



Hon'ble NGT Matter

Dated: 25/10/2019

CPCB/IPC-VII/CEPI/NGT/2019

To

The Chief Secretary of concerned State/UT Govts.
(List as provided)

Sub: Mechanism for environmental management of Critically and Severely Polluted Areas and consideration of activities/projects in such areas in compliance to Hon'ble NGT order dated 23/8/2019 in the matter of O.A. No 1038/2018-reg.

Sir,

With reference to the Hon'ble NGT order dated 23/8/2019 in the matter of O.A. No 1038/2018, based on environmental quality monitoring (CEPI) carried out by CPCB during 2017-18, it is directed that

"...There is no absolute bar to such units being setup if they are found to be viable. This clarification should take care of any possible apprehension that the order of the tribunal will obstruct any legitimate industrial activity. MoEF&CC can forthwith devise an appropriate mechanism to ensure that new legitimate activity or expansion can take place after due precautions are taken in the areas in question by Red and Orange category of units".

Accordingly, MoEF&CC has prepared a mechanism and directed CPCB to share with the State/UT Governments and SPCBs/PCCs for implementation. In this regard, I am directed to communicate the mechanism for information and necessary action, please (copy enclosed).

Yours faithfully,

(P.K. Gupta)

AD& Div. Head, IPC-VII

Encl: As above

Copy to:

1. The Member Secretary, Concerned SPCBs/PCCs : for information and n/a, please.
2. The Director, Department of Environment, Concerned State/UT Govts. : for information and n/a, please.
3. The Joint Secretary, CP Division (Water), Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhavan, Aliganj, JorBagh Road, New Delhi-110003 : for information, please.
4. The Regional Directors, CPCB : for information, please.
5. PS to CCB : for information of CCB, please.
6. PS to MS : for information of MS, please.

(P.K. Gupta)

o/c

Mechanism evolved after consultation with stakeholders for new activities/ expansion by Red & Orange Category of industries in Critically/ Severely Polluted areas

A. Environmental Management of CPAs and SPAs

Protocol to be followed by the State Pollution Control Boards (SPCBs)/ Pollution Control Committees(PCCs) For improvement of environmental quality in the Critically Polluted Areas (CPAs) and Severely Polluted areas(SPAs)

- i. The CEPI score assessment done by CPCB may be used as warning tool by the State Governments, SPCBs and other concerned to understand the severity of pollution existing in the area and to formulate appropriate action plan.
- ii. The State Govts. / Union Territories / SPCBs/PCCs may finalize the time bound action plans within three months for the identified CPAs and SPAs to restore environment quality within norms. Short term and long term action points have to be formulated with time frames of up to one year and more than one year, as may be required, respectively.
- iii. The action plan may be prepared by a committee constituted by Chief Secretary. Representative of industries association may be included in the committee constituted. The final preparation of action plan including its execution may be overseen by the Chief Secretary of the concerned state. The same may shall be submitted to CPCB for consideration & approval.
- iv. While preparing action plans, the committee constituted by the Chief Secretary shall follow the directions, issued by CPCB under section 18(1) (b) of the Water (Prevention & Control of pollution) Act, 1974 and the Air (Prevention & Control of pollution) Act,1981 on 26.04.2016, which include (i) environmental quality monitoring in all CPAs, (ii) installation of continuous ambient air quality monitoring stations/ Strengthening of manual monitoring stations (iii) installation of continuous water quality monitoring stations, (iv) application of revised CEPI version and (v) action plan & monitoring. Long term and short term action plans, along with sector and region wise action points, should be defined clearly with time lines and responsible implementing agencies. Additionally, Source apportionment Studies may be conducted to ascertain contribution from sources including industries for planning actions.
- v. The progress of implementation of action points may be reviewed by district and State Level Monitoring Committees, quarterly. It would be ensured that there is no slippage either in terms of time frame or the activities to be completed relating to the action plan. In case of delay/ inefficiency in implementation of action plan, the concerned State

Government will take appropriate action against the responsible authorities, implementing agencies, industries, etc. under the provisions of relevant acts/laws.

