No. 15/2/2022-EC&ET-1
Government of India
Ministry of Power

Shram Shakti Bhawan, New Delhi
Dated: 6th December, 2022

To,
1. CMDs/ MDs of Coal / Lignite based Thermal Power Plants (Central/ State/ Private)
2. Principal Secretary (Power/ Energy) of All States/ UTs
3. Chairperson, Central Electricity Authority

Subject: Supply of Fly ash to the end users by the Power Plants to increase fly ash utilization- reg.

Sir/Madam,

Pursuant to Ministry of Environment, Forest & Climate Change's Notification dated 31.12.2021, Ministry of Power, issued an Advisory on 22.02.2022 to all coal/lignite based TPPs for providing Ash to the prospective user agencies for all new commitments for supply of Ash as per the prescribed procedure for disposal of ash.

2.   Hon'ble National Green Tribunal (NGT) vide Order dated 25.08.2022 passed in OA No.327 of 2022 in Amaravati Fly Ash Bricks Manufactures Association Vs. Union of India & Others has observed that the Advisory issued by MoP on 22.02.2022 *shall not be enforced and shall remain in abeyance till further orders by this Tribunal to the contrary.*

3.   In pursuance of the above direction of Hon'ble NGT, all coal/lignite based TPPs are hereby informed to keep the implementation of Ministry of Power's Advisory dated 22.02.2022 in abeyance till the matter attains finality before the Hon'ble NGT.

4.   Power Plants may take appropriate steps at their level to ensure maximum utilisation of ash to comply with applicable Notification of MoEF&CC.

5.   This issues with the approval of the Hon'ble Minister of Power & NRE.

(Sunil Kumar Sah)
Under Secretary to the Govt. of India
Tel: 011-23719710

Copy to:
1. Secretary (MOEF&CC), Government of India
2. Secretary (MoRTH), Government of India
3. Secretary (MoHUA), Government of India
4. Secretary, CERC
5. Secretaries of all SERCs/ JERCs

Copy for kind information to:
  i.   PS to Hon'ble Minister of Power.
 ii.   PS to Hon'ble Minister of State for Power.
iii.   PPS to Secretary (Power), All Joint Secretaries/EA/CE, Directors/DS, MOP.