

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

Original Application No. 315 of 2016

Sunil Dahiya Vs. Union of India

**CORAM : HON'BLE MR. JUSTICE U.D.SALVI, JUDICIAL MEMBER, ACTING CHAIRPERSON
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

**Present: Applicant /Appellant : Mr. Ritwick Dutta and Ms. Meera Gopal, Advs.
MoEF : Mr. Divya Prakash Pandey, Ms. Sakshi Popli and Mr. Ritesh Kumar, Advs.**

	Date and Remarks	Orders of the Tribunal												
	<p align="center">Item No. 14</p> <p align="center">January 17, 2018 A</p>	<p>Heard.</p> <p>The present Application has been moved for direction to the Ministry of Environment, Forest & Climate Change and all Environmental Impact Assessment Authorities to implement the Notification dated 07th December, 2015 which is reproduced hereunder:-</p> <p align="center"><i>“MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE NOTIFICATION New Delhi, the 7th December, 2015</i></p> <p><i>S.O. 3305(E).— In exercise of the powers conferred by sections 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following rules further to amend the Environment (Protection) Rules, 1986, namely:—</i></p> <ol style="list-style-type: none"> <i>1. (1) These rules may be called the Environment (Protection) Amendment Rules, 2015.</i> <i>(2) They shall come into force on the date of their publication in the Official Gazette.</i> <i>2. In the Environment (Protection) Rules, 1986, in Schedule - I, -</i> <ol style="list-style-type: none"> <i>(a) after serial number 5 and entries relating thereto, the following serial number and entries shall be inserted, namely:—</i> <table border="1" data-bbox="516 2171 1425 2467"> <thead> <tr> <th data-bbox="516 2171 602 2239">Sr. No.</th> <th data-bbox="602 2171 813 2239">Industry</th> <th data-bbox="813 2171 1019 2239">Parameter</th> <th data-bbox="1019 2171 1425 2239">Standards</th> </tr> <tr> <th data-bbox="516 2239 602 2274">1</th> <th data-bbox="602 2239 813 2274">2</th> <th data-bbox="813 2239 1019 2274">3</th> <th data-bbox="1019 2239 1425 2274">4</th> </tr> </thead> <tbody> <tr> <td data-bbox="516 2274 602 2467">“5A.</td> <td data-bbox="602 2274 813 2467">Thermal Power Plant (Water consumption limit)</td> <td data-bbox="813 2274 1019 2467">Water consumption</td> <td data-bbox="1019 2274 1425 2467"><i>I. All plants with Once Through Cooling (OTC) shall install Cooling Tower (CT) and achieve specific water consumption upto</i></td> </tr> </tbody> </table>	Sr. No.	Industry	Parameter	Standards	1	2	3	4	“5A.	Thermal Power Plant (Water consumption limit)	Water consumption	<i>I. All plants with Once Through Cooling (OTC) shall install Cooling Tower (CT) and achieve specific water consumption upto</i>
Sr. No.	Industry	Parameter	Standards											
1	2	3	4											
“5A.	Thermal Power Plant (Water consumption limit)	Water consumption	<i>I. All plants with Once Through Cooling (OTC) shall install Cooling Tower (CT) and achieve specific water consumption upto</i>											

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maximum of 3.5m³/MWh within a period of two years from the date of publication of this notification.

II. All existing CT-based plants reduce specific water consumption upto maximum of 3.5m³/MWh within a period of two years from the date of publication of this notification.

III. New plants to be installed after 1st January, 2017 shall have to meet specific water consumption upto maximum of 2.5 m³/MWh and achieve zero waste water discharged”;

(b) for serial number 25, and the entries related thereto, the following serial number and entries shall be substituted, namely:-

Sr. No.	Industry	Parameter	Standards
1	2	3	4
"25	Thermal Power Plant	TPPs (units) installed before 31st December 2003*	
		Particulate Matter	100 mg/Nm ³
		Sulphur Dioxide (SO ₂)	600 mg/Nm ³ (Units Smaller than 500MW capacity units) 200 mg/Nm ³ (for units having capacity of 500MW and above)
		Oxides of Nitrogen (NOx)	600 mg/Nm ³
		Mercury (Hg)	0.03 mg/Nm ³ (for units having capacity of 500MW and above)
		TPPs (units) installed after 1st January, 2003, upto 31st December, 2016*	
		Particulate Matter	50 mg/Nm ³
		Sulphur Dioxide (SO ₂)	600 mg/Nm ³ (Units Smaller than 500MW capacity units) 200 mg/Nm ³ (for units having capacity of 500MW and above)
		Oxides of Nitrogen (NOx)	300 mg/Nm ³
		Mercury (Hg)	0.03 mg/Nm ³
		TPPs (units) to be installed from 1st January, 2017**	
		Particulate Matter	30 mg/Nm ³
		Sulphur Dioxide (SO ₂)	100 mg/Nm ³
		Oxides of Nitrogen (NOx)	100 mg/Nm ³
Mercury (Hg)	0.03 mg/Nm ³		

* TPPs (units) shall meet the limits within two years from date of publication of this notification.

** Includes all the TPPs (units) which have been accorded

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	<p>Item No. 14</p> <p>January 17, 2018 A</p>	<p>standards set out in the said Notification by adopting the technique/ mechanism necessary therefor. Failure to adopt such technique/ mechanism will not only add to the problems of the Ministry but also mess up the the environmental scenario. We, therefore, direct the Ministry of Environment, Forest & Climate Change and the State Environmental Impact Assessment Authorities not to grant any Environmental Clearance to any new Thermal Power plant unless they show that every mechanism/technique to achieve the standards set out in the Notification dated 07th December, 2015 is in place/adopted.</p> <p>List this matter on 07th March, 2018.</p> <p>.....,ACP (U.D. Salvi)</p> <p>.....,EM (Dr. Nagin Nanda)</p>
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