

BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 164 OF 2018

IN THE MATTER OF:

ASHWANI KUMAR DUBEY

...APPLICANT

VERSUS

UNION OF INDIA & ORS.

...RESPONDENTS

S. NO.	PARTICULARS	PAGE NOS.
1.	Reply on behalf of State of Madhya Pradesh	1-3
2.	ANNEXURE R-1: List of utilization percentage of 05 thermal power plants of Singrauli District.	4
3.	ANNEXURE R-2: Brief tabular statement of the status of implementation of action plans for the five thermal power plants.	5-8
4.	Affidavit	9

PLACE: New Delhi

DATE: 28.09.2024

The State of Madhya Pradesh

Through its Counsel



Advocate Rukhmini Bobde

D-366, Ground Floor, Defence Colony, New Delhi-110024

Email: admin@rsbobde.com, bobde.rukhmini@gmail.com

Phone No. +91 81300 15770

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 164 OF 2018**

IN THE MATTER OF

Ashwani Kumar Dubey

...Applicant

vs.

Union of India &Ors.

...Respondents


REPLY ON BEHALF OF STATE OF MADHYA PRADESH

1. The common issue involved in the present matter alongwith seven other connected matters pertains to the operation of Thermal Power Plants ('TPPs') and the environmental impact thereof.
2. It is a matter of record that the present Original Application alongwith seven other Original Applications were heard and disposed of by a common order date 18.01.2022 passed by this Hon'ble Tribunal in the present matter.
3. Thereafter, aggrieved by the directions issued by this Hon'ble Tribunal, several TPPs filed Civil Appeals No's i.e. 3856/2022, 4529/2022, 4525/2022 and 4581/2022 before the Hon'ble Supreme Court.

4. Subsequently, the Hon'ble Supreme Court vide its order dated 05.07.2023, disposed of the aforementioned appeals by setting aside the order dated 18.01.2022 passed by this Hon'ble Tribunal and remanding it to the Hon'ble Tribunal for fresh adjudication.
5. Thereafter, this Hon'ble Tribunal issued notice vide order dated 18.01.2024 to all the parties, directing them to file their objections in the present Original Application along with other connected matters.
6. Therefore, by way of the present reply, the answering Respondent submits as under:-
 - a. It is submitted that there exists as on date of filing of the present reply 15 TPPs in Madhya Pradesh. The percentage of fly ash utilization in Madhya Pradesh is at 95% for the year 2023-2024, increasing from 55% in the year 2021-2022. Case no, 164/2018 is mainly related with pollution from Thermal power plant in Singrauli and Sonbhadra region. The utilization percentage of these 05 thermal power plant ^{of Singrauli district} are Annexed herewith and marked as **Annexure R-1.**

- b. It is further submitted that the fly ash emitted by the TPPs are utilized in different industries such as roads and construction work, bricklaying, cement industry etc.
- c. It is submitted that action plans have also been submitted for 5 TPPs which are as follows:
- i. M/s. Vindhyachal Super Thermal Power Plant, NTPC Limited Vindhya Nagar, Singrauli (M.P.)
 - ii. M/s. Sasan Power Limited, Bargawan, District: Singrauli (M.P.)
 - iii. M/s. Mahan Energen Limited, Bhadora, Singrauli (M.P.)
 - iv. M/s. Hindalco Industries Limited, Mahan Aluminium, Bhargwan, Singrauli (M.P.)
 - v. Jaypee Nigri Super Thermal Power Plant, Nigri, Singrauli (M.P.)

A brief tabular statement of the status of implementation of action plans for the above 5 TPPs is annexed herewith and marked as **Annexure R-II**.

