

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH AT PUNE**

ORIGINAL APPLICATION NO. 62 OF 2021

In the matter of:

Krishi Vigyan Arogya Sanstha & Ors.

...Applicants

v/s

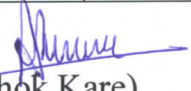
Maharashtra State Power Generation Company Ltd. & Ors.

... Respondents

I N D E X

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1	Additional Affidavit on behalf of Respondent no. 4, MPCB, Nagpur	00/02/2022		1-9
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6	Copy of show Cause Notice	03.12.2021	Annex. 'V'	19-20
7	Copy of Minutes of the Meeting	08.12.2021	Annex. 'VI'	21
8	Copy BG forfeit letter	15/12/2021	Annex. 'VII'	22-23
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Place: Nagpur
Date: 10/02/2022


(Ashok Kare)
Regional officer
MPCB-Nagpur

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH AT PUNE**

ORIGINAL APPLICATION NO. 62 OF 2021(WZ)

Krishi Vigyan Arogya Sanstha & Ors.

...Applicants

NOTARIAL REG.

ENTRY NO. 3167

DATE 10 FEB 2022

v/s

Maharashtra State Power Generation
Company Ltd. & Ors.

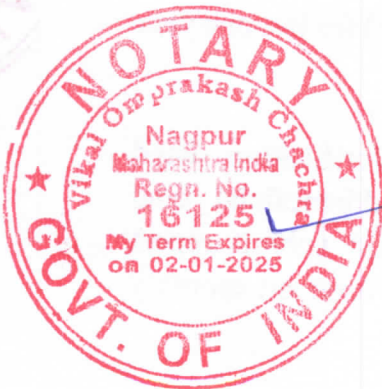
... Respondents

**ADDITIONAL AFFIDAVIT IN REPLY ON BEHAL OF
RESPONDENT NO.4-MPCB IN COMPLIANCE OF
HON'BLE NGT ORDER Dtd.15.12.2021.**

I, Ashok M. Kare, aged about 56 years, occupation -service, the Regional Officer of the Maharashtra Pollution Control Board at Nagpur, having my office at Udyog Bhavan, 5th floor, Sales Tax Office, Civil Lines, Nagpur, do hereby state on solemn affirmation as under :-

I am filing this affidavit on behalf of Respondent No.4 in compliance of the order dated 15.12.2021 passed by this Hon'ble Tribunal, as under:

- 1) The Respondent Board submits that for non-submission of time bound programme for utilization/disposal of legacy pond ash, the Respondent-Board had issued directions on 19.6.2019 to the Respondent No.1 for not utilizing 100% fly ash as per Fly Ash Notification, 2009, not achieving the standards prescribed by the Notification dated 7.12.2015 issued by the Ministry of Environment, Forests & Climate Change, Govt of India and directed to comply with the consent conditions



within stipulated time. A copy of the directions dated 19.06.2019 is annexed as an Annexure-II to the Affidavit filed by MPCB on 09.11.2021.

2) The Respondent Board submits that in order to review the compliance of the consent conditions and directions issued by the Respondent Board dated 19.06.2019, the Respondent Board had scheduled a review meeting on 16.11.2019 and accordingly Respondent No.1 had submitted their reply on 09.12.2019.

3) The Respondent Board had further issued directions to all Thermal Power Plants including Respondent No.1 vide letter dated 19.05.2020 and directed to submit compliance on the following points :-

1. Status of installation of FGD. Time period required for work completion and reasons towards delay in work completion.
2. Status of installation / upgrading/retrofitting of ESP and Time period required for work completion and reasons towards delay in work completion.
3. Status of installation of low NOx burners to achieve progressive reduction of NOx emission. Time period required for work completion and reasons towards delay in work completion.
4. Status of total ash generating (fly+bottom) for last one year with disposal.
5. Status of legacy ash and its disposal.
6. To comply with the MoEF & CC Notification dated 02.01.2014 regarding use of blended/beneficial coal having ash content less than 34% and submit report regarding average ash content in coal used on monthly basis.



7. Specific water consumption for last one year against power generation etc.

A copy of the directions dated 19.05.2020 issued by the Respondent-Board is attached herewith and marked as an **Annexure-'I'**.

In response to the said directions, the Respondent No.1 has submitted its reply on 30.05.2020 to the Respondent Board.

- 4) The Respondent Board further submits that in compliance of the order dated 12.02.2020 passed by this Hon'ble Tribunal in Original Application No. 117/2014 filed by Shantanu Sharma v/s Union of India & Ors., the Central Pollution Control Board vide letter dated 02.07.2020 has levied the Environmental Compensation for individual Thermal Power Plant for non-utilization of 100% fly ash. Therefore, the Respondent Board had issued directions vide letter dated 27.07.2020 to Respondent No.1 and requested to comply with the directions of CPCB dated 02.07.2020 regarding deposition of the Environmental Compensation amounting to Rs.13,19,23,023 to the Respondent No.1. A photocopy of letter dated 27.07.2020 issued by the Respondent Board to Respondent No.1 is annexed herewith and marked as an **Annexure-'II'**
- 5) The Respondent Board submits that on the basis of review meeting held with the Environment & Climate Change Deptt., Govt. of Maharashtra and MSRDC, the Respondent Board has issued directions vide letter dated 08.12.2020 to Respondent No.1 and directed to comply with Fly Ash Notification dated 25.01.2016, on the following points:-



- a) *Ash utilised for road and flyover projects (with cost and free of cost).*
- b) *Ash utilised in low lying area reclamation projects.*
- c) *Ash utilised in cement Projects.*
- d) *Ash utilised for bricks manufacturing units.*
- e) *Infrastructure construction including building in designated industrial Estate or parks or special Economic Zone.*
- f) *Construction under all Government scheme or programme e.g.*
- g) *Mahatma Gandhi National Rural Employment Guarantee Act, 2005 [MNREGA] Swachh Bharat Abhiyan, Urban and Rural Housing*
- h) *Deployment of entrepreneurship (financial and other associated Infrastructure) for ash based products manufacturing facilities within the premises or in the vicinity of the premises to set up the ash-based products manufacturing facilities*

A copy of said directions dated 08.12.2020 is annexed herewith and marked as an **Annexure-‘III’**.

- 6) The Respondent Board submits that in compliance of the Orders passed by the Hon’ble NGT in Original Application No.681/2018 - News Item Published In „The Times of India“ Authored by Shri. Vishwa Mohan Titled “NCAP with Multiple Timelines to Clear Air in 102 Cities to be released around August 15”, the Board had issued directions to Respondent No.1 vide letter dated 29.01.2021 were directed to submit action plan towards implementation of action points



suggested in the aforesaid directions 29.01.2021. A copy of said directions dated 29.01.2021 is annexed herewith and marked as an **Annexure –‘IV’**.

