



IPC-V-SSI/Direction/Kohlu/RA ४५७७

July 27, 2017

To,

The Chairman
Uttar Pradesh Pollution Control Board
IIIrd floor, PICUP Bhawan
Vibhuti Khand, Gomti Nagar
Lucknow – 226 020, Uttar Pradesh

Sub: Directions under section 18(1) (b) of the Water (Prevention and Control of Pollution) Act, 1974 & the Air (Prevention and Control of Pollution) Act, 1981, in the matter of O.A. No. 608 of 2016 in Anil Kumar vs. State of U.P. & Ors regarding environmental pollution from operation of Kohlus .

WHEREAS, under Section 17 of the Water (Prevention & Control of Pollution) Act, 1974, one of the functions of the Uttar Pradesh Pollution Control Board, constituted under Water (Prevention and Control of Pollution) Act, 1974 is to plan a comprehensive programme for the Prevention, Control or Abatement of Water Pollution in the State of Uttar Pradesh and to secure the execution thereof:

WHEREAS, under Section 17 of the Air (Prevention & Control of Pollution) Act, 1981, one of the functions of the Uttar Pradesh Pollution Control Board, constituted under Air (Prevention and Control of Pollution) Act, 1981 is to plan a comprehensive programme for the Prevention, Control or Abatement of Air Pollution in the State of Uttar Pradesh and to secure the execution thereof:

WHEREAS, a NGT matter of O.A. No. 608/2016 filed by Shri Anil Kumar, S/o Mr. Rameshwar Prasad, Resident of Village Ambehta Shekha, Tehsil Deoband, District Saharanpur against the State of U.P. & Ors, regarding unregulated and uncontrolled environmental pollution, degradation and damage being caused by the operation of Kohlu situated at Western Uttar Pradesh.

WHEREAS, In compliance of NGT order dated 19.01.2017, directed to conduct study on assessment of pollution by Kohlu, an inspection by Central Pollution Control Board was carried out at various Kohlus operated in the villages of Meerut area, Uttar Pradesh.

WHEREAS, inspection report of Central Pollution Control Board has filed before Hon'ble Tribunal on 13.04.2017, with the following observations;

1. All Kohlus were being operated without any consent from the State Pollution Control Board
2. During the inspection it was found that Black smoke containing high suspended particulate matter (SPM) was generated in a large amount
3. They have only small 3 or 4 meters height mud or brick stack and used dry bagasse as fuel
4. Mainly Kohlus are operated in outskirts of villages and running on the agricultural land
5. Stack monitoring and Ambient Air Quality monitoring cannot be performed in the absence of proper stack height, port hole, platform and continuous electric supply.

6. In many cases rubber and used tyres are being used as fuel which creates hazardous air pollution.

WHEREAS, it has been submitted in the Hon'ble Tribunal that to make a quantitative assessment of air pollution generated from the Kohlus, there is a need to arrange a pilot model of Kohlus having proper stack monitoring facilities and availability of continuous electricity to conduct proper monitoring of air pollutants.

NOW, THEREFORE, in reference to the recommendations of the joint inspection report of Central Pollution Control Board in exercise of powers conferred under section 18 (1) (b) of the Air (Prevention & Control of Pollution) Act, 1981, and Water (Prevention and Control of Pollution) Act, 1974 the following directions are issued to Uttar Pradesh Pollution Control Board for compliance.

1. All Kohlus should take permission and consent-to-operate from SPCB for operation of Kohlus.
2. All Kohlus operating without permission and valid consent from SPCB, be closed down with immediate effect.
3. All Kohlu Units shall provide adequate stack with proper stack height, port hole and platforms as per CPCB Guidelines of Emission Regulation Part-III.
4. All units shall not use any type of hazardous waste material such as rubber, plastic, tyre and coal as fuel.
5. UP SPCB to arrange a Pilot Model of Kohlus with proper stack height, Port Hole and Platforms before start of next season in the month of November 2017 for conducting stack and ambient air quality monitoring to assess environmental pollution impact.

The Action Taken Report shall be submitted to the Central Pollution Control Board within 30 days from the date of receipt of these directions.



(S.P. Singh Parihar)
Chairman

Copy to:

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2. Regional Directorates (Lucknow)
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3. IC IT Division, CPCB, Delhi



(A.B. Akolkar)
Member Secretary