



SPEED POST

November 27, 2020

CPCB/IPCI-VI/PNG/

To

The Chairman
SPCBs/DPCC
(as per the list)

SUB: DIRECTIONS UNDER SECTION 18(1)(b) OF THE AIR (PREVENTION & CONTROL OF POLLUTION) ACT, 1981 IN THE MATTER OF UPCOMING INDUSTRIAL UNITS IN NCR-DELHI.

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) 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 even more stringent standards for discharge of environmental pollutants for various categories of industries than those notified by the Central Government, under the Environmental (Protection) Act, 1986 and rules framed there under; and

WHEREAS, industries located in 24 Districts of Uttar Pradesh, Haryana, Rajasthan and Delhi have been discharging environmental pollutants directly or indirectly into the ambient air, which pose constant threat to and cause adverse effect on the air quality in Delhi and National Capital Region; 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, the matter has also come up for discussion in a meeting of the High Level Task Force to review air quality of NCR-Delhi and to suggest action points, wherein, it was felt that effective measures to check air pollution including control of air emissions from industries and their regular monitoring through online systems (for red category-air polluting units) in NCR-Delhi should be ensured; and

WHEREAS, during the meeting of the High Level Task Force held on 18.12.2018, it was decided that all industries in NCR-Delhi, wherever gas supply is available must shift to PNG by 31st March, 2019. However, the target date was further extended to 30.04.2019 in the meeting held on 04.04.2019;

WHEREAS, CPCB conducted review meetings with DPCC and SPCBs of NCR-Delhi on 07.01.2019 and 15.05.2019 to review the status of conversion of industries into PNG as fuel in NCR-Delhi (wherever gas supply is available); and

WHEREAS, it was observed that in spite of availability of PNG supply in the area, large number of industries did not switch their operations to PNG. CPCB vide letter dated 02.07.2019 directed DPCC and SPCBs of NCR-Delhi to close-down all such industrial units in NCR-Delhi, where PNG supply is available and industry has not shifted to PNG. Subsequently, CPCB received a number of representations from industry associations of NCR-Delhi, expressing concerns particularly on cost viability, time period needed for such conversion etc. CPCB on 28.08.2019 communicated to SPCBs of Rajasthan, Haryana and Uttar Pradesh that "while these representations are being examined, it is felt appropriate that at this stage coercive action may not be initiated against the industrial units in NCR, which otherwise are complying with the prescribed environmental norms"; and

WHEREAS, considering the deteriorating air quality in NCR-Delhi and also considering the fact that already directions have been issued to all the existing industries in NCR-Delhi to switch over to cleaner fuels, it is decided that only those new industrial units shall be allowed to set-up in NCR-Delhi, which use cleaner fuels namely, natural gas (PNG/CNG), liquefied petroleum gas, bio gas, propane, butane etc. and

NOW THEREFORE, in view of the above and exercising the powers conferred under section 18(1)(b) of Air (Prevention and Control of Pollution) Act, 1981, you are hereby directed to allow only those new industrial units in NCR-Delhi, which are using cleaner fuels, namely, natural gas (PNG/CNG), liquefied petroleum gas, bio-gas, propane, butane etc.

Actions taken report shall be submitted to CPCB within 30 days from the receipt of these directions.


(Shiv Das Meena)
Chairman

d/c

To:

1. The Chairman
Haryana State Pollution Control Board
C-11, Sector 6, Panchkula,
Haryana 134109

2. The Chairman
Rajasthan State Pollution Control Board
A-4 Institutional Area, JhalaneDungri
Jaipur – 302004.
Rajasthan

3. The Chairman
Uttar Pradesh State Pollution Control Board
Building.No. TC-12V
VibhutiKhand, Gomti Nagar,
Lucknow– 226010.
Uttar Pradesh

4. The Chairman
Delhi Pollution Control Committee
4th floor, ISBT Building,
Kashmeri Gate,
Delhi - 110006.
Delhi

Copy to:

1. The Chairperson, CAQM-NCR
3rd Floor, Indian Oil Bhawan
1, Aurobindo Marg, Yusuf sarai,
New Delhi-110016
2. The Joint Secretary (CP Division)
Ministry of Environment, Forests
And Climate Change
Indira Paryavaran Bhawan
Aliganj, Jor Bagh Road,
New Delhi – 110 003
3. The Regional Director (Lucknow)
Central Pollution Control Board
PICUP Bhawan, Vibhuti Khand
Gomti Nagar, Lucknow
Uttar Pradesh
4. The Regional Director (Bhopal)
Central Pollution Control Board
3rd Floor, Sahkar Bhawan,
North TT Nagar, Bhopal-462003
Madhya Pradesh
5. The Regional Director (Chandigarh)
Central Pollution Control Board
East Arjun Nagar, Delhi-110032
6. DH, AQM, CPCB, Delhi
7. DH, IT, CPCB, Delhi

With the request to upload the directions
on CPCB web site


(Prashant Gargava)
Member Secretary

c/c

