

# Submission On The Public Hearing For The Environmental Clearance For The Expansion Of Chhabra Coal-based Ultra-supercritical Thermal Power Plant (2x660 Mw)



## 1. Introduction

The Rajasthan Rajya Vidyut Utpadan Nigam Limited (RRVUNL) made a proposal for expansion of the 2x660 MW at the Chhabra Ultra-Supercritical Thermal Power Plant at the Motipura village, Baran district, Rajasthan. The project falls under Category A of the Environmental Impact Assessment (EIA) Notification, 2006, (*hereinafter referred to as the Notification (2006)*), necessitating prior environmental clearance and a public hearing. Accordingly, an application for arrangement of public hearing along with a draft Environmental Impact Assessment Study Report (*hereinafter referred to as the Draft EIA Report*) was submitted by RRVUNL (*hereinafter referred to as the project proponent*) to the Rajasthan State Pollution Control Board (*hereinafter referred to as the SPCB*).

This is a written submission by Ms. Anushree Agrawal made in response to the draft EIA Report submitted by the project proponent. The submission highlights critical concerns regarding the project's non-compliance with due process, environmental laws, its ecological impacts, concerns regarding infrastructure, employment, and human rights violations.

I request the public hearing panel to accept my submission on record and include the same in the minutes of the public hearing to be submitted to the Expert Appraisal Committee.

## 2. Non-Compliance of Due Process

As per Clause 7(i)(III)(vi) of the Notification (2006), the regulatory authority (which in this case is the Ministry of Environment & Forest and Climate Change) and the SPCB must make the summary of the Draft EIA Report available on their respective websites at least 30 days prior to the public hearing. In this case, the SPCB is the regulatory authority. However, the required summary of the Draft EIA Report was not displayed on the website of MoEF&CC and the SPCB even one day before the public hearing. I personally checked the SPCB website on multiple occasions on 2nd February 2025, 4th February 2025, 5th February 2025, and could not locate either the draft EIA report or its summary in English or Hindi (*Refer Annexures A, B, and C*). This is not just an administrative lapse but a deliberate violation of legal mandates, rendering the public hearing process invalid.

This non-compliance has resulted in an uninformed public consultation, directly infringing upon stakeholders' statutory rights. Transparency and accessibility to the EIA summary are essential for ensuring meaningful participation. By failing to publish the required documents, the SPCB has undermined the integrity of the environmental clearance process and the legitimacy of this public hearing.

The EIA process is a crucial tool to balance development with environmental protection, community rights, and public health. It is intended to foster transparency and empower affected communities. However, in the case of the Chhabra Thermal Power Plant expansion, the process has been reduced to a mere formality, disregarding due process and public interest.

The deliberate withholding of critical information has deprived the public of its right to informed participation. Without access to the draft EIA report, affected communities cannot effectively voice their concerns or hold project proponents accountable. This lack of transparency is not just a procedural violation but an affront to democratic principles and statutory rights.

Therefore, I request the hearing panel to:

- Take note of this violation and declare the current public hearing null and void.
- Issue a fresh notice for the public hearing.
- Ensure that the draft EIA report and its summary are made available on the MoEF&CC and SPCB website at least 30 days before the rescheduled public hearing, in compliance with statutory requirements.
- Recommend strict action against the concerned officers at the SPCB for this grave violation to prevent such lapses in the future.

### **3. Non-compliance of Environmental Clearance by the Proponent of existing Chhabra Power Plant.**

As per Section 24(1) of the Water Act, 1974, no person shall knowingly cause or permit any poisonous, noxious or polluting matter determined in accordance with such standards as may be laid down by the State Board to enter (whether directly or indirectly) into any stream or well or sewer or on land. According to the Power Plant records, a staggering 14.90 lakh metric tons of fly ash were accumulated in a pond near the power plant as of June 2023 which is in clear violation of the provision laid down in the Water Act.

