

4141

**BEFORE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, AT NEW
DELHI**

IN

OA NO 702/2022

IN THE MATTER OF:

DEEPAK KUMAR & ANR

...APPLICANT

VERSUS

STATE OF UTTARAKHAND & ORS

...RESPONDEDNTS

**ADDITIONAL DOCUMENTS ON BEHALF OF RESPONDENT NO 3
IN COMPLIANCE OF THE ORDER DATED 16.10.2025**

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Dated: 10.11.2025



Adv. Anjali Rajput

Counsel for state of Uttarakhand

IN THE HON'BLE HIGH COURT OF UTTARAKHAND
AT NAINITAL

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IN

WRIT PETITION (P.I.L)NO. OF 2025

(Under Article 226 of the Constitution of India)

(District : Dehradun)

Abhinav Thapar

..... Petitioner

Versus

Union of India & Ors.

..... Respondents

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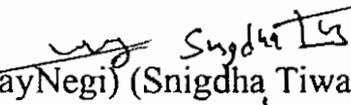
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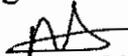
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Dated: 20/4/2025

 
(Abhijay Negi) (Snigdha Tiwari)


(Armaan Pratap Singh)

Advocates

Counsels for the Petitioner



Abhinav

IN THE HON'BLE HIGH COURT OF UTTARAKHAND AT
NAINITAL

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COURT FEES

IN

WRIT PETITION (P.L) NO. OF 2025
(Under Article 226 of the Constitution of India)

(District : Dehradun)

Abhinav Thapar

..... Petitioner

Versus

Union of India &Ors.

..... Respondents



Abhinav

IN THE HON'BLE HIGH COURT OF UTTARAKHAND
AT NAINITAL

DATES AND EVENTS

El

IN

WPPIL NO. OF 2025

(Under Article 226 of the Constitution of India)

(District: Dehradun)

Abhinav Thapar

..... Petitioner

Versus

Union of India&Ors.

..... Respondents

SI No.	Dates	Events
1.	1988	The Hon'ble Apex Court in the landmark case of <i>Rural Litigation and Entitlement Kendra &Ors v State of UP &Ors, AIR 1985 SC 652</i> issued a milestone order with regard to the shutting down of limestone mines in Doon Valley towards furthering the goal of environmental protection. The Hon'ble Apex



Abhinav

		<p>Court in the operative part of its judgment in no uncertain terms introduced a complete ban on mining. A strict deadline was adhered to for closing down even the operational mines and the Hon'ble Apex Court issued directions for regulation of the industries proposed to be set up in the Doon Valley.</p>
2.	1 st February 1989	<p>The Government of India through Ministry of Environment and Forest vide its notification dated 1st February 1989 issued the Doon Valley notification that is at the heart of the present controversy. This notification underscored the ecological sensitivity of the Doon Valley and the importance to regulate various activities such as change in land use, mining, tourism planning to be governed by the Government of India as any proposal on each of these heads was to carry express approval from the government of India. Furthermore, this notification categorized industry into mainly three categories, the green category where no requirement was there for any NOC from the Ministry of Environment and Forest, Government of India, the orange</p>

E2



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		category where industries were to be permitted in Doon Valley only with proper environmental control arrangement and industries in red category which could not be permitted in the Doon Valley. A mere perusal of this notification would reveal that there were a total of 45 such industries in the red category which again underscores the vision with which planning was to be carried out for an ecologically sensitive area such as the Doon Valley.	63
3.	4 th July 2005	On 4 th July 2005, an amendment was made in the notification of 1989 where it was provided that proposals under orange category were to be dealt with as industries requiring environmental clearance as per the environmental impact assessment notification of 1994.	
4.	24 th September, 2005	By the office order dated 24 th September, 2005, the Environment Protection and Pollution Control Board of the State of Uttaranchal exempted some non-polluting and non-hazardous small-scale industries from taking consent. It was noted that their application by itself was to be treated as the consent and	



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		therefore gradually, requirements were being watered down.	E4
5.	7 th March 2016	By the office order dated 07 th March, 2016 CPCB to all the State Pollution Control Boards/Pollution Control Board, CPCB issued directions under section 18(1)(b) of Water (Prevention & Control of Pollution) Act, 1974 and The Air (Prevention & Control of Pollution) Act, 1981 regarding harmonization of classification of industrial sectors under red/orange/green/white categories.	
6.	3 rd May, 2016	By another office order dated 3 rd May 2016, the Uttarakhand Environment Protection and Pollution Control Board made certain new categories with regard to industries such as white apart from the usual red, orange and green. However, it was specifically provided in the office order itself that the Doon Valley was an exception to the categorization as provided in the office order.	
7.	6 th January, 2020	On 6 th January, 2020 another amendment was carried out in the notification dated 1 st February 1989.	

8.		<p>Even though the notification of Doon Valley as an eco-sensitive area where several activities were restricted was a welcome step, the rigors of climate change, global warming and reckless industrialization had already caught up to worsen the environment. In such view of the matter, the National Green Tribunal passed a final order and judgment in OA No. 681 of 2018, whose operative portion is quoted as under,</p> <p><i>“60. Our directions are summed up as follows:</i></p> <p><i>1. We direct constitution of an eight-member National Task Force (NTF) to be headed and coordinated by the Secretary MoEF&CC with nominees (not below the rank of Joint Secretaries) of Ministries from Housing and Urban Development, Road Transport, Petroleum, Power, Agriculture, Health and Chairman, CPCB with a view to monitor remedial steps to improve the status of air quality in NACs consistent with the action plans already prepared and approved by the Expert Committee and</i></p>
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		<p><i>directions of this Tribunal, referred to above, including the last order dated 21.08.2020 and also to monitor compliance of noise control norms. NTF may also monitor enforcement of laid down air quality standards beyond NACs in other identified air polluted areas where air quality is poor and above.</i></p> <p><i>ii. The NTF may hold its first meeting within one month and thereafter evolve mechanism for monitoring by quarterly meetings with Chief Secretaries of concerned States/UTs. The NTF may coordinate and work in tandem with the Committees already constituted under NCAP at National and State levels.</i></p> <p><i>iii. Monitoring by NTF may be with reference to the action plans of 124 NACs. The components include installation of monitoring stations, completion of CC and SA studies, shifting, prohibiting and regulating activities beyond carrying capacity (such as shifting to cleaner fuel</i></p>
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		<p><i>and declaring regulated/no vehicle zones so as to ensure that the air quality does not go beyond 'poor' for protection of health of the citizens), effectiveness of PGRPS, timelines for execution of the action plans and recovery of compensation for delay, addressing gap in control of noise pollution, afforestation drives utilizing CAMPA funds, effective implementation of ERS, revamping of PCBs/PCCs and other monitoring mechanism, remediation of legacy waste sites and effective steps for management of other waste, including biomedical, plastic and e-waste, dust control, public awareness and community involvement programmes and setting up of data grids on all levels. NTF may also evolve and oversee parameters for interse ranking of success of remedial action for 124 NACs and other air polluted areas where air quality is poor and above. Further, accountability for failures and incentives for success also needs to be</i></p>
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		<p><i>monitored. NTF is free to take up any other incidental issues.</i></p> <p><i>iv. Consistent with Digital India initiatives, MoEF&CC/CPCB may consider setting up and periodically updating National Environment Data Grid (NEDG) linked to the State Environment Data Grids (SEDGs) and District Environment Data Grids (DEDGs) and further linked to available portals like online air quality, Sameer and other monitoring stations to facilitate analysis, research and planning on the subject. It may be further interlinked to National Air Quality Monitoring Programme (NAMP). Based on above data, the MoEF&CC may lay down guidelines for classifying cities/districts in terms of air quality in different categories such as 'red', 'orange' and 'green'. On that basis, a National Air Quality Atlas may be compiled and published on the websites of MoEF&CC, CPCB and State PCBs/PCCs annually.</i></p>
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		<p><i>v. The Chief Secretaries of all States/UTs may continue to monitor progress in execution of action plans at State level with the assistance of monitoring cells in their offices and the AQMCs. The State level monitoring must include action at the ground as per directions to be implemented by the District Magistrates or other concerned departments. The monitoring may include all associated issues, including road dust control by appropriate sprinkling of water (utilizing treated water, instead of potable water), planting herbs and shrubs, and all sources of pollution, including fire crackers. The issue of noise pollution also needs to be addressed, as earlier directed."</i></p>
9.		<p>The Dehradun City Air Action Plan as well as the Rishikesh City Air Action Plan was laid out by the Uttarakhand Pollution Control Board, and finally approved by MoEFCC. It is noteworthy that both Dehradun and Rishikesh cities fall</p>

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		under the definition of the Doon Valley as per the notification dated 1 st February 1989.
10.	2019	In the year 2019, the Ministry of Environment and Forest laid out the National Clean Air Program, which was initially meant for 131 cities and included three cities of Uttarakhand, namely Dehradun, Kashipur and Rishikesh, as these three cities were recognized as the most polluted cities of Uttarakhand. Notably, as per MoEFCC reports Dehradun is among the 10 most polluted cities in India and therefore these three cities including the city of Dehradun and also the city of Rishikesh, both a part of the designated and notified Doon Valley, were covered in the National Clean Air Program with the stated objective to reduce air pollution.
11.	28 th June, 2021 And 3 rd December, 2021	In shocking contrast, on the one hand, there is an acknowledgement a recognition and an effort to conserve and preserve the Doon Valley and to better its degrading environs while on the other hand by another by an order dated 3 rd December 2021, the Uttarakhand Pollution Control Board itself wrote a letter to the government of

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		<p>Uttarakhand to change the categorization of slaughterhouse from industrial operation to non-industrial operation and to notify the competent authority for granting environmental clearances to red category non-industrial operations in the Doon Valley area and also to repeal the Doon Valley notification 1989 as amended in 2020. This correspondence dated 3rd December 2021 assumes significance as it is totally contrary to the National Clean Air Program objectives as well as another order dated 28th June 2021 of the Uttarakhand Government which had issued an order regarding selection of three non attainment cities, namely, Dheradun, Rishikesh and Kashipur for emergency situations of air pollution emergency response system graded response action plan.</p>	E11
12.	22 nd August, 2022	<p>The action of the Uttarakhand Pollution Control Board does not seem to be have been one in isolation. In the 23rd meeting of the Central Zonal Council held on 22nd August 2022 at Bhopal, the Hon'ble Chief Minister of Uttarakhand specifically asked for revocation of</p>	

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		the Doon Valley Notification of 1989 for the development of the region. This was followed up by a meeting held under the chairmanship of the Chief Secretary, Government of Uttarakhand dated 30 th June, 2023, with the aim of withdrawal of the Doon Valley Notification of 1989, in which all concerned stakeholders were given three days time to submit their proposal. E12
13.	04 th July 2023	Such action at this level of the state of Uttarakhand was adding pressure on the Union of India, which by its letter dated 4 th July 2023, proposed an amendment and laid out a roadmap for an effective repeal of the protection as guaranteed by the Doon Valley Notification of 1989.
14.	21 st December, 2023	On 21 st December 2023, a gazette notification was published by the government of India wherein amendments to the Doon Valley notification were proposed and objections from all and sundry were called for.
15.	08 th February, 2024	The petitioner herein, shocked by the draft Gazette notification of 21 st December, 2023, authored a detailed representation to the Hon'ble



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		Prime Minister of India on 8 th February, 2024, with a request to save Doon Valley and drastic climatic change in Himalayas, expected after removal/relaxation of clauses of Doon Valley notification, 1989 as per the amendments, sought to be made by the Ministry of Environment and Forest. E13
16.	13 th February, 2024	After which, Government of India vide letter dated 13 th February, 2024 gave intimation to the petitioner herein that his concerns for conserving the Eco-Sensitive Area is noted and forwarded to the State Government of Uttarakhand for taking appropriate action and provide view/comments on the matter to the Ministry of Environment, Forest and Climate Change. However, no action was followed in pursuant of the same.
17.	10 th May, 2024	On 10 th May 2024, Information was sought by the petitioner through RTI regarding number of industries which obtained environmental clearances from the State Environmental Impact Assessment Authority along with the list of industries as per Doon Valley notification. Response was given to him on 22 nd June 2024



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		<p>with a whole list of industries and it was shocking to know that so many industries were being allowed to mushroom in the Doon Valley, , such as the environmental clearances given to 24 Stone crushers during the period of 2022-2024, notwithstanding the safeguards as provided in the notification of 1st February 1989. It was also shocking to know that the petitioner herein vide a letter dated 9th August, 2024 was informed that as regards the legal protection of Doon Valley, the competent authorities such as SEIAA do not even have the coordinates or the exact geographic expanse of what is the exact Doon Valley whose protection was ensured by the notification date 1st February 1989. This shows the scant regard that is being attached to the environmental protection of Doon Valley, which merits close scrutiny and legal intervention by this Hon'ble Court to ensure that adequate safeguards are taken to protect the environment.</p>
18.	12 th February, 2025	On 12 th February 2025, a letter was written by Bharat K. Sharma, Member Secretary of the

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		<p>Central Pollution Control Board to the Chairman of the State Pollution Control Boards with the subject that Direction under Section 18 of the Water Prevention and Control of Pollution Act 1974 and the Air Prevention and Control of Pollution Act 1981 regarding harmonization of classification of industrial sectors under red, orange, green, white and blue categories and therefore the CPCB and its correspondence to the State Pollution Control Boards did away with the industry wise classification which was a blow to the Doon Valley notification of 1989 as no specific protection clause or safety valve for the notified Doon Valley was kept in this notification despite previous Central Pollution Control Board notifications carrying such protection clause and saving clause for the Doon Valley. This was not an aberration but a glaring example of the systematic attempts at both the central and state levels to effectively denotify the Doon Valley, repeal the Environmental Protection Guarantee to the Doon Valley for petty commercial interests in an era that recognizes climate change and the</p>
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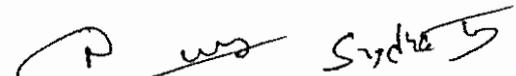
		climatic crisis to only serve petty commercial interests and also in the teeth of the final order and judgment as pronounced by the Hon'ble Apex Court in the case of <i>Rural Litigation and Entitlement Kendra & Ors v State of UP & Ors</i> , AIR 1985 SC 652. 6/6
19.	4 th March, 2025 And 21 st March, 2025	On 4 th March 2025, another letter was authored by the petitioner herein to the Hon'ble Prime Minister, which was vide letter dated 21 st March, 2025 also forwarded to the responsible authorities in the state government to take necessary action. However, no such action has followed.
20.	18 th March, 2025	On 18 th March 2025, according to the National Clean Air Portal report prepared by National Clean Air Program, it is still covering a total of 131 cities including 3 in Uttarakhand namely Dehradun, Rishikesh and Kashipur. The budget utilised till date was 11,541 crores. On the one hand, the respondents are having to spend thousands of crores of rupees to alleviate the ills of air pollution plaguing the Doon Valley and similarly situated cities and on the other hand,

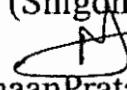
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		<p>only to placate petty commercial interests and to undo the effect and operation of the final order and judgment as pronounced by the Honorable Apex Court, the legal protection as granted to the notified area of Doon Valley is being systematically tampered with. It is also becomes important to mention that by mere perusal of records of past 20 years would indicate that the Air Quality Index of Doon Valley has constantly degraded and now in the backdrop of it when the climate change is happening at a speed never seen before in the history of mankind, an eco-sensitive zone like Doon Valley does not need repealing of Doon Valley Notification as its final nail in the coffin.</p>	E17
21.		Hence, the present Public Interest litigation.	

Dated: 20/4/2025


(Abhijay Negi) (Snigdha Tiwari)


(Armaan Pratap Singh)

Advocates

Counsels for the Petitioner



Abhinav

**IN THE HON'BLE HIGH COURT OF UTTARAKHAND AT
NAINITAL**

IN

WRIT PETITION (P.I.L) NO. OF 2025

(Under Article 226 of the Constitution of India)

(District: Dehradun)

Abhinav Thapar (Male), aged about 43 years, S/o Harish Kumar Thapar R/o260, Lane No. 12, Near Lavenier School, Vijay Park Extension, Dehradun, Uttarakhand.

..... Petitioner

Versus

1. Union of India through its Secretary, Ministry of Environment, Forest and Climate Change having its registered office at Indira Paryavaran Bhawan Jorbagh Road, New Delhi – 110003.
2. State of Uttarakhand through its Principal Secretary having its registered office at 4 Subhash Road, Uttarakhand Secretariat, Dehradun, 248001.
3. Central Pollution Control Board through its Member Secretary having its registered office at Parivesh Bhawan, East Arjun Nagar, Delhi-110032.

Received Copy

For Chief Standing Counsel
High Court of Uttarakhand
Dehradun

IN THE HON'BLE HIGH COURT OF UTTARAKHAND AT
NAINITAL

IN

WRIT PETITION (P.I.L) NO. OF 2025

(Under Article 226 of the Constitution of India)

(District: Dehradun)

Abhinav Thapar (Male), aged about 43 years, S/o Harish Kumar
Thapar R/o260, Lane No. 12, Near Lavenier School, Vijay Park
Extension, Dehradun, Uttarakhand.

..... Petitioner

Versus

1. Union of India through its Secretary, Ministry of Environment, Forest and Climate Change having its registered office at Indira Paryavaran Bhawan Jorbagh Road, New Delhi – 110003.
2. State of Uttarakhand through its Chief Secretary having its registered office at 4 Subhash Road, Uttarakhand Secretariat, Dehradun, 248001.
3. Central Pollution Control Board through its Member Secretary having its registered office at Parivesh Bhawan, East Arjun Nagar, Delhi-110032.



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Abhinav

4. Uttarakhand Pollution Control Board through its Member Secretary, Gaura Devi Paryavaran Bhawan, 46 B IT Park, Sehstradhara Road, Dehradun-248001.

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.....Respondent(s)

To,

The Hon'ble Chief Justice and his other companion judges of this Hon'ble Court.

The petitioner most respectfully showeth:

1. That the petitioner is a social worker, spokesperson of Indian National Congress Party, Uttarakhand and a well-known Social activist working on the grass roots. He has done a lot of social work, particularly during the COVID time, and has been an activist, advocating for transparency in public life. The petitioner is an avid social worker and activist based in Uttarakhand. He has rendered yeomen services towards the cause of human rights service throughout the covid-19 first and second wave crisis, be it providing ration to migrant workers or providing access to medical facilities to citizens in distress. He has also been a public interest litigant before this Hon'ble court on issues pertaining to health care infrastructure of Uttarakhand (WPPIL No. 117/2021), pertaining to the revenue share of the Tehri Dam, employment issues faced by the



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rural and urban youth of Uttarakhand (WPPIL No. 163/2021). He has also filed several writ petitions in the public interest before this Hon'ble court including the one calling for accountability of those who extended illegal appointments in the Uttarakhand Vidhan Sabha, captioned WPPIL 160 of 2022. With regard to pandemic management at a national level regarding reimbursement of overcharge done by hospitals to its patients, the petitioner's writ petition has also been admitted by the Hon'ble Apex Court, in which orders were passed by the Hon'ble Apex Court (W.P. Civil) No. 903 of 2021). A true copy of the detailed profile of the petitioner is being attached as **Annexure No.1** to the present petition.

2. The cause espoused through the present public interest litigation concerns with the petitioner prayer for a writ order or direction in the nature of *certiorari*, to quash the correspondence as received from the Central Pollution Control Board dated 12th February, 2025 qua the State of Uttarakhand as it disregard the applicability of the notification of Doon Valley as Eco-sensitive zone as promulgated by the Union of India in 1989. Therefore, the cause espoused in the present writ petition is covered by the definition of public interest within sub-clause 3(Rule 3) of chapter XXI-A of the rules of the court 1952.
3. That to the best knowledge of the petitioner, this is the first writ petition being filed by the petitioner for the relief claimed therein



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before the Hon'ble Court and no other writ petition has been filed or is pending regarding the same subject matter. 4

4. That the questions raised by the petitioner are based on the facts of the case and hence the declaration as provided under Rule 4(5) of chapter XXI-A of the rules of the court, 1952 is required. Question of law being raised in the present writ petition is '*res integra*'
5. That the brief facts to the limited extent necessary are that the Hon'ble Apex Court in the landmark case of *Rural Litigation and Entitlement Kendra & Ors v State of UP & Ors, AIR 1985 SC 652* issued a milestone order with regard to the shutting down of limestone mines in Doon Valley towards furthering the goal of environmental protection. The Honorable Apex Court in the operative part of its judgment in no uncertain terms introduced a complete ban on mining to save ecology and contain pollution in the area. A strict deadline was adhered to for closing down even the operational mines and the Hon'ble Apex Court issued directions for regulation of the industries proposed to be set up in the Doon Valley. A true copy of the judgment that passed by the Hon'ble Apex Court dated 30th August 1988 is being attached as **Annexure No. 2** to the present writ petition.
6. That pursuant to this judgment, the Government of India through Ministry of Environment and Forest vide its notification dated 1st



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February 1989 issued the Doon Valley notification that is at the heart of the present controversy. This notification underscored the ecological sensitivity of the Doon Valley and the importance to regulate various activities such as change in land use, mining, tourism planning to be governed by the Government of India as any proposal on each of these heads was to carry express approval from the government of India. Furthermore, this notification categorized industry into mainly three categories, the green category where no requirement was there for any NOC from the Ministry of Environment and Forest, Government of India, the orange category where industries were to be permitted in Doon Valley only with proper environmental control arrangement and industries in red category which could not be permitted in the Doon Valley. A mere perusal of this notification would reveal that there were a total of 45 such industries in the red category which again underscores the vision with which planning was to be carried out for an ecologically sensitive area such as the Doon Valley. The Doon Valley was defined in geographical/topographical terms to include Doon Valley, bounded on the North by mussoorie ridge, in the North-East by Lesser Himalayan ranges, on the South-West by Shivalik ranges, river Ganga in the South-East and river Yamuna in the North-West .A true copy of the Doon Valley notification dated 1stFebruary 1989 is being attached as aAnnexure No. 3 to the present writ petition.

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7. That on 4th July 2005, an amendment was made in the notification of 1989 where it was provided that proposals under orange category were to be dealt with as industries requiring environmental clearance as per the environmental impact assessment notification of 1994. A true copy of the amendment dated 4th July 2005 is being attached as **Annexure No.4** to the present writ petition.
8. That by the office order dated 24th September, 2005, the Environment Protection and Pollution Control Board of the State of Uttaranchal exempted some non-polluting and non-hazardous small-scale industries from taking consent. It was noted that their application by itself was to be treated as the consent and therefore gradually, requirements were being watered down. A true copy of the office order dated 24th September 2005 is being attached as **Annexure No. 5** to the present writ petition.
9. That by office order dated 07th March, 2016, the Central Pollution Control Board (CPCB) to all the State Pollution Control Boards/Pollution Control Board, CPCB issued directions under section 18(1)(b) of Water (Prevention & Control of Pollution) Act, 1974 and The Air (Prevention & Control of Pollution) Act, 1981 regarding harmonization of classification of industrial sectors under red/orange/green/white categories. That by another office order dated 3rd May 2016, the Uttarakhand Environment Protection and Pollution Control Board made certain new categories with



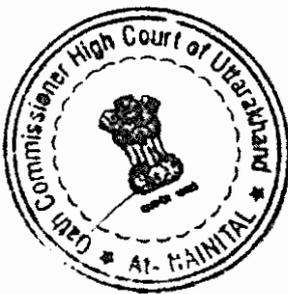
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regard to industries such as white apart from the usual red, orange and green. However, it was specifically provided in the office order itself that the Doon Valley was an exception to the categorization as provided in the office order. A true copy of the CPCB office order dated 7th March, 2016 and the UKEPPCB office order dated 3rd May, 2016 is being attached as **Annexure No. 6(Colly)** to the present writ petition. The fact that Doon Valley was exempted by a specific exception clause also underscores the fact that it was because of the operation of the notification dated 1st February 1989 that the exemption was given.

10. That on 6th January, 2020 another amendment was carried out in the notification dated 1st February 1989. A true copy of the amendment as carried out on 6th January 2020 is being attached as **Annexure No. 7** to the present writ petition.
11. That even though the notification of Doon Valley as an eco-sensitive area where several activities were restricted was a welcome step, the rigors of climate change, global warming and reckless industrialization had already caught up to worsen the environment. In such view of the matter, the National Green Tribunal passed a final order and judgment dated 8th April, 2021 in OA No. 681 of 2018, whose operative portion is quoted as under,

“60. Our directions are summed up as follows:



At

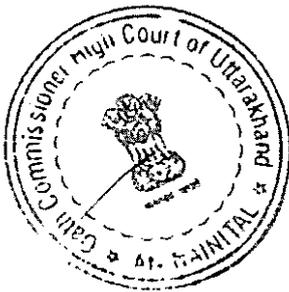
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1. We direct constitution of an eight-member National Task Force (NTF) to be headed and coordinated by the Secretary MoEF&CC with nominees (not below the rank of Joint Secretaries) of Ministries from Housing and Urban Development, Road Transport, Petroleum, Power, Agriculture, Health and Chairman, CPCB with a view to monitor remedial steps to improve the status of air quality in NACs consistent with the action plans already prepared and approved by the Expert Committee and directions of this Tribunal, referred to above, including the last order dated 21.08.2020 and also to monitor compliance of noise control norms. NTF may also monitor enforcement of laid down air quality standards beyond NACs in other identified air polluted areas where air quality is poor and above.

ii. The NTF may hold its first meeting within one month and thereafter evolve mechanism for monitoring by quarterly meetings with Chief Secretaries of concerned States/UTs. The NTF may coordinate and work in tandem with the Committees already constituted under NCAP at National and State levels.

iii. Monitoring by NTF may be with reference to the action plans of 124 NACs. The components include installation of monitoring stations, completion of CC and SA studies, shifting, prohibiting and regulating activities beyond carrying capacity (such as shifting to cleaner fuel and declaring regulated/no vehicle zones so as to



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ensure that the air quality does not go beyond 'poor' for protection of health of the citizens), effectiveness of PGRPS, timelines for execution of the action plans and recovery of compensation for delay, addressing gap in control of noise pollution, afforestation drives utilizing CAMPA funds, effective implementation of ERS, revamping of PCBs/PCCs and other monitoring mechanism, remediation of legacy waste sites and effective steps for management of other waste, including biomedical, plastic and e-waste, dust control, public awareness and community involvement programmes and setting up of data grids on all levels. NTF may also evolve and oversee parameters for interse ranking of success of remedial action for 124 NACs and other air polluted areas where air quality is poor and above. Further, accountability for failures and incentives for success also needs to be monitored. NTF is free to take up any other incidental issues.

iv. Consistent with Digital India initiatives, MoEF&CC/CPCB may consider setting up and periodically updating National Environment Data Grid (NEDG) linked to the State Environment Data Grids (SEDGs) and District Environment Data Grids (DEDGs) and further linked to available portals like online air quality, Sameer and other monitoring stations to facilitate analysis, research and planning on the subject. It may be further interlinked to National Air Quality Monitoring Programme (NAMP). Based on above data, the



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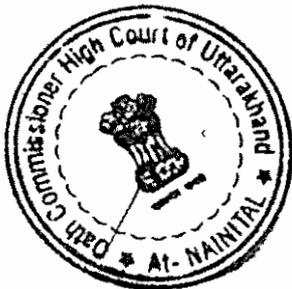
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MoEF&CC may lay down guidelines for classifying cities/districts in terms of air quality in different categories such as 'red', 'orange' and 'green'. On that basis, a National Air Quality Atlas may be compiled and published on the websites of MoEF&CC, CPCB and State PCBs/PCCs annually.

v. The Chief Secretaries of all States/UTs may continue to monitor progress in execution of action plans at State level with the assistance of monitoring cells in their offices and the AQMCs. The State level monitoring must include action at the ground as per directions to be implemented by the District Magistrates or other concerned departments. The monitoring may include all associated issues, including road dust control by appropriate sprinkling of water (utilizing treated water, instead of potable water), planting herbs and shrubs, and all sources of pollution, including fire crackers. The issue of noise pollution also needs to be addressed, as earlier directed."

A true copy of the decision as passed by the National Green Tribunal dated 8th April, 2021 in OA No. 681 of 2018 is being attached as **Annexure No. 8** to the present with petition.

12. That the Dehradun City Air Action Plan as well as the Rishikesh City Air Action Plan was laid out by the Uttarakhand Pollution Control Board. A true copy of this Air Action Plan is being attached as **Annexure No.9(Colly)** to the present writ petition. It is



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noteworthy that both Dehradun and Rishikesh cities fall under the definition of the Doon Valley as per the notification dated 1st February 1989.

13. That in the year 2019, the Ministry of Environment and Forest laid out the National Clean Air Program (NCAP), which was initially meant for 131 cities and included three cities of Uttarakhand, namely Dehradun, Kashipur and Rishikesh, as these three cities were recognized as the most polluted cities of Uttarakhand. Notably, Dehradun is among the 10 most polluted cities in India and therefore these three cities including the city of Dehradun and also the city of Rishikesh, both a part of the designated and notified Doon Valley, were covered in the National Clean Air Program with the stated objective to reduce air pollution. A true copy of the broad contours of the National Clean Air Program is being attached as **Annexure No. 10** to the present writ petition. Dehradun's inclusion in the National Clean Air Program also signifies the fact that regulation in terms of industrialization and its overall development policy was the need of the hour and continues to be the need of the hour for the whole of Doon Valley.
14. That in shocking contrast, on the one hand, there is an acknowledgement a recognition and an effort to conserve and preserve the Doon Valley and to better its degrading environs while on the other hand by another by an order dated 3rd December 2021,



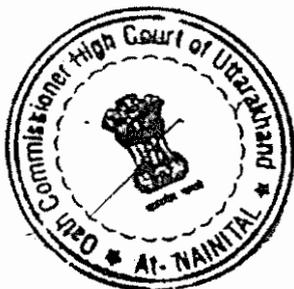
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the Uttarakhand Pollution Control Board itself wrote a letter to the government of Uttarakhand to change the categorization of slaughterhouse from industrial operation to non-industrial operation and to notify the competent authority for granting environmental clearances to red category non-industrial operations in the Doon Valley area and also to repeal the Doon Valley notification 1989 as amended in 2020. This correspondence dated 3rd December 2021 assumes significance as it is totally contrary to the National Clean Air Program objectives as well as another order dated 28th June 2021 of the Uttarakhand Government which had issued an order regarding selection of three non attainment cities, namely, Dehradun, Rishikesh and Kashipur for emergency situations of air pollution emergency response system graded response action plan. A true copy of the order as issued by the government of Uttarakhand on 28th June 2021 is being attached as **Annexure No. 11** to the present writ petition. A true copy of the shocking letter dated 3rd December 2021 as authored by the Uttarakhand pollution control board to the government of Uttarakhand with regard to the request for repeal of the Doon Valley notification of 1989 as well as for granting environmental clearances to red category industries are being attached as **Annexure No.12** to the present writ petition.

15. That the action of the Uttarakhand Pollution Control Board does not seem to be have been one in isolation. In the 23rd meeting of the



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regard to the recall of the Doon Valley notification being attached as **Annexure No.15** to the present writ petition.

17. That on 21stDecember 2023, a gazette notification was published by the government of India wherein amendments to the Doon Valley notification were proposed and objections from all and sundry were called for. A true copy of this gazette notification dated 21st December 2023 is being attached as **Annexure No. 16** to the present writ petition.
18. That the petitioner herein, shocked by the draft Gazette notification of 21st December, 2023, authored a detailed representation to the Hon'ble Prime Minister of India on 8th February, 2024, with a request to save Doon Valley and drastic climatic change in Himalayas, expected after removal/relaxation of clauses of Doon Valley notification, 1989 as per the amendments, sought to be made by the Ministry of Environment and Forest. After which, Government of India vide letter dated 13th February,2024 gave intimation to the petitioner herein that his concerns for conserving the Eco-Sensitive Area is noted and forwarded to the State Government of Uttarakhand for taking appropriate action and provide view/comments on the matter to the Ministry of Environment, Forest and Climate Change. However, no action was followed in pursuant of the same. A true copy of the detailed representation authored by the petitioner on these deteriorating



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developments with regard to the legal protection of the Doon valley dated 8th February 2024 and the response of the Ministry of Environment, Forest and Climate Change dated 13th February, 2024 are being attached as **Annexure No. 17(Colly)** to the present petition. In his representation, the petitioner pointed out to the competent authorities that on the one hand, there was an acknowledgement at the national level about the deteriorating environmental standards of Doon Valley and on the other hand, when more protection should have been provided by the policymakers to conserve the ecological fragility of the Doon Valley, instead of more support being forthcoming, support was in fact being withdrawn for petty commercial interests, which was not only undoing the Doon Valley notification of 1st February 1989, but also its grundnorm and basis of the notification of 1989, which was effectively the judgment of the Hon'ble Apex Court in *Rural Litigation and Entitlement Kendra & Ors v State of UP & Ors*, AIR 1985 SC 652, which had neither been recalled or reviewed by the Hon'ble Apex Court.

19. That on 10th May 2024, Information was sought by the petitioner through RTI regarding number of industries which obtained environmental clearances from the State Environmental Impact Assessment Authority along with the list of industries as per Doon Valley notification. Response was given to him on 22nd June 2024



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with a whole list of industries and it was shocking to know that so many industries were being allowed to mushroom in the Doon Valley, such as the environmental clearances given to 24 Stone crushers during the period of 2022-2024, notwithstanding the safeguards as provided in the notification of 1st February 1989. A true copy of the RTI information sought and response received on 22 June, 2024 is being attached as **Annexure No. 18(Colly)** to the present writ petition. It was also shocking to know that the petitioner herein vide a letter dated 09th August, 2024 was informed that as regards the legal protection of Doon Valley, the competent authorities such as SEIAA do not even have the coordinates or the exact geographic expanse of what is the exact Doon Valley whose protection was ensured by the notification date 1st February 1989. This shows the scant regard that is being attached to the environmental protection of Doon Valley, which merits close scrutiny and legal intervention by this Hon'ble Court to ensure that adequate safeguards are taken to protect the environment. A true copy of the letter dated 09th August, 2024 is being attached as **Annexure No.19** to the present writ petition.

20. That on 12th February 2025, a letter was written by Bharat K. Sharma, Member Secretary of the Central Pollution Control Board to the Chairman of the State Pollution Control Boards with the subject that Direction under Section 18 of the Water Prevention and



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Control of Pollution Act 1974 and the Air Prevention and Control of Pollution Act 1981 regarding harmonization of classification of industrial sectors under red, orange, green, white and blue categories and therefore the CPCB and its correspondence to the State Pollution Control Boards did away with the industry wise classification which was a blow to the Doon Valley notification of 1989 as no specific protection clause or safety valve for the notified Doon Valley was kept in this notification despite previous Central Pollution Control Board notifications carrying such protection clause and saving clause for the Doon Valley. This was not an aberration but a glaring example of the systematic attempts at both the central and state levels to effectively denotify the Doon Valley, repeal the Environmental Protection Guarantee to the Doon Valley for petty commercial interests in an era that recognizes climate change and the climatic crisis to only serve petty commercial interests and also in the teeth of the final order and judgment as pronounced by the Hon'ble Apex Court in the case of *Rural Litigation and Entitlement Kendra & Ors v State of UP & Ors*, AIR 1985 SC 652. A true copy of the impugned correspondence by the Central Pollution Control Board dated 12th February 2025 is being attached as **Annexure No.20** to the present writ petition.

21. That on 4th March 2025, another letter was authored by the petitioner herein to the Hon'ble Prime Minister, which vide a letter dated 21st



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March, 2025 was also forwarded to the responsible authorities in the state government to take necessary action. However, no action was followed in pursuance of the same. A true copy of the letter dated 4th March 2025 as authored by the petitioner and the letter dated 21st March, 2025 in response to the petitioner's representation herein are being attached as **Annexure No.21(Colly)** to the present writ petition. On 18th March 2025, according to the National Clean Air Portal report prepared by National Clean Air Program, it is still covering a total of 131 cities including 3 in Uttarakhand namely Dehradun, Rishikesh and Kashipur. The budget utilised till date was 11,541 crores. On the one hand, the respondents are having to spend crores of rupees to alleviate the ills of air pollution plaguing the Doon Valley and similarly situated cities and on the other hand, only to placate petty commercial interests and to undo the effect and operation of the final order and judgment as pronounced by the Honorable Apex Court, the legal protection as granted to the notified area of Doon Valley is being systematically tampered with. It is also becomes important to mention that by mere perusal of records of past 20 years would indicate that the Air Quality Index of Doon Valley has constantly degraded and now in the backdrop of it when the climate change is happening at a speed never seen before in the history of mankind, an eco-sensitive zone like Doon Valley does not need repealing of Doon Valley Notification as its final nail in the



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coffin. A true copy of the records showing degrading situation of the AQI in the concerned area is being attached as **Annexure No. 22** to the present petition.

22. That this Hon'ble Court while adjudicating WPPIL 36 of 2021 that was the case of *Ajay Narayan Sharma v. State of Uttarakhand* by its interim order dated 10th November 2021 had given a series of directions to the respondent state government with regard to the status of its biotic factors, its environmental standards, the status of its air pollution, water bodies, and natural features. Some relevant extracts of the interim order dated 10th November 2021 as passed by this Hon'ble Court are being reproduced below:

"9. Mr. Abhijay Negi, the learned counsel for the petitioner in Writ Petition (PIL) No.36 of 2021, submits that the official respondents should be directed to clearly demarcate the areas of the Khasras, and clearly indicate the area of the land which belong to the Government so that the public at large would know exactly which areas belong to the Government. He suggests that the pillaring should be carried out in the area.

Secondly, periodic survey needs to be carried out of the entire Doon Valley. For, because of the rampant or illegal constructions in Dehradun, and in Doon Valley, environment is being adversely affected. According to him, periodic survey should be carried out in every two years by the Survey of India. The survey should include



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not only the extent of urbanization, not only the extent of degradation and deforestation of the area, but should also include the health of the aquatic areas vis-à-vis the rivers or streams, the nalas, or any other water body. He further submits that the climatic condition of the area and the air quality should be surveyed. According to him, the reports so prepared should also contain the recommendations about the action to be taken in future in order to protect the environment of the entire Doon Valley. Lastly, even a timeline should be indicated in the report by which the recommendations have to be implemented by the concerned Agencies and the competent authority.

16. *The respondent No.2, the learned Chief Secretary, is directed to ensure that the Survey of India carries out the complete survey of the entire State of Uttarakhand within a period of three years beginning from 01.01.2022.*

17. *He is further directed to ensure that the Survey of India also surveys all the urban areas existing in the State, including the surrounding areas which may consist of forest area. The said exercise shall be carried out in every two years.*

18. *The said survey would not only include the extent of urbanization, the extent of forests, but would also include the survey of water bodies, mountains, and other natural resources. The survey should also include the air quality, the climatic condition,*



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especially, any damage in the climatic condition. Lastly, the survey report should contain the recommendations with regard to the action that needs to be taken, and the timeline for taking the said action. It shall be the responsibility of the learned Chief Secretary to ensure that the recommendations are duly implemented within the stipulated time period, as contained in the report."

23. That subsequently, this Hon'ble Court by its order dated 31st August 2022 finally disposed of WPPIL 36 of 2021 in terms of its order dated 10th November 2021. A true copy of the final disposal order of WPPIL 36 of 2021 specifically noting that the order as passed on 10th November 2021 has attained finality is being attached as **Annexure No.23** to the present writ petition.
24. That on the one hand, the respondent Chief Secretary, Government of Uttarakhand was directed to ensure periodic surveys to safeguard the flora, fauna, and biotic factors, particularly of the area around Doon Valley, and not just the Doon Valley, but corresponding urban areas and the entire state of Uttarakhand; On the other hand, no such survey has been carried out till date, to the best knowledge of the petitioner. Instead, the National Clean Air Program is being utilized to secure funding, but the environmental framework of the protection of Doon Valley is being systematically dismantled.
25. This also assumes significance as even in the past, several studies have been carried out with regard to the model of development for



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the Doon Valley which was once famous for legendary author Ruskin Bond's fabled tales, and for the Beatles having visited Dehradun and Rishikesh to have composed a beautiful song on the natural prowess of the Doon Valley is now facing huge crises. The National Environmental Engineering Research Institute (NEERI) Nagpur, in its report titled, "*Carrying Capacity-Based Developmental Planning of Doon Valley*", had also sketched out a model for its development and planning. However, no such plan has been adhered to, which is apparent from the fact that the air, water, and overall environmental standards of the Doon Valley have rapidly fallen.

26. That in the light of all of the above, the petitioner has no other alternative, efficacious remedy but to prefer the present writ petition under Article 226 of the Constitution of India.

GROUNDS

A. Because the Hon'ble Apex Court in the landmark case of *Rural Litigation and Entitlement Kendra & Ors v State of UP & Ors*, AIR 1985 SC 652 issued a milestone order with regard to the shutting down of limestone mines in Doon Valley towards furthering the goal of environmental protection. The Honorable Apex Court in the operative part of its judgment in no uncertain terms introduced a complete ban on mining. A strict deadline was adhered to for closing



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down even the operational mines and the Hon'ble Apex Court issued directions for regulation of the industries proposed to be set up in the Doon Valley.

B. Because pursuant to this judgment, the Government of India through Ministry of Environment and Forest vide its notification dated 1st February 1989 issued the Doon Valley notification that is at the heart of the present controversy. This notification underscored the ecological sensitivity of the Doon Valley and the importance to regulate various activities such as change in land use, mining, tourism planning to be governed by the Government of India as any proposal on each of these heads was to carry express approval from the government of India. Furthermore, this notification categorized industry into mainly three categories, the green category where no requirement was there for any NOC from the Ministry of Environment and Forest, Government of India, the orange category where industries were to be permitted in Doon Valley only with proper environmental control arrangement and industries in red category which could not be permitted in the Doon Valley. A mere perusal of this notification would reveal that there were a total of 45 such industries in the red category which again underscores the vision with which planning was to be carried out for an ecologically sensitive area such as the Doon Valley. That the Doon Valley was defined in geographical/topographical terms to include Doon



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Valley, bounded on the North by mussoorie ridge, in the North-East by Lesser Himalayan ranges, on the South-West by Shivalik ranges, river Ganga in the South-East and river Yamuna in the North-West.

- C. Because on 4th July 2005, an amendment was made in the notification of 1989 where it was provided that proposals under orange category were to be dealt with as industries requiring environmental clearance as per the environmental impact assessment notification of 1994.
- D. Because by the office order dated 24th September, 2005, the Environment Protection and Pollution Control Board of the State of Uttaranchal exempted some non-polluting and non-hazardous small-scale industries from taking consent. It was noted that their application by itself was to be treated as the consent and therefore gradually, requirements were being watered down.
- E. Because by another office order dated 3rd May 2016, the Uttarakhand Environment Protection and Pollution Control Board made certain new categories with regard to industries such as white apart from the usual red, orange and green. However, it was specifically provided in the office order itself that the Doon Valley was an exception to the categorization as provided in the office order. The fact that Doon Valley was exempted by a specific exception clause also underscores the fact that it was because of the



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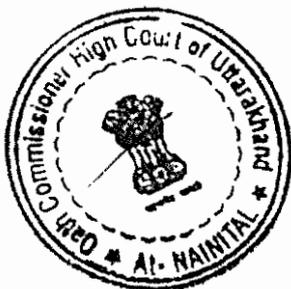
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NACs in other identified air polluted areas where air quality is poor and above.

ii. The NTF may hold its first meeting within one month and thereafter evolve mechanism for monitoring by quarterly meetings with Chief Secretaries of concerned States/UTs. The NTF may coordinate and work in tandem with the Committees already constituted under NCAP at National and State levels.

iii. Monitoring by NTF may be with reference to the action plans of 124 NACs. The components include installation of monitoring stations, completion of CC and SA studies, shifting, prohibiting and regulating activities beyond carrying capacity (such as shifting to cleaner fuel and declaring regulated/no vehicle zones so as to ensure that the air quality does not go beyond 'poor' for protection of health of the citizens), effectiveness of PGRPS, timelines for execution of the action plans and recovery of compensation for delay, addressing gap in control of noise pollution, afforestation drives utilizing CAMPA funds, effective implementation of ERS, revamping of PCBs/PCCs and other monitoring mechanism, remediation of legacy waste sites and effective steps for management of other waste, including biomedical, plastic and e-waste, dust control, public awareness and community involvement programmes and setting up of data grids on all levels. NTF may also



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evolve and oversee parameters for interse ranking of success of remedial action for 124 NACs and other air polluted areas where air quality is poor and above. Further, accountability for failures and incentives for success also needs to be monitored. NTF is free to take up any other incidental issues.

iv. Consistent with Digital India initiatives, MoEF&CC/CPCB may consider setting up and periodically updating National Environment Data Grid (NEDG) linked to the State Environment Data Grids (SEDGs) and District Environment Data Grids (DEDGs) and further linked to available portals like online air quality, Sameer and other monitoring stations to facilitate analysis, research and planning on the subject. It may be further interlinked to National Air Quality Monitoring Programme (NAMP). Based on above data, the MoEF&CC may lay down guidelines for classifying cities/districts in terms of air quality in different categories such as 'red', 'orange' and 'green'. On that basis, a National Air Quality Atlas, may be compiled and published on the websites of MoEF&CC, CPCB and State PCBs/PCCs annually.

v. The Chief Secretaries of all States/UTs may continue to monitor progress in execution of action plans at State level with the assistance of monitoring cells in their offices and the AQMCs. The State level monitoring must include action at the ground as per directions to be implemented by the District Magistrates or other



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concerned departments. The monitoring may include all associated issues, including road dust control by appropriate sprinkling of water (utilizing treated water, instead of potable water), planting herbs and shrubs, and all sources of pollution, including fire crackers. The issue of noise pollution also needs to be addressed, as earlier directed."

- H. Because the Dehradun City Air Action Plan as well as the Rishikesh City Air Action Plan was laid out by the Uttarakhand Pollution Control Board. It is noteworthy that both Dehradun and Rishikesh cities fall under the definition of the Doon Valley as per the notification dated 1st February 1989.
- I. Because in the year 2019, the Ministry of Environment and Forest laid out the National Clean Air Program, which was initially meant for 131 cities and included three cities of Uttarakhand, namely Dehradun, Kashipur and Rishikesh, as these three cities were recognized as the most polluted cities of Uttarakhand. Notably, Dehradun is among the 10 most polluted cities in India and therefore these three cities including the city of Dehradun and also the city of Rishikesh, both a part of the designated and notified Doon Valley, were covered in the National Clean Air Program with the stated objective to reduce air pollution. Dheradun's inclusion in the National Clean Air Program also signifies the fact that regulation in terms of industrialization and its overall development policy was the



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need of the hour and continues to be the need of the hour for the whole of Doon Valley.

J. Because in shocking contrast, on the one hand, there is an acknowledgement a recognition and an effort to conserve and preserve the Doon Valley and to better its degrading environs while on the other hand by another by an order dated 3rd December 2021, the Uttarakhand Pollution Control Board itself wrote a letter to the government of Uttarakhand to change the categorization of slaughterhouse from industrial operation to non-industrial operation and to notify the competent authority for granting environmental clearances to red category non-industrial operations in the Doon Valley area and also to repeal the Doon Valley notification 1989 as amended in 2020. This correspondence dated 3rd December 2021 assumes significance as it is totally contrary to the National Clean Air Program objectives as well as another order dated 28th June 2021 of the Uttarakhand Government which had issued an order regarding selection of three non attainment cities, namely, Dheradun, Rishikesh and Kashipur for emergency situations of air pollution emergency response system graded response action plan.

K. Because the action of the Uttarakhand Pollution Control Board does not seem to be have been one in isolation. In the 23rd meeting of the Central Zonal Council held on 22nd August 2022 at Bhopal, the Hon'ble Chief Minister of Uttarakhand specifically asked for



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revocation of the Doon Valley Notification of 1989 for the development of the region. This was followed up by a meeting held under the chairmanship of the Chief Secretary, Government of Uttarakhand dated 30th June, 2023, with the aim of withdrawal of the Doon Valley Notification of 1989, in which all concerned stakeholders were given three days time to submit their proposal.

L. Because such action at this level of the state of Uttarakhand was adding pressure on the Union of India, which by its letter dated 4th July 2023, proposed an amendment and laid out a roadmap for an effective repeal of the protection as guaranteed by the Doon Valley Notification of 1989. This was followed up by the 24th meeting of the Central Zonal Council dated 7th October 2023, wherein one of the agendas, (namely agenda no.4) was recalling of Doon Valley notification.

M. Because on 21st December 2023, a gazette notification was published by the government of India wherein amendments to the Doon Valley notification were proposed and objections from all and sundry were called for.

N. Because the petitioner herein, shocked by the draft Gazette notification of 21st December, 2023, authored a detailed representation to the Hon'ble Prime Minister of India on 8th February, 2024, with a request to save Doon Valley and drastic climatic change in Himalayas, expected after removal/relaxation of



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clauses of Doon Valley notification, 1989 as per the amendments, sought to be made by the Ministry of Environment and Forest. After which, Government of India vide letter dated 13th February, 2024 gave intimation to the petitioner herein that his concerns for conserving the Eco-Sensitive Area is noted and forwarded to the State Government of Uttarakhand for taking appropriate action and provide view/comments on the matter to the Ministry of Environment, Forest and Climate Change. However, no action was followed in pursuant of the same. In his representation, the petitioner pointed out to the competent authorities that on the one hand, there was an acknowledgement at the national level about the deteriorating environmental standards of Doon Valley and on the other hand, when more protection should have been provided by the policymakers to conserve the ecological fragility of the Doon Valley, instead of more support being forthcoming, support was in fact being withdrawn for petty commercial interests, which was not only undoing the Doon Valley notification of 1st February 1989, but also its grundnorm and basis of the notification of 1989, which was effectively the judgment of the Hon'ble Apex Court in *Rural Litigation and Entitlement Kendra & Ors v State of UP & Ors*, AIR 1985 SC 652, which had neither been recalled or reviewed by the Hon'ble Apex Court.



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O. Because on 10th May 2024, Information was sought by the petitioner through RTI regarding number of industries which obtained environmental clearances from the State Environmental Impact Assessment Authority along with the list of industries as per Doon Valley notification. Response was given to him on 22nd June 2024 with a whole list of industries and it was shocking to know that so many industries were being allowed to mushroom in the Doon Valley, notwithstanding the safeguards as provided in the notification of 1st February 1989. It was also shocking to know that the petitioner herein vide a letter dated 9th August, 2024 was informed that as regards the legal protection of Doon Valley, the competent authorities such as SEIAA do not even have the coordinates or the exact geographic expanse of what is the exact Doon Valley whose protection was ensured by the notification date 1st February 1989. This shows the scant regard that is being attached to the environmental protection of Doon Valley, which merits close scrutiny and legal intervention by this Hon'ble Court to ensure that adequate safeguards are taken to protect the environment.

P. Because on 12th February 2025, a letter was written by Bharat K. Sharma, Member Secretary of the Central Pollution Control Board to the Chairman of the State Pollution Control Boards with the subject that Direction under Section 18 of the Water Prevention and Control of Pollution Act 1974 and the Air Prevention and Control

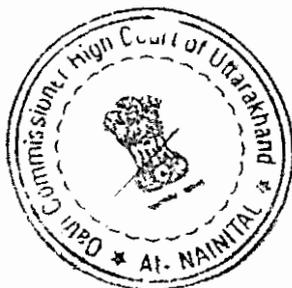


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of Pollution Act 1981 regarding harmonization of classification of industrial sectors under red, orange, green, white and blue categories and therefore the CPCB and its correspondence to the State Pollution Control Boards did away with the industry wise classification which was a blow to the Doon Valley notification of 1989 as no specific protection clause or safety valve for the notified Doon Valley was kept in this notification despite previous Central Pollution Control Board notifications carrying such protection clause and saving clause for the Doon Valley. This was not an aberration but a glaring example of the systematic attempts at both the central and state levels to effectively denotify the Doon Valley, repeal the Environmental Protection Guarantee to the Doon Valley for petty commercial interests in an era that recognizes climate change and the climatic crisis to only serve petty commercial interests and also in the teeth of the final order and judgment as pronounced by the Hon'ble APEX Court in the case of *Rural Litigation and Entitlement Kendra & Ors v State of UP & Ors*, AIR 1985 SC 652.

Q. Because on 4th March 2025, another letter was authored by the petitioner herein to the Hon'ble Prime Minister, which vide letter dated 21st March, 2025 was also forwarded to the responsible authorities in the state government to take necessary action. However, no such action has followed. On 18th March, 2025,



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according to the National Clean Air Portal report prepared by National Clean Air Program, it is still covering a total of 131 cities including 3 in Uttarakhand namely Dehradun, Rishikesh and Kashipur. The budget utilised till date was 11,541 crores. On the one hand, the respondents are having to spend crores of rupees to alleviate the ills of air pollution plaguing the Doon Valley and similarly situated cities and on the other hand, only to placate petty commercial interests and to undo the effect and operation of the final order and judgment as pronounced by the Honorable Apex Court, the legal protection as granted to the notified area of Doon Valley is being systematically tampered with.

R. Because this Hon'ble Court while adjudicating WPPIL 36 of 2021 that was the case of *Ajay Narayan Sharma v. State of Uttarakhand* by its interim order dated 10th November 2021 had given a series of directions to the respondent state government with regard to the status of its biotic factors, its environmental standards, the status of its air pollution, water bodies, and natural features. Some relevant extracts of the interim order dated 10th November 2021 as passed by this Hon'ble Court are being reproduced below:

"9. Mr. Abhijay Negi, the learned counsel for the petitioner in Writ Petition (PIL) No.36 of 2021, submits that the official respondents should be directed to clearly demarcate the areas of the Khasras, and clearly indicate the area of the land which belong to the



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Government so that the public at large would know exactly which areas belong to the Government. He suggests that the pillaring should be carried out in the area.

Secondly, periodic survey needs to be carried out of the entire Doon Valley. For, because of the rampant or illegal constructions in Dehradun, and in Doon Valley, environment is being adversely affected. According to him, periodic survey should be carried out in every two years by the Survey of India. The survey should include not only the extent of urbanization, not only the extent of degradation and deforestation of the area, but should also include the health of the aquatic areas vis-à-vis the rivers or streams, the nalas, or any other water body. He further submits that the climatic condition of the area and the air quality should be surveyed. According to him, the reports so prepared should also contain the recommendations about the action to be taken in future in order to protect the environment of the entire Doon Valley. Lastly, even a timeline should be indicated in the report by which the recommendations have to be implemented by the concerned Agencies and the competent authority.

16. The respondent No.2, the learned Chief Secretary, is directed to ensure that the Survey of India carries out the complete survey of the entire State of Uttarakhand within a period of three years beginning from 01.01.2022.



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17. He is further directed to ensure that the Survey of India also surveys all the urban areas existing in the State, including the surrounding areas which may consist of forest area. The said exercise shall be carried out in every two years.

18. The said survey would not only include the extent of urbanization, the extent of forests, but would also include the survey of water bodies, mountains, and other natural resources. The survey should also include the air quality, the climatic condition, especially, any damage in the climatic condition. Lastly, the survey report should contain the recommendations with regard to the action that needs to be taken, and the timeline for taking the said action. It shall be the responsibility of the learned Chief Secretary to ensure that the recommendations are duly implemented within the stipulated time period, as contained in the report."

S. Because subsequently, this Hon'ble Court by its order dated 31st August 2022 finally disposed of WPPIL 36 of 2021 in terms of its order dated 10th November 2021.

T. Because on the one hand, the respondent Chief Secretary, Government of Uttarakhand was directed to ensure periodic surveys to safeguard the flora, fauna, and biotic factors, particularly of the area around Doon Valley, and not just the Doon Valley, but corresponding urban areas and the entire state of Uttarakhand; On the other hand, no such survey has been carried out till date, to the



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best knowledge of the petitioner. Instead, the National Clean Air Program is being utilized to secure funding, but the environmental framework of the protection of Doon Valley is being systematically dismantled.

U. Because it assumes significance as even in the past, several studies have been carried out with regard to the model of development for the Doon Valley which was once famous for legendary author Ruskin Bond's fabled tales, and for the Beatles having visited Dehradun and Rishikesh to have composed a beautiful song on the natural prowess of the Doon Valley is now facing huge crises. The National Environmental Engineering Research Institute (NEERI) Nagpur, in its report titled, "*Carrying Capacity-Based Developmental Planning of Doon Valley*", had also sketched out a model for its development and planning. However, no such plan has been adhered to, which is apparent from the fact that the air, water, and overall environmental standards of the Doon Valley have rapidly fallen.

V. Because the petitioner has no other alternative, efficacious remedy but to prefer the present writ petition under Article 226 of the Constitution of India.

PRAYER

Wherefore, in the light of facts stated, issues raised, arguments advanced and authorities cited may this Hon'ble Court be pleased to:



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- i. Issue a writ, order or direction in the nature of the *certiorari* to quash the communication dated 12th February 2025 (Annexure No.20) as authored by the Central Pollution Control Board to the Uttarakhand Pollution Control Board, wherein the different categories of industries, their distinction has been dismantled without having any saving clause /protection/exception for the Doon Valley area as notified by the notification dated 1st February 1989 (Annexure No.03) by the Government of India. — 253
- ii. Issue a writ, order or direction in the nature of *mandamus* commanding the respondent Ministry of Environment, Forest and Climate Change to recall its Draft Gazette Notification dated 21st December, 2023 (Annexure No.16) to preserve the sanctity of ecologically sensitive Doon Valley. — 221
- iii. Issue a writ, order or direction in the nature of *mandamus* commanding the respondent Government of India and the State of Uttarakhand to ensure that Doon Valley benefits from the National Clean Air Program as well as its notification dated 1st February 1989 (Annexure No.03) with regard to the regulations and restrictions imposed on its sustainable industrial development.
- iv. Issue a writ, order or direction in the nature of *mandamus* commanding compliance in letter and spirit of the final order and judgment as passed in WPPIL 36 of 2021 with regard to the status



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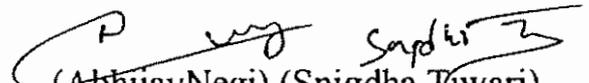
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of natural resources of the Doon Valley, such as its air, water and biotic factors survey(Annexure No.22).

- v. Issue a writ, order or direction in the nature of *mandamus* commanding the respondents Union of India, State of Uttarakhand as well as the Central Pollution Control Board and State Pollution Control Board to devise, raise and means to further strengthen the bulwark of the environmental protection in addition to what was guaranteed by the Doon Valley Notification of 1989.
- vi. Pass any other order, writ or direction that this Hon'ble Court may deem fit in the interest of justice, equity and good conscience.

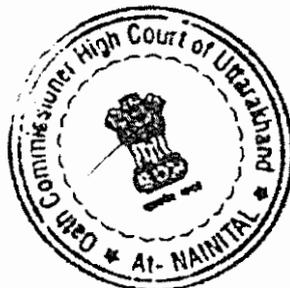
Dated: 20/1/2025


(Abhijay Negi) (Snigdha Tiwari)


(Armaan Pratap Singh)

Advocates

Counsels for the Petitioner





Abhinav

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IN THE HON'BLE HIGH COURT OF UTTARAKHAND
AT
NAINITAL
AFFIDAVIT
IN

WRIT PETITION NO. (PIL) OF 2025
(Under Article 226 of the Constitution of India)
(District :Dehradun)

Abhinav Thapar

..... Petitioner

Versus

Union of India and Ors.

..... Respondents

Affidavit of Abhinav Thapar (Male), aged about 43 years, S/o Harish Kumar Thapar R/o 260 Lane No. 12 Near Lavenier School Vijay Park Extension Dehradun Uttarakhand.

(Deponent)

I, the above named deponent does hereby solemnly affirm and state on as

under:

1. That the Deponent is the sole Petitioner in the present matter before this Hon'ble High Court and as such competent to file the instant affidavit in support of the writ petition and as such he is well acquainted with the facts of the case deposed below.

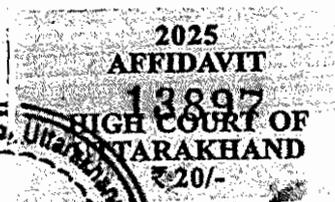
I, the deponent above named do hereby solemnly affirm on oath and verify that the contents of Paragraph No. 1 of the Affidavit and paragraph no. on No. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 of the writ petition are based on perusal of records and those of

Certified that Deponent has signed J.A.R.T.I. on his photographs in my presence
20/3/25



Handwritten signature of Abhinav Thapar

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Paragraph No.....of the writ petition are based on legal advice, which I believe to be true and no part of this affidavit is false and nothing material has been concealed.

So Help Me God

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(Deponent)

I, AbhijayNegi, Advocate, High Court of Uttarakhand, Nainital, do hereby identify the deponent Abhinav Thapar, aged about 43 years, S/o Harish Kumar ThaparR/o 260 Lane No. 12 Near Lavenier School Vijay Park Extension Dehradun Uttarakhand from his Aadhar Card No. 2487 9476 4474 and declare the person, making and swearing this affidavit, is the same person known to me from the perusal of papers, produced by him in this case.

P
Advocate *WJ*
EN-289/11
BN-14

Solemnly affirmed before me on this....20... day of04.....2025 at about 10:10 a.m / p.m. by the deponent, who has been identified by the aforesaid Advocate.

I have satisfied myself by examining the deponent that the deponent has understood the contents of this affidavit, which has been read over and explained to him by me.

(Oath Commissioner/Notary)



ANKH
ANKIT RANA
Advocate
Reg. No.- UK-340/2021
Oath Commissioner
High Court of Uttarakhand
At-NAINITAL
No.....
Dated..... 20/4/25

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Annex No-1

ITEM NO.10 Court 4 (Video Conferencing)

SECTION X

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s).903/2021

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ABHINAV THAPAR

Petitioner(s)

VERSUS

UNION OF INDIA & ANR.

Respondent(s)

(FOR ADMISSION)

Date : 08-10-2021 This petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MRS. JUSTICE B.V. NAGARATHNA

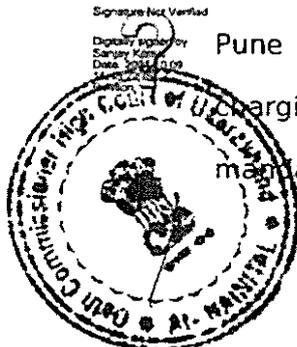
For Petitioner(s)

Mr. Krishna Ballabh Thakur, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

- 1 The petition which invokes the jurisdiction under Article 32 of the Constitution has been filed in the public interest. The specific aspect which is canvassed in the petition is that during the course of the Covid-19 pandemic, patients had to take recourse to seeking medical facilities in private hospitals as a result of the inadequacy of the public health infrastructure and there were widespread complaints of over-charging of hapless patients. Families, including of those who did not survive the pandemic, have been brought to economic ruin, as a result. The petitioner has relied upon certain instances where local bodies, such as the Pune Municipal Corporation, have issued notice to private hospitals for over-charging patients and ensured refund of excess amounts charged. A writ of mandamus is sought to the Centre and the State Governments to set up a



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mechanism for scrutinizing and auditing the bills of Covid-19 patients who have complaints of being over-charged.

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- 2 The issue which has been raised in the petition concerns a wide strata of society consisting of patients and their relatives who have been over-charged during the Covid-19 pandemic and the issue which has been raised would merit serious attention.
- 3 Issue notice to the Union of India for the present, returnable in four weeks.
- 4 Liberty to serve the Central Agency, in addition.
- 5 Liberty to amend the cause title to delete the Cabinet Secretariat, so that the Union of India is represented through the Secretary in the Ministry of Health and Family Welfare.

(SANJAY KUMAR-I)
AR-CUM-PS

(SAROJ KUMARI GAUR)
COURT MASTER



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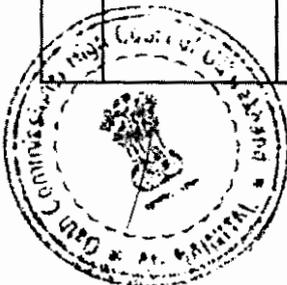
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SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS 44
	28.02.2024		<p>WPPIL No. 160 of 2022 <u>Hon'ble Ritu Bahri, C.J.</u> <u>Hon'ble Alok Kumar Verma, J.</u></p> <ol style="list-style-type: none"> 1. Mr. Abhijay Negi and Ms. Snigdha Tiwari, learned counsel for petitioner. 2. Mr. B.S. Parihar, learned Standing Counsel for the State of Uttarakhand. 3. Mr. Amit Anand Tiwari, learned Senior Counsel assisted by Mr. Parikshit Saini, learned counsel for respondent no. 2. 4. Heard learned counsel for the parties. 5. Pursuant to the order dated 07.07.2023, as of today 166 <i>ad hoc</i> employees, who were appointed without following the procedure, have been regularised in the year 2015, and 227 <i>ad hoc</i> employees, who were not appointed as per law, have been removed on 23.09.2022. To this extent, facts are not in dispute between the parties. 6. The next question for consideration is what steps the respondents have taken regarding these wrong appointments made, without following any procedure of selection, even on <i>ad hoc basis</i> as per G.O. dated 06.02.2003. 7. The respondents are given direction to file an affidavit, what steps they have taken, as per the Government Order dated 06.02.2003. 8. List on 20.06.2024. <p style="text-align: center;"> (Alok Kumar Verma, J.) (Ritu Bahri, C.J.) 28.02.2024 28.02.2024 </p> <p>Rahul</p>



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SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	21.04.2023		<p style="text-align: right;">45</p> <p>WPPIL No. 117 of 2021 <u>Hon'ble Vipin Sanghi, C.J.</u> <u>Hon'ble Alok Kumar Verma, J.</u></p> <ol style="list-style-type: none"> 1. Mr. Abhijay Negi, learned counsel for the petitioner. 2. Mr. S.S. Chaudhary, learned Brief Holder for the State of Uttarakhand. 3. Respondent no. 1 has filed the counter affidavit, along with IA No. 03 of 2023. 4. IA No. 03 of 2023 is allowed. Delay in filing the counter affidavit is condoned. The counter affidavit is taken on record. 5. Petitioner may file the rejoinder to the counter affidavit of respondent no. 1 before the next date. 6. The other respondents, who have not yet filed their counter affidavit, may file the same within four weeks. 7. Rejoinder before the next date. 8. List on 14.06.2023. <p style="text-align: center;"> (Alok Kumar Verma, J.) (Vipin Sanghi, C.J.) 21.04.2023 21.04.2023 </p> <p>Rahul</p>



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SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS 46
	08.11.2021		<p>WPPIL No. 163 of 2021</p> <p><u>Hon'ble Raghvendra Singh Chauhan, CJ.</u></p> <p><u>Hon'ble N.S. Dhanik, J.</u></p> <p>Mr. Abhijay Negi, learned counsel for the petitioner.</p> <p>Mr. K.N. Joshi, learned Deputy Advocate General for the State of Uttarakhand.</p> <p>Mr. G.K. Verma, learned Additional Chief Standing Counsel for the State of Uttarakhand.</p> <p>Mr. Shobhit Saharia, learned counsel for THDC.</p> <p>For the reasons stated in the affidavit filed in support of the Amendment Application (IA No. 1 of 2021), the Amendment Application is allowed.</p> <p>The learned counsel for the petitioner is</p>



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			<p>directed to file the amended writ petition within one week. He is also directed to furnish a copy of the amended writ petition to Mr. Shobhit Saharia, the learned counsel for THDC and to the other learned counsel.</p> <p>Dr. Kartikey Hari Gupta, the learned counsel, is directed to accept notice on behalf of respondent No. 5.</p> <p>Four weeks' time is granted to Dr. Kartikey Hari Gupta, the learned counsel for respondent No. 5, to file his counter-affidavit.</p> <p>List this case after four weeks.</p> <p>(N.S. Dhanik, J.) (Raghvendra Singh Chauhan, CJ)</p> <p>08.11.2021 08.11.2021</p> <p>Rathour</p>
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A.

Ankit
ANKIT RANA
 Advocate
 Reg. No. - UK-348/2021
 Oath Commissioner
 High Court of Uttarakhand
 AL-NAINITAL
 Sl. No. 13897
 Dated 20/11/21

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Some of the mines which were ordered to be closed down had earlier been refused renewal of their mining licences. These mines, however, continued to operate under the orders of various courts which had granted extension of their leases pending the final orders of the courts. This Court, in its order dated 12th March, 1985 had therefore, directed that if any mining lessee of a mine, which had been ordered to be closed down, was running under the first grant or under Court's orders after its expiry, it would not be entitled to take advantage of that position.

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In its order dated 16th December, 1986 this Court recognised the need to strike a balance between preservation and utilisation of deposits, and urged the Government to take a policy decision in the matter. The Government thereupon set up another committee to examine the working of the limestone mining operations in the Doon valley. This Committee inspected six mines which were operating. Three of these mines were operating under valid mining leases and the other three, whose leases had expired in December 1982? were operating under orders of different courts.

Keeping in view the reports of the committee and the submissions at the Bar, the Court passed further orders.

On behalf of the lessees it was contended: (1) decision of this Court dated 12th March, 1985 was final in certain aspects including the release of the A category mines outside the city limits from the proceedings, and in view of such finality it is not open to this Court in the same proceedings at a later stage to direct differently in regard to what has been decided earlier; (2) during the pendency of these writ petitions, the Environment Protection Act of 1986 has come into force and since that Statute and the Rules made thereunder provide detailed procedure to deal with the situations that arise in these cases, this Court should no more deal with the matter and leave it to be looked into by the authorities under the Act, and (3) there would be a total stalemate in the manufacture of drugs and sugar, as also steel, in case mining activity is stopped.

Disposing of the writ petition, this Court,

HELD: (1) "Forest" was initially a State subject covered by Entry 19 in List II of the Seventh Schedule. In 1976, under the 42nd Amendment the Entry was deleted and Entry 17-A in the Concurrent List was inserted. The change from the State List to the Concurrent List was brought about

PG NO 692

following the realisation of the Central Government that 'forests' were of national importance and should be placed in the Concurrent List to enable the Central Government to deal with the matter. The same amendment of the Constitution brought in Article 48, A and Article 51A(g) is Part IVA. [713H; 714A-B]

(2) The Forest (Conservation) Act, 1980 does not permit mining in the forest area. If mining activity even to a limited extent is permitted in future, it would be not congenial to ecology and environment, and the natural calm and peace which is a special feature of this area in its normal condition shall not be restored. This tourist zone in its natural setting would certainly be at its best if its serenity is restored in the fullest way. [710E-F]

(3) By the Court's order of 12th March, 1985, the A category mining leases outside the city limits were only exempted from further scrutiny and not released from the proceedings. If the court really intended to release the A category mines outside the city limits, it could very well have done so in clear terms. [706E-H]

...nation by this Court when it made the order



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by. Maintenance of the environment and ecological balance is the obligation of the State and the Central Governments and unless there was any real objection to the opinion of the Union of India as to continuing or closing down of mining activity, it should have been taken in the proper light and the little modified stand adopted in the second affidavit should have been welcomed.

In another part of our judgment we have found that the entire area is more or less forest. Many portions are reserved while others constitute forest land. It is indisputable that mining operations are detrimental to forest growth. In fact the Union Government in the Ministry of Environment and Forest have on 31st May, 1988, informed the Secretaries of all the State Governments in the Department of Forest that even mining area below the forests would affect the forests.

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The variation of the stand in the second affidavit that mining activity should be totally stopped is certainly an improvement on the stand taken in the first affidavit but we do not think there is any inconsistency in the stand inasmuch as the justification in support of the plea of total closure has been indicated.

Even before any of these two affidavits was filed this Court in its order of 19th of October, 1987, had clearly indicated that mining activity in this area should be totally stopped. The view expressed in the second affidavit is in accord with what this Court has stated. On assessment of the factual position, we do not think there is any substance in the argument advanced on behalf of the Uttar Pradesh Government, UPSMDC or any other mine owner which would justify our rejecting the second affidavit. We would

PG NO 726

like to add that this is not a case of a somersault as contended on behalf of the State Government of Uttar Pradesh nor has it been occasioned by any illegitimate consideration.

The point which still remains to be dealt with is whether mining activity should be totally stopped immediately.

It is the accepted-position by all parties that low silica content limestone is necessary for manufacturing class steel. The earlier LD process is being abandoned by new factories and even some are switching over to new methods but for quite some time there would be demand for low silica content limestone for manufacture of steel by the LD process. The alternate source which has been indicated in these two affidavits of the Union of India is not readily available to the fullest extent. The Gotan Jaisalmer belt has to be worked out in full swing and that would take some time. The main difficulty for the Jaisalmer production to reach the consumers is the location of the mining area. It has no broad-gauge rail connection and admittedly the location is in the interior. The consumer would immediately face transport difficulty until there is conversion of the railway track to broad-gauge and surface transport facility improves. Even if these facilities are made available, the distant location is bound to reflect itself in the cost factor.

The question of foreign exchange component does not seem to be very material as the required type of mineral is indigenously available and import may not be necessary when the production in Rajasthan area increases. The fact that in the recent past the Tata Iron and Steel Company has made some imports has indeed no real bearing on the question as that import has been necessitated on account of the closure



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of the mines in this area and non-availability of the material from the alternate indigenous source.

We have already recorded a finding elsewhere in this judgment that most of these mines are either within reserved forests or in forest lands, as covered by the U.P. Amendment of the Forest Act. To these areas the Forest Conservation Act applies and to allow mining in these areas even under strictest control as a permanent feature would not only be violative of the provisions of Forest (Conservation) Act but would be detrimental to restoration of the forest growth in a natural way in this area. Once the importance of forests is realised and as a matter of national policy and in the interests of the community, preservation of forests is accepted as the goal, nothing which would detract from that

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end should be permitted. In such circumstances we reiterate our conclusion that mining in this area has to be totally stopped.

There was some controversy as to whether some of the mines were located in the reserved forests. We have not made any attempt to resolve that controversy here as, in our opinion, whether the mines are within the reserved forests or, in other forest area, the provisions of the Conservation Act apply.

We do not agree with the submission advanced by Mr. Nariman for the intervener, Mr. Sibbal for the Uttar Pradesh Government, Mr. Yogeshwar Prasad for the UPSMDC, Dr. Singhvi for some of the mine owners and similar contentions advanced by other counsel of different mine lessees that there would be a total stalemate in the manufacture of drugs and sugar, as also steel, in case mining activity is stopped; yet we would accept this position that these would be hard-hit if mining activity in this area is stopped all of a sudden. With the pressing demand in the market and discovery of useful limestone deposits in other parts of the country apart from what has been indicated in the second affidavit of the Union of India the trade would adjust itself as every economic activity does. We are, however, of the view that the position should be monitored and the switch-over from the present position to a total ban should be spread over a period and not be sudden.

We have already taken note of the fact that for different reasons several mines are closed down and only six, as indicated in another part of this judgment, are working. Now that we have found that some mining activity for some more time in this area may be permitted under strict regulation, we have now to decide which of the mines may be permitted to work and for what period as also subject to what conditions.

Majority of the mining leases was granted in 1962. The lease period being 20 years, the original period of lease has expired in all such cases where the leases commenced from 1962. But following are the mines where the original grant is still valid and their date of expiry is separately indicated :

PG NO 728

S.No.	Name of the lessee	Lease No.	Valid up-to
1.	U .P. S.M .D . C.	94	10.3. 1996
2.	Sh. R.K. Oberai	72	10.4. 1994
3.	Punjab Lime & Lime-stone Co.	96	12.12.1989

Apay three, there are four other mines which are also operating under decrees/orders of Courts as per the



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details below :

S. No.	Name of the lessee	Lease No.	Lease expired
1.	Punjab Lime & Stone Co.	14(ii)	2. 12. 82
2.	Ch. Ved Pal Singh	16	2. 12.82
3.	Seth Ram Avtar	17	2. 12. 82
4.	Sh. C. C.;. Gujaral	76	15. 12. 82

In all these cases, the leases have expired and the lessor Government refused to renew them. The lessees have obtained orders from the Court and are working continuously. In view of what we have held, the orders or decrees become inoperative and are deemed to have been set aside by this judgment. Mining in these four leases must stop within one month from today.

Apart from the three working mines specified above where the Original Lease period is yet to expire, there are six other A category mines with valid leases which are not working now as per the particulars below :

S.No.	Name of the lessee	Lease No.	Valid up to
1.	New Era Minerals	4	25.2.1990
2.	U. P. Minerals	8	10.4.1994
3.	Rajgiri Minerals	9	24.11.1992
4.	Anand Brothers	67	15.2.1992
5.	Uttarakhand Minerals	98	12.12.1989
6.	Vijayashree Minerals	99	20.3.1990

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These mines are not operating at present for one reason or the other. On the 12th of May, 1985, the mines within the municipal limits of Mussoorie were directed to close down until they were cleared by the Bandyopadhyay Committee and that Committee did not clear any. So far as the first five mines are concerned, they are either within the municipal limits or within the forest area. We do not think it appropriate to allow them to operate until their lease periods lapse particularly when we have reached the conclusion that mining operation in this area should close down. An exception has to be made in the case of the mine being lease No. 99 where the lease period has to expire in 1990. The lease is of 15 acres of land and another 100 acres are from some private source. Mr. Jain appearing for the lessee had undertaken before us that over the 100 acres, there would be no mining operation and the lessee would immediately restore vegetation over the area and full forest growth will be available in regard to the 100 acres. The mine is neither within forest nor municipal area and minerals from this area would be removed not through the city limits. He has also assured us that immediately after the lease period is over, which would be about a year and half from now, the 15 acres would also be subject to real forestation by the lessee. He has agreed to file a undertaking in this Court which we direct him to, do within four weeks hence. On the undertaking being filed this mine, as a special case, shall be permitted to operate until the expiry of the lease. The Committee appointed under this order shall supervise the reafforestation programme undertaken by the lessee of lease No. 99 and in case it is of the view that the mine is not being properly worked out.



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on the report of the Committee to that effect, permission to work the lessee may be varied.

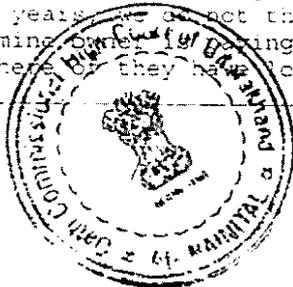
Mr. Jain appearing for another lessee and Mr. Pramod Dayal appearing for the lessee in respect of lease No. 67 had tried to make out specific cases. During the hearing of these cases we had felt impressed by what had been placed before us but since we have now taken a decision to close down mining activity in the area we do not think fresh mining operations where mining has already been stopped- whatever be the ground-should on principle be permitted. To make out a special case for a few lessees from amongst similarly placed mine owners of small differences for being permitted to work out stopped mines, in our opinion, would not be appropriate at this stage. On the other hand to treat them all as a class and subject them to a common order would be just and proper. We reiterate that the exception in the case of lease No 99 is for testing the genuineness of the representation of the lessee and in consideration of the smallness of the area.