- 7) I further say and submit that the Respondent Board has issued directions vide letter dated 29.07.2021 to the Respondent No.1 for compliance of specific water consumption standards, the Respondent Board had issued directions vide letter dated 1.10.2021 for submission of status of upgradation of existing ESP, installation of FGD, installation of low NOx burner etc. as per amended Notification dated 31.03.2021, further in view of the non-compliances observed during the visit of the officials of the Respondent Board on 26.10.2021, the Respondent Board has issued Show Cause Notice vide letter dated 02.11.2021. Copies of the directions dated 29.07.2021, 01.10.2021 and show cause notice dated 02.11.2021 are already annexed in previous affidavit filed by this Respondent-Board on 09.11.2021.
- 8) The Respondent Board submits that on 03.12.2021, the show cause notice was issued for violation of consent conditions and failed to submit satisfactory reply to the earlier show cause notice dated 02.11.2021 and directed them to remain present for personal hearing on 08.12.2021. A copy of said show cause notice dated 03.12.2021 is annexed herewith and marked as an **Annexure-‘V’**.
- 9) Accordingly, the Respondent Board has extended personal hearing to Respondent No.1-Koradi Thermal Power Station on 08.12.2021. During the course of hearing, the following



directions are issued to the Respondent No.1 for necessary compliance :-



- a) Industry shall submit action plan with effort taken for 100% utilization of fly ash within 15 days.
- b) Industry shall submit time target for utilization of legacy ash.
- c) Industry shall provide adequate capacity dust extraction system at fly ash handling area.
- d) Industry shall complete ash bund overflow effluent recycling system within 3 months to recover ash bund effluent.
- e) Industry shall not discharge ash containing effluent outside water bodies.
- f) Industry shall provide adequate dry fly ash storage facility within 03 months.
- g) Industry shall provide HDPE/LDPE lining at ash bund area.
- h) Industry shall submit Action Plan for restriction for escaping of fly ash from running fly ash silo in future.
- i) Industry shall carry out retrofitting of ESP within 01 months and achieve consented emission norms.
- j) Industry shall submit concrete action for installation of FGD as per timeline given by MoEF & CC vide Notification dtd.31/03/2021.
- k) Industry shall carry out maintenance and cleaning of conveyor belts of CHP regularly to avoid fugitive emission.



- l) Industry shall carry out concreting of road in CHP area to avoid fugitive emission.
- m) Industry shall provide propose storage arrangement for reject coal to avoid incident of coal fire and leachate in rainy season.
- n) Industry shall keep good housekeeping to avoid fugitive emission.
- o) Industry shall revalidate existing Bank Guarantee as per consent conditions and submit valid Bank Guarantee within 7 days.

The aforesaid directions were communicated to the Respondent-MAHAGENCO through the minutes of meeting held on 08.12.2021. A copy of the Minutes of the Meeting dated 08.12.2021 is annexed herewith and marked as an **Annexure-‘VI’**.

- 10) The Respondent Board submits that for non-compliance of consent condition i.e. **exceeding JVS results using coal more than 34 % ash content, a Bank Guarantee of Rs. 25 Lacs is forfeited vide letter dated 15.12.2021.** A copy of letter dated 15.12.2021 is annexed herewith and marked as an **Annexure-‘VII’**.

- 11) The Respondent Board submits that **under the Chairmanship of the Chairman of the MPCB, a meeting was conducted on 20/01/2022 with MAHAGENCO , Western Coal Field, Manganese Ore India Ltd, Joint Controller of Mine, IBM Director, Geology & Mining , Dy. Director General Mine and Safety to review utilisation of legacy ash of MAHAGENCO**



Thermal Plant in abandoned mine/quarries /low lying area. The Dorwasa open cast mine of Western Coal Field is available for backfilling with fly ash. The Respondent Board has directed Western Coal Field and MAHAGENCO to take immediate steps towards backfilling of abandoned mines at Dorwasa Open Cast mine with legacy ash as per guidelines for disposal/utilisation of fly ash for reclamation of low lying areas and in stowing of abandoned mines/quarries issued by Central Pollution Control Board-March, 2019 and permission from State Pollution Control Board. The Minutes of the said meeting was communicated to the Respondent-MAHAGENCO vide letter dated 24.01.2022. A copy of the letter dated 24.01.2022 alongwith Minutes of the Meeting held on 20.01.2022 is annexed herewith and marked as an **Annexure-‘VIII’**.

- 12) I say and submit that MAHAGENCO vide letter dated 28.01.2022 has submitted Action Plan for utilisation of legacy ash of Thermal Power Plants in abandoned mine / quarries/ low lying area.
- 13) In view of continuous non-compliances by M/s.Koradi Thermal Power Plant , the Respondent Board has issued Prosecution Notice to Koradi Thermal Power Plant vide letter dated 27.01.2022. A copy of letter dated 27.01.2022 is annexed herewith and marked as an **Annexure-‘IX’**.
- 14) The Respondent Board submits that in response to the prosecution notice dated 27.01.2022 issued by the

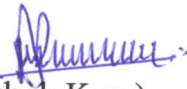


Respondent Board, **MAHAGENCO** has submitted its reply vide letter dated 01.02.2022.

- 15) The Respondent Board submits that in compliance of the Fly Ash Notifications issued by Ministry of Environment Forest & Climate Change, Govt of India (Amended from time to time), the Respondent Board has issued various directions to the Respondent No.1 from time to time in order to mitigate air pollution caused during operation of Thermal Power Plant. Hence these submissions.

Solemnly affirmed on 10th /02/2022 at Nagpur.

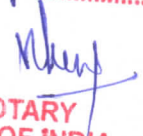
For & on Behalf of Maharashtra
pollution Control Board


(Ashok Kare)

Regional officer-Nagpur

Regional Officer
MLRC Board, Nagpur

Sworn before me on this 10th
day of FEB 2022 at Nagpur by
Shri/Smt./Ku. A. M. Kare
R/o Nagpur who has been identified
by Shri/Smt. say
Advocate, Nagpur.


NOTARY
GOVT. OF INDIA
Nagpur (M.S.) INDIA

10 FEB 2022



MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010437/24020781/24014701

Fax: 24024068 / 24023515

Website: <http://mpcb.mah.nic.in>

E-mail: jdair@mpcb.gov.in



Kalpataru Point, 2nd - 4th Floor

Opp. Cine Planet Cinema,

Near Sion Circle, Sion (E)

Mumbai-400 022.

BY R.P.A.D./FAX/HAND DELIVERY

No: BO/JD(APC)/TB.2/B-200519FTS,/0038/2020 DATE 19/05/2020

To,

Sub: Compliance of thermal Power plants as per direction issued under section 31A of Air (P & CP), Act, 1981


- Ref**
1. Directions issued by CPCB on 11/12/2017.
 2. MoEFCC notification No.GSR 02 (E) dtd. 02/01/2014 regarding use of Blended/beneficial coal in TPS.
 3. MoEFCC, Office Memorandum dtd. 26/08/2015 regarding coal ash analyzer.
 4. MoEFCC notification for new Emission Standards vide Notification No. S.O. 3305(E) dated 07.12.2015
 5. Fly ash Notification No. S.O 804 (E) dated 3rd November 2009
 6. Time to time review taken by MPCB for compliance notifications, office memorandum, circulars issued by MoEFCC & CPCB.
 7. Direction issued by Chairman MPCB

Taking into consideration pollution from thermal power plants, Ministry of Environment, forest & Climate Change has issued notification in the year 1984 laying out standards for thermal power plants. Further the stack height regulation was notified in the year 1989 and effluent standards for thermal power plants was notified in the year 1986. The revised temperature limit of discharge of cooling water from the plants was notified in the year 1999 and thereafter use of beneficiated coal in the plants was issued in June 2002. The fly ash utilization notification was also issued on 14th September, 1999 and amended in the year 2003, 2009 & 2016. Thereafter MoEF & CC vide notification no S.O.3305 (E) dtd. 07/12/2015 has amended emission limit for particulate matter and notified new limit for PM, SO₂, NO_x and Mercury (Hg) , and water consumption limits for Coal/lignite based thermal power plants. As per the notification dtd. 7/12/2015, Thermal Power Plants are required to achieve the notified limit within 2 years from the date of the notification i.e. by 07/12/2017.

