

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

M.A. No. 142/2024

IN

ORIGINAL APPLICATION NO. 458/2022

IN THE MATTER OF:

SHESHAN TYAGI

.....**APPLICANT**

VERSUS

STATE OF U.P. & ORS.

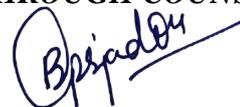
.....**RESPONDENT(s)**

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THROUGH COUNSEL



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COUNSEL UTTAR PRADESH POLLUTION CONTROL BOARD

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DATE: 05.03.2025

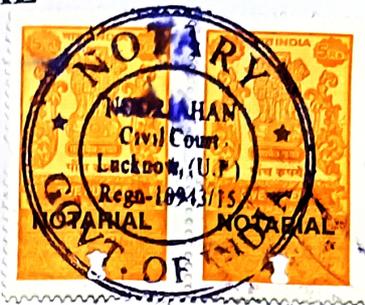
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BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

M.A. No. 142/2024

IN

ORIGINAL APPLICATION NO. 458/2022



IN THE MATTER OF:

SHESHAN TYAGI

.....APPLICANT(s)

VERSUS

STATE OF UTTAR PRADESH & OTHERS

.....RESPONDENT(s)

COMPLIANCE AFFIDAVIT ON BEHALF OF UTTAR PRADESH
POLLUTION CONTROL BOARD IN COMPLIANCE OF THE
ORDER DATED 18.12.2024 PASSED BY THE HON'BLE
NATIONAL GREEN TRIBUNAL

I, Sanjeev Kumar Singh, aged about 38 years, S/o Shri Lal Sahab Singh, posted as Member Secretary, Uttar Pradesh Pollution Control Board, do hereby solemnly affirm and state as under:

That in the official capacity mentioned above, I am acquainted with the facts and circumstances of the case and as such I am competent and authorized to swear this affidavit.

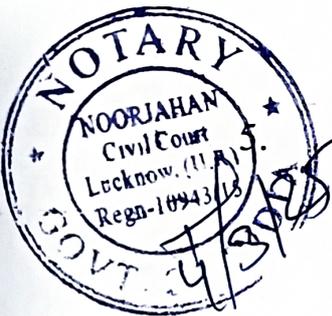
2. That I state that the contents of the affidavit have been drafted by my counsel on my instructions and the contents of the same are



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true to my knowledge and nothing material has been concealed therefrom.

3. That at the outset the Deponent tenders an unconditional sincere apology for the delay that has occurred in the present matter. That the said delay was neither intentional nor deliberate. That the Deponent deeply regrets any inconvenience that may have arisen due to the same. However, the Deponent has taken appropriate action to ensure necessary compliance with respect to the matter. That the Deponent submits that all no such delays on the part of the Deponent would be repeated again and respectfully prays this Hon'ble Tribunal to accept the present apology.
4. That in the present matter, applicant has alleged complaint regarding the installation and operation of DG sets by M.R. Proview Realtech Pvt. Ltd. Developer of Officer's City 2, Raj Nagar Extension, Ghaziabad (herein referred to as "Project Proponent") in violation of the environmental norms causing environmental pollution.



That the Hon'ble Tribunal vide judgment dated 29.07.2022 had disposed of the said matter and directed as follows-

".....3. In view of the grievances made in the letter petition, we consider it appropriate that a Committee of the concerned authorities be asked to verify the factual position and take remedial action on the basis thereof. We accordingly constitute Joint Committee of State PCB and District Magistrate, Ghaziabad and direct the same to verify the factual position, look into the

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grievances of the applicant and take remedial action in accordance with law after following due process.

4. Factual and action taken report may be furnished within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF, before the Ld. Registrar General, National Green Tribunal, Principal Bench, New Delhi who may, if necessary, put up the matter before this Bench for further directions.

5. The application is disposed of accordingly.....”

6. That the Hon’ble Tribunal further in the order dated 25.11.2024, directed as follows:

“.....3. Order shows that joint Committee was constituted comprising UPPCB and District Magistrate, Ghaziabad and it was required to verify factual position, take remedial action and submit compliance report with Registrar General of the Tribunal within two months.

4. However, till date, the said order dated 29.07.2022 has not been complied with and no such report has been received by this Tribunal though more than an year has passed. This conduct on the part of authorities concerned cannot be appreciated and it amounts to flagrant 3 violation and non-compliance of Tribunal’s order, which is also an offence under Section 26 of National Green Tribunal Act, 2010 (hereinafter referred to as ‘NGT Act, 2010’).

5. However, before proceeding further in the matter, we find it appropriate to grant one more opportunity to concerned authorities and direct the abovejoint Committee to submit the report as directed by order dated 29.07.2022 within two weeks



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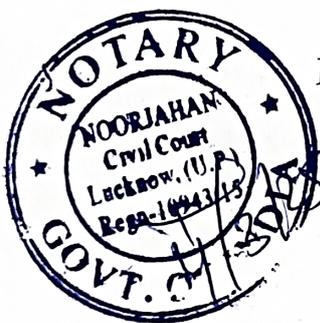
failing which Member Secretary, UPPCB and DistrictMagistrate, Ghaziabad shall appear in person on the next date.....”

7. That in compliance of the aforementioned order, the Joint Committee comprising of the officers of Uttar Pradesh Pollution Control Board and Additional District Magistrate, Ghaziabad visited the site in question on 16.12.2024. That Shri. Surya Kant Sharma, Project Manager of M/s M.R. Proview Realtech Pvt. Ltd. was also present during the said inspection. That an inspection report was prepared by the Joint Committee and was filed before this Hon'ble Tribunal. That in the said inspection report the Joint Committee recommended as under:

- I. Project must ensure installation of dual fuel kit (70% PNG +30% HSD) or Retro Fitted Emission Control Device (RECD) in compliance of direction No-76 issued by Commission for Air Quality Management in NCR and Adjoining Areas regarding regulation of DG sets.
- II. Project proponent should obtain consent to operate from UPPCB under the Water (Prevention Control of Pollution) Act. 1974 and Air (Prevention Control of Pollution) Act. 1981.
- III. Environmental Compensation (EC) should be imposed against project proponent for non-compliance of direction No-76 dated 29.09.2023 as per "Standard Schedule for Environmental Compensation (EC) Charges in Closure Directions issued by the Commission"

A Copy of the Inspection report has been attached herewith as **ANNEXURE A-1.**

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8. That the Hon'ble Tribunal vide order dated 18.12.2024 directed as follows:

".....5. Show cause notices be issued to the Member Secretary, State PCB and District Magistrate, Ghaziabad requiring them to file report showing action taken by them in compliance of order dated 29.07.2022 and also to show cause as to why appropriate action for non-compliance be not taken against them.

6. Compliance reports and replies to the show cause notices may be filed at least one week before the date of hearing hereby fixed.

7. List on 06.02.2025 for further consideration....."

9. That in compliance of the aforementioned order, the Regional Officer, U.P. Pollution Control Board issued a letter dated 16.12.2024 to the Project Proponent for the installation of dual fuel kit (70% PNG +30% HSD) or Retro Fitted Emission Control Device (RECD) as per the Direction No. 76 dated 29.09.2023 issued by the Commission for Air Quality Management in National Capital Region and Adjoining Areas.

A Copy of the letter dated 16.12.2024 has been attached herewith as ANNEXURE A-2.

A Copy of the Direction No. 76 dated 29.09.2023 has been attached herewith as ANNEXURE A-3.



10. That with respect to the non-compliance with the recommendations of the Joint Committee and the directions issued by the Regional Officer, U.P. Pollution Control Board in the letter dated 16.12.2024, the U.P. Pollution Control Board issued a Show Cause Notice dated 29.01.2025 to the Project Proponent. That in the said notice, an environmental compensation of Rs. 65,70,000/- (Rupees

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Sixty-Five Lakhs Seventy Thousand Only) was proposed to be imposed upon the Project Proponent. The calculation of the said environmental compensation is as follows:

I. **VIOLATION PERIOD:**

- (a) The violation with respect of the DG Sets in the present matter persisted for 137 days (from 01.01.2024 to 13.10.2024).
- (b) That additionally, the violation during the GRAP period was for 41 days (from 14.10.2024 to 28.12.2024).

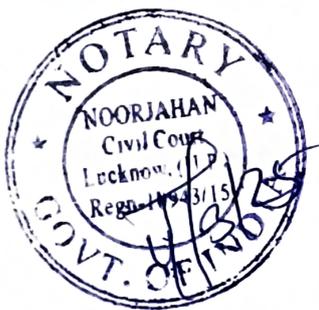
II. **BASIS OF CALCULATION:**

- (a) That as per the Order dated 01.01.2025 issued by the Commission for Air Quality Management in the National Capital Region and Adjoining Areas, the penalty for the violations of DG Set regulations is Rs. 15,000/- per day for each DG Set with a capacity exceeding 125 KW but less than 800 KW.
- (b) That the formula prescribed for calculating environmental compensation (EC) is as follows:

Total EC per DG Set= Rate per Day*N (No. of Days of Violation)

- (c) That with respect to the GRAP period, the relevant portion of the said Order dated 01.01.2025 has been reproduced herein for ready reference:

".....B. For violations observed during the periods of restrictions imposed under GRAP, the rates for EC shall be doubled, (except for cases under 'C' below)...."



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III. TOTAL CALCULATION OF ENVIRONMENTAL COMPENSATION:

That on the basis of the aforementioned order, the total environmental compensation for the period 01.01.2024 to 28.12.2024 has been calculated as under:

$$\begin{aligned} \text{EC} &= \text{N} * (30,000) + \text{N} * (60,000) \\ &= 137 * 30,000 + 41 * 60,000 \\ &= \text{Rs. } 65,70,000/- \end{aligned}$$

A Copy of the show cause notice dt. 29.01.2025 has been attached herewith as ANNEXURE A-4.

A Copy of the order dated 01.01.2025 has been attached herewith as ANNEXURE A-5.

11. That in response to the aforementioned show cause notice dt. 29.01.2025. the Project Proponent submitted a reply vide letter dated 25.02.2025, stating that dual fuel kits have been installed on both DG sets (500 kVA & 250 kVA) at the said site in question. That a purchase order dated 09.01.2025 and an installation certificate dated 24.02.2025 were attached with the said letter, confirming that the kits were installed.

A Copy of the letter dated 25.02.2025 has been attached herewith as ANNEXURE A-6.

Subsequently, a site inspection of the said site in question was conducted by the UPPCB on 27.02.2025, in the presence of Mr. Suryakant Sharma (Manager).

The observations of the said inspection are as under:

- It was observed that the project has a total of two DG sets with capacities of 500 kVA and 250 kVA, respectively.



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- A dual fuel kit (70% PNG + 30% Diesel) has already been installed on both DG sets as per regulatory norms.
- As per office records, the project entity has applied online for consent to operate under the Water and Air Acts on 27.02.2025, and the application is currently under consideration.

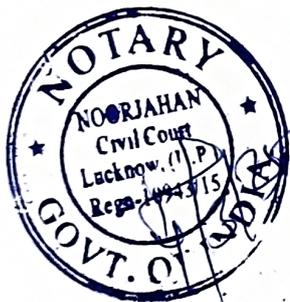
Conclusion & Recommendations as per the said site inspection are as under:

- Considering the above facts and the project's reply dated 25.02.2025, it is recommended that:
- The environmental compensation of Rs. 65,70,000/- imposed for the default period mentioned in the show cause notice be upheld.
- The show cause notice dated 29.01.2025 be disposed of accordingly.

A Copy of the inspection report dated 27.02.2025 has been annexed herewith as ANNEXURE A-7.

13. Furthermore, the Chief Environmental Officer, Circle-1, Uttar Pradesh Pollution Control Board, Lucknow has written a letter dt. 28.02.2025 to the Project Proponent. That vide the said letter the environmental compensation of Rs. 65,70,000/- (Sixty-Five Lakh Seventy Thousand Rupees Only) was confirmed against the Project Proponent. That project proponent was directed to deposit the amount within one week.

A Copy of the letter dated 28.02.2025 has been annexed herewith as ANNEXURE A-8.



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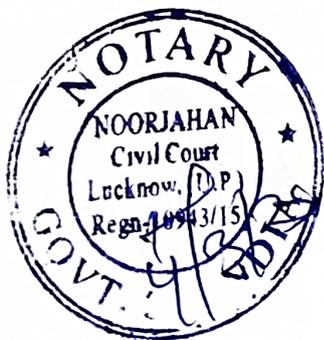
- 14. That in light of the above, the Deponent has ensured necessary compliance in strict adherence to the directions issued by the Hon'ble Tribunal.
- 15. Hence the present affidavit is being submitted for the kind perusal of this Hon'ble Tribunal. It is prayed that the same be taken on record.
- 16. That I state that everything stated above has been stated by me in my official capacity on and derived from the official records and I state that nothing material has been concealed therefrom.

