

No: MPCB/BO/JD (APC)/Fly Ash-Committee/B-0161

Dated: - 15/07/2022.

Office Order

- Subject:** Constitution of State Level Dispute Settlement Committee under Fly ash notification published by MoEF & CC vide S.O.5481(E) dtd. 31/12/2021, reg...
- Ref:** 1. Fly ash notification published by MoEF & CC vide S.O.5481(E) dtd. 31/12/2021  
2. Additional Secretary, MoEF & CC, Gol letter No. 09/01/2019-HSMS dtd. 23/05/2022.

In exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule (5) of the Environment (Protection) Rules, 1986, and in supersession of the Notification S.O.763 (E), dated the 14th September, 1999 except as respect things done or omitted to be done before such supersession, the Ministry Of Environment, Forest and Climate Change, Gol vide S.O. 5481(E) dtd. 31/12/2021 issued notification on ash utilisation from coal or lignite thermal power plants which is come into force on the date of the publication of this notification.

As per Said notification:

1. "The Central Pollution Control Board (CPCB) and the concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC) shall be the enforcing and monitoring authority for ensuring compliance of the provisions and shall monitor the utilisation of ash on quarterly basis. Central Pollution Control Board shall develop a portal for the purpose within six months of date of publication of the notification. The concerned District Magistrate shall have concurrent jurisdiction for enforcement and monitoring of the provisions of this notification."
2. "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."

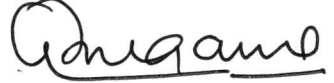
In persuasion to the above notification issued by MoEF & CC, Maharashtra Pollution Control Board has constituted "State Level Dispute Settlement Committee" comprising of following member under Fly ash notification No. S.O.5481(E) dtd. 31/12/2021

- 1 Chairman, M.P.C.Board : Chairman
- 2 Member Secretary, M.P.C.Board : Member
- 3 Representative of Department of Power/Energy, Govt. of Maharashtra : Member

- 4 Representative of Department of Environment & climate Change, Govt. of Maharashtra : Member
- 5 Representative of Department of Transport, Govt. of Maharashtra : Member
- 6 Representative of Public Works Department, Govt. of Maharashtra : Member
- 7 Representative of Department of Industry, Govt. of Maharashtra : Member
- 8 Representative of Department of Agriculture, Govt. of Maharashtra : Member
- 9 Representative of Department of Irrigation, Govt. of Maharashtra : Member
- 10 Representative of MSRDC : Member
- 11 Concerned District Magistrate : Member
- 12 Joint Director (Air Pollution Control), M.P.C.Board : Member Convener

The Terms of Reference of the committee would be as follows:

1. Committee shall resolve dispute between Thermal power Plant and users of ash or manufacturer of ash base products as per Fly ash notification issued by MoEF & CC vide No. S.O.5481(E) dtd. 31/12/2021

  
(Ashok Shingare, IAS)  
Member Secretary

Copy submitted for information to:

1. Hon'ble Chairman, M.P.C.Board, Sion, Mumbai.
2. Principle Secretary, Environment & Climate Change, Department, Govt. of Maharashtra, Mantralaya, Mumbai.
3. Principle Secretary, Energy Department, Govt. of Maharashtra, Mantralaya, Mumbai.
4. Principle Secretary, Transport Department, Govt. of Maharashtra, Mantralaya, Mumbai.
5. Principle Secretary, Industry Department, Govt. of Maharashtra, Mantralaya, Mumbai.
6. Principle Secretary, Agriculture Department, Govt. of Maharashtra, Mantralaya, Mumbai.
7. Principle Secretary, Public Works Department, Govt. of Maharashtra, Mantralaya, Mumbai.
8. Principle Secretary, Irrigation Department, Govt. of Maharashtra, Mantralaya, Mumbai.
9. Chairman & Managing Director, Maharashtra State Road Development Corporation, Ltd, Nepean Sea Road, Priyadarshini Park, Mumbai 400 036.
10. All District Magistrate

Copy to:

1. Joint Director (APC), M.P.C.Board, Sion, Mumbai.
2. All Regional Officers, M.P.C.Board: For information.