As per Section 22 of the Air Act, 1981, no person operating any industrial plant, in any air pollution control area shall discharge or cause or permit to be discharged the emission of any air pollutant in excess of the standards laid down by the "State Board" (the SPCB). The power plant has exceeded the particulate matter (PM) levels by the State Board by six times the limit. (*Refer Annexure F*)

As per Section 7 of the Environmental (Protection) Act, 1986, no person carrying on any industry, operation or process shall discharge or emit or permit to be discharged or emitted any environmental pollutants in excess of such standards as may be prescribed. The power plant has emitted environmental pollutants (PM levels) in excess of standards as they were prescribed. The PM levels prescribed was 50, however the levels emitted by the plant were 112 at its lowest and 301 at its highest which is in clear violation of the provision. (*Refer Annexure F*)

That, the existing Chhabra Power Plant project had egregiously failed to adhere to the provisions of the Water Act, 1974, The Air Act, 1981, the Environmental Act, 1986 and the Notification (2006). According to the Times of India report dated 14 March 2024, the SPCB issued a show-cause notice against the Chhabra Power Plant, along with INR 2.01 Cr compensation as computed by the board and in line with polluter pays principle. As the

existing plant has faltered in ensuring compliance and implementation of the mitigation measures, the expansion of the plant will only exacerbate the environmental damage caused due to it.

Furthermore, the project proponent has consistently failed to properly utilize the fly ash generated by the existing Chhabra Power Plant, as evidenced by the staggering accumulation of 14.90 lakh metric tons of legacy ash in the ash pond as of June 2023. While the expansion project may claim to achieve 100% utilization of fly ash generated in the future, it raises a critical question regarding the legacy ash that has remains neglected and continues to pose a significant environmental hazard.

The proponent's past non-compliance and inability to manage fly ash effectively casts serious doubt on their commitment to environmental safeguards. Without a clear and actionable plan to address the existing ash accumulation, the expansion will only compound the problem, further endangering local ecosystems, water resources, and public health.

Therefore, I request the hearing panel to:

- Instruct the project proponent to conduct an independent environmental audit of the existing Chhabra Power Plant to assess the extent of non-compliance with the Water Act, 1974; Air Act, 1981; Environmental (Protection) Act, 1986; and the Notification (2006).
- Provide detailed report on the violations, including fly ash accumulation, PM levels, and other pollutants, with timelines and corrective actions taken.
- Hold the proponent accountable for the environmental damage caused and be required to pay for remediation efforts.
- Formulate a plan to address water contamination caused by fly ash leachate and other effluents.
- Demand the proponent to submit a detailed time bound plan to handle the legacy issue of ash generated by the power plant.

#### **4. Concerns regarding infrastructure**

The draft Environmental Impact Assessment (EIA) report lists the positive impacts of the project under Section 4.7.1. One of the positive impacts is that the study area will experience infrastructural improvements in transport, communication, health, and educational services. However, the existing conditions of the study area post-establishment of the existing plant, as documented in Annexure D, indicate otherwise. The project proponent had previously committed to undertaking infrastructure development in the surrounding area as part of its Corporate Social Responsibility (CSR) obligations. However, this commitment has not been fulfilled as the plant has been running in losses. (*Refer Annexure H*)

This failure to implement the promised infrastructure development has left the affected communities without essential facilities. The proponent cannot justify neglecting these obligations based on financial constraints, especially when the project itself continues to

operate. The lack of infrastructural development contradicts the projected benefits stated in the draft EIA Report and undermines the credibility of the impact assessment process.

The draft EIA report for the expansion project acknowledges that air pollution will lead to health issues. The project proponent should incorporate infrastructure development, particularly hospitals, within its capital investment plan as a means to mitigate the negative impacts of the power plant. Similarly, the roads in the area will deteriorate due to increased movement of heavy trucks transporting fly ash. Despite recognizing these impacts, the report does not provide a concrete mitigation plan. The proponent should commit to annual road rehabilitation and maintenance as a necessary measure to address this deterioration. (*Refer Annexure E*).

The absence of clear and enforceable mitigation measures reflects a failure in the due diligence process. Without concrete commitments, the project will continue to negatively impact the local communities, further enforcing environmental and social hardships. A sustainable and legally compliant approach requires the proponent to integrate these measures within the project's financial planning, rather than leaving them as unfulfilled CSR promises. (*Refer Annexure H*)

Therefore, I request the hearing panel to:

- Take note of the proponent's failure to fulfill past commitments and ensure that infrastructure development is included in the project's capital investment plan.
- Direct the project proponent to adopt a legally binding plan for mitigating adverse health and infrastructure impacts.
- Mandate the annual rehabilitation of roads affected by the transportation of fly ash as a mitigation measure.
- Ensure that the proponent's commitments are clearly documented and enforceable, preventing further neglect of obligations under the guise of financial constraints.

