



केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA

**EMAIL & SPEED POST**

IPC-II/TPP/CP-11/76/2022/ 5520-5550

October 14, 2024

To,

The Member Secretary  
State Pollution Control Board  
(As per the list enclosed)

**Sub: Directions under Section 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 for ensuring effective implementation and monitoring of the Ash Notification No. S.O. 5481 (E) dated 31.12.2021 by the coal or lignite-based thermal power plants (including captive or co-generating stations or both).**

WHEREAS, amongst others, under Section 17 of the Water (Prevention and Control of Pollution) Act, 1974, one of the functions of the State Pollution Control Boards (SPCBs) and Pollution Control Committees (PCCs), constituted under the Water (Prevention and Control of Pollution) Act, 1974, is to plan a comprehensive program for prevention, control and abatement of pollution of streams and wells located in the State/U.T. and to secure the execution thereof; and

WHEREAS, amongst others, under Section 17 of the Air (Prevention and Control of Pollution) Act, 1981, one of the functions of the State Pollution Control Boards (SPCBs) and Pollution Control Committees (PCCs), constituted under Water (Prevention and Control of Pollution) Act, 1974, is to plan a comprehensive program for prevention, control and abatement of air pollution in the State/U.T. and to secure the execution thereof; and

WHEREAS, by notification of the Government of India in the erstwhile Ministry of Environment and Forests vide S.O.763 (E), dated the 14.09.1999, as amended from time to time, the Central Government, issued directions for promoting the utilisation of fly ash in the manufacturing of building materials and in construction activity within a specified radius of three hundred kilometres from the coal or lignite based thermal power plants; and

WHEREAS, in super-session of the aforesaid notification the Central Government has issued Notification No. S.O. 5481 (E) dated 31.12.2021, which has been subsequently amended on 30.12.2022 and 01.01.2024, to ensure more effective implementation of 100 percent fly ash utilisation/disposal by the coal or lignite-based thermal power plants in various permitted avenues/uses. In this regard, Central Pollution Control Board (CPCB) vide **letter dated 09.11.2022** requested all SPCBs to take necessary action for enforcement of the provisions of the Ash Notification by the coal or lignite based thermal power plants and monitoring of compliance by the SPCBs (**copy enclosed** for ready reference); and

WHEREAS, as per Para A(1) of the Ash Notification dated 31.12.2021, "Every coal or lignite based thermal power plant (including captive or co-generating stations or both) shall be primarily responsible to ensure 100 per cent utilisation of ash (fly ash, and bottom ash) generated by it in an eco-friendly manner as given in sub-paragraph (2)"; and

**‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली-110032**

Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

दूरभाष/Tel: 43102030, 22305792, वेबसाइट/Website : [www.cpcb.nic.in](http://www.cpcb.nic.in)

WHEREAS, as per Para A(2) of the Ash Notification dated 31.12.2021, the ash generated from coal or lignite based thermal power plants shall be utilised only for the eco-friendly purposes prescribed at A(2) (i) to (xi) (it doesn't include "ash dyke raising" or "disposal of ash into the operational ash ponds/dykes"). Further, the utilization avenue mentioned under Para A(2)(xi) of the notification i.e. *"Any other eco-friendly purpose as notified from time to time"* is not applicable as of now, as any additional avenue has not been notified by the Central Government; and

WHEREAS, as per Para A(4) of the Ash Notification dated 31.12.2021, *"Every coal or lignite based thermal power plant shall be responsible to utilise 100 per cent ash (fly ash and bottom ash) generated during that year, however, in no case shall utilisation fall below 80 per cent in any year, and the thermal power plant shall achieve average ash utilisation of 100 per cent in a three years cycle (first compliance cycle of four/five year is prescribed for specific cases with exemption from minimum 80 per cent annual ash utilization target for initial 1/2 years). In this regard, CPCB vide letter dated 20.02.2024* circulated the status of compliance of the Ash Notification dated 31.12.2021 by the independent thermal power plants across the country during the first compliance cycle i.e. FY 2022-23 to the concerned SPCBs requesting to take appropriate action in the matter (**copy enclosed** for ready reference); and