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We would like to notice at this place the contention of Dr. Singvi that A Category mine owners should not suffer on account of this Court's order and similar treatment to all A category mine owners should be given. There can be no two opinions about the Court extending equal treatment to all equally placed parties before it. It is, however, not correct that the A category mines which are operating and those that are closed down are similarly situate. In fact, when the Court made the earlier order asking for closing down, the distinction was noticed and on that basis orders involving different treatments had been made. It may be that we have not found the distinction to be a tenable one at a later stage. But in the peculiar situation emerging in this case we do not accept the submission of Dr. Singhvi that those A category mines which had stopped working should be permitted to run. There are certain situations where in the interest of general benefit to the community, interests of individual citizens may be over-looked. We are satisfied that this situation attracts that principle to operate and even if some of the mine owners are worse affected than some others, permission to reopen the mines located in the forests and within municipal limits cannot be granted with a view to compensating them for being placed at par with the less affected group.

It is perhaps necessary to indicate why these three on going mines whose original lease period has not lapsed are being permitted to continue mining. We have already taken note of the position that UPSMDC is a public sector undertaking of the State of Uttar Pradesh and there has been a huge investment by the State in this establishment. It gives sizeable output. Though certain defects have been pointed out in its activities by the Working Group, we are of the opinion that if appropriately controlled, mining activities can be regulated and simultaneously reafforestation can be activated. So far as R.K. Oberai is concerned, the Working Group has found least objection against it. The lease of Punjab Lime & Limestone Company shall have life of a little more than one year. All these three mines are running their initial lease period. No additional exercises are necessary to make them operative. If any of these mines is closed down there would be problem of unemployment. In regard to the mines closed for more than three years we do not think the labour is sitting idle and the mine owners are not employing them. They must have got employed elsewhere where they have lost their service and have taken to



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alternate engagement. In our opinion, therefore, allowing these three on-going mines to operate for their initial period of lease is the most appropriate direction that can be given during the switch over from the present position to one of complete closing down of mining operation. We, therefore permit these three mines to continue mining

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operation subject to compliance with all legal requirements and the additional conditions which we shall hereafter indicate.

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The next aspect to be considered is as to under what conditions mining operation by these three lessees should be permitted. The objections raised by the Working Group against the UPSMDC are germane and legitimate. We shall require this lessee to meet all these objections within a period of four months from now. If by the end of December, 1988, the lessee fails to comply with this direction to the satisfaction of the Monitoring Committee which is being setup by this Judgment, the Monitoring Committee is empowered to direct closing down of the mine subject to any other direction of this Court. So far as the other two mines are concerned, whatever objections have been raised by the Working Committee shall also be removed within the same time limit and on failure of compliance, they too shall be visited with the same consequences.

There is no dispute that continuance of mining operations affects environment and ecology adversely and at the same time creates a prejudicial situation against conservation of forests. It is, therefore, necessary that each of these working mines shall have to work with an undertaking given to the Monitoring Committee that all care and attention shall be bestowed to preserve ecological and environmental balance while carrying on mining operations. 25% of the gross profits of these three mines shall be credited to the Fund Incharge of the Monitoring Committee in such manner as the Committee may direct and the Committee shall ensure maintenance of ecology and environment as also reforestation in the area of mining by expending money from the fund. In the event of expenses exceeding the contribution by these three respective lessees, the Committee shall report to this Court for directions. On the expiry of their respective leases, they shall not be entitled to carry mining operation and by operation of this judgment shall have to wind up. No application for renewal shall be entertained from them. These three lessees as also any other lessee shall not be entitled to any compensation for closing down of the mines under orders of this Court.

In the Order of 12th March, 1985, a three Judge Bench of this Court had indicated that the mine owners who had been displaced should be rehabilitated. There is no material on record if any alternate provision has been made either by the State of Uttar Pradesh or the Union of India. On-going leases have been terminated under orders of this Court

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without provision for compensation. Indisputably displacement has been suffered by these lessees and the sudden displacement must have up-set their activities and brought about substantial inconvenience to them. The Court has no other option but to close down the mining activity in the broad interests of the community. This, however, does not mean that the displaced mine owners should not be provided with alternative occupation. Pious observation or even a direction in that regard may not be adequate, what is necessary is to see the frame functioning if rehabilitation is to be made. It is therefore, necessary that a



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Committee should be set up to over-see the rehabilitation of the displaced mine owners. The Uttar Pradesh Government, as apprehended by many of these mine owners, by itself may not be able to meet the requirements of the situation. It may be that all the displaced mine owners may not find suitable placement within the State of Uttar Pradesh. It is, therefore, necessary to associate of some other States in the programme. Unless a High Powered Committee is set up wherein Union of India is also represented, the Committee to be constituted may not be effective and there may be lack of coordination. There is material that lime stone quarries are available in Rajasthan and Gujarat. It is, therefore, necessary that representatives of these State Governments are also on the Committee. We accordingly direct a Committee to be set up with representatives of the Union of India, the State Governments of Uttar Pradesh, Rajasthan and Gujarat. While effecting rehabilitation by giving alternate mining sites, ecology and environment will have to be considered. It is, therefore, necessary that that such Committee the Ministry of Environment should also be represented. Apart from them there should at least be two experts. We direct constitution of a Rehabilitation Committee with the following members:

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1. Secretary, Department of Mines, Government of India-Chairman.
2. Secretary, Department of Environment and Forest. Government of India-Member.
3. Secretaries, Department of Mining of the States of Uttar Pradesh, Rajasthan and Gujarat-Members. Mr. Anil Aparwal of Centre for Science and Environment, C-92, Kalkaji, New Delhi, and Mr. Subrata Sinha, Senior Deputy Director General, Geological Survey of India, 27, Jawaharlal Nehru Road, Calcutta, are nominated as the expert members of this Committee. The Committee shall have an officer of the grade of Under Secretary to the Government of India as its Secretary and the minimum skelton staff for carrying its

PG NC 733

activities. For convenience, the office may be located for the time being in the Ministry of Steel and Mines at New Delhi. The Ministry of Environment and Forest is directed to deposit a sum of Rs.3 Lacs in the Registry of this Court within four weeks from today to be transferred to the Committee for the purpose of the Committee subject to appropriate accounts to be rendered to the Ministry concerned. The Committee is directed to make an initial report on the problem and the manner it proposes to tackle it within eight weeks from today. On the basis of such report, further directions shall be made. The laws in force shall have to be kept in view and the above-named members are directed to extend full cooperation with zeal and a sense of under-standing of the problems so that rehabilitation can be done as a part of the environmental programme.

The Court is of the view that a Monitoring Committee is necessary for reafforestation of the areas as also for over-seeing the running of the three mines. The State of Uttar Pradesh has already undertaken a reafforestation programme in the area. The record, however, does not indicate much of improvement yet. We have taken note of the position that the Uttar Pradesh Government has a Master Plan for the Doon Valley spread over a quarter of century beginning with 1986. Since the Court has stepped in to close down mining operation in this area except to a very limited extent, we are of the view that a High Powered Committee should be set up to look after reafforestation, mining, activities and all



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other aspects necessary to bring about natural normalcy in the Doon Valley. Mr. K.P. Geetakrishnan, a Member of the Indian Administrative Service, now Secretary, Forest, Wild Life and Environment in the Central Government, in our opinion, should be made the Chairman of the Monitoring Committee. Mr. D. Bandy-opadhyay, a member of the Indian Administrative Service, now Secretary, Department of Revenue in the Central Government, who, had headed a Committee set up by this Court is aware of the problems of this area. We are of the opinion that he should be made a Member of the Monitoring Committee. The Head of the Indian Defence Academy, the Head of the Indian Forest Institute, the Head of the establishment of ONGC (all located at Dehradun), the secretary, Forest Department of the Uttar Pradesh and the Chairmen of the Mussoorie and Dehradun municipalities, and two public spirited citizens-one belonging to Mussoorie and another to Dehradun area are to be the members of this Committee. The two non-official members shall be co-opted by the Committee. The Committee shall have its office at Dehradun in the accommodation to be provided either by the ONGC or the Forest Staff College. The

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Government of Uttar Pradesh is directed to deposit a sum of Rs.5 Lacs for creating the initial fund of the Monitoring Committee. The amount should be deposited in the Registry of this Court within four weeks from now. It shall be open to the Monitoring Committee to appoint a skeleton staff with the suitable officers to run the establishment. We hope and expect that the concerned Governments will permit their officers to undertake the respective assignments in public interest and we expect the officers also to extend their whole-hearted support to work out the trust reposed in them. The Monitoring Committee shall have powers to over-see reafforestation in the area by the State of Uttar Pradesh and undertake an appropriate scheme of reafforestation. It shall ensure that mining activity by the three on-going mines is carried out in accordance with law and with appropriate safeguards from environment and ecology point of view. It shall also ensure that the scree is removed from the natural streams and the flow of water is maintained. After the Committee makes its initial report within eight weeks from now to the Registry further directions as necessary shall be given.

It is not our intention to continue control over these matters. Once this Court is satisfied that the Committees are operating on the right lines we shall consider whether it is any longer necessary for the Court to supervise their activity.

Before we part with the case, we must indicate our appreciation of services rendered by the petitioners and their counsel to the cause, the cooperation and understanding extended by the mine owners, their counsel, the Members of the several Committees constituted by the Court but for which these proceedings could not have come to terminate in the present manner. The records of the case have become unusually bulky and but for the continued assistance of Mr. Pramod Dayal, a member of the bar of this Court, it would indeed have been difficult for us as also parties and their advocates to handle the matter with ease. Mr. Pramod Dayal deserves our commendation for the labour he has put in. He was appearing for some of the lessees but the Assisted the Court very willingly as and when called upon. We are of the view that he should be paid a total sum of Rs.5,000 Rupees, Five Thousand only for the services rendered. We direct the Union of India to deposit the said



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amount with the Registry of this Court within two weeks from now. This amount when deposited shall be paid to Mr. Parmod Daya!.

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The writ petitions are disposed of. There would be no order for A costs. We direct that the reports of the two Committees, as and when received, shall be placed before this Court for directions.
R.S.S.

Petitions disposed of.

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Ankit
ANKIT RANA
Advocate
Reg. No. - UK-340/2021
Oath Commissioner
High Court of Uttarakhand
AI-NAINITAL

Sl. No. 3897
Dated. 20/4/25



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MINISTRY OF ENVIRONMENT & FORESTS
(Department of Environment, Forests & Wildlife)

New Delhi, the 1st February 1989

NOTIFICATION

Notification under 3(2)(v) of Environment (Protection) Act, 1986, and Rule 5(3)(d) of Environment (Protection) Rules, 1986, restricting location of industries, mining operations and other development activities in the Doon Valley in Uttar Pradesh.

S.O. 102(E)--Whereas notification under sub-rule (3) of rule 5 of the Environment (protection) Rules, 1986, inviting objections against the imposition of restriction on location of industries, mining operations and other developmental activities in the Doon Valley, in Uttar Pradesh was published vide No. S.O. 923(E), dated the 6th October, 1988;

And whereas all objections received have been duly considered by the Central Government:

Now, therefore, in exercise of the Powers conferred by Clause (d) of sub-rule (3) of Rule (5) of the said rules, the Central Government hereby imposes restrictions on the following activities in the Doon Valley, bounded on the North by Mussoorie ridge, in the North-East by Lesser Himalayan ranges, on the South-West by Shivalik ranges, river Ganga in the South-East and river Yamuna in the North-West, except those activities which are permitted by the Central Government after examining the environmental impacts:

- (i) Location/siting of industrial units--It has to be as per guidelines given in the annexure or guidelines as may be issued from time to time by the Ministry of Environment & Forests, Government of India.
- (ii) Mining--Approval of the Union Ministry of Environment & Forests must be obtained before starting any mining activity.



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Annexure-3
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- (iii) Tourism--It should be as per Tourism Development Plan (TDP), to be prepared by the State Department of Tourism and duly approved by the Union Ministry of Environment & Forest 58
- (iv) Grazing--As per the plan to be prepared by the State Government and duly approved by the Union Ministry of Environment & Forests.
- (v) Land Use--As per Master Plan of development and Land Use Plan of the entire area, to be prepared by the State Government and approved by the Union Ministry of Environment & Forests.

(No. J-20012/38/86-IA)
K. P. GEETHAKRISHNAN
Secretary.

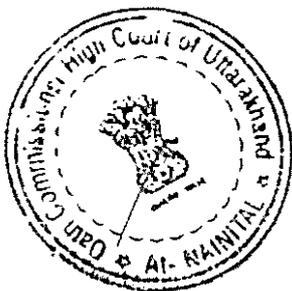
ANNEXURE

Guidelines for permitting/restricting industrial units in the Doon Valley area

Industries will be classified under Green, Orange and Red Categories, as shown below for purposes of permitting/restricting such industrial units in the Doon Valley from the environmental and ecological considerations:

CATEGORY GREEN

- A. LIST OF INDUSTRIES IN APPROVED INDUSTRIAL AREAS, WHICH MAY BE DIRECTLY CONSIDERED FOR ISSUE OF NO OBJECTION CERTIFICATE WITHOUT REFERRING TO (MINISTRY OF ENVIRONMENT & FORESTS) (IN CASE OF DOUBTS REFERENCE WILL BE MADE TO MINISTRY OF ENVIRONMENT & FORESTS).
1. All such non-obnoxious and non-hazardous industries employing upto 100 persons. The obnoxious and hazardous industries are those using inflammable, explosive, corrosive or toxic substances.



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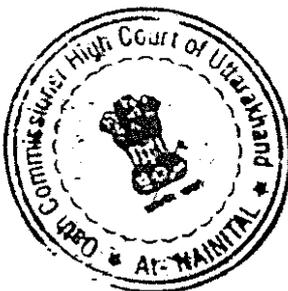
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2. All such industries which do not discharge industrial effluents of a polluting nature and which do not undertake any of the following processes:

Electroplating
 Galvanising
 Bleaching
 Degreasing
 Phosphating
 Dyeing
 Pickling, tanning
 Polishing
 Cooking of fibres and Digesting
 Desizing of Fabric
 Unhairing, Soaking, deliming and bating of hides
 Washing of fabric
 Trimming, Pulling, juicing and blanching of fruits and vegetables
 Washing of equipment and regular floor washing, using of considerable cooling water
 Separated milk, buttermilk and whey
 Stopping and processing of grain
 Distillation of alcohol, stillage and evaporation
 Slaughtering of animals, rendering of bones, washing of meat
 Juicing of sugar cane, extraction of sugar Filtration, centrifugation, distillation
 Pulping and fermenting of coffee beans
 Processing of fish
 Filter back wash in D.M. Plants exceeding 20 K.l. per day capacity
 Pulp making, pulp processing and papermaking
 Coking of coal washing of blast furnace flue gases,
 Stripping of oxides;
 Washing of used sand by hydraulic discharge;
 Washing of latex etc.
 Solvent extraction.

3. All such industries which do not use fuel in their manufacturing process or in any subsidiary process and which do not emit fugitive emissions of a diffused nature.



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Industries not satisfying any one of the three criteria are recommended to be referred to Ministry of Environment & Forests.

The following industries appear to fall in non-hazardous, non-obnoxious and non-polluting category, subject to fulfilment of above three conditions :

1. Atta-chakkies
2. Rice Mullors
3. Iceboxes
4. Dal mills
5. Groundnut decortinating (dry)
6. Chilling
7. Tailoring and garment making
8. Apparel making
9. Cotton and woollen Hosiery
10. Hand loom weaving
11. Shoe lace manufacturing
12. Gold and silver thread and sari work
13. Gold and silver smithy
14. Leather foot wear and leather products excluding tanning & hide processing
15. Manufacture of mirror from sheet glass and photo-frame
16. Musical instruments, manufacturing
17. Sports goods
18. Bamboo and cane products (only dry operations)
19. Card Board and paper products (Paper & pulp manufacture excluding)
20. Insulation and other coated papers (Paper & pulp manufacture excluded)
21. Scientific and Mathematical instruments
22. Furniture (Wooden and Steel)
23. Assembly of Domestic electrical appliances
24. Radio assembling
25. Fountain pens
26. Polythene, plastic and P.V.C. goods through extrusion/moulding
27. Surgical gauges and bandages



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28. Railway sleepers (only concrete)
29. Cotton spinning and weaving
30. Rope (cotton and plastic)
31. Carpet weaving
32. Assembly of Air coolers
33. Wires, pipes-extruded shapes from metals
34. Automobile servicing & repair stations
35. Assembly of Bicycles, baby carriages and other small non-motorized vehicles.
36. Electronics equipment (assembly)
37. Toys
38. Candles
39. Carpentry-excluding saw mill
40. Cold storages (small scale)
41. Restaurants
42. Oil-ginning/expelling (non-hydrogenation and no refining)
43. Ice cream
44. Mineralized water
45. Jobbing & Machining
46. Manufacture of Steel trunks & suit cases
47. Paper pins & U-clips
48. Block making for printing
49. Optical frames

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CATEGORY ORANGE

B. LIST OF INDUSTRIES THAT CAN BE PERMITTED IN THE DOON VALLEY WITH PROPER ENVIRONMENTAL CONTROL ARRANGEMENT.

1. All such industries which discharge some liquid effluents (below 500 kl/day) that can be controlled with suitable proven technology.
2. All such industries in which the daily consumption of coal/fuel is less than 24mt/day and the particulars emissions from which can be controlled with suitable proven technology.
3. All such industries employing not more than 500 persons.



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The following industries with adoption of proven pollution control technology subject to fulfilling the above three condition fall under this category :

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1. Lime manufacture-pending decision on proven pollution control device and Supreme Court's decision on quarrying.
2. Ceramics
3. Sanitaryware;
4. Tyres and tubes.
5. Refuse incineration (controlled)
6. Flour mills;
7. Vegetable oils including solvent extracted oils;
8. Soap without steam boiling process and synthetic detergents formulation.
9. Steam generating plants.
10. Manufacture of office and house-hold equipment and appliances involving use of fossil fuel combustion
11. Manufacture of machineries and machine tools and equipment
12. Industrial gases (only Nitrogen, Oxygen and CO_2)
13. Miscellaneous glassware without involving use of fossil-fuel combustion.
14. Optical glass
15. Laboratory ware
16. Petroleum storage & transfer facilities.
17. Surgical and medical products including & prophylactics and latex products
18. Foot-wear (Rubber)
19. Bakery products, Biscuits & Confectioners
20. Instant tea/coffee; coffee processing
21. Malted food
22. Manufacture of power driven pumps, compressors refrigeration units, fire fighting equipment etc.
23. Wire drawing (cold process) & bailing straps.
24. Steel furniture, fasteners etc.
25. Plastic processed goods
26. Medical & Surgical instruments
27. Acetylene (synthetic)
28. Glue & gelatine
29. Potassium permanganate
30. Metallic sodium



A. Adhikar

31. Photographic films, papers & photographic chemicals
32. Surface coating industries
33. Fragrances, flavours & food additives
34. Plant nutrients (only manure)
35. Aerated water/soft drink.

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NOTE :-

- (a) Industries falling within the above identified list shall be assessed by the state pollution control Board and referred to the Union Department of Environment for consideration, before according No Objection Certificate.
- (b) The total number of fuel burning industries that shall be permitted in the Valley will be limited by 8 tonnes per day of Sulphur Dioxide from all sources. (This corresponds to 400 tonnes per day Coal with 1% sulphur).
- (c) Siting of Industrial areas should be based on sound criteria.

CATEGORY RED**C. LIST OF INDUSTRIES THAT CANNOT BE PERMITTED IN THE DOON VALLEY**

1. All those industries which discharge effluents of a polluting nature at the rate of more than 500 kl/day and for which the natural course for sufficient dilution is not available, and effluents from which cannot be controlled with suitable technology.
2. All such industries employing more than 500 persons/day.
3. All such industries in which the daily consumption of coal/fuel is more than 24 mt/day.



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The following industries appear to fall under this category covered by all the points as above:

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1. Ferrous and non-ferrous metal extraction, refining, casting, forging, alloy making processing etc.
2. Dry Coal Processing/Mineral processing industries like Ore sintering beneficiation, pelletization etc.
3. Phosphate rock processing plants.
4. Cement plants with horizontal rotary kilns.
5. Glass and glass products involving use of coal.
6. Petroleum refinery
7. Petro-chemical Industries
8. Manufacture of lubricating oils and greases
9. Synthetic rubber manufacture;
10. Coal, oil, wood or nuclear based thermal power plants
11. Vanaspati, hydrogenated vegetable oils for industrial purposes
12. Sugar mills (White and Khandasari)
13. Craft paper mills
14. Coke oven by products and coal tar distillation products
15. Alkalies
16. Caustic soda
17. Potash
18. Electro-thermal products (artificial abrasives, Calcium carbide etc.)
19. Phosphorous and its compounds
20. Acids and their salts (organic & inorganic)
21. Nitrogen compounds (Cyanides, cyanamides and other nitrogen compounds)
22. Explosive (including industrial explosives, detonators & fuses)
23. Phthalic anhydride
24. Processes involving chlorinated hydrocarbon
25. Chlorine, flourine, bromine, iodine & their compunds
26. Fertilizer industry
27. Paper board and straw boards
28. Synthetics fibres
29. Insecticides, fungicides, herbicides & pesticides (basic manufacture & formulation).



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30. Basic drugs
31. Alcohol (Industrial or potable) 65
32. Leather industry including tanning and processing
33. Coke making, coal liquification and fuel gas making industries
34. Fibre glass production and processing
35. Manufacture of pulp-wood, pulp, mechanical or chemical (including dissolving pulp)

36. Pigment dyes and their intermediates
37. Industrial carbons (including graphite electrodes, anodes, midget electrodes, graphite blocks, graphite crucibles, gas carbons activated carbon, synthetic diamonds, carbon black, channel black, lamp black etc.)
38. Electro-chemicals (other than those covered under Alkali group)
39. Paints, enamels & varnishes
40. Polypropylene
41. Poly Vinyl chloride
42. Cement with vertical shaft kiln technology pending certification of proven technology on pollution control
43. Chlorates, perchlorates & peroxides
44. Polishes
45. Synthetic resin & plastic products.



Ankit
ANKIT RANA
 Advocate
 Reg. No.- UK-340/2021
 Oath Commissioner
 High Court of Uttarakhand
 At-NAINITAL
 Sl. No. 3897
 Dated 20/4/21

Ankit Rana



भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

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पर्यावरण और वन मंत्रालय

आदेश

नई दिल्ली, 4 जुलाई, 2005

का.आ. 943(अ).—पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उप-नियम (3) के खण्ड (घ) के अधीन, उन क्रियाकलापों के सियाय, जिन्हें पर्यावरणी समाघातों की जांच करने के लिए केन्द्रीय सरकार द्वारा अनुज्ञात किया जाता है, दून घाटी उच्चतंचल में विभिन्न क्रियाकलापों पर निर्बंधन अधिविरोधित करने वाली अधिसूचना का.आ. 102(अ) तारीख 1 फरवरी, 1989 द्वारा जारी की गई थी;

और उक्त अधिसूचना ने उद्योगों को तीन प्रवर्गों में वर्गीकृत किया है, अर्थात्, हरा, नारंगी और लाल और दून घाटी क्षेत्र में औद्योगिक इकाइयों को अनुज्ञा देने और उनको निर्बंधित करने के लिए मार्गदर्शी सिद्धांतों को भी विहित किया है;

और नारंगी प्रवर्ग के अंतर्गत आने वाले उद्योगों को राज्य प्रदूषण नियंत्रण बोर्ड द्वारा निर्धारण किए जाने की और उन्हें "अनापत्ति प्रमाणपत्र" प्रदान करने से पूर्व पर्यावरण और वन मंत्रालय में केन्द्रीय सरकार को विनिर्दिष्ट किए जाने की अपेक्षा की जाती है;

और अब यह सुनिश्चित किया गया है कि उक्त अधिसूचना में यथा-विनिर्दिष्ट नारंगी प्रवर्ग के अधीन आने वाले प्रस्तावों पर का.आ. 60(अ) तारीख 27 जनवरी, 1994 द्वारा जारी पर्यावरण समाघात निर्धारण अधिसूचना के अनुसार पर्यावरणीय निकासी की अपेक्षा करने वाले उद्योगों के रूप में कार्रवाई की जाएगी।

अतः अब पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 5 में प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश दिया जाता है कि अधिसूचना संख्यांक का.आ. 102(अ) तारीख 1 फरवरी, 1989 द्वारा प्रवर्गीकृत नारंगी उद्योग के प्रवर्ग के अंतर्गत आने वाले दून घाटी, उच्चतंचल के विकास संबंधित प्रस्ताव वैसी प्रक्रिया का पालन करेंगे जैसी राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से समय-समय पर यथा-संशोधित का.आ. 60(अ) तारीख 27 जनवरी, 1994 द्वारा जारी पर्यावरण समाघात निर्धारण अधिसूचना, 1994 के अधीन उद्योग सेक्टर परियोजनाओं के पर्यावरण निकासी के लिए पालन किया जा रहा है।

[फर. सं. जे-11013/25/2005-आई.ए. II(1)]

आर. चन्द्रमोहन, संयुक्त सचिव

MINISTRY OF ENVIRONMENT AND FORESTS

ORDER

New Delhi, the 4th July, 2005

S.O. 943(E).—Whereas a notification under clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, imposing restrictions on various activities in Doon Valley Utranchal, except those activities which are permitted by the Central Government for examining the environmental impacts, was issued vide No. S.O. 102(E) dated the 1st February, 1989;

And whereas the said notification classified industries into three categories; namely, green, orange and red and also prescribed guidelines for permitting and restricting industrial units in Doon Valley Area;

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And whereas industries falling in the orange category are required to be assessed by State Pollution Control Board and referred to the Central Government in the Ministry of Environment and Forests before granting 'No Objection Certificate';

And whereas it has now been decided that proposals covered under the orange category, as specified in the said notification shall be dealt with as industries requiring environmental clearance as per the Environment Impact Assessment Notification, 1994, issued vide No. S.O. 60(E) dated the 27th January, 1994.

Now, therefore, in exercise of the powers conferred by Section 5 of the Environment (Protection) Act, 1986, it is hereby directed that all proposals, relating to development in Doon Valley, Uttaranchal falling in the category of orange industry categorized vide notification No. S.O. 102(E) dated the 1st February, 1989, shall follow the same procedure as is being followed for the environment clearance of Industry Sector Projects under Environment Impact Assessment Notification, 1994 issued vide No. S.O. 60(E) dated the 27th January, 1994 as amended from time to time with effect from the date of publication of this notification in the Official Gazette.

[F. No. J-11013/25/2005-IA. II(T)]
R. CHANDRAMOHAN, Jt. Secy.



Ankit
ANKIT RANA
Advocate
Reg. No.- UK-340/2021
Oath Commissioner
High Court of Uttarakhand
Al-NAINITAL
Sl. No. 13897
Dated 20/4/15

AT *Abhinav*

Annexure-5

**Uttaranchal Environment Protection and Pollution
Control Board**
E-115 Nehru Colony, Dehradun

68

Ref. UEPPCB/HO/Office Order-220/ 1029

September 23, 2005

24,

Office Order

U.P Pollution Control Board vide their office order No. G.O 2164/37/ARM/97 dated 03-06-97 had exempted 220 types of non polluting and non hazardous small scale industries from obtaining Consent to establish which is also being followed by Uttaranchal Environment Protection and Pollution Control Board till date. And these industries were required to take consent to establish from General Manager, District industries centre.

It is therefore, notified for information and clarification to general public and all concerned and affected there by thereby that small scale industries of non-obnoxious to this order shall now be exempt from the Consent to establish (NOC) from Uttaranchal Environment Protection and Pollution Control Board. These industries shall however, be required to submit their application in prescribed format alongwith the prescribed documents in the Board office and the acknowledgement of the same shall be treated as approval of the Board. No separate NOC from G.M., D.I.C as Board shall be required. These industries are also not required to obtain consent to operate from the State Pollution Control Board. The acknowledgement of submission of the application alongwith prescribed documents for obtaining Consent to operate shall be treated as Consent to operate.

The proposed activity shall conform to the norms for noise as per the Noise Pollution (Regulation & Control) Rules, 2000. For any violation the industry shall be liable for appropriate action under the provisions of water Act, 1974 and Air Act, 1981.



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It is further clarified that any type of industry in the Doon Valley and covered by Doon Valley Notification No. 56 dated February 01, 1989 by Ministry of Environment & Forests, Govt of India shall be required to obtain consent to establish from the Uttaranchal Environment Protection and Pollution control Board.

Industries which do not satisfy any one of the criteria mentioned above or carry out any modification, extension or addition in their industrial processes shall be required to obtain consent to establish from UEPPCB before their establishment or modification or extension as per the provisions of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

(Ranbir Singh)
Member Secretary



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Schedule-1

Non obnoxious/non-Hazardous industries are those which do not use inflammable, explosive, corrosive, or toxic substances and which do not discharge any industrial effluent of polluting nature and which do not use such fuel in the manufacturing process or in any subsidiary process which emit fugitive emissions and which do not use power load more than 05 KVA and which do not employ any of the following processes.

- o Electroplating
- o Galvanizing
- o Bleaching
- o Degreasing
- o Phosphating
- o Dyeing
- o Pickling, Tanning
- o Polishing
- o Cooking of fibers and digesting
- o Designing of Fabric
- o Unhairing , soaking, Deliming, Bating of hides
- o Trimming, puling & Juicing and blanching of Fruits & Vegetables
- o Washing of Fabric
- o Washing of equipment and regular floor washing, using of considerable cooling water
- o Stopping and processing of grain
- o Distillation of Alcohol, Stillage, Evaproation
- o Slaughtering of animals, rendering of Bones , washing of Meat.
- o Juicing of Sugar cane, extraction of sugar, filtration, centrifugation, distillation
- o Pulping of fermenting of coffee beans.
- o Processing of fish
- o Filter Backwash in D.M. plant exceeding 20 KLD
- o Pulp.making, pulp process and pape making



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- o Coking of coal, Washing of blast furnace flue gases
- o stripping of oxides
- o Washing of used sand by Hydraulic discharge
- o washing of latex etc.
- o solvent extraction
- o Chemical processing

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Ankit
ANKIT RANA
 Reg. No.- UK-340/2021
 Advocate
 Oath Commissioner
 High Court of Uttarakhand
 AI-NAINITAL
 Sl. No.
 Dated. 20/11/25

[Handwritten signature] Abhinav

Uttarakhand Environment Protection and
Pollution Control Board
29/20, Nemi Road, Dehradun (Uttarakhand)

HEAD OFFICE



उत्तराखण्ड पर्यावरण संरक्षण एवं प्रदूषण नियंत्रण बोर्ड
29/20, नेमी रोड, झलनवाला, देहरादून (उत्तराखण्ड)

Phone: 01351 262828; Fax: 01351 271822; E-mail: ueppcb@ueppcb.com; Web: www.ueppcb.uk.gov.in

OFFICE ORDER

72

Classification of Industrial Sectors as Red, Orange, Green and White Categories

In compliance of the directions issued under section-18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 by the Central Pollution Control Board, vide letter dated 07.03.2016, regarding Harmonization of Classification of Industrial Sectors into Red, Orange, Green and White categories, and with approval of the Competent Authority of the Board, the new categorization/classification of industrial sectors for consent mechanism shall be as follows:

- | | | |
|--------------------|---|---|
| 1. Red Category | - | Annexure - 1 (Table: G-2 of Directions) |
| 2. Orange Category | - | Annexure - 2 (Table: G-3 of Directions) |
| 3. Green Category | - | Annexure - 3 (Table: G-4 of Directions) |
| 4. White Category | - | Annexure - 4 (Table: G-5 of Directions) |

The new Categorization/Classification of industrial sectors shall be applicable in the State except area covered under Doon Valley Notification and shall come into force with immediate effect.

Validity period of Consent/Authorization shall remain as per Office Order ref. No. UEPPCB/HO/Gen-325/700-156 issued on dated 22.04.2016.

(Vinod Singhal)
Member Secretary

Ref: UEPPCB/HO/Gen-256/2016/862-193

Dehradun, April, 2016

09/05/16

Copy to following for information and necessary action:

1. Additional Chief Secretary, Forest and Environment, Govt. of Uttarakhand, Dehradun.
2. Member Secretary, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Sahadara, Delhi - 110032.
3. Principal Secretary/Secretary, Industrial Development, Govt. of Uttarakhand, Dehradun.
4. Principal Secretary, MSME, Govt. of Uttarakhand, Dehradun.
5. Managing Director, SIDCUL, IT Park, Sahashradhara Road, Dehradun.
6. Director, Directorate of Industry, Industrial Area, Patel Nagar, Dehradun.
7. Sh. Harish Advani, NIC Gujrat, Gandhinagar. Email: harish.advani@nic.in
8. Environment Engineer/Scientific Officer, UEPPCB, Head Office, Dehradun - with complete set of directions issued by CPCB for ready reference.
9. Regional Officer (I/c), Regional Office, UEPPCB, Kashipur/Haldwani/Roorkee/Dehradun - with complete set of directions issued by CPCB for ready reference.
10. Information Officer-Envis Project, UEPPCB, Dehradun.
11. Guard file.

Member Secretary



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केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
(पर्यावरण एवं वन मंत्रालय, भारत सरकार)
(MINISTRY OF ENVIRONMENT & FORESTS, GOVT. OF INDIA)

No.B-29012/ESS(CPA)/2015-16/

March 07, 2016

To

The Chairman
All the State Pollution Control Boards / Pollution Control Committees
(List Attached)

93

SUB: MODIFIED 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 HARMONIZATION OF CLASSIFICATION OF INDUSTRIAL SECTORS UNDER RED / ORANGE / GREEN / WHITE CATEGORIES.

WHEREAS, under section 16 (2)(b) of the Water (Prevention and Control of Pollution) Act, 1974 and under Section 16 (2)(c) of the Air (Prevention & Control of Pollution) Act, 1981, one of the functions of the Central Pollution Control Board (CPCB), constituted under the Water (Prevention and Control of Pollution) Act, 1974, is to coordinate activities of the State Pollution Control Boards (SPCBs) and Pollution Control Committees (PCCs); and

WHEREAS, under section 16 (2)(c) of the Water (Prevention and Control of Pollution) Act, 1974 and under Section 16 (2)(d) of the Air (Prevention & Control of Pollution) Act, 1981, one of the functions of the CPCB is to provide technical assistance and guidance to SPCBs and PCCs; and

WHEREAS, it was brought to the notice of CPCB, that different SPCBs / PCCs were following different criteria for classification of industrial sectors under Red/Orange/ Green category and that classification was being used by the SPCBs/PCCs for grant of consents to industries and for Inventorization / surveillance of industries.

WHEREAS, the issue regarding classification of industries was deliberated upon in the 56th Conference of Chairmen & Member Secretaries of CPCB & SPCBs/PCCs held on August 31, 2010 and a working group comprising of representatives from SPCBs & CPCB was constituted to prepare a consolidated list of industrial sectors falling under Red/Orange/Green category to bring uniformity in classification of industrial sectors across the country;

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

'Parivesh Bhawan', East Arjun Nagar, Delhi - 110032

102030, फ़ोन / Fax : 22305793, 22307078, 22307079, 22301932, 22304948

e-mail : cpcb@nic.in Website : www.cpcb.nic.in



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WHEREAS, the report prepared by the Working Group was discussed in the 57th Conference of Chairmen & Member Secretaries of CPCB & SPCBs/PCCs held in Delhi on September 15, 2011, wherein some modifications were proposed;

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WHEREAS, the final report of the working group was prepared, incorporating the suggestions/observations made in the 57th Conference of Chairmen and Member Secretaries of CPCB & SPCBs/PCCs and in exercise of the powers delegated to the Chairman, CPCB under Section 18(1)(b) of the Water Act, 1974, following directions were issued for compliance to all SPCBs/PCCs to maintain uniformity in categorization of industries as red, orange and green as per list finalized by CPCB, which identified 85 types of industrial sectors as 'Red', 73 industrial sectors as 'Orange' and 86 sectors as 'Green':

a). To maintain uniformity in categorization of industries under Red/ Orange/Green category, the SPCBs /PCCs shall adopt the list as finalized by CPCB based on the recommendations of that Working Group for grant of Consent, inventorization of industries under Red, Orange and Green categories and other related activities.

(b). The SPCBs/PCCs shall revise the list of Red, Orange and Green categories of industries operating in their jurisdiction based on the criteria specified in the final report of that Working Group and submit the same to CPCB within 90 days in hard copy as well as soft copy;

WHEREAS, later-on, it was observed that the process of categorization thus far was primarily based on the size of the industries and consumption of resources and pollution due to discharge of emissions and effluents and its likely impact on health was not considered as primary criteria;

WHEREAS, there have been proposals from the SPCBs / PCCs and industrial associations for categorization of the industrial sectors in a more pragmatic manner. The issue was discussed during the national level conference of the Environment Ministers of the States, held in New Delhi during April 06-07, 2015 and also during the Conference of the Chairmen and Member Secretaries of CPCB and SPCBs/PCCs held in New Delhi on April 08, 2015. Accordingly, a 'Working Group' comprising of the Members from Central Pollution Control Board and State Pollution Control Boards representing the States of Andhra Pradesh, Punjab, Tamilnadu, West Bengal, Madhya Pradesh and Maharashtra, was constituted to revisit the criteria of categorization of industries and suggest rationale based on pollution potential for categorization of industrial sectors and adopting it for implementation of pollution control plan;

WHEREAS, the Working Group has developed the criteria of categorization of industrial sectors based on the concept of Pollution Index which is a function of the emissions (air pollutants), effluents (water pollutants), hazardous wastes generated and consumption of For this purpose the references are taken from the the Water (Prevention and Control



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of Pollution) Cess (Amendment) Act, 2003, Standards so far prescribed for various pollutants under Environment (Protection) Act, 1986 and Doon Valley Notification, 1989 issued by MoEFCC. The Pollution Index (PI) of any industrial sector is a number from 0 to 100 and the increasing value of PI denotes the increasing degree of pollution load from the industrial sector;

WHEREAS, based on the series of consultations with SPCBs, different Government / Non-government Institutions including industries and MoEFCC, the following criteria on 'Range of Pollution Index' for the purpose of categorization of industrial sectors has been finalized:

- o Industrial Sectors having Pollution Index score of 60 and above - Red category
- o Industrial Sectors having Pollution Index score of 41 to 59 -Orange category
- o Industrial Sectors having Pollution Index score of 21 to 40 -Green category
- o Industrial Sectors having Pollution Index score incl. & upto 20 -White category

WHEREAS, based on the revised criteria, the 'Final Report on Revised Categorization of Industrial Sectors under Red/Orange/Green/White' has been evolved. The 'Categorization' is based on the relative pollution potential of the industrial sectors and grouping of the industrial sectors based on the use of raw materials, manufacturing process adopted and pollutants likely to be generated;

WHEREAS, based on relative Pollution Index, the number of industries in various categories are as under :

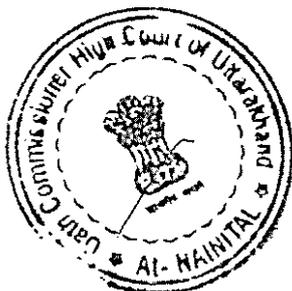
- i. The Red category of industrial sectors: 60
- ii. The Orange category of industrial sectors: 83
- iii. The Green category of industrial sectors: 63 and
- iv. The Newly introduced White category: 36

WHEREAS, there shall be no necessity of obtaining the Consent to Operate" for White category of industries and an intimation to concerned SPCB / PCC shall suffice;

WHEREAS, the purpose of categorization is to ensure that the industry is established in a manner consistent with the environmental objectives and to prompt industrial sectors to adopt cleaner technologies, ultimately resulting in generation of no or minimum pollutants.

WHEREAS the new categorization system shall also facilitate in self-assessment by industries;

Now, therefore, in exercise of the powers delegated to the Chairman, CPCB under Section 18(1)(b) of the Water (Prevention & Control of Pollution) Act, 1974 and Section 18(1)(b) of the Air (Prevention & Control of Pollution), Act, 1981 the earlier Directions issued in June 2012 in the context of categorisation of industries as Red, Orange & Green are withdrawn with immediate effect and following 'Directions' are hereby issued for compliance by all SPCBs and PCCs :



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1. That the SPCBs and PCCs shall adopt the Revised Criteria of categorization of industrial sectors as detailed in table nos. F1, F2, F3 and F4 and Revised Lists of Red, Orange, Green and White categories of industrial sectors, presented at table no. G2, G3, G4 and G5 respectively, in the 'Final Report' as attached herewith immediately.
2. That all pending applications for consideration of 'Consent to Establish' and 'Consent to Operate' and future such applications shall be processed as per revised criteria.
3. That the SPCBs and PCCs will provide the list of industries identified in each category existing in the State which have been considered for grant of consents. SPCBs/PCCs will forward the list of such industries before 31.05.2016 and the same will be uploaded on the websites of respective SPCB/PCC.
4. That the 'Revised Lists of Red, Orange, Green and White category of industrial sectors' shall be used by the SPCBs and PCCs for Consent Management and inventorization of industries under Red, Orange, Green and White categories. Siting of industries shall be only in conforming areas. SPCBs / PCCs shall evolve sector specific plans for control of pollution and industrial surveillance for verifying compliance.
5. That the SPCBs and PCCs shall revise /prepare the inventory of Red, Orange, Green and White categories of industries operating in their jurisdiction based on the revised criteria specified in the Final Report and submit the same to CPCB within 90 days i.e., before 30.05.2016 in hard copy as well as soft copy.
6. That the listed category of industries or those identified later-on under different categories shall not be linked to sanction of loan /finance or bank proceedings.
7. That any further addition of any new or left-over industrial sector and their categorization which is not listed in the revised list of Red, Orange, Green and White industrial sectors, shall be done at the level of concerned SPCB /PCC following revised criteria & guidelines as detailed in the attached document and no concurrence of CPCB shall normally be required. It is further clarified that while categorizing the industries, fractional numbers shall be rounded off to nearest integer.



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The SPCBs/PCCs shall acknowledge the receipt of directions and submit the 'Action Taken Report' in compliance with these directions to CPCB before 15.04.2016.

(Arun Kumar Mehta)
Chairman

7/3/16

Copy to:

1. The Chief Secretary of all the States and UTs
2. The Secretary ,
Ministry of Micro, Small and Medium Entrepreneurs
Udyog Bhawan, Rafi Marg, New Delhi - 110 011
3. The Secretary ,
Ministry of Heavy Industries
Udyog Bhawan, Rafi Marg, New Delhi - 110 011
4. The Secretary,
Ministry of New and Renewable Energy
Block-14, CGO Complex,
Lodhi Road, New Delhi-110 003,
5. The Advisor(CP Division)
Ministry of Environment ,Forests and Climate Change
Indira Paryavaran Bhawan
Jor Bagh Road, New Delhi - 110 003
6. All Zonal Offices of CPCB

(A. B. Ahoikar) 5.3.16
Member Secretary



S/S

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Uttarakhand Environment Protection and
Pollution Control Board
29/20, Nemi Road, Deharwal, Dehradun (Uttarakhand)

HEAD OFFICE



उत्तराखण्ड पर्यावरण संरक्षण एवं प्रदूषण नियंत्रण बोर्ड
29/20, नेमी रोड, झलनवाला, देहरादून (उत्तराखण्ड)

Phone: (0135) 265034; Fax: (0135) 273892; E-mail: ueppcb@uk.gov.in; www.ueppcb.uk.gov.in

OFFICE ORDER

78

Classification of Industrial Sectors as Red, Orange, Green and White Categories

In compliance of the directions issued under section-18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 by the Central Pollution Control Board, vide letter dated 07.03.2016, regarding Harmonization of Classification of Industrial Sectors into Red, Orange, Green and White categories, and with approval of the Competent Authority of the Board, the new categorization/classification of industrial sectors for consent mechanism shall be as follows:

- | | | |
|--------------------|---|---|
| 1. Red Category | - | Annexure - 1 (Table: G-2 of Directions) |
| 2. Orange Category | - | Annexure - 2 (Table: G-3 of Directions) |
| 3. Green Category | - | Annexure - 3 (Table: G-4 of Directions) |
| 4. White Category | - | Annexure - 4 (Table: G-5 of Directions) |

The new Categorization/Classification of industrial sectors shall be applicable in the State except area covered under Doon Valley Notification and shall come into force with immediate effect.

Validity period of Consent/Authorization shall remain as per Office Order ref. No. UEPPCB/HO/Gen-325/700-156 issued on dated 22.04.2016.

(Vinod Singhal)
Member Secretary

Ref: UEPPCB/HO/Gen-256/2016/862-193
Copy to following for information and necessary action:

Dehradun, April, 2016
09/05/16

1. Additional Chief Secretary, Forest and Environment, Govt. of Uttarakhand, Dehradun.
2. Member Secretary, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Sahadara, Delhi - 110032.
3. Principal Secretary/Secretary, Industrial Development, Govt. of Uttarakhand, Dehradun.
4. Principal Secretary, MSME, Govt. of Uttarakhand, Dehradun.
5. Managing Director, SIDCUL, IT Park, Sahashradhara Road, Dehradun.
6. Director, Directorate of Industry, Industrial Area, Patel Nagar, Dehradun.
7. Sh. Harish Advani, NIC Gujrat, Gandhinagar. Email: harish.advani@nic.in
8. Environment Engineer/Scientific Officer, UEPPCB, Head Office, Dehradun - with complete set of directions issued by CPCB for ready reference.
9. Regional Officer (I/c), Regional Office, UEPPCB, Kashipur/Haldwani/Roorkee/Dehradun - with complete set of directions issued by CPCB for ready reference.
10. Information Officer-Envis Project, UEPPCB, Dehradun.
11. Guard file.



ANKIT RANA
Advocate
Reg. No. - UK-340/2021
Oath Commissioner
High Court of Uttarakhand
At-NAINITAL

Member Secretary

Sl. No. 13897
Dated 20/4/16

Abhinav

[भाग II-खण्ड 3(ii)]

भारत का राजपत्र : असाधारण

Annex-7₃

टिप्पण: मूल अधिसूचना भारत के राजपत्र में, असाधारण, भाग II, धारा 3, उप-धारा (ii), संख्या का.आ. 102 (अ), तारीख 1 फरवरी, 1989 को प्रकाशित की गई थी।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

79

NOTIFICATION

New Delhi, the 6th January, 2020

S.O. 94(E).—WHEREAS, *vide* notification number S.O. 102(E), dated the 1st February, 1989 (hereinafter referred as the said notification) the erstwhile Ministry of Environment and Forests imposed restriction on location of industries, mining operations and other developmental activities in the Doon Valley, bounded on the North by Mussoorie ridge, in the North-East by Lesser Himalayan ranges, on the South-West by Shivalik ranges, river Ganga in the South-East and river Yamuna in the North-West in erstwhile Uttar Pradesh (now Uttarakhand), keeping in view the environmental impact in the region;

AND WHEREAS, in respect of the said notification certain directions have been issued *vide* notification number S.O. 943 (E), dated the 4th July, 2005 and S.O. 2125 (E), dated the 13th December, 2007;

AND WHEREAS, in the meantime the Central Pollution Control Board (CPCB) has also issued directions on the categorisation of industries *vide* letter No. B-29012/ESS(CPA)/2015-16, dated the 7th March, 2016;

AND WHEREAS, the Government of Uttarakhand *vide* letter No. 122/D-3-19-13(04)/2018, dated the 10th April, 2019 requested the Ministry of Environment, Forest and Climate Change for amendment in the said notification;

AND WHEREAS, the Ministry of Environment, Forest and Climate Change has examined the request of the Government of Uttarakhand;

AND WHEREAS, there is a need to consolidate the amendments and the directions as above and also to harmonise the conditions based on the said directions and amendments;

NOW THEREFORE, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 read with sub-rule (4) of Rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the said notification and impose following conditions in respect of the activities falling the Doon Valley comprising of the above criteria, namely: -

In the said notification, for clauses (i), (ii), (iii), (iv), (v) and ANNEXURE, the following shall be substituted, namely:-

(i) **Location/siting of industrial units** – It has to be as per modified directions issued by the Central Pollution Control Board (CPCB) *vide* letter No. B-29012/ESS(CPA)/2015-16, dated the 7th March, 2016 under section 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 regarding harmonization of classification of industrial sectors under red/orange/green/white categories and as may be amended from time to time by the CPCB and the Ministry of Environment, Forest and Climate Change.

(ii) **Mining** – Approval of the Union Ministry of Environment, Forest and Climate Change must be obtained before starting any mining activity.

(iii) **Tourism** – It should as per Tourism Development Plan (TDP), to be prepared by the State Department of Tourism and duly approved by the Union Ministry of Environment, Forest and Climate Change.



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THE GAZETTE OF INDIA : EXTRAORDINARY

[PART II—SEC. 3(ii)]

(iv) **Grazing** – As per the plan to be prepared by the State Government and duly approved by the Union Ministry of Environment, Forest and Climate Change.

(v) **Land Use** – As per Master Plan of development and Land Use Plan of the entire area, to be prepared by the State Government and approved by the Union Ministry of Environment, Forest and Climate Change.

Note:

- (a) Red categories of industries shall not be permitted in Doon Valley;
- (b) The total number of fuel burning industries that shall be permitted in the Doon Valley shall be limited by 8 tonnes per day of Sulphur Dioxide from all sources. (This corresponds to 400 tonnes per day Coal with 1 % Sulphur);
- (c) Siting of Industrial areas shall be based on the prescribed criterion and with prior approval of Competent Authority;
- (d) Existing orange categories industries, which are now in the red categories of industries shall be continued, however, no expansion shall be allowed.”.

[F. No. 25/6/2012-ESZ]

DR. SATISH C. GARKOTI, Scientist 'G'

Note: The principal notification was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide number S.O. 102 (E), dated the 1st February, 1989.

Ankit
ANKIT RANA
 Advocate
 Reg. No.- UK-340/2021
 Oath Commissioner
 High Court of Uttarakhand
 AI-NAINITAL
 SI No. 20/4/11



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1. The question for consideration is remedial measures to be adopted to enforce the Ambient Air Quality Standards with reference to the provisions of the Air (Prevention and Control of Pollution) Act, 1981 (the Air Act) and the Environment (Protection) Act, 1986 (the EP Act) in 124 cities classified as 'Non-Attainment Cities' (NACs)¹ based on monitoring of the ambient air quality. Though initially scope of consideration was limited to NACs, we propose to cover other air polluted areas where air quality is poor and above in this order. Further question is compliance of Noise Pollution (Regulation and Control) Rules, 2000 (Noise Rules) framed under the provisions of the EP Act.

2. The Government of India (GoI) has prepared National Clean Air Programme (NCAP) proposing to reduce the pollution in next 10 years - 35% in next 3 years, 50% in next 5 years and 70-80% in next 10 years but question remains whether preparation of such programme is enough to discharge the Constitutional obligation to ensure maintenance of air quality standards as per norms so that health of the citizens is not adversely affected. While all efforts to reduce pollution are welcome, this cannot be understood to condone violations of laid down air quality standards till pollution reduction is achieved. Efficacy of the programme is required to be tested with reference to result on the ground in terms of reduction of pollution. If infact instead of reduction, pollution is increasing, what further measures are required and what directions are called for by this Tribunal under Sections 15/20 of the NGT Act, 2010.

II. Order dated 08.10.2018: Constitution of AQMC in States for preparing action plans to control air pollution for NACs

¹ NAC has been defined as those "Cities which are exceeding annual average concentrations of any of the notified parameters with respect to National Ambient Air Quality Standards for consecutive five years".



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3. Proceedings were initiated suo motu vide order dated 08.10.2018, based on the newspaper report² to the effect that 102 cities (later increased to 124) were identified as NACs for not meeting the prescribed standards of air quality. Such reported violations gave rise to substantial question of environment requiring directions of this Tribunal for protection of environment by requiring enforcement of statutory standards of air quality for giving effect to the sustainable development and in the interest of public health. Adverse health impact of air pollution is well acknowledged.
4. Categories of air quality and its adverse health effect can be noticed from following tables extracted from the judgment of the Hon'ble Supreme Court in *Arjun Gopal & Ors. v. UOI & Ors.*³:

Table 1

AQI	Associated Health Impacts
Good (0-50)	Minimal impact.
Satisfactory (51-100)	May cause minor breathing discomfort to sensitive people.
Moderately polluted (101-200)	May cause breathing discomfort to people with lung disease such as asthma, and discomfort to people with heart disease, children and older adults.
Poor (201-300)	May cause breathing discomfort to people on prolonged exposure, and discomfort to people with heart disease.
Very Poor (301-400)	May cause respiratory illness to the people on prolonged exposure. Effect may be more pronounced in people with lung and heart diseases.
Severe (401-500)	May cause respiratory impact even on healthy people, and serious health impacts on people with lung/heart disease. The health impacts may be experienced even during light physical activity.

Table 2

AQI Category, Pollutants and Health Breakpoints								
AQI category (Range)	PM ₁₀ 24-hr	PM _{2.5} 24-hr	NO ₂ 24-hr	O ₃ 8-hr	CO 8-hr (mg/m ³)	SO ₂ 24-hr	NH ₃ 24-hr	Pb 24-hr
Good (0-50)	0-50	0-30	0-40	0-50	0-1.0	0-40	0-200	0-0.5
Satisfactory (51-100)	51-100	31-60	41-80	51-100	1.1-2.0	41-80	201-400	0.5-1.0

² Dated 03.08.2019 in the Times of India under the heading "NCAP with multiple timelines to clean air in 102 cities to be released around August 15".
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Moderately polluted (101-200)	101-250	61-90	81-180	101-168	2.1-10	81-380	401-800	1.1-2.0
Poor (201-300)	251-350	91-120	181-280	169-208	10-17	381-800	801-1200	2.1-3.0
Very poor (301-400)	351-430	121-250	281-400	209-748*	17-34	801-1600	1200-1800	3.1-3.5
Severe (401-500)	430+	250+	400+	748+*	34+	1600+	1800+	3.5+

5. The Air Act stipulates stopping of any activity violating norms of air quality and taking steps for prosecution or other regulatory measures⁴ which have been read to include recovery of compensation on 'Polluter Pays' principle⁵. National Ambient Air Quality Standards are laid down under Section 16(2)(h) of the Air Act. Notification dated 18.11.2009, issued by the CPCB is as follows:

"In exercise of the powers conferred by Sub-section (2) (h) of section 16 of the Air (Prevention and Control of Pollution) Act, 1981 (Act No. 14 of 1981), and in super session of the Notification No(s). S.O. 384(E), dated 11th April, 1994 and S.O. 935(E), dated 14th October, 1998, the Central Pollution Control Board hereby notify the National Ambient Air Quality Standards with immediate effect, namely:-

NATIONAL AMBIENT AIR QUALITY STANDARDS

S. No.	Pollutant	Time Weighted average	Concentration in Ambient Air		Methods of Measurement
			Industrial, Residential, Rural and Other Area	Ecologically sensitive area (notified by Central Govt.)	
(1)	(2)	(3)	(4)	(5)	(6)
1	Sulphur Dioxide (SO ₂), mg/m ³	Annual*	50	20	<ul style="list-style-type: none"> Improved West and Geake Ultraviolet fluorescence
		24 hours**	80	80	
2	Nitrogen Dioxide (NO ₂), mg/m ³	Annual*	40	30	<ul style="list-style-type: none"> Modified Jacob & Hochheiser (Na-Arsenite) Chemiluminescence
		24 hours**	80	80	

⁴ Section 22 read with Section 31A of the Air Act and

⁵ Aryavart Foundation Vs. M/s Vapi Green Enviro Limited & Ors. O.A No. 95/2018, Indian Council for Enviro Legal Action & Ors. v. Union of India & Ors. (1996) 3 SCC 212 Para 16, Vellore Citizens Welfare Forum v. Union of India & Ors. (1996) 5 SCC 647 Para 12 to 18 - holding that 'Polluter Pay' principle is accepted principle and part of environmental law of the country, even without specific statute.



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3	Particulate Matter (size less than 10 μm) or PM_{10} mg/m^3	Annual*	60	60	<ul style="list-style-type: none"> • Gravimetric • TOEM • Beta attenuation
		24 hours**	100	100	
4	Particulate Matter (size less than 2.5 microns) or $\text{PM}_{2.5}$ mg/m^3	Annual*	40	40	<ul style="list-style-type: none"> • Gravimetric • TOEM • Beta attenuation
		24 hours**	60	60	
5	Ozone (O_3) mg/m^3	8 hours**	100	100	<ul style="list-style-type: none"> • UV photometric • Chemiluminescence • Chemical method
		1 hour**	180	180	
6	Lead (Pb) mg/m^3	Annual*	0.5	0.5	<ul style="list-style-type: none"> • ASS / ICP method after sampling on EPM 2000 or equivalent filter paper • ED - XRF using Teflon filter
		24 hours**	1.0	1.0	
7	Carbon Monoxide (CO) mg/m^3	8 hours**	2	2	Non Dispersive Infra RED (NDIR) Spectroscopy
		1 hour**	4	4	
8	Ammonia (NH_3) mg/m^3	Annual*	100	100	<ul style="list-style-type: none"> • Chemiluminescence • Indophenol blue method
		24 hours**	400	400	
9	Benzene (C_6H_6) mg/m^3	Annual*	5	5	<ul style="list-style-type: none"> • Gas chromatography based continuous analyser • Adsorption and desorption followed by GC analysis
10	Benzo (a) Pyrene (BaP) - particulate phase only ng/m^3	Annual*	1	1	Solvent extraction followed by HPLC / GC analysis
11	Arsenic (As) ng/m^3	* Annual*	6	6	AAS / ICP method after sampling on EPM 2000 or equivalent filter paper
12	Nickel (Ni) ng/m^3	Annual*	20	20	AAS / ICP method after sampling on EPM 2000 or equivalent filter paper

* Annual arithmetic mean of minimum 104 measurements in a year at a particular site taken twice a week 24 hourly at uniform intervals.

** 24 hourly or 8 hourly or 1 hourly monitored values, as applicable, shall be complied with 98% of the time in a year. 2% of the time, they may exceed the limits but not on two consecutive days of monitoring.

Note: Whenever and wherever monitoring results on two consecutive days of monitoring exceed the limits specified above for the respective category, it shall be considered adequate reason to institute regular or continuous monitoring and further investigation."

6. The Central Pollution Control Board (CPCB) compiled its report on the basis of NAMP data for the years from 2014-2019 and published a list



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of 102 NACs⁶. Presently, the list has gone upto 124 NACs which is as follows:

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"List of 124 Non-Attainment cities"

State	S. No.	City
Andhra Pradesh (13)	1.	Guntur
	2.	Kurnool
	3.	Nellore
	4.	Vijayawada
	5.	Vishakhapatnam
	6.	Anantapur
	7.	Chittoor
	8.	Eluru
	9.	Kadapa
	10.	Ongole
	11.	Rajahmundry
	12.	Srikakulam
	13.	Vizianagaram
Assam (05)	14.	Guwahati
	15.	Nagaon
	16.	Nalbari
	17.	Sibsagar
Bihar (03)	18.	Silchar
	19.	Patna
Chandigarh (01)	20.	Gaya
	21.	Muzaffarpur
Chhattisgarh (03)	22.	Chandigarh
	23.	Bhilai
	24.	Korba
Delhi (01)	25.	Raipur
	26.	Delhi
Gujarat (03)	27.	Surat
	28.	Ahmedabad
	29.	Vadodara
Himachal Pradesh (7)	30.	Baddi
	31.	Damtal
	32.	Kala Amb
	33.	Nalagarh
	34.	Paonta Sahib
	35.	Parwanoo
	36.	Sunder Nagar
Jammu & Kashmir (2)	37.	Jammu
	38.	Srinagar



⁶ https://cbse.nic.in/uploads/Non-Attainment_Cities.pdf

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Jharkhand (01)	39.	Dhanbad
Karnataka (04)	40.	Bangalore
	41.	Devanagere
	42.	Gulbarga
	43.	Hubli-Dharwad
Madhya Pradesh (06)	44.	Bhopal
	45.	Dewas
	46.	Indore
	47.	Sagar
	48.	Ujjain
	49.	Gwalior
Maharashtra (18)	50.	Akola
	51.	Amravati
	52.	Aurangabad
	53.	Badlapur
	54.	Chandrapur
	55.	Jaigaon
	56.	Jalna
	57.	Kolhapur
	58.	Latur
	59.	Mumbai
	60.	Nagpur
	61.	Nashik
	62.	Navi Mumbai
	63.	Pune
	64.	Sangli
	65.	Solapur
	66.	Ulhasnagar
	67.	Thane
Meghalaya (01)	68.	Byrnihat
Nagaland (02)	69.	Dimapur
	70.	Kohima
Orissa (07)	71.	Angul
	72.	Balasore
	73.	Bhubaneswar
	74.	Cuttack
	75.	Rourkela
	76.	Talcher
	77.	Kalinga Nagar
	78.	Dera Bassi
	79.	Gobindgarh
	80.	Jalandhar



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Punjab (09)	81.	Khanna
	82.	Ludhiana
	83.	Naya Nangal
	84.	Pathankot/Dera Baba
	85.	Patiala
	86.	Amritsar
Rajasthan (05)	87.	Alwar
	88.	Jaipur
	89.	Jodhpur
	90.	Kota
	91.	Udaipur
Tamilnadu (03)	92.	Thoothukudi
	93.	Trichy
	94.	Madurai
Telangana (04)	95.	Hyderabad
	96.	Nalgonda
	97.	Patancheruvu
	98.	Sangareddy
Uttar Pradesh (16)	99.	Agra
	100.	Allahabad
	101.	Anpara
	102.	Bareilly
	103.	Firozabad
	104.	Gajraula
	105.	Ghaziabad
	106.	Jhansi
	107.	Kanpur
	108.	Khurja
	109.	Lucknow
	110.	Moradabad
	111.	Noida
	112.	Raebareli
	113.	Varanasi
	114.	Gorakhpur
Uttarakhand (03)	115.	Kashipur
	116.	Rishikesh
	117.	Dehradun
	118.	Kolkata
	119.	Asansol
	120.	Barrackpore
	121.	Durgapur
	122.	Haldia



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	123.	Howrah
	124.	Raniganj

7. As already mentioned, the GoI prepared National Clean Air Programme (NCAP) proposing to reduce the pollution in next 10 years - 35% in next 3 years, 50% in next 5 years and 70-80% in next 10 years. The data shows that as against number of NACs being 95 in the year 2017⁷, the number increased to 102 in the year 2018, then to 122 and now to 124. Further, data of air quality for the entire Country is still not available in absence of adequate monitoring stations. Thus, the action taken so far is certainly inadequate, calling for intervention of this Tribunal as per mandate of law under Sections 15/20 of the NGT Act.

SC judgements on control of air polluting activities: vehicular pollution⁸, industrial and construction sector pollution⁹, power sector pollution¹⁰ and agricultural sector pollution:

8. The Tribunal noted the concern arising from such large-scale air pollution which grapples the country in spite of statutory mechanism under the Air Act, directions of the CPCB under section 18(1)(b), dated 29.12.2015 and directions of the Hon'ble Supreme Court for control of

⁷ <http://cpcbenvi.nic.in/airpollution/finding.htm>. Based on ambient air quality data obtained (2008-2010) under National Air Quality Monitoring Programme (NAMF)

⁸ Rural Litigation and Entitlement Kendra, Dehradune and Others Vs State of U.P. Others (1985) 2 SCC 431, M.C. Mehta v. Union of India (2001) 3 SCC 756, M.C. Mehta v. Union of India (1998) 6 SCC 63, M.C. Mehta v. Union of India (2002) 4 SCC 356, M.C. Mehta v. Union of India (1998) 6 SCC 60

⁹ M.C. Mehta v. Union of India (1997) 2 SCC 353, M.C. Mehta v. Union of India and Shriram Foods and Fertilizer Industries and Anr. (1986) 2 SCC 176, Rural Litigation and Entitlement Kendra, Dehradun v. State of U.P. (1985) 2SCC 431, Mohd. Haroon Ansari v. District Collector (2004) 1 SCC 491, Union of India v. Union Carbide Co. (1989) 1 SCC 674, M.C. Mehta v. Union of India (1992) 3 SCC 256, Sterlite Industries (India) Ltd. etc. v. Union of India & Ors.(2013) 4SCC 575 , M.C. Mehta v. Union of India (2004) 6 SCC 588, M.C. Mehta v. Kamal Nath (2000)6 SCC 213

¹⁰ Consumer Education and Research Centre v. Union of India (1995)3 SCC 42, Dahanu Taluka Environment Protection group and Ors. v. Bombay Suburban Electricity Supply Company Ltd. and Ors (1991) 2SCC 539



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vehicular pollution¹¹, industrial and construction sector pollution¹², power sector pollution¹³ and agricultural sector pollution¹⁴ and orders of this Tribunal dealing with the said issues¹⁵.

9. In M.C. Mehta v. UOI, it was observed:

"1. The urgency for protection and improvement of the environment etc. has not been doubted for a long time. After the Stockholm Conference, 1972, in India several legislative steps have been taken for implementation of the programme. In addition to Article 47 in Part IV of the Constitution which imposes a duty on the State to improve the public health mentioned as one of the primary duties. Article 48A was inserted by the Constitution (42nd Amendment) Act, 1976 with effect from 3-1-1977 expressly to the effect that "the State shall endeavour to protect and improve the environment and to safeguard the forests and wildlife of the country". Thereafter, the Environment (Protection) Act, 1986 (the Act) was enacted to provide for the protection and improvement of the environment and for matters connected therewith. The Statement of Objects and Reasons emphasises the world-wide concern over the decline in environmental quality and the urgency of steps required for the protection and improvement of the environment. It is clear that the possibility of any deterioration in the environmental quality was excluded and emphasis at the minimum was on protection with the endeavour to improve the then existing state of environmental quality. Any further decline in the environmental quality at least after the enactment of the Act is undoubtedly a failure to perform this obligation by the State, contrary to the constitutional scheme.

2. It cannot be disputed by anyone that there has been considerable further decline in the environmental quality even after enactment of the Environment (Protection) Act, 1986, notwithstanding the resolve to prevent which the constitutional amendment was given effect to by enactment of the statute.

¹¹ Rural Litigation and Entitlement Kendra, Dehradun and Others Vs State of U.P. Others (1985) 2 SCC 431, M.C. Mehta v. Union of India (2001) 3 SCC 756, M.C. Mehta v. Union of India (1998) 6 SCC 63, M.C. Mehta v. Union of India (2002) 4 SCC 356, M.C. Mehta v. Union of India (1998) 6 SCC 60

¹² M.C. Mehta v. Union of India (1997) 2 SCC 353, M.C. Mehta v. Union of India and Shriram Foods and Fertilizer Industries and Anr. (1986) 2 SCC 176, Rural Litigation and Entitlement Kendra, Dehradun v. State of U.P. (1985) 2 SCC 431, Mohd. Haroon Ansari v. District Collector (2004) 1 SCC 491, Union of India v. Union Carbide Co. (1989) 1 SCC 674, M.C. Mehta v. Union of India (1992) 3 SCC 256, Sterlite Industries (India) Ltd. etc. v. Union of India & Ors. (2013) 4 SCC 575, M.C. Mehta v. Union of India (2004) 6 SCC 588, M.C. Mehta v. Kamal Nath (2000) 6 SCC 213

¹³ Consumer Education and Research Centre v. Union of India (1995) 3 SCC 42, Dahanu Taluka Environment Protection group and Ors. v. Bombay Suburban Electricity Supply Company Ltd. and Ors (1991) 2 SCC 539

¹⁴ Arjun Gopal and Ors v. Union of India and Ors (2017) 16 SCC 280, Dr. B.L Wadhwa v. Union of India and Ors (1996) 2 SCC 594

¹⁵ Wardman Kaushik v. Union of India and Ors. O.A no. 21 of 2014, Vikrant Kumar Tongad v. Environment Pollution (Prevention and Control) Authority and Ors, O.A No. 118 of 2013, Satish Kumar v. Union of India and Ors, O.A. No. 56 (THC) OF 2013, Smt. Ganga Lalwani V. Union of India and Ors. O.A No. 451 of 2018



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the same within its ambit. At this point of time, the effect of the quality of the environment on the life of the inhabitants is much too obvious to require any emphasis or elaboration.

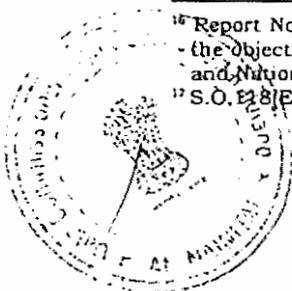
7. We may also add that the Central Government in addition to stating all the steps taken so far, as indicated above, must also place before the Court the national policy, if any, drawn up in this behalf for the protection and improvement of the environment and the steps it proposes to take to restore the quality of the environment at least to the level at which it existed in 1977 together with the time-frame for the implementation of the programme. These particulars be furnished on the affidavit of the Secretary, Ministry of Environment and Forests, Government of India."

CAP and GRAP for NCR

10. The Tribunal also referred to a Comprehensive Action Plan (CAP) for air pollution control for NCR prepared in pursuance of order of the Hon'ble Supreme Court dated 06.2.2017 by the Environment Pollution (Prevention and Control) Authority (EPCA) in consultation with the CPCB and Delhi Pollution Control Committee (DPCC) on 05.04.2017¹⁶ and Graded Response Action Plan (GRAP) notified by the MoEF&CC on 12.01.2017 stipulating specific steps for different levels of air quality such as **improvement in emission and fuel quality and other measures for vehicles, strategies to reduce vehicle numbers, non-motorised transport network, parking policy, traffic management, closure of polluting power plants and industries including brick kilns, control of generator sets, open burning, open eateries, road dust, construction dust, etc.**¹⁷

Unfavourable ranking of India in terms of air pollution

11. Implementation of prescribed norms in the light of legal provisions and court directions remains a challenge. The consequence is that India



¹⁶ Report No.71, EPCA-R/2-17/L-21, Comprehensive Action Plan for air pollution control with the objective to meet ambient air quality standards in the National Capital Territory of Delhi and National Capital Region, including states of Haryana, Rajasthan and Uttar Pradesh.
¹⁷ S.O. 118(E), Notification, Ministry of Environment, Forest and Climate Change

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is being ranked high in terms of level of pollution compared to many other countries with enormous adverse impact on public health. Most victims are children, senior citizens and the poor.¹⁸

12. The GRAP categorises levels of pollution as severe plus, severe, very poor, moderate to poor. The action to be taken in such situations includes **stopping entry of trucks, stopping construction activities, odd and even scheme of private vehicles, shutting of schools, closing of brick kilns, stone crushers, hot mix plants, power plants, intensifying public transport services, mechanized cleaning of road, and sprinkling of water, stopping the use of diesel generator sets, enhancing parking fees, etc.**

13. The MoEF&CC has by various notifications put **restrictions on activities in Coastal areas, Flood plains, Taj corridor Eco-sensitive zones, etc. in view of ecological sensitivity and impact of such activities on environment if such activities are carried out in unregulated areas.** This needs to be extended to the NACs in view of impact on public health and environment to give effect to the 'Precautionary' and 'Sustainable Development' principles. Some of the well-known sources of air pollution are:

1. Construction activity and carriage of construction material.
2. Mining and transportation of mined material.
2. Burning of Municipal Solid Waste and other waste.
3. Burning of agriculture residue.
4. Bursting of crackers.
5. Vehicular Pollution
6. Diesel gen-sets
7. Dust on the roads.
8. Industrial and power house emissions including fly-ash.
9. Emissions from coal fired activities brick kilns, Hot-Mix Plants and Stone Crushers.

¹⁸ <https://www.thehindu.com/sci-tech/energy-and-environment/india-ranks-177-out-of-180-in-environmental-performance-index/article22513016.ecc>, <https://www.ndtv.com/delhi-news/delhis-air-pollution-has-caused-of-death-of-15-000-people-study-1883022>.

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Tribunal's Intervention by 8.10.2018 order - Constitution of Air Quality Monitoring Committee (AQMC) in States, supervised by Chief Secretaries to prepare and execute action plans to control air pollution - with air quality monitoring and public grievance redressal portals

14. The Tribunal, after consideration of the issue on 08.10.2018, directed as follows:

- i. *All the States and Union Territories with non-attainment cities must prepare appropriate action plans within two months aimed at bringing the standards of air quality within the prescribed norms within six months from date of finalization of the action plans.*
- ii. *The Action Plans may be prepared by six-member committee comprising of Directors of Environment, Transport, Industries, Urban Development, Agriculture and Member Secretary, State Pollution Control Board or Committee of the concerned State. The Committee may be called Air Quality Monitoring Committee (AQMC). The AQMC will function under the overall supervision and coordination of Principal Secretary, Environment of the concerned State/Union Territory. This may be further supervised by the Chief Secretaries concerned or their counterparts in Union Territories by ensuring intra-sectoral co-ordination.*
- iii. *The Action Plans may take into account the GRAP, the CAP and the action plan prepared by CPCB as well as all other relevant factors. The Action Plans may be forwarded to the CPCB by 31.12.2018. The same may be placed before the Committee as directed in direction no. vi. The Action Plan will include components like identification of source and its apportionment considering sectors like vehicular pollution, industrial pollution, dust pollution, construction activities, garbage burning, agricultural pollution including pollution caused by burning of crop residue, residential and indoor pollution etc. The action plan shall also consider measures for strengthening of Ambient Air Quality (AAQ) monitoring and steps for public awareness including issuing of advisory to public for prevention and control of air pollution and involvement of schools, colleges and other academic institutions and awareness programmes.*
- iv. *The Action Plan will indicate steps to be taken to check different sources of pollution having speedy, definite and specific timelines for execution.*
- v. *The Action Plan should be consistent with the carrying capacity assessment of the non-attainment cities in terms of vehicular pollution, industrial emissions and population density, extent of construction and construction activities etc. The carrying capacity assessment shall also lay emphasis on agricultural and indoor pollution in rural areas. Depending upon assessed carrying capacity and source apportionment, the authorities may consider the need for regulating number of vehicles and their parking and plying, population*



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density, extent of construction and construction activities etc. Guidelines may accordingly be framed to regulate vehicles and industries in non-attainment cities in terms of carrying capacity assessment and source apportionment.

- vi. The Committee comprising of (a) Shri. Prashant Gargava, Member Secretary, CPCB, (b) Dr. Mukesh Khare, Professor, IIT Delhi, and (c) Dr. Mukesh Sharma, Professor, IIT Kanpur shall examine the Action Plans and on the recommendations of the said Committee, the Chairman, CPCB shall approve the same by 31.01.2019.
- vii. The Chief Secretaries of the State and Administrators/ Advisors to Administrators of the Union Territories will be personally accountable for failure to formulate Action Plans, as directed.
- viii. The CPCB, SPCBs and State Pollution Control Committees shall develop a public grievance redressal portal for redressal of public complaints on air pollution along with a supervisory mechanism for its disposal in a time bound manner. Any visible air pollution can be reported at such portal by email/SMS.
- ix. The CPCB and all the State Pollution Control Boards and Pollution Control Committees shall collectively workout and design a robust nationwide ambient air quality monitoring programme in a revised format by strengthening the existing monitoring network with respect to coverage of more cities/towns. The scope of monitoring should be expanded to include all twelve (12) notified parameters as per Notification No B-29016/20/90/PCI-L dated 18th November, 2009 of CPCB. The continuous Ambient Air Quality Monitoring Stations (AAQMS) should be preferred in comparison to manual monitoring stations. The CPCB and States shall file a composite action plan with timelines for its execution which shall not be more than three months. It is expected that all such AAQMS shall be connected to central server of CPCB for reporting analysis of results in a form of Air Quality Bulletin for general public at regular intervals atleast on weekly basis and ambient air quality on continuous basis on e-portal. MoEF&CC will provide requisite funds for the purpose. MoEF&CC in consultation with Ministry of Housing and Urban Affairs, MoRTH, Ministry of Petroleum and Natural Gas, Ministry of Agriculture, Cooperation and Farmers Welfare or any other Ministry to lay down such guidelines as may be considered necessary for improvement of air quality in the country."

III. Orders in related matters - dated 16.01.2019 in OA 606/2018, 26.02.2020 in OA 773/2018, 01.12.2020 in OA 249/2020, 03.12.2020 in OA 283/2020, 05.02.2021 in OA 95/2018, order dated 14.11.2019 in O.A. No. 1038/2018, order dated 23.07.2018 in O.A. No. 451 of 2018, order dated 17.03.2021 in O.A. No. 67/2019 and order dated 17.02.2021 in O.A. No. 1016/2019

- a. Order dated 16.01.2019 in OA 606/2018: Requiring Chief Secretaries of all States/UTs to study and appear before the Tribunal to remedy significant environmental challenges including air pollution in NACs



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15. In pursuance of order dated 16.01.2019 in OA 606/2018, the Chief Secretaries of all States/UTs appeared in person. The orders specified areas of environmental concern being waste management, pollution of water bodies, non-attainment cities, polluted industrial areas, sand mining and enforcement mechanism, including compensation regime for restoration of environment. After interaction with them, the Tribunal inter alia directed further monitoring at their level atleast once every month and sending quarterly status reports. The Chief Secretaries were to constitute environmental cells directly under them and monitor compliance atleast once in a month. Similarly, District Magistrates were to monitor compliance at district level with the assistance of District Task Force as per District Environment Plan.

b. Order dated 26.02.2020 in OA 773/2018 regarding remedial action for unregulated parking and traffic congestion:

16. The Tribunal considered another overlapping issue of unregulated illegal parking on the roads, adding to air pollution and impacting public health.¹⁹ Vide order dated 26.02.2020, reference was made to the stand of the Ministry of Road Transport & Highways (MoRTH) that the Ministry was engaged in undertaking carrying capacity study for transport infrastructure. The Tribunal directed the concerned joint Secretaries of MoRTH as well as Ministry of Housing and Urban Development, Govt. of India and Member Secretary, CPCB to remain present in person, after acquainting themselves fully on the subject. Accordingly, a report dated 16.06.2020 has been filed by the MoRTH and by the Ministry of Urban Affairs jointly on the subject of undertaking carrying capacity of the roads.

c. Order dated 01.12.2020, in OA 249/2020: ban on crackers having regard to poor and below air quality

OA 773/2018, Metro Transit Private Limited v. South Delhi Municipal Corporation & Ors.



