including Environmental Impact Assessment Report and Environment Management Plan along with the additional information submitted from time to time shall be forwarded to the Regional Office for their use during monitoring. Project	Being complied.

	proponent will up-load the compliance status in their website and up-date the same from time to time at least six monthly basis. Criteria pollutants levels including NOx (from stack & ambient air) shall be displayed at the main gate of the power plant.																																																	
16	Separate funds shall be allocated for implementation of environmental protection measures along with item-wise break-up. These cost shall be included as part of the project cost. The funds earmarked for the environment protection measures shall not be diverted for other purposes and year-wise expenditure should be reported to the Ministry.	<p>Following details have been submitted by PA:</p> <table border="1"> <thead> <tr> <th colspan="3">Salipur Power Generation Company Limited</th> </tr> <tr> <th colspan="3">BIS Exp for the FY 2012-13</th> </tr> <tr> <th>Sl.</th> <th>Environmental Activities</th> <th>Expenses Amount (Rs)</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Environmental Monitoring</td> <td>2,56,135</td> </tr> <tr> <td>2</td> <td>Ash disposal Fee & Chairs</td> <td>7,13,600</td> </tr> <tr> <td>3</td> <td>Online Monitoring</td> <td>4,15,602</td> </tr> <tr> <td>4</td> <td>Plantation - Digging</td> <td>2,76,803</td> </tr> <tr> <td>5</td> <td>Green belt development</td> <td>12,35,415</td> </tr> <tr> <td>6</td> <td>Air pollution control by Dust suppression</td> <td>8,27,855</td> </tr> <tr> <td>7</td> <td>World Env. Day Celebration</td> <td>25,322</td> </tr> <tr> <td>8</td> <td>Solid waste management - Eco friendly Fly ash utilization</td> <td>49,35,50,322</td> </tr> <tr> <td>9</td> <td>Water pollution control system operation & maintenance- ETP</td> <td>1,85,250</td> </tr> <tr> <td>10</td> <td>Fees Consent to operate</td> <td>20,00,000</td> </tr> <tr> <td>11</td> <td>Water pollution control system operation & maintenance- STP</td> <td>5,80,550</td> </tr> <tr> <td>12</td> <td>Air pollution control system operation & maintenance- ESP</td> <td>1,12,30,801</td> </tr> <tr> <td></td> <td>Grand Total</td> <td>81,11,77,386</td> </tr> </tbody> </table> <p>Being complied.</p>	Salipur Power Generation Company Limited			BIS Exp for the FY 2012-13			Sl.	Environmental Activities	Expenses Amount (Rs)	1	Environmental Monitoring	2,56,135	2	Ash disposal Fee & Chairs	7,13,600	3	Online Monitoring	4,15,602	4	Plantation - Digging	2,76,803	5	Green belt development	12,35,415	6	Air pollution control by Dust suppression	8,27,855	7	World Env. Day Celebration	25,322	8	Solid waste management - Eco friendly Fly ash utilization	49,35,50,322	9	Water pollution control system operation & maintenance- ETP	1,85,250	10	Fees Consent to operate	20,00,000	11	Water pollution control system operation & maintenance- STP	5,80,550	12	Air pollution control system operation & maintenance- ESP	1,12,30,801		Grand Total	81,11,77,386
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17	The project authorities shall inform the Regional Office as well as the Ministry regarding the date of financial closure and final approval of the project by the concerned authorities and the dates of start of land development work and commissioning of plant.	<p>As per submitted report the financial closure (Original) is - 24.08.2011</p> <p>Final approval of the project by the concerned authorities - MoU with Govt of UP was signed on 22.04.2010 as per statement submitted.</p> <p>As per submitted information, the date of start of land development work is 20.12.2010. Following information has been submitted by PA:</p> <p>Commissioning of plant -</p> <p>01.10.2015 (Unit I)</p> <p>08.01.2016 (Unit II)</p> <p>01.04.2016 (Unit III)</p> <p>Being complied.</p>																																																
18	Full cooperation shall be extended to the Scientists/Officers from the Ministry / Regional Office of the Ministry at Lucknow/CPCB/ SPCB who would be monitoring the compliance of	Being complied.																																																

environmental status.	
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Additional conditions as per EC amendments conditions vide letter no J-13012/118/2009-IA.II (T)
Dated 20.05.2014

S.No.	EC conditions	Compliance status
(xxix)	The source of coal has been changed from imported to domestic coal, resulting in higher generation of fly ash, there by the project proponent should ensure 100% fly ash utilization as per the Notification, 1999 and its amendments thereof. An action plan and its implementation status in compliance to the fly ash utilization shall be submitted to the Regional Office of MoEF on an annual basis.	The status of this condition has already been mentioned in previous condition.
(XXX)	The coal transportation by road shall be through tarpaulin covered trucks for a maximum period of two years and thereafter shall be only through mechanically covered trucks.	The coal is transported through Rail rakes as per submitted report. Railway track was found for the transportation of coal. Not applicable at present. However, these EC conditions are same as mentioned in the EC accorded in the year 2011.
(xxxī)	Avenue plantation of 2/3 rows all along the road shall be carried out by the project proponent at its own expenses in consultation with the State Government Authorities.	
(xxxii)	Periodic maintenance of the road shall be done by the project proponent at its own expenses and shall also facilitate the traffic control on the road in consultation with the State Government Authorities.	
(xxxiii)	Sulphur and ash contents in the domestic coal to be used in the project shall not exceed 0.5% and 33% at any given time. In case of variation of coal quality at any point of time, fresh reference shall be made to the Ministry for suitable amendments to environmental clearance condition wherever necessary.	The status of this condition has already been mentioned in the specific condition no. 33.
(xxxiv)	A long term study of radio activity and heavy metals contents on coal to be used shall be carried out through a reputed institute. Thereafter, mechanism for an in-built continuous monitoring for radio activity and heavy metals in coal and fly ash (including bottom ash) shall be put in place.	The status of this condition has already been mentioned in the specific condition no. 34.
(xxxv)	Harnessing solar power within the premises of the plant particularly at available roof tops shall be undertaken and status of implementation shall be submitted periodically to the Regional Office of the Ministry.	The status of this condition has already been mentioned in the specific condition no. 35.
(xxxvi)	Fugitive emissions shall be controlled to prevent impact on agricultural or non- agricultural land.	Fly ash silo were found equipped with pneumatic

		chute to fill the ash in the Bulklers as well as Silo area is isolated by the partition wall to control fugitive fly ash emission. Additionally, mobile water sprinklers were also deployed to suppress the occasional fugitive dust while movement of vehicles. The dust suppression and extraction equipment's are also installed to prevent the fugitive emission. Being complied.
(xxxvii)	Fly ash shall not be used for agricultural purpose. No mine void filling will be undertaken as an option for ash utilization without adequate lining of mine with suitable media such that no leachate shall take place at any point of time. In case, the option of mine void filling is to be adopted, prior detailed study of soil characteristics of the mine area shall be undertaken from an institute of repute and adequate clay lining shall be ascertained by the State Pollution Control Board and implementation done in close co-ordination with the State Pollution Control Board.	The status of this condition has already been mentioned in the specific condition no. 37.
(xxxviii)	Green belt shall also be developed around the Ash Pond over and above the Green Belt around the plant boundary.	The status of this condition has already been mentioned in the specific condition no. 38.
(xxxix)	The project proponent shall formulate a well laid Corporate Environment Policy and identify and designate responsible officers at all levels of its hierarchy for ensuring adherence to the policy and compliance with the conditions stipulated in this clearance letter and other applicable environmental laws and regulations.	The status of this condition has already been mentioned in the specific condition no. 39.
Additional conditions as per EC amendments conditions vide letter no J-13012/118/2009-IA.II (T) Dated 30.05.2016		
	The Sulphur and ash content of coal shall not exceed 0.5% and 34% respectively. In case of variation of quality at any point of time, fresh reference shall be made to the Ministry for suitable amendments to the environmental clearance.	The status of this condition has already been mentioned in previous condition.
	The transportation of coal shall be by Rail to the extent feasible. If road transportation of coal from Pit-Head to Railway Siding is unavoidable, the same shall be through mechanically covered trucks to the extent feasible, else through tarpaulin covered trucks.	The status of this condition has already been mentioned in previous condition.
	Avenue plantation of 2/3 rows all along the road shall be carried out by the project proponent at its own	The status of this condition

	expenses in consultation with the State Government.	has already been mentioned in previous condition.
	Periodic maintenance of the road shall be done by the project proponent at its own expenses and shall also facilitate the traffic control on the road in consultation with the State Government Authorities.	The status of this condition has already been mentioned in previous condition.
	The specific condition no. (xxvii) of the EC shall be amended as, "An amount of Rs.49.10 crores shall be earmarked as one time capital cost for CSR programme as committed by the project proponent. Subsequently, the recurring expenditure shall be as per the CSR policy of Gol. Details of the activities to be undertaken in this regard shall be submitted along with the six monthly compliance reports".	The status of this condition has already been mentioned in previous condition.

