

Item No. 06

Court No. 1

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

Original Application No. 360/2023

Ajay Shrivastava

Applicant

Versus

State of Haryana

Respondent(s)

Date of hearing: 27.09.2023

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Respondent(s): Rahul Khurana, Advocate for SPCB

**ORDER**

1. This original application is registered on the basis of a letter petition raising the issue of disposal of fly ash lying at the site in violation of Aravalli: Notification dated 07<sup>th</sup> May, 1992, by MoEF&CC restricting certain activities in specified area of Aravalli Range, even after closure of power house, Bata Chowk, Faridabad.

2. On the direction of the Tribunal, joint inspection report dated 31.07.2023 has been filed and the said report discloses that there were 02 ash dykes, one is 103 acres called Old Ash Dyke which got filled with ash in 1987 and which is currently covered with plantation after deposition of soil layer. There is second ash dyke spanning 152 acres and from this ash dyke, ash lifting work is in progress. The report discloses that no lifting of fly ash took place between 2018 to 2022 and now, the work has been awarded to two agencies namely M/s. Shree Ram Cement and M/s. Faujdaar Builders & Movers and till 30.06.2023 approximately 8 lakhs MT fly ash was lifted and approximately 10 Lakhs MT fly ash is yet to be lifted.

3. The Counsel for the State PCB has informed that the entire remaining fly ash in respect of second ash dyke will be lifted by 21.06.2026.
4. No concrete plan relating to lifting of the coal ash from the ash dyke has been produced in the report and the timeline which has been reflected also appears to be longer. Further, initially plantation was proposed but nothing has been done.
5. Hence, at this stage, we deem it proper to issue notice to Chief Engineer and Executing Engineer, Faridbad Thermal Power Station, unit of Haryana Power Generation Corporation Limited.
6. The Learned Counsel appearing for the State PCB has submitted that HSPCB will duly serve the notices upon the Chief Engineer and Executive Engineer of Faridabd Thermal Power Station.
7. List the matter on 18.12.2023.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

September 27, 2023  
Original Application No. 360/2023  
JG