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17. Vide order dated 01.12.2020, in OA 249/2020, *Tribunal on its own motion v. Ministry of Environment, Forest & Climate Change & Ors.*, the Tribunal imposed ban on sale and use of fire crackers in all cities/towns where air quality was 'poor' and 'below' and restricted their use where air quality was 'moderate' or 'below' to green crackers only upto 2 hours on specified festivals. It was also directed that atleast one AAQMS must be set up at every District Headquarter and if online station was not possible atleast a manual station was required to be set up which did not cost much. Air quality data was also directed to be placed on the website of the District Administration. Direction as also issued for assessment and recovery of compensation for violations.

d. Order dated 14.11.2019 in O.A. No. 1038/2018, order dated 23.07.2018 in O.A. No. 451 of 2018, order dated 17.03.2021 in O.A. No. 67/2019 and order dated 17.02.2021 in O.A. No. 1016/2019 – polluted industrial areas, crop residue burning, use of pet coke as fuel and brick kilns in NCR

18. The Tribunal has also considered the issues of remedial action against pollution as indicated by Comprehensive Environmental Pollution Index (CEPI) showing 100 industrial areas polluted vide order dated 14.11.2019 in OA No. 1038/2018, *News item published in "The Asian Age" Authored by Sanjay Kaw Titled "CPCB to rank industrial units on pollution levels"*, vide order dated 23.07.2018 in O.A. No. 451 of 2018, *Smt. Ganga Lalwani V. Union of India and Ors.*, on the subject of regulation and control of pollution by burning of crop residue, vide order dated 17.03.2021 in OA No. 67/2019, *Sumit Kumar v. State of Himachal Pradesh & Ors.*, on the subject of control of pet coke and vide order dated 17.02.2021 in OA No. 1016/2019, *Utkarsh Panwar v. Central Pollution Control Board & Ors.* on the subject of regulation and control of brick kilns and issued directions.



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e. **Order dated 03.12.2020 in OA 283/2020: Dust Control during road sweeping**

19. Vide order dated 03.12.2020 in OA 283/2020, *R.S. Virk v. Central Pollution Control Board*, the Tribunal directed all Municipal Corporations, local bodies in the NCR and other cities where air quality was 'poor' and above to take steps to **ensure sprinkling of water before sweeping of roads, using treated water from STPs and to take steps for planting of grass/raising small herbs and shrubs on the sides of the pavements/road shoulders and on open dusty areas, including the areas on the sides of the pavements/right of way. Also directed that the pavements may also be appropriately covered so as to prevent generation of dust. It was also directed that the issue of stopping burning of biomass/waste and construction and demolition activities be duly regulated and the local bodies may send their action taken reports to the Principal Secretaries, Environment heading the AQMCs every quarter, who may thereafter send their reports to CPCB.**

f. **Order dated 05.02.2021 in OA No. 95/2018: Need for Data Grid for better planning and monitoring**

20. The Tribunal, vide order dated 05.02.2021 in OA No. 95/2018, *Aryavart Foundation v. M/s Vapi Green Enviro Ltd. & Ors.*, referred to the need for authentic data being compiled to facilitate planning and monitoring. It was observed:

"20. Further, for improving monitoring and planning, authentic data needs to be compiled at all levels. Initiative will have to be taken consistent with Digital India initiatives by the MoEF/MoJS/MoUD/CPCB and based on such policy decisions, the Environment departments of all States/UTs will have to compile data in their respective jurisdiction, preferably District-wise. On that basis District Environment Data Grid (DEDG), State Environment Data Grid (SEDG) and National Environment Data Grid (NEDG) can be set up and continuously updated. The Grid can be connected to online monitoring systems. Comprehensive Environment Pollution



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- admittedly there are shortcomings in the current air quality monitoring regime in view of area coverage and quality of data?
- b. Whether more cities have been identified as NACs and strategy to deal with the same has been prepared?
 - c. Whether the States with NACs have prepared time bound and budgeted Action Plans for bringing the air quality of NACs in their States within the prescribed norms?
 - d. Whether the components of such Action Plans are in conformity with the directions in order dated 08.10.2018²⁰?
 - e. Whether environmental compensation regime has been designed on 'Polluter Pays' principle?
 - f. Whether CPCB, SPCBs and PCCs have developed a public grievance redressal portal?
 - g. Further directions to deal with the situation."

23. Status with reference to each of the above questions was examined and following directions were issued:

- I. CPCB, SPCBs and PCCs need to ensure assessment and installation of the requisite number of real time Online Continuous AAQMS within six months from today and indicate progress in this regard before the next date.
- II. The Expert Team of CPCB to design a model/SOP for source apportionment and carrying capacity assessment within two months which may be replicated for all the NACs. In the light of such study, further action may need to be considered by MoEF&CC within three months thereafter in terms of regulating the number of vehicles, action in terms of shift to e-vehicles and CNG vehicles, intensifying public transport system, mechanical cleaning of roads, enhancement of public parking facilities etc., improvement in fuel quality and traffic management, regulation of construction activities, strict adherence to siting guidelines with regard to stone crushers, mining, brick kilns, thermal power plants, coal handling, air polluting industries, hot mix plants, etc. Besides, activities like crop burning and burning of trash wood/leaves/debris for heating in winters to be strictly regulated and violations penalized as has been done by notifications for ESZ, CRZ, Ganga Flood plains etc.
- III. Concerned Town & Country Planning departments (with whatever be the name in the State) of all the States/UTs may ensure review of master plans specially for the NACs to be consistent with carrying capacity and source apportionment study reports within six months of such reports being available and furnish compliance reports to this Tribunal and CPCB.

²⁰ (I) Identification of source of pollution; (II) Determining source apportionment including sectors like vehicular pollution, industrial pollution, dust pollution, construction activities, garbage burning, agricultural pollution including pollution caused by burning of crop residue, residential and indoor pollution etc; (III) measures for strengthening of Ambient Air Quality (AAQ) monitoring and (IV) Steps for public awareness including issuing of advisory to public for prevention and control of air pollution and involvement of schools, colleges and other educational institutions and awareness programmes.



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- IV. Concerned States may evolve enforcement mechanism for closing/shifting of industrial units other than household industries from residential/non-conforming areas in the light of law laid down in *M.C. Mehta vs Union of India*, (2004) 6SCC 588.
 - V. SPCBs/PCCs need to develop interactive public grievance redressal portals on the pattern of CPCB portal "Sameer" within two months if not already done.
 - VI. Action Plans need to be prepared by States for the additional 20 NACs on the pattern of 102 NACs within three months and after its approval by CPCB within two months, States must initiate time bound action on remediation within next three months.
 - VII. CPCB may finalize the pending action plans within two months. Environmental compensation may be deposited by the defaulting States in terms of our order dated 15.03.2019 with the CPCB.
 - VIII. Timeline prescribed for reviewing action plans with regard to its report dated 15.07.2019 by the CPCB for further micro planning may be reduced from six months, preferably to four months. CPCB may give appropriate directions to the SPCBs/PCCs accordingly.
 - IX. CPCB must forthwith come out with a compensation regime within two months for air as well as noise pollution to the extent such norms have not yet been laid down.
 - X. Having regard to adverse impact on public health and constitutional mandate that right to clean air is a fundamental right, the MoEF&CC may modify the NCAP by reducing the timelines and increasing the target for reduction of air pollution.
 - XI. Noise Limiters need to be installed on potential noise polluting devices, including retrofitting the existing devices. Appropriate directions be issued by the States/UTs within three months in the same manner as directed by this Tribunal for Delhi vide order dated 01.08.2019 in O.A. No. 519/2016, *Hardeep Singh & Ors. vs SDMC & Ors.*
 - XII. The CPCB may also evaluate existing air quality monitoring mechanism of all States and UTs and furnish a report to this Tribunal before the next date in terms of capacity of its scientific and technical personnel both in terms of number of personnel and skill/competence and outreach programmes on public awareness and suggestions for improvement.
 - XIII. The CPCB and States may have robust Emergency Response System and preparedness by way of mock drills and measures to be taken in the scenario when air pollution levels become severe plus and severe.
 - XIV. The SPCBs and PCCs to submit details of 'consent' funds to CPCB and this Tribunal within two months alongwith Action Plans on the basis of template provided by CPCB. CPCB may scrutinize and approve such action plans within two months in accordance to our



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order dated 22.01.2019 in O.A. No. 101/2019. Finally, the State PCBs and PCCs may execute their Action Plans within next one year thereafter. 102

- XV. *The Environmental Compensation levied by State Transport Departments may be divided in the ratio of 50:25:25 amongst the States, the SPCBs/PCCs and the CPCB.*"

Order dated 20.11.2019: Third review of progress – direction to remedy inadequate monitoring and enforcement by strict enforcement of polluter pays principle and steps for accountability by way of adverse ACR entries exploring use of Campa Funds

24. Thereafter, vide order dated 20.11.2019, further progress was reviewed with reference to the directions issued on 6.8.2019 in the light of the report dated 14.11.2019 filed by the CPCB. Since progress achieved was not adequate, further directions were issued on the issues earlier considered as well as the issue of tackling the problem of remediation of legacy waste dump sites which were also a source of air pollution, adversely affecting public health. Directions issued in the said order are:

"29. In view of above, we direct as follows:

- i) *Let assessed number of stations be installed within one year and quarterly progress reports furnished to CPCB by all the SPCBs/PCCs. First such report may be furnished by 01.04.2020. All such stations should be connected to the server of the CPCB and data displayed at the national portal on online real-time basis with AQI in public domain. CPCB may have its own stations at such critical locations as considered necessary. All the 12 notified parameters should be duly monitored by the CAAQMS. In default of compliance, SPCB/PCCs will be liable to pay compensation @Rs. 5 Lakh per month starting from 01.01.2021. Failure may also be reflected in the ACRs of the Member Secretaries of SPCBs/PCCs.*

Procurement of such equipments may preferably be through Government E-marketing (GeM) Portal of Govt. of India. CPCB may take steps to have standards/specifications and accredited/reputed vendors notified on the said portal. CEO, GeM, may also take necessary steps in the matter.

- ii) *Let SA and CC be completed within three months by the SPCBs/PCCs utilizing available data, based on which MoEF&CC may take further follow up action in terms of direction para II of order dated 06.08.2019 quoted above. SPCBs/PCCs may furnish action taken report to CPCB so*



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that CPCB can file an appropriate report before this Tribunal. For any default, compensation will be liable to be paid @ of Rs. 5 lakh per month after 01.04.2020. Failure may also be reflected in the ACRs of the Member Secretaries of SPCBs/PCCs. MoEF&CC may file compliance report before the next date. 103

- iii) The review of master plans may now be carried out in the light of the studies within six months from the date of such studies in above terms. Mechanism for shifting industrial units from residential areas may be evolved immediately. Let both these aspects be complied by the all the States/UTs and reports furnished to the CPCB. The Chief Secretaries concerned may monitor compliance. In default, the concerned States/UTs will be liable to pay compensation @ Rs. 5 lakhs per month after the stipulated timeline already mentioned. The compensation may be recovered by the States/UTs from the erring officers and appropriate entries may also be made in the ACRs of the concerned Heads of the Departments. The CPCB may prepare a comprehensive report and furnish the same before the next date.
- iv) PGRPs may be developed for the remaining NACs and report furnished by the SPCBs/PCCs to CPCB within two months. In default, SPCBs/PCCs concerned will be liable to pay compensation @ Rs. 2 lakhs per month from 01.02.2020. CPCB may file a compliance report. Failure may also be reflected in the ACRs of the Member Secretaries of SPCBs/PCCs.
- v) Compliance may also be ensured for the remaining cities and report furnished to CPCB by the States/UTs by 31.01.2020. In default, compensation will be liable to be paid @ Rs. 10 lakhs per month from 01.02.2020. The compensation may be recovered by the States/UTs from the erring officers and appropriate entries may also be made in the ACRs of the Heads of the Departments concerned.
- vi) Let the approved action plans be executed accordingly in terms of the timeline provided therein and compliance report furnished by Chief Secretaries of the concerned States/UTs to CPCB on quarterly basis starting from 01.04.2020. CPCB may file compliance report before this Tribunal. Failure on this regard may be visited with adverse consequences.
- vii) Let the States/UTs ensure compliance of directions with regard to the remaining cities in terms of observations in Para 18 within by 30.06.2020. In default, the States/UTs will be liable to pay @ Rs. 5 lakhs per month till compliance. The compensation may be recovered by the States/UTs from the erring officers and appropriate entries may also be made in the ACRs of the concerned Heads of the Departments.
- viii) Let the NCAP be revisited in terms of observations in Para 20 before the next date, failing which the Tribunal have no



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option except to take coercive measures against concerned officers.

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- ix) Let the directions for control of noise pollution be complied with in terms of observations in Para 21 and report furnished to CPCB by 31.03.2020. CPCB may furnish a comprehensive report to this Tribunal. If the said direction is not complied with, the defaulting States/UTs will be liable to pay compensation @Rs. 2 lakhs per month which may be collected by the CPCB and recovered from the salary of the concerned Heads of the Departments.

Procurement of requisite equipments may preferably be through Government E-marketing (GeM) Portal of Govt. of India. CPCB may take steps to have standards/specifications and accredited/reputed vendors notified on the said portal. CEO, GeM, may also take necessary steps in the matter.

- x) Let the evaluation of monitoring stations be done positively by 31.12.2019 in terms of observations in Para 22 and a compliance report filed before the next date. As already directed, the evaluation should not only be sound in terms of scientific and technical capacity but also effectiveness of the outreach programme.
- xi) Let the steps for ERS be taken as per observations in Para 23 and compliance report filed before the next date. The States have not given their response which may now positively be done within one month, failing which the Tribunal have no option except to take coercive measures against concerned officers.
- xii) The Chhattisgarh State PCB is directed to take remedial steps and modify its action plan on the subject of EC and Consent funds in terms of instructions of CPCB and direction of this Tribunal. Fresh action plan may be furnished to CPCB by 31.01.2020. We also disapprove the inaction by other SPCBs/PCCs in not complying with the directions. All other SPCBs/PCCs may give their action plans latest by 31.01.2020. In default, the erring SPCBs/PCCs will be liable to pay environmental compensation @Rs. 5 lakhs per month till compliance of the directions which may be liable to be recovered from the concerned Chairmen and Member Secretaries. Failure may also be reflected in the ACRs of the Member Secretaries of SPCBs/PCCs. CPCB may file a consolidated report on the subject before the next date.
- xiii) It needs to be explored by the MoEF&CC and concerned States/UTs whether a part of CAMPA funds can be utilized for special afforestation drive in 122 NACs. If so, further necessary action be taken and a report furnished to this Tribunal by the MoEF&CC before the next date.
- xiv) Apart from other steps, focused attention may be required to ensure bio-remediation of legacy waste dump sites for which



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this Tribunal has already issued exhaustive directions in O.A. No. 519/2019 as already noted in para 9 above.

- xv) With regard to finalization of Emergency Response System (ERS), we are of view that the State Disaster Management Authorities in coordination with the SPCBs/PCCs and State Units of Meteorological Departments may include emergency as a part of disaster management and develop ERS accordingly which may be placed in public domain.
- xvi) The States/UTs which are able to successfully control air pollution in measurable terms in respect of 122 NACs may place their successful models and best practices on their respective websites for the benefit of others."

Order dated 21.08.2020: Fourth Review of progress in actions plans for control of air and noise pollution in terms of earlier directions in the light of report about compliance status

Major deficiencies in compliance status found and further directions issued: inadequate monitoring stations, lack of SA and CC studies, lack of micro planning, inadequate procurement of equipments for control of noise, lack of adequate initiatives in remedying legacy waste sites, lack of coordination with disaster management authorities to prevent environmental disasters – remedial directions

25. The matter was last considered on 21.08.2020 in the light of reports of CPCB dated 06.03.2020, 21.07.2020 and report dated 18.08.2020 of the MoEFF&CC, declining to reduce time for abating air pollution under NCAP and two reports dated 06.03.2020 and 15.07.2020 filed by the Oversight Committee for compliance of environment issues for the State of UP, headed by Justice SVS Rathore, former Judge of the Allahabad High Court at Lucknow.²¹ The Tribunal reviewed the progress pointwise and also considered report of Ministries of Road Transport & Highways and Urban Development dated 16.06.2020 with reference to order in OA 773/2018 on overlapping issue. The operative part of the order containing directions on consideration of all the issues is as follows:

"I. Directions:

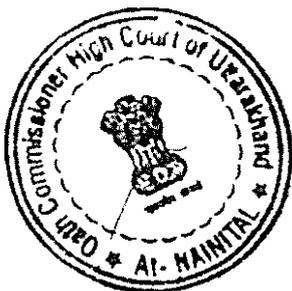


Constituted Vide order dated 16.03.2020, OA 670/2018, Atul Singh Chauhan v. Ministry of Environment, Forests and Climate Change & Ors.

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30. In view of the above, the directions are summed up as follows:

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- i. The work of completing remaining 175 monitoring stations needs to be expeditiously completed within next six months. Work in this regard may commence within one month, which may be monitored by the CPCB, by holding periodical online meetings with the Chairman/Member Secretaries of State PCBs/PCCs or other authorities. The funds available under the 'consent mechanism'/'environmental compensation' may be utilized for the purpose by the State PCBs/PCCs. It will be preferable that out of the above, 25 stations are set up by CPCB/State PCBs/PCCs jointly (with CPCB financing out of its EC funds), following an appropriate procedure to ensure best price and quality;
 - ii. Carrying Capacity and Source Apportionment studies may be simultaneously undertaken by the State PCBs/PCCs, utilizing the 'consent mechanism'/'environmental compensation' fund. Work in this regard may commence within one month and completed in six months. State PCBs/PCCs will be at liberty to either undertake the study in-house or by hiring any other agencies. However, as far as possible a uniform policy may be adopted in this regard which may be finalized by the CPCB in consultation with all State PCBs/PCCs in same manner as in direction i. It will be preferable that 25 such studies are conducted jointly by CPCB/State PCBs/PCCs (with CPCB financing out of its EC Funds) to set a pattern;
 - iii. Let further steps of prohibiting/shifting polluting activities which are found unsustainable/non-conforming and beyond carrying capacity of NACs, as a consequence of SA/CC Studies or otherwise, to other locations, in the interest of public health and protection of environment to give effect to 'Sustainable Development' principle be taken by the States/UTs;
 - iv. The States may take further steps to set up and operate PGRPs expeditiously, within three months. The CPCB as well as State PCBs/PCCs may evaluate functioning of such portals on real time basis in the direction of protection of environment. In particular analysis may be undertaken about the number of complaints received, effective steps for redressal taken and improvement achieved and planned. Such exercise may be ongoing but in the first instance may be compiled as on 31.12.2020 and report filed by the State PCBs/PCCs with the CPCB within one month thereafter;
 - v. Action plans for newly added 20 NACs be completed expeditiously on the pattern of such plans for 102 cities, already prepared;
 - vi. All the concerned States/UTs may execute action plans, including control of stubble burning, where ever necessary and bursting polluting and noise generating fire crackers and give information about the status of compliance of action plans as on 31.12.2020 to CPCE



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before 15.1.2021. They may also give information in a tabulated form about the extent of improvement achieved, if any, in terms of reduction in pollution load. Steps in terms of action plans completed, actions ongoing and actions incomplete;

- vii. Detailed micro level planning be undertaken in respect of each NAC by the concerned State/UT expeditiously and status as on 31.12.2020 be furnished to the CPCB within one month thereafter;
- viii. The States/UTs may address the gaps communicated by the CPCB with respect to the action plans for control of noise pollution and the States/UTs which have not yet furnished their action plans may do so positively by 31.12.2020. Compensation regime for violations of noise pollution be applied by all the States/UTs;
- ix. We find that NCAP for reduction of air pollution does not fully meet the mandate of sustainable development. Violation of laid down air pollution levels resulting in large number of deaths and diseases needs to be addressed expeditiously. Targeted time of reduction of pollution loads needs to be reduced and planned steps need to be sternly implemented on the ground. MoEF&CC may take further action as per law in the light of observations in para 19 above.

The States may utilize CAMPA funds, undertaking special afforestation drives in forest lands or other permissible locations in 122 NACs as per CAF Act, 2016 to abate pollution in the said cities. The CEO of CAMPA may hold a video conferencing with all the States PCBs/PCCs to coordinate and facilitate the utilization of CAMPA Funds;

- x. Let all the States/UTs take further action for procurement of equipments and taking other steps for control of noise pollution in 122 NACs as discussed in para 20 above and direction (viii) above, including applying compensation regime prepared by the CPCB and file their respective reports of status of compliance as on 31.12.2020 by 15.1.2021;
- xi. Let further steps be taken by all the States/UTs to finalise ERSs in terms of suggestion of the CPCB as quoted above in para 24, constituting a suitable mechanism similar to Task Force under GRAP for Delhi-NCR and information furnished to the CPCB by 31.12.2020;
- xii. let further steps be taken to plan utilisation of consent/EC funds by all the State PCBs/PCCs in the light of order of this Tribunal on the subject dated 24.07.2020 in O.A. No. 102/2019, Ashish Kumar Dixit v. State of Uttar Pradesh & Ors by 31.12.2020. It will be preferable that MoEF&CC with assistance of CPCB lays down an institutional mechanism on the pattern of CAMPA or otherwise for proper utilization of consent and EC funds available with CPCB/ State PCBs/PCCs.
- xiii. Let CPCB issue a fresh direction with regard to the remediation of legacy waste sites in the light of



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deficiencies noticed by the CPCB and coordinate further action with the concerned Urban Development /Local Bodies/PCBs/PCCs/Municipal Corporations. At least one site may be remediated and made a model of compliance in each of the 122 NACs. Where ever legacy waste sites remediation has not commenced, it may commence earliest having regard to the fact that timeline under statutory rules to complete such action is 7.4.2021 and continued delay is detrimental to public health and environment. Information of compliance status as on 31.12.2020 be furnished to CPCB in terms of observations in para 24 above;

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- xiv. All the States/UTs and PCB/PCCs may take steps to coordinate with the State Disaster Management Authorities and Meteorological Departments. The observations of this Tribunal while dealing with the problem of frequent environmental disasters in order dated 23.07.2020 in OA 134/2020, News Item published on 13.07.2020 in daily "India Today" titled "Massive fire engulf Vizag chemical plant, explosions heard, injuries reported" may also be taken into account. Action taken reports be filed with the CPCB for submission of consolidated report to this Tribunal;
- xv. MoRTH may take further prompt action of undertaking carrying capacity studies with regard to road infrastructure, specially in 122 NACs, through Central Road Research Institute or any other agency which may be financed by CPCB out of compensation funds or otherwise. On that basis, proper policies be prepared to deal with the number of vehicles beyond parking capacity or carrying capacity and permitting entry or registration of number of vehicles, parking areas etc. This is necessary to reduce congestion, unregulated parking and air pollution loads in 122 NACs. CPCB may coordinate with the concerned Ministries and acquaint this Tribunal with the outcome in its next report;
- xvi. The recommendations of the Oversight Committee for the State of UP, in its report dated 15.07.2020, need serious consideration and action by the concerned authorities in the State of UP. The Chief Secretary, UP may ensure further action in the State at different levels which may be coordinated and overseen by the Monitoring Committee. The oversight Committee may give its further independent report to this Tribunal before the next date by e-mail;
- xvii. In view of continued violation of law on significant environmental issues, to give effect to rule of law and Constitutional mandate of clean environment and for protection of public health and environment, monitoring must be done at the level of Chief Secretaries at least once in a month and the Chief Secretaries must have environment cells attached to their offices, as earlier directed by the Hon'ble Supreme Court and this Tribunal in OA 606/2018;
- xviii. CPCB may file its consolidated report by email by January 31, 2021."



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V. Consolidated Report of CPCB dated 05.04.2021 with regard to compliance status of directions dated 21.8.2020

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26. Accordingly, CPCB has filed its further consolidated report on 05.04.2021 in continuation of earlier reports dated 09.11.2020 and 15.02.2021 mentioning the pointwise status as follows:

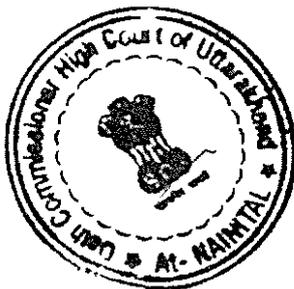
"I. The work of completing remaining 175 monitoring stations needs to be expeditiously completed within next six months. Work in this regard may commence within one month, which may be monitored by the CPCB, by holding periodical online meetings with the Chairman/Member Secretaries of State PCBs/PCCs or other authorities. The funds available under the 'consent mechanism' /environmental compensation' may be utilized for the purpose by the State PCBs/PCCs. It will be preferable that out of the above, 25 stations are set up by CPCB/State PCBs/PCCs jointly (with CPCB financing out of its EC funds), following an appropriate procedure to ensure best price and quality;

As per the Direction of Hon'ble NGT, 20 new Continuous Ambient Air Quality Monitoring Stations (CAAQMS) have been installed in non-attainment cities during the period and as on date 193 CAAQMS installed in non-attainment cities. Other states are in process of installation of the monitoring station as per the criteria and information is being collected by CPCB.

The proposal for setting up of 25 CAAQM Stations in Non-Attainment Cities has been approved under EC funded project for Rs. 25 crores by CPCB. Capital cost Rs. 1 crore per station has been sanctioned to 20 States/Uts for installation of CAAQM Stations in the identified 25 Non-Attainment cities (ANNEXURE -I). The Operation & Maintenance cost shall be borne by respective SPCB/PCC. Sanction letter has been issued to respective SPCBs for signing of TOR to release funds.

ii. Carrying Capacity and Source Apportionment studies may be simultaneously undertaken by the State PCBs/PCCs, utilizing the 'consent mechanism' & 'environmental compensation' fund. Work in this regard may commence within one month and completed in six months. State PCBs/PCCs will be at liberty to either undertake the study in-house or by hiring any other agencies. However, as far as possible a uniform policy may be adopted in this regard which may be finalized by the CPCB in consultation with all State PCBs/PCCs in same manner as in direction i. It will be preferable that 25 such studies are conducted jointly by CPCB/State PCBs/PCCs (with CPCB financing out of its EC Funds) to set a pattern;

As per information provided by states, Source Apportionment (SA) study is Completed in 09 States (14 cities); under progress in 15



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States (68 cities); and in proposal stage in 14 States (40 cities). The detail status is enclosed at ANNEXURE -II.

Carrying capacity (CC) study is under progress in 9 States (42 cities); and in proposal stage in 18 States (51 cities). The detail status is enclosed at ANNEXURE -III.

CPCB requested SPCBs/PCCs to propose the name of the 2-3 cities from their respective states for joint SA and CC studies. 25 non-attainment cities are identified, based on the criteria developed by CPCB and in concurrence with SPCBs/PCCs. These studies shall be done based on framework/ methodology prepared by CPCB by using CPCB EC Funds. The list of identified cities is enclosed at ANNEXURE IV.

iii. Let further steps of prohibiting/shifting polluting activities which are found unsustainable/non-conforming and beyond carrying capacity of NACs, as a consequence of SA/CC Studies or otherwise, to other locations, in the interest of public health and protection of environment to give effect to 'Sustainable Development' principle be taken by the States/UTs;

Status for steps of prohibiting/shifting polluting activities which are found unsustainable/non-conforming and beyond carrying capacity of NACs is provided by 22 states/UTs (Jammu & Kashmir, Uttarakhand, Telangana, Delhi, West Bengal, Punjab, Uttar Pradesh, Himachal Pradesh, Andhra Pradesh, Karnataka, Maharashtra, Chhattisgarh, Meghalaya, Madhya Pradesh, Nagaland, Bihar, Assam, Rajasthan, Tamilnadu, Chandigarh, Odisha and Gujarat). Jharkhand has provided action point regarding shifting of polluting industries in city action plan. The detail status is enclosed at ANNEXURE -V

Karnataka, Tamilnadu, Andhra Pradesh, Himachal Pradesh, Maharashtra, Chhattisgarh, West Bengal, Assam, Punjab, Chandigarh, SPCBs/PCCs have informed that the "steps of prohibiting/shifting polluting activities which are found unsustainable/non-conforming and beyond carrying capacity of NACs, as a consequence of SA/CC Studies or otherwise, to other locations, in the interest of public health and protection of environment to give effect to 'Sustainable Development' principle" will be done after completion of SA and CC studies.

Uttar Pradesh SPCB informed that a letter regarding shifting / prohibiting the industries in the non-conforming areas had been issued from the office of Principal Secretary, Environment, Forest & climate Change, to the Additional Chief Secretaries/ Principal Secretaries of the all the concerned departments and a meeting of Oversight Committee was held on 21.12.2020, wherein various steps has been proposed like constituted District level Committee and other nodal departments from mapping and closure of non-conforming areas and Ensuring scrutinization and geotagging of the electricity connections to prevent reissuing of electric connections to the illegal units.



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Rajasthan SPCB informed that the work is not related to the state board.

iv. **The States may take further steps to set up and operate PGRPs expeditiously, within three months. The CPCB as well as State PCBs/PCCs may evaluate functioning of such portals on real time basis in the direction of protection of environment. In particular analysis may be undertaken about the number of complaints received, effective steps for redressal taken and improvement achieved and planned. Such exercise may be ongoing but in the first instance may be compiled as on 31.12.2020 and report filed by the State PCBs/PCCs with the CPCB within one month thereafter;**

The Public Grievance Redressal Portal (PGRPA) on the pattern of Sameer app for Non-attainment cities is developed by 15 States (Uttarakhand, Jammu & Kashmir, Gujarat, Rajasthan, Meghalaya, Maharashtra, Madhya Pradesh, Himachal Pradesh, Andhra Pradesh, Telangana, Uttar Pradesh, West Bengal, Odisha, Punjab and Delhi) & the same is under development in 3 States (Tamilnadu, Nagaland & Chandigarh). Dedicated helpline numbers/web portal to address grievances are provided by 7 States (Assam, Chhattisgarh, Jharkhand, Karnataka, Nagaland, Tamilnadu, & Bihar). The details along with the redressal status are enclosed at ANNEXURE- VI

With regard to complain redressal status detail provided by Delhi, Himachal Pradesh, Madhya Pradesh and Uttar Pradesh is given below:

S. No.	State	Status of Complaints		
		No. of Complaints received	Effective steps	Remarks
1.	Delhi	4624	2764 complaints resolved (60 %)	Between 07.10.2020 to 31.12.2020 (2 PM) in Delhi-NCR region
2.	Himachal Pradesh	28	26 complaints resolved (93 %)	From 01.04.2020 to 31.12.2020
3.	Madhya Pradesh	20	No information provided	Till 14.12.2020
4.	Uttar Pradesh	59	57 complaints resolved (97 %)	Between June 2020 08.01.2021
5.	Gujarat	No complaints received till date		

West Bengal SPCB informed that the details of complaints received on portal will be submitted shortly.

No information is provided by 17 states (Andhra Pradesh, Assam, Chandigarh, Chhattisgarh, Jammu & Kashmir, Jharkhand, Karnataka, Maharashtra Meghalaya, Nagaland, Odisha, Punjab,



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Rajasthan, Tamilnadu, Telangana, Uttarakhand and Bihar, regarding Status of Complaints on Public Grievance Redressal Portal.

v. **Action plans for newly added 20 NACs be completed expeditiously on the pattern of such plans for 102 cities, already prepared;** 112

As per Hon'ble NGT order of O.A. No. 681/2018 and criteria finalized by CPCB for categorizing non-attainment cities. **List of non-attainment cities has been updated by CPCB based on data for the period of 2015-2019 on 21.10.2020 and 02 more cities namely Gorakhpur in Uttar Pradesh and Madurai in Tamilnadu added to the list. The total 124 non-attainment cities identified based on air quality data for the period of 2015-2019.**

Out of total 22 newly added NACs, 21 city action plans, West Bengal (Asansol, Barrackpore, Durgapur, Haldia, Howrah & Raniganj), Odisha (Kalinganagar), Gujarat (Vadodara), Andhra Pradesh (Anantapur, Chittoor, Elum, Kadapa, Ongole, Rajahrundry, Srikakulam & Vizianagaram), Uttarakhand (Dehradun), Tamilnadu (Trichy & Madurai), Uttar Pradesh (Gorakhpur) and Telangana (Sangareddy) are approved for implementation; one city Maharashtra (Thane) was requested to submit revised plans as per the recommendation of the three member committee;

vi. **All the concerned States/UTs may execute action plans, including control of stubble burning, where ever necessary and bursting polluting and noise generating fire crackers and give information about the status of compliance of action plans as on 31.12.2020 to CPCB before 15.1.2021. They may also give information in a tabulated form about the extent of improvement achieved, if any, in terms of reduction in pollution load. Steps in terms of action plans completed, actions ongoing and actions incomplete;**

Action taken/information received from Delhi, Andhra Pradesh, Tamilnadu, Uttarakhand, Punjab, Himachal Pradesh, Madhya Pradesh, Maharashtra, West Bengal, Bihar, Nagaland, Uttar Pradesh, Chhattisgarh, Odisha, Karnataka and Jammu & Kashmir.

Rajasthan SPCB communicated that this Direction is not related to the State board and Assam PCB informed that there are no issues related to stubble burning.

No information received from other states (Chandigarh, Gujarat, Jharkhand, Meghalaya and Telangana). Details are enclosed at ANNEXURE-VII.

vii. **Detailed micro level planning be undertaken in respect of each NAC by the concerned State/UT expeditiously and status as on 31.12.2020 be furnished to the CPCB within one month thereafter;**



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CPCB prepared a uniform robust format to address micro level activities for the sources covered under city action plans and has been shared with respective SPCBs/PCCs. Detailed and updated submission in the format shall facilitate preparation of micro-level plan as well as streamlined monitoring of implementation of city plans in the city. Such a format shall also aid in transitioning to a dynamic digitized reporting system in future

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Micro level planning has been submitted by Uttar Pradesh (Agra, Allahabad, Anpara, Bareilly, Firozabad, Gajraula, Ghaziahad, Jhansi, Kanpur, Khurja, Lucknow, Moradabad, Noida, Meerut, Raebareli and Varanasi), Uttarakhand (Kashipur & Rishikesh), Maharashtra (Akola, Amravati, Aurangabad, Badlapur, Chandrapur, Jalgaon, Jalna, Kolhapur, Latur, Mumbai, Nagpur, Nashik, Navi Mumbai, Pune, Sangli, Solapur, Ulhasnagar, Thane & Vasai-Virar), Andhra Pradesh (Guntur, Kumool, Nellore, Vijayawada & Vishakhapatnam), West Bengal (Kolkata, Asansol, Barrackpore, Durgapur, Haldia, Howrah & Raniganj), Telangana (Hyderabad & Patancheru), Himachal Pradesh (Baddi, Dantla, Kala Amb, Nalagarh, Paonta Sahib, Parwanoo & Sunder Nagar), Tamilnadu (Thoothukudi, Trichy, Madurai & Chennai), Chhattisgarh (Bhilai & Raipur), Rajasthan (Jaipur, Jodhpur & Kota), Meghalaya (Byrnihat), Bihar (Patna), Gujarat (Surat, Vadodara & Rajkot), Haryana (Faridabad), Jharkhand (Dhanbad, Jamshedpur & Ranchi), Karnataka (Bengaluru), Madhya Pradesh (Bhopal, Dewas, Indore, Sagar, Ujjain, Gwalior & Jabalpur), Punjab (Ludhiana & Amritsar) and Nagaland (Dimapur & Kohima)

Assam, Karnataka and Punjab SPCB inform that the Micro Planning of Actions of non-attainment city/towns will be done after completion of Source Apportionment and Carrying Capacity Study.

viii. **The States/UTs may address the gaps communicated by the CPCB with respect to the action plans for control of noise pollution and the States/UTs which have not yet furnished their action plans may do so positively by 31.12.2020. Compensation regime for violations of noise pollution be applied by all the States/UTs;**

A Separate report will be filed to Hon'ble NGT against the Direction by CPCB.

ix. **We find that NCAP for reduction of air pollution does not fully meet the mandate of sustainable development. Violation of laid down air pollution levels resulting in large number of deaths and diseases needs to be addressed expeditiously. Targeted time of reduction of pollution loads needs to be reduced and planned steps need to be sternly implemented on the ground. MoEF&CC may take further action as per law in the light of observations in para 19 above. The States may utilize CAMPA funds, undertaking special afforestation drives in forest lands or other permissible locations in 122 NACs as per CAF Act, 2016 to abate pollution in the said cities. The CEO of CAMPA may hold a video conferencing with all the States PCBs/PCCs to coordinate and facilitate the utilization of CAMPA Funds;**



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x. **Let all the States/UTs take further action for procurement of equipments and taking other steps for control of noise pollution in 122 NACs as discussed in para 20 above and direction (viii) above, including applying compensation regime prepared by the CPCB and file their respective reports of status of compliance as on 31.12.2020 by 15.1.2021;**

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A Separate report will be filed to Hon'ble NGT against the Direction by CPCB.

xi. **Let further steps be taken by all the States/UTs to finalise ERSs in terms of suggestion of the CPCB as quoted above in para 24, constituting a suitable mechanism similar to Task Force under GRAP for Delhi-NCR and information furnished to the CPCB by 31.12.2020;**

The Emergency Response System (ERS) - GRAP for Non-attainment cities is developed/part of action plan by 15 states (Jammu & Kashmir, Himachal Pradesh, Uttar Pradesh, Andhra Pradesh, Punjab, Chandigarh, Delhi, Bihar, Tamilnadu, Odisha, Nagaland, Gujarat, Maharashtra, Meghalaya and Telangana) and development is under process in 03 states (Uttarakhand, Rajasthan (for Ahwar city ERS prepared) and Assam). GRAP is being prepared in Chhattisgarh.

For Madhya Pradesh GRAP is prepared for Indore, Bhopal, Gwalior & Jabalpur (GRAP development under process in Dewas, Sagar & Ujjain), for Jharkhand GRAP is prepared for Ranchi & Jamshedpur (no information is available for Dhanbad), for West Bengal GRAP is prepared for all cities except Kolkata, for Karnataka GRAP is prepared for Bengaluru (no information is available for Devanagere, Gulburga and Hubli-Dharwad),

As informed by Karnataka SPCB, Proposal is being sent to Revenue Dept., Govt. of Karnataka to include MS, KSPCB as a member of Disaster Management Authority. The details are enclosed at ANNEXURE -VIII.

xii. **let further steps be taken to plan utilization of consent/EC funds by all the State PCBs/PCCs in the light of order of this Tribunal on the subject dated 24.07.2020 in O.A. No. 102/2019, Ashish Kumar Dixit v. State of Uttar Pradesh & Ors by 31.12.2020. It will be preferable that MoEF&CC with assistance of CPCB lays down an institutional mechanism on the pattern of CAMPA or otherwise for proper utilization of consent and EC funds available with CPCB/State PCBs/PCCs.**

As per the direction of Hon'ble NGT order O.A. No. 681/2018 dated 20.11.2019, a Committee is constituted in CPCB to review and approve the Action Plans for utilization of consent funds. 01st meeting of the Committee was convened on 13-02-2020 and action plans received from 14 SPCBs/PCCs were discussed in detail. The



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Committee proposed that revised action plans as per the templates proposed by CPCB may be submitted.

The 2nd Meeting of the Committee was convened on 07.08.2020 to review the action plans received from 07 State Pollution Control Boards/Pollution Control Committees (SPCBs/PCCs) namely Assam, Chandigarh, Chhattisgarh, Himachal Pradesh, Jammu & Kashmir, Meghalaya and Punjab. All the seven plans were placed before the Committee for consideration and approval. The Committee examined these action plans and action plans of Chandigarh PCC, Chhattisgarh Environment Conservation Board, Himachal Pradesh SPCB, Jammu & Kashmir PCB and Punjab SPCB were approved. 115

A meeting was convened on 15-01-2021 through Video Conferencing under the Chairmanship of Dr. Prashant Gargava, MS-CPCB with the State Pollution Control Boards (SPCBs)/ Pollution Control Committee (PCCs) to discuss the action plans and proposed the following:

1. SPCBs/PCCs shall prepare and submit Action Plans in line with orders of Hon'ble NGT, state specific requirements & priorities and effective utilization of funds before 31st January 2021 to CPCB;
2. SPCBs/PCCs shall provide the Annual collection of Consent and Environmental Compensation (EC) Funds to CPCB;
3. SPCBs/PCCs shall clearly specify the availability of Consent and Environmental Compensation Funds for execution of Action plans;
4. Action Plans for utilization of Consent and EC Funds shall be as per the Template provided by the Hon'ble NGT addressing the priority issues of SPCBs;
5. State level Committee shall be constituted for approval of action plans before submitting to CPCB and ;
6. Monitoring mechanism may be developed for execution of action plans by SPCBs/PCCs.

Meeting of the Committee for Utilization of Environmental Compensation (EC) Funds was convened on 18.02.2021 to review the action plans received from State Pollution Control Boards/Pollution Control Committees (SPCBs/PCCs) in compliance of the Hon'ble NGT order O.A. No. 102/2019 dated 24.07.2020.

The Committee examined in detail the action plans received from 16 SPCBs and 03 PCCs, summary recommendations are given below:

- Andaman & Nicobar, Assam, Jammu & Kashmir, Meghalaya, Mizoram, Nagaland and Puducherry SPCBs/PCCS does not have sufficient EC funds for execution of action plans
- Andhra Pradesh, Chandigarh and Sikkim have submitted action plans for more than the cost of EC Funds availability;
- The Action plan for Himachal Pradesh SPCB has already been approved by the Committee in the meeting held on 07.08.2020;



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- Kerala, Rajasthan and Tamil Nadu SPCBs have submitted action plans only for a part of Utilization of EC funds. Therefore, plans may be revisited;
- Odisha SPCB has submitted common action plan for O.A No. 681/2018 and 102/2019. Also availability of EC fund is not provided; and
- Action plans received from Bihar SPCB, Chhattisgarh ECB, Gujarat SPCB and Madhya Pradesh SPCB were approved by the Committee for execution:

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xiii. Let CPCB issue a fresh direction with regard to the remediation of legacy waste sites in the light of deficiencies noticed by the CPCB and coordinate further action with the concerned Urban Development /Local Bodies/PCBs/PCCs/Municipal Corporations. At least one site may be remediated and made a model of compliance in each of the 122 NACs. Where ever legacy waste sites remediation has not commenced, it may commence earliest having regard to the fact that timeline under statutory rules to complete such action is 7.4.2021 and continued delay is detrimental to public health and environment. Information of compliance status as on 31.12.2020 be furnished to CPCB in terms of observations in para 24 above;

As per the order of Hon'ble NGT, CPCB has issued direction on dated 27.01.2021 to all SPCBs/PCCs on following:

1. SPCBs/PCCs to provide complete list of Legacy Waste dumpsites in their States/UTs as per format enclosed.
2. SPCB/PCCs to ensure that necessary action for bio-mining and bio-remediation of these dumpsites is done by the concerned Local Authorities in compliance with Provisions of SWM Rules, 2016
3. SPCBs/PCCs shall ensure that concerned Local Authorities engaged in the biomining process of legacy waste follow procedures as per CPCB Guidelines for Disposal of Legacy Waste with specific compliance to the following points:
 - i. Analysis of various screened fraction materials i.e. RDF, fine earth/bio earth etc., prior to its disposal/utilization
 - ii. Preparation of plan for utilization/disposal of screened fractions
 - iii. Adequate provisions for leachate treatment.
 - iv. Maintenance of records / documents for disposal/utilization of the RDFs or fine earth and other materials.
4. SPCBs/PCCs shall ensure that the local bodies prepare time targeted Action Plan for bio-mining/ bio-remediation of these dumpsites in compliance with points listed above. The timelines as specified in SWM Rules, 2016 and Hon'ble NGT Directions on the matter are to be adhered to for remediation of these sites.
5. SPCBs/PCCs to ensure that no fresh waste is disposed at these dumpsites and local authorities make proper arrangement for management of fresh solid waste



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6. SPCB to ensure that at least one legacy waste dumpsite is remediated in their jurisdiction which can be considered as model for compliance for other legacy waste dumpsites in Non-Attainment Cities (NAC).

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Copy of the direction issued on 27.01.2021 is enclosed at ANNEXURE-IX and status of information provided by SPCBs/PCCs for the direction is enclosed at ANNEXURE-IX-A.

xiv. All the States/UTs and PCB/PCCs may take steps to coordinate with the State Disaster Management Authorities and Meteorological Departments. The observations of this Tribunal while dealing with the problem of frequent environmental disasters in order dated 23.07.2020 in OA 134/2020, News Item published on 13.07.2020 in daily "India Today" titled "Massive fire engulf Vizag chemical plant, explosions heard, injuries reported" may also be taken into account. Action taken reports be filed with the CPCB for submission of consolidated report to this Tribunal;

The Emergency Response System (ERS) – GRAP for Non-attainment cities is developed/part of action plan by 15 states (Jammu & Kashmir, Himachal Pradesh, Uttar Pradesh, Andhra Pradesh, Punjab, Chandigarh, Delhi, Bihar, Tamilnadu, Odisha, Nagaland, Gujarat, Maharashtra, Meghalaya and Telangana) and development is under process in 03 states (Uttarakhand, Rajasthan (for Alwar city ERS prepared) and Assam). GRAP is being prepared in Chhattisgarh.

For Madhya Pradesh GRAP is prepared for Indore, Bhopal, Gwalior & Jabalpur (GRAP development under process in Dewas, Sagar & Ujjain), for Jharkhand GRAP is prepared for Ranchi & Jamshedpur (no information is available for Dhanbad), for West Bengal GRAP is prepared for all cities except Kolkata, for Karnataka GRAP is prepared for Bengaluru (no information is available for Devanagere, Gulburga and Hubli-Dharwad),

As informed by Karnataka SPCB, Proposal is being sent to Revenue Dept., Govt. of Karnataka to include MS, KSPCB as a member of Disaster Management Authority. The details are enclosed at ANNEXURE -VIII.

A communication is received from Govt. of Uttar Pradesh for issuance of the required guidelines in the matter through National Disaster Management Authority (NDMA). CPCB also communicated to NDMA for necessary actions in this regard.

The compliance status received from the various SPCBs/PCCs on steps to coordinate with the State Disaster Management Authorities and Meteorological Departments is enclosed at ANNEXURE-X.

xv. MoRTH may take further prompt action of undertaking carrying capacity studies with regard to road infrastructure, specially in 122 NACs, through Central Road Research Institute or any other agency which may be financed by CPCB out of compensation funds or otherwise. On that basis,



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proper policies be prepared to deal with the number of vehicles beyond parking capacity or carrying capacity and permitting entry or registration of number of vehicles, parking areas etc. This is necessary to reduce congestion, unregulated parking and air pollution loads in 122 NACs. CPCB may coordinate with the concerned Ministries and acquaint this Tribunal with the outcome in its next report;

Communication was sent by CPCB vide letter dated 07.10.2020 and 24.11.2020 to MoRTH to take the matter on priority and provide the cost of the aforesaid study, for consideration of CPCB. Letter enclosed at ANNEXURE-XI.

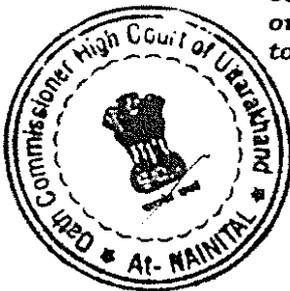
Ministry of Road Transport & Highways in its Office Memorandum No. RT16025/2/2019-T dated 21.12.2020 (ANNEXURE-XII), stated that, "as per Government of India (Allocation of Business) Rules 1961, subject matter of the 'Planning and Coordination of Urban Transport systems is allocated to the Ministry of Housing and Urban Affairs (MoHUA). Further, MoHUA has already entrusted the task of formulating methodology for assessment of Carrying Capacity to M/s Urban Mass Transit Company Ltd (UMTC).

The scope of the study being undertaken by MoHUA already covers the carrying capacity studies with regard to road infrastructure, and may be extended to 122 NACs, in compliance of the Hon'ble NGT order dated 21.08.2020."

Further, CPCB vide letter dated 13.01.2021, requested to MoHUA to take the matter on priority and provide the requirement of the funds, if any on aforesaid study, for consideration of CPCB and compliance status on the Hon'ble NGT direction.

In reference to the MoRTH Office Memorandum No. RT-16025/2/2019-T dated 21.12.2020 (ANNEXURE-XII), MoHUA, issued an Office Memorandum vide O.M. No. K-14011/23/2018-UT-I dated 20.01.2021 (ANNEXURE-XIII), wherein MoHUA stated that "the stand/contention of MoRTH is not correct and is also not in line with the facts/developments of the case" and various views are provided. It is also stated that the directions of the Hon'ble NGT in the Order dated 21.08.2020 are categorical, case specific and with reference to MoRTH's functions and mandate for framing of policies regarding road infrastructure, framing of proper policies. Accordingly, the directions of the Hon'ble NGT in their order dated 21.08-2020 are for compliance and necessary action by MoRTH and they may consider filing compliance report/ appropriate submissions before the Hon'ble NGT.

xvi. The recommendations of the Oversight Committee for the State of UP, in its report dated 15.07.2020, need serious consideration and action by the concerned authorities in the State of UP. The Chief Secretary, UP may ensure further action in the State at different levels which may be coordinated and overseen by the Monitoring Committee. The oversight Committee may give its further independent report to this Tribunal before the next date by e-mail;



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Information to be submitted by Uttar Pradesh separately.

xvii. In view of continued violation of law on significant environmental issues, to give effect to rule of law and Constitutional mandate of clean environment and for protection of public health and environment, monitoring must be done at the level of Chief Secretaries at least once in a month and the Chief Secretaries must have environment cells attached to their offices, as earlier directed by the Hon'ble Supreme Court and this Tribunal in OA 606/2018;

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The environment cell is prepared by 11 states (Jammu & Kashmir, Chhattisgarh, Himachal Pradesh, Madhya Pradesh, Maharashtra, Punjab, Odisha, Tamilnadu, Nagaland, West Bengal and Uttar Pradesh) and status not available for 13 states (Andhra Pradesh, Chandigarh, Delhi, Gujarat, Jammu & Kashmir, Jharkhand, Karnataka, Meghalaya, Rajasthan, Telangana, Uttarakhand, Bihar and Assam). Details of development of environment cell are enclosed at ANNEXURE-XIV."

27. Separate report on the subject of control of noise pollution gives the gap analysis as follows:

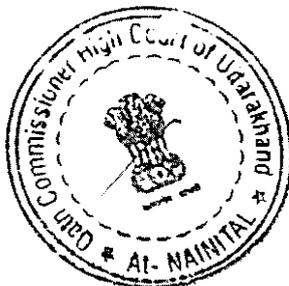
3.0 GAP ANALYSIS

As per Hon'ble NGT Directions dated 15.03.2019 and 15.11.2019, action Plan submitted by States/UTs are analysed on the basis of following points:

- i. Noise level monitoring in conjunction with the Police Department and take remedial action.
- ii. Police Departments of all the States/UTs may obtain the Noise monitoring devices within a period of three months.
- iii. Police Department of all the States/UTs may also train their staff regarding the use of such devices.
- iv. Police Department of all the States/UTs may develop a robust protocol for taking appropriate action against the defaulters.
- v. Use of Sound Limiter(s) in all sound system/public address system for effective control of Noise Pollution.

Accordingly, action plans submitted by 30 States/UTs were assessed based on its adequacy in addressing above-mentioned points. Detailed assessment of action plan is attached as Annexure-XLVI.

Following are the major observations based on the assessment:



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- i. 10 States/UTs (Delhi, Tripura, Bihar, West Bengal, Karnataka, Kerala, Gujarat, Jammu and Kashmir, Sikkim, Uttar Pradesh) have addressed all the five action points as listed above in their action plans.
- ii. 20 States/UTs (Andhra Pradesh, Andaman & Nicobar, Arunachal Pradesh, Assam, Chhattisgarh, Chandigarh, Goa, Daman & Diu & Dadra and Nagar Haveli, Himachal Pradesh, Lakshadweep, Madhya Pradesh, Maharashtra, Meghalaya, Manipur, Mizoram, Odisha, Pondicherry, Tamil Nadu, Telangana, Uttarakhand) have partially addressed the above-listed action points in their action plans.
- iii. 05 States/UTs namely Haryana, Jharkhand, Nagaland, Punjab, Rajasthan have not submitted any action plan to CPCB.*

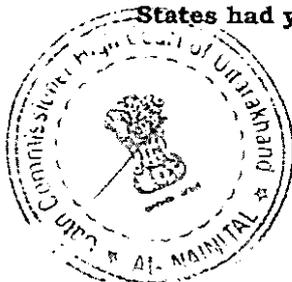
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VI. Consideration of Report of the Oversight Committee for UP dated 27.03.2021 about compliance status in UP and recommendations for this order

28. We have also considered the report of the Oversight Committee for UP filed on 27.03.2021 in continuation of earlier report dated 12.02.2021, giving the compliance status with reference to directions of this Tribunal in the State of UP showing non-compliances on several issues, in a tabular form. **The Chief Secretary, UP may look into the report of the Oversight Committee and take further remedial action in terms of recommendations therein.**

Separate Report of CPCB re: road dust control and fire crackers

29. The separate CPCB report in pursuance of directions in OA 283/2020 is to the effect that 12 States have initiated some action and made provision for **sprinkling of water to suppress road dust and to procure mechanical road sweepers** while other States have yet to take action. Report in pursuance of directions in OA 249/2020 is that 23 States had prepared plans to regulate bursting of fire crackers while other States had yet to take action.



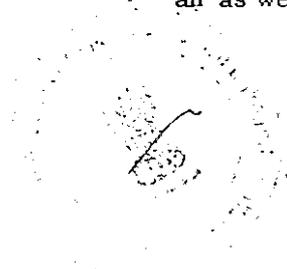
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VII. **Current (Fifth) and final review on the subject - Analysis of the CPCB report dated 05.04.2021 for this order**

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30. The report shows progress under 17 specific heads. With regard to installing 175 monitoring stations, it is stated that 20 new CAAQMs have been installed and 25 approved. SA and CC studies are underway. There is partial progress on shifting polluting activities out of non-conforming areas. PGRPs have been developed by several States and other States have yet to do the same. **Two more cities have been added to the list of NACs** and actions plans for the NACs have been mostly prepared. Status of execution of action plans is not very clear. Micro level planning has been done for some cities. Gaps in plans and execution remain to be addressed. The issue of revising NCAP and CAMPA Funds is still to be addressed. Certain steps have also been taken for control of noise pollution, including procurement of noise monitoring devices and limiters. Emergency response systems have been partly developed. Directions issued for utilizing 'Consent' and 'EC' funds and for bioremediation of legacy waste dump sites. Carrying capacity of road infrastructure to determine parking capacity is being dealt with by the Ministry of Road Transport and Highways and Urban Development Departments. Environment Cells have been set up by some of the Chief Secretaries. **The report does not indicate the reduction in pollution level in any of the NACs as a result of steps so far taken. Similarly, with regard to noise pollution control, no tangible progress has been shown.** Progress on SA and CC studies is highly inadequate. Preventive and remedial measures for stubble burning need to be planned in advance for effective control of pollution. CPCB needs to undertake finger printing and marker/bio-marker pollutant analysis and identify sensitive plant species which will indicate quality of air as well as deleterious effect, if any, along with SA studies. While the



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report has stated under heading (ix) that a separate report will be filed on the subjects of modification of NCAP, utilization of CAMPA Funds by undertaking special afforestation drive, no such separate report has been filed. 122

31. We consider it necessary to comment on some of the subjects needing pointed attention.

Inadequacy of Monitoring Stations

32. To capture the real picture which is essential for further planning and remedial action, sufficient number of monitoring stations have to be established and there has to be atleast one monitoring station in every district, as earlier directed. In this regard, we may refer to earlier order dated 21.08.2020 on consideration of the issue with reference to the data from CPCB report dated 18.08.2020. The Tribunal noted that the said report mentioned that air quality was being monitored manually at 793 locations covering 344 cities/towns in 28 States and 7 Union Territories (UTs) across the country under National Air Quality Monitoring Programme (NAMP) and through real time stations in 219 stations covering 123 cities in 18 States and 2 UTs under Continuous Ambient Air Quality Monitoring. Further, the SPCBs/PCCs are also monitoring ambient air quality manually at 126 locations covering 86 cities/ towns in 13 States under State Air Quality Monitoring Programme (SAQMP). **It was observed that there are 740 Districts in the country and above 4000 cities. It is absolutely necessary that atleast at every District Headquarter in all the 740 Districts, there should be an air quality monitoring station. It was directed that wherever such stations have not yet been set up so far (though Air Act is 39 years old), manual stations, which are very easy to set up and are not costly, must be installed at the**



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earliest using simpler procedure like GeM. This step should not exceed three months. This will be the responsibility of the State PCBs/PCCs, using funds available under 'consent mechanism'/ 'environmental compensation'. 123

As per data furnished by the CPCB in its report dated 14.11.2019, it was mentioned that as against requirement of CAAQMS being 800, only 176 had been installed and as against required manual stations being 1250, only 658 had been installed. The gap was directed to be filled up by the Tribunal till 20.11.2020 which was extended vide order dated 21.08.2020 for six months, which expired on 21.02.2021.

CC and SA Studies

33. The progress on the subject is inadequate, though important as in its absence of such studies, further planning and action may be difficult. Hazardous/polluting activities will remain unchecked without proper planning.

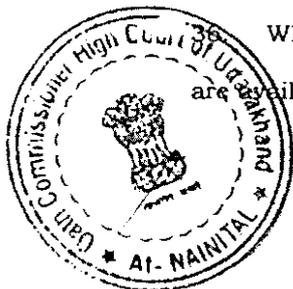
Shifting of polluting activities

34. As already mentioned, in absence of CC and SA studies and master plans, shifting, prohibiting and regulating unsustainable polluting activities remain a challenge.

Effective functioning of PGRPs

35. As per report, 17 States have yet to provide information while effectiveness of functioning of PGRPs has not yet been duly evaluated.

Action Plans for NACs



While action plans have been prepared for almost all the NACs and are available on the websites of CPCB as well as State PCBs, timelines in

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the action plans are not in consonance with the orders of this Tribunal. For enforcement of rule of law, accountability is required to be fixed for every violation of standards of air quality by identifying the violators and taking action in terms of prohibiting polluting activities as well as recovering compensation for the period during which violation continued. If such plan is not prepared to make every violator accountable, there will be failure of the public trust doctrine under which the State Authorities are required to enforce the enacted law. There has to be commitment to the upholding of the air quality standards laid down and taking action for every violation. We are of view that such coercive action for failure against authorities must start atleast from 01.11.2021. Any delay in execution of action plan beyond 01.11.2021 will render the concerned States liable to pay compensation atleast @ Rs. 10 lakhs per month with liberty to recover the amount from the erring officers. Such compensation must be credited to a separate account to be operated by the Chief Secretary of the State and the amount so deposited will be spent for restoration of the environment.

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Noise control

37. There are huge gaps in execution of action plans for noise control, including procurement of equipments. Such gaps need to be addressed especially by Police and environment Departments who are entrusted with the responsibility of control of noise under the Noise Pollution (Regulation and Control) Rules, 2000. Atleast from 01.11.2021, the concerned States/heads of police force must be held liable to pay compensation @ Rs. 10 lakhs per month on the same pattern as failure to enforce action plans for control of air pollution.

Afforestation drive utilizing CAMPA Funds



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38. Afforestation drive is essential for control of air pollution. Coordination with the CAMPA authorities is required for utilizing the CAMPA funds for the purpose of afforestation, as already directed. 125

Revamping of State PCBs/PCCs utilizing 'Consent'/'EC' funds

39. According to CPCB report, certain steps have been taken but further steps need to be taken. There is dire need to revamp regulatory authorities by recruiting adequate number of personnel, atleast equal to already sanctioned posts and then reviewing the strength and also by procuring requisite equipments and establishing sufficient labs, using available consent funds.

Issue of Carrying Capacity of the roads through Central Road Research Institute by MoRTH

40. The issue remains unresolved though it is very much necessary for the purpose of planning no vehicle zones, parking capacity and other regulatory measures, including number and nature of vehicles to be allowed in NACs and other air polluted areas.

Monitoring at the level of Chief Secretaries through environment cells

41. The report shows that only 11 States have so far given information. Further action needs to be taken expeditiously.

DATA GRID Needed

42. The data grid for continuous information will go a long way in dealing with the problem. As already noted in Para 20 above, there is need for National, State, District Environmental Data Grids giving the data of ^{air quality}. Apart from improving environment, this is necessary to enforce right of the citizens to information about air quality in different areas.



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Based on the level of pollution, categories of cities/districts need to be appropriately classified such as 'red', 'orange' and 'green'. Further, based on such data National Air Quality Atlas may be compiled and published on the websites of MoEF&CC, CPCB and State PCBs/PCCs and updated from time to time. 126

Other inadequacies in addressing challenges : SA and CC studies and further steps for control of Vehicle pollution, vehicle density, industrial pollution, coal-fired industrial activities, Unscientific mining, unplanned development, garbage Dumps, combustions - burning of garbage, crop burning, handling of other waste - plastic, bio-medical waste, dust, environmental disasters

Legacy Waste Sites remediation and other waste management, including biomedical and plastic wastes and burning of crop residue

43. The said work continues to be neglected posing serious threat to the air quality. As per directions already issued on 28.02.2020 in OA 606/2018, compensation may be recovered and utilized for restoration of the environment. The said direction is reproduced below for ready reference:

"1to40...xxx.....xxx.....xxx"

41. In view of above, consistent with the directions referred to in Para 29 issued on 10.01.2020 in the case of UP, Punjab and Chandigarh which have also been repeated for other States in matters already dealt with, we direct:

- a. In view of the fact that most of the statutory timelines have expired and directions of the Hon'ble Supreme Court and this Tribunal to comply with Solid Waste Management Rules, 2016 remain unexecuted, interim compensation scale is hereby laid down for continued failure after 31.03.2020. The compliance of the Rules requires taking of several steps mentioned in Rule 22 from Serial No. 1 to 10 (mentioned in para 12 above). Any such continued failure will result in liability of every Local Body to pay compensation at the rate of Rs. 10 lakh per month per Local Body for population of above 10 lakhs, Rs. 5 lakh per month per Local Body for population between 5 lakhs and 10 lakhs and Rs. 1 lakh per month per other Local Body with population with 5 lakhs from 01.04.2020 till compliance. If the Local Bodies are unable to bear financial burden, the liability will be of the State Governments with liberty



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to take remedial action against the erring Local Bodies. Apart from compensation, adverse entries must be made in the ACRs of the CEO of the said Local Bodies and other senior functionaries in Department of Urban Development etc. who are responsible for compliance of order of this Tribunal. Final compensation may be assessed and recovered by the State PCBs/PCCs in the light of Para 33 above within six months from today. CPCB may prepare a template and issue an appropriate direction to the State PCBs/PCCs for undertaking such an assessment in the light thereof within one month. 129

b. Legacy waste remediation was to 'commence' from 01.11.2019 in terms of order of this Tribunal dated 17.07.2019 in O.A. No. 519/2019 para 28²² even though statutory timeline for 'completing' the said step is till 07.04.2021 (as per serial no. 11 in Rule 22), which direction remains unexecuted at most of the places and delay in clearing legacy waste is causing huge damage to environment in monetary terms as noted in para 33 above, pending assessment and recovery of such damage by the concerned State PCB within four months from today, continued failure of every Local Body on the subject of commencing the work of legacy waste sites remediation from 01.04.2020 till compliance will result in liability to pay compensation at the rate of Rs. 10 lakh per month per Local Body for population of above 10 lakhs, Rs. 5 lakh per month per Local Body for population between 5 lakhs and 10 lakhs and Rs. 1 lakh per month per other Local Body. If the Local Bodies are unable to bear financial burden; the liability will be of the State Governments with liberty to take remedial action against the erring Local Bodies. Apart from compensation, adverse entries must be made in the ACRs of the CEO of the said Local Bodies and other senior functionaries in Department of Urban Development etc. who are responsible for compliance of order of this Tribunal. Final compensation may be assessed and recovered by the State PCBs/PCCs in the light of Para 33 above within six months from today.

c. Further, with regard to thematic areas listed above in para 20, steps be ensured by the Chief Secretaries in terms of directions of this Tribunal especially

²² The Chief Secretaries may ensure allocation of funds for processing of legacy waste and its disposal and in their respective next reports, give the progress relating to management of all the legacy waste dumpsites. Remediation work on all other dumpsites may commence from 01.11.2019 and completed preferably within six months and in no case beyond one year. Substantial progress be made within six months. We are conscious that the SWM Rules provide for a maximum period of upto five years for the purpose, however there is no reason why the same should not happen earlier, in view of serious implications on the environment



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w.r.t. plastic waste, bio-medical waste, construction and demolition waste which are linked with solid waste treatment and disposal. Action may also be ensured by the Chief Secretaries of the States/UTs with respect to remaining thematic areas viz. hazardous waste, e-waste, polluted industrial clusters, reuse of treated water, performance of CETPs/ETPs, groundwater extraction, groundwater recharge, restoration of water bodies, noise pollution and illegal sand mining. 128

d. The compensation regime already laid down for failure of the Local Bodies and/or Department of Irrigation and Public Health/In-charge Department to take action for treatment of sewage in terms of observations in Para 36 above will result in liability to pay compensation as already noted above which are reproduced for ready reference:

- i. Interim measures for phytoremediation/bioremediation etc. in respect of 100% sewage to reduce the pollution load on recipient water bodies - 31.03.2020. Compensation is payable for failure to do so at the rate of Rs. 5 lakh per month per drain by concerned Local Bodies/States (in terms of orders dated 28.08.2019 in O.A. No. 593/2017 and 06.12.2019 in O.A. No. 673/2018) w.e.f. 01.04.2020.
 - ii. Commencement of setting up of STPs - 31.03.2020. Compensation is payable for failure to do so at the rate of Rs. 5 lakh per month per STP by concerned Local Bodies/States (in terms of orders dated 28.08.2019 in O.A. No. 593/2017 and 06.12.2019 in O.A. No. 673/2018) w.e.f. 01.04.2020.
 - iii. Commissioning of STPs - 31.03.2021. Compensation is payable for failure to do so at the rate of Rs. 10 lakh per month per STP by concerned Local Bodies/States (in terms of orders dated 28.08.2019 in O.A. No. 593/2017 and 06.12.2019 in O.A. No. 673/2018) w.e.f. 01.04.2021.
- e. Compensation in above terms may be deposited with the CPCB for being spent on restoration of environment which may be ensured by the Chief Secretaries of the States/UTs.
- f. An 'Environment Monitoring Cell' may be set up in the office of Chief Secretaries of all the States/UTs within one month from today, if not already done for coordination and compliance of above directions which will be the responsibility of the Chief Secretaries of the States/UTs.



g. Compliance reports in respect of significant environmental issues may be furnished in terms of order dated 07.01.2020 quarterly with a copy to CPCB.

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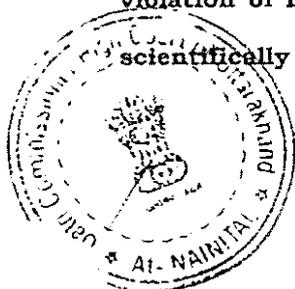
44. Vide order dated 14.12.2020 in O.A. No. 606/2018, *Compliance of Municipal Solid Waste Management Rules, 2016 and other environmental issues*, further direction issued is as follows:-

"1to8...xxx.....xxx.....xxx"

9. The compensation in terms of earlier order be recovered and credited to a separate account with the Environment Department of the States/UTs to be used for restoration of environment in the concerned States/UTs. The deposit, instead of being made with the CPCB, may now be made to the said account."

45. There are 4000 legacy waste dump sites (including in all NACs) in the country as per CPCB report noted in order dated 18.10.2019 in OA 606/2018. Emissions therefrom and burning of garbage cause air pollution. The said accumulated/legacy waste needs to be tackled on war footing, as earlier directed by this Tribunal in OA No. 606/2018, in the presence of Chief Secretaries of all the States/UTs. **Progress on the subject is disappointing. Unplanned hazardous activities in residential areas are further matter of concern. There are no adequate safeguards against control of fugitive dust. Coal fired industrial activities are a great hazard. Density of vehicles, unclean fuel and lack of planning to regulate traffic need focused attention. No satisfactory solution is in place to control burning of crop residue. Environmental disasters remain unchecked.**

46. **Dumping and burning of bio-medical waste and plastic waste in violation of law significantly add to air pollution which need to be scientifically handled, as held by this Tribunal vide orders dated**



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18.01.2021 in OA No. 710/2017, *Shaillesh Singh v. Sheela Hospital & Trauma Centre, Shahjahanpur & Ors.* and 08.01.2021 in EA No. 13/2019 in OA 247/2017, *Central Pollution Control Board v. State of Andaman & Nicobar & Ors.* respectively. 130

Measurement of Success - graph must show reduction of pollution load but infact pollution level increasing - Serious Monitoring and fixing accountability imperative:

47. Final success of execution of action plans depends on graph of reduced pollution load. This requires monitoring at highest levels in Districts, States and at the national level by coordination of all concerned departments. There is constitutional obligation of good governance and a duty to citizens to enforce their right of breathing fresh air. Absence of adequate remedial action is resulting in deaths and diseases which are like pandemic or like causing of homicide or grievous hurts with no accountability. Main sources of air pollution have been identified and remedial measures also articulated.

Some other recent NGT orders relevant in the context: Shifting coal fired industrial activities to PNG

48. As a result of regional carrying capacity evaluated by an Expert Committee under orders of this Tribunal in OA No. 1016/2019, *Utkarsh Panwar v. Central Pollution Control Board & Ors.*, it was found that **brick kilns in NCR were working beyond the carrying capacity.** This led to direction for control and regulation of such activities and also switching to cleaner fuel. **Similar directions were issued for air pollution in Morbi industrial area in Gujarat²³ and Mandi Gobindgarh Industrial area in Punjab²⁴ by shifting fuel for industrial activities from coal to PNG.**



Order dated 6.3.2019 OA 20/17(WZ) Babubhai v GPCB

Order dated 06.04.2021 in OA No. 924/2019, Neeraj Goyal v. State of Punjab

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49. Once studies are carried out about sources of pollution beyond assimilative capacity of air, it will be possible to control and regulate polluting activities in the interest of public health and to give effect to the Sustainable Development principle. 131

Dust Control

50. In view of directions already given in OA 283/2020²⁵, there is need for control of fugitive dust emissions during the road cleaning by appropriately sprinkling of water and greening of the open soiled areas. Utilization of CAMPA funds for afforestation needs to be explored in coordination with the CAMPA authorities, as already directed.

Public Awareness and stringent measure against sources of pollution and revamping monitoring mechanism having sufficient qualified personnel, periodical training and procuring equipments - imperative for public health - constant planning and monitoring at all levels

51. Further attention is required to creating awareness about harmful polluting activities like fire crackers. It is well known that harmful hazy conditions of pollutants being locked in the air during October - November in North India may need sustained planning and action. Prior awareness of the public in this regard is imperative. There is also need for involvement of eminent citizens and experts. An Advisory Committee is required for each of the NAC and other air polluted areas where air quality is poor and above so that such Committees may interact with the resident welfare associations and other stake holders in the light of public grievances/suggestions, plan initiatives and special drives from time to time having regard to the local conditions. They can also coordinate with schools and colleges and research institutions.

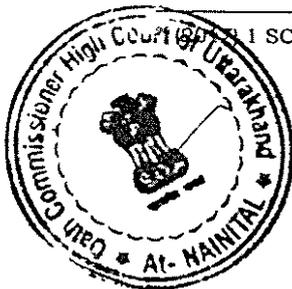


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52. As already mentioned, pollution free environment is part of right to life. Air pollution beyond norms seriously affects health and environment. In spite of statutory mechanism and orders of the Hon'ble Supreme Court and other Courts/Tribunal, the challenge of pollution from different sources, including vehicular pollution, industrial and construction sector pollution, power sector pollution, agriculture sector pollution remains. Graded Action Response Plan (GRAP) has been issued for National Capital Region (NCR) in pursuance of directions of the Hon'ble Supreme Court stipulating steps to be taken for controlling/regulating several polluting activities depending upon the level of pollution. 122

53. In *Arjun Gopal & Ors. v. UOI & Ors.*²⁶, it was observed that the residents of NCR faced severe air quality standards which were worst in the World. It had serious adverse health impact. Life of citizens in NCR had been brought to virtual standstill. The Capital was smoked into an environmental emergency of unseen proportions. It will be appropriate to extract some observations from the judgment:-

"4. The onset of winter and the festival/marriage season this year, presented to the residents of NCR severe concerns regarding the air quality standards. According to reports, the air quality standards in early November of this year were the worst in the world. It is reported that the PM_{2.5} levels recorded were "beyond scale" values (see India's Air Quality Among World's Worst Over Diwali Weekend: Report. 4-11-2016, Hindustan Times). The report indicates that 24-hour average of PM_{2.5} levels in South Delhi in 2016 were 38% higher than on the Diwali night of 2015. The day after Diwali, these levels were twice as high as the day after Diwali in 2015, crossing 650 µg/m³, which is 26 times above the WHO's standards or levels considered safe. Shockingly, on the morning of 1-11-2016, Delhi woke up to an average PM_{2.5} level of over 700 µg/m³ — some of the highest levels recorded the world over and 29 times above WHO standards. The report further states that the WHO guideline for 24-hour average PM_{2.5} levels is 25 µg/m³ and with an annual average PM_{2.5} level of 122 µg/m³, Delhi's air is the worst among global megacities with dense populations. We have



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particularly referred to the PM 2.5 levels because of the extreme effects and near invisibility of this type of particulate matter. PM_{2.5} or particulate matter 2.5 (PM_{2.5}), refers to tiny particles or droplets in the air that are two-and-one-half microns or less in width. It may be noted that the widths of the larger particles in the PM_{2.5} size range would be about thirty times smaller than that of a human hair. These particles primarily emanate from vehicle exhausts and other operations that involve the burning of fuels such as wood, heating oil or coal, and of course, use of fire crackers.

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5. In India, air quality standards are measured in terms of the Air Quality Index (hereinafter "AQI"). The AQI was launched in India on 17-10-2014 by the Ministry of Environment and Forests. According to the press release of the Press Information Bureau of the same date, it consists of a comprehensive set of parameters to monitor and assess the air quality. The AQI considers eight pollutants (PM₁₀, PM_{2.5}, NO₂, SO₂, CO, O₃, NH₃, and Pb), and based on the levels of these pollutants six categories of AQI ranging from "Good" to "Severe" have been prescribed. The index also suggests the health effects of the pollution categorywise. The gradation of AQI and its health impact is extracted below:

Tables 1 and 2 have already been reproduced above and are not being repeated.

xxx.....xxxxxx
 xxx.....xxxxxx

6. Reports indicate that AQI in Delhi was much above the severe standard, shooting off the AQI 500 mark on many days this November. On the day after Diwali, it was more than 14 times the safe limits (see Delhi's Pollution Levels Peaks at 14-16 Times Safe Limits, 31-10-2016, The Hindu). The adverse health effects of these hazardous levels of pollution are only too evident from the table given above. We do not intend to refer to the multiplicity of reports and data on this front.

7. The hazardous levels of air pollution in the last few weeks have spared very few from its ill effects. The life of the citizens of NCR was brought to a virtual standstill, not to speak about the plight of the thousands of mute flora and fauna in NCR. Schools were declared shut, denizens of the city advised to stay indoors, construction activities stopped, power stations shut and ban imposed on burning of garbage and agricultural waste. The fall in air quality has had a significant impact on people's lifestyle as well. The rising costs to protect against air pollution are substantial. It has come to our notice that people are queuing up to purchase protective masks and air purification systems in the wake of dense smog all over the NCR. In short, the capital was "smogged" into an environmental emergency of unseen proportions.

The adverse effects of these extreme levels of air pollution spare no one — the young, the old, the infirm and



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even the future generations. A study of the data of the Global Health Depository of the World Health Organisation reveals that India has the world's highest death rate from chronic respiratory diseases and that about 1.5 million people in India die annually due to indoor and outdoor pollution (see Delhi Wakes up to an Air Pollution Problem it cannot Ignore, 15-2-2015, The New York Times). The Kolkata-based Chittaranjan National Cancer Institute (CNCI), in a study commissioned and handed over to the Central Pollution Control Board, found that key indicators of respiratory health, lung function to palpitation, vision to blood pressure, of children in Delhi, between four and 17 years of age, were worse off than their counterparts elsewhere. It also found that more than 40% of the school children suffer from lung damage (see Landmark Study Lies Buried, 2-4-2015, The Indian Express). We note with apprehension that there are nascent studies that suggest that pollution can lower children's IQ, hurt their test scores and increase the risks of autism, epilepsy, diabetes and even adult-onset diseases like multiple sclerosis (see Holding Your Breath in India, 29-5-2015, The New York Times).

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9. It has been brought to our notice that the severe air pollution in the NCR is leading to multiple diseases and other health related issues amongst the people. It is said that the increase in respiratory diseases like asthma, lung cancer, bronchitis, etc. is primarily attributable to the worsening air quality in the NCR. The damage being caused to people's lungs is said to be irreversible. Other health related issues like allergies, temporary deafness are also on the rise. Various experts have pointed towards multiple adverse effects of air pollution on human health like premature deaths, rise in mortality rates, palpitation, loss of vision, arthritis, heart ailments, cancer, etc.

10. When we refer to these extreme effects, we are not merely referring to the inconvenience caused to people, but to abject deprivation of a range of constitutionally embedded rights that the residents of NCR ought to have enjoyed. Needless to state, the grim situation of air quality adversely affected the right to education, work, health and ultimately, the right to life of the citizens, and this Court is constitutionally bound to address their grave concerns. May we remind ourselves, that this is not the first time that this Court was impelled into ensuring clean air for the citizens of the capital region (see *M.C. Mehta v. Union of India* [*M.C. Mehta v. Union of India*, (1998) 6 SCC 60], [*M.C. Mehta v. Union of India*, (1998) 9 SCC 589], *M.C. Mehta v. Union of India* [*M.C. Mehta v. Union of India*, (1998) 8 SCC 648] and *M.C. Mehta v. Union of India* [*M.C. Mehta v. Union of India*, (1998) 8 SCC 206])."



We have already noticed directions of CPCB under section 18 of the Air Act dated 29.12.2015 for setting up of monitoring stations and orders

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of the Hon'ble Supreme Court for control of vehicular, industrial, construction, power sector and agricultural pollution, CAP prepared by EPCA for NCR and GRAP notified by MoEF&CC for NCR for measures in response to higher pollution levels, including closing of specified polluting activities and also restrictions in eco sensitive zones and need for comprehensive measures for NACs, which are a class of polluted areas requiring targeted measures on the pattern of NCR and ESZs.

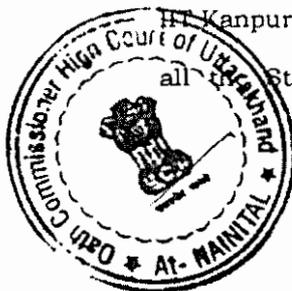
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Enforcement of air quality standards in areas other than 124 NACs

55. As already mentioned, the criteria for determining NACs is consecutive non-compliance for five years for any of the 12 parameters. Apart from a city or area being non-compliant of any of the parameters for five consecutive years and qualifying as NACs, there are cities or areas which are non-compliant with the air quality standards but not for consecutive five years. Such cities also need remedial action at par with NACs. Further, where-ever air quality is poor or above, in view of adverse health impact of air pollution, remedial action is required in the interest of public health.

