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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
Principal Bench, New Delhi
O.A No. 176 of 2022

In the matter of
Aman Chaudhary

Applicant

Vs.

Union of India & Ors.

Respondent(s)

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(Nazimuddin)

Scientist-F

Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar
Delhi-110032

Place: Delhi

Date: 09.01.2024

2004

**Compliance Report on Behalf of Respondent No. 3,
Central Pollution Control Board in the matter of Hon'ble
NGT, O.A. No. 176/2022, titled as Aman Chaudhary v/s
Union of India and Ors.**



CENTRAL POLLUTION CONTROL BOARD
"Parivesh Bhawan", East Arjun Nagar,
Delhi-110032

(January 2024)

2005

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Compliance Report in the matter of O.A. No. 176/2022, titled as Aman Chaudhary v/s Union of India and Ors.

1. Background

The Hon'ble National Green Tribunal, Principal Bench assigned the task of classification of river sand mining projects to Central Pollution Control Board (CPCB). The Hon'ble NGT in the matter of O.A. No. 176/2022, Aman Chaudhary v/s Union of India and Ors., vide order dated 30.05.2023, directed the following:

"...In view of above discussion, CPCB are directed to look into the matter of categorization of Excavation of sand from the Riverbed (excluding manual excavation) in red or orange category and issue appropriate Notification clarifying categorization there of as red or orange category within a period of two months from the date of receipt of a copy of this order. Till issuance of such Notification, river sand mining shall continue to be treated to fall in red category."

A copy of the Hon'ble NGT order dated 30.05.2023 is given at **Annexure-I**.

2. Classification of river sand mining projects by CPCB

In compliance of the Hon'ble NGT order, CPCB has classified 'Sand/riverbed material mining from the riverbed and its floodplains (excluding manual excavation)' in red and orange categories. The details of the classification (categorisation) of the said sector are as follows:

Table No. 1: Classification (categorisation) of Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation)

Sl. No. (as per CPCB Document)	Non-industrial operations	Category	Remarks
63	Sand / riverbed material mining from riverbed and its floodplains (excluding manual excavation)		i. Sand / riverbed material mining from riverbed and its floodplains may cause ecological disturbances, erosion of riverbed, change in hydro-geological conditions & river ecosystem, etc. ii. Cluster mining means that the distance of mining lease area is less than 500 m from periphery of
	(i) Mining lease area more than 5 hectares	Red	

	Or Mining lease area up to 5 hectares which is part of cluster mining		another lease area. iii. This categorization is made considering the ecological damages and not based on pollution potential/index.
	(ii) Standalone mining lease area up to five hectares in areas (not a part of any cluster mining)	Orange	

Note: Cluster mining as defined in ‘Enforcement & Monitoring Guidelines for Sand Mining, 2020’, issued by MoEF&CC.

CPCB vide letter no. CPCB/IPC-VI/ROGW, dated 22.09.2023 directed all State Pollution Control Boards (SPCBs)/Pollution Control Committees (PCCs) to adapt and implement the above classification. A copy of the CPCB letter no. CPCB/IPC-VI/ROGW dated 22.09.2023 is attached as **Annexure-II**.

3. Follow-up by CPCB for adoption and implementation of classification of river sand mining projects

The Hon’ble NGT, in the matter of OA No. 176/2022, vide order dated 17.10.2023 directed the following:

“...CPCB to compile information on the basis of action taken reports received from the SPCBs/PCCs in response to its letter dated 22.09.2023 and file compiled status report...”

A copy of Hon’ble NGT order dated 17.10.2023 is given at **Annexure-III**.

To expedite the submission of the Action Taken Reports (ATRs) for the adoption and implementation of the classification of river sand mining, CPCB reminded SPCBs/PCCs vide emails/letters dated 27.10.2023, 08.11.2023, 28.11.2023 and 05.12.2023. A copy of CPCB correspondences is given at **Annexure-IV (A to D)**.

The last hearing in the matter of OA No. 176/2022 was made by Hon’ble NGT on 12.12.2023, wherein Hon’ble NGT directed the following:

“CPCB is directed to compile information on the basis of action taken reports received from the SPCBs/PCCs in response to its letter dated 22.09.2023 and file compiled status report on or before 10.01.2023 by e-mail at judicial-ngt@gov.in

preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.”

In compliance of the Hon'ble NGT order dated 12.12.2023, CPCB once again vide letter/email dated 28.12.2023 and 02.01.2024 requested the remaining SPCBs/PCCs to submit the Action Taken Reports regarding adoption and implementation of classification of sand mining projects. Copy of CPCB email/letter dated 28.12.2023 and 02.01.2024 is given at **Annexure-V (A and B)**.

4. Status of adoption and implementation of classification of sand mining projects by SPCBs/PCCs

So far, CPCB has received responses from 24 SPCBs/PCCs, namely, Andhra Pradesh, Assam, Bihar, Chandigarh, Chhattisgarh, Gujarat, Himachal Pradesh, Jammu and Kashmir, Kerala, Maharashtra, Mizoram, Nagaland, Puducherry, Punjab, Uttar Pradesh, Uttarakhand, Tripura, Lakshadweep, Meghalaya, Arunachal Pradesh, Karnataka, Rajasthan, Telangana, and West Bengal. All these SPCBs/PCCs have adopted classification (categorisation) of 'Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation)'. PCC Lakshadweep has however informed that there is no river in the UT. The summary of responses/action taken reports is given in the following table:

Table No. 2: Summary of Action Taken Reports (ATR) received from SPCBs/PCCs

Sl. No.	State/UT	Reference no.	Remarks
1	Andhra Pradesh	Letter no. APPCB-11022/548/2023-TEC-CFO-APPCB, dt. 17.11.2023	Adopted and implemented the classification
2	Assam	Letter no. PCBA/LGL-196/2023/NGT/16/2162, dt. 07.12.2023	Adopted and implemented the classification
3	Bihar	Letter no. 2865, Patna, dt. 30.11.2023	Adopted and implemented the classification
4	Chandigarh	Letter no. CPCC/2023/3900, dt. 06.12.2023	Adopted and implemented the classification
5	Chhattisgarh	Letter no. 6667/तक/मु./ छ. ग.पं. सं. मं/ 2023 नवा	Adopted and implemented the classification

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		रायपुर अटल नगर, रायपुर, 24.11.2023	
6	Gujarat	Letter no. GPCB/P-1/14(7)/759146, dt. 22.11.2023	Adopted and implemented the classification
7	Himachal Pradesh	Letter no. HPSPCB/CPCB miscellaneous/2023-12409, dt. 06.12.2023	Adopted and implemented the classification
8	Jammu and Kashmir	Letter no. JKPCB/T/CPCB/RBM/2023/828-31, dt. 03.11.2023	Adopted and implemented the classification
9	Kerala	Letter no. KSPCB/159/2022-SEE3, dt. 06.11.2023	Adopted and implemented the classification
10	Maharashtra	Letter no. MPCB/JD(WPC)/B-231130-FTS-0006, dt. 30.11.2023	Adopted and implemented the classification
11	Mizoram	Letter no. H. 88088/Poltn/2/2023-MPCB, dt. 10.11.2023	Adopted and implemented the classification
12	Nagaland	Letter no. NPCB/IND-CON-2/5027-28, dt. 02.11.2023	Adopted and implemented the classification
13	Puducherry	Letter no.4507/DSTE/PPCC/SCI/SAND/CIRC/2023 dt. 08.11.2023	Adopted and implemented the classification
14	Punjab	Letter no. SEE (HQ-2)/2023/28179, dt. 09.11.2023	Adopted and implemented the classification
15	Uttar Pradesh	Letter no. 03265/C-2/general-348/23, dt. 24.11.2023	Adopted and implemented the classification
16	Uttarakhand	Letter no. UKPCB/HO/Gen-257(11)/2023/927, Dt. 14.10.2023	Adopted and implemented the classification
17	Tripura	Letter no. F.18(28)/TSPCB/7086-88, dt. 15.11.2023	Adopted and implemented the classification
18	Lakshadweep	Letter no.LD-03001/1/2023-LPCC, dt. 07.12.2023	Adopted and implemented the classification, state

			board has informed that there is no river in the state so issue of sand/riverbed mining is not arised
19	Meghalaya	Letter no. MSPCB/LEGAL-638/2023/2023-24/2, dt. 20.11.2023	Adopted and implemented the classification
20	Arunachal Pradesh	Letter no. ASSPCB-93/2017/RCI/8191-90, dt. 04.01.2024	Adopted and implemented the classification
21	Karnataka	Letter no. PCB/17/COC/2023-24/4922, dt.13.12.2023	Adopted and implemented the classification
22	Rajasthan	F14(Policy-2023)/RPCB/Project/2992-2999, dt.29.12.2023	Adopted and implemented the classification
23	Telangana	Letter no.2/TSPCB/categorization/HO/2023,dt. 11.12.2023	Adopted and implemented the classification
24	West Bengal	Letter no. WBPCB-16015(99)/5/2022SEC(WBPCB)-WBPCB,dt.07.12.2023	Adopted and implemented the classification
25	Andaman & Nicobar		ATR awaited
26	Daman & Diu		ATR awaited
27	Delhi		ATR awaited
28	Goa		ATR awaited
29	Haryana		ATR awaited
30	Jharkhand		ATR awaited
31	Madhya Pradesh		ATR awaited
32	Manipur		ATR awaited
33	Odisha		ATR awaited
34	Sikkim		ATR awaited
35	Tamil Nadu		ATR awaited

However, the Action Taken Reports are still awaited from 11 SPCBs/PCCs, namely, Andaman & Nicobar, Daman Diu and Dadra Nagar Haveli, Delhi, Goa, Haryana, Jharkhand, Madhya Pradesh, Manipur, Odisha, Sikkim, and Tamil Nadu.

Copies of the responses received from SPCBs/PCCs are given at **Annexure-VI**.

Item No. 3

(Court No. 2)

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

(Through Physical Hearing with Hybrid VC Option)

Original Application No.176/2022

I.A No. 39/2023, I.A No. 40/2023 and I.A No. 592/2023

Aman Chaudhary

...Applicant

Versus

Union of India & Ors.

....Respondents

Date of hearing: 30.05.2023

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.**

Applicant: None for the applicant.

Respondents: Mr. Somesh Chandra Jha and Ms. Aanya Shrotriya, Advocates for Respondent No. 1 with Dr. S. Kerketta, Scientist G and Mr. Pankaj Verma, Scientist E, MoEF & CC.

Ms. Pushpila Bisht, Ms. Pallavi Pratap and Mr. Akshay Singh, Advocates for Respondent No. 2.

Mr. Saurabh Balwani, Advocate for Respondent No. 3 with Mohmad Nizamuddin, Scientist F and Ms. Sonia, CPCB.

Mr. Pradeep Misra, Advocate for Respondent No. 4 with Mr. Ajay Kumar Sharma, Member Secretary, UPPCB.

Mr. Mukesh Verma, Advocate for Respondent No. 6 with Dr. Roshan Jacob, Director, Geology and Mining Department, U.P., Mr. Vipin Kumar Jain, Additional Director, Geology and Mining Department, U.P.

Mr. Vishak G., District Magistrate, Kanpur (through VC)

Mr. Raj Panjwani, Amicus Curiae.

None for respondent no. 5.

Application under Sections 14, 15 and 18 (1) of the National Green Tribunal Act, 2010.**ORDER**

1. Grievances in the application are regarding illegal sand mining in the region of Kanpur and Unnao by Mr. Nagendra Singh (Respondent no.

2). The applicant also submitted that even an unauthorized bridge was constructed in the middle of the River Ganga by the Project Proponent due to which the river got divided into two Streams.

2. This Tribunal constituted a Joint Committee vide order dated 07.03.2022 which submitted its report vide email dated 10.08.2022. In its report Joint Committee *inter alia* recorded following observations and findings:

“Report of Joint Inspection team in compliance to Hon’ble NGT Order dated 07.03.2022 in the Original Application No. 176 of 2022 in the matter Aman Chaudhary Vs. Union of India and Others.

X X X X

13. In the EC issued by SEIAA, several conditions are imposed. The compliance of some (sic of) the major conditions are as given below-

- The proponent was to establish ambient air quality monitoring stations to monitor the ambient air during the mining operations. The proponent was also to submit monitoring reports of ambient air quality/water & waste water/flora & fauna, six monthly compliance report, annual environmental statement and detailed replenishment study report to SIA/PCB/district administration.
- No such data/compliance reports are submitted by the project proponent.
- The proponent was to carry out various Corporate Social Responsibility (CSR) activities including community development & income generating programs, maintenance of village road, free distribution of smoke less chulha, etc.
- No such data/compliance reports are submitted by the project proponent.
- The project proponent has to develop green cover belt in an area equivalent to 20% of the total leased area either on river bank or along road side.
- No such efforts are been made by the proponent.

X X X X

Findings of the visit:-

- River bed mining lease is sanctioned at Vill-Katari Sunaudha, Tahsil-Bilhaur, District-Kanpur Nagar. The Committee found the issues raised in the Hon’ble NGT order are matter of concerns w.r.t. construction of temporary bridge at mining site. During inspection no such temporary bridge was found in the mining lease area.
- According to Google Earth timeline map of dated 25.03.2018 & 18.04.2019, no such temporary bridge was observed.
- During inspection approach road was found at the mining lease site in the main stream area of River, which obstruct the flow of the River.
- Project proponent has not taken any significant measures for environmental safeguard and also not made any efforts/initiatives for conducting activities under CSR.

- *Compliance of conditions of Environmental Clearance issued by SEIAA are not found.*

Hence, the Committee is in view that the lease holder may be directed to comply the conditions of Environmental Clearance and mining deed. Environmental compensation may be imposed for violation of various Norms and degradation of surrounding environment."

3. The matter was heard on different dates and in the course of hearing serious environmental violations were noticed including the factual position that the Project Proponent had not obtained CTE/CTO from UPPCB and therefore UPPCB had issued show cause notice for imposition of environmental compensation of Rs. 4,29,37,500/- to the Project Proponent.

4. This Tribunal, vide Order dated 29.09.2022, made the following observations with consequential directions as under :-

*"We find that the report of District Mines Officer, Kanpur Nagar referred to in the reply of the Director, Directorate of Geology and Mining, Government of Uttar Pradesh that **"the approach road is within the lease boundary. That approach road is three hundred meters away from the active channel of the river."** is contradictory to the report of the Joint Committee that **"During inspection approach road was found at the mining lease site in the main stream area of River, which obstruct the flow of the River."** Further, in its report the Joint Committee has mentioned that **"Project proponent has not taken any significant measures for environmental safeguard and also not made any efforts/initiatives for conducting activities under CSR."** and that **"Compliance of conditions of Environmental Clearance issued by SEIAA are not found"** and recommended that **"the lease holder may be directed to comply the conditions of Environmental Clearance and mining deed."** but in its reply the Director, Directorate of Geology and Mining, Government of Uttar Pradesh has merely mentioned that "Mines Officer, Kanpur Nagar vide Letter dated 29.06.2022 has issued notice to the proponent in this regard" and what further action has been taken on said notice is not mentioned in the reply which was **filed on 13.09.2022**. We have noticed that **"Mining lease deed was registered on 07.04.2018 for the period up to dt. 06.04.2023"** and out of five years lease period more than four years period has already expired without requisite compliance with environmental compliance conditions and without obtaining CTO from UPPCB. No doubt, UPPCB has imposed environmental compensation amounting to Rs.4,29,37,500/- on respondent No.6 the Project Proponent for not obtaining consent to operate from UPPCB under the Water (Prevention and Control of Pollution) Act, 1974 and Air*

*(Prevention and Control of Pollution) Act, 1981 before commencement of mining but the same has been imposed after initiation of the present proceedings and such imposition appears to be without issuing any notice and giving opportunity of being heard to respondent No.6 the Project Proponent. Detailed guidelines have been laid down in **Sustainable Sand Mining Management Guidelines 2016** and **Enforcement & Monitoring Guidelines for Sand Mining 2020** issued by MoEF & CC and specific directions have also been issued by this Tribunal in **OA No. 360/2015 National Green Tribunal Bar Association Vs. Virender Singh** for operationalization of monitoring/supervisory/review mechanism and periodical audits/inspections/returns/reports for ensuring compliance with **environmental clearance** and **consent to operate conditions** and environmental norms, which prima facie, appear to have been flouted by the Director, Directorate of Geology and Mining, Government of Uttar Pradesh and UPPCB in the present case. However, before making any further observations in the matter we consider it appropriate to give them opportunity to file detailed replies and to direct them to give their account of measures taken by them for compliance with the guidelines issued by MOEF & CC and directions given by this Tribunal. In its reply the Director, Directorate of Geology and Mining, Government of Uttar Pradesh shall specifically mention as to (i) whether copy of environmental clearance/mining lease agreement was sent to UPPCB, if yes when and if no, why the same was not sent? (ii) whether any periodical returns were submitted by the project proponent, any audit/periodical inspection was made by designated third party/departmental agency regarding compliance with **environmental clearance** and **consent to operate conditions** and environmental norms by the project proponent, if yes produce copies of the same if not the reasons for the same? (iii) whether the project proponent was entitled to and could commence mining before grant of CTO by UPPCB if not why the project proponent was allowed to commence such mining without CTO from UPPCB and (iv) whether any notice for non compliance with **environmental clearance/consent to operate**/environmental norms was issued to the project proponent before initiation of the present proceedings and what action was taken against the project proponent on the basis thereof. In its reply the UPPCB shall specifically mention as to (i) whether copy of environmental clearance/ mining lease agreement was sent to UPPCB, if yes when and if no, whether any reference was made for obtaining the same? (ii) whether UPPCB conducted any inspection regarding mining in the mining site in question to ascertain compliance of environmental clearance conditions/obtaining of CTO before initiation of the present proceedings, if yes what action was taken on the basis thereof and if no, what are the reasons for the same? and in how many cases copies of environmental clearance/ mining lease agreement was not sent to UPPCB during the last five years and in how many cases mining was commenced without obtaining CTO from UPPCB. Reply/response by the Director, Directorate of Geology and Mining, Government of Uttar Pradesh be filed by 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."

5. In compliance thereof affidavits have been filed by Dr. Roshan Jacob, Director, Geology and Mining Department, U.P. and Mr. Ajay Sharma, Member Secretary, UPPCB vide emails dated 21.04.2023.

6. The relevant part of the affidavit filed by Dr. Roshan Jacob, Director, Geology and Mining Department, U.P. is reproduced as under:-

"AFFIDAVIT OF COMPLIANCE

X X X X
3. That in compliance of above direction of this Hon'ble Tribunal, it is submitted that in Chapter - 4 of U.P. Minor Mineral (Concession) Rules 2021 (previously Rule 1963) the lease deed of normal sand mining area, plot no.2m rakba 10.50 hectare of village Katri Sunada, Tehsil Billaur situated at the bank of Ganga River of the district was executed in favor of lease holder M/s Vaishnavi Enterprises Proprietor Nagendra Singh R/o 113 MIG-2, Mahabali Puram, Kalyanpur, Kanpur Nagar on 07.04.2018 for the period of 05 years from 07.04.2018 to 06.04.2023. Now the lease has been expired.

4. Point no. (i) - Whether copy of environmental clearance /mining lease agreement was sent to UPPCB, if yes when and if no, why the same was not sent?

With reference to above point, it is submitted that the copy of environmental clearance certificate issued by State Environment Impact Assessment Authority (SEIAA) in favor of project proponent/lease holder vide letter no.174/environment/SEAC/4026/20 1 7 dated 12.02.2018 was forwarded to 07 persons/authorities, in which through S.No. 04 same was forwarded to Member Secretary, U.P. Pollution Control Board, Environment Bhawan, Vibhuti Khand, Lucknow. It is also pertinent to mention that a copy of environmental clearance certificate is available on Parivesh Portal which is in public domain. After issuance of environmental clearance certificate, it is considered that the lease deed will be executed and mining operation will start. Therefore, sending a copy of lease deed separately to UPPCB will be duplication of the same.

Considering this, it is not customary to send the copy of deed to UPPCB.

5. Point no.(ii) - Whether any periodical returns were submitted by the project proponent, any audit/periodical inspection was made by designated third party/departmental agency regarding compliance with environmental clearance and consent to operate conditions and environmental norms by the project proponent, if yes produce copies of the same if not the

reasons for the same?

*In compliance of above direction of this Hon'ble Tribunal it is submitted **that the lease holder /project proponent has not filed any periodical returns and in compliance of conditions of environment, the project proponent has not got any audit /periodical inspection done from any third party /departmental agency.** It is mentioned in letter no.NGT-509/81-7-2022 dated 05.01.2023 of Secretary, Environment, Forest and Climate Change Section-7, U.P. Lucknow that the relevant part of the order dated 26.02.2021 passed by this Hon'ble Tribunal in O.A. no.360/2015 titled as National Green Tribunal Bar Association Vs. Virendra Singh (State of Gujarat &Ors.) is as follows:-*

"....28. We further direct that periodic inspection be conducted by a five members Committee, headed and coordinated by the SEIAA and comprising CPCB (wherever it has regional office), State PCB and two expert members of SEAC dealing with the subject. Where CPCB regional office is not available, if MoEF&CC regional office is available, its Regional officer will be included in the Committee. Where neither CPCB nor MoEF&CC regional office exists, Chairman, SEIAA will tie up within the nearest institution of repute such as IIT to nominate an expert for being included in the Committee. Such inspection must be conducted at least thrice for each lease i.e. after expiry of 25% the lease period, then after 50% of the period and finally six months before expiry of the lease period for midway correction and assessment of damage, if any. The reports of such inspections be acted upon and placed on website of the SEIAA. Every lessee, undertaking mining, must have an environmental professional to facilitate sustainable mining in terms of the mining plan and environmental norms. This be overseen by the SEIAA. Environment Departments may also develop an appropriate mobile app for receiving and redressing the grievances against the sand mining, including connivance of the authorities and also mechanism to fix accountability of the concerned officers. Recommendations of the Oversight Committee for the State of U.P. quoted earlier may be duly taken into account..."

It is pertinent to mention here that site has been inspected from time to time for compliance of conditions of lease deed and UPMCR, 2021 by the lease holder M/s Vaishnavi Enterprises Proprietor Nagendra Singh for the ordinary sand mining area village Katari Sunadha Plot no.2Miarea 10.50 hectare of Tehsil Bilhaur.

It is respectfully submitted that due to non-installation of CCTV Camera in mining area and violation of Rule 59(3),a

penalty of Rs.25,000.00 has been imposed vide notice dated 05.09.2019 against the Lease holder.

Sub Divisional Magistrate Bilhaur inspected the site on 07.12.2020, a passage of height same as water level was removed and an FIR was registered in concerned police station against unknown persons.

Vide letter no.446/ST-Misc./20 dated 12.12.2020 of Sub Divisional Magistrate, Bilhaur it was informed that the above lease holder has done illegal mining and transportation of ordinary sand of about 54219 cubic mtr. from plot no.01m of area 5.4219 hectare outside the approved mining area. With reference to above, a notice was issued on 22.12.2020 and direction was given to place its case within 15 days.

Director, Directorate of Geology and Mining, Lucknow inspected the area on 11.01.2021 and henceforth constituted a team for correct demarcation of boundary pillar of mining area and for detailed survey of the mined-out quantity. The Joint inspection team ratified the Sub Divisional Magistrate Billaur report dated 12.12.2020. In light of above the lease holder was again issued a notice on 03.02.2021 to deposit total amount of Rs.2,39,06,360.00 in Govt. Treasury within 15 days in lieu of illegal mining and transportation. Against above notice the lease holder filed Revision No.48(R)/SM/2021 to the Govt. which was dismissed by the Govt. on 09.08.2021. Thereafter, the lease holder filed Writ Petition No.18966/2021 in Hon'ble High Court of Allahabad Lucknow Bench. In compliance of order dated 22.09.2021 passed by Hon'ble High Court, permission was given to lease holder for mining and transportation of ordinary sand. Writ Petition No. 18966 of 2021 is pending before the High Court.

It is respectfully submitted that again in pursuance of joint inspection report dated 05.12.2021 notice dated 09.12.2021, a fine of Rs.72,500.00 was imposed on lease holder due to constructing passage /road without permission.

On the basis of inspection by DM. Kanpur Nagar on 31.05.2022 and report dated 21.06.2022 of inspection team constituted by DM, a notice dated 10.08.2022 was issued to the lease holder for depositing total amount of Rs. 11,55,837.00.

Thus periodical inspection of the lease has been constantly done by the District Administration, Kanpur and Director, Geology and Mining, Govt. Of Uttar Pradesh.

6. Point no.(iii) -Whether the project proponent was entitled to and could commence mining before of CTO by UPPCB if not why the project proponent was allowed to commence such mining without CTO from UPPCB?

In pursuance to this, it is humbly submitted that

- i. For harmonization of Classification of Industries under Red/Orange/Green/White Categories CPCB vide letter dated 19.08.2015 forwarded a copy of draft document on revised concept of categorization of industrial sectors to all SPCBs, PCCs and concerned ministries. CPCB further issued modified directions to revise/prepare categories of industrial sector in Red, Orange, Green and White as per final report to all SPCBs/PCCs on 07.03.2016.
- ii. That is further worthwhile to mention here that in compliance to the directions issued by CPCB, UPPCB in its meeting dated 29.03.2016 adopted the same categorizations of industries and issued letter dated 18.04.2016 to all concerned controlling officers of the UPPCB and Regional officers of the UPPCB to comply the same. A true copy of the letter dated 18.04.2016 is being annexed herewith as Annexure No-1.
- iii. That there are two additional notes in the list of Industrial Sectors mentioned in the final report and Note (ii) is being quoted as below;

SI.No.	Origin at SI. No.	Industry Sector	Original Category	Remarks
1	24	Excavation of sand from the River Bed (excluding manual excavation)	O	Since such type of activities cause ecological disturbances the instructions issued by the Government from time to time be followed to be categorized by MoEF & CC.

iii. That at Serial No. 1 which was originally at SI.No 24 regarding excavation of Sand from the riverbed (excluding manual excavation), it has been mentioned in remark column that such type of activities cause ecological disturbances, the instructions issued by the Government (MoEF&CC) from time be followed. So, excavation of Sand from the riverbed (excluding manual excavation) has to be categorized by MoEF&CC separately.

iv. That pursuant to remarks made in categorization of sector up till now no categorization has been made by the MoEF&CC for excavation of sand from the riverbed therefore the sand mining is not covered under the categorization of the industrial Sector. It is also submitted that as per the MOEF&CC, EIA notification 2006, EC has been obtained in this particular case and also in cases of Sand Mining across the state.

v. Under the provisions of Water Act 1974 and Air Act 1981, industries, which causes underground/surface water and Air pollution, requires CTE /CTO from concerning SPCB. But in the case of Sand Mining no fugitive emissions are released. It is to be mentioned that neither permanent structure of any kind is erected during the mining operations of Sand/Morrum situated in the river bed nor heavy machinery are used in the mining operations. In the said mining operations, neither anything is added to the water nor is anything released, so water or air does not get polluted.

8. Point no. (iv) — Whether any notice for non-compliance with environmental clearance /consent to operate /environmental norms was issued to the project proponent before initiation of the present proceedings and what action was taken against the project proponent on the basis thereof?

In compliance Regular inspection was done by district authorities for compliance of the UPMPCR 2021 and the conditions of the lease deed. Notices were issued to project proponent when any irregularities were found during inspection, details are mentioned in point no. 06.

As per the facts mentioned in point no. 07, there is no requirement to obtain CTO.”

7. The relevant part of the affidavit filed by Mr. Ajay Sharma, Member Secretary, UPPCB is reproduced as under:-

“Affidavit on behalf of Member Secretary, UPPCB in pursuance to the order dated 29.09.2022 and 17.03.2023 passed by the Hon’ble National Green Tribunal

X X X X

3. That it is pertinent to mention here that the CPCB under the powers conferred under Section 18(1)(b) of the Water Act, 1974

and the Air Act, 1981 has issued direction dated 07.03.2016 regarding Harmonization of classification of Industrial Sectors under Red/Orange/Green/White categories. The directions dated 07.03.2016 are annexed here with as Annexure No-1 to this affidavit.

4. That it is further worthwhile to mention here that in compliance to the directions issued by Central Pollution Control Board, were adopted by the UP Pollution Control Board in its 96th Board meeting dated 29.03.2016 and direction dated 18.04.2016 were issued to all concerned officers of the Board. A true copy of the letter dated 18.04.2016 is being annexed herewith and marked as Annexure No.-2 to this affidavit.

5. That in the final List issued by CPCB on 07.03.2016 of Orange Category of Industrial Sectors the following comment regarding "Excavation of sand from the river bed" has been mentioned.

"There are specific remarks in respect of some of the industrial sectors. These sectors are either merged with other relevant sectors or deleted due to duplication /vague category. The details are as follows:-

SL No.	Origin at SL No.	Industry Sector	Original Category	Remarks
1	24	Excavation of sand from the River Bed (excluding manual excavation)		Since such type of activities cause ecological disturbances, the instructions issued by the Government from time to time be followed. To be categorized by MoEF&CC

6. That pursuant to above remarks made in categorization of sector, until now no clarification of MoEF&CC regarding categorization of 'Excavation of sand from the river bed', has been received from CPCB. In compliance of the Hon'ble NGT order dated 17.03.2023 in aforesaid case the details as desired by Hon'ble NGT regarding the status of issuance of CTO/CTE, Environmental Clearance (EC) by SEIAA and action against defaulter units etc. are being annexed herewith and marked as Annexure no.-3 to this affidavit.

8. In view of the submissions made by Dr. Roshan Jacob, Director,

Geology and Mining Department, U.P. and Mr. Ajay Sharma, Member Secretary, UPPCB in their affidavits, this Tribunal vide order dated 26.04.2023 directed respondent no. 1-MoEF & CC and respondent no. 3-CPCB to file their detailed response about requirement of consent/NoC from UPPCB for the excavation of sand from the river bed (excluding manual excavation), since such activities are having ecological impacts on or before 18.05.2023.

9. In compliance thereof respondent no. 1-MoEF & CC has filed affidavit vide email dated 18.05.2023 and respondent No.3-CPCB has filed affidavit vide email dated 18.05.2023.

10. Relevant part of the affidavit filed by respondent no. 1-MoEF is reproduced below:

“It is humbly submitted that, the Environmental Clearance (EC) granted to the project/activity is strictly under the provisions of the Environmental Impact Assessment (EIA) Notification, 2006 and its amendments issued from time to time. It does not tantamount/ construe to approvals/ consent/ permissions etc. required to be obtained or standards/conditions to be followed under any other Acts/ Rules/ Subordinate legislation, etc., as may be applicable to the project. Further, the requirement of consent/ No objection Certificate (NOC) are issued by the respective State Pollution Control Board (SPCBs) as per provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981.

5. That, the State Pollution Control Board is the Nodal Authority in the State for dealing with the cases related to pollution or environment management coming under the purview of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981.

6. It is submitted that the present reply may kindly be taken on record and into consideration and the Hon'ble Tribunal may pass appropriate Order(s)/Direction(s) as deemed fit and proper under the facts and circumstances of the present case. Further, the other ancillary issues raised in the application under reply do not pertain to the answering respondent.”

11. Relevant part of the affidavit filed by the CPCB is reproduced below:-

“2. That it is humbly submitted that the applicable law as well as relevant procedural requirement for any project proponent for the purposes of the excavation of sand from the river bed are provided below for perusal:

The Procedural requirement as laid down under the Central Acts of Water and Air Act along with EIA notification

i. Clause 25 of the Water Act 1974 relates to Consent of SPCB

"25. Restrictions on new outlets and new discharges -

(1) Subject to the provisions of this section, no person shall, without the previous consent of the State Board -

(a) establish or take any steps to establish any industry, operation or process, or any treatment and disposal system or any extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land (such discharge being hereafter in this section referred to as discharge of sewage); or

(b) bring into use any new or altered outlet for the discharge of sewage; or

(c) begin to make any new discharge of sewage:"

Definitions

"2 (g) "sewage effluent" means effluent from any sewerage system or sewage disposal works and includes sullage from open drains; "

"2 (k) "trade effluent" includes any liquid, gaseous or solid substance which is discharged from any premises used for carrying on any industry, operation or process, or treatment and disposal system, other than domestic sewage"

ii. Clause in Air Act 1981 related to Consent of SPCB

"21. Restrictions on use of certain industrial plants -

(1) Subject to the provisions of this section, no person shall, without the previous consent of the State Board, establish or operate any industrial plant in an air pollution control area

Definitions

"2(k) "industrial plant" means any plant used for any industrial or trade purposes and emitting any air pollutant into the atmosphere; "

iii. Clause in EIA Notification 2006 related to Environment Clearance (EC)

The EIA Notification 2006 is issued under Section 3(2)(v) of Environment (Protection) Act 1986 which is related to restriction of areas in which any industries, operations or processes or class of industries, operations or processes shall not be carried out or shall be carried out subject to certain safeguards and under Section 5 of Environment (Protection) Rules 1986 which is related to prohibitions and restrictions on the location of

industries and the carrying on processes and operations in different areas. The said notification prescribe as below:

"2. Requirements of prior Environmental Clearance (EC):- The following projects or activities shall require prior environmental clearance from the concerned regulatory authority, which shall hereinafter referred to be as the Central Government in the Ministry of Environment and Forests for matters falling under Category 'A' in the Schedule and at State level the State Environment Impact Assessment Authority (SEIAA) for matters falling under Category 'B' in the said Schedule, before any construction work, or preparation of land by the project management except for securing the land, is started on the project or activity:

(i) All new projects or activities listed in the Schedule to this notification;

(ii) Expansion and modernization of existing projects or activities listed in the Schedule to this notification with addition of capacity beyond the limits specified for the concerned sector, that is, projects or activities which cross the threshold limits given in the Schedule, after expansion or modernization;

(iii) Any change in product - mix in an existing manufacturing unit included in Schedule beyond the specified range."

