

**No. 10/1/2019-St. Th.
Government of India
Ministry of Power**

**Shram Shakti Bhawan, Rafi Marg
New Delhi dated 20.01.2021**

OFFICE MEMORANDUM

Sub:- Review of FGD timelines for implementation of new emission norms - reg.

The undersigned is directed to refer to para 6(ii) & 6(iv) of the minutes of the meeting chaired by Secretary(MoEF&CC) on 15.09.2020, that CPCB in consultation with MoP and CEA to reconcile the progress status of each unit against the committed timeline and also estimate timeline for compliance based on progress made by individual units. Based on this assessment, CPCB may propose a reasonable relaxation in time-lines due to COVID-19 Impact.

2. It is stated that Generation of Electricity is a de-licensed activity. Hon'ble Supreme Court in its Order dated 07.09.2018 has already taken cognizance of the Ld. ASG submission that Ministry of Power cannot exercise coercive authority over units of State Government and IPPs.

2.1 Further, as Electricity is a concurrent subject, it shall be the mutual/collective endeavor of the Central Government to ensure that electricity requirements in the States shall not be affected.

3. The issue was discussed by the Hon'ble Minister of State (IC) Power & NRE in a meeting chaired on 07.10.2020 and it was inter alia, decided that based on the final commitment to be submitted by the States, in complying with the emission control norms, so that electricity requirement in their States is not affected and the reasons for delay so far, CEA will make an assessment and propose to MoP a reasonable relaxation in timelines for each of the units separately to be taken up with CPCB/ MoEF&CC.

4. Secretary (Power) chaired another meeting on 13.10.2020 with Central Gencos, States and IPPs where developers were requested to submit the final timelines to CEA. Now, based on the requests received by CEA from most of the power utilities, unit-wise assessment has been carried out by CEA in consultation with MoP.

4.1 **It is assessed that Time Extension of 2 years to the existing CPCB timelines may be considered for all units (on account of uncertainties/ delays due to COVID-19 pandemic and on account of other issues like import restrictions, minimum local component condition under Atma Nirbhar Bharat, liquidity crunch in power sector, credit refusals due to high stress in power sector, regulatory delays etc.)**

5. Accordingly, the proposed FGD timelines for 448 operational units is enclosed.

5.1 Further, for other plants/units that are getting commissioned after 01.01.2017 but had received Environment Clearance before 07.12.2015, shall be allowed to operate on their date of commissioning (as also decided in meeting on 30.07.2018 with Ld. ASG, amicus curies, MoEF&CC & others and stated in para 11 (vi) in CEA's affidavit dated 20.08.2018) and time extension for FGD installation for these units may be allowed upto December 2024.

5.2 Further, for Upgradation of Electrostatic Precipitators (ESPs) for compliance to Sub-Particulate Matter (SPM) norms, the timelines shall be the same as that of extended FGD timelines as also proposed in the plan submitted earlier vide MoP letter dated 13.10.2017. However, plants that get commissioned after 13.10.2017, shall comply with the revised SPM standards from the date of their commissioning only.

5.3 No penalty may be levied on these plants before the proposed revised timelines.

6. This issues with the approval of Hon'ble Minister of State (IC) for Power & NRE.

Enclosed: as stated.



(Nishat Kumar)

Under Secretary to the Govt. of India

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