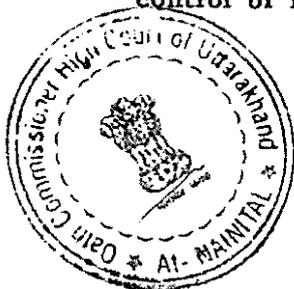
VIII. Consideration of way forward and Directions:

56. As shown from the resume of orders dated 8.10.2018, 15.03.2019, 06.08.2019, 20.11.2019 and 21.8.2020 in the present matter and other orders in related matters and above discussion, specific action points stand identified. There are action plans prepared by six member Air Quality Monitoring Committees (AQMCs) in States/UTs, overseen by the Chief Secretaries and approved by Expert Committee comprising Member Secretary CPCB, Prof Mukesh Khare, IIT Delhi and Prof. Mukesh Sharma, Kanpur. The subject was also discussed with the Chief Secretaries of all States/UTs during their appearance before the Tribunal in

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pursuance of order dated 16.1.2019. On further review, 15 specific directions were issued on 6.8.2019 including setting up of online Continuous Ambient Air Quality Monitoring Stations (CAAQMS), undertaking Source Apportionment (SA) and Carrying Capacity (CC) studies, reviewing of master plans consistent with such studies, closing/shifting industrial units from residential/non-conforming areas consistent with the directions of the Hon'ble Supreme Court, developing public grievance redressal portals and incorporating compensation regime against the violators. The Tribunal also took cognizance of the noise pollution which is also covered under the Air (Prevention and Control of Pollution) Act, 1981 and 2000 Rules under the EP Act. Further issues considered include revamping of CPCB and State PCBs for effective monitoring. Progress was reviewed on 20.11.2019 and further 16 specific directions were issued, including compensation for defaults. Further issue of regulating parking in the light of capacity of the road infrastructure was dealt with vide order dated 26.2.2020, as already mentioned earlier. Finally, on 21.8.2020 comprehensive review was undertaken and 18 specific directions were issued. **The compliance status does not show significant achievements and there continue to be huge gaps in what is required to be done and what has been done.**

57. That 124 major cities in the country are continuously non-compliant with the prescribed standards of air quality for more than five years is a matter of serious national concern which needs to be addressed urgently at all levels by involvement of highest authorities. Challenge is equally serious for areas where pollution levels are as high as above poor even though outside 125 NACs. Challenge of control of noise pollution also confronts the citizens. Thus, the



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concerned authorities have to perform their responsibility, including public awareness and involvement.

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58. In the light of above detailed discussion, holistic and coordinated efforts at all levels in the government is dire need of the hour. Accountability in terms of adverse entries in the ACRs and recovery of compensation for non-compliance are imperative for fixing accountability. This requires authorities at higher level to function as trustees for discharge of constitutional and statutory obligation to the citizens. There is no other magic wand to protect people against acknowledged sorry state of affairs. As shown from the observations of Hon'ble Supreme Court quoted in para 53 above, India has world's highest death rate from chronic respiratory diseases. About 1.5 million people in India die annually due to air pollution. The Hon'ble Supreme Court also observed that 40% school children suffer from lung damage. Air pollution can lower children's IQ, hurt their test scores and increase the risks of autism, epilepsy, diabetes and even adult-onset diseases. Severe air pollution is leading to diseases and irreversible damage to health. There are other health related issues like allergies, temporary deafness. Various experts have pointed towards multiple adverse effects of air pollution on human health like premature deaths, rise in mortality rates, palpitation, loss of vision, arthritis, heart ailments, cancer, etc. This is resulting in deprivation of constitutionally embedded rights. Grim situation is affecting right to education, work, health and ultimately, the right to life of the citizens. There are further reports²⁷ that air pollution is

²⁷(i) Air pollution killed 1.7 million Indians in 2019: Lancet report: <https://www.downtoearth.org.in/news/air/ainp/air-pollution-killed-1-7-million-indians-in-2019-lancet-report->



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resulting in fatalities and economic losses. Remedial action is thus utmost for protecting health of the citizens.

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Need for a High-level National Task Force for Monitoring

59. The matter has been monitored by the Tribunal for about two and a half years. Primarily the Tribunal is an adjudicatory body and beyond giving directions necessary for protection of environment under section 15 of the NGT Act, execution has to be by administrative authorities. Under public trust doctrine, the State authorities are under obligation to take effective measures to control pollution. Tribunal monitoring cannot be for indefinite period. Road map has crystallised to an extent. The Tribunal has formulated direction and conducted review five times with the assistance of data available with it. The ownership of monitoring must be now taken over by the statutory and administrative authorities for enforcement of rule of law for which a national level task force needs to be constituted. Thus, we find it necessary to give effect to the principle of Sustainable Development, in the interest of protection of environment and public health, to direct constitution of an eight-member National Task Force (NTF) to be headed and coordinated by the Secretary MoEF&CC with nominees of Ministries from Housing and Urban Development, Road Transport, Petroleum, Power, Agriculture, Health and CPCB with a view to monitor remedial

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(ii) AIR POLLUTION RELATED DISEASE, DEATHS COST INDIA RS 260,000 CRORES IN ECONOMIC LOSS: REPORT (<https://www.firstpost.com/tech/science/air-pollution-related-disease-deaths-cost-india-rs-260000-crores-in-economic-loss-report-9159281.html>)

(iii) 1.7 million deaths in India were attributable to air pollution in 2019, says study: (<https://www.thehindu.com/news/national/17-million-deaths-in-india-were-attributable-to-air-pollution-in-2019-says-study/article33394600.ece>)

(iv) Air pollution in India caused 1.67 million deaths in 2019: (<https://www.news-medical.net/news/20201223/Air-pollution-in-India-caused-167-million-deaths-in-2019.aspx>)

(v) Air pollution caused 54,000 deaths, \$8.1 billion loss in Delhi in 2020 : (<https://www.businesstoday.in/current/economy-politics/air-pollution-claimed-54000-lives-in-delhi-last-year-one-death-per-500-people-claims-greenpeace-study/story/431766.html>)



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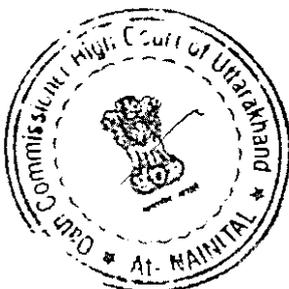
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steps to improve the status of air quality in NACs consistent with the action plans already prepared and approved by the Expert Committee and directions of this Tribunal, referred to above, including the last order dated 21.08.2020 and also to monitor compliance of noise control norms. The NTF may hold its first meeting within one month and thereafter evolve mechanism for monitoring by quarterly meetings with Chief Secretaries of concerned States/UTs. The NTF may coordinate and work in tandem with the Committees already constituted under NCAP at National and State levels. Needless to say that the Chief Secretaries must continue to monitor progress in execution of action plans at State level with the assistance of monitoring cells in their offices and the AQMCs so as to effectively provide positive feedback to the NTF. The State level monitoring must include action at the ground as per directions to be implemented by the District Magistrates or other concerned departments. The monitoring may include all associated issues, including road dust control by appropriate sprinkling of water (utilizing treated water, instead of potable water), planting herbs and shrubs, and all sources of pollution, including fire crackers.

Directions

60. Our directions are summed up as follows:

- i. We direct constitution of an eight-member National Task Force (NTF) to be headed and coordinated by the Secretary MoEF&CC with nominees (not below the rank of Joint Secretaries) of Ministries from Housing and Urban Development, Road Transport, Petroleum, Power, Agriculture, Health and Chairman, CPCB with a view to



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monitor remedial steps to improve the status of air quality in NACs consistent with the action plans already prepared and approved by the Expert Committee and directions of this Tribunal, referred to above, including the last order dated 21.08.2020 and also to monitor compliance of noise control norms. NTF may also monitor enforcement of laid down air quality standards beyond NACs in other identified air polluted areas where air quality is poor and above.

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- ii. The NTF may hold its first meeting within one month and thereafter evolve mechanism for monitoring by quarterly meetings with Chief Secretaries of concerned States/UTs. The NTF may coordinate and work in tandem with the Committees already constituted under NCAP at National and State levels.
 - iii. Monitoring by NTF may be with reference to the action plans of 124 NACs. The components include installation of monitoring stations, completion of CC and SA studies, shifting, prohibiting and regulating activities beyond carrying capacity (such as shifting to cleaner fuel and declaring regulated/no vehicle zones so as to ensure that the air quality does not go beyond 'poor' for protection of health of the citizens), effectiveness of PGRPs, timelines for execution of the action plans and recovery of compensation for delay, addressing gap in control of noise pollution, afforestation drives utilizing CAMPA funds, effective implementation of ERS, revamping of PCBs/PCCs and other monitoring mechanism, remediation of legacy waste sites and effective steps for management of other waste, including biomedical, plastic and e-waste, dust control, public awareness



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and community involvement programmes and setting up of data grids on all levels. NTF may also evolve and oversee parameters for interse ranking of success of remedial action for 124 NACs and other air polluted areas where air quality is poor and above. Further, accountability for failures and incentives for success also needs to be monitored. NTF is free to take up any other incidental issues. 141

- iv. Consistent with Digital India initiatives, MoEF&CC/ CPCB may consider setting up and periodically updating National Environment Data Grid (NEDG) linked to the State Environment Data Grids (SEDGs) and District Environment Data Grids (DEDGs) and further linked to available portals like online air quality, Sameer and other monitoring stations to facilitate analysis, research and planning on the subject. It may be further interlinked to National Air Quality Monitoring Programme (NAMP). Based on above data, the MoEF&CC may lay down guidelines for classifying cities/districts in terms of air quality in different categories such as 'red', 'orange' and 'green'. Or. that basis, a National Air Quality Atlas may be compiled and published on the websites of MoEF&CC, CPCB and State PCBs/PCCs annually.
- v. **The Chief Secretaries of all States/UTs may continue to monitor progress in execution of action plans at State level with the assistance of monitoring cells in their offices and the AQMCs. The State level monitoring must include action at the ground as per directions to be implemented by the District Magistrates or other concerned departments. The monitoring may include all associated issues, including**



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road dust control by appropriate sprinkling of water (utilizing treated water, instead of potable water), planting herbs and shrubs, and all sources of pollution, including fire crackers. The issue of noise pollution also needs to be addressed, as earlier directed. 14K

The application is disposed of.

A copy of this order be forwarded to the Secretaries, MoEF&CC, Ministries of Urban Development Department, Road Transport and Highways, Petroleum, Power, Agriculture, Health, CPCB, the Chief Secretaries, PCBs/PCCs and District Magistrates of all the States/UTs by e-mail for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

B. Amit Sthalekar, JM

Brijesh Sethi, JM

Dr. Nagin Nanda, EM

Saibal Dasgupta, EM

April 8, 2021
Original Application No. 681/2018
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Ankit
ANKIT RANA
Advocate
Reg. No. UK-340/2021
Oath Commissioner
High Court of Uttarakhand
Al-NAINITAL
Sl. No. 13897
Dated. 20/4/21

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Annexure-9

DEHRADUN CITY AIR ACTION PLAN (Second Revision)



PREPARED BY:
UTTARAKHAND POLLUTION CONTROL
BOARD, DEHRADUN



GOVERNMENT OF UTTARAKHAND
APPROVED BY:-
AMBIENT AIR QUALITY MONITORING
COMMITTEE
GOVERNMENT OF UTTARAKHAND
CONSTITUTED IN COMPLIANCE OF PROVISIONS OF THE
IN OA NO 681/2015



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I. Background



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 2025
 2025
 (19/01/25)

Dehradun, the capital of Uttarakhand is positioned in the fertile region of the Doon Valley between the rivers Yamuna and Ganga. The city is spread over an area of 64.4 Sq. Km with a population of 569,578 as per the census of 2011. The city's population density is 8633/km² with a decadal population growth rate of 37.4%. With a steady rate of population growth and urbanization there is increasing pressure on resources in the city and the air quality of the city has been steadily deteriorating. More than three decade ago, air pollution was discussed in the context of limestone mining, but this was banned in 1986 by the Hon'ble Supreme Court, and Government of India restricted developmental activities by enacting Doon Valley Notification, 1989.

There are reports including the Greenpeace report, Apocalypse 2017 that states that city's annual average PM₁₀ levels was more than thrice the permissible limit making Dehradun city in Uttarakhand an entrant in the list of 10 worst cities with an annual average of 238 µg/m³. The report also suggests that these top most polluted cities need to improve monitoring and management of air quality and a stricter time bound air action plan is the need of the hour. At present Dehradun city has three stations to measure PM₁₀ levels. However, PM_{2.5} level is being measured since January 2019 only. According to the Central



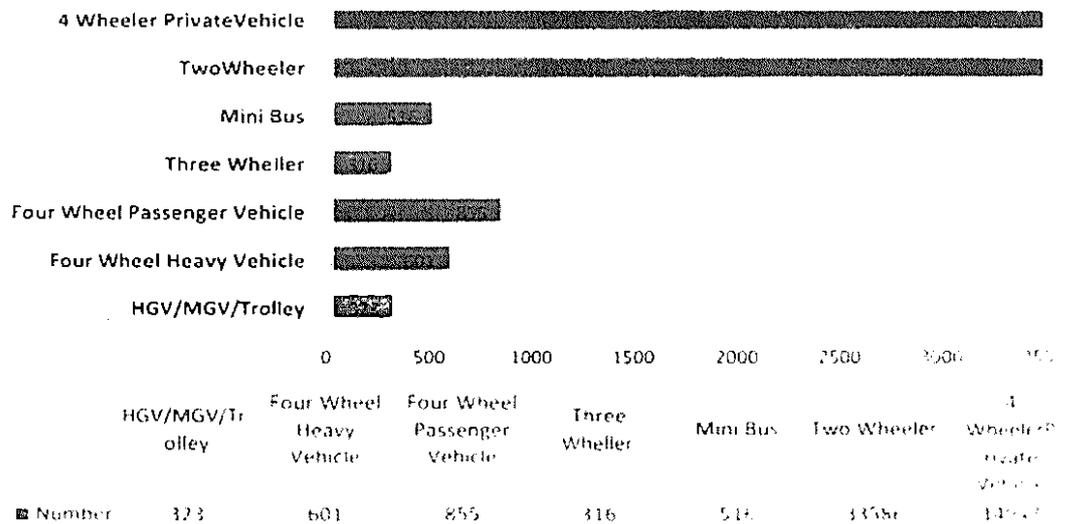
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Pollution Control Board (CPCB)'s report on air quality index of 273 cities, released in January 2018, Dehradun stood at 241 (Times of India: 12th April 2018). Further, another study conducted by Pollution Control Research Institute (PCRI), Bharat Heavy Electronics Limited (BHEL) Haridwar during 2016-17 on behalf of Uttarakhand Pollution Control Board, it was found that the level of PM₁₀ and PM_{2.5} was much higher than standard values. Today, vehicular emissions are being discussed as the main source of air pollution. According to the road transport authority, only 10,000 vehicles were registered in Dehradun between 1937 and 1967. At present, there are more than 126,452 vehicles plying on the roads with more than 100,000 of these are two-wheelers. However, the length and width of roads have increased only marginally.

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No. of Vehicles Registered in Dehradun during 2016-17 (upto Jan 2017)



A study by the Dehradun-based People's Science Institute (PSI), a non-governmental organization, says that the high levels of pollution in Dehradun are mainly due to natural dust and particulate-laden smoke from diesel-fuelled vehicles, especially vikrams, trucks, buses and three-wheelers. Another cause for concern mentioned in the same report are two-wheelers.



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II. Why Clean Air Action Plan?

India with an emerging economic development faces enormous challenges when it comes to maintaining pace with the burgeoning population and parallel increase in urban development. This has been the scenario not only in mega cities but also in medium and small sized urban areas for the past many years now. Studies indicate that multiple factors are responsible for air pollution that emerges from sectors like power, transport, industry, residential, construction and waste. Despite having national standards and checks for various sources of emissions, many Indian cities are suffering from alarmingly high rates of air pollution emissions. While India has specified national ambient air quality standards, many cities have not been able to meet these standards. It is in view of this and the growing demand for clean air, the central government under the National Clean Air Programme (NCAP) announced a comprehensive plan to overcome the challenges in over a hundred non-attainment cities. The objective of the proposed clean air action plan is to meet the prescribed annual average ambient air quality standards at Dehradun City in a stipulated timeframe. Within the Clean Air Action Plan the NCAP suggests the following actions:

- To augment and evolve effective and proficient ambient air quality monitoring network across the country for ensuring comprehensive and reliable database
- To have efficient data dissemination and public outreach mechanism for timely measures for prevention and mitigation of air pollution and for inclusive public participation in both planning and implementation of the programmes and policies of government on air pollution
- To have a feasible management plan for prevention, control and abatement of air pollution. It has been proposed under the NCAP that the city action plans need to be guided by a comprehensive science-based approach involving
 - (i) Identification of emission sources;
 - (ii) Assessment of extent of contribution of these sources;
 - (iii) Prioritizing the sources that need to be tackled;
 - (iv) Evaluation of various options for controlling the sources with regard to feasibility and economic viability; and
 - (v) Formulation of action plans.



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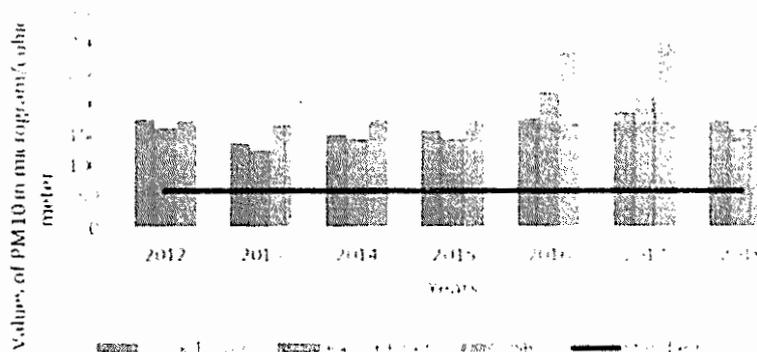
III. Dehradun City Clean Air Action Plan- Need Assessment

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Air pollution is an intrinsically complicated issue that varies from city to city. In other words, air pollution is not just about the level of pollutants in a city or the number of monitoring stations, or city level policies, or health impact studies or rigorous scientific assessments to determine the sources of air pollution such as emission inventories or source apportionment studies, but a composite of all these features. Moreover, it is a well thought out combination of all these factors that can together systematically and sustainably address the issues of air pollution, or what can be called air quality management (AQM). AQM refers to the entire process of protecting the air quality of a city, region or nation. The process involves determining emission sources, assessing air quality status and its impacts and formulating and implementing solutions that are effective and target main pollution sources. While various tools exist to measure environmental performance, there is no generally accepted methodology for an objective, comprehensive assessment of a city's management of air pollutants and greenhouse gas emissions that also identifies areas in which it has improved.

There are 03 manual ambient air quality monitoring stations at Dehradun being operated by Uttarakhand Pollution Control Board (UKPCB). The monitoring stations calculate the ambient air quality of three pollutants – PM₁₀, NO_x and SO_x. PM_{2.5} is being monitored since January 2019. Based on ambient air quality levels the pollutant of concern is PM₁₀ & PM_{2.5}.

Time Series Data of PM₁₀ at various locations of Dehradun



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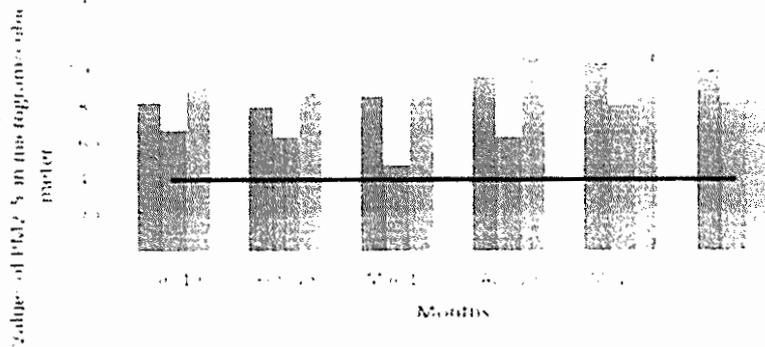
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As the monitoring stations are manual, real time air quality data for the city is not available, so calculation of air quality index (AQI) is difficult. An AQI is defined as an overall scheme that transforms weighted values of individual air pollution related parameters (PM₁₀, PM_{2.5}, SO₂, CO, visibility, etc.) into a single number or set of numbers. Specifically, it establishes the relationship between human exposure, health effects and air quality. This is aggravated by the fact that there is a dearth of city specific air quality health effect studies and assessments for Dehradun.

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Such assessments are important when it comes to framing policy and taking city specific decisions. The Clean Air Management Capacity Index brought out that there is a lack of city specific source apportionment and emissions inventories. Source apportionments and emissions inventories are the technical assessments that allow for an identification of sources that are affecting the air quality in varying degrees in a specific region. A source apportionment study is an important tool in framing policy as every city has different sources of air pollution depending of city specifics such as levels of urbanization, land use patterns and topology. For instance, Dehradun is prone to the temperature inversions which affect air pollution because they change the dynamics of air movement. Further, industry is not a major cause of air pollution in the city as red category industries are not allowed to operate in Dehradun. This is an important factor when framing policy and determining air actions. Thus, there is a need to increase and invest in source apportionment studies, emission inventories and increasing the monitoring framework in the city to include real time monitoring stations.

Values of PM2.5 at various locations of Dehradun



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The Clean Air Policies and Actions Index brought out that though there are policies in place there is a need to facilitate collaborations across departments at the city level so that air quality actions can be mainstreamed in all urban development related decisions. A clean air action plan is one of the main means to achieve this co-ordination and systematic action.

IV. Emissions Inventory for Dehradun in 2016-2017

Uttarakhand Pollution Control Board engaged PCRI in 2016 PCRI to undertake an intensive study to measure baseline pollutants and air toxic levels at different locations of Dehradun city which includes residential, industrial, background (reference), commercial and sensitive areas. The study included monitoring ambient air quality for 30 days continuously in three seasons (summer, post-monsoon and winter) at seven identified locations in the city where air monitoring stations were installed. The summer season study was carried out from 15-06-2016 to 14-07-2016. The post monsoon season study was carried out from 1-11-16 to 30-11-16 and winter season was carried out from 9-12-16 to 28-01-17. The seven sites were selected to cover ambient air quality near roadsides, residential, commercial, industrial, outskirts, commercial and sensitive areas. The seven sites are

- i.) Ghanta Ghar – Center of the city.
- ii.) ISBT – Main bus terminal of the city.
- iii.) ONGC/FRI – Research institutes with expanse of green area.
- iv.) Survey Area – Busy area with high vehicular population.
- v.) Rajpur Road – Commercial Area.
- vi.) Raipur – Residential area.
- vii.) Wild Life Institute of India.

The pollutants monitored at all seven sites were - SO₂, NO_x, CO, PM₁₀ and PM_{2.5}. Additionally, in order to get a wider cross-section of vehicles in-use/on-road, a systematic survey of vehicle population in the city was undertaken at the following sites: i. Ghanta Ghar – Center of the city. ii. ISBT – Main bus terminal of the city. iii. ONGC/FRI – Research institutes with expanse of green area. iv. Survey Area – Busy area with high



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Vehicular population. All emission factors used for assessment were those approved by the CPCB or the Automotive Research Institute of India. Results of the Emission Inventory are presented in detail in Annexure-I.

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V. Clean Air Action Plan for Dehradun City:

City: Dehradun

Pollutant of Concern: PM 10, PM 2.5

Main Sources: Vehicular emissions, re-suspended dust, construction and demolition activities and municipal solid waste burning.

Air Pollution Levels: Details of air pollution as carried out by PCRI on behalf of UEPPCB during 2016-17 in given at Annexure 2

Type of Action: The recommended action has been designated as either policy, regulatory or implementation. Their explanation is given below.

- a. Policy Action: This refers to an action that requires the framing of a new policy at the city or state level.
- b. Regulatory Action: This refers to an action that requires better/different implementation of an existing policy or rule.
- c. Implementation Action: This refers to an action that requires local execution of an activity.

Time Period of Implementation: Depending on estimated time for implementation of the action the time periods were divided into Immediate (Within in 06 months) short Term (by 2022), medium term (by 2025) and long term (by 2030). The time period for the Clean Air Action Plan is envisaged as 2020-2030- (10 year period).



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**Detailed Action plan for improvement of Air Quality of Dehradun
Executing Agencies and implementation time frame**

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<u>Action</u>	<u>Agency Responsible</u>	<u>Type of Implementation</u>	<u>Time Target</u>	<u>Remarks</u>
Source Group				
Data Research and Management of Air Quality				
Air Quality Monitoring to be strengthened by installation of real time sensors and monitors <u>Implementation</u>	Uttarakhand Pollution Control Board (UKPCB)	Short	Within 06 months from approval of Plan	Besides the 3 manual monitoring stations, 03 CAAQMS to be installed (as per guidelines of CPCB on networking of air quality monitoring stations). 2 CAAQMS to be provided by CPCB.
Capacity building on how to strengthen air quality management for the city to be carried out for all departments that are involved in city administration. <u>Implementation</u>	UKPCB	Short	Within 06 months from approval of Plan	Capacity building needs to be identified by UKPCB and training organized.
Centre of Excellence on air quality to be set up by pooling in all technical organization in the city. The technical organization will promote and aid the city administration and UKPCB in undertaking air quality research <u>Policy</u>	UKPCB and designated institutions	Mid	March 2023	This will require a coordinating agency to facilitate the process
Emission Inventory and Source Apportionment Study <u>Implementation</u>	UKPCB	Mid	March 2023	This study will help to find the exact source of pollution at designated places



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<u>Type of Action</u>	<u>Agency Responsible</u>	<u>Type of Implemen tation</u>	<u>Time Target</u>	<u>Remarks</u>
Source Group				
Vehicular Emission				
A city-wide drive will be launched to check and curtail polluting vehicles <u>Implementation</u>	Transport Department Traffic Police Municipal Corporation	Immediate	Within 3 months from date of approval	Checking underway by transport department. Traffic police and MC need to be empowered and capacity built for the same. Sensors can be acquired under smart city programme to track polluting vehicles and penalize owners of polluting vehicles.
A public awareness campaign will be launched to inform the public about anti-idling measures, vehicle maintenance, eco-driving, use of public transport etc. <u>Implementation</u>	District Administration Municipal Corporation Transport Department UKPCB	Short	Within 06 months from approval of Plan	Civil society and citizen groups, educational institutes will be involved.
Prevent parking of vehicles in non-designated areas. - Determination of hotspots to launches action in phased manner. - Determine best strategy for positive outcome. - Branch out to other parts of the city <u>Regulatory</u>	Transport Department Traffic Police Municipal Corporation	Short	Within 06 months from approval of Plan	8.5 lakhs vehicles in the city (floating population is added to this is tourist population), roads are narrower, thus roadside parking is leading to congestion. Designated areas for parking are inadequate
Checking for fuel adulteration periodically and random checking of fuel to be initiated. <u>Implementation</u>	Transport Department District Administration Civil Supply Department Oil Companies	Short	Within 06 months from approval of Plan	
Plan to be prepared for widening of busy roads and de-congestion of traffic. <u>Policy</u>	Municipal Corporation Public Works Department (PWD) Mussoorie Dehradun Development Authority (MDDA) Smart City	Mid	March 2023	Can be taken under Smart City Mission.



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Expressway bypass and flyovers to be built to decrease vehicular congestion. <u>Policy</u>	PWD Smart City	Long	March 2026	154
Battery operated vehicles and e-rickshaws to be introduced. - Determination of areas that most need last mile connectivity to initiate launch. - Determine need and capacity for city - Launch more e-rickshaws accordingly. <u>Implementation</u>	Transport Department	Short	Within 06 months from approval of Plan	Underway
Public Transport to move to cleaner fuels such as CNG in a phased manner. <u>Policy</u>	Transport Department	Mid	March 2023	
Better traffic management intelligent traffic system to be launched for monitoring and de-congestion (Smart Traffic) <u>Regulatory</u>	Transport Department Urban Development Department District Administration Smart City	Mid	March 2023	Can be integrated within the Smart City Mission
Restriction on plying and phasing out of 15 years old commercial diesel driven vehicles. <u>Policy</u>	Transport Department	--	--	Presently 3098 commercially driven Diesel Vehicles and this number will increase upto 3197 in next 05 year. However, Ban on diesel driven vehicles is under the preview of the Central Government
Use of cleaner fuels (CNG/LPG) for commercial passenger vehicles. <u>Implementation</u>	Transport Department Civil Supply Department Oil companies	Mid	March 2023	After introduction of CNG/LPG driven vehicles, old diesel driven vehicles will be replace in phased manner

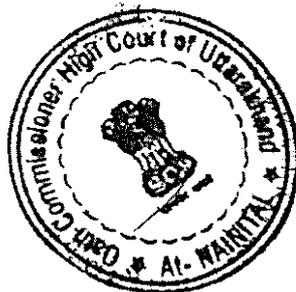


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Regular checking of vehicles and Establishment of adequate number of Pollution Checking Centers to issue PUC (Pollution Under Control Certificate) <u>Regulatory</u>	Transport Department Traffic Police	Short	Within 06 months from approval of Plan	It is policy of Transport Department to allow to run PUC centers at no cost if the person willing to do it with its own resources. Transport Department will make it mandatory that the all Government Departments must have to have their vehicles checked and get PUC in time. Also, surveillance will be increase. After increase in demands, the number of PUC centers will automatically be increased. Transport Department will also do the vehicle checking by Mobile Laboratories, Which are to be procured. Total no. of PUC centers established in last six months in dehradun: 113 Total PUC certificates to vehicles in last six months: 134729
Integration of all Pollution Checking Centers with Single web based software for ensuring control & monitoring of polluting vehicles. Strengthening facility for enforcement regarding the vehicles involved in pollution emission. <u>Implementation</u>	Transport Department	Short	Within 06 months from approval of Plan	Software for this action is ready Testing and Customization will be done in the given timeframe.
Monitoring on vehicle fitness of Commercial Vehicles <u>Regulatory</u>	Transport Department Traffic Police	Immediate	Within 3months from date of approval	
Periodic calibration test of vehicular emission monitoring instrument <u>Regulatory</u>	Transport Department	Short	Within 06 months from approval of Plan	
IR Cameras on road remote sensing of vehicular emissions to detect polluting vehicles much like how the traffic police's camera detects vehicle number plate. <u>Implementation</u>	Transport Department Police	Mid	March 2023	This action point will help to catch the polluting vehicles and therefore, regulation on polluting vehicles can be made effectively
<u>Action</u>	<u>Agency Responsible</u>	<u>Type of Implemen tation</u>	<u>Time Target</u>	<u>Remarks</u>



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Source Group				
Re-suspension of road dust and other Fugitive Emissions				
Roads to be regularly monitored to ensure maintenance <u>Policy</u>	Municipal Corporation	Short	Within 06 months from approval of Plan	Digging of roads for multiple purposes by multiple agencies to be monitored approved at a single point agency
Green buffers to be introduced on either sides of traffic corridors <u>Implementation</u>	Municipal Corporation MDDA District Administration	Mid	March 2023	Grasses, shrubs and small flowering trees should be given prominence Forest department can be engaged.
Greening of open areas, schools, gardens, community places and housing societies. <u>Implementation</u>	Municipal Corporation MDDA Forest Department Smart City	Mid	March 2023	Can be done under Smart City Mission
Ensure sidewalks are present in major parts of the city for pedestrians <u>Policy</u>	Urban Development Department Smart City, PWD	Long	March 2026	Can be done under Smart City Mission
Daily Cleaning of roads by Vacuum cleaning machines <u>Implementation</u>	Municipal Corporation	Short	Within 06 months from approval of Plan	Can be done under Smart City Mission
Creation of green lungs in the city through city forestation. <u>Implementation</u>	Municipal Corporation PWD MDDA Smart City	Mid	March 2023	Can be done under Smart City Mission



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<u>Action</u>	<u>Agency Responsible</u>	<u>Type of Implemen tation</u>	<u>Time Target</u>	<u>Remarks</u>
Source Group Open Burning of Municipal Solid Waste				
Restriction on open burning of municipal solid waste, Biomass, plastic, horticulture waste etc <u>Implementation</u>	Municipal Corporation	Immediate	Within 3months from date of approval	Govt. of India with G.O. dated 29.12.2016
Immediate lifting of solid wastes generated from de-silting and cleaning of municipal drains for its disposal <u>Implementation</u>	Municipal Corporation	Short	Within 06 months from approval of Plan	To be filed within 48 hrs
Transportation of municipal solid wastes, construction materials and debris in covered system <u>Implementation</u>	Municipal Corporation	Immediate	Within 3months from date of approval	

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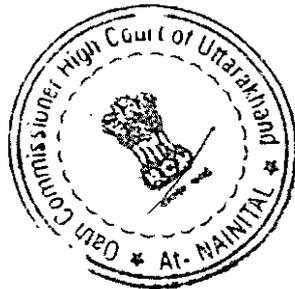
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<u>Action</u>	<u>Agency Responsible</u>	<u>Type of Implemen tation</u>	<u>Time Target</u>	<u>Remarks</u>
Source Group				
Control of Construction and Demolition Activities				
Enforcement of construction and demolition rules 2016. <u>Implementation</u>	MDDA District Administration Municipal Corporation	Immediate	Within 3months from date of approval	
Water sprinkling, curtains, barriers and dust suppression unit to be used during all construction and demolition activities including covering the construction sites <u>Implementation</u>	MDDA District Administration Municipal Corporation	Short	Within 06 months from approval of Plan	Firstly, Will be implemented at sites having more than 10,000 sq Mt Covered area
Ensure construction material is transported and carried in close containers. <u>Implementation</u>	Municipal Corporation Transport Department Traffic Police	Immediate	Within 3months from date of approval	
Identification of designated place areas for disposal of demolition waste <u>Regulatory</u>	District Administration Municipal Corporation	Short	Within 06 months from approval of Plan	
Restriction on storage of construction materials along the road <u>Policy</u>	Municipal Corporation MDDA	Immediate	Within 3months from date of approval	

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Action	Agency Responsible	Type of	Time Target	Remarks
Source Group				
Industrial emission				

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<p>Industrial emission control</p> <p><u>Regulatory</u></p>	<p>UKPCB Industrial Department</p>	<p>Continuous Activity</p>	<ul style="list-style-type: none"> • Dehradun is protected & Restricted Area is due to Doon Valley notification. • Since 1989 Red category industries are prohibited in Doon valley. • Mainly small green category industry and service sector industry are established in Dehradun. • Source Apportionment and Emission Inventory study for Dehradun is already produced in Action Plan, which will cover the industrial contribution towards Action Plan. • There is not any red Category of the Unit in Dehradun. However, there are 26 Orange categories of units established within the Dehradun and adjacent to Municipal Boundaries. Out of these 26 units: <ul style="list-style-type: none"> - 07 Brick Kilns and only 04 are operational. - 06 Pharma formulation cosmetic units which are using LPG Briquets as a fuel in their Boilers. - 3 Units are such which do not have any Furnace Boilers. • State Board has notified Approved Fuel and accordingly, UKPCB will not issue any fresh permission for use of Furnace oil and Pet coke • All Industries in Dehradun will be directed to ensure good housekeeping for reduction of re-suspension of dust and fugitive emission. • Green Belt, wherever required and feasible, to be increase.
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<u>Action</u>	<u>Agency Responsible</u>	<u>Type of</u>	<u>Time Target</u>	<u>Remarks</u>
Source Group Domestic				160
Ensure 100% spread of LPG connection for cooking purposes in the city. <u>Regulatory</u>	District Administration. Civil Supply Department	Short	Within 06 months from approval of Plan	
Replacement of Wood which is used as Domestic Fuel <u>Implementation</u>	District Administration Municipal Corporation Forest Department	Mid	March 2023	To be implemented in the geographical area of Nagar Nigam.
Ensuring promotion & use of cleaner fuel for commercial purposes like local Dhaba/ eateries <u>Implementation</u>	District Administration Municipal Corporation Forest Department Civil Supply Department	Mid	March 2023	To be implemented in the geographical area of Nagar Nigam.
Removal of Open DG sets <u>Regulatory</u>	UKPCB Industry Department Municipal Corporation District Administration	Mid	March 2023	



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<u>Action</u>	<u>Agency Responsible</u>	<u>Type of</u>	<u>Time Target</u>	<u>Remarks</u>
Source Group				
Others				
Compliance of guidelines on D.G. sets regarding use of retrofitted emission control system (PM captured efficiency 70%) capacity equal to or above 800KW <u>Regulatory</u>	UKPCB Industry Department District Administration	Short	Within 05 months from approval of Plan	
Public Grievance Redressal Portal <u>Implementation</u>	UKPCB	Immediate	Within 3months from date of approval	Portal will be created on the web site of Board for Redressal of public complaints on air pollution along with a supervisory control for the disposal of complaints All such complaint will be addressed and disposed in a month time
Issue of advisory to public for prevention and control of air pollution. Vehicle fitness, maintenance and minimize use of personal vehicles etc <u>Regulatory</u>	UKPCB Municipal Corporation Transport Department	Immediate	Within 3months from date of approval	



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Financial Lay Out

Following Financial Lay out is being given for execution of Air Action Plan for Dehradun:-

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S. No.	Name of Action Point	Financial Layout in Rs
1	Paving of shoulders along the urban roads.	15.00 crore
2	Tanker and tractor required for water spray on road (10 nos)	0.45 crore
3	Vacuum road sweeping machines (04 N0s)	3.0 crore
4	Small vacuum cleaning machines for smaller roads (10 Nos)	1.2 crore
5	Mobile vehicular checking labs/ PUC centers (04 nos)	0.6 crore
6	Emission inventory and source apportionment study	1.0 crore
7	Installation and AMC for 05 years for CAAQMS (03 umbers)	7.5 crore
8	Installation Infra Red Cameras at major Traffic junctions to detect polluting vehicles (20 Numbers)	0.5 crore
9	I & E activities	1.0 crore
	Total	30.25 Crore

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Annexure-1 Survey of Vehicular Pollution and Emission Inventory: Dehradun

Summer SeasonVehicle Count and Emission Rate for vehicle during Summer Season (2016-17) 163

Location	Time	Type	Number	CO	HC	NOx	SO2	Particulate
				Kg/h	Kg/h	Kg/h	Kg/h	Kg/h
Ghanta Ghar	9:00 AM	2 Wheeler	4519	104.2	97.5	19.7	0.4	0.1
		3 Wheeler	3254	75.0	70.2	14.2	0.3	0.1
		Car	5132	118.3	110.8	22.4	0.4	0.1
	To	Truck	3940	90.8	85.0	17.2	0.3	0.1
		Bus	3522	81.2	76.0	15.4	0.3	0.1
	6:00 PM	LCV	3135	72.3	67.7	13.7	0.3	0.1
		Total	23502	541.8	507.2	102.5	1.9	0.6
ISBT	9:00 AM	2 Wheeler	1267	29.2	27.3	49.7	918.6	0.3
		3 Wheeler	173	4.0	33.7	6.8	125.9	0.0
		Car	231	5.3	44.9	9.1	167.5	0.1
	To	Truck	500	11.5	97.1	19.6	362.4	0.1
		Bus	297	6.8	57.7	11.6	215.2	0.1
	6:00 PM	LCV	162	3.7	31.5	6.4	117.7	0.0
		Total	2631	60649.9	292.2	103.3	1907.2	0.6
ONGC/ FRI	9:00 AM	2 Wheeler	1788	41.12	7.8	0.1	0.0	41.2
		3 Wheeler	1250	28.75	5.5	0.1	0.0	28.8
		Car	1876	43.15	8.2	0.2	0.0	43.3
	To	Truck	1390	31.97	6.1	0.1	0.0	32.1
		Bus	878	120.19	3.8	0.1	0.0	20.2
	6:00 PM	LCV	581	13.36	2.5	0.0	0.0	13.4
		Total	7763	178.55	33.9	0.6	0.2	179.0
Survey Area	9:00 AM	2 Wheeler	2577	59.4	55.6	11.2	0.2	0.1
		3 Wheeler	1341	30.9	28.9	5.8	0.1	0.0
		Car	3277	75.6	70.7	14.3	0.3	0.1
	To	Truck	2064	47.6	44.5	9.0	0.2	0.1
		Bus	1148	26.5	24.8	5.0	0.1	0.0
	6:00 PM	LCV	1078	24.9	23.3	4.7	0.1	0.0
		Total	11486	264.8	247.9	50.1	0.9	0.3



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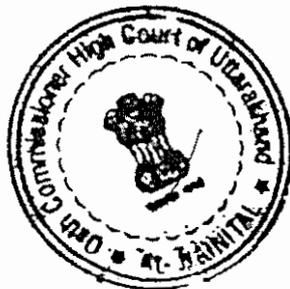
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Post-Monsoon Season

164

Vehicle Count and Emission Rate for vehicle during Post-Monsoon Season (2016-17)

Location	Time	Type	Number	CO	HC	NOx	SO2	Particulate
				Kg/h	Kg/h	Kg/h	Kg/h	Kg/h
Ghanta Ghar	9:00 AM	2 Wheeler	3874	89.31	83.61	16.89	0.31	0.10
		3 Wheeler	2789	64.30	60.19	12.16	0.22	0.07
		Car	4399	101.43	94.95	19.19	0.35	0.11
	To	Truck	3377	77.85	72.88	14.73	0.27	0.08
		Bus	3019	69.61	65.16	13.17	0.24	0.08
	6:00 PM	LCV	2687	61.95	57.99	11.72	0.22	0.07
		Total	20144	464.44	434.78	87.85	1.62	0.50
ISBT	9:00 AM	2 Wheeler	1086	25.04	25.04	23.44	4.74	0.09
		3 Wheeler	149	3.43	3.43	3.21	0.65	0.01
		Car	19	4.57	4.57	4.27	0.86	0.02
	To	Truck	428	9.88	9.88	9.25	1.87	0.03
		Bus	254	5.87	5.87	5.49	1.11	0.02
	6:00 PM	LCV	139	3.21	3.21	3.00	0.61	0.01
		Total	2255	51.99	51.99	48.67	9.83	0.18
ONGC/ FRI	9:00 AM	2 Wheeler	1532	35.33	33.07	6.68	0.12	0.04
		3 Wheeler	1072	24.71	23.13	4.67	0.09	0.03
		Car	1608	37.07	34.71	7.01	0.13	0.04
	To	Truck	1192	27.47	25.72	5.20	0.10	0.03
		Bus	752	17.35	16.24	3.28	0.06	0.02
	6:00 PM	LCV	498	11.48	10.75	2.17	0.04	0.01
		Total	6654	153.41	143.62	29.02	0.54	0.17
Survey Area	9:00 AM	2 Wheeler	2209	50.93	47.68	9.63	0.18	0.06
		3 Wheeler	1150	26.50	24.81	5.01	0.09	0.03
		Car	2809	64.77	60.63	12.25	0.23	0.07
	To	Truck	1769	40.78	38.18	7.71	0.14	0.04
		Bus	984	22.69	21.24	4.29	0.08	0.02
	6:00 PM	LCV	92	21.30	19.94	4.03	0.07	0.02
		Total	9845	226.98	212.48	42.93	0.79	0.25



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Winter Season

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Vehicle Count and Emission Rate for vehicle during Winter Season(2016-17)

Location	Time	Type	Number	CO Kg/h	HC Kg/h	NOx Kg/h	SO2 Kg/h	Particulate Kg/h
Ghanta Ghar	9:00 AM To 6:00 PM	2 Wheeler	3228	74.4	69.7	14.1	0.3	0.1
		3 Wheeler	2324	53.6	50.2	10.1	0.2	0.1
		Car	3666	84.5	79.1	16.0	0.3	0.1
		Truck	2814	64.9	60.7	12.3	0.2	0.1
		Bus	2516	58.0	54.3	11.0	0.2	0.1
		LCV	2239	51.6	48.3	9.8	0.2	0.1
		Total	16787	387.0	362.3	73.2	1.4	0.4
ISBT	9:00 AM To 6:00 PM	2 Wheeler	905	20.9	19.5	3.9	0.1	0.0
		3 Wheeler	124	2.9	2.7	0.5	0.0	0.0
		Car	165	3.8	3.6	0.7	0.0	0.0
		Truck	357	8.2	7.7	1.6	0.0	0.0
		Bus	212	4.9	4.6	0.9	0.0	0.0
		LCV	116	2.7	2.5	0.5	0.0	0.0
		Total	1879	43.3	40.6	8.2	0.2	0.0
ONGC/ FRI	9:00 AM To 6:00 PM	2 Wheeler	1277	29.4	27.6	5.6	0.1	0.0
		3 Wheeler	893	20.6	19.3	3.9	0.1	0.0
		Car	1340	30.9	28.9	5.8	0.1	0.0
		Truck	993	22.9	21.4	4.3	0.1	0.0
		Bus	627	14.5	13.5	2.7	0.1	0.0
		LCV	415	9.6	9.0	1.8	0.0	0.0
		Total	5545	127.8	119.7	24.2	0.4	0.1
Survey Area	9:00 AM To 6:00 PM	2 Wheeler	1841	0.0	0.0	0.0	0.0	0.0
		3 Wheeler	958	0.0	0.2	0.0	0.0	0.0
		Car	2341	0.1	0.5	0.0	0.0	0.0
		Truck	1474	0.0	0.3	0.0	0.0	0.0
		Bus	820	0.0	0.2	0.0	0.0	0.0
		LCV	770	0.0	0.1	0.0	0.0	0.0
		Total	8204	189.1	1275.7	35.8	0.7	0.2



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Annexure 2: Results of ambient air quality and vehicular emissions

Summer Season

Ambient Air Monitoring at Dehradun for Summer Season (2016-17)

Average, Cumulative Percentile, Maxima & Minima
Respirable Suspended Particulate Matter (RSPM) PM₁₀

166

All values in $\mu\text{g}/\text{m}^3$

Site Code	Location	Mean	S.D	Min	Max	Percentile				
						10 th	25 th	50 th	80 th	98 th
A1	Ghanta Ghar	205	26	155	250	172	186	205	228	248
A2	Survey Area	302	30	256	363	269	277	299	323	358
A3	ONGC/FRI	206	16.4	187	241	198	203	215	221	239
A4	ISBT	191	15	171	241	182	189	193	204	240
A5	Rajpur Road	191	19.9	159	230	166	178	187	212	227
A6	Raipur	353	38	292	413	302	315	358	389	409
A7	Wildlife Institute of India	168	17.7	144	209	148	155	165	183	206

Average, Cumulative Percentile, Maxima & Minima
Particulate Matter PM_{2.5} (P.M. 2.5)

All values in $\mu\text{g}/\text{m}^3$

Site Code	Location	Mean	S.D	Min	Max	Percentile				
						10 th	25 th	50 th	80 th	98 th
A1	Ghanta Ghar	123	16	93	150	103	112	123	137	149
A2	ISBT	196	20	164	229	169	175	188	204	228
A3	ONGC/FRI	106	9	107	137	115	118	125	118	139
A4	Survey Area	119	9	107	143	109	113	116	122	141
A5	Rajpur Road	115	12	95	138	100	107	112	127	136
A6	Raipur	209	23	172	249	181	189	215	212	247
A7	Wildlife Institute of India	96	11	76	121	90	93	99	110	119



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Average, Cumulative Percentile, Maxima & Minima
Sulphur-Dioxide (SO₂)

167
All values in µg/m³

Site Code	Location	Mean	S.D	Min	Max	Percentile				
						10 th	25 th	50 th	80 th	98 th
A1	Ghanta Ghar	5	1	3	6	4	4	5	5	6
A2	ISBT	4	1	4	6	3	3	4	5	6
A3	ONGC/FRI	4	1	3	6	3	4	4	4	5
A4	Survey Area	4	1	3	6	4	4	4	5	6
A5	Rajpur Road	4	1	3	6	4	4	4	5	6
A6	Raipur	4	1	3	5	4	4	4	5	6
A7	Wildlife Institute of India	4	1	BDL	5	3	3	4	4	5

Average, Cumulative Percentile, Maxima & Minima
Oxide of Nitrogen (NO_x)

All values in µg m³

Site Code	Location	Mean	S.D	Min	Max	Percentile				
						10 th	25 th	50 th	80 th	98 th
A1	Ghanta Ghar	15	1	14	14	14	15	15	17	20
A2	ISBT	15	1	14	14	14	15	17	19	23
A3	ONGC/FRI	15	1	14	14	14	14	15	16	18
A4	Survey Area	15	1	14	14	14	14	15	16	18
A5	Rajpur Road	20	1	17	22	18	19	20	16	22
A6	Raipur	20	1	17	22	18	19	20	20	22
A7	Wildlife Institute of India	15	1	14	14	14	14	15	15	16



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Average, Cumulative Percentile, Maxima & Minima
Ozone (O₃)

168
All values in $\mu\text{g m}^{-3}$

Site Code	Location	Mean	S.D	Min	Max	Percentile				
						10 th	25 th	50 th	80 th	98 th
A1	Ghanta Ghar	36	3	30	41	33	35	37	38	41
A2	ISBT	35	2	30	39	32	32	35	36	39
A3	ONGC/FRI	34	2	29	38	30	32	34	35	38
A4	Survey Area	32	2	29	38	30	30	34	34	39
A5	Rajpur Road	32	2	31	39	30	31	34	35	36
A6	Raipur	32	2	28	37	30	31	34	35	36
A7	Wildlife Institute of India	33	2	30	30	30	32	34	35	36

Average, Cumulative Percentile, Maxima & Minima
Carbon Monoxide (CO)

All values in $\mu\text{g m}^{-3}$

Site Code	Location	Mean	S.D	Min	Max	Percentile				
						10 th	25 th	50 th	80 th	98 th
A1	Ghanta Ghar	0.84	0.07	0.70	1.40	0.98	0.77	0.84	0.91	0.97
A2	ISBT	0.63	0.07	0.49	1.20	0.84	0.55	0.63	0.70	0.85
A3	ONGC/FRI	0.56	0.14	0.42	1.20	0.84	0.53	0.56	0.70	0.84
A4	Survey Area	0.91	0.21	0.70	1.60	1.12	0.84	0.91	1.00	1.11
A5	Rajpur Road	0.42	0.07	0.35	0.80	0.56	0.39	0.42	0.50	0.55
A6	Raipur	0.63	0.04	0.49	1.10	0.77	0.55	0.63	0.71	0.77
A7	Wildlife Institute of India	0.14	0.01	0.06	0.30	0.21	0.10	0.14	0.18	0.21



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Post-Monsoon Season

Ambient Air Monitoring at Dehradun for Post Monsoon Season (2016-17)

Average, Cumulative Percentile, Maxima & Minima
Respirable Suspended Particulate Matter (RSPM) PM₁₀

169

All values in $\mu\text{g}/\text{m}^3$

Site Code	Location	Mean	S.D	Min	Max	Percentile				
						10 th	25 th	50 th	80 th	98 th
A1	Ghanta Ghar	180	23	136	220	151	164	180	201	218
A2	Survey Area	272	27	230	327	242	249	269	291	322
A3	ONGC/FRI	177	14	161	207	170	175	185	190	206
A4	ISBT	160	13	144	202	153	158	162	171	202
A5	Rajpur Road	174	18	148	209	151	162	170	193	207
A6	Raipur	176	19	145	205	150	157	178	194	204
A7	Wildlife Institute of India	143	15	122	178	126	132	140	156	175

Average, Cumulative Percentile, Maxima & Minima
Particulate Matter PM_{2.5} (P.M. 2.5)All values in $\mu\text{g}/\text{m}^3$

Site Code	Location	Mean	S.D	Min	Max	Percentile				
						10 th	25 th	50 th	80 th	98 th
A1	Ghanta Ghar	126	16	95	154	106	115	126	140	153
A2	Survey Area	185	18	157	222	165	170	183	198	219
A3	ONGC/FRI	115	9	105	135	111	113	120	124	134
A4	ISBT	114	9	102	144	108	112	115	121	143
A5	Rajpur Road	110	11	93	132	95	102	107	122	130
A6	Raipur	121	13	100	142	104	108	123	134	141
A7	Wildlife Institute of India	91	10	78	114	81	84	90	101	112



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Average, Cumulative Percentile, Maxima & Minima
Sulphur-Dioxide (SO₂)

All values in $\mu\text{g}/\text{m}^3$

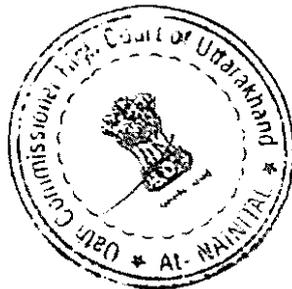
170

Site Code	Location	Mean	S.D	Min	Max	Percentile				
						10 th	25 th	50 th	80 th	98 th
A1	Ghanta Ghar	BDL	0	BDL	BDL	1	1	1	3	4
A2	Survey Area	BDL	0	BDL	BDL	1	1	1	1	BDL
A3	ONGC/FRI	BDL	0	BDL	BDL	1	1	1	1	BDL
A4	ISBT	3	0	BDL	6	1	1	3	3	6
A5	Rajpur Road	BDL	0	BDL	BDL	1	1	1	1	BDL
A6	Raipur	BDL	0	BDL	BDL	1	1	1	1	BDL
A7	Wildlife Institute of India	BDL	0	BDL	BDL	1	1	1	1	BDL

Average, Cumulative Percentile, Maxima & Minima
Oxide of Nitrogen (NO_x)

All values in $\mu\text{g}/\text{m}^3$

Site Code	Location	Mean	S.D	Min	Max	Percentile				
						10 th	25 th	50 th	80 th	98 th
A1	Ghanta Ghar	6	0	5	6	5	5	6	6	6
A2	Survey Area	4	0	4	5	4	4	4	5	5
A3	ONGC/FRI	4	0	4	5	4	4	4	5	5
A4	ISBT	6	0	5	6	5	5	6	6	6
A5	Rajpur Road	4	0	4	5	4	4	4	5	5
A6	Raipur	4	0	4	5	4	4	4	5	5
A7	Wildlife Institute of India	4	0	4	5	4	4	4	4	5



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Average, Cumulative Percentile, Maxima & Minima
Ozone (O₃)

All values in $\mu\text{g}/\text{m}^3$

Site Code	Location	Mean	S.D	Min	Max	Percentile				
						10 th	25 th	50 th	80 th	98 th
A1	Ghanta Ghar	19	1	16	22	18	18	20	20	22
A2	Survey Area	18	1	16	21	17	17	18	19	21
A3	ONGC/FRI	18	1	16	20	16	17	18	19	20
A4	ISBT	7	1	16	20	16	16	17	18	20
A5	Rajpur Road	18	1	16	21	17	18	18	19	21
A6	Raipur	17	1	15	20	16	16	17	18	19
A7	Wildlife Institute of India	18	1	16	20	16	17	18	19	20

Average, Cumulative Percentile, Maxima & Minima
Carbon Monoxide (CO)

All values in $\mu\text{g}/\text{m}^3$

Site Code	Location	Mean	S.D	Min	Max	Percentile				
						10 th	25 th	50 th	80 th	98 th
A1	Ghanta Ghar	0.2	0.0	0.0	0.3	0.2	0.2	0.2	0.3	0.3
A2	Survey Area	0.2	0.0	0.0	0.2	0.1	0.2	0.2	0.2	0.2
A3	ONGC/FRI	0.2	0.0	0.0	0.2	0.1	0.2	0.2	0.2	0.2
A4	ISBT	0.3	0.1	0.0	0.3	0.2	0.2	0.3	0.3	0.3
A5	Rajpur Road	0.1	0.0	0.0	0.2	0.1	0.1	0.1	0.1	0.2
A6	Raipur	0.2	0.0	0.0	0.2	0.1	0.2	0.2	0.2	0.2
A7	Wildlife Institute of India	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.1	0.1



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Abhinav

Winter Season

Ambient Air Monitoring at Dehradun for Winter Season (2016-17)

Average, Cumulative Percentile, Maxima & Minima
Respirable Suspended Particulate Matter (RSPM) PM₁₀

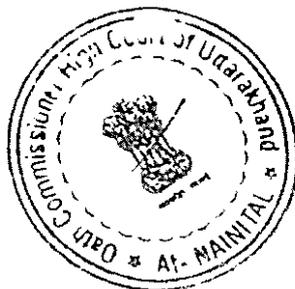
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All values in $\mu\text{g}/\text{m}^3$

Site Code	Location	Mean	S.D	Min	Max	Percentile				
						10 th	25 th	50 th	80 th	98 th
A1	Ghanta Ghar	198	25	150	242	166	180	198	221	240
A2	Survey Area	285	29	242	343	254	262	282	306	338
A3	ONGC/FRI	197	16	179	230	189	194	205	211	228
A4	ISBT	173	14	155	219	165	171	175	185	218
A5	Rajpur Road	189	20	161	228	165	177	185	210	225
A6	Raipur	186	20	154	218	159	166	189	206	216
A7	Wildlife Institute of India	156	16	133	194	137	144	153	170	191

Average, Cumulative Percentile, Maxima & Minima
Particulate Matter PM_{2.5} (P.M. 2.5)All values in $\mu\text{g}/\text{m}^3$

Site Code	Location	Mean	S.D	Min	Max	Percentile				
						10 th	25 th	50 th	80 th	98 th
A1	Ghanta Ghar	135	17	102	165	113	122	135	150	163
A2	Survey Area	188	19	160	226	168	173	186	202	223
A3	ONGC/FRI	126	10	114	147	121	124	131	135	146
A4	ISBT	120	9	107	151	114	118	121	127	150
A5	Rajpur Road	133	14	113	160	115	124	130	147	158
A6	Raipur	126	14	104	147	108	112	128	139	146
A7	Wildlife Institute of India	95	10	81	118	84	88	93	103	116



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Average, Cumulative Percentile, Maxima & Minima
Sulphur-Dioxide (SO₂)

173

All values in µg/m³

Site Code	Location	Mean	S.D	Min	Max	Percentile				
						10 th	25 th	50 th	80 th	98 th
A1	Ghanta Ghar	2	0	1	3	2	2	2	2	3
A2	Survey Area	BDL	0	1	BDL	1	1	2	2	2
A3	ONGC/FRI	2	0	1	BDL	1	2	2	2	2
A4	ISBT	BDL	0	1	3	2	2	2	2	3
A5	Rajpur Road	BDL	0	1	BDL	2	2	2	2	2
A6	Raipur	BDL	0	1	BDL	2	2	2	2	2
A7	Wildlife Institute of India	BDL	0	1	BDL	1	1	2	2	2

Average, Cumulative Percentile, Maxima & Minima
Oxide of Nitrogen (NO_x)

All values in µg/m³

Site Code	Location	Mean	S.D	Min	Max	Percentile				
						10 th	25 th	50 th	80 th	98 th
A1	Ghanta Ghar	8	1	7	10	8	8	8	9	9
A2	Survey Area	6	0	6	7	6	6	6	7	7
A3	ONGC/FRI	7	0	6	8	6	6	6	7	8
A4	ISBT	8	1	7	10	8	8	8	9	10
A5	Rajpur Road	7	0	6	8	6	6	7	7	8
A6	Raipur	7	0	6	8	6	6	7	7	8
A7	Wildlife Institute of India	6	0	6	8	6	6	6	7	8



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Average, Cumulative Percentile, Maxima & Minima
Ozone (O₃)

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All values in $\mu\text{g}/\text{m}^3$

Site Code	Location	Mean	S.D	Min	Max	Percentile				
						10 th	25 th	50 th	80 th	98 th
A1	Ghanta Ghar	15	1	12	16	13	14	15	15	16
A2	Survey Area	14	1	12	16	13	13	14	15	16
A3	ONGC/FRI	14	1	12	15	12	13	14	14	15
A4	ISBT	13	1	12	15	12	12	13	14	15
A5	Rajpur Road	14	1	12	16	13	14	14	15	16
A6	Raipur	13	1	11	15	12	12	12	14	15
A7	Wildlife Institute of India	13	1	12	15	12	13	13	14	15

Average, Cumulative Percentile, Maxima & Minima
Carbon Monoxide (CO)

All values in $\mu\text{g}/\text{m}^3$

Site Code	Location	Mean	S.D	Min	Max	Percentile				
						10 th	25 th	50 th	80 th	98 th
A1	Ghanta Ghar	0.4	0.0	0.3	0.4	0.3	0.3	0.4	0.4	0.4
A2	Survey Area	0.3	0.0	0.2	0.4	0.2	0.2	0.3	0.3	0.4
A3	ONGC/FRI	0.2	0.1	0.2	0.4	0.2	0.2	0.2	0.3	0.4
A4	ISBT	0.4	0.1	0.3	0.5	0.3	0.4	0.4	0.4	0.5
A5	Rajpur Road	0.2	0.0	0.2	0.2	0.2	0.2	0.2	0.2	0.2
A6	Raipur	0.3	0.0	0.2	0.3	0.2	0.2	0.3	0.3	0.3
A7	Wildlife Institute of India	0.1	0.0	0.0	0.1	0.0	0.0	0.1	0.1	0.1

Disclaimer

This plan is prepared by Uttarakhand Environment Protection and Pollution Control Board in alliance with Pollution Control Research Institute, Haridwar and Clean Air Asia.



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Rishikesh City Air Action Plan

 <p>PREPARED BY: UTTARAKHAND ENVIRONMENT PROTECTION AND POLLUTION CONTROL BOARD, DEHRADUN</p>	 <p>APPROVED BY:- AMBIENT AIR QUALITY MONITORING COMMITTEE GOVERNMENT OF UTTARAKHAND CONSTITUTED IN COMPLIANCE OF HON'BLE NGT ORDER IN OA NO 681/2018</p>
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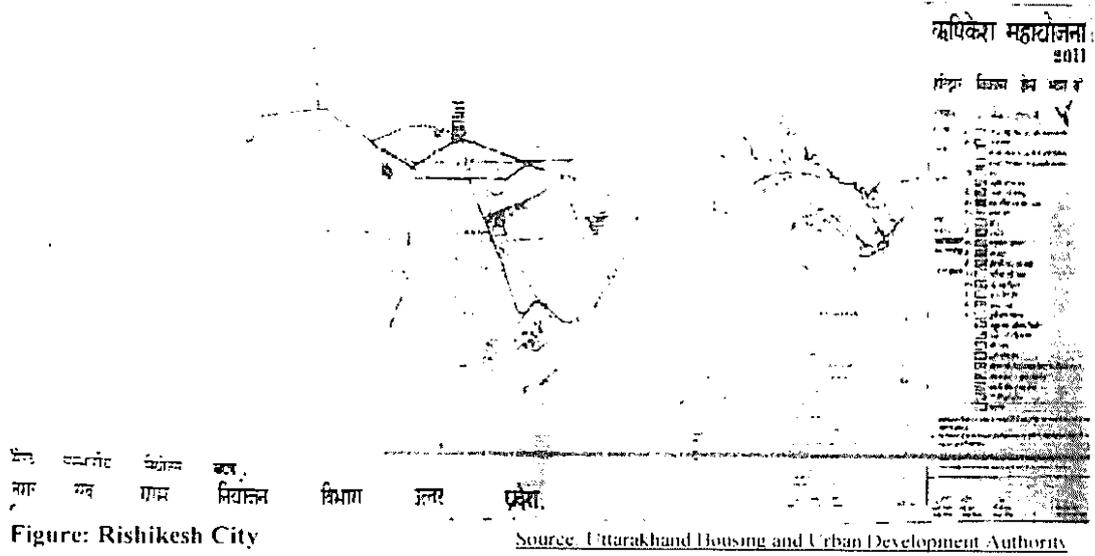


Figure: Rishikesh City

Source: Uttarakhand Housing and Urban Development Authority

Background

Rishikesh is an urban agglomeration in India’s northern state of Uttarakhand, on the Himalayan foothills beside the Ganges River. The river is considered holy, and the city is renowned as a centre for studying yoga and meditation. Temples and ashrams (centres for spiritual studies) line the eastern bank around Swarg Ashram, a traffic-free, alcohol-free and vegetarian enclave upstream from Rishikesh town. It has an average elevation of 372 metres (1,220 ft). The Tehri Dam is just 80 km (50 mi) uphill on the way to Gangotri. Rishikesh is the starting point for travelling to the four Chota Char Dham pilgrimage places — Badrinath, Kedarnath, Gangotri, and Yamunotri.

According to Köppen-Geiger climate classification system, the city’s climate is humid subtropical. Rishikesh is popularly known as the ‘Yoga Capital of the World’ and receives a tremendous flow of tourists in the city every year, coming for spiritual activities and adventure sports which puts a lot of pressure on city’s natural environment and city administration responsible for maintaining suitable living conditions for all.

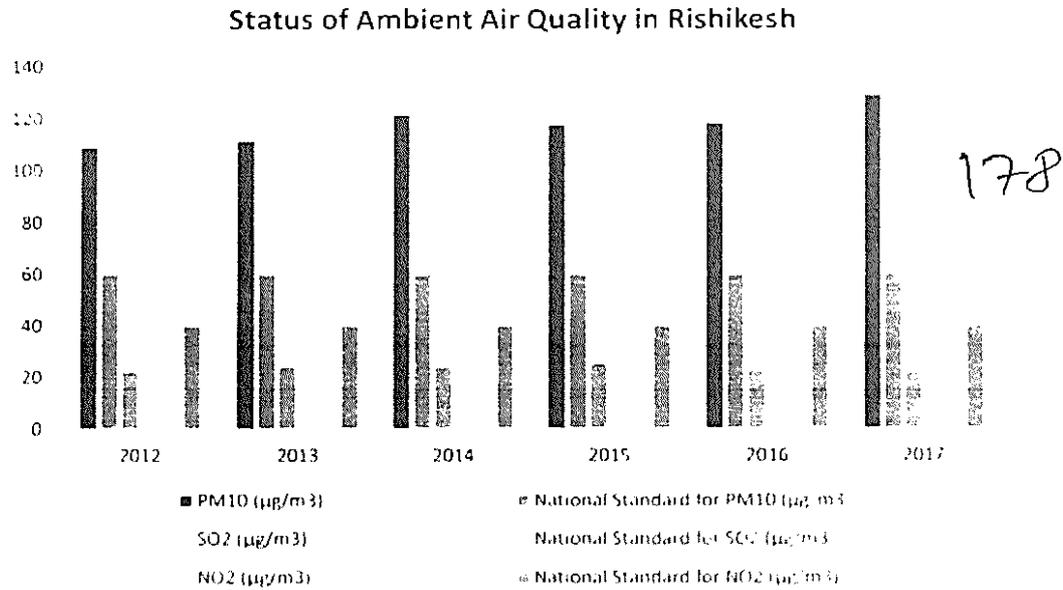


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Status of Ambient Air Quality in Rishikesh

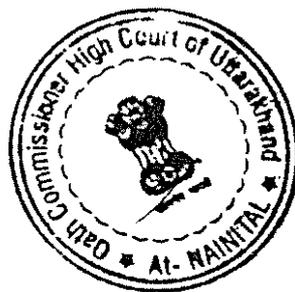


Source: CPCB

Data for the above graph is taken from the Central Pollution Control Board's website, which displays data from manual stations installed in Rishikesh for monitoring air quality.

The data indicates PM 10 is a pollutant of serious concern in the area as it is way above prescribed National Standards. It also indicates that implementation of more stringent air pollution control strategy in the past few years has air quality has improved SO₂ and NO₂ emissions, that are also well under the prescribed national standards. Despite the efforts made by authorities, much more needs to be done to arrest the particulate matter in the prescribed limits.

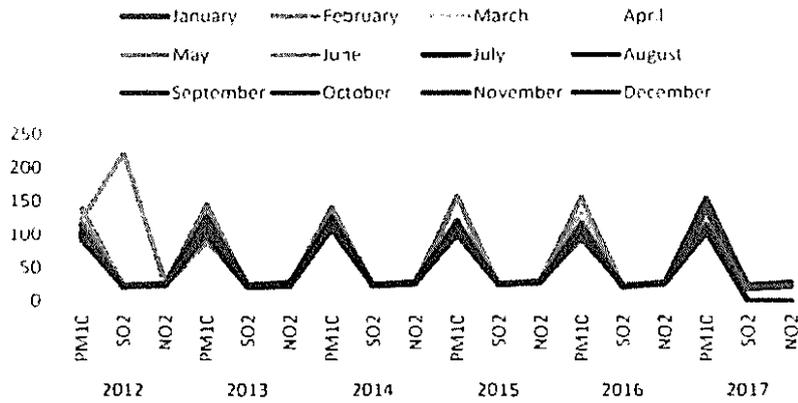
In parallel, the routine monitoring and assessment of industrial emissions (including technical innovation) including third parties such as CPCB, UEPPCB is a regular practice. For the industries that did not meet the emission standards, UEPPCB issued closure directions to comply.



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Annual Status of Ambient Air Quality in Rishikesh



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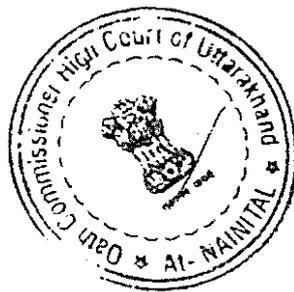
Source: CPCB

The above figure shows monthly data collected of the three pollutants monitored by CPCB installed stations in Rishikesh for a period of 5 years (2012-2017). It shows here that levels of PM 10 have been consistently high in the span of 2012-2017, while the levels of NO₂ and SO₂ are maintained within prescribed limits. The sources of particulate matter present in the air of Rishikesh are discussed further.

Sources of Pollution

Identified sources of air pollution in Rishikesh are road dust, vehicular emission, domestic fuel burning, open waste burning, construction activities, etc. Two major Industries namely IDPL and Hindustan National Glass Industries Ltd are situated outer of Rishikesh. Central Pollution Control Board is regularly monitoring the ambient air quality at various cities in Uttarakhand through National Air Quality Management Programme (NAMP) installed at Nagar Palika Parishad, Rishikesh under NAMP.

Particulate Matter (PM₁₀) has been identified as main air pollutant as it is found above the prescribed national standards. This is mainly due to re-suspension of road dust, emission from vehicles, D.G. sets, construction activities, burning of domestic fossil fuels, open burning of solid wastes, transportation of construction materials such as sand, soil etc. without covering and emission from brick kilns located around Rishikesh. This is mainly due to vehicular emissions

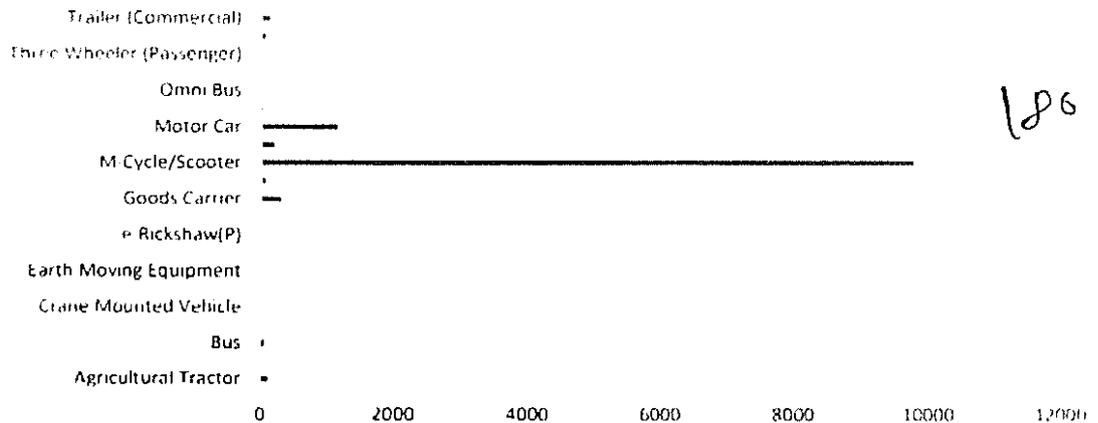


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**Number of Vehicles Registered with Transport Department
(1.1.18 - 27.10.18)**



Source: Uttarakhand State Transport Department

There are a total of 3098 no. of diesel driver commercial vehicles which are more than 15 year older and in coming 05 years 3197 no. of such vehicles will come under this category. To ban on these commercial vehicles older than 15 years proposal from State Government will be sent to Government of India. Checking of Pollution level in vehicles is the mandatory activity of Transport department. Checking of pollution level in the vehicles is mandatory activity of transport department. However, at present only 10 no. of vehicle pollution emission checking centres in Rishikesh which is proposed to increase by 20 and also transport department will increase the surveillance by checking 10 % vehicles every year. A sum of 980 challans were made in 2017-18 in violation of vehicles not having PUCs.

Government of Uttarakhand has also formulated "Uttarakhand Anti Littering and Anti Spitting Act 2016" where in challans have been made in Rishikesh and collected Rs 35000 against 71 challans. Also Rs 181500 were collected by making 251 challans for burning of the municipal waste.

Why Clean Air Action Plan?

India with an emerging economic development, faces enormous challenges when it comes to maintaining pace with the burgeoning population and parallel increase in urban development. This has been the scenario not only in mega cities but also in medium and



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small sized urban areas for the past many years now. Studies indicate that multiple factors are responsible for air pollution that emerges from sectors like power, transport, industry, residential, construction and waste. Despite having national standards and checks for various sources of emissions, many Indian cities are suffering from alarmingly high rates of air pollution emissions. While India has specified national ambient air quality standards, many cities have not been able to meet these standards. It is in view of this and the growing demand for clean air, the central government under the National Clean Air Programme (NCAP) announced a comprehensive plan to overcome the challenges in over a hundred non- attainment cities.

The objective of the proposed clean air action plan is to meet the prescribed annual average ambient air quality standards in Rishikesh in a stipulated timeframe.

Within the Clean Air Action Plan the NCAP suggests the following actions

- To augment and evolve effective and proficient ambient air quality monitoring network across the country for ensuring comprehensive and reliable database
- To have efficient data dissemination and public outreach mechanism for timely measures for prevention and mitigation of air pollution and for inclusive public participation in both planning and implementation of the programmes and policies of government on air pollution
- To have a feasible management plan for prevention, control and abatement of air pollution.

It has been proposed under the NCAP that the city action plans need to be guided by a comprehensive science-based approach involving

- (i) identification of emission sources;
- (ii) assessment of extent of contribution of these sources;
- (iii) prioritizing the sources that need to be tackled;
- (iv) evaluation of various options for controlling the sources with regard to feasibility and economic viability; and
- (v) formulation of action plans



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Rishikesh Clean Air Action Plan

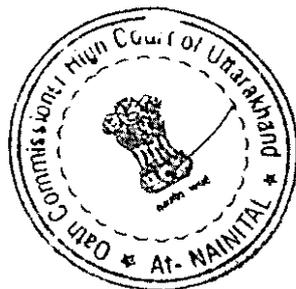
1. The two very significant components of an Air Action Plan for any city that is still growing and developing at a high pace, are: 182
 - Setting targets/Deadlines: Depending on estimated time for implementation of the action the time periods should be divided into Immediate, Short, Mid and Long-term actions
 - Setting up a steering committee to monitor the progress and implementation of activities under the action plan. A committee like that, should be comprised of high-level state officials from relevant departments.
2. Main Sources: A source apportionment study to identify the key sources of pollution needs to be done to identify the sources of pollution the plan is supposed to target. A study identifying the exact sources is yet to be conducted in Rishikesh
3. Type of Action: The recommended action should be designated as either policy, regulatory or implementation. The plan is colour coded based on these actions. Their explanation is given below:
 - Policy Action: This refers to an action that requires the framing of a new policy at the city or state level.
 - Regulatory Action: This refers to an action that requires better/different implementation of an existing policy or rule.
 - Implementation Action: This refers to an action that requires local execution of an activity.
4. Time period of implementation: Depending on estimated time for implementation of the action the time periods could be divided into Immediate (less than 12 months), Short (6 months to 2 years), Mid (2 years to 5 years), and Long (5 years to 10 years).



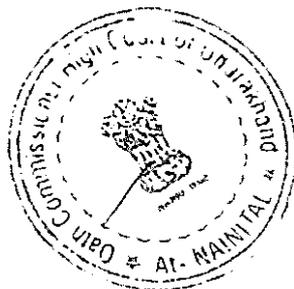
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Source group	Action	Implementation period (Immediate / Short / Mid / Long-term)	Time target	Responsible agency(ies)	Remarks
Vehicles	1. Restriction on plying and phasing out of 15 years old commercial diesel driven vehicles Type of Action: <u>POLICY</u>	--	--	Transport Department	Presently 3098 commercially driven Diesel Vehicles and this number will increase up to 3197 in next 05 year However, Ban on diesel driven vehicles is under the preview of the Central Government
	2. Use of cleaner fuels (CNG/LPG) for commercial vehicles Type of Action: <u>IMPLEMENTATION</u>	Mid	March 2023	Transport Department & Oil companies	After introduction of CNG/LPG driven vehicles, old diesel driven vehicles will be replaced in phased manner
	3. Regular checking of vehicles and Establishment of adequate number of Pollution Checking Centres to issue PUC (Pollution Under Control Certificate) Type of Action: <u>REGULATORY</u>	Mid	March 2023	Transport Department & Traffic Police	Present numbers of PUC checking centres are 10. These numbers of PUCs will be increased up to 20. Every year at least 10% of vehicles will be challaned.
	4. Increase in Penalty of Rs 1000 to Rs 5000 in case of violation of PUC Type of Action: <u>POLICY</u>	--	--	Transport Department	As the penalty to be increased by the Central Government, so the proposal from State Government will be sent to Government of India for the same
	5. Integration of all Pollution Checking Centres with Single web based software for ensuring control & monitoring of polluting vehicles. Strengthening facility for enforcement regarding the vehicles involved in pollution emission. Type of Action: <u>REGULATORY</u>	Short	March 2021	Transport Department	Software for this action is ready. Testing and Customization will be done in the given time frame
	6. Promotion and operationalization of E-rickshaw Type of Action: <u>IMPLEMENTATION</u>	Short	March 2021	Transport Department	At present only 51 E-Rickshaw are registered in Rishikesh Promotion of E-Rickshaw will definitely help in reducing the pollution level
	7. Monitoring on vehicle fitness of Commercial Vehicles Type of Action: <u>REGULATORY</u>	Immediate		Transport Department & Traffic Police	
	8. Periodic calibration test of vehicular emission monitoring instrument Type of Action: <u>REGULATORY</u>	Short	March 2021	Transport Department	



Road Dust	1. Daily cleaning of road dust Type of Action: <u>IMPLEMENTATION</u>	Immediate		Nagar Nigam	184
	2. Water spraying on road through tankers Type of Action: <u>IMPLEMENTATION</u>	Short	March 2021	Nagar Nigam	
	3. Construction of pucca pavement along the roads Type of Action: <u>IMPLEMENTATION</u>	Mid	March 2023	Nagar Nigam and PWD	
	4. Tree plantation along the roads Type of Action: <u>IMPLEMENTATION</u>	Short	March 2021	Nagar Nigam and Forest Department	
	5. Development of green belt in open areas, gardens, parks/ community places, schools & housing societies Type of Action: <u>IMPLEMENTATION</u>	Mid	March 2023	Nagar Nigam and Forest Department	
Construction and Demolition Activities	1. Covering of construction site Type of Action: <u>IMPLEMENTATION</u>	Immediate		Nagar Nigam and Development Authority	Firstly Will be implemented at sites having more than 10,000 sq Mt Covered area
	2. Transportation of construction materials like sand, soil, stone chips etc in covered system Type of Action: <u>IMPLEMENTATION</u>	Short	March 2021	Transport Department, District Adm & Traffic Police	
	3. Restriction on storage of construction materials along the road Type of Action: <u>POLICY</u>	Short	March 2021	Nagar Nigam and Development Authority	
Biomass and garbage burning	1. Restriction on open burning of municipal solid waste, Biomass, plastic, horticulture waste etc Type of Action: <u>IMPLEMENTATION</u>	Immediate		Nagar Nigam	
	2. Immediate lifting of solid wastes generated from de-silting and cleaning of municipal drains for its disposal Type of Action: <u>IMPLEMENTATION</u>	Short	March 2021	Nagar Nigam	To be lifted within 48 hrs
	3. Transportation of municipal solid wastes, construction materials and debris in covered system Type of Action: <u>IMPLEMENTATION</u>	Immediate		Nagar Nigam	



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Industrial Emissions	4	Ensuring promotion & use of cleaner fuel for commercial purposes like local Dhaba/ eateries Type of Action: <u>IMPLEMENTATION</u>	Mid	March 2023	District Adm. Nagar Nigam and Forest Department	To be implemented in the geographical area of Nagar Nigam 185
		Installation and operation of advance air pollution control systems and Continuous Ambient Air Quality Monitoring System at M/s Hindustan National Glass Industries Ltd, Rishikesh. Type of Action: <u>REGULATORY</u>	Mid	March 2023	UEPPCB	
	1	Restriction of new industries which are based on Solid fuel like wood and coke Type of Action: <u>POLICY</u>	Mid	March 2023	UEPPCB	
Strengthening of AAQ monitoring	1	Installation of CAAQMS Type of Action: <u>IMPLEMENTATION</u>	Short	March 2021	UEPPCB	01 CAAQMS to be installed
	2	Increasing Number of Manual Ambient Air Quality Station from 01 to 03 Type of Action: <u>IMPLEMENTATION</u>	Short	March 2021	UEPPCB	Already 01 Monitoring station is in operation at Rishikesh. This number will increase from 1 to 3
	3					
	4	Source apportionment study Type of Action: <u>IMPLEMENTATION</u>	Mid	March 2023	UEPPCB	
Public Awareness	1.	Issue of advisory to public for prevention and control of air pollution, Vehicle fitness, maintenance and minimise use of personal vehicles etc Type of Action: <u>REGULATORY</u>	Immediate		UEPPCB and Nagar Nigam, transport Department	
	2	Involvement of school and other academic institution in awareness program Type of Action: <u>IMPLEMENTATION</u>	Short	March 2021	UEPPCB	
Others	1.	Compliance of guidelines on D.G. sets regarding use of retrofitted emission control system (PM captured efficiency 70%) capacity equal to or above 800 KW Type of Action: <u>REGULATORY</u>	Short	March 2021	UEPPCB, Industry Department, and Dist Admin.	
	2.	Removal of Open DG sets Type of Action: <u>REGULATORY</u>	Mid	March 2023	UEPPCB, Industry Department, Nagar Nigam and Dist Admin.	