WHEREAS, as per Para A(5) of the Ash Notification dated 31.12.2021, *"... Provided further that the legacy ash utilisation shall not be required where ash pond or dyke has stabilised and the reclamation has taken place with greenbelt or plantation or solar power plant or wind power plant as per the guidelines issued by the Central Pollution Control Board (CPCB) as specified in sub-para (6) and the concerned State Pollution Control Board shall certify in this regard. Stabilisation and reclamation of an ash pond or dyke including certification by the State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) shall be carried out within three years from 1<sup>st</sup> April, 2022 (i.e. by 31<sup>st</sup> March 2025). The ash remaining in all other ash ponds or dykes shall be utilised in progressive manner as per the above mentioned timelines. Provided that ash stored in all ash ponds or dykes other than operational ash pond or dyke designated for temporary storage of ash as specified in sub-para (6) shall constitute the legacy ash and either to be reclaimed or stabilised or utilised"*; and

WHEREAS, as per Para A(6) of the Ash Notification dated 31.12.2021, *"... Provided that up to two operational ash ponds or dykes for thermal power plants commissioned before 31<sup>st</sup> December, 2021, having installed capacity less than or equal to 1600 MW, and up to four operational ash ponds or dykes for thermal power plants having installed capacity more than 1600 MW, having multiple lagoons, within the specified area from the existing ash ponds or dykes, may be designated with clear demarcation along with coordinates, and shall inform to Central Pollution Control Board (CPCB) and concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) by 31<sup>st</sup> March, 2023"*. In this regard, Central Pollution Control Board (CPCB) and Central Electricity Authority (CEA) have issued **"Guidelines on Design, Construction, O&M and Annual Certification of Coal Ash Ponds, June 2023"** for coal or lignite based thermal power plant (**copy enclosed** for reference); and

WHEREAS, as per Para A(7) of the Ash Notification dated 31.12.2021, *"Every coal or lignite based thermal power plant shall ensure that loading, unloading, transport, storage*

*and disposal of ash is done in an environmentally sound manner and that all precautions to prevent air and water pollution are taken and status in this regard shall be reported to the concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) in Annexure attached to this notification”; and*

WHEREAS, as per Para A(8) of the Ash Notification dated 31.12.2021, “Every coal or lignite based thermal power plant shall install dedicated silos for storage of dry fly ash silos for at least sixteen hours of ash based on installed capacity and it shall be reported upon to the concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) in the Annexure and shall be inspected by Central Pollution Control Board (CPCB) or State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) from time to time”. In this regard, the aforesaid CPCB’s **letter dated 20.02.2024** to the concerned SPCBs also highlighted the non-compliance of the said provision of the Ash Notification dated 31.12.2021 by a large number of thermal power plants; and

WHEREAS, as per Paras A(9) and E(2) of the Ash Notification dated 31.12.2021, all coal or lignite-based thermal power plants shall upload monthly information regarding ash generation and utilisation by 5th of the next month and ash pond details on yearly basis on the web portal developed by the CPCB for the benefit of actual user(s). In this regard, CPCB in association with NTPC and CEA, has developed **Ash Portal** (<https://coalash.cpcb.gov.in/>) for this purpose; and

WHEREAS, CPCB vide **letters dated 18.07.2023, 02.08.2023 and 25.08.2023** requested all concerned SPCBs to obtain the SPCB’s login credentials for the **Ash Portal** and to issue necessary directions/instructions to all Captive Power Plants (CPPs) in the State to ensure immediate registration and regular uploading of ash data on the **Ash Portal**, along with ensuring regular uploading of ash data on the **Ash Portal** by all coal or lignite-based thermal power plants (including captive or co-generating plants or both) in the State; and