- vi. The SPCBs/PCCs may undertake environmental quality monitoring for evaluating CEPI in the critically and severely polluted areas falling under their jurisdiction through an outside third party recognized agency (laboratory) under Environment (Protection) Act, 1986 and accredited under NABL. The frequency of monitoring may be twice in a year i.e. pre- monsoon season and post-monsoon season.
- vii. The action plans prepared for the CPAs/SPAs, environmental quality monitoring data, evaluated CEPI scores (as per revised CEPI-2016 concept) and progress reports of committee meetings to be placed in public domain through their respective State Govts. / UTs / SPCBs / PCCs websites. CPCB may also review the progress of implementation of action plans of CPAs/ SPAs on a quarterly basis.
- viii. In case CEPI scores of a particular CPA continue to be in critical category for a year, MoEF&CC may review the action plans with the concerned State Govt. / Union territory and impose additional safeguards such as revising the time limits for implementation of action points, supplementary action points and may recommend penal action against the authorities responsible for implementation of action plan for environmental management of CPAs/SPAs.
- ix. CPCB may also carry out re-assessment of CEPI scores in CPAs, with concurrence of MoEF&CC and report outcome for further consideration and decision by MoEF&CC
- x. Carrying capacity study of the each of the area may be carried out by State Govts. / Union Territories /SPCBs/PCCs based on the protocols prepared by CPCB.

B. Consideration of proposals for grant of Environmental clearance for new and expansion activities listed in 'Red' and 'Orange' Categories located in Critically Polluted Areas and Severely Polluted areas:

- i. Any project or activity specified in Category B1 will be appraised at the Central Level, if located in whole or in part within 5 km from the boundary of Critically Polluted Areas or Severely Polluted Areas. However, Category B2 projects shall be considered at state level stipulating Environmental Clearance conditions as applicable for the Category 'B1' project/activities.

- ii. Proposals located in CPAs and SPAs may be examined by the sectoral Expert Appraisal Committee (EAC) during scoping/appraisal based on the CEPI scores of Air/Water/Land Environment as published by CPCB from time to time. In such proposals, appropriate mitigation measures for the environment possessing higher CEPI score may be made by EAC in the form of recommendations/decision. These recommendations may be explicitly mentioned in the Terms of Reference/Environmental Clearance letter and to be ensured by the member secretary concerned.
- iii. SPCBs/PCCs may prescribe following additional conditions, deemed fit for grant Consent to establish (CTE)/Consent to Operate (CTO) to those projects/activities of Red/Orange Categories located in CPAs/SPAs which are not covered under the provisions of the EIA Notification, 2006.

Environment	Mitigation Measures
Air	<p data-bbox="571 786 981 815"><u>Stipulation of conditions such as:</u></p> <ul style="list-style-type: none"> <li data-bbox="571 819 1343 887">i. Stack emission levels should be stringent than the existing standards in terms of the identified critical pollutants. <li data-bbox="571 920 1343 1021">ii. CEMS may be installed in all large/medium red category industries (air polluting) and connected to SPCB and CPCB server. <li data-bbox="571 1055 1343 1122">iii. Effective fugitive emission control measures should be imposed in the process, transportation, packing etc. <li data-bbox="571 1155 1343 1223">iv. Transportation of materials by rail/conveyor belt, wherever feasible. <li data-bbox="571 1256 1343 1323">v. Encourage use of cleaner fuels (pet coke/ furnace oil/LSHS may be avoided). <li data-bbox="571 1357 1343 1503">vi. Best Available Technology may be used. For example, usage of EAF/SAF/IF in place of Cupola furnace. Usage of Supercritical technology in place of sub-critical technology. <li data-bbox="571 1536 1343 1637">vii. Increase of green belt cover by 40% of the total land area beyond the permissible requirement of 33%, wherever feasible. <li data-bbox="571 1641 1343 1742">viii. Stipulation of greenbelt outside the project premises such as avenue plantation, plantation in vacant areas, social forestry, etc.

