

No. PCC/DDD/NGT-77(2019) (DNH)-
ACC Platinum (Part-I)/2019-20/470
Office of the Member Secretary,
Pollution Control Committee
Udyog Bhavan, First Floor
Bhenslore, Nani Daman
Dated: 22.02.2021

To

The Registrar
Hon'ble National Green Tribunal (Principal Bench)
New Delhi

Subject: Submission of Action Taken Report in Compliance of Orders of Hon'ble
NGT (Appeal No. 08/2020 and E.A No. 77/2019) -Reg.
Ref: This Office letter No. No. PCC/DDD/NGT-77(2019) (DNH)-ACC
Platinum (Part-I)/2019-20/ dated 12.2.2021

Sir,

In continuation of the Action Taken Report submitted vide letter even No. dated 12.2.2021 in compliance of the orders of Hon'ble National Green Tribunal, Principal Bench, New Delhi in the Appeal No. 08/2020 dated 14.09.2020 and Execution Appeal No. 77/2019 dated 9.12.2020 in the matter of Platinum AAC Blocks Pvt. Ltd vs Pollution Control Committee, DD&DNH, the directions issued by Chairman, CPCB vide No. CPCB/IPC-V/DD&DNH dated 18.01.2021 is submitted herewith.

It is requested that the copy of the above said directions of Chairman, CPCB dated 18.01.2021 may kindly be placed before the Hon'ble Principal Bench along with the Action Taken Report filed by PCC, DNH&DD for perusal.

Yours faithfully,


(K. Ravichandran)
Member Secretary
PCC, DNH&DD

Encl: As above



SPEED POST

CPCB/IPC-VI/DD&DNH/

January 18, 2021

To

The Chairperson
Daman Diu and Dadra Nagar Haveli,
Pollution Control Committee
Office of the Deputy Conservator of Forests
Moti Daman,
Daman – 396220

Sub: Directions under Section-18(1)(b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 regarding granting permission to operate in compliance of orders of Hon'ble NGT.

WHEREAS, under Section 17 of the Water (Prevention & Control of Pollution) Act, 1974, and under Section 17 of the Air (Prevention & Control of Pollution) Act, 1981, one of the functions of the State Pollution Control Boards (SPCBs)/Pollution Control Committees (PCCs) is to plan a comprehensive programme for the prevention, control or abatement of pollution of streams, wells and air pollution in the States/ Union Territory and to secure the execution thereof; and

WHEREAS, under Section 16 of the Water (Prevention and Control of Pollution) Act, 1974 and 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, CPCB has categorized 242 industrial sectors into red, orange, green & white category and directed all SPCBs/PCCs on 07.03.2016 for its adoption and implementation. The SPCBs/PCCs were also directed that addition of any new or left-over industrial sectors and their categorization which is not listed in the categorization done by CPCB, shall be done by a committee at the level of concerned SPCB/PCC, in accordance with the revised criteria and guidelines of CPCB. The SPCBs/PCCs were required to submit the Action Taken Report (ATR) in compliance of the directions before 15.04.2016; and

WHEREAS, the Daman Diu and Dadra Nagar Haveli Pollution Control Committee (DD&DNH PCC) vide letter dated 28.10.2016 informed CPCB that draft notification is in the final stage of publication. However, no further information was received from the PCC. The Central Pollution Control Board (CPCB) vide letters dated 13.03.2019, 02.05.2019, 15.05.2019, 28.05.2019, 07.06.2019, 18.06.2019, 02.08.2019, 04.09.2019, 03.10.2019, 31.10.2019 and 17.12.2019 requested/reminded DD&DNH PCC to adopt the revised categorization and to inform CPCB; and

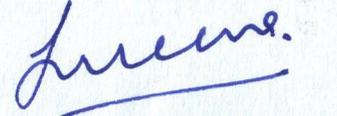
WHEREAS, M/s. Platinum AAC Blocks Pvt. Ltd., Village Kherdi, Silvassa, (hereinafter termed as 'the unit') is engaged in manufacturing of Autoclaved Aerated Concrete Blocks (fly ash bricks/blocks), filed an appeal (Appeal no. 77/2019) in Hon'ble National Green Tribunal (NGT), Principal Bench against PCC, DD&DNH, for not allowing the unit to operate. The Hon'ble NGT vide order dated 19.09.2019, directed PCC, DD&DNH and CPCB to submit a joint report in this regard; and

WHEREAS, the Chairperson, DD&DNH PCC informed that DD&DNH they are in the process of adoption of 'CPCB Categorization of Industrial Sectors, 2016' and the same will be notified within a week. PCC also informed that an appeal has been filed before Hon'ble Supreme Court for the stay against Hon'ble NGT orders. The Chairman, CPCB emphasized that PCC has to comply with the order of Hon'ble NGT, as no stay has been granted and sufficient time has already lapsed. The Chairperson informed that DD&DNH is expecting stay very soon; and

NOW THEREFORE, in view of the above and exercising the powers conferred to Chairman, Central Pollution Control Board under Section 18(1)(b) of the Water (Prevention & Control of Pollution) Act, 1974, and 18(1)(b) of the Air (Prevention & Control of Pollution) Act, 1981, Chairperson, DD&DNH PCC is hereby directed:

- (i) to categorize the industrial sector, 'Fly ash bricks/blocks manufacturing using fuel' under green or orange category, depending on the quantity of fuel consumption, in-line with the CPCB criteria and guidelines for categorization of industrial sectors.,
- (ii) to act upon the consent application of the industrial unit M/s. Platinum AAC Blocks Pvt. Ltd., Village Kherdi, Silvassa, accordingly, for granting permission to operate in compliance of orders of Hon'ble NGT.
- (iii) to adopt and implement the CPCB criteria and guidelines for categorization of industrial sectors into red, orange, green and white category, issued vide CPCB directions dated 07.03.2016, with immediate effect.,

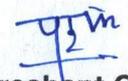
The DD&DNH PCC shall acknowledge the receipt of directions and submit the Action Taken Report (ATR), in compliance of these directions, to CPCB, within 10 days from the receipt of directions.


(Shiv Das Meena)
Chairman

Copy to:

- 1 The Joint Secretary (CP Division)
Ministry of Environment, Forests & Climate Change,
Indira Paryavaran Bhawan
3rd Floor, Prithivi, Aliganj, Jor Bagh Road
New Delhi -110 003
- 2 The Regional Director (West)
CPCB, Vadodara, Gujarat
- 3 Div. Head, IT, CPCB, Delhi

: with a request to upload the
Directions on CPCB website


(Prashant Gargava)
Member Secretary