

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 309 of 2016

IN THE MATTER OF :

**Indian Council for Enviro- Legal Action (ICELA)
Vs.**

Ministry of Environment, Forest & Climate Change & Ors.

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Present: Applicant: Mr. M.C. Mehta, , Ms. Katyayni and Ms. Mehak Rastogi, Adv.
Respondent No. 2: Mr. B.V. Niren with Mr. Vinayak Gupta, Adv.
Mr. Raj Kumar, Adv. with Mr. Bhupinder Kr. LA CPCB
Mr. Divya Prakash Pandey, Adv.
Mr. Shlok Chandra, Adv. and Mr. Ritesh Kumar Sharma, Adv. for CPCB
Mr. Tarunvir Singh Khehar, Adv. and Ms. Guneet Khehar, Adv. for Mr. Narinder Pal Singh, Adv. for National Green Tribunal Legal Aid

	Date and Remarks	Orders of the Tribunal
	Item No. 23 July 03, 2017 ss	<p>The Ministry of Power has filed its reply. Along with the reply, a list of Coal based Thermal Power Plants has been provided. This list can safely be divided into two categories, one the Thermal Power Plants which are located in the basin of river Ganga and others which are not located in that area.</p> <p>As far as the first category is concerned, it is to be dealt with on priority and therefore, we direct the Ministry of Environment, Forest and Climate Change and the Ministry of Power to hold a meeting and file their comments along with affidavit stating as to whether the Thermal Power Plants located in the basin area of river Ganga, are discharging any effluent into river Ganga or its Tributaries.</p> <p>Further, they would also clearly state, whether or not adequate measures exist within the premises of the Thermal Power Plant to ensure that the fly ash</p>

	<p>Item No. 23</p> <p>July 03, 2017</p> <p>ss</p>	<p>generated does not emit into the environment and/or floods into river Ganga or its tributaries. Inadequacy in regard to the above should be specifically pointed out in relation to each of the thermal power plant, more particularly in the State of Uttar Pradesh. They shall also offer comments on the view taken by the Central Pollution Control Board that old plants should be shut down and only those with new technology should be permitted to operate. A specific reference could also be made with regard to dumping of fly ash and what is the source of water provided to these power houses. It should also be stated whether the fly ash is being used for brick manufacturing in terms of the Notification issued by the Ministry of Environment, Forest and Climate Change itself or not.</p> <p>Let these comments along with affidavits be filed within one week from today.</p> <p>We make it clear that it is absolutely essential as the Tribunal has already reserved judgment in relation to Segment-B of Phase-I in relation to cleaning of river Ganga and its rejuvenation.</p> <p>List this matter on 10th July, 2017.</p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,JM (Raghuvendra S. Rathore)</p> <p>.....,EM (Bikram Singh Sajwan)</p> <p>.....,EM (Dr. Nagin Nanda)</p>
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