## **5. Ecology Concerns**

As per the Terms of Reference (ToR) Compliance Table in the draft EIA report, it is stated that the project is not located near a river, estuary, or sea. However, an analysis of the geographical location clearly shows that the Parbati River and Baithali River are situated within 2.5 kilometers of the plant. The presence of these water bodies in close proximity raises significant environmental concerns, particularly regarding fly ash pollution. Fly ash contamination in these rivers will degrade water quality, affecting farmers who rely on these water sources for agriculture. Additionally, the agricultural land surrounding the proposed expansion site will be adversely impacted by fly ash deposition, leading to long-term soil and crop damage.

Despite the acknowledgment of potential environmental risks, the mitigation measures proposed in the EIA report have proven to be ineffective, as evidenced by the existing Chhabra Power Plant's ongoing pollution issues. Furthermore, there are inconsistencies in the PM emission reports of the existing plant. The PM emission limit for the old units of the existing

power plant is set at 50, yet recorded levels as on December 2024 range between 112 and 301. In contrast, for the new units of the existing plant, where the PM limit is 30, the recorded lowest and highest PM levels as of November 2024 are 3.70 and 76.07, respectively. This significant discrepancy in reported PM levels raises serious concerns about the credibility of the monitoring data. The drastic variation suggests the possibility of fabricated results, which undermines the integrity of the environmental impact assessment processes and the monitoring processes.

Ensuring an unbiased and transparent assessment is essential to protect the rights of affected communities, maintain environmental integrity, and hold the project proponent accountable for its environmental obligations.

Therefore, I request the hearing panel to:

- Take note of the inconsistencies in the PM emission data and investigate potential manipulation of monitoring reports.
- Acknowledge the proximity of the Parbati and Baithali rivers to the project site and assess the risks of water contamination from fly ash deposition.
- Conduct an independent third-party environmental compliance audit to ensure transparency and accurate reporting of pollution levels (*Refer Annexure F & G*).
- Mandate strict enforcement of pollution control measures with regular third-party verification to prevent further environmental violations.

## **6. Employment**

As per the draft EIA report, it is stated that the project will generate employment opportunities. However, there is no transparency regarding how many individuals from the surrounding villages have been employed in the existing power plant. The project proponent must provide detailed information on the number of people from affected areas who have been given employment, as well as the percentage of employees who belong to these communities. Additionally, the proponent should issue assured employment cards to individuals who have been or will be affected by the construction and operation of the plant to ensure their promises in the draft EIA report. This includes, for example, farm owners whose land has suffered reduced fertility due to soil degradation, underground water contamination, and river pollution from fly ash. The issuance of assured employment cards should be made an integral part of the environmental clearance process to ensure accountability and social responsibility.

Furthermore, the working conditions of workers in the study area are inadequate, raising serious concerns about their rights and dignity. Exposure to hazardous pollutants without proper safeguards violates fundamental rights to health and a safe working environment. The ongoing pollution of air, water, and soil due to the thermal power plant directly impacts not only the local communities but also the workers employed at the site. The failure to address these issues would not only contribute to environmental degradation but also amount to a

neglect of human rights and workers' rights obligations. It is imperative that the regulatory authorities enforce stringent conditions to uphold labor rights and ensure the fair treatment of affected communities.

Therefore, I request the hearing panel to:

- Order a third-party audit of working conditions and conditions of workers in the thermal power plant to assess workplace safety, wages, and overall treatment of workers.
- Direct the project proponent to provide labor housing equipped with access to clean water and electricity to improve their standard of living.
- Make these commitments a binding condition of the environmental clearance to ensure long-term compliance and accountability.

# Annexure A

भारत सरकार | Government of India English

 **परिवेश**  
पारिवेश, वन और जलवायु परिवर्तन मंत्रालय  
Ministry of Environment, Forest and Climate Change

  

[Back](#) [Six Monthly Compliance Report](#) [View Proposal](#) [View Documents](#)

### Proposal Details

<b>Proposal No.:</b>	SIA/RJ/MIN/420161/2023
<b>Single Window No.:</b>	SW/120780/2023
<b>CAF No.:</b>	CAF/118364/2023
<b>Project Name:</b>	Proposed Masonry Stone Mining Project ; Ref No.-20211000043432, Khasra No.-431,432, Area:2.0041 Hect. (Pvt. Land); Near Village:-Bapcha Tehsil:-Chhabra, District:-Baran (Raj.) in favor of Shri Jogdhyan Gera S/o Shri Sevaram Gera
<b>State:</b>	RAJASTHAN
<b>Proposal For:</b>	Fresh ToR
<b>Activity:</b>	I(a) Mining of minerals
<b>Sector:</b>	MIN
<b>Application For:</b>	Application for ToR (Category A, B1, and B2 Violation)/EC (Category B2) - Form 1
<b>Date of Submission:</b>	15/03/2023
<b>MoEFCC File No.:</b>	AT000196
<b>State File No.:</b>	AT000196

