

**SPEED POST**

B- 33014/40/2017- AQM

November 15, 2017

The Chief Secretary  
(as per list)

**Sub.: Direction under Section 5 of The Environmental (Protection) Act, 1986 regarding prohibition on use of Petcoke & Furnace oil in NCR states- reg.**

WHEREAS, rising air pollution in Delhi is a matter of serious concern, especially with regards to high levels of particulate matter exceeding National Ambient Air Quality Standards, 2009;

WHEREAS, in spite of targeted action implemented as per Graded Response Action Plan, Delhi air quality deteriorated significantly and reached 'Severe +' or Emergency conditions on November 07, 2017 and recurring since then;

WHEREAS, petcoke & furnace oil are some of the contributors to secondary particulate matter in the ambient air in Delhi and NCR and secondary particulate is a consistent source, contributing 25% – 30% (PM<sub>10</sub> – PM<sub>2.5</sub>) during winters and 10% – 15% (PM<sub>10</sub> – PM<sub>2.5</sub>) during summers;


WHEREAS, use of petcoke and furnace oil is not permitted in Delhi;

WHEREAS, Hon'ble Supreme Court vide its order dated October 24, 2017 in WP (c ) 13029/ 1985 in the matter of M.C. Mehta Vs. Union of India directed, "*Since the state governments of U.P., Haryana and Rajasthan have no objection and they have not taken any positive action, keeping the pollution level in NCR and particularly in Delhi, we have no option but to place a ban on use of furnace oil and petcoke in the states of U.P., Haryana and Rajasthan. The ban will come into effect from November 01, 2017. We expect the state governments to issue appropriate notification immediately. Even if they do not issue such notification then in compliance with the order of this court, the ban will take effect from 1<sup>st</sup> November, 2017 in any case*";

WHEREAS, the central government in the Ministry of Environment, Forest and Climate Change has decided that use of petcoke and furnace oil in Delhi and NCR states will be henceforth banned with immediate effect until further orders;

Now therefore, in exercise of powers delegated to The Chairman, CPCB under Section 5 of The Environmental (Protection) Act, 1986 and in view of above referred Hon'ble Supreme Court's order, it is directed that prohibition on use of petcoke and furnace oil by any industry, operation or processes within your state be ensured, with immediate effect until further orders.

Receipt of this direction may please be acknowledged immediately and action taken report be sent to CPCB within 7 days of receipt of these directions.

  
157-42  
(S.P. Singh Parihar)  
Chairman

List:

The Chief Secretary  
Government of Uttar Pradesh  
Lal Bahadur Shastri Bhawan  
UP Secretariat  
Lucknow-226 001

The Chief Secretary  
Government of Rajasthan  
Tilak Marg Secretariat  
Jaipur, Rajasthan- 302 005

The Chief Secretary  
Government of Haryana  
4th Floor, Haryana Civil Secretariat  
Sector-1, Chandigarh – 160 001

Copy to:

- The Chairman : For kind information, please  
Environment Pollution Control Authority  
Core 6A, 12<sup>th</sup> floor, India habitat Centre  
Lodhi road, New Delhi- 110003
- Shri Ritesh Kumar Singh : For kind information, please  
Joint Secretary  
C P division  
Ministry of Environment, Forests & Climate Change  
Indira Paryana Bhawan  
Jor Bagh, New Delhi – 110 003
- ✓ • Head, IT division : For uploading on website, please

(A. Sudhakar)  
Member Secretary