Complaint:

1. Complaining about damage to the agricultural crops by fly ash dust emission from 3X660 MW Thermal Power plant established in the year 2015 in the area of village Mirchwara and Burogaon in District Lalitpur, Uttar Pradesh. The applicant has submitted that dust emission from the fly ash dumps of the plant is causing serious health hazards to local \ residents and stray animals due to air pollution.

Observations:

Considering the complaint raised the area was visited to verify the factual status of the village of Mirchwara and village Buregaon, post Buregaon, under the block Bar and Tahseel Mehrauni, Lalitpur, and discussed the matter related to impact of air pollution on their health as well as on their cattle, and stray animals due to air pollution. List of the villagers with their opinion are tabulated as under for reference. However, the medical certificate of Chief Veterinary Officer of lalitpur has submitted by PA indicating that in the past years, no information has been received about any disease in pet animals or any adverse effect on the health of animals due to the waste product ash etc. released from Lalitpur Power Generation Company Limited.

Following information were collected from villagers of Mirchwara & Buregaon:

S.N.	Name of village	Resident name & occupation	Health status of the resident due to TPP	Health status of the animals	Status of crop due to TPP

Health Status of the stray animals due to air pollution:

As per submitted document indicating that "no side impact noticed on the stray animals due to environment". The submitted documents are as follows:

अभिलेख पत्र

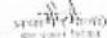
(अधोहराजदारी पर कक्षा करता है कि छात्र-बुरोडोन
मिर्चकारा निकास रकड बाप, जानपद लखिमपुर इन्वर्षित है जो कि
एक सुक डोल है-अधोपर सिर्फ एक रवि फराल
की प्रयुक्त से उगायी जाती है जोध समय काल मे
कोत रकनी बतले है, पढों डोल की परम्परा के अनुसार
फराल सेतो मे न होने से, काल पशु सामान्यतया
हुहा रहते है, तथा बास इत्यादि-कर कर अपभारित
करते है पशुओ पर पढों के कालपरण का कोई भी
प्रतिकूल प्रभाव नहीं पड़ता सभी पशु कर्कराज
इत्यादि पूर्ण रूप से स्वस्थ है।

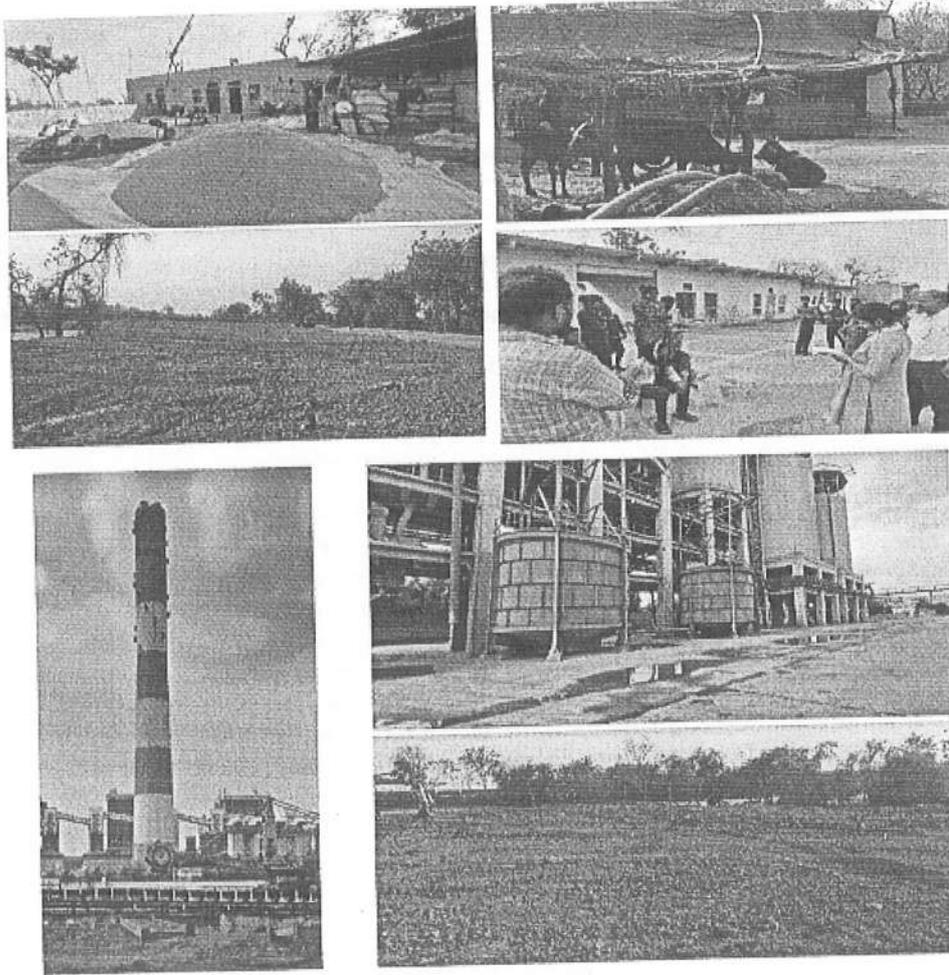
कोर - बुरोड की फराल इस डोल
मे लकडि के अरोसे पर लेती
है।


12.11.2014

प्रमाण पत्र

अधोहराजदारी पर कक्षा करता है कि छात्र
मिर्चकारा निकास रकड बाप, जानपद लखिमपुर मे
भावस्थित है जो कि एक सुक डोल है पढों पर
सिर्फ एक रवि फराल की प्रयुक्त से उगायी जाती है
जोध समय काल मे कोत रकनी रहते है पढों
डोल की परम्परा के अनुसार फराल सेतो मे न
होने के कारण पशु सामान्यतया हुहा रहते है
तथा बास इत्यादि-कर कर अपभारित करते है।
पशुओ पर पढों के कालपरण का कोई भी प्रतिकूल
प्रभाव नहीं पड़ता है सभी पशु कर्कराज इत्यादि
पूर्ण रूप से स्वस्थ रहते है।


12.11.2014



Site photographs

समय
14.05.24
(डा० श्रीमंती सत्या)
अति. निदे. / वै.-ई

Details of CSR Interventions carried out under LPGCL CSR in Lalitpur (U.P.)
Year wise CSR Expenditure (FY 2018-19 to 2022-23)

SN	Budget head	FY 2018-2019	FY 2019-2020	FY 2020-2021	FY 2021-2022	FY 2022-23	Cummulative Expenses (Rs.)	Activities	Villages Benefitted
1	Water Resources Development	1,374,759.00	464,400	751,698	3,991,914	15,365,740	21,948,511	Construction of Check dams, River/Stream Revival, Construction of Group walls, Borri bendh Installation, Group Diesel Engine Support, Abandoned Mines	Burogaon, Mirchawara, Surikala, Udaipura, Semra bhagnagar
2	Sustainable Agriculture Development	501,136.00		636,000	836,741	775,133	2,729,011	Seed Support, Kisan Pathshala, Fruit Plantation, Drum Support	Burogaon, Mirchawara, Surikala, Udaipura, Semra bhagnagar
3	Women Empowerment				126,187	364,060	490,247	Support to poor families for setting up small Income Generating Activity, Kitchen Garden Support	Burogaon, Mirchawara, Surikala, Udaipura, Semra bhagnagar
4	Infrastructure Development/Health & Sanitation	6,357,051	8,681,00	2,530,767	3,614,920	3,584,122	16,095,741	Construction of Karak Ghat, Renovation of Schools, Renovation of Temple, Construction of Crematorium, Toilet Construction through Lalitpur District Administration, Gausihala Construction Support through Lalitpur District Administration, School Disinfection support through Lalitpur District Administration, Health ATM establishment at CHC Baar, Mobile Dispensary, Water Supply Support, Pity Ground Development,	Burogaon, Mirchawara, Surikala, Udaipura, Semra bhagnagar
5	Community Mobilization	67,248		19,538	37,452	156,748	280,986	Trainings, Capacity building, Exposure Visits	Burogaon, Mirchawara, Surikala, Udaipura, Semra bhagnagar
6	Management Cost	1,651,646	1,290,389	1,335,854.00	2,772,764	4,388,210	11,429,902		
7	CSR Expenditure under Ward Project	4522959.7	7264790.33	8506299.44	12875352.1	986610.88	34156012.45	Fruit Plantation, Soil & Water Conservation interventions, Orchard Management, Nutrition, Plant Protection, Diesel Engine Support, Intercropping Support, Support to landless families, Micro Irrigation etc	Total 27 villages benefited (Chakora, Poorapichori, Banpur, Daroni, Sunwaha, Billa, Gangcheri, Banoni, Kailani, Chandawali, Marroli, Bamorishahna, Burogaon, Barodadang, Mathuradang, Semradang, Pulwara, Karmaj, Paron, Mayao, Mogan, Badokhara, Poorachankuwa, Peh, Ladwari, Bhalton subah, Dellwara)
	Total	14,474,800	9,028,460	13,770,196	24,235,931	25,621,623	87,130,410		