	ix. Assessment of carrying capacity of transportation load on roads inside the industrial premises. If the roads required to be widened, shall be prescribed as a condition.
Water	<p><u>Stipulation of conditions such as:</u></p> <ul style="list-style-type: none"> i. Reuse/recycle of treated wastewater, wherever feasible. ii. Continuous monitoring of effluent quality/quantity in large and medium Red Category Industries (water polluting). iii. A detailed water harvesting plan may be submitted by the project proponent iv. Zero liquid discharge wherever techno-economically feasible. v. In case, domestic waste water generation is more than 10 KLD, the industry may install STP.
Land	<p><u>Stipulation of conditions such as:</u></p> <ul style="list-style-type: none"> i. Increase of green belt cover by 40% of the total land area beyond the permissible requirement of 33%, wherever, feasible for new projects. ii. Stipulation of greenbelt outside the project premises such as avenue plantation, plantation in vacant areas, social forestry, etc. iii. Dumping of waste (fly ash, slag, red mud, etc.) may be permitted only at designated locations approved by SPCBs/ PCCs. iv. More stringent norms for management of hazardous waste. The waste generated should be preferably utilized in co-processing.
Other Condition(Additional):	<ul style="list-style-type: none"> i. Monitoring of compliance of EC conditions may be submitted with third party audit every year. ii. The % of the CER may be at least 1.5 times the slabs given in the OM dated 01.05.2018 for SPA and 2 times for CPA in case of Environmental Clearance.

List of Chief Secretaries of concerned States/UT

Sl. No. Address

1. The Chief Secretary
Government of Andhra Pradesh
1st Block, 1st Floor
A.P Secretariat Office,
Velagapudi – 522503
Andhra Pradesh
2. The Chief Secretary
Government of Assam Block- C,
3rd Floor, Assam Sachivalaya
Dispur - 781006, Guwahati
3. The Chief Secretary
Government of Bihar
Main Secretariat, Patna – 800015
4. The Chief Secretary
Government of Chhattisgarh Mahanadi Bhawan,
Mantralaya Naya Raipur – 492002
5. The Chief Secretary
Government of Gujarat Government of Gujarat,
Gandhinagar - 382020,
Gujarat, India.
6. The Chief Secretary
Government of Haryana 4th Floor,
Haryana Civil Secretariat
Sector-1, Chandigarh – 160019
7. The Chief Secretary
Government of Himachal Pradesh
H P Secretariat, Shimla –
171002
8. The Chief Secretary
Government of Jharkhand 1st Floor, Project Building,
Dhurwa, Ranchi- 834004
9. The Chief Secretary
Government of Karanataka Room No. 320,
3rd Floor Vidhana Soudha, Bengaluru - 560 001
10. The Chief Secretary
Government of Kerala Secretariat,
Thiruvananthapuram – 695001

11. The Chief Secretary
Government of Madhya Pradesh
MP Mantralaya, Vallabh Bhavan Bhopal – 462004
12. The Chief Secretary
Government of Maharashtra CS Office Main Building, Mantralaya
6th Floor, Madame Cama Road, Mumbai – 400032
13. The Chief Secretary
Government of Odisha General Administration Department
Odisha Secretariat Bhubaneswar – 751001
14. The Chief Secretary
Government of Punjab
Chandigarh – 160001
15. The Chief Secretary
Government of Rajasthan
Secretariat, Jaipur – 302005
16. The Chief Secretary
Government of Tamil Nadu
Secretariat, Chennai –
600009
17. The Chief Secretary
Government of Telangana Block C, 3rd Floor, Telangana Secretariat
Khairatabad, Hyderabad, Telangana
18. The Chief Secretary
Government of Uttar Pradesh 1st Floor, Room No. 110 Lalbahadur Sastri
Bhawan Uttar Pradesh Secretariat, Lucknow - 226 001
19. The Chief Secretary
Government of Uttarakhand
4 Subhash Road, Uttarakhand Secretariat
Dehradun – 248001
20. The Chief Secretary
Government of West Bengal Nabanna, 13th Floor, 325, Sarat Chatterjee
Road, Mandirtala
Shibpur, Howrah – 711102
21. The Chief Secretary
Delhi Secretariat, IP Estate, New Delhi - 110002