### Proposal History/Timeline

[Preview](#)

Activity	Start Date - End Date
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## Annexure B

Sr. No.	Title	Opening Date
1	Advertisement for engagement of one Associate (Legal)-A on contract basis in Regional Office, Ministry of Environment, Forest and Climate Change, Bays No. 24-25, Sector-31A, Chandigarh- 160030	2025-02-04
2	CIRCULAR-To fill up the posts of Private Secretary, Section Officer & Assistant in the Regional Office, Ministry of Environment, Forest & Climate Change at Chandigarh-reg	2025-02-04
3	Request for publication of advertisement in 'The Employment News'-reg	2025-02-04
4	Extension of Date for Advertisement of the post of Finance Officer in the pay level - 10 [56,100 - 1,77,500] in Pay Matrix (7 CPC) in the Central Zoo Authority on Promotion/Deputation basis	2025-02-04
5	Vacancy Notification Circular for the post of Associate (Legal)-A on contractual basis in RO, Bhopal-reg.	2025-02-03
6	Advertisement of one Associate (Legal)-A in Regional Office, Shillong, MoEF&CC on contractual basis -reg.	2025-02-03
7	Vacancy Circular for the post of Principal Private Secretary , Private Secretary, Assistant, Junior Translator and UDC on deputation basis in Regional Office Ranchi-reg	2025-02-03
8	Recruitment Circular 2025 - Associate Legal A Purely on Contractual Basis - reg	2025-02-03
9	Request for uploading the Advertisement on Ministry Website-reg	2025-02-03
10	For filling up post of Assistant on deputation basis in Regional Office, MoEF&CC, Chennai	2025-02-03
11	Advertisement for filling up the post of Evaluation & Monitoring Officer / Scientific Officer / Veterinary Consultant / Policy Assistant in Central Zoo Authority on outsourced basis - reg	2025-01-30
12	Internship Programme of the Ministry of Environment, Forest and Climate Change - Nomination of candidates for the Winter Session 2024-25 regarding	2025-01-29

Highlight All
  Match Case
  Match Diacritics
  Whole Words

## Annexure C

### ENVIRONMENT CLEARANCE

[Compliance of EC of PEKB Coal Block- December'24](#)

- [Compliance of EC of PEKB Coal Block- November'24](#)

[Compliance status of Consent to Operate of CSCTPP Unit#5 & Unit#6 as on 23.12.2024](#)

[Half yearly compliance report April'24 to September'24- PEKB Coal Block.](#)

[Compliance of Environment Clearance of Parsa East and Kanta Basan Coal Block for Oct-2024](#)

[Monthly Compliance of Environment Clearance \(EC\) Conditions by Chhabra Thermal power Plants for Oct-2024](#)

[Half yearly compliance report of stipulated environmental condition/ safeguards of 2x600MW KaTPP, Jhalawar.](#)

[Compliance of EC of PEKB Coal Block- September'24](#)

[Monthly Compliance of Environment Clearance \(EC\) Conditions by Chhabra Thermal power Plants for the month Sept.-2024](#)

[Compliance of "consent to operate" in respect of Unit#7 & 8 of STPS-SC as on 30.06.2024.](#)

[Environment Clearance issued by the MoEF & CC for Unit#7 & 8 of STPS-SC, RVUNL, Suratgarh](#)

- [Environmental Audit Report \(Form-V\) for the Financial year ending the 31st March 2024.](#)

[Compliance of EC of PEKB Coal Block- August'24.](#)

[Monthly Compliance of Environment Clearance \(EC\) Conditions by Chhabra Thermal power Plants for the month Aug 2024](#)

- [Compliance of EC of PEKB Coal Block- July'24.](#)

## Annexure D



## Annexure E



# Annexure F

भारत -60 पेज -1 का 3  
आवधिकता- मासिक  
15 तारीख तक जमा करें

प्रारूप

विभिन्न पर्यावरणीय आंकड़ों के प्रसार के लिए प्रस्ताव  
(कोयले के लिए / लिग्नाइट ताप बिजली संयंत्रों)