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DEPONENT

VERIFICATION

Verified at Lucknow on this 4th day of March, 2025, that the contents of the above affidavit from paragraphs 1 to 17 are believed to be true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

sk
DEPONENT



Sworn and Verified before me. 4/3/25
NOORJAHAN
Advocate & Notary
Civil Court, Lucknow
Registration No. 10943/15

I know & identify the deponent/Executant who has signed/put his T.I. before me

sk
S. J. IQBAL Advocate
Reg No. 6043/15/199

Inspection report in compliance of order dated 25.11.2024 issued by Hon'ble National Green Tribunal in Original Application No. 458/2022 Sheshan Tyagi Versus State of Uttar Pradesh with Original Application No. 460/2022 Gaurav Soni Versus State of Uttar Pradesh.

Hon'ble National Green Tribunal in Original Application No. 458/2022 Sheshan Tyagi Versus State of Uttar Pradesh & Original Application No. 460/2022 Gaurav Soni Versus State of Uttar Pradesh has passed following order dated 25.11.2024:-

".....3. Order shows that joint Committee was constituted comprising UPPCB and District Magistrate, Ghaziabad and it was required to verify factual position, take remedial action and submit compliance report with Registrar General of the Tribunal within two months.

4. However, till date, the said order dated 29.07.2022 has not been complied with and no such report has been received by this Tribunal though more than an year has passed. This conduct on the part of authorities concerned cannot be appreciated and it amounts to fragrant

5. However, before proceeding further in the matter, we find it appropriate to grant one more opportunity to concerned authorities and direct the above joint Committee to submit the report as directed by order dated 29.07.2022 within two weeks failing which Member Secretary, UPPCB and District Magistrate, Ghaziabad shall appear in person on the next date....."

Action Taken:

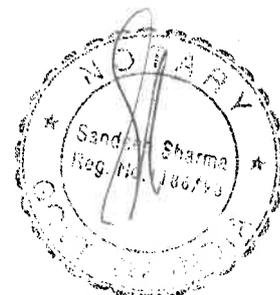
In compliance of above order the joint committee comprising following officers visited the site in question on dated 16.12.2024 in presence of Shri Surya Kant Sharma, Project Manager of M/s M.R. Proview Realtech Pvt. Ltd., (Officer City-

2), Rajnagar Extension, Ghaziabad:-

- 1- Additional District Magistrate (City), Ghaziabad.
- 2- Shri Vipul Kumar, AEE, UPPCB, Ghaziabad.
- 3- Shri Anshul Sharma, AEE, UPPCB, Ghaziabad.

ATTESTED

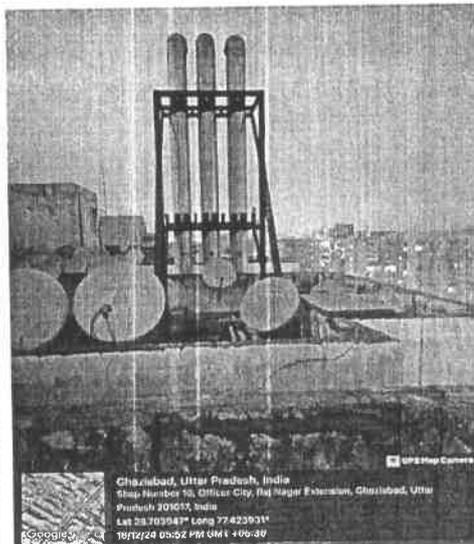
(Sandeep Sharma)
Reg. No. 1136/98
NOTARY PUBLIC
Ghaziabad (U.P.)



17 DEC 2024

Observations:-

- I. There are total two DG sets having capacity 500 KVA and 250 KVA respectively for uninterrupted power supply in case of power failure.
- II. Both DG sets are equipped with acoustic enclosure with stack height of 08 meters above roof top of building, which is adequate as per norms specified by CPCB. Copy of same is annexed as **Annexure-I**.
- III. As per unit representative both dg sets have to be converted into dual fuel (70% PNG + 30% HSD) but at the time of inspection no evidence/work order is provided by representative of M/s M.R. Proview Realtech Pvt. Ltd., (Officer City-2), Rajnagar Extension, Ghaziabad.
- IV. As per direction No-76 issued by Commission for Air Quality Management in NCR and Adjoining Areas regarding regulation of DG sets, both DG sets should be converted into dual fuel (70% PNG + 30% HSD) or Retro Fitted Emission Control Device (RECD) should be installed. Copy of same is annexed as **Annexure-II**.
- V. Photographs taken during inspection is as follows:-

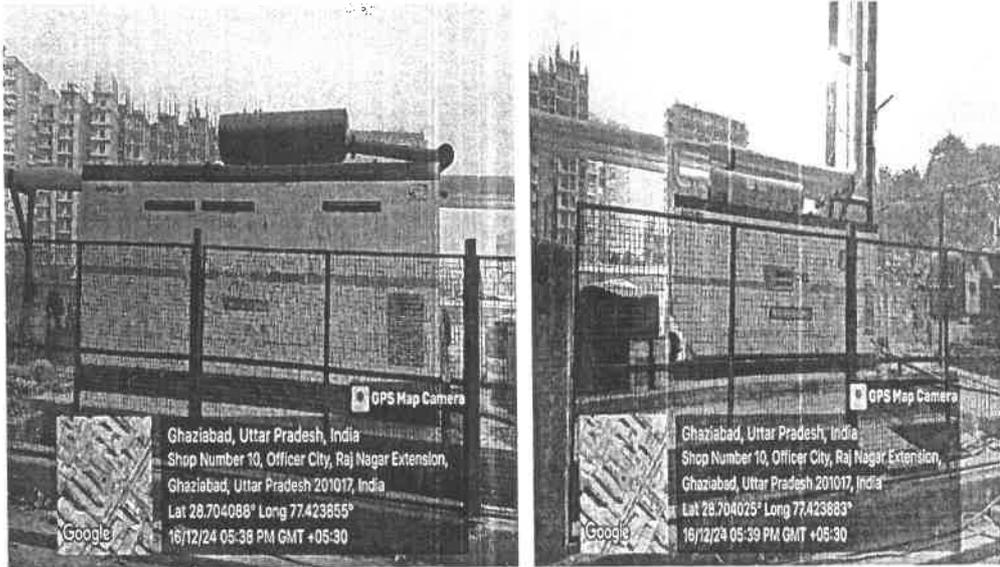


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NOTARY PUBLIC
Ghaziabad (U.P.)



17 DEC 2024



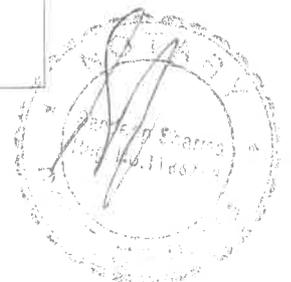
Recommendation:

1. Project must ensure installation of dual fuel kit (70% PNG + 30% HSD) or Retro Fitted Emission Control Device (RECD) in compliance of direction No-76 issued by Commission for Air Quality Management in NCR and Adjoining Areas regarding regulation of DG sets.
2. Project proponent should obtain consent to operate from UPPCB under the Water (Prevention Control of Pollution) Act. 1974 and Air (Prevention Control of Pollution) Act. 1981.
3. Environmental Compensation (EC) should be imposed against project proponent for non-compliance of direction No-76 as per "Standard Schedule for Environmental Compensation (EC) Charges in Closure Directions issued by the Commission"

The above report is being submitted for kind consideration of Hon'ble Tribunal.

1-	Additional District Magistrate (City), Ghaziabad.	
2-	Shri Vipul Kumar, AEE, UPPCB, Ghaziabad.	
3-	Shri Anshul Sharma, AEE, UPPCB, Ghaziabad.	

ATTESTED
 (Sandeep Sharma)
 Reg. No. 1136/98
 NOTARY PUBLIC
 Ghaziabad (U.P.)



17 DEC 2024

EMISSION REGULATIONS
Part IV

ATTESTED

(Sandeep Sharma)
Reg. No. 1136/98
NOTARY PUBLIC
Ghaziabad (U.P.)



**Central Board for the Prevention
And
Control of Water Pollution
New Delhi**

17 DEC 2024



EMISSION REGULATIONS
Part.IV

ATTESTED

(Sandeep Sharma)
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NOTARY PUBLIC
Chaziabad (U.P.)



**Central Board for the Prevention
And
Control of Water Pollution**

'Skylark' Building 60, Nehru Place, New Delhi



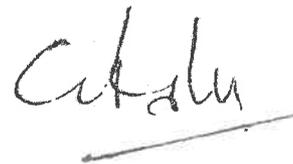
17 DEC 2024

PREFACE

There is a need for evolving emission standards specifically for small boilers, incinerators and diesel generator sets, because these are after located near residential areas, and in industrial areas of metropolition cities. The standards proposed in the following pages meet this need. The standards are intended to be reviewed in June, 1989, based on the results obtained till then.

As prescribed in the Section 17(1)(g) of the Air (Prevention And Control Of Pollution) Act, 1981, the standards are to be laid down by the State Pollution Control Boards. The State Boards may adopt standards that are more stringent than those given herein depending upon the location of the industries, specially if it is in a protected area for instance in the Agra-Mathura trapezium. The State Boards would not, however, relax the standards.

Comments are solicited on the suggested standards.



PARITOSH C. TYAGI
Chairman



17 DEC 2024

ATTESTED

(Sandeep Sharma)
Reg. No. 1136/98
NOTARY PUBLIC
Chhatisgarh (U.P.)

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ENVIS Centre, CPCB (www.cpcbenvis.nic.in)



17 DEC 2024

ATTESTED

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BOILER EMISSIONS

At present the emission standards covering boilers are given under "Thermal Power" in Emission Regulations, Part-I. These are for particulate matter and are as follows:

BOILER SIZE	Less than 200 MW
PROTECTED AREA	150 mg/Nm ³
OTHER AREA	
Old (Before 1979)	600 mg/Nm ³
New (After 1979)	350 mg/Nm ³

This means that this standard is applicable for boilers of sizes down to the package-type. It also implies that emission control is through the use of the electrostatic precipitator. Both of these need to be clarified.

- 1.1 The control of gaseous emissions from boilers is through the stack height given by $H = (Q) 0.3$ where Q is the emission of sulphur dioxide in kg/hr. A requirement of 30 meters is for industries in the Schedule. This is probably too tall for the small boilers.

There appears to be a need for correcting the situation, in view of the clarifications sought from the state boards, from industry and also from boiler manufacturers.

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2. THE FOLLOWING IS THEREFORE ADOPTED :

Boilers are classified according to their steam generation capacity. The relation between the boiler and the industry size is given below :

Category	Steam Generation Capacity	Size Of Industry
I	Less than 2 ton/hr	Very small manufacturers
II	2 to 15 ton/hr	Package boiler range for small scale industries.
III	More than 15 ton/hr	Site-erected boiler for medium scale industries.

- 2.1 It is further adopted that category I boilers should have cyclones attached to them. The cost of a 2 ton/hr boiler and accessories is about 5 lakhs while the cyclone cost would be around Rs. 50,000/-. Category II boilers should have multiclones. The 10 ton/hr boiler cost with accessories is about 50 lakhs while the multiclone cost is Rs. 1.5 lakhs. Category III boilers should have bag filters.

A 15 ton/hr boiler with accessories costs between 75 lakhs and 1.1 crore while the bag filter cost is about 12 lakhs. A boiler of 35 ton/hr with accessories costs 1.4 to 2.2 crores while the bag filter cost is about 25 lakhs. The variation in the cost of the boiler is dependent on the type of steam required. The cost of the control equipment works out to 10% or less of the cost of the boiler with accessories, in each category.

The corresponding emissions for categories I, II and III are 1600 mg/Nm³, 1200 mg/Nm³ and 150 mg/Nm³ respectively.

2.2 THE PROPOSAL CAN BE SUMMARISED AS FOLLOWS :

Capacity Of Boiler	Control Device	Coal Consumption	Required Particulate Emission*
Less than 2 ton/hr	Cyclones	8.5 MT/day	1600 mg/Nm ³
2 to 15 ton/hr	Multiclones	8.5 to 64 MT/day	1200 mg/Nm ³
More than 15 ton/hr	Bag filters	More than 64 MT/day	150 mg/Nm ³

*All emissions normalized to 12 percent carbon dioxide.