WHEREAS, CPCB issued **directions under Section 18(1)(b)** of the Water (Prevention and Control of Pollution) Act, 1974, and the Air (Prevention and Control of Pollution) Act, 1981, to all concerned SPCBs vide **dated 13.09.2023 a) To issue necessary directions/instructions to coal or lignite-based CPPs (including co-generating plants) in the State to ensure registration on the Ash Portal developed by CPCB (<https://coalash.cpcb.gov.in/>) immediately and uploading monthly information regarding ash generation and utilisation by 5th of the next month, and ash pond details on yearly basis, and b) To ensure regular uploading of ash data on the Ash Portal by all coal or lignite-based thermal power plants (including captive or co-generating stations or both) in the State; and**

WHEREAS, CPCB vide **letters dated 19.01.2024 and 29.08.2024** circulated to all concerned SPCBs the status of registration of the coal or lignite-based CPPs on the Ash Portal along with the state-wise lists with further instructions to SPCBs to ensure compliance of the directions dated 13.09.2023 (**copies enclosed** for ready reference); and

WHEREAS, as per Para B(5)(ii) of the Ash Notification dated 31.12.2021, “Thermal power plants or mines shall not wait for disposal of ash till the identification is done by the above mentioned committee [under Para B(5)(i)], to meet the utilisation targets mandated as above [under Para A(4) and A(5)]”. In this regard, as per the decisions of the committee constituted under Para B(5)(i) taken during 1<sup>st</sup> and 3<sup>rd</sup> meeting held on 01.08.2022 and 06.10.2023, CPCB vide **letter dated 08.09.2022 (and 20.10.2023)** and has requested all

SPCBs/PCCs to constitute District Level Working Groups for deciding allocation of non-coal mines (major and minor minerals) for ash disposal to the coal or lignite based power plants, with Regional Officers, SPCB as the nodal agency (**copies enclosed** for ready reference); and

WHEREAS, as per Para B(6) of the Ash Notification dated 31.12.2021, "*Filling of low lying areas with ash shall be carried out with prior permission of the State Pollution Control Board or Pollution Control Committee for approved projects, and in accordance with guidelines laid down by Central Pollution Control Board (CPCB) and the State Pollution Control Board or Pollution Control Committee (PCC) shall publish approved sites, location, area and permitted quantity annually on its website*". In this regard, CPCB has laid down "***Guidelines for disposal/utilisation of Fly Ash for reclamation of Low Lying Areas and in stowing of Abandoned mines/Quarries, 2019***" which were issued by the Ministry of Environment, Forest and Climate Change (MoEF&CC), Government of India vide **O.M. dated 28.08.2019**; and

WHEREAS, as per Para C(4) of the Ash Notification dated 31.12.2021, "*It shall be the responsibility of the transporters or vehicle owner to deliver ash to authorised purchaser or user agency and if it is not complied, then an environmental compensation of Rs. 1500 per ton on such quantity as mis-delivered to unauthorised users or non- delivered to authorised users will be imposed besides prosecution of such non-compliant transporters by State Pollution Control Board (SPCB) or Pollution Control Committee (PCC)*"; and

WHEREAS, as per Para C(5) of the Ash Notification dated 31.12.2021, "*It is the responsibility of the purchasers or user agencies to utilise ash in an eco-friendly manner as laid down at para B of this notification and if it is not complied, then an environmental compensation of Rs. 1500 or per ton shall be imposed by State Pollution Control Board (SPCB) or Pollution Control Committee (PCC)*"; and

WHEREAS, as per Para D(4) of the Ash Notification dated 31.12.2021, "*The coal or lignite based thermal power plants, while utilising ash under this notification shall reserve certain percentage of ash for supply to all micro and small enterprises engaged in ash-based product manufacturing namely, bricks, blocks, tiles, sintered or cold bonded ash aggregates, fibre cement sheets, pipes, boards, panels for sale at concessional price or through limited auction in accordance with the **guidelines** issued by the Central Government in the Ministry of Power*". In this regard, the Ministry of Power, Government of India has issued **guidelines** on the aforesaid subject vide **dated 15.03.2024** to all coal or lignite based thermal power plants and concerned State Governments (**copy enclosed** for reference); and