7. Hence, the present reply is being submitted for the kind perusal of this Hon'ble Tribunal. This Hon'ble Tribunal may therefore take the present reply on record.
- 

List of Thermal Power Plants and their Fly ash Utilization percentage

S. No	Name of TPP	Production Capacity	Capacity of Units	Fly Ash Utilization [2022-2024]	Date of Operation
1	M/s. Vindhyachal Super Thermal Power Plant, NTPC limited Singrauli (M.P.)	4760 MW	Stage 1: 6x210 MW => 1260 MW Stage 2: 2x500 MW => 1000 MW Stage 3: 2x500 MW => 1000 MW Stage 4: 2x500 MW => 1000 MW Stage 5: 1x500 MW => 0500 MW	56.22%	Stage 1: 01/07/1987 Stage 2: 01/07/2000 Stage 3: 15/07/2007 Stage 4: 01/07/2012 Stage 5: 01/08/2015
2	M/s. Sasan Power ltd. Singrauli (M.P.)	3960 MW	6x660 MW => 3960 MW	100.70%	31/03/2013
3	M/s. Mahan Energen ltd. (Adani Power limited) Singrauli (M.P.)	1200 MW	2x600 MW => 1200 MW	103.72%	29/04/2013
4	M/s. Hindalco Industries limited (Power plant) at Bargawan, Singrauli (M.P.)	900 MW	6x150 MW => 900 MW	131.14%	31/03/2013
5	M/s. Jaypee Nigrie Super Thermal Power Plant Singrauli (M.P.)	1320 MW	2x660 MW => 1320 MW	89.17%	03/09/2014

6532

Status of Implementation of Action Plans

S. No.	Name of Industry	Actions		Timeline
		Completed	Under Progress/ Remaining Works	
1.	M/s. Vindhyachal Super Thermal Power Plant, NTPC Limited, Singrauli 13 Units (5 Stages)	<ul style="list-style-type: none"> FGD installation in Unit No.13 and Unit No.12 Wagon pre-wetting system 16 hrs Fly Ash storage Renovation and modernization of ESP in Unit-1,2,3,5&6. NOx Limit achieved in Unit No. 7 to 13 Control of fugitive emission in ash dyke V1,V2,V3A,V3B,4A and 4B work has been completed. Ash dyke stability report has been submitted Mechanized Cleaning machines (2 No.) have been procured. 	FGD for SO ₂ in remaining 11 Units.	June 2025
			NOx control for Units 1-6	<ul style="list-style-type: none"> Completed, however NOx level 300 mg/NM³ not achieved. Revised proposal under process
			Fly Ash Utilization 56.77% for FY 2023-24	NOT SATISFACTORY 80% required for FY 2024-25
			R&M of ESP for Unit Commissioning Job	04 passes completed, 01 pass under progress – Oct 2024
			Inventorization study for the industries operating around the Rihand reservoir	Contract awarded – Feb 2024 (for 02 years study)

6533 Status of Implementation of Action Plans 6

S. No.	Name of Industry	Actions		Timeline
		Completed	Under Progress/ Remaining Works	
02.	M/s. Sasan Power Limited	<ul style="list-style-type: none"> • Fly ash Utilization was 100.7% for FY 2023-24 • Low NOx burners • Dry fly ash silo • Ash Dyke stability report is submitted • NEERI report for breach of ash dyke 	FGD for SO2	December 2026 Emission of Sulphur Di Oxide are beyond prescribed limit. Construction of FGD has not yet started. Timeline may not be achieved.
			Pipeline for fly ash transportation to its mine	
			Sprinkling System in ash dyke	Completed
			Gawaiya / Kharkhatta Nallah – Some deposit of fly ash still there.	As per industry report, its is completed but ash is still lying in some portion of Gawaiya and Kharkhatta Nallah

