

**SPEED POST**

B-33014/07/2021/IPC-II/TPP/ 15365

January 27, 2021

To, -

M/s Tata Power Co. Ltd.,  
Jojobera Captive Power Plant (Units 1, 4 & 5),  
Dist. Jamshedpur – 831 016,  
Jharkhand

**Sub: Directions under Section 5 of the Environment (Protection) Act, 1986 regarding compliance of new emission norms notified vide notification No.S.O.3305 (E) dated 07.12.2015 in Captive Power Plants (CPPs)– reg. time extension**

WHEREAS, Ministry of Environment, Forest and Climate Change, Government of India (MoEF&CC) vide Notification No. S.O.3305(E) dated 07.12.2015 has amended norms for Particulate Matter (PM) emission and notified new norms for Sulphur dioxide (SO<sub>2</sub>), Oxides of Nitrogen (NO<sub>x</sub>) and mercury emission and specific water consumption for coal/lignite based thermal power plants. As per the notification dated 07.12.2015, thermal power plants were required to achieve these norms within two years from the date of the notification i.e. by 07.12.2017;

WHEREAS, with the implementation of the new emission norms it is expected that there would be reduction in emission of PM, SO<sub>2</sub> and NO<sub>x</sub>, which in turn will help in improvement in ambient air quality in and around thermal power plants, besides reduction in mercury emission and water consumption in thermal power plants;

WHEREAS, taking into consideration the technical challenges and time requirement for installation of technologies to meet the new emission norms, the MoEF&CC vide its letter F.No. Q-15017/40/2007-CPW dated 07.12.2017 directed CPCB to direct all the TPPs to ensure compliance with the new norms laid down in the 07.12.2015 notification in accordance with the Revised Schedule for Electrostatic Precipitator (ESP) upgradation and Flue Gas Desulphurisation (FGD) installation in power plants submitted by the Ministry of Power (MoP) vide letter dated 13.10.2017, as well as NO<sub>x</sub> by year 2022;

WHEREAS, the Revised Schedule for Electrostatic Precipitator (ESP) upgradation and Flue Gas Desulphurisation (FGD) installation in power plants submitted by the Ministry of Power (MoP) vide letter dated 13.10.2017 did not include timelines for Captive Power Plants (CPPs), thus, no timeline was specified for the CPPs of M/s Tata Power Co. Ltd. (Units 1, 4 & 5), Jojobera, Jamshedpur, Jharkhand in the Revised Schedule;

WHEREAS, MoEF&CC vide email dated 20.12.2017 asked CPCB to issue directions on similar lines to the units having Captive Power Plants, CPCB vide letter No. B-33014/7/2018/IPC-II dated February 13, 2018 proposed to MoEF&CC the time lines for CPPs for implementation of new emission norms, and MoEF&CC vide letter F. No. Q-15017/40/2007-CPW dated 27.02.2018 allowed CPCB to take necessary action in the above matter under appropriate section of EPA, 1986;

WHEREAS, CPCB issued following directions under Section 5 of the Environment (Protection) Act, 1986 on 16.04.2018 and 24.04.2018 to CPPs based on the list provided by the

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respective SPCBs/PCCs, including 14 CPPs located in the State of Jharkhand, to ensure compliance of the new emission norms:

- That Captive Power Plants based on FBC (CFBC/AFBC and PFBC) shall comply with new emission norm for PM & SO<sub>2</sub> by December 31, 2018.
- That Captive Power Plants which have to install FGD to comply with new emission norm for SO<sub>2</sub> by June 30, 2020 and to comply with PM norms by December 31, 2018.
- That plants commissioned prior to December 31, 2003 to achieve NO<sub>x</sub> 600 mg/Nm<sup>3</sup> by December 31, 2018 and plants commissioned during 01.01.2004 -31.12.2016 to comply with emission limit of 300 mg/Nm<sup>3</sup> by June 30, 2020.

WHEREAS, the list of CPPs provided by the Jharkhand SPCB before the above directions issued in April 2018 didn't comprise CPPs of M/s Tata Power Co. Ltd. (Units 1, 4 & 5), Jamshedpur, Jharkhand, and thus the above directions dated 16.04.2018 / 24.04.2018 of CPCB to ensure compliance of the new emission norms were not issued to M/s Tata Power Co. Ltd. (Units 1, 4 & 5), Jojobera, Jharkhand.