भारत सरकार
Government of India
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest & Climate Change
केन्द्रीय कार्यालय, लखनऊ
Regional Office, Lucknow



केन्द्रीय भवन, ग्यारवां तल, सेक्टर एच, अलीगंज, लखनऊ-226024
Kendriya Bhawan, 11th Floor, Sector H, Aliganj, Lucknow-226024, Phone No : 0522-2326696
Email : roc2.lko-mef@nic.in

F.No. IV/ENV/UP/TH-43//324/2011 | 9 |

Dated: 14.05.2024

To,

The President (Env.)
M/s Lalitpur Power Generation Co.,
Bajaj Bhawan, B-10, Sector-3,
Noida-210301, UP

Sub.: 3 x 660 MW Coal based thermal power plant at village Mirchwara & Buraugaon, Tehsil-
Mahroli, Distt. Lalitpur. - Environmental clearance - regarding.

Ref.: EC letter No.: J-13012/118/2009-IA. II(T) Dated: 31-03-2011

Sir,

I am directed to inform you that the above project site was visited by undersigned in April, 2024 to review the status of implementation of environmental safeguard stipulated in the environmental clearance letter as in compliance to the directions given by MoEF&CC, New Delhi. While preparing the MR, following non-compliances have been noticed for which details/clarification/action taken report is required.

According to the submitted report, the amount of ash is higher than the prescribed limit (SC-33). Therefore, the PA is requested to take corrective measures to control the generation of high ash content and submit the action taken report to this RO within 15 days of the receipt of this letter for review and for future monitoring of the project.

Sincerely'

(Dr. Mrs. Satya) 14-05-24

Additional Director/Scientist-E

Copy for information to:

1. Director, Monitoring Cell, IA Division, Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi - 110003.
2. Director, IA II (T), Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi - 110003.

(Dr. Mrs. Satya) 14-05-24

Additional Director/Scientist-E

ANNEXURE-8

Ref: LPGCL/MoEF/Obs-rep/24

Dated: 15.05.2024

To,
Dr. Mrs. Satya,
Additional Director, MoEF & CC
 Integrated Regional Office, Lucknow
 Kendriya Bhawan, 5th Floor, Sector- H,
 Aliganj, Lucknow-226024

Sub: Regarding 3x660 MW coal based thermal power plant, village Mirchwara, Lalitpur.

Reference: Monitoring report vide mail dated 15.05.2024 from your good office vide no. J-13012/118/2009-IA.II(T) Dated 31.03.2011;

Dear Madam,

This is with reference to the letter issued from your good office vide mail dated 15.05.2024, advising us to take corrective measures and submit the Action taken report on S.C no. 33 of Environmental Clearance issued to LPGCL as follows.

“According to the submitted report, the amount of ash is higher than the prescribed limit (SC-33). Therefore, the PA is requested to take corrective measures to control the generation of high ash content and submit the action taken report to this RO within 15 days of the receipt of this letter for review and further monitoring of the project.”

We are submitting herewith the compliance status to the referred condition # 33 as follows:

- We would like to refer the MoEF&CC's notification issued vide S.O. 1561 (E) dated 21.5.2020 mentioning that:
 - **“Use of coal by Thermal Power Plants, without stipulations as regards ash content or distance, shall be permitted”** subject to certain conditions related to the PM emission and ash management and coal transportation, all of them are being complied by the LPGCL.
 - As per para 4 of the aforementioned notification, “This shall also be deemed to be additional conditions of the relevant Environmental Clearances for respective projects for financial year 2020-21 and onwards. The existing Environmental

Clearances shall stand modified so as to make the above conditions operative for relevant sectors.” Copy of this notification is attached as annexure-1 for your kind perusal please.

- We would also like to bring to your kind notice an Office Memorandum vide no. F.No.J-13012/8/2009-IA.II (T) dated 11th November 2020 issued by the MoEF &CC and as amended thereafter, where ministry has set the procedure for all Thermal Power Plants having the Environmental clearance can change the coal source without seeking the amendment in Environmental Clearance, and thereby making earlier conditions in the EC regarding coal source redundant. Copy of Memorandum is attached as annexure-2 to for your reference.

In view of above, the condition of using coal with <34% of ash is now waived off and as a part of auto amendment, this waiver / amendment is now part of the Environmental Clearance issued to LPGCL.

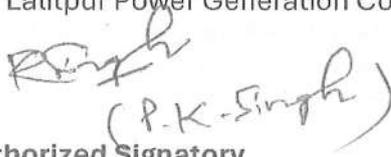
Here we reassure you that we are firmly complying with all the EC conditions and operating our plant as per the guidelines and protocols.

We would also like to submit that we are sincere to our environment and very much conscious of our social responsibilities for the protection of the environment and committed towards creating a clean and safe environment in and around our Power Plant.

Thanking You

Yours Sincerely

For Lalitpur Power Generation Company Ltd.


Authorized Signatory

रजिस्ट्री सं० डी० एल०-33004/99

ANNEXURE-9
REGD. NO. D. L.-33004/99


भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 02]	नई दिल्ली, बृहस्पतिवार, जनवरी 2, 2014/पौष 12, 1935
No. 02]	NEW DELHI, THURSDAY, JANUARY 2, 2014/PAUSHA 12, 1935

पर्यावरण और वन मंत्रालय

अधिसूचना

नई दिल्ली, 2 जनवरी, 2014

सा.का.नि. 02(अ).—केन्द्रीय सरकार ने, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के साथ पठित पर्यावरण संरक्षण अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (2) और धारा 25 का प्रयोग करते हुए, पर्यावरण (संरक्षण) नियम, 1986 का और संशोधन करने के लिए भारत के राजपत्र, असाधारण में सं. सा.का.नि. 552(अ), तारीख 11 जुलाई, 2012 द्वारा सभी व्यक्तियों तथा संगठनों की जानकारी के लिए जिनके उनसे प्रभावित होने की संभावना थी, प्रारूप नियम प्रकाशित किए थे और यह सूचना दी थी कि उक्त प्रारूप नियमों पर उस तारीख से जिसको राजपत्र की प्रतियां, जिसमें सूचना प्रकाशित की जाती है, जनता को उपलब्ध करा दी जाती हैं, साठ दिनों की अवधि की समाप्ति के पश्चात् विचार किया जाएगा;

और जनता को उक्त राजपत्र की प्रतियां 31 जुलाई, 2012 को उपलब्ध करा दी गई थी;

और केन्द्रीय सरकार द्वारा उपर वर्णित प्रारूप नियमों पर प्राप्त सुझावों या आक्षेपों पर सम्यक्तः विचार किया गया है;

अतः अब केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के साथ पठित पर्यावरण संरक्षण अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (2), धारा 6 और धारा 25 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, पर्यावरण (संरक्षण) नियम, 1986 का और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात् :—

1. (1) इन नियमों का संक्षिप्त नाम पर्यावरण (संरक्षण) संशोधन नियम, 2014 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. पर्यावरण (संरक्षण) अधिनियम, 1986 में, नियम 3 के उप-नियम (8) के स्थान पर निम्नलिखित उप-नियम रखा जाएगा, अर्थात् :—