Projects / activities have been categorised into Category A and Category B in the Schedule.

iv. Categorisation of projects/activities by CPCB

*CPCB has provided a uniform categorisation criteria of industries into Red, Orange, Green and White categories to SPCBs vide directions dated **07.03.20216**. The said criteria suggested different validly periods for consent as below:*

"5. SPCBs/PCCs may issue consent to the industries:

- Red category of industries for 5 years.*
- Orange category of industries for 10 years.*
- Green category of industries for 15 years.*
- No necessity of consent for non-polluting industries."*

The Copy of the Directions dated 07.03.2016 is annexed herewith as Annexure

R-1.

3. That it is humbly submitted that the U.P. Mining and Geology Department and U.P. Pollution Control Board both have mentioned in their responses before Hon'ble NGT-PB in the present case that "Excavation of sand from river bed (excluding normal excavation)" has not been assigned Category under the above mentioned uniform categorisation by CPCB in 2016 because such type of activities cause ecological disturbances.

4. In this regard it is submitted that Central Government has already covered the mining of river bed material under Schedule of the EIA Notification 2006. In consideration of this,

the SPCBs themselves can categorise this activity for the purpose of deciding validly of the consent as already directed by CPCB for categorisation of any left out sector in the directions dated 07.03.2016. In the case of U.P., CPCB has informed U.P. Geology and Mining Department and UPPCB by a recent letter dated 24.03.2023 also that SPCB may categorise any left out sector by following the criteria / methodology prepared by CPCB. The Copy of the same is annexed herewith as Annexure R-2.

5. That it is further pertinent to note that the MOEF has already formulated the Sustainable Sand management guidelines 2016 & 2020 which primarily focuses on the management of Sand mining in India as well as the fact that section 23 C of the MMDDRR Act, 1957 further grant the relevant state government to make rules & policy to prevent any illegal mining, transportation and storage of minerals including sand. The Enforcement and monitoring guidelines for Sand Mining dated January 2020 contains specific guidelines for process and procedural requirements for approvals for the project proponents.

The Copy of the Enforcement and monitoring guidelines for Sand Mining dated January 2020 is annexed herewith as Annexure R-3.

6. The Hon'ble Supreme Court in its Judgment dated the 27.02.2012 in I.A. No.12-13 of 2011 in Special Leave Petition (C) No.19628-19629 of 2009, in the matter of Deepak Kumar etc. Vs. State of Haryana and Others etc. made prior environment clearance mandatory for mining of minor minerals irrespective of the area of mining lease. On 24.12.2013, the MoEF issued an OM which mandates that "EC will be valid for the lease period subjected to a ceiling of 5 years". Thereafter, in 2016 the MOEF issued the Sustainable Sand Mining Management Guidelines, 2016 (hereinafter referred to as SMMG, 2016), inter alia, with an endeavor to ensure that sand and gravel mining is done in an environmentally sustainable and socially responsible manner, and to further ensure the conservation of river equilibrium and its natural environment by protection and restoration of the ecological system. The same was again updated in 2020 and the same made it a sine qua non that EC is valid only for a period of 5 years, after which the same has to be renewed only with prior permission of the nodal agencies.

7. It is humbly submitted that continuation of sand mining in the absence of environmental clearances obtained by the Project Proponent contravenes the various decisions passed by the Hon'ble Supreme Court in its Judgment dated the 27th February 2012 in I.A. No.12- 13 of 2011 in Special Leave Petition (C) No.19628-19629 of 2009, in the matter of Deepak Kumar etc. Vs. State of Haryana and Others etc. and various directions of this Hon'ble Tribunal in order dated 13th January, 2015 in the case of Himmat Singh Shekhawat v. State of Rajasthan and Ors., 2015 ALL (I) NGT Reporter (1) (Delhi) 44, National Green Tribunal Bar Association Vs Ministry of Environment and Forest & Ors. in Original Application No. 364

Of 2015 and Order dated 04.09.2018 in O.A. 173/2018 in the matter of Sudarsan Das vs. State of West Bengal & Ors and MoEF & CC guidelines for Sustainable Sand Mining Management Guidelines 2016 & 2020 for scientific and sustainable sand mining in the Country.

8. That in view of the facts indicated in earlier paras it is respectfully prayed that necessary directions be passed and the Respondent No.3 confirms that it shall abide by any order or direction, passed by this Hon'ble Tribunal.”

12. Reply was filed by the Respondent no. 2- the project proponent vide email dated 01.02.2023. In his reply Respondent no. 2- the project proponent has made vague and general averments regarding carrying out of mining by him in accordance with environmental clearance granted to him while denying allegations regarding illegal mining and construction of temporary bridge. In his reply Respondent no. 2 has not specifically replied and given any specific response with respect to the findings of the Joint Committee regarding violations of conditions of environmental clearance and mining lease deed and has also not mentioned anything regarding requirement of obtaining CTE/CTO from UPPCB and also show cause notice dated 02.12.2022 for imposition of environmental compensation issued to him by Chief Environment Officer, Circle-2, U.P. Pollution Control Board Lucknow.

13. We have learned Counsel for the respondents and learned Amicus Curiae on the question of requirement of CTE/CTO from SPCBs/PCCs for Excavation of sand form the River Bed (excluding manual excavation) and gone through the relevant material.

14. In the directions issued by CPCB in June 2012 in the context of categorization of industries as Red, Orange & Green, mining and ore beneficiation were included at serial no. 35 of Table G-2:Final List of Red category of Industrial Sectors. Respondent no. 3-CPCB vide letter dated 19.08.2015 forwarded a copy of draft document on revised concept of categorization of industrial sectors to all SPCBs/PCCs and concerned

Ministries for harmonization of classification of industries under Red, Orange, Green and white categories in which "excavation of the sand from the river bed (excluding manual excavation)" was mentioned at serial no. 24. Based on the revised criteria, Respondent no. 3-CPCB evolved the 'Final Report on Revised Categorization of Industrial Sectors under Red/Orange/Green/White' with number of industries in Red, Orange, Green and newly introduced White categories in the above said final list being 60, 83, 63 and 36 respectively. Accordingly, the earlier Directions issued in June 2012 in the context of categorisation of industries as Red, Orange & Green were withdrawn and modified directions were issued vide letter no. B-29012/ESS(CPA)/2015-16 dated 07.03.2016.

15. Even though in the draft list of Orange category of industries "excavation of the sand from the river bed (excluding manual excavation)" was mentioned at serial no. 24 but the CPCB did not finalize said categorization and made the remarks "since such type of activities cause ecological disturbances, the instructions issued by the Government from time to time be followed" and left the industrial sector for being categorized by MoEF & CC.

16. No categorization has been done by MoEF & CC so far. On the other hand, in the affidavit filed on behalf of respondent no. 1-MoEF & CC, it has been mentioned that the State PCB is the nodal authority for dealing with the cases related to pollution or environment management coming under the purview of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981. In the response filed on behalf of respondent no. 3-CPCB, it has been submitted that the Central Government has already covered the mining of river bed material under Schedule of the EIA Notification 2006. In consideration of this, the SPCBs/PCCs themselves can categorise this

activity for the purpose of deciding validly of the consent as already directed by CPCB for categorisation of any left out sector in the directions dated 07.03.2016.

17. It may also be observed here that vide above referred letter no. B-29012/ESS(CPA)/2015-16 dated 07.03.2016 following 'Directions' were issued for compliance by all SPCBs and PCCs :

“1. That the SPCBs and PCCs shall adopt the Revised Criteria of categorization of industrial sectors as detailed in table nos. F1, F2, F3 and F4 and Revised Lists of Red, Orange, Green and White categories of industrial sectors, presented at table no. G2, G3, G4 and G5 respectively, in the 'Final Report' as attached herewith immediately.

2. That all pending applications for consideration of 'Consent to Establish' and 'Consent to Operate' and future such applications shall be processed as per revised criteria.

3. That the SPCBs and PCCs will provide the list of industries identified in each category existing in the State which have been considered for grant of consents. SPCBs/PCCs will forward the list of such industries before 31.05.2016 and the same will be uploaded on the websites of respective SPCB/PCC.

4. That the 'Revised Lists of Red, Orange, Green and White category of industrial sectors' shall be used by the SPCBs and PCCs for Consent Management and inventorization of industries under Red, Orange, Green and White categories. Siting of industries shall be only in conforming areas. SPCBs / PCCs shall evolve sector specific plans for control of pollution and industrial surveillance for verifying compliance.

5. That the SPCBs and PCCs shall revise / prepare the inventory of Red, Orange, Green and White categories of industries operating in their jurisdiction based on the revised criteria specified in the Final Report and submit the same to CPCB within 90 days i.e., before 30.05.2016 in hard copy as well as soft copy.

6. That the listed category of industries or those identified later-on under different categories shall not be linked to sanction of loan / finance or bank proceedings.

7. That any further addition of any new or left-over industrial sector and their categorization which is not listed in the revised list of Red, Orange, Green and White industrial sectors, shall be done at the level of concerned SPCB / PCC following revised criteria & guidelines as detailed in the attached document and no concurrence of CPCB shall normally be required. It is further clarified that while categorizing the

industries, fractional numbers shall be rounded off to nearest integer.”

18. In the response filed on behalf of respondent no. 3-CPCB, it has also been mentioned that in the case of State of U.P., CPCB has informed U.P. Geology and Mining Department and UPPCB by a recent letter dated 24.03.2023 also that SPCB may categorise any left out sector by following the criteria / methodology prepared by CPCB.

19. Even after receipt of the above said letter no categorization has been done by UPPCB so far. The attendant facts and circumstance show that despite the Union of India and the States being under Constitutional obligation under Article 48A of the Constitution of India to protect and improve the environment, their executive agencies/instrumentalities have slept over the issues/concerns raised and have therefore allowed confusion and contradictions to prevail, suffered massive violations of environmental laws, ignored the dangers involved and brushed aside the questions of their accountability.

20. We find that the respective stands taken by Department of Geology and Mining and UPPCB have resulted into utter confusion leading to contradictory practices in the State of Uttar Pradesh regarding enforcement of the regime of environmental norms including mandatory requirement of obtaining of CTE/CTO from UPPCB. The UPPCB is indulging in contradictory practices. On the one hand UPPCB is claiming that there is no mandatory requirement of CTE/CTO from UPPCB for river bed sand mining and on the other hand UPPCB is issuing show cause notices and passing orders for imposition of environmental compensation for not obtaining CTE/CTO from UPPCB.

21. In O.A No. 485/2022 titled as Gautam Sharma Vs. State of U.P. and Others pending before this Tribunal, UPPCB has taken the stand in its reply that CPCB has issued a letter dated 02.02.2017 regarding

mechanism to be followed for granting Consent to Operate (CTO) under Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981, for certain category of industries and that as per said letter the projects which have obtained Environmental Clearance (EC) from SEIAA and installed requisite pollution control system, may be issued Consent to Operate (CTO) directly.

22. In O.A No. 160/2022 titled as Om Pal and others Vs. State of U.P. and others pending before this Tribunal the Project Proponent filed Civil Appeal No. 8872/2022 before Hon'ble Supreme Court against restraint order passed by this Tribunal by asserting compliance with the environmental norms on the basis of the Joint Committee reports and in view of the directions of the Hon'ble Supreme Court, this Tribunal vacated the restraint order on 08.12.2022 and directed the Project Proponent to file compliance status report and the Director, Geology and Mining Department, U.P. and UPPCB to file joint report after verifying the same. In the Joint Report filed by the Director, Geology and Mining Department, U.P. and UPPCB vide email dated 24.03.2023 the Project Proponent is stated to be non-compliant inter alia on the ground that the Project Proponent obtained CTO from the UPPCB on 05.01.2023 and condition no. 8 of the EC was violated as mining was started before obtaining CTO.

23. The Extent of such contradictory practices is revealed by the table in annexure III appended to the affidavit filed by the Member Secretary, UPPCB vide email dated 21.04.2023 which is reproduced as under.

“Consolidated Status of Mining Leases in UP

- *Total Number of Mining Leases (As per the information received by concerned Regional officer from the District Mining Officer) : 1232*
- *Total No. of CTO Granted to Mining Leases : 444*
- *Total No. of CTO Rejected of Mining Leases : 18*
- *Total No. of CTO pending of Mining Leases : 62*

- *Total No. of Mining Leases which have not applied for CTO : 708*
- *Total Number of Cases Carrying Out Mining without Grant of CTO by UPPCB : 577*
- *Total No. of E.C. issued by SEIAA to Mining Leases : 1232*
- *Total Number of Cases in which Environmental Compensation has been Imposed on Mining Units : 18”*
- *Total Number of Cases in which Show Cause for Environmental Compensation has been issued on Mining Units: 639*
- *Total Amount of Environmental Compensation has been Imposed on Mining Units : Rs. 35,92,30,032 /-*
- *Total Number of Cases in which Environmental Compensation has been Recovered/Realized from Mining Units : 04*
- *Total Amount of Environmental Compensation that has been Recovered/Realized from Mining Units: Rs. 71,90,000 /-*
- *Total Number of Cases in which Recovery of Environmental Compensation is Pending from Mining Units : 14”*

24. UPPCB cannot be allowed to create confusion and take such contradictory stands and indulge in such legally untenable contradictory practices, when the legal position is clear and unambiguous. We do not find any reason for such confusion and any scope for contradictory practices and divergent views in applicability of environmental laws, directions given by Hon'ble Supreme Court and this Tribunal and guidelines issued by MOEF&CC and CPCB.

Directions Given by Hon'ble Supreme Court.

25. The Department of Mines and Geology, Government of Haryana issued an auction notice dated 3.6.2011 proposing to auction the extraction of minor mineral boulder, gravel and sand quarries of an area not exceeding 4.5 hectares in each case in the District of Panchkula, auction notices dated 8.8.2011 in the District of Panchkula, Ambala and Yamuna Nagar exceeding 5 hectares and above, quarrying minor mineral, road metal and masonry stone mines in the District of Bhiwani, stone, sand mines in the District of Mohindergarh, slate stone mines in the District of Rewari, and also in the Districts of Kurukshetra, Karnal, Faridabad and Palwal, with certain restrictions for quarrying in

the river beds of Yamuna, Tangri, Markanda, Ghaggar, Krishnavati River basin, Dohan River basin etc. The validity of the auction notices was challenged before Hon'ble Supreme Court, apart from the complaint of illegal mining going on in the State of Rajasthan and Uttar Pradesh in **I.A. No.12-13 of 2011 in Special Leave Petition (C) No.19628-19629 of 2009**, in the matter of **Deepak Kumar etc. Vs. State of Haryana and Others** etc. In its order dated 27.02.2012 Hon'ble Supreme Court noticed the adverse impact of sand mining on river ecology and aquatic life and observed as under:-

"7. We have no materials before us to come to the conclusion that the removal of minor mineral boulder, gravel, sand quarries etc. covered by the auction notices dated 3.6.2011 and 8.8.2011, in the places notified therein and also in the river beds of Yamuna, Ghaggar, Tangri, Markanda, Krishnavati river basin, Dohan river basin etc. would not cause environmental degradation or threat to the biodiversity, destroy riverine vegetation, cause erosion, pollute water sources etc. Sand mining on either side of the rivers, upstream and in-stream, is one of the causes for environmental degradation and also a threat to the biodiversity. Over the years, India's rivers and Riparian ecology have been badly affected by the alarming rate of unrestricted sand mining which damage the ecosystem of rivers and the safety of bridges, weakening of river beds, destruction of natural habitats of organisms living on the river beds, affects fish breeding and migration, spells disaster for the conservation of many bird species, increases saline water in the rivers etc. Extraction of alluvial material from within or near a streambed has a direct impact on the stream's physical habitat characteristics. These characteristics include bed elevation, substrate composition and stability, in-stream roughness elements, depth, velocity, turbidity, sediment transport, stream discharge and temperature. Altering these habitat characteristics can have deleterious impacts on both in-stream biota and the associated riparian habitat. The demand for sand continues to increase day by day as building and construction of new infrastructures and expansion of existing ones is continuous thereby placing immense pressure on the supply of the sand resource and hence mining activities are going on legally and illegally without any restrictions. Lack of proper planning and sand management cause disturbance of marine ecosystem and also upset the ability of natural marine processes to replenish the sand.

8. We are expressing our deep concern since we are faced with a situation where the auction notices dated 3.6.2011 and 8.8.2011 have permitted quarrying mining and removal of sand from in-stream and upstream of several rivers, which may have serious environmental impact on ephemeral, seasonal and

perennial rivers and river beds and sand extraction may have an adverse effect on bio-diversity as well. Further it may also lead to bed degradation and sedimentation having a negative effect on the aquatic life. Rivers mentioned in the auction notices are on the foothills of the fragile Shivalik hills. Shivalik hills are the source of rivers like Ghaggar, Tangri, Markanda etc. River Ghaggar is a seasonal river which rises up in the outer Himalayas between Yamuna and Satluj and enters Haryana near Pinjore, District Panchkula, which passes through Ambala and Hissar and reaches Bikaner in Rajasthan. River Markanda is also a seasonal river like Ghaggar, which also originates from the lower Shivalik hills and enters Haryana near Ambala. During monsoon, this stream swells up into a raging torrent, notorious for its devastating power, as also, river Yamuna."

26. In the above mentioned case Hon'ble Supreme Court, while directing all the States, Union Territories, MoEF and the Ministry of Mines to give effect to the recommendations made by MoEF in its report of March 2010 and the model guidelines framed by the Ministry of Mines, made prior environment clearance mandatory for mining of minor minerals irrespective of the area of mining lease. The Relevant part of the order is reproduced as under:-

"14. We are of the view that all State Governments/Union Territories have to give due weight to the above mentioned recommendations of the MoEF which are made in consultation with all the State Governments and Union Territories. Model Rules of 2010 issued by the Ministry of Mines are very vital from the environmental, ecological and biodiversity point of view and therefore the State Governments have to frame proper rules in accordance with the recommendations, under Section 15 of the Mines and Minerals (Development and Regulation) Act, 1957.

15. Quarrying of river sand, it is true, is an important economic activity in the country with river sand forming a crucial raw material for the infrastructural development and for the construction industry but excessive in-stream sand and gravel mining causes the degradation of rivers. Instream mining lowers the stream bottom of rivers which may lead to bank erosion. Depletion of sand in the streambed and along coastal areas causes the deepening of rivers which may result in destruction of aquatic and riparian habitats as well. Extraction of alluvial material as already mentioned from within or near a streambed has a direct impact on the stream's physical habitat characteristics.

16. We are of the considered view that it is highly necessary to have an effective framework of mining plan which will take care

of all environmental issues and also evolve a long term rational and sustainable use of natural resource base and also the bio assessment protocol. Sand mining, it may be noted, may have an adverse effect on biodiversity as loss of habitat caused by sand mining will effect various species, flora and fauna and it may also destabilize the soil structure of river banks and often leaves isolated islands. We find that, taking note of those technical, scientific and environmental matters, MoEF, Government of India, issued various recommendations in March 2010 followed by the Model Rules, 2010 framed by the Ministry of Mines which have to be given effect to, inculcating the spirit of Article 48A, Article 51A(g) read with Article 21 of the Constitution.

17. The State of Haryana and various other States have not so far implemented the above recommendations of the MoEF or the guidelines issued by the Ministry of Mines before issuing auction notices granting short term permits by way of auction of minor mineral boulders, gravel, sand etc., in the river beds and elsewhere of less than 5 hectares. We, therefore, direct to all the States, Union Territories, MoEF and the Ministry of Mines to give effect to the recommendations made by MoEF in its report of March 2010 and the model guidelines framed by the Ministry of Mines, within a period of six months from today and submit their compliance reports.

18. Central Government also should take steps to bring into force the Minor Minerals Conservation and Development Rules 2010 at the earliest. State Governments and UTs also should take immediate steps to frame necessary rules under Section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 taking into consideration the recommendations of MoEF in its Report of March 2010 and model guidelines framed by the Ministry of Mines, Govt. of India. Communicate the copy of this order to the MoEF, Secretary, Ministry of Mines, New Delhi, Ministry of Water Resources, Central Government Water Authority, the Chief Secretaries of the respective States and Union Territories, who would circulate this order to the concerned Departments.

19. We, in the meanwhile, order that leases of minor mineral including their renewal for an area of less than five hectares be granted by the States/Union Territories only after getting environmental clearance from the MoEF."

Proactive Role of Pollution Control Board/Committees for protection of Environment.

27. In **Goa Foundation v. Union of India (SC)- 2014(6) SCC 590** **Hon'ble Supreme Court** emphasized the powers and role of Pollution Control Board and observed as under:-

"72. The Goa State Pollution Control Board has immense

powers under the Water (Prevention & Control of Pollution) Act, 1974 (for short 'the 1974 Act') to prevent pollution of water. Section 33A of the 1974 Act which confers on the State Pollution Control Board the power to give directions is quoted here in below:

"33A. Power to give directions - Notwithstanding anything contained in any other law, but subject to the provisions of this Act, and to any directions that the Central Government may give in this behalf, a Board may, in the exercise of its powers and performance of its functions under this Act, issue any directions in writing to any person, officer or authority, and such person, officer or authority shall be bound to comply with such directions.

Explanation. For the avoidance of doubts, it is hereby declared that the power to issue directions under this section includes the power to direct (a)the closure, prohibition or regulation of any industry, operation or process; or (b)the stoppage or regulation of supply of electricity, water or any other service."

73. Similarly, the Air(Prevention and Control of Pollution) Act, 1981(for short 'the 1981 Act') confers immense powers on the State Pollution Control Board to prevent air pollution. Section 31A of the 1981 Act which confers powers on the State Pollution Control Board to give directions is quoted here in below:

"31A. Power to give directions. Notwithstanding anything contained in any other law, but subject to the provisions of this Act, and to any directions that the Central Government may give in this behalf, a Board may, in the exercise of its powers and performance of its functions under this Act, issue any directions in writing to any person, officer or authority, and such person, officer or authority shall be bound to comply with such directions.

Explanation. For the avoidance of doubts, it is hereby declared that the power to issue directions under this section includes the power to direct (a)the closure, prohibition or regulation of any industry, operation or process; or (b)the stoppage or regulation of supply of electricity, water or any other service."

74. It will be clear from the aforesaid provisions of Section 33A of the 1974 Act and Section 31A of the 1981 Act that the Goa State Pollution Control Board had powers to issue any direction including the power to close, prohibit or regulate mining operations or even to stop or regulate supply of electricity, water or any other service with a view to prevent water pollution or air pollution. Yet, from the report of the Expert Committee as well as the reports of ISM, Dhanbad and NEERI, it is clear that iron ore production in Goa has led to massive negative impacts on all ecosystems leading to enhanced air, water and soil pollution affecting quality of life across Goa. The Goa State Pollution Control Board in its note filed in Writ Petition (C) No.435 of 2012, however, states:

"Details of monitoring of water quality (with regards to mining leases) from 2007 to 2012 - The Board conducts inspections during the monsoon and other seasons also to verify the discharge of surface runoff/discharge from the pit outside the mining lease and also collects samples for analyzing in the Board Laboratory. Wherever the parameters exceed the prescribed limits necessary directions are issued to the mining

units to take remedial measures for controlling the waste water being discharged into the water bodies/fields without treatment. Directions are also issued to provide settling ponds, arrestor walls, filter beds so as to ensure that no untreated waste water is discharged into the water bodies/fields.

Details of monitoring of air quality (with regards to mining leases) from 2007 to 2012 - The Board is presently carrying out the periodic monitoring of Air Quality in pre-selected areas throughout the State to comply with one of the mandates of the Central Pollution Control Board (CPCB) under National Ambient Monitoring Programme (NAMP) at 16 stations."

75. We do not agree with Mr. Arvind Datar, learned senior counsel for the Goa State Pollution Control Board, that sincere efforts were made by the Pollution Control Board to monitor the water quality and air quality in the mining areas. Rather, it appears that the Goa State Pollution Control Board, though conferred with immense statutory powers, has failed to discharge its statutory functions and duties. We hope that in future the Goa State Pollution Control Board exercises strict vigil and monitors the water quality and air quality in accordance with the provisions of the two Acts and if necessary, exercises the powers conferred on it to close down mining operation of a lessee, if the lessee does not conform to the air emission and water discharge standards while carrying on mining operations and does not take other preventive measures as directed by the State Pollution Control Board.

28. Central Government has already covered the mining of river bed material under "Mining of Minerals" at serial no. 1 (a) in the Schedule of the EIA Notification 2006. The MOEF&CC issued the "Sustainable Sand Mining Management Guidelines" in 2016 and "Enforcement & Monitoring Guidelines for Sand Mining-2020 in 2020, inter-alia, with an endeavor to ensure that sand and gravel mining is done in an environmentally sustainable and socially responsible manner, and to further ensure the conservation of river equilibrium and its natural environment by protection and restoration of the ecological system. CPCB has provided a uniform categorisation criteria of industries into Red, Orange, Green and White categories to SPCBs/PCCs vide directions dated 07.03.20216 with different validly periods of consent of 5, 10 and 15 years for Red, Orange and Green categories. It was specifically mentioned therein that there shall be no necessity of obtaining the Consent to Operate for White category of industries and an intimation to concerned SPCB /PCC shall

suffice.

29. In 2012 categorization of industries by CPCB "mining and ore beneficiation" were mentioned at serial number 49 in Table 7.3: List of Red Category of Industries. Modification thereof was proposed by including "excavation of the sand from the river bed (excluding manual excavation)" in the draft list of orange category of the industrial sectors but the same was not finalized by the CPCB which aborted the proposed modification with the remarks that since such type of activities cause ecological disturbances the instructions issued by the Government from time to time be followed and to be categorized by the MoEF & CC". In 2016 final categorisation of industries issued by CPCB vide letter dated 07.03.2016 "mining and ore beneficiation" is mentioned at serial number 35 in Table G2: Final List of Red Category of Industrial Sectors which will continue to prevail with "excavation of the sand from the river bed (excluding manual excavation)" as part of the same. Since the CPCB did not convert the same to any other Orange, Green or White category and merely remarked that MOEF&CC may categorize "excavation of the sand from the river bed (excluding manual excavation)", categorization of "Mining and Ore beneficiation" as red category industry by CPCB will continue to prevail regarding excavation of the sand from the river bed (excluding manual excavation)" till any modification is made by MOEF&CC by making any such categorization. Consequently, "excavation of the sand from the river bed (excluding manual excavation)" cannot be even considered to be left over category.

30. Even otherwise, even if the same be held to be left over category due to the reason that CPCB did not finalize draft categorization of Excavation of sand form the River Bed (excluding manual excavation) in orange category, the remarks made by (CPCB "since such type of activities cause ecological disturbances, the instructions issued by the

Government from time to time be followed. To be categorized by MoEF&CC"), did not bar UPPCB from categorizing the same, which is also now the stand of both MOEF&CC and CPCB. UPPCB has not done so even on receipt of letter dated 24.03.2023 from CPCB. However, it is pertinent to observe even in the absence of any such categorization, when it is acknowledged, (as also observed by the Hon'ble Supreme Court) that excavation of the sand from the river bed (excluding manual excavation) may cause ecological degradation/disturbances, as also observed by the Hon'ble Supreme Court, the excavation of the sand from the river bed (excluding manual excavation) cannot be treated, by any stretch of imagination to fall in the **White category of Industrial Sectors** and in which ever of the other three categories **Red, Orange or Green** the same is considered to fall as per the revised criteria, obtaining of consent from SPCBs/PCCs will be mandatory in all eventualities.

31. In any case, even CPCB, while leaving categorization to MOEF&CC, also recommended that due to excavation of sand form the River Bed (excluding manual excavation) causing ecological disturbances, the instructions issued by the Government from time to time be followed. MOEF&CC while granting EC for sand mining from river bed is imposing condition requiring the Project Proponent to obtain consent from concerned SPCB.

32. Reference in this regard may be made to O.A No. 581/2022 titled as Vikas Kumar Vs. State of Haryana and Others pending before this Tribunal. In para no. 11 part A Specific Conditions clause (iv) of EC F.No.-J-11015\112\2015-IA-II (M) dated 28.01.2016 granted by MoEF & CC for Mining of Sand (Minor Mineral) in the Mines of "Jainpur-2 Sand Unit" 44 hectares mainly laying on the bed of river Yamuna (34.40 Ha) and partly outside river bed (10.0 Ha) with production capacity of 16 lakh TPA Sand (Minor Mineral) by M/s Yodha Mines and Minerals

may, or is likely to, create a nuisance or render such water harmful or injurious to public health or safety, or to domestic, commercial, industrial, agricultural or other legitimate uses, or to the life and health of animals or plants or of aquatic organisms. Section 2(a) of the Air (Prevention of Control of Pollution) Act, 1981 defines air pollutant to mean any solid, liquid or gaseous substance including noise present in the atmosphere in such concentration as may be or tend to be injurious to human beings or other living creatures or plants or property or environment and Section 2(b) of the above said Act defines air pollution to mean the presence in the atmosphere of any air pollutant. Sections 24 and 25 of the Water (Prevention and Control of Pollution) Act, 1974 and Sections 21 and 22 of the Air (Prevention of Control of Pollution) Act, 1981 have to be interpreted in view of the above said definitions. It is now universally acknowledged that excavation of minor mineral may disturb or change the underlying soil characteristics of the river bed/catchment/basin; may disturb the velocity and flow pattern (discharge) of the river water and may also adversely affect river morphology/ecology, the ground water regime and habitat of wild fauna in the river bed significantly. The river bed sand mining involves causing of air pollution due to generation of dust during excavation of dry sand and also fugitive emissions from the heavy vehicles used for transportation of the mined material. Such river bed sand mining requires setting up of temporary habitation camps for accommodating the labour employed for mining and also utilization of river/ground water for human consumption and sprinkling to control dust pollution. Discharge of waste water from temporary human habitation camps and mobile toilets may pollute the river water. Transportation of such river bed sand mining material also requires construction of road/pathways. In cases where heavy quantity of sand mining is permitted from the river

bed, deployment of large number of heavy vehicles for transportation of sand also results in fugitive emissions and dust generation thereby affecting the residents of neighbouring villages. Consequently, the stand taken by Dr. Roshan Jacob, Director, Geology and Mining Department, U.P. that river sand mining does not cause air and water pollution is factually and scientifically wrong.

36. Further, the stand taken by the Director, Geology and Mining Department, U.P., that sand mining from river bed does not cause Water and Air Pollution ignores condition no. 8 imposed in the EC granted in favor of the Project Proponent that "all necessary statutory clearances shall be obtained before start of mining operations. If this condition is violated, the clearance shall be automatically deemed to have been cancelled". Condition No.2 of the EC provided that forest clearance shall be taken by the proponent as necessary under law. Condition No.36 of the EC provided that environmental clearance is subject to obtaining clearance under the Wildlife (Protection) Act, 1972 from the competent authority, if applicable to this project. Condition no. 8 of the EC essentially refers to requirement of consent under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981. No reference was ever made by the Director, Geology and Mining Department, U.P. to SEIAA, U.P. to clarify that consent under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 were not required and some other statutory clearances were required to be obtained before commencement of the mining. The stand taken by the Director, Geology and Mining Department, U.P. that CTE/CTO from UPPCB was not mandatory/ necessary is illogical and illegal in view of the prevailing Environmental Acts/Rules.

37. It is also pertinent to observe that even in the present case

conditions imposed in the EC issued in favour of the Project Proponent assign important role to UPPCB and envisage monitoring by UPPCB for ensuring compliance by the Project Proponent of the conditions and environmental laws/norms and the same may be reproduced as under:-

" X X X X

7. *It shall be ensured that standards related to ambient air quality/effluent as prescribed by the Ministry of Environment & Forests are strictly complied with. Water sprinklers and other dust control majors should be applied to take-care of dust generated during mining operation. Sprinkling of water on haul roads to control dust will be ensured by the project proponent.*

8. *All necessary statutory clearances shall be obtained before start of mining operations. If this condition is violated, the clearance shall be automatically deemed to have been cancelled.*

X X X X

14. *It shall be ensured that there is no fauna dependant on the river bed or areas close to mining for its nesting. A report on the same, vetted by the competent authority shall be submitted to the RO, PCB and SEIAA within 02 months.*

15. *Primary survey of flora and fauna shall be carried out and data shall be submitted to the RO, PCB and SEIAA within six months.*

16. *Hydro-geological study shall be carried out by a reputed organization/institute within six months and establish that mining in the said area will not adversely affect the ground water regime. The report shall be submitted to the RO, PCB and SEIAA within six months. In case adverse impact is observed /anticipated, mining shall not be carried out.*

17. *Adequate protection against dust and other environmental pollution due to mining shall be made so that the habitations (if any) close by the lease area are not adversely affected. The status of implementation of measures taken shall be reported to the RO, UPPCB and SEIAA and this activity should be completed before the start of sand mining.*

X X X X

22. *An Environmental Audit should be annually carried out during the operational phase and submitted to the SEIAA.*

X X X X

24. *The project proponent shall submit six monthly reports on the status of compliance of the stipulated environmental clearance conditions including results of monitored data (both in hard & soft copies) to the SEIAA, the District Officer and the respective Regional Office of the State Pollution Control Board bji 1st June and 1st December every year.*

X X X X
 27. Waste water, from temporary habitation campus be property collected & treated before discharging into water bodies the treated effluent should conform to the standards prescribed by MoEF/CPCB.

