



66-52

By Speed Post  
Court Matter  
Time bound

No.11-6/99-HSMD  
Government of India  
Ministry of Environment and Forests,  
HSM Division

Paryavaran Bhawan,  
C.G.O Complex, Lodi Road,  
New Delhi 110 003

Dated: July 30, 2003

To

Member Secretary,  
Haryana State Pollution Control Board,  
SCO No.11A&12, Second Floor,  
Madhya Marg, Sector-7C,  
Chandigarh - 160 011.

Subject : Implementation of the provisions of Fly Ash Notification

Reference: CWP 2145/99 in the Hon'ble Delhi High Court

Sir,

Enclosed please find a copy of the Order dated 14<sup>th</sup> July 2003 on the above subject. Your attention is drawn to pages 3 and 4 of the Order. You are requested to take necessary action in this regard.

Yours faithfully,

(R.Anandakumar)  
Adviser

Telefax 24364592

Enclosure: As above

HR  
MS

SCS  
M.S.



(a) Continuation Sheet

No.	Date	Orders
	14.07.2003	<p>Present : Mr.Arvind Nigam with Mr.Sanjeev Mahajan for the petitioners in CWP.No.2145/99.                      Mr.Rachna Joshi Issar for the NTPC                      Mr.Maninder Singh, Advocate.                      Mr.J.R.Das with Swetaketu Mishra for Orissa State Pollution Control Board.                      Mr.Gopal Prasad with Mr.S.K.Singh for Tehnghat Vidyut Nigam Ltd.                      Mr.Sanjay Goswami for MSEB.                      Ms.Alpna Peddar, Advocate for the DDA.                      Ms.Hima Kohli with Ms.Nomita Sharma for NDMC.                      Ms.Aruna Gupta and Ms.Hemantika Wahi for GEB &amp; GPCB.                      Mr.R.Nanawati with Mr.T.S.Chaudhary for PCB.                      Mr.Kailash Vasdev, Sr. Adv. With Mr.S.K.Shandileya for Assam Pollution Control Board.                      Ms.Mini Pushkarna for the MCD.                      Mr.Ashok Kashyap for DPCC.                      Mr.Satish Agnihotri for M.P.Pollution Control Board, Chattisgarh Environmental Board.                      Mr.Pawan Upadhyay for BSEB.                      Mr.Daleep Kumar Dhayani for UP Pollution Control Board.                      Mr.Asrail Ali for Punjab Pollution Control Board.                      Ms.Suparna Srivastava for Chhatishgarh State Electricity Board.                      Mr.Rajendra Singhvi for Rajasthan Pollution Control Board.                      Ms.Sunita Mukherjee for the applicants in CWP.2145/99.                      Mr.G.V.Chandrashekhar for Karnataka State Pollution Control Board.</p>
		<p><u>CWP No. 2048/98 &amp; CWP.No.2145/99.</u></p>
		<p>Mr.R.Amudakumar, Advisor in the Ministry of Environment and Forest is present in the Court. We have heard him to some extent. We have also heard learned advocates appearing for the parties. The Officer who has appeared before us shall file an affidavit before the next date of hearing indicating suggestions carried out by the Thermal Power Plants, Electricity Board and the Pollution Control Board of the State Government. He shall also indicate the steps required to be taken by the different agencies to educate the people to use of fly ash. It also may be indicated by</p>



TO BE FILLED BY HAND KINDLY DO NOT

3. ONE CHARACTER IN EACH BOXES. DO NOT Staple the Sheet.

54

D-1 (a) Continuation Sheet

Sl. No.	Date	Orders
		<p>the respondents that for Power Generating Stations what steps are required to be taken to save the situation. They were required to take action but despite the notification action is not taken and considering the length of period indicated in the notification nothing has been done by many units.</p> <p>If the offence is committed, that cannot be sought to be exempted. Every day fly ash is being generated on account of huge quantity of use of coal for generating electricity and that adversely affect the health of the people. Therefore utmost care is required to be taken to see that the fly ash is stored/ utilised in such a manner that it does not adversely affect citizens. All the State Governments, State Electricity Boards, State Pollution Control Boards are required to take action in the <u>matter pending before the court.</u> That is not done. It is the duty of the Pollution Control Board to take immediate action in the matter rather wasting time. All generating units, and particularly NTPC must file an affidavit with regard to all its units engaged in generation of the electricity giving details of their action plan, if by the time they have not submitted to the Union of India and the Court.</p> <p>List on 27<sup>th</sup> August, 2003.</p> <p>Direct service (dasti).</p>

JULY 14, 2003  
skk

Delia scd.  
32



sd  
CHIEF JUSTICE

sdc  
A. K. J.

TRUE COPY  
EXAMINER