This requirement is applicable for boilers using any type of solid fuel. For liquid fuels such as furnace oil or LSHS, the control would be through the stack height covered under 4.0. Fluidized bed fired boilers would be fitted with bag filters or electrostatic precipitators. Incinerators shall be fitted with multiclones.

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17 DEC 2024

ASSUMPTIONS

The sulphur dioxide emitted from the stacks would be proportional to the coal consumption. The following assumptions have been made:

- i. 1 MW of electricity generation is equivalent to 7.0 ton/hr of steam generation.
- ii. 1 MW of electricity generation requires 30 MT of coal per day.

1 These figures have been obtained from Thermal Power Stations using pulverized coal as fuel. Assuming that 1 ton/hr of steam generation requires 5.0 MT of coal per day, the figure taken from pulverized fuel-fired thermal power stations appears to be conservative by approximately 16%. This is as expected—pulverized coal would be a more efficient source of energy than lumps.



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(Sandeep Sharma)
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STACK HEIGHT

4 The coal requirement for the steam generating boiler is more conservative, as indicated above, than for thermal power plant boilers. The stack heights are correspondingly lower. It is expected that the temperature of the exit gases gives an additional plume rise and, therefore, an increase in the effective stack height. These two opposing effects are likely to balance out. The stack height calculated for coal-fired boilers is given below, using the formula arrived from using the Gaussian Plume Model and published in Emission Regulation Parts I and II, namely:

$H=(14Q_g)^{0.75}$ where H is the physical height of the stack and Q_g is the emission of sulphur dioxide in kg/hr.

4.1 Steam Generation Capacity	Coal Consumed	Stack Height
Less than 2 ton/hr	8.5 MT/day	2 & 1/2 times the neighbouring building height or 9 meters (whichever is more)
More than 2 ton/hr to 5 ton/hr	8.5 MT/day to 21 MT/day	12 m
More than 5 ton/hr to 10 ton/hr	21 MT/day to 42 MT/day	15 m
More than 10 ton/hr to 15 ton/hr	42 MT/day to 64 MT/day	18 m
More than 15 ton/hr to 20 ton/hr	64 MT/day to 104 MT/day	21 m
More than 20 ton/hr to 25 ton/hr	104 MT/day to 105 MT/day	24 m
More than 25 ton/hr to 30 ton/hr	105 MT/day to 126 MT/day	27 m
More than 30 ton/hr	More than 126 MT/day	30 m (whichever is more) or using formula $H=14(Q_g)^{0.75}$

4.2 For industrial furnace and kiln applications, that is for devices other than boilers for steam and power generation, the criteria for selection of equipment would be based on coal usage. This would be as given in 2.2 above. The stack height shall follow the norms given in 4.1.

4.3 These specifications apply to existing as well as new industries. Existing industries will have to carry out necessary modifications to their plants to accommodate new chimneys and control equipment.

4.4 The industries which install facilities for removal of particulates or gaseous emissions to adhere to the limits prescribed, then the stack height H, can be relaxed to $H=(Q_g)^{0.75}$ where Q_g =amount of gaseous emissions (para 4.0) in kg/hr. In case of particulates, when controlled to the limits specified in 2.2, then stack height can be relaxed to $H=74(Q_p)^{0.75}$, where Q_p is the particulate emission in tonnes/hr.

4.5 Minimum height of stack in all cases shall be 9.0 M.(30 ft) or as calculated by the relevant formula, whichever is more.

ATTESTED

 (Sandeep Sharma)
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 NOTARY PUBLIC
 Chazalabad (U.P.)

17 DEC 2024



DIESEL GENERATOR SETS

The minimum height of stack to be provided with each generator set can be worked out by using the following formula :—

$$H=h+0.2 \text{ KVA}$$

H=Total height of stack in meter

h=height of the building in meters where the generator set is installed.

KVA=Total generator capacity of the set in KVA

Based on the above formula the minimum stack height to be provided with different range of generator sets may be categorised as follows :

For Generator Sets

50 KVA
50-100
100-150 KVA
150-200 KVA
200-250 KVA
250-300 KVA

Total Height Of Stack In Meter

Ht. of the building + 1.5 meter
Ht. of the building + 2.0 meter
Ht. of the building + 2.5 meter
Ht. of the building + 3.0 meter
Ht. of the building + 3.5 meter
Ht. of the building + 3.5 meter

Similarly for higher KVA ratings a stack height can be worked out using the above formula.

The stack height for generators was originally evolved for those to be used in the metropolitan area of Delhi. The objective was to avoid the problem of road side discharge from stacks and build-up of pollutants in the ambient air. However, due to shortage of power, factories have installed diesel-based power generating (DG) sets. Many of the factories are away from metropolitan or urban areas where standards covered in 5.1 would appear stringent. It is also expected that a DG set is a stand-by used only during power breakdowns. For both these reasons, the relaxation in the height of the stack from ground level is made to two and a half times the building height. This building may be either the one in which the DG set is housed or a building, with people working, within the premises of the factory. This is also applicable for oil-fired furnace, engines and equivalent.

The State Pollution Control Board would decide if the plant is sufficiently removed from urban residential or commercial areas so that this relaxation from 5.1 is applicable.

It is evident that the stack requirement for coal-fired boilers is more than that required for DG sets. This is necessary because ambient values for sulphur dioxide and nitrogen oxides indicate stricter for sulphur dioxide.

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6

MONITORING REQUIREMENTS FOR LARGE INDUSTRIES

Several large industries are being cleared by the Environmental Appraisal Committee of the different states. These industries include Petrochemicals, Steel plants, Cement plants, etc. The Emissions Regulations Part III published by the Central Board deals with the monitoring requirements for these industries. However, one item which has been over-looked in the past, in the regulations, is the requirement for continuous monitoring of pollutants emitted from the stacks of these large industrial units. There is a greater requirement for the larger industries to control the emissions because of the larger emissions rate. Industries beyond a certain capacity, shall install continuous monitoring equipment with plotter/integrator for the pollutants given below. The location and type of equipment is given along with the plant capacity under the various industrial heads.

	Plant Capacity	Location	Type of Monitor
1. Cement	More than 300,000 TPA	Kiln Stack	Opacity Monitor with recorder
2. Thermal Power	More than 200 MW	Boiler Stack	—do—
3. Nitric Acid	More than 150 TPD	Spent gas stack	NO _x Monitor
4. Sulphuric Acid	More than 100 TPD	Converter stack	SO ₂ Monitor
5. Primary Aluminium	All	Pot Gas stack	Fluorides
6. Oil Refinery	3000 TPD Crude	Distillation Stack, Catalytic Cracker and Sulphur Recovery	Sulphur Dioxide

These regulations would be applicable for industries which have applied for industrial licence and also in those cases where state board thinks appropriate.

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LIST OF PUBLICATIONS

CONTROL OF URBAN POLLUTION SERIES

1.	Union Territory of Delhi (Detailed) : CUPS/2/1978-79	Rs. 80/-
2.	Union Territory of Delhi (Abridged) : CUPS/1/1978-79.	Rs. 40/-
3.	Industrial Survey Union Territory of Delhi : CUPS/3/1978-79	Rs. 40/-
4.	Wastewater Collection, Treatment & Disposal in Class-I Cities : CUPS/4/1978-79	Rs. 100/-
5.	Status of Water Supply and Wastewater Collection, Treatment & Disposal in Class-II Towns of India : CUPS/6/1979-80	Rs. 100/-
6.	Inventory & Assessment of Pollution Emission in and Around Agra-Mathura Region (Abridged) : CUPS/7/1981-82.	Rs. 50/-
7.	Status of water Pollution in & around Delhi : CUPS/5/1978-79	U/P
9.	Union Territory of Pondicherry : CUPS/9/1983-84.	
10.	Vehicular Air Pollution in Delhi-A Preliminary Study 1982-83 : CUPS/10/1982-83.	Rs. 40/-
11.	Assimilation Capacity of Point Pollution Load. The River Yamuna, U.T. of Delhi : CUPS/12/1982-83.	Rs. 40/-
12.	A Method to Determination of Minimal Stack Height : CUPS/13/1984-85.	Rs. 20/-
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23.	National inventory of Water Polluting Industries and effluent treatment Plant - Status : PROBES/28/1984-85.	
24.	As assessment of Mercury Pollution Problem at Kothari Industrië's Ltd. Madras— A Care Study PROBES/29/1985.	
25.	Performance Study of ION — Exchange Regin Treatment System for Mercury Removal from Wastewater at Gujarat Alkalies Chemicals Ltd. Baroda Gujarat — PROBES/30/1985-86.	
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27.	Report identification of Import components of waste Treatment Technology and Know how : PROBES/32/1984-85.	U/P
28.	Environmental Evaluation of Oil Drilling and Collection System — A Fellow-up/A Pursuit : PROBES/33/85	(NFS) Rs. 65/-
29.	Ground Water Quality in Union Territory of Delhi (Abridged) : PROBES/34/85	Rs. 40/-

COMPREHENSIVE INDUSTRY DOCUMENT SERIES

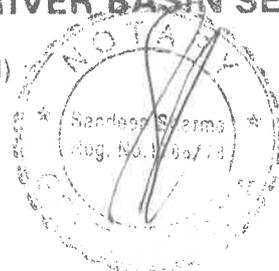
1.	Comprehensive Industry Document Man Made Fibre Industry : COINDS/1/1979-80.	Rs. 100/-
2.	Minimal National Standards Man Made Fibre Industry : COINDS/2/1979-80.	Rs. 40/-
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4.	Minimal National Standards Oil Refineries : COINDS/4/1981-82.	Rs. 40/-
5.	Comprehensive Industry Document, Chlor-Alkali (Abridged) Industry : COINDS/5/1979-80.	Rs. 50/-
6.	Minimal National Standards Caustic Soda Industry COINDS/6/1979-80.	Rs. 40/-
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13.	Emission Regulations (July 1985-86) Part II : COINDS/18/1984-85.	*Rs. 40/-
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16.	Emission Regulation Part III : COINDS/20/1984-85.	Rs. 50/-
17.	Minimal National Standard : Thermal Power Plant : COINDS/21/1986.	Rs. 25/-
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CENTRAL BOARD FOR THE PREVENTION AND CONTROL OF WATER POLLUTION

5TH & 6th Floors, Skylark Building
60, Nehru Place, New Delhi-110 019

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Direction No. 76

**COMMISSION FOR AIR QUALITY MANAGEMENT
IN NATIONAL CAPITAL REGION AND ADJOINING AREAS**
17th Floor, Jawahar Vyapar Bhawan (STC Building)
Tolstoy Marg, New Delhi-110001

F. No. A-11018/01/ 2021-CAQM/15322-15331

Dated: 29.09.2023

Subject: Directions under Section 12 of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act, 2021 – Review of regulations for use of DG sets in NCR.

WHEREAS, Ministry of Environment, Forest and Climate Change, Government of India, in exercise of the powers conferred under Section 3 of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act 2021, has constituted the Commission for Air Quality Management in National Capital Region and Adjoining Areas (hereinafter referred to as the Commission);

WHEREAS, under Section 12 (1) of the Act, the Commission is vested with powers to take all such measures, issue directions, etc., as it deems necessary or expedient for the purpose of protecting and improving the quality of the air in the National Capital Region and Adjoining Areas;

WHEREAS, Section 12 (2) (ix) of the Act empowers the Commission to issue directions in writing to any person, officer, or any authority and such person, officer or authority shall be bound to comply with such directions;

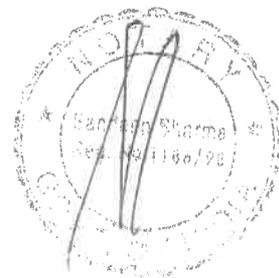
WHEREAS, Section 12(2)(iv) of the Act empowers the Commission to lay down parameters for discharge of emissions from various sources whatsoever that have implications on the air quality in the region;

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WHEREAS, Section 12(2)(v) of the Act also empowers the Commission to impose restrictions and regulate operations or processes that have implications on air quality in the region;

WHEREAS, the Commission has repeatedly taken up the matter relating to air pollution with the State governments of Haryana, Rajasthan, Punjab, Uttar Pradesh and Government of NCT of Delhi and various organizations concerned of the Central and State Governments/ GNCTD and has issued various Directions, Advisories and Orders for effective implementation of measures for abating air pollution in NCR, from time to time;

WHEREAS, the Commission has observed and has been sensitizing all stakeholders that, amongst others, large-scale unregulated use of Diesel Generator (DG) sets is a major contributing factor for deterioration of air quality in the region;

WHEREAS, in wake of generally prevailing adverse air quality in NCR during the winter season, the Commission, through directions No. 54-57 dated 08.02.2022, followed by Direction No. 68 dated 14.09.2022 and its related orders called for regulated use of DG Sets in the NCR, particularly during the periods of restrictions under the GRAP, subject to adopting emission control measures /devices/ systems such as retrofitted Emission control devices (ECDs) and dual fuel mode (gas and diesel), amongst other means of emission control;

WHEREAS, large number of DG sets operating in the region, even during the periods other than restrictions under the GRAP, cause heavy air pollution and are a matter of concern and thus, with a view to regulating the use of DG Sets even for such periods, the Commission issued Direction No. 71 for expeditious conversion of DG Sets to dual fuel mode, in areas where gas infrastructure and supply is available;

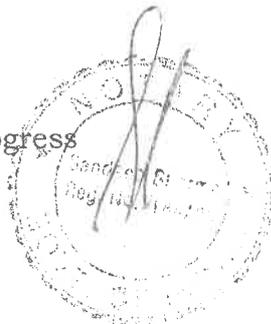
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WHEREAS, the Commission from time to time reviewed the progress and status of this matter, in line with various directions issued by it;

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WHEREAS, the Commission revisited / reviewed some provisions of the extant directions on the regulated use of DG sets and issued a revised Direction No. 73 dated 02.06.2023, to be applicable across all sectors in the NCR including Industrial, Commercial, Residential and Office establishments etc., as well as permitting more time to implement the schedule w.e.f. 01.10.2023.