“(g) इसमें नीचे विनिर्दिष्ट तारीख से निम्नलिखित कोयला आधारित ताप ऊर्जा संयंत्र त्रैमासिक औसत आधार पर कच्चा अथवा मिश्रित अथवा सज्जीकृत कोयले का जिसमें भष्म अंतर्वस्तु 34% से अनधिक हो, उपयोग करेंगे, अर्थात् :—

- (क) एकल ताप विद्युत संयंत्र (किसी भी क्षमता का) या 100 मेगावाट या अधिक प्रतिष्ठापित क्षमता का या उससे अधिक क्षमता का प्रतिष्ठापित कैप्टिव ताप विद्युत संयंत्र जो गर्तमुख से 1000 किलोमीटर से अधिक दूरी पर या किसी शहरी क्षेत्र या किसी पारिस्थितिकीय रूप से संवेदनशील क्षेत्र में या गंभीर रूप से प्रदूषित औद्योगिक क्षेत्र में आवस्थित है, गर्तमुख से उसकी दूरी पर ध्यान दिए बिना सिवाय किसी गर्तमुख विद्युत संयंत्र के, तुरंत प्रभाव से;
- (ख) एकल ताप विद्युत संयंत्र (किसी भी क्षमता का) या 100 मेगावाट या उससे अधिक प्रतिष्ठापित क्षमता का कैप्टिव ताप विद्युत संयंत्र जो गर्तमुख से 750-1000 किलोमीटर के बीच की दूरी पर अवस्थित है, 1 जनवरी, 2015 से;
- (ग) एकल ताप ऊर्जा संयंत्र (किसी भी क्षमता का) या 100 मेगावाट या उससे अधिक प्रतिष्ठापित क्षमता का कैप्टिव ताप विद्युत संयंत्र जो गर्तमुख से 500-749 किलोमीटर के बीच की दूरी पर अवस्थित है, 5 जून, 2016 से;

परंतु यह कि ऐसे किसी ताप ऊर्जा संयंत्र के संबंध में, जो परिसंचारी तरल-तर दहन या वायुमंडलीय तरल-तर दहन या संपीड़ित द्रवित तरल-तर दहन या समाकलित गैसीकरण संयुक्त आवर्तन चक्र प्रौद्योगिकियों का या ऐसी कोई स्वच्छ प्रौद्योगिकियों का, जो केन्द्रीय सरकार द्वारा राजपत्र में अधिसूचित की जाएं, प्रयोग कर रहा है, खंड (क), (ख) और (ग) लागू नहीं होंगे।

स्पष्टीकरण :— इस नियम के प्रयोजन के लिए,—

- (i) ‘सज्जीकृत कोयला’ से ऐसा कोयला अभिप्रेत है जिसमें उच्चतर कैलोरी मान अंतर्विष्ट है किंतु भौतिक पृथक्करण या धोवन प्रक्रिया के माध्यम से अभिप्राप्त कच्चे कोयले में अंतर्विष्ट मूल भष्म से निम्नतर भष्म अंतर्विष्ट है;
- (ii) ‘कैप्टिव ताप ऊर्जा संयंत्र’ से ऐसा ताप ऊर्जा संयंत्र अभिप्रेत है जो किसी उद्योग द्वारा उसके अनन्य उपयोग के लिए विद्युत सृजन के लिए स्थापित किया गया है;
- (iii) ‘अत्यधिक प्रदूषित औद्योगिक क्षेत्र’ से ऐसा औद्योगिक समूह या क्षेत्र अभिप्रेत है, जहां प्रदूषण गंभीर स्तर पर पहुंच चुका है या पहुंच जाने की संभावना है और जिसकी केन्द्रीय सरकार या राज्य सरकार या केन्द्रीय प्रदूषण नियंत्रण बोर्ड या राज्य प्रदूषण नियंत्रण बोर्ड द्वारा ऐसे क्षेत्र के रूप में पहचान की जा चुकी है;
- (iv) ‘पारिस्थितिकीय रूप से संवेदनशील क्षेत्र’ से, ऐसा क्षेत्र अभिप्रेत है, जहां पारिस्थितिकीय संतुलन आसानी से विक्षुब्ध होने की संभावना है और जिसकी केन्द्रीय सरकार द्वारा पहचान की गई है और उसे अधिसूचित किया गया है;
- (v) ‘प्रतिष्ठापित क्षमता’ की संगणना किसी सीमा के भीतर सभी इकाइयों की व्यक्तिगत क्षमता को जोड़कर की जाएगी;
- (vi) ‘गर्तमुख विद्युत संयंत्र’ से कोई कैप्टिव या एकल विद्युत केन्द्र अभिप्रेत है जिसका खनन क्षेत्र से लदाई बिन्दु तक विद्युत केन्द्र में सामान्य लोक परिवहन प्रणाली का उपयोग किए बिना विद्युत केन्द्र में कोयले के परिवहन के लिए उसके अनन्य उपयोग के लिए कैप्टिव परिवहन प्रणाली है;
- (vii) ‘एकल ताप विद्युत संयंत्र’ से ऐसा विद्युत संयंत्र अभिप्रेत है जिसकी स्थापना विद्युत ग्रिड में विद्युत आपूर्ति के लिए विद्युत के सृजन के लिए या उन अवस्थानों पर जिन्हें विद्युत वितरण प्रणाली के साथ सुसज्जित नहीं किया गया है, विद्युत आपूर्ति के लिए की गई है; और
- (viii) ‘शहरी क्षेत्र’ से ऐसे शहर की क्षेत्र सीमा अभिप्रेत जिसकी जनसंख्या नवीनतम जनगणना के अनुसार दस लाख से अधिक हो।”

[फा. सं. क्यू-15017/11/2011-सी.पी.डब्ल्यू.]

सुशील कुमार, अपर सचिव

टिप्पण.—मूल नियम भारत के राजपत्र में सं. का. आ. 844(अ), तारीख 19 नवम्बर, 1986 द्वारा प्रकाशित किए गए थे और पश्चात्तर्ती संशोधन सं. का.आ. 82(अ), तारीख 16 फरवरी, 1987; का.आ. 64(अ), तारीख 18 जनवरी, 1988;

सा.का.नि., 931(अ), तारीख 27 अक्टूबर, 1989; का.आ. 23 (अ), तारीख 16 जनवरी, 1991; सा.का.नि. 95(अ), तारीख 12 फरवरी, 1992; सा.का.नि. 329(अ), तारीख 13 मार्च, 1992; सा.का.नि. 562(अ), तारीख 27 मई, 1992; सा.का. नि. 884(अ), तारीख 20 नवम्बर, 1992; सा.का.नि. 386(अ), तारीख 22 अप्रैल, 1993; सा.का.नि. 422(अ), तारीख 19 मई, 1993; सा.का.नि. 801(अ), तारीख 31 दिसंबर, 1993; सा.का.नि. 320(अ), तारीख 16 मार्च, 1994; सा.का.नि. 560(अ), तारीख 19 सितंबर, 1997; सा.का.नि. 378(अ), तारीख 30 जून, 1998; सा.का.नि. 07(अ), तारीख 22 दिसंबर, 1998; सा.का.नि. 407(अ), तारीख 31 मई, 2001; और सा.का.नि. 826(अ), तारीख 16 नवंबर, 2009 और सा.का.नि. 513(अ), तारीख 28 जून, 2012 द्वारा किए गए।

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 2nd January, 2014

G.S.R. 02(E).—Whereas the Central Government had, in exercise of its powers under sub-section (2) of Section 3 and Section 25 of the Environment (Protection) Act, 1986 (29 of 1986), read with rule 5 of the Environment (Protection) Rules, 1986, published draft rules further to amend the Environment (Protection) Rules, 1986, in the Gazette of India, Extraordinary, *vide* number G.S.R. 552(E), dated 11th July, 2012 for information of all persons and organizations likely to be affected thereby; and notice was given that the said draft rules would be taken into consideration by the Central Government on or after the expiry of a period of sixty days from the date on which copies of the Gazette containing this notification are made available to the public;

And whereas, the copies of the said Gazette notification were made available to the public on the 31st July, 2012;

And whereas, the suggestions or objections received in response to the above mentioned draft rules have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by Section 3, Section 6 and Section 25 of the Environment (Protection) Act, 1986 (29 of 1986) read with rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following rules further to amend the Environment (Protection) Rules, 1986, namely :—

1. (1) These rules may be called the Environment (Protection) Amendment Rules, 2014.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Environment (Protection) Rules, 1986, in rule 3, for sub-rule (8), the following sub-rule shall be substituted, namely :—

“(8) With effect from the date specified hereunder, the following coal based thermal power plants shall be supplied with, and shall use, raw or blended or beneficiated coal with ash content not exceeding thirty-four per cent, on quarterly average basis, namely :—

- a stand-alone thermal power plant (of any capacity), or a captive thermal power plant of installed capacity of 100 MW or above, located beyond 1000 kilometres from the pit-head or, in an urban area or an ecologically sensitive area or a critically polluted industrial area, irrespective of its distance from the pit-head, except a pit-head power plant, with immediate effect;
- a stand-alone thermal power plant (of any capacity), or a captive thermal power plant of installed capacity of 100 MW or above, located between 750 – 1000 kilometres from the pit-head, with effect from the 1st day of January, 2015;
- a stand-alone thermal power plant (of any capacity), or a captive thermal power plant of installed capacity of 100 MW or above, located between 500-749 kilometres from the pit-head, with effect from the 5th day of June, 2016:

Provided that in respect of a thermal power plant using Circulating Fluidised Bed Combustion or Atmosphere Fluidised Bed Combustion or Pressurized Fluidised Bed Combustion or Integrated Gasification Combined Cycle technologies or any other clean technologies as may be notified by the Central Government in the Official Gazette, the provisions of clauses (a), (b) and (c) shall not be applicable.

