

HARYANA STATE POLLUTION CONTROL BOARD

C-11 Sector-6, Panchkula

Ph - 0172- 577870-73, Fax No. 2581201

E-mail- hspcbho@gmail.com

Office Order

Whereas, the Central Pollution Control Board (CPCB) vide its letter no. B-29012/ESS (CPA)/2015-16/8526 dated 07.03.2016 has issued modified directions under section 18 (1)(b) of the Water (Prevention and Control of Pollution) Act 1974 and Air act 1981 to all the State Pollution Control Boards in supersession of earlier directions regarding revised classification of industrial sector/projects under Red, Orange, Green and White Category for purpose of consent management under these acts;

Whereas, in compliance of above directions of CPCB, the Haryana State Pollution Control Board vide Head Office order Endst. No. HSPCB/PLG-135/2016/546-572 dated 14.07.2016 has issued the consolidated list of Red, Orange, Green and White Category of units, for implementation and thereafter Board in its 178th meeting held on 30.01.2018, vide agenda item no. 178.22 has approved the procedure for grant and refusal of consent to establish and consent to operate under Water Act, 1974 and Air Act, 1981 along with the list of Industrial sectors/projects covered under Red, Orange, Green and White categories for the purpose of consent management and same was issued vide Head Office order Endst. No. HSPCB/2018/517-546 dated 26.02.2018 in supersession of earlier procedure;

Whereas, CPCB, vide its letter no. B-29016/ROGW/IPC-VI/2020-21/ dated 30.04.2020 has issued directions under section 18 (1)(b) of the Water (Prevention and Control of Pollution) Act 1974 and Air Act 1981 to adopt categorization of some new Industrial sectors and list of Non-Industrial Operations (Activities/ Facilities/ Infrastructure/ Services) and subsequent letter no. B-29016/ROGW/IPC-VI/2020-21/ dated 10.07.2020 to adopt categorization of Dairy Farm and Gaushala, as finalized by CPCB;

Whereas, in compliance of above directions of CPCB and based on recommendation of committee constituted by this board for categorization of left over units, the industrial/non industrial sector/project has been added in existing list of Red, Orange, Green and White Categories vide Head Office order Endst. No. HSPCB/2020/PLG/1767-1795 dated 04.12.2020 and also amended existing consent procedure dated 26.02.2018 (as amended from time to time);

Whereas, CPCB, vide letter no. CPCB/IPC-VI/PNG/2020-21/2862-2870 dated 27.11.2020 (Annexure-I) has issued directions under section 18 (1)(b) of the Water (Prevention and Control of Pollution) Act 1974 and Air Act 1981 to allow only those new industrial units in NCR-Delhi, which are using cleaner fuels namely, natural gas (PNG/CNG), liquefied petroleum gas, bio-gas, propane, butane etc.; and,

Whereas, under the provisions of 18(1)(b) of Water Act, 1974 and Air Act, 1981 every State Board shall be bound by such directions issued by the Central Board or the State Government;

Therefore, in view of above, it is hereby ordered that the following further amendments to the consent procedure already issued vide Head Office order Endst. No. HSPCB/2020/PLG/1767-1795 dated 04.12.2020 for obtaining consent to establish and consent to operate under Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981:

1. Under the heading of "2.0 Procedure for grant of consent to establish (CTE)", the entry shall be added at Sr. No. 2.1.8 namely that, "consent to establish is to be issued only to those new industrial sector/ units in NCR-Haryana, who are using cleaner fuels, namely, natural gas (PNG/CNG), liquefied petroleum gas, bio-gas, propane, butane etc. as issued/notified by

CPCB/MOEF/HSPCB/State Government from time to time".

2. Under the heading of "Check List of documents for obtaining consent to establish (CTE) " at Sr no 19 and under the heading of "Check List of documents for obtaining Ist Consent to operate (CTO)" at Sr. No. 7, the entry there against shall be substituted with "Detailed project report showing the details of all manufacturing processes, fuel process flow chart, location of stacks/ chimneys, ETP/ STP, APCM, Hazardous Waste storage and treatment facilities, tube wells, Water supply lines, Effluent drains and final outlets for the disposal of the effluent".
3. Under the heading of "Check List of documents for obtaining Ist Consent to operate (CTO)" at Sr. No 13, the entry there against shall be added namely "Proof of procurement of fuel e.g. Agreement/passbook etc." .