X X X X
 29. Special Measures shall be adopted to protect the nearby settlements from the impacts of mining activities. Maintenance of village roads through which transportation of minor minerals is to be undertaken, shall be carried-out by the project proponent regularly at his own expenses.

X X X X
 32. Under corporate social responsibility a sum of 5% of the total project cost or total income whichever is higher is to be earmarked for total lease period. Its budget is to be separately maintained. CSR component shall be prepared based on need of local habitant. Income generating measures which can help in upliftment of poor section of society, consistent with the traditional skills of the people shall be identified. The programme can include activities such as development of fodder farm, fruit bearing orchards, free distribution of smokeless Chula etc.

X X X X
 34. The funds earmarked for environmental protection measures should be kept in separate account and should not be diverted for other purpose. Year wise expenditure should be reported to the Ministry of Environment and Forests and its Regional Office located at Lucknow, SEIAA, U.P and UPPCB.

35. Action plan with respect to suggestion/improvement and recommendations made and agreed during Public Hearing shall be submitted to the District mines Officer, concern Regional Officer of UPPCB and SEIAA within 02 months.

X X X X
 40. Appropriate mitigative measures shall be taken to prevent pollution of the river in consultation with the State Pollution Control Board. It shall be ensured that there is no leakage of oil and grease in the river from the vehicles used for transportation.

X X X X
 45. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of environmental clearance conditions and shall also be sent to the Regional Office of the Ministry of Environment and Forests, Lucknow by e-mail.

Specific Condition

X X X X
 14. Total Project Cost has been submitted as Rs. 81.0 lac. A

CSR plan with minimum 5% work to be executed with installation of five hand pumps for drinking water, solar light in villages of streets, construction of two numbers of toilets at the primary school with name displayed and address and details of beneficiary and gram pradhan along with phone number, photographs should be submitted to Directorate as well as to the District magistrate / Chief Development officers, Kanpur nagar, U.P.

X X X X

26. *The mining work will be open-cast and manual/semi mechanized (subject to order of Hon'ble NGT/Hon'ble Courts (s)). No drilling/blasting should be involved at any stage.*

X X X X

29. *The project proponent shall adhere to mining in conformity to plan submitted for the mine lease conditions and the Rules prescribed in this regard clearly showing the no work zone in the mine lease i.e. the distance from the bank of river to be left un-worked (Non mining area), distance from the bridges etc. It shall be ensured that no mining shall be carried out during the monsoon season.*

X X X X

32. *The critical parameters such as PM10, PM2.5, SO2 and NOx in the ambient air within the impact zone shall be monitored periodically. Further, quality of discharged water if any shall also be monitored HMS, DO, pH, Fecal Coliform and Total Suspended Solids (TSS).*

X X X X

42. *Digital processing of the entire lease area in the district using remote sensing technique should be done regularly once in three years for monitoring the change of river course by Directorate of Geology and Mining, Govt of Uttar Pradesh. The record of such study to be maintained and report be submitted to Regional office of MoEF, SEIAA, U.P. and UPPCB.*

X X X X

44. *State Pollution Control Board shall display a copy of the clearance letter at the Regional office, District Industry Centre and Collectors office/Tehsildar's Office for 30 days.*

45. *The project authorities shall advertise at least in two local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the State Pollution Control Board and also at web site of the SEIAA at <http://www.seiaaup.in> and a copy of the same shall be forwarded to the Regional Office of the Ministry located in Lucknow, CPCB, State PCB."*

38. These conditions envisaged proper consultation by the Project Proponent with UPPCB before commencement and during continuance of sand mining and also periodical monitoring by UPPCB. For this purpose

sending of copy of lease deed by the concerned District Magistrate to UPPCB was essentially required. Since the Project Proponent was legally bound to obtain CTE/CTO from UPPCB before commencement of mining, the District Magistrate and the District Mining Officer were legally bound not to allow commencement of mining before grant of consent by UPPCB. However, in the present case, the Project Proponent was allowed to carry out mining without such statutory consent throughout the five year term of the lease which has expired in April, 2023.

39. It may be observed that in the present case there are serious violations of the SSMG 2016 and EMGSM 2020 and EC conditions by the Project Proponent. In the affidavit of the Director, Geology and Mining Department, U.P. it is admitted that the lease holder /project proponent has not filed any periodical returns and the project proponent has not got any audit /periodical inspection done from any third party /departmental agency. In its report the Joint Committee had also mentioned non-compliance of EC conditions by the project proponent. Even there was non-compliance with SSMG 2016 and EMGSM 2020 by the project proponent in the present case. The Project Proponent did not install CCTV Camera in mining area for which merely penalty of Rs.25,000/-was imposed without verifying whether CCTV camera was subsequently installed. In the present case the Project Proponent is alleged to have indulged in illegal mining and transported ordinary sand about 54219 cubic mtrs. from plot no.01m of area 5.4219 hectare outside the approved mining area. Efforts have been made to project the same as incident of wrong demarcation and action regarding such illegal mining was not taken regarding the same as per EMGSM 2020 and directions of this Tribunal in OA 360 of 2015 titled as National Green Tribunal Bar Association Vs. Virender Singh (State of Gujarat). The facts and circumstances of the present case reveal serious violations of

environmental laws/norms by the Respondent no. 2-project proponent and serious derelictions of duty by concerned officers of the Department of Geology and Mining, U.P. and UPPCB.

Illegal Mining has to be dealt with sternly by visiting the same with all consequences without any leniency.

40. Section 21(1) of the MMDR Act provides that whoever contravenes the provisions of sub-section (1) or sub-section (1A) of section 4 shall be punishable with imprisonment for a term which may extend to five years and with fine which may extend to five lakh rupees per hectare of the area. Section 21 (6) of the MMDR Act empowers the police to investigate offence punishable under Section 21 of the MMDR Act by providing that notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), an offence under sub-section (1) shall be cognizable.

41. In **Lalita Kumari vs. Govt. of U.P. (SC) : 2013(4) R.C.R.(Criminal) 979 : 399 :2014(2) SCC 1** Hon'ble Supreme Court held that registration of FIR is mandatory under Section 154 of the Code of Criminal Procedure, 1973, if the information discloses commission of a cognizable offence and no preliminary inquiry is permissible in such a situation and if the information received does not disclose a cognizable offence but indicates the necessity for an inquiry, a preliminary inquiry may be conducted only to ascertain whether cognizable offence is disclosed or not.

42. In **State of NCT of Delhi vs. Sanjay, (2014) 9 SCC 772**, Hon'ble Supreme Court considered the question whether the provisions contained in Sections 21, 22 and other sections of MMDR Act operate as bar against prosecution of a person who has been charged with allegations which constitute offences under Section 379/114 and other provisions of the Indian Penal Code, 1860 (the IPC). In other words,

whether the provisions of MMDR Act explicitly or impliedly excludes the provisions of the IPC when the act of an accused is an offence both under the IPC and under the provisions of the MMDR Act. Since conflicting views had been taken by Gujarat High Court, Delhi High Court, Kerala High Court, Calcutta High Court, Madras High Court and Jharkhand High Court, Hon'ble Supreme Court proceeded to settle the question and on detailed analysis of the relevant statutory provisions and judicial precedents, Hon'ble Supreme Court observed as under:-

"69. Considering the principles of interpretation and the wordings used in Section 22, in our considered opinion, the provision is not a complete and absolute bar for taking action by the police for illegal and dishonestly committing theft of minerals including sand from the river bed. The Court shall take judicial notice of the fact that over the years rivers in India have been affected by the alarming rate of unrestricted sand mining which is damaging the eco-system of the rivers and safety of bridges. It also weakens river beds, fish breeding and destroys the natural habitat of many organisms. If these illegal activities are not stopped by the State and the police authorities of the State, it will cause serious repercussions as mentioned hereinabove. It will not only change the river hydrology but also will deplete the ground water levels.

70. There cannot be any dispute with regard to restrictions imposed under the MMDR Act and remedy provided therein. In any case, where there is a mining activity by any person in contravention of the provisions of Section 4 and other sections of the Act, the officer empowered and authorised under the Act shall exercise all the powers including making a complaint before the jurisdictional magistrate. It is also not in dispute that the Magistrate shall in such cases take cognizance on the basis of the complaint filed before it by a duly authorised officer. In case of breach and violation of Section 4 and other provisions of the Act, the police officer cannot insist Magistrate for taking cognizance under the Act on the basis of the record submitted by the police alleging contravention of the said Act. In other words, the prohibition contained in Section 22 of the Act against prosecution of a person except on a complaint made by the officer is attracted only when such person sought to be prosecuted for contravention of Section 4 of the Act and not for any act or omission which constitute an offence under Indian Penal Code.

71. However, there may be situation where a person without any lease or licence or any authority enters into river and extracts sands, gravels and other minerals and remove or transport those minerals in a clandestine manner with an intent to remove dishonestly those minerals from the possession of the

State, is liable to be punished for committing such offence under Sections 378 and 379 of the Indian Penal Code.

72. From a close reading of the provisions of MMDR Act and the offence defined under Section 378, I.P.C., it is manifest that the ingredients constituting the offence are different. The contravention of terms and conditions of mining lease or doing mining activity in violation of Section 4 of the Act is an offence punishable under Section 21 of the MMDR Act, whereas dishonestly removing sand, gravels and other minerals from the river, which is the property of the State, out of State's possession without the consent, constitute an offence of theft. Hence, merely because initiation of proceeding for commission of an offence under the MMDR Act on the basis of complaint cannot and shall not debar the police from taking action against persons for committing theft of sand and minerals in the manner mentioned above by exercising power under the Code of Criminal Procedure and submit a report before the Magistrate for taking cognizance against such person. In other words, in a case where there is a theft of sand and gravels from the Government land, the police can register a case, investigate the same and submit a final report under Section 173, Cr.P.C. before a Magistrate having jurisdiction for the purpose of taking cognizance as provided in section 190 (1)(d) of the Code of Criminal Procedure.

73. After giving our thoughtful consideration in the matter, in the light of relevant provisions of the Act vis-a-vis the Code of Criminal Procedure and the Indian Penal Code, we are of the definite opinion that the ingredients constituting the offence under the MMDR Act and the ingredients of dishonestly removing sand and gravel from the river beds without consent, which is the property of the State, is a distinct offence under the IPC. Hence, for the commission of offence under Section 378 Cr.P.C., on receipt of the police report, the Magistrate having jurisdiction can take cognizance of the said offence without awaiting the receipt of complaint that may be filed by the authorised officer for taking cognizance in respect of violation of various provisions of the MMRD Act. Consequently the contrary view taken by the different High Courts cannot be sustained in law and, therefore, overruled....."

43. In **Jayant vs. State of Madhya Pradesh(SC) : Law Finder Doc Id**

1776867 Hon'ble Supreme Court observed as under :-

"After giving our thoughtful consideration in the matter, in the light of the relevant provisions of the MMDR Act and the Rules made thereunder vis a vis the Code of Criminal Procedure and the Penal Code, and the law laid down by this Court in the cases referred to hereinabove and for the reasons stated hereinabove, our conclusions are as under:

i) that the learned Magistrate can in exercise of powers under Section 156(3) of the Code order/direct

the concerned Incharge/ SHO of the police station to lodge/register crime case/FIR even for the offences under the MMDR Act and the Rules made thereunder and at this stage the bar under Section 22 of the MMDR Act shall not be attracted;

ii) the bar under Section 22 of the MMDR Act shall be attracted only when the learned Magistrate takes cognizance of the offences under the MMDR Act and Rules made thereunder and orders issuance of process/summons for the offences under the MMDR Act and Rules made thereunder;

iii) for commission of the offence under the IPC, on receipt of the police report, the Magistrate having jurisdiction can take cognizance of the said offence without awaiting the receipt of complaint that may be filed by the authorised officer for taking cognizance in respect of violation of various provisions of the MMDR Act and Rules made thereunder; and

iv) that in respect of violation of various provisions of the MMDR Act and the Rules made thereunder, when a Magistrate passes an order under Section 156(3) of the Code and directs the concerned Incharge/ SHO of the police station to register/lodge the crime case/FIR in respect of the violation of various provisions of the Act and Rules made thereunder and thereafter after investigation the concerned Incharge of the police station/investigating officer submits a report, the same can be sent to the concerned Magistrate as well as to the concerned authorised officer as mentioned in Section 22 of the MMDR Act and thereafter the concerned authorised officer may file the complaint before the learned Magistrate along with the report submitted by the concerned investigating officer and thereafter it will be open for the learned Magistrate to take cognizance after following due procedure, issue process/summons in respect of the violations of the various provisions of the MMDR Act and Rules made thereunder and at that stage it can be said that cognizance has been taken by the learned Magistrate.

v) in a case where the violator is permitted to compound the offences on payment of penalty as per sub-section 1 of Section 23A, considering subsection 2 of Section 23A of the MMDR Act, there shall not be any proceedings or further proceedings against the offender in respect of the offences punishable under the MMDR Act or any rule made thereunder so compounded. However, the bar under subsection 2 of Section 23A shall not affect any proceedings for the offences under the IPC, such as, Sections 379 and 414 IPC and the same shall be proceeded with further.”

44. The settled position of law which emerges is that in a case where

there is a theft of sand and gravels from the river bed, the police can register a case, investigate the same and submit a final report under Section 173 of the Cr.P.C. before a Magistrate having jurisdiction for the purpose of taking cognizance as provided in section 190 (1)(d) of the Cr.P.C. It may be observed here that the Parliament has made offence punishable under Section 21 of the MMDR Act cognizable only for the purpose to enable the Police to register FIR and investigate the same. Arrest and custodial interrogation of the offenders may be mandatorily required in cases of illegal mining and/or illegal transportation of illegally mined minor mineral for ascertaining the place of illegal mining, seizure of the mined mineral, tools, equipment, vehicles used and other persons involved in the commission of the offences. No doubt the Mining Officer is authorized to file complaint under Section 22 of the MMDR Act but due to having no power to arrest and interrogate the offenders, the Mining Officer may not be able to collect the factual information and legal evidence to fasten criminal liability to the accused complained against. For the commission of offence punishable under Section 379 of the IPC, on receipt of the police report, the Magistrate having jurisdiction can take cognizance of the said offence without awaiting the receipt of complaint that may be filed by the authorised officer for taking cognizance in respect of violation of various provisions of the MMDR Act. For the commission of offence under Section 21 of the MMDR Act the Magistrate having jurisdiction can take cognizance of the said offence on the basis of complaint that may be filed by the authorized officer in respect of violation of various provisions of the MMDR Act along with the report under Section 173 (2) of the Cr.P.C. filed by the Police.

45. In EMGSM 2020 detailed guidelines have been incorporated for effectively dealing with cases of illegal mining and guidance has been provided for taking action against illegal excavation and transport. The

relevant of the same reads as under:-

"9.6 Actions against illegal excavation and transport

Solapur district administration in Maharashtra had adopted a multi-pronged strategy to penalize the persons involved in illegal excavation and transport which resulted in a significant increase in revenue earned by the state. Following rules and procedures as mentioned in these guidelines will add to the costs of PP. Those involved in illegal activities are not required to bear these costs and this will make their supply in the market cheaper (though illegal). This will put the players running their business by following rules and procedures laid down by the government to disadvantage as far as the selling price is considered. Therefore, it is necessary to come down heavily on those involved in illegal excavation/transport, so that there is no incentive for players to abide by the rules.

The following action may be taken to achieve this deterrence against illegal business:

1. *The action should be taken under all legal options available simultaneously. Thus, after identifying the case of illegal excavation, storage and/or transport of minor minerals (including sand), fine should be levied as per the land revenue laws/code(s) of the state. In addition, FIR should be lodged in the police station under relevant sections of law including sec 379 IPC. In addition, action under the Motor Vehicle Act, 1989 and relevant rules should initiate to cancel/suspend the driving license of the driver and permit of the vehicle. Further, action should be initiated under provisions in the Income Tax Act, 1961 for unaccounted income and under the Central Goods and Services Act, 2017 for non- payment of GST. (Earlier this was done under the state act pertaining to Value Added Tax/Sales Tax). Habitual offenders should also be taken up under local state laws for externment and/or preventive action. It is clarified that as per law, it is possible to take all actions under various laws simultaneously for one offence. What is prohibited in law is an action under the same law for the same act more than once.*

2. *The action should be taken against all persons responsible. Often, there is a tendency to penalize only the drivers of the vehicles. The mafia of illegal mining and transport is much bigger and drivers are only one part of the system. It is necessary to identify all those involved in the offence. It is usually not possible to reach the place of excavation without creating a motorable pathway up to the same through land which may be private land. Such role of such landowners needs to be looked into for each offence and proceeded against simultaneously. Further, the role of vehicle owners needs to be probed. Role of the person who allowed his land to be used for illegal excavation and storage should also be examined. Lastly, the person who purchases such sand should also be probed. The legal proceedings stated*

above needs to be initiated against all of these together. An attempt should be made to fix the financial responsibility in joint and several ways so that recovery is easier.

3. *There may be discretion available in law about the extent of the penalty to be levied. If such discretion is very wide, then it is advisable that guidelines may be laid down to reduce such discretion in law for levying penalties. For example, in Maharashtra, Land Revenue Code, fine of any amount of penalty up to thrice the value of the sand can be levied. Solapur district administration had instructed Tahsildars and SDMs not to use discretion and levy the fine of three times the value. Availability of discretion makes junior level functionaries susceptible to pressures and it may also lead to corrupt practices.*

4. *It is emphasized that actions, as stated above, are most important to ensure that the IT-based system works. If these exemplary actions are not taken against everyone, it shall create a strong disincentive to those involved in legal excavation and transportation. For IT-based (or any other) legal system to work, it is necessary to ensure that illegal system stops working altogether."*

46. In OA 360 of 2015 titled as National Green Tribunal Bar Association Vs. Virender Singh (State of Gujarat) this Tribunal in its order dated 26.02.2021 emphasized the measures to deal with the menace of illegal mining. The closing paragraphs containing the directions are reproduced below:-

"Enforcement of Monitoring Mechanism and review by the Chief Secretary at State level and Secretary MoEF&CC at National level

27. *We direct all the States/UTs to strictly follow the SSMG-2016 read with EMGSM-2020 reinforced by mechanism for preparation of DSRs (in terms of directions of this Tribunal dated 14.10.2020 in Pawan Kumar, supra and 04.11.2020 in Rupesh Pethe, supra), Environment Management Plans, replenishment studies, mine closure plans, grant of EC (in terms of direction dated 13.09.2018 in Satendra Pandey, supra), assessment and recovery of compensation (as per discussion in Para 25), seizure and release of vehicles involved in illegal mining (in terms of order dated 19.02.2020 in Mushtakeem, supra), other safeguards against violations, grievance redressal, accountability of the designated officers and periodical review at higher levels. As already noted, EMGSM-2020 contemplates extensive use of digital technology, including remote sensing.*

28. *We further direct that periodic inspection be conducted by a*

five-members Committee, headed and coordinated by the SEIAA and comprising CPCB (wherever it has regional office), State PCB and two expert members of SEAC dealing with the subject. Where CPCB regional office is not available, if MoEF&CC regional office is available, its Regional Officer will be included in the Committee. Where neither CPCB nor MoEF&CC regional office exists, Chairman, SEIAA will tie up with the nearest institution of repute such as IIT to nominate an expert for being included in the Committee. Such inspection must be conducted at least thrice for each lease i.e. after expiry of 25% the lease period, then after 50% of the period and finally six months before expiry of the lease period for midway correction and assessment of damage, if any. The reports of such inspections be acted upon and placed on website of the SEIAA. Every lessee, undertaking mining, must have an environment professional to facilitate sustainable mining in terms of the mining plan and environmental norms. This be overseen by the SEIAA. Environment Departments may also develop an appropriate mobile App for receiving and redressing the grievances against the sand mining, including connivance of the authorities and also a mechanism to fix accountability of the concerned officers. Recommendations of the Oversight Committee for the State of UP quoted earlier may be duly taken into account.

The mechanism must provide for review at the level of the Chief Secretary at least once in every quarter, in a meeting with all concerned Departments in the State. The Chief Secretary UP may ensure further action in the light of the report of the Oversight Committee.

Similarly, at National level, such review needs to be conducted atleast once in a year by the Secretary, Environment in coordination with the Secretaries Mining and Jalshakti Ministries the CPCB.

Publication of Annual Reports

29. We further direct all the States/UTs to publish their annual reports on the subject and such annual reports may be furnished to MoEF&CC by 30th April every year giving status till 31st March. First such report as on 31.03.2022 may be filed with the MoEF&CC by all the States/UTs on or before 30.04.2022. The report may also be simultaneously posted on the website of the Environment Department of the States/UTs. Based on such reports, MoEF&CC may consider supplementing its Guidelines from time to time. The MoEF&CC may prepare a consolidated report considering the reports from the States/UTs and publish its own report on the subject, preferably by 31st May every year.

Interaction at National Level

30. We direct the Secretary MoEF to convene a meeting in coordination with the CPCB and Mining and Jalshakti Ministries of Central Government and such other experts/individuals at National level and representatives of States within three months for interaction on the subject which may be followed by such meetings being convened by the Chief Secretaries in all States in next three months. Holding of such

meetings will provide clarity on enforcement strategies and help protection of environment."

Failure to comply with award, order, decision of this Tribunal constitutes an offence.

47. Section 25 of the National Green Tribunal Act, 2010 provides that an award or order or decision of the Tribunal under the above said act shall be executable by this Tribunal as a decree of a civil court and for this purpose this Tribunal shall have all the powers of a civil court. Sections 37 to 40 and Order 21 and Rules 37 to 40 of the Code of Civil Procedure, 1908 empowers the Civil Court to execute its decree by arrest and detention of the Judgment debtor in the civil prison. This Tribunal is also empowered by these statutory provisions to execute its award/order/decision by arrest and detention of the defaulters in civil prison besides other coercive methods.

48. Section 26 of the National Green Tribunal Act, 2010 visits the failure to comply with orders of this Tribunal with penal consequences and the same reads as under: -

"26 Penalty for failure to comply with orders of Tribunal.

- (1) Whoever, fails to comply with any order or award or decision of the Tribunal under this Act, he shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to ten crore rupees, or with both and in case the failure or contravention continues, with additional fine which may extend to twenty-five thousand rupees for every day during which such failure or contravention continues after conviction for the first such failure or contravention: Provided that in case a company fails to comply with any order or award or a decision of the Tribunal under this Act, such company shall be punishable with fine which may extend to twenty-five crore rupees, and in case the failure or contravention continues, with additional fine which may extend to one lakh rupees for every day during which such failure or contravention continues after conviction for the first such failure or contravention.

(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), every offence under this Act shall be deemed to be non-cognizable within the meaning of the said Code"

49. It may also be observed here that the Parliament while enacting the

National Green Tribunal Act, 2010 contemplated the situations where the failure to comply with any order/award/decision of this Tribunal may be by a Department of the Government and in such an eventuality made provision in Section 28 of the National Green Tribunal Act, 2010 for punishment of the Head of the Department which reads as under:-

“28 Offences by Government Department. - (1) *Where any Department of the Government fails to comply with any order or award or decision of the Tribunal under this Act, the Head of the Department shall be deemed to be guilty of such failure and shall be liable to be proceeded against for having committed an offence under this Act and punished accordingly: Provided that nothing contained in this section shall render such Head of the Department liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.*

(2) *Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a Department of the Government and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any officer, other than the Head of the Department, such officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.*

50. However, the offence punishable under Section 26 of the National Green Tribunal Act, 2010 has been made non-cognizable and Section 30 of the National Green Tribunal Act, 2010 which provides for cognizance of offences reads as under:-

“30 Cognizance of offences. - (1) *No court shall take cognizance of any offence under this Act except on a complaint made by-*

(a) *the Central Government or any authority or officer authorised in this behalf by that Government; or*

(b) *any person who has given notice of not less than sixty days in such manner as may be prescribed, of the alleged offence and of his intention to make a complaint, to the Central Government or the authority or officer authorised as aforesaid.*

(2) *No court inferior to that of a Metropolitan Magistrate or, a Judicial Magistrate of the first class shall try any offence punishable under this Act.”*

51. On a cursory reading of the provisions of Section 30 of the National

Green Tribunal Act, 2010 one may gather the impression that in cases where this Tribunal passes order/award/decision by taking cognizance *suo motu* without there being any complainant the matter of prosecution of defaulters has been left entirely to the Central Government or authority/officers authorised by the Central Government but even in such cases this Tribunal can order prosecution of the defaulters and on an analogy to clause (b) of Section 30 of the National Green Tribunal Act, 2010, copy of order served on the concerned Authority/Officers authorised by the Central Government shall be liable to be treated as notice for filing of such complaint and in case of failure to file complaint against the defaulters within sixty days, the Registrar of this Tribunal will be entitled to file such complaints against the defaulters in view of clause (b) of Section 30 of the National Green Tribunal Act, 2010.

52. Even though the serious violations revealed by the affidavits filed in the present case warrant an order for prosecution of the concerned officers, but instead of having recourse to said remedy we consider it appropriate to impress and direct upon the concerned Officers/Authorities to take requisite action for protection and improvement of the environment. However, we also consider it appropriate to forewarn that in case such state of affairs of non-compliance with environments laws/norms continues, we shall be constrained to order prosecution of the concerned Officers besides the concerned Project Proponent and also to execute order/award/decision of this Tribunal by arrest and detention of the defaulting Officers.

53. In view of above discussion, CPCB and MoEF & CC are directed to look into the matter of categorization of Excavation of sand from the River Bed (excluding manual excavation) in red or orange category and issue appropriate Notification clarifying categorization thereof as red or orange category within a period of two months from the date of receipt of

a copy of this order. Till issuance of such Notification, river sand mining shall continue to be treated to fall in red category. However in whichever category- red or orange excavation of sand from the River Bed (excluding manual excavation) is so notified to fall, it shall be mandatory for all the Project Proponents to obtain CTE/CTOs from concerned SPCB/PCC and with effect from 01.09.2023 no river sand mining will be allowed to continue to operate in the entire India without obtaining consents from concerned SPCB/PCC and all the concerned Directors, Geology and Mining Department, the District Magistrates and the Commissioners/Superintendents of Police of the concerned Districts shall ensure that no such mining is continued/operative without obtaining CTE/CTO from concerned SPCB/PCC. MOEF&CC is also directed to issue appropriate guidelines/OM within a period of two months from the date of receipt of a copy of this order for ensuring that the requirement of obtaining CTE/CTO from concerned SPCB/PCC is uniformly made applicable to all the river bed sand mining projects throughout India.

54. Affidavit in this regard be filed by respondent no. 1-MoEF & CC on or before 15.09.2023 by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

55. Cases have come to the notice of this Tribunal in which short term permits for sand mining in river bed/agricultural land have been issued by the District Magistrate in the State of U.P. without environmental clearance by SEIAA in violation of direction given by the Hon'ble Supreme Court in Deepak Kumar's case (Supra) and this Tribunal and therefore the Director, Geology and Mining Department, Uttar Pradesh is directed to ensure no such short term permits are issued without EC and strict compliance with statutory provisions, SSMG, 2016 and EMGSM, 2020,

Environment Protection Act, 2016 environmental clearance/consent conditions and directions given by the Hon'ble Supreme Court and this Tribunal is made by all the Project Proponents and to take action against all the Project Proponents who have not complied with the same. The UPPCB is directed to periodically inspect all mining lease sites in the State of Uttar Pradesh and monitor mining activities for verifying status regarding compliance with statutory provisions, SSMG-2016, EMGSM-2020, Environment Act, 2016 and directions given by Hon'ble Supreme Court and this Tribunal and take appropriate remedial action.

56. The Director, Geology and Mining Department, U.P. and UPPCB is also directed to take appropriate action against Respondent No. 2 – the Project Proponent for violation of SSMG, 2016, EMGSM, 2020 and environmental clearance conditions.

57. The Director, Geology and Mining Department, U.P. and Member Secretary, UPPCB are also directed to file Compliance Reports regarding compliance with above referred aspects/directions as well as status report regarding action taken against the Project Proponent on or before 15.09.2023 by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

58. UPPCB has filed interim application no. 592/2023 stating that UPPCB is unable to pay the honorarium and expenses to the amicus curie from the concerned fund and the same may be directed to be spent from environmental compensation fund.

59. We have heard the learned counsel and gone through the relevant record.

60. The case involves the questions relating to environment arising out of the implementation of the enactments specified in Schedule I of the National Green Tribunal Act, 2010 in the State of Uttar Pradesh. Vide order dated 26.04.2023, Mr. Raj Panjwani, Senior Advocate was

appointed as *amicus curie* to assist this Tribunal in just and fair adjudication of environmental questions involved in the case. In the facts and circumstances of the case we consider it to be appropriate that honorarium and expenses payable to the *amicus curie* be paid out of environmental compensation deposited with UPPCB as such appointment of *amicus curie* is meant to serve ultimately the cause of protection of environment.

61. In view of the above, **interim application no. 592/2023 is disposed of** with the direction that honorarium and expenses be paid to the *amicus curie* by UPPCB out of amount/funds of environmental compensation deposited with UPPCB.

62. List for further consideration on 25.09.2023.

63. A copy of this order be forwarded by email to the applicant and learned Amicus Curiae for information and to the Secretary, MoEF & CC, Chief Secretary, Government of Uttar Pradesh, Member Secretary, CPCB, Member Secretary, UPPCB, Director, Geology and Mining Department, Uttar Pradesh and District Magistrate, Kanpur Nagar for compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

May 30, 2023

AG



Annexure- II

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT FOREST & CLIMATE CHANGE GOVT OF INDIA

SPEED-POST

CPCB/IPC-IV/ROGW

22.09.2023

To,

The Member Secretary
SPCBs/PCCs
(as per the list)

Subject: Harmonization of Classification of Industrial Sectors into Red, Orange, Green and White Categories, regarding sand/river bed material mining activities.

Sir,

This has reference to the CPCB Directions issued u/s 18(1)(b) of the Air and Water Act on 07.03.2016, regarding 'Harmonization of classification of industrial sectors under Red/Orange/Green/White categories', wherein CPCB has categorized 242 industrial sectors into red, orange, green & white categories and directed all SPCBs/PCCs for its adoption and implementation.

Subsequently, CPCB has categorized the additional ten industrial sectors, namely, (i) Scrapping Centre (ii) Used Cooking Oil Collection Centre (iii) Compressed/Refined Biogas (iv) Railway Stations, (v) Dairy Farms & (vi) Gaushalas, (vii) Building and Construction Projects, having built-up area up to 20,000 m² and waste water generation \geq 50 KLD, (viii) Construction and Demolition (C&D) Waste Processing Plants, (ix) Gold Assaying & Hallmarking Centres, and (x) Semi-conductor manufacturing industries.

Now, CPCB has categorized 'Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation)', the details of which are given at **Annexure-I**. All SPCBs/PCCs are directed to adopt and implement the same and submit the Action Taken Report within 15 days.

Yours faithfully,

(Bharat Kumar Sharma)
Member Secretary

Encl.: as above.

Page 1 of 2

'परिवेश भवन' पर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

Copy to:

1 The Additional Secretary (CP Division)
Ministry of Environment, Forests
& Climate Change,
Indira Paryavaran Bhawan,
Jor Bagh Road,
New Delhi -110 003

2 All Regional Directors,
CPCB
(as per list)

3 Div. Head, IPC-II,
CPCB, Delhi

4 Div. Head-IT,
CPCB, Delhi

: with a request to upload this letter on
CPCB website

(Bharat Kumar Sharma)

Categorization of sand / riverbed material mining from riverbed and its floodplains (excluding manual excavation)

SI. No.	SI. No. (as per CPCB Document)	Non-industrial operations	Category	Remarks
1	63	Sand / riverbed material mining from riverbed and its floodplains (excluding manual excavation)		i. Sand / riverbed material mining from riverbed and its floodplains may cause ecological disturbances, erosion of riverbed, change in hydro-geological conditions & river ecosystem, etc.
		(i) Mining lease area more than 5 hectares or Mining lease area up to 5 hectares which is part of cluster mining	Red	ii. Cluster mining means that the distance of mining lease area is less than 500 m from periphery of another lease area.
		(ii) Standalone mining lease area up to five hectares in areas (not a part of any cluster mining)	Orange	iii. This categorization is made considering the ecological damages and not based on pollution potential/index.

Note: Cluster mining as defined in 'Enforcement & Monitoring Guidelines for Sand Mining, 2020', issued by MoEF&CC.