WHEREAS, preparatory actions were initiated by various stakeholders towards emission control from DG sets through retro-fitted RECDs and / or dual fuel systems, a number of representations were still being made to the Commission, including deliberations / meetings with various stakeholders in this context, wherein the following were highlighted:

- i. Issues related to availability of certified RECDs and agencies for all capacity ranges and vintages of DG sets.
- ii. Issues related to availability / delays in PNG infrastructure and supply, purely for DG sets.
- iii. Techno-commercial issues, logistics and time involved for fitment of RECDs / conversion to dual fuel mode.
- iv. Issues related to availability of DG sets to the latest standards as in MoEFCC notification No. GSR 804(E) dated 03.11.2022 (CPCB-IV).
- v. No means for emission control in under 19 kW capacity range of DG sets (neither RECDs nor dual fuel mode are available / suited).
- vi. Issues related to use of DG sets for emergency services.

Owing to the above, a number of stakeholders broadly requested for the following:

- (a) Extension of the deadline of 30.09.2023, as laid down in Direction No. 73, by about 3 months.
- (b) Stipulating a condition of '**OR**' instead of '**AND**' towards fitment of RECDs and conversion to dual fuel system, for all categories of DG sets above 19kW capacity.
- (c) Permitting DG Sets of >800 kW capacity to be run uninterruptedly for the durations of power supply failure, subject to compliance of

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standards as in Direction No. 73 dated 02.06.2023, even during restrictions under GRAP.

- (d) Permitting such DG sets of < 125 kW capacity to be run for emergency services, even during the restrictions under the GRAP, where either certified ECDs are presently not available at all or where gas infrastructure and supply is also not available to enable running them in a dual fuel mode.

NOW, THEREFORE, in due consideration of the contentions and submissions made by various stakeholders, issues in ground level implementation, availability of RECDs / dual fuel systems / new gensets to CPCB -IV standards and various other techno-commercial considerations put forth by them, the Commission, pursuant to a comprehensive review and in supersession of all extant directions / orders / guidelines on the regulations for DG sets, now directs for adoption of the following Schedule for regulated operations of DG sets (only as a backup against regular power supply failures) across all sectors in NCR including Industrial, Commercial, Residential and Office establishments etc.:

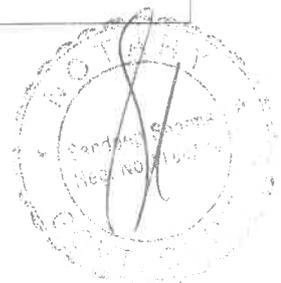
S. No.	Capacity Range of DG sets	System to be adopted for control of emissions	Regulations for use
1.	Power generating sets of all capacities running on LPG/ Natural Gas/ Bio-gas/Propane/Butane	None	No restrictions (Even during periods under GRAP)
2.	Power generating sets of all capacities up to 800 kW to standards as per MoEFCC notification No. GSR 804(E) dated 03.11.2022	None	No restrictions. (Even during periods under GRAP)

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3.	800 kW and above	Any emission control mechanism, strictly subject to compliance of emission standards as indicated below. *	No restrictions (Even during periods under GRAP)
4.	125 kW to less than 800 kW	Dual fuel mode OR Retro-fitted ECDs through certified vendors / agencies	No restrictions (Even during periods under GRAP)
5.	19 kW to less than 125 kW	Dual fuel mode	No restrictions (Even during periods under GRAP) DG Sets not working in a dual fuel mode, only owing to non-availability of gas infrastructure and supply, shall be permitted only for emergency services as stipulated in this direction.
6.	Portable DG sets (below 19 kW)	Presently no specific means of emission control are available in this category / capacity range of DG sets.	No restrictions during the periods, other than restrictions under GRAP. Not to be generally permitted during periods of restriction under GRAP. These shall, however, be permitted even during periods under GRAP only for emergency services as stipulated in this direction.

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***Standards for stack emissions for 800 kW and above capacity DG sets**

S.No	Parameter	Emission Standards
i.	PM (at 15% O ₂)	50 mg / Nm ³
ii.	NO _x (at 15% O ₂)	650 mg / Nm ³
iii.	CO (at 15% O ₂)	100 mg / Nm ³
iv.	Minimum DG Stack height	<p>30 meters OR minimum 6 meters above the height of the building where DG set is installed, whichever is higher.</p> <p>For example, if the building height where such DG set is installed is 20 meters, minimum stack height for DG set should be 30 meters from ground level;</p> <p>While, if the building height itself is 27 meters, the minimum stack height for the DG set should be 33 meters from the ground level.</p>

The regulated schedule for operation of DG sets issued vide Direction No. 73 dated 02.06.2023 comes to effect from 01.10.2023. The revised schedule as above further eases out the means of implementation and addresses practical difficulties and techno-commercial concerns of various stakeholders and thus the revised schedule for regulation of DG sets would be in force in the entire NCR w.e.f. 01.10.2023.

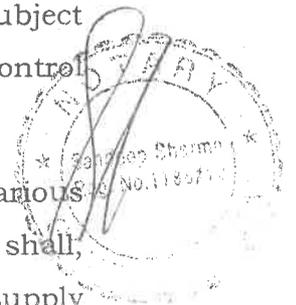
Notwithstanding the revised schedule as above, in the interest of not disrupting emergency services and permitting sufficient time for adopting the stipulated emission control mechanism in such existing DG Sets, the Commission, hereby, as a one-time exception, permits DG Sets for all capacity ranges (which have still not been equipped with emission control devices / systems as per the above noted schedule), to be run only for emergency services in the NCR as listed below, even under periods of restrictions under the GRAP, **only up to 31.12.2023** and strictly subject to adherence to the above noted schedule / measures for emission control thereafter:

- (i) Elevators / Escalators / Travelators etc. in various installations; Commercial entities / residential societies shall, however, ensure that operation of DG sets and supply

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therefrom is purely limited to operation of elevators / escalators / travelators etc. and not for any other activities of commercial entities / residential societies.

- (ii) Medical Services (Hospital/Nursing Home/Health care facilities) including units involved in manufacturing of life saving medical equipment/devices, drugs and medicines.
- (iii) Railway Services / Railway Stations.
- (iv) Metro Rail Corporation & MRTS Services, including trains and stations.
- (v) Airports and Inter-State Bus Terminals (ISBTs).
- (vi) Sewage Treatment Plants.
- (vii) Water pumping Stations.
- (viii) Projects related to national security, defence & of national importance.
- (ix) Telecommunications and IT/ data services.

It is further reiterated that appropriate emission control mechanism shall be put in place on or before 31.12.2023, in respect of DG sets being used in above listed emergency services, to avoid action under the relevant provisions of laws / rules / regulations / directions etc., thereafter.

NCR State PCBs/ DPCC shall ensure compliance of above noted directions and regularly monitor the field level implementation.

sd
(Arvind Nautiyal)
Member- Secretary

To

1. The Chief Secretary, Government of NCT of Delhi
2. The Chief Secretary, Government of Haryana
3. The Chief Secretary, Government of Rajasthan
4. The Chief Secretary, Government of Uttar Pradesh

Copy to:

1. Chairman, DPCC
2. Chairman, HSPCB
3. Chairman, RSPCB
4. Chairman, UPPCB
5. Chairman, CPCB.
6. The Chairperson and all Members, CAQM.

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sd
(Arvind Nautiyal)
Member- Secretary





क्षेत्रीय कार्यालय-उ०प्र० प्रदूषण नियंत्रण बोर्ड, गाजियाबाद
Regional Office, U.P. Pollution Control Board, Ghaziabad
Website- www.uppcb.com, e-mail: roghaziabad@uppcb.in

संदर्भ संख्या : 2139/L.../M-429/2024

दिनांक 16/12/2024

पंजीकृत

मैसर्स एम०आर० प्रोव्यू रियलटैक प्रा०लि०
(ऑफिसर सिटी-2), राजनगर एक्सटेंशन,
गाजियाबाद।

विषय: राष्ट्रीय राजधानी क्षेत्र एवं निकटवर्ती क्षेत्रों में वायु गुणवत्ता प्रबन्धन आयोग, नई दिल्ली द्वारा डी०जी० सेट संचालन के सम्बन्ध में जारी निर्देश संख्या-76 के अनुपालन के सम्बन्ध में।

उपरोक्त विषयक का संदर्भ ग्रहण करें। अवगत हो कि राष्ट्रीय राजधानी क्षेत्र एवं निकटवर्ती क्षेत्रों में वायु गुणवत्ता प्रबन्धन आयोग, नई दिल्ली द्वारा डी०जी० सेट संचालन के सम्बन्ध में जारी निर्देश संख्या-76 जारी किया गया है, छायाप्रति संलग्न है। अग्रेतर मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित ओ०ए० संख्या 458/2022 Sheshan Tyagi Versus State of Uttar Pradesh with Original Application No. 460/2022 Gaurav Soni Versus State of Uttar Pradesh में पारित आदेश दिनांक 25.11.2024 के अनुपालन में गठित संयुक्त समिति द्वारा आपकी परियोजना के निरीक्षण दिनांक 16.12.2024 के समय पाया गया कि आप द्वारा परियोजना में स्थापित कुल 02 डी०जी० सेटस क्षमता क्रमशः 500 के०वी०ए० एवं 250 के०वी०ए० पर नियमानुसार ड्यूल फ्यूल किट अथवा आर०ई०सी०डी० की स्थापना नहीं की गयी है, जो कि राष्ट्रीय राजधानी क्षेत्र एवं निकटवर्ती क्षेत्रों में वायु गुणवत्ता प्रबन्धन आयोग, नई दिल्ली द्वारा डी०जी० सेट संचालन के सम्बन्ध में जारी निर्देश संख्या-76 का स्पष्ट उल्लंघन है।

अतः आपको निर्देशित किया जाता है कि आप द्वारा परियोजना में स्थापित कुल 02 डी०जी० सेटस क्षमता क्रमशः 500 के०वी०ए० एवं 250 के०वी०ए० पर नियमानुसार ड्यूल फ्यूल किट अथवा आर०ई०सी०डी० की स्थापना के सम्बन्ध में प्रस्तावित क्रियान्वयन कार्यक्रम एवं दिनांक 01.10.2023 से वर्तमान तक डी०जी० सेटस के संचालन के सम्बन्ध में लॉगबुक की सत्यापित प्रति पत्र प्राप्ति के 03 दिवस में इस कार्यालय को प्रेषित करना सुनिश्चित करें, अन्यथा उल्लंघन की दशा में सी०ए०क्यू०एम० द्वारा जारी निर्देश संख्या-76 के अनुपालन न किये जाने के दृष्टिगत डिफाल्टर अवधि हेतु परियोजना के विरुद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने की कार्यवाही प्रारम्भ कर दी जायेगी, जिसका समस्त उत्तरदायित्व परियोजना के स्वयं का होगा।

संलग्नक: उपरोक्तानुसार।

क्षेत्रीय अधिकारी

प्रतिलिपि:

1. मुख्य पर्यावरण अधिकारी, वृत्त-1, उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ को सादर सूचनार्थ प्रेषित।
2. विधि अधिकारी-प्रथम, उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ को सादर सूचनार्थ प्रेषित।

क्षेत्रीय अधिकारी

क्षेत्रीय कार्यालय : आई०एन०एस०-2, सेक्टर-16, वसुन्धरा, गाजियाबाद। दूरभाष-0120-4160108

मुख्यालय : TC-12V, विभूति खण्ड, गोमती नगर, लखनऊ 226010

शुभम पंत द्वारा प्राप्त किया गया 30/12/2024

Direction No. 76

**COMMISSION FOR AIR QUALITY MANAGEMENT
IN NATIONAL CAPITAL REGION AND ADJOINING AREAS**
17th Floor, Jawahar Vyapar Bhawan (STC Building)
Tolstoy Marg, New Delhi-110001

F. No. A-11018/01/ 2021-CAQM/15322-15331 Dated: 29.09.2023

Subject: Directions under Section 12 of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act, 2021 – Review of regulations for use of DG sets in NCR.

