

SPEED POST

B-29012/IPCI-VI/2019-20/

June 18, 2019

To

2830-33
**The Chairman
Delhi, Haryana, Rajasthan and Uttar Pradesh SPCB/PCC**

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, 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, for strengthening 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 and submit the system generated report at
 - Email id – 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 31st March, 2018. In consideration of this CPCB on May 4th, 2018 issued modified direction extending the date of installation of OCEMS and connectivity with CPCB server by 30th June, 2018;

WHEREAS, CPCB has conducted review meetings with SPCBs/PCC of NCR on 28.03.2018, 05.04.2018, 04.07.2018, 07.01.2019 and 15.05.2019 to review the status of installation of OCEMS in red category air polluting industries in NCR Delhi and SPCBs/PCC were of the view that OCEMS be installed in medium and large scale red category air polluting industries in NCR Delhi; and

WHEREAS, CPCB through letter dated 08.02.2019, 11.03.2019, 02.05.2019 and 31.05.2019 asked SPCBs/PCC of NCR to submit the updated status of installation of OCEMS in red category air polluting industries in NCR Delhi; and

WHEREAS, after analysis of data provided by SPCBs/PCC and verification of the connectivity of industries with CPCB servers, it has been observed that still all medium and large scale red category air polluting industries in NCR have not installed OCEMS or not connected with CPCB servers; 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 ensure closure of all medium and large scale red category air polluting industries in NCR Delhi, which have not installed and connected online continuous stack emission monitoring systems with CPCB & SPCB/PCC servers.

Action taken report shall be submitted to CPCB within 15 days from the receipt of these directions in the enclosed format.

(S P Singh Parihar)
Chairman

Copy to:

1. The Joint Secretary (CP Division)
Ministry of Environment, Forests
& 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 DH AQM, CPCB
- ✓ 5. The DH IT, CPCB :

With the request to upload the direction on
CPCB web site

(Prashant Gargava)
Member Secretary