Address List of Member Secretaries, SPCBs/PCCs			
1.	The Member Secretary Andhra Pradesh Pollution Control Board D.No. 33-26-14 D/2, Near Sunrise Hospital, Pushpa Hotel Centre, Chalamvari Street, Kasturibaipet, Vijayawada- 520007 (Andhra Pradesh)	2.	The Member Secretary Arunachal Pradesh State Pollution Control Board Paryavaran Bhawan, Yupia Road, Papu Nalah, Naharlagun – 791110 (Arunachal Pradesh)
3	The Member Secretary Assam Pollution Control Board Bamunimaidan, Guwahati – 781021 (Assam)	4	The Member Secretary Bihar State Pollution Control Board Parivesh Bhawan, Plot No.N-B/2, Patliputra Industrial Area Patna-800010 (Bihar)
5.	The Member Secretary Chhattisgarh Environment Conservation Board Paryavas Bhawan, North Block, Sector-19 Atal Nagar, Raipur– 492 002 (Chhattisgarh)	6.	The Member Secretary Goa State Pollution Control Board Nr. Pilerne Industrial Estate, Opp. Saligao Seminary, Saligao ,Bardez,- 403511(Goa)
7.	The Member Secretary Gujarat Pollution Control Board Paryavaran Bhawan, Sector-10A, Gandhinagar– 382043 (Gujarat)	8.	The Member Secretary Haryana State Pollution Control Board C-11, Sector 6, Panchkula- 134109 (Haryana)
9	The Member Secretary Himachal Pradesh State Pollution Control Board Paryavaran Bhawan, Phase III, New Shimla – 171009	10	The Member Secretary J&K State Pollution Control Board, Parivesh Bhawan, Forest Complex, Gladni, Narwal, Transport Nagar, Jammu- 180004 Jammu & Kashmir (J&K)
11.	The Member Secretary Jharkhand State Pollution Control Board T.A Building, HEC Campus, P.O. Dhurwa Ranchi – 834004 (Jharkhand)	12.	The Member Secretary Karnataka State Pollution Control Board Parisara Bhawan, #49, Church Street, Bengaluru – 560 001 (Karnataka)
13.	The Member Secretary Kerala State Pollution Control Board Plamoodu, Pattom P.O Thiruvananthapuram-695004 (Kerala)	14.	The Member Secretary Maharashtra Pollution Control Board Kalpataru Point, 3rd& 4th floor, Opp. PVR Cinema, Sion Circle (E), Mumbai- 400022 (Maharashtra)
15	The Member Secretary Manipur Pollution Control Board Lamphelpat, Imphal West D.C. Office Complex – 795004 (Manipur)	16	The Member Secretary Mizoram State Pollution Control Board New Secretariat Complex, Khatla, Thlanual Peng, Aizwal Mizoram- 796001
17	The Member Secretary Meghalaya State Pollution Control Board Arden, Lumpyngngad, Shillong – 793014	18.	The Member Secretary Madhya Pradesh State Pollution Control Board Paryavaran Parisar, E-5 Arera Colony Bhopal – 462016
19.	The Member Secretary Nagaland State Pollution Control Board Signal Point, Dimapur, Nagaland – 797112	20	The Member Secretary Odisha State Pollution Control Board Paribesh Bhawan A-118, Nilakanta Nagar, Unit –VIII, Bhubaneswar – 751012.

21.	The Member Secretary Punjab State Pollution Control Board Nabha Road, ITI Rd, Adarsh Nagar, Prem Nagar, Patiala - 147001.	22.	The Member Secretary Sikkim State Pollution Control Board Department of Forest, Environment & Wildlife Management Government of Sikkim, Deorali, Gangtok, -737102 (Sikkim)
23.	The Member Secretary Rajasthan State Pollution Control Board A-4 Institutional Area, Jhalane Dungri Jaipur – 302004. (Rajasthan)	24.	The Member Secretary Telangana State Pollution Control Board Paryavaran Bhavan A-3, Industrial Estate, Sanath Nagar, Hyderabad – 500 018 (Telangana)
25.	The Member Secretary Tripura State Pollution Control Board Parivesh Bhawan Pt. Nehru Complex, Gorkhabasti P.O., Kunjaban, Agartala, Tripura - 799 006	26.	The Member Secretary Tamil Nadu Pollution Control Board No. 76, Mount Salai, Guindy, Chennai – 600032 (Tamil Nadu)
27.	The Member Secretary Uttarakhand Pollution Control Board Gaura Devi Bhawan, 46 B IT Park Sahastradhara, Dehradun- 248001 Uttarakhand	28.	The Member Secretary Uttar Pradesh Pollution Control Board Building No. TC-12V Vibhuti Khand, Gomti Nagar, Lucknow– 226010. (Uttar Pradesh)
29.	The Member Secretary Andaman & Nicobar Islands Pollution Control Committee Department of Science & Technology Dollyganj Van Sadan, Haddo P.O., Port Blair-744102 (Andaman & Nicobar)	30.	The Member Secretary Chandigarh Pollution Control Committee Paryavaran Bhawan Madhya Marg, Sector - 19 B, Chandigarh – 160019. Chandigarh
31.	The Member Secretary Delhi Pollution Control Committee 4 th & 5 th Floor, ISBT Building, Kashmere Gate, Delhi - 110006.	32.	The Member Secretary Daman, Diu & Dadra Nagar Haveli Pollution Control Committee 1 st Floor, Udhog Bhavan Bhenlore, Dunetha Nani Daman, Daman – 396210
33.	The Member Secretary Lakshadweep Pollution Control Committee Lakshadweep Administration Department of Science, Technology & Environment Kavarati – 682555. (Lakshadweep)	34.	The Member Secretary Puducherry Pollution Control Committee Department of Science, Technology & Environment 3rd Floor, Housing Board Complex, Anna Nagar, Nellithope, Puducherry – 605 005
35.	The Member Secretary West Bengal Pollution Control Board Paribesh Bhawan Canteen, 10A, Sector III, Bidhannagar, Kolkata- 700106 West Bengal		

Copy to :

Address list of Regional Directors, CPCB			
1.	The Regional Director (Kolkata) Central Pollution Control Board 502, Southend Conclave 1582, Rajdanga Main Road Kolkata-700107	2.	The Regional Director (Vadodara) Central Pollution Control Board Parivesh Bhawan, Opp. Ward No. 10 VMC Office Subhanpura, Vadodara – 390 023 Gujarat
3.	The Regional Director (Shillong) Central Pollution Control Board BSNL NE- 1, Telecom Circle CTO Building Ground Floor Shillong-793001	4.	The Regional Director (Bhopal) Central Pollution Control Board 3rd Floor, Sahkar Bhawan North T.T Nagar Bhopal- 462003
5.	The Regional Director (Lucknow) Central Pollution Control Board Ground Floor, PICUP Bhawan Vibhuti Khand, Gomti Nagar Lucknow- 226020	6.	The Regional Director (Bengaluru) Central Pollution Control Board 1st & 2nd Floors, Nisarga Bhawan A-Block, Thimmaiah Main Road 7th D Cross, Shivanagar Opposite Pushpanjali Theatre Bengaluru-560010
7.	The Regional Director (Chandigarh) Central Pollution Control Board BSNL Exchange, 2nd Floor Sector 49-C, Chandigarh-160047	8.	The Regional Director (Chennai) Central Pollution Control Board 77-A, Second Floor South Avenue Road, Ambattur Industrial Estate, Ambattur Taluk, Thiruvallur District, Chennai - 600 058
9.	The Regional Director (Pune) Central Pollution Control Board Row House No. 1, Nisarg Vihar, Near Mitcon International Public School, Balewadi, Pune-411045		

Item No. 2

(Court No. 2)

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

(Through Physical Hearing with Hybrid VC Option)

Original Application No.176/2022

I.A No. 39/2023, I.A No. 40/2023

Aman Chaudhary

...Applicant

Versus

Union of India & Ors.

...Respondents

Date of hearing: 17.10.2023

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.**

Applicant: None.

Respondents: Mr. Somesh Chandra Jha and Mr. Amartya A. Sharau,
Advocates for Respondent No. 1.
Ms. Pushpila Bisht, Ms. Pallavi Pratap and Ms. Muskan
Jain, Advocates for Respondent No. 2.
Mr. Saurabh Balwani, Advocate for Respondent No. 3.
Mr. Pradeep Misra, Advocate for Respondent No. 4
with Mr. Ajay Kumar Sharma, Member Secretary, UPPCB
(through VC).
Mr. Mukesh Verma, Advocate for Respondent No. 6.
Mr. Raj Panjwani, Amicus Curiae.
None for respondent no. 5.

**Application under Sections 14, 15 and 18 (1) of the National Green
Tribunal Act, 2010.**

ORDER

1. Vide order dated 30.05.2023 this Tribunal directed CPCB and MoEF & CC to look into the matter of categorization of Excavation of sand from the River Bed (excluding manual excavation) in red or orange category and issue appropriate Notification clarifying categorization thereof as red or orange category within a period of two months from the date of receipt of a copy of the order. This Tribunal also held that in whichever category- red or orange

excavation of sand from the River Bed (excluding manual excavation) is so notified to fall, it shall be mandatory for all the Project Proponents to obtain CTE/CTOs from concerned SPCB/PCC and with effect from 01.09.2023 no river sand mining will be allowed to continue to operate in the entire India without obtaining consents from concerned SPCB/PCC and all the concerned Directors, Geology and Mining Department, the District Magistrates and the Commissioners /Superintendents of Police of the concerned Districts shall ensure that no such mining is continued/operative without obtaining CTE/CTO from concerned SPCB/PCC. MOEF&CC was also directed to issue appropriate guidelines/OM within a period of two months from the date of receipt of a copy of this order for ensuring that the requirement of obtaining CTE/CTO from concerned SPCB/PCC is uniformly made applicable to all the river bed sand mining projects throughout India. Respondent no. 1-MoEF & CC was directed to file affidavit in this regard on or before 15.09.2023.

2. In compliance of order dated 30.05.2023 additional affidavit has been filed by respondent no.1-Union of India (MoEF & CC) vide email dated 05.10.2023. The relevant part of additional affidavit filed by respondent no.1-Union of India (MoEF & CC) reads as under

“Additional Affidavit on behalf of the Ministry of Environment, Forest and Climate Change (Respondent no.1).

X X X X
 3. It is submitted that the Central Pollution Control Board has earlier issued directions to all the State Pollution Control Board(s)/Pollution Control Committee (s) u/s 18(1)(6) of the Air and Water Act on 07.03.2016, regarding 'Harmonization of classification of industrial sectors under Red/Orange/Green/White categories', wherein CPCB has categorized 242 industrial sectors into red, orange, green & white categories and directed all SPCBs/PCCs for its adoption and implementation.

4. In compliance to the order dated 30.05.2023 passed by the

Hon'ble Tribunal, Central Pollution Control Board vide letter dated 22.09.2023 has further, Categorized 'Sand/riverbed material mining from riverbed and its flood plains (excluding manual excavation)'. The CPCB has also directed the SPCBs/PCCs to adopt and implement the same and submit the action taken report within 15 days. A copy of the letter dated 22.09.2023 is marked and annexed herewith as annexure-R1/1."

3. In its additional affidavit, respondent no.1-MoEF & CC has not mentioned regarding issuance of O.M. by it as directed by order dated 30.05.2023 and respondent no. 1-MoEF & CC is directed to file additional affidavit regarding compliance in respect of issuance of O.M. in terms of order dated 30.05.2023. Additional affidavit by respondent no. 1-MoEF & CC be filed within one month by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

4. Respondent no. 3-CPCB is directed to compile information on the basis of action taken reports received from the SPCBs/PCCs in response to its letter dated 22.09.2023 and file compiled status report within one month by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

5. Vide order dated 30.05.2023, the Director, Geology and Mining Department, Uttar Pradesh was directed to ensure that no short term permits are issued without EC and strict compliance with statutory provisions, SSMG, 2016 and EMGSM, 2020, Environment Protection Act, 2016 environmental clearance/consent conditions and directions given by the Hon'ble Supreme Court and this Tribunal is made by all the Project Proponents and to take action against all the Project Proponents who have not complied with the same. The UPPCB was directed to periodically inspect all mining lease sites in the State of Uttar Pradesh and monitor mining

activities for verifying status regarding compliance with statutory provisions, SSMG-2016, EMGSM2020, Environment Act, 2016 and directions given by Hon'ble Supreme Court and this Tribunal and take appropriate remedial action. The Director, Geology and Mining Department, U.P. and UPPCB were also directed to take appropriate action against Respondent No. 2 – the Project Proponent for violation of SSMG, 2016, EMGSM, 2020 and environmental clearance conditions. The Director, Geology and Mining Department, U.P. and Member Secretary, UPPCB were also directed to file Compliance Reports regarding compliance with above referred aspects/directions as well as status report regarding action taken against the Project Proponent on or before 15.09.2023.

6. Action taken report has been filed by UPPCB vide email dated 14.10.2023. The relevant part of the action taken report reads as under:-

“Compliance Report along with Action Taken Against Respondent No. 2 on behalf of UPPCB in compliance to the order dated 30.05.2023 passed by the Hon'ble NGT, New Delhi in Original Application No. 176 of 2022 In Re: Aman Chaudhary Vs. Union of India and Others

X X X X

➤ **Action Taken Against Respondent No. 2**

1. That in compliance to the directions passed by the Hon'ble NGT, it is submitted that UPPCB has imposed Environmental Compensation amounting Rs. 4,29,37,500/- vide letter dated 02.09.2022 for carrying out the mining activities for 1145 days without obtaining Consent to Operate under the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.

2. That the aforesaid levy of Environmental Compensation was opposed by the Project Proponent by filing Writ Petition No. 6812 of 2022 before the Hon'ble High Court of Judicature at Allahabad, Lucknow Bench, Lucknow and Hon'ble High Court vide order dated 30.09.2022 set aside the order of imposition of Environmental Compensation due to not affording opportunity of hearing to the Project Proponent prior to imposition of Environmental Compensation.

3. That thereafter, in compliance to the order passed by the Hon'ble High Court, UPPCB has issued show cause notice dated 02.12.2022 thereby calling upon the Project Proponent for

imposition of compensation of Rs. 4,29,37,500/- due to mining without obtaining Consent to Operate from the answering Respondent and Show cause notice was received by the Project Proponent on 21.12.2022.

4. *That in response to the aforesaid show cause notice UPPCB has received a reply dated 03.01.2023 from Project Proponent. After reviewing the reply and recommendation of Regional Officer, Kanpur Nagar, Environmental Compensation of Rs. 4,29,37,500/- has been imposed against the unit on 30.01.2023.*

5. *That it is submitted that SEIAA, U.P. vide letter no. 174/Parya/SEAC/4026/2017 dated 12.08.2018 has issued Environmental Clearance to M/s Vaishnavi Enterprises Proprietor Shri Nagendra Singh R/o 113 MIG-2, Mahabalipuram, Kalyanpur, Kanpur Nagar for ordinary sand mining of 2,10,000 Cubic meter/year at Gata No. 2Mi, Village-Katari, Sunaudha, Tehsil-Bilhaur, Kanpur Nagar in 10.5 hectare Lease Area, for the period of 5 years. Regional Officer, U.P. Pollution Control Board, Kanpur Nagar vide his letter dated 22.09.2023 has informed that as per the letter dated 11.04.2023 sent by District Mining Officer, Kanpur Nagar, the mining activity has been restricted on 20.12.2022 and at present no mining activity is being done at Gata No. 2Mi, Village-Katari, Sunaudha, Tehsil-Bilhaur, Kanpur Nagar.*

➤ *In compliance of the Hon'ble NGT order dated 30.05.2023 in aforesaid case the details as desired by Hon'ble NGT regarding the status of Mining Leases and action against defaulter units etc. is being annexed herewith and marked as Annexure No-1 to this report.”*

7. Consolidated status of mining leases in U.P. (As per UPPCB records) in the matter of O.A No. 176/2022 title as Aman Chaudhary Vs. State of U.P. & Ors. reads as under:-

“Consolidated status of mining leases in UP (As per UPPCB records) in the matter of O.A No. 176/2022 title as Aman Chaudhary Vs. State of UP & Ors.

- *Total Number of Mining Leases (As per the information received by concerned Regional officer from the District Mining Officer) : 1232*
- *Total No. of CTO Granted to Mining Leases : 445*
- *Total No. of CTO Rejected of Mining Leases : 30*
- *Total No. of CTO pending of Mining Leases : 02*
- *Total No. of Mining Leases which have not applied for CTO : 755*
- *Total Number of Cases Carrying Out Mining without Grant of CTO by UPPCB : 550*
- *Total No. of E.C. issued by SEIAA to Mining Leases : 1232*
- *Total Number of Cases in which Environmental Compensation has been Imposed on Mining Units : 623;*

- *Total Number of Cases in which Show Cause for Environmental Compensation has been revoked on Mining Units: 29*
- *Total Amount of Environmental Compensation has been Imposed on Mining Units : Rs. 831734132.00 /-*
- *Total Number of Cases in which Environmental Compensation has been Recovered/Realized from Mining Units : 05*
- *Total Amount of Environmental Compensation that has been Recovered/Realized from Mining Units: Rs. 5370000/-*
- *Total Number of Cases in which Recovery of Environmental Compensation is Pending from Mining Units : 618 (in Which 10 Units have taken stay from Hon'ble Supreme Court)."*

8. A perusal of the above quoted consolidated status statement shows that UPPCB has adopted self-contradictory approach as UPPCB has not issued show cause notices to all the mining lease holders who have not obtained CTE/CTO from UPPCB and has not imposed environmental compensation in all cases, has not issued closure orders and has not taken effective proceedings for realization of environmental compensation imposed which remains unrealized except the amount of Rs. 53,70,000/- which has been realized but even the amount realized remains unutilized for restoration of environment.

9. UPPCB is directed to verify the status of all the mining lease holders in the State of Uttar Pradesh and file additional status report mentioning the compliance status of all the mining lease holders before this Tribunal by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF and to upload the same on its website within one month from the date of receipt of a copy of this order.

10. In its reply UPPCB has mentioned that UPPCB has imposed Environmental Compensation amounting Rs. 4,29,37,500/- vide letter dated 02.09.2022 for carrying out the mining activities for 1145 days without

obtaining Consent to Operate under the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.

11. Learned Counsel for respondent no. 2 seeks time to file reply/response.

12. Reply/response by respondent no. 2 be filed within one month by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

13. Written request for adjournment has been filed on behalf of the Director Geology and Mining Department, Uttar Pradesh and in view of the reasons mentioned therein request for adjournment is allowed.

14. The Director Geology and Mining Department, Uttar Pradesh is directed to file compliance report regarding compliance with aspects as directed in order dated 30.05.2023 within one month by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

15. The Director Geology and Mining Department, Uttar Pradesh, the District Magistrates and the Superintendent of Police in the State of Uttar Pradesh are directed to ensure that no mining is allowed to commence or continue without obtaining of CTE/CTO from UPPCB as the case may be which fact has to be verified by them with reference to the information uploaded by UPPCB on its website from time to time.

16. List for further consideration on 12.12.2023.

17. A copy of this order be sent to the Secretary, MoEF & CC, the Member Secretary, CPCB, the Chief Secretary, Government of Uttar Pradesh, the

Director General of Police, Uttar Pradesh, the Director, Geology and Mining Department, Uttar Pradesh and the Member Secretary, UPPCB by email for requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

October 17, 2023

AG



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT FOREST & CLIMATE CHANGE GOVT OF INDIA

Hon'ble NGT Matter

Reminder

CPCB/IPC-VI/ROGW (5583-5626)

Date: 27.10.2023

To,

The Member Secretary
SPCBs/PCCs
(as per the list)

Sub: Harmonization of Classification of industrial Sectors into Red, Orange, Green and White Categories- regarding sand/river bed material mining activities.

Sir,

This has reference to the CPCB letter no. CPCB /IPC-IV/ROGW, dated 22.09.2023, on the above-mentioned subject, wherein SPCBs/PCCs were directed to adopt & implement the categorization of 'Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation)' and submit Action Taken Report (ATR). However, the ATR is still awaited.

The Hon'ble NGT vide order dated 17.10.2023 in the matter of OA No. 176/2022, titled as 'Aman Chaudhary v/s Union of India & Ors.', directed CPCB as follows:

"CPCB is directed to compile information on the basis of action taken reports received from the SPCBs/PCCs in response to its letter dated 22.09.2023 and file complied status report with one month."

As the status report is required to be filed by 17.11.2023, it is requested again, to submit the ATR regarding adoption & implementation of categorization of 'Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation)' to this office, immediately. The information may also be forwarded through email to ipc6.cpcb@gov.in

Yours faithfully,

(Ajay Aggarwal)

Director & Div. Head, IPC-VI

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
N Singh
27/10/2023 o/c

Copy to:

The Regional Directors,
CPCB
(as per the list)

: With the request to follow-up and ensure
timely submission of information

'परिवेश भवन' पर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

To:

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Address List of Member Secretaries, SPCBs/PCCs			
1.	The Member Secretary Andhra Pradesh Pollution Control Board D.No. 33-26-14 D/2, Near Sunrise Hospital, Pushpa Hotel Centre, Chalamvari Street, Kasturibaipet, Vijayawada- 520007 (Andhra Pradesh)	2.	The Member Secretary Arunachal Pradesh State Pollution Control Board Paryavaran Bhawan, Yupia Road, Papu Nalah, Naharlagun – 791110 (Arunachal Pradesh)
3	The Member Secretary Assam Pollution Control Board Bamunimaidan, Guwahati – 781021 (Assam)	4	The Member Secretary Bihar State Pollution Control Board Parivesh Bhawan, Plot No.N-B/2, Patliputra Industrial Area Patna-800010 (Bihar)
5.	The Member Secretary Chhattisgarh Environment Conservation Board Paryavas Bhawan, North Block, Sector-19 Atal Nagar, Raipur– 492 002 (Chhattisgarh)	6.	The Member Secretary Goa State Pollution Control Board Nr. Pilerne Industrial Estate, Opp. Saligao Seminary, Saligao ,Bardez,- 403511(Goa)
7.	The Member Secretary Gujarat Pollution Control Board Paryavaran Bhavan, Sector-10A, Gandhinagar– 382043 (Gujarat)	8.	The Member Secretary Haryana State Pollution Control Board C-11, Sector 6, Panchkula- 134109 (Haryana)
9	The Member Secretary Himachal Pradesh State Pollution Control Board Paryavaran Bhavan, Phase III, New Shimla – 171009	10	The Member Secretary J&K State Pollution Control Board, Parivesh Bhawan, Forest Complex, Gladni, Narwal, Transport Nagar, Jammu- 180004 Jammu & Kashmir (J&K)
11.	The Member Secretary Jharkhand State Pollution Control Board T.A Building, HEC Campus, P.O. Dhurwa Ranchi – 834004 (Jharkhand)	12.	The Member Secretary Karnataka State Pollution Control Board Parisara Bhavan, #49, Church Street, Bengaluru – 560 001 (Karnataka)
13.	The Member Secretary Kerala State Pollution Control Board Plamoodu, Pattom P.O Thiruvananthapuram-695004 (Kerala)	14.	The Member Secretary Maharashtra Pollution Control Board Kalpataru Point, 3rd& 4th floor, Opp. PVR Cinema, Sion Circle (E), Mumbai- 400022 (Maharashtra)
15	The Member Secretary Manipur Pollution Control Board Lamphelpat, Imphal West D.C. Office Complex – 795004 (Manipur)	16	The Member Secretary Mizoram State Pollution Control Board New Secretariat Complex, Khatla, Thlanmual Peng, Aizwal Mizoram- 796001
17	The Member Secretary Meghalaya State Pollution Control Board Arden, Lumpyngngad, Shillong – 793014	18.	The Member Secretary Madhya Pradesh State Pollution Control Board Paryavaran Parisar, E-5 Arera Colony Bhopal – 462016
19.	The Member Secretary Nagaland State Pollution Control Board Signal Point, Dimapur, Nagaland – 797112	20	The Member Secretary Odisha State Pollution Control Board Paribesh Bhawan A-118, Nilakanta Nagar, Unit –VIII, Bhubaneshwar – 751012.

21.	The Member Secretary Punjab State Pollution Control Board Nabha Road, ITI Rd, Adarsh Nagar, Prem Nagar, Patiala - 147001.	22.	The Member Secretary Sikkim State Pollution Control Board Department of Forest, Environment & Wildlife Management Government of Sikkim, Deorali, Gangtok, -737102 (Sikkim)
23.	The Member Secretary Rajasthan State Pollution Control Board A-4 Institutional Area, Jhalane Dungri Jaipur - 302004. (Rajasthan)	24.	The Member Secretary Telangana State Pollution Control Board Paryavaran Bhavan A-3, Industrial Estate, Sanath Nagar, Hyderabad - 500 018 (Telangana)
25.	The Member Secretary Tripura State Pollution Control Board Parivesh Bhawan Pt. Nehru Complex, Gorkhabasti P.O., Kunjaban, Agartala, Tripura - 799 006	26.	The Member Secretary Tamil Nadu Pollution Control Board No. 76, Mount Salai, Guindy, Chennai - 600032 (Tamil Nadu)
27.	The Member Secretary Uttarakhand Pollution Control Board Gaura Devi Bhawan, 46 B IT Park Sahastradhara, Dehradun- 248001 Uttarakhand	28.	The Member Secretary Uttar Pradesh Pollution Control Board Building No. TC-12V Vibhuti Khand, Gomti Nagar, Lucknow- 226010. (Uttar Pradesh)
29.	The Member Secretary Andaman & Nicobar Islands Pollution Control Committee Department of Science & Technology Dollyganj Van Sadan, Haddo P.O., Port Blair-744102 (Andaman & Nicobar)	30.	The Member Secretary Chandigarh Pollution Control Committee Paryavaran Bhawan Madhya Marg, Sector - 19 B, Chandigarh - 160019. Chandigarh
31.	The Member Secretary Delhi Pollution Control Committee 4 th & 5 th Floor, ISBT Building, Kashmere Gate, Delhi - 110006.	32.	The Member Secretary Daman, Diu & Dadra Nagar Haveli Pollution Control Committee 1 st Floor, Udhyog Bhavan Bhenslore, Dunetha Nani Daman, Daman - 396210
33.	The Member Secretary Lakshadweep Pollution Control Committee Lakshadweep Administration Department of Science, Technology & Environment Kavarati - 682555. (Lakshadweep)	34.	The Member Secretary Puducherry Pollution Control Committee Department of Science, Technology & Environment 3rd Floor, Housing Board Complex, Anna Nagar, Nellithope, Puducherry - 605 005
35.	The Member Secretary West Bengal Pollution Control Board Paribesh Bhavan Canteen, 10A, Sector III, Bidhannagar, Kolkata- 700106 West Bengal		

Copy to :

Address list of Regional Directors, CPCB			
1.	The Regional Director (Kolkata) Central Pollution Control Board 502, Southend Conclave 1582, Rajdanga Main Road Kolkata-700107	2.	The Regional Director (Vadodara) Central Pollution Control Board Parivesh Bhawan, Opp. Ward No. 10 VMC Office Subhanpura, Vadodara – 390 023 Gujarat
3.	The Regional Director (Shillong) Central Pollution Control Board BSNL NE- 1, Telecom Circle CTO Building Ground Floor Shillong-793001	4.	The Regional Director (Bhopal) Central Pollution Control Board 3rd Floor, Sahkar Bhawan North T.T Nagar Bhopal- 462003
5.	The Regional Director (Lucknow) Central Pollution Control Board Ground Floor, PICUP Bhawan Vibhuti Khand, Gomti Nagar Lucknow- 226020	6.	The Regional Director (Bengaluru) Central Pollution Control Board 1st & 2nd Floors, Nisarga Bhawan A-Block, Thimmaiah Main Road 7th D Cross, Shivanagar Opposite Pushpanjali Theatre Bengaluru-560010
7.	The Regional Director (Chandigarh) Central Pollution Control Board BSNL Exchange, 2nd Floor Sector 49-C, Chandigarh-160047	8.	The Regional Director (Chennai) Central Pollution Control Board 77-A, Second Floor South Avenue Road, Ambattur Industrial Estate, Ambattur Taluk, Thiruvallur District, Chennai - 600 058
9.	The Regional Director (Pune) Central Pollution Control Board Row House No. 1, Nisarg Vihar, Near Mitcon International Public School, Balewadi, Pune-411045		

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hocecb@gmail.com, ms@mpcb.gov.in, "S Krishna Aditya" <ms-tspcb@telangana.gov.in>, "Pondicherry Pollution Control Committee Pondicherry" <ppcc.pon@nic.in>, dstandamans@gmail.com, "MS Haryana" <hspcbho@gmail.com>, "mspcb-hp" <mspcb-hp@nic.in>, "mizorampcb" <mizorampcb@gmail.com>, "MS Madhya Pradesh" <it_mppcb@rediffmail.com>, hspcbms@gmail.com, "MS Jharkhand" <ranchijspcb@gmail.com>, "Pollution Control Board" <pcb-man@nic.in>, "Member Secretary Karnataka State Pollution Control Board" <memsecy@kspcb.gov.in>, "Member Secretary" <member-secretary@rpcb.nic.in>, spcbsikkim@gmail.com, ms@uppcb.com, ms@wbpcb.gov.in, "Dr. K.S Jayachandran" <msdpcc@nic.in>, "Chandigarh Pollution Control Committee" <cpcc-chd@nic.in>, "mspcc dmn" <mspcc_dmn@pccdaman.info>, "Member Secretary APPCB" <membersecy@appcb.gov.in>, "MS TNPCB" <memsec@tnpcb.gov.in>, megspcb@rediffmail.com, "MS Bihar" <bspcb@yahoo.com>, "MS Punjab" <msppcb@gmail.com>, "Tripura SPCB" <tripuraspcb@gmail.com>, "Mr. Saurabh Mishra" <collectordaman-dd@nic.in>, "Director, S&T" <lk-dst@nic.in>, "MS Gujarat" <ms-gpcb@gujarat.gov.in>, "Member Secretary GSPCB" <ms-gspcb.goa@nic.in>, "MS Orissa" <membersecretary@ospcboard.org>, "Member Secretary of Meghalaya State Pollution Control Board" <memsecy.spcb-meg@gov.in>

Cc: "PRASOON GARGAVA" <prasoon.cpcb@nic.in>, "Pratik Bharne" <pratik.cpcb@gov.in>, "H D VARALAXMI SEE CPCB" <vlaxmi.cpcb@nic.in>, "D K Soni" <dksoni.cpcb@nic.in>, "Mrinal Kanti Biswas" <mkbiswas.cpcb@nic.in>, "Mantu Kumar Choudhury" <mkc.cpcb@gov.in>, "Pentani jagan" <jagan191.cpcb@gov.in>, "J Chandra Babu" <jcb.cpcb@nic.in>, "ajay aggarwal" <ajayaggarwal.cpcb@nic.in>, "Saubhagya Dixit" <dixit.cpcb@gov.in>, "kajal cpcb20" <kajal.cpcb20@gmail.com>

Sent: Wednesday, November 8, 2023 12:40:55 PM

Subject: Re: Categorization of 'Sand/riverbed material mining activities' -reg.

Hon'ble NGT Matter
Reminder-2

Sir/Madam,

With reference to the CPCB letter dated 27.10.2023 (copy attached), it is once again requested to expedite the submission of the Action Taken Report for the adoption and implementation of categorization of "Sand/riverbed material mining from the riverbed and its floodplains (excluding manual excavation)".

Sincerely,
Saubhagya Dixit
Sc. C

From: "CPCB IPC VI DIV" <ipc6.cpcb@gov.in>

To: arunachalspcb@gmail.com, "MS Assam" <membersecretary@pcbassam.org>, hocecb@gmail.com, "J Chandra Babu" <jcb.cpcb@nic.in>, "Pentani jagan" <jagan191.cpcb@gov.in>, "MS Orissa" <membersecretary@ospcboard.org>, membersecretaryjkspcb@gmail.com, "Sheela A.M" <ms.kspcb@gov.in>, ms@mpcb.gov.in, drgopalpradhan@gmail.com, "S Krishna Aditya" <ms-tspcb@telangana.gov.in>, "Pondicherry Pollution Control Committee Pondicherry" <ppcc.pon@nic.in>, dstandamans@gmail.com, "MS Haryana" <hspcbho@gmail.com>, "mspcb-hp" <mspcb-hp@nic.in>, "mizorampcb" <mizorampcb@gmail.com>, "MS Madhya Pradesh" <it_mppcb@rediffmail.com>, ms@pcb.ap.gov.in, "Archit Uprit" <archituprit.cpcb@nic.in>, "Vinod Babu Bommathula" <bvbabu.cpcb@nic.in>, "P. K. Mishra" <eepkm.cpcb@nic.in>, "Vijay yadav" <vpyadav.cpcb@nic.in>, "Nazimuddin" <nazim.cpcb@nic.in>, "Mujeeb Ahmad Ansari" <mujeeb.cpcb@gov.in>, "ajay aggarwal" <ajayaggarwal.cpcb@nic.in>, "kajal cpcb20" <kajal.cpcb20@gmail.com>, "Gaurav Gehlot" <gehlot.cpcb@gov.in>, "Member Secretary GSPCB" <msgspcb.goa@nic.in>, hspcbms@gmail.com, "MS Jharkhand" <ranchijspcb@gmail.com>, "Pollution Control Board" <pcb-man@nic.in>, "Member Secretary Karnataka State Pollution Control Board"

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<memsecy@kspcb.gov.in>, "Member Secretary" <member-secretary@rpcb.nic.in>, spcbsikkim@gmail.com, ms@uppcb.com, ms@wbpcb.gov.in, "Dr. K.S Jayachandran" <msdpcc@nic.in>, "Chandigarh Pollution Control Committee" <cpcc-chd@nic.in>, "mspcc dmn" <mspcc_dmn@pccdaman.info>, "Member Secretary APPCB" <membersecy@appcb.gov.in>, "MS TNPCB" <memsec@tnpcb.gov.in>, megspcb@rediffmail.com, "MS Bihar" <bspcb@yahoo.com>, "uh-gpcb-p1br" <uh-gpcb-p1br@gujarat.gov.in>, "MS Nagaland" <npcb2@yahoo.com>, "MS Punjab" <msppcb@gmail.com>, "Tripura SPCB" <tripuraspbc@gmail.com>, "MS Uttarakhand" <msukpcb@yahoo.com>, "Mr. Saurabh Mishra" <collectordaman-dd@nic.in>, "Director, S&T" <lk-dst@nic.in>, "MS Gujarat" <ms-gpcb@gujarat.gov.in>

Cc: "PRASOON GARGAVA" <prasoon.cpcb@nic.in>, "Pratik Bharné" <pratik.cpcb@gov.in>, "H D VARALAXMI SEE CPCB" <vlaxmi.cpcb@nic.in>, "J Chandra Babu" <jcb.cpcb@nic.in>, "Pentani jagan" <jagan191.cpcb@gov.in>, "D K Soni" <dksoni.cpcb@nic.in>, "Mrinal Kanti Biswas" <mkbiswas.cpcb@nic.in>, "Mantu Kumar Choudhury" <mkc.cpcb@gov.in>

Sent: Friday, October 27, 2023 4:19:20 PM

Subject: Re: Categorization of 'Sand/riverbed material mining activities' -reg.