WHEREAS, Ministry of Environment, Forest and Climate Change, Government of India, in exercise of the powers conferred under Section 3 of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act 2021, has constituted the Commission for Air Quality Management in National Capital Region and Adjoining Areas (hereinafter referred to as the Commission);

WHEREAS, under Section 12 (1) of the Act, the Commission is vested with powers to take all such measures, issue directions, etc., as it deems necessary or expedient for the purpose of protecting and improving the quality of the air in the National Capital Region and Adjoining Areas;

WHEREAS, Section 12 (2) (ix) of the Act empowers the Commission to issue directions in writing to any person, officer, or any authority and such person, officer or authority shall be bound to comply with such directions;

WHEREAS, Section 12(2)(iv) of the Act empowers the Commission to lay down parameters for discharge of emissions from various sources whatsoever that have implications on the air quality in the region;

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WHEREAS, Section 12(2)(v) of the Act also empowers the Commission to impose restrictions and regulate operations or processes that have implications on air quality in the region;

WHEREAS, the Commission has repeatedly taken up the matter relating to air pollution with the State governments of Haryana, Rajasthan, Punjab, Uttar Pradesh and Government of NCT of Delhi and various organizations concerned of the Central and State Governments/ GNCTD and has issued various Directions, Advisories and Orders for effective implementation of measures for abating air pollution in NCR, from time to time;

WHEREAS, the Commission has observed and has been sensitizing all stakeholders that, amongst others, large-scale unregulated use of Diesel Generator (DG) sets is a major contributing factor for deterioration of air quality in the region;

WHEREAS, in wake of generally prevailing adverse air quality in NCR during the winter season, the Commission, through directions No. 54-57 dated 08.02.2022, followed by Direction No. 68 dated 14.09.2022 and its related orders called for regulated use of DG Sets in the NCR, particularly during the periods of restrictions under the GRAP, subject to adopting emission control measures /devices/ systems such as retrofitted Emission control devices (ECDs) and dual fuel mode (gas and diesel), amongst other means of emission control;

WHEREAS, large number of DG sets operating in the region, even during the periods other than restrictions under the GRAP, cause heavy air pollution and are a matter of concern and thus, with a view to regulating the use of DG Sets even for such periods, the Commission issued Direction No. 71 for expeditious conversion of DG Sets to dual fuel mode, in areas where gas infrastructure and supply is available;

WHEREAS, the Commission from time to time reviewed the progress and status in this matter, in line with various directions issued by it;

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WHEREAS, the Commission revisited / reviewed some provisions of the extant directions on the regulated use of DG sets and issued a revised Direction No. 73 dated 02.06.2023, to be applicable across all sectors in the NCR including Industrial, Commercial, Residential and Office establishments etc., as well as permitting more time to implement the schedule w.e.f. 01.10.2023.

WHEREAS, preparatory actions were initiated by various stakeholders towards emission control from DG sets through retro-fitted ECDs and / or dual fuel systems, a number of representations were still being made to the Commission, including deliberations / meetings with various stakeholders in this context, wherein the following were highlighted:

- i. Issues related to availability of certified RECDs and agencies for all capacity ranges and vintages of DG sets.
- ii. Issues related to availability / delays in PNG infrastructure and supply, purely for DG sets.
- iii. Techno-commercial issues, logistics and time involved for fitment of RECDs / conversion to dual fuel mode.
- iv. Issues related to availability of DG sets to the latest standards as in MoEFCC notification No. GSR 804(E) dated 03.11.2022 (CPCB-IV).
- v. No means for emission control in under 19 kW capacity range of DG sets (neither RECDs nor dual fuel mode are available / suited).
- vi. Issues related to use of DG sets for emergency services.

Owing to the above, a number of stakeholders broadly requested for the following:

- (a) Extension of the deadline of 30.09.2023, as laid down in Direction No. 73, by about 3 months.
- (b) Stipulating a condition of '**OR**' instead of '**AND**' towards fitment of RECDs and conversion to dual fuel system, for all categories of DG sets above 19kW capacity.
- (c) Permitting DG Sets of >800 kW capacity to be run uninterruptedly for the durations of power supply failure, subject to compliance of

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standards as in Direction No. 73 dated 02.06.2023, even during restrictions under GRAP.

- (d) Permitting such DG sets of < 125 kW capacity to be run for emergency services, even during the restrictions under the GRAP, where either certified ECDs are presently not available at all or where gas infrastructure and supply is also not available to enable running them in a dual fuel mode.

NOW, THEREFORE, in due consideration of the contentions and submissions made by various stakeholders, issues in ground level implementation, availability of RECDs / dual fuel systems / new gensets to CPCB -IV standards and various other techno-commercial considerations put forth by them, the Commission, pursuant to a comprehensive review and in supersession of all extant directions / orders / guidelines on the regulations for DG sets, now directs for adoption of the following Schedule for regulated operations of DG sets (only as a backup against regular power supply failures) across all sectors in NCR including Industrial, Commercial, Residential and Office establishments etc.:

S. No.	Capacity Range of DG sets	System to be adopted for control of emissions	Regulations for use
1.	Power generating sets of all capacities running on LPG/ Natural Gas/ Bio-gas/Propane/Butane	None	No restrictions (Even during periods under GRAP)
2.	Power generating sets of all capacities up to 800 kW to standards as per MoEFCC notification No. GSR 804(E) dated 03.11.2022	None	No restrictions. (Even during periods under GRAP)

Jand

3.	800 kW and above	Any emission control mechanism, strictly subject to compliance of emission standards as indicated below. *	No restrictions (Even during periods under GRAP)
4.	125 kW to less than 800 kW	Dual fuel mode OR Retro-fitted ECDs through certified vendors / agencies	No restrictions (Even during periods under GRAP)
5.	19 kW to less than 125 kW	Dual fuel mode	No restrictions (Even during periods under GRAP) DG Sets not working in a dual fuel mode, only owing to non-availability of gas infrastructure and supply, shall be permitted only for emergency services as stipulated in this direction.
6.	Portable DG sets (below 19 kW)	Presently no specific means of emission control are available in this category / capacity range of DG sets.	No restrictions during the periods, other than restrictions under GRAP. Not to be generally permitted during periods of restriction under GRAP. These shall, however, be permitted even during periods under GRAP only for emergency services as stipulated in this direction.

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***Standards for stack emissions for 800 kW and above capacity DG sets**

S.No	Parameter	Emission Standards
i.	PM (at 15% O ₂)	50 mg / Nm ³
ii.	NO _x (at 15% O ₂)	650 mg / Nm ³
iii.	CO (at 15% O ₂)	100 mg / Nm ³
iv.	Minimum DG Stack height	<p>30 meters OR minimum 6 meters above the height of the building where DG set is installed, whichever is higher.</p> <p>For example, if the building height where such DG set is installed is 20 meters, minimum stack height for DG set should be 30 meters from ground level;</p> <p>While, if the building height itself is 27 meters, the minimum stack height for the DG set should be 33 meters from the ground level.</p>

The regulated schedule for operation of DG sets issued vide Direction No. 73 dated 02.06.2023 comes to effect from 01.10.2023. The revised schedule as above further eases out the means of implementation and addresses practical difficulties and techno-commercial concerns of various stakeholders and thus the revised schedule for regulation of DG sets would be in force in the entire NCR w.e.f. 01.10.2023.

Notwithstanding the revised schedule as above, in the interest of not disrupting emergency services and permitting sufficient time for adopting the stipulated emission control mechanism in such existing DG Sets, the Commission, hereby, as a one-time exception, permits DG Sets for all capacity ranges (which have still not been equipped with emission control devices / systems as per the above noted schedule), to be run only for emergency services in the NCR as listed below, even under periods of restrictions under the GRAP, **only up to 31.12.2023** and strictly subject to adherence to the above noted schedule / measures for emission control thereafter:

- (i) Elevators / Escalators / Travelators etc. in various installations; Commercial entities / residential societies shall, however, ensure that operation of DG sets and supply

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therefrom is purely limited to operation of elevators / escalators / travelators etc. and not for any other activities of commercial entities / residential societies.

- (ii) Medical Services (Hospital/Nursing Home/Health care facilities) including units involved in manufacturing of life saving medical equipment/devices, drugs and medicines.
- (iii) Railway Services / Railway Stations.
- (iv) Metro Rail Corporation & MRTS Services, including trains and stations.
- (v) Airports and Inter-State Bus Terminals (ISBTs).
- (vi) Sewage Treatment Plants.
- (vii) Water pumping Stations.
- (viii) Projects related to national security, defence & of national importance.
- (ix) Telecommunications and IT/ data services.

It is further reiterated that appropriate emission control mechanism shall be put in place on or before 31.12.2023, in respect of DG sets being used in above listed emergency services, to avoid action under the relevant provisions of laws / rules / regulations / directions etc., thereafter.

NCR State PCBs/ DPCC shall ensure compliance of above noted directions and regularly monitor the field level implementation.

— sd —
(Arvind Nautiyal)
Member- Secretary

To

1. The Chief Secretary, Government of NCT of Delhi
2. The Chief Secretary, Government of Haryana
3. The Chief Secretary, Government of Rajasthan
4. The Chief Secretary, Government of Uttar Pradesh

Copy to:

1. Chairman, DPCC
2. Chairman, HSPCB
3. Chairman, RSPCB
4. Chairman, UPPCB
5. Chairman, CPCB.
6. The Chairperson and all Members, CAQM.

sd
(Arvind Nautiyal)
Member- Secretary



राष्ट्रीय राजधानी क्षेत्र और निकटवर्ती क्षेत्र
वायु गुणवत्ता प्रबंधन आयोग
Commission for Air Quality Management in
National Capital Region and
Adjoining Areas



F. No.11016/01/ 2022-CAQM.Vol-III

Dated: 22.02.2024

Subject: Amendments to Direction No. 76 dated 29.09.2023- Regulated use of DG Sets-reg

Pursuant to a comprehensive review and in supersession of all extant directions / orders / guidelines on the regulations for DG sets, Direction No. 76 dated 29.09.2023 was issued by the Commission under section 12 of the Commission for Air Quality Management in NCR & Adjoining Area, Act, 2021, directing for adoption of the Schedule for regulated operations of DG sets (only as a backup against regular power supply failures) across all sectors in NCR including Industrial, Commercial, Residential and Office establishments etc.

2. As certified Retrofitted Emission Control Devices (RECD) are now also available for 61 to 125 KW capacity range of DG sets, Sr. No 4 & 5 in said Direction No. 76 dated 29.09.2023 are hereby amended as under:

S. No.	DG set Capacity range as mentioned in Direction No. 76	DG Set Capacity range as amended now
4.	125 KW to less than 800 KW	61 KW to less than 800 KW
5.	19 KW to less than 125 KW	19 KW to less than 61 KW

3. All other stipulations under the Direction No 76 dated 29.09.2023 will remain unaltered.

(Arvind Nautiyal)

To,

1. The Chief Secretary, Government of NCT of Delhi
2. The Chief Secretary, Government of Haryana
3. The Chief Secretary, Government of Rajasthan
4. The Chief Secretary, Government of Uttar Pradesh

Copy to:

1. Chairman, DPCC
2. Chairman, HSPCB
3. Chairman, RSPCB
4. Chairman, UPPCB
5. Chairman, CPCB.
6. The Chairperson and all Members, CAQM

(Arvind Nautiyal)
Member Secretary



राष्ट्रीय राजधानी क्षेत्र और निकटवर्ती क्षेत्र
वायु गुणवत्ता प्रबंधन आयोग
Commission for Air Quality Management in
National Capital Region and
Adjoining Areas



F. No.11016/01/ 2022-CAQM.Vol-III **1165 DT**

Dated: 11.12.2024

Subject: Amendment to Direction No. 76 dated 29.09.2023- Regulated use of DG Sets-reg

Direction No. 76 dated 29.09.2023 was issued by the Commission under section 12 of the Commission for Air Quality Management in NCR & Adjoining Area, Act, 2021, directing for adoption of the Schedule for regulated operations of DG sets (only as a backup against regular power supply failures) across all sectors in NCR, including Industrial, Commercial, Residential and Office establishments etc.