Status of Implementation of Action Plans

S. No.	Name of Industry	Actions		Timeline
		Completed	Under Progress/ Remaining Works	
03.	M/s. Mahan Energen Limited	<ul style="list-style-type: none"> Fly ash Utilization was 102% for FY 2023-24 Dry fly ash silo Sprinkling system at the Ash dyke have been installed Ash Dyke stability report is submitted 	FGD for SO2	<p>December 2026</p> <p>Emission of Sulphur Dioxide are beyond prescribed limit. Construction of FGD has not yet started. Timeline may not be achieved.</p>
			Development of railway siding for fly ash	<p>No Substantial Progress</p>
			Transportation by Merry Go Round of Coal	<p>Forest Clearance done</p> <p>June 2026</p> <p>Revised- Dec 2026</p>

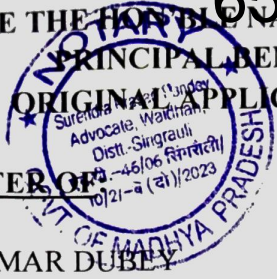
6535

Status of Implementation of Action Plans

S. No.	Name of Industry	Actions		Timeline
		Completed	Under Progress/ Remaining Works	
04.	M/s. Hindalco Industries Limited Mahan Aluminium, Bargawan, Singrauli.	<ul style="list-style-type: none"> Fly ash Utilization was 135.7% for FY 2023-24 FGD installed in Unit No. 06 Dry fly ash silo Ash Dyke stability report is submitted Permanent Sprinkling system at ash dyke. 	FGD for SO ₂ in Unit 1,2,3,4,5.	December 2026 Emission of Sulphur Di Oxide are beyond prescribed limit. Construction of FGD has not yet started. Timeline may not be achieved.
			Ash Dyke PCC	<ul style="list-style-type: none"> 60% completed August 2024
05.	M/s. Jaypee Nigrie Super Thermal Power Plant	<ul style="list-style-type: none"> Dry Fly Ash Silo Permanent Sprinkling system at Ash Dyke Ash Dyke safety report verified by IIT Guwahati 	FGD for SO ₂	December 2026 Emission of Sulphur Di Oxide are beyond prescribed limit. Construction of FGD has not yet started. Timeline may not be achieved.
			Fly Ash Utilization 89.17% for FY 2023-24	Not Satisfactory for FY 2023-2024

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

6536



ORIGINAL APPLICATION NO. 164/2018

S.R. No. 12412/24
Dated 27/09/24
AT [Signature]

IN THE MATTER OF

ASHWANI KUMAR DUBEY

...APPLICANT

VERSUS

UNION OF INDIA & ORS.

...RESPONDENT(S)

AFFIDAVIT

I, Sanjeev Kumar Mehra, S/o Resham Singh Mehra aged about 56 Years, posted as Regional Officer MPPCB Regional Office, Singrauli having office at Naugarh, District- Singrauli, M.P. do hereby solemnly affirm on oath as under:



1. That, I am the officer in - charge for the Government of Madhya Pradesh [respondent] in Original Application No. 164/2018 and as such am fully conversant with the facts and circumstances of this present case and competent to swear this present affidavit.

2. That, the Reply/Status Report accompanying this present affidavit has been filed by my counsel under my instructions and the contents of the same are true and correct to best of my knowledge, belief and nothing material has been concealed therefrom.

Sign. of Deponent/Executant

[Signature]

DEPONENT

Regional Officer
M. P. Pollution Control Board
Singrauli (M.P.)

VERIFICATION:

Verified on this 27 Day of September, 2024 at Singrauli, Madhya Pradesh, that the contents of the contents of the same are true and correct to the best of my knowledge and nothing material has been concealed therefrom.

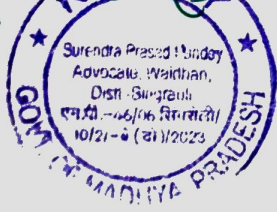
Sign. of Deponent/Executant

[Signature]

DEPONENT
Regional Officer

M. P. Pollution Control Board
Singrauli (M.P.)

Identified by [Signature]
NOTARIAL



SURENDRA PANDEY ADVOCATE
NOTARY
Waidhan, Distt. Singrauli (M.P.)

27/09/2024