Sir,

With reference to the **attached CPCB letter dated 27.10.2023**, it is requested to provide the Action Taken Report for adoption and implementation of categorization of "[Sand/riverbed material mining from the riverbed and its floodplains \(excluding manual excavation\)](#)", at the earliest.

Sincerely,
Saubhagya Dixit
Sc. C

From: "CPCB IPC VI DIV" <ipc6.cpcb@gov.in>

To: arunachalspcb@gmail.com, "MS Assam" <membersecretary@pcbassam.org>, hocecb@gmail.com, "J Chandra Babu" <jcb.cpcb@nic.in>, "Pentani jagan" <jagan191.cpcb@gov.in>, "MS Orissa" <membersecretary@ospcb.org>, membersecretaryjkspcb@gmail.com, "Sheela A.M" <ms.kspcb@gov.in>, ms@mpcb.gov.in, drgopalpradhan@gmail.com, "S Krishna Aditya" <ms-tspcb@telangana.gov.in>, "Pondicherry Pollution Control Committee Pondicherry" <ppcc.pon@nic.in>, dstandamans@gmail.com, "MS Haryana" <hspcbho@gmail.com>, "mspccb-hp" <mspccb-hp@nic.in>, "mizorampcb" <mizorampcb@gmail.com>, "MS Madhya Pradesh" <it_mppcb@rediffmail.com>, ms@pcb.ap.gov.in, "Archit Uprit" <archituprit.cpcb@nic.in>, "Vinod Babu Bommathula" <bvbabu.cpcb@nic.in>, "P. K. Mishra" <eepkm.cpcb@nic.in>, "Vijay yadav" <vpyadav.cpcb@nic.in>, "Nazimuddin" <nazim.cpcb@nic.in>, "Mujeeb Ahmad Ansari" <mujeeb.cpcb@gov.in>, "ajay aggarwal" <ajayaggarwal.cpcb@nic.in>, "kajal cpcb20" <kajal.cpcb20@gmail.com>, "Gaurav Gehlot" <gehlot.cpcb@gov.in>, "Member Secretary GSPCB" <msgspcb.goa@nic.in>, hspcbms@gmail.com, "MS Jharkhand" <ranchijspcb@gmail.com>, "Pollution Control Board" <pcb-man@nic.in>, "Member Secretary Karnataka State Pollution Control Board" <memsecy@kspcb.gov.in>, "Member Secretary" <member-secretary@rpcb.nic.in>, spcbsikkim@gmail.com, ms@uppcb.com, ms@wbpcb.gov.in, "Dr. K.S Jayachandran" <msdpcc@nic.in>, "Chandigarh Pollution Control Committee" <cpcc-chd@nic.in>, "mspcc dmn" <mspcc_dmn@pccdaman.info>, "Member Secretary APPCB" <membersecy@appcb.gov.in>, "MS TNPCB" <memsec@tnpcb.gov.in>, megspcb@rediffmail.com, "MS Bihar" <bspcb@yahoo.com>, "uh-gpcb-p1br" <uh-gpcb-p1br@gujarat.gov.in>, "MS Nagaland" <npcb2@yahoo.com>, "MS Punjab" <msppcb@gmail.com>, "Tripura SPCB" <tripuraspbc@gmail.com>, "MS Uttarakhand" <msukpcb@yahoo.com>, "Mr. Saurabh Mishra" <collectordaman-dd@nic.in>, "Director, S&T" <lk-dst@nic.in>

2079

Sent: Friday, September 22, 2023 4:28:15 PM

Subject: Categorization of 'Sand/riverbed material mining activities' -reg.

Sir,

Please find attached CPCB letter dated 22.09.2023 regarding the categorization of 'Sand/riverbed material mining from the riverbed and its floodplains (excluding manual excavation)'.
2079

Yours faithfully,
Saubhagya Dixit
Scientist 'C'
IPC-VI Division
CPCB, Delhi

 **17.10.2023 item no. 2 O.A 176 Aman Chaudhary.pdf**
177 KB

 **CPCB letters dated 27.10.2023 and 22.09.2023 -sandriverbed mining activities.pdf**
743 KB

Email

CPCB IPC VI DIV

Fwd: Categorization of 'Sand/riverbed material mining activities' -reg.**From :** CPCB IPC VI DIV <ipc6.cpcb@gov.in>

Tue, Nov 28, 2023 04:21 PM

Subject : Fwd: Categorization of 'Sand/riverbed material mining activities' -reg. 2 attachments**To :** MS Assam <membersecretary@pcbassam.org>, mspcb-hp <mspcb-hp@nic.in>, ranchijspcb@gmail.com, Pollution Control Board <pcb-man@nic.in>, arunachalspcb@gmail.com, bspcb@yahoo.com, Member Secretary GSPCB <ms-gspcb.goa@nic.in>, hspcbho@gmail.com, Member Secretary Karnataka State Pollution Control Board <memsecy@kspcb.gov.in>, ms@mpcb.gov.in, it mppcb <it_mppcb@rediffmail.com>, membersecretary@ospcb.org, Member Secretary <member-secretary@rpcb.nic.in>, dstandamans@gmail.com, Dr. K.S Jayachandran <msdpcc@nic.in>, Director, S&T <lk-dst@nic.in>, ms@wbpcb.gov.in, csraoifs@gmail.com, S Krishna Aditya <ms-tspcb@telangana.gov.in>, tnpcbmembersecretary@gmail.com, ms@uppcb.com, Chandigarh Pollution Control Committee <cpcc-chd@nic.in>, ollector-daman-dd@nic.in**Cc :** Mrinal Kanti Biswas <mkbiswas.cpcb@nic.in>, H D VARALAXMI SEE CPCB <vlaxmi.cpcb@nic.in>, gurnam <gurnamsingh.cpcb@nic.in>, D K Soni <dksoni.cpcb@nic.in>, J Chandra Babu <jcb.cpcb@nic.in>, PRASOON GARGAVA <prasoon.cpcb@nic.in>, Pentani jagan <jagan191.cpcb@gov.in>, Mantu Kumar Choudhury <mkc.cpcb@gov.in>, Pratik Bharne <pratik.cpcb@gov.in>**Hon'ble NGT Matter**
Reminder-3

Sir/Madam,

With reference to the CPCB letter dated 27.10.2023 (copy attached), it is once again requested to expedite the submission of the Action Taken Report for the adoption and implementation of categorization of "Sand/riverbed material mining from the riverbed and its floodplains (excluding manual excavation)".

Sincerely,
Saubhagya Dixit
Sc. C

From: "CPCB IPC VI DIV" <ipc6.cpcb@gov.in>**To:** arunachalspcb@gmail.com, "MS Assam" <membersecretary@pcbassam.org>,



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT FOREST & CLIMATE CHANGE GOVT OF INDIA

Hon'ble NGT Matter

Reminder-II

CPCB/IPC-VI/ROGW

Date: 05.12.2023

To,

The Member Secretary
SPCBs/PCCs
(as per the list)

Sub: Harmonization of Classification of industrial Sectors into Red, Orange, Green and White Categories- regarding sand/river bed material mining activities.

Sir,

This has reference to the CPCB letter no. CPCB /IPC-IV/ROGW, dated 22.09.2023, and subsequent reminder letter dated 27.10.2023 on the above-mentioned subject, wherein SPCBs/PCCs were directed to adopt & implement the categorization of 'Sand/riverbed material mining from riverbed and its floodplains' and submit Action Taken Report (ATR). However, the ATR is still awaited.

The Hon'ble NGT vide order dated 17.10.2023 in the matter of OA No. 176/2022, titled as 'Aman Chaudhary v/s Union of India & Ors.', directed CPCB as follows:

"CPCB is directed to compile information on the basis of action taken reports received from the SPCBs/PCCs in response to its letter dated 22.09.2023 and file complied status report with one month."

As the matter is listed for hearing on 12.12.2023, It is requested again, to submit the ATR regarding adoption & implementation of categorization of 'Sand/river bed material mining from riverbed and its floodplains (excluding manual excavation)' to this office, **latest by, 07.12.2023**. The information may also be forwarded through email to ipc6.cpcb@gov.in

Yours faithfully,

(P.K Gupta)

Director & Div. Head, IPC-VI

Copy to:

The Regional Directors.
CPCB
(as per the list)

: With the request to follow-up and ensure
timely submission of information

'परिवेश भवन' परवी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

To:

Address List of Member Secretaries, SPCBs/PCCs			
1.	The Member Secretary Arunachal Pradesh State Pollution Control Board Paryavaran Bhawan, Yupia Road, Papu Nalah, Naharlagun – 791110 (Arunachal Pradesh)	2.	The Member Secretary Assam Pollution Control Board Bamunimaidan, Guwahati – 781021 (Assam)
3	The Member Secretary Chhattisgarh Environment Conservation Board Paryavas Bhawan, North Block, Sector-19 Atal Nagar, Raipur– 492 002 (Chhattisgarh)	4.	The Member Secretary Goa State Pollution Control Board Nr. Pilerne Industrial Estate, Opp. Saligao Seminary, Saligao ,Bardez,- 403511(Goa)
5.	The Member Secretary Himachal Pradesh State Pollution Control Board Paryavaran Bhavan, Phase III, New Shimla – 171009	6.	The Member Secretary Haryana State Pollution Control Board C-11, Sector 6, Panchkula- 134109 (Haryana)
7.	The Member Secretary Jharkhand State Pollution Control Board T.A Building, HEC Campus, P.O. Dhurwa Ranchi – 834004 (Jharkhand)	8.	The Member Secretary Karnataka State Pollution Control Board Parisara Bhavan, #49, Church Street, Bengaluru – 560 001 (Karnataka)
9	The Member Secretary Manipur Pollution Control Board Lamphelpat, Imphal West D.C. Office Complex – 795004 (Manipur)	10	The Member Secretary Madhya Pradesh State Pollution Control Board Paryavaran Parisar, E-5 Arera Colony Bhopal – 462016
11.	The Member Secretary Odisha State Pollution Control Board Paribesh Bhawan A-118, Nilakanta Nagar, Unit –VIII, Bhubaneswar – 751012.	12	The Member Secretary Sikkim State Pollution Control Board Department of Forest, Environment & Wildlife Management Government of Sikkim, Deorali, Gangtok, -737102 (Sikkim)
13.	The Member Secretary Rajasthan State Pollution Control Board A-4 Institutional Area, Jhalane Dungri Jaipur – 302004. (Rajasthan)	14.	The Member Secretary Telangana State Pollution Control Board Paryavaran Bhawan A-3, Industrial Estate, Sanath Nagar, Hyderabad – 500 018 (Telangana)
15	The Member Secretary Tamil Nadu Pollution Control Board No. 76, Mount Salai, Guindy, Chennai – 600032 (Tamil Nadu)	16	The Member Secretary Andaman & Nicobar Islands Pollution Control Committee Department of Science & Technology Dollyganj Van Sadan, Haddo P.O., Port Blair-744102 (Andaman & Nicobar)
17	The Member Secretary Chandigarh Pollution Control Committee ParyavaranBhawan Madhya Marg, Sector - 19 B, Chandigarh – 160019. Chandigarh	18.	The Member Secretary Delhi Pollution Control Committee 4 th & 5 th Floor, ISBT Building, Kashmere Gate, Delhi - 110006.

19.	The Member Secretary Daman, Diu & Dadra Nagar Haveli Pollution Control Committee 1 st Floor, Udhog Bhavan Bhenslore, Dunetha Nani Daman, Daman – 396210	20	The Member Secretary Lakshadweep Pollution Control Committee Lakshadweep Administration Department of Science, Technology & Environment Kavarati – 682555. (Lakshadweep)
21	The Member Secretary West Bengal Pollution Control Board Paribesh Bhavan Canteen, 10A, Sector III, Bidhannagar, Kolkata- 700106 West Bengal		

Copy to :

Address list of Regional Directors, CPCB			
1.	The Regional Director (Kolkata) Central Pollution Control Board 502, Southend Conclave 1582, Rajdanga Main Road Kolkata-700107	2.	The Regional Director (Vadodara) Central Pollution Control Board Parivesh Bhawan, Opp. Ward No. 10 VMC Office Subhanpura, Vadodara – 390 023 Gujarat
3.	The Regional Director (Shillong) Central Pollution Control Board BSNL NE- 1, Telecom Circle CTO Building Ground Floor Shillong-793001	4.	The Regional Director (Bhopal) Central Pollution Control Board 3rd Floor, Sahkar Bhawan North T.T Nagar Bhopal- 462003
5.	The Regional Director (Lucknow) Central Pollution Control Board Ground Floor, PICUP Bhawan Vibhuti Khand, Gomti Nagar Lucknow- 226020	6.	The Regional Director (Bengaluru) Central Pollution Control Board 1st & 2nd Floors, Nisarga Bhawan A-Block, Thimmaiah Main Road 7th D Cross, Shivanagar Opposite Pushpanjali Theatre Bengaluru-560010
7.	The Regional Director (Chandigarh) Central Pollution Control Board BSNL Exchange, 2nd Floor Sector 49-C, Chandigarh-160047	8.	The Regional Director (Chennai) Central Pollution Control Board 77-A, Second Floor South Avenue Road, Ambattur Industrial Estate, Ambattur Taluk, Thiruvallur District, Chennai - 600 058

Email

Saubhagya Dixit

Reminder 4: Categorization of 'Sand/riverbed material mining activities' -reg.**From :** CPCB IPC VI DIV <ipc6.cpcb@gov.in>

Thu, Dec 28, 2023 11:39 AM

Subject : Reminder 4: Categorization of 'Sand/riverbed material mining activities' -reg. 2 attachments**To :** arunachalspcb@gmail.com, dstandamans@gmail.com, Mr. Saurabh Mishra <collector-daman-dd@nic.in>, Dr. K.S Jayachandran <msdpcc@nic.in>, Member Secretary GSPCB <ms-gspcb.goa@nic.in>, hspcbho@gmail.com, ranchijspcb@gmail.com, it mppcb <it_mppcb@rediffmail.com>, Pollution Control Board <pcb-man@nic.in>, chairman@ospcbboard.org, Member Secretary <member-secretary@rpcb.nic.in>, csraoifs@gmail.com, tnpcbmembersecretary@gmail.com**Cc :** P. K. Gupta <pkgupta.cpcb@nic.in>, Saubhagya Dixit <dixit.cpcb@gov.in>, Chandra Prakash <cpyadav.cpcb@gov.in>, Nazimuddin <nazim.cpcb@nic.in>, Gaurav Gehlot <gehlot.cpcb@gov.in>, Ms. Kajal <kajal.cpcb@supportgov.in>, D K Soni <dksoni.cpcb@nic.in>, gurnam <gurnamsingh.cpcb@nic.in>, Pentani jagan <jagan191.cpcb@gov.in>, J Chandra Babu <jcb.cpcb@nic.in>, Mrinal Kanti Biswas <mkbiswas.cpcb@nic.in>, Mantu Kumar Choudhury <mkc.cpcb@gov.in>, PRASOON GARGAVA <prason.cpcb@nic.in>, Pratik Bharne <pratik.cpcb@gov.in>, H D VARALAXMI SEE CPCB <vlaxmi.cpcb@nic.in>**Hon'ble NGT Matter: O.A No.176 / 2022 (PB)****Reminder- 4**

Sir/Madam,

With reference to the CPCB letter dated 05.12.2023 (copy attached), it is once again requested to expedite the submission of the Action Taken Report for the adoption and implementation of categorization of "Sand/riverbed material mining from the riverbed and its floodplains (excluding manual excavation)". Please submit the response latest by 03.01.2024 to CPCB for further appraisal of Hon'ble NGT.

The next date of hearing is 12.01.2024.

Sincerely,
Saubhagya Dixit
Sc. C



 **176 of 2022 _The Hon'ble NGT Order.pdf**
146 KB

 **CPCB letter dated 05.12.2023_Sand riverbed mining _Reminder II.pdf**
484 KB



2087

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

Hon'ble NGT MatterReminder-VI

CPCB/IPC-VI/ROGW 8128-8146

Date: 02.01.2024

To,

The Member Secretary
SPCBs/PCCs
(as per the list)

Sub: Harmonization of Classification of industrial Sectors into Red, Orange, Green and White Categories- regarding sand/river bed material mining activities.

Sir,

This has reference to the CPCB letter no. CPCB /IPC-VI/ROGW, dated 22.09.2023, and subsequent reminder letters/emails dated 27.10.2023, 08.11.2023, 28.11.2023, 05.12.2023 and 28.12.2023 on the above-mentioned subject, wherein SPCBs/PCCs were directed to adopt & implement the categorization of 'Sand/river bed material mining from riverbed and its floodplains' and submit Action Taken Report (ATR). However, the ATR is still awaited.

Further, the last hearing in the matter of OA No. 176/2022, titled as 'Aman Chaudhary v/s Union of India & Ors.' was held on 12.12.2023, wherein Hon'ble NGT directed CPCB to file the reply based on the Action Taken Reports (ATRs) received from SPCBs/PCCs, on or before 10.01.2024.

In view of the above, it is once again requested to submit the ATRs regarding adoption & implementation of categorization of 'Sand/river bed material mining from riverbed and its floodplains (excluding manual excavation)' to this office, **latest by, 04.01.2024**. The information may also be forwarded through email to ipc6.cpcb@gov.in

Yours faithfully,

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
निर्गत. N.S. Singh
दिनांक 02/01/2024

(P.K Gupta)

Director & Div. Head, IPC-VI

Copy to:

The Regional Directors,
CPCB
(as per the list)

: *With the request to follow-up and ensure
timely submission of information*

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

To:

Address List of Member Secretaries, SPCBs/PCCs			
1.	The Member Secretary Arunachal Pradesh State Pollution Control Board Paryavaran Bhawan, Yupia Road, Papu Nalah, Naharlagun – 791110 (Arunachal Pradesh)	2.	The Member Secretary Goa State Pollution Control Board Nr. Pilerne Industrial Estate, Opp. Saligao Seminary, Saligao ,Bardez,- 403511(Goa)
3.	The Member Secretary Haryana State Pollution Control Board C-11, Sector 6, Panchkula- 134109 (Haryana)	4.	The Member Secretary Jharkhand State Pollution Control Board T.A Building, HEC Campus, P.O. Dhurwa Ranchi – 834004 (Jharkhand)
5.	The Member Secretary Manipur Pollution Control Board Lamphelpat, Imphal West D.C. Office Complex – 795004 (Manipur)	6.	The Member Secretary Madhya Pradesh State Pollution Control Board Paryavaran Parisar, E-5 Arera Colony Bhopal – 462016
7.	The Member Secretary Odisha State Pollution Control Board Paribesh Bhawan A-118, Nilakanta Nagar, Unit –VIII, Bhubaneshwar – 751012.	8.	The Member Secretary Sikkim State Pollution Control Board Department of Forest, Environment & Wildlife Management Government of Sikkim, Deorali, Gangtok, -737102 (Sikkim)
9.	The Member Secretary Andaman & Nicobar Islands Pollution Control Committee Department of Science & Technology Dollyganj Van Sadan, Haddo P.O., Port Blair-744102 (Andaman & Nicobar)	10.	The Member Secretary Tamil Nadu Pollution Control Board No. 76, Mount Salai, Guindy, Chennai – 600032 (Tamil Nadu)
11.	The Member Secretary Daman, Diu & Dadra Nagar Haveli Pollution Control Committee 1st Floor, Udhog Bhavan Bhenslore, Dunetha Nani Daman, Daman – 396210	12.	The Member Secretary Delhi Pollution Control Committee 4th & 5th Floor, ISBT Building, Kashmere Gate, Delhi - 110006.

Copy to :

Address list of Regional Directors, CPCB			
1.	The Regional Director (Kolkata) Central Pollution Control Board 502, Southend Conclave 1582, Rajdanga Main Road Kolkata-700107	2.	The Regional Director (Vadodara) Central Pollution Control Board Parivesh Bhawan, Opp. Ward No. 10 VMC Office Subhanpura, Vadodara – 390 023 Gujarat
3.	The Regional Director (Shillong) Central Pollution Control Board BSNL NE- 1, Telecom Circle CTO Building Ground Floor Shillong-793001	4.	The Regional Director (Bhopal) Central Pollution Control Board 3rd Floor, Sahkar Bhawan North T.T Nagar Bhopal- 462003
5	The Regional Director (Bengaluru) Central Pollution Control Board 1st & 2nd Floors, Nisarga Bhawan A-Block, Thimmaiah Main Road 7th D Cross, Shivanagar Opposite Pushpanjali Theatre Bengaluru-560010	6.	The Regional Director (Chandigarh) Central Pollution Control Board BSNL Exchange, 2nd Floor Sector 49-C, Chandigarh-160047
7.	The Regional Director (Chennai) Central Pollution Control Board 77-A, Second Floor South Avenue Road, Ambattur Industrial Estate, Ambattur Taluk, Thiruvallur District, Chennai - 600 058		



ANDHRA PRADESH POLLUTION CONTROL BOARD
Dr. Y.S.R. Paryavaran Bhavan, APIIC Colony Road,
Gurunanak Colony, Autonagar, Vijayawada- 520007
Phone. No.0866-2463200, Website :https://pcb.ap.gov.in/



Lr.No. APPCB-11022/548/2023-TEC-CFO-APPCB

Date: 17/11/2023

To

**The Director & Division Head (IPC –VI),
Central Pollution Control Board,
Parivesh Bhavan, East Arjun Nagar, Delhi – 110032.**

Sir,

Sub: APPCB – HO – CPCB – Harmonization of classification of industrial sectors into Red, - Orange, Green and White categories regarding sand/ river bed material mining Activities –Action taken report – Communicated - Reg.,

Ref: 1. CPCB Lr.No. CPCB/IPC-VI/ROGW dated 22.09.2023.
2. CPCB Lr.No. CPCB/IPC-VI/ROGW/5583-3626 dated 27.10.2023.
3. APPCB Lr.No.APPCB-11022/548/2023-TEC-CFO-APPCB Date: 13.11.2023.

*

The Central Pollution Control Board (CPCB) has communicated ‘Sand/ riverbed material mining from riverbed and its flood plains (excluding manual excavation)’ under harmonization of classification of industrial sectors into Red, Orange, Green and White categories vide reference 1st cited and directed SPCBs to adopt and implement the same. It was requested to furnish Action Taken Report (ATR) to the CPCB in this regard vide reference 2nd cited.

It is to inform that the Andhra Pradesh Pollution Control Board (APPCB) had already considering the sand mining projects under Red category. However, the APPCB vide reference 3rd cited has adopted the above CPCB classification and communicated to the Director of Mines & Geology department with a copy to the concerned officers of APCB for effective adoption and implementation. A copy of the same is herewith enclosed for information.

Yours faithfully,

Encl: As above.

B

SREEDHAR IAS, MS(BS), O/o MEMBER SECRETARY-APPCB



Pollution Control Board, Assam

(Department of Environment & Forests, Government of Assam)

অসম প্ৰদূষণ নিয়ন্ত্ৰণ পৰিষদ

(অসম চৰকাৰৰ বন আৰু পৰিৱেশ বিভাগ)

NABL Accredited Testing Laboratory : Certificate No. TC-11384



PCBA/LGL-196/2023/NGT/16

2162

Dated Guwahati the, the 07th December, 2023

To : Shri. P. K. Gupta,
Director & Div. Head, IPC-VI
Central Pollution Control Board, MoEF&CC.
Email: ipc6.cpcb@gov.in

Sub : Action Taken Report regarding "Harmonization of Classification of industrial Sectors into Red, Orange, Green and White Categories- regarding sand/river bed material mining activities"

Ref : CPCB letter no. CPCB/IPC-VI/ROGW dated 05-12-2023

Sir,

With reference to the above, it is to inform you that Pollution Control Board Assam has adopted the categorization of "Sand/riverbed material mining from the riverbed and its floodplains (excluding manual excavation" in the consent management. In this regard, action taken by the Board are as follows:

Sl no	Action taken
1	A committee has been constituted comprising of both technical and scientific section for adoption and implementation of categorization of "Sand/riverbed material mining from the riverbed and its floodplains (excluding manual excavation" vide PCBA office order no. PCBA/T-383/23-24/87/2019 dated 18-11-2023, (Copy enclosed as Annexure I)
2	The Chairman to State Environment impact Assessment Authority (SEIAA), Assam, vide letter no. PCBA/LGL-196/2023/NGT/8/2099 dated 20-11-2023 has been informed and requested to take necessary steps to amend the conditions of Environment Clearance (EC) for Sand, Riverbed material mining industries by in cooperating the requirement of CTE for new industries and CTO for existing industries within the State of Assam (Copy enclosed as Annexure II)
3	Public Notice vide this office letter no. PCBA/LGL-196/2023/NGT/10/2151 dated 06-10-2023 in the said subject with special attention to projects of Sand/riverbed material mining has been uploaded in the Board's website and the same is published in the State News paper "The Assam Tribune" on 07-12-2023 (Copy of paper cutting enclosed as Annexure III)
4	The Board has incorporated the Sand/riverbed mining projects in its online consent management portal, OCMMS.

This is for your kind information and necessary action.

Your faithfully,

Encl.: As Stated.

(Shantanu K. Dutta)
Member Secretary

Memo no. PCBA/LGL-196/2023/NGT/16-A

Dated Guwahati the, the 07th December, 2023

Copy to: -

The Regional Director, ZO-Shillong, CPCB, for favour of information.

Member Secretary



Pollution Control Board, Assam

(Department of Environment & Forests, Government of Assam)

অসম প্ৰদূষণ নিয়ন্ত্ৰণ পৰিষদ
(অসম চৰকাৰৰ বন আৰু পৰিৱেশ বিভাগ)



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Environment

NABL Accredited Testing Laboratory : Certificate No. TC-11384

No.PCBA/T-383/23-24/87

Dated Guwahati, the 18th Nov, 2023

OFFICE ORDER

Sub: Harmonization of classification of industrial sectors into Red, Orange, Green and White Categories-regarding Sand /river bed material mining activities.

To adopt and implement the categorization of "Sand /river bed material mining from riverbed and its floodplains (excluding manual excavation)" and prepare Action Taken Report in compliance to Hon'ble NGT order dated 17.10.2023 in the matter of OA No.176/2022 titled as "Aman Chaudhary v/s Union of India & Ors", a committee has been constituted comprising of the following officials:

1. Shri. Gokul Bhuyan, Addl. Chief Environmental Engineer,
2. Shri. Mridul Dev Adhikary, Senior Environmental Scientist and
3. Shri. Pralay Das, Executive Environmental Scientist.

(Shantanu Kr. Dutta)
Member Secretary

Memo No.PCBA/T-383/23-24/87-A
2019

Dated Guwahati, the 18th Nov, 2023

1. Concerned persons for information and necessary action.
2. PA to the Chairman, PCBA for kind appraisal of the Hon'ble Chairman.

(Shantanu Kr. Dutta)
Member Secretary



2093
Pollution Control Board, Assam
(Department of Environment & Forests, Government of Assam)
অসম প্ৰদূষণ নিয়ন্ত্ৰণ পৰিষদ
(অসম চৰকাৰৰ বন আৰু পৰিৱেশ বিভাগ)
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PCBA/LGL-196/2023/NGT/8

Dated Guwahati the, 20th November, 2023

To : The Chairman
State Environment Impact Assessment Authority (SEIAA), Assam
Bamunimaidam, Guwahati -781021

Sub : Original Application 176/2022 (Aman Choudhary vs Union of India and ORS)

Ref : CPCB letter no. CPCB/IPC-VI/ROGW(5583-5626)

Sir,

With reference to the above, please find herewith the enclosed copy of the letter dated 27/10/2023, received from Ajay Aggarwal, Director & Div.Head, IPC-VI CPCB, which is self-explanatory. In this regard, you are requested to take necessary steps to amend the conditions of Environment Clearance (EC) for Sand, Riverbed material mining industries by incorporating the requirement of Consent to Establish (CTE) for new Industries and Consent to Operate (CTO) for existing Industries within the State of Assam.

This is for your kind information and necessary action.

Your faithfully,

Encl.: As Stated.

(Shantanu kr. Dutta)
Member Secretary

Ok

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GUWAHATI, THURSDAY, DECEMBER 7, 2023

গুৱাহাটী প্ৰকাশিত
 বাৰ্ত্তা-পত্ৰ
 সোমবাৰ
 গাঢ় বাঢ়
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POLLUTION CONTROL BOARD, ASSAM
 BANUNIRAIKAM : GUWAHATI - 781021

PUBLIC NOTICE

No. PCB/ALGL-194/2023/NGT/10 Dated Guwahati, the 08th December, 2023
Attention all projects of Sand/riverbed material mining.
 The Sand/riverbed material mining projects have been classified as Red category (Mining lease area > 5 ha or upto 5 ha which is part of cluster mining) or Orange Category (Standalone Mining lease area upto 5 ha) of industries following the guidelines of Central Pollution Control Board, MOEF&CC, GOI and as such all these projects will have to obtain mandatory Consent to Establishment (CTE) and Consent to Operate (CTO) from Pollution Control Board, Assam.
 All the Sand/riverbed material mining projects in Assam are directed to obtain mandatory CTE and CTO from the Board, as per the provisions of the Water Act, 1974 and Air Act, 1981, by submitting application in the Consent Management portal www.asocpmis.nic.in. The defaulting Units shall be liable to pay Environmental Compensation Fine (ECF) as per the Environmental Compensation regime recommended by National Green Tribunal for assessing ECF.

Sd/-
Member Secretary

2095



Pollution Control Board, Assam
Bamunimaidam: Guwahati-21

PUBLIC NOTICE

No. PCBA/LGL-196/2023/NGT/10

2151

Dated Guwahati, the 06th December, 2023

Attention all projects of Sand/riverbed material mining.

The Sand/riverbed material mining projects have been classified as Red category (Mining lease area > 5 ha or upto 5 ha which is part of cluster mining) or Orange Category (Standalone Mining lease area upto 5 ha) of industries following the guidelines of Central Pollution Control Board, MoEF&CC, GOI and as such all these projects will have to obtain mandatory Consent to Establishment (CTE) and Consent to Operate (CTO) from Pollution Control Board, Assam.

All the Sand/riverbed material mining projects in Assam are directed to obtain mandatory CTE and CTO from the Board, as per the provisions of the Water Act, 1974 and Air Act, 1981, by submitting application in the Consent Management portal www.asocmms.nic.in. The defaulting Units shall be liable to pay Environmental Compensation Fine (ECF) as per the Environmental Compensation regime recommended by National Green Tribunal for assessing ECF.

- 62 -
Member Secretary

Memo No. PCBA/LGL-196/2023/NGT/10-A

2151

Dated Guwahati, the 06th December, 2023

Copy to:

1. The Addl. Chief Secretary, Environment & Forest Department, for information and necessary action.
2. The Regional Heads, ROs/RLOs, PCBA for information and necessary action.
3. Website of the Board.

o/c
Member Secretary



BIHAR STATE POLLUTION CONTROL BOARD

Parivesh Bhawan, Patliputra Industrial Area, P.O.-Sadakat Ashram, Patna-800010

EPABX 0612-2261250/2262265, Fax 0612-2261050

Ref. No. 2865

Patna, dated- 30.11.2023

From,

S. Chandrasekar, IFS,
Member Secretary.

To,

The Member Secretary,
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar,
Delhi- 110 032.

Sub:-Harmonization of Classification of Industrial Sectors into Red, Orange, Green and White Categories-regarding sand /river bed material mining activities.

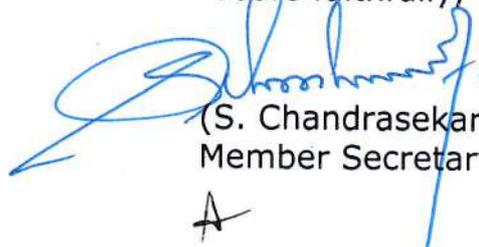
Ref: CPCB/IPC-VI/ROGW/5583-5626, dated-27.10.2023.

Sir,

With reference to the subject cited above, pleased to inform that Bihar State Pollution Control Board, Patna has adopted the "Categorization of Sand /Riverbed Material Mining from riverbed and its Floodplain (excluding manual excavation)" as per the direction of Central Pollution Control Board, Delhi. A coping of the notification is attached herewith for your kind information and necessary action.

Encl: **As above**

Yours faithfully,


(S. Chandrasekar)
Member Secretary.