WHEREAS, as per Para E(4) of the Ash Notification dated 31.12.2021, "*For the purpose of resolving disputes between thermal power plants and users of ash or manufacturer of ash based products, the State Governments or Union territory administration constitute a Committee within three months from the date of publication of this notification under the Chairman, State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) with representatives from Department of Power, and one representative from the Department which deals with the subject of concerned agency with which dispute is made*"; and

WHEREAS, as per Para E(5) of the Ash Notification dated 31.12.2021, "*The compliance audit for ash disposal by the thermal power plants and the user agency shall be conducted by auditors, authorised by Central Pollution Control Board (CPCB) and audit*

*report shall be submitted to Central Pollution Control Board (CPCB) and concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) by 30th November every year. Central Pollution Control Board (CPCB) and concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) shall initiate action against non-compliant thermal power plants within fifteen days of receipt of audit report". In this regard, CPCB vide O.M. dated 09.09.2024 (earlier O.M. dated 06.03.2023 and 17.07.2023) has issued the list of authorized auditors to undertake the compliance audit for ash disposal by the coal or lignite based thermal power plants and the users as per Ash Notification No. 5481(E) dated 31.12.2021 (copy enclosed for ready reference); and*

WHEREAS, the Ash Notification dated 31.12.2021 designates SPCBs as the enforcing and monitoring authority in their States for ensuring compliance of various provisions of the Ash Notification on quarterly basis [Para E(1)];

NOW, THEREFORE, in exercise of the powers under Section 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981, and with the approval of the Chairman, Central Pollution Control Board (CPCB), the (as per list enclosed) State Pollution Control Board is hereby directed as follows:

- a) To ensure effective enforcement and monitoring of compliance of the various provisions of the Ash Notification by all coal or lignite-based thermal power plants (including captive or co-generating stations or both) in the State on quarterly basis,
- b) To ensure immediate registration and regular uploading of monthly ash generation and utilisation data by 5th of the next month, and ash pond details on yearly basis on the Ash Portal by all coal or lignite-based thermal power plants (including captive or co-generating stations or both) in the State,
- c) To ensure that the ash generated from coal or lignite based thermal power plants (including captive or co-generating stations or both) shall be utilised only for the eco-friendly purposes prescribed at A(2) (i) to (x) of the Ash Notification,
- d) To ensure stabilisation, reclamation and certification of un-operational ash ponds/dykes and operational ash ponds/dykes beyond the permitted numbers (two for plants with installed capacity up to 1600 MW and four for plants with installed capacity above 1600 MW) by 31.03.2025 if the plant has not decided to utilise ash from such ash ponds/dykes in a progressive manner within 10 years as per the Ash Notification,
- e) To ensure and periodically monitor the compliance of the "Guidelines on Design, Construction, O&M and Annual Certification of Coal Ash Ponds, June 2023" (issued by CPCB and CEA) by the coal or lignite-based thermal power plants (including captive or co-generating stations or both) in the State,
- f) To ensure that the loading, unloading, transport, storage and disposal of ash is done in an environmentally sound manner and that all precautions to prevent air and water pollution are taken by all coal or lignite-based thermal power plants (including captive or co-generating stations or both) in the State,
- g) To ensure the installation of dedicated dry fly ash silos for storage of at least 16 hours of ash based on installed capacity by all coal or lignite-based thermal power plants (including captive or co-generating stations or both) in the State and periodic inspection of the same,