थर्मल पावर स्टेशन का नाम  
Month: दिसम्बर 24

CHHABRA ताप विद्युत परियोजना, CHHABRA

संपर्क, ईमेल और फैक्स नं।

एडमिन बिल्डिंग, चौको मोतीपुर, कमरा नं। 301, छाबड़ा, जिला बारां - 325220  
ईमेल: ce.ctpp@rvun.com वेब साइट: www.rvunl.com फोन नंबर 07452-225002 फैक्स नंबर 07452-22500

## I. स्टॉक इमिशन (UNIT WISE)

इकाई क्र	स्थापित क्षमता (MW)	परिकुलटेड मेटर (मिलीग्राम / एनएम <sup>3</sup> )			सल्फर डाइऑक्साइड(मिलीग्राम / एनएम <sup>3</sup> )			नाइट्रोजन डाइऑक्साइड(मिलीग्राम / एनएम <sup>3</sup> )			घरा (एचडी) उत्सर्जन (मिलीग्राम / एनएम <sup>3</sup> )		
		वास्तविक मूल्य	महीने के लिए औसत मूल्य	ज्यादा से ज्यादा महीने के लिए मूल्य	लागू सामान्य *	महीने के लिए औसत मूल्य	ज्यादा से ज्यादा महीने के लिए मूल्य	लागू सामान्य *	महीने के लिए औसत मूल्य	ज्यादा से ज्यादा महीने के लिए मूल्य	लागू सामान्य *	महीने के लिए औसत मूल्य	ज्यादा से ज्यादा महीने के लिए मूल्य
1	250	50	112	301	600	1025	1245	450	286	339	0.03	NA	NA
2	250	50	97	290	600	905	1180	450	261	431	0.03	NA	NA
3	250	50	120	254	600	917	1133	450	263	337	0.03	NA	NA
4	250	50	105	310	600	777	1069	450	177	303	0.03	NA	NA

\* (MoEF और CC अधिसूचना दिनांक 7 दिसंबर 2015)

# Annexure G

FORMAT-60 Page-1 of 3  
Periodicity- Monthly  
Submission-by 15th day

FORMAT  
PROFORMA FOR SUBMISSION OF MONTHLY ENVIRONMENTAL DATA  
(FOR COAL/LIGNITE THERMAL POWER PLANTS)

Name of the Thermal Power Station:	CHHABRA SUPERCRITICAL THERMAL POWER PROJECT, MOTIPIURA, CHHABRA		
Month:	07452-225078	November-2024 (Revised)	07452-225005
Contact, Email And Fax No.	cc: cons.cripp@rvunl.com		

## I. STACK EMISSION (UNIT WISE)

UNIT_N O	Installed Capacity (MW)	PM (mg/Nm <sup>3</sup> )		SO <sub>2</sub> (mg/Nm <sup>3</sup> )		NO <sub>x</sub> (mg/Nm <sup>3</sup> )		Mercury(Hg) Emission(mg/Nm <sup>3</sup> )		
		Applicable Norm *	Actual Value Min. Value for the month Max. Value for the month	Applicable Norm *	Actual Value Min. Value for the month Max. Value for the month	Applicable Norm *	Actual Value Min. Value for the month Max. Value for the month	Applicable Norm *	Min. Value for the month	Max. Value for the month
5	660	30	3.70 76.07	100	620.70 1709.10	100	72.30 689.70	0.03	0.0002	0.0010
6	660	30	2.70 65.70	100	320.60 2302.50	100	444.30 1313.70	0.03	out	out

\*MoEF&CC Notification Dated 7th December, 2015)

for  
Uesada

Executive Engineer (C&I-Boiler)  
CSCTPP, RVUNL, Chhabra

Assistant Engineer (C&I)  
CSCTPP, RVUNL, Chhabra

## Annexure H

ANNUAL REPORT 2020-21

CHHABRA POWER LIMITED

### **BOARDS' REPORT**

#### **To the Members,**

Your Directors are pleased to present the **15<sup>th</sup> Annual Report** on the business and affairs of the Company together with the Audited statement of Accounts for the financial year ended **31<sup>st</sup> March, 2021**.

#### **1. Financial Review**

No commercial activity has been carried out during the financial year under review, however, the expenses/income during the year has been charged to the Statement of Profit & Loss. The Company has incurred loss of Rs.41,809/- in the financial year 2020-21 against the loss of Rs.35,559/- in the previous year 2019-20.

ANNUAL REPORT 2020-21

CHHABRA POWER LIMITED

#### **15. Corporate Social Responsibility**

The provisions of Section 135 of Companies Act, 2013 regarding Corporate Social Responsibility are not applicable on the Company.