A



BIHAR STATE POLLUTION CONTROL BOARD

Parivesh Bhawan, Patliputra Industrial Area, P.O.-Sadakat Ashram, Patna-800010

EPABX 0612-2261250/2262265, Fax 0612-2261050

Ref. No.

Patna, dated-

From,

S. Chandrasekar, IFS,
Member Secretary.

To,

The Member Secretary,
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar,
Delhi- 110 032.

Sub:-Harmonization of Classification of Industrial Sectors into Red, Orange, Green and White Categories-regarding sand /river bed material mining activities.

Ref: CPCB/IPC-VI/ROGW/5583-5626, dated-27.10.2023.

Sir,

With reference to the subject cited above, pleased to inform that Bihar State Pollution Control Board, Patna has adopted the "Categorization of Sand /Riverbed Material Mining from riverbed and its Floodplain (excluding manual excavation)" as per the direction of Central Pollution Control Board, Delhi. A coping of the notification is attached herewith for your kind information and necessary action.

Yours faithfully,

Encl: **As above**

Sd/-

(S. Chandrasekar)
Member Secretary.

Memo No: 2865

Patna, Date: 30/11/2023

Copy to: Sri Ajay Aggarwal, Director & Div. Head, IPC-VI for information and necessary action.


(S. Chandrasekar)
Member Secretary. 30/11/23



BIHAR STATE POLLUTION CONTROL BOARD

Parivesh Bhawan, Patliputra Industrial Area, P.O.-Sadakat Ashram, Patna-800010
EPABX 0612-2261250/2262265, Fax 0612-2261050

Notification No. 29

Patna, dated 10.11.23

Notification

In compliance with the categorization of "Sand/River Bed Material mining from river bed and its flood plains (excluding manual excavation)" vide Central Pollution Control Board reference no. CPCB/IPC-IV/ROGW, dated-22.09.2023, Bihar State Pollution Control Board hereby adopt the aforesaid categorization for implementation in the State of Bihar as hereunder:-

Categorization of Sand/ riverbed material mining from the river bed and its flood plains (excluding manual excavation)

Sl. No.	Sl. No. (as per CPCB Document)	Non-Industrial Operation	Category	Remarks
1	63	Sand/ riverbed Material mining from riverbed and its floodplains (excluding Manual excavation);		i. Sand/ riverbed material mining from riverbed and its floodplains may cause ecological disturbances, erosion of river bed, change in hydro-geological conditions & river ecosystem.
		(i) Mining lease area more than 5 hectares or Mining lease area up to 5 hectares which is part of cluster mining	Red	ii. Cluster mining means that the distance of mining lease are is less than 500 m from periphery of another lease area.
		ii. standalone mining lease area up to five acre in areas (not a part of any cluster mining)	Orange	iii. This categorization is made considering the ecological damages and not based on

P

				pollution potential/ index.
Note: Cluster mining as defined in 'Enforcement & Monitoring Guidelines for Sand Mining, 2020' issued by MoEF&CC.				

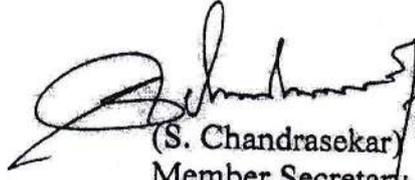
This is being notified with the approval of the Hon'ble chairman.

Sd/-
(S. Chandrasekar)
Member Secretary.

Memo No.: 2714

Patna, date: 10/11/23

- Copy to:
1. The Additional Chief Secretary-cum-Mines Commissioner, Mines and Geology Department, Govt. of Bihar, Patna.
 2. The Secretary, Department of Environment, Forest and Climate Change, Govt. of Bihar, Patna.
 3. The Chairman, State Environment Impact Assessment Authority (SEIAA), Beltron Bhawan, Shastri Nagar, Patna- 800 023.
 4. The Chairman, State Appraisal Committee (SEC), Beltron Bhawan, Shastri Nagar, Patna- 800 023.
 5. The District Magistrate, All district of Bihar
 6. All the Regional Officers, Bihar State Pollution Control Board for information and necessary action.


(S. Chandrasekar) 10/11/23
Member Secretary.



Chandigarh Pollution Control Committee

Paryavaran Bhawan, Madhya Marg, Sector 19-B, Chandigarh- 160019

No. CPCC/2023/ 3900

Dated: 06-12-2023

To

Sh. Bharat Kumar Sharma
Member Secretary,
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar, Delhi.

Sub:- **Compliance of the order dated 30.05.2023, passed by the Hon'ble National Green Tribunal, New Delhi in Original Application No. 176/2022 in the matter of Aman Chaudhary Vs. UOI & Ors. – reg...**

.....

Sir,

This is reference of letter F.No. IA-L-11011/102/2022-IA-II (M) – NCM, dated 7th November, 2023 and letter No. CPCB/IPC-IV)ROGW, dated 22.09.2023 on the subject cited above.

In this context, it is informed that Chandigarh Pollution Control Committee has already adopted the categorization of Industries Sand/Riverbed material mining from riverbed and its floodprints (excluding manual excavation) under Orange Category.

Yours sincerely,

(T.C. Nautiyal, IFS)
Member Secretary



छत्तीसगढ़ पर्यावरण संरक्षण मंडल

पर्यावास भवन, नार्थ ब्लॉक, सेक्टर - 19,
नवा रायपुर अटल नगर, रायपुर (छ.ग.) 492002

Email add - hocecb@gmail.com

क्रमांक
प्रति,

6667 / तक / मु. / छ.ग.पं.सं.म. / 2023

नवा रायपुर अटल नगर, रायपुर, दिनांक 24/11/2023

✓ सदस्य सचिव,
केन्द्रीय प्रदूषण नियंत्रण बोर्ड,
परिवेश भवन, पूर्वी अर्जन नगर,
दिल्ली 110032

विषय :- Harmonization of Classification of industrial sectors into Red, Orange, Green and White Categories- regarding sand/river bed material mining activities के संबंध में।

सन्दर्भ:- डायरेक्टर एण्ड डिवीजनल हेड, आई.पी.सी.-वी.आई., केन्द्रीय प्रदूषण नियंत्रण बोर्ड परिवेश भवन, पूर्वी अर्जन नगर, दिल्ली का पत्र क्रमांक CPCB/IPC-VI/ROGW 5587 दिनांक 27/10/2023.

---:00:---

उपरोक्त विषयांतर्गत संदर्भित पत्र के माध्यम से केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा लाल, नारंगी, हरा एवं सफेद श्रेणी के उद्योगों का वर्गीकरण कर किये गये वर्गीकरण को अंगीकृत किये जाने हेतु निर्देशित किया गया था। उक्त के परिपेक्ष्य में कृपया सूचित हो कि छत्तीसगढ़ पर्यावरण संरक्षण मंडल द्वारा पत्र दिनांक 20/11/2023 को आदेश जारी कर विषयांतर्गत वर्गीकरण को अंगीकृत कर लिया गया है। इस संदर्भ में छत्तीसगढ़ पर्यावरण संरक्षण मंडल द्वारा जारी आदेश की प्रति संलग्न कर सूचनार्थ प्रस्तुत है।

संलग्न - उपरोक्तानुसार।

सदस्य सचिव

छत्तीसगढ़ पर्यावरण संरक्षण मंडल,
नवा रायपुर अटल नगर, रायपुर (छ.ग.)



छत्तीसगढ़ पर्यावरण संरक्षण मंडल

पर्यावास भवन, सेक्टर - 19,

नवा रायपुर अटल नगर, रायपुर (छ.ग.) 492002

Email -hocecb@gmail.com

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क्रमांक /मुख्या./तक./छ.ग.प.सं.मं./2023 नवा रायपुर अटल नगर, दिनांक 20/11/2023

—::कार्यालय आदेश::—

जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 एवं वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 के प्रावधानों के तहत छत्तीसगढ़ शासन द्वारा छत्तीसगढ़ पर्यावरण संरक्षण मंडल का गठन किया गया है।

छत्तीसगढ़ पर्यावरण संरक्षण मंडल द्वारा उद्योगों/कार्यकलापों/संस्थानों को जारी किये जाने वाले सम्मति/सम्मति-नवीनीकरण तथा इनके श्रेणीकरण के लिए वर्तमान में केन्द्रीय प्रदूषण नियंत्रण बोर्ड, दिल्ली के पत्र क्रमांक बी-29012/ईएसएस(सीपीए)/2015-16/8568 दिनांक 07/03/2016 में दिये गये जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 एवं वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 की धारा 18(1)(बी) के अंतर्गत जारी निर्देश में संलग्न 'फाईनल रिपोर्ट' में वर्णित इंडस्ट्रियल सेक्टर्स हेतु निर्धारित रिवाइज्ड काईटेरिया तथा लाल, नारंगी, हरा एवं सफेद श्रेणी के इंडस्ट्रियल सेक्टर्स की रिवाइज्ड लिस्ट को दिनांक 13/06/2016 को अंगीकृत किया गया है। तदोपरांत केन्द्रीय प्रदूषण नियंत्रण बोर्ड, दिल्ली द्वारा औद्योगिक/गैर औद्योगिक कार्यालयों/परिचालन/सुविधाओं के वर्गीकरण बाबत समय-समय पर जारी निर्देशों के पालनार्थ उक्त वर्गीकरण संशोधनों को भी अंगीकृत किया गया है।

केन्द्रीय प्रदूषण नियंत्रण बोर्ड, दिल्ली द्वारा पत्र क्रमांक सी.पी.सी.बी./आईपीसी-VI/आरओजीडब्ल्यू दिनांक 22/09/2023 के माध्यम से जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 एवं वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 की धारा 18(1)(बी) में प्रदत्त शक्तियों का उपयोग करते हुए "Sand /riverbed material mining from riverbed and its floodplains (excluding manual excavation)" का वर्गीकरण किया जाकर अंगीकृत करने हेतु निर्देशित किया गया है।

अतः छत्तीसगढ़ पर्यावरण संरक्षण मंडल एतद् द्वारा केन्द्रीय प्रदूषण नियंत्रण बोर्ड, दिल्ली द्वारा पत्र क्रमांक सी.पी.सी.बी./आईपीसी-VI/आरओजीडब्ल्यू दिनांक 22/09/2023 के साथ संलग्न Annexure-I में उल्लेखित गैर औद्योगिक परिचालन(Non Industrial Operations) के वर्गीकरण (Category) को तत्काल प्रभाव से अंगीकृत करता है।

संलग्न :- उपरोक्तानुसार

सदस्य सचिव

छत्तीसगढ़ पर्यावरण संरक्षण मंडल,
नवा रायपुर, अटल नगर, रायपुर (छ.ग.)

पृ.क्रमांक 6493 / मुख्या. / तक. / छ.ग.प.सं.मं. / 2023 नवा रायपुर अटल नगर, दिनांक 20/11/2023
प्रतिलिपि :-

1. सदस्य सचिव, केन्द्रीय प्रदूषण नियंत्रण बोर्ड, परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली 110032 की सूचनार्थ प्रेषित।
2. अतिरिक्त मुख्य अभियंता/अधीक्षण अभियंता/सहायक अभियंता, मुख्यालय, छत्तीसगढ़ पर्यावरण संरक्षण मंडल, नवा रायपुर अटल नगर, जिला-रायपुर(छ.ग.) की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
3. क्षेत्रीय अधिकारी, क्षेत्रीय कार्यालय, छत्तीसगढ़ पर्यावरण संरक्षण मंडल, रायपुर/मिलाई-दुर्ग/बिलासपुर/रायगढ़/कोरबा/अंबिकापुर/जगदलपुर की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

सदस्य सचिव

छत्तीसगढ़ पर्यावरण संरक्षण मंडल,
नवा रायपुर, अटल नगर, रायपुर (छ.ग.)

01/11

Categorization of sand / riverbed material mining from riverbed and its floodplains (excluding manual excavation)

Sl. No.	Sl. No. (as per CPCB Document)	Non-Industrial operations	Category	Remarks
1	63	Sand / riverbed material mining from riverbed and its floodplains (excluding manual excavation)		i. Sand / riverbed material mining from riverbed and its floodplains may cause ecological disturbances, erosion of riverbed, change in hydro-geological conditions & river ecosystem, etc.
		(i) Mining lease area more than 5 hectares or Mining lease area up to 5 hectares which is part of cluster mining	Red	ii. Cluster mining means that the distance of mining lease area is less than 500 m from periphery of another lease area.
		(ii) Standalone mining lease area up to five hectares in areas (not a part of any cluster mining)	Orange	iii. This categorization is made considering the ecological damages and not based on pollution potential/index.

Note: Cluster mining as defined in 'Enforcement & Monitoring Guidelines for Sand Mining, 2020', issued by MoEF&CC.



GPCB

2105 GUJARAT POLLUTION CONTROL BOARD

PARYAVARAN BHAVAN

Sector-10-A, Gandhinagar-382 010

Phone : (079) 23226295

Fax : (079) 23232156

Website : www.gpcb.gov.in

No.GPCB/P-1/14 (7)/759146

Date: 2-10-2023

To,
Shri Ajay Aggarwal,
Director & Div. Head, IPC-VI,
Central Pollution control Board,
Parivesh Bhawan, East Arjun Nagar,
Delhi-110032.

Sub: Harmonization of Classification of industrial Sectors into Red, Orange, Green and White Categories- regarding Semiconductor manufacturing industries and sand/river bed material mining activities.

- Ref: 1) Your letter No. CPCB/IPC-VI/ROGW, dated: 05/09/2023
2) Your letter No. CPCB/IPC-VI/ROGW, dated: 22/09/2023
3) Your letter No. CPCB/IPC-VI/ROGW/5583-5626, dated: 27/10/2023

Sir,

In connection with above mentioned subject and reference, The board has adopted and implemented the categorization of "Semiconductor manufacturing industries" and "Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation)".

This letter is issued after obtaining approval of competent authority.

For and on behalf of
Gujarat Pollution Control Board

(D.P. Patel)

I/C Unit head,

P-1 branch

Clean Gujarat Green Gujarat

ISO - 9001 - 2008 & ISO - 14001 - 2004 Certified Organisation

**H.P. STATE POLLUTION CONTROL
BOARD
"HIM PARIVESH", PHASE III,
NEW SHIMLA-171009.**

No. HPSPCB/ CPCB Miscellaneous /2023- 12409

Dated: 6.12.2023

To

Sh. Ajay Aggarwal

Director & Div. Head, IPC-VI,
Central Pollution Control Board,
Ministry of Environment Forest & Climate Change Govt. of
India.
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

**Subject: - Harmonization of Classification of Industrial Sectors
into Red, Orange, Green and White
Categories-regarding sand/river bed
material mines activities.**

Sir,

This is in reference to letter no. CPCB/IPC-VI/ROGW 5591 dated 27/10/2023 received from your office on the subject cited above. In this context, in view of information sought by your office, it is informed that Sand mining projects of category A and B1 under EIA notification 2006 have been classified by the State Board in Red category industry and Minor minerals mining projects of category B2 have been classified in Orange category industry.

Signed by

Anil Joshi

Date: 06-12-2023 13:24:09

(Anil Joshi, IFS)

Member Secretary

HP State Pollution Control Board





Winter office: November-April
Parivesh Bhawan, Gladini,
Transport Nagar, Narwal,
Jammu-180006
Ph./Fax.0191-2476925

Government of Jammu and Kashmir
J&K Pollution Control Committee



Summer office: May-October
Sheikh-ul-Alam campus,
Behind Govt. Silk factory,
Rajbagh, Srinagar (J&K)- 190008
Ph./Fax.0194-2311165

Email: membersecretaryjkpcb@gmail.com

**The Member Secretary,
Central Pollution Control Board,
Parivesh Bhawan, C.B.D. Cum-Office Complex,
East Arjun Nagar, Shahdara,
Delhi-110032.**

No: JKPCB/T/CPCB/RBM/2023/ 898-31

Date: 03-11-2023.

Sub.: Harmonization of Classification of Industrial Sectors into Red, Orange, Green and White Categories, regarding sand / river bed material mining activities.

Ref.:- Your office letter no. CPCB/IPC-VI/ROGW dt.27.10.2023.

Sir,

With reference to the subject cited above, I am to say that earlier J&K Pollution Control Committee classified **Sand / River bed material mining activities under "Orange Category"** and the consent have been issued accordingly. After receiving the directions of CPCB vide letter no. CPCB/IPC-IV/ROGW dt.22.09.2023, the revised classification for Sand / River bed material mining activities has been adopted.

I am directed to convey that, the consent for mining lease area **more than 5 hectares** or Mining lease **upto 5 hectares**, which is part of cluster mining shall henceforth be issued under **Red** category.

Yours faithfully,


(J N Sharma) 3.11.23

Environmental Engineer

J&K PCC, Jammu.

Copy to :-

- 1- Member Secretary, JKPCB, Jammu for information.
- 2- PA to Chairman JKPCB for kind information of the worthy Chairman JKPCB.
- 3- Office file.

2108

☎: General: 0471- 2312910, 2318153, 2318154, 2318155 Chairman: 2318150 Member Secretary: 2318151
e-mail: chn.kspcb@gov.in; ms.kspcb@gov.in FAX: 2318152 web: kspcb.kerala.gov.in



KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram – 695 004

പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695 004



KSPCB/159/2022-SEE3

Date: 06/11/2023

From

The Member Secretary

To

The Member Secretary
Central Pollution Control Board
Parivesh Bhavan
East Arjun Nagar
Delhi-110032

Sub: Action Taken Report on Categorization of Sand / riverbed material mining– reg

Ref: Your Letter No CPCB/IPC-VI/ROGW-5595 dated 27/10/2023

Sir,

Kind attention please invited in the subject matter. As directed Board has adopted the categorization of Sand / riverbed material mining and directed all Regional Offices and District Offices to implement the same throughout the state.

Yours Faithfully

MEMBER SECRETARY

Copy to: Regional Director
CPCB, RD Bengaluru

2109

MAHARASHTRA POLLUTION CONTROL BOARD

Phone No. 24010437 / 24020781
Visit us at : <http://mpcb.gov.in>
Email : jdwater@mpcb.gov.in



"Your Service is our Duty"

Kalptaru Point 3rd floor,
Sion Matunga Scheme
Road No. 8, Infant of Sion
Cercal, Sion (E),
Mumbai – 400 022.

No.MPCB/JD(WPC)/B- 23/130 - FTS - 0006

Date: 30/ 11 /2023

To,
Director & Div. Head, IPC – VI,
Central Pollution Control Board,
Ministry of Environment Forest &
Climate Change of India,
Parivesh Bhavan, East Arjun Nagar,
Delhi – 110032.

Sub: Submission of Action taken report wrt. Harmonization of Classification of Industrial Sectors into Red, Orange, Green and White Categories – reg. sand/river bed material mining activities.
Ref: Letter received from CPCB vide no. CPCB/IPC-VI/ROGW (5583-5626), dtd. 27.10.2023.

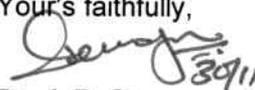
Sir,

With reference to the above subject matter this office is in receipt of the letter no. CPCB/IPC-VI/ROGW (5583-5626), dtd. 27.10.2023 wrt. categorization 'Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation) for adoption and implementation of categorization.

In this concern , MPC Board has been submitting action taken report (ATR) Wrt. Harmonization of Classification of Industrial Sector categorization 'Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation) as under –

- MPC Board vide email dtd. 08.11.2023 communicated these categorization to all the Regional Offices / Sub-Regional Offices to adopt & implementation of harmonization of classification for Sand/ Riverbed Material Mining categorization.
- MPC Board has prepared a circular in this matter vide letter dtd. 22.11.2023 and communicated to all the Regional Offices / Sub-Regional Offices to adopt & implementation of Harmonization of Classification for Sand/ Riverbed Material Mining in consent management sector.
- MPC Board has also hosted these categorization of 'Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation) on website for information of general public.

Your's faithfully,


Dr. J. B. Sangewar
Joint Director (WPC)

Copy submitted for Information:

- Hon'ble Chairman, MPC Board, Mumbai.
- Hon'ble Member Secretary, MPC Board, Mumbai.

Copy submitted to:

All HOD's, Maharashtra Pollution Control Board, Sion, Mumbai.

2110

MAHARASHTRA POLLUTION CONTROL BOARD

Phone No. 24010437 / 24020781

Visit us at : <http://mpcb.gov.in>

Email : jdwater@mpcb.gov.in



"Your Service is our Duty"

Kalptaru Point 3rd floor,
Sion Matunga Scheme
Road No. 8, Infant of Sion
Cercal, Sion (E),
Mumbai – 400 022.

No.MPCB/JD(WPC)/B- 23/1130 - FTS - 0006

Date: 30/ 11 /2023

To,
Director & Div. Head, IPC – VI,
Central Pollution Control Board,
Ministry of Environment Forest &
Climate Change of India,
Parivesh Bhavan, East Arjun Nagar,
Delhi – 110032.

Sub: Submission of Action taken report wrt. Harmonization of Classification of Industrial Sectors into Red, Orange, Green and White Categories – reg. sand/river bed material mining activities.

Ref: Letter received from CPCB vide no. CPCB/IPC-VI/ROGW (5583-5626), dtd. 27.10.2023.

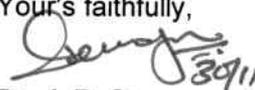
Sir,

With reference to the above subject matter this office is in receipt of the letter no. CPCB/IPC-VI/ROGW (5583-5626), dtd. 27.10.2023 wrt. categorization 'Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation) for adoption and implementation of categorization.

In this concern , MPC Board has been submitting action taken report (ATR) Wrt. Harmonization of Classification of Industrial Sector categorization 'Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation) as under –

- MPC Board vide email dtd. 08.11.2023 communicated these categorization to all the Regional Offices / Sub-Regional Offices to adopt & implementation of harmonization of classification for Sand/ Riverbed Material Mining categorization.
- MPC Board has prepared a circular in this matter vide letter dtd. 22.11.2023 and communicated to all the Regional Offices / Sub-Regional Offices to adopt & implementation of Harmonization of Classification for Sand/ Riverbed Material Mining in consent management sector.
- MPC Board has also hosted these categorization of 'Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation) on website for information of general public.

Your's faithfully,


Dr. J. B. Sangewar
Joint Director (WPC)

Copy submitted for Information:

- Hon'ble Chairman, MPC Board, Mumbai.
- Hon'ble Member Secretary, MPC Board, Mumbai.

Copy submitted to:

All HOD's, Maharashtra Pollution Control Board, Sion, Mumbai.

MIZORAM POLLUTION CONTROL BOARD

No. H.88088/Poltn/3/2023-MPCB

Dated Aizawl, the 10th November, 2023

To,

The Member Secretary
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar
Delhi-110032.

Subj.: Action Taken Report on Harmonization of Classification of Industrial Sectors into Red, Orange, Green and White Categories, regarding Sand/river bed material mining activities

Reference: Your Letter No. CPCB/IPC-IV/ROGW dt. 22.09.2023

Sir,

With reference to the subject cited above, may I submit herewith the Action Taken Report on the above referenced subject as follows:

1. The categorization of 'Sand/river bed material mining from riverbed and its floodplains (excluding manual excavation)' as per details given at Annexure-I is duly adopted by the Board.
2. The state's Geology and Mining Department were also informed of the categorization vide letter dated 16.10.2023, requesting their cooperation with its implementation.

May I further inform you that there are no cases of 'Sand/river bed material mining from riverbed and its floodplains (excluding manual excavation)' in the State at present.

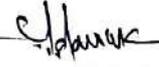
Yours faithfully


(C. LALDUHAWMA)
Member Secretary

Memo No.H.88088/Poltn/3/2023-MPCB

Dated Aizawl, the 10th November, 2023

Copy to: Scientist 'C', IPC-VI Division, Central Pollution Control Board, Delhi for information and necessary action with respect to her letter dated 22.09.2023


(C. LALDUHAWMA)
Member Secretary

Mizoram Pollution Control Board



NAGALAND POLLUTION CONTROL BOARD

Signal Point, Dimapur – 797112, Nagaland
Tel.: 03862-245727, TeleFax; 03862-245726

Website: www.npcb.nagaland.gov.in e-mail: npcb2@yahoo.com

Dated 02/11/2023

NPCB/IND-CON-2/5027-28

To

✓ Ajay Aggarwal
Director & Div. Head, IPC-VI
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar
Delhi - 110032

Sub: Harmonization of Classification of industrial sectors into Red, Orange, Green and White Categories – regarding sand/river bed material mining activities – reg.

Ref: CPCB/IPC-VI/ROGW/5583-5626 Dtae 27.10.2023

Sir,

With reference to the above cited subject, I would like to inform you that the Nagaland Pollution Control Board has adopted the categorization of Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation) by including the new category to the existing classification of industrial sector.

I am enclosing herewith the action taken report regarding the same.

Encl: As above

Yours Sincerely,

(K. Hukato Chishi IFS)
Member Secretary

Dated 02/11/2023

NPCB/IND-CON-2/ ✓

Copy to:

The Regional Director, Central Pollution Control Board, Regional Directorate – Shillong, BSNL NE-I, Telecom Circle, CTO Building, Ground Floor, Shillong – 793001, with reference to your letter RDNE/403/HCI/2023-24/1287-1289 Dated 30.10.2023 for kind information.

Member Secretary



NAGALAND POLLUTION CONTROL BOARD

Signal Point, Dimapur – 797112, Nagaland
Tel.: 03862-245727, TeleFax: 03862-245726

Website: www.npcb.nagaland.gov.in e-mail: npcb2@yahoo.com

NPCB/IND/CON-2/

Dated 30/10/2023

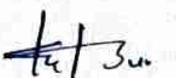
Notification

In compliance to the directions issued by CPCB under Section 18(1)(b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 regarding harmonization of classification of industrial sectors into Red, Orange, Green and White Categories, the NPCB includes the following industries to the existing classification of industrial sectors.

The lists of newly categorized sectors included are: -

- (i) Scrapping Centre
- (ii) Used Cooking Oil (UCO) Collection centres
- (iii) Compressed/Refined Bio-Gas
- (iv) Railway Stations
- (v) Dairy Farms
- (vi) Gaushalas
- (vii) Building and Construction Projects, having built-up area up to 20,000m² and waste water generation >50KLD
- (viii) Construction and Demolition (C&D) Waste Processing Plants
- (ix) Gold Assaying & Hallmarking Centres
- (x) Semi-conductor manufacturing industries
- (xi) Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation)

Details are given at Annexure –I


 (K. Hukato Chishi IFS)
 Member Secretary



NAGALAND POLLUTION CONTROL BOARD

Signal Point, Dimapur – 797112, Nagaland
Tel.: 03862-245727, TeleFax; 03862-245726

Website: www.npcb.nagaland.gov.in e-mail: npceb2@yahoo.com

Annexure - I

Sl. No.	Entry at S.No. of respective category in CPCB's classification	Industry Sector	Category	Remarks
1	85	Scrapping Centres (for End of life of vehicles and other scraps such as plant and machineries, structural material, railway coaches and wagons, etc).	Orange	
		a.Collection, De-pollution, Dismantling Centres and shredding Centres	Orange	i. process will generate waste water from vehicle washing, surface washing, spillage while depolluting the vehicle. ii. Emission of particulate matter. iii. Residue generated during the process needs stabilization before disposal as it may contain asbestos.
		b.Collection, De-pollution and Dismantling Centres	Orange	i. process will generate waste water from vehicle washing, surface washing, spillage while depolluting the vehicle. ii. Fugitive emission may be generated from dismantling and other activities. iii. Residue generated during the process needs stabilization before disposal as it may contain asbestos.
		c.Shredding Centres(can include white goods*/other scraps also)	Orange	i. Waste water may be generated from floor washing, etc. ii. Residue generated may be incinerated/landfilled. iii. Emission of particular matter.



NAGALAND POLLUTION CONTROL BOARD

Signal Point, Dimapur – 797112, Nagaland
Tel.: 03862-245727, TeleFax: 03862-245726

Website: www.npcb.nagaland.gov.in e-mail: npcb2@yahoo.com

2	37	Used Cooking Oil (UCO) Collection centres	White	<ul style="list-style-type: none"> i. Generally, there is no waste water generation or air emissions from UCO collection centres. ii. Concerned SPCB/PCC shall ensure the above.
3	86	Compressed/Refined Bio-Gas	Orange	<ul style="list-style-type: none"> i. All digesters requiring discharge of excess wastewater to be treated in orange category. ii. Domestic bio-digesters based on cow-dung or household biodegradable wastes (such as Gobargas plant)- white category. iii. No wastewater discharge from digester and also feed slurry to digester having Volatile Organic Fraction more than 75% to be considered as Green category. iv. Wastewater may be generated from wet processes for gas refining, cooling towers and cooling re-circulation processes. v. Odour generation from pretreatment of organic waste and composting. vi. Exhausted adsorption media/filters and spent solvents may also get generated.
4	87	Dairy Farm	Orange	<ul style="list-style-type: none"> i. This categorization is applicable to dairy farm where milching animals (cows/buffalos) are housed to produce milk for distribution and supply to milk processing plants. ii. Wastewater is generated from floor washing, urinal output and bathing/washing of animals. Wastewater contains high organic matter, however, it is non-toxic and easily biodegradable. iii. Odour is generated due to dung and wastewater. iv. Stand-alone or isolated dairy farm, having 15 animals & above, shall obtain CTE/CTO under "Orange category". v. Dairy farm in colonies/clusters should obtain CTE/CTO under "Orange category". vi. All Dairy farms shall follow the "Guidelines for Environmental Management of Dairy Farms and Gashalas" issued by CPCB.



NAGALAND POLLUTION CONTROL BOARD

Signal Point, Dimapur – 797112, Nagaland
Tel.: 03862-245727, TeleFax: 03862-245726

Website: www.npcb.nagaland.gov.in e-mail: npcb2@yahoo.com

5	87	Gaushalas	Green	<p>i. This categorization is applicable to Gaushala where weak, sick, injured, handicapped and abandoned homeless cattle/ cows are housed for rehabilitation.</p> <p>ii. Wastewater is generated from floor washing, urinal output and bathing/washing of animals. Wastewater contains high organic matter; however, it is non-toxic and easily biodegradable.</p> <p>iii. Odour is generated due to dung and wastewater.</p> <p>iv. All Gaushalas shall follow the "Guidelines for Environmental Management of Dairy Farms and Gaushalas" issued by CPCB.</p> <p>v. In case, overall wastewater generation is 100 KLD or more, the gaushala will be categorized in "Orange category" with PI=50</p>
6	62	Semiconductor manufacturing industries		
		(i) Semiconductor fabs manufacturing	Red	<p>Toxic wastewater is generated due to presence of Hydrofluoric acid (HF), Mixed Nitric HF (HF + HNO₃), Phosphoric acid, Sulphuric acid (H₂SO₄), HYDROGEN PER OXIDE, Isopropyl alcohol (IPA)/ Methanol (Methanol Only), Stripper EKC-265/ACT N396 (ACT N396 Only), BHF – 63 U, Choline etchant, etc.</p> <p>The air pollutants which are being emitted during manufacturing process are SiH₄, PH₃, B₂H₆, HF, HBr, DCS, NF₃, SF₆, BCL₃, CL₂, HCL, NH₃, C₂F₆, CHF₃, CF₄, c₄F₈, C₂F₆ etc.</p> <p>Process waste, used oil etc.. are generated as hazardous waste.</p>
		(ii) Display fabs manufacturing	Red	
		(iii) Compound semiconductors/Silicon photonics/sensor fabs manufacturing	Red	
		(iv) Semiconductor Assembly, Testing, Marking and Packaging Facility (ATMP)	Orange	Scores are normalized to 100 based on the contribution from air pollution (fugitive emission) and hazardous waste generation.



NAGALAND POLLUTION CONTROL BOARD

Signal Point, Dimapur – 797112, Nagaland
Tel.: 03862-245727, TeleFax: 03862-245726

Website: www.npcb.nagaland.gov.in e-mail: npcb2@yahoo.com

Non-Industrial Operations (Activities/Facilities/Infrastructure/Service sector)

Sl.No.	Entry at S.No. of respective category in CPCB's classification	Non-Industrial Operations (Activities/Facilities/Infrastructure/Service sector)	Category	Remarks
1	61	Railway Stations (waste water Generation \geq 100 KLD)	Red	<ul style="list-style-type: none"> i. Mainly water polluting, scores are normalized. Wastewater generating from public toilets, public-taps, platform and apron washing, coach cleaning, laundry, restaurants etc. ii. Air emissions may be generated from boilers, DG sets (> 1MVA), railway sidings, etc. iii. Small amount of hazardous waste such as used oil from DG sets, waste oil from coach cleaning, etc. may be generated.
	84	Railway Stations (Waste Water Generation \geq 10 KLD, but \leq 100 KLD)	Orange	<ul style="list-style-type: none"> i. Mainly water polluting, scores are normalized. Waste water generating from various uses such as public toilets, public-taps, platform and apron washing, restaurants, etc. ii. Air emissions may be generated from boilers, DG sets (> 1MVA), railway sidings, etc. iii. Small amount of hazardous waste such as used oil from DG sets, waste oil from coach cleaning, etc. may be generated.