WHEREAS, CPCB vide letters dated 15.01.2019, 06.03.2019, 01.05.2019, 04.07.2019, and 02.11.2020 requested SPCBs/PCCs, including Jharkhand SPCB, to ensure compliance of the new emission norms by CPPs in their states within the timelines prescribed by CPCB.

WHEREAS, M/s Tata Power Co. Ltd., Jamshedpur, Jharkhand vide letter dated 09.05.2020 and 22.11.2020 has requested CPCB for extension of time to comply with new emission norms for SO<sub>2</sub> and NO<sub>x</sub>, stating that the bidding process for execution of pollution control measures had been delayed due to the lockdown condition and the plant is in process of awarding work for installation of pollution control measures.

WHEREAS, taking cognizance of the representations received from M/s Tata Power Co. Ltd., Jamshedpur, Jharkhand, CPCB vide letter dated 24.11.2020 requested Jharkhand SPCB to provide the list of left out CPPs in Jharkhand and copy of requests received from them for extension of timeline, if any.

WHEREAS, in response to CPCB letter dated 24.11.2020 Jharkhand SPCB vide letter dated 07.01.2021 provided list of 23 CPP units out of which 7 CPPs (9 units) are additional to the earlier list of CPPs provided by Jharkhand SPCB. However, Jharkhand SPCB didn't inform about any other requests for extension of timeline received from left out CPPs.

WHEREAS, after carefully examining the representation received from some CPPs to which directions were issued in April 2018 and also from the Indian Captive Power Producers Association regarding allowing more time to comply with new emission norms for SO<sub>2</sub> and NO<sub>x</sub> parameters in CPPs due to impact of COVID-19 pandemic on implementation activities of pollution control measures, and considering that the disruption in movement of goods, services and manpower due to situation created by COVID-19 pandemic has been acknowledged and recognised as a Forced Majeure event, it has been decided to allow up to one year time extension beyond 30.06.2020 to such plants for compliance of new emission norms for SO<sub>2</sub> and NO<sub>x</sub>.

WHEREAS, the Ministry of Environment, Forest and Climate Change, Government of India, vide Notifications No. S. O. 157 (E) of 27.02.1996 and S. O. 730 (E) dated 10.07.2002, has delegated the powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the

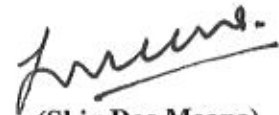
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Chairman, Central Pollution Control Board, to issue directions to any industry or any local body or any other authority for violations of the standards and rules notified under the Environment (Protection) Rules, 1986 and amendment thereof.

**NOW, THEREFORE**, taking into consideration all material facts including impact of COVID-19 pandemic and in exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986, following directions are issued to M/s Tata Power Co. Ltd. (Units 1, 4 & 5), Jamshedpur, Jharkhand:

- i. That plant shall comply with PM emission limit immediately,
- ii. That plant shall comply with SO<sub>2</sub> and NO<sub>x</sub> emission limits by 30.06.2021.

M/s Tata Power Co. Ltd. (Units 1, 4 & 5), Jamshedpur, Jharkhand shall ensure compliance of directions mentioned above (i & ii), failing which action will be taken under appropriate provisions of the Environment (Protection) Act, 1986.

  
(Shiv Das Meena)  
Chairman

**Copy to:**

1. The Chairman,  
Jharkhand State Pollution Control Board,  
T.A. Bldg., HEC, P. O. Dhurwa,  
Ranchi – 834 004, Jharkhand : To ensure compliance of above directions.
2. The Joint Secretary (CP Division)  
Ministry of Environment, Forests and Climate Change  
Prithvi Wing, 2nd Floor, Room No. 216  
Indira Paryavaran Bhawan, Aliganj,  
Jor Bagh Road, New Delhi – 110 003 : For information.
3. The Regional Director,  
Central Pollution Control Board  
Southend Conclave, Block 502, 5th & 6th Floor  
1582, Rajdanga Main Road  
Kolkata – 700 107 : For information.
4. The Divisional Head - IT, CPCB : For uploading the direction on CPCB website.

  
(Prashant Gargava)  
Member Secretary