- h) To ensure that the filling of low lying areas with ash shall be carried out only with prior permission of the SPCB and for approved projects complying with the CPCB's guidelines and the SPCB shall publish approved sites, location, area and permitted quantity annually on its website,
- i) To ensure that the transporters or vehicle owner deliver ash to authorised purchaser or user agency only, and take appropriate action for the non-compliant cases as per the provisions of the Ash Notification, which include imposition of environmental compensation and prosecution of such non-compliant transporters by SPCB,
- j) To ensure compliance of the guidelines dated 15.03.2024 issued by the Ministry of Power, Government of India regarding reserving certain percentage of ash for supply to all micro and small enterprises engaged in ash-based product manufacturing namely, bricks, blocks, tiles, sintered or cold bonded ash aggregates, fibre cement sheets, pipes, boards, panels for sale at concessional price or through limited auction,
- k) To ensure effective mechanism for resolving disputes between thermal power plants and users of ash or manufacturer of ash based products, through the State Level Committee under the Chairman, SPCB, and
- l) To ensure submission of the annual implementation report and annual compliance audit report by 30<sup>th</sup> April and 30<sup>th</sup> November every year, respectively, by the coal or lignite based thermal power plants in the State to the concerned authorities and take appropriate action against the non-compliant thermal power plants as per the provisions of the Ash Notification dated 31.12.2021.

The SPCB shall submit the latest status/action taken report on the above mentioned directions within one month from the receipt of these directions, and ensure regular compliance of the above mentioned directions and submission of annual status report by 31<sup>st</sup> December every year from December 2024 onward.

  
(Bharat Kumar Sharma)  
Member Secretary



**Copy to:**

1. Additional Secretary (HSM Division)  
Ministry of Environment, Forest and Climate Change,  
Indira Paryavaran Bhawan, Aliganj,  
Jor Bagh Road, **New Delhi – 110 003**
2. The Joint Secretary (Thermal)  
Ministry of Power,  
Shram Shakti Bhawan, Rafi Marg,  
**New Delhi**
3. The Regional Directors : For follow-up with the concerned SPCBs.  
Central Pollution Control Board,  
(As per the list enclosed)
4. The Divisional Head - IT, CPCB, Delhi : For uploading the directions on the website.

  
(Bharat Kumar Sharma)  
Member Secretary



\* Enclosures sent via email.

### List of State Pollution Control Boards

1. The Member Secretary,  
Andhra Pradesh Pollution Control Board  
D. No. 33-26-14 D/2, Near Sunrise Hospital,  
Pushpa Hotel Centre, Chalamalavari Street,  
Kasturibaipet, **Vijayawada – 520 010**
2. The Member Secretary,  
Pollution Control Board- Assam,  
Bamunimaidam, **Guwahati – 781 021**, Assam
3. The Member Secretary,  
Bihar State Pollution Control Board  
Parivesh Bhawan, Plot No. NS-B/2,  
Paliputra Industrial Area, Patliputra,  
**Patna – 800 023**, Bihar
4. The Member Secretary,  
Chhattisgarh Environment Conservation Board,  
Paryavas Bhavan, North Block Sector-19,  
Atal Nagar, **Raipur – 492 002**, Chhattisgarh
5. The Member Secretary,  
Gujarat Pollution Control Board  
Paryavaran Bhavan, Sector 10-A,  
**Gandhi Nagar - 382 010**, Gujarat
6. The Member Secretary,  
Goa State Pollution Control Board  
Nr. Pilerne Industrial Estate, Opp. Saligao  
Seminary, Saligao – Bardez, **Goa – 403 511**
7. The Member Secretary,  
Haryana State Pollution Control Board  
C-11, Sector-6, **Panchkula- 134109**, Haryana
8. The Member Secretary,  
Jharkhand State Pollution Control Board,  
T.A. Bldg., HEC, P. O. Dhurwa,  
**Ranchi – 834 004**, Jharkhand
9. The Member Secretary,  
Karnataka State Pollution Control Board  
“Parisara Bhavan”, #49,4th & 5th Floor,  
Church Street, **Bangalore 560 001**
10. The Member Secretary,  
Madhya Pradesh Pollution Control Board,  
Paryavaran Parisar, E-5, Arera Colony,  
**Bhopal – 462 016**, Madhya Pradesh