With the implementation of the amendment in the notification dtd.07/12/2015, it is expected that there would be reduction in emission of PM, Sulphur dioxide and oxide of Nitrogen, which in turn will help in improvement in Ambient Air Quality in and around thermal power plants, besides reduction of mercury emission, and reduction in water

CPCB has issued directions under section 5 of Environment (Protection) Act, 1986 regarding compliance of emission limit notified vide notification no. S.O.3305 (E) dtd.11/12/2017 to all c power plants


Hon'ble Chairman of MPCB has taken review meeting of all Thermal Power Plants and issued direction.


19/5/2020

NOW THEREFORE, considering time period given by CPCB for implementation of new emission norms notified on 07/12/2015 and other directions issued by CPCB/MPCB time to time , you are hereby directed to submit compliance report on following,

1. Status of installation of FGD. Time period required for work completion and reasons towards delay in work completion.
2. Status of installation/upgrading/retrofitting of ESP. Time period required for work completion and reasons towards delay in work completion.
3. Status of installation of low NOx burners to achieve progressive reduction NOx emission
Time period required for work completion and reasons towards delay in work completion.
4. Status of total ash generating (Fly+bottom) for last 1 year with isoposal.
5. Status of legacy ash & its disposal.
6. TPS shall comply MoEFCC notification dtd. 02/01/2014 regarding use of blended/beneficial coal having ash content less than 34% and submit report regarding average ash content in coal used on monthly basis.
7. Specific water consumption for last one year against power generation.
8. Status of Bank Guarantee.

You shall submit your reply within 7 days positively.


(Dr. V. M. Motghare)
Joint Director (APC)

19/12/2015

Copy submitted to:

1. Hon'ble Chairman, MPCB, Mumbai-for information
2. Hon'ble Member Secretary, MPCB, Mumbai- for information

Copy to

1. Regional Officer, MPCB,- You are directed to submit compliance of above direction within 7 days.
2. Sub-Regional Officer,: He is directed to ensure that direction is served to the industry and report compliance along with present status of unit within 7 days.

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010437/24020781/24014701

Fax: 24023516/24024068/24044531

Website: www.mpcb.gov.in

E-mail: jdair@mpcb.gov.in



Kalpataru Point, 2nd - 4th Floor
Sion-Matunga Scheme Rd.No.8,
Near Sion Circle, Sion (E)

Mumbai- 400 022.

No.MPCB/JD(APC)/B-200727-FTS-0095

Date :27/07/2020

To,
M/s. Maharashtra State Power Generation Co. Ltd.
Koradi Thermal Power Station,
Koradi,Nagpur-441111.

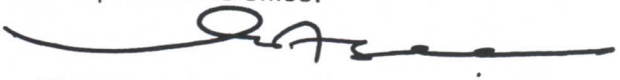
Subject: Levying Environmental Compensation for non-utilization of 100% fly ash according to Hon'ble NGT order dtd. 12/02/2020 in O.A. No. 117/2014-reg.

Ref: CPCB letter No. B-33014/7/2020/IPC-II/TPP/2037 dtd,02/07/2020.

In compliance of Hon'ble NGT order dtd. 12/02/2020 in O.A. No. 117/2014 Central Pollution Control Board has computed the amount of Environmental Compensation for individual Thermal Power for non-utilization of 100 % fly ash for year 2018 (2018-2019) & 2019 (2019-2020). The environmental compensation amount computed for your plant is as under.

Capacity 2018-19 (MW)	% Ash utilization in 2018-19	EC for 2018 (2018-19) in Rs.	Capacity 2019-20 (MW)	% Ash utilization in 2019-20	EC for 2018 (2019-20) in Rs.	Total EC for 2018 (2018-19) and 2019 (2019-20) in Rs.
2400	29.19	72837685	2400	42.56	59085339	131923023

Therefore, as per CPCB letter at above reference you are requested to deposit above Environmental Compensation amount to "CPCB NGT EC75", UBI A/c No. 532702010009078, which may be done within 30 days with compliance report to this office.

(Dr. V. M. Motghare) 
Joint Director (Air Pollution Control)

Copy submitted for favour of information to:

7. Hon'ble Chairman, MPCB, Mumbai.
8. Hon'ble Member Secretary, MPCB, Mumbai.
9. Nazimuddin, Divisional Head-IPC-II, CPCB, Parivesh Bhavan, East Arjun Nagar, Delhi-110032

Copy to: Law Officer (P & L Divn.), MPCB, Mumbai-for information.

Copy for information and necessary action to :

Regional officer, MPC Board, Nagpur - They are directed to communicate letter to industry and submit status of fly ash utilization for year 2019-2020

अशोक शिंगारे, भाष्य
सदस्य सचिव
Ashok Shingare, IAS
MEMBER SECRETARY



महाराष्ट्र प्रदूषण नियंत्रण मंडळ
MAHARASHTRA POLLUTION CONTROL BOARD

No.BO/JD(APC)/TB-3/B-201208-FTS-0227

Date: 8.12.2020

To,
M/s. Keradi Thermal Power Plant,
Unit. No. 6, 7, 8, 9, 10, Keradi
Tq. Kamptee, Dist. Nagpur

Sub- Directions u/s 31A of the Air (Prevention & Control of Pollution) Act, 1981, Fly Ash Notification implementation.

- Ref: 1. Ministry of environment, Forest and Climate Change Notification dated 25/01/2016.
2. Ministry of environment, Forest and Climate Change Notification dated 03.11.2009.
3. Ministry of environment, Forest and Climate Change Notification dated 27.08.2003.
4. Ministry of environment, Forest and Climate Change Notification dated 14.09.1999.
5. Directions issued by the Central Pollution Control Board vide Letter No.B-33018/IPC-II/1252A, dated 8/11/2018.
6. Direction issued vide No. BO/JD(APC)/TB-2/B-4754 dtd. 13/12/2018.
7. Letter issued vide No. MPCB/JD(APC)/TB-2/B-201016-FTS-0081 dtd. 16/10/2020.
8. The order issued by the Hon'ble national Green Tribunal (Principal Bench) in O.A. No. 117 of dtd. 12/02/2020
9. Meeting conducted by Hon'ble Minister, Environment and Climate Change Department, Govt. of Maharashtra on 02/11/2020.

