

Date  
6/5/2020



# HARYANA STATE POLLUTION CONTROL BOARD

C-11 Sector-6, Panchkula  
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262

## Office Order

Whereas, function of the Board is to prevent, control or abatement of pollution as per provisions of various environmental laws. The Board has been empowered for issuing orders immediately restraining or prohibiting the person concerned from discharging any poisonous, noxious or polluting matter in case of emergency;

Whereas, Board already issued office order vide order Endst. No. HSPCB/2005/2745-2753 dated 23.08.2005 regarding delegation of power to Regional Officers for issuance of closure order in grave emergency when there is an immediate threat to environment and endangering lives of public in large in the following circumstances:-

- a. Units doing reverse pumping of untreated effluent by injecting it directly into aquifer and polluting subsoil water; or
- b. Unit is illegally operating lead recovery units by using waste batteries in violation of Battery Rules and has not adopted environmentally sound technologies because lead oxide emission can adversely affect the central nervous system beings and living creatures; or
- c. When there is leakage/spillage of hazardous/obnoxious gas in the atmosphere or releasing toxic of hazardous material in water bodies used for drinking water source and endangering lives of people at large or other living creatures.
- d. It has been the concern of the Govt. and the Board for some time now that decisive action is not being taken with regard to illegal or unscientific disposal of polluted effluents including disposal by ways of transporting potentially or decidedly polluting effluent from manufacturing/process industries and disposing these off at various places through tankers;

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Whereas, the Board in its 136th meeting vide agenda item no. 136.5 has approved the delegation of powers regarding issuances of closure notices/closure orders under grave emergency and immediate threat to Environment to the Regional Officers of the Board;

Whereas, Environment Pollution (Prevention & Control) Authority for the National Capital Region (EPCA) issues the time bound directions from time to time keeping in view the various emergency situations in the National Capital Region to Chief Secretary Haryana with a copy to Chairman of this Board in view of severe level air quality;

Whereas, during the time period of implementation of directions of EPCA and even after the expiry of the period of such directions, the cases for issuance of closure directions against such units found operating in violation of directions of EPCA, are sent to the Head Office, which thereby has no meaning left to close such units for not obeying such time bound directions. Further, Hon'ble Apex Court, Hon'ble High Court and Hon'ble NGT several times issues the directions to close specific industries and those cases of industrial sectors/units are also sent to the Head Office for issuance of closure directions against such industrial sectors/units and cause delay;

Whereas, the matter regarding the delegation of the power to Regional Officers for issuance of closure direction for violation of EPCA directions and as directed by Hon'ble Apex Court, Hon'ble High Court and Hon'ble NGT to issue closure directions was placed before Board in its 187th meeting held on 17.02.2020 vide agenda item no. 187.18(S) and the same has been approved by the Board;

Therefore in view of above and in partial modification of this office order endst. No. HSPCB/2005/2745-2753 dated 23.08.2005, it is hereby ordered to delegate the power to Regional Officers of the Board in addition to power already delegated vide agenda item no. 136.5, for issuance of closure directions against the industrial sectors/units, found operating in violation of directions of the EPCA and as directed by Hon'ble Apex Court, Hon'ble High Court and Hon'ble NGT and Hon'ble NGT to issue closure directions against such industrial sectors/units. Further, ROs will send the copy of the same to Head Office within 24 hours by email with photographs, videography and other evidence as possible and also collect legal sample at the time of implementation of closure directions. In case of issuing of any closure directions on flimsy ground, disciplinary action will be initiated against defaulting officers as per HSPCB service regulations without giving any opportunity of reply. The cases of suspension of closure directions will be dealt at the level of Head Office.

These orders shall come into force with immediate effect.

Dated Panchkula, the  
17<sup>th</sup> March, 2020

Ashok Kheterpal  
Chairman

Endst. No. HSPCB/PLG/2020/ 1045-67

Dated: 19-3-2020

A copy of the above is forwarded to the following for information and immediate necessary action in continuation of this office order Endst. No. HSPCB/2005/2745-2753 dated 23.08.2005:-

1. All section Incharges in Head Office of the Board.
2. All Regional officers of the Board in the field.
3. Nodal Officer (IT) for uploading the order on the website of the Board.

Sr. Environmental Engineer (PLG)  
For Chairman

Endst. No. HSPCB/PLG/2020/

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

1. P.S. to Chairman.
2. P.A. to Member Secretary.

Sr. Environmental Engineer (PLG)  
For Chairman

Ans  
19/3/20