List of concerned State Environmental Department

- | Sl. No. | Address |
|---------|--|
| 1. | The Director
Environment Department 6th Level,
C-Wing, IP Estate,
Delhi Secretariat, Delhi – 110002 |
| 2. | The Director
Office of the Principal Chief
Conservator of Forests (PCCF),
17, Rana Pratap Marg, Lucknow, (U.P.),
226001 |
| 3. | The Director
Directorate of Environment & Climate Change,
Haryana
SCO 1-3, Sec 17-D, Chandigarh |
| 4. | The Director
Paryavaran Bhawan, Near US Club, Shimla
Himachal Pradesh-171001 |
| 5. | The Director
Directorate of Environment & Climate Change
(DoECC)
4th Floor, K.S.R.T.C Bus Terminal
Thampanoor, Thiruvananthapuram – 695001 |
| 6. | The Director
Department of Environment
No1, Jeenis Road, Panagal Building,
Ground Floor, Saidapet,
Chennai-600 015 |
| 7. | The Member secretary
ParyavasBhavan,
North Block Sector-19,
Atal Nagar Dist- Raipur(C.G.)492002 |
| 8. | The Director cum Joint Secretary
Environment Department Secretariat,
Jaipur Jaipur (Rajasthan) – 302 005 |
| 9. | The Director
Department of Environment, |

5th Floor, Pranisampad Bhawan,
Block LB-II, Salt Lake, Sector III,
Bidhannagar, Kolkata – 700 106

10. The Additional Chief Secretary
(Forests & Environment)
Forests & Environment Department,
Government of Gujarat
Block 14, 8 th floor, Sachivalaya,
Gandhinagar - 382 010.
Gujarat
11. The Conservator of Forest
Working Plan Circle Ranchi
Van Bhawan, Doranda, Ranchi
Jharkhand-834002
12. The Chief Environment Officer
Uttarakhand Environment Protection &
Pollution Control Board
Gaura Devi Bhawan, 46 B IT Park
Sahastradhara, Dehradun,
Uttarakhand – 248001
13. The Additional Chief Secretary to Government,
Forest, Environment and Ecology Department
Karnataka Government Secretariat,
Room No. 447, 4th Floor, Gate No. 2,
M. S. Building, Bangalore-560001
14. The Director
H-Block, 2nd Floor
Janata Bhawan,
Disupr, Guwahati 781006,
Assam
15. The Director
The Department of Housing and Environment,
Government of Madhya Pradesh, Paryavaran
Parisar
E- 5, Arera Colony,
Bhopal, Madhya Pradesh,
PIN 462016, India
16. The Director
Environment, Forests, Science and Technology

Telangana Secretariat
5th Floor, Burgula Rama Krishna Rao Bhavan,
NH 44, Hill Fort, Adarsh Nagar,
Hyderabad, Telangana 500063

17. The Director
Environment Department,
Govt of Maharashtra,
New Administrative Bhavan, 15th Floor,
Madam Cama Road, Mantralaya, MUMBAI -
400 032, Maharashtra, India
18. The Director
The Department of Forests & Wildlife
Preservation
Punjab forest complex
Sector 68 – Mohali
19. The Director
Andhra Pradesh Forest Department
AranyaBhavan, K.M. Munshi Road,
Nagarampalem,
Guntur-522004
20. The Director
Department of Forest & Environment, Govt. of
Odisha
CRP-EkamraKanan Road, Nayapalli,
Bhubaneswar – 751015
21. The Director
Department of Environment & Forest
Govt. of Bihar,
Environment, Forest & CC, Sinchai Bhawan,
Patna- 15 (Bihar)