WHEREAS, in order to protect the environment, conserve top soil, and promote utilization of ash generated from coal and lignite based Thermal Power Plants, the Ministry of Environment, Forest & Climate Change, Government of India has issued Notification vide No.763(E), dated 14.09.1999, as amended vide Notification bearing S.O 979 (E) dated 27.08.2003, S.O 2804 (E) dated 03.11.2009, further amended vide Notification dated 25/1/2016.

कलपतरु पॉइंट, मायन मकान, मायन (पूर्व), मुंबई - ४०० ०२२, टेलि. २४०१ ०७०६

Kalpataru Point, Sion Circle Sion (East) Mumbai - 400 022 Tel. 2401 0706

E-mail: msa@mpcb.gov.in Website: www.mpcb.gov.in

AND WHEREAS, the Notification contains various directions including directions regarding-mandatory mixing of ash in brick manufacturing, mandatory use of ash based products in construction activities, mandatory use of ash in roads and flyover projects, mandatory use of ash in land reclamation projects and mandatory use of ash in stowing and black filling of mine voids and in mines overburden dumping within specified distances from Thermal Power Plants.

AND WHEREAS, non-utilization or insufficient utilization of ash generated from coal and lignite based thermal power plants by end users in violation of the Notification is leading to accumulation of ash in large number of power plants causing a major environmental problem.

AND WHEREAS, most of the construction agencies are still utilizing red bricks in the construction activities ultimately excavation of the top soil is used for the manufacturing of red bricks. The total quantity of fly ash generation from the coal or lignite based thermal power plants is not fully utilized in the building and construction projects.

WHEREAS, Joint secretary, Ministry of environment, Forest and Climate Change has issued letter to the Board on 28.04.2016. The following major specific amendments and their implication are given as below.

1. The mandatory jurisdiction of the area of application of the notification is increased from 100 Km to 300 Km. Accordingly to the amendment, every construction agency engaged in the construction of building within a radius of 300 Km from coal or lignite based thermal power plants shall use only fly ash based products for construction. This will encourage more stakeholders to utilizes the fly ash.
2. Coal or lignite based thermal power plants shall bear the cost of transportation of ash for manufacturing of fly ash-based products, road construction project and for use as a soil conditioner in agriculture activity up to 100 Km distance. Beyond the distance 100 Km and up to 300 Km transportation cost shall be shared equally between the user and TPPs. This will bring down the cost of manufacturing of fly ash-based products thereby increasing the affordability of ash based products by the consumer as well as increase the utilization of ash.
3. The amendment mandates use of fly ash based products in the road construction projects under Pradhan Mantri Gramin Sadak Yojana and asset creation programme of Government involving construction of building, roads, dams and Embankments and the entire cost of transportation of ash for these project sites shall be borne by the TPPs.
4. Amendment also mandate use of ash based bricks or products in the construction under all Government scheme or programme e.g. Mahatma Gandhi National Rural Employment Programme [MNREGA], Swachh Bharat Abhiyan, Urban and Rural Housing where built up area is more than 1000 Square feet and infrastructure construction including building in designated Industrial Estate or parks or special Economic Zone.
5. Coal or lignite based thermal power plants within three months from the date of notification shall upload on their website the details of stock of ash available and thereafter update stock position at least once every month. By this, the use would be able to look for the sources where ash is available and can approach such TPPs for obtaining fly ash.
6. State authorities shall amend building bye laws of the cities having population of one million or more so as to ensure the mandatory use of ash-based bricks.

7. Payment to the contractor for road making or any other infrastructure projects within the mandated distance shall be linked to submission of certificate of fly ash supply from the TTPs.

AND WHEREAS, as per amended fly ash Notification dated 25/01/2016, the coal or lignite based thermal power plants shall comply with the above provision in addition to 100 % utilization of fly ash generated by them before 31st December 2017.

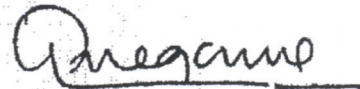
AND WHEREAS, vide order dtd. 12/02/2020 in the matter of O.A. No. 117/2014 Hon'ble National Green Tribunal has passed an order for levy of Environment Compensation for non-utilization of 100% fly ash in year 2018 & 2019 considering, cut-off date as 31st December 2017 for 100 % utilization of fly ash generated as per amended fly ash Notification dated 25/01/2016.

AND WHEREAS, Hon'ble Minister, Environment and Climate Change Department, GoM, Hon'ble Chief Secretary, GoM and Principle Secretary, Environment and Climate Change Department, GoM. has taken review meeting with M.P.C.B and MSRDC regarding utilization of fly ash in Nagpur- Mumbai Samarudhi Mahamarg.

Therefore, in view of above you are directed to comply with notification on following point,

1. Ash utilised for road and flyover projects (with cost and free of cost)
2. Ash utilised low lying area reclamation projects.
3. Ash utilised in cement projects.
4. Ash utilised bricks manufacturing units.
5. Infrastructure construction including building in designated Industrial Estate or parks or special Economic Zone.
6. Construction under all Government scheme or programme e.g. Mahatma Gandhi National Rural Employment Guarantee Act, 2005 [MNREGA] Swachh Bharat Abhiyan, Urban and Rural Housing
7. Deployment of entrepreneurship (financial and other associated infrastructure) for ash-based products manufacturing facilities within your premises or in the vicinity of your premises to set up the ash-based products manufacturing facilities

Please ensure to submit the Action Taken Report within a period of 15 days from the date of receipt of these directions to Pollution Control Board as the issue is being reviewed by Hon'ble Chief Secretary, GoM. shortly.


(Ashok Shingare, IAS)
Member Secretary

Copy for information to :

1. Hon'ble Chairman, M P C Board, Sion, Mumbai.
2. The Principal Secretary, Environment Department, Government of Maharashtra, Mantralaya, Mumbai-32 – for information.

Copy for information and necessary action to :

1. Regional officer, MPC Board, Mumbai/Navi Mumbai/ Thane/Kalyan/ Raigad/ Pune/ Kolhapur/Nashik/ Amravati/Nagpur/Chandrapur/Aurangabad.

MAHARASHTRA POLLUTION CONTROL BOARD

Tel : 24010437/24020781/24014701
 Fax : 24024068 / 24044531
 Website : www.mpcb.gov.in
 E-mail : jdair@mpcb.gov.in



Kalpataru Point, 2nd - 4th Floor,
 Opp. PVR Cinema,
 Near Sion Circle, Sion (E),
 Mumbai - 400 022.

NO.BO/JD(APC)/non-attainment citiesTB-2/B-0032

Date: 29/01/2021.

To,

ra/s Karadi Thermal Power Plant,
 Kamptee Dist. Akola.

Sub: Direction under section 31A of the Air (Prevention & Control of Pollution) Act, 1981- Implementation of National Clean Air Program-reg....

- Ref:**
1. Direction u/s 18 (1) (b) of the Air (Prevention & Control of Pollution) Act, 1981 regarding prevention and control of air pollution in non-attainments cities and towns issued by Chairman, Central Pollution Control Board vide letter dtd. 01/07/2016.
 2. The order passed by Hon'ble National Green Tribunal, Principal Bench, and New Delhi in Original Application No. 681 of 2018.