2. Owing to availability of certified ECDs now also for DG sets upto 41 kW capacity, as against only up to 61 kW capacity and higher earlier, the schedule for emission control from DG sets Sr. No 4 & 5 in said Direction No. 76 as amended on 22.02.2024, is hereby further partially amended as under:

Sr. No.	DG set Capacity range as amended on 22.02.2024	DG Set Capacity range as amended now
4.	61 KW to less than 800 KW	41 KW to less than 800 KW
5.	19 KW to less than 61 KW	19 KW to less than 41 KW

3. All other stipulations under the Direction No 76 dated 29.09.2023 will remain unaltered

sd
(Arvind Nautiyal)

To,

1. The Chief Secretary, Government of NCT of Delhi
2. The Chief Secretary, Government of Haryana
3. The Chief Secretary, Government of Rajasthan
4. The Chief Secretary, Government of Uttar Pradesh

Copy to:

1. Chairman, DPCC
2. Chairman, HSPCB
3. Chairman, RSPCB
4. Chairman, UPPCB
5. Chairman, CPCB.
6. The Chairperson and all Members, CAQM

Arvind
(Arvind Nautiyal)
Member- Secretary

17 वी मंजिल, जवाहर व्यापार भवन (एस. टी.सी. बिल्डिंग), टॉलस्टॉय मार्ग, नई दिल्ली-110001

दूरभाष : 011-23701213, ई-मेल : caqm-ncr@gov.in

17th Floor, Jawahar Vyapar Bhawan (STC Building), Tolstoy Marg, New Delhi-110001

Tel:011-23701213, E-mail: caqm-ncr@gov.in



उ० प्र० प्रदूषण नियंत्रण बोर्ड,

टी०सी०-12 वी, विभूति खण्ड,
गोमती नगर, लखनऊ

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पंजीकृत

दिनांक

29-1-25

पत्रांक : 423392/सी-1/सा०-1054/पर्या०क्षति०-का०ब०नो०/2025
मै० एम०आर० प्रोव्यू रियलटेक प्रा०लि०,
खसरा नं०-1048मि०,1049मि०,1059मि०,1069मि०,984,985 व 986मि०,
ग्राम-नूरनगर, राजनगर एक्सटेंशन,
गाजियाबाद।

मा० एन०जी०टी० में योजित एम०ए० संख्या-142/2024 ओ०ए० सं०-485/2022 Sheshan Tyagi Vs State of UP में पारित आदेश दिनांक-25.11.2024 का संदर्भ ग्रहण करने का कष्ट करे। उक्त आदेश के मुख्य अंश निम्नवत् है:-
“.....5. However, before proceeding further in the matter, we find it appropriate to grant one more opportunity or concerned authorities and direct the above Joint Committee to submit the report as directed by order dated 29.07.2022 within two weeks failing which Member Secretary, UPPCB and District Magistrate, Ghaziabad shall appear in person on the next date.....”

उक्त आदेश के अनुपालन में गठित संयुक्त समिति द्वारा दिनांक-16.12.2024 को प्रश्नगत गुप हाऊसिंग परियोजना मै० एम०आर० प्रोव्यू रियलटेक प्रा०लि०, खसरा नं०-1048मि०,1049मि०,1059मि०,1069मि०,984,985 व 986मि०, ग्राम-नूरनगर, राजनगर एक्सटेंशन, गाजियाबाद का संयुक्त निरीक्षण किया गया तथा संयुक्त आख्या जिलाधिकारी, गाजियाबाद के शपथ-पत्र दिनांक-17.12.2024 के माध्यम से मा० अधिकरण के समक्ष प्रेषित की गयी। संयुक्त समिति की आख्या में की गयी संस्तुति निम्नवत् है:-

1. Project must ensure installation of dual fuel kit (70% PNG + 30% HSD) or retrofitted emission control device in compliance of direction no. 76 issued by Commission for Air Quality Management in NCR and Adjoining Areas regarding regulation of DG sets.
2. Project Proponent should obtain Consent to Operate from UPPCB under the Water (Prevention and Control) Act, 1974 and Air(Prevention and Control) Act, 1981.
3. Environmental Compensation should be imposed against Project Proponent for non-compliance of direction no. 76 as per “Standard Schedule for Environmental Compensation Charges in closure direction issued by the Commission”

उपरोक्त क्रम में क्षेत्रीय कार्यालय के पत्र दिनांक-16.12.2024 द्वारा परियोजना को नोटिस प्रेषित किया गया। परियोजना द्वारा अपने प्रतिउत्तर दिनांक-08.01.2025 द्वारा 500 के०वी०ए० व 250 के०वी०ए० क्षमता के कुल 02 डीजी सेट्स पर ड्यूल फ्यूल किट की स्थापना किये जाने का प्रस्ताव दिया गया है।

उपरोक्तानुसार संयुक्त समिति द्वारा की गयी संस्तुति के अनुसार परियोजना के विरुद्ध अधिरोपित की जाने वाली पर्यावरणीय क्षतिपूर्ति की गणना निम्नानुसार है:-

(ii) Violation of Direction/Regulations on DG sets

Rate of EC charges for each DG sets for each day of violation-
Rs. 7,500/day for DG sets between 20-125 KW capacity
Rs. 15,000/day for DG sets >125 KW capacity but <800 KW capacity
Rs. 25,000/day for DG sets of 800 KW or higher capacity

गोमती नगर, लखनऊ
दिनांक

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Note; For Violation of observed during the periods of restriction imposed under GRAP of EC shall be doubled

$$\begin{aligned} EC &= N \times (30000) + N \times (60000) \\ &= 137 \times 30000 + 41 \times 60000 \\ &= 41,10,000 + 24,60,000 \\ &= 65,70,000/- \end{aligned}$$

अतः क्षेत्रीय अधिकारी, गाजियाबाद की आख्या एवम् संस्तुति दिनांक-17.01.2025 एवम् उक्त पर सक्षम अधिकारी से प्राप्त अनुमोदनोपरान्त परियोजना के विरुद्ध दिनांक-01.01.2024 से दिनांक-28.12.2024 की डिफाल्टर अवधि के लिये पर्यावरणीय क्षतिपूर्ति अधिरोपित करने हेतु निम्न कारण बताओ नोटिस जारी किया जाता है:-

"यह कि क्यों न मा0 सी0ए0क्यू0एम0 द्वारा जारी निर्देश के अनुसार डी0जी0सेट 500 के0वी0ए0 व 250 के0वी0ए0 पर ड्यूल फ्यूल किट अथवा आर0ई0सी0डी0 की स्थापना किये बिना कुल-178 दिवस संचालन किये जाने के दृष्टिगत दिनांक-01.01.2024 से दिनांक-13.10.2024 तक तथा ग्रैप अवधि दिनांक-14.10.2024 से दिनांक-28.12.2024 तक की अवधि में उल्लंघन के दृष्टिगत परियोजना के विरुद्ध रूपया-65,70,000 /-(रूपया पैसठ लाख सत्तर हजार मात्र) की पर्यावरणीय क्षतिपूर्ति अधिरोपित कर दी जाये?"

उक्त पर अपना पक्ष/स्पष्टीकरण 07 दिन के अन्दर राज्य बोर्ड को प्रेषित किया जाना सुनिश्चित करें अन्यथा की स्थिति में परियोजना के विरुद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित करते हुए नियमानुसार अग्रिम कार्यवाही प्रारम्भ कर दी जायेगी जिसका सम्पूर्ण उत्तरदायित्व आपका स्वयं का होगा।

सक्षम अधिकारी की अनुमति से निर्गत।

(ए0के0 आनन्द)
पर्यावरण अभियन्ता, प्रभारी वृत्त-1

प्रतिलिपि :क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, गाजियाबाद को सूचनार्थ एवम् आवश्यक कार्यवाही हेतु प्रेषित।


पर्यावरण अभियन्ता, प्रभारी वृत्त-1



राष्ट्रीय राजधानी क्षेत्र और निकटवर्ती क्षेत्र
वायु गुणवत्ता प्रबंधन आयोग
Commission for Air Quality Management in
National Capital Region and
Adjoining Areas



F. No. 18015/01/2022-MERD-Vol-IV/1884-1905

Date: 1st January, 2025

ORDER

Sub: Standard Schedule for Environmental Compensation (EC) Charges in Closure Directions/Sealing orders issued by the Commission

Environmental Compensation (EC) Charges are levied by concerned Pollution Control Boards/Committee on polluting units in Delhi NCR where Closure Directions are issued by the Commission for gross violations of extant Rules, Directions, Orders, Guidelines, etc.

Hon'ble NGT vide its order dated 28.08.2019 in OA No. 593 of 2017 directed, *inter-alia*, to adhere to EC charges contained in the said order for violations in Industrial units and construction activities, amongst others, during the periods under Graded Response Action Plan (GRAP).

The Commission had issued a comprehensive standard schedule vide letter dated 06.02.2024 towards state-wise & sector-wise uniformity in imposition of EC charges across entire NCR for violation(s) observed in Industrial sector, Diesel Generator (DG) Sets and Construction & Demolition projects/activities, pursuant to inspections by the flying squads deputed by the Commission.

Taking note of the Hon'ble NGT's directives as above, the Commission deliberated the matter in its meeting held on 27.12.2024 and approved a revised standard schedule for Industrial sector, Diesel Generator (DG) Sets and Construction & Demolition projects/activities where Closure Direction of the Commission is issued for gross violation(s) of extant Rules, Directions, Orders, Guidelines, etc. The comprehensive standard schedule of EC charges, as approved by the Commission, is **annexed**.

The NCR State Pollution Control Boards/ Delhi Pollution Control Committee shall henceforth take cognizance of the annexed Standard Schedule while imposing EC in cases where Closure Directions, show cause

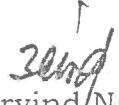
3and

.....2

notices and related orders have been issued by the Commission. In case there are other agencies also empowered/authorized to levy EC in case of violations observed/Closure Directions issued by the Commission, they may also be appropriately directed to follow the Standard Schedule annexed with this order.

This schedule shall be applicable for closure directions, show cause notices and related orders issued henceforth.

Encl: As above


(Arvind Nautiyal)
Member Secretary

To,

1. Member Secretary, Delhi Pollution Control Committee
2. Member Secretary, Haryana State Pollution Control Board
3. Member Secretary, Rajasthan State Pollution Control Board
4. Member Secretary, Uttar Pradesh Pollution Control Board
5. Chairperson, New Delhi Municipal Corporation
6. Commissioner, Municipal Corporation of Delhi
7. CEO, Delhi Cantonment Board, New Delhi
8. CEO, NOIDA
9. CEO, Greater NOIDA
10. CEO, Yamuna Expressway Industrial Development Authority (YEIDA)
11. Chairman, Ghaziabad Development Authority
12. CEO, FMDA, Faridabad
13. CEO GMDA, Gurugram
14. Director, Town and Country Planning Agency, Haryana

Copy for information & necessary action to:

- i. Principal Secretary, Environment & Forest, Delhi
- ii. Additional Chief Secretary, Environment, Forest & Wildlife Department, Haryana
- iii. Principal Secretary, Environment Department, Rajasthan
- iv. Additional Chief Secretary, Environment, Forest & Climate Change, Uttar Pradesh
- v. Chairman, Haryana State Pollution Control Board
- vi. Chairman, Rajasthan State Pollution Control Board
- vii. Chairman, Uttar Pradesh Pollution Control Board
- viii. Chairman, Delhi Pollution Control Committee

Standard Schedule for EC Charges in Closure Directions issued by CAQM**(I) Industrial Sector****1. Industries operating without or with an invalid CTE / CTO
(Applicable to Red, Orange and Green category of industries)**

Standard Formula for imposition of EC

Environment Compensation (EC) = PI x N x R x S x LF where;

PI – Pollution Index of the Sector

N – No. of Days of violation (since the day the unit has been established to be in violation till the date of closure of operations)

R – A Factor in Rs. – (Rs. 300 for this Category of violations)

S – Factor for Scale of Operation

LF – Location Factor for the industry

**2. Industries operating with unapproved fuels
(Applicable only to Red and Orange category of industries)**

Standard Formula for imposition of EC

Environment Compensation (EC) = PI x N x R x S x LF where;

PI – Pollution Index of the Sector

N – No. of Days of violation (since the day the unit has been established to be in violation, till the date of closure of operations)

R – A Factor in Rs. – (Rs. 300 for this Category of violations)

S – Factor for Scale of Operation

LF – Location Factor for the industry

3. Industries operating with inadequate / ineffective pollution control measures and / or not adhering to prescribed emission standards for the particular process / industrial application**(Applicable only to Red and Orange category of industries)**

Standard Formula for imposition of EC

Environment Compensation (EC) = PI x N x R x S x LF where;

PI – Pollution Index of the Sector

N – No. of Days of violation (since the day the unit has been established to be in violation, till the date of closure of operations)

R – A Factor in Rs. – (Rs. 250 for this Category of violations)

S – Factor for Scale of Operation

LF – Location Factor for the industry

4. Any other violation of Directions of CAQM / conditions of CTO etc.**(Applicable only to Red and Orange category of industries)**

Standard Formula for imposition of EC

Environment Compensation (EC) = PI x N x R x S x LF where;

PI – Pollution Index of the Sector

Annexure to Order no. F. No. 18015/01/2022-MERD-Vol-IV dated 01.01.2025

N – No. of Days of violation (since the day the unit has been established to be in violation, till the date of closure of operations)

R – A Factor in Rs. – (Rs. 100 for this Category of violations)

S – Factor for Scale of Operation

LF – Location Factor for the industry

(II) Violations of Direction / Regulations on DG sets

Rate of EC charges for each DG set for each day of violation

Rs. 7,500 for DG Sets between 20 - 125 kW capacity

Rs. 15,000 for DG Sets > 125 kW but < 800 kW capacity

Rs. 25,000 for DG Sets of 800 kW or higher capacity

Total EC applicable per DG set: Rate for each day x N

{N – No. of Days of violation}

(III) Construction & Demolition Projects / activities

1. Non-registration on the web-portal of the concerned SPCB / DPCC

Rs. 1,20,000 for projects with total area construction \leq 20,000 sq. mtr.