Annexures

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Table-1: Status of Ambient Air Quality, Rishikesh

Status of Ambient Air Quality, Rishikesh																							
S.No	Month	2012 to 2018																					
		2012			2013			2014			2015			2016			2017						
		PM ₁₀	SO ₂	NO ₂	PM ₁₀	SO ₂	NO ₂	PM ₁₀	SO ₂	NO ₂	PM ₁₀	SO ₂	NO ₂	PM ₁₀	SO ₂	NO ₂	PM ₁₀	SO ₂	NO ₂	PM ₁₀	SO ₂	NO ₂	
1	January	99.73	22.48	23.38	89.41	21.86	24.63	114.69	22.46	26.17	101.55	25.08	29.02	94.15	23.87	27.4	101.82	25.14	27.63	102.17	#	#	#
2	February	89.5	22.14	26.1	89.48	21.61	24.03	116.43	22.78	26.92	103.97	25	28.44	109.68	24.16	27.33	119.63	21.73	28.6	119.67	#	#	#
3	March	115.8	22.19	24.55	105.31	22.14	24.09	133.8	23.01	28.0	117.35	25.1	29.1	129.5	24.33	27.76	112.79	22.68	28.52	138.61	#	#	#
4	April	129.73	21.73	25.33	133.88	24.76	26.02	130.3	25.06	29.09	131.29	25.48	29.67	157.5	24.5	28.99	141.83	21.71	28.2	121.76	#	#	#
5	May	139.22	24.52	27.24	144.81	23.73	25.33	140.43	24.52	28.89	157.37	25.17	30.33	154.94	24.15	28.89	157.06	24.65	28.0	171.34	#	#	#
6	June	122.28	22.73	25	101.34	23.12	25.52	129.05	24.35	28.21	121.84	25.53	29.73	124.1	21.87	27.95	147.01	23.01	27.49	174.29	#	#	#
7	July	101.02	20.91	24.6	104.18	21.82	23.78	119.59	23.4	26.43	116.41	25.17	29.49	107.33	21.12	24.47	119.29	21.98	26.54	132.08	#	#	#
8	August	99.75	22.22	24.74	100.6	20.76	22.41	109.18	24.35	27.55	111.08	25.73	29.35	107.19	21.5	25.96	150.51	21.35	26.19	105.1	#	#	#
9	September	99.85	21.59	24.08	107.57	20.79	22.35	125.05	24.05	28.13	118.6	25.05	28.17	107.14	21.7	25.96	142.34	21.45	24.67	109.74	#	#	#
10	October	114.11	21.17	23.51	125.14	22.57	25.6	108.97	24.09	27.76	116.82	25.18	27.87	115.14	21.95	25.49	112.96	18.32	21.47	108.54	17.11	25.78	17.78
11	November	104.8	21.7	24.32	110.23	21.85	27.72	123.13	24.69	28.32	114.57	24.51	27.16	106.11	21.91	26.09	112.96	#	#	112.01	21.53	25.5	25.5
12	December	95.32	21.9	24.36	125.44	23.39	27.78	108.5	24.49	26.37	99.74	24.08	27.81	112.74	21.34	26.17	104.22	#	#	107.62	21.87	26	26
	Avg	109.25	22.06	24.76	113.53	22.36	24.93	123.61	23.96	27.82	117.55	25.12	28.86	118	22.7	27.08	128.7	21.76	26.73	129.33	20.22	24.11	24.11
Standard		PM ₁₀ : 60µg/m ³ Annual,			SO ₂ : 50µg/m ³ Annual,			NO ₂ : 40µg/m ³ Annual															

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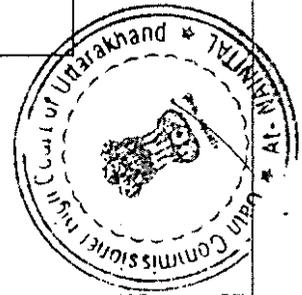


Table-2. Status of Ambient Air Quality, Rishikesh

S. No	Parameters	Annual Average Concentration							Standards for residential, Rural and other Areas (Annual)
		2012	2013	2014	2015	2016	2017	2018	
1.	PM ₁₀	109.25	111.53	121.61	117.54	117.99	128.70	129.33	60 µg/m ³
2.	SO ₂	22.06	23.96	23.96	25.12	22.7	21.95	20.22	50 µg/m ³
3.	NO ₂	24.76	24.93	27.82	28.86	27.12	26.72	24.11	40 µg/m ³

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 20/11/2018


Disclaimer

This plan is prepared by Uttarakhand Environment Protection and Pollution Control Board in alliance with Clean Air Asia.



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	3 Public Grievance Redressal Portal Type of Action: <u>IMPLEMENTATION</u>	Immediate		UEPPCB	Portal will be created on the web site of Board for redressal of public complaints on air pollution along with a supervisory control for the disposal of complaints. All such complaint will be addressed and disposed in a month time.
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Monitoring mechanism for implementation

The baseline emission from traffic being too high because of rapid economic growth counter balancing the control measures. At the beginning of 2011, heavy smog covering the Rishikesh region arose public concern about air pollution. Immediately, by taking remedial and regulatory measures by UEPPCB the PM level is rectified and presently the level of PM 10 is around 100-130 µgm/cubic meters. Air Quality data is shown in the table 2 (Annexure).



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Summary of Various Issues Addressed in the Action Plan

Policy level Issues

1. Restriction on plying and phasing out of 15 years old commercial diesel driven vehicles. Ban on registration of Diesel driven auto-rickshaw / Tempo to be referred to Central Government
2. Increase in Penalty of Rs 10000 to Rs 5000 in case of violation of PUC: to be referred to Central Government
3. Restriction on storage of construction materials along the road
4. Adoption of cleaner fuel and phase out of solid fuel like wood, coal in the industries
5. Restriction of new industries which are based on Solid fuel like wood and coke

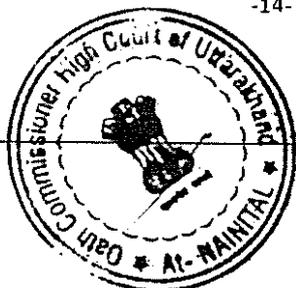
Regulatory Issues

1. Regular checking of vehicles and Establishment of adequate number of Pollution Checking Centres to issue PUC (Pollution Under Control Certificate)
2. Integration of all Pollution Checking Centres with Single web based software for ensuring control & monitoring of polluting vehicles. Strengthening facility for enforcement regarding the vehicles involved in pollution emission.
3. Monitoring on vehicle fitness of Commercial Vehicles
4. Periodic calibration test of vehicular emission monitoring instrument
5. Installation and operation of advance air pollution control systems and Continuous Ambient Air Quality Monitoring System at M/s Hindustan National Glass Industries Ltd, Rishikesh.
6. Issue of advisory to public for prevention and control of air pollution, Vehicle fitness, maintenance and minimise use of personal vehicles etc.
9. Compliance of guidelines on D.G. sets regarding use of retrofitted emission control system (PM captured efficiency 70%) capacity equal to or above 800 KW.
10. Removal of Open DG sets.

Issues Related to Implementation

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1. Use of cleaner fuels (CNG/LPG) for commercial vehicles
2. Promotion and operationalization of E-rickshaw
3. Daily cleaning of road dust
4. Water spraying on road through tankers
5. Construction of pucca pavement along the roads
6. Tree plantation along the roads
7. Development of green belt in open areas, gardens, parks/ community places, schools & housing societies
8. Covering of construction site
9. Transportation of construction materials like sand, soil, stone chips etc. in covered system
10. Restriction on open burning of municipal solid waste, Biomass, plastic, horticulture waste etc
11. Immediate lifting of solid wastes generated from desilting and cleaning of municipal drains for its disposal
12. Transportation of municipal solid wastes, construction materials and debris in covered system
13. Ensuring promotion & use of cleaner fuel for commercial purposes like local Dhaba, eateries
14. Phase out of Pet coke from industries
15. Installation of CAAQMS
16. Increasing Number of Manual Ambient Air Quality Station from 01 to 03
17. Source apportionment study
18. Involvement of school and other academic institution in awareness program
19. Public Grievance Redressal Portal

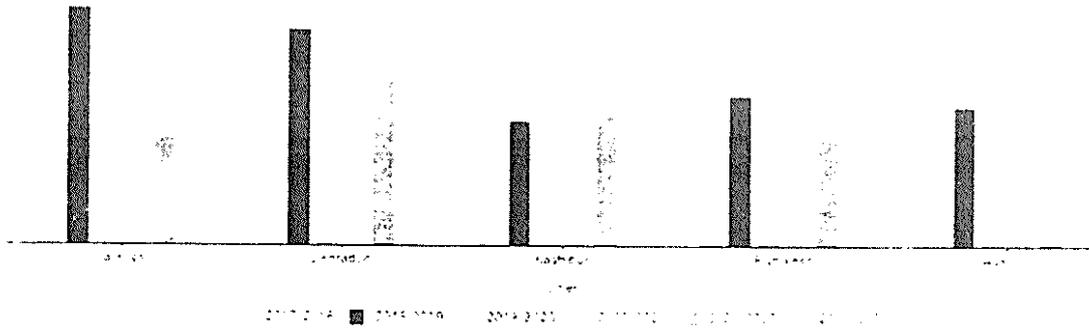


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City Wise PM₁₀ Performance



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Status of Ambient Air Quality Monitoring Network



Ambient Air Quality Monitoring Stations under National Ambient Air Quality Monitoring Programme (NAMP – manual stations)

Ambient air quality monitoring network has 1437 stations. 516 have been installed under NAMP and 921 Manual Stations (NAMP) covering 57 districts in 26 states and 7 Union territories.

Public Grievance Redressal Portal Status



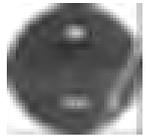
Graded Response Action Plan Status



Source Apportionment / Emission Inventory Status



City Air Action Plan Status



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T/C Relevd copyList of states, UTs and cities under NCAP & XV - FC

State / Union Territory	City (s)	(93)
Tamilnadu	Thoothukudi, Trichy, Madurai, Chennai	
Telangana	Hyderabad, Nalgonda, Patancheruvu, Sanqureddy	
Uttar Pradesh	Agra, Allahabad, Bairelly, Firozabad, Gajraula, Ghaziabad, Jhansi, Kanpur, Knauj, Lucknow, Moradabad, Noida, Raebareilly, Varansi, Gorakhpur, Meerut.	
Uttarakhand	Kashipur, Rihikesh, Dehradun	
West Bengal	Kolkata, Asansol, Barrackpur, Durgapur, Halidia, Howrah	



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Status of Ambient Air Quality Monitoring Network**Ambient Air quality Monitoring Stations under National Ambient Air Quality Monitoring Programme (NAMP – Manual Stations)** 194

Ambient air quality monitoring network has 1447 stations (516 Real time stations) and 531 Manual Stations (NAMP), covering 516 cities and 28 states and 7 UTs across the country.

List of Ambient Air Quality Monitoring Stations (Manual and continuous)

List of continuous Air Quality (CAAQM) Stations.

ANKIT RANA
Advocate
Reg. No.- UK-340/2021
Oath Commissioner
High Court of Uttarakhand
At-NAINITAL
SI. No. 13997
Dated: 20/4/25



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Annexure-10

NCAP Overview

National Clean Air Programme has been launched by the Ministry of Environment, Forest and Climate Change as a comprehensive initiative in partnership with various Ministries and States to improve air quality at city, regional and national level. It is a focused and time bound scheme to implement various sectoral policies, strengthen monitoring and enhance public participation in more than 100 cities for effective air quality management.

Goal

Meet prescribed annual average ambient air quality standards at all locations in the country in a stipulated timeframe (long-term).

Target

Tentative national level target of 20%–30% reduction of Particulate Matter (PM₁₀ and PM_{2.5}) concentration by 2024 is proposed under NCAP. These interim targets are in line with global experiences which highlight that city specific actions led to 35%–40% PM_{2.5} reduction in five years for cities, such as Beijing and Seoul, whereas cities, such as Santiago and Mexico City have shown 73% and 61% reduction in 22 to 25 years with regard to PM_{2.5} and PM₁₀ concentrations, respectively.

Objectives

1. To ensure stringent implementation of mitigation measures for prevention, control and abatement of air pollution.
2. To augment and evolve effective and proficient ambient air quality monitoring network across the country for ensuring a comprehensive and reliable database.
3. To augment public awareness and capacity-building measures encompassing data dissemination and public outreach programmes for inclusive public participation and for ensuring trained manpower and infrastructure on air pollution.

Tenure

NCAP is a mid-term, five-year action plan launched in 2019. However, international experiences and national studies indicate that significant outcome in terms of air pollution initiatives are visible only in the long-term, and hence the programme may be further extended to 20–25 years in the long-term after a mid-term review of the



Financial Arrangement

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Under NCAP, Rs. 1615.47 Crores have been released to non-attainment cities in the period from FY 2019-20 till date. In addition, Rs. 9926.41 Crores have been released to 42 million-plus-Urban agglomerates under 15th Finance Commission Grant from FY 2020-21 till date. Further, City Action Plan (CAPs) of 130 cities are to be implemented by coordinated action of state government and its agencies at state and city level. The funding for implementation of CAPs is to mobilised through convergence of resources from various schemes of Central Government such as SBM (Urban), AMRUT, Smart City Mission, SATAT, FAME-II etc. and resources from State/UT Governments and its agencies such as Municipal Corporation, Urban Development authorities and Industrial development authorities etc. The Funding from NCAP/XV-FC is performance based supplemental grant for funding of unfunded critical gap of CAP. 196

Approach

1. Collaborative, multi-scale and cross-sectoral coordination between the relevant central ministries, state governments and local bodies.
2. Mainstreaming and integrating the existing policies and programmes of the including the National Action Plan on Climate Change (NAPCC) and other initiatives of Government of India in reference to climate changes.
3. With reference to NAPCC the main focus will be on mainstreaming the initiatives under five national missions of NAPCC viz. National Solar Mission, National Mission for Enhanced Energy Efficiency, National Mission on Sustainable Habitat, National Mission for a Green India and National Mission for Sustainable Agriculture.
4. While many of these policies and programmes are already part of our current actions, they may need a change in direction, enhancement of scope, and effectiveness and an accelerated implementation of time-bound plans.
5. Use the smart cities framework to launch the NCAP in the 54 smart cities falling in the list of the 130 non-attainment cities
6. The NCAP will be dynamic and will continue to evolve based on the additional available scientific and technical information as they emerge and in response to international best practices and experiences that are available.

Implementation of NCAP



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1. The CPCB shall, in consonance with the Air (Prevention and control of Pollution) Act, 1981, and in particular with the provision of Section 16(2)(b) of the Act, execute the nation-wide programme for the prevention, control, and abatement of air pollution within the framework of the NCAP. 197
2. The NCAP will be institutionalized by respective ministries and will be organized through inter-sectoral groups, which include, in addition to the related ministries, the Ministry of Finance, Ministry of Health, NITI Aayog, CPCB, experts from the industry, academia, and civil society.
3. The Ministry of Road Transport and Highways (MoRTH) acts as a nodal agency for the implementation of various provisions on control of air pollution from vehicles through Motor Vehicle Act, 1988, and Central Motor Vehicle Rules 1989.
4. In addition, various other ministries viz. MoEF&CC, M/o Power, M/o Petroleum and Natural Gas, M/o New and Renewable Energy, M/o Heavy Industry, M/o Housing and Urban Affairs, M/o Agriculture through incorporating pollution in their sectoral policies contribute to air pollution mitigation.
5. Ministry of Environment, Forest and Climate Change (MoEF&CC) is implementing NAPCC with eight missions spreading across various sectors. Five of the missions viz. National Mission for a Green India, National Mission for Enhanced Energy Efficiency, National Solar Mission, National Mission on Sustainable Habitat, National Mission for Sustainable Agriculture have direct link with mitigation of air pollution, which can be one of the cobenefit of these ongoing missions.
6. Each sector specific Working Group will be tasked to evolve specific objectives spanning the remaining years of this Plan Period and subsequently.
7. Comprehensive component-wise documents detailing objectives, strategies, plan of action, timelines and monitoring, and evaluation criteria would be



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8. The Apex Committee in the Ministry will periodically review the progress of these Components. Annual performance will be periodically reported upon. Appropriate indicators will be evolved for assessing the emission reduction benefits of the actions.

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Status of Air Quality

Out of 130 identified cities, decrease in PM10 Concentration has been observed in 95 cities during 2023-24 as compared to levels during FY 2017-18.

Source- Official website of National Clean Air Programme – NCAP – by MoEFCC –

link - <https://prana.cpcb.gov.in/#/about>



Ankit
ANKIT RANA
Advocate
Reg. No.- UK-340/2021
Oath Commissioner
High Court of Uttarakhand
Al-NAINITAL

Sl. No. 13297
Dated 20/4/25

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उत्तराखण्ड शासन

पर्यावरण, संरक्षण एवं जलवायु परिवर्तन अनुभाग

संख्या- / XXXVIII-1-21-15(03)/2019

देहरादून: दिनांक 22 जून 2021

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कार्यालय ज्ञाप

माननीय राष्ट्रीय हरित प्राधिकरण में योजित मूल आवेदन संख्या 681/ 2018 में माननीय प्राधिकरण द्वारा दिनांक 21.08.2020 को पारित आदेश के अनुपालन में उत्तराखण्ड राज्य के 3 Non - attainment शहरों (काशीपुर ऋषिकेश एवं देहरादून) में वायु प्रदूषण जनित आपातकाल की स्थिति में चिन्हित हॉट स्पॉट में Emergency Response System / Graded Response Action Plan लागू किये जाने हेतु आपदा प्रबंधन विभाग को नोडल विभाग नामित किया जाता है।

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(ओम प्रकाश)

मुख्य सचिव

संख्या-190 (1)/ XXXVIII-1-21-13(04)/2013, तददिनांकित ।

प्रतिलिपि:- निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:

- 1 - सचिव, आपदा प्रबंधन विभाग, उत्तराखण्ड शासन।
- 2 - अनुश्रवण समिति National Clean Air Programme के नामित सदस्य
- 3 - सदस्य सचिव, उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड देहरादून।
4. गार्ड फाईल।

आज्ञा से

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(आनन्द बर्द्धन)

अपर मुख्य सचिव ।



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Uttarakhand Government
 Environment, Conservation and Climate Change Section
 No./XXXVIII-1-21-15(03)/2019
 Dehradun: Date 22 June 2021

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Office memorandum

In compliance with the order passed by the Hon'ble National Green Tribunal on 21.08.2020, in the original application number 681/2018 filed in the Hon'ble National Green Tribunal, the Disaster Management Department is nominated as the nodal department for implementing the Emergency Response System / Graded Response Action Plan in the identified hot spots in case of emergency caused by air pollution in 3 non-attainment cities (Kashipur, Rishikesh and Dehradun) of the state of Uttarakhand.

Sd/-
 (Om Prakash)
 chief Secretary

No.-190 (1)/XXXVIII-1-21-13(04)/2013, dated.

Copy:- Sent to the following for information and necessary action:

- 1 - Secretary, Disaster Management Department, Government of Uttarakhand.
- 2 - Nominated members of the monitoring committee National Clean Air Program
- 3 - Member Secretary, Uttarakhand Pollution Control Board, Dehradun.
4. Guard file.

By the order of
 Sd/-
 (Anand Vardhan)
 Additional Chief Secretary



ANKIT RANA
 Advocate
 Reg. No.- UK-340/2021
 Oath Commissioner
 High Court of Uttarakhand
 At-NAINITAL
 Sl. No. 13897
 Dated 20/6/21

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(3)

UTTARAKHAND POLLUTION
CONTROL BOARD
46B, IT Park, Sahasradhara Road,
Dehradun (Uttarakhand)

HEAD OFFICE



उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड
46बी, आईटीओ पार्क, सहस्रधारा रोड,
देहरादून (उत्तराखण्ड)

Annexure 12

201

E-mail: msukpcb@yahoo.com; Web: www.ueppcb.uk.gov.in

UKPCB-HO-Gen-225 (vol-2)/2021-22/ 1263

Dated 03.12.2021

To

Additional Chief Secretary, Government of Uttarakhand and
Chairman, Uttarakhand Pollution Control Board
Dehradun

Sub: Regarding Change in the categorisation of Slaughter House from Industrial operation to Non-Industrial operation and notify the Competent Authority for granting Environmental Clearance to Red Category Non Industrial Operations in Doon Valley Area and Repeal of Doon Valley Notification 1989 as amended 2020.

This has reference to discussion held during the meeting of Planning Commission of India wherein discussion on repeal of Doon Valley Notification and status of categorisation of slaughter house from operation to non-operation sector was discussed. As per discussion, proposals for the same is required to be sent to Government of India from the State Government. Accordingly, draft of 02 letter with the following subject matters has been prepared: -

1. Regarding Change in the categorisation of Slaughter House from Industrial operation to Non-Industrial operation and notify the Competent Authority for granting Environmental Clearance to Red Category Non Industrial Operations in Doon Valley Area.
2. Regarding Repeal of Doon Valley Notification 1989 as amended 2020.

You are therefore, requested to kindly request to Government India on the above said matters

Yours faithfully



ANKIT RANA
Advocate
Reg. No.- UK-340/2021
Oath Commissioner
High Court of Uttarakhand
AI-NAINITAL

Sl. No. 13892
Dated 20/12/21

(S.P. Subudhi)
Member Secretary

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Annex-12

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2022/ESZ
 Return of these vacant lands allotted to the Central Undertakings so that the States Governments could put them to use. Lastly, referring to the campaign undertaken by the State Government for afforestation/plantation on the Narmada River banks, he raised the issue of such afforestation on degraded forest land, not being allowed in States having 20% or more forest cover and sought revision of this policy as that would allow the State to take up afforestation suitably.

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He once again thanked the Hon'ble Union Home Minister for giving a new direction to the Zonal Councils and observed that the need to wait for the Zonal Council meeting to resolve any issue is no longer being felt as whenever an issue is posed to the Council, prompt action is being taken by the Council's Secretariat. In this context, he appreciated the Inter State Council Secretariat for its role and thanked the Hon'ble Union Home Minister for taking the forum of Zonal Councils to new heights.

He also thanked the Hon'ble Chief Ministers of Uttar Pradesh, Uttarakhand and Chhattisgarh for their positive participation in the Zonal Council meeting. He assured that the suggestions given during the meeting and the decisions taken will be duly implemented with full vigour and the Hon'ble Prime Minister's vision of 'Sabka Saath, Sabka Vikas, Sabka Vishwas, Sabka Prayas' will be realized with the States and the Centre working together as a team.

Shri Pushkar Singh Dhami, Hon'ble Chief Minister, Uttarakhand thanked the Hon'ble Union Home Minister & Cooperation Minister for convening of the Central Zonal Council meeting. He mentioned that Uttarakhand is a Himalayan State and the source of rivers like Ganga and Yamuna is located in the State. He mentioned that with the support of the Centre and under able guidance of the Hon'ble Prime Minister, the work relating to construction of Kedarpuri is in good progress and the work relating to the Master Plan of the Badrinath Dham, the Rishikesh-Karnprayag Rail Line, all-weather road to the four Dhams and the construction of roads under Bharat Mala is also in progress on a war footing.

He drew attention to certain policy related issues. He said that about 80% of the land area in the State is mountainous; and 71% of the land area is under forest cover. As the spread of the villages is geographically dispersed and they are sparsely populated, the State is deprived of economies of scale. It is also vulnerable to natural disasters. Moreover, due to restrictions placed by forest regulations, development related work is difficult and the sources of revenue are reduced. Yet the State is moving forward, but if it has to do better, there needs to be a relook on

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2022/ESZ
 The Scheme fits for all' approach. He requested that at the time of formulating centrally funded schemes by the Government of India, geographical conditions of the State may be considered and focus may be on preparation of tailor-made schemes for the State. He sought special attention for the implementation of Central schemes based on tourism, horticulture, etc.

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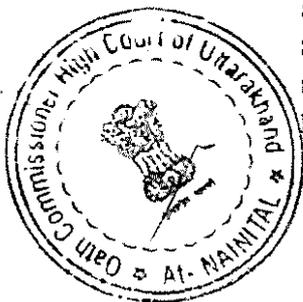
He mentioned that the State with around 1000 glaciers, is the source of water for Northern India, which is the basis for food security and livelihood not only in the region, but the entire country. He suggested to consider linking the rain fed rivers of Uttarakhand with glacier-based rivers on scientific basis and to start a special campaign for rejuvenation of natural water sources in the mountainous areas.

Drawing attention to the fact that 71% of the State is covered by forests, parks and glaciers, he pointed out that the entire nation is being serviced by this eco system and the value of the same has even been estimated at around Rs. 95,000 crore by the Indian Institute of Forest Management, Bhopal. He requested that the allocation of resources among the States should be ensured keeping in view the principle of 'Polluter Pays'.

He stated that due to the large number of pilgrims and other tourists from India and abroad, numbering to over 6 crore, coupled with the 1.25 crore population of the State, a total population of 7.25 crore including the floating population should be factored in while provisioning for financial resources by Government of India.

He mentioned that due to 'No objection' not being given by the Ministry of Environment, Forests & Climate Change in respect of the State hydro-electric projects, a power generation loss of around Rs. 2000 crore is being incurred by the State. He highlighted the need for speedy implementation of the power projects as that would not only benefit the State of Uttarakhand but other States also.

He stressed the need for connecting the frontier areas of the State with railways and all-weather roads in view of the increased activities of China in border areas. He underlined the need for railway line from Tanakpur to Bageshwar in Kumaon division on the lines of Rishikesh-Karnaprayag rail line. Given the sensitivity of the region and the limited resources available with the State, he sought relaxation of the condition for the State to bear 50% of the cost of railway projects. He sought expansion of the Naini-Saini, Gochar, Chinyali Saud airstrips and construction of helipads in the State. He sought establishment of a new airport in



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2022/ESZ
 Chaukhutia located between Kumaon and Garhwal region and near the summer capital of the State.

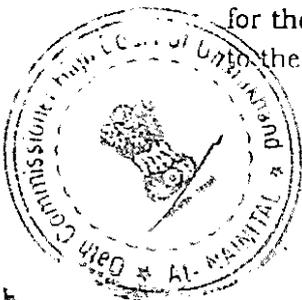
He urged that the projects to provide mobile and internet connectivity in 5,942 gram panchayats of Uttarakhand under the Bharat Net-2 programme be approved at the earliest. Given the sensitivity of the State to natural disasters, he sought setting up of a weather forecasting system with Doppler radar technology in the State. He mentioned that under the direction of the Hon'ble Union Home Minister & Cooperation Minister, approval has been given for establishment of a Landslide Mitigation centre which will function as a centre of excellence. He sought the mentorship of Government of India along with financial, technical and other support for the Landslide Mitigation Centre for which all requirements are fulfilled. 265

He further sought withdrawal of Doon Valley Notification of 1989 for the development of the region underscoring that the issue of limestone mining is no longer there and the entire area is now afforested. He requested for financial assistance from the Government of India for the implementation of 'Him Prahari Yojana' in snow covered and other border areas that is aimed to stop migration from frontier areas so as to ensure border security of the country.

He concluded with the request to organize the next meeting of the Central Zonal Council in the State of Uttarakhand as no meeting of the Council was held in Uttarakhand in the past.

Shri Bhupesh Baghel, Hon'ble Chief Minister, Chhattisgarh, who participated in the meeting through video conferencing, extended his greeting and best wishes to all on the 75th Anniversary of the country's independence. He informed that Chhattisgarh, which has 44% forest area, with a majority of SC/ST and OBC population living in Naxal affected dense forest areas and being dependent on agricultural forest produce and traditional resources, requires special policies and strategies for development. In this context, he mentioned that while the State is doing its best with the limited resources, there is need for assistance from the Government of India.

Pointing out that the Constitution has provided that India is a Union of States with delineation of powers to the States, he stressed the need for the States to be entrusted with full powers for their developmental road map based on local conditions. He expressed happiness that the agenda for the day covers several issues, the resolution of which can be beneficial to the State of Chhattisgarh.



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Handwritten signature: Abhilek

दून वैली अधिसूचना 1989 को समाप्त किये जाने हेतु दिनांक 30.06.2023 को सायं 06:00 बजे मुख्य सचिव महोदय की अध्यक्षता में आहूत बैठक हेतु टिप्पणी:-

सचिव, सामान्य प्रशासन विभाग, उत्तराखण्ड शासन के पत्र संख्या-1010, दिनांक 28 जून, 2023 द्वारा अवगत कराया गया है कि मध्य क्षेत्रीय परिषद् की 24वीं बैठक मा0 मंत्री जी, गृह एवं सहकारिता विभाग, भारत सरकार की अध्यक्षता में दिनांक 15.07.2023 को होटल वेस्टिन, नरेन्द्रनगर, उत्तराखण्ड में नियत की गई है। उक्त बैठक हेतु नियत एजेण्डा बिन्दुओं एवं अपर सचिव, अन्तर राज्य परिषद्, सचिवालय के पत्र दिनांक 23.06.2023 में इंगित 04 बिन्दुओं तथा बैठक से संबंधित अन्य तैयारियों के बारे में विचार-विमर्श किये जाने हेतु मुख्य सचिव महोदय की अध्यक्षता में दिनांक 30.06.2023 को सायं 06:00 बजे मुख्य सचिव सभागार कक्ष में बैठक आहूत की गई है।

2- प्रकरण पर शासन के पत्र संख्या- 1/86051/2022, दिनांक 23.12.2022 (प/क) द्वारा दून वैली अधिसूचना, 1989 (यथासंशोधित 2020) को निरस्त किये जाने हेतु औचित्यपूर्ण संशोधित प्रस्ताव अप्रेत्तर कार्यवाही हेतु अपर सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार को प्रेषित किया गया था।

3- इस सम्वन्ध में वैज्ञानिक 'जी' पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार द्वारा अपने पत्र दिनांक 12.04.2023 (प/ख) द्वारा दून वैली अधिसूचना, 1989 को निरस्त किये जाने हेतु उत्तराखण्ड शासन के पत्र संख्या- 1/86051/2022, दिनांक 23.12.2022 द्वारा भारत सरकार को उपलब्ध कराये गये प्रस्ताव के संबंध में जोशीमठ आपदा का संज्ञान लेते हुए, मा0 राष्ट्रीय हरित प्राधिकरण द्वारा स्वतः संज्ञानित गूल आवेदन संख्या-51/2023 में दिनांक 31.01.2023 को पारित आदेश के क्रम में पुनर्विचार कर, दून वैली अधिसूचना, 1989 को निरस्त किये जाने हेतु पुनः संशोधित प्रस्ताव भारत सरकार को उपलब्ध कराये जाने की अपेक्षा की गयी है।

4- भारत सरकार द्वारा उक्तानुसार कृता अपेक्षा के क्रम में शासन के पत्र संख्या-1/117611/2023, दिनांक 26.04.2023 (प/ग) द्वारा संबंधित विभागों यथा-शहरी विकास विभाग, उद्योग विभाग, खनन विभाग, पर्यटन, पशुपालन विभाग, आवास विभाग, आपदा प्रवन्धन विभाग, उत्तराखण्ड शासन एवं प्रमुख वन संरक्षक (हॉफ), उत्तराखण्ड, निदेशक, राज्य पर्यावरण संरक्षण एवं जलवायु परिवर्तन निदेशालय, उत्तराखण्ड, अध्यक्ष/उपाध्यक्ष, मसूरी देहरादून विकास प्राधिकरण, उत्तराखण्ड एवं प्रबन्ध निदेशक, उत्तराखण्ड वन विकास निगम को दून वैली अधिसूचना, 1989 को निरस्त किये जाने हेतु अपने-अपने विभाग से सम्वन्धित औचित्यपूर्ण प्रस्ताव/आख्या (लाल श्रेणी के किन्-किन् उद्योगों को निरस्त किया जाना है) तैयार कर 03 दिवस के भीतर सदस्य सचिव, उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड को उपलब्ध कराये जाने हेतु निर्देशित किया गया है, जिसके संबंध में सूचना प्राप्त न होने की दशा में पुनः अनुस्मारक आलेख दिनांक 30.06.2023 (प/घ) प्रेषित किया गया है।

5. Meeting @ 11:30 PM, on 14/7/2023.:xxx.....



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Abhinav

Remarks for the meeting convened under the chairmanship of Chief Secretary on 30.06.2023 at 06:00 pm to abolish the Doon Valley Notification 1989:-

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It has been informed by letter number-1010, dated 28 June 2023 of Secretary, General Administration Department, Government of Uttarakhand, that the 24th meeting of the Central Regional Council has been scheduled on 15.07.2023 at Hotel Westin, Narendranagar, Uttarakhand under the chairmanship of Hon'ble Home Minister, Home and Cooperation Department, Government of India. A meeting has been called in the Chief Secretary Auditorium Room on 30.06.2023 at 06:00 pm under the chairmanship of the Chief Secretary to discuss the agenda points set for the said meeting and the 04 points indicated in the letter dated 23.06.2023 of the Additional Secretary, Inter State Council, Secretariat and other preparations related to the meeting.

2- On the matter, through Government letter No. 1/86051/2022 dated 23.12.2022 (P/A), a justified revised proposal for cancellation of Doon Valley Notification, 1989 (as amended in 2020) was sent to the Additional Secretary, Ministry of Environment, Forest and Climate Change, Government of India for further action.

3- In this regard, Scientist 'G', Ministry of Environment, Forest and Climate Change, Government of India, vide its letter dated 12.04.2023 (P/B), in relation to the proposal made available to the Government of India by the Government of Uttarakhand's letter No. 1/86051/2022, dated 23.12.2022, for cancellation of Doon Valley Notification, 1989, taking cognizance of the Joshimath disaster, in the order passed by the Hon'ble National Green Tribunal on 31/01/2023 in the original application number 51/2023 on suo motu, reconsidered and a revised proposal has been required to be made available to the Government of India for cancellation of Doon Valley Notification 1989.

4- In line with the requirement made by the Government of India as mentioned above, vide Government letter No.-I/117611/2023, dated 26.04.2023 (P/C), the concerned departments viz. Urban Development Department, Industries Department, Mining Department, Tourism, Animal Husbandry Department, Housing Department, Disaster Management Department, Uttarakhand Government and Chief Conservator of Forests (HOF), Uttarakhand, Director, State Environment Protection and Climate Change Directorate, Uttarakhand, Chairman/Vice Chairman, Mussoorie



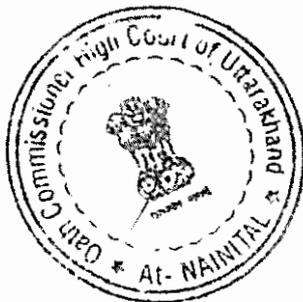
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Abhinav

Dehradun Development Authority, Uttarakhand and Managing Director, Uttarakhand Forest Development Corporation have been directed to prepare a justified proposal/report (Red category industries, which are to be cancelled) related to their respective departments for cancellation of Doon Valley Notification, 1989 and make it available to the Member Secretary, Uttarakhand Pollution Control Board within 03 days. In case of non-receipt of information in this regard, a reminder letter dated 30.06.2023 (P/D) has been sent again. 208

5. Meeting @11:30pm, on 04/7/2023.

ANKIT RANA
Advocate
Reg. No.- UK-340/2021
Oath Commissioner
High Court of Uttarakhand
At-NAINITAL
SI. No. 13892
Dated 20/4/25



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Abhinav

प्रेषक,

रमेश कुमार सुधांशु,
प्रमुख सचिव,
उत्तराखण्ड शासन।

209

सेवा में,

सचिव,
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय,
भारत सरकार, नई दिल्ली।

Answer-14

पर्यावरण संरक्षण एवं जलवायु परिवर्तन अनुभाग

देहरादून: दिनांक: 04 जुलाई, 2023

विषय:- Regarding Repeal of Doon Valley Notification 1989 as amended 2020.

महोदय,

उपर्युक्त विषयक कृपया वैज्ञानिक 'जी', पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार के पत्र संख्या-25/06/2021-ESZ-RE, दिनांक 12.04.2023 का संदर्भ ग्रहण करने का कष्ट करे, जिसके द्वारा दून वैली नोटिफिकेशन, 1989 (यथासंशोधित 2020) को निरस्त किये जाने के संबंध में औचित्यपूर्ण डॉफ्ट संशोधित प्रस्ताव (Draft Amendment Proposal) भारत सरकार को उपलब्ध कराये जाने की अपेक्षा की गई है।

2- उक्त के क्रम में दून वैली नोटिफिकेशन, 1989 (यथासंशोधित 2020) को निरस्त किये जाने के संबंध में भारत सरकार स्तर पर अग्रेत्तर आवश्यक कार्यवाही किये जाने हेतु औचित्यपूर्ण संशोधित प्रस्ताव संलग्न कर प्रेषित करने का मुझे निदेश हुआ है।

संलग्नक:- यथोक्त।

भवदीय,
04/07/2023
(रमेश कुमार सुधांशु)
प्रमुख सचिव।

संख्या एवं दिनांक-तदैव।

प्रतिलिपि:- निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित-

1. सचिव, अन्तर राज्यीय परिषद सचिवालय, गृह मंत्रालय, भारत सरकार।
2. उप महानिरीक्षक, वन, क्षेत्रीय कार्यालय, 25, सुभाष रोड, देहरादून (moef.ddn@gmail.com) भारत सरकार।
3. सचिव, सामान्य प्रशासन विभाग, उत्तराखण्ड शासन।
4. निदेशक, राज्य पर्यावरण संरक्षण एवं जलवायु परिवर्तन निदेशालय, उत्तराखण्ड।
5. सदस्य सचिव, उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड, देहरादून।

आज्ञा से,

04/07/2023
(धर्म सिंह मीणा)
अपर सचिव।



A.

A-5 4/16-9V

From,

Ramesh Kumar Sudhanshu
Principal Secretary
Government of Uttarakhand.

210

To,

The Secretary, Ministry of Environment,
Forest and Climate Change,
Government of India, New Delhi.

Environment Protection and Climate Change Section; Dehradun Dated 04th July, 2023

Subject: - Regarding Repeal of Doon Valley Notification 1989 as amended 2020,

Sir,

Regarding the subject noted above, kindly refer to letter No. 25/06/2021-ESZ-RE, dated 12.04.2023 of Scientist G, Ministry of Environment, Forest and Climate Change, Government of India, by which, a justified Draft Amendment Proposal has been required to be made available to the Government of India regarding the repeal of Doon Valley Notification, 1989 (as amended 2020),.

2- In continuation of the above, I have been directed to attach and forward an appropriate amended proposal for taking further necessary action at the Government of India level regarding the repeal of the Doon Valley Notification, 1989 (as amended in 2020).

Enclosure: As above.

Sincerely,

Sd/-

(Ramesh Kumar Sudhanshu)

Principal Secretary .

04/07/2023

Number and date - As mentioned above.

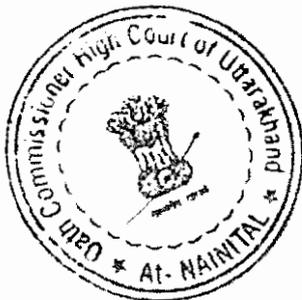
Copy: - forwarded to the following for information and necessary action -

1. Secretary, Inter State Council Secretariat, Ministry of Home Affairs, Government of India.
2. Deputy Inspector General of Forests, Regional Office, 25, Subhash Road, Dehradun, Government of India.
3. Secretary, General Administration Department, Government of Uttarakhand.
4. Director, State Directorate of Environment Protection and Climate Change, Uttarakhand.
5. Member Secretary, Uttarakhand Pollution Control Board, Dehradun.

By the orders of:

Sd/-

Dharam Singh Mecna
Additional Secretary.



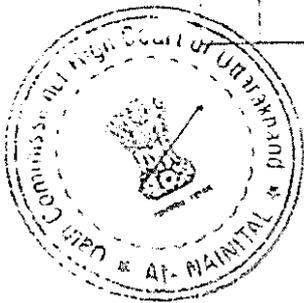
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Abhinav

Proposed amendments in the Notification S.O. 102(E) dated 01.02.1989 (and subsequent amendments) of the Ministry of Environment, Forest and Climate Change, Government of India, in relation to restrictions imposed on certain activities in Doon Valley Area of Uttarakhand.

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Sr. No.	Related Para/Provision of Notification S.O. 102(E)	Existing Provision	Proposed amendment for provisioning	Remarks
1.	Amendment in the Principal <i>vide</i> Notification number S.O. 102(E) dated 01.02.1989 - through Notification S.O. 94(E) dated 06.01.2020. Note: (a) Red categories of industries shall not be permitted in Doon Valley.	Whereas, the Central Pollution Control Board (CPCB) has issued directions on the categorization of industries <i>vide</i> letter no. B-29012/ESS(CPA)/2015-16, dated the 7 th March, 2016; "Slaughter Houses and meat processing industries, bone mill, processing of animal horn, hoofs and other body parts" has been categorized as Red Category-Industrial Operation.	Slaughter Houses may be classified as Red Category (Non-Industrial Operation) which is to be made permissible.	Amendment in the categorization of industries may be issued by the CPCB.
2.	Notification S.O. 94(E) dated 06.01.2020.	Note: (d) Existing Orange categories industries, which are now in Red categories of industries shall be Continued, however, no expansion shall be allowed".	Expansion to be allowed for financial viability of the operating units.	Amendment in Notification may be issued by the MoEF&CC.
3.	Amendment in the Principal Notification no. S.O. 102(E) dated 01.02.1989 - through Notification S.O. 2125(E) dated 13.12.2007.	(ii) All those projects, which are not covered under the EIA Notification but which fall under the orange category shall be considered by the State Level Environment Impact Assessment Authority.	As on date, requirement of Prior Environmental Clearance (EC) is additional approval required for establishment or expansion of orange category of industries in Doon Valley area.	Amendment in Notification may be issued by the MoEF&CC, Govt.



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Abhinav

			<p>However, the State Pollution Control Board (SPCB) is already in action to look after provisions of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981 and various Rules made under the Environment (Protection) Act, 1986.</p> <p>Therefore, special provision for the requirement of EC to Orange category of industries from SEIAA, is unnecessary and as such is a lengthy process.</p> <p>Hence, the notification dated 13.12.2007 may be repealed.</p>	<p>2R</p>
4.	<p>Amendment in the Principal Notification S.O. 102(E) dated 01.02.1989 - through amended Notification S.O. 94(E) dated 06.01.2020.</p>	<p>(iii) Tourism - It should as per Tourism Development Plan (TDP). To be prepared by the State Department of Tourism and duly approved by the Union Ministry of Environment, Forest and Climate Change.</p>	<p>Uttarakhand Tourism department (competent authority) has made a Holistic Development Tourism Plan of Uttarakhand for the entire state which also encompasses the Doon Valley notification area. Here, it is also pertinent to mention that similar power of approval has been delegated to the "Competent Authority of the State Government" in the matter of "Bhagirathi</p>	<p>Amendment in Notification may be issued by the MoEF&CC.</p>



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Abhishek

		<p>Eco-Sensitive Zones Notification, 2012 by the MoEF&CC vide notification S.O. 5253(E) dated 10.11.2022. Copy of Notification dated 10.11.2022 is enclosed.</p> <p>Hence, the approval power may be delegated to the State Government.</p>	213
	(v) Grazing - As per the plan to be prepared by the State Government and duly approved by the Union Ministry of Environment, Forest and Climate Change.	As mentioned above, the power to approve Grazing Plan may be delegated to the State Government as Competent Authority in the lines of Bhagirathi Eco-Sensitive Zone.	Amendment in Notification may be issued by the MoEF&CC.
	(vi) Land Use - As per Master Plan of development Land Use Plan of the entire area, to be prepared by the State Government and approved by the Union Ministry of Environment, Forest and Climate Change.	Categorization of land use and preparation of Master Plan is carried out as per Urban and Regional Development Plans formulation and Implementation (URDPFI) Guidelines issued by the Government of India. After detailed consultation with line departments, stakeholders and public in general, Categorization of land use and implementation of Master Plan is done with approval of the State Government under the Uttarakhand Urban and Country	Amendment in Notification may be issued by the MoEF&CC.



Ex

At

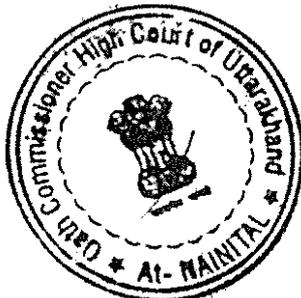
Abhinav

			<p>Planning and Development Act, 1973 (as amended in 2013).</p> <p>Master plan development and land use plan is the State subject.</p> <p>As mentioned earlier, the power to approve Master Plan and Land Use Plan may be delegated to the State Government as Competent Authority, in the lines of Bhagirathi Eco-Sensitive Zone.</p>	<p>214</p>
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Ex.

Ankit
ANKIT RANA
 Advocate
 Reg. No.- UK-340/2021
 Oath Commissioner
 High Court of Uttarakhand
 AI-NAINITAL

Sl. No..... *13897*
 Dated..... *20/4/25*



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Abhinav

उत्तराखण्ड शासन
सामान्य प्रशासन विभाग

Annex-15

संख्या: 1507/XXXI(15)G/23-05(भा0स0)/2012
देहरादून: दिनांक 02 अक्टूबर, 2023

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सेवा में,

अपर मुख्य सचिव/प्रमुख सचिव/सचिव,

गृह विभाग, वित्त विभाग, वन विभाग, शहरी विकास विभाग, न्याय विभाग, सूचना एवं विज्ञान प्रौद्योगिकी विभाग, ग्राम्य विकास विभाग, विद्यालयी शिक्षा विभाग, सहकारिता विभाग, खनन विभाग, महिला सशक्तिकरण एवं बाल विकास विभाग, खाद्य एवं नागरिक आपूर्ति विभाग, उद्योग विभाग, चिकित्सा एवं चिकित्सा शिक्षा विभाग, कृषि एवं कृषक कल्याण विभाग, सामान्य प्रशासन विभाग, उत्तराखण्ड शासन।

महोदय/महोदया,

सादर अवगत कराना है कि मा0 मंत्री जी, गृह एवं सहकारिता विभाग, भारत सरकार की अध्यक्षता में मध्य क्षेत्रीय परिषद की 24वीं बैठक दिनांक 07.10.2023 (शनिवार) को पूर्वाह्न 10.00 बजे बैठक स्थल होटल वेरिटेन, नरेन्द्रनगर में आयोजित की जानी प्रस्तावित की गई है। इस बैठक हेतु अन्तर-राज्य परिषद सचिवालय, गृह मंत्रालय, भारत सरकार, नई दिल्ली द्वारा नवीनतम एजेण्डा अभी प्राप्त नहीं हुआ है किन्तु पृथ में प्रेषित एजेण्डा विभाग के पास उपलब्ध है। उपरोक्त बैठक की तैयारी हेतु मुख्य सचिव महोदय की अध्यक्षता में दिनांक 03.10.2023 को अपरान्ह 03:30 बजे मुख्य सचिव सभागार कक्ष में एक आवश्यक बैठक आहूत की गयी है, इस बैठक में मध्य क्षेत्रीय परिषद की बैठक हेतु विभिन्न विभागों द्वारा कराये जाने वाले विभिन्न कार्यों/तैयारियों के बारे में चर्चा की जायेगी तथा इसके उपरान्त निम्न वर्णित एजेण्डा विन्दुओं पर विभागों द्वारा प्रस्तुत किये जाने वाले प्रस्ताव पर चर्चा की जायेगी-

Part - 1		
क्र.सं०	एजेण्डा संख्या/एजेण्डा का विवरण/प्रायोजक	सम्बन्धित विभाग
1	Agenda-1 Declaration of Bhopal, Indore & Raipur Airports as International Airports (Sponsored by Govts. of Madhya Pradesh and Chhattisgarh)	उत्तराखण्ड में सम्बन्धित नहीं है।
2	Agenda-2 Issues related to Storage of Food-grains and CMR Recovery (Sponsored by Govts. of Madhya Pradesh and Uttar Pradesh)	खाद्य एवं नागरिक आपूर्ति विभाग।
3	Agenda-3 Coverage of Villages by Bank Branches/Postal Banking facilities (Sponsored by ISCS)	वित्त विभाग।
4	Agenda-4 Speedy investigation of cases of sexual offence/rape against women and children (Sponsored by ISCS)	गृह विभाग।
5	Agenda-5 Implementation of the Scheme of Fast Track Special Courts (FTSCs) for expeditious disposal of rape and POCSO Act cases (Sponsored by ISCS)	गृह विभाग एवं न्याय विभाग।
6	Agenda-6 Integration of police helpline number 112 software operated in Chhattisgarh state with online Saksh dashboard software (Sponsored by Govt. of Chhattisgarh)	उत्तराखण्ड में सम्बन्धित नहीं है।



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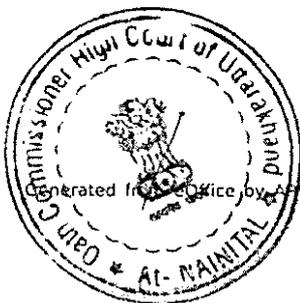
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7	Agenda-7 : Enhancement of allocation of Central Share under Police Modernisation Scheme (Sponsored by Govt. of Chhattisgarh)	गृह विभाग।
8	Agenda-8 Waiver of expenditure on deployment of Central Forces for the eradication of Naxalism. (Sponsored by Govt. of Chhattisgarh)	गृह विभाग।
9	Agenda-9 Urgent release of grants to the State Home Guards (Sponsored by Government of Uttar Pradesh)	गृह विभाग।
10	Agenda-10 Amendment of eligibility criteria for National Social Assistance Programme (Sponsored by Government of Madhya Pradesh)	ग्राम्य विकास विभाग।
11	Agenda-11 : Fixation of Minimum Support Price for Kodo and Kutki crops every year for Kharif Season. (Sponsored by Government of Chhattisgarh)	खाद्य एवं नगरीय आपूर्ति विभाग।
12	Agenda-12 : Inclusion of lac farming in Kisan Credit Card (KCC) and Crop Insurance Scheme (Sponsored by Government of Chhattisgarh)	कृषि विभाग।
13	Agenda-13 : Enhancement of grant on hay-rake and baler machines (Sponsored by Government of Uttar Pradesh)	उत्तराखण्ड से सम्बंधित नहीं है।
14	Agenda-14 Enhancement of incentive for construction of toilets under Swachh Bharat Mission (Sponsored by Govt. of Chhattisgarh)	उत्तराखण्ड से सम्बंधित नहीं है।
15	Agenda-15 : Providing grants on the line of chemical fertilizers such as Nutrient Based Subsidy (NBS) for Vermi Compost produced under Godhan Nyay Yojana (Sponsored by Govt. of Chhattisgarh)	उत्तराखण्ड से सम्बंधित नहीं है।
16	Agenda-16 Grants provided under Panchayati Raj Act may be kept as Untied Grants (Sponsored by Govt. of Chhattisgarh)	उत्तराखण्ड से सम्बंधित नहीं है।
17	Agenda-17 Reduction of Share of Centre in State CAMPA funds from 10% to 2% (Sponsored by Govt. of Uttarakhand)	वन विभाग।
18	Agenda-18 : Recalling of Doon Valley Notification (Sponsored by Govt. of Uttarakhand)	वन विभाग, उद्योग विभाग, शहरी विकास विभाग।
19	Agenda-19 Fixing of Date and place of the Next (24 th) Meeting of the Central Zonal Council.	सामान्य प्रशासन विभाग।
Part- II		
1	Agenda-1 Issues relating to Coverage of villages by Bank Branches/postal banking facilities	वित्त विभाग, सूचना एवं प्रौद्योगिकी विभाग।
2	Agenda-2 Speedy Investigation of cases sexual offence/rape against women and children Agenda-2(b) Implementation of the Scheme of Fast Track Special Courts (FTSCs) for expeditious disposal of rape and POCSO Act cases. (Sponsored by D/o Justice, M/o Law & Justice)	गृह विभाग। गृह विभाग, न्याय विभाग।
3	Agenda-3 Inclusion of lac farming in Kisan Credit Card (KCC) and Crop Insurance Scheme (Sponsored by Govt. of Chhattisgarh)	कृषि विभाग।
4	Agenda-4 Recalling of Doon Valley Notification	वन विभाग।

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	(Sponsored by Govt. of Uttarakhand)	
5	Agenda-5 I. Fixing the minimum support price of Kodo and Kutki crops (Sponsored by Govt. of Chhattisgarh) II. Supply of local crops for distribution under MID-DAY-MEAL. (Sponsored by Govt. of Uttarakhand)	कृषि विभाग। कृषि विभाग खाद्य एवं नागरिक आपूर्ति विभाग विद्यालयी शिक्षा विभाग।
6	Agenda-6 : Review of market fees and Farmers' Welfare fee in provisional cost and Review of Mandi Labour charge under Decentralized Procurement Scheme (Sponsored by Govt. of Chhattisgarh)	कृषि विभाग।
7	Agenda-7 : Under Decentralized Procurement Scheme, revision of Committee commission, transport rate in provisional cost and payment of Sampoorna Grameen Rozgar Yojana (S.G.R.Y.) and National Food for Work Programme (N.F.W.P.) (Sponsored by Govt. of Chhattisgarh)	ग्राम्य विकास विभाग।
8	Agenda-8 : Finalization of relevant expenses of wheat and rice distributed in the central pool under Rabi and Kharif marketing year and reduction in cost sheets and in relation to getting permission for administrative expenses (Sponsored by Government of Uttar Pradesh)	खाद्य एवं नागरिक आपूर्ति विभाग।
9	Agenda-09 : A): Permission for diversion of forest land (Sponsored by Govt. of Chhattisgarh)	उत्तराखण्ड से सम्बन्धित नहीं है।
	B): Permission to allow construction work on forest land in Naxal affected areas (Sponsored by the Govt. of Madhya Pradesh)	उत्तराखण्ड से सम्बन्धित नहीं है।
	C): Inclusion of 14 infrastructures situated in LWE (Left Wing Extremism) districts for minor forest produce based processing industries under the Forest Conservation Act (Sponsored by Govt. of Chhattisgarh)	उत्तराखण्ड से सम्बन्धित नहीं है।
10	Agenda-10 : Exemption from Security Expenditure of Central Forces (Sponsored by Govt. of Chhattisgarh)	गृह विभाग।
11	Agenda-11 : Permission to allow construction of paddy storage platform as permissible work under Mahatma Gandhi NREGA (Sponsored by Govt. of Chhattisgarh)	ग्राम्य विकास विभाग एवं खाद्य एवं नागरिक आपूर्ति विभाग।
12	Agenda-12 : Amendment of royalty rates of mineral coal and other main minerals, and reasonable change in determination of grade slab and size-based royalty on iron ore (Sponsored by Govt. of Chhattisgarh)	खनन विभाग।
13	Agenda-13 : Addressing Malnutrition among Girl Children through Poshan Abhiyan (Sponsored by Ministry of WCD and Inter State Council Secretariat (MHA))	महिला सशक्तिकरण एवं बाल विकास विभाग।
14	Agenda-14 : Drop Out Rate of School Children	विद्यालयी शिक्षा विभाग।

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Relevant Translation

Government of Uttarakhand
General Administration Department
No.: 1507/xxxi (15) G/23-05 (Bha. Sa.)/2012
Dehradun Dated 02 October 2023

To,

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Additional Chief Secretary / Principal Secretary / Secretary,
 Home Department, Finance Department, Forest Department, Urban Development
 Department, Justice Department, Information and Science Technology Department, Rural
 Development Department, School Education Department, Cooperative Department,
 Mining Department, Women Empowerment and Child Development Department, Music
 and Civil Supplies Department, Industries Department, Medical and Medical Education
 Department, Agriculture and Farmers Welfare Department, Government of Uttarakhand.

Sir/ Madam,

It is respectfully informed that the 24th meeting of the Central Regional Council under the chairmanship of Hon'ble Minister, Home and Cooperation Department, Government of India is proposed to be held on 07.10.2023 (Saturday) at 10:00 am at the meeting venue Hotel Westin, Narendranagar. The latest agenda for this meeting has not yet been received from the Inter State Council Secretariat, Ministry of Home Affairs, Government of India, New Delhi, but the previously approved agenda is available with the department. For the preparation of the above meeting, an important meeting has been called in the main auditorium room on 03/10/2023 at 03.30 pm under the chairmanship of the Chief Secretary. In this meeting, various works / preparations to be done by various departments for the meeting of the Central Regional Council will be discussed, and after this, the proposal to be submitted by the departments on the following agenda points:-

Part - 1		
Sr. No.	Agenda No./ Details of agenda/ sponsor	concerned department
1	Agenda-1 Declaration of Bhopal, indore & Raipur Airports as International Airports Sponsored by Govt. of Madhya Pradesh and Chhattisgarhi	Not related to Uttarakhand.
2	Agents 2 Issues related to Storage of Food grains and CMR Recovery (Sponsored by Govts. of Madhya Pradesh and Uttar Pradesh)	Food and Civil Supplies Department
3	Agenda 3 Coverage of Villages by Bank Branches/Postal Banking facilities Sponsored by ISCS Sponsored by ISCS	Finance Department
4	Agenda 4 Speedy investigation of cases of sexual offence/rape against women and children Sponsored by ISCS	Home Department



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5	Agenda-5 Implementation of the Scheme of Fast Track Special Courts (FTSCs) for expeditious disposal of rape and POCSO Act cases Sponsored by ISCS	Home Department and Law Department
6	Agenda 6 Integration of police helpline number 112 software operated in Chhattisgarh state with online Sakhi dashboard software Sponsored by Govt. of Chhattisgarh	Not related to Uttarakhand.

Along with this letter, the final agenda received for the 24th meeting of the Central Regional Council is being sent. The final agenda for the main meeting of the Central Regional Council will be sent separately.

Therefore, you are requested to go through the above agenda and attend the preparatory meeting called under the chairmanship of Chief Secretary on 03.10.2023 at 03.30 pm and the meeting called under the chairmanship of Hon'ble Minister, Home and Cooperation Department, Government of India at Hotel Bestin, Narendranagar on 07.10.2023 at 10:00 am on time.

Enclosure: As above.

Sd/-

(Vinod Kumar Suman)

Secretary

No.: 1507/xxxii (15)G/23-05 (IAS)/2012 dated

Copy forwarded to Senior Principal Private Secretary to the Chief Secretary for the cognizance of the Chief Secretary.

Sd/-

(Vinod Kumar Suman)

Secretary



ANKIT RANA
Advocate
Reg. No.- UK-340/2021
Oath Commissioner
High Court of Uttarakhand
At-NAINITAL 13997
Sl. No.
Dated..... 20/10/25

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MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 21st December, 2023

Annexure-16

S.O. 5409(E).—The following draft amendment in the notification number S.O. 102 (E) dated the 1st February, 1989 and its subsequent amendment dated the 6th January, 2020, and in supersession of the notification issued by the Ministry of Environment, Forest and Climate Change vide S.O. 2125 (E), dated the 13th December, 2007 by subsuming required provisions of the said notification No. S.O. 2125 (E), dated the 13th December, 2007, which the Central Government proposes to issue in exercise of the powers conferred by sub-section (1), read with clause (v) and clause (xiv) of sub-section (2) and sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) is hereby published, as required under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, for the information of the public likely to be affected thereby; and notice is hereby given that the said draft notification shall be taken into consideration on or after the expiry of a period of sixty days from the date on which copies of the Gazette containing this notification are made available to the public. 221

Any person interested in making any objections or suggestions on the proposals contained in this draft notification may forward the same in writing, for consideration of the Central Government within the period so specified to the Secretary, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor bagh Road, Aliganj, New Delhi-110 003, or send it to the e-mail address of the Ministry at esz-mef@nic.in;

Draft Notification

WHEREAS, *vide* notification number S.O. 102(E), dated the 1st February, 1989 (hereinafter referred as the said notification) of the erstwhile Ministry of Environment and Forests, restrictions were imposed on location of industries, mining operations and other developmental activities in the Doon Valley;

And whereas the said notification was amended from time to time *vide* notification number S.O. 943 (F), dated the 4th July, 2005; and S.O. 94(F), dated the 6th January, 2020;

And whereas, a notification was also issued *vide* number S.O. 2125 (E), dated the 13th December, 2007, whereby, procedure to be followed for all developmental proposals in the Doon Valley has been prescribed;

And whereas all those projects which are not covered under the notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O. 1533 (E), dated the 14th September, 2006 (hereinafter referred to as the EIA notification) but which fall under the orange category shall be considered by the State level Environment Impact Assessment Authority and till such time as the State level Impact Assessment Authority is constituted for the State of Uttarakhand, the proposals will be examined by the Central Government, without referring them to the Appraisal Committee, after obtaining the comments of the State Pollution Control Board;

And whereas State level Environment Impact Assessment Authority is constituted under the EIA notification for considering the projects as per provisions and Schedule of that Notification;

And whereas existing orange categories industries, which are now in the red categories of industries shall be continued, however, no expansion shall be allowed;

And whereas a policy decision has been taken by the Central Government to decentralise the approval of Zonal Master Plan (ZMP) or Integrated Master Plan for Eco Sensitive Zones and delegate it to the respective State Governments in order to ensure expeditious implementation of projects in the Eco-Sensitive Zone, which is essential for conservation and protection of the environment and associated biodiversity of these ecologically fragile region and protected areas;

NOW THEREFORE, in exercise of the powers conferred by sub-section (1) and clauses (v) and (xiv) of sub-section (2) and sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereafter in this notification referred to as the Environment Act), read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O. 102 (E), dated the 1st February, 1989 and in supersession of the notification number S.O. 2125 (E), dated the 13th December, 2007, namely:-

In the said notification,-

(a) for paragraphs (iii), (iv) and (v) the following paragraphs shall be substituted, namely:-

(iii) *Tourism Plan, Grazing Plan, Master Plan of Development and Land Use Plan, and any other such Plan including Zonal Master Plan, Integrated Master Plan shall be prepared by the State Government with due involvement of all concerned State Departments such as Environment, Forest, Urban Development, Tourism, Municipality, Revenue, Public Works, Water Resources, Horticulture, Panchayati Raj, Rural Development, Pollution Control Board, etc. for integrating*



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environmental concern into it and shall be approved by the competent authority in the State Government of Uttarakhand.”;

- (iv) All those projects which are not covered under the Environment Impact Assessment Notification issued vide S.O. 1533 (E), dated 14th September, 2006, however, falls under the orange category of industries shall be considered by the Uttarakhand State Pollution Control Board following the due process.
- (v) All those projects which are covered in the Schedule under the Environment Impact Assessment Notification, issued vide S.O. 1533 (E), dated 14th September, 2006, will follow the procedure laid down in that notification”.
- (b) In the note, for clause (d), the following shall be substituted, namely:-
- “(d) the orange categories industries, which are now in the red categories of industries shall be continued and expansion of such orange category industries falling in the Schedule of the notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O. 1533 (E), dated the 14th September, 2006 (hereinafter referred to as the EIA notification) to be allowed only subject to the extant provision pertaining to such expansion as laid down in para 7(ii) of said notification, as amended from time to time, and related extant directions issued in this regard by the Central Government in the Ministry of Environment, Forest and Climate, from time to time.
- (c) In the note, after clause (d), the following clauses shall be inserted, namely.-
- (e) The Uttarakhand State Pollution Control Board to lay down a mechanism for expansion of the industries referred to in clause (d) which are not falling in the Schedule of the said notification”.
- (f) The supersession of the notification number S.O. 2125 (E), dated the 13th December, 2007, shall however, not affect –
- (i) the previous operation of the rule so repealed or anything duly done or suffered thereunder; or
- (ii) any right, privilege, obligation or liability acquired accrued or incurred under the rule so repealed; or
- (iii) any penalty, or punishment incurred in respect of any contravention under rule so repealed; or
- (d) any proceeding or remedy in respect of any such right, privilege obligation, liability, penalty, confiscation or punishment as aforesaid, and any such proceeding or remedy may be instituted, continued or enforced and any such penalty, confiscation or punishment may be imposed or made as if that rule had not been repealed.
- (iv) Notwithstanding the supersession of notification number S.O. 2125 (E), dated the 13th December, 2007, anything done or any action taken under the said rule shall be deemed to have been done or taken under the corresponding provisions of this rule.

[F. No. 25/6/2012-ESZ-RF]

Dr. S. KERKETTA, Scientist 'G'

Note: The principal notification was published in the Gazette of India, Extraordinary Part II, Section-3, Sub-Section (ii) vide S.O. 102(E) dated the 1st Feb, 1989 and subsequently amended vide S.O. number S.O. 943 (E), dated the 4th July, 2005; and S.O. 94(E), dated the 6th January, 2020.

ANKIT RANA

Advocate

Reg. No.- UK-340/2021

Oath Commissioner

High Court of Uttarakhand

At-NAINITAL

Sf. No. 13897

Dated. 20/9/25



Printed and Published by the Controller of Publications, Delhi-110054

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Ref No. – MoEF/Doon Valley / 01

Dated: 08.02.2024

To

Sh. Narendra Modi ji,

The Hon'ble Prime Minister of India, New Delhi.

Subject: Request to SAVE DOON VALLEY and Drastic Climate Change in Himalayas expected after removal/relaxation of clauses of Doon Valley Notification Act 1989 vide its Amendment draft issued vide letter dt. 21.12.2023 by MoEF.

Respected Sir,

This is regarding regarding "Doon Valley Act 1989 Notification drafts" and relevant orders issued by Ministry of Environment, Forest & Climate Change, Gov Of India, New Delhi (herein referred as "MoEFCC") on 21.12.2023 (Annexure-1). I have put down the relevant facts for your kind consideration with regards to the present matter for your reference as follows:

1. That the brief facts to the limited extent necessary are that the applicant is an avid social activist based in Uttarakhand for past 20 years. He is also a Law graduate, Congress leader in the state of Uttarakhand & have also filed various Public Interest Litigations (PILs) in Hon'ble High court of Nainital, Uttarakhand & The Hon'ble Supreme Court of India, New Delhi on various public issues in order to promote and protect the rights of individuals who often struggle with access to justice. He also happens to be a public-spirited person, whose public interest litigation has contributed towards the strengthening of the health infrastructure in the state, particularly during the covid-19 pandemic, and even beyond. *With regard to pandemic management at a national level regarding reimbursement of overcharges done by hospituls to its patients, the applicant's writ petition has also been admitted by the Hon'ble Apex Court, in which orders were passed by the Hon'ble Apex Court and matter is still under jurisdiction.* He has also raised the issue of 70 % employment and increase in revenue shares of THDC to the state through his public interest litigation. He has also raised the issue of relaxation in OTS guidelines for more health facilities in Hilly terrain of Uttarakhand through PILs in Hon'ble High Court of Uttarakhand. *He is also the public interest litigant in a very high stakes matter involving irregular appointment in the Uttarakhand Vidhan Sabha, when he has raised the issue with regard to accountability of those high and mighty persons, who offered such admittedly illegal appointments in the Uttarakhand Vidhan Sabha. Recently applicant has also raised the issue of "Corruption and Scam of Rs. 300 Crores in Hoarding tenders in Nugar Nigam Dehradun in last 10 years".*



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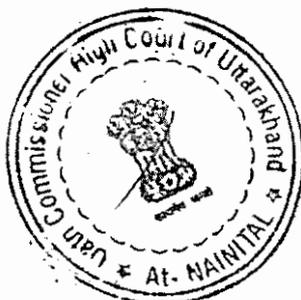
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2. Violation of The Doon Valley notification dated 01.02.1989: That the said property has been built in a fragile environment zone which comes under purview of The Doon Valley Notification Act- 1989. That as per The Doon Valley notification dated 01.02.1989, has been issued by the Ministry of Environment & Forests (Department of Environment, Forests & Wildlife). In the said notification as per latest amendments by MoEFCC dated 06.01.2020 has been reflected as follows:-

"S.O. 102(E)—Whereas notification under sub-rule (3) of rule 5 of the Environment (protection) Rules, 1986, inviting objections against the imposition of restriction on location of industries, mining operations and other developmental activities in the Doon Valley, in Uttar Pradesh was published vide No. S.O. 923(E), dated the 6th October, 1988; And whereas all objections received have been duly considered by the Central Government: Now, therefore, in exercise of the Powers conferred by Clause (d) of sub-rule (3) of Rule (5) of the said rules, the Central Government hereby imposes restrictions on the following activities in the Doon Valley, bounded on the North by Mussoorie ridge, in the NorthEast by Lesser Himalayan ranges, on the South-West by Shivalik ranges, river Ganga in the South-East and river Yamuna in the North-West, except those activities which are permitted by the Central Government after examining the environmental impacts:

- (i) *Location/siting of industrial units—It has to be as per guidelines given in the annexure or guidelines as may be issued from time to time by the Ministry of Environment & Forests, Government of India.*
- (ii) *Mining—Approval of the Union Ministry of Environment & Forests must be obtained before starting any mining activity. (iii)*
- (iii) *Tourism—It should be as per Tourism Development Plan (TDP), to be prepared by the State Department of Tourism and duly approved by the Union Ministry of Environment & Forest. (iv)*
- (iv) *Grazing—As per the plan to be prepared by the State Government and duly approved by the Union Ministry of Environment & Forests.*
- (v) *Land Use—As per Master Plan of development and Land Use Plan of the entire area, to be prepared by the State Government and approved by the Union Ministry of Environment & Forests.*



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Thus, it is apparent that in order to set up industrial units, mining plan, place of tourism, place of grazing and other use of land in the Doon Valley, the State Government has to obtain permission from the Union of India.

(Annexure- 2: Copy of Doon Valley Act 1989 amendments issued by MoEFCC on 06.01.2020)

3. Formulation of Doon Valley Notification : The said Doon Valley Notifications was issued by MoEFCC on 01.02.1989 based on the orders of Hon'ble Supreme Court in the landmark case – Rural Litigation and Entitlement Kendra vs State of UP- issued on 30.08.1988. This was widely based on reasons :

- a. **Restriction of Limestone Mining ;**
- b. **Containing Pollution in the said area ;**
- c. **Categorization of Industrial Areas and restriction of RED CATEGORY ;**
- d. **Saving Ecology and Environment;**
- e. **Sustainable development of area being in Seismic Zone IV & V and so on .**

(Annexure- 3: Copy of Hon'ble Supreme Court Order dt. 30.08.1988)

4. National Clean Air Program (NCAP) : National Clean Air Programme has been launched by the Ministry of Environment, Forest and Climate Change as a comprehensive initiative in partnership with various Ministries and States to improve air quality at city, regional and national level. It is a focused and time bound scheme to implement various sectoral policies, strengthen monitoring and enhance public participation in more than 100 cities for effective air quality management. NCAP is a mid-term, five-year action plan launched in 2019. However, international experiences and national studies indicate that significant outcome in terms of air pollution initiatives are visible only in the long-term, and hence the programme may be further extended to 20–25 years in the long-term after a mid-term review of the outcomes.

- a. **Target :** Tentative national level target of 20%–30% reduction of Particulate Matter (PM₁₀ and PM_{2.5}) concentration by 2024 is proposed under NCAP. These interim targets are in line with global experiences which highlight that city specific actions led to 35%–40% PM_{2.5} reduction in five years for cities, such as Beijing and Seoul, whereas cities, such as Santiago and Mexico City have shown 73% and 61% reduction in 22 to 25 years with regard to PM_{2.5} and PM₁₀ concentrations, respectively.

- b. **Objectives :**



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- i. To ensure stringent implementation of mitigation measures for prevention, control and abatement of air pollution.
 - ii. To augment and evolve effective and proficient ambient air quality monitoring network across the country for ensuring a comprehensive and reliable database. 226
 - iii. To augment public awareness and capacity-building measures encompassing data dissemination and public outreach programmes for inclusive public participation and for ensuring trained manpower and infrastructure on air pollution.
- c. Status : The current status of project as per MoEF – NCAP Portal is total 131 cities has been covered in the program with cumulative budget of Rs. 9934.36

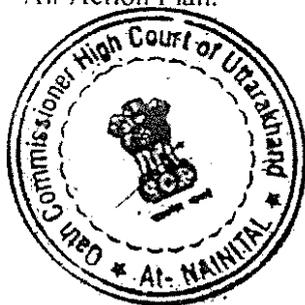
It is pertinent to note that Doon Valley Notified area has both "Dehradun & Rishikesh" town areas as undertaken by MoEFCC in NCAP program for restriction of Air Pollution in cities.

(Annexure- 4: Copy of NCAP Portal – MoEFCC report- dt. 06.02.2024)

5. **Dehradun City Air Action Plan issued by MoEFCC & constituted in compliance of Hon'ble NGT Order in OA No. 681/2018** : Dehradun, the capital of Uttarakhand is positioned in the fertile region of the Doon Valley between the rivers Yamuna and Ganga. The city is spread over an area of 64.4 Sq. Km with a population of 569,578 as per the census of 2011. The city's population density is 8633/km² with a decadal population growth rate of 37.4%. With a steady rate of population growth and urbanization there is increasing pressure on resources in the city and the air quality of the city has been steadily deteriorating. More than three decade ago, air pollution was discussed in the context of limestone mining, but this was banned in 1986 by the Hon'ble Supreme Court, and Government of India restricted developmental activities by enacting Doon Valley Notification, 1989.

There are reports including the Greenpeace report, Apocalypse 2017 that states that city's annual average PM10 levels was more than thrice the permissible limit making Dehradun city in Uttarakhand an entrant in the list of 10 worst cities with an annual average of 238 µg/m³. The report also suggests that these top most polluted cities need to improve monitoring and management of air quality and a stricter time bound air action plan is the need of the hour. At present Dehradun city has three stations to measure PM10 levels. However, PM2.5 level is being measured since January 2019 only.

There is detailed report issued by MoEFCC on NCAP portal regarding Dehradun City Air Action Plan.



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(Annexure- 5: Copy of Dehradun City Air Action Plan issued by MoEFCC & constituted in compliance of Hon'ble NGT Order in OA No. 681/2018)

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6. Rishikesh City Air Action Plan issued by MoEFCC & constituted in compliance of Hon'ble NGT Order in OA No. 681/2018 : Similarly, there is detailed report issued by MoEFCC on NCAP portal regarding Rishikesh City Air Action Plan.

(Annexure- 6 : Copy of Dehradun City Air Action Plan issued by MoEFCC & constituted in compliance of Hon'ble NGT Order in OA No. 681/2018)

7. **MoEFCC- DoonValley Amendment notification- dt. 21.12.2023** : The MoEFCC has issued amendment drafts on 21.12.2023 with amendments and relaxing the complete Doon Valley Amendments and in others words of Govt of Uttarakhand – "REMOVAL OF DOON VALLEY NOTIFICATIONS" as per Chief Secretary Minutes of Meeting dt.30.06.2023 and Proposal by MoEF, Gov of Uttarakhand vide order dt. 04.07.2023 to MoEFCC.

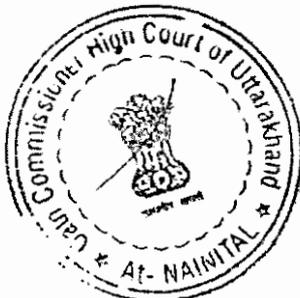
This relaxation has been done by MoEFCC broadly in following :

- Change in Categorization of Industry – e.g. Stone Crusher is currently under RED Category and is banned in Doon Valley but its category will be changed to ORANGE category and can be implemented in said area ;
- Allowing Slaughter House in Doon Valley by changing its Industry Category from RED to ORANGE zone ;
- Tourism Plan, Grazing Plan, Master Plan and Land Use to be approved by state govt instead of current approval authority by MoEFCC ;

It is pertinent to note that all that all these relaxations/removals will certainly lead to more Pollution in the said notified area of Doon Valley.'