WHEREAS, the Central Pollution Control Board (CPCB) has identified 122 cities in India as "Non-attainment Cities". Non-attainment city is the one which does not meet the National Ambient Air Quality Standards (NAAQS). The said standards are prescribed under Section 16 (2) (h) of Air (Prevention and Control of Pollution) Act, 1981 vide notification dtd. 18/11/2009 by CPCB. Out of 122 cities 18 cities identified in the State of Maharashtra, namely, Akola, Amravati, Aurangabad, Badalapur, Chandrapur, Jalgaon, Jalna, Kolhapur, Latur, Mumbai, Navi Mumbai, Nagpur, Nashik, Pune, Sangli, Solapur, Ulhasnagar & Thane.

AND WHEREAS, levels of ambient Particulate Matter (PM10) were observed to be exceeding the National Ambient Air Quality Standards, 2009 consecutively during 2011-2015 in the city of Akola, Amravati, Aurangabad, Badalapur, Chandrapur, Jalgaon, Jalna, Kolhapur, Latur, Mumbai, Navi Mumbai, Nagpur, Nashik, Pune, Sangli, Solapur and Ulhasnagar of Maharashtra.

AND WHEREAS, the Hon'ble National Green Tribunal, Principal Bench, New in Original Application No. 681/2018 passed various orders directing all the State and Union Territories to prepare Action Plans of Non-attainment cities aimed at bringing the standards of air quality within the prescribed norms within Six (06) month from the date of finalization of the action plans.

AND WHEREAS, Tree plantation play an important role in ecology of human habitats in many ways as below.

- A. Environmental impacts include: (i) Air pollution reduction as trees reduce temperatures and smog, assist in active pollutant removal, carbon sequestration and interception of particulate matter, (ii) Rainwater runoff reduction (iii) Provide food and shelter to urban habitation.
- B. Economic impacts include: (i) Reduction of energy usage and CO₂ consumption (ii) Water filtration (iii) Tourism and local business expansion (iv) Help in increase in property value.
- C. Sociological impacts include: (i) Community health impact and (ii) Mental health impact.

Looking at the above multiple benefits, industry shall allocate 33% land out of total plot area for planting of different native species available in the region.

AND WHEREAS, Groundwater is increasingly recognized as a factor in urban management. One of the key components of the water cycle, which is crucial to integrated water resources management, is groundwater recharge. Recharge takes place when, after infiltration into the soil, water percolates across the unsaturated zone and reaches the water table. Natural recharge occurs due to precipitation. The industry shall identify different sources of recharge in the industry as well as surrounding village and methods for local groundwater recharge.

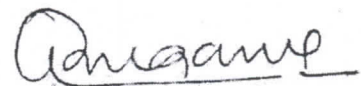
AND WHEREAS, Solarization of roads is laying photovoltaic solar panels above and along the road to generate electricity to charge battery electric vehicles or to supply to the main grid. Road solarization generates electricity without generating CO₂ or other greenhouse gases. Industry shall consider the implementation of road solarization in their factory premises as well as nearby villages under CSR as it is a unique way of generating electricity which is truly carbon negative. And more than

anything else demonstrate this mitigating solution for climate change due to energy generation and transportation, further to promote e-vehicle uses.

AND WHEREAS, the term sustainable or green supply chain refers to the idea of integrating sustainable environmental processes into the traditional supply chain. This can include processes such as supplier selection and purchasing material, product design, product manufacturing and assembling, distribution and end-of-life management. Although, reducing air, water and waste pollution is the main goal of green supply chain, while green operations also enhance firm's performance in terms of less waste manufacturing, reuse and recycling of products, reduction in manufacturing costs, greater efficiency of assets, positive image building, and greater customer satisfaction. Green trends are catching on within supply-chain management and transforming how the industry operates. Here are a few current strategies: (i) Ethical sourcing (ii) Green materials (iii) Reverse logistics (Closed-loop system) (iv) Just-in-time (v) Efficient transport and (vi) Green certification.

NOW THEREFORE, exercise of the powers conferred upon the u/s 31A in the Air (Prevention & Control of Pollution), Act, 1981 you are hereby directed to submit the action plan towards implementation of action points suggested above and submit report within 15 days.

Please treat this as a MOST URGENT.



(Ashok Shingare, IAS)

Member Secretary

Copy submitted for information to -

1. Hon'ble Chairman, MPCB, Sion Mumbai.
2. Hon'ble Principal Secretary, Environment Department, Govt. of Maharashtra, Mantralaya, Mumbai.

Copy to:

1. JD(APC)/Law Officer (P & L Div), MPCB, Mumbai for information.
2. Regional Officer, MPCB: You are directed to confirm this letter copy with approved action plan received by concern authority and obtained action plan personally.

MAHARASHTRA POLLUTION CONTROL BOARD

Tel.: 24010437/24020781/24014701
 Fax : 24024068 / 24044531
 Website : www.mpcb.gov.in
 E-mail : jdair@mpcb.gov.in



Kalpataru Point, 2nd - 4th Floor,
 Opp. PVR Cinema,
 Near Sion Circle, Sion (E),
 Mumbai - 400 022.

No: BO/JD(APC)/TB.2/SCN/B- 0158
To,
M/s. Koradi Thermal Power Plant
Maharashtra State Power Generation Ltd.,
Unit No. 8,9 & 10, Kamptee, Nagpur

Date : 03/12/2021

- Sub:** Show cause notice for the violation of consent conditions granted under Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981.
- Ref**
1. Consent to Operate granted vide no: BO/CAC/UAN No.76926/CR-207000590 dtd. 08/07/2020.
 2. Show cause notice issued by Regional officer Nagpur vide letter dtd. 02/11/2021
 3. Visit carried out by SRO Nagpur-126/10/2021.
 5. Proposal for legal action submitted by Regional officer, Chandrapur No. MPCB-LEGAL_ACTIONS-271021009

WHEREAS, you are operating your industry in Water Pollution Prevention area declared under Water (P & CP), Act, 1974 and Air Pollution Prevention area declared under Air (P & CP), Act, 1981.

AND WHEREAS, vide ref. no. 1 above Board has granted consent to your industry with certain terms & conditions & it is obligatory on your part to comply the said terms & conditions.

AND WHEREAS, Board officer visited your industry on 26/10/2021 to investigate complaint and reported following non compliances,

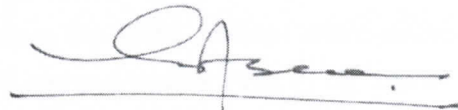
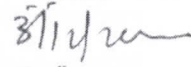
1. Industry is failed to achieve consented emissions standards in respect of particulate matter, NOx & SO2 emissions.
2. The online meter reading, which are connected to MPCB/CPCB server for the unit 8 & 10 dtd. 28.11.2021 shows average TPM emissions for Unit No.10 – PM-91.1 mg/Nm³, SO₂ – 1508.5 mg/Nm³ & NO_x – 343.7 mg/Nm³. For Unit No.8, SO₂-1821.9 mg/Nm³ & NO_x – 309.6 mg/Nm³. O & M of existing air pollution control arrangements is not satisfactory, which needs urgent up-gradation.
3. Industry has failed to achieve 100% fly ash utilization as per the consent conditions. It is reported that only 58% fly ash is utilized from April-21 to October-21.

