

B-29016/04/06/IPCI-VI/

SPEED POST

May 4, 2018

To

The Chairman  
Delhi, UP, Rajasthan, Haryana SPCB/PCC

*1740-43*

**SUB: DIRECTIONS UNDER SECTION 18(1)(b) OF THE AIR (PREVENTION & CONTROL OF POLLUTION) ACT, 1981 IN THE MATTER OF POLLUTION CONTROL IN RED CATEGORY - AIR POLLUTING INDUSTRIES - REGARDING SELF MONITORING OF COMPLIANCE**

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), constituted under Water (Prevention and Control of Pollution) Act, 1974 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 standards for discharge of environmental pollutants for various categories of industries even more stringent than those notified by the Central Government, under the Environmental (Protection) Act, 1986 and rules framed there under; and

WHEREAS, Red Category - Air Polluting Industrial Sectors are those industrial sectors covered under Red Category and also have air pollution score in the list circulated to all SPCBs/PCCs as Annexure of CPCB direction dated 7.3.2016. CPCB list of Red Category - Air Polluting Industrial Sectors is enclosed as Annexure-I for reference; and

WHEREAS, as per direction dated 7.3.2016 and letter dated 19.7.2017, SPCBs/PCCs were asked to constitute a Committee headed by the Member Secretary, SPCB/PCC and comprising of two senior Engineers / Scientists of SPCB/PCC to categories any new or left-over industrial sector which doesn't fall under any four categories of Red, Orange, Green and White and also to resolve the issues related to categorisation, following the pollution index assessment; and

WHEREAS, Red category - Air Polluting industries located in 23 Districts of UP, Haryana, Rajasthan and Delhi have been discharging environmental pollutants directly or indirectly into the ambient air, which pose constant threat to cause adverse effect on the air quality in Delhi and National Capital Region; and

WHEREAS, the SPCBs and PCCs are also required to ensure installation and regular operation of the requisite pollution control facilities in the red category - air polluting industries; and

WHEREAS, there is need to inculcate a habit of self monitoring mechanism within the industries for complying the prescribed standards and this can be achieved by the methods like installing online emission monitoring devices; and

WHEREAS, for strengthening the monitoring and compliance through self regulatory mechanism, online emission monitoring systems need to be installed and operated by the industries on 'polluter pays principle'; 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, a Task Force has been constituted at PMO to review air quality of NCR-Delhi and to suggest Action Points. The objectives of the Task Force can be achieved by taking various measures including control of air emissions from industries and their regular monitoring; and

WHEREAS, it is becoming a need and necessity to regulate and minimize inspection of industries on routine basis and instead efforts need to be made to bring self discipline in the industries to exercise self monitoring & compliance and transmit data of emission compliance to SPCBs/PCCs and to CPCB on continuous basis; and

WHEREAS, CPCB has explored installation of online monitoring device in the other countries and has come to conclusion that the online monitoring devices are essential for improving compliance as the conventional monitoring systems not able to capture violations on regular basis; and

WHEREAS, for strengthening of the monitoring mechanism and effective compliance through self-regulatory mechanism, CPCB issued following directions to 4 SPCBs/PCCs namely- Delhi, Uttar Pradesh, Rajasthan and Haryana to direct all the red category - air polluting industries located in 23 districts of National Capital Region and Delhi on 29.12.2017:

- a. To Install online continuous Stack Emission Monitoring Systems in red category - air polluting industries for the consented parameters mentioned in the consent to operate/authorisation not later than March 31,2018;
- b. To connect and upload the online emission monitoring data at SPCBs/PCCs and CPCB server in a time bound manner but not later than March 31,2018;
- c. To submit the industry and OCEMS details to the Central Pollution Control Board, through CPCB registration portal available at

[http://cpcb.nic.in/Online\\_main.php](http://cpcb.nic.in/Online_main.php) and submit the system generated report at

- Email id - [cems.cpcb@nic.in](mailto:cems.cpcb@nic.in) and

- Through Speed post;


- d. To link and upload continuous data generated from OCEMS to CPCB central portal available at <http://182.75.69.206>

WHEREAS, timelines for installations of OCEMS were discussed with SPCBs/PCCs, Industry Associations and a few instrument companies separately and in meetings on 28.03.2018 and 05.04.2018; and

WHEREAS, the Industry Association informed that SPCBs/PCCs issued directions to the industries in the month of March, 2018 itself, therefore, it may not be possible to meet the deadline of 31<sup>st</sup> March, 2018; and

Now therefore, in view of the above and in exercise of the powers conferred under section 18(1)(b) of Air (Prevention and Control of Pollution) Act, 1981, you are hereby directed to direct all the red category-air polluting industries located in 23 districts of National Capital Region and Delhi to install online continuous Stack Emission Monitoring Systems and upload the data at SPCB/PCC and CPCB server by 30<sup>th</sup> June, 2018.

Actions as deemed fit as per the provisions of the Environment Protection Act, 1986 shall be initiated against the units which fail to comply with the directions. Action taken report shall be submitted to CPCB within 15 days from the receipt of these directions.

  
(S P Singh Parihar)  
Chairman

**Copy to:**

1. The Advisor (CP Division)  
Ministry of Environment, Forests  
And Climate Change  
Indira Paryavaran Bhawan  
Aliganj, Jor Bagh Road,  
New Delhi - 110 003

2. The Regional Director  
Central Pollution Control Board  
PICUP Bhawan, Vibhuti Khand  
Gomti Nagar, Lucknow  
Uttar Pradesh

3. The Regional Director  
Central Pollution Control Board  
3 rd Floor, Sahkar Bhawan,  
North TT Nagar, Bhopal-462003  
Madhya Pradesh

4. The Incharge AQM, CPCB : With the request to make further follow up

✓ 5. The Incharge IT, CPCB : With the request to upload the direction on  
CPCB web site



**(A. Sudhakar)**  
**Member Secretary**