NAGALAND POLLUTION CONTROL BOARD

Signal Point, Dimapur – 797112, Nagaland
Tel.: 03862-245727, TeleFax; 03862-245726

Website: www.npcb.nagaland.gov.in e-mail: npceb2@yahoo.com

	64	Railway Stations (Waste Water Generation < 10 KLD)	Green	<ul style="list-style-type: none"> i. On small railway stations, waste water generation mainly from public taps and toilets. Scores are normalized. ii. Small railway stations normally may not have boilers or any other prominent stationary air emission sources.
2	63	Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation)		<ul style="list-style-type: none"> i. Sand / riverbed material mining from riverbed and its floodplains may cause ecological disturbances, erosion of riverbed, change in hydro-geological conditions & river ecosystem, etc. ii. Cluster mining means that the distance of mining lease area is less than 500 m from periphery of another lease area. iii. This categorization is made considering the ecological damages and not based on pollution potential/index
		(i) Mining lease area more than 5 hectares or Mining lease area up to 5 hectares which is part of cluster mining	Red	
		(ii) Standalone mining leased area up to five hectares in areas (not a part of any cluster mining)	Orange	
3	21	Building and Construction Project more than 20,000 sq.m built up area	Orange	



NAGALAND POLLUTION CONTROL BOARD

Signal Point, Dimapur – 797112, Nagaland
 Tel.: 03862-245727, TeleFax: 03862-245726
 Website: www.npcb.nagaland.gov.in e-mail: npqb2@yahoo.com

4		Construction and Demolition (C&D) Waste Processing Plants	Orange	
5		Gold Assaying & Hallmarking Centres	Orange	

Member Secretary
 Nagaland pollution Control Board

2120

No.4507/DSTE/PPCC/SCI/SAND/ CIRC/2023/ 10 S1
DEPARTMENT OF SCIENCE, TECHNOLOGY & ENVIRONMENT
PUDUCHERRY POLLUTION CONTROL COMMITTEE
III FLOOR, PHB BUILDING, ANNA NAGAR, PUDUCHERRY- 605 005.
Phone : (0413) 2201256 ; Telefax : (0413) 2203494

Puducherry, the 08 NOV 2023

To

Ajay Aggarwal
Director & Div. Head IPC-VI,
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar,
Delhi - 110 032.

Sir,

Sub: PPCC - Sand / River bed material Mining Activities - Harmonization of classification of Industrial Sectors - Action Taken Report - Reg

Ref: (i) Hon'ble NGT order in O.A No.176/2022 I.A No.39/2023, IA No.40/2023 Aman Chaudhary vs Union of India & Ors dated 17.10.2023.

(ii) CPCB communication dated 22.09.2023 and 27.10.2023.

With reference to the above-mentioned subject, it is informed that Puducherry Pollution Control Committee (PPCC) has issued necessary circular on 2.11.2023 and adopted the CPCB Harmonization of Classification of Industrial Sectors - Sand / River bed material Mining activities dated 22.09.23 in U.T of Puducherry. PPCC has also issued necessary communication to all the Concerned Departments dealing with the subject matter in U.T of Puducherry to comply with the Hon'ble NGT order dated 17.10.2023 to ensure that there shall be **No river sand mining / Riverbed material mining from riverbed and its flood plains (Excluding manual excavation) will be allowed to continue to operate in U.T of Puducherry without obtaining consents from PPCC.**

This is for your kind information.

Yours sincerely,

N. Ramesh

(Dr. N. RAMESH)
MEMBER SECRETARY
PPCC

Copy to:

1. Smt. H D Varalaxmi,
Scientist 'E' & Incharge,
Regional Directorate Chennai,
Central Pollution Control Board,
No. 77-A, Padi, Ambattur Industrial Estate,
Chennai - 600058.

For Information,

Sh. Dixit

Arjun
16/11/23

2. The Standing Guard file.



2121

ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD

Dated.

No. SEE(HQ-2)/F no. 10/2023/.....

To

The Environmental Engineer,
Punjab Pollution Control Board,
Regional Office, Patiala/Ludhiana-1/2/3/4/Batala/ Sangrur/
Jalandhar-1/2/Amritsar/Hoshiarpur/ SAS Nagar/
Roopnagar/Bathinda/Faridkot/Fatehgarh Sahib/ HQ-1/2/3.

Subject: Harmonization of Classification of Industrial Sectors into Red, Orange, Green and White Categories-reg.

Ref: CPCB letter no. CPCB/IPC-IV/ROGW dated 05.09.2023 and 22.09.2023.

The Board vide order no. SEE(HQ-2)/F-10(Vol.II)/458 dated 29.09.2016 has issued the list of Red/Orange/Green/White category of industries, which is being updated from time to time by including new categories or modifying the existing categories either on the representations from Regional offices or directions from CPCB.

Now, CPCB vide letter no. CPCB/IPC-IV/ROGW dated 05.09.2023 and 22.09.2023 has categorized 'Semiconductor Manufacturing Industries' and 'Sand/river bed material mining from river bed and its floodplains (excluding manual excavation)'. The copies of the letters dated 05.09.2023 and 22.09.2023 are attached herewith.

'Semiconductor Manufacturing Industry' is not in the existing list of categorization of PPCB, however, mining activities has been included under Red & Orange Category at Type Code – 1088 & 2090, respectively. As such, the following modifications/additions are made in the list of industries earlier categorized by Board under Red/Orange/Green/White category.

Sr. No.	Type code	Industrial Sector - Type	Category	Remarks
Semiconductor Manufacturing Industry				
97	1097	i. Semiconductor fabs Manufacturing ii. Display fabs manufacturing iii. Compound semiconductors/Silicon photonics/ Sensor fabs manufacturing	Red	New addition
121	2121	Semiconductor Assembly, Testing, Marking and Packaging Facility (ATMP)	Orange	New addition

Contd.....

ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ-147001
Vatavaran Bhawan, Nabha Road, Patiala -147001
Phone : Chairman : 0175-2215793, Member Secretary : 0175-2215802 (O)
Website : www.ppcb.gov.in | E-Mail : chairmanppcb@yahoo.in | msppcb@gmail.com |



Sr. No.	Type code	Non Industrial operations	Category	Remarks
Sand/river bed material mining from river bed and its floodplains (excluding manual excavation)				
88	1088	Mining lease area more than 5 hectares or Mining lease area up to 5 hectares which is part of cluster mining.	Red	Modified existing categorization. i Sand/riverbed material mining from riverbed and its floodplains may cause ecological disturbances, erosion of riverbed, change in hydro-geological conditions & river ecosystem, etc.
90	2090	Standalone mining lease area up to five hectares in areas (not a part of any cluster mining)	Orange	ii Cluster mining means that the distance of mining lease area is less than 500 m from periphery of another lease area. iii This categorization is made considering the ecological damages and not based on pollution potential/index.

This is for your information and compliance.

DA/as above

Endst. No. SEE(HQ-2)/2023/.....²⁸¹⁷⁹

^{-sd-}
Member Secretary

Dated^{09/11/23}

A copy of the above is forwarded to the Member Secretary, Central Pollution Control Board, Parivesh Bhawan, Delhi to construed it as action taken report with reference to letter no. CPCB/IPC-VI/ROGW/5603 dated 27.10.2023, please.

Endst. No. SEE(HQ-2)/2023.....

^{JK}
Member Secretary

Dated:.....^h

A copy of the above is forwarded to the following for information and necessary action:

1. The Chief Environmental Engineer, Punjab Pollution Control Board, PBIP/HQ, Patiala, Bathinda, Jalandhar and Ludhiana.
2. The Senior Environmental Engineer, Punjab Pollution Control Board, HQ-1/2/3, Zonal Office - Jalandhar, Amritsar, Bathinda, Ludhiana 1/2 and Patiala 1/2.
3. The Environmental Engineer, Computer Section, Punjab Pollution Control Board, Patiala with a request to upload the communication on website of the Board and make necessary modification in OCMMS.
4. The Administrative Officer/Senior Law Officer/Deputy Controller (F&A), Punjab Pollution Control Board, Patiala.
5. The Scientific Officer (Air/Water), PPCB, Head Office, Patiala, Ludhiana and Jalandhar.
6. PS to Chairman/ PA to Member Secretary, Punjab Pollution Control Board, Patiala.

DA/as above

^{-sd-}
Member Secretary



138928/4.12.23/IPC-VI
2123
उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
UTTAR PRADESH POLLUTION CONTROL BOARD

संदर्भ सं०
Ref. No

H/3265

सी=2/साप्रान्व=348/23

दिनांक
Date

24/11/23

सेवा में,

श्री अजय अग्रवाल,
Director & Div. Head, IPC-VI,
केन्द्रीय प्रदूषण नियंत्रण बोर्ड,
परिवेश भवन, पूर्वी अर्जुन नगर,
दिल्ली-110032

विषय:—Harmonization of Classification of Industrial Sectors into Red, Orange, Green and White Categories-regarding sand/river bed material mining activities.

महोदय,

कृपया उपरोक्त विषयक अपने पत्र संख्या CPCB/IPC-VI/ROGW(5583-9626 दिनांक 27.10.2023 का संदर्भ ग्रहण करने का कष्ट करें। उक्त के संबंध में अवगत कराना है कि केन्द्रीय प्रदूषण नियंत्रण बोर्ड, दिल्ली के पत्र दिनांक 22.09.2023 द्वारा दिये गये निर्देशों/सुझावों एवं खनन इकाईयों हेतु सरलीकृत व्यवस्था को बढ़ावा दिये जाने के उद्देश्य से राज्य बोर्ड के कार्यालय आदेश दिनांक 03.11.2023 (छायाप्रति संलग्न) द्वारा केन्द्रीय प्रदूषण नियंत्रण बोर्ड के पत्र दिनांक 22.09.2023 में उल्लिखित Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation) को 5.0 हेक्टेयर क्षेत्रफल से अधिक खनन परियोजना को लाल श्रेणी एवं 5.0 हेक्टेयर क्षेत्रफल तक खनन परियोजना को नारंगी श्रेणी में अंगीकृत किया गया है।

सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

संलग्नक—यथोपरि।

भवदीय

A

(अजय कुमार शर्मा)
सदस्य सचिव



SE (A-11)

5/11/23

टी.सी. - 12 वी, विभूति खण्ड, गोमती नगर,
लखनऊ - 226 010
दूरभाष : 0522-2720828, 2720831
फैक्स : 0522-2720764, 2720676
ई-मेल : info@uppcb.in
वेबसाइट : www.uppcb.com

T.C.-12 V, Vibhuti Khand, Gomti Nagar,
Lucknow - 226 010
Phone : 0522-2720828, 2720831
Fax : 0522-2720764, 2720676
E-mail : info@uppcb.in
Website : www.uppcb.com



Hon'ble NGT Matter

Reminder

CPCB/IPC-VI/ROGW (5583-5626)

Date: 27.10.2023

To,

The Member Secretary
SPCBs/PCCs
(as per the list)

Sub: Harmonization of Classification of industrial Sectors into Red, Orange, Green and White Categories- regarding sand/river bed material mining activities.

Sir,

This has reference to the CPCB letter no. CPCB /IPC-IV/ROGW, dated 22.09.2023, on the above-mentioned subject, wherein SPCBs/PCCs were directed to adopt & implement the categorization of 'Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation)' and submit Action Taken Report (ATR). However, the ATR is still awaited.

The Hon'ble NGT vide order dated 17.10.2023 in the matter of OA No. 176/2022, titled as 'Aman Chaudhary v/s Union of India & Ors.', directed CPCB as follows:

"CPCB is directed to compile information on the basis of action taken reports received from the SPCBs/PCCs in response to its letter dated 22.09.2023 and file complied status report with one month."

As the status report is required to be filed by 17.11.2023, it is requested again, to submit the ATR regarding adoption & implementation of categorization of 'Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation)' to this office, immediately. The information may also be forwarded through email to ipc6.cpcb@gov.in

Yours faithfully,

(Ajay Aggarwal)

Director & Div. Head, IPC-VI

Copy to:

The Regional Directors,
CPCB
(as per the list)

: With the request to follow-up and ensure timely submission of information

'परिवेश भवन' पर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड,
टी0सी0-12वी, विभूति खण्ड गोमती नगर,
लखनऊ

पत्रांक :- 1102653/सा.प्र.प. - 348/23
कार्यालय ज्ञाप

दिनांक : 03-11-23

एतद्वारा केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 तथा वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 की धारा 18 (1)(b) के अंतर्गत सभी औद्योगिक इकाईयां, लाल श्रेणी, नारंगी श्रेणी, हरी श्रेणी एवं सफेद श्रेणी में विभाजित करने हेतु दिनांक 07.03.2016 को आदेश पारित किये गये थे, जिसके अनुपालन में श्रेणीवार व्यवस्था को बोर्ड द्वारा दिनांक 29.03.2016 को सम्पन्न बोर्ड की 96वीं बैठक में अंगीकृत करने हेतु अनुमोदनोपरान्त राज्य बोर्ड के कार्यालय ज्ञाप आदेश दिनांक 18.04.2016 द्वारा अनुपालनार्थ आदेशित किया गया है ।

माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली में-योजित ओ0ए0 संख्या-176/2022 अमन चौधरी बनाम यूनियन ऑफ इण्डिया व अन्य में पारित आदेश दिनांक 30.05.2023 के अनुपालन में भारत सरकार के पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय द्वारा दाखिल शपथ-पत्र के साथ संलग्न केन्द्रीय प्रदूषण नियंत्रण बोर्ड, दिल्ली के पत्र दिनांक 22.09.2023 के द्वारा निम्न निर्देश दिये गये हैं :-

Categorization of sand/riverbed material mining from riverbed and its floodplains (Excluding manual excavation)

Sl. No.	Sl. No. (as per CPCB document)	Non-industrial operations	Category	Remarks
1	63	Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation)		i. Sand/riverbed material mining from riverbed and its floodplains may cause ecological disturbances, erosion of riverbed, change in hydro-geological conditions & river ecosystem, etc.
		(i) Mining lease area more than 5 hectares or Mining lease area up to 5 hectares which is part of cluster mining	Red	ii. Cluster mining means that the distance of mining lease area is less than 500 m from periphery of another lease area.
		(ii) Standalone mining lease area up to 5 hectares in areas (not a part of any cluster mining)	Orange	iii. This categorization is made considering the ecological damages and not based on pollution potential/index.

केन्द्रीय प्रदूषण नियंत्रण बोर्ड के पत्र दिनांक 22.09.2023 द्वारा Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation) को उपरोक्तानुसार तालिका में वर्णित 5.0 हेक्टेयर क्षेत्रफल से अधिक खनन परियोजना को लाल श्रेणी एवं 5.0 हेक्टेयर क्षेत्रफल तक खनन परियोजना को नारंगी श्रेणी में अंगीकृत किया जाता है ।

उपरोक्त आदेश तत्काल प्रभाव से लागू होंगे ।

(अजय कुमार शर्मा)
सदस्य सचिव

पृ0सं0 एवं दिनांक - उपरोक्तानुसार ।

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

1. अध्यक्ष महोदय, उ0प्र0 प्रदूषण नियंत्रण बोर्ड के निजी सहायक को सूचनार्थ प्रेषित ।
2. समस्त मुख्य पर्यावरण अधिकारी/वृत्त प्रभारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, लखनऊ ।
3. समस्त क्षेत्रीय अधिकारी/क्षेत्रीय अधिकारी (प्रभारी), उ0प्र0 प्रदूषण नियंत्रण बोर्ड ।
4. वेब मास्टर, उ0प्र0 प्रदूषण नियंत्रण बोर्ड को विभाग की वेबसाइट पर प्रदर्शित करने हेतु ।
5. गार्ड फाईल ।

सदस्य सचिव



HEAD OFFICE
Uttarakhand Pollution Control Board
"Gauradevi Paryavaran Bhawan"
46B, IT Park, Sahastradhara Road, Dehradun
E-mail : msukpcb@yahoo.com, Phone No.-0135-2607092

Ref.: UKPCB/HO/Gen-257(II)/2023/927,

Date: 10.10.2023

OFFICE ORDER

In continuation of directions issued by the Central Pollution Control Board (CPCB) dated 07.03.2016 under section 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 regarding harmonization of classification of industrial sectors under Red/Orange/Green and White categories, following new industrial sectors have been categorized by CPCB vide letters ref. No. CPCB/IPC-IV/ROGW dated 05.09.2023 (Copy enclosed) and CPCB/IPC-IV/ROGW dated 22.09.2023 (Copy enclosed) and directed to implement the same.

S. N.	Sr. No. as per CPCB document	Industrial Sector	Category	Remarks
1.	62	Semiconductor manufacturing industries – Semiconductor fabs manufacturing.	Red	Toxic wastewater is generated due to presence of hydrofluoric acid (HF), mixed Nitric HF (HF +HNO ₃), Phosphoric Acid, Sulphuric acid (H ₂ SO ₄), Hydrogen Peroxide, Isopropyl alcohol (IPA/Methanol (Methanol; only), Stripper EKC-265 / ACT N396 (ACT N396 only), BHF-63 U, Choline etchant, etc.
2.		Semiconductor manufacturing industries – Display fabs manufacturing.	Red	
3.		Semiconductor manufacturing industries – Compound Semiconductors/ Silicon photonics/ Sensor fabs manufacturing.	Red	
4.		Semiconductor manufacturing industries – Semiconductor Assembly, Testing, Marking and Packaging Facility (ATMP)	Orange	Score are normalized to 100 based on the contribution from air pollution (fugitive emission) and hazardous waste generation.
5.	63	Sand / Riverbed material mining from riverbed and its floodplains (excluding manual excavation) - Mining lease area more than five	Red	i) Sand / riverbed material mining from riverbed and its flood plains may cause ecological disturbances, erosion of riverbed, change in hydro-geological

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	hectares or Mining lease area up to five hectares which is part of cluster mining.		conditions and river ecosystem, etc. ii) Cluster mining means that the distances of mining lease area less than 500 Meter from periphery of another lease area. iii) The Categorization is made considering the ecological damages and not based on pollution potential / index.
6.	Sand / Riverbed material mining from riverbed and its floodplains (excluding manual excavation) – Standalone mining lease area up to five hectares in areas (not a part of any cluster mining).	Orange	<i>Note: Cluster mining as defined in "Enforcement & Monitoring Guidelines for Sand Mining, 2020", issued by MoEF&CC.</i>

In view of above, all application for Consent to Establish (CTE) and Consolidated Consent & Authorization (CCA) of aforesaid sectors shall be processed as per above categorization. This has immediate effect.

End: As Above

(S.K. Pattnaik)

Member Secretary

o/c B

Letter No.: UKPCB/HO/Gen-257(II)/2023/Date: As above.

Copy to: Followings for kind information and necessary action please.

1. Member Secretary, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Shahdara, Delhi – 110032 for kind information please.
2. Managing Director, Uttarakhand Forest Development Corporation, Aranya Vikas Bhawan, 73-Nehru Road, Dalanwala, Dehradun.
3. Managing Director, Garhwal Mandal Vikas Nigam Ltd., 74/1, Rajpur Road, Dehradun.
4. Managing Director, Kumaon Mandal Vikas Nigam Ltd., Oak House, Mallital, Nainital.
5. Director, Industrial Development, Patel Nagar Industrial Area, Patel Nagar, Dehradun.
6. Director, Geology & Mining, Uttarakhand, Bhopalpani, Thano Road, Dehradun.
7. Chief Environment Officer, UKPCB, Dehradun.
8. Authorization & Registration Cell / Consent Management Cell-1/ Consent Management Cell-2/ Compliance & Monitoring Cell, UKPCB, Dehradun.
9. Regional Officer, UKPCB, Regional Office, Dehradun/Roorkee/Kashipur/Haldwani.
10. Industries Association, Uttarakhand (through WhatsApp Message).
11. Shri Nikhil Ranghar, IT Cell, UKPCB, Dehradun for updating of above categorization in OCMMS modules and report compliance.
12. Guard File.

Member Secretary

o/c B



Tripura State Pollution Control Board
(A Statutory Organization Under Government of Tripura)
Department of Science, Technology & Environment



LIFE
Lifestyle for
Environment



November 15, 2023

No.F.18(28)/TSPCB/ 7086-88

To
Shri Ajay Aggarwal
The Director & Div. Head IPC-VI
Central Pollution Control Board
MOEF & CC, Govt. of India.
Parivesh Bhawan, East Arjun Nagar, Delhi-110032.

Sub. : Harmonization of Classification of Industrial Sectors into Red, Orange, Green and White Categories-regarding sand/river bed material mining activities.
Ref: CPCB Letter No.CPCB/IPC-VI/ROGW/ 5583-5626, dated 27-10-2023

Sir,

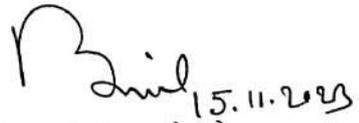
This has reference to your letter Vide CPCB Letter No.CPCB/IPC-VI/ROGW/ 5583-5626, dated 27-10-2023 on the subject cited above. In this connection, I would like to inform you that, as per the Notification No.F.17(33)/TSPCB/2020/11514-27 dated 16.09.2020 issued by the TSPCB, mining of all types of Minerals and Ore beneficiation irrespective of lease area/Cluster mining, has been included in the revised categorization of industries/processes/operations /activities under the Red Category. In addition, 10 industrial sectors as mentioned in the CPCB letter No. CP CB/IPC-IV/ROGW dated 22.09.2023, has also been incorporated in the list of categorization of industries/processes/activities by the TSPCB. Copies of the said Notifications issued by the TSPCB time to time is enclosed herewith for ready reference.

However, the process of inclusion of (i) Minimum lease area more than 5 hectares or Mining lease area up to 5 hectares which is part of cluster mining and (ii) Standalone mining lease area up to five hectares in areas (not a part of any cluster mining) under the Red and Orange Category respectively as per the CPCB guidelines, is under process

This is for your kind information and necessary action.

Enclosed: As stated

Yours sincerely,


(Dr. Bishu Karmakar)
Member Secretary

Copy to:

- PA to the Principal Secretary to the Govt of Tripura, Science, Technology & Environment Department for kind information of the Principal Secretary.
- The Director, Science, Technology & Environment, Govt of Tripura for kind information.

 Address:

PARIVESH BHAWAN
Pandit Nehru Complex, Gorkhabasti
PO. Kunjaban, Agartala, Tripura(West)
Pin: 799006

 Website:

www.tspcb.tripura.gov.in/ trpensis.nic.in

 Email:

tripuraspcb@gmail.com / hoospcb-tr@gov.in

 Contact:

Chairman : 0381 - 2322462
Member Secretary : 0381 - 2325421
Head of Office : 0381 - 2322455
OCMMS Help Desk : 0381 - 2328792



2129

**REVISED CATEGORISATION OF
INDUSTRIES/ PROCESSES/ OPERATIONS/ ACTIVITIES
(As per Direction of Central Pollution Control Board)**

**Requiring Consent to Establish & Consent to Operate of
TRIPURA STATE POLLUTION CONTROL BOARD
UNDER**

**The Water (Prevention & Control of Pollution) Act, 1974
The Air (Prevention & Control of Pollution) Act, 1981**



September, 2020



TRIPURA STATE POLLUTION CONTROL BOARD

(A Govt. of Tripura Organisation)

No.F.17(33)/TSPCB/2020/ 11514-27

September 16, 2020

NOTIFICATION

In exercise of power conferred under Section 17(1)(a) of the Water (Prevention and Control of Pollution) Act, 1974 and Section 17(1)(a) of the Air (Prevention and Control of Pollution) Act, 198 and pursuant to the decision of General Body of the Tripura State Pollution Control Board taken in its 42nd Board Meeting held on 11/09/2020, the Tripura State Pollution Control Board is pleased to notify the Revised List of Industries/ Processes/ Operation/ Activities under the Red, Orange, Green and White Categories including the exempted category of Industries/units as a comprehensive programme for the prevention, control or abatement of water pollution and air pollution in the Tripura State and to secure execution thereof (enclosed as Annexure-I, II & III).

This issues in supersession to earlier Notification No.F.17(33)/TSPCB/2016/4933-45 dated July 02, 2019 and in compliance with the various directions of the Central Pollution Control Board issued under Section 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 and Section 18(1)(b) of the Air (Prevention and Control of Pollution) Act, 1981.

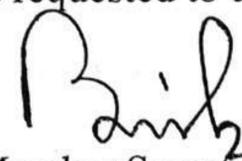
This Notification is effective from the date of issue and shall remain in force until further Notification.


16.9.2020
(Bishu Karmakar)
Member Secretary

Tripura State Pollution Control Board

Copy to:-

1. The Special Secretary to the Chief Minister, Govt. of Tripura.
2. PS to the Deputy Chief Minister, Govt. of Tripura.
3. The Chief Secretary, Govt. of Tripura.
4. The Chairman, Tripura State Pollution Control Board.
5. The Member Secretary, Central Pollution Control Board.
6. The Secretary, Department of Science, Technology & Environment, Govt. of Tripura.
7. The Director, Department of Industries and Commerce, Govt. of Tripura.
8. The Director, Health and Family Welfare Department, Govt. of Tripura.
9. The Director, Department of Science, Technology & Environment, Govt. of Tripura.
10. The Managing Director, Tripura Industrial Development Corporation Limited.
11. The Head of Office, Tripura State Pollution Control Board.
12. Central/ North/ South Zonal Office & Laboratory, TSPCB.
13. Consent Management Division/ Waste Management Division, TSPCB, Agartala.
14. Sri. Prakash Paul, Jr. Environmental Engineer, TSPCB. He is requested to upload the said Notification in the Official Website of the TSPCB.


16.9.2020
Member Secretary

Tripura State Pollution Control Board

**THE REVISED CATEGORIZATION OF INDUSTRIES/ PROCESSES/
OPERATIONS/ ACTIVITIES UNDER THE RED, ORANGE, GREEN AND WHITE**

I. LIST OF INDUSTRIES UNDER RED CATEGORY

1. Aerial ropeways.
2. Airports and Commercial Air Strips.
3. Alum Mfg. Unit.
4. Aluminium Smelter.
5. Asbestos and asbestos based industries.
6. Automobile Manufacturing (integrated facilities).
7. Bamboo & Cane Products (with boiler) (Capital Investment > Rs. 1 Crore).
8. Basic chemicals and electro chemicals and its derivatives including manufacturing of acid.
9. Cement plant.
10. Chemical fertilizer.
11. Chlor Alkali.
12. Chlorates, per-chlorates & peroxides.
13. Chlorine, fluorine, bromine, iodine and their compounds.
14. Coal tar processing.
15. Coke making, liquefaction, coal tar distillation or fuel gas making.
16. Coke oven plants.
17. Common Bio-Medical Waste Treatment Facilities.
18. Common Effluent Treatment Plants (CETPs).
19. Common hazardous waste treatment, storage and disposal facilities (TSDFs).
20. Common Municipal Solid Waste Management Facility (CMSWMF).
21. Common Treatment & Disposal facilities (Effluent Conveyance Project, Incinerator, MSW Sanitary Land Fill Site)#
22. Copper Smelter.
23. DG Set of capacity > 5 MVA.
24. Distillery (molasses / grain / yeast based).
25. Dyes and Dye- Intermediates.
26. Fertilizer (basic) (excluding formulation).
27. Fibre glass production and processing (excluding moulding).
28. Fire crackers manufacturing and bulk storage facilities.
29. Health-care Establishment (as defined in BMW Rules).
30. Hotels having overall wastewater generation @ 100 KLD and more.
31. Incineration plants.



32. Industries engaged in Recycling / Reprocessing/ Recovery/Reuse of the following Hazardous Wastes as listed under the Schedule-IV of Hazardous & Other Wastes (Management & Transboundary Movement) Rules, 2016
- (a) Used Lead acid battery plates and other leads scrap/ashes/residues not covered under Batteries (Management and Handling) Rules, 2001. [* Battery scrap, namely: Lead battery plates covered by ISRI, Code word "Rails" Battery lugs covered by ISRI, Code word "Rakes ". Scrap drained/dry while intact, lead batteries covered by ISRI, Code word "rains".
- (b) Components of waste electrical and electronic assemblies comprising accumulators and other batteries included in Part-A of Schedule-III, mercury switches, activated glass cullets from cathode-ray tubes and other activated glass and PCB-capacitors, or any other component contaminated with Schedule-II constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they exhibit hazard characteristics indicated in Part-C of this Schedule-II
- (c) Spent cleared metal catalyst containing copper, Spent cleared metal catalyst containing zinc.
- (d) Spent catalyst containing nickel, cadmium, Zinc, copper, arsenic, vanadium and cobalt.
33. Industrial carbon including electrodes and graphite blocks, activated carbon, carbon black.
34. Industrial Estate/Parks/Complexes/Areas/Export Processing Zone/Special Economic Zone/Biotech Park/Food Parks etc.
35. Industry or process involving metal surface treatment or process such as pickling/electroplating/paint stripping/ heat treatment using cyanide bath/phosphating or finishing and anodizing/enamellings/ galvanizing.
36. Integrated paint blending.
37. Iron & Steel (involving processing from ore/ integrated steel plants) and or Sponge Iron units.
38. Irrigation project.
39. Isolated storage & handling of hazardous chemicals (As per threshold planning quantity indicated in column 3 of Schedule-2 & Schedule-3 of the Manufacture, Storage and Import of Hazardous Chemical Rules 1989, as amended time to time).
40. Isolated storage of hazardous chemicals (as per schedule of manufacturing, storage of hazardous chemicals rules, 1989 as amended).
41. Latex Processing/Centrifuging unit. (Capital Investment > Rs. 1 Crore).
42. Lead acid battery manufacturing (excluding assembling and charging of lead acid battery in micro scale).
43. LPG Bottling unit.
44. Manmade fibers manufacturing.
45. Manufacturing of explosives, detonators, fuses including management and handling activities.



46. Manufacturing of glue and gelatin.
47. Manufacturing of lubricating oils, grease and petroleum based products.
48. Manufacturing of paints varnishes, pigments and intermediate (excluding blending/mixing).
49. Metallurgical industries (ferrous & non ferrous).
50. Milk processes and dairy products (integrated project).
51. Mineral beneficiation.
52. Mining of minerals and ore beneficiation.
53. Nuclear power plant.
54. Oil and gas extraction including CBM (offshore & on-shore extraction through drilling wells).
55. Oil Refinery (mineral Oil or Petro Refineries).
56. Organic Chemicals manufacturing.
57. Pesticides (technical) (excluding formulation).
58. Pesticides industry and pesticide specific intermediates (excluding formulations).
59. Petro-chemical complexes (industries based on processing of petroleum fractions & natural gas and/or reforming to aromatics).
60. Petrochemical products and petrochemical based processing such as production of carbon black and electrode grade graphite (processes other than cracking & reformation and not covered under the complexes).
61. Petrochemicals Manufacturing (including processing of Emulsions of oil and water).
62. Petroleum refining industry.
63. Pharmaceuticals.
64. Phosphate rock processing plant.
65. Phosphorous and its compounds.
66. Photographic film and its chemicals.
67. Ports and harbour, jetties and dredging operations.
68. Power generation plant [except Wind and Solar renewable power plants of all capacities and Mini Hydel power plant of capacity <25MW].
69. Processes involving chlorinated hydrocarbons.
70. Pulp & Paper (Large-Agro + wood), Small Pulp & Paper (agro based-wheat straw/rice husk).
71. Pulp & Paper (waste paper based units with bleaching process to manufacture writing & printing paper).
72. Pulp & Paper (waste paper based without bleaching process to manufacture Kraft paper).
73. Railway locomotive work shop/ Integrated road transport workshop/ Authorized service centers.
74. Railway Stations (Waste Water Generation \geq 100 KLD)
75. River valley project.
76. Sewage Treatment Plant.

77. Ship Breaking Industries.
78. Slaughter house (as per notification S.O.270(E)dated 26.03.2001)and meat processing industries, bone mill, processing of animal horn, hoofs and other body parts.
79. Slurry pipelines (coal, lignite and other ores) passing through national parks / sanctuaries / coral reefs, ecologically sensitive areas.
80. Soda ash industry.
81. Sugar (excluding Khandsari).
82. Synthetic fibers including rayon, tyre cord, polyester filament yarn.
83. Synthetic organic chemicals industry (dyes & dye intermediates; bulk drugs and intermediates excluding drug formulations; synthetic rubbers; basic organic chemicals, other synthetic organic chemicals and chemical intermediates).
84. Tanneries (Skin/hide processing).
85. Thermal Power Plants.
86. Townships and Area Development projects.
87. Yarn/Textile processing involving any effluent/emission generating processes including bleaching, dyeing, printing and colouring.
88. Zinc Smelter.
89. Any other Industries/ Processes/ Operations/ activities, having pollution index of 60 and above

II. LIST OF INDUSTRIES UNDER ORANGE CATEGORY

1. Alcohol based formulations, products and bottling/ packaging.
2. Almirah, Grill Manufacturing (Dry Mechanical Process).
3. Aluminium & copper extraction from scrap using oil fired furnace (dry process only).
4. Aluminium utensils from scrap.
5. Automobile servicing, repairing and painting (excluding only fuel dispensing).
6. Ayurvedic and homeopathic medicine.
7. Bakery and confectionery units with production capacity > 1 TPD. (With ovens / furnaces).
8. Brick Crushing Units (Stationary or mobile).
9. Brickfields (excluding fly ash brick manufacturing using lime process).
10. Building and construction project more than 20,000 sq. m built up area
11. Cashew nut processing.
12. Ceramics and Refractories.
13. Chanachur and Laddoo from puffed and beaten rice (muri and chira) using husk fired/ diesel fired oven. (capital investment more than 5 lakh)
14. Coal washeries.
15. Coated electrode manufacturing.