(Annexure- 7: Colly- MoEF, Gov of UK proposal dt. 04.07.2023 & Chief Secretary Uttarakhand Minutes of Meeting for "Cancellation of Doon Valley" dt. 30.06.2023)

8. Doon Valley Notification 1989 related case is pending in Hon'ble Supreme Court : The Master Plan of Dehradun was quashed by Hon'ble High Court of Uttarakhand on... and further it was stayed by Hon'ble Supreme Court on... It is important to note that complete basis of that Master Plan and its implementation was based on Doon Valley Notification 1989 and therefore legally Doon Valley Notification related issue is also



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pending in Hon'ble Supreme Court hence MoEFCC should not interfere in the fragile ecology of Doon Valley in adverse manner. 228

(Annexure- 7: Colly- Hon'ble High Court of Uttarakhand – WPIL 97-2016 order dt. 15.06.2018 & Hon'ble Supreme Court of India – SLP No. 15847-2018 order dt. 10.07.2018)

9. Contradictions by MoEFCC in Doon Valley and NCAP : On one hand MoEFCC is working on project to clean air by NCAP program in two cities – Dehradun & Rishikesh town, which are completely part of Doon Valley and on the Other hand MoEFCC has issued amendments in relaxation of Doon Valley vide draft notifications dated.

21.12.2023, which will allow Industries like Stone Crusher, Pollution and other such industries leading to more air pollution in the Doon Valley.

10. That the applicant hopes and prays that the said representation receives your due attention :

- That immediately CANCEL/REVOKE the Doon Valley draft notifications issued by MoEFCC on 21.12.2023 which is complete violation of Hon'ble Supreme Court orders, NGT orders and NCAP program running by MoEFCC itself :
- That all necessary actions along with a high level independent inquiry should be carried out for identification of Officials/Minister who were responsible in in misguiding MoEFCC in the said matter.

Please consider this representation in the interest of justice to the common man of Uttarakhand. Non-Consideration of the aforementioned points may entail legal consequences.

Thanking You,

Yours faithfully



(Abhinav Thapar)
Social Worker, Lawyer & Activist- Uttarakhand
Corr Add- 217, 11nd Floor, Raj Plaza, Rajpur Road,
Dehradun, Uttarakhand- 248001
Mobile: 9412053085 ; Email: a.thapar29@gmail.com

Annexure- As mentioned above

To The Secretary , MoEFCC, Govt of India.




Abhinav

No. 2/16/2017-ESZ
Government of India
Ministry of Environment, Forest and Climate Change
(ESZ-Division)

229

Indira Paryavaran Bhawan,
Jorbagh Road, Aliganj,
New Delhi- 110 003

Dated: 13th February, 2024

To,

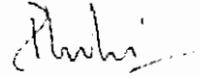
Shri Abhinav Thapar,
Tehri House - 260 , Lane No. - 12, Vijay Park Extension,
Dehradun, Uttarakhand- 248001,
Email id- abhinavthapar@yahoo.co.in

Subject: -Supply of information for Public Grievance- reg.

Sir,

Please refer to your Public Grievance No. PMOPG/E/2024/0031589 dated 08.02.2024 regarding Eco-sensitive Area around Doon Valley, Uttarakhand. Your concerns for conserving the Eco-Sensitive Area is noted and forwarded to the State Government of Uttarakhand for taking appropriate action and provide view/comments on the Matter to this Ministry urgently.

Yours faithfully,



(Dr. Ritesh Joshi)

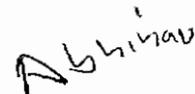
Scientist 'E'/Additional Director

Copy to:

1. The PCCF & Chief Wildlife Warden, Govt. of Uttarakhand, 85, Rajpur Rd, Old Rajpur, Kairwaan Gaon, Dehradun, Uttarakhand 248009 (Public Grievance dated 08.02.2024 enclosed).
2. The PMO, New Delhi.



ANKIT RANA
Advocate
Reg. No. UK-340/2021
Oath Commissioner
High Court of Uttarakhand
At NAINITAL
Sl. No. 13897
Dated 20/4/24

Ref: RTI/Doon Valley/07

Dt: 10.05.2024

To

The RTI Officer,
SEIAA, Dehradun
653, Indra Nagar Colony,
Seemadwar Road, Dehradun - 248006

Annexure-18
230

Sub: Information needed under RTI-2005

Sir,

Please provide information "Regarding Doon Valley" as follows:

- i. No. of Industries – which obtained Environmental Clearance (E.C) from S.E.I.A.A till date alongwith list of Industries, Name & Address in "Doon Valley" as per Doon Valley Act – 1989;
- ii. Detailed Area and Boundary of "Doon Valley" alongwith GIS Coordinates as taken into consideration by SEIAA as per Doon Valley Act - 1989;
- iii. Certified Copy of Reports and reasoning for execution of "Doon Valley Act in 1989".

RTI fees is Enclosed in Currency Note of Rs. 10/= only bearing No. 98L 405335

Thanks

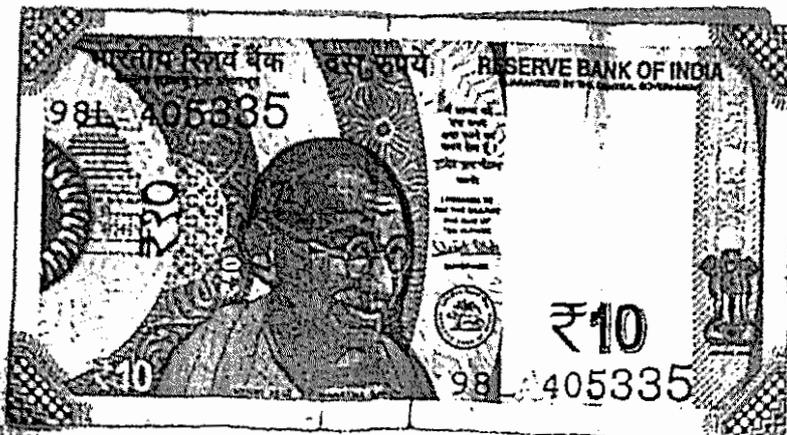


(Abhinav Thapar)

Social Worker & Activist

Add: 217, 11nd Floor, Raj Plaza, 75, Rajpur Road,
Dehradun, Uttarakhand- 248001

Mob: 9412053085

Email: abhinaythaparuk@gmail.com

कार्यालय राज्य स्तर पर्यावरण समाघात निर्धारण प्राधिकरण (SEIAA) /
राज्य विशेषज्ञ अंकन समिति (SEAC),
गौरादेवी पर्यावरण भवन, तृतीय तल, 46-बी, आई.टी. पार्क सहस्त्रधारा रोड, देहरादून।

पत्र संख्या- 64/SEAC, देहरादून
सेवा में,

दिनांक- 22, जून, 2024

231

श्री अभिनव थापा,
217, द्वितीय तल, राज प्लाजा 75, राजपुर रोड,
देहरादून।

विषय:- सूचना का अधिकार अधिनियम, 2005 के अंतर्गत सूचना उपलब्ध कराये जाने के संबंध में।

सन्दर्भ:- आपका आवेदन पत्र दिनांक- 10.05.2024 (इस कार्यालय में प्राप्त दिनांक-24.05.2024)।

महोदय,

आपके द्वारा सूचना अधिकार अधिनियम 2005 के अन्तर्गत तीन बिन्दुओं पर सूचना चाही गई है।

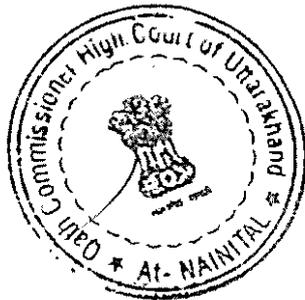
बिन्दुवार सूचना निम्न प्रकार प्रेषित है:-

बिन्दु सं0 1- आप द्वारा मांगी गई वांछित सूचना संलग्न कर प्रेषित की जा रही है।

बिन्दु सं0 2- सूचना इस कार्यालय में उपलब्ध नहीं है।

बिन्दु सं0 3- सूचना इस कार्यालय से संधारित नहीं है।

भवदीय,
22/06/24
लोकसूचना अधिकारी,
SEIAA/SEAC, उत्तराखण्ड,
देहरादून।



(Handwritten signature)

Abhinav

Office of State Level Environmental Impact Assessment Authority (SEIAA) /

State Expert Assessment Committee SEAC

232

Gauradevi Paryavaran Bhawan, 3rd Floor, 46 - B, IT Park Sahastradhara Road,
Dehradun.

Letter No.-64/SEAC, Dehradun;

dated 22 June, 2024

To,

Mr. Abhinav Thapa,

217, 2nd Floor, Raj Plaza 75, Rajpur Road, Dehradun.

Subject- Regarding providing information under the Right to Information Act, 2005.

Reference- Your letter dated- 10.05.2024 (Received in this office on 24.05.2024)

Sir,

You have sought information on three points under the Right to Information Act 2006.
The information is sent point wise as follows:-

Point No. 1- The desired information sought by you is being sent along with the attachment.

Point No. 2- The information is not available in this office.

Point No. 3- The information is not maintained by this office.

Yours sincerely

Sd/-

Public Information Officer,
SEIAA/SEAC, Uttarakhand,
Dehradun.



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List of Projects to which Environmental Clearance is granted (1.6.2013 to 31.03.2012) 260

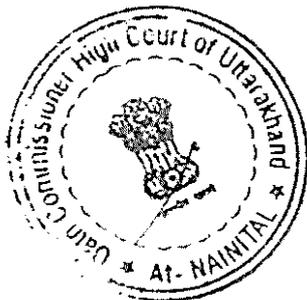
S.No	Projects Detail	Sector
1.	Manufacture of Pharmaceutical Formulation, Mauza Shankarpur, Dehradun By M/s Ved Lifesavers Pvt. Ltd. Selaqui, Dehradun.	Industrial
2.	Manufacturing of readymade garments. Selaqui, Dehradun. By M/s Numero UNO clothing Ltd. Industrial Area, Selaqui Dehradun.	Industrial 233
3.	Extrusion, injection blow molding of various types of plastic products by M/s Tupperware India Pvt Ltd. Central HopeTown, Selaqui, Dehradun	Industrial
4.	Extraction Unit based on SCFE Technology to produced natural health products in SIDCUL, Selaqui, Dehradun By M/s India Glycols Ltd.	Industrial
5.	Setting up of oil blending unit to produce heat transfer fluids in the existing complex by M/S Shivalik Rasayan Ltd. Kohupani Dehradun	Industrial
6.	Blow Moulding & Extrusion by M/s Balmer Lawrie Van Leer Dehradun.	Industrial
7.	Expansion of M/s NTL Electronics India Ltd, Unit-1 E-25 UPSIDC, Industrial Area, Selaqui	Industrial
8.	Manufacturing of Pharmaceutical Formulation (Tablets, Dry Powder, Syrup, Injections, HDPE Bottles and Caps) By M/s Windlass Biotech, Mohabewala Sadar, Dehradun	Industrial
9.	M/s Windlass Engineers and Services Pvt Ltd at Vill-Balawala, Haridwar Road, Dehradun.	Industrial
10.	M/S Global Medikit Ltd. Central Hope Town, Selaqui, Vikasnagar, Dehradun.	Industrial
11.	M/s Cease Fire Industries Ltd, at E-6 Selaqui, Industrial Area, Dehradun.	Industrial
12.	Environmental Clearance for Plastic Packaging Products finishing, metalizing and painting/lacquering in Selaqui, Dehradun. by Shri Navneet Arora, Proprietor, M/s Globe Plastics, W-51, Sector-11 Noida, UP.	Industrial
13.	Modernisation of Leaf Spring Manufacturing at 21-22 Chakrata Road, Dehradun.	Industrial
14.	Environmental Clearance for Manufacturing of PU Sole by M/s Mailcom (India) Ltd, at Roshanabad, Haridwar.	Industrial
15.	Environmental Clearance for Manufacturing of Tablets and Capsules by Windlass Healthcare Pvt. Ltd, at Mohabewala Industrial Area, Dehradun	Industrial
16.	Proposed Modernisation for Replacement of existing HSD fired Boiler (4.0 MT/hr) with new Biomass fired Boiler (5.0 MT/hr) in the existing complex of Herbal Extraction unit "M/s India Glycols Ltd" at Sidcul Selaqui Industrial Area Dehradun.	Industrial
17.	Environmental Clearance for Installation of manufacturing unit for veterinary Preparation and Feed supplement by M/s Saifi Vetmed Pvt. Ltd at 122/32 min, Central hope town, Selaqui, Distt - Dehradun, Uttarakhand.	Industrial
18.	Environmental Clearance for Modification Proposed expansion of existing LPG cylinder manufacturing by M/s Tirupati LPG Industries Ltd. Chakrata Road, Selaqui Industrial Area, Dehradun.	Industrial
19.	Environmental Clearance for Modification and Modernization for capacity expansion by M/s Flex Foods Limited, Lal Tappar Industrial Area, P.O. Resham Majri, Haridwar Road, Dehradun.	Industrial
20.	Environmental Clearance for Ayurvedic formulation and installation of DG Set by M/s Vamso Pvt. Ltd at Sidcul, Dehradun.	Industrial
21.	Environmental Clearance for Installation of DG set for power arrangement & increase of manpower by M/s Toly Products India Pvt. Ltd Sara Industrial Estate Ltd, Chakratta Road, Town Rampur, Dehradun.	Industrial
22.	Environmental Clearance for Phosphating and Surface Coaling by M/s Amber Private Enterprises, B - 36, 37 & 38 Industrial Area, Selaqui, Vikas Nagar, Dehradun.	Industrial
23.	Environmental Clearance for Manufacturing Foam Surface Treatment and Coating, Fabrication and Assembling, Injection/ Blow/Extrusion moulding by M/s Devanshu Appliance Pvt. Ltd, Plot/Phase No-E-9, UPSIDC Industrial Area Selaqui, Dehradun.	Industrial
24.	Environmental Clearance for Expansion of the Existing unit for Assembling, Powder Coating & Phosphating for Surface Treatment of Sheet Metal Components by M/s E - Durables - II, C - 5, UPSIDC Industrial Area, Selaqui, Dehradun.	Industrial
25.	Environmental Clearance for Modernization/Modification for replacement of fuel from RFO to Pet Coke by M/s Hindustan National Glass and Industries Limited (HNGIL) at Veerbhadra, Rishikesh, Dist - Dehradun	Industrial
26.	Environmental Clearance for Proposed installation of Cosmetic products (skin Care & Perfumes) by M/s GMP Pharma Institute, Selaqui, Dehradun	Industrial
27.	Environmental Clearance for Manufacturing of Personal care products (Shampoo/Liquid Handwash/Liquid Soap, Creams, Lotion, Gel & Oil) by M/s Kreation Handicraft Central Hope Town Selaqui, Dehradun	Industrial
28.	Environmental Clearance for Manufacturing of Cosmetics Items by Regi India Cosmetic Pvt. Ltd Plot no. C-8 Sara Industrial State Chakrata Road, Dehradun	Industrial
29.	M/s Global Medikit Unit- III at Camp Road, Central Hope Town, Selaqui, Dehradun.	Industrial
30.	M/s Vinayak Enterprises, Khasra No- 295, Industrial Area Selaqui, Dehradun.	Industrial
31.	Environmental Clearance for Manufacturing of home care products by M/s Hemco Garments Pvt, Ltd, D-4 (A) Sara Industrial Estate, Selaqui, Dehradun.	Industrial
32.	Environmental Clearance for Manufacturing of Pharmaceutical products (Tablets, Capsules and Dry	Industrial



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	Powder) by M/s J.K Print (Unit- II) C-11 SARA Industrial Estate, Vill - Rampur, Selaqui, Dehradun.		
33.	Environmental Clearance for Manufacturing of fruit drinks and PET bottles by M/s Om Shiv RJD Enterprises Village - Charba, Tehsil - Vikasnagar, Distt - Dehradun.		Industrial
34.	Environmental Clearance for Manufacturing capacity for production of Injections by M/s Troikaa Pharmaceuticals Ltd, C-1, SARA Industrial Estate, Chota Rampur, Dehradun.		Industrial
35.	Environmental Clearance for Manufacturing of Gas Cylinders by M/s Sai Global at Selaqui Industrial Area, Dehradun		Industrial 234
36.	E.C for installation of two DG sets by M/s Global Medikit Ltd. Selaqui, Dehradun		Industrial
37.	Environmental Clearance for Manufacturing of Pharmaceutical Products by M/s Sun Hill Pharmaceuticals Pvt. Ltd. Plot No. 23, Pharma City, Selaqui, Dehradun		Industrial
38.	Environment Clearance in respect of M/s Ajpro Consumer Products Pvt Ltd., Village - Kuanwala, Post - Harrawala, Dehradun.		Industrial
39.	Expansion for pharmaceutical formulation by M/s Intacto Pharmaceutical Manufacturers at E-28 UPSIDC, Selaqui, Dehradun.		Industrial
40.	Environmental Clearance for Expansion of Existing Capacity of Herbal Medicines, Installation of DG set & Boiler by M/s Syncom Healthcare Limited at Plot No - D - 42, UPSIDC Industrial Area Selaqui, Dehradun.		Industrial
41.	Manufacturing of Pharmaceutical Formulations by M/s Signature Phytochemical Industries at Central Hope Town, Selaqui, Dehradun		Industrial
42.	Environmental Clearance for Introduction of "LED Bulbs" in existing range of products e.g. CFL lamps, CTV, DVD at Khasra No. 1050, Central Hope Town, Selaqui, Dehradun by M/s Dixon Technologies India Pvt. Ltd. Central Hope Town, Selaqui, Dehradun..		Industrial
43.	Environmental Clearance for Expansion of Ayurvedic Health Care Product Formulation Unit by M/s Northern India Drug Company, Plot No. G-77 & H-9, UPSIDC, Selaqui, Dehradun.		Industrial
44.	Environmental Clearance for Manufacturing and capacity expansion of Writing Instruments, Ball Point Pens, Fountain Pens, Gel Pens, Pencils, High Lighter, Marker, Refills, Correction Pen, through Blow moulding and Ink filling at M/s Flair Pens & Stationery, Central Hope Town, Selaqui.		Industrial
45.	Environmental Clearance for Installation of DG Set, Introduction of spray painting facility & Enhancement of Man Power for smooth operation of existing Unit to Produce Engineering Goods in the Existing Complex by M/s Sara Sae Pvt. Ltd. at Village - Mohabbewala Industrial Area, Subhash Nagar, Dehradun.		Industrial
46.	Environmental Clearance for Manufacturing of Pharmaceutical formulations (Tablets, Capsules, Liquid, Dry Syrup & Ointment) by M/s Swift Life Sciences Pvt. Ltd. Plot No. D - 1, SARA Industrial Estate, Rampur Chakrata Road, Selaqui, Dehradun		Industrial
47.	Environmental Clearance for Expansion of Manufacturing of Tablets, Capsules, Liquid Orals and Ointments by M/s Sharon Bio - Medicine Ltd, Central Hope Town, Selaqui, Dehradun		Industrial
48.	Environmental Clearance for Manufacturing of Food/ Herbal/Ayurvedic and Pharma Products and Wire drawing by M/S Pureganic Health Care at Mauza Kuanwala, Tehsil & District- Dehradun		Industrial
49.	Environmental Clearance for Extraction of Herbal Products by M/s Ethereal Aromatics Industrial area at Dhalawala, Narendranagar, Dist- Tehri Garhwal		Industrial
50.	Environmental Clearance for fuel used in existing boilers in M/s Ipca Laboratories at SARA Industrial Estate, Rampur, Dehradun		Industrial
51.	Manufacturing of shoe component by M/s Fabsol Pvt. Ltd at Lal Tapad Industrial Area, Rishikesh, Dehradun.		Industrial
52.	Proposed Installation of DG Set, Spray Painting Facility & Enhancement of Man Power for Smooth Operation of Existing Unit by M/s Sara Sae Private Limited (Div-2).		Industrial
53.	Manufacturing of Pharmaceutical Products (Tablets, Ointment and Softgel) by M/s Zakiya Health Care at Mohabbewal Industrial area Dehradun.		Industrial



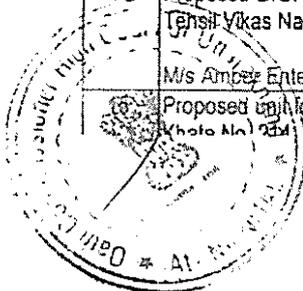
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S.No.	Name of Project & Adress	Category
1.	Setting up Pharmaceuticals Formulations manufacturing By M/s Evarex Pvt Ltd at Langha Road, Vikas Nagar Dehradun	Industrial
2.	Modernization of mash Poultry Feed to Palletization and Installation of Wood Fired Boiler of 750 Kg per hour capacity and DG set at H.NO.330 Phase-2 Vasant Vihar Uttarakhand By M/s Venkeys India Ltd.	Industrial
3.	Hot Mix Plant in Village-Sherpur, Tehsil-Vikasnagar By M/s V.K. Aggarwal, Village -Sherpur, Tehsil-Vikasnagar.	Industrial
4.	Hot Mix Plant in Village-Sherpur, Tehsil-Vikasnagar, By M/s Doon Infrastructure	Industrial
5.	Hot Mix Plant in Mauza Attack Farm, Pargana-Pachwadoon, Tehsil-Vikasnagar, District Dehradun Uttarakhand By M/s Himalayan Construction.	Industrial
6.	Proposed Modernization and Expansion of existing Herbal Unit Based on SuperCritical Fluid Extraction (SCFE), Green Solvent Extraction and Proposed Biotransformation process to produce natural health products, by Processing of Herbal in the existing complex at Pharma city SIDCUL Selaqui, Indus. Area, Dehradun. By M/s India Glycols Ltd	Industrial
7.	Proposed Installation of Dual Fuel Fired Boiler (LPG / Biomass Briquettes) (Capacity - 1.5 Ton) in the Existing Complex at C-4, Selaqui Industrial Area, Selaqui, Dehradun By M/s Ban Labs (P) Ltd.	Industrial
8.	Proposed for expansion of existing Pharmaceutical Formulations Unit (Soft Gelatin capsules, Ointment/ Gel, Liquids, Pessaries and Parental) Camp Road, Selaqui, Dehradun. By M/s Intas Pharmaceuticals Limited.	Industrial
9.	Proposed Expansion of Refined Silver production from 600 TPA (tons per annum) to 800 TPA (tons per annum) at Plot No 2 & 3, Sector 14, IIE, SIDCUL, Pantnagar By M/s Hindustan Zinc limited.	Industrial
10.	Proposed Installation of Green insulated DG Set and Enhancement of Man Power in the existing Complex to manufacture Shoe Soles, Footwear & Parts Lal Tappar Industrial Area, Mauza Majri Grant, Tehsil Rishikesh, District - Dehradun By M/s Soltac.	Industrial
11.	Proposed Expansion and Enhancement of Man Power & Installation of Green Insulated DG Set in the Existing Complex. - Unit 3 at Khasra No.3912, Lal Tappar Industrial Area, Mouza Mazri Grant, Tehsil Rishikesh, District Dehradun. By M/s Mochiko Shoes Pvt. Ltd. (Unit 3).	Industrial
12.	Proposed Expansion and Enhancement of Man Power & Installation of Green Insulated DG Set in the Existing Complex. - Unit -1 at Khasra No.3912, Lal Tappar Industrial Area, Mouza Mazri Grant, Tehsil Rishikesh, District Dehradun. By M/s Mochiko Shoes Pvt. Ltd. (Unit 1).	Industrial
13.	Proposed D.G. set and Total Man Power (Unit - V) at Plot No. H - 23, Integrated Industrial Estate, Selaqui, Tehsil Vikas Nagar, Dehradun By M/s Ambor Enterprises India Limited, (Unit - V).	Industrial
14.	Proposed D.G. set and Man Power (Unit - 6) at Plot No. A-1/1A, UPSIDC, Industrial Area, Selaqui, Tehsil Vikas Nagar, Dehradun By M/s Ambor Enterprises India Limited, (Unit - VI).	Industrial
	Proposed unit for assembling of Bicycles, Tricycles and Health Equipment's. At Central Hope Town, (Khasra No) 2341 Khasra no. 122/41.42, Selaqui, Dehradun	Industrial



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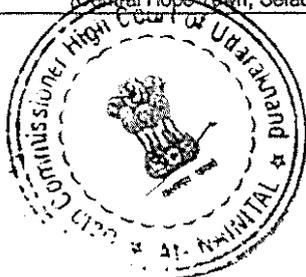
	M/s Ampa Cycles Pvt. Ltd.	4404	263
16.	Proposed Expansion of Shoes, Enhancement of Man Power & Installation of Green Insulated DG Set in the Existing Complex at Khasra No. 3914, Lal Tappar Industrial Area, Mouza Majri Grant, Tehsil Rishikesh, District Dehradun By M/s Mochiko Shoes. Khasra No. 3914 Lal Tappar Industrial Area, Mouza Mazri Grant, Tehsil Rishikesh, Distt- Dehradun.		Industrial 236
17.	Proposed expansion of existing unit for installation of additional Phosphating & Surface coating facility (based on Nano Technology), DG set, and enhancement of manpower in the existing complex. By M/s Amber Enterprises (India) Limited,(Unit-II) Plot No. D- 36, 37, 38, Integrated Industrial Estate, Selaqui, Tehsil Vikas Nagar, Dehradun.		Industrial
18.	Manufacturing of Pharmaceutical Formulations at Khasra No-323 min Central Hope Town Industrial Area, Selaqui, Vikas Nagar, Dehradun By M/s Saintlife Pharmaceuticals Limited, 323, Central Hope Town, Industrial Area, Selaqui, Dehra Dun.		Industrial
19.	Manufacturing of Pharmaceutical Formulations at Plot No. 14, Pharmacy, Selaqui, Tehsil- Vikas Nagar, District- Dehradun. By M/s CU V KAR Genetic Medicines Pvt. Ltd. Plot No. 14, Pharmacy, Selaqui, Tehsil- Vikas Nagar, District- Dehradun.		Industrial
20.	Proposed Installation of Green Insulated DG Set and Establishment of Food Cooking facility (Mid-Day Meal) at Khasra No – 801 Sudhowala, Vikasnagar, Dist - Dehradun. By M/s Akshaya Patra Foundation, Sudhowla, Teh- Vikasnagar, Dist- Dehradun.		Industrial
21.	Proposed Installation of Green Insulated DG Set and Formulation of External Preparations in the existing unit at Plot No. 33, Pharma city, Selaqui, Tehsil- Vikas Nagar, District- Dehradun. By M/s Premier Nutraceuticals Pvt. Ltd. Plot No. 33, Pharma city, Selaqui, District- Dehradun.		Industrial
22.	Installation of DG Set and Enhancement of Man Power along with painting facility for Passenger Motor Car Service Centre in the existing complex at Plot No. B-115 Khatauni-74 P.O. Majra, Saharanpur Road, Sewala Khurd, Dehradun By M/s Oberai Motors Plot No. B-115, Khatauni-74 P.O. Majra, Saharanpur Road, Sewala Khurd, Dehradun.		Industrial
23.	Amendment in existing Environmental Clearance for proposed manufacturing of Pharmaceutical Formulation Products along with utilities viz. LPG based boiler and green insulate DG set at Khasra no 1027/28/30/37, Central Hope Town, Selaqui Industrial Area, Vikas Nagar, Dehradun By M/s Sharon Bio-Medicine, Selaqui, Teh- Vikasnagar, Dist- Dehradun.		Industrial
24.	Environmental Clearance for proposed installation of DG set and enhancement of Manpower along with painting facility at, DDPM Tower, Haridwar By Pass Road, Ajabpur Khurd, Dehradun. By M/s Patricia Holdings Pvt. Ltd, DDPM Tower, Haridwar By Pass Road, Ajabpur Khurd, Dehradun.		Industrial
25.	Existing DG sets and manpower in manufacturing unit of Fabricated structural products of metal/metal sheet & semi finished plastic products at Plot No. 262M, Industrial Area, Central Hope Town, Selaqui, Tehsil - Vikasnagar, District -Dehradun. By M/s Dixon Bhurji Moulding Private Limited (Now merged into 'Dixon Technologies India Limited) Plot No. 262M, Industrial Area, Central Hope Town, Selaqui, Tehsil - Vikasnagar, District -Dehradun.		Industrial
26.	Proposed Installation of Rendering Plant to manufacture Poultry feed and Installation of Oil Fired boiler & Green insulated DG Set at Khasra No. 1033, 1036, Central Hope Town Camp Road, Selaqui Industrial Area, Dehradun. By M/s Venky's (India) Limited, 330, Phase-II, Vasant Vihar, Dehradun.		Industrial
27.	Proposed Installation of DG Set & Enhancement of Manpower in existing Assembling Unit of Roof Mounted Air Conditioner, Electric Panel, Heat Convectors and Water Cooler for Railways at F-89 Village-Selaqui, Tehsil-Vikas Nagar, Dist- Dehradun. By M/s Intec Corporation F-89, Selaqui Industrial Area, Dehradun.		Industrial
28.	Proposed manufacturing of Pharmaceutical Formulation Products along with installation of green insulated DG Set at Khasra No. 1016, Camp Road, Central Hope Town, Selaqui, Tehsil -Vikas		Industrial



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	Nagar Dehradun. 4405 By M/s Ishaana Nutraceuticals Pvt Ltd, Khasra No. 1016, Camp Road, Central Hope Town, Selaqui, Tehsil-Vikas Nagar Dehradun.	264
29.	Proposed installation of Powder Coating facility and DG set in the existing unit for assembling of Electrical Control Panel Boards at F-90 F-9C Selaqui, Industrial Area Vikas Nagar, Dehradun. By M/s Powertech Cabcon (P) Ltd, F-90 Selaqui, Industrial Area Vikas Nagar, Dehradun	Industrial 237
30.	Short term establishment (one year only) of proposed Hot Mix Plant & DG set at Khasra no. 1218 & 1219 Village Majri Grant, Teshil-Doiwala, District-Dehradun. By M/s Atlas-NKC JV, Khasra no. 1218 & 1219, Village Majri Grant, Teshil-Doiwala, District-Dehradun.	Industrial
31.	Proposed Installation of Green insulated DG Set and Enhancement of Man Power for manufacturing of Shoes in existing Complex. By M/s Shulec, Khasra No. 205 Old Khasra No. 1, Dhalwala Industrial Area, Tehsil-Narendra Nagar, District-Tehri Garhwal.	Industrial
32.	Enhancement of Production for "Footwear Manufacturing Unit" along with existing installed DG set at Plot No- C-9, C-10, Selaqui, Tehsil- Vikas Nagar, District- Dehradun. By M/s Campus Activewear Pvt. Ltd. Plot No- C-9, C-10, Selaqui, Tehsil- Vikas Nagar, District- Dehradun	Industrial
33.	Installation of DG set and enhancement of manpower along with painting facility for car service and repairing Center in the existing area at, Ajabpur Kalan, Haridwar Bye-pass Road, Dehradun. By M/s Dehradun Premier Motors Pvt. Ltd. Plot No- 1018, Ajabpur Kalan, Haridwar Bye-pass Road, Dehradun.	Industrial
34.	Installation of DG sets and Enhancement of Man power along with painting facility for Passenger Motor Car Service Center in the existing complex at Mohabbewala Industrial Area, Saharanpur Road District: Dehradun, Uttarakhand. By M/s Divine Automotive Pvt Ltd. 2-A, Race Course Road, Dehradun	Industrial
35.	Proposed installation of green insulated DG Set and Enhancement of Man Power to manufacture shoes in the existing Complex at Khasra No. 3938, Lal Tappar Industrial Area, Mouza Majri Grant, Tehsil Rishikesh, District Dehradun. By M/s Mochiko Shoes Pvt. Ltd. (unit 2), Khasra No. 3938, Lal Tappar Industrial Area, Mouza Majri Grant, Tehsil Rishikesh, District Dehradun.	Industrial
36.	Proposed there placing existing DG sets with higher capacity of DG Sets(1010 KVA x 02 Nos) in the existing Complex at, Lal Tapper, Industrial Area, Resham Majri, Tehsil Rishikesh, District-Dehradun By M/s Flex Foods Limited, Lal Tapper Industrial Area, Tehsil Rishikesh, District -Dehradun.	Industrial
37.	Proposed Hot Mix Plant and DG Set at Khata No. 02, Khasra No. 606, Rishikesh Gangotri Bypass Marg, Village - Partho Marg, Tehsil - Narendra Nagar, District - Tehri Garhwal By M/S P.K. Infratech. 70, Dehradun Road, Rishikesh	Industrial
38.	Installation of proposed DG Set along with painting facility and repairing Center for Passenger Motor Car Service and Showroom by M/s Trotting Wheel Pvt Ltd. at Khasra No. 255 KA, Kuanwala Dehradun, Uttarakhand By M/s Trotting Wheels Pvt. Ltd. Khasra No. 255 KA, Kuanwala Dehradun.	Industrial
39.	Installation of DG Set and Enhancement of Man power along with painting facility for Passenger Motor Car Service Centre in the existing complex at 1-C Tyagi Road, Dehradun. By M/s Dee Dee Car Private Limited. 1-C Tyagi Road, Dehradun.	Industrial
40.	Proposal to establish a pharmaceutical formulation unit on the leased premises in Khasra No. 1/1/4/1 M, Mauza Central Hopetown, Pargana Pachwa Doon, Tehsil- Vikas Nagar, Selaqui, Dehradun. By M/s Nichopharm Lifesciences Private Limited, SARA SAI Industrial Estate Ltd. VPO Rampur, Selaqui, Dehradun.	Industrial
41.	Proposed Bottling & Refilling Unit for Oxygen, Medical Oxygen and nitrogen* in Khasra No- 122 MI, Central Hope Town, Selaqui Dehradun, Uttarakhand	Industrial



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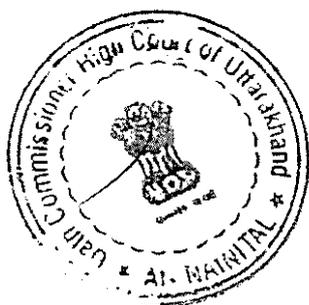
	M/s Bha at Oxygen Traders. Adress-Khasra no 122 MI, Central Hope Town, Selaqui Dehradun, Uttarakhand	
42.	Manufacturing of Pharmaceutical Products and Drugs at khasra no-89 Mauza Central Hopetown, Pargana Pachwa Doon, Vikas Nagar Dehradun. By M/s Kumad Pharma SARA SAI Industrial Estate Ltd. VPO Rampur, Selaqui, Dehradun	Industrial 238
43.	Proposed Installation Of Polyurethane (PU) Insulation Plot No. - 1, Sector No. - 2, IIE, SIDCUL, Ranipur, Haridwar. By M/S Cellu Industries, Plot No. - 1, Sector No. - 2, IIE, SIDCUL, Ranipur, Haridwar.	Industrial
44.	Proposed Installation of Insulated DG Set in Motor Vehicle Service Center at Plot No. 14, Transport Nagar, Saharanpur Road, District Dehradun. By M/s Oberoi Motors Limited. Plot No. 14, Transport Nagar, Saharanpur Road, District Dehradun.	Industrial
45.	Proposed Installation of Green insulated DG Set (750 KVA X 01 No) & Thermic Fluid Heater (Capacity- 6.0 Lac Kcal/hr, on standby) in the existing complex for manufacturing of Automotive Rubber Flaps by M/s Matangi Rubber Private Limited at Khasra No.1036,1038, & 1039 Selaqui, Vikas Nagar, Dehradun. By M/s Matangi Rubber Private Limited, Khasra No.1036,1038, & 1039, Camp Road,Selaqui, Vikas Nagar, Dehradun.	Industrial
46.	Manufacturing of Soft Gelatin Capsules at 4A, Sara Industrial Estate Ltd., Village-Rampur, Selaqui, Dehradun. By J.P. GARG, M/s Alder Blochem Pvt. Ltd. 4A, Sara Industrial Estate Ltd., Village-Rampur, Selaqui, Dehradun	Industrial
47.	Proposed enhanced capacity of Tablets, Injection/Ampoules, Vials, Transdermal Patch, Liquid line (no of bottle), Pre Filled Syringe at Khasra No-122 MI, Central Hope Town, Selaqui, Dehradun. By M/s Rusan Pharma Ltd, at Khasra No-122 MI, Central Hope Town, Selaqui, Dehradun	Industrial
48.	Proposed Installation of Green insulated DG Set and Enhancement of Man Power in the existing Complex to manufacture Flip Flop i.e. Slippers & Sandals (Capacity - 18.0 Lac pairs/Annum) and EVA Compound (3000.0 MT/Annum) at Khasra No. 3964 and 3965, Lal Tappar, Industrial Area, Tehsil Rishikesh, Dehradun. By M/s Soltec (Unit - II) Khasra No. 3964 and 3965, Lal Tappar Industrial Area, Tehsil Rishikesh, Dehradun, Uttarakhand.	Industrial
49.	Proposed expansion of existing Pharmaceutical Formulations Unit at Plot No. A-3, UPSIDC Industrial Area, Selaqui, Tehsil Vikas Nagar, Dehradun. By M/s Natco Pharma Limited, Plot No. A-3, UPSIDC Industrial Area, Selaqui, Tehsil Vikas Nagar, Dehradun, Uttarakhand.	Industrial
50.	Installation of DG Set and Enhancement of Man power along with painting facility for Passenger Motor Car Service Centre in the existing complex at Khasra No. 212, Mohabbewala, Subhash Nagar, Saharanpur Road, Dist. Dehradun By M/s B.M Autosales Private Limited, 100-A, Rajpur Road, Tehsil & District- Dehradun.	Industrial
51.	Proposed PET Plastic Recycling Facility to Manufacture PET Flakes & PET Straps at Khasra No. 1045, 1047 & 1048, Village- Koal, Pargana & Tehsil- Narendar Nagar, District- Tehri Garhwal By M/s Beyond Clean Solution Private Limited, Khasra No. 1045, 1047 & 1048, Village- Koal, Pargana & Tehsil- Narendar Nagar, District- Tehri Garhwal, Uttarakhand	Industrial
52.	Motor Vehicle Service Centre at Khasra no 1 Kha, 1Gha, 2Ka, 2Ga, 3 & 4 Ka at Mohabewala Industrial Area, Subhash Nagar Chowk, Saharanpur Road, District -Dehradun By M/s Berkeley Motors Limited, Mohabewala Industrial Area, Subhash Nagar Chowk, Saharanpur Road, Dehradun.	Industrial
53.	Proposed Unit for Manufacturing of LPG Cylinders at Plot No. 122/48 MI, Central Hope Town, Selaqui, Dehradun. By M/s Sai Globe Packaging (Unit - II), Plot No. 122/48 MI, Central Hope Town, Selaqui, Dehradun.	Industrial



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54.	Proposed installation of Green insulated DG Set and Green-printing facility to manufacture of Shoes in the existing Complex at Khasra No. 205, Industrial Area Dhalwala, Tehsil - Narendra Nagar, District - Tehri Garhwal By M/s Shutec (Unit-II), Khasra No. 205, Industrial Area Dhalwala, Tehsil - Narendra Nagar, District - Tehri Garhwal	Industrial 239
55.	Environmental Clearance for Proposed Installation of Hot Mix Plant at Village – Chharba, Pargana Pachwadoon, Tehsil – Vikasnagar, District – Dehradun By M/s R. K. Handa, 1/22/1, Prem Nagar, Dehradun.	Industrial
56.	Environmental Clearance for enhancing the existing manpower strength & Installation of DG set at Plot no. 3967, Lal Tappar, Industrial Area, P.O. Resham Majri, Haridwar Road, Dehradun. By M/s Goodwill Plastic Industries, Plot no. 3967, Opp Birla Power, Lal Tappar, Industrial Area, P.O. Resham Majri, Haridwar Road, Dehradun.	Industries
57.	Environment Clearance for change in location of manufacturing unit from Central Hope Town, Khata No. 214, Khasra no.122/41-42, Selaqui, Dehradun to new location at Khata No. 735, Khasra no. 103Kha, 105, 80Gha, Chharba, Industrial Area (Langha Road) Tehsil- Vikas Nagar, District-Dehradun along with increase in production capacity & painting facility. By M/s Ampa Cycles Pvt Ltd. Langha Road, Opp. Dena Bank Sahaspur, Vikasnagar, Dehradun.	Industrial
58.	Environment Clearance for setting up DG in the existing two wheeler motor vehicle service centre established at Unit-41, Tilak Road near Nagar Palika, Rishikesh, Dist- Dehradun. By M/s Jai Sai Motors. Unit-41 Tilak Road near Nagar Palika, Rishikesh, Dist- Dehradun.	Industrial
59.	Auto Repairing/Service Station & Painting of vehicles along with Powder Coating at Khasra no. 470 Kha & 472 Da, Mothorowala, Cantonment Board, Dehradun. By M/s Dehradun Premier Motor Pvt. Ltd., Khasra no. 470 Khe & 472 Da, Mothorowala, Cantonment Board, Dehradun.	Industrial
60.	Expansion in Manufacturing Unit of Semi Finished Ayurvedic Medicine products at Plot No – 181 KA, 181 KHA, 181 GA & 181 GHA, Saharanpur Road, Clemen Town, Sevia Khurd, Tehsil & Dist-Dehradun. By M/s The Himalaya Drug Company. Plot No – 181 KA, 181 KHA, 181 GA & 181 GHA, Saharanpur Road, Clemen Town, Sevia Khurd, Tehsil & Dist- Dehradun.	Industrial
61.	Manufacturing of Pharmaceutical Formulations at Khasra No. 1/19 Mauza Central Hopetown Pargana Pachwa Doon, District – Dehradun. By M/s Ikon Pharmachem Pvt. Ltd, 29, Rohini Enclave, Shimla Bypass Road, Dheradun.	Industrial
62.	Proposed Craft Beer Fermentation Unit of Capacity 5.0 KLPD at Khata No 308, Khasra No1/19, Mauja- Central hope town, Pargana, Pechwadun, Tehsil- Vikas Nagar, District- Dehradun. By M/s Gopher Vantures Pvt. Ltd, Khata No 308, Khasra No1/19, Mauja- Central hope town, Pargana Pachwadun, Tehsil- Vikas Nagar, District- Dehradun.	Industrial
63.	Manufacturing of Pharmaceutical Formulations at A-3 Sara Industrial Estate Area Rampur, Selaqui, Dehradun. By M/s Ved lifesavers Pvt. Ltd. A-3 Sara Industrial Estate Area Rampur, Selaqui, Dehradun.	Industrial
64.	proposed expansion of Shoe component in the existing complex at Khasra No. 3844, Lal Tapper Industrial Area, Tehsil Rishikesh, District Dehradun. By M/s Fabsol, Khasra No. 3844, Lal Tapper Industrial Area, Tehsil Rishikesh, District Dehradun.	Industrial
65.	Sales & service station of Automobiles at Khasra No 39 GHA, Saharanpur Road, Mohebbewala, Dehradun. By Ms Girohari Motors Pvt. Ltd. of Yash Ford (Sale & Services) Add- Khasra No 39 GHA, Saharanpur Road, Mohebbewala, Dehradun.	Industrial



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66.	Proposed manufacturing of Pharmaceutical Formulations Dry and liquid injection at E -25 Village - UPSIDC Industrial Estate, Selaqui, Tehsil-Vikas Nagar, Dist- Dehradun. By M/s HFA Formulations, Khasra No. 122 Central Hope Town, Selaqui, Dehradun.	Industrial
67.	RBM Screening Plant at Khata No. 225, Village Dakpathar, Tehsil - Vikasnagar, District - Dehradun. By M/s Gurdeep Singh and Company Khata No. 225, Village Dakpathar, Tehsil - Vikasnagar, District - Dehradun.	Industrial 240
68.	Expansion in the Existing Manufacturing Capacity & Process of Blow Moulded Drums and Valerex Drums at 122 MI Central Hope Town Selaqui, Tehsil- Vikasnagar, Dist- Dehradun. by M/s Balmer Lawrie Van Leer Ltd. 122 MI Central Hope Town Selaqui, Tehsil- Vikasnagar, Dist- Dehradun.	Industrial
69.	Manufacturing of Pharmaceutical Formulations at F-60 UPSIDC Industrial area Selaqui, Mauza Central Hope Town Doon, Selaqui, Dehradun. by M/s Niharith Pharma Pvt. Ltd, F-60 UPSIDC Industrial area Selaqui, Mauza Central Hope Town Doon, Selaqui, Dehradun.	Industrial
70.	Proposed Expansion of existing surgical sutures and other medical devices manufacturing unit at Khasra No. 1051/1-2, Twin Industrial Estate, Selaqui, Camp Road, Tehsil- Vikas Nagar, Dist- Dehradun. By M/s Lotus Surgicals Private Limited. Khasra No. 1051/1 & 2, Twin Industrial Estate, Selaqui, Camp Road, Tehsil- Vikas Nagar, Dist- Dehradun.	Industrial
71.	Proposed Manufacturing of Personal Care Cosmetic Products at 428 Ka, Village - Chharba, Tehsil- Vikasnagar, Dist- Dehradun. By M/s Meraki Aesthetic Cosmetics LLP, 428 Ka, Village- Chharba, Tehsil- Vikasnagar, Dist- Dehradun.	Industrial
72.	Proposed Manufacturing Unit of Herbal & Nutraceutical Formulation Products along with Utilities Viz. LPG Based Boiler & Green Insulated DG Set at B-8, Sara Industrial Estate, Selaqui, Tehsil- Vikas Nagar, Dist- Dehradun. By M/s Swaranimakash Lifescience Private Limited, B-8, Sara Industrial Estate, Selaqui, Tehsil- Vikas Nagar, Dist- Dehradun.	Industrial
73.	Establish a research and testing laboratory at Khasra No- 230G, IInd - Floor, Opposite Yash Ford Showroom, Village- Mohabbewala, Dist- Dehradun. By M/s Viobility Research Private Limited, Khasra No- 230G, IInd - Floor, Opposite Yash Ford Showroom, Village- Mohabbewala, Dist- Dehradun.	Industrial
74.	Manufacturing of Pharmaceutical Formulations at E7-2, U.P.S.I.D.C., Selaqui, Dehradun. By M/s Rapport Remedies, E7-2, U.P.S.I.D.C., Industrial Area, Selaqui, Dehradun.	Industrial
75.	Proposed Industrial Laundry at 4, Tapovan, Near Hotel Ganga Elena, Dist- Tehri Garhwal. By M/s Clean Easy, 4, Tapovan, Near Hotel Ganga Elena, District- Tehri Garhwal.	Industrial
76.	Manufacturing of Pharmaceutical Formulations at F-48, U.P.S.I.D.C., Industrial Area, Selaqui, Dehradun. By M/s Demexico Pharmaceuticals Pvt. Ltd. F-48, U.P.S.I.D.C., Industrial Area, Selaqui, Dehradun.	Industrial
77.	Proposed installation of Bottling Plant for IMFL Bottling at Khasra No 323 min, Central Hope Town, Pargana- Pachwadun, Tehsil- Vikas Nagar, District- Dehradun. By M/s Havmor Spirits. Khasra No 323 min, Central Hope Town, Pargana- Pachwadun, Tehsil- Vikas Nagar, District- Dehradun.	Industrial
78.	Expansion of Painting facility in Service Centre and Showroom at Khasra No. 244 KA and 244 KHA, Kuanwala, Dehradun. By M/s Doon Wheel Pvt. Ltd. Khasra No. 244 KA and 244 KHA, Kuanwala, Dehradun.	Industrial



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79.	Proposed Washing and Painting facility in Service Center at Kh-368, 591 Mauza, Saharanpur, Fatehpur Road, Harbartpur, Vikasnagar, Dehradun. By M/s Rennita Motors. Kh-368, 591 Mauza, Saharanpur, Fatehpur Road, Harbartpur, Vikasnagar, Dehradun.	Industrial 241
80.	Proposed Expansion of existing Pharmaceutical Formulation at F-109-110, UPSIDC Industrial Area, Sealqui, Tehsil-Vikas Nagar, Dist- Dehradun. By M/s Daffoils Laboratories Pvt. Ltd, F-109-110, UPSIDC Industrial Area, Sealqui, Tehsil-Vikas Nagar, Dist- Dehradun.	Industrial
81.	Proposed Assaying & Hallmarking Laboratory including Green Insulated DG Set at Plot No- 55/47, Dhamawala Bazar, Dehradun. By M/s DRB Assaying & Hallmarking Lab, Plot No 55/47, Dhamawala Bazar, Dehradun.	Industrial
82.	Proposed Manufacturing of Footwear at Khasra No. 3874, Lal Tappar Industrial Area, Near Pargana-Parwadu, Tehsil- Rishikesh, District - Dehradun. By M/s Mochiko Shoes Pvt. Ltd. (Unit-VI), Khasra No. 3874, Lal Tappar Industrial Area, Near Pargana-Parwadu, Tehsil- Rishikesh, District - Dehradun.	Industrial
83.	Expansion of production capacity of Shoes at Khasra No. 205, Dhalwala Industrial Area, Tehsil - Narendra Nagar, District - Tehri Garhwal. By M/s Shutec, Khasra No. 205, Dhalwala Industrial Area, Tehsil Narendra Nagar, District - Tehri Garhwal.	Industrial
84.	Proposed Installation of Powder Coating Facility and enhancement in production capacity with existing and proposed products at Khasra no. 323/MI, Central Hope Town, Industrial Area, Selaqui, Vikasnagar, Dehradun. By M/s Indo German Brakes Pvt. Ltd. Khasra no. 323/MI, Central Hope Town, Industrial Area, Selaqui, Vikasnagar, Dehradun.	Industrial
85.	Proposed Manufacturing Unit of Personal Care Cosmetics Products at Khasra No. 180, Village Chharba, Vikasnagar, Dehradun. By M/s Age18 Cosmetics, Khasra No. 180, Village Chharba, Vikasnagar, Dehradun.	Industrial
86.	Proposed Stone Crusher Plant at Khasra no. 1125 Ka, Kha and Ga Village Baluwala, Pargana Pachhwadon, Tehsil - Vikasnagar, District - Dehradun. By M/s Balaji Stone Crusher. 19, Quality Complex, Rajpur Road, Dehradun.	Industrial
87.	Proposed Establishment of Hot Mix Plant at Khata No. 84, Khasra No. 4756 mi (New Khasra no. 1605ka, 1605kha and 1605ga) and Khasra no. 4757 (New Khasra no.1606) at Village - Jamankhata, Pargana Pachhwadon, Tehsil - Vikasnagar, District- Dehradun. By M/s AA Constructions. Khata No. 84, Khasra No. 4756 mi (New Khasra no. 1605ka, 1605kha and 1605ga) and Khasra no. 4757 (New Khasra no.1606), Village - Jamankhata, Pargana Pachhwadon, Tehsil - Vikasnagar, District- Dehradun.	Industrial
88.	Establishment of Proposed Mobile Stone Crusher Plant along with DG set at Village- Chandernava 2, Shivpuri Range, Rishikesh, Tehsil- Narendranagar, District- Tehri Garhwal. By M/s Rail Vikas Nigam Limited (RVNL) M/s MAX-HES (JV)	Industrial



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89.	Proposed assembling unit of Water Filter cum purifier and Water Cooler cum purifier at Pict No: 3946, 3961, 3962, Lal Tappar Industrial Area Majri Grant, Haridwar Highway, Tehsil- Rishikesh Dehradun. By M/s Eureka Forbes Limited.	Industrial 242
90.	Proposed Installation of Powder Coating Facility in Domestic Furniture, DG Set Canopies & Other Sheet Metal Parts manufacturing unit at Khasra No. 1041 & 1043 Central Hopetown, Selaqui, Tehsil- Vikas Nagar, District- Dehradun. By M/s Associated Engineers	Industrial
91.	Proposed installation of RBM Screening Plant at Khasra No. 240, 241/2, 268, 269, 279/2, Village Fatehpur, Tehsil- Doiwala, District - Dehradun. By M/s Balaji Associates	Industrial
92.	Installation of RBM Screening Plant by at Village- Fatehpur Tanda, Tehsil- Doiwala, Dehradun. By M/s Goyal Associates Screening Plant.	Industrial
93.	Installation of RBM Screening Plant at Khata No. 10 & 85 Village- Fatepur Tanda, Tehsil- Doiwala, Dehradun. By M/s Om Screening Plant	Industrial
94.	Proposed installation of Rosin & Turpentine Oil manufacturing unit at Khasra No. 3827, Lal Tappar Industrial Area, Majri Grant, District - Dehradun. By M/s Khurana Brothers.	Industrial
95.	Manufacturing of Pharmaceutical Formulation at Plot No- 8A, Pharmacy, Selaqui Industrial Area, Dehradun. By M/s East African India Overseas.	Industrial
96.	Manufacturing of Injectables (Vials/Ampules) at Khasara Nos. 167 Gha, 168 Gha, 166 Ga & 172 Da, Mohobewala Industrial Area, Dehradun. By M/s Windias Biotech Limited Plant-5	Industrial
97.	Proposed assembling unit of Water Filter cum purifier and Water Cooler cum purifier at Khasra No 3946, 3947, 3961, 3962 Lal Tappar, Mazarri Grant, Tehsil- Rishikesh, Distt.-Dehradun. By M/s Forbes Aquatech Limited	Industrial



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STATUS REPORT ON GRANTED 2022-2024 (till date)

S.no	Name of Project & Address	Category
1	Environment Clearance for existing RBM Screening Plant along with DG Set. By M/s Ayushi Traders, Khasra No. 715, Village Jassowala, Pargana Pachwadoon, Tehsil - Vikasnagar, District - Dehradun.	Screening Plant (Doon Valley)
2	Environment Clearance for existing RBM Screening Plant along with DG Set. By M/s Sai Screening Plant, Khasra No. 281, 286, 291Ka, 292Ka, 293, 294, 295, 297Ka, 228, 287, 288, 289, 316, 317Ka, 321, 296Ka, 290, 315, 235Ka, 236, 317Ga, 317 Kha, Village- Abdullapur, Tehsil - Vikasnagar, District - Dehradun.	Screening Plant (Doon Valley)
3	Environment Clearance for proposed establishment of Stone Crusher Plant along with DG set. By M/s N.S. Developers, Khasra no. 1/25m, 1/4m, Village - Central Hope Town, Tehsil - Vikasnagar, District- Dehradun.	Stone Crusher Plant (Doon Valley)
4	Environment Clearance for proposed establishment of Stone Crusher Plant along with DG set. By M/s MaaBala Sundari Stone Crusher, Khasra No. 216 Ka, 238, 239 & 240, Village- Abdullapur, Tehsil- Vikasnagar, District - Dehradun.	Stone Crusher Plant (Doon Valley)
5	Environment Clearance for proposed establishment of Stone Crusher Plant along with DG set. By M/s ARK Associates, Khata No.78 (Khasra No. 283 Ka, 284 Ka & 285), Village- Abdullapur Rajawala, Tehsil - Vikasnagar, District - Dehradun.	Stone Crusher Plant (Doon Valley)
6	Environment Clearance for proposed establishment of Stone Crusher Plant along with DG set. By M/s Uttaranchal Stone Crusher (LLP), Khasra No. 230 Ka Mi, 230 Ka, 223 Ka Mi, 223 Mi, 225, 226, 227 Ka, 230 Ka, Village- Abdullapur Kenchiwala, Sahaspur, Tehsil- Vikasnagar, District - Dehradun.	Stone Crusher Plant (Doon Valley)
7	Environment Clearance for proposed establishment of Stone Crusher Plant along with DG set. By M/s Sai Chestha Enterprises (LLP), Khata No. 1283 (Khasra No. 356 Kha, 357 Kha, 358, 359, 360, 361 & 362), Khata No. 1529 (Khasra No. 363 Mi), Khata No. 1061 (Khasra No. 363 Mi), Khata No. 126 (Khasra No. 363 Mi) Village - Dhakrani, Tehsil - Vikasnagar, District - Dehradun.	Stone Crusher Plant (Doon Valley)
8	Environment Clearance for proposed establishment of Stone Crusher Plant along with DG set. By M/s Shri Ganpati Stone Crusher, Khata No. 1283 (Khasra No. 356 Kha, 357 Kha, 358, 359, 360, 361 & 362) and Khata No. 1284 (Khasra No. 283, 284, 285, 286, 287, 292, 293, 355, 356Ka & 29 Ka), Village- Dhakrani, Tehsil - Vikasnagar, District - Dehradun.	Stone Crusher Plant (Doon Valley)
9	Environment Clearance for proposed establishment of Stone Crusher Plant along with DG set. By M/s Yamuna Associates (LLP), Khata No. 1283 (Khasra No. 356 Kha, 357 Kha, 358, 359, 360, 361 & 362), Khata No. 1284 (Khasra No. 292, 355, 356 Ka) Khata No. 1284 (Khasra No. 283, 284, 285, 286, 287, 292, 293, 355, 356Ka), Khata No. 87 (Khasra No. 294, 295, 296, 297), Village- Dhakrani, Tehsil - Vikasnagar, District - Dehradun.	Stone Crusher Plant (Doon Valley)
10	Environment Clearance for proposed establishment of Stone Crusher Plant along with DG set. By M/s Yamuna Stone Crusher (II), Khasra No. 29 Mi, Village- Dhummpura Gangmewa Dhakrani, Tehsil- Vikasnagar, District- Dehradun.	Stone Crusher Plant (Doon Valley)
11	Environment Clearance for proposed establishment of Stone Crusher Plant along with DG set. By M/s Yamuna Stone Crusher (I), Khasra No. 29 Mi, Village- Dhummpura	Stone Crusher Plant (Doon Valley)



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	Gangmewa Dhakrani, Tehsil-Vikasnagar, District-Dehradun.	271
12	Environment Clearance for existing RBM Screening Plant of along with DG Set at Khasra No. 230/1 & 231/1, Village - FatehpurTanda, ReshamMajiri, Tehsil - Rishikesh, District - Dehradun By M/s Gaurav Screening Plant.	Stone Crusher Plant (Doon Valley) 244
13	Environment Clearance for proposed Stone Crusher project at Khasra no. 214,215,216 Village- Mahendrapur, Dhanolti, Tehri Garhwal. By M/s Jai MaaSurkanda Stone Crusher	Stone Crusher Plant (Doon Valley)
14	Environment Clearance for forexisting RBM Screening Plant along with DG Set at Khasra No. 507 Kha, 522 KaMi, 522 KhaMi, 523 Ga, 523 Gha, 495 Ka, 496, 497, 522 Kha, 522 KaMi, 507 Kha, 522 KaMi, 522 KhaMi Village - Khushalpur, Tehsil - Vikasnagar, District - Dehradun. By M/s Padma Shree Screening & Trading Company	Stone Crusher Plant (Doon Valley)
15	Environment Clearance forProposal for Puf insulated panels for roof and walls with pre-coated colour roof sheets as exterior layers on top and bottom side and insulated material SOSH CR 936 Polyolvorcocor CD345 at Mi-122, Central Hope Town, Selaqui, Dehradun. By M/s Spectrum Puf& Insulations,	Industrial
16	Environment Clearance forproposed expansion of footwear pair manufacturing unit at Plot No. C9 & 10, Industrial Area Selaqui, Vikasnagar, Dehradun. By M/s Campus Activewear Limited.	Industrial
17	Environmental Clearance for Proposal for Assaying & Hallmarking Laboratory including Green Insulated DG Set at 35/5, Dhamawala, Mohalla, Dehradun. By M/s R.D. Assaying & Hallmarking Centre	Industrial
18	Environmental Clearance for Proposed Industrial Packaging Plastic & EPS (Thermocol) Waste Recycling Facility at Plot No. 0, Akbar Colony, Selaqui, Tehsil - Vikasnagar, District -Dehradun, Uttarakhand. By M/s Sai Enterprises.	Industrial
19	Environmental Clearance for Proposed Manufacturing of Pharmaceuticals Fomulations at Plot No. C-12, Khasra No- 2531, Sara Industrial Estate, Shankarpur Selaqui, Dehradun. By M/s ArhamBioceuticalsPvt. Ltd	Industrial
20	Environment Clearance for Proposed establishment of Screening Plant of 300 TPD at Khasra No- 1175 Gha, 1175 tha, 878, 887 Mauza, Rampur Kalan, Vikasnagar, Dehradun. By Ashirwad Enterprises and Screening Plant.	Doon valley Screening plant
21	Environmental Clearance for Proposal for Aluminium Coil Coated - 200 Metric Tons per month at Khasra No. 71GH & 71D (old no.1388), Village-Chharba, Langha Road, Industrial Area, Sahaspur, Dehradun. By M/s Alstone Manufacturing Pvt. Ltd	Industrial
22	Environmental Clearance for Proposed manufacturing of Pharmaceuticals Fomulations at Plot No. E-9, SIDCUL Industrial Area,Selaqui, Tehsil-Vikasnagar, Dist- Dehradun. By M/s Parb Pharmaceuticals Private Limited. Plot No. E-9, SIDCUL Industrial Area,Selaqui, Tehsil- Vikasnagar, Dist- Dehradun.	Industrial
23	Environmental Clearance for Proposal for establishment ofCoated Aluminum foil/Paper/Al.Foil Lamination Printing along with 300 KVA DG Set at Khasra No 1/1/1/Min & 88/1359, Plot no 4, SARA Industrial Estate, Mauza Central Hope Town ParganaPachwadun, Tehsil- Vikasnagar, Dist- Dehradun. By M/s Foil Nest Pvt Ltd, Khasra No 1/1/1/Min & 88/1359, Plot no 4, Industrial Estate, Mauza Central Hope Town ParganaPachwadun, Tehsil- Vikasnagar, Dist- Dehradun.	Industrial



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24	Environmental Clearance for Proposed manufacturing of Pharmaceutical Products at Plot No.- F-57, Selaqui Industrial Area, Tehsil- Vikasnagar, Dist- Dehradun. by M/s Uthika Laboratories Pvt. Ltd.	Industrial 272 245
25	Environment Clearance for Proposed establishment of Stone Crusher Plant along with DG set at Khasra no- 273, 275, 276, 280 Village- Dhakrani, Pargana- Pachhuwadun, Tehsil- Vikasnagar, District- Dehradun. By M/s Satyam Shivam Sundram Stone Crusher-II,	Stone Crusher Plant (Doon Valley)
26	Environment Clearance for Proposed establishment of Screening Plant along with DG set at Khasra no- 223, 218, 222, 219/2, 222 Me Village- FatehpurTanda, Tehsil- Doiwala, District- Dehradun.M/s by Doon Mines & Minerals.	Stone Crusher Plant (Doon Valley)
27	Environment Clearance for Proposal for short term establishment (Three year only) of proposed 250 TPD Hot Mix Plant along with installation of 500 KVA DG set for construction of NH-72 at Khasra no- 1346, 1347, 1348, 1349 & 1350 Village- ShahpurKalyanpur, Tehsil- Vikasnagar, District- Dehradun. By M/s Ram Kumar Contractor Private Limited	Hot Mix Plant (Doon Valley)
28	Environmental Clearance for Amendment in Existing E.C. for manufacturing of shoes at Khasra No. 3912, Village- LalTappar Industrial Area, MouzaMajri Grant, Tehsil- Rishikesh, District- Dehradun. By M/s Mochiko Shoes Private Limited (Unit-1).	Industrial
29	Environmental Clearance for Proposed installation of manufacturing unit of finished soles at Khasra No. 3862, 3863, 3865 & 3958, Village- LalTappar Industrial Area, Tehsil- Rishikesh, District- Dehradun. By M/s Mochiko Shoes Private Limited (Unit-V)	Industrial
30	Environment Clearance for Proposal for existing RBM Screening Plant at Khasra no- 24 (Area- 0.6960 Ha) &Khasra no- 25 (Area- 0.6950 Ha) and total area-1.3910 ha, Village- Baksarwala, Bhanlyawala, District- Dehradun. By M/s Surya Screening Plant	Screening Plant (Doon Valley)
31	Environmental Clearance for Proposed Manufacturing of Pharmaceutical Products at Khasra No. 179, Plot No. B, MauzaCharba, Near Langha Road, Tehsil- Vikasnagar, Dist- Dehradun. By M/s Wellmind NutraceuticalsPvt. Ltd.	Industrial
32	Environmental Clearance forProposed manufacturing plant of Reprocessed Plastic Granules with capacity of 900 TPA, Cooling Tower Fills- 120 TPA & Pipes- 180 TPA at Khasra No. 1/1/1 Min Mauza Central Hopetown, ParganaPachwadoon, Tehsil- Vikasnagar, Dist- Dehradun. By M/s T.C. Plastics.	Industrial
33	Environment Clearance for Proposal for short term establishment of proposed 900 TPD Hot Mix Plant (for two years) along with installation of 125 KVA DG set for construction of NH-72 at Khasra no. 725Ka, 711, 712Ke, 725Ga, & 727Kha Village- Sabhawala, Pargana- Pachhawadoon, Tehsil- Vikasnagar, District- Dehradun. By M/s Anshuman Construction Company Pvt. Ltd	Industrial
34	Environmental Clearance for Expansion of Proposed Enhancement in Production Capacity of Manufacture of Flip Flop i.e Slippers, Sandals and Parts thereof in the existing Complex at Khasra No. 3964 and 3965, Lal Tappar Industrial Area, Mauza Majri Grant, Tehsil -Rishikesh, District – Dehradun. by M/s SOLTEC (Unit – II) (A Unit of Mochiko Shoes Pvt. Ltd.),	Industrial



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35	Environmental Clearance for Expansion of Proposed Enhancement in Production Capacity for Manufacture of Shoe Soles, Footwear & Parts thereof in the existing Complex at Khasra No. 3901, 3902, 3903 & 3904, Lal Tappar Industrial Area, Mauza Majri Grant, Tehsil- Rishikesh, District - Dehradun. by M/s Soltec (A Unit of Mochiko Shoes Pvt. Ltd.).	Industrial 246
36	Environment Clearance for Proposal for existing Hot Mix Plant of 100 TPH under violation at Khata No. 426, Khasra no. 493 in Village - Khushalpur, Tehsil - Vikasnagar, District - Dehradun. by M/s Shri Ram Construction.	Industrial
37	Environment Clearance for Proposed establishment of 200 TPH Stone Crusher Plant along with 1000 KVA DG set at Khasra No. 1, 2, 3, 4, 5 & 6 Village -- Bentwali Mandi, Pargana-Pachhwadoon, Tehsil - Vikasnagar, District - Dehradun. by M/s Ganga Stone Crusher.	Stone crusher (Doon Valley)
38	Environment Clearance for Proposed establishment of 250 MTPH Mobile Stone Crusher Plant (One year only) along with installation of 500 KVA DG set at Khasra No.-659, 662, 663, 664, 504/750, 654, 692, 653, 686, 698, 713 & 714 Village -Jassowala, Tehsil - Vikasnagar, District - Dehradun. by M/s MKC Infrastructure Ltd.	Stone crusher (Doon Valley)
39	Environmental Clearance for Proposed Installation of DG Set & Enhancement in Production Capacity at Plot No. C-8, SIIDCUL Industrial Area Selaqui, Dist-Dehradun. by M/s Dixon Technologies (India) Limited.	Industrial
40	Environmental Clearance for Proposed expansion of manufacturing of Shoe component in the existing Complex at Khasra No. 3844, 3838, 3878, Lal Tappar Industrial Area, Tehsil- Rishikesh, District- Dehradun. by M/s Fabsol (A Unit of Mochiko Shoes Pvt. Ltd.),	Industrial
41	Environmental Clearance for Establishing the new unit for manufacturing of EVA midsole/outsole and rubber outsole sheet at Khasra no. 1726, 1727k Majri Grant, Village- Lal Tappar, P/o- Resham Majri, Tehsil- Rishikesh, Dist- Dehradun by M/s Goodsol Industries LLP	Industrial
42	Environment Clearance for Proposed Installation of RBM Screening Plant at Khasra no. 2782, 2791/1 Kurkawala, Markham Grant, Doiwala, Dehradun. by M/s Doon Screening Plant	Industrial
43	Environmental Clearance for Proposed Manufacturing of Pharmaceutical Formulation at Khata No 55, Khasra No 2755 Mauza Shankarpur, Hakumatpur, Pargana Pachwa Doon Tehsil-Vikas Nagar, District- Dehradun. (Plot no F -15 Sara Industrial Estate Selaqui, Dehradun). by M/s Aryatech Pharma Pvt. Ltd,	Industrial
44	Environmental Clearance for Proposed Manufacturing of Pharmaceutical Formulation at Khasra No- 88/1359 (E-8) Situated At (Sara Industrial, Estate, Selaqui) Mauza Central Hopetown, Pargana Pachwa Doon, Distt. Dehradun. by M/s Aryatech Lifesciences Pvt Ltd.	Industrial
45	Environmental Clearance for Expansion in the existing manufacturing of pharmaceutical products incorporation of new products & enhancement of DG Set & Boiler at Plot No- 25-26, Pharma City, Selaqui, Dehradun. by M/s Uni Medico Labs Unit-II (Formerly known as M/s Kalindi Medicure Pvt. Ltd.),	Industrial
46	Environmental Clearance for Expansion in the existing manufacturing of pharmaceutical products incorporation of new products & enhancement of DG Set & Boiler at Plot No- 21-22, Pharma City, Selaqui, Dehradun. by	Industrial



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	M/s Uni Medico Labs Unit.	4415	274
47	Environment Clearance for Proposed establishment of 200 TPH Stone Crusher Plant along with 500 KVA DG set at Khasra No. 283 Ka, 284 Ka & 285, Village-Kainchiwala, Abdullapur, Sahaspur, Tehsil-Vikasnagar, District-Dehradun. by M/s Pachwadun Stone Crusher.		Stone crusher (Doon Valley) 247
48	Environmental Clearance for Proposed expansion of existing Pharmaceutical Formulation Unit at Khasra No- 1034 to 1036, 1041 to 1043 & 1050, Camp Road, Selaqui, Tehsil-Vikasnagar, District- Dehradun By M/s Intas Pharmaceuticals Limited.		Industrial
49	Environmental Clearance for Proposed Assaying & Hallmarking Centre at Plot No- 56,Dhamawala Bazar, Dehradun. By M/s B.G. Assaying & Hallmarking Centre		Industrial
50	Environmental Clearance for Proposed Printed Aluminum Foil, Plain Aluminum Foils (Silted) at G-52, UPSIDC Industrial Area, Selaqui, Dehradun. By M/s Siddhi Foils (Unit-II).		Industrial
51	Environment Clearance for Proposed establishment of 200 TPH Stone Crusher Plant along with 500 KVA DG set at Khasra No. 258Mi, 233, 231Ka, 237Cha, 260Ka, 258Mi, 264, 232, 263 & 229Mi, Village-Abdullapur Kenchiwala, Sahaspur, Tehsil-Vikasnagar, District-Dehradun. By M/s Dev Bhoomi Stone Crusher.		Stone Crusher (Doon Valley)
52	Environmental Clearance for Proposed Installation of DG Set for manufacturing of LED Bulbs at Khasra No-122 & 265, Central Hope Town, Selaqui, Dist- Dehradun. By M/s Dixon Technologies Solution Private Limited, Khasra No-122 & 265, Central Hope Town, Selaqui, Dist- Dehradun.		Industrial
53	Environmental Clearance for Existing Printing Press Unit with capacity of Approx. 25000 pages per day at 50/51 Nari Shilp Mandir Marg, Chakrata Road, Dehradun By M/s Vishal Darpan by Shri Yogesh Kumar (Proprietor).		Industrial
54	Environmental Clearance for Proposed Manufacturing of Footwear's by at Khasra No. C-2 at Dhalwala Industrial Area, Muni Ki Reti, District- Tehri Garhwal. By M/s Mochiko Sports Pvt. Ltd. (Unit-II).		Industrial
55	Environmental Clearance for Proposed Manufacturing of Footwear's by at Khasra No. C-2 at Dhalwala Industrial Area, Muni Ki Reti, District- Tehri Garhwal. By M/s Mochiko Sports Pvt. Ltd.		Industrial
56	Environment Clearance for Installation of RBM Screening Plant having capacity of 100 TPH along with 125 KVA DG set at Khasra No. 197/2, 37/1, 312/2, 198, 198/80, Village- Fatehpur Tanda, Tehsil- Doiwala, District-Dehradun. By M/s Shri Ram Associates,		Industrial
57	Environment Clearance for Existing RBM Screening Plant having capacity of 200 TPD along with 250 KVA DG set at Khasra No.228 Mi, Village Fatehpur Tanda, Resham Majri, Tehsil - Rishikesh, District - Dehradun. By M/s Himalayan Screening.		Screening plant (Doon Valley)



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58	Environmental Clearance for Proposed Manufacturing of Pharmaceutical Formulations Unit at Plot No. F-10a, UPSIDC Industrial Area, Selaqui, Tehsil-Vikas Nagar, Dehradun. By M/s BLBK Pharmaceutical Pvt. Ltd.	Industrial 275 248
59	Environmental Clearance for Proposed Installation of Dryer in Biomass Briquette Manufacturing Unit at Khasra No. 1041, Mauza Central Hope Town, District - Dehradun. By M/s M.S. Agro Waste Management.	Industrial
60	Environmental Clearance for Proposed manufacturing of Pharmaceutical Formulations unit at Plot No- 8B, Pharma City, Selaqui, Dehradun. By M/s East African India Overseas (Unit -IV)	Industrial
61	Environmental Clearance for Proposed manufacturing of Pharmaceutical Formulations unit at Plot No- 12A, Pharma City, Selaqui, Dehradun. By M/s East African India Overseas (Unit -VI).	Industrial
62	Environmental Clearance for Proposed Expansion for manufacturing of Pharmaceutical Formulations unit at Plot No- E-11, UPSIDC Industrial Area, Selaqui, Dehradun. By M/s Cris Pharma India Ltd.	Industrial
63	Environmental Clearance for Proposed manufacturing of Pharmaceutical Formulations unit at Plot No- C1, Pharma City, Selaqui, Dehradun. By M/s East African India Overseas (Unit -V).	Industrial
64	Environmental Clearance for Proposed Expansion for Manufacturing of Aluminum Composite Panel Sheet in Existing Unit at Khasra no- 999, Central Hope Town, Selaqui, Tehsil- Vikasnagar, District - Dehradun. By M/s Alexia Panel.	Industrial
65	Environmental Clearance for Proposed expansion for manufacturing of Pharmaceutical Products & installation of D.G. Set in existing unit at Plot No- 11, Pharma City, Selaqui, Tehsil- Vikasnagar, District - Dehradun. By M/s Mancare Laboratories Pvt Ltd.,	Industrial
66	Environment Clearance for Proposal for existing Hot Mix Plant of 50 TPH under violation at Khata No. 495Ga & 819Ga Village- Khushaipur, Tehsil- Vikasnagar, District- Dehradun By M/s Raj Shyama Construction (P) Ltd. by Shri Vikas Kumar Tyagi (Authorized Signatory).	Hot mix plant (Doon Valley)
67	Environmental Clearance for Proposed Expansion for manufacturing of Pharmaceutical Formulation in existing unit at Plot No. 15-A & 15B Pharmacy, Selaqui, Tehsil- Vikasnagar, District- Dehradun. M/s Verve Human Care Laboratories, (A unit of Venor Pharma Limited). By Shri Viswas Verma (Director).	Industrial
68	Environmental Clearance for Proposed manufacturing of Pharmaceutical Products at Khasra No- 91 & 2754, Central Hope Town & Shankarpur Hukumatpur, Tehsil- Vikasnagar, District- Dehradun By M/s Neerpath Healthcare Pvt. Ltd, by Shri Dheeraj Katyal (Director).	Industrial
69	Environmental Clearance Proposed Printing of Aluminium Foil & manufacturing of Poly Bags at E-8/2, 8/3 UPSIDC Industrial Area, Selaqui, Tehsil- Vikas Nagar, Dehradun. By M/s Almed Printing Solutions Private Limited.	Industrial



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70	Manufacturing unit of Nutraceutical Health Supplements & Sports Nutrition at Khasra No- 323, Industrial Area, Selaqui, Tehsil- Vikasnagar, District- Dehradun By M/s Neutrawell Healthcare Pvt. Ltd. Khasra No- 323, Industrial Area, Selaqui, Tehsil- Vikasnagar, District- Dehradun.	Industrial 249
71	Environmental Clearance for Proposed expansion of Pharmaceutical Products in existing unit at Plot No- 29, Pharmacy, Selaqui, Tehsil- Vikasnagar, District- Dehradun. By M/s Hema Laboratories Pvt. Ltd.	Industrial
72	Environmental Clearance for Proposed manufacturing unit of Feed Supplements at Khasra No. 122/48 Min, Central Hope Town, Selaqui, Tehsil- Vikasnagar, District- Dehradun. By M/s Saife Vetmed Pvt. Ltd. (Unit- 2).	Industrial
73	Environmental Clearance for Proposed expansion of Pharmaceutical Formulation in existing unit at Plot No. C-1 Sara Industrial Area, Chota Rampur, Selaqui, Tehsil- Vikasnagar, District- Dehradun. By M/s Troikaa Pharmaceuticals Limited.	Industrial
74	Environment Clearance for Proposed establishment of 200 TPH Stone Crusher Plant along with 500 KVA DG set at Khasra No.162Kha, 163Kha, 164, 167, 168Da, 169Kha, 165, 166Ka, 135Ka, 136Ka Mi, 137, 138Ka Village- Karimpur, Tehsil- Vikasnagar, District- Dehradun. by M/s Shri Balaji Stone Aggregates	Industrial
75	Environmental Clearance for Proposed manufacturing of Pharmaceutical Formulation at Plot No. H-7 & H-8, IIE SIIDCUL, Selaqui, Tehsil- Vikasnagar, District- Dehradun. By M/s Verve Human Care Laboratories (A unit of Venor Pharma Limited).	Industrial
76	Environmental Clearance for Proposed Printing of Newspapers and Periodicals at E-34 Industrial Area, Selaqui, Tehsil- Vikasnagar, District- Dehradun. By M/s Punjab Kesari Publishing House Private Limited, E-34 Industrial Area, Selaqui, Tehsil- Vikasnagar, District- Dehradun.	Industrial
77	Environment Clearance for Proposed establishment of 100 TPH Stone Crusher Plant along with 500 KVA Green Insulated DG set at Khasra No. 237, 238, 240, 241/1, 241/2, 268, 269, 279/2, Village Fathepur Tanda, Tehsil- Doiwala, District- Dehradun. By M/s Balaji Associates by Shri Kuldeep Singh Dhiman (Partner).	Stone crusher (Doon Valley)
78	Environment Clearance for Proposed establishment of 200 TPH Stone Crusher Plant along with 500 KVA Green Insulated DG set at Khasra No. 1224, 1233, 1223, 1225, 1226, 1220 Kha, 1326, 1329, 1330, 1325 Kha Village-Majiri Grant, Tehsil-Doiwala, District- Dehradun. By M/s Shree Balaji Stone Crusher by Shri Prakash Singh Dhiman (Partner)	Stone crusher (Doon Valley)
79	Environmental Clearance for Proposed Allopathic Pharmaceutical Preparations Manufacturing Unit at Khasra number 2754, 2755, Village- Mauza Shankarpur Hakumatpur, Pargana- Pachwa Doon, Tehsil- Vikasnagar, District- Dehradun. By M/s Silver Line Laboratories Private Limited by Shri Baldev Sahni(Director).	Industrial
80	Environmental Clearance for Proposed Footwear Manufacturing Unit at Khasra No. 3928 & 3929, Majri Grant, Lal Tappar, Tehsil- Doiwala, District- Dehradun. By M/s Doon Foot Craft by Shri Rajendra Pundir (Partner).	Industrial



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81	Regarding Environmental Clearance for Proposed Expansion in Manufacturing unit of Labels & Stickers incorporation of Washing & Printing at Khasra No-1026/2 Central Hope Town, Tehsil- Vikas Nagar, Dehradun. By M/s Craftsmen Graphics by Shri Dharampal Dhingra (Plan: Head). Khasra No-1026/2 Central Hope Town, Tehsil- Vikas Nagar, Dehradun.	Industrial 256
82	Regarding Environmental Clearance for Proposed Expansion of Pharmaceutical Products at Khasra No- 122 MI, Central Hope Town, Tehsil- Vikasnagar, District- Dehradun. By M/s Signature Phytochemical Industries Unit-I by Shri Bhaskar Dutt Bhaguna (Vice President). Khasra No- 122 MI, Central Hope Town, Tehsil- Vikasnagar, District- Dehradun.	Industrial
83	Regarding Environmental Clearance for Proposed Manufacturing Unit of Pharmaceutical Products (Liquid Injectables in Ampoules, Lyophilized Injectables in Vials and Pre-filled Syringes) at Khasra No- 122/41/42, Central Hope Town, Tehsil- Vikasnagar, District- Dehradun. By M/s Signature Phytochemical Industries, Unit-II by Shri Bhaskar Dutt Bhaguna (Vice President). Khasra No- 122/41/42, Central Hope Town, Tehsil- Vikasnagar, District- Dehradun.	Industrial
84	Regarding Environmental Clearance for Proposed Manufacturing of Pharmaceutical Products at Khata No- 711, Khasra No- 122/13 Min, Central Hope Town, Tehsil- Vikasnagar, District- Dehradun. By M/s Oxi Pharma by Smt Kavita Pandey (Proprietor). Khata No- 711, Khasra No- 122/13 Min, Central Hope Town, Tehsil- Vikasnagar, District- Dehradun.	Industrial
85	Regarding Environment Clearance for Proposed establishment of 200 TPH Stone Crusher Plant along with 900 KVA DG set at Khasra No- 42, 43/2, Village- Dhummpipur, Gangbhewa, Tehsil-Vikasnagar, District-Dehradun. By M/s Radheshyam Enterprises Stone Crusher. Khasra No- 42, 43/2, Village- Dhummpipur, Gangbhewa, Tehsil-Vikasnagar, District-Dehradun.	Stone crusher (Doon Valley)
86	Environment Clearance for Proposed establishment of 200 TPH Stone Crusher Plant along with 500 KVA Green Insulated DG set at Khasra No. 65 Mi, Village- Dhumipura Gangbhewa, Tehsil-Vikasnagar, District- Dehradun By M/s Jai Shri Shyam Stone Aggregates by Shri Amit (Partner). Khasra No. 65 Mi, Village-Dhumipura Gangbhewa, Tehsil-Vikasnagar, District- Dehradun.	Stone crusher (Doon Valley)
87	Environmental Clearance for Proposed Manufacturing of Pharmaceutical Products at Khasra No- 2756, F-21 Sara Industrial Estate, Mauja Shankarpur Hukumatpur, Tehsil- Vikasnagar, District- Dehradun. By M/s Mancare Laboratories Pvt. Ltd (Unit- II) by Mrs. Sudira Jha, Khasra No- 2756, F-21 Sara Industrial Estate, Mauja Shankarpur Hukumatpur, Tehsil- Vikasnagar, District- Dehradun.	Industrial
88	Environmental Clearance for Proposed Manufacturing of Pharmaceutical Products at Khasra No- 266 & 267, Central Hope Town, Tehsil- Vikasnagar, District- Dehradun. By M/s Beyond Life Line by Shri Amit Agarwal (Partner), Khasra No- 266 & 267, Central Hope Town, Tehsil- Vikasnagar, District- Dehradun.	Industrial



ANKIT RANA
 Advocate
 Reg. No.-UK-340/2021
 Oath Commissioner
 High Court of Uttarakhand
 Al-NAINITAL
 Sl. No. 73997
 Dated 20/4/25

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मुख्यालय
उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड

"गौरा देवी पर्यावरण भवन" 251

46बी, आई.टी. पार्क, सहस्त्रधारा रोड, देहरादून

E-mail: insukpcb@yahoo.com, दूरभाष: 0135-2607092

पत्रांक: यूकेपीसीबी/एच.ओ./सा.185-02-2024-25-674

दिनांक 09.08.2024

सेवा में,

श्री अभिनव तापर,
217, 11th फ्लोर,
राज प्लाजा, 75 राजपुर रोड,
देहरादून (उत्तराखण्ड)।

Annexure-19

विषय:-सूचना का अधिकार अधिनियम, 2005 के अन्तर्गत सूचना उपलब्ध कराये जाने के सम्बन्ध में।

महोदय,

उपरोक्त विषयक इस कार्यालय के अपीलीय आदेश पत्र यूकेपीसीबी/एच.ओ./सा.-185/अपील-03/2024-25/327 दिनांक 05.08.2024 के सम्बन्ध में सम्बन्धित सूचना प्राप्त करने हेतु उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड को पत्र प्रेषित करने हेतु आदेश प्रदान किये गये थे। उक्त के क्रम में इस कार्यालय के पत्र-यूकेपीसीबी/एच.ओ./सा.-185-02-2024-25-360 दिनांक 11.06.2024 के द्वारा लोक सूचना अधिकारी, उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड लखनऊ, उत्तर प्रदेश को पत्र प्रेषित किया गया था। उक्त पत्र के क्रम में जन सूचना अधिकारी, उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, लखनऊ द्वारा पत्र प्रेषित किया गया है।

अतः उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड द्वारा प्रेषित पत्र इस पत्र के साथ संलग्न कर अग्रिम कार्यवाही हेतु प्रेषित किया जा रहा है।

सलामत - यशोपार

भवदीय

Anneel
09/08/2024

(अनुराग नेगी)

लो0सू0अधि0/पर्यावरण अभियन्ता

प्रतिलिपि:-वि0अपी0अधि0/पर्या0अभि0, उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड, बोर्ड मुख्यालय, देहरादून को सादर सूचनार्थ प्रेषित।

लो0सू0अधि0/पर्यावरण अभियन्ता



A.

