

No. RW/NH-33044/01/2019-S&R(P&B)RSCE-Pt.1(188362)

GOVERNMENT OF INDIA
MINISTRY OF ROAD TRANSPORT & HIGHWAYS
(S&R(P&B) Section)
Transport Bhawan, 01, Parliament Street, New Delhi-110 001

Dated: 19th December, 2022

To,

1. The Chief Secretaries of all the State Governments/ UTs
2. The Principal Secretaries/ Secretaries of all States/ UTs Public Works Department dealing with National Highways, other centrally sponsored schemes.
3. All Engineers-in-Chief and Chief Engineers of Public Works Department of States/ UTs dealing with National Highways, other centrally sponsored schemes.
4. The Director General (Border Roads), Seema Sadak Bhawan, Ring Road, New Delhi- 110 010.
5. The Chairperson, National Highways Authority of India, G-5 & 6, Sector-10, Dwarka, New Delhi-110 075.
6. The Managing Director, NHIDCL, PTI Building, New Delhi-110001
7. All CE-ROs, ROs and ELOs of the Ministry

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

Ref: Ministry's latter No. RW/NH-33044/01/2019-S&R(P&B)RSCE-Pt.1,dt: 18.04.2022

Madam/Sir,

Ministry has issued letter under reference, forwarding therewith a copy of Ministry of Power (MoP) letter dated 22.02.2022 (MoEF&CC notification S.O. 5481(E), dt. 31.12.2021) reg. the laid down procedure for disposal of fly ash and its transportation.

2. In this context, MoP vide letter no. 15/2/2022-EC&ET-1, dated 06.12.2022 (copy enclosed) has stated that

i) 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.***

Cont....2/-



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

3. The contents of this Circular may please be brought to the notice of all the Concerned in your Organization.

4. This has been issued with approval of the competent authority.

Encl.: As above

Yours faithfully,



(A.K. Kushwaha)
SE, S&R (Roads)
For DG (RD) & SS

Copy to:

1. The Secretary General, Indian Roads Congress
2. All CEs in the Ministry of Road Transport & Highways
3. Ministry of Defence, D (BR-I), B wing, 4th Floor, Sena Bhawan, New Delhi-110001.
4. Technical circular file of S&R (R) Section
5. NIC-for uploading on Ministry's website under "What's new"

Copy for kind information to:

1. Sr. PPS to Secretary (RT&H)
2. Sr. PPS to DG (RD) & SS (RT&H)
3. PPS to ADG (Nodal), MoRTH
4. PPS to AS&FA, MoRTH
5. Sr. PPS to AS (Highway), MoRTH
6. PS to ADG (East-II)/ADG (South-I)
7. PS to JS (T)/ JS (H)/ JS (LA&C)



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 Manufacturers 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.

No. RW/NH-33044/01/2019-S&R(P&B)RSCE-Pt.1
GOVERNMENT OF INDIA
MINISTRY OF ROAD TRANSPORT & HIGHWAYS
(S&R(P&B) Section)
Transport Bhawan, 01, Parliament Street, New Delhi-110 001

Dated: 18th April, 2022

To,

1. The Chief Secretaries of all the State Governments/ UTs
2. The Principal Secretaries/ Secretaries of all States/ UTs Public Works Department dealing with National Highways, other centrally sponsored schemes.
3. All Engineers-in-Chief and Chief Engineers of Public Works Department of States/ UTs dealing with National Highways, other centrally sponsored schemes.
4. The Director General (Border Roads), Seema Sadak Bhawan, Ring Road, New Delhi- 110 010.
5. The Chairman, National Highways Authority of India, G-5 & 6, Sector-10, Dwarka, New Delhi-110 075.
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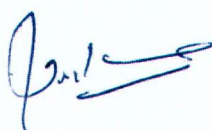
Subject: - Use of Fly Ash in Road/Flyover embankment construction on National Highways work.

Reference:

- i. Ministry's Letter No. RW/NH-24028/14/2018-H dated 27.08.2018
- ii. Ministry's Letter No. RW/NH-35014/20/2017-H dated 07.01.2019
- iii. Ministry's Letter No. RW/NH-33044/01/2019-S&R dated 23.10.2020

Madam/Sir,

Ministry has issued various guidelines for use of Fly Ash in Road/Flyover embankment construction on National Highways work vide letters mentioned at reference above. These guidelines were based on various notifications/guidelines of Ministry of Environment, Forest and Climate Change (MoEF&CC), Ministry of Power (MOP), Indian Roads Congress (IRC) & Bureau of Indian Standards (BIS). In super-session of earlier guidelines on Ash utilization from coal or ignite based thermal power plants (TTPs) MoEF&CC has issued a notification S.O. 5481(E) dated 31.12.2021 (copy enclosed for ready reference). Further, vide letter no. 9/7/2011-St. Th. (Vol. IV) dated 22.02.2022 (copy enclosed for ready reference), MOP has laid down procedure for disposal of Fly ash and its transportation.



2. In view of the above, it is requested to use Fly Ash in Road/Flyover embankment construction on National Highways work in line with above mentioned notifications/guidelines of MoEF&CC and MOP & applicable guidelines of Indian IRC and BIS in super-session of guidelines mentioned under reference above.
3. The contents of this Circular may please be brought to the notice of all the Concerned in your Organization.
4. This has been issued with approval of the competent authority.

Encl.: As above

Yours faithfully,



(Santosh Prakash)

**Executive Engineer - S&R (Roads)
For Director General (Road Development) & SS**

Copy to:

1. The Secretary General, Indian Roads Congress
2. All CEs in the Ministry of Road Transport & Highways
3. Ministry of Defence, D (BR-I), B wing, 4th Floor, Sena Bhawan, New Delhi-110001.
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