Explanation: For the purpose of this rule,—

- (i) 'beneficiated coal' means coal containing higher calorific value but lower ash than the original ash content in the raw coal obtained through physical separation or washing process;
- (ii) 'captive thermal power plant' means a power plant which is set up by an industry to generate electricity for its exclusive use;
- (iii) 'critically polluted industrial area' means an industrial cluster or area where pollution levels have reached or likely to reach critical level, and has been identified as such by the Central Government or the State Government or the Central Pollution Control Board or a State Pollution Control Board;
- (iv) 'ecologically sensitive area' means an area whose ecological balance is prone to be easily disturbed and has been identified and notified by the Central Government;
- (v) 'installed capacity' shall be calculated by adding, individual capacity of all units within a boundary;
- (vi) 'pit-head power plant' means any captive or stand-alone power station having captive transportation system for its exclusive use for transportation of coal from the loading point at the mining end, up to the uploading point at the power station without using the normal public transportation system;
- (vii) 'stand-alone thermal power plant' means a power plant which is set up to generate electricity for feeding to electricity grid or for locations that are not fitted with an electricity distribution system; and
- (viii) 'urban area' means an area limit of a city having a population of more than one million according to the last census. "

[F. No. Q-15017/11/2011-CPW]

SUSHEEL KUMAR, Addl. Secy.

Note:—The Principal rules were published in the Gazette of India *vide* number S.O. 844(E), dated the 19th November, 1986 and subsequently amended *vide* numbers S.O. 82(E), dated 16th February, 1987; S.O. 64(E), dated 18th January, 1988; G.S.R. 931(E), dated 27th October, 1989; S.O. 23(E), dated 16th January, 1991; G.S.R. 95(E), dated 12th February, 1992; G.S.R. 329(E), dated 13th March, 1992; G.S.R. 562(E), dated 27th May, 1992; G.S.R. 884(E), dated 20th November, 1992; G.S.R. 386(E), dated 22nd April, 1993; G.S.R. 422(E), dated 19th May, 1993; G.S.R. 801(E), dated 31st December, 1993; G.S.R. 320(E), dated 16th March, 1994; G.S.R. 560(E), dated 19th September, 1997; G.S.R. 378(E), dated 30th June, 1998; G.S.R. 7(E), dated 22nd December, 1998; G.S.R. 407(E), dated 31st May, 2001; G.S.R. 826(E), dated 16th November, 2009 and G.S.R. 513(E), dated 28th June, 2012.



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अधिसूचना

नई दिल्ली, 21 मई, 2020

का.आ. 1561(अ).—जबकि केन्द्रीय सरकार ने पर्यावरण (संरक्षण) नियमावली, 1986 के नियम 5 के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3, धारा 6 और धारा 25 के तहत अपनी शक्तियों का प्रयोग करते हुए, ऐश सामग्री (ऐश कंटेंट) को 34% तक की सीमा सहित कोयले का उपयोग करने के लिए ताप विद्युत संयंत्रों की कतिपय श्रेणियों को अधिदेशित करते हुए भारत के राजपत्र, असाधारण में सा.का.नि. 02 (अ), तारीख 2 जनवरी, 2014 द्वारा पर्यावरण (संरक्षण) नियमावली, 1986 के नियम 3 के उपनियम 8 का संशोधन प्रकाशित किया।

और जबकि सा.का.नि. 02 (अ), तारीख 2 जनवरी, 2014 द्वारा उक्त अधिसूचना द्वारा निम्नलिखित समय-सीमा तक कच्चे अथवा मिश्रित अथवा लाभकारी कोयले (बेनिफिसिएटिड कोल), जिसमें ऐश सामग्री चौंतीस प्रतिशत (34%) से अधिक ना हो, का उपयोग करने के लिए त्रैमासिक आधार पर कोयला आधारित ताप विद्युत संयंत्रों को अधिदेशित किया गया है :

क्रम सं.	विद्युत संयंत्र की श्रेणी	गर्तमुख(पिट-हैड)/कोयला खान से ताप विद्युत संयंत्र के अवस्थान की दूरी	समय-सीमा
(क)	एकल ताप विद्युत संयंत्र (किसी भी क्षमता के) और कैप्टिव ताप विद्युत संयंत्र (100 मेगावाट और अधिक क्षमता सहित)	गर्तमुख विद्युत संयंत्रों को छोड़कर गर्तमुख से दूरी पर ध्यान दिए बिना शहरी क्षेत्रों, या परिस्थितिकीय रूप से संवेदनशील क्षेत्रों या अत्यधिक प्रदूषित क्षेत्रों में अवस्थित	2 जून, 2014 से प्रभावी।
(ख)		1000 किमी से अधिक दूर	2 जून, 2014 से प्रभावी।
(ग)		750-1000 किमी के बीच	1 जनवरी, 2015 से प्रभावी।
(घ)		500-749 किमी के बीच	5 जून, 2016 से प्रभावी।

और जबकि, केंद्रीय सरकार ने पर्यावरण (संरक्षण) नियमावली के नियम 5 के उप-नियम (3) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 6 और धारा 25 के अधीन अपनी शक्तियों का प्रयोग करते हुए भारत के राजपत्र, असाधारण में स.का.आ. 3305 (अ), तारीख 7 दिसंबर, 2015 और सा.का.नि.593 (अ), तारीख 28 जून, 2018 द्वारा विद्युत उत्पादन की क्षमता और विद्युत संयंत्र की संस्थापना की तारीख और समय-बद्ध रीति से प्राप्त किए जाने के आधार पर ताप विद्युत संयंत्रों की विभिन्न श्रेणियों के लिए उत्सर्जन मानकों और विनिर्दिष्ट जल उपभोग को प्रकाशित किया था।

और जबकि, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय ने विद्युत मंत्रालय द्वारा दिनांक 13 अक्टूबर, 2017 को प्रस्तुत की गई यथा संशोधित योजना के अनुसार विभिन्न ताप विद्युत संयंत्रों को वर्ष 2022 तक प्रदूषण नियंत्रण उपकरण संस्थापित करने के लिए पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 5 के तहत निर्देश जारी करने के लिए केंद्रीय प्रदूषण नियंत्रण बोर्ड को दिनांक 7 दिसंबर, 2017 के फा.सं. क्यू-15017/40/2007-सीपीडब्ल्यू द्वारा निदेश दिए।

और जबकि, विद्युत मंत्रालय ने अन्य बातों के साथ-साथ यह अभ्यावेदन किया है कि प्रदूषण नियंत्रण प्रौद्योगिकियों के उन्नत होने के साथ ही ताप विद्युत संयंत्र दहन प्रक्रिया से उत्पन्न फ्लाई-ऐश का पता लगाने में बेहतर उपकरणों से सुसज्जित हुए हैं और बिना धुला कोयला अधिक कुशलता और मितव्ययता से प्रयोग किया जा सकता है; ताप विद्युत संयंत्रों को राख अवयवों की विभिन्न किस्मों के साथ कोयले के लिए डिजाइन किया गया है और इनमें सूखी राख (ड्राई ऐश) निकालने, उसका रखरखाव करने और राख के उपयोग के लिए आपूर्ति प्रणालियों को उपलब्ध कराया गया है; धुले कोयले के उपयोग से बिजली उत्पादन महंगा हो जाता है; ताप विद्युत संयंत्रों में उत्पन्न फ्लाई-ऐश सीमेंट निर्माण, ईंटें बनाने, सड़क बिछाने, खनन के उपरांत रिक्त हुए स्थलों और निचले क्षेत्रों को भरने के लिए बैक-फिल सामग्री जैसे कई लाभकारी उपयोगों के लिए प्रयोग की जा रही है; औसतन ऐश की मात्रा 34% तक बनाए रखने की आवश्यकता उद्योगों को कोयले का आयात करने के लिए प्रेरित करती है जिससे विदेशी मुद्रा इत्यादि का बहिर्वाह (आऊटफ्लो) होता है।