List of SPCBs/PCC

1. **The Member Secretary,
Haryana State Pollution Control Board**
C-11, Sector - 6,
Panchkula (Haryana)
2. **The Member Secretary,
H. P. State Environment Protection &
Pollution Control Board**
Him Bhawan, Phase-III,
Shimla-171 009, Himachal Pradesh
3. **The Member Secretary,
Punjab Pollution Control Board**
Vatavaran bhawan, Nabha Road,
Patiala 147001, Punjab
4. **The Member Secretary,
Uttar Pradesh Pollution Control Board**
TC-12V, VibhuthiKhand,
Gomti Nagar,
Lucknow 226010, U.P.
5. **The Member Secretary,
Uttarakhand Environment Protection &
Pollution Control Board**
29/20, Nemi Road,
Dehradun, Utrakhand
6. **The Member Secretary,
Delhi Pollution Control Committee**
4th Floor, ISBT Building,
Kashmiri Gate,
New Delhi-110006
7. **The Member Secretary,
Madhya Pradesh Pollution Control Board**
Paryavaran Parisar, E-5, Arera Colony,
Bhopal 463016,
Madhya Pradesh
8. **The Member Secretary,
Rajasthan Pollution Control Board**
A-4, Institutional Area, Jhalana Doongri,
Jaipur-302 004,
Rajasthan
9. **The Member Secretary,
Andhra Pradesh Pollution Control Board,**
Paryavaran Bhawan, A-III, Industrial Estate,
Sanath Nagar, Hyderbabad - 500 018, Andhra
Pradesh
10. **The Member Secretary,
Karnataka State Pollution Control
Board**
4th& 5th Floor, Parisara Bhawan,
No. 49, Church Street,
Bangalore - 560 001,
Karnataka
11. **The Member Secretary,
Tamil Nadu Pollution Control Board,**
No. 76, Mount Salai,
Guindy,
Chennai- 600 032
12. **The Member Secretary,
Telangana State Pollution Control
Board**
A-3, Industrial Estate,
Sanath Nagar,
Hyderabad
13. **The Member Secretary,
Gujarat Pollution Control Board**
Sector 10-A, Gandhi Nagar 382043, Gujarat
14. **The Member Secretary,
Maharashtra Pollution Control Board,**
Kalpataru Points, 3-4th floors, Opp. Cine
Planet, Sion Circle Sion (E),
Mumbai-400 022
15. **The Member Secretary,
Jharkhand State Pollution Control Board**
T.A. Building, HEC,
P.O. Dhurwa,
Ranchi - 834 004
16. **The Member Secretary,
West Bengal Pollution Control Board**
Paribesh Bhavan, 10-A, Block LA,
Sector III, Salt Lake City,
Kolkata - 700 091

17. **The Member Secretary,
Pollution Control Board Assam**
Maniram Dewan Rd, Anuradha, Railway Colony,
Bamunimaidam, Guwahati, Assam- 781021
18. **The Member Secretary
Bihar State Pollution Control Board**
Parivesh Bhawan, Plot No. NS-B/2
Patliputra Industrial Area,
Patliputra, Patna(Bihar)-800 023
19. **The Member Secretary
State Pollution Control Board, Odisha,**
Paribesh Bhawan, A/118,
Nilakantha Nagar, Unit-VIII, Bhubaneswar-
751012, Odisha
20. **The Member Secretary
Chhattisgarh Environment
Conservation Board**
Paryavas Bhavan, North Block Sector-19,
Naya Raipur (C.G.) - 492002.
21. **The Member Secretary
Kerala State Pollution Control Board**
Head office, Pattom. P.O.
Thiruvananthapuram -695004