11. The Member Secretary,  
Maharashtra Pollution Control Board,  
Kalpataru Points, 3rd & 4th Floor,  
Road No. 8, Sion Circle, Opp. PVR Theatre,  
**Mumbai – 400 022**, Maharashtra
12. The Member Secretary,  
Meghalaya State Pollution Control Board,  
“ARDEN”, Lumpynggad,  
**Shillong – 793 014**, Meghalaya
13. The Member Secretary,  
Odisha State Pollution Control Board,  
Paribesh Bhawan, A-118, Nilakantha Nagar,  
Unit - VIII, **Bhubaneswar – 751 012**, Odisha
14. The Member Secretary,  
Punjab Pollution Control Board  
Vatavaran Bhawan, Nabha Road  
**Patiala 147 001**, Punjab
15. The Member Secretary,  
Rajasthan Pollution Control Board,  
A-4, Institutional Area, Jalana Dungri,  
**Jaipur 302 004**, Rajasthan
16. The Member Secretary,  
Tamil Nadu Pollution Control Board  
76, Anna Salai, Guindy Industrial Estate,  
Race View Colony, Guindy,  
**Chennai – 600 032**, Tamil Nadu
17. The Member Secretary,  
Telangana State Pollution Control Board,  
Paryavaran Bhawan, A-III, Industrial Estate,  
Sanathnagar, **Hyderabad – 500 018**
18. The Member Secretary,  
Uttar Pradesh Pollution Control Board,  
H. No. TC-12 V, Vibhuti Khand, Gomti Nagar,  
**Lucknow - 226 010**, Uttar Pradesh
19. The Member Secretary,  
Uttarakhand Pollution Control Board,  
Gaura Devi Bhawan, 46 B, IT Park,  
Sahastradhara, **Dehradun – 248 001**, Uttarakhand
20. The Member Secretary,  
West Bengal Pollution Control Board,  
Paribesh Bhawan, 10A, Block-LA, Sector-III,  
Bidhannagar, **Kolkata-700 106**, West Bengal

### List of CPCB Regional Directorates

1. The Regional Director,  
Central Pollution Control Board,  
1st & 2nd Floors, Nisarga Bhawan, A-Block,  
Thimmaiah Main Road, 7th D Cross,  
Shivanagar, **Bengaluru -560 079**
2. The Regional Director,  
Central Pollution Control Board,  
Parivesh Bhawan, Paryavaran Parisar,  
E-5, Arera Colony, **Bhopal - 462 016**,  
Madhya Pradesh
3. The Regional Director,  
Central Pollution Control Board,  
BSNL Telephone Exchange, 2nd Floor,  
Sector -49 C, **Chandigarh - 160 059**
4. The Regional Director,  
Central Pollution Control Board,  
2nd Floor, 77-A, South Avenue Road,  
Ambattur Industrial Estate,  
**Chennai - 600 058**, Tamil Nadu
5. The Regional Director,  
Central Pollution Control Board,  
South End Conclave, Block 502, 5th & 6th Floor  
1582, Rajdanga Main Road, **Kolkata - 700 107**
6. The Regional Director,  
Central Pollution Control Board,  
Survey No. 110, Dhankude Multi-Purpose Hall,  
Baner Road, Baner, **Pune - 411 045**, Maharashtra
7. The Regional Director,  
Central Pollution Control Board,  
Parivesh Bhawan, Opp. VMC Ward No. 10 Office  
Subhanpura, **Vadodara - 390 023**
8. The Regional Director,  
Central Pollution Control Board,  
PICUP Bhawan, Ground Floor,  
Vibhuti Khand, Gomti Nagar,  
**Lucknow - 226 010**
9. The Regional Director,  
Central Pollution Control Board,  
Opp. Government Press, BSNL NE-I,  
Ground Floor, CTO Building,  
**Shillong - 793 001**