Rs. 2,40,000 for projects with total area construction > 20,000 sq. mtr.

2. Self-audit reports not uploaded on the web portal and / or video fencing of the project boundary not being carried out (only if project is registered on web portal)

Rs. 20,000 for projects with total area construction \leq 20,000 sq. mtr.

Rs. 40,000 for projects with total area construction > 20,000 sq. mtr.

3. Non-deployment of prescribed no. of anti-smog guns

Rs. 7,500 per day for each anti-smog gun not deployed at the site x N

{N – No. of Days of violation (since the day the unit has been established to be in violation, till the date of closure of activities)}

4. Ineffective dust mitigation measures (with respect to provision of wind brakers / dust screens / covering of construction materials and debris etc.)

Rs. 7,500 per day for plot area < 500 sq. mtr. x N

Rs. 15,000 per day for plot area \geq 500 & upto 20,000 sq. mtr. x N

Rs. 30,000 per day for plot area > 20,000 sq. mtr. x N

{N – No. of Days of violation (since the day the unit has been established to be in violation, till the date of closure of activities)}

5. Transportation of materials / C&D waste in uncovered vehicles

Rs. 7,500 for each vehicle on each such occasion

2024

Note:

- A. The above noted standard schedule for EC rates would be applicable on all such occasions, other than periods under the Graded Response Action Plan (GRAP).**
- B. For violations observed during the periods of restrictions imposed under GRAP, the rates for EC shall be doubled, (except for cases under 'C' below).**
- C. For violations observed during the periods of restrictions imposed under GRAP in respect of Industrial sector and; Construction sites having plot area more than 20,000 Sqm, the EC charges to be levied as stipulated in Hon'ble NGT's order dated 28.08.2019 in OA No.593/2017. For violations observed in construction sites having plot area equal to or less than 20,000 Sqm during the periods under GRAP, rates for EC shall be applicable as per 'B' above.**
- D. The EC charges to be levied in case of repeated gross violations by an entity, whereby a closure direction has been issued more than once by the Commission, shall also be doubled in such cases, if the repeat violation is during the periods other than GRAP. If the repeat violation is observed during the period under GRAP, the EC shall be applicable as per 'B' or 'C' above, as may be the case.**



171
B/H

ANNEXURE A-6

25/1/2025
M.R. PROVIEW

दिनांक 25/1/2025

सेवा मे

मुख्य पर्यावरण अधिकारी, सर्किल-1
उ०प्र० प्रदूषण नियंत्रण बोर्ड,
लखनऊ।

विषय: कारण बताओ नोटिस पत्रांक एच-23392/सी-1/सा०-1054/
पर्या०क्षति-का०ब०नो०/2025 दिनांक 29.01.2025 को निरस्त करने के सम्बन्ध
मे।

महोदय,

अवगत कराना है कि उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ के पत्र संख्या
एच-23392/सी-1/सा०-1054/ पर्या०क्षति-का०ब०नो०/2025 दिनांक 29.01.2025 के
अनुपालन मे आपको सादर निम्नवत अवगत कराना है:-

यह कि मेरी इकाई द्वारा आवासीय परियोजना है, जो खसरा संख्या
1048मि०, 1049मि०, 1059मि०, 1069मि०, 984, 985 व 986मि०, नूरनगर, राजनगर एक्सटेंशन,
गाजियाबाद पर स्थापित है।

उ०प्र० प्रदूषण नियंत्रण बोर्ड के पत्र दिनांक 29.01.2025 द्वारा मैसर्स एम०आर०
प्रोव्यू रियलटेक प्रा० लि० (आफिसर सिटी-2), राजनगर एक्सटेंशन, गाजियाबाद के विरुद्ध
निम्नवत निर्देश जारी किये गये है:-

1. Project must ensure installation of dual fuel kit (70% PNG + 30% HSD) or Retro Fitted Emission Control Device (RECD) in compliance of direction No-76 issued by Commission for Air Quality Management in NCR and Adjoining Areas regarding regulation of DG sets.
2. Project proponent should obtain consent to operate from UPPCB under the Water (Prevention Control of Pollution) Act. 1974 and Air (Prevention Control of Pollution) Act. 1981.
3. Environmental Compensation (EC) should be imposed against project proponent for non-compliance of direction No-76 as per "Standard Schedule for Environmental Compensation (EC) Charges in Closure Directions issued by the Commission"

उक्त के अनुपालन मे अवगत कराना है कि परियोजना मे कुल 02 डी०जी० सेटस
क्षमता कमशः 500 के०वी०ए० व 250 के०वी०ए० स्थापित है, जिनपर ड्यूल फ्यूल किट
की स्थापना कर ली गयी है, जिसका प्रमाण पत्र संलग्न है। अग्रेतर अवगत कराना है
कि परियोजना के संचालन हेतु जल एवं वायु सहमति प्राप्त किये जाने हेतु आनलाईन
आवेदन किया जा रहा है।

उपरोक्त स्पष्टीकरण आपकी सेवा मे इस अनुरोध के सादर प्रस्तुत किया जा रहा
है कि उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ के पत्र संख्या
एच-23392/सी-1/सा०-1054/ पर्या०क्षति-का०ब०नो०/2025 दिनांक 29.01.2025
द्वारा जारी रु० 65,70,000/- की पर्यावरणीय क्षतिपूर्ति कारण बताओ नोटिस को
निस्तारित करने की कृपा करें।

आपकी अति कृपा होगी।

धन्यवाद।


अधिकृत हस्ताक्षर

प्रतिलिपि: क्षेत्रीय अधिकारी, उ०प्र० प्रदूषण नियंत्रण बोर्ड, गाजियाबाद।

M.R. PROVIEW REALTECH PVT. LTD.

Office: The Great Northern Bazaar, NH-58, Raj Nagar Extension

Opp. Ajnara Grace, Ghaziabad, Uttar Pradesh-201017

Tel.: +91 120 4345530 • E-mail: info@mrproviewgroup.com

Visit us at: www.mrproviewgroup.com

MRP (CA)



Project Completion Report

Date: 24th February 2025

Dear Sir,

We are pleased to inform you that Energeia Microgrid Private Limited has successfully completed the Installation of Energeia Dual Fuel Systems on 1x500 KVA and 1x250 KVA within your plant on 24.02.2025. Our team has conducted a thorough assessment of the installation to ensure that it is fully functional and meets all the necessary standards.

Name of Client: M.R. Proview Realtech Pvt Ltd. (Officer city 2, Ghaziabad)

Purchase Order Number: RG- 2528, Date 09-01 -2025

Nature of Service: Energeia Dual Fuel Kit

Description of the Project: Installation of Dual Fuel System

We are confident that the completion of this project will have a significant impact on reducing your operating costs, improving the health of your machines, and the overall energy efficiency of your unit. At Energeia, we are committed to providing innovative solutions to our clients that are sustainable and cost-effective.

We would like to thank you for choosing Energeia as your partner for this project. We appreciate your business and look forward to serving you in the future.

Sincerely,

For ENERGEIA MICROGRID PVT. LTD.

Ankit Srivastava

Project Manager

Authorised Signatory

मैसर्स एम0आर0 प्रोव्यू रियलटेक प्रा0 लि0, खसरा संख्या 1048मि0, 1049मि0, 1059मि0, 1060मि0, 984, 985 व 986मि0, ग्राम नूरनगर, राजनगर एक्सटेंशन, गाजियाबाद के विरुद्ध बोर्ड मुख्यालय द्वारा जारी कारण बताओं नोटिस दिनांक 29.01.2025 के सम्बन्ध में स्थल निरीक्षण आख्या।

उपरोक्त वर्णित परियोजना के विरुद्ध बोर्ड मुख्यालय, लखनऊ के पत्र संख्या एच-23392/सी-1/सा0-1054/पर्या0क्षति0-का0ब0नो0/2025 दिनांक 29.01.2025 के माध्यम से कुल रू0 65,70,000/-की पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने के सम्बन्ध में कारण बताओं नोटिस जारी किया गया है। उक्त के अनुपालन में प्रश्नगत परियोजना द्वारा प्रेषित प्रतिउत्तर दिनांक 25.02.2025 जो बोर्ड मुख्यालय, लखनऊ को सम्बोधित है एवं इस कार्यालय को पृष्ठांकित है, की छायाप्रति संलग्न है।

तत्कम में परियोजना स्थल का निरीक्षण अधोहस्ताक्षरी द्वारा दिनांक 27.02.2025 को श्री सूर्यकान्त शर्मा, मैनेजर की उपस्थिति में किया गया। निरीक्षण के समय पाया गया कि परियोजना में पूर्व से स्थापित कुल 02 डी0जी0 सेट्स क्षमता क्रमशः 500 के0वी0ए0 एवं 250 के0वी0ए0 पर नियमानुसार डयूल फयूल किट (70 प्रतिशत पी0एन0जी0 व 30 प्रतिशत डीजल) की स्थापना कर ली गयी है। कार्यालय अभिलेखानुसार परियोजना द्वारा राज्य बोर्ड सहमति जल एवं वायु प्राप्त किये जाने हेतु आन लाईन आवेदन दिनांक 27.02.2025 को किया गया है, जो कि वर्तमान में विचाराधीन है।

उपरोक्त तथ्यों एवं परियोजना के प्रतिउत्तर दिनांक 25.02.2025 को दृष्टिगत रखते हुये परियोजना के विरुद्ध कारण बताओं नोटिस में वर्णित डिफाल्टर अवधि हेतु कुल रू0 65,70,000/- की पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने एवं निर्गत कारण बताओं नोटिस दिनांक 29.01.2025 को निस्तारित किये जाने की संस्तुति सहित आख्या आपके अवलोकनार्थ एवं अग्रिम आवश्यक कार्यवाही हेतु सादर प्रस्तुत है।

(अंशुल शर्मा)

सहायक पर्यावरण अभियंता

क्षेत्रीय अधिकारी



क्षेत्रीय कार्यालय-उ०प्र० प्रदूषण नियंत्रण बोर्ड, गाजियाबाद
Regional Office, U.P. Pollution Control Board, Ghaziabad
Website- www.uppcb.com, e-mail: roghaziabad@uppcb.in