Abhinav

Headquarters Uttarakhand Pollution Control Board

"Gaura Devi Paryavaran Bhawan" 46 B, I.T. Park, Sahasthradara Road, Dehradun

E-mail : msukpeb@yahoo.com, Tel: 0135-2607092

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Letter No.: UKPCB/HO/S -185-02-2024-25-674,

dated 09.08.2024

To,

Shri Abhinav Tapar,
217, IInd Floor, Raj Plaza, 75 Rajpur Road,
Dehradun (Uttarakhand).

Subject: - Regarding providing information under the Right to Information Act, 2005.

Sir,

In relation to the above subject, orders were given to send a letter to Uttar Pradesh Pollution Control Board to obtain relevant information in relation to the appeal order letter UKPCB/HO/S.A.-185/Appeal-03 2024-25/327 dated 05.06.2024 of this office. In continuation of the above, a letter was sent to the Public Information Officer, Uttar Pradesh Pollution Control Board Lucknow, Uttar Pradesh by this office's letter- UKPCB/HO/S.A.-185-02-2024-25-360 dated 11.06.2024. In continuation of the said letter, a letter has been forwarded by the Public Information Officer, Uttar Pradesh Pollution Control Board, Lucknow.

Therefore, the letter sent by Uttar Pradesh Pollution Control Board is being attached with this letter and sent for further action.

Enclosure - As above

Sd/-

Yours sincerely
(Anurag Negi)

Public Information Officer /
Environmental Engineer

Copy: - Departmental Appellate Officer / Environmental Engineer, Uttarakhand Pollution Control Board, Board Headquarters, Dehradun, sent for information.

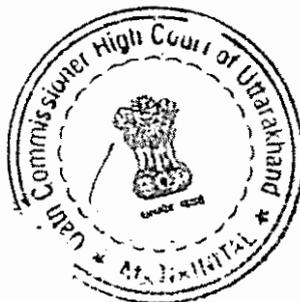
Sd/-

Public Information Officer /
Environmental Engineer

ANKIT RANA
Advocate

Reg. No.- UK-340/2021
Oath Commissioner
High Court of Uttarakhand
At-NAINITAL

Sr. No. 13892
Dated 20/4/25



Abhinav

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केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT OF INDIA

CP-18/1/2023-IPC-VI-HO-CPCB-HO

Date: 12.02.2025

To

The Chairman
State Pollution Control Board/Pollution Control Committee
(As per the list)

Annexure-20

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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 harmonization of classification of industrial sectors under Red, Orange, Green, White and Blue categories.

WHEREAS, under section 16 (2)(b) of the Water (Prevention and Control of Pollution) Act, 1974 and under Section 16 (2)(c) of the Air (Prevention & Control of Pollution) Act, 1981, one of the functions of the Central Pollution Control Board (CPCB), constituted under the Water (Prevention and Control of Pollution) Act, 1974, is to coordinate activities of the State Pollution Control Boards (SPCBs) and Pollution Control Committees (PCCs); and

WHEREAS, under section 16 (2)(c) of the Water (Prevention and Control of Pollution) Act, 1974 and under Section 16 (2)(d) of the Air (Prevention & Control of Pollution) Act, 1981, one of the functions of the CPCB is to provide technical assistance and guidance to SPCBs and PCCs; and

WHEREAS, it was brought to the notice of CPCB, that different SPCBs/PCCs were following different criteria for the classification of industrial sectors under different categories. Therefore, in 2012, to have uniformity in classification throughout the country, CPCB vide letter no. B-29012/1/2012/ESS/1525-1563, dated 04.06.2012 issued directions under section 18(1)(b) of the Water Act, 1974 and the Air Act, 1981 to SPCBs/PCCs to adopt and implement standardized list of Red, Orange and Green categories of industries; and

WHEREAS, in 2016, the Central Pollution Control Board (CPCB) developed a scoring methodology based on the Pollution Index (PI) to harmonize the criteria for classification of industrial sectors. The PI is determined based on Precautionary Principle- by evaluating potential of water pollution, air pollution, and hazardous waste generation from particular sector. CPCB vide letter no. B-29012//ESS(CPA)/2015-16, dated 07.03.2016 issued directions under section 18(1)(b) of the Water Act, 1974 and the Air Act, 1981 to SPCBs/PCCs to adopt and implement revised classification. SPCBs/PCCs were also directed to categorize any new or left over sectors at their level by constituting a Committee and following the methodology prescribed by CPCB; and

Page 1 of 5



'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

Tel: 43102030, 22305792. फ़ैक्स: 43102030. Website: www.cpcb.nic.in

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(Handwritten signature: Abhinav)

WHEREAS, CPCB vide letter no. B-29016/ROGW/IPC-VI/2020-21, dated 30.04.2020, issued directions under section 18(1)(b) of the Water Act, 1974 and the Air Act, 1981 to SPCBs/PCCs regarding segregated list of non-industrial sectors (activities/ facilities/ infrastructure/ services) such as sewage treatment plants, healthcare facilities, hotels, building and construction projects, airports, highways etc. Further, CPCB also classified few additional sectors from time to time; and

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WHEREAS, based on the experience gained over the years in Pollution Index calculation, use of cleaner fuels like PNG/CNG etc., adoption of cleaner technology resulting in reduced emission/wastewater generation, a need was felt to revisit the classification methodology of 2016; and

WHEREAS, during July 2023, CPCB prepared a "Draft Report on Classification of Industrial Sectors into Red, Orange, Green and White Categories: A Tool for Progressive Environmental Management" which was uploaded on CPCB website for seeking comments/suggestions of the stakeholders/public on the same. The draft report was also circulated to SPCBs/PCCs/MoEF&CC for comments; and

WHEREAS, CPCB vide office order dated 26.09.2023 constituted a committee to critically examine and analyse the comments/suggestions and to make recommendations for suitable incorporation in the finalizing the methodology and classification; and

WHEREAS, based on the stakeholders' comments, a need was felt to promote/incentivize units for adopting measures resulting in better environmental performance. Additionally, a requirement was also felt for separate category – Blue Category- for essential environmental services for management of environmental pollution arising from domestic/household activities. Accordingly, CPCB prepared an "Addendum and substitution thereto in Draft Report on Classification of Sectors into Red, Orange, Green, White and Blue Categories", which was shared with SPCBs/PCCs and also uploaded on CPCB website on 11.07.2024 for seeking inputs/comments; and

WHEREAS, the amendment in Section-21 of the Air (Prevention and Control of Pollution) Act, 1981 through the Jan Vishwas (Amendment of Provisions) Act, 2023 and amendment in Section-25 of the Water (Prevention and Control of Pollution) Act, 1974 through the Water (Prevention and Control of Pollution) Amendment Act, 2024, grant exemption to certain categories of industries, as notified by Central Government, for obtaining consent under these Acts; and

WHEREAS, the Ministry of Environment, Forest and Climate Change, Government of India vide notification no. G.S.R. 702(E), dated 12.11.2024 granted exemption of consent under the Water Act, 1974 and the Air Act, 1981 to exemption of Consent to Establish (CTE) and Consent to Operate (CTO) to all industrial plants having pollution index score upto 20 (at present total 39 industrial sectors under white categories as per 2016 methodology) subject to



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condition that such plant shall inform in writing to the concerned State Pollution Control Board (SPCB) or Pollution Control Committee (PCC); and

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WHEREAS, the MoEF&CC vide letter no. Q-15012/2/2022/-CPW-Part (1)/c-240741, dated 14.11.2024 has issued Standard Operating Procedure for implementation of the said Notification dated 12.11.2024. The SOP includes the following provisions for White categories of industries:

- i. Industry to intimate to concerned SPCB/PCC about operations and self-declare the compliance with prevalent rules & regulations,
- ii. Concerned SPCB/PCC to maintain separate list of such industries/activities, and
- iii. Concerned SPCB/PCC to ensure that no activities other than those intimated, are carried out by exempted units.

WHEREAS, the Committee constituted by CPCB evaluated the comments, incorporated the suitable changes and finalized the revised methodology as well as classification of sectors. Final report in this regard titled as "Classification of sectors in to Red, Orange, Green, White and Blue Categories (A tool for progressive environmental management)" was submitted to Ministry of Environment, Forest and Climate Change (MoEF&CC) for concurrence. The MoEF&CC vide letter no. Q-16017-57-2015-CPA, dated 15.01.2025 granted concurrence to the revised classification; and

WHEREAS, as per the revised methodology, the category of the sector is decided based on the following ranges of Pollution Index:

- i. Red: $PI \geq 80$,
- ii. Orange: $55 \leq PI < 80$,
- iii. Green: $25 \leq PI < 55$,
- iv. White: $PI < 25$; and

WHEREAS, based on the revised methodology, CPCB has classified a total of 419 sectors and sub-sectors as under:

- i. The Red Category: 125
- ii. The Orange Category: 137
- iii. The Green Category: 94
- iv. The White Category: 54
- v. The Blue Category: 9; and

WHEREAS, the purpose of classification is to ensure that the industry is established in a manner consistent with the environmental objectives and also to prompt industrial sectors to adopt cleaner technologies, ultimately resulting in the generation of no or minimum pollutants. The revised classification system also defines criteria for incentivizing such industry. The industry may self-assess the PI score as per defined criteria and can submit application to respective SPCBs/PCCs for consideration; and



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NOW, THEREFORE, in the exercise of the powers delegated under Section 18(1)(b) of the Water (Prevention & Control of Pollution) Act, 1974 and Section 18(1)(b) of the Air (Prevention & Control of Pollution), Act, 1981 the earlier directions dated 07.03.2016 and subsequent directions/letter in the context of categorization of industries are withdrawn with immediate effect and following 'Directions' are hereby issued for compliance by all SPCBs and PCCs:

1. That SPCBs and PCCs shall immediately adopt the revised methodology for classification of sectors and list of 419 sectors/sub-sectors classified under Red, Orange, Green, White, and Blue categories as detailed in the attached report- "Classification of Sectors into Red, Orange, Green, White and Blue Categories (A tool for progressive environmental management)".
2. That all pending application for consideration of consent (CTE/CTO) and future such application shall be processed as per the revised classification. In case CTE granted before the revised classification, applicability of CTO will be as per revised classification.
3. That the revised sectors/subsectors classified under Red, Orange, Green, White, and Blue category of sectors as given in the attached document shall be used by the SPCBs and PCCs for consent management, inventorization of units under different categories, siting criteria, deciding environmental surveillance frequency, calculation of environmental compensation, etc., as per the guidelines issued from time to time.
4. That SPCBs and PCCs shall prepare the inventory of Red, Orange, Green, White and Blue categories of units operating in their jurisdictions, based on the revised classification. SPCBs and PCCs shall upload the category and sector-wise list of such units on their website. SPCBs and PCCs shall also forward such list to CPCB, latest by 30.06.2025 and thereafter updated list by 30th June every year.
5. That the classification of sectors shall not be linked to sanction of loans/finance of bank proceedings.
6. That any further addition of any new or left-out sector and their classification which is not listed in the revised list of Red, Orange, Green, and White categories, shall be done at the level of concerned SPCB /PCC by constituting a Committee and following revised criteria & guidelines as detailed in the attached report and no concurrence of CPCB shall normally be required. Intimation of same from time to time will suffice. However, addition in Blue Category Sectors-Essential Environmental Services for domestic waste management, will be done at the level of CPCB only. SPCBs/PCCs may forward their proposal, if any, to CPCB in this regard.
7. That SPCBs and PCCs are required to prepare and submit list of additional sector classified under white category to CPCB on annual basis, by 30th of June every year, in the prescribed format (Annexure-V) as given in the attached report, for further notification for exemption from consent as per the provisions of the Jan Vishwas (Amendment of Provisions) Act, 2023, the Water Act, and the Air Act as amended from time to time by MoEF&CC.
8. That SPCBs and PCCs shall constitute a committee as prescribed in the report to evaluate the applications of the units for incentives due to adopting measures resulting in better environmental performance and reduction in PI score. The SPCB/PCC shall



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place the separate list of such units on their website and also submit list of such units to CPCB on Annual Basis by 30th June every year.

The SPCBs/PCCs shall acknowledge the receipt of directions and submit the "Action Taken Report" in compliance with these directions to CPCB before 20.02.2025.

Encl. As above.

(Bharat Kumar Sharma)
Member Secretary

Copy to:

1. The Chief Secretary of all the States and UTs
(As per the list)
2. The Secretary,
Ministry of Micro, Small and Medium Entrepreneurs
Udyog Bhawan, Rafi Marg, New Delhi - 110 011
3. The Secretary,
Ministry of Heavy Industries
Udyog Bhawan, Rafi Marg, New Delhi - 110 011
4. The Secretary,
Ministry of New and Renewable Energy
Block-14, CGO Complex,
Lodhi Road, New Delhi-110 003
5. The Joint Secretary (CP Division)
Ministry of Environment, Forests and Climate Change
Indira Paryuvaran Bhawan
Jor Bagh Road, New Delhi - 110 003
6. All Regional Directorates, CPCB
(As per the list)

(Bharat Kumar Sharma)
Member Secretary

ANKIT
ANKIT RANA
Advocate
Reg. No. UK-340/2021
Oath Commissioner
High Court of Uttarakhand
At-NAINITAL

S. No. 17892
Dated 20/4/25



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Ref No. – PMO/MoEF/Doon Valley / 03

Dated: 04.03.2025

To
Sh. Narendra Modi ji,
The Hon'ble Prime Minister of India, New Delhi.

Annexure-21

Subject: Request to SAVE DOON VALLEY, lives of 15 lakhs people residing in it and Drastic Climate Change in Himalayas expected after removal/relaxation of clauses of Doon Valley Notification Act 1989 vide its Amendment draft against Hon'ble PM Sh. Narendra Modi ji's initiative of National Clean Air Program (NCAP) issued vide letter dt. 21.12.2023 by MoEF & CPCB ltr- dt. 12.02.2025.

Ref:

- i. MOEFCC- Order No.- 2/16/2017-ESZ dt. 13.02.2024 ;
- ii. My Letter to PMO – Ref No.- MoEF/Doon Valley/01 – dt. 08.02.2024;
- iii. CPCB ltr No. – 18/1/2023-IPC-VI-HO-CPCB-HO – dt. 12.02.2025;
- iv. NCAP Portal – MoEFCC report- dt. 03.03.2025.
- v. UK Gov ltr to MoEFCC – dt. 04.07.2023

Respected Sir,

1. This is regarding regarding "Doon Valley Act 1989 Notification drafts" and relevant orders issued by Ministry of Environment, Forest & Climate Change, Gov Of India, New Delhi (herein referred as "MoEFCC") on 21.12.2023 based on the proposal sent by Gov of Uttarakhand to MoEFCC on 04.07.2023 for mainly two reasons :
 - a. *To allow Slaughter house in eco sensitive Doon Valley ;*
 - b. *To allow RED Category industries/ banned Mining in eco sensitive Doon Valley.*
 (Annexure- 1: Copy of UK Gov ltr to MoEFCC – dt. 04.07.2023)
2. That the brief facts to the limited extent necessary are that the applicant is an avid social activist based in Uttarakhand for past 20 years. He is also a Law graduate. Congress leader in the state of Uttarakhand & have also filed various Public Interest Litigations (PILs) in Hon'ble High court of Nainital, Uttarakhand & The Hon'ble Supreme Court of India, New Delhi on various public issues in order to promote and protect the rights of individuals who often struggle with access to justice. He also happens to be a public-spirited person, whose public interest litigation has contributed towards the strengthening of the health infrastructure in the state, particularly during the covid-19 pandemic, and even beyond. *With regard to pandemic management at a national level regarding reimbursement of overcharges done by hospitals to its patients, the applicant's writ*



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petition has also been admitted by the Hon'ble Apex Court, in which orders were passed by the Hon'ble Apex Court and matter is still under jurisdiction. He has also raised the issue of 70 % employment and increase in revenue shares of THDC to the state through his public interest litigation. He has also raised the issue of relaxation in OTS guidelines for more health facilities in Hilly terrain of Uttarakhand through PILs in Hon'ble High Court of Uttarakhand. He is also the public interest litigant in a very high stakes matter involving irregular appointment in the Uttarakhand Vidhan Sabha, when he has raised the issue with regard to accountability of those high and mighty persons, who offered such admittedly illegal appointments in the Uttarakhand Vidhan Sabha. Recently applicant has also raised the issue of "Corruption and Scam of Rs. 300 Crores in Hoarding tenders in Nagar Nigam Dehradun in last 10 years".

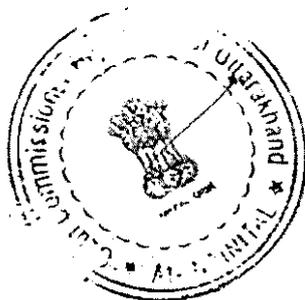
3. This is note that I have put down the relevant facts for to The Hon'ble Prime Minister of India to SAFEGUARD DOON VALLEY on 08.02.2024 vide above mentioned letter. In corresponding to my complaint MoEFCC has issued orders to The PCCF Uttarakhand on 13.02.2024 to "taking appropriate action and provide view/comments on the matter to Ministry urgently".

(Annexure- 2: Copy of MOEFCC- Order No.- 2/16/2017-ESZ dt. 13.02.2024 & My Letter to PMO – Ref No.- MoEF/Doon Valley/01 – dt. 08.02.2024)

4. Formulation of Doon Valley Notification : The said Doon Valley Notifications was issued by MoEFCC on 01.02.1989 based on the orders of Hon'ble Supreme Court in the landmark case – Rural Litigation and Entitlement Kendra vs State of UP- issued on 30.08.1988. This was widely based on reasons :
- Restriction of Limestone Mining ;
 - Containing Pollution in the said area :
 - Categorization of Industrial Areas and restriction of RED CATEGORY :
 - Saving Ecology and Environment;
 - Sustainable development of area being in Seismic Zone IV & V and so on

(Annexure- 3: Copy of Hon'ble Supreme Court Order dt. 30.08.1988)

5. National Clean Air Program (NCAP) : National Clean Air Programme has been launched by the Ministry of Environment, Forest and Climate Change as a comprehensive initiative in partnership with various Ministries and States to improve air



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quality at city, regional and national level. It is a focused and time bound scheme to implement various sectoral policies, strengthen monitoring and enhance public participation in more than 100 cities for effective air quality management. NCAP is a mid-term, five-year action plan launched in 2019. However, international experiences and national studies indicate that significant outcome in terms of air pollution initiatives are visible only in the long-term, and hence the programme may be further extended to 20-25 years in the long-term after a mid-term review of the outcomes.

- a. **Target :** Tentative national level target of 20%-30% reduction of Particulate Matter (PM₁₀ and PM_{2.5}) concentration by 2024 is proposed under NCAP. These interim targets are in line with global experiences which highlight that city specific actions led to 35% - 40% PM_{2.5} reduction in five years for cities, such as Beijing and Seoul, whereas cities, such as Santiago and Mexico City have shown 73% and 61% reduction in 22 to 25 years with regard to PM_{2.5} and PM₁₀ concentrations, respectively.
- b. **Objectives :**
- To ensure stringent implementation of mitigation measures for prevention, control and abatement of air pollution.
 - To augment and evolve effective and proficient ambient air quality monitoring network across the country for ensuring a comprehensive and reliable database.
 - To augment public awareness and capacity-building measures encompassing data dissemination and public outreach programmes for inclusive public participation and for ensuring trained manpower and infrastructure on air pollution.
- c. **Status :** The current status of project as per MoEF - NCAP Portal is total 131 cities has been covered in the program with cumulative budget of Rs. 11,541.88 Crores

It is pertinent to note that Doon Valley Notified area has both "Dehradun & Rishikesh" town areas as undertaken by MoEFCC in NCAP program for restriction of Air Pollution in cities. (Annexure- 4: Copy of NCAP Portal - MoEFCC report- dt. 03.03.2025)

6. It is pertinent to note that based on MoEF ltr dt. 13.02.2024, UKPCCF issued ltr to UKPCB on 30.05.2024 on the same issue. The issue "Amendments in Doon Valley 1989 is still pending and queries of Applicant has not been resolved till date" but meanwhile strangely CPCB has issued notification on 12.02.2025 regarding "Harmonization of classification of Industrial sectors under RED Orange Green White and Blue categories" which itself nullifies the Doon Valley Notification 1989. (Annexure- 5: Copy of CPCB ltr No. - 18/1/2023- dt. 12.02.2025)



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7. That it is pertinent to note that AQI of Doon Valley region has been degraded from 1989 to 2025, therefore the applicant hopes and prays that the said representation receives your due attention:
- That immediately ADD - "..EXCEPT DOON VALLEY notified area under 1989 notification" above mentioned orders issued by CPCB on 12.02.2025 which is complete violation of Hon'ble Supreme Court orders, NGT orders and NCAP program running by MoEFCC itself;
 - That immediately CANCEL/REVOKE the Doon Valley draft notifications issued by MoEFCC on 21.12.2023 which is complete violation of Hon'ble Supreme Court orders, NGT orders and NCAP program running by MoEFCC itself;
 - That all necessary actions along with a high level independent inquiry should be carried out for identification of Officials/Minister who were responsible in in misguiding MoEFCC in the said matter.
 - Please add requisite measures to safeguard lives of 15 lakhs people living in this Eco-sensitive area of Doon Valley - 1989.

Please consider this representation in the interest of justice to the common man of Uttarakhand. Non-Consideration of the aforementioned points may entail legal consequences.

Thanking You,

Yours faithfully

[Handwritten Signature]
07/03/25

(Abhinav Thapar)
Advocate & Activist- Uttarakhand
Corr Add- 217, IInd Floor, Raj Plaza, Rajpur Road,
Dehradun, Uttarakhand- 248001
Mobile: 9412053085 ; Email: a.thapar29@gmail.com

Annexure- As mentioned above

CC To :

1. The Secretary , MoEFCC, Govt of India ;
2. The Chairman, CPCB, New Delhi,
3. The Chief Secretary, Gov of Uttarakhand,
4. The Member Secretary, UK PCB, Gov of Uttarakhand.



[Handwritten Signature]

Abhinav

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Annex - 21

No. 2/16/2017-ESZ
Government of India
Ministry of Environment, Forest and Climate Change
(ESZ-Division)

262

Indira Paryavaran Bhawan,
Jorbagh Road, Aliganj,
New Delhi- 110 003

Dated: 21st March, 2025

To,

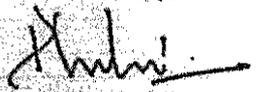
Shri Abhinav Thapar,
Tehri House - 260 , Lane No. - 12, Vijay Park Extension,
Dehradun, Uttarakhand- 248001,
Email id- abhinavthapar@yahoo.co.in

Subject: -Supply of information for Public Grievance- reg.

Sir,

Please refer to your Public Grievance No. MOEAF/E/2025/0000741 dated 04.03.2025 regarding Eco-sensitive Area around Doon Valley, Uttarakhand. Your concerns for conserving the Eco-Sensitive Area are noted and forwarded to the State Government of Uttarakhand for taking appropriate action and provide view/comments on the Matter to this Ministry urgently.

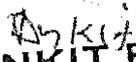
Yours faithfully,


(Dr. Ritesh Joshi)
Scientist 'F'

Copy to:

1. The PCCF & Chief Wildlife Warden, Govt. of Uttarakhand, 85, Rajpur Rd. Old Rajpur, Kairwaan Gaon, Dehradun, Uttarakhand 248009 (Public Grievance dated 04.03.2025 is enclosed).



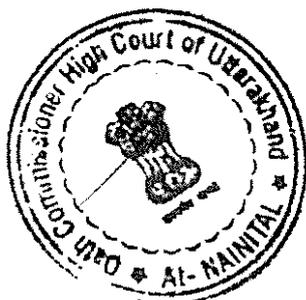

ANKIT RANA
Advocate
Reg. No.- UK-340/2021
Oath Commissioner
High Court of Uttarakhand
At-NAINITAL
Sl. No. 13992
Dated..... 20/4/25

Abhinav

Annexure - 22

263

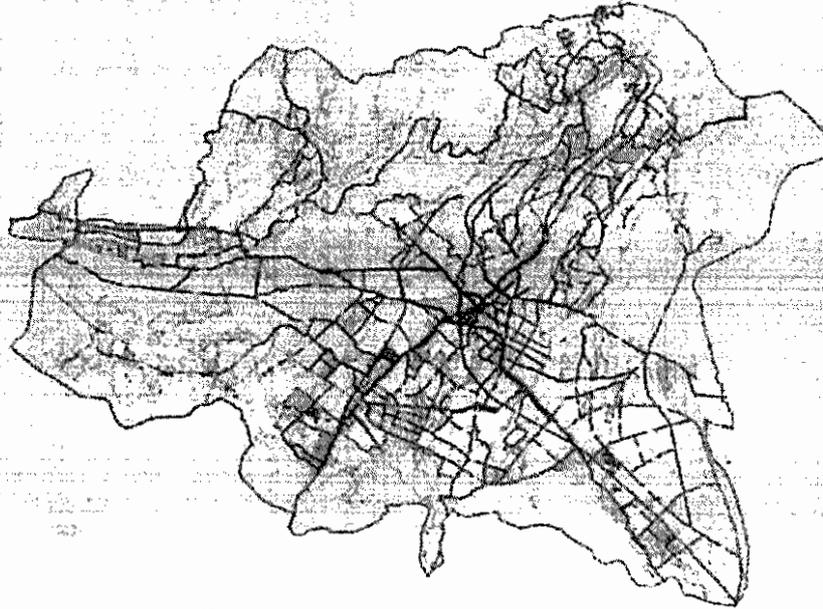
Uttarakhand Ambient Air Quality Characteristics											
Uttarakhand Pollution Control Board											
MONTH- December 2024											
Category				PM10		PM2.5		SO2		NO2	
Unit				µg/m3							
Time				Annual	24 hr	Annual	24hr	Annual	24hr	Annual	24hr
Industrial, Residential, Rural and Other Area											
Ecologically sensitive area (notified by Central Govt.)				60	100	40	60	20	80	30	80
S.No.	Name of City	Location	Monitoring	Category	Pollutants				Quality Index	Impact	
					PM10	PM2.5	SO2	NO2			
					µg/m3						
1	Dehradun	Clock Tower	Manual	Residential	207.44	102.65	10.1	21.56	Satisfactory (51-100)	Minimal Impact	
		ISBT		Residential	216.61	102.47	11.12	21.86			
		Raipur		Residential	209.53	93.14	8.2	20.67			
		Doon University	CAAQMS	Residential	73.92	58.5	0.82	2.62			
Cumulative concentration											
2	Rishikesh	Nagar Nigam	Manual	Commercial	151.59	70.5	3.3	21.79	Moderate (101-200)	Breathing discomfort to the people with lung, heart disease, children and older adults	
		SPS Hospital		Commercial	144.09	64.63	3.2	21.47			
		Natraj Hotel		Commercial	145.29	74.07	3.72	22.3			
		Shivaji Nagar	CAAQMS	Residential	58.35	29.13	4.37	10.73			
Cumulative concentration											
3	Kashipur	Govt. Hospital	Manual	Sensitive	111.66	57.57	12.95	18.77	Poor (201-300)	Breathing discomfort to people on prolonged exposure	
		Govt. Girls Inter College	CAAQMS	Sensitive	85.28	51.11	4.17	24.27			
		Cumulative concentration									
4	Haridwar	SIDCUL	Manual	Industrial	135.32	76.95	6.55	23.32	Satisfactory (51-100)	Respiratory illness to the people on prolonged exposure	
		Rishikul	Manual	Industrial	-	-	-	-			
		Nagar Nigam Roorkee	Manual	Commercial	136.35	-	13.2	20.27			
5	Rudrapur	Govt. Hospital	Manual	Sensitive	111.17	-	12.98	19.7			
6	Haldwani	Jal Sansthan	Manual	Commercial	115.58	34.01	7.56	24.69			
7	Uttarkashi	CMO Office	Manual	Commercial	35.86	22.34	-	-			
8	Tehri	Nagar Palika Parishad	Manual	Commercial	36.14	13.07	-	-			
9	Pauri	Nagar Palika Parishad	Manual	Commercial	31.21	10.79	-	-			
10	Gopeshwar	Nagar Palika Parishad	Manual	Commercial	28.92	5.16	-	-			
11	Almora	Vikas Bhawan	Manual	Commercial	48.25	-	-	-			
12	Bageshwar	Nagar Palika Parishad	Manual	Commercial	43.42	28.8	-	-			
13	Nainital	Nagar Palika Parishad	Manual	Commercial	66.85	-	-	-			



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I. Background



Dehradun, the capital of Uttarakhand is positioned in the fertile region of the Doon Valley between the rivers Yamuna and Ganga. The city is spread over an area of 64.4 Sq. Km with a population of 569,578 as per the census of 2011. The city's population density is 8633/km² with a decadal population growth rate of 37.4%. With a steady rate of population growth and urbanization there is increasing pressure on resources in the city and the air quality of the city has been steadily deteriorating. More than three decade ago, air pollution was discussed in the context of limestone mining, but this was banned in 1986 by the Hon'ble Supreme Court, and Government of India restricted developmental activities by enacting Doon Valley Notification, 1989.

There are reports including the Greenpeace report, Apocalypse 2017 that states that city's annual average PM₁₀ levels was more than thrice the permissible limit making Dehradun city in Uttarakhand an entrant in the list of 10 worst cities with an annual average of 238 $\mu\text{g}/\text{m}^3$. The report also suggests that these top most polluted cities need to improve monitoring and management of air quality and a stricter time bound air action plan is the need of the hour. At present Dehradun city has three stations to measure PM₁₀ levels. However, PM_{2.5} level is being measured since January 2019 only. According to the Central



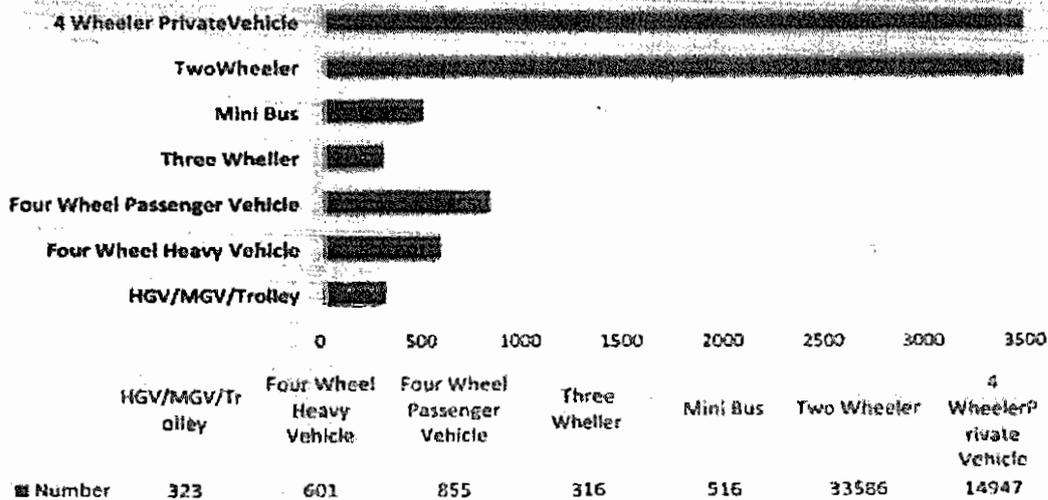
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Pollution Control Board (CPCB)'s report on air quality index of 273 cities, released in January 2018, Dehradun stood at 241 (Times of India; 12th April 2018). Further, another study conducted by Pollution Control Research Institute (PCRI), Bharat Heavy Electronics Limited (BHEL) Haridwar during 2016-17 on behalf of Uttarakhand Pollution Control Board, it was found that the level of PM₁₀ and PM_{2.5} was much higher than standard values. Today, vehicular emissions are being discussed as the main source of air pollution. According to the road transport authority, only 10,000 vehicles were registered in Dehradun between 1937 and 1967. At present, there are more than 126,452 vehicles plying on the roads with more than 100,000 of these are two-wheelers. However, the length and width of roads have increased only marginally.

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No. of Vehicles Registered in Dehradun during 2016-17 (upto Jan 2017)



A study by the Dehradun-based People's Science Institute (PSI), a non-governmental organization, says that the high levels of pollution in Dehradun are mainly due to natural dust and particulate-laden smoke from diesel-fuelled vehicles, especially vikrams, trucks, buses and three-wheelers. Another cause for concern mentioned in the same report are two-wheelers.



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II. Why Clean Air Action Plan?

India with an emerging economic development faces enormous challenges when it comes to maintaining pace with the burgeoning population and parallel increase in urban development. This has been the scenario not only in mega cities but also in medium and small sized urban areas for the past many years now. Studies indicate that multiple factors are responsible for air pollution that emerges from sectors like power, transport, industry, residential, construction and waste. Despite having national standards and checks for various sources of emissions, many Indian cities are suffering from alarmingly high rates of air pollution emissions. While India has specified national ambient air quality standards, many cities have not been able to meet these standards. It is in view of this and the growing demand for clean air, the central government under the National Clean Air Programme (NCAP) announced a comprehensive plan to overcome the challenges in over a hundred non-attainment cities. The objective of the proposed clean air action plan is to meet the prescribed annual average ambient air quality standards at Dehradun City in a stipulated timeframe. Within the Clean Air Action Plan the NCAP suggests the following actions:

- To augment and evolve effective and proficient ambient air quality monitoring network across the country for ensuring comprehensive and reliable database
- To have efficient data dissemination and public outreach mechanism for timely measures for prevention and mitigation of air pollution and for inclusive public participation in both planning and implementation of the programmes and policies of government on air pollution
- To have a feasible management plan for prevention, control and abatement of air pollution. It has been proposed under the NCAP that the city action plans need to be guided by a comprehensive science-based approach involving
 - (i) Identification of emission sources;
 - (ii) Assessment of extent of contribution of these sources;
 - (iii) Prioritizing the sources that need to be tackled;
 - (iv) Evaluation of various options for controlling the sources with regard to feasibility and economic viability; and
 - (v) Formulation of action plans.



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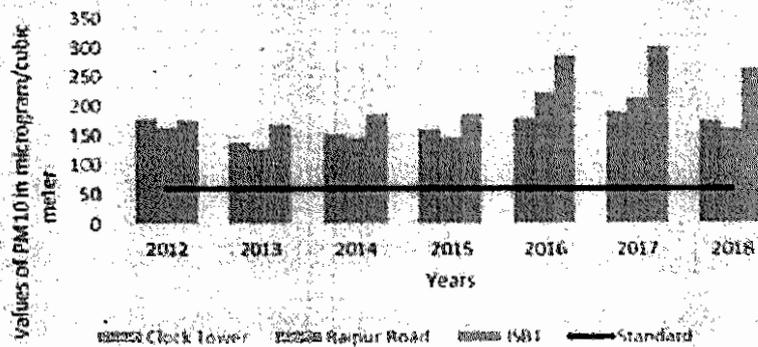
III. Dehradun City Clean Air Action Plan- Need Assessment

Air pollution is an intrinsically complicated issue that varies from city to city. In other words, air pollution is not just about the level of pollutants in a city or the number of monitoring stations, or city level policies, or health impact studies or rigorous scientific assessments to determine the sources of air pollution such as emission inventories or source apportionment studies, but a composite of all these features. Moreover, it is a well thought out combination of all these factors that can together systematically and sustainably address the issues of air pollution, or what can be called air quality management (AQM). AQM refers to the entire process of protecting the air quality of a city, region or nation. The process involves determining emission sources, assessing air quality status and its impacts and formulating and implementing solutions that are effective and target main pollution sources. While various tools exist to measure environmental performance, there is no generally accepted methodology for an objective, comprehensive assessment of a city's management of air pollutants and greenhouse gas emissions that also identifies areas in which it has improved.

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There are 03 manual ambient air quality monitoring stations at Dehradun being operated by Uttarakhand Pollution Control Board (UKPCB). The monitoring stations calculate the ambient air quality of three pollutants – PM₁₀, NO_x and SO_x. PM_{2.5} is being monitored since January 2019. Based on ambient air quality levels the pollutant of concern is PM₁₀ & PM_{2.5}.

Time Series Data of PM10 at various locations of Dehradun

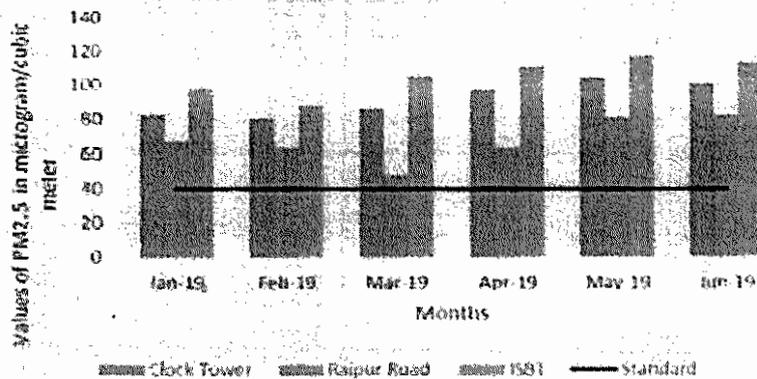


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As the monitoring stations are manual, real time air quality data for the city is not available, so calculation of air quality index (AQI) is difficult. An AQI is defined as an overall scheme that transforms weighted values of individual air pollution related parameters (PM₁₀, PM_{2.5}, SO₂, CO, visibility, etc.) into a single number or set of numbers. Specifically, it establishes the relationship between human exposure, health effects and air quality. This is aggravated by the fact that there is a dearth of city specific air quality health effect studies and assessments for Dehradun. 268

Such assessments are important when it comes to framing policy and taking city specific decisions. The Clean Air Management Capacity Index brought out that there is a lack of city specific source apportionment and emissions inventories. Source apportionments and emissions inventories are the technical assessments that allow for an identification of sources that are affecting the air quality in varying degrees in a specific region. A source apportionment study is an important tool in framing policy as every city has different sources of air pollution depending of city specifics such as levels of urbanization, land use patterns and topology. For instance, Dehradun is prone to the temperature inversions which affect air pollution because they change the dynamics of air movement. Further, industry is not a major cause of air pollution in the city as red category industries are not allowed to operate in Dehradun. This is an important factor when framing policy and determining air actions. Thus, there is a need to increase and invest in source apportionment studies, emission inventories and increasing the monitoring framework in the city to include real time monitoring stations.

Values of PM2.5 at various locations of Dehradun



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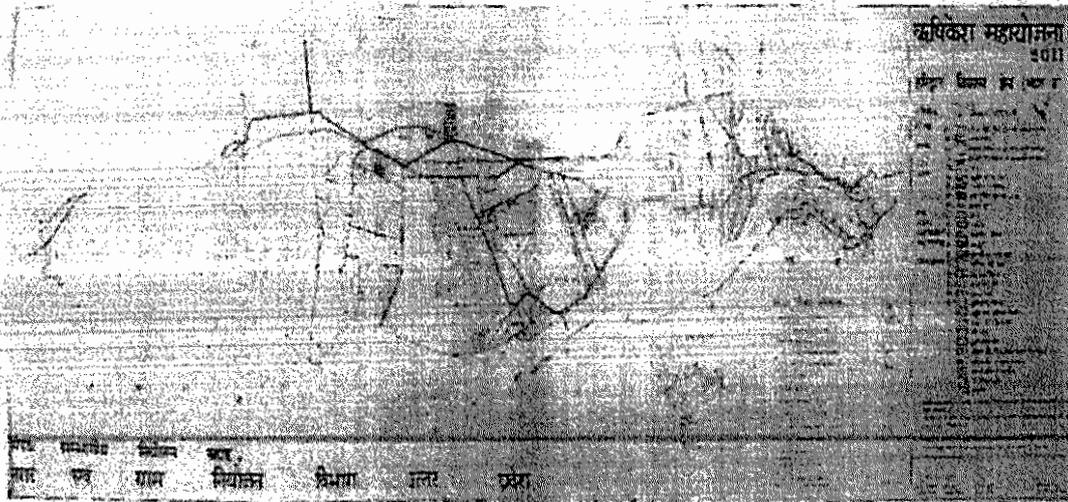


Figure: Rishikesh City

Source: Uttarakhand Housing and Urban Development Authority

Background

Rishikesh is an urban agglomeration in India's northern state of Uttarakhand, on the Himalayan foothills beside the Ganges River. The river is considered holy, and the city is renowned as a centre for studying yoga and meditation. Temples and ashrams (centres for spiritual studies) line the eastern bank around Swarg Ashram, a traffic-free, alcohol-free and vegetarian enclave upstream from Rishikesh town. It has an average elevation of 372 metres (1,220 ft). The Tehri Dam is just 80 km (50 mi) uphill on the way to Gangotri. Rishikesh is the starting point for travelling to the four Chota Char Dham pilgrimage places — Badrinath, Kedarnath, Gangotri, and Yamunotri.

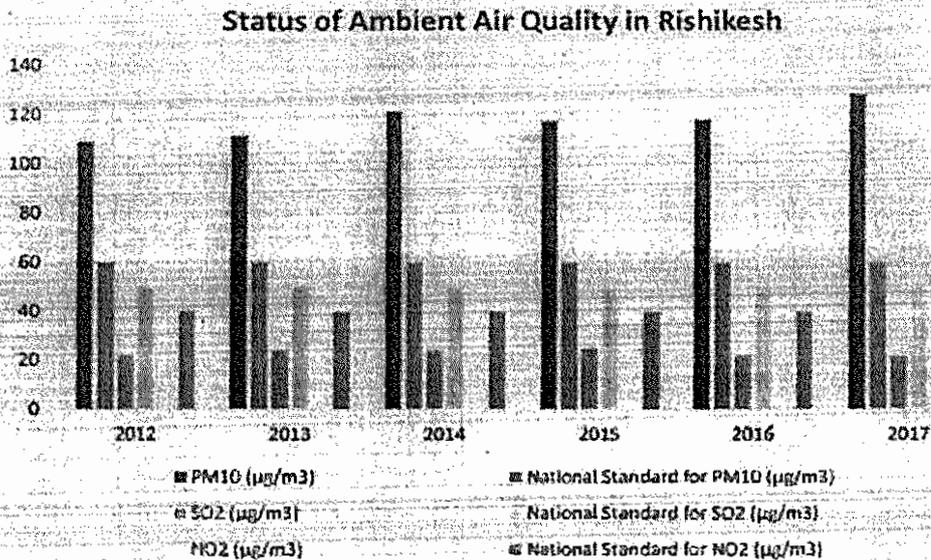
According to Köppen-Geiger climate classification system, the city's climate is humid subtropical. Rishikesh is popularly known as the 'Yoga Capital of the World' and receives a tremendous flow of tourists in the city every year, coming for spiritual activities and adventure sports which puts a lot of pressure on city's natural environment and city administration responsible for maintaining suitable living conditions for all.



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Status of Ambient Air Quality in Rishikesh



Source: CPCB

Data for the above graph is taken from the Central Pollution Control Board's website, which displays data from manual stations installed in Rishikesh for monitoring air quality.

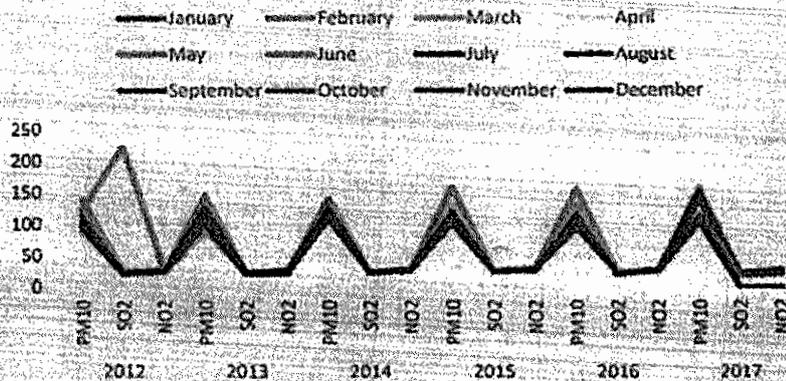
The data indicates PM 10 is a pollutant of serious concern in the area as it is way above prescribed National Standards. It also indicates that implementation of more stringent air pollution control strategy in the past few years has air quality has improved SO₂ and NO₂ emissions, that are also well under the prescribed national standards. Despite the efforts made by authorities, much more needs to be done to arrest the particulate matter in the prescribed limits.

In parallel, the routine monitoring and assessment of industrial emissions (including technical innovation) including third parties such as CPCB, UEPPCB is a regular practice. For the industries that did not meet the emission standards, UEPPCB issued closure directions to comply.



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Annual Status of Ambient Air Quality in Rishikesh



271

Source: CPCB

The above figure shows monthly data collected of the three pollutants monitored by CPCB installed stations in Rishikesh for a period of 5 years (2012-2017). It shows here that levels of PM₁₀ have been consistently high in the span of 2012-2017, while the levels of NO₂ and SO₂ are maintained within prescribed limits. The sources of particulate matter present in the air of Rishikesh are discussed further.

Sources of Pollution

Identified sources of air pollution in Rishikesh are road dust, vehicular emission, domestic fuel burning, open waste burning, construction activities, etc. Two major Industries namely IDPL and Hindustan National Glass Industries Ltd are situated outer of Rishikesh. Central Pollution Control Board is regularly monitoring the ambient air quality at various cities in Uttarakhand through National Air Quality Management Programme (NAMP) installed at Nagar Palika Parishad, Rishikesh under NAMP.

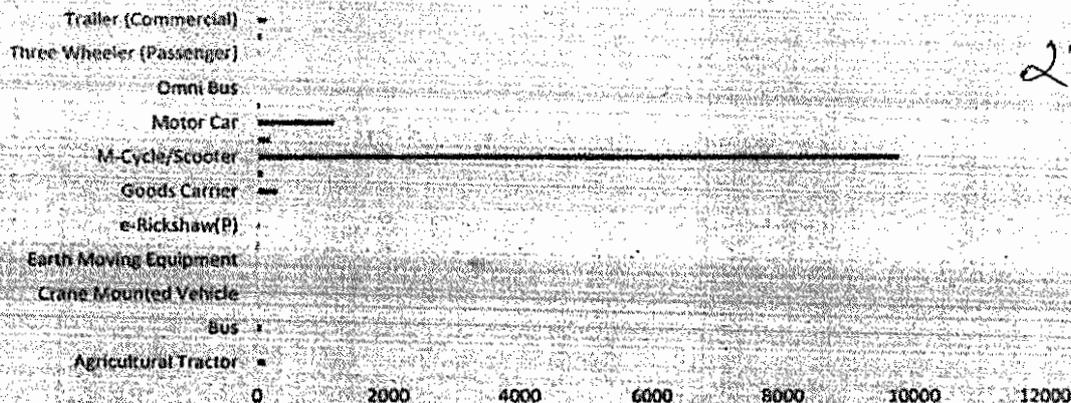
Particulate Matter (PM₁₀) has been identified as main air pollutant as it is found above the prescribed national standards. This is mainly due to re-suspension of road dust, emission from vehicles, D.G. sets, construction activities, burning of domestic fossil fuels, open burning of solid wastes, transportation of construction materials such as sand, soil etc. without covering and emission from brick kilns located around Rishikesh. This is mainly due to vehicular emissions.



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**Number of Vehicles Registered with Transport Department
(1.1.18 - 27.10.18)**



Source: Uttarakhand State Transport Department

There are a total of 3098 no. of diesel driver commercial vehicles which are more than 15 year older and in coming 05 years 3197 no. of such vehicles will come under this category. To ban on these commercial vehicles older than 15 years proposal from State Government will be sent to Government of India. Checking of Pollution level in vehicles is the mandatory activity of Transport department. Checking of pollution level in the vehicles is mandatory activity of transport department. However, at present only 10 no. of vehicle pollution emission checking centres in Rishikesh which is proposed to increase by 20 and also transport department will increase the surveillance by checking 10 % vehicles every year. A sum of 980 challans were made in 2017-18 in violation of vehicles not having PUCs.

Government of Uttarakhand has also formulated "Uttarakhand Anti Littering and Anti Spitting Act 2016" where in challans have been made in Rishikesh and collected Rs 35000 against 71 challans. Also Rs 181500 were collected by making 251 challans for burning of the municipal waste.

Why Clean Air Action Plan?

India with an emerging economic development, faces enormous challenges when it comes to maintaining pace with the burgeoning population and parallel increase in urban development. This has been the scenario not only in mega cities but also in medium and



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Average, Cumulative Percentile, Maxima & Minima
Sulphur-Dioxide (SO₂)

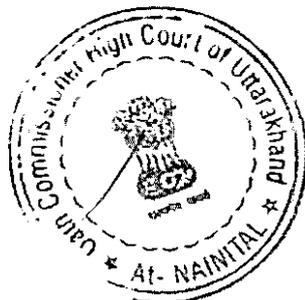
All values in µg/m³

Site Code	Location	Mean	S.D	Min	Max	Percentile				
						10 th	25 th	50 th	80 th	98 th
A1	Ghanta Ghar	BDL	0	BDL	BDL	1	1	1	3	4
A2	Survey Area	BDL	0	BDL	BDL	1	1	1	1	BDL
A3	ONGC/FRI	BDL	0	BDL	BDL	1	1	1	1	BDL
A4	ISBT	3	0	BDL	6	1	1	3	3	6
A5	Rajpur Road	BDL	0	BDL	BDL	1	1	1	1	BDL
A6	Raipur	BDL	0	BDL	BDL	1	1	1	1	BDL
A7	Wildlife Institute of India	BDL	0	BDL	BDL	1	1	1	1	BDL

Average, Cumulative Percentile, Maxima & Minima
Oxide of Nitrogen (NO_x)

All values in µg/m³

Site Code	Location	Mean	S.D	Min	Max	Percentile				
						10 th	25 th	50 th	80 th	98 th
A1	Ghanta Ghar	6	0	5	6	5	5	6	6	6
A2	Survey Area	4	0	4	5	4	4	4	5	5
A3	ONGC/FRI	4	0	4	5	4	4	4	5	5
A4	ISBT	6	0	5	6	5	5	6	6	6
A5	Rajpur Road	4	0	4	5	4	4	4	5	5
A6	Raipur	4	0	4	5	4	4	4	5	5
A7	Wildlife Institute of India	4	0	4	5	4	4	4	4	5



ANKIT RANA
Advocate
Reg. No.- UK-340/2021
Oath Commissioner
High Court of Uttarakhand
At-NAINITAL 13892
No.
Dated. 20/4/25 Page

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IN THE HIGH COURT OF UTTARAKHAND**AT NAINITAL**

Annex-23

THE HON'BLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN

AND

THE HON'BLE SRI JUSTICE NARAYAN SINGH DHANIK

WRIT PETITION (PIL) NO.36 OF 2021

274

With**WRIT PETITION (M/S) NO. 1282 OF 2021**

Mr. Abhijay Negi, learned counsel for the petitioner in WPPIL No.36 of 2021.

Mr. Siddhartha Singh, learned counsel for the petitioners in WPMS No.1282 of 2021.

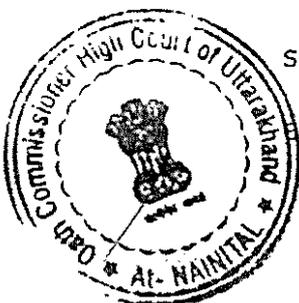
Mr. S.N. Babulkar, learned Advocate General assisted by Mr. C.S. Rawat, learned Chief Standing Counsel for the State.

Mr. Vinay Garg and Mr. Rahul Consul, learned counsel for the MDDA.

Mr. Ashish Joshi, learned counsel for the Nagar Nigam, Dehradun.

The Court made the following:**COMMON ORDER:**(per Hon'ble The Chief Justice Sri Raghvendra Singh Chauhan)

Writ Petition (PIL) No.36 of 2021 has been filed, *inter alia*, on the ground that Aamwala Ki Rao rivulet is being encroached upon by the private respondent Nos.6 to 15. According to the petitioner, there are certain Khasra Nos., namely Khasra Nos.310, 317 Ka, 430 Min, 437, 438, 439, 440, 441 Ka, and 442 Min. According to him, the private respondent Nos.6 to 15 have either encroached upon the Government land totally, or partially. Due to the encroachment on the Government land, and on the riverbed, water land (khala), the ecology of the area is systematically being destroyed. Therefore, the petitioner has prayed that the seasonal streams in Sahastradhara region should not be encroached, and their very nature should not be changed.



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Moreover, the respondents should be directed to clearly differentiate and demarcate the Government land, and the residential area, and to monitor the said demarcation on regular basis.

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2. Meanwhile, Writ Petition (M/S) No.1282 of 2021 has been filed by those who have been arrayed as private respondents in Writ Petition (PIL) No.36 of 2021. In the said writ petition, the petitioners have challenged the stand being taken by the petitioner in Writ Petition (PIL) No.36 of 2021.

3. In order to resolve the stand of the petitioner in Writ Petition (PIL) No.36 of 2021, and the petitioners in Writ Petition (M/S) No.1282 of 2021, this Court had directed the official respondents to carry out a survey of the entire area, and to submit their report.

4. Consequently, according to the order dated 16.08.2021, a compliance affidavit was filed by Dr. R. Rajesh Kumar, the learned District Magistrate, Dehradun. However, this Court while going through the said compliance affidavit noticed certain vague and unclear information being submitted. Therefore, this Court directed the respondent Nos.1 and 2 to carry out a joint inspection of all the Khasras mentioned hereinabove, and to file a detailed report with regard to the extent of each Khasras, and with regard to the extent of illegal encroachment that may have been made by



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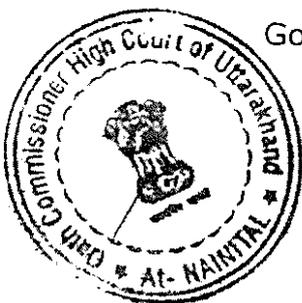
the private respondents/petitioners in Writ Petition (M/S) No.1282 of 2021.

5. Consequently, a report has been filed on 17.09.2021. The same shall be taken on record.

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6. Moreover, in compliance of the order dated 27.10.2021, the official respondents, namely Dr. R. Rajesh Kumar, the learned District Magistrate, Dehradun, Mr. Brijesh Sant, the learned Vice-Chairman, Mussoorie Dehradun Development Authority (for short "the Authority"), Mr. Abhishek Rohila, the Municipal Commissioner, Nagar Nigam Dehradun, and Mr. B.V.R.C. Purushottam, the learned Secretary, Revenue, are present before this Court today. An application has been filed for dispensing the personal appearance of Dr. S.S Sandhu, the learned Chief Secretary. The said application is, hereby, allowed. The personal appearance of Dr. S.S Sandhu, the learned Chief Secretary, is dispensed with for today.

7. Mr. Purushottam, the learned Secretary, Revenue, submits that according to the survey report, it has been discovered that while some of the private respondents have partially encroached upon the Government land, there are others who have completely and totally encroached upon the Government land.

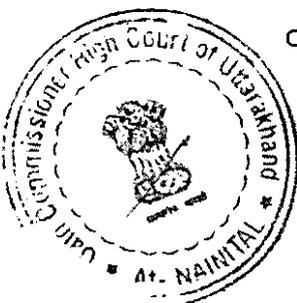


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Secondly, while some of the private respondents do have the necessary title documents for a particular Khasra, they have, nonetheless, constructed their houses on another and totally unrelated Khasras. According to him, the complete information has been shown in a tabular form in the report (Page Nos.491 to 494). 277

Furthermore, according to Mr. Purushottam, the official respondents would have certainly taken action against the encroachers. However, due to the stay order dated 08.07.2021, passed by the Court in Writ Petition (M/S) No.1282 of 2021, whereby this Court has stayed the sealing order dated 25.06.2021, no further action can be taken by the official respondents against the encroachers. However, in case the said stay were to be modified, or were to be vacated by this Court, he assures this Court that legal action will be taken against the encroachers in accordance with law.

8. On the other hand, Mr. Siddhartha Singh, the learned counsel for the petitioners in Writ Petition (M/S) No.1282 of 2021, has vehemently argued that in the report submitted by the official respondents, it is nowhere indicated as to on what basis they have concluded that the petitioners in Writ Petition (M/S) No.1282 of 2021 are either partial, or complete encroachers. Therefore, according to the learned counsel, the report should not be accepted at its face value.



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Secondly, even if there have been certain constructions which are beyond the sanctioned plan, according to the learned counsel, the petitioners have already filed their applications for compounding of the extra area of construction. Despite the fact that the applications are pending, the applications have not been decided so far. 27D

Lastly, until and unless the procedure established by law is followed, the learned counsel claims that the petitioners' property should not be damaged or destroyed by the official respondents.

9. Mr. Abhijay Negi, the learned counsel for the petitioner in Writ Petition (PIL) No.36 of 2021, submits that the official respondents should be directed to clearly demarcate the areas of the Khasras, and clearly indicate the area of the land which belong to the Government so that the public at large would know exactly which areas belong to the Government. He suggests that the pillaring should be carried out in the area.

Secondly, periodic survey needs to be carried out of the entire Doon Valley. For, because of the rampant or illegal constructions in Dehradun, and in Doon Valley, environment is being adversely affected. According to him, periodic survey should be carried out in every two years by the Survey of India. The survey should include not only the extent of



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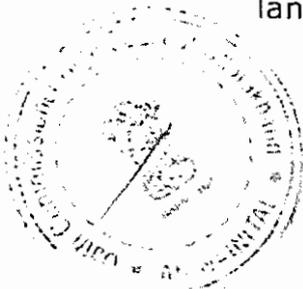
Abhijay

urbanization, not only the extent of degradation and deforestation of the area, but should also include the health of the aquatic areas vis-à-vis the rivers or streams, the *nalas*, or any other water body. He further submits that the climatic condition of the area and the air quality should be surveyed. According to him, the reports so prepared should also contain the recommendations about the action to be taken in future in order to protect the environment of the entire Doon Valley. Lastly, even a timeline should be indicated in the report by which the recommendations have to be implemented by the concerned Agencies and the competent authority.

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10. Heard the learned counsel for the parties, and the learned Secretary, Revenue.

11. A bare perusal of the report dated 17.09.2021, *prima facie*, does establish that the private respondent Nos.6 to 15 have either partially or totally encroached upon the Government land. A bare perusal of the report further reveals that, for each plot, owned or encroached upon by the private respondents, the extent of encroachment has clearly been indicated. Furthermore, some private respondents, such as Smt. Sarojni Devi, who had papers for Khasra No.439, but has made construction in Khasra No.317 Ka, such situation, *prima facie*, clearly reveals that her construction is not on the land for which she has the title papers.



Abhinav

12. Since the report is clear about the extent of encroachment, the nature of encroachment, whether partial or complete, the official respondents are duty bound to take ²⁸⁰ action against such violators of law, but strictly in accordance with law.

13. Therefore, this Court directs the official respondents to initiate action against the encroachers, partial or complete. By the next date, they are directed to inform this Court with regard to the nature of action taken against the encroachers. They are further directed to give sufficient opportunity to the encroachers to hear their side of the story, and to permit them to submit documents which may be in their favour. It is only after giving them an opportunity of hearing, the official respondents shall decide whether a person has actually encroached upon the Government land, or not?

14. Once the said issue has been adjudicated and decided by the competent authority, the competent authority shall be free to take action as permitted by law.

15. The official respondents are further directed to demarcate the Khasras mentioned hereinabove by pillaring, and to put clear-cut signs on the land clearly indicating to the public at large that the said land does belong to the



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Abhinav

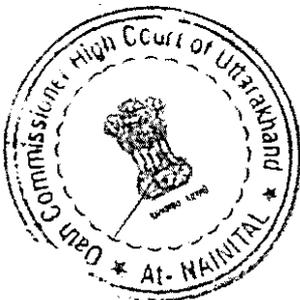
Government, and any further encroachment, the encroacher would be prosecuted under the law.

16. The respondent No.2, the learned Chief Secretary, is directed to ensure that the Survey of India carries out the complete survey of the entire State of Uttarakhand within a period of three years beginning from 01.01.2022.

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17. He is further directed to ensure that the Survey of India also surveys all the urban areas existing in the State, including the surrounding areas which may consist of forest area. The said exercise shall be carried out in every two years.

18. The said survey would not only include the extent of urbanization, the extent of forests, but would also include the survey of water bodies, mountains, and other natural resources. The survey should also include the air quality, the climatic condition, especially, any damage in the climatic condition. Lastly, the survey report should contain the recommendations with regard to the action that needs to be taken, and the timeline for taking the said action. It shall be the responsibility of the learned Chief Secretary to ensure that the recommendations are duly implemented within the stipulated time period, as contained in the report.



Abhinav

19. The official respondents shall also be free to take action against the erring officers, in case they find that the officers do not discharge their duties in letter and spirit.

20. Lastly, the respondent No.1, Dr. R. Rajesh Kumar, the learned District Magistrate, Dehradun is directed to submit a report with regard to the number of complaints received about the illegal encroachment/illegal construction being raised in Dehradun for the last one year, i.e. from 01.12.2020 to 01.12.2021; about the action taken by the concerned officer, and about the number of complaints against which no action has been taken so far, and the reasons as to why no action has been taken in these complaints. The said report shall be submitted on or before 14.12.2021.

21. In case, any application for compounding has been filed by the petitioners in Writ Petition (M/S) No.1282 of 2021 before the M.D.D.A., the respondent No.3 is directed to examine the application, and to decide the same within a period of fifteen days from today.

22. The order dated 25.06.2021 is modified to the extent that the parties are directed to maintain *status quo* till the petitioners are granted an opportunity of hearing by the competent authority, and a decision with regard to the



Dr

Abhinav

encroachment or non-encroachment of the Government land is taken by the competent authority.

23. The personal appearance of respondent Nos.1 to 5 is dispensed with for the future. Even if, this Court requires the presence of any official respondents, they are permitted to appear before this Court through video conferencing. 283

24. The Registry is directed to list these cases along with Writ Petition (PIL) No.58 of 2019 on 15.12.2021.

(RAGHVENDRA SINGH CHAUHAN, C.J.)

(N.S. DHANIK, J.)

Dated: 10th November, 2021

NISHANT



Ankit
ANKIT RANA
Advocate
Reg. No.- UK-340/2021
Oath Commissioner
High Court of Uttarakhand
At-NAINITAL
No. 13892
Dated 20/11/21

A.

ABYINAR

IN THE HON'BLE HIGH COURT OF UTTARAKHAND AT
NAINITAL

INTERIM RELIEF APPLICATION

284

IN

WRIT PETITION (P.I.L) NO. OF 2025

(Under Article 226 of the Constitution of India)

(District : Dehradun)

Abhinav Thapar (Male), aged about 43 years, S/o Harish Kumar Thapar R/o 260 Lane No. 12 Near Lavenier School Vijay Park Extension Dehradun Uttarakhand.

..... Petitioner

Versus

1. Union of India through its Secretary, Ministry of Environment, Forest and Climate Change having its registered office at Indira Paryavaran Bhawan Jorbagh Road, New Delhi – 110003.
2. State of Uttarakhand through its Principal Secretary having its registered office at 4 Subhash Road, Uttarakhand Secretariat, Dehradun, 248001.
3. Central Pollution Control Board through its Member Secretary having its registered office at Parivesh Bhawan, East Arjun Nagar, Delhi-110032.

Received
18/6/25
For Chief Standing Counsel
High Court of Uttarakhand
NAINITAL

IN THE HON'BLE HIGH COURT OF UTTARAKHAND AT
NAINITAL

INTERIM RELIEF APPLICATION

284

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3. Central Pollution Control Board through its Member Secretary having its registered office at Parivesh Bhawan, East Arjun Nagar, Delhi-110032.



A.

Abhinav

4. Uttarakhand Pollution Control Board through its Member Secretary, Gaura Devi Paryavaran Bhawan, 46 B IT Park, Sehstradhara Road, Dehradun-248001.

285

.....Respondent(s)

To,

The Hon'ble the Chief Justice and his other companion Judges of this Hon'ble Court.

The humble Writ Petition of the above-named petitioner most respectfully showeth as under.

That in view of the facts and circumstances disclosed in the accompanying writ petition, which forms part of this application, it is necessary in the interest of justice that this Hon'ble Court may kindly be pleased to:

- a. Pass an order to stay on the revised categorization of the industries which have effectively been dismantled by the notification dated 12th February, 2025 which was earlier provided by the Doon Valley Notification of 1989. (Annexure No.20)
- b. Call for a status report on the final on the report that ought to have been prepared by the Chief Secretary, Government of Uttarakhand on the final order and judgment as passed in WPPIL 36 of 2021 (Annexure No.23)



Abhinav

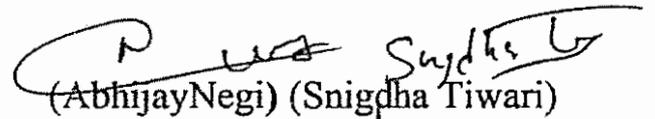
PRAYER

286

It is, therefore, most respectfully prayed that this Hon'ble Court may kindly be pleased:

- i. Pass an order to stay on the revised categorization of the industries which have effectively been dismantled by the notification dated 12th February, 2025 which was earlier provided by the Doon Valley Notification of 1989. (Annexure No.20)
- ii. Call for a status report on the final on the report that ought to have been prepared by the Chief Secretary, Government of Uttarakhand on the final order and judgment as passed in WPPIL 36 of 2021 (Annexure No.23)

Dated: 20/4/2025


(Abhijay Negi) (Snigdha Tiwari)


(Armaan Pratap Singh)

Advocates

Counsels for the Petitioner





Abhinav

IN THE HON'BLE HIGH COURT OF UTTARAKHAND

AT
NAINITAL
AFFIDAVIT

287

IN
INTERIM RELIEF APPLICATION NO....OF 2025
IN

WRIT PETITION NO. (PIL) OF 2025
(Under Article 226 of the Constitution of India)

(District :Dehradun)

Abhinav Thapar

..... Petitioner

Versus

Union of India and Ors.

..... Respondents

Affidavit of Abhinav Thapar (Male), aged about 43 years, S/o Harish Kumar Thapar R/o260 Lane No. 12 Near Lavenier School Vijay Park Extension Dehradun Uttarakhand

(Deponent)

2025
AFFIDAVIT
13898
HIGH COURT OF
UTTARAKHAND
₹ 20/-



I, the above named deponent does hereby solemnly affirm and state on as



that the Deponent is the sole Petitioner in the present matter before this Hon'ble High Court and as such competent to file the instant affidavit in support of the interim relief application and as such he is well acquainted with the facts of the case deposed below.

I, the deponent above named do hereby solemnly affirm on oath and verify that the contents of Paragraph No. 1 of the Affidavit and



Certified that Deponent has Signed T.J.R.T.I. on his presence
20/11/25

(Handwritten signature)

Abhinav

paragraph no. of the interim relief application affidavit are based on my personal knowledge and those of paragraph No. a. b. of the interim relief application affidavit are based on perusal of records and those of Paragraph No. of the interim relief application affidavit are based on legal advice, which I believe to be true and no part of this affidavit is false and nothing material has been concealed.

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So Help Me God

A

(Deponent)

I, Abhijay Negi, Advocate, High Court of Uttarakhand, Nainital, do hereby identify the deponent Abhinav Thapar (Male), aged about 43 years, S/o Harish Kumar Thapar, R/o260 Lane No. 12 Near Lavenier School Vijay Park Extension Dehradun Uttarakhand from his Aadhar Card No. 2487 9476 4474 and declare the person, making and swearing this affidavit, is the same person known to me from the perusal of papers, produced by him in this case.

P Advocate
e No-589/11
B N-14

Solemnly affirmed before me on this... 20... day of ... 2025 at about... 10:20 a.m./p.m. by the deponent, who has been identified by the aforesaid Advocate.

I have satisfied myself by examining the deponent that the deponent has understood the contents of this affidavit, which has been read over and explained to him by me.

(Oath Commissioner/Notary)



ANKIT RANA
Advocate
Reg. No. - UK-340/2021
Oath Commissioner
High Court of Uttarakhand
At-NAINITAL
S. NO.
Dated 20/4/25

A

Abhinav

IN THE HON'BLE HIGH COURT OF UTTARAKHAND
AT
NAINITAL
UNDERTAKING
IN

289

WRIT PETITION NO. (PIL) OF 2025

(Under Article 226 of the Constitution of India)

(District :Dehradun)

Abhinav Thapar

..... Petitioner

Versus

Union of India and Ors.

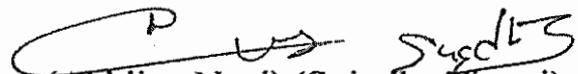
..... Respondents

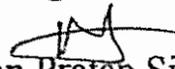
To,

The Hon'ble Chief Justice and the other companion Judges of the
aforesaid Hon'ble Court.

That the true typed and translated copy of the relevant portion of the
Annexures is annexed with the aforementioned writ petition and the same
is the only relevant part of the annexures to the writ petition and the rest
of the part is a matter of record.

Dated: 26/4/2025


(Abhijay Negi) (Snigdha Tiwari)


(Armaan Pratap Singh)

Advocates

Counsels for the Petitioner



Abhinav

4459

318

**IN THE HON'BLE HIGH COURT OF UTTARAKHAND
AT NAINITAL**

INDEX

IN

Amendment Application No.....of 2025

IN

WRIT PETITION (P.I.L.) NO. 64 OF 2025

(Under Article 226 of the Constitution of India)

(District: Dehradun)

Abhinav Thapar

..... Petitioner

Versus

Union of India and others

..... Respondents

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4.	Annexure No.1: A true copy of the gazette notification dated 13 th May,2025.	14- 18
5.	Annexure No.2: A true copy of the Environment Impact Assessment Notification, issued vide number S.O. 1533 (E), dated the 14 th September 2006.	19- 54

4460

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2

Dated: /06/2025


(Abhijay Negi)

Advocate

(Counsel for the Petitioner)

(UK 589/2017)



3

**IN THE HON'BLE HIGH COURT OF UTTARAKHAND
AT NAINITAL**

Amendment Application No.....of 2025

IN

WRIT PETITION (P.I.L.) NO. 64 OF 2025
(Under Article 226 of the Constitution of India)

(District: Dehradun)

Abhinav Thapar S/o Harish Kumar Thapar R/o260, Lane
No. 12, Near Lavenier School, Vijay Park Extension,
Dehradun, Uttarakhand. Petitioner

Versus

1. Union of India through its Secretary, Ministry of Environment, Forest and Climate Change having its registered office at Indira Paryavaran Bhawan Jorbagh Road, New Delhi – 110003.
2. State of Uttarakhand through its Principal Secretary having its registered office at 4 Subhash Road, Uttarakhand Secretariat, Dehradun, 248001.
3. Central Pollution Control Board through its Member Secretary having its registered office at Parivesh Bhawan, East Arjun Nagar, Delhi-110032.
4. Uttarakhand Pollution Control Board through its Member Secretary, Gaura Devi Paryavaran Bhawan, 46 B IT Park, Sehstradhara Road, Dehradun-248001.

.....Respondent(s)

To,



A

The Hon'ble Chief Justice and his other Companion Judges of the aforesaid Court:

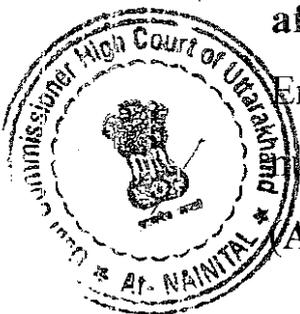
The applicant herein most respectfully and humbly showeth as under:

1. That the full facts and circumstances of the case have been disclosed in the accompanying affidavit, which shall form part of this application. It is expedient and necessary in the interest of justice that this Hon'ble Court may graciously be pleased to allow the present application under Order VI Rule XVII read with section 151 of the Civil Procedure Code, 1908.

PRAYER

It is, therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to allow the present application under Order VI Rule XVII read with section 151 of the Civil Procedure Code, 1908 and-

- i. Allow the present application for amendment of the captioned writ petition.
- ii. Permit the Petitioner to place on record the new notification dated 13th May 2025 (**Annexure No. 1 of the affidavit/Annexure No.24 of the Writ Petition**), and the Environment Impact Assessment Notification, issued vide number S.O. 1533 (E), dated the 14th September 2006 (**Annexure No. 2 of the affidavit/Annexure No. 25 of the**



Writ Petition), and incorporate necessary amendments in the pleadings. 5

iii. Permit the petitioner to add after paragraph no. 26, new paragraphs no. 27 and 28 as follows:

“27. That the cause of action for filing the present PIL for the first time arose in April, 2025, when the petitioner after knocking every possible door preferred the present P.I.L. That subsequently, on 13th May 2025, the Ministry of Environment, Forest and Climate Change issued a gazette notification further watering down and amending the paragraphs (iii), (iv) and (v) and clause d of the February, 1989 notification.