It is further ordered that the inspecting officer while carrying out the all type of inspections shall clearly indicate the "Type & Quantity of Fuel used" by the unit at Sr. no. B(10) of format of inspection report, issued with Inspection Policy of the Board vide orders dated 24.02.2016(as amended).

These orders shall come in to force with immediate effect and shall be applicable for new industrial/non industrial sector/Unit to be established in area of NCR falling in the jurisdiction of State of Haryana.

**Dated Panchkula, the
22nd December, 2020**

**S Narayanan, IFS
Member Secretary**

Endst. No. HSPCB/PLG/2020/1/12624/2020(3)

Dated: 28.12.20

A copy of the above is forwarded to the following for information and further necessary action:-

1. Additional Chief Secretary, Environment and Climate Change Department, Government of Haryana.
2. Additional Chief Secretary, Department of Industries and Commerce, Government of Haryana.
3. Chairman, Central Pollution Control Board, New Delhi.
4. Chairman, SEIAA, Panchkula, Haryana.
5. All Branch In charges dealing with consent management in Head Office of the Board.
6. All Regional Officers of the Board in the field.
7. Nodal Officer of the HSPCB, Haryana Enterprises Promotion Centre (HEPC), Bay No. 63-64-65-66, Sector 2, Panchkula.
8. Branch In charge -IT Cell (with the direction to upload in the website of the Board).

Sr. EE (PLG)

For Member Secretary

Endst. No. HSPCB/PLG/2020/

Dated:

A copy of the above is forwarded to the following for information of the officers:-

1. PS to Chairman
2. PA to Member Secretary

Sr. EE (PLG)

For Member Secretary



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

SPEED POST

CPCB/IPCI-VI/PNG/

2862-2870

November 27, 2020

To

**The Chairman
SPCBs/DPCC
(as per the list)**

SUB: DIRECTIONS UNDER SECTION 18(1)(b) OF THE AIR (PREVENTION & CONTROL OF POLLUTION) ACT, 1981 IN THE MATTER OF UPCOMING INDUSTRIAL UNITS IN NCR-DELHI.

WHEREAS, under Section 17 of the Air (Prevention & Control of Pollution) Act, 1981, one of the function of the State Pollution Control Boards (SPCBs)/Pollution Control Committees (PCCs) is to plan a comprehensive programme for the prevention, control or abatement of air pollution in the State/Union Territory and to secure the execution thereof; and

WHEREAS, under Section 16 of the Air (Prevention & Control of Pollution) Act, 1981, one of the functions of the Central Pollution Control Board (CPCB) is to coordinate activities of the State Pollution Control Boards and Pollution Control Committees and to provide technical assistance and guidance to SPCBs/PCCs; and

WHEREAS, the SPCBs and PCCs are empowered to stipulate even more stringent standards for discharge of environmental pollutants for various categories of industries than those notified by the Central Government, under the Environmental (Protection) Act, 1986 and rules framed there under; and

WHEREAS, industries located in 24 Districts of Uttar Pradesh, Haryana, Rajasthan and Delhi have been discharging environmental pollutants directly or indirectly into the ambient air, which pose constant threat to and cause adverse effect on the air quality in Delhi and National Capital Region; and

WHEREAS, Hon'ble National Green Tribunal vide its order dated December 18, 2017 in the matter of O.A. No.21/2014, Vardhaman Kaushik Vs. Union of India, noted that "This statistics clearly shows that all the time, the ambient air quality of NCT of Delhi is polluted and for most of the period of the month it is severe and above. This is the quality of air that we are providing to the people living in NCR-Delhi and NCT of Delhi. It is clear violation of their fundamental rights". The Hon'ble Court also noted that Industrial and Thermal Power House emissions including fly ash is one of the seven major contributors of air pollution; and