4. Industry has not provided adequate dry fly ash storage facility. Dry fly ash utilization is very poor. For the year 2020-2021, it was only 0.55%. For period April-2021 to October-2021, dry fly ash utilization is only 2.80%.
5. Industry has not submitted BG as per the consent conditions of schedule-III. 4. Industry has not provided HDPE/LDPE lining at ash bund area.
6. Adequate capacity dust extraction system not provided at fly ash handling area.
7. Industry has not completed ash bund overflow effluent recycling system, resulting of which industry is fail to recover ash bund effluent.

AND WHEREAS, for above non compliances Board has already issued show cause notice on 02/11/2021 but you have not submitted satisfactory reply, which shows your negligent attitude towards Environment Protections.

NOW THEREFORE, you are directed show cause as to why your existing Bank guarantee should not be forfeited under provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 and Hazardous Wastes (Management, Handling & Transboundry Movement) Rules, 2008. You are hereby directed to submit your reply with action plan to not happen such incident within three (03) days from the date of receipt of this letter under a copy to Regional Officer, Chandrapur and Sub-Regional Officer, Chandrapur. Failure to this, it will be assumed that you have nothing to say and further stringent action will be initiated against your industry, which may please be noted. Further you are call for personal hearing before competent authority of the board on 08/12/2021 at 4.00 PM

This is issued with approval of Member Secretary of the Board.


 (Dr. V.M.Motghare) 
 Joint Director (Air Pollution Control)

Copy submitted for information to: Member Secretary, M.P.C.Board, Sion, Mumbai.

Copy to:-

1. Regional Officer, MPCB, Nagpur – For information and repot.
2. Sub-Regional Officer, MPCB, Nagpur-1 - He is directed to ensure that SCN is served to the industry and report compliance with present status with JVS report at the earliest.

Minutes of personal hearing extended on 08/12/2021 of M/s. Maharashtra State Power Generation Ltd., Koradi Thermal Power Station, Koradi, Tal. Kamptee, Dist. Nagpur.

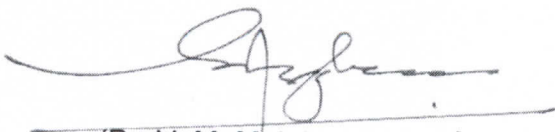
With reference to proposal submitted by Regional Officer Nagpur through legal module No.271021009 against M/s. Maharashtra State Power Generation Ltd., Koradi Thermal Power Station, Koradi, Tal. Kamptee, Dist. Nagpur, personal hearing of industry extended on 08/12/2021 before Member Secretary, MPCB. The hearing was attended by Chief Engineer Koradi TPS & Executive Director (E & S) MAHAGENCO, Head office.

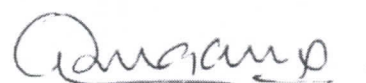
During hearing Joint Director (APC) informed that, show cause was issued on 03/12/2021. Industry has failed to achieve consented emission standards, not achieve 100% fly ash utilization, only 58% fly ash is utilized in April-21 to Oct-21. Huge quantity of legacy ash dumped in ash pond. Not submitted Bank Guarantees as per consent conditions. Various compliant regarding air pollution received against industry.

Chief Engineer, Koradi submitted that, Vide letter dtd. 07/12/2021 submitted reply for show cause. Further informed that, they have provided ESP with 99.94 % efficiency to each unit of 660 MW. Due to some operational changes PM emission exceeds. PM value for unit 10 is showing value on higher side as some of ESP fields were under voltage and planning for maintenance work of unit in next week. Low NOx burners are installed. For control of SO₂, FGD is proposed and same shall be installed in stipulated time. Fly ash transportation by rail, tended for construction of ramp is in progress.

In view of above following directions issued to industry,

1. Industry shall submit action plan with effort taken for 100% utilization of fly ash within 15 days
2. Industry shall submit time target for utilization of legacy ash.
3. Industry shall provide adequate capacity dust extraction system at fly ash handling area.
4. Industry shall complete ash bund overflow effluent recycling system within 03 months to recover ash bund effluent.
5. Industry shall not discharge ash containing effluent outside water bodies.
6. Industry shall provide adequate dry fly ash storage facility within 03 months.
7. Industry shall provide HDPE/LDPE lining at ash bund area.
8. Industry shall submit Action plan for restriction for escaping of fly ash from running fly ash silo in future.
9. Industry shall carry out retrofitting of ESP within 01 months and achieve consented emission norms.
10. Industry shall submit concrete action for installation of FGD as per timeline given by MoEF & CC vide notification dtd. 31/03/2021.
11. Industry shall carry out maintenance & cleaning of conveyor belts of CHP regularly to avoid fugitive emission.
12. Industry shall carry concreting of road in CHP area to avoid fugitive emission.
13. Industry shall provide propose storage arrangement for reject coal to avoid incident of coal fire and leachate in rainy season.
14. Industry shall keep good housekeeping to avoid fugitive emission.
15. Industry shall revalidate existing Bank Guarantees as per consent conditions and submit valid Bank Guarantee within 7 days.
16. Regional Officer, Nagpur directed to calculate Environmental compensation as per formula given by Hon'ble NGT and submit proposal.


(Dr. V. M. Motghare)
Joint Director (APC)


(Ashok Shingare), IAS
Member Secretary

MAHARASHTRA POLLUTION CONTROL BOARD**Regional Office, Nagpur**

Website : mpcb.gov.in
 e-mail : ronagpur@mpcb.gov.in
 Fax : 2560851
 Phone : 2565308, 2560139



Regional Office,
 5th Floor, Udyog
 Bhawan, Civil lines,
 Nagpur - 440001.

RP/Ad

No. MPC/NRO/BG/ 1444 /2021

Date: 15/12/2021

To,
 Branch Manager.,
 State Bank of India.,
 Industrial Finance Branch,
 Plot No C-38 & C-39, BKC, Bandra (E),
 G Block B-202, Parinee Crescenzo, Mumbai 400051.

Sub :- Regarding forfeiture of Bank Guarantee Rs. 25,00,000/- Out of Rs. 70,00,000/- issued to M/s. Koradi Thermal Power Plant MAHAGENCO, 3 x 660 MW, Unit No. 8,9 & 10 (Coal Based Thermal Power Plant), Kh No 188-189, Koradi, Tq. Kamptee Dist. Nagpur.

Ref :- 1. Consent vide no CAC/UAN No. 0000076926/CR-2007000590 dtd 08/07/2020.
 2. Bank Guarantee No. 0896521BG0000372 dtd 26/11/2021, Rs. 70.0 Lacs.

Sir,

As per above reference no. 01 Board has granted renewal of consent to operate to industry subject to impose Bank Guarantee towards compliance of consent conditions and directed to forfeit of Bank Guarantee towards non-compliance of consent conditions for JVS exceedance and not using coal with ash contain less than 34%. Hence forfeit of Bank Guarantee of Rs. 25.0 Lacs out of Rs. 70.0 Lacs.