28. That the notification dated 13th May 2025 states that the projects which are not covered under the Environment Impact Assessment Notification issued vide number S.O. 1533 (E), dated the 14th September 2006, however, falls under the orange category of industries shall be considered by the Uttarakhand State Pollution Control Board following the due process as well as the projects which are covered in the schedule under the Environment Impact Assessment Notification, issued vide number S.O. 1533 (E), dated the 14th September 2006, shall follow the procedure laid down in that notification. These clauses totally undermine the objective for which the Doon Valley Notification of 1989 was brought in the first place, as it does not take into the



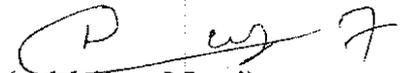
account the ecological sensitivity of the Doon Valley. It allows all the industries to work in the area whether it was originally there in the notification of 1989 or not, basically destroying the very essence of the notification. That furthermore, by this notification all the industries which now falls in red category are allowed to operate, which fails the original motive of the notification of 1989. Furthermore, it is clear that by means of this amendment dated 13th May 2025, an effort is being made to reverse the effect and operation of the judgement of Hon'ble Supreme Court.”

iv. That prayer vi may kindly be added and which reads as follows:

“To issue a writ, order or direction in the nature of *certiorari* to quash the gazette notification dated 13th May 2025 (**Annexure No. 1 of the affidavit and Annexure No.24 of the Writ Petition**) as passed by the Ministry of Environment, Forest and Climate Change for being contrary to the concerns as raised by the Hon'ble Apex Court as well as the National Clean Air Program and to preserve the sanctity of ecologically sensitive Doon valley”

iv. Pass such other or further orders as may be deemed just and proper in the facts and circumstances of the case.





(Abhijay Negi)

Advocate

(Counsel for the Petitioner)

(UK 589/2017)



IN THE HON'BLE HIGH COURT OF UTTARAKHAND
AT NAINITAL

AFFIDAVIT

IN

Amendment Application No.....of 2025

IN

WRIT PETITION (P.I.L.) NO. 64 OF 2025
(Under Article 226 of the Constitution of India)

(District: Dehradun)

Abhinav Thapar Petitioner

Versus

Union of India and others Respondents

2025
AFFIDAVIT
21789
HIGH COURT OF
UTTARAKHAND
₹ 20/-



Affidavit of Abhinav Thapar S/o
Harish Kumar, R/o 260, Lane No.
12, Near Lavenier School, Vijay
Park Extension, Dehradun,
Uttarakhand- 248001.

(Deponent)



I, the deponent above named do hereby solemnly affirm and state
on oath as hereunder:

1. That the above-captioned matter is pending adjudication before this Hon'ble Court and that during the pendency of the matter, a new notification dated 13th May 2025 has been issued by the Ministry of Environment, Forest and Climate



Certified that Deponent
has Signd. T.J.R.T.I. on his
Photographs in my Presence
15/6/25

Change, which has a direct and material bearing on the issues raised in the present petition. 9

2. That the contents of the said notification necessitate the amendment of the present petition to incorporate relevant facts, grounds, and prayers for the proper adjudication of the matter.
3. That the amendment sought is *bona fide*, necessary for the ends of justice, and would not prejudice the Respondent in any manner.
4. That no new cause of action is being introduced, and the amendment is only to bring on record subsequent events which are relevant to the subject matter of the petition.
5. That it is well established that the court allows amendments to pleadings regardless of any mistake, negligence, or infraction of procedural rules. The power to grant amendments is intended to serve the ends of justice and is not constrained by technical limitations.
6. That in light of the above submissions, it is necessary and in the interest of justice to make the proposed amendments to the plaint. These amendments do not prejudice the rights of either party and only serve to facilitate the administration of justice. Therefore, it is imperative to modify the writ based on the aforementioned submissions, which will have no adverse effect on the nature of the matter before this

Honorable Court.

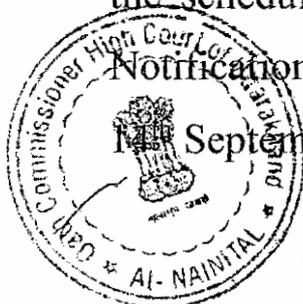


It is, therefore, respectfully prayed from the Hon'ble Court that the deponent be permitted to amend the plaint in the following manner: -

A. That after paragraph no. 26 a new paragraph no. 27 and 28 may kindly be added as follows:

"27. That the cause of action for filing the present PIL for the first time arose in April, 2025, when the petitioner after knocking every possible door preferred the present P.I.L. That subsequently, on 13th May 2025, the Ministry of Environment, Forest and Climate Change issued a gazette notification further watering down and amending the paragraphs (iii), (iv) and (v) and clause d of the February, 1989 notification. A true copy of the gazette notification dated 13th May 2025 is attached as **Annexure No. 1** to the present affidavit (**Annexure No. 24** to the writ petition).

28. That the notification dated 13th May 2025 states that the projects which are not covered under the Environment Impact Assessment Notification issued vide number S.O. 1533 (E), dated the 14th September 2006, however, falls under the orange category of industries shall be considered by the Uttarakhand State Pollution Control Board following the due process as well as the projects which are covered in the schedule under the Environment Impact Assessment Notification, issued vide number S.O. 1533 (E), dated the 14th September 2006, shall follow the procedure laid down



in that notification. These clauses totally undermine the objective for which the Doon Valley Notification of 1989 was brought in the first place, as it does not take into the account the ecological sensitivity of the Doon Valley. It allows all the industries to work in the area whether it was originally there in the notification of 1989 or not, basically destroying the very essence of the notification. That furthermore, by this notification all the industries which now falls in red category are allowed to operate, which fails the original motive of the notification of 1989. Furthermore, it is clear that by means of this amendment dated 13th May 2025, an effort is being made to reverse the effect and operation of the judgement of Hon'ble Supreme Court. A true copy of the Environment Impact Assessment Notification, issued vide number S.O. 1533 (E), dated the 14th September 2006 is attached as **Annexure No. 2** to the present affidavit(**Annexure No.25** to the writ petition)."

B. That prayer vi may kindly be added and which reads as follows:

"To issue a writ, order or direction in the nature of *certiorari* to quash the gazette notification dated 13th May 2025 (**Annexure No. 1 of the affidavit/ Annexure No.24**

the writ petition) as passed by the Ministry of Environment, Forest and Climate Change for being contrary to the concerns as raised by the Hon'ble Apex Court as well as the National Clean Air Program and to



preserve the sanctity of ecologically sensitive Doon valley?"

R

I, the deponent above named do hereby solemnly affirm on oath and verify that the contents of Paragraph No. 1 of the Application and paragraph no. 1, 2, 3, 4, 5.....of the affidavit are based on my personal knowledge and those of paragraph No.6..... of the affidavit are based on perusal of records and those of Paragraph No..... of the affidavit are based on legal advice, which I believe to be true and no part of this affidavit is false and nothing material has been concealed.

So Help Me God

A
(Deponent)

I, Abhijay Negi, Advocate, High Court of Uttarakhand, Nainital, do hereby identify the deponent Abhinav Thapar S/o Harish Kumar Thapar R/o 260 Lane No. 12 Near Lavenier School Vijay Park Extension Dehradun Uttarakhand from his Aadhar Card No. 2487 9476 4474 and declare the person, making and swearing this affidavit, is the same person known to me from the perusal of papers, produced by him in this case.



Advocate
EN-589/17
DN-1436

Solemnly affirmed before me on this 15th day of 6th 2025 at about 10:20 a.m./p.m. by the deponent, who has been identified by the aforesaid Advocate. 13

I have satisfied myself by examining the deponent that the deponent has understood the contents of this affidavit, which has been read over and explained to him by me.

(Oath Commissioner/Notary)

ANKIT RANA
 Advocate
 Reg. No. - UK-340/2021
 Oath Commissioner
 High Court of Uttarakhand
 At-NAINITAL
 SI. No. 21729
 Dated 17/6/25



Annexure 1

14


 सत्यमेव जयते
भारत का राजपत्र
The Gazette of India

सी.जी.-डी.एल.-अ.-14052025-263083
CG-DL-E-14052025-263083

असाधारण
EXTRAORDINARY
भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 2080]

नई दिल्ली, मंगलवार, मई 13, 2025/वैशाख 23, 1947

No. 2080]

NEW DELHI, TUESDAY, MAY 13, 2025/VAISAKHA 23, 1947

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 13 मई, 2025

का.आ. 2125 (अ).— प्रारूप अधिसूचना भारत के राजपत्र, असाधारण में संख्यांक का.आ. 5409(अ), तारीख 21 दिसंबर, 2023, द्वारा प्रकाशित की गई थी, जिसमें ऐसे सभी व्यक्तियों से, जिनकी उससे प्रभावित होने की संभावना थी, उस तारीख से, जिसको उक्त अधिसूचना को अन्तर्विष्ट करने वाली राजपत्र की प्रतियां जनता को उपलब्ध करा दी गई थीं, साठ दिन की अवधि के भीतर आक्षेप और सुझाव आमंत्रित किए गए थे;

और, उक्त प्रारूप अधिसूचना की राजपत्र की प्रतियां जनता को तारीख 21 दिसंबर, 2023 को उपलब्ध करा दी गई थी; और, उक्त प्रारूप अधिसूचना की बाबत व्यक्तियों और पणधारियों से प्राप्त आक्षेपों और सुझावों पर केंद्रीय सरकार द्वारा विचार किया गया था;

अतः, अब, केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उप-नियम (3) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) (जिसे इसमें इस अधिसूचना में इसके पश्चात् पर्यावरण अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) और खंड (xiv) तथा उप-धारा (3) द्वारा प्रदत्त शक्तियों का

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प्रयोग करते हुए, भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना संख्यांक का.आ. 102 (अ), तारीख 1 फरवरी, 1989 में निम्नलिखित संशोधन करती है, अर्थात्:-

उक्त अधिसूचना में, -

(क) पैरा (iii), (iv) और (v) के स्थान पर निम्नलिखित पैरा रखे जाएंगे, अर्थात्: -

(iii) पर्यटन योजना, चरागाह योजना, विकास का आंचलिक महायोजना और भूमि उपयोग योजना, तथा क्षेत्रीय महा योजना, एकीकृत महायोजना सहित कोई अन्य ऐसी योजना राज्य सरकार द्वारा सभी संबंधित राज्य विभागों जैसे पर्यावरण, वन, शहरी विकास, पर्यटन, नगर पालिका, राजस्व, लोक निर्माण, जल संसाधन, बागवानी, पंचायती राज, ग्रामीण विकास, प्रदूषण नियंत्रण बोर्ड आदि की सम्यक भागीदारी के साथ पर्यावरणीय चिंताओं को इसमें एकीकृत करने के लिए तैयार की जाएगी और उत्तराखंड राज्य सरकार में सक्षम प्राधिकारी द्वारा अनुमोदित की जाएगी।"

(IV) जो परियोजनाएं पर्यावरण समाघात निर्धारण अधिसूचना संख्यांक का.आ. 1533 (अ), तारीख 14 सितम्बर, 2006 के अधीन सम्मिलित नहीं हैं, तथापि, जो उद्योगों की नारंगी श्रेणी में आती हैं, उन पर उत्तराखंड राज्य प्रदूषण नियंत्रण बोर्ड द्वारा उचित प्रक्रिया का अनुसरण करते हुए विचार किया जाएगा।

(V) पर्यावरण समाघात निर्धारण अधिसूचना, जो संख्यांक का.आ. 1533 (अ), तारीख 14 सितम्बर, 2006 द्वारा जारी की गई थी, के अधीन अनुसूची में सम्मिलित परियोजनाओं को उक्त अधिसूचना में निर्धारित प्रक्रिया का अनुसरण करना होगा।

(ख) टिप्पण में, खंड (घ) के स्थान पर निम्नलिखित खंड रखे जाएंगे, अर्थात्:-

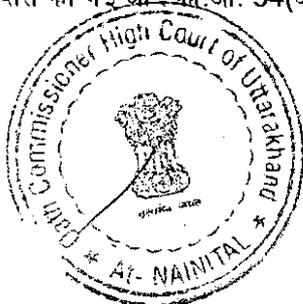
"(घ) नारंगी श्रेणी के उद्योग, जो अब उद्योगों की लाल श्रेणी में हैं, जारी रहेंगे और भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना संख्यांक का.आ. 1533 (अ), तारीख 14 सितम्बर, 2006 (जिसे इसमें इसके पश्चात् ईआईए अधिसूचना कहा गया है) की अनुसूची में आने वाले ऐसे नारंगी श्रेणी के उद्योगों का विस्तार केवल उक्त अधिसूचना के पैरा 7 के उप-पैरा (ii) में दिए गए ऐसे विस्तार से संबंधित विद्यमान उपाबंध के अधीन ही अनुमति दी जाएगी, जिसे समय-समय पर संशोधित मार्गदर्शक सिद्धांत तथा पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, केन्द्रीय सरकार द्वारा इस संबंध में संबंधित विद्यमान निर्देश समय-समय पर जारी किया गया।

(ड.) उत्तराखंड राज्य प्रदूषण नियंत्रण बोर्ड खंड (घ) में विनिर्दिष्ट उन उद्योगों के विस्तार के लिए तंत्र अधिकथित करेगा जो उक्त अधिसूचना की अनुसूची में नहीं आते हैं।"

[फ.सं. 25/6/2012-ईएसजेड-आरई]

डॉ. सु. केरकेटा, वैज्ञानिक "जी"

टिप्पण.- मूल अधिसूचना भारत के राजपत्र, असाधारण भाग II, खंड-3, उपखंड (ii) में का.आ. 102(अ), तारीख 1 फरवरी, 1989 द्वारा प्रकाशित की गई और का.आ. 94(अ), तारीख 6 जनवरी, 2020 द्वारा संशोधित की गई थी।



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MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 13th May, 2025

S.O. 2125(E).— WHEREAS a draft notification was published in the Gazette of India, Extraordinary, vide notification of the Government of India in the Ministry of Environment, Forest and Climate Change number S.O. 5409(E), dated the 21st, December 2023, inviting objections and suggestions from all persons likely to be affected thereby within the period of sixty days from the date on which copies of the Gazette containing the said notification were made available to the public;

AND WHEREAS copies of the Gazette containing the said draft notification were made available to the public on the 21st December, 2023;

AND WHEREAS objections and suggestions received from persons in response to the said draft notification have been considered by the Central Government;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) and clauses (v) and (xiv) of sub-section (2) and sub-section (3) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) (hereafter in this notification referred to as the Environment Act), read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O. 102 (E), dated the 1st February, 1989, namely:-

In the said notification, -

(a) for paragraphs (iii), (iv) and (v) the following paragraphs shall be substituted, namely: -

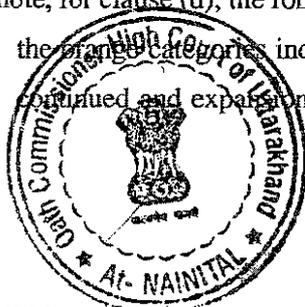
“(iii) Tourism Plan, Grazing Plan, Master Plan of Development and Land Use Plan, and any other such Plan including Zonal Master Plan, Integrated Master Plan shall be prepared by the State Government with due involvement of all concerned State Departments such as Environment, Forest, Urban Development, Tourism, Municipality, Revenue, Public Works, Water Resources, Horticulture, Panchayati Raj, Rural Development, Pollution Control Board, etc., for integrating environmental concern into it and shall be approved by the competent authority in the State Government of Uttarakhand.”;

(iv) The projects which are not covered under the Environment Impact Assessment Notification issued vide number S.O. 1533 (E), dated the 14th September, 2006, however, falls under the orange category of industries shall be considered by the Uttarakhand State Pollution Control Board following the due process.

(v) The projects which are covered in the Schedule under the Environment Impact Assessment Notification, issued vide number S.O. 1533 (E), dated the 14th September, 2006, shall follow the procedure laid down in that notification”.

(b) in the note, for clause (d), the following clauses shall be substituted, namely:-

“(d) the orange category industries, which are now in the red categories of industries shall be continued and expansion of such orange category industries falling in the Schedule of the



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notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O. 1533 (E), dated the 14th September, 2006 (hereinafter referred to as the EIA notification) to be allowed only subject to the extant provision pertaining to such expansion as laid down in sub-para (ii) of para 7 of said notification, as amended from time to time, and related extant directions issued in this regard by the Central Government in the Ministry of Environment, Forest and Climate Change, from time to time.

- (e) The Uttarakhand State Pollution Control Board shall lay down a mechanism for expansion of the industries referred to in clause (d) which are not falling in the Schedule of the said notification.”

[F. No. 25/6/2012-ESZ-RE]

DR. S. KERKETTA, Scientist 'G'

Note.- The principal notification was published in the Gazette of India, Extraordinary, Part II, Section-3, Sub-section (ii) vide S.O. 102(E), dated the 1st February, 1989 and amended S.O. 94(E), dated the 6th January, 2020.

अधिसूचना

नई दिल्ली, 13 मई, 2025

का.आ. 2126 (अ).— केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उप-नियम (3) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उप-धारा (1) और उप-धारा (2) के खंड (v) और खंड (xiv) और धारा 5 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस बात से संतुष्ट है कि ऐसा करना लोकहित में आवश्यक है, अतः वह भारत सरकार के पर्यावरण और वन मंत्रालय के उस आदेश को जो भारत के राजपत्र, असाधारण, भाग 2, खंड 3, उपखंड (ii) में संख्यांक का.आ. 2125 (अ) तारीख 13 दिसम्बर, 2007 के अधीन प्रकाशित हुआ था, उन बातों के सिवाय, जो ऐसे विखण्डन से पूर्व की गई हैं या करने का लोप किया गया है, विखंडित करती है।

[फ.सं. 25/6/2012-ईएसजेड-आरई]

डॉ. सु. केरकेटा, वैज्ञानिक "जी"

टिप्पण.- मूल अधिसूचना भारत के राजपत्र, असाधारण भाग II, खंड-3, उपखंड (ii) में का.आ. 2125(अ), तारीख 13 दिसंबर, 2007 द्वारा प्रकाशित की गई थी।



NOTIFICATION

New Delhi, the 13th May, 2025

S.O. - 2126 (E) .— In exercise of the powers conferred by sub-section (1) and clauses (v) and (xiv) of sub-section (2) and sub-section (3) of section 3 and section 5 of the Environment (Protection) Act, 1986 (29 of 1986), read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government being satisfied that it is necessary in the public interest so to do, hereby rescinds the order of the Government of India in the erstwhile Ministry of Environment and Forests published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), vide number S.O. 2125 (E), dated the 13th December, 2007, except as respects things done or omitted to be done before such rescission.

[F. No. 25/6/2012-ESZ-RE]

DR. S. KERKETTA, Scientist 'G'

Note.- The principal notification was published in the Gazette of India, Extraordinary, Part II, Section-3, Sub-section (ii) vide number S.O. 2125(E), dated the 13th December, 2007.



ANKIT RANA
Advocate
Reg. No. - UK-340/2021
Oath Commissioner
High Court of Uttarakhand
At-NAINITAL
SI. No. 21789
Dated. 15/6/25

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Date: 2025.05.14 15:53:24 +05'30'

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**MINISTRY OF ENVIRONMENT AND FORESTS
NOTIFICATION**

New Delhi, the 14th September, 2006

S.O. 1534(E).—Whereas, a draft notification under Sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 for imposing certain restrictions and prohibitions on new projects or activities, or on the expansion or modernization of existing projects or activities based on their potential environmental impacts as indicated in the Schedule to the notification, being undertaken in any part of India¹, unless prior environmental clearance has been accorded in accordance with the objectives of National Environment Policy as approved by the Union Cabinet on 18th May, 2006 and the procedure specified in the notification, by the Central Government or the State or Union Territory Level Environment Impact Assessment Authority (SEIAA), to be constituted by the Central Government in consultation with the State Government or the Union Territory Administration concerned under Sub-section (3) of Section 3 of the Environment (Protection) Act, 1986 for the purpose of this notification, was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide number S.O. 1324(E), dated the 15th September, 2005 inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of Gazette containing the said notification were made available to the public;

And whereas, copies of the said notification were made available to the public on 15th September, 2005;

And whereas, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 and in supersession of the notification number S.O. 60 (E) dated the 27th January, 1994, except in respect of things done or omitted to be done before such supersession, the Central Government hereby directs that on and from the date of its publication the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to this notification entailing capacity addition with change in process and or technology shall be undertaken in any part of India only after the prior environmental clearance from the Central Government or as the case may be, by the State Level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified hereinafter in this notification.

¹Includes the territorial waters

2. **Requirements of prior Environmental Clearance (EC):-** The following projects or activities shall require prior environmental clearance from the concerned regulatory authority, which shall hereinafter referred to be as the Central Government in the Ministry of Environment and Forests for matters falling under Category 'A' in the Schedule and at State level the State Environment Impact Assessment Authority (SEIAA) for matters falling under Category 'B' in the said Schedule, before any construction work, or preparation of land by the project management except for securing the land, is started on the project or activity:

- (i) All new projects or activities listed in the Schedule to this notification;
- (ii) Expansion and modernization of existing projects or activities listed in the Schedule to this notification with addition of capacity beyond the limits specified for the concerned sector, that is, projects or activities which cross the threshold limits given in the Schedule, after expansion or modernization;



(iii) Any change in product - mix in an existing manufacturing unit included in Schedule beyond the specified range. 20

3. State Level Environment Impact Assessment Authority:- (1) A State Level Environment Impact Assessment Authority hereinafter referred to as the SEIAA shall be constituted by the Central Government under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 comprising of three Members including a Chairman and a Member - Secretary to be nominated by the State Government or the Union territory Administration concerned.

(2) The Member-Secretary shall be a serving officer of the concerned State Government or Union territory administration familiar with environmental laws.

(3) The other two Members shall be either a professional or expert fulfilling the eligibility criteria given in Appendix VI to this notification.

(4) One of the specified Members in sub-paragraph (3) above who is an expert in the Environmental Impact Assessment process shall be the Chairman of the SEIAA.

(5) The State Government or Union territory Administration shall forward the names of the Members and the Chairman referred in sub-paragraph 3 to 4 above to the Central Government and the Central Government shall constitute the SEIAA as an authority for the purposes of this notification within thirty days of the date of receipt of the names:

(6) The non-official Member and the Chairman shall have a fixed term of three years (from the date of the publication of the notification by the Central Government constituting the authority).

(7) All decisions of the SEIAA shall be unanimous and taken in a meeting.

4. Categorization of projects and activities:-

(i) All projects and activities are broadly categorized in to two categories - Category A and Category B, based on the spatial extent of potential impacts and potential impacts on human health and natural and man made resources.

(ii) All projects or activities included as Category 'A' in the Schedule, including expansion and modernization of existing projects or activities and change in product mix, shall require prior environmental clearance from the Central Government in the Ministry of Environment and Forests (MoEF) on the recommendations of an Expert Appraisal Committee (EAC) to be constituted by the Central Government for the purposes of this notification;

(iii) All projects or activities included as Category 'B' in the Schedule, including expansion and modernization of existing projects or activities as specified in sub paragraph (ii) of paragraph 2, or change in product mix as specified in sub paragraph (iii) of paragraph 2, but excluding those which fulfill the General Conditions (GC) stipulated in the Schedule, will require prior environmental clearance from the State/Union territory Environment Impact Assessment Authority (SEIAA). The SEIAA shall base its decision on the recommendations of a State or Union territory level Expert Appraisal Committee (SEAC) as to be constituted for in this notification. In the absence of a duly constituted SEIAA or SEAC, a Category 'B' project shall be treated as a Category 'A' project;



5. Screening, Scoping and Appraisal Committees:-

The same Expert Appraisal Committees (EACs) at the Central Government and SEACs (hereinafter referred to as the (EAC) and (SEAC) at the State or the Union territory level shall screen, scope and appraise projects or activities in Category 'A' and Category 'B' respectively. EAC and SEAC's shall meet at least once every month.

(a) The composition of the EAC shall be as given in Appendix VI. The SEAC at the State or the Union territory level shall be constituted by the Central Government in consultation with the concerned State Government or the Union territory Administration with identical composition;

(b) The Central Government may, with the prior concurrence of the concerned State Governments or the Union territory Administrations, constitute one SEAC for more than one State or Union territory for reasons of administrative convenience and cost;

(c) The EAC and SEAC shall be reconstituted after every three years;

(d) The authorised members of the EAC and SEAC, concerned, may inspect any site(s) connected with the project or activity in respect of which the prior environmental clearance is sought, for the purposes of screening or scoping or appraisal, with prior notice of at least seven days to the applicant, who shall provide necessary facilities for the inspection;

(e) The EAC and SEACs shall function on the principle of collective responsibility. The Chairperson shall endeavour to reach a consensus in each case, and if consensus cannot be reached, the view of the majority shall prevail.

6. Application for Prior Environmental Clearance (EC):-

An application seeking prior environmental clearance in all cases shall be made in the prescribed Form 1 annexed herewith and Supplementary Form 1A, if applicable, as given in Appendix II, after the identification of prospective site(s) for the project and/or activities to which the application relates, before commencing any construction activity, or preparation of land, at the site by the applicant. The applicant shall furnish, along with the application, a copy of the pre-feasibility project report except that, in case of construction projects or activities (item 8 of the Schedule) in addition to Form 1 and the Supplementary Form 1A, a copy of the conceptual plan shall be provided, instead of the pre-feasibility report.

7. Stages in the Prior Environmental Clearance (EC) Process for New Projects:-

7(i) The environmental clearance process for new projects will comprise of a maximum of four stages, all of which may not apply to particular cases as set forth below in this notification. These four stages in sequential order are:-

- Stage (1) Screening (Only for Category 'B' projects and activities)
- Stage (2) Scoping
- Stage (3) Public Consultation
- Stage (4) Appraisal

I. Stage (1) - Screening:

In case of Category 'B' projects or activities, this stage will entail the scrutiny of an application seeking prior environmental clearance made in Form 1 by the concerned State level Expert Appraisal Committee (SEAC) for determining whether or not the project or activity



requires further environmental studies for preparation of an Environmental Impact Assessment (EIA) for its appraisal prior to the grant of environmental clearance depending up on the nature and location specificity of the project. The projects requiring an Environmental Impact Assessment report shall be termed Category 'B1' and remaining projects shall be termed Category 'B2' and will not require an Environment Impact Assessment report. For categorization of projects into B1 or B2 except item 8 (b), the Ministry of Environment and Forests shall issue appropriate guidelines from time to time.

II. Stage (2) - Scoping:

(i) "Scoping": refers to the process by which the Expert Appraisal Committee in the case of Category 'A' projects or activities, and State level Expert Appraisal Committee in the case of Category 'B1' projects or activities, including applications for expansion and/or modernization and/or change in product mix of existing projects or activities, determine detailed and comprehensive Terms Of Reference (TOR) addressing all relevant environmental concerns for the preparation of an Environment Impact Assessment (EIA) Report in respect of the project or activity for which prior environmental clearance is sought. The Expert Appraisal Committee or State level Expert Appraisal Committee concerned shall determine the Terms of Reference on the basis of the information furnished in the prescribed application Form I/Form 1A including Terms of Reference proposed by the applicant, a site visit by a sub-group of Expert Appraisal Committee or State level Expert Appraisal Committee concerned only if considered necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, Terms of Reference suggested by the applicant if furnished and other information that may be available with the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. All projects and activities listed as Category 'B' in Item 8 of the Schedule (Construction/Township/Commercial Complexes/Housing) shall not require Scoping and will be appraised on the basis of Form I/ Form 1A and the conceptual plan.

(ii) The Terms of Reference (TOR) shall be conveyed to the applicant by the Expert Appraisal Committee or State Level Expert Appraisal Committee as concerned within sixty days of the receipt of Form I. In the case of Category A Hydroelectric projects Item 1(c) (i) of the Schedule the Terms of Reference shall be conveyed along with the clearance for pre-construction activities. If the Terms of Reference are not finalized and conveyed to the applicant within sixty days of the receipt of Form I, the Terms of Reference suggested by the applicant shall be deemed as the final Terms of Reference approved for the EIA studies. The approved Terms of Reference shall be displayed on the website of the Ministry of Environment and Forests and the concerned State Level Environment Impact Assessment Authority.

(iii) Applications for prior environmental clearance may be rejected by the regulatory authority concerned on the recommendation of the EAC or SEAC concerned at this stage itself. In case of such rejection, the decision together with reasons for the same shall be communicated to the applicant in writing within sixty days of the receipt of the application.

III. Stage (3) - Public Consultation:

(i) "Public Consultation" refers to the process by which the concerns of local affected persons and others who have plausible stake in the environmental impacts of the project or activity are ascertained with a view to taking into account all the material concerns in the project or activity design as appropriate. All Category 'A' and Category B1 projects or activities shall undertake Public Consultation, except the following:-

- (a) modernization of irrigation projects (item 1(c) (ii) of the Schedule).



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- (b) all projects or activities located within industrial estates or parks (item 7(c) of the Schedule) approved by the concerned authorities, and which are not disallowed in such approvals.
- (c) expansion of Roads and Highways (item 7 (f) of the Schedule) which do not involve any further acquisition of land.
- (d) all Building /Construction projects/Area Development projects and Townships (item 8).
- (e) all Category 'B2' projects and activities.
- (f) all projects or activities concerning national defence and security or involving other strategic considerations as determined by the Central Government.
- (ii) The Public Consultation shall ordinarily have two components comprising of-
- (a) a public hearing at the site or in its close proximity- district wise, to be carried out in the manner prescribed in Appendix IV, for ascertaining concerns of local affected persons;
- (b) obtain responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity.
- (iii) the public hearing at, or in close proximity to, the site(s) in all cases shall be conducted by the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) concerned in the specified manner and forward the proceedings to the regulatory authority concerned within 45(forty five) of a request to the effect from the applicant.
- (iv) in case the State Pollution Control Board or the Union territory Pollution Control Committee concerned does not undertake and complete the public hearing within the specified period, and/or does not convey the proceedings of the public hearing within the prescribed period directly to the regulatory authority concerned as above, the regulatory authority shall engage another public agency or authority which is not subordinate to the regulatory authority, to complete the process within a further period of forty five days,.
- (v) If the public agency or authority nominated under the sub paragraph (iii) above reports to the regulatory authority concerned that owing to the local situation, it is not possible to conduct the public hearing in a manner which will enable the views of the concerned local persons to be freely expressed, it shall report the facts in detail to the concerned regulatory authority, which may, after due consideration of the report and other reliable information that it may have, decide that the public consultation in the case need not include the public hearing.
- (vi) For obtaining responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity, the concerned regulatory authority and the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) shall invite responses from such concerned persons by placing on their website the Summary EIA report prepared in the format given in Appendix IIIA by the applicant along with a copy of the application in the prescribed form , within seven days of the receipt of a written request for arranging the public hearing . Confidential information including non-disclosable or legally privileged information involving Intellectual Property Right, source specified in the application shall not be placed on the web site. The regulatory authority concerned may also use



other appropriate media for ensuring wide publicity about the project or activity. The regulatory authority shall, however, make available on a written request from any concerned person the Draft EIA report for inspection at a notified place during normal office hours till the date of the public hearing. All the responses received as part of this public consultation process shall be forwarded to the applicant through the quickest available means.

(vii) After completion of the public consultation, the applicant shall address all the material environmental concerns expressed during this process, and make appropriate changes in the draft EIA and EMP. The final EIA report, so prepared, shall be submitted by the applicant to the concerned regulatory authority for appraisal. The applicant may alternatively submit a supplementary report to draft EIA and EMP addressing all the concerns expressed during the public consultation.

IV. Stage (4) - Appraisal:

(i) Appraisal means the detailed scrutiny by the Expert Appraisal Committee or State Level Expert Appraisal Committee of the application and other documents like the Final EIA report, outcome of the public consultations including public hearing proceedings, submitted by the applicant to the regulatory authority concerned for grant of environmental clearance. This appraisal shall be made by Expert Appraisal Committee or State Level Expert Appraisal Committee concerned in a transparent manner in a proceeding to which the applicant shall be invited for furnishing necessary clarifications in person or through an authorized representative. On conclusion of this proceeding, the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall make categorical recommendations to the regulatory authority concerned either for grant of prior environmental clearance on stipulated terms and conditions, or rejection of the application for prior environmental clearance, together with reasons for the same.

(ii) The appraisal of all projects or activities which are not required to undergo public consultation, or submit an Environment Impact Assessment report, shall be carried out on the basis of the prescribed application Form I and Form IA as applicable, any other relevant validated information available and the site visit wherever the same is considered as necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned.

(iii) The appraisal of an application shall be completed by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within sixty days of the receipt of the final Environment Impact Assessment report and other documents or the receipt of Form I and Form IA, where public consultation is not necessary and the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee shall be placed before the competent authority for a final decision within the next fifteen days. The prescribed procedure for appraisal is given in Appendix V;

7(ii). Prior Environmental Clearance (EC) process for Expansion or Modernization or Change of product mix in existing projects:

All applications seeking prior environmental clearance for expansion with increase in the production capacity beyond the capacity for which prior environmental clearance has been granted under this notification or with increase in either lease area or production capacity in the case of mining projects or for the modernization of an existing unit with increase in the total production capacity beyond the threshold limit prescribed in the Schedule to this notification through change in process and/or technology or involving a change in the product -mix shall be made in Form I and they shall be considered by the concerned Expert Appraisal Committee or State Level Expert Appraisal Committee within sixty days, who will decide on the due diligence

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necessary including preparation of EIA and public consultations and the application shall be appraised accordingly for grant of environmental clearance.

8. Grant or Rejection of Prior Environmental Clearance (EC):

(i) The regulatory authority shall consider the recommendations of the EAC or SEAC concerned and convey its decision to the applicant within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned or in other words within one hundred and five days of the receipt of the final Environment Impact Assessment Report, and where Environment Impact Assessment is not required, within one hundred and five days of the receipt of the complete application with requisite documents, except as provided below.

(ii) The regulatory authority shall normally accept the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. In cases where it disagrees with the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, the regulatory authority shall request reconsideration by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned while stating the reasons for the disagreement. An intimation of this decision shall be simultaneously conveyed to the applicant. The Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, in turn, shall consider the observations of the regulatory authority and furnish its views on the same within a further period of sixty days. The decision of the regulatory authority after considering the views of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be final and conveyed to the applicant by the regulatory authority concerned within the next thirty days.

(iii) In the event that the decision of the regulatory authority is not communicated to the applicant within the period specified in sub-paragraphs (i) or (ii) above, as applicable, the applicant may proceed as if the environment clearance sought for has been granted or denied by the regulatory authority in terms of the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned.

(iv) On expiry of the period specified for decision by the regulatory authority under paragraph (i) and (ii) above, as applicable, the decision of the regulatory authority, and the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be public documents.

(v) Clearances from other regulatory bodies or authorities shall not be required prior to receipt of applications for prior environmental clearance of projects or activities, or screening, or scoping, or appraisal, or decision by the regulatory authority concerned, unless any of these is sequentially dependent on such clearance either due to a requirement of law, or for necessary technical reasons.

(vi) Deliberate concealment and/or submission of false or misleading information or data which is material to screening or scoping or appraisal or decision on the application shall make the application liable for rejection, and cancellation of prior environmental clearance granted on that basis. Rejection of an application or cancellation of a prior environmental clearance already granted, on such ground, shall be decided by the regulatory authority, after giving a personal hearing to the applicant, and following the principles of natural justice.



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9. Validity of Environmental Clearance (EC):

The "Validity of Environmental Clearance" is meant the period from which a prior environmental clearance is granted by the regulatory authority, or may be presumed by the applicant to have been granted under sub paragraph (iv) of paragraph 7 above, to the start of production operations by the project or activity, or completion of all construction operations in case of construction projects (item 8 of the Schedule), to which the application for prior environmental clearance refers. The prior environmental clearance granted for a project or activity shall be valid for a period of ten years in the case of River Valley projects (item 1(c) of the Schedule), project life as estimated by Expert Appraisal Committee or State Level Expert Appraisal Committee subject to a maximum of thirty years for mining projects and five years in the case of all other projects and activities. However, in the case of Area Development projects and Townships [item 8(b)], the validity period shall be limited only to such activities as may be the responsibility of the applicant as a developer. This period of validity may be extended by the regulatory authority concerned by a maximum period of five years provided an application is made to the regulatory authority by the applicant - within the validity period, together with an updated Form 1, and Supplementary Form 1A, for Construction projects or activities (item 8 of the Schedule). In this regard the regulatory authority may also consult the Expert Appraisal Committee or State Level Expert Appraisal Committee as the case may be.

10. Post Environmental Clearance Monitoring:

- (i) It shall be mandatory for the project management to submit half-yearly compliance reports in respect of the stipulated prior environmental clearance terms and conditions in hard and soft copies to the regulatory authority concerned, on 1st June and 1st December of each calendar year.
- (ii) All such compliance reports submitted by the project management shall be public documents. Copies of the same shall be given to any person on application to the concerned regulatory authority. The latest such compliance report shall also be displayed on the web site of the concerned regulatory authority.

11. Transferability of Environmental Clearance (EC):

A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.

12. Operation of EIA Notification, 1994, till disposal of pending cases:

From the date of final publication of this notification the Environment Impact Assessment (EIA) notification number S.O.60 (E) dated 27th January, 1994 is hereby superseded, except in suppression of the things done or omitted to be done before such suppression to the extent that in case of all or some types of applications made for prior environmental clearance and pending on the date of final publication of this notification, the Central Government may relax any one or all provisions of this notification except the list of the projects or activities requiring prior environmental clearance in Schedule I, or continue operation of some or all provisions of the said notification, for a period not exceeding one year from the date of issue of this notification.



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SCHEDULE

(See paragraph 2 and 7)

LIST OF PROJECTS OR ACTIVITIES REQUIRING PRIOR ENVIRONMENTAL CLEARANCE

Project or Activity	Category with threshold limit		Conditions if any	
	A	B		
1	Mining, extraction of natural resources and power generation (for a specified production capacity)			
(1)	(2)	(3)	(4)	(5)
I(a)	Mining of minerals	<p>≥ 50 ha. of mining lease area</p> <p>Asbestos mining irrespective of mining area</p>	<p><50 ha</p> <p>≥ 5 ha .of mining lease area.</p>	<p>General Condition shall apply</p> <p>Note</p> <p>Mineral prospecting (not involving drilling) are exempted provided the concession areas have got previous clearance for physical survey</p>
I(b)	Offshore and onshore oil and gas exploration, development & production	All projects		<p>Note</p> <p>Exploration Surveys (not involving drilling) are exempted provided the concession areas have got previous clearance for physical survey</p>
I(c)	River Valley projects	<p>(i) ≥ 50 MW hydroelectric power generation;</p> <p>(ii) ≥ 10,000 ha. of culturable command area</p>	<p>(i) < 50 MW ≥ 25 MW hydroelectric power generation;</p> <p>(ii) < 10,000 ha. of culturable command area</p>	General Condition shall apply
I(d)	Thermal Power Plants	<p>≥ 500 MW (coal/lignite/naphtha & gas based);</p> <p>≥ 50 MW (Pet. coke diesel and all other fuels -)</p>	<p>< 500 MW (coal/lignite/naphtha & gas based);</p> <p><50 MW</p> <p>≥ 5MW (Pet coke ,diesel and all other fuels)</p>	General Condition shall apply



(1)	(2)	(3)	(4)	(5)
1(e)	Nuclear power projects and processing of nuclear fuel	All projects		
2		Primary Processing		
2(a)	Coal washeries	≥ 1 million ton/annum throughput of coal	< 1 million ton/annum throughput of coal	General Condition shall apply (If located within mining area the proposal shall be appraised together with the mining proposal)
2(b)	Mineral beneficiation	≥ 0.1 million ton/annum mineral throughput	< 0.1 million ton/annum mineral throughput	General Condition shall apply (Mining proposal with Mineral beneficiation shall be appraised together for grant of clearance)



3				
Materials Production				
(1)	(2)	(3)	(4)	(5)
3(a)	Metallurgical industries (ferrous & non ferrous)	<p>a) Primary metallurgical industry</p> <p>All projects</p> <p>b) Sponge iron manufacturing ≥ 200TPD</p> <p>c) Secondary metallurgical processing industry</p> <p>All toxic and heavy metal producing units $\geq 20,000$ tonnes/annum</p>	<p>Sponge iron manufacturing < 200TPD</p> <p>Secondary metallurgical processing industry</p> <p>i.) All toxic and heavy metal producing units $< 20,000$ tonnes/annum</p> <p>ii.) All other non-toxic secondary metallurgical processing industries > 5000 tonnes/annum</p>	General Condition shall apply for Sponge iron manufacturing
3(b)	Cement plants	≥ 1.0 million tonnes/annum production capacity	< 1.0 million tonnes/annum production capacity. All Stand alone grinding units	General Condition shall apply



4				
Materials Processing				
(1)	(2)	(3)	(4)	(5)
4(a)	Petroleum refining industry	All projects	-	
4(b)	Coke oven plants	≥2,50,000 tonnes/annum	<2,50,000 & ≥25,000 tonnes/annum	
4(c)	Asbestos milling and asbestos based products	All projects	-	
4(d)	Chlor-alkali industry	≥300 TPD production capacity or a unit located out side the notified industrial area/estate	<300 TPD production capacity and located within a notified industrial area/estate	Specific Condition shall apply No new Mercury Cell based plants will be permitted and existing units converting to membrane cell technology are exempted from this Notification
4(e)	Soda ash Industry	All projects	-	
4(f)	Leather/skin/hide processing industry	New projects outside the industrial area or expansion of existing units out side the industrial area	All new or expansion of projects located within a notified industrial area/estate	Specific condition shall apply
5				
Manufacturing/Fabrication				
5(a)	Chemical fertilizers	All projects	-	
5(b)	Pesticides industry and pesticide specific intermediates (excluding formulations)	All units producing technical grade pesticides	-	



(1)	(2)	(3)	(4)	(5)
5(e)	Petro-chemical complexes (industries based on processing of petroleum fractions & natural gas and/or reforming to aromatics)	All projects	-	
5(d)	Manmade fibres manufacturing	Rayon	Others	General Condition shall apply
5(e)	Petrochemical based processing (processes other than cracking & reformation and not covered under the complexes)	Located out side the notified industrial area/ estate	Located in a notified industrial area/ estate	Specific Condition shall apply
5(f)	Synthetic organic chemicals industry (dyes & dye intermediates; bulk drugs and intermediates excluding drug formulations; synthetic rubbers; basic organic chemicals, other synthetic organic chemicals and chemical intermediates)	Located out side the notified industrial area/ estate	Located in a notified industrial area/ estate	Specific Condition shall apply
5(g)	Distilleries	(i) All Molasses based distilleries (ii) All Cane juice/ non-molasses based distilleries ≥ 30 KLD	All Cane juice/non-molasses based distilleries <30 KLD	General Condition shall apply
5(h)	Integrated paint industry	-	All projects	General Condition shall apply



(1)	(2)	(3)	(4)	(5)
5(i)	Pulp & paper industry excluding manufacturing of paper from waste paper and manufacture of paper from ready pulp with out bleaching	Pulp manufacturing and Paper manufacturing industry	Paper manufacturing industry without pulp manufacturing	General Condition shall apply
5(j)	Sugar Industry	-	≥ 5000 ted cane crushing capacity	General Condition shall apply
5(k)	Induction/arc furnaces/cupola furnaces 5TPH or more	-	All projects	General Condition shall apply
6		Service Sectors		
6(a)	Oil & gas transportation pipe line (crude and refinery/ petrochemical products), passing through national parks /sanctuaries/coral reefs /ecologically sensitive areas including LNG Terminal	All projects		

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5)

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(1)	(2)	(3)	(4)	(5)
6(b)	Isolated storage & handling of hazardous chemicals (As per threshold planning quantity indicated in column 3 of schedule 2 & 3 of MSIHC Rules 1989 amended 2000)	-	All projects	General Condition shall apply
7	Physical Infrastructure including Environmental Services			
7(a)	Air ports	All projects	-	-
7(b)	All ship breaking yards including ship breaking units	All projects	-	-
7(c)	Industrial estates/parks/ complexes/ areas, export processing Zones (EPZs), Special Economic Zones (SEZs), Biotech Parks, Leather Complexes.	If at least one industry in the proposed industrial estate falls under the Category A, entire industrial area shall be treated as Category A, irrespective of the area. Industrial estates with area greater than 500 ha. and housing at least one Category B industry.	Industrial estates housing at least one Category B industry and area <500 ha. Industrial estates of area > 500 ha. and not housing any industry belonging to Category A or B.	Special condition shall apply Note: Industrial Estate of area below 500 ha. and not housing any industry of category A or B does not require clearance.
7(d)	Common hazardous waste treatment, storage and disposal facilities (TSDFs)	All integrated facilities having incineration & landfill or incineration alone	All facilities having land fill only	General Condition shall apply



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(1)	(2)	(3)	(4)	(5)
7(e)	Ports, Harbours	≥ 5 million TPA of cargo handling capacity (excluding fishing harbours)	< 5 million TPA, of cargo handling capacity and/or ports/ harbours ≥10,000 TPA of fish handling capacity	General Condition shall apply
7(f)	Highways	i) New National High ways; and ii) Expansion of National High ways greater than 30 KM, involving additional right of way greater than 20m involving land acquisition and passing through more than one State.	i) New State High ways; and ii) Expansion of National / State Highways greater than 30 km involving additional right of way greater than 20m involving land acquisition.	General Condition shall apply
7(g)	Aerial ropeways		All projects	General Condition shall apply
7(h)	Common Effluent Treatment Plants (CETPs)		All projects	General Condition shall apply
7(i)	Common Municipal Solid Waste Management Facility (CMSWMF)		All projects	General Condition shall apply



(1)	(2)	(3)	(4)	(5)
8		Building /Construction projects/Area Development projects and Townships		
8(a)	Building and Construction projects		≥20000 sq.mtrs and <1,50,000 sq.mtrs. of built-up area#	#(built up area for covered construction; in the case of facilities open to the sky, it will be the activity area)
8(b)	Townships and Area Development projects.		Covering an area ≥ 50 ha and or built up area ≥1,50,000 sq .mtrs ++	** All projects under Item 8(b) shall be appraised as Category B1

Note:-**General Condition (GC):**

Any project or activity specified in Category 'B' will be treated as Category A, if located in whole or in part within 10 km from the boundary of: (i) Protected Areas notified under the Wild Life (Protection) Act, 1972, (ii) Critically Polluted areas as notified by the Central Pollution Control Board from time to time, (iii) Notified Eco-sensitive areas, (iv) inter-State boundaries and international boundaries.

Specific Condition (SC):

If any Industrial Estate/Complex / Export processing Zones /Special Economic Zones/Biotech Parks / Leather Complex with homogeneous type of industries such as Items 4(d), 4(f), 5(e), 5(f), or those Industrial estates with pre -defined set of activities (not necessarily homogeneous, obtains prior environmental clearance, individual industries including proposed industrial housing within such estates /complexes will not be required to take prior environmental clearance, so long as the Terms and Conditions for the industrial estate/complex are complied with (Such estates/complexes must have a clearly identified management with the legal responsibility of ensuring adherence to the Terms and Conditions of prior environmental clearance, who may be held responsible for violation of the same throughout the life of the complex/estate).

[No. J-11013/56/2004-IA-II(D)]
R. CHANDRAMOHAN, J. Secy.

APPENDIX I

(See paragraph - 6)

FORM 1**(I) Basic Information**

Name of the Project:

Location / site alternatives under consideration:

Size of the Project: *

Expected cost of the project:



Contact Information:

Screening Category:

- Capacity corresponding to sectoral activity (such as production capacity for manufacturing, mining lease area and production capacity for mineral production, area for mineral exploration, length for linear transport infrastructure, generation capacity for power generation etc.)

(II) Activity

1. Construction, operation or decommissioning of the Project involving actions, which will cause physical changes in the locality (topography, land use, changes in water bodies, etc.)

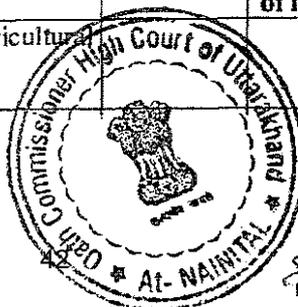
S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
1.1	Permanent or temporary change in land use, land cover or topography including increase in intensity of land use (with respect to local land use plan)		
1.2	Clearance of existing land, vegetation and buildings?		
1.3	Creation of new land uses?		
1.4	Pre-construction investigations e.g. bore houses, soil testing?		
1.5	Construction works?		
1.6	Demolition works?		
1.7	Temporary sites used for construction works or housing of construction workers?		
1.8	Above ground buildings, structures or earthworks including linear structures, cut and fill or excavations		
1.9	Underground works including mining or tunneling?		
1.10	Reclamation works?		
1.11	Dredging?		
1.12	Offshore structures?		
1.13	Production and manufacturing processes?		



1.14	Facilities for storage of goods or materials?		
1.15	Facilities for treatment or disposal of solid waste or liquid effluents?		
1.16	Facilities for long term housing of operational workers?		
1.17	New road, rail or sea traffic during construction or operation?		
1.18	New road, rail, air waterborne or other transport infrastructure including new or altered routes and stations, ports, airports etc?		
1.19	Closure or diversion of existing transport routes or infrastructure leading to changes in traffic movements?		
1.20	New or diverted transmission lines or pipelines?		
1.21	Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers?		
1.22	Stream crossings?		
1.23	Abstraction or transfers of water from ground or surface waters?		
1.24	Changes in water bodies or the land surface affecting drainage or run-off?		
1.25	Transport of personnel or materials for construction, operation or decommissioning?		
1.26	Long-term dismantling or decommissioning or restoration works?		
1.27	Ongoing activity during decommissioning which could have an impact on the environment?		
1.28	Influx of people to an area in either temporarily or permanently?		
1.29	Introduction of alien species?		
1.30	Loss of native species or genetic diversity?		
1.31	Any other actions?		

2. Use of Natural resources for construction or operation of the Project (such as land, water, materials or energy, especially any resources which are non-renewable or in short supply):

S.No.	Information/checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
2.1	Land especially undeveloped or agricultural land (ha)		



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2.2	Water (expected source & competing users) unit: KLD		
2.3	Minerals (MT)		
2.4	Construction material – stone, aggregates, and / soil (expected source – MT)		
2.5	Forests and timber (source – MT)		
2.6	Energy including electricity and fuels (source, competing users) Unit: fuel (MT), energy (MW)		
2.7	Any other natural resources (use appropriate standard units)		

3. Use, storage, transport, handling or production of substances or materials, which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health.

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
3.1	Use of substances or materials, which are hazardous (as per MSIHC rules) to human health or the environment (flora, fauna, and water supplies)		
3.2	Changes in occurrence of disease or affect disease vectors (e.g. insect or water borne diseases)		
3.3	Affect the welfare of people e.g. by changing living conditions?		
3.4	Vulnerable groups of people who could be affected by the project e.g. hospital patients, children, the elderly etc.,		
3.5	Any other causes		

4. Production of solid wastes during construction or operation or decommissioning (MT/month)

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
4.1	Spoil, overburden or mine wastes		



4.2	Municipal waste (domestic and or commercial wastes)		
4.3	Hazardous wastes (as per Hazardous Waste Management Rules)		
4.4	Other industrial process wastes		
4.5	Surplus product		
4.6	Sewage sludge or other sludge from effluent treatment		
4.7	Construction or demolition wastes		
4.8	Redundant machinery or equipment		
4.9	Contaminated soils or other materials		
4.10	Agricultural wastes		
4.11	Other solid wastes		

5. Release of pollutants or any hazardous, toxic or noxious substances to air (Kg/hr)

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
5.1	Emissions from combustion of fossil fuels from stationary or mobile sources		
5.2	Emissions from production processes		
5.3	Emissions from materials handling including storage or transport		
5.4	Emissions from construction activities including plant and equipment		
5.5	Dust or odours from handling of materials including construction materials, waste		



5.6	Emissions from incineration of waste		
5.7	Emissions from burning of waste in open air (e.g. slash materials, construction debris)		
5.8	Emissions from any other sources		

6. Generation of Noise and Vibration, and Emissions of Light and Heat:

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data with source of information data
6.1	From operation of equipment e.g. engines, ventilation plant, crushers		
6.2	From industrial or similar processes		
6.3	From construction or demolition		
6.4	From blasting or piling		
6.5	From construction or operational traffic		
6.6	From lighting or cooling systems		
6.7	From any other sources		

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9. Factors which should be considered (such as consequential development) which could lead to environmental effects or the potential for cumulative impacts with other existing or planned activities in the locality

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
9.1	Lead to development of supporting facilities, ancillary development or development stimulated by the project which could have impact on the environment e.g.: <ul style="list-style-type: none"> • Supporting infrastructure (roads, power supply, waste or waste water treatment, etc.) • housing development • extractive industries • supply industries • other 		
9.2	Lead to after-use of the site, which could have an impact on the environment		
9.3	Set a precedent for later developments		
9.4	Have cumulative effects due to proximity to other existing or planned projects with similar effects		

(III) Environmental Sensitivity

S.No.	Areas	Name/ Identity	Aerial distance (within 15 km.) Proposed project location boundary
I	Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value		



2	Areas which are important or sensitive for ecological reasons - Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests		
3	Areas used by protected, important or sensitive species of flora or fauna for breeding, nesting, foraging, resting, over wintering, migration		
4	Inland, coastal, marine or underground waters		
5	State, National boundaries		
6	Routes or facilities used by the public for access to recreation or other tourist, pilgrim areas		
7	Defence installations		
8	Densely populated or built-up area		
9	Areas occupied by sensitive man-made land uses (hospitals, schools, places of worship, community facilities)		
10	Areas containing important, high quality or scarce resources (ground water resources, surface resources, forestry, agriculture, fisheries, tourism, minerals)		
11	Areas already subjected to pollution or environmental damage. (those where existing legal environmental standards are exceeded)		
12	Areas susceptible to natural hazard which could cause the project to present environmental problems (earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions)		

(IV). Proposed Terms of Reference for EIA studies



APPENDIX II

(See paragraph 6)

FORM-I A (only for construction projects listed under item 8 of the Schedule)**CHECK LIST OF ENVIRONMENTAL IMPACTS**

(Project proponents are required to provide full information and wherever necessary attach explanatory notes with the Form and submit along with proposed environmental management plan & monitoring programme)

1. LAND ENVIRONMENT

(Attach panoramic view of the project site and the vicinity)

1.1. Will the existing landuse get significantly altered from the project that is not consistent with the surroundings? (Proposed landuse must conform to the approved Master Plan / Development Plan of the area. Change of landuse if any and the statutory approval from the competent authority be submitted). Attach Maps of (i) site location, (ii) surrounding features of the proposed site (within 500 meters) and (iii) the site (indicating levels & contours) to appropriate scales. If not available attach only conceptual plans.

1.2. List out all the major project requirements in terms of the land area, built up area, water consumption, power requirement, connectivity, community facilities, parking needs etc.

1.3. What are the likely impacts of the proposed activity on the existing facilities adjacent to the proposed site? (Such as open spaces, community facilities, details of the existing landuse, disturbance to the local ecology).

1.4. Will there be any significant land disturbance resulting in erosion, subsidence & instability? (Details of soil type, slope analysis, vulnerability to subsidence, seismicity etc may be given).

1.5. Will the proposal involve alteration of natural drainage systems? (Give details on a contour map showing the natural drainage near the proposed project site)

1.6. What are the quantities of earthwork involved in the construction activity-cutting, filling, reclamation etc. (Give details of the quantities of earthwork involved, transport of fill materials from outside the site etc.)

1.7. Give details regarding water supply, waste handling etc during the construction period.

1.8. Will the low lying areas & wetlands get altered? (Provide details of how low lying and wetlands are getting modified from the proposed activity)

1.9. Whether construction debris & waste during construction cause health hazard? (Give quantities of various types of wastes generated during construction including the construction labour and the means of disposal)

2. WATER ENVIRONMENT

2.1. Give the total quantity of water requirement for the proposed project with the breakup of requirements for various uses. How will the water requirement met? State the sources & quantities and furnish a water balance statement.



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- 2.2. What is the capacity (Average flow or yield) of the proposed source of water?
- 2.3. What is the quality of water required, in case, the supply is not from a municipal source? (Provide physical, chemical, biological characteristics with class of water quality)
- 2.4. How much of the water requirement can be met from the recycling of treated wastewater? (Give the details of quantities, sources and usage)
- 2.5. Will there be diversion of water from other users? (Please assess the impacts of the project on other existing uses and quantities of consumption)
- 2.6. What is the incremental pollution load from wastewater generated from the proposed activity? (Give details of the quantities and composition of wastewater generated from the proposed activity)
- 2.7. Give details of the water requirements met from water harvesting? Furnish details of the facilities created.
- 2.8. What would be the impact of the land use changes occurring due to the proposed project on the runoff characteristics (quantitative as well as qualitative) of the area in the post construction phase on a long term basis? Would it aggravate the problems of flooding or water logging in any way?
- 2.9. What are the impacts of the proposal on the ground water? (Will there be tapping of ground water; give the details of ground water table, recharging capacity, and approvals obtained from competent authority, if any)
- 2.10. What precautions/measures are taken to prevent the run-off from construction activities polluting land & aquifers? (Give details of quantities and the measures taken to avoid the adverse impacts)
- 2.11. How is the storm water from within the site managed?(State the provisions made to avoid flooding of the area, details of the drainage facilities provided along with a site layout indication contour levels)
- 2.12. Will the deployment of construction labourers particularly in the peak period lead to unsanitary conditions around the project site (Justify with proper explanation)
- 2.13. What on-site facilities are provided for the collection, treatment & safe disposal of sewage? (Give details of the quantities of wastewater generation, treatment capacities with technology & facilities for recycling and disposal)
- 2.14. Give details of dual plumbing system if treated waste used is used for flushing of toilets or any other use.

3. VEGETATION

- 3.1. Is there any threat of the project to the biodiversity? (Give a description of the local ecosystem with it's unique features, if any)



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3.2. Will the construction involve extensive clearing or modification of vegetation? (Provide a detailed account of the trees & vegetation affected by the project)

3.3. What are the measures proposed to be taken to minimize the likely impacts on important site features (Give details of proposal for tree plantation, landscaping, creation of water bodies etc along with a layout plan to an appropriate scale)

4. FAUNA

4.1. Is there likely to be any displacement of fauna- both terrestrial and aquatic or creation of barriers for their movement? Provide the details.

4.2. Any direct or indirect impacts on the avifauna of the area? Provide details.

4.3. Prescribe measures such as corridors, fish ladders etc to mitigate adverse impacts on fauna

5. AIR ENVIRONMENT

5.1. Will the project increase atmospheric concentration of gases & result in heat islands? (Give details of background air quality levels with predicted values based on dispersion models taking into account the increased traffic generation as a result of the proposed constructions)

5.2. What are the impacts on generation of dust, smoke, odorous fumes or other hazardous gases? Give details in relation to all the meteorological parameters.

5.3. Will the proposal create shortage of parking space for vehicles? Furnish details of the present level of transport infrastructure and measures proposed for improvement including the traffic management at the entry & exit to the project site.

5.4. Provide details of the movement patterns with internal roads, bicycle tracks, pedestrian pathways, footpaths etc., with areas under each category.

5.5. Will there be significant increase in traffic noise & vibrations? Give details of the sources and the measures proposed for mitigation of the above.

5.6. What will be the impact of DG sets & other equipment on noise levels & vibration in & ambient air quality around the project site? Provide details.

6. AESTHETICS

6.1. Will the proposed constructions in any way result in the obstruction of a view, scenic amenity or landscapes? Are these considerations taken into account by the proponents?

6.2. Will there be any adverse impacts from new constructions on the existing structures? What are the considerations taken into account?

6.3. Whether there are any local considerations of urban form & urban design influencing the design criteria? They may be explicitly spelt out.

6.4. Are there any anthropological or archaeological sites or artefacts nearby? State if any other-significant features in the vicinity of the proposed site have been considered.

7. SOCIO-ECONOMIC ASPECTS

7.1. Will the proposal result in any changes to the demographic structure of local population? Provide the details.



7.2. Give details of the existing social infrastructure around the proposed project.

7.3. Will the project cause adverse effects on local communities, disturbance to sacred sites or other cultural values? What are the safeguards proposed?

8. BUILDING MATERIALS

8.1. May involve the use of building materials with high-embodied energy. Are the construction materials produced with energy efficient processes? (Give details of energy conservation measures in the selection of building materials and their energy efficiency)

8.2. Transport and handling of materials during construction may result in pollution, noise & public nuisance. What measures are taken to minimize the impacts?

8.3. Are recycled materials used in roads and structures? State the extent of savings achieved?

8.4. Give details of the methods of collection, segregation & disposal of the garbage generated during the operation phases of the project.

9. ENERGY CONSERVATION

9.1. Give details of the power requirements, source of supply, backup source etc. What is the energy consumption assumed per square foot of built-up area? How have you tried to minimize energy consumption?

9.2. What type of, and capacity of, power back-up to you plan to provide?

9.3. What are the characteristics of the glass you plan to use? Provide specifications of its characteristics related to both short wave and long wave radiation?

9.4. What passive solar architectural features are being used in the building? Illustrate the applications made in the proposed project.

9.5. Does the layout of streets & buildings maximise the potential for solar energy devices? Have you considered the use of street lighting, emergency lighting and solar hot water systems for use in the building complex? Substantiate with details.

9.6. Is shading effectively used to reduce cooling/heating loads? What principles have been used to maximize the shading of Walls on the East and the West and the Roof? How much energy saving has been effected?

9.7. Do the structures use energy-efficient space conditioning, lighting and mechanical systems? Provide technical details. Provide details of the transformers and motor efficiencies, lighting intensity and air-conditioning load assumptions? Are you using CFC and HCFC free chillers? Provide specifications.

9.8. What are the likely effects of the building activity in altering the micro-climates? Provide a self assessment on the likely impacts of the proposed construction on creation of heat island & inversion effects?



9.9. What are the thermal characteristics of the building envelope? (a) roof; (b) external walls; and (c) fenestration? Give details of the material used and the U-values or the R values of the individual components.

9.10. What precautions & safety measures are proposed against fire hazards? Furnish details of emergency plans.

9.11. If you are using glass as wall material provides details and specifications including emissivity and thermal characteristics.

9.12. What is the rate of air infiltration into the building? Provide details of how you are mitigating the effects of infiltration.

9.13. To what extent the non-conventional energy technologies are utilised in the overall energy consumption? Provide details of the renewable energy technologies used.

10. Environment Management Plan

The Environment Management Plan would consist of all mitigation measures for each item wise activity to be undertaken during the construction, operation and the entire life cycle to minimize adverse environmental impacts as a result of the activities of the project. It would also delineate the environmental monitoring plan for compliance of various environmental regulations. It will state the steps to be taken in case of emergency such as accidents at the site including fire.

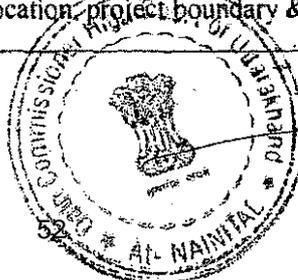
APPENDIX III

(See paragraph 7)

GENERIC STRUCTURE OF ENVIRONMENTAL IMPACT ASSESMENT DOCUMENT

S.NO	EIA STRUCTURE	CONTENTS
1.	Introduction	<ul style="list-style-type: none"> • Purpose of the report • Identification of project & project proponent • Brief description of nature, size, location of the project and its importance to the country, region • Scope of the study – details of regulatory scoping carried out (As per Terms of Reference)
2.	Project Description	<ul style="list-style-type: none"> • Condensed description of those aspects of the project (based on project feasibility study), likely to cause environmental effects. Details should be provided to give clear picture of the following: <ul style="list-style-type: none"> • Type of project • Need for the project • Location (maps showing general location, specific location, project boundary & project site layout)

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		<ul style="list-style-type: none"> • Size or magnitude of operation (incl. Associated activities required by or for the project) • Proposed schedule for approval and implementation • Technology and process description • Project description. Including drawings showing project layout, components of project etc. Schematic representations of the feasibility drawings which give information important for EIA purpose • Description of mitigation measures incorporated into the project to meet environmental standards, environmental operating conditions, or other EIA requirements (as required by the scope) • Assessment of New & untested technology for the risk of technological failure
3.	Description of the Environment	<ul style="list-style-type: none"> • Study area, period, components & methodology • Establishment of baseline for valued environmental components, as identified in the scope • Base maps of all environmental components
4.	Anticipated Environmental Impacts & Mitigation Measures	<ul style="list-style-type: none"> • Details of Investigated Environmental impacts due to project location, possible accidents, project design, project construction, regular operations, final decommissioning or rehabilitation of a completed project • Measures for minimizing and / or offsetting adverse impacts identified • Irreversible and Irretrievable commitments of environmental components • Assessment of significance of impacts (Criteria for determining significance, Assigning significance) • Mitigation measures
5.	Analysis of Alternatives (Technology & Site)	<ul style="list-style-type: none"> • In case, the scoping exercise results in need for alternatives: • Description of each alternative • Summary of adverse impacts of each alternative • Mitigation measures proposed for each alternative and • Selection of alternative



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6.	Environmental Monitoring Program	<ul style="list-style-type: none"> • Technical aspects of monitoring the effectiveness of mitigation measures (incl. Measurement methodologies, frequency, location, data analysis, reporting schedules, emergency procedures, detailed budget & procurement schedules)
7.	Additional Studies	<ul style="list-style-type: none"> • Public Consultation • Risk assessment • Social Impact Assessment. R&R Action Plans
8.	Project Benefits	<ul style="list-style-type: none"> • Improvements in the physical infrastructure • Improvements in the social infrastructure • Employment potential –skilled; semi-skilled and unskilled. • Other tangible benefits
9.	Environmental Cost Benefit Analysis	If recommended at the Scoping stage
10.	EMP	<ul style="list-style-type: none"> • Description of the administrative aspects of ensuring that mitigative measures are implemented and their effectiveness monitored, after approval of the EIA
11.	Summary & Conclusion (This will constitute the summary of the EIA Report)	<ul style="list-style-type: none"> • Overall justification for implementation of the project • Explanation of how, adverse effects have been mitigated
12.	Disclosure of Consultants engaged	<ul style="list-style-type: none"> • The names of the Consultants engaged with their brief resume and nature of Consultancy rendered

APPENDIX III A
(See paragraph 7).

CONTENTS OF SUMMARY ENVIRONMENTAL IMPACT ASSESSMENT

The Summary EIA shall be a summary of the full EIA Report condensed to ten A-4 size pages at the maximum. It should necessarily cover in brief the following Chapters of the full EIA Report: -

1. Project Description
2. Description of the Environment
3. Anticipated Environmental impacts and mitigation measures
4. Environmental Monitoring Programme
5. Additional Studies
6. Project Benefits
7. Environment Management Plan



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APPENDIX IV
(See paragraph 7)

PROCEDURE FOR CONDUCT OF PUBLIC HEARING

1.0 The Public Hearing shall be arranged in a systematic, time bound and transparent manner ensuring widest possible public participation at the project site(s) or in its close proximity District -wise, by the concerned State Pollution Control Board (SPCB) or the Union Territory Pollution Control Committee (UTPCC).

2.0 The Process:

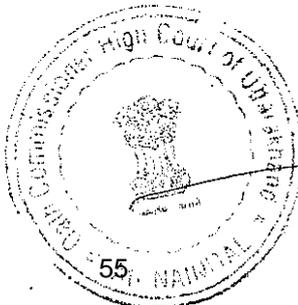
2.1 The Applicant shall make a request through a simple letter to the Member Secretary of the SPCB or Union Territory Pollution Control Committee, in whose jurisdiction the project is located, to arrange the public hearing within the prescribed statutory period. In case the project site is extending beyond a State or Union Territory, the public hearing is mandated in each State or Union Territory in which the project is sited and the Applicant shall make separate requests to each concerned SPCB or UTPCC for holding the public hearing as per this procedure.

2.2 The Applicant shall enclose with the letter of request, at least 10 hard copies and an equivalent number of soft (electronic) copies of the draft EIA Report with the generic structure given in Appendix III including the Summary Environment Impact Assessment report in English and in the local language, prepared strictly in accordance with the Terms of Reference communicated after Scoping (Stage-2). Simultaneously the applicant shall arrange to forward copies, one hard and one soft, of the above draft EIA Report along with the Summary EIA report to the Ministry of Environment and Forests and to the following authorities or offices, within whose jurisdiction the project will be located:

- (a) District Magistrate/s
- (b) Zila Parishad or Municipal Corporation
- (c) District Industries Office
- (d) Concerned Regional Office of the Ministry of Environment and Forests

2.3 On receiving the draft Environmental Impact Assessment report, the above-mentioned authorities except the MoEF, shall arrange to widely publicize it within their respective jurisdictions requesting the interested persons to send their comments to the concerned regulatory authorities. They shall also make available the draft EIA Report for inspection electronically or otherwise to the public during normal office hours till the Public Hearing is over. The Ministry of Environment and Forests shall promptly display the Summary of the draft Environmental Impact Assessment report on its website, and also make the full draft EIA available for reference at a notified place during normal office hours in the Ministry at Delhi.

2.4 The SPCB or UTPCC concerned shall also make similar arrangements for giving publicity about the project within the State/Union Territory and make available the Summary of the draft Environmental Impact Assessment report (Appendix III A) for inspection in select offices or public libraries or panchayats etc. They shall also additionally



make available a copy of the draft Environmental Impact Assessment report to the above five authorities/offices viz, Ministry of Environment and Forests, District Magistrate etc. 51

3.0 Notice of Public Hearing:

3.1 The Member-Secretary of the concerned SPCB or UTPCC shall finalize the date, time and exact venue for the conduct of public hearing within 7(seven) days of the date of receipt of the draft Environmental Impact Assessment report from the project proponent, and advertise the same in one major National Daily and one Regional vernacular Daily. A minimum notice period of 30(thirty) days shall be provided to the public for furnishing their responses;

3.2 The advertisement shall also inform the public about the places or offices where the public could access the draft Environmental Impact Assessment report and the Summary Environmental Impact Assessment report before the public hearing.

3.3 No postponement of the date, time, venue of the public hearing shall be undertaken, unless some untoward emergency situation occurs and only on the recommendation of the concerned District Magistrate the postponement shall be notified to the public through the same National and Regional vernacular dailies and also prominently displayed at all the identified offices by the concerned SPCB or Union Territory Pollution Control Committee;

3.4 In the above exceptional circumstances fresh date, time and venue for the public consultation shall be decided by the Member -Secretary of the concerned SPCB or UTPCC only in consultation with the District Magistrate and notified afresh as per procedure under 3.1 above.

4.0 The Panel

4.1 The District Magistrate or his or her representative not below the rank of an Additional District Magistrate assisted by a representative of SPCB or UTPCC, shall supervise and preside over the entire public hearing process.

5.0 Videography

5.1 The SPCB or UTPCC shall arrange to video film the entire proceedings. A copy of the videotape or a CD shall be enclosed with the public hearing proceedings while forwarding it to the Regulatory Authority concerned.

6.0 Proceedings

6.1 The attendance of all those who are present at the venue shall be noted and annexed with the final proceedings.

6.2 There shall be no quorum required for attendance for starting the proceedings.

6.3 A representative of the applicant shall initiate the proceedings with a presentation on the project and the Summary EIA report.

6.4 Every person present at the venue shall be granted the opportunity to seek information or clarifications on the project from the Applicant. The summary of the public



hearing proceedings accurately reflecting all the views and concerns expressed shall be recorded by the representative of the SPCB or UTPCC and read over to the audience at the end of the proceedings explaining the contents in the vernacular language and the agreed minutes shall be signed by the District Magistrate or his or her representative on the same day and forwarded to the SPCB/UTPCC concerned.

6.5 A Statement of the issues raised by the public and the comments of the Applicant shall also be prepared in the local language and in English and annexed to the proceedings:

6.6 The proceedings of the public hearing shall be conspicuously displayed at the office of the Panchyats within whose jurisdiction the project is located, office of the concerned Zila Parishad, District Magistrate, and the SPCB or UTPCC. The SPCB or UTPCC shall also display the proceedings on its website for general information. Comments, if any, on the proceedings which may be sent directly to the concerned regulatory authorities and the Applicant concerned.

7.0 Time period for completion of public hearing

7.1 The public hearing shall be completed within a period of 45 (forty five) days from date of receipt of the request letter from the Applicant. Therefore the SPCB or UTPCC concerned shall send the public hearing proceedings to the concerned regulatory authority within 8(eight) days of the completion of the public hearing. The applicant may also directly forward a copy of the approved public hearing proceedings to the regulatory authority concerned along with the final Environmental Impact Assessment report or supplementary report to the draft EIA report prepared after the public hearing and public consultations.

7.2 If the SPCB or UTPCC fails to hold the public hearing within the stipulated 45(forty five) days, the Central Government in Ministry of Environment and Forests for Category 'A' project or activity and the State Government or Union Territory Administration for Category 'B' project or activity at the request of the SEIAA, shall engage any other agency or authority to complete the process, as per procedure laid down in this notification.

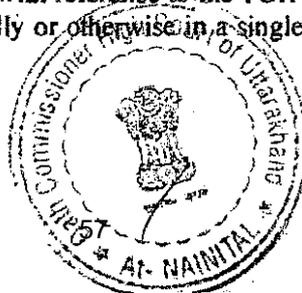
APPENDIX -V (See paragraph 7)

PROCEDURE PRESCRIBED FOR APPRAISAL

1. The applicant shall apply to the concerned regulatory authority through a simple communication enclosing the following documents where public consultations are mandatory: -

- Final Environment Impact Assessment Report {20(twenty) hard copies and 1 (one) soft copy}}
- A copy of the video tape or CD of the public hearing proceedings
- A copy of final layout plan (20 copies)
- A copy of the project feasibility report (1 copy)

2. The Final EIA Report and the other relevant documents submitted by the applicant shall be scrutinized in office within 30 days from the date of its receipt by the concerned Regulatory Authority strictly with reference to the TOR and the inadequacies noted shall be communicated electronically or otherwise in a single set to the Members of the EAC



/SEAC enclosing a copy each of the Final EIA Report including the public hearing proceedings and other public responses received along with a copy of Form -I or Form 1A and scheduled date of the EAC /SEAC meeting for considering the proposal .

3. Where a public consultation is not mandatory and therefore a formal EIA study is not required, the appraisal shall be made on the basis of the prescribed application Form 1 and a pre-feasibility report in the case of all projects and activities other than Item 8 of the Schedule .In the case of Item 8 of the Schedule, considering its unique project cycle , the EAC or SEAC concerned shall appraise all Category B projects or activities on the basis of Form 1, Form 1A and the conceptual plan and stipulate the conditions for environmental clearance . As and when the applicant submits the approved scheme /building plans complying with the stipulated environmental clearance conditions with all other necessary statutory approvals, the EAC /SEAC shall recommend the grant of environmental clearance to the competent authority.

4. Every application shall be placed before the EAC /SEAC and its appraisal completed within 60 days of its receipt with requisite documents / details in the prescribed manner.

5. The applicant shall be informed at least 15 (fifteen) days prior to the scheduled date of the EAC /SEAC meeting for considering the project proposal.

6. The minutes of the EAC /SEAC meeting shall be finalised within 5 working days of the meeting and displayed on the website of the concerned regulatory authority. In case the project or activity is recommended for grant of EC, then the minutes shall clearly list out the specific environmental safeguards and conditions. In case the recommendations are for rejection, the reasons for the same shall also be explicitly stated.

APPENDIX VI

(See paragraph 5)

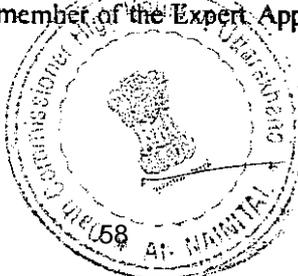
COMPOSITION OF THE SECTOR/ PROJECT SPECIFIC EXPERT APPRAISAL COMMITTEE (EAC) FOR CATEGORY A PROJECTS AND THE STATE/UT LEVEL EXPERT APPRAISAL COMMITTEES (SEACs) FOR CATEGORY B PROJECTS TO BE CONSTITUTED BY THE CENTRAL GOVERNMENT

1. The Expert Appraisal Committees (EAC(s) and the State/UT Level Expert Appraisal Committees (SEACs) shall consist of only professionals and experts fulfilling the following eligibility criteria:

Professional: The person should have at least (i) 5 years of formal University training in the concerned discipline leading to a MA/MSc Degree, or (ii) in case of Engineering /Technology/Architecture disciplines, 4 years formal training in a professional training course together with prescribed practical training in the field leading to a B.Tech/B.E./B.Arch. Degree, or (iii) Other professional degree (e.g. Law) involving a total of 5 years of formal University training and prescribed practical training, or (iv) Prescribed apprenticeship/article ship and pass examinations conducted by the concerned professional association (e.g. Chartered Accountancy) or (v) a University degree , followed by 2 years of formal training in a University or Service Academy (e.g. MBA/IAS/IFS). In selecting the individual professionals, experience gained by them in their respective fields will be taken note of.

Expert: A professional fulfilling the above eligibility criteria with at least 15 years of relevant experience in the field, or with an advanced degree (e.g. Ph.D.) in a concerned field and at least 10 years of relevant experience.

Age: Below 70 years. However, in the event of the non-availability of /paucity of experts in a given field, the maximum age of a member of the Expert Appraisal Committee may be allowed up to 75 years



2. The Members of the EAC shall be Experts with the requisite expertise and experience in the following fields /disciplines. In the event that persons fulfilling the criteria of "Experts" are not available, Professionals in the same field with sufficient experience may be considered:

- **Environment Quality Experts:** Experts in measurement/monitoring, analysis and interpretation of data in relation to environmental quality
- **Sectoral Experts in Project Management:** Experts in Project Management or Management of Process/Operations/Facilities in the relevant sectors.
- **Environmental Impact Assessment Process Experts:** Experts in conducting and carrying out Environmental Impact Assessments (EIAs) and preparation of Environmental Management Plans (EMPs) and other Management plans and who have wide expertise and knowledge of predictive techniques and tools used in the EIA process
- **Risk Assessment Experts**
- **Life Science Experts in floral and faunal management**
- **Forestry and Wildlife Experts**
- **Environmental Economics Expert with experience in project appraisal**

3. The Membership of the EAC shall not exceed 15 (fifteen) regular Members. However the Chairperson may co-opt an expert as a Member in a relevant field for a particular meeting of the Committee.

4. The Chairperson shall be an outstanding and experienced environmental policy expert or expert in management or public administration with wide experience in the relevant development sector.

5. The Chairperson shall nominate one of the Members as the Vice Chairperson who shall preside over the EAC in the absence of the Chairman /Chairperson.

6. A representative of the Ministry of Environment and Forests shall assist the Committee as its Secretary.

7. The maximum tenure of a Member, including Chairperson, shall be for 2 (two) terms of 3 (three) years each.

8. The Chairman / Members may not be removed prior to expiry of the tenure without cause and proper enquiry.



ANKIT RANA
Advocate
Reg. No. - UK-340/2021
Oath Commissioner
High Court of Uttarakhand
At-NAINITAL

SI NO. _____
Dated: _____