WHEREAS, the matter has also come up for discussion in a meeting of the High Level Task Force to review air quality of NCR-Delhi and to suggest action points, wherein, it was felt that effective measures to check air pollution including control of air emissions from industries and their regular monitoring through online systems (for red category-air polluting units) in NCR-Delhi should be ensured; and

WHEREAS, during the meeting of the High Level Task Force held on 18.12.2018, it was decided that all industries in NCR-Delhi, wherever gas supply is available must shift to PNG by 31st March, 2019. However, the target date was further extended to 30.04.2019 in the meeting held on 04.04.2019;

WHEREAS, CPCB conducted review meetings with DPCC and SPCBs of NCR-Delhi on 07.01.2019 and 15.05.2019 to review the status of conversion of industries into PNG as fuel in NCR-Delhi (wherever gas supply is available); and

WHEREAS, it was observed that in spite of availability of PNG supply in the area, large number of industries did not switch their operations to PNG. CPCB vide letter dated 02.07.2019 directed DPCC and SPCBs of NCR-Delhi to close-down all such industrial units in NCR-Delhi, where PNG supply is available and industry has not shifted to PNG. Subsequently, CPCB received a number of representations from industry associations of NCR-Delhi, expressing concerns particularly on cost viability, time period needed for such conversion etc. CPCB on 28.08.2019 communicated to SPCBs of Rajasthan, Haryana and Uttar Pradesh that "while these representations are being examined, it is felt appropriate that at this stage coercive action may not be initiated against the industrial units in NCR, which otherwise are complying with the prescribed environmental norms"; and

WHEREAS, considering the deteriorating air quality in NCR-Delhi and also considering the fact that already directions have been issued to all the existing industries in NCR-Delhi to switch over to cleaner fuels, it is decided that only those new industrial units shall be allowed to set-up in NCR-Delhi, which use cleaner fuels namely, natural gas (PNG/CNG), liquefied petroleum gas, bio gas, propane, butane etc. and

NOW THEREFORE, in view of the above and exercising the powers conferred under section 18(1)(b) of Air (Prevention and Control of Pollution) Act, 1981, you are hereby directed to allow only those new industrial units in NCR-Delhi, which are using cleaner fuels, namely, natural gas (PNG/CNG), liquefied petroleum gas, bio-gas, propane, butane etc.

Actions taken report shall be submitted to CPCB within 30 days from the receipt of these directions.

✓
(Shiv Das Meena)
Chairman

To:

1. The Chairman
Haryana State Pollution Control Board
C-11, Sector 6, Panchkula,
Haryana 134109

2. The Chairman
Rajasthan State Pollution Control Board
A-4 Institutional Area, JhalaneDungri
Jaipur - 302004.
Rajasthan

3. The Chairman
Uttar Pradesh State Pollution Control Board
Building.No. TC-12V
VibhutiKhand, Gomti Nagar,
Lucknow-226010.
Uttar Pradesh

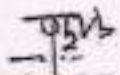
4. The Chairman
Delhi Pollution Control Committee
4th floor, ISBT Building,
Kashmeri Gate,
Delhi - 110006.
Delhi

Copy to:

1. The Chairperson, CAQM-NCR
3rd Floor, Indian Oil Bhawan
1, Aurobindo Marg, Yusuf sarai,
New Delhi-110016
2. The Joint Secretary (CP Division)
Ministry of Environment, Forests
And Climate Change
Indira Paryavaran Bhawan
Aliganj, Jor Bagh Road,
New Delhi - 110 003
3. The Regional Director (Lucknow)
Central Pollution Control Board
PICUP Bhawan, Vibhuti Khand
Gomti Nagar, Lucknow
Uttar Pradesh
4. The Regional Director (Bhopal)
Central Pollution Control Board
3rd Floor, Sahkar Bhawan,
North TT Nagar, Bhopal-462003
Madhya Pradesh
5. The Regional Director (Chandigarh)
Central Pollution Control Board
East Arjun Nagar, Delhi-110032
6. DH, AQM, CPCB, Delhi

✓ DH, IT, CPCB, Delhi :

With the request to upload the directions
on CPCB web site


(Prashant Gargava)
Member Secretary