संदर्भ संख्या : 2612/C./M-439/2025

दिनांक 29.02.2025

सेवा में,

मुख्य पर्यावरण अधिकारी (वृत्त-1),
उ०प्र० प्रदूषण नियंत्रण बोर्ड,
लखनऊ।

विषय: मैसर्स एम०आर० प्रोव्यू रियलटेक प्रा० लि०, खसरा संख्या 1048मि०, 1049मि०, 1059मि०, 1060मि०, 984, 985 व 986मि०, ग्राम नूरनगर, राजनगर एक्सटेंशन, गाजियाबाद के विरुद्ध बोर्ड मुख्यालय द्वारा जारी कारण बताओं नोटिस दिनांक 29.01.2025 के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक बोर्ड मुख्यालय, लखनऊ के पत्र संख्या एच-23392/सी-1/सा०-1054/पर्या०क्षति०-का०ब०नो०/2025 दिनांक 29.01.2025 का संदर्भ ग्रहण करने का कष्ट करें, जिसके माध्यम से परियोजना के विरुद्ध कुल रू० 65,70,000/-की पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने के सम्बन्ध में कारण बताओं नोटिस जारी किया गया है। उक्त के अनुपालन में प्रश्नगत परियोजना द्वारा प्रेषित प्रतिउत्तर दिनांक 25.02.2025 जो बोर्ड मुख्यालय, लखनऊ को सम्बोधित है एवं इस कार्यालय को पृष्ठाकित है, की छायाप्रति संलग्न है। तत्कम में परियोजना स्थल का निरीक्षण इस कार्यालय के प्राधिकृत अधिकारी द्वारा दिनांक 27.02.2025 को किया गया। विस्तृत निरीक्षण आख्या संलग्न है।

उपरोक्त तथ्यों एवं परियोजना के प्रतिउत्तर दिनांक 25.02.2025 को दृष्टिगत रखते हुये परियोजना के विरुद्ध कारण बताओं नोटिस में वर्णित डिफाल्टर अवधि हेतु कुल रू० 65,70,000/- की पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने एवं निर्गत कारण बताओं नोटिस दिनांक 29.01.2025 को निस्तारित किये जाने की संस्तुति सहित आख्या आपके अवलोकनार्थ एवं अग्रिम आवश्यक कार्यवाही हेतु सादर प्रेषित की जा रही है।

संलग्नक: उपरोक्तानुसार।

भवदीय

(विकास मिश्र)
क्षेत्रीय अधिकारी

क्षेत्रीय कार्यालय : आई०एन०एस०-2, सेक्टर-16, वसुन्धरा, गाजियाबाद-201012 फोन-0120-4160108
मुख्यालय : TC-12V, विमूति खण्ड, गोमती नगर, लखनऊ 226010

मैसर्स एम0आर0 प्रोव्यू रियलटेक प्रा0 लि0, खसरा संख्या 1048मि0, 1049मि0, 1059मि0, 1060मि0, 984, 985 व 986मि0, ग्राम नूरनगर, राजनगर एक्सटेंशन, गाजियाबाद के विरुद्ध बोर्ड मुख्यालय द्वारा जारी कारण बताओं नोटिस दिनांक 29.01.2025 के सम्बन्ध में स्थल निरीक्षण आख्या।

उपरोक्त वर्णित परियोजना के विरुद्ध बोर्ड मुख्यालय, लखनऊ के पत्र संख्या एच-23392/सी-1/सा0-1054/पर्या0क्षति0-का0ब0नो0/2025 दिनांक 29.01.2025 के माध्यम से कुल रू0 65,70,000/-की पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने के सम्बन्ध में कारण बताओं नोटिस जारी किया गया है। उक्त के अनुपालन में प्रश्नगत परियोजना द्वारा प्रेषित प्रतिउत्तर दिनांक 25.02.2025 जो बोर्ड मुख्यालय, लखनऊ को सम्बोधित है एवं इस कार्यालय को पृष्ठांकित है, की छायाप्रति संलग्न है।

तत्कम में परियोजना स्थल का निरीक्षण अधोहस्ताक्षरी द्वारा दिनांक 27.02.2025 को श्री सूर्यकान्त शर्मा, मैनेजर की उपस्थिति में किया गया। निरीक्षण के समय पाया गया कि परियोजना में पूर्व से स्थापित कुल 02 डी0जी0 सेट्स क्षमता क्रमशः 500 के0वी0ए0 एवं 250 के0वी0ए0 पर नियमानुसार ड्यूल फ्यूल किट (70 प्रतिशत पी0एन0जी0 व 30 प्रतिशत डीजल) की स्थापना कर ली गयी है। कार्यालय अभिलेखानुसार परियोजना द्वारा राज्य बोर्ड सहमति जल एवं वायु प्राप्त किये जाने हेतु आन लाईन आवेदन दिनांक 27.02.2025 को किया गया है, जो कि वर्तमान में विचाराधीन है।

उपरोक्त तथ्यों एवं परियोजना के प्रतिउत्तर दिनांक 25.02.2025 को दृष्टिगत रखते हुये परियोजना के विरुद्ध कारण बताओं नोटिस में वर्णित डिफाल्टर अवधि हेतु कुल रू0 65,70,000/- की पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने एवं निर्गत कारण बताओं नोटिस दिनांक 29.01.2025 को निस्तारित किये जाने की संस्तुति सहित आख्या आपके अवलोकनार्थ एवं अग्रिम आवश्यक कार्यवाही हेतु सादर प्रस्तुत है।

(अंशुल शर्मा)

सहायक पर्यावरण अभियंता

क्षेत्रीय अधिकारी



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
UTTAR PRADESH POLLUTION CONTROL BOARD



पत्रांक : 424908 / सी-1 / सा0-1054 / प0क्ष0 / 2025

पंजीकृत
दिनांक 28-2-25

सेवा में,

मै0 एम0आर0 प्रोव्यू रियलटेक प्रा0लि0,
खसरा नं0-1048मि0,1049मि0, 1059मि0,1065मि0,984,985 व 986मि0,
ग्राम-नूरनगर, राजनगर एक्सटेंशन,
गाजियाबाद।
701-120 4345530

विषय: मै0 एम0आर0 प्रोव्यू रियलटेक प्रा0लि0, खसरा नं0-1048मि0,1049मि0, 1059मि0,1065मि0,984,985 व 986मि0, ग्राम-नूरनगर, राजनगर एक्सटेंशन, गाजियाबाद के विरुद्ध जारी कारण बताओ नोटिस दिनांक 29.01.2025 की पुष्टि के संबंध में।

महोदय,

मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित एम0ए0 नं0-142/2024 ओ0ए0 नं0-485/2022 Sheshan Tyagi Vs State of UP में पारित आदेश दिनांक 25.11.2024 के अनुपालन में गठित संयुक्त समिति द्वारा दिनांक 16.12.2024 को प्रश्नगत गुप हाऊसिंग परियोजना का संयुक्त निरीक्षण किया गया तथा संयुक्त निरीक्षण आख्या जिलाधिकारी, गाजियाबाद के शपथ पत्र दिनांक 17.12.2024 के माध्यम से मा0 अधिकरण के समक्ष प्रेषित की गयी। संयुक्त समिति की आख्या में की गयी संस्तुति निम्नवत् है:-

1. Projectg must ensure installation of dual fuel kit (70% PNG + 30% HSD) or retrofitted emission control device in compliance of direction no. 76 issued by Commission for Air Quality Management in NCR and Adjoining Areas regarding regulation of DG sets.
2. Project Proponent should obtain Consent to Operate from UPPCB under the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.
3. Environmental Compensation should be imposed against Project Proponent for non-compliance of direction no. 76 as per "Standard Schedule for Environmental Compensation Charges in closure direction issued by the Commission.

उपरोक्त के अनुक्रम में बोर्ड मुख्यालय के पत्रांक-एच23392/सी-1/सा0-1054/पर्या0क्षति0-का0ब0नो0 /2025, दिनांक 29.01.2025 द्वारा मा0 सी0ए0क्यू0एम0 द्वारा जारी निर्देश के अनुसार डी0जी0 सेट 500 के0वी0ए0 व 250 के0वी0ए0 पर ड्यूल फ्यूल किट अथवा आर0ई0सी0डी0 की स्थापना किये बिना कुल-178 दिवस संचालन किये जाने के दृष्टिगत दिनांक 01.01.2024 से दिनांक 13.10.2024 तक तथा ग्रैप अवधि दिनांक 14.10.2024 से दिनांक 28.12.2024 तक की अवधि में उल्लंघन के दृष्टिगत प्रश्नगत परियोजना के विरुद्ध कुल रू0 65,70,000/- (रूपया पैसठ लाख सत्तर हजार मात्र) की पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने के संबंध में कारण बताओ नोटिस निर्गत किया गया है।

क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, गाजियाबाद द्वारा पत्रांक-2612/सी/एम-439/2025, दिनांक 27.02.2025 द्वारा प्रेषित आख्या में परियोजना को जारी कारण बताओ नोटिस के परिप्रेक्ष्य में प्रतिउत्तर दिनांक 25.02.2025 प्रेषित किया गया है। परियोजना द्वारा प्रेषित प्रतिउत्तर दिनांक 25.02.2025 में उल्लिखित किया गया है कि कारण बताओ नोटिस दिनांक 29.01.2025 के अनुपालन में अवगत कराना है कि परियोजना में 02 डीजी

.....2/

टी.सी.-12वी., विभूति खण्ड,
गोमती नगर, लखनऊ-226010
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वेबसाइट- www.uppcb.up.gov.in

T.C.-12V., Vibhuti Khand,
Gomti Nagar, Lucknow-226010
E-mail: info@uppcb.com
Web Site: www.uppcb.up.gov.in

सेट्स क्षमता क्रमशः 500 के0वी0ए0 एवं 250 के0वी0ए0 स्थापित है, जिस पर ड्यूल फ्यूल स्थापित कर ली गयी है, जिसका प्रमाण पत्र संलग्न है। प्रमाण में परचेज आर्डर दिनांक 09.01.2025 एवं प्रत्यावेदन तिथि 24.02.2025 अंकित है, जिससे स्पष्ट है कि दिनांक 31.12.2024 तक ड्यूल फ्यूल किट स्थापित था, जिसका सत्यापन क्षेत्रीय कार्यालय, गाजियाबाद के प्राधिकारियों द्वारा परियोजना स्थल का निरीक्षण दिनांक 27.02.2025 को श्री सूर्यकान्त शर्मा, मैनेजर की उपस्थिति में किया गया। निरीक्षण के समय पाया गया कि परियोजना में पूर्व से स्थापित कुल 02 डी0जी0 सेट्स क्षमता क्रमशः 500 के0वी0ए0 एवं 250 के0वी0ए0 पर नियमानुसार ड्यूल फ्यूल किट (70 प्रतिशत पी0एन0जी0 व 30 प्रतिशत डीजल) की स्थापना कर ली गयी है। क्षेत्रीय अधिकारी, गाजियाबाद द्वारा परियोजना के विरुद्ध कारण बताओ नोटिस में वर्णित डिफाल्टर अवधि (दिनांक 01.01.2024 से 13.10.2024 तक तथा ग्रेप अवधि दिनांक 14.10.2024 से 28.12.2024 तक) हेतु कुल रू0 65,70,000/- (रूपया पैसठ लाख सत्तर हजार मात्र) की पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने की पुष्टि किये जाने की संस्तुति की गई है।

अतः क्षेत्रीय अधिकारी, गाजियाबाद द्वारा प्रेषित आख्या/संस्तुति दिनांक 27.02.2025 के अनुक्रम में परियोजना मै0 एम0आर0 प्रोव्यू रियलटेक प्रा0लि0, खसरा नं0-1048मि0,1049मि0, 1059मि0,1065मि0,984,985 व 986मि0, ग्राम-नूरनगर, राजनगर एक्सटेंशन, गाजियाबाद के विरुद्ध रू0 65,70,000/- (रूपया पैसठ लाख सत्तर हजार मात्र) की पर्यावरणीय क्षतिपूर्ति अधिरोपित किया जाता है एवं निर्देशित किया जाता है कि रू0 65,70,000/- (रूपया पैसठ लाख सत्तर हजार मात्र) की पर्यावरणीय क्षतिपूर्ति की धनराशि का भुगतान राज्य बोर्ड के Dedicated Account जिसका payment gateway का URL: <https://erp.eshiksa.net/DirectFeesv3/Uppcb> तथा Nature of Pollution-Air pollution एवं EC imposed in compliance-Uppcb पर एक सप्ताह के अन्दर जमा कराना सुनिश्चित करें। जमा की गयी धनराशि का साक्ष्य क्षेत्रीय कार्यालय, गाजियाबाद एवं बोर्ड मुख्यालय, लखनऊ को भी प्रेषित करना सुनिश्चित करें।

सक्षम अधिकारी की अनुमति से निर्गत।


मुख्य पर्यावरण अधिकारी, वृत्त-1

प्रतिलिपि : निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित -

1. जिलाधिकारी, गाजियाबाद।
2. क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, गाजियाबाद को इस निर्देश के साथ प्रेषित कि परियोजना के विरुद्ध अधिरोपित पर्यावरणीय क्षतिपूर्ति को राज्य बोर्ड के खाते में जमा कराया जाना सुनिश्चित करें।


मुख्य पर्यावरण अधिकारी, वृत्त-1