In view of above, you are requested to forfeit the above industry Bank Guarantee of Rs. 25,00,000/- Out of Rs. 70,00,000/- issued by your Bank BG. No. 0896521BG0000372 dtd 26/11/2021 valid upto 31/12/2022. You are further requested to send D.D. of amounting of Rs. 25,00,000/- drawn in favour of Regional Officer M.P.C. Board, Nagpur, at the earliest.

The original Bank Guarantee obtained by Regional Officer, M.P.C. Board Nagpur is enclosed herewith for necessary action.

Yours faithfully,

(A.M. Kare)

Regional Officer, Nagpur

D.A.:- Original Bank Gurantee.

(B.G. 0896521BG0000372 dtd 26/11/2021)

(2)

Copy submitted for favour of information to:-
The Joint Director (APC), MPC Board, Sion, Mumbai.

Copy to :- 1. Sub- Regional Officer, M. P.C. Board, Nagpur-II - for your information.

2. M/s. Koradi Thermal Power Plant MAHAGENCO, 3 x 660 MW, Unit No. 8,9 & 10 (Coal Based Thermal Power Plant), Kh No 188-189, Koradi, Tq. Kamptee Dist. Nagpur.

- You are hereby directed to submit top up Bank Guarantee of Rs 50.0 Lacs within 15 days, positively.


(A.M. Kare)

Regional Officer, Nagpur

MAHARASHTRA POLLUTION CONTROL BOARD

Phone No. : 24010437 / 24020781

Visit us at : <http://mpcb.gov.in>

E-mail : jdair@mpcb.gov.in



Kalpataru Point 2nd Floor,
Sion Matunga Scheme Road No. 8,
Near Sion Circle,
Sion (E), Mumbai - 400 022.

"Your Service is our Duty"

No./MPCB/JD(APC)/TB/B-0095

Date 24/01/2022.

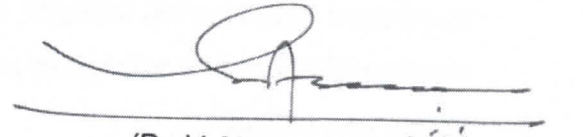
To,

1. Chairman-cum-Managing Director, Western Coal filed Ltd, Nagpur
2. Chairman-cum-Managing Director, MOIL, Nagpur.
3. Joint Controller of Mine, Indian Bureau of Mine, 2nd Floor, Indira Bhawan, Civil line Nagpur.
4. Director, Directorate of Geology & Mining, GoM, Nagpur.
5. Dy. Director General of Mine Safety, Nagpur Region-II, CGO Complex, Seminar Hills, Nagpur.
6. The Director (Operation), MAHAGENCO, Bhandra (East), Mumbai.
7. Executive Director (Environment & Safety), MAHAGENCO, Bhandra (East), Mumbai.
8. Chief Engineers, Chandrapur/Koradi/Khaperkheda, Thermal Power Plant.
9. Regional Officers, M.P.C.Board, Chandrapur/Nagpur/Amravati/Aurangabad/Nashik.
10. Shri. Sanjay Mandhania, Director M/s. Ashtech India Pvt. Ltd., Mumbai.
11. Mr. Dinkar Sawat, Proprietor, M/s. Flashbottom India Pvt. Ltd., Mumbai
12. Mr. Khadse, M/s. Sadgurru Trading company, Nagpur

Sub : Minutes of virtual meeting held under Chairmanship of Hon'ble Chairman, MPCB on 20/01/2022 at 12.00 noon to review utilization of legacy ash of Thermal Power Plant in abandoned mines/quarries/low lying area.

Ref: Virtual meeting held under Chairmanship of Hon'ble Chairman, MPCB on 20/01/2022 at 12.00 noon

With reference to above subject, please find Minutes of virtual meeting held under Chairmanship of Hon'ble Chairman, MPCB on 20/01/2022 at 12.00 noon to review utilization of legacy ash of Thermal Power Plant in abandoned mines/quarries/low lying area for your information and further necessary action, please.


(Dr. V. M. Motghare) 24/1/2022
Joint Director (APC)

Copy submitted for information to,

1. Hon'ble Chairman, M.P.C.Board, Sion, Mumbai.
2. Member Secretary, M.P.C.Board, Sion, Mumbai.

Minutes of Virtual meeting held on 20/01/2022 at 12.00 noon under Chairmanship of Hon'ble Chairman, MPCB to review utilization of legacy ash of MAHAGENCO Thermal Power Plant in abandoned mines/quarries/low lying area.

The virtual review meeting regarding utilization of legacy pond ash of MAHAGENCO Thermal Power Plant in abandoned mines/quarries/low lying area as per fly ash notification was held on under Chairmanship of Hon'ble Chairman, MPCB on 20/01/2021 at 12.00 noon. During meeting following officers were present.

1. Chairman Cum Managing Director, Western Coal Field, Nagpur.
2. Chairman Cum Managing Director, MOIL, Nagpur
3. Joint Controller of Mine, IBM
4. Director, Geology & Mining
5. Dy. Director General Mine & Safety
6. Director (Operation), MAHAGENCO
7. Director (Mine), MAHAGENCO
8. Executive Director (E & S), MAHAGENCO
9. Mr. Sanjay Mandhania, Director M/s. Ashtech India Pvt. Ltd,
10. Mr. Dinkar Sawat, Proprietor, M/s. Flashbottom India Pvt. Ltd
11. Mr. Khadse, M/s. Sadgurru Trading company

M.P.C.Board Officer

1. Joint Director (Air Pollution Control)
2. Regional Officer, Chandrapur/Nagpur/Amravati/Aurangabad

Joint Director (APC) has well-come all members present in meeting and explain the purpose of meeting with respect to the judgment of Hon'ble National Green Tribunal, Principal Bench, New Delhi orders given in the O.A. No.117/2014 and Notification issued by Ministry of the Environment, Forest & Climate Change, Gol. vide S.O.5481 (E) dtd.31/12/2021.

Chairman MPCB, light on new fly ash notification, its polluter pay principle & mentioned that, It is prime duty of Thermal Power Plant for utilization of fly ash. Further mentioned that, Hon'ble Minister, Environment & climate change, GoM taken review meeting of Thermal Power plant pollution issue and directed for action plan for 100% legacy ash utilization.

Joint Director (APC) gave short presentation on fly ash and highlighted that, It shall be obligatory on all mines located within 300 kilometres radius of thermal power plant, to undertake backfilling of ash in mine voids or mixing of ash with external Overburden dumps, under Extended Producer Responsibility (EPR). Further show

that, As per Hon'ble NGT order in O.A. No. 117/2014 Task Force constituted at Ministry of Power and Ministry of Coal for identification of abandoned mines/quarries for mine back filling purpose to the CPCB and they have identified 3 abandoned mines of WCL i.e Telwasa OC, Dhorwasa OC and Navin Kunada OC.