और जबकि, कोयला मंत्रालय ने अन्य बातों के साथ-साथ अभ्यावेदन किया है कि कोयला खानों वर्षों से कच्चे कोयले की गुणवत्ता, आकार और बाहरी सामग्री में सुधार के लिए निरंतर कड़े प्रयास कर रही हैं जिससे सभी संबंधित उपकरणों की टूट-फूट में उल्लेखनीय कमी आई है, कोयला धुलाई प्रक्रिया में कई प्रकार का रखरखाव होता है और कोयला खानों से धुलाई-स्थलों (वाशरीज़) तक कोयले की बड़ी मात्रा को सड़क द्वारा ले जाने और फिर आगे

विद्युत संयंत्रों तक ले जाने के लिए रेल साइडिंग तक ले जाने से बचना; धुलाई की प्रक्रिया केवल कोयले को धुले हुए कोयले और वाशरी अवशिष्ट में बॉटती है जबकि खनित कोयले की राख की मात्रा वही रहती है; निम्न श्रेणी कोयला वाशरी अवशिष्ट कई छोटे उपयोगकर्ता उद्योगों में, अधिक प्रदूषण आदि सृजित करते हैं।

और जबकि, कोयला मंत्रालय और विद्युत मंत्रालय ने इसलिए अनुरोध किया है कि दिनांक 2 जनवरी, 2014 की अधिसूचना पर पुनः विचार द्वारा, विद्युत संयंत्रों को धुले हुए कोयले के प्रयोग के लिए अधिदेशित करने पर गौर किया जाना अपेक्षित है जिससे पर्यावरण पर प्रतिकूल प्रभाव डाले बिना कोयले की लंबी दूरी की धुलाई के लिए बिजली के उत्पादन में आसानी होगी।

और जबकि, नीति आयोग ने अपनी रिपोर्ट में वाशरीज, कोयला खनन, परिवहन और विद्युत संयंत्रों में कोयले की खपत की दृष्टि से इस विषय का विश्लेषण करने के बाद अन्य बातों के साथ-साथ संक्षिप्त में यह अभ्यावेदन किया है कि समीपवर्ती उद्योगों में वाशरी अवशिष्ट का इस्तेमाल अधिक प्रदूषण पैदा करता है; चूंकि वाशरी अवशिष्ट अनेक छोटे उद्योगों में वितरित होते हैं, इसलिए विद्युत संयंत्र पर उत्पन्न प्रदूषण की तुलना में अनेक स्थलों पर उत्पन्न प्रदूषण को नियंत्रित करना अधिक कठिन होता है; धुलाई प्रक्रिया में उत्पन्न राख (ऐश) कोयला कणों के साथ-साथ पानी को भी प्रदूषित करती है और इसका लाभकारी उपयोग नहीं किया जा सकता, कोयला धुलाई प्रक्रिया में पानी का अधिक प्रयोग होता है, अपशिष्ट सृजन होता है; वाशरी अवशिष्ट के निपटान का पर्यावरण पर प्रतिकूल प्रभाव होता है क्योंकि इसमें बड़ी मात्रा में निम्न श्रेणी कोयला अवशिष्ट, तरल अपशिष्ट प्रवाह, कोयला भण्डारण, कोयला मिट्टी का रखरखाव, अपवाह और उड़ने वाली धूल का रखरखाव और निपटान करना होता है, कोयला धुलाई का स्थलाकृति, जल निकास स्वरूप और गुणवत्ता, जल निकायों, बड़े पैमाने पर प्रतिवेशी वायु गुणवत्ता पर भी प्रतिकूल प्रभाव पड़ता है; धुलाई प्रक्रिया से विद्युत उत्पादन की लागत में भी वृद्धि होती है जिसका कोई पर्यावरणीय लाभ इत्यादि भी नहीं होता।

और जबकि, नीति आयोग ने इसलिए सिफारिश की है कि पर्यावरणीय और प्रदूषण मानकों का निर्धारण करना और उन्हें लागू करना विवेकपूर्ण होगा, जिन्हें कोयले में ऐश की मात्रा प्रतिबंधित किए जाने के बजाए, परिवहन दूरी के आधार पर विद्युत उत्पादकों के साथ जोड़ा जाना चाहिए।

और जबकि, पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय ऊर्जा मंत्रालय, कोयला मंत्रालय के अभ्यावेदनों, नीति आयोग और कई हितधारकों की रिपोर्ट पर विवेचन करने तथा सावधानीपूर्वक विचार करने के बाद एवं जनहित में निम्नलिखित निष्कर्ष पर पहुंचा है—

- i) खनित कोयले में ऐश सामग्री की मात्रा समान रहती है। वाशरी से ऐश सामग्री दो स्थानों (वाशरी और विद्युत संयंत्र) में विभाजित हो जाती है जबकि बिना धुला कोयला विद्युत संयंत्र में प्रयोग किया जाता है, ऐश सामग्री का निपटान केवल एक स्थान अर्थात् विद्युत संयंत्र में किया जाता है;
- ii) ताप विद्युत संयंत्र प्रदूषण नियंत्रण, ऐश प्रबंधन के लिए तकनीकी रूप से सुसज्जित होते हैं क्योंकि उनमें फ्लाइ-ऐश का निराकरण करने के लिए उच्च क्षमता वाले उपकरण होते हैं, ड्राई ऐश निष्क्रमण और हैंडलिंग सिस्टम, ऐश उपयोग के लिए सप्लाय सिस्टम और फ्लू गैसों को तितर-बितर करने के लिए बड़े टाल (स्टैक) होते हैं;
- iii) पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय ने उत्सर्जन मानक अधिसूचित किए हैं जिनमें क्रमशः ताप विद्युत संयंत्रों को समयबद्ध रीति से इन मानकों का पालन करने के लिए अधिदेशित किया गया है;

और जबकि, फ्लाई ऐश प्रबंधन और विभिन्न स्तरों पर बिना धुले कोयले के संसाधन के दौरान उत्पन्न अन्य संबंधित पर्यावरणीय पहलुओं सहित बिना धुले कोयले की हैंडलिंग के लिए यथासंभव उत्कृष्ट कार्यवाही को अपनाना समयोचित है।

और जबकि, कोयला मंत्रालय ने अभ्यावेदन किया है कि मौजूदा अप्रत्याशित कोविड-19 महामारी और इसके फलस्वरूप देश में ऊर्जा उत्पादन के लिए कोयला क्षेत्र की मांग को प्रोत्साहित कर घरेलू कोयले के उपयोग की तत्काल आवश्यकता को देखते हुए यह वांछनीय है कि तत्काल अधिसूचना जारी की जाए।

अब, इसलिए, केंद्रीय सरकार पर्यावरण (संरक्षण) नियमावली, 1986 के नियम 5 के उपनियम (4) के साथ पठित पर्यावरण संरक्षण अधिनियम, 1986 (1986 का 29) की धारा 3, धारा 6 और धारा 25 के तहत अपनी शक्तियों का प्रयोग करते हुए, उक्त नियमावली के नियम 5 के उपनियम (3) के भाग (अ) के तहत सूचना देने की अनिवार्यता को हटा देने के उपरांत जनहित में पर्यावरण (संरक्षण) नियमावली, 1986 को आगे संशोधित करते हुए एतद्वारा निम्नलिखित नियम बनाती है, अर्थात्:

1. (1) इन नियमों को पर्यावरण (संरक्षण) संशोधन नियमावली, 2020 कहा जाएगा।
(2) ये सरकारी गज़ट में प्रकाशित होने की तारीख से लागू होंगे।
2. पर्यावरण (संरक्षण) नियमावली, 1986 में, नियम 3 में, उपनियम (8) के लिए निम्नलिखित उपनियम प्रतिस्थापित होगा, अर्थात् :-

