



D.O No.9-8/2005-HSMD

Dated: 28th April, 2016

Subject: Implementation of the provisions of Notifications on Fly ash Utilization - regarding.

Dear Sir/ Madam,

You may be aware that Ministry of Environment, Forest and Climate Change has amended the existing Notification on Utilization of Fly Ash generated from coal and lignite based thermal power projects with the objective of increasing the utilisation of ash generated in gainful activities and to promote and facilitate utilisation of ash based products in construction activities or using ash as soil conditioner. Copy of the amendment is enclosed. Copy is also available on the Ministry's website at 'www.moef.nic.in'

2. The following are the specific amendments and their implication-

- (i) The mandatory jurisdiction of the area of application of the notification is increased from 100 km to 300 km. According to the amendment, every construction agency engaged in the construction of buildings within a radius of 300 km from a coal or lignite based thermal power plant (TPP) shall use only fly ash based products for construction. This will encourage more stakeholders to utilise the fly ash.
- (ii) TPPs shall bear the cost of transportation of ash for manufacturing of ash based products, road construction projects and for use as soil conditioner in agriculture activity up to 100 km distance. Beyond the distance of 100 km and up to 300 km, the transportation cost shall be shared equally between the user and the TPPs. This will bring down the cost of manufacturing of fly ash based products thereby increasing the affordability of ash based products by the consumers as well as increase the utilisation of ash.
- (iii) The amendment mandates use of fly ash based products in road construction projects under Pradhan Mantri Gramin Sadak Yojna and asset creation programmes of the Government involving construction of buildings, road, dams and embankments and the entire cost of transportation of ash to these project sites shall be borne by the TPPs.



- (iv) The amendment provides for the use of fly ash as soil conditioner which will enhance utilisation / demand of fly ash.
- (v) Amendment also mandates use of ash based bricks or products in construction under all Government Scheme or programmes e.g. Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (MNREGA), Swachh Bharat Abiyan, Urban and Rural Housing Scheme where built up area is more than 1000 square feet and in infrastructure construction including buildings in designated Industrial Estates or Parks or Special Economic Zone.
- (vi) The mandatory provision of providing 20% of dry fly ash free of cost to the brick manufacturers shall not be applicable to such Thermal Power Plants which are able to utilise / dispose of 100 % fly ash in the prescribed manner.
- (vii) TPPs, within three months from the date of notification, shall upload on their website the details of stock of ash available and thereafter update the stock position at least once every month. By this, the users would be able to look for the sources where ash is available and can approach such TPPs for obtaining fly ash.
- (viii) The amendment mandates the TPPs to provide dedicated dry ash silos and separate access roads. This shall ease the delivery of fly ash.
- (ix) Coal or lignite based thermal power plants located in coastal districts shall support, assist or directly engage into construction of shore line protection and other measures. This would further increase the ash utilisation.
- (x) - Mandating setting up of fly ash based product manufacturing industries by TPPs within their premises or in the vicinity or near the cities will reduce the transportation of ash and encourage utilisation of fly ash products.
- (xi) State Authorities shall amend Building Bye Laws of the cities having population One million or more so as to ensure the mandatory use of ash based bricks.
- (xii) Payments to the contractors for road making or any other infrastructure projects within the mandated distance shall be linked to submission of certificate of fly ash supply from the TPP/s.

(xiii) The Ministry of Agriculture shall promote Fly Ash utilization in Agriculture as soil conditioner.

(xiv) The time period to comply with the above provisions by all concerned authorities is 31.12.2017. The coal or lignite based thermal power plants shall comply with the above provision in addition to 100 % utilization of fly ash generated by them before 31.12.2017.

3. You are requested to take a lead role in implementing these rules effectively in your State/Union Territory.

With Regard

Yours sincerely,

Bishwanath Sinha

(Bishwanath Sinha)

To,
The Secretary, Department of Environment, all States / UTs.
(as per list)

Copy to
The Chairman, all State Pollution Control Boards /
Pollution Control Committees.
(as per list)