Chairman cum managing Director, WCL informed that, presently they have one abandoned mine at Dhorwasa OC and ready for bag filling with ash and in next 2-3 years 1 or 2 mine will be abandoned accordingly they will inform to MAHAGENCO.

MAHAGENCO informed that, meeting held with WCL regarding backfilling of mines with legacy ash. Issue of transportation cost is pending.

Chairman, MPCB directed to solve cost issue mutually and start using ash for backfilling. As per Fly ash notification is mandatory to both for utilization of ash.

Chairman cum managing Director, MOIL informed that, presently no abandoned mines in MOIL. They have agreement with Adani Tiroda and NTPC Mouda for utilization of bottom ash with sand for stowing. It is suggested that MAHAGENCO shall take meeting with MOIL for utilization of bottom ash for mine stowing.

Deputy Director Geology and Mining suggested that, WCL as well as MOIL use ash for mining stowing and backfilling. Further suggested that, information of mineral mining with District collector office.

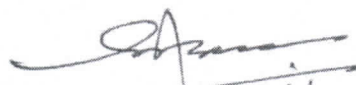
Director General Mine & Safety suggested with following safe procedure fly ash can use for backfilling.

After detailed deliberation with all members, the chairman issue following directions,

1. WCL and MAHAGENCO immediately start using of abandoned mine at Dhorwasa OC for backfilling with legacy ash.
2. Issue of cost sharing shall be solved mutually.
3. MAHAGENCO follow up with District Collectors for abandoned stone quarries/mines nearby TPS.
4. MAHAGENCO shall take meeting with MOIL for utilization of bottom ash for mine stowing.
5. Submit action take report within week for further submission.

The meeting was ended with thanks to the chair.

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28/01/2012

MAHARASHTRA POLLUTION CONTROL BOARD

Phone: 07172- 2565308, 2560139

Fax: 07172- 2560851

Visit us at www.mpcb.gov.inE-mail: ronagpur@mpcb.gov.in

Regional Office

Udyog Bhavan, 5th Floor

Civil Lines, Nagpur.

"Your Service is our Duty"

No. MPCB/PN/154/2022

Date:- 27/01/2022

To,
M/s. Koradi Thermal Power Station.,
Maharashtra State Power Generation Ltd.,
Tq. Kamptee Dist. Nagpur.

Sub:- Prosecution Notice under section 15 of the Environment (Protection) Act 1986.

Ref:- [1] Consent granted by the Board to Koradi Thermal Power Station vide letter no. Format 1.0/CAC/UAN – 0000076926/CR-2007000590 dtd 08/07/2020.

[2] Frequent complaints regarding air pollution received against Koradi Thermal Power Station.

[3] Visit of Board Official to your unit dtd. 26/10/2021

[4] Show Cause Notice issued by the Board vide letter no. MPCB/SCN/2111020001 dtd 02/11/2021.

[5] Visit of Board Official to your unit dtd. 29/11/2021.

[6] Show Cause Notice issued by MPCB HQ, Mumbai vide letter no. BO/JD(APC)/TB.2/SCN/B-0158 dtd. 03/12/2021.

[7] Personal Hearing extended by MPCB, HQ, Mumbai to you on 08/12/2021.

.....

WHEREAS, you are operating your Koradi Thermal Power Plant in Water Pollution Prevention Area and Air Pollution Prevention Area under Section 26 of the Water (Prevention & Control of Pollution) Act, 1974 and under Section 21 of Air (Prevention & Control of Pollution) Act, 1981 and Authorization under Rule 5 of the Hazardous Waste (Management & Handling) Rules, 1989 & amendments thereto.

AND WHEREAS, Board has granted Consent to Operate to your thermal power plant under Section 26 of the Water (Prevention and Control of Pollution) Act, 1974; under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and Hazardous Wastes (Management and Handling) Rules, 1989 & Amendment Rules, 2003 by stipulating conditions to be adhered by the industry and to comply the consent conditions stipulated therein (ref. no.1). **AND WHEREAS**, it is mandatory on your part to provide adequate air pollution control arrangement & water pollution control arrangement and operate & maintain it properly so as to achieve prescribed standards.

AND WHEREAS, frequent complaints regarding air & water pollution in the vicinity were received to this office from local residents/NGOs from your Koradi thermal power plant vide ref. no. (2).

AND WHEREAS, Board officials visited your unit on 26/10/2021 and reported the non-compliances of your activity. Accordingly, this office had issued Show Cause Notice to your unit vide ref. no. (4). **AND WHEREAS**, again Complaint was received to this office from local NGO regarding air pollution due to your thermal power plant in the vicinity.

AND WHEREAS, Board officials again visited to your unit vide ref (5) & reported the non-compliances of your activity. **AND WHEREAS**, to initiate further suitable action against your power plant, this office had submitted an office note through legal module to MPCB, HQ, Mumbai. **AND WHEREAS**, Show Cause Notice was issued from MPCB, HQ, Mumbai on 03/12/2021 vide ref. no. (6). In the said Show Cause Notice you were directed to remain present at M. P. C. Board, HQ, Sion (E), Mumbai on 08/12/2021 along with your reply & relevant documents & personal hearing was conducted on 08/12/2021 vide ref no. (7).

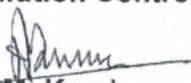
AND WHEREAS, from the above non-compliances, this office has an opinion that, since long time frequent complaints regarding air pollution & water pollution due to your thermal power plant are receiving to this office being habitual defaulter. Accordingly, Board Officials visited your plant & on the basis of observed non-compliances, Show Cause Notices were issued. **AND WHEREAS**, in response to issued Show Cause Notices, you submitted your reply by stating that, we have adopted all possible measures to strictly adhere to the existing pollution control norms.

AND WHEREAS, after examining the records, the reports of the officials of the Board and after making necessary enquiry, Board had come to conclusion that you are knowingly and willfully violating the provisions of Water (Prevention and Control of Pollution) Act, 1974; the Air (Prevention and Control of Pollution) Act, 1981 and Hazardous Waste (Management and Transboundary Movement) Rules, 2016 and causing serious nuisance in terms of air & water pollution in the surrounding area being habitual defaulter.

NOW THEREFORE, you are hereby once again called upon to show cause as to why prosecution under section 15 of the Environment (Protection) Act, 1986 shall not be launched against your Koradi Thermal Power Plant as well as the persons who are held responsible for day to day affairs of your Thermal Power Plant?

You are, hereby called upon to submit your reply to this notice within 07 days from the receipt of this notice, failing which, Criminal Complaint will be filed against your unit as well as the persons who are held responsible for day to day affairs of Thermal Power Plant before the appropriate Court of Law, without giving you further notice/opportunity, which may please be noted.

For and on behalf of the
Maharashtra Pollution Control Board,


(A. M. Kare)
Regional Officer, Nagpur.

Copy Submitted for information to:-

1. Joint Director (APC), M. P. C. Board, Mumbai.
2. Law Officer-2, Policy & Law Division, M. P. C. Board, Mumbai.

Copy to:-

Sub-Regional Officer-I, M. P. C. Board, Nagpur.

- You are directed to serve the copy of the said notice to the thermal power plant & submit prosecution proposal against the defaulter unit.