“(8) ताप विद्युत संयंत्रों को, ऐश सामग्री अथवा दूरी संबंधी अनुबंधों के बिना, निम्नलिखित शर्तों के अध्याधीन कोयले के प्रयोग की अनुमति होगी:

(1) उत्सर्जन मानदण्डों के लिए प्रौद्योगिकीय समाधान निर्धारित करना:

- i. वर्तमान अधिसूचनाओं और केंद्रीय प्रदूषण नियंत्रण बोर्ड द्वारा समय-समय पर जारी अनुदेशों के अनुसार विविक्त सामग्री के लिए विनिर्दिष्ट मानदण्डों का अनुपालन करना।
- ii. वाशरी के मामले में मिडलिंग और अवशिष्टों का एफबीसी(तरलीकृत तल दहन) प्रौद्योगिकी आधारित विद्युत संयंत्रों में उपयोग किया जाए। एफबीसी संयंत्रों में मिडलिंग और अवशिष्टों के लिए वाशरी में संयोजन (लिकेज) होना चाहिए।

2. ऐश पॉन्ड का प्रबंधन:

- i. ताप विद्युत संयंत्र धुले हुए कोयले से बिना धुले हुए कोयले पर स्विच करने के कारण फ्लाई-ऐश पॉन्ड(मौजूदा विद्युत उत्पादन क्षमता) की अतिरिक्त क्षमता की पात्रता प्राप्त किए बिना, समय-समय पर जारी की गई अधिसूचनाओं में यथा-अधिसूचित शर्तों का पालन करें।
- ii. ऐश प्रबंधन के लिए जल की खपत को अनुकूल करने हेतु समुचित प्रौद्योगिकी समाधान लागू हों;
- iii. यदि आवश्यक हो तो फ्लाई-ऐश का अधिकतम उपयोग सुनिश्चित करने के लिए स्थल विशिष्ट स्थितियों के आधार पर ऐश का पृथक्करण इलैक्ट्रो-स्टैटिक अवक्षेपक (प्रेसीपिटेटर) स्तर पर किया जाए।
- iv. ताप विद्युत संयंत्र उपर्युक्त 2(i) के अध्याधीन, छोड़ी हुई अथवा चालू खानों (वर्किंग माइन्स) में (खान मालिकों द्वारा सुविधाजनक बनाया जाए) पर्यावरणीय सुरक्षा उपायों के साथ फ्लाई-ऐश का निपटान करें।

3. परिवहन:

- i. ढके हुए रेलवे वैगन (तिरपाल अथवा किसी अन्य माध्यम से ढके हुए रेलवे वैगन) और/अथवा खान-क्षेत्र से परे ढके हुए वाहक (कन्वेयर) द्वारा ही कोयले का परिवहन किया जाए। तथापि, जब तक रेल परिवहन/वाहक इन्फ्रास्ट्रक्चर उपलब्ध नहीं हो जाता, सड़क परिवहन ट्रकों द्वारा किया जाए जो तिरपाल अथवा किसी अन्य माध्यम से ढके हुए हों।
 - ii. ताप विद्युत संयंत्र द्वारा सुनिश्चित किया जाए कि
 - (क) रेल अथवा कन्वेयर द्वारा परिवहन के लिए विद्युत संयंत्र में अथवा इसके समीप रेल साइडिंग सुविधा अथवा कन्वेयर सुविधा स्थापित हो; और
 - (ख) यदि रेल अथवा कन्वेयर सुविधा की अनुपलब्धता के कारण परिवहन न हो पाए, तो यह सुनिश्चित किया जाए कि संबंधित खान के डिलीवरी स्थान से कोयले का परिवहन ढके हुए ट्रकों (तिरपाल अथवा किसी अन्य माध्यम द्वारा), अथवा किसी अन्य यंत्रीकृत बंद ट्रक से सड़क द्वारा हो।
- (4) इसे वित्तीय वर्ष 2020-21 और उसके बाद के लिए संबंधित परियोजनाओं हेतु संगत पर्यावरणीय स्वीकृति की अतिरिक्त शर्तें भी समझा जाएगा। मौजूदा पर्यावरणीय स्वीकृतियों को संशोधित किया जाएगा ताकि संगत क्षेत्रों के लिए उपरोक्त शर्तों को प्रवर्तनशील बनाया जा सके। तदनुसार संबंधित राज्य प्रदूषण नियंत्रण बोर्ड द्वारा प्रचालन की अनुमति जारी की जाएगी।

[फा.सं. 13014/01/2020—आईए-1(टी)]

गीता मेनन, संयुक्त सचिव

टिप्पण—मूल नियम भारत के राजपत्र में सं.का.आ. 844(अ), तारीख 19 नवंबर 1986 द्वारा प्रकाशित किए गए थे और पश्चातवर्ती संशोधन सं.का.आ. 82(अ), तारीख 16 फरवरी, 1987; का.आ. 64(अ), तारीख 18 जनवरी, 1988; सा.का.नि. 931(अ), तारीख 27 अक्टूबर, 1989; का.आ. 23(अ), तारीख 16 जनवरी, 1991; सा.का.नि. 95(अ), तारीख 12 फरवरी, 1992; सा.का.नि. 329(अ), तारीख 13 मार्च, 1992; सा.का.नि. 562(अ), तारीख 27 मई, 1992; सा.का.नि. 884(अ), तारीख 20 नवंबर, 1992; सा.का.नि. 386 (अ), तारीख 22 अप्रैल, 1993; सा.का.नि. 422 (अ), तारीख 19 मई, 1993; सा.का.नि. 801 (अ), तारीख 31 दिसंबर, 1993; सा.का.नि. 320 (अ), तारीख 16 मार्च, 1994; सा.का.नि. 560 (अ), तारीख 19 सितंबर, 1997; सा.का.नि. 378 (अ), तारीख 30 जून, 1998; सा.का.नि. 07 (अ), तारीख 22 दिसंबर, 1998; सा.का.नि. 407 (अ), तारीख 31 मई, 2001; सा.का.नि. 826 (अ), तारीख 16 नवंबर, 2009; सा.का.नि. 513 (अ), तारीख 28 जून, 2012; सा.का.नि. 02 (अ), तारीख 02 जनवरी, 2014; का.आ. 3305 (अ), तारीख 07 दिसंबर, 2015; सा.का.नि. 593 (अ), तारीख 28 जून, 2018; और का.आ. 236 (अ), तारीख 16 जनवरी, 2020 द्वारा किए गए।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 21st May, 2020

S.O. 1561(E).—Whereas the Central Government had, in exercise of its powers under Section 3, Section 6 and Section 25 of Environment (Protection) Act, 1986 (29 of 1986) read with rule 5 of Environment (Protection) Rules, 1986, published draft rules further to amend sub-rule (8) of rule 3 of Environment (Protection) Rules, 1986, in the Gazette of India, Extraordinary, vide number G.S.R. 02(E), dated the

2nd January, 2014 mandating certain categories of thermal power plants to use coal with ash content restricted to 34%.

And whereas, the said Notification *vide* number G.S.R. 02(E) dated the 2nd January, 2014, mandated coal based thermal power plants to use raw or blended or beneficiated coal with ash content not exceeding thirty-four percent (34%), on quarterly basis, by the time lines given below:

Sl. No.	Category of Power Plant	Distance of location of Thermal Power Plant from pit-head/coal mine	Time lines
(a)	Stand-alone Thermal Power Plants (any capacity), and Captive Thermal Power Plants (with capacity of 100 MW and above)	Located in urban areas, or ecologically sensitive areas or critically polluted areas, irrespective of distance from pit-head, except pit-head power plants.	With effect from 2 nd June, 2014.
(b)		beyond 1000 km	With effect from 2 nd June, 2014.
(c)		between 750-1000 km	With effect from 1 st January, 2015.
(d)		between 500-749 km	With effect from 5 th June, 2016.

And whereas, the Central Government had, in exercise of its powers under sections 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, in the Gazette of India, Extraordinary, *vide* number S.O. 3305 (E), dated the 7th December, 2015 and G.S.R. 593 (E), dated the 28th June, 2018 published the emission standards and specific water consumption for various category of thermal power plants, based on capacity of power generation and date of installation of power plant and to be achieved in time bound manner.

And whereas, the Ministry of Environment, Forest and Climate Change directed the Central Pollution Control Board *vide* F.No.Q-15017/40/2007-CPW dated the 7th December, 2017 to issue Directions under Section 5 of Environment (Protection) Act, 1986, to various Thermal Power Plants to install pollution control equipment as per the revised plan submitted by the Ministry of Power dated the 13th October, 2017 by 2022.

