

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

ORIGINAL APPLICATION NO. 360/2023

IN THE MATTER OF:

Ajay Srivastava

... Applicant

Versus

State of Haryana

.... Respondent

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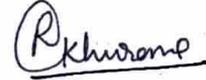
Sr. No.	Particulars	Pages
1	Report on behalf of Haryana State Pollution Control Board by way of affidavit of Sandeep Singh, Regional Officer, Haryana State Pollution Control Board, Faridabad in compliance of Order Dated 26.11.2025.	2-4

Date: 19.02.2026



Sandeep Singh,  
Regional Officer, HSPCB, Faridabad

Through



Rahul Khurana, Advocate  
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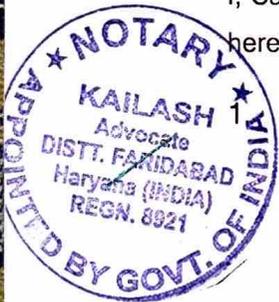
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REPORT ON BEHALF OF HARYANA STATE POLLUTION CONTROL BOARD BY WAY OF AFFIDAVIT OF SANDEEP SINGH, REGIONAL OFFICER, HARYANA STATE POLLUTION CONTROL BOARD, FARIDABAD IN COMPLAINE OF ORDER DATED 26.11.2025.

MOST RESPECTFULLY SHOWETH:

I, Sandeep Singh, Regional Officer, Haryana State Pollution Control Board, do hereby solemnly affirm and state as under:



This Original Application has been registered under Section 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as 'NGT Act, 2010') on a letter petition dated 14.02.2023 sent by Shri Ajay Shrivastava, House No. 2704, H-Block, Sainik Colony, Faridabad (State of Haryana)

2. The relevant part of the order dated 26.11.2025 is reproduced below:

"15. In view of the groundwater sample analysis report, the HPGCL was required to explain why the old ash dyke should also not be cleared. HSPCB was required to state in clear terms whether the conditions of the proviso to clause 5 of the Notification are satisfied and the certificate has been issued in terms thereof.

16. Learned counsel appearing for the HPGCL submits that the old ash dyke was created almost 39 years back and the Notification has come in 2021 itself, therefore, the condition mentioned therein cannot be made applicable.

17. Hence, learned counsel for the HPGCL was required to disclose the law which was enforced when the old ash dyke was created and to show that the old ash dyke was created by following existing law.

18. The matter was heard today, and the affidavit filed by HPGCL was examined.

19. The learned Counsel for the HPGCL indicated that after examining all records with regard to environmental regulations governing Ash Dykes design, construction and management was not found. In its affidavit, he

has relied upon three statutes, namely the Water Act (Prevention and Control of Pollution) Act, 1974 (Water Act), the Air Act (Prevention and Control of Pollution) Act, 1981 (Air Act) and the Environmental (Protection) Act, 1986. He also stated that there is no governing enactment or regulation on operation of Ash Dykes of FTPS under the above Acts.

20. During the course of hearing, it was enquired if the unit has obtained Consent to Establish and Consent to Operate under Water Act and Air Act from the Haryana Pollution Control Board (HPCB) and why the same has not been placed on record. The Counsel was unable to produce the consent issued by the HPCB. The Counsel for the HPCB also could not indicate the consents issued to the unit.

21. Hence, the unit is directed to provide Consent to Establish and Consent to Operate, since inception till date, before the next hearing.

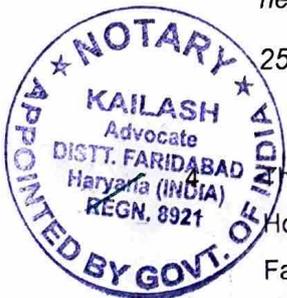
22. It is a well-established fact that the fly ash generated from Thermal Power Stations when stacked on land has an adverse environmental impact, which includes air pollution due to dispersion of fine particle fly 7 ash in the atmosphere, thereby increasing SPM levels in the ambient air. Secondly, the fly has various heavy metals and other pollutants which leach out into the soil and the ground water specially when the fly as gets wet in rains. Thus, over a period of time, the groundwater gets contaminated on account of leaching of these pollutants.

23. Though counsel for the Unit has indicated that increased level of these pollutants in the ground water are on account of the local geological conditions. However, he has not placed any scientific data indicating that these Ash Dyke are not contributing to such increase of pollutants in groundwater samples. In the absence of any such authentic scientific material provided by the unit and the continued violation of environmental norms by the unit, the HPCB is hereby directed to take necessary punitive action on the unit, including imposition of environmental compensation on the unit for not adhering to the environmental norms and not disposing of the fly ash as per the Notification dated 2021. HPCB will also indicate as to which provision of the notification /norms prior to 2021 provide for stabilizing the ash dyke and the responsible authority who has permitted the same.

24. The action taken report from HPCB and the information sought from the unit as per para 20 above shall be provided before the next date of hearing.

25. List on 20.02.2026."

that in compliance with the order dated 26.11.2025 passed by this Hon'ble Tribunal, Regional Office, Haryana State Pollution Control Board, Faridabad has recommended to impose Environmental Compensation of ₹63 Crore (Rupees Sixty-Three Crore only) upon Faridabad Thermal Power Station (FTPS), Haryana Power Generation Corporation Limited (HPGCL) and same is under consideration of Environment Compensation



Assessment Authority (ECAC), HSPCB. After conclusive hearing being afforded to the FTPS, final order shall be passed by the competent authority.

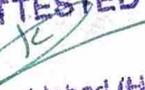
  
Deponent

Date: 19.02.2026  
Place: Faridabad

**Verification:**

Verified at Faridabad on 19<sup>th</sup> day of February, 2026 that contents of para 1 to 4 are true and correct to the best of my knowledge and information derived from the official records which I believe to be correct and no material fact has been concealed therein.

  
Deponent

ATTESTED  
  
Notary, Faridabad (Haryana)

19 FEB 2026