And whereas, the Ministry of Power has, *inter alia*, represented that with advancement in pollution control technologies, thermal power plants are better equipped to capture fly-ash generated in combustion process and unwashed coal can be used more efficiently and economically; thermal power plants are designed for coal with wide variety of ash content and are equipped with dry ash evacuation, handling and supply systems for ash utilisation; using washed coal makes power generation costlier; fly ash generated in thermal power plants is being used in several beneficial uses like cement manufacturing, brick making, road laying, back-fill material for reclamation of mine voids and low lying areas; requirement of maintaining average ash content to 34% prompts industries to undertake import of coal, resulting in outflow of foreign exchange etc.

And Whereas, the Ministry of Coal has, *inter alia*, represented that the coal mines are constantly striving to improve raw coal in terms of quality, size and extraneous material over the years which has considerably reduced wear and tear of all related equipment, coal washing process involves multiple handling and avoidable road transportation of huge quantities of coal from coal mines to washeries and then to rail sidings for onward transport to power plants; the washing process only divides the coal into washed coal and washery rejects while the ash content of mined coal remains the same; use of low grade coal washery rejects, in the multiple small user industries, generates more pollution etc.

And Whereas, the Ministry of Coal and Ministry of Power have, therefore, represented that the mandating power plants to use washed coal requires to be revisited by reconsidering the notification dated the 2nd January, 2014 which will help ease power generation for long distance haulage of coal without adverse impact on the environment.

And Whereas, the NITI Aayog, in its report after analysing the issue from the perspective of washeries, Coal mining, transportation and consumption of coal at power plants has, *inter alia*, summed up that use of washery rejects in nearby industries generates more pollution; since washery rejects are distributed in number of smaller industries, the pollution control at numerous points is more difficult than controlling the

pollution at power plant end; Ash generated in the washing process pollutes water along with coal particles and cannot be gainfully utilised; Coal washing process involves increased water use, effluent generation; Disposal of washery rejects has negative environmental impact as it has to handle and dispose huge quantity of low grade coal washery rejects, liquid effluent streams, coal storage, handling coal dust, runoff and fugitive dust; Coal washing also adversely impacts topography, water drainage pattern and quality, water bodies, surrounding air quality at large scale; Washing process increases the cost of power generation with no commensurate environmental advantages etc.

And Whereas, NITI Aayog has, therefore, recommended that it may be prudent to determine and enforce the environmental and pollution norms, to be complied with by the power generators, rather than restricting the ash content in coal, based on distance of transportation.

And Whereas, the Ministry of Environment, Forest and Climate Change, after deliberating the representations from Ministry of Power, Ministry of Coal, report of NITI Aayog and various stakeholders and after careful considerations & in larger public interest, arrived at the following:

- (i) The extent of ash content in mined coal remains the same. With washeries, the ash content gets divided at two places (washeries and the power plant), whereas if unwashed coal is used in power plant, the ash content is handled at only one place viz. the power plant;
- (ii) Thermal power plants are technologically equipped to address pollution control, ash management as they have high efficiency equipment to capture fly ash, dry ash evacuation and handling systems, ash supply systems for ash utilisation and tall stacks for wider dispersal of flue gases;
- (iii) The Ministry of Environment, Forest and Climate Change has notified emission norms, mandating respective thermal power plants to adhere to such norms in a time bound manner;

And Whereas, it is expedient to adopt best possible framework towards handling of unwashed coal including management of fly ash and other associated environmental aspects arising out of processing of unwashed coal at different stages.

And Whereas, the Ministry of Coal has represented that in view of the existing unprecedented COVID-19 pandemic and the resultant immediate requirement of utilization of domestic coal by stimulating coal sector demand for power generation in the country, it is desirable to issue the notification at the earliest.

Now, therefore, in exercise of the powers conferred by Section 3, Section 6 and Section 25 of the Environment Protection Act, 1986 (29 of 1986) read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government, after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the said rules, in public interest, hereby makes the following rules to further amend the Environment (Protection) Rules, 1986, namely :-

1. (1) These rules may be called the Environment (Protection) Amendment Rules, 2020
(2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Environment (Protection) Rules, 1986, in rule 3, for sub-rule (8), the following sub-rule shall be substituted, namely :-

“(8) Use of coal by Thermal Power Plants, without stipulations as regards ash content or distance, shall be permitted subject to following conditions:

(1) **Setting Up Technology Solution for emission norms:**

- (i) Compliance of specified emission norms for Particulate Matter, as per extant notifications and instructions of Central Pollution Control Board, issued from time to time.
- (ii) In case of washeries, Middling and rejects to be utilized in FBC (Fluidised Bed Combustion) technology based thermal power plants. Washery to have linkage for middling and rejects in Fluidised Bed Combustion plants.

(2) **Management of Ash Ponds:**

- (i) The thermal powers plants shall comply with conditions, as notified in the Fly Ash notification issued from time to time, without being entitled to additional capacity of fly ash pond (for existing power generation capacity) on ground of switching from washed coal to unwashed coal.
- (ii) Appropriate Technology solutions shall be applied to optimise water consumption for Ash management;

- (iii) The segregation of ash may be done at the Electro-Static Precipitator stage, if required, based on site specific conditions, to ensure maximum utilization of fly ash;
- (iv) Subject to 2(i) above, the thermal power plants to dispose flyash in abandoned or working mines (to be facilitated by mine owner) with environmental safeguards.

(3) **Transportation:**

- (i) Coal transportation may be undertaken by covered Railway wagon (railway wagons covered by tarpaulin or other means) and/or covered conveyer beyond the mine area. However, till such time enabling Rail transport/conveyer infrastructure is not available, road transportation may be undertaken in trucks, covered by tarpaulin or other means.
- (ii) It shall be ensured by the thermal power plant that
 - a. Rail siding facility or conveyer facility is set up at or near the power plant, for transportation by rail or conveyer; and
 - b. If transportation by rail or conveyer facility is not available, ensure that the coal is transported out from the Delivery Point of the respective mine in covered trucks (by tarpaulin or other means), or any mechanized closed trucks by road.

- (4) This shall also be deemed to be additional conditions of the relevant Environmental Clearances for respective projects for financial year 2020-21 and onwards. The existing Environmental Clearances shall stand modified so as to make the above conditions operative for relevant sectors. The Consent to Operate shall be issued by respective State Pollution Control Boards accordingly.”

[F.No.13014/01/2020-IA.I(T)]

GEETA MENON, Jt. Secy.

Note:-The principal rules were published in the Gazette of India *vide* number S.O. 844(E), dated the 19th November, 1986 and subsequently amended *vide* numbers S.O. 82(E), dated 16th February, 1987; S.O. 64(E), dated 18th January, 1988; G.S.R. 931(E), dated 27th October, 1989; S.O. 23(E), dated 16th January, 1991; G.S.R. 95(E), dated 12th February, 1992; G.S.R. 329(E), dated 13th March, 1992; G.S.R. 562(E), dated 27th May, 1992; G.S.R. 884(E), dated 20th November, 1992; G.S.R. 386(E), dated 22nd April, 1993; G.S.R. 422(E), dated 19th May, 1993; G.S.R. 801(E), dated 31st December, 1993; G.S.R. 320(E), dated 16th March, 1994; G.S.R. 560(E), dated 19th September, 1997; G.S.R. 378(E), dated 30th June, 1998; G.S.R. 7(E), dated 22nd December, 1998; G.S.R. 407(E), dated 31st May, 2001; G.S.R. 826(E), dated 16th November, 2009; G.S.R. 513(E), dated 28th June, 2012; G.S.R. 02(E) dated 2nd January, 2014; S.O. 3305 (E), dated 7th December, 2015; G.S.R. 593(E), dated 28th June, 2018 and S.O. 236 (E), dated 16th January, 2020.

Reply Affidavit III Anurag Sharma OA NO. 725 of 2022

1 message

Naveen Kumar <naveenkraor@gmail.com>

10 August 2024 at 12:58

To: "anuragsansad@gmail.com" <anuragsansad@gmail.com>, rojhansi@upccb.in, "legalvibes.lawfirm@gmail.com" <legalvibes.lawfirm@gmail.com>

Sir/Ma'am,

Kindly find attached the copy of Reply Affidavit in the captioned subject.

 Reply Affidavit in Anurag Sharma.pdf

Regards

Naveen Kumar

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