16. Coffee seed processing.
17. Compact disc computer floppy and cassette manufacturing/Reel manufacturing.
18. Compressed / refined Bio Gas production from Bio-degradable wastes.
19. Cotton spinning and weaving (medium and large scale).
20. Dairy Farm and dairy products (small scale).
21. DG set of capacity >1MVA but < 5MVA.
22. Dismantling of rolling stocks (wagons/ coaches).
23. Dry cell battery (excluding manufacturing of electrodes) and assembling & charging of acid lead battery on micro scale.
24. Dry coal processing, mineral processing, industries involving ore sintering, pelletising, grinding & pulverization.
25. Dry Fish Processing & Godown.
26. Fermentation industry including manufacture of yeast, beer, distillation of alcohol (Extra Neutral Alcohol).
27. Ferrous and Non- ferrous metal extraction involving different furnaces through melting, refining, re-processing, casting and alloy making.
28. Fertilizer (granulation/formulation/blending only).
29. Fish feed, poultry feed and cattle feed.
30. Fish processing and packing (excluding chilling of fishes).
31. Flaked Rice.
32. Flakes from rejected PET bottle.
33. Foam manufacturing.
34. Food and food processing including fruits and vegetable processing.
35. Forging of ferrous and non- ferrous metals (using oil and gas fired furnaces).
36. Formulation/pelletization of camphor tablets, naphthalene balls from camphor/ naphthalene powders.
37. Glass ceramics, earthen potteries and tile manufacturing using oil and gas fired kilns, coating on glasses using cerium fluorides and magnesium fluoride etc.
38. Gravure printing, digital printing on flex, vinyl.
39. Heat treatment using oil fired furnace (without cyaniding).
40. Hot mix plants.
41. Hotels (< 3 star) or hotels having > 20 rooms and less than 100 rooms.
42. Housing Complex (Irrespective of built up area).
43. Ice cream.
44. Industries engaged in Recycling / Reprocessing/ Recovery/Reuse of the following Hazardous Wastes as listed under the Schedule-IV of Hazardous & Other Wastes (Management & Transboundary Movement) Rules, 2016
 - (a) Paint and ink Sludge/residues.
 - (b) Brass Dross
 - (c) Copper Dross
 - (d) Copper Oxide Mill Scale



- (e) Waste Copper and copper alloys in dispersible form
 - (f) Copper Reverts, Cake & Residues
 - (g) Slags from copper processing for further processing or refining.
 - (h) Insulated Copper Wire, Scrap/copper with PVC sheathing including ISRI-code material namely "Druid"
 - (i) Jelly filled Copper cables
 - (j) Zinc Dross-Hot dip Galvanizers SLAB
 - (k) Zinc Dross-Bottom Dross
 - (l) Zinc ash/Skimming arising from galvanizing and die casting operations
 - (m) Zinc ash/Skimming/other zinc bearing wastes arising from smelting and refining.
 - (n) Zinc ash and residues including zinc alloy residues in dispersible form.
 - (o) Used Oil & Waste Oil - As per specifications prescribed from time to time.
45. Industry or processes involving foundry operations.
 46. Jute processing without dyeing.
 47. Latex Processing / Centrifuging unit. (Capital Investment < Rs. 1 Crore).
 48. Lime manufacturing (using lime kiln).
 49. Liquid floor cleaner, black phenyl, liquid soap, glycerol mono - stearate manufacturing.
 50. LPG/CNG Cylinder Testing.
 51. Machinery manufacturing/assembling unit (With spray painting).
 52. Manufacturing of glass.
 53. Manufacturing of iodized salt from crude/ raw salt.
 54. Manufacturing of mirror from sheet glass.
 55. Manufacturing of mosquito repellent coil.
 56. Manufacturing of silica gel.
 57. Manufacturing of Starch/Sago.
 58. Manufacturing of tooth powder, toothpaste, talcum powder and other cosmetic items.
 59. Mechanized laundry using oil fired boiler.
 60. Modular wooden furniture from particle board, MDF< swan timber etc, Ceiling tiles/ partition board from saw dust, wood chips etc., and other agricultural waste using synthetic adhesive resin, wooden box making (With boiler).
 61. New highway construction project.
 62. Non-alcoholic beverages (soft drink)/ non alcoholic products.
 63. Paint blending and mixing (Ball mill).
 64. Paints and varnishes (mixing and blending).
 65. Parboiled Rice Mills.
 66. Pharmaceutical formulation and for R & D purpose (For sustained release/extended release of drugs only and not for commercial purpose).
 67. Ply-board manufacturing (including Veneer and laminate) with oil fired boiler/ thermic fluid heater (without resin plant).
 68. Potable alcohol (IMFL) by blending, bottling of alcohol products.



69. Printing ink manufacturing.
70. Printing or etching of glass sheet using hydrofluoric acid.
71. Printing press.
72. Producer gas plant using conventional up drift coal gasification (linked to rolling mills glass and ceramic industry refectories for dedicated fuel supply).
73. Railway Stations (Waste Water Generation \geq 10 KLD but $<$ 100 KLD)
74. Reprocessing of waste plastic including PVC.
75. Restaurant (Capital Investment $>$ Rs. 30 Lakhs).
76. Rolling mill (oil or coal fired) and cold rolling mill.
77. Scrapping Centers (for End of Life of Vehicles and other scraps such as plant and machineries, structural material, railway coaches and wagons etc.)
 - a) Collection, De-pollution, Dismantling Centers and Shredding Centers
 - b) Collection, De-pollution, Dismantling Centers
 - c) Shredding Centers (can include white goods*** /other scraps also)
78. Silk screen printing, sari printing by wooden blocks.
79. Spray painting, paint baking, paint shipping.
80. Steel and steel products using various furnaces like blast furnace/open hearth furnace/induction furnace/arc furnace/submerged arc furnace /basic oxygen furnace /hot rolling reheated furnace.
81. Steel utensils from scrap.
82. Stone crushers.
83. Surgical and medical products including prophylactics and latex.
84. Synthetic detergents and Soaps (excluding formulation).
85. Synthetic resins.
86. Synthetic rubber excluding molding.
87. Tephlon based products.
88. Thermometer manufacturing.
89. Thermocol manufacturing with boiler
90. Tobacco products including cigarettes and tobacco/opium processes.
91. Transformer repairing/ manufacturing (dry process only).
92. Tyres and tubes vulcanization/ hot retreating.
93. Vegetable oil manufacturing including solvent extraction and refinery /hydrogenated oils.
94. Wire drawing and wire netting.
95. Any other Industries / Processes / Operations / activities, which score of pollution index between 40 to 59, be categorized as Orange.



III. LIST OF INDUSTRIES UNDER GREEN CATEGORY

1. Aluminium utensils and other aluminium product from aluminium circles by pressing only (dry mechanical operation).
2. Aviation Fuelling Station.
3. Ayurvedic and homeopathic medicines (without boiler).
4. Automobile Fuel Dispensing (Petrol/Diesel)
5. Bakery /confectionery /sweets products (with production capacity <1tpd (with gas or electrical oven).
6. Bamboo & Cane Products (with boiler) (Capital Investment < Rs. 1 Crore).
7. Bi-axially oriented PP film along with metalizing operations.
8. Biomass briquettes (sun drying) without using toxic hazardous wastes.
9. Blending of melamine resins & different powder, additives by physical mixing.
10. Brass and bell metal utensils manufacturing from circles (dry mechanical operation without re-rolling facility).
11. Candy.
12. Cardboard or corrugated box and paper products (excluding paper or pulp manufacturing and without using boilers).
13. Carpentry & wooden furniture manufacturing (excluding saw mill) with the help of electrical (motorized) machines such as electrical wood planner, steel saw cutting circular blade, etc.
14. Cement products (without using asbestos/boiler/steam curing) like pipe, pillar, jafri, well ring, block/tiles etc. (should be done in closed covered shed to control fugitive emissions).
15. Ceramic colour manufacturing by mixing & blending only (not using boiler and wastewater recycling process).
16. Chanachur/ dalmut and laddoo from puffed and beaten rice (muri and chira) using husk fired oven (capital investment more than 5 lakh).
17. Chilling plant and ice making without using ammonia.
18. Chilling plant, cold storage and ice making.
19. CNG station.
20. CO2 recovery.
21. Coke briquetting (sun drying).
22. Corrugated sheet mfg.
23. Cotton spinning and weaving (small scale).
24. Cutting, sizing and polishing of marble stone.
25. Dal Mills.
26. Decoration of ceramic cups and plates by electric furnace.
27. Digital printing on PVC clothes.
28. Distilled water (without boiler) with electricity as source of heat.
29. Electrode mfg.
30. Emery powder (fine dust of sand) manufacturing.
31. Facility of handling, storage and transportation of food grains in bulk.
32. Flour mills (dry process).
33. Flyash export, transport & disposal facilities.



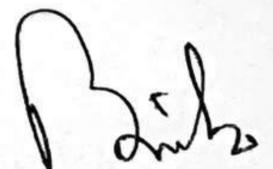
34. Gaushalas (≥ 15 cows/ cattle).
35. Glass, ceramic, earthen potteries, tile and tile manufacturing using electrical kiln or not involving fossil fuel kiln.
36. Glue from starch (physical mixing) with gas / electrically operated oven /boiler.
37. Gold and silver smithy (purification with acid smelting operation and sulphuric acid polishing operation) (using less or equal to 1 litre of sulphuric acid/ nitric acid per month).
38. Heat treatment with any of the new technology like ultrasound probe, induction hardening, ionization beam, gas carburizing etc.
39. Hotels (up to 20 rooms and without boilers).
40. Insulation and other coated papers (excluding paper or pipe manufacturing).
41. Iron pipe slotting.
42. Kerosene dispensing.
43. Leather foot wear and leather products (excluding tanning and hide processing except cottage scale).
44. Lubricating oil, greases or petroleum based products (only blending at normal temperature).
45. Manufacturing of optical lenses (using electrical furnace).
46. Manufacturing of pasted veneers using gas fired boiler or thermic fluid heater and by sun drying.
47. Marriage Halls /banquets.
48. Mineral stack yard / Railway sidings.
49. Mineralized water.
50. Oil and gas transportation pipeline.
51. Oil mill Ghani and extraction (no hydrogenation / refining).
52. Packing materials manufacturing from non asbestos fibre, vegetable fibre yarn.
53. Phenyl/toilet cleaner formulation and bottling.
54. Photo Lab (Capital Investment $>$ Rs. 20 Lakhs).
55. Polythene and plastic processed products manufacturing (virgin plastic).
56. Poultry (which are handling 1 lakh or more birds at a given time in single location), Hatchery and Piggery.
57. Power looms (without dye and bleaching).
58. Puffed rice (muri) (using gas or electrical heating system).
59. Pulverization of bamboo and scrap wood.
60. Railway Stations (Waste Water Generation $<$ 10 KLD)
61. Ready mix cement concrete.
62. Reprocessing of waste cotton.
63. Rice mill (Rice hullers only).
64. Rolling mill (gas fired) and cold rolling mill.
65. Rubber goods industry (with gas operated baby boiler).
66. Rubber sheet processing.
67. Saw mills.
68. Seasoning of wood in steam heated chamber.
69. Soap manufacturing (hand made without steam boiling / boiler).
70. Spice grinding ($>$ 20 hp motor).
71. Spice grinding (upto-20 HP motor).



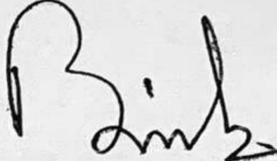
72. Steel furniture without spray painting.
73. Steel utensils from circle.
74. Steeping and processing of grains.
75. Synthetic detergent formulation.
76. Tamarind powder manufacturing.
77. Tea processing (with boiler).
78. Tyres and tube retreating (without boilers)
79. Any other Industries / Processes / Operations / activities, which score of pollution index between 20 to 39, be categorized as Green.

IV. LIST OF INDUSTRIES UNDER WHITE CATEGORY

1. Assembly of air coolers /conditioners, repairing and servicing.
2. Assembly of bicycles, baby carriages and other small non motorizing vehicles.
3. Bailing (hydraulic press) of waste papers.
4. Bio fertilizer and bio-pesticides without using inorganic chemicals.
5. Biscuits trays etc from rolled PVC sheet (using automatic vacuum forming machines).
6. Blending and packing of tea.
7. Block making of printing without foundry (excluding wooden block making).
8. Chalk making from plaster of Paris (only casting without boilers etc. (sun drying / electrical oven).
9. Chanachur/ dalmut and laddoo from puffed and beaten rice (muri and chira) using husk fired oven (capital investment less than 5 lakh).
10. Compressed oxygen gas from crude liquid oxygen (without use of any solvents and by maintaining pressure & temperature only for separation of other gases).
11. Cotton and woolen hosiers making (Dry process only without any dyeing /washing operation).
12. Diesel pump repairing and servicing (complete mechanical dry process).
13. Electric lamp (bulb) and CFL manufacturing by assembling only.
14. Electrical and electronic item assembling (completely dry process).
15. Engineering and fabrication units (dry process without any heat treatment / metal surface finishing operations / painting).
16. Flavoured betel nuts production/ grinding (completely dry mechanical operations).
17. Fly ash bricks/ block manufacturing.
18. Fountain pen manufacturing by assembling only.
19. Glass ampules and vials making from glass tubes.
20. Glass putty and sealant (by mixing with machine only).
21. Ground nut decorticating.
22. Handloom/ carpet weaving (without dyeing and bleaching operation).
23. Leather cutting and stitching (more than 10 machine and using motor).
24. LPG Storage.
25. Machinery manufacturing/assembling unit (Without spray painting).
26. Manufacturing of coir items from coconut husks.



27. Manufacturing of metal caps containers etc.
28. Manufacturing of shoe brush and wire brush.
29. Medical oxygen.
30. Organic and inorganic nutrients (by physical mixing).
31. Organic manure (manual mixing).
32. Packing of powdered milk.
33. Paper pins and u clips.
34. Repairing of electric motors and generators (dry mechanical process).
35. Restaurant (Capital Investment < Rs. 30 lakhs).
36. Rope (plastic and cotton).
37. Scientific and mathematical instrument manufacturing.
38. Solar module non conventional energy apparatus manufacturing unit
39. Solar power generation through solar photovoltaic cell plants of all capacities, wind power plant of all capacities and mini hydel power plant (less than 25 MW).
40. Surgical and medical products assembling only (not involving effluent / emission generating processes).
41. Used cooking oil (UCO) collection Centers.
42. Any other Industries / Processes / Operations / activities, which score of pollution index upto 20 be categorized as Green.



16.9.2020

(Bishu Karmakar)

Member Secretary

Tripura State Pollution Control Board

EXEMPTED CATEGORY

List of units which are exempted from the purview of Consent to Establish/ Consent to Operate:

1. Agarbati.
2. Bamboo & Cane Products (without boiler).
3. Candle Manufacturing.
4. Diesel generator sets (15 KVA to 1 MVA)*.
5. Guest House.
6. Photo Lab (Capital Investment < Rs. 20 Lakhs).
7. Poultry** (which are handling less than 1 lakh birds at a given time in single location).

* Normal operation – 12 hrs a day.

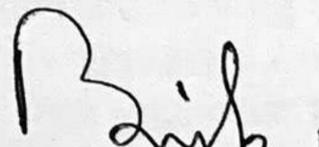
Consumption of diesel = 1680 litres for 1 MVA DG set at full load @ 0.21 litres / KVA / hr.

Stand-alone DG Sets having total capacity 1 MVA or less and equipped with acoustic enclosures alongwith adequate stack height may be exempted from the purview of Consent management. Higher capacity DG sets have already been covered under Red / Orange categories.

** Environmental Guidelines for Poultry Farm including minimization of odour pollution, management of solid waste, management of waste water discharge, good house - keeping practices is applicable to all poultry farm irrespective of no. of birds.

*** recycling / dismantling of white goods are covered under E-Waste (Management & Handling) Rules 2016 and have already been categorized in CPCB documents classification of industrial sector (February 2016).

Solvent / acid recovery plant and E-Waste recycling are considered as industrial operation.


(Bishu Karmakar) 16.9.2020
Member Secretary

Tripura State Pollution Control Board

**PERIODICITY OF CONSENT TO ESTABLISH AND
CONSENT TO OPERATE**

In accordance with the provision of Section 25 (4)(a)(iii) of the Water (Prevention & Control of Pollution) Act 1974 & Section 21(4) of the Water (Prevention & Control of Pollution) Act 1981, the Tripura State Pollution Control Board introduced periodicity of Consent to Establish Certificate & Consent to Operate Certificate of different category of Industries/ Processes/ Operations/ activities. The periodicity of Consent to Establish Certificate is based on the basis of Capital Investment of the Projects. However, the periodicity of Consent to Operate Certificate has been framed on the relative 'Pollution Index', which is a function of emission, effluent, hazardous waste generated and consumption of resources. The specified validity period of Consent to Establish and Consent to Operate of different category of industries are as follows:-

A. Consent to Establish Certificate:-

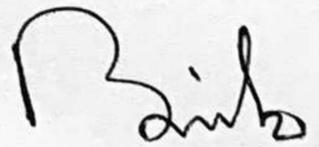
Sl. No.	Capital Investment on Land , Building, Plants & Machineries	Validity Period	Category
1	Upto 1 Crore	1 (one) year	Red, Orange & Green
2	Above 1 Crore and upto 10 Crore	2 (two) years	
3	Above 10 Crore	3 (three) years	

B. Consent to Operate Certificate:-

Sl. No.	Category	Periodicity of Renewal
1	Red	Once in Five Years
2	Orange	Once in Ten Years
3	Green	Once in Fifteen Years
4	white	Not Required

The Renewal/Extension of validity of both Consent to Establish and Consent to Operate Certificate is required before expiry of validity of consent.

The Renewal/ Extension of validity of Consent to Operate Certificate is required after every 5(five) years for the Industries/ Processes/ Operations/ activities which are coming under the Red category of Industries. Similarly, the Industries / Processes / Operations / activities, which are falling under the Orange Category and Green Category, will apply for Renewal/ Extension of validity of Consent to Operate Certificate after every 10(ten) years and 15 (fifteen) years respectively.


(Bishu Karmakar)
Member Secretary

16.9.2020
Tripura State Pollution Control Board


TRIPURA STATE POLLUTION CONTROL BOARD

(A Statutory Organisation Under Government of Tripura)

Department of Science Technology & Environment

No.F.17(33)/TSPCB/2020/8765-77

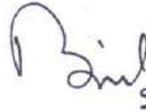
October 25, 2021

NOTIFICATION

In continuation to the Notification No.17 (33)/TSPCB/2020/11514-27 dated 16/09/2020 and pursuant to the decision of General Body of the Tripura State Pollution Control Board taken in its 47th Board Meeting held on 11.10.2021, the Tripura State Pollution Control Board is pleased to include the following Activities/processes/Operation/ Industries in the Revised List of Industries under the Red, Orange, Green and White Categories based on their relative Pollution Index.

1. In the Annexure-I under the list of Red Category of Industries, TSPCB is pleased to include **“Compressed Bio Gas (CBG) plants based on Municipal Solid Waste (MSW) having discharge of waste water is more than 100 KLD/ CBG plants based on process waste (industrial/ process liquid effluent & solid waste like press mud, organic sludge, molasses etc.) having discharge of wastewater more than 100 KLD”** under the serial No.89.
2. In the Annexure-I under the list of Orange Category of Industries, for the item Sl. No. 18 and the entries relating thereto, the following entries shall be substituted namely **“CBG plants based on crop residue (paddy straw/ wheat straw/ corn sweet sorghum/ Napier grass, etc.) having discharge of wastewater more than 100 KLD/ CBG plants based on animal waste (dairy farms, poultry farms and other animal waste) having discharge of wastewater more than 100 KLD”**
3. In the Annexure-I under the list of White Category of Industries, TSPCB is pleased to include **“CBG plants (irrespective of the type of feed) producing Fermented Organic Manure (FOM) & Liquid Fermented Organic Manure (LFOM) as by-products and also not discharging any wastewater/ Household bio digesters/ gobar-gas (cow dung) plants based on biodegradable wastes etc with feed slurry to digesters having Volatile Organic Fraction more than 75%”** under the serial No.42.

This Notification is effective from the date of issue and shall remain in force until further Notification.


25.10.2021
(Bishu Karmakar)
Member Secretary

Copy to:-

1. PS to the Hon'ble Deputy Chief Minister, Govt. Of Tripura.
2. The Chief Secretary, Govt. Of Tripura.
3. The Chairman, Tripura State Pollution Control Board.
4. The Member Secretary, Central Pollution Control Board.
5. The Special Secretary, Department Of Science, Technology & Environment, Govt. of Tripura.
6. The Director, Department of Industries and Commerce, Govt. Of Tripura.
7. The Director, Health and Family Welfare Department, Govt. Of Tripura.

Address :**PARIVESH BHAWAN**

Pandit Nehru Complex, Gorkhabasti,

PO : Kunjaban, Agartala, West Tripura - 799 006

website :

www.tspcb.tripura.gov.in / trpenvis.nic.in

e-mail :

tripuraspbc@gmail.com / hoospbc-tr@gov.in

Contact :

Chairman : 0381 - 2322462

Member Secretary : 0381 - 2325421

Head of Office : 0381 - 2322455

OCMS Help Desk : 0381 - 2328792

8. The Director, Department of Science, Technology & Environment, Govt. of Tripura.
9. The Managing Director, Tripura Industrial Development Corporation Limited.
10. The Head of Office, Tripura state pollution Control Board.
11. Central/North/South Zonal Office & Laboratory, TSPCB.
12. Consent Management Division /Waste Management Division, TSPCB, Agartala.
13. Sri. Prakash Paul, Jr. Environmental Engineer, TSPCB. He is requested to upload the said Notification in the Official Website of the TSPCB.


25.10.2021
(Bishu Karmakar)
Member Secretary



TRIPURA STATE POLLUTION CONTROL BOARD

(A Statutory Organisation under Government of Tripura)

Department of Science Technology & Environment

No.F.17(33)/TSPCB/2020/

January 30, 2021

NOTIFICATION

In continuation to the Notification No.F.17(33)/TSPCB/2020/11514-27 dated 16/09/2020 and pursuant to the Direction No.CPCB/IPC-VI/ROGW dated 12/01/2021 of the Central Pollution Control Board, Delhi, the Tripura State Pollution Control Board is pleased to include the following activities/units/industries under the Orange Category based on their relative pollution index.

- i. Building and Construction Projects, having built-up area upto 20,000 m² and waste water generation \geq 50 KLD.
- ii. Construction and Demolition (C&D) Waste Processing Plants.
- iii. Gold Assaying & Hallmarking Centers

This Notification is effective from the date of issue and shall remain in force until further order.

Bishu Karmakar
1.2.2021
(Bishu Karmakar)
Member Secretary

Tripura State Pollution Control Board

Copy to:-

1. PS to the Deputy Chief Minister, Govt. of Tripura.
2. The Chairman, Tripura State Pollution Control Board.
3. The Member Secretary, Central Pollution Control Board.
4. The Secretary, Department of Science, Technology & Environment, Govt. of Tripura.
5. The Director, Department of Industries and Commerce, Govt. of Tripura.
6. The Director, Department of Science, Technology & Environment, Govt. of Tripura.
7. The Managing Director, Tripura Industrial Development Corporation Limited.
8. The Head of Office, Tripura State Pollution Control Board.
9. Central/ North/ South Zonal Office & Laboratory, TSPCB.
10. Consent Management Division/ Waste Management Division, TSPCB, Agartala.
11. Sri. Prakash Paul, Jr. Environmental Engineer, TSPCB. He is requested to upload the said Notification in the Official Website of the TSPCB.

Bishu Karmakar
1.2.2021
Member Secretary
Tripura State Pollution Control Board

Address :

PARIVESH BHAWAN
Pandit Nehru Complex, Gurkhabasti
PO : Kunjaban, Agartala, West Tripura-799006

Website :

www.tspcb.tripura.gov.in / trpenvis.nic.in
e-mail :
tripuraspcb@gmail.com / hoospcb-tr@gov.in

Contact :

Chairman: 0381 - 2322462
Member Secretary: 0381 - 2325421
Head of Office: 0381 - 2322455
OCMS Help Desk: 0381 2328792



Annexure - 1

2147

TRIPURA STATE POLLUTION CONTROL BOARD

(A Govt. of Tripura Organisation)

No.F.17(33)/TSPCB/2020/13716

October 27, 2020

Addendum to Notification No. F.17(33)/TSPCB/2020/11514-27 dated September 16, 2020

In compliance with the direction dated 18.11.2019 of the Hon'ble National Green Tribunal in the matter of OA No. 568/2019 and pursuant to the guidelines of Central Pollution Control Board as communicated vide No. CPCB/IPC-V/NGT_Gold/2020/7972 dated 09.10.2020, the Tripura State Pollution Control Board is pleased to include the gold assaying and hallmarking centres in Green Category of industries under Sl. No.37 of the Notification No.F.17(33)/TSPCB/2020/11514-27 dated September 16,2020 as "Gold and silver smithy (purification with acid smelting operation and sulphuric acid polishing operation) (using less or equal to 1 litre of sulphuric acid/ nitric acid per month) and Gold Assaying & Hallmarking." in place of "Gold and silver smithy (purification with acid smelting operation and sulphuric acid polishing operation) (using less or equal to 1 litre of sulphuric acid/ nitric acid per month)".

2. The other contents as stated in the Notification regarding the revised categorization of Industries/ Processes/Operations/Activities under the Red, Orange, Green & White No.F.17(33)/TSPCB/2020/11514-27 dated September 16,2020 shall remain unchanged.
3. This Addendum is effective from the date of issue and shall remain in force until further Notification.

Bishu 27-10-2020

(Bishu Karmakar)
Member Secretary

Tripura State Pollution Control Board

Copy to:

1. The Special Secretary to the Chief Minister, Govt of Tripura
2. PS to the Deputy Chief Minister, Govt. of Tripura
3. The Chief Secretary, Govt. of Tripura
4. The Chairman, Tripura State Pollution Control Board
5. The Member Secretary, Central Pollution Control Board
6. The Secretary, Department of Science, Technology & Environment, Govt. of Tripura
7. The Director, Department of Industries & Commerce, Govt. of Tripura
8. The Director, Department of Science, Technology & Environment, Govt of Tripura
9. The Director, Health & Family Welfare Department, Gpvt. Of Tripura
10. The Managing Director, TIDC Ltd.
11. The Head of Office, Tripura State Pollution Control Board

PARIVESH BHAWAN
Pandit Nehru Complex, Gorkhabasti,
PO : Kunjaban, Agartala,
West Tripura, PIN - 799 006

Phone : (0381) 231 2589 / 232 2455
232 2462 (Chairman), 232 8792 (Member Secretary)
Fax : (0381) 232 5421, 232 2455
e-mail : tripuraspcb@gmail.com



लक्षद्वीप प्रदूषण नियंत्रण समिति
LAKSHADWEEP POLLUTION CONTROL COMMITTEE

विज्ञान एवं प्रौद्योगिकी विभाग
DEPARTMENT OF SCIENCE & TECHNOLOGY

कवरत्ती- 682555
KAVARATTI -682 555
E-Mail: lk-dst@nic.in

F.No.LD-03001/1/2023-LPCC

Dated 7th December, 2023

To

Shri P.K.Gupta,
Director & Divisional Head, IPC-VI
Central Pollution Control Board,
New Delhi
E-Mail: ipc6.cpcb@gov.in

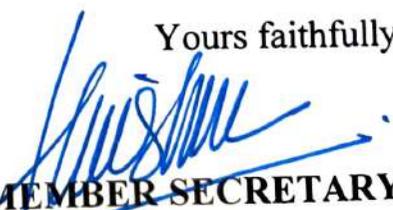
Sub: Harmonization of Classification of industrial Sectors into Red, Orange, Green and White Categories- regarding sand/river bed material mining activities. – Regarding

Sir,

Kindly refer your letter No. CPCB/IPC-VI/ROGW dated 05.12.2023 regarding harmonization of Classification of industrial Sectors into Red, Orange, Green and White Categories in sand/river bed material mining activities. It is to inform that in the UT of Lakshadweep there is no river; hence the issue of sand/river bed material mining from riverbed and its floodplains is not arisen.

This is for your kind information and further action.

Yours faithfully,


MEMBER SECRETARY,

Lakshadweep Pollution Control Committee

No.MSPCB/LEGAL-638/2023/2023-24/2

Dated Shillong, the 20th November, 2023

Speed Post/E-mail

To,

Smt. Saubhagya Dixit,
Scientist 'C', IPC VI Division,
Parivesh Bhawan, East Arjun Nagar,
Central Pollution Control Board,
New Delhi – 110032
Email: ipc6division.cpcb@gov.in

Sub: Categorization of Sand/riverbed material mining activities – reg.

Ref: Your mail dated Nov. 8, 2023

Madam,

With reference to the above, I have the honour to inform you that in compliance to the CPCB direction regarding adoption and implementation of categorization of Sand/riverbed material mining from the riverbed and its floodplains (excluding manual excavation) vide CPCB/IPC-IV/ROGW dated 22/09/2023, the Board intends to incorporate the matter in its upcoming Board's Meeting for adoption of the same.

This is for favour of your kind information and necessary action.

Yours faithfully,



Member Secretary

Meghalaya State Pollution Control Board
Shillong

Memo No.MSPCB/LEGAL-638/2023/2023-24/2-11

Dated Shillong, the 20th November, 2023

Copy to:

1. The Regional Director, RDNE, CPCB, Shillong for favour of information.



Member Secretary



केन्द्रीय प्रदूषण नियंत्रण बोर्ड CENTRAL POLLUTION CONTROL BOARD

(MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE, GOVT. OF INDIA)

REGIONAL DIRECTORATE (NORTH - EAST)

CTO BUILDING, GROUND FLOOR - II, SHILLONG - 793001



Hon'ble NGT Matter

Reminder-II

RDNE/403/HCI/2023-24/ 1497-1501

Dated: 11.12.2023

To,

The Member Secretary,
State Pollution Control Boards,
(Arunachal Pradesh, Manipur & Sikkim)

Sub: Harmonization of Classification of industrial Sectors into Red, Orange, Green and White Categories- regarding sand/river bed material mining activities.

Ref.: CPCB HO letter CPCB/IPC-VI/ROGW/Nos. dt. 05.12.2023.

Sir/Madam,

Please find attached herewith CPCB HO letter CPCB/IPC-VI/ROGW/Nos. dt. 05.12.2023 wherein all SPCBS/PCCS were directed to adopt & implement the categorization of 'Sand/riverbed material mining from riverbed and its floodplains' and submit Action Taken Report (ATR).

In this regard, it is requested to kindly acknowledge the receipt of the letter and submit the Action Taken Report (ATR) to CPCB HO Delhi email: ipc6.cpcb@gov.in under intimation to this office at the earliest.

With regards,

Encl.: As above.

Yours faithfully,


(M. K. Choudhury)
Regional Director

Copy to;

1. The DHIPC-VI, CPCB HO Delhi
2. PS to MS CPCB HO :for kind information of MS, please.


(M. K. Choudhury)

2151



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT FOREST & CLIMATE CHANGE GOVT OF INDIA

Hon'ble NGT Matter

Reminder-II

CPCB/IPC-VI/ROGW

Date: 05.12.2023

To,

The Member Secretary
SPCBs/PCCs
(as per the list)

Sub: Harmonization of Classification of industrial Sectors into Red, Orange, Green and White Categories- regarding sand/river bed material mining activities.

Sir,

This has reference to the CPCB letter no. CPCB /IPC-IV/ROGW, dated 22.09.2023, and subsequent reminder letter dated 27.10.2023 on the above-mentioned subject, wherein SPCBs/PCCs were directed to adopt & implement the categorization of 'Sand/riverbed material mining from riverbed and its floodplains' and submit Action Taken Report (ATR). However, the ATR is still awaited.

The Hon'ble NGT vide order dated 17.10.2023 in the matter of OA No. 176/2022, titled as 'Aman Chaudhary v/s Union of India & Ors.', directed CPCB as follows:

"CPCB is directed to compile information on the basis of action taken reports received from the SPCBs/PCCs in response to its letter dated 22.09.2023 and file complied status report with one month."

As the matter is listed for hearing on 12.12.2023. It is requested again, to submit the ATR regarding adoption & implementation of categorization of 'Sand/river bed material mining from riverbed and its floodplains (excluding manual excavation)' to this office, **latest by, 07.12.2023**. The information may also be forwarded through email to ipc6.cpcb@gov.in

Yours faithfully,

(P.K Gupta)

Director & Div. Head, IPC-VI

Copy to:

The Regional Directors.
CPCB
(as per the list)

With the request to follow up and ensure timely submission of information.

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board

(पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, भारत सरकार)
Ministry of Environment, Forest & Climate Change, Govt. of India

'परिवेश भवन' पर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

RECEIPT No.....1659.....148

06/12/2023

E-141976/18-12-2023

2152

3

ಹೆಲ್ಪ್ ಲೈನ್ / Helpline : 080-25582559
ಈಮೇಲ್ / Email : contact@kspcb.gov.in
ವೆಬ್‌ಸೈಟ್ / Website : kspcb.karnataka.gov.in

080-25581383, 25589112
080-25589113, 25589114



ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ Karnataka State Pollution Control Board

"ಪರಿಸರ ಭವನ", 1 ರಿಂದ 5ನೇ ಮಹಡಿಗಳು, ನಂ. 49, ಚರ್ಚ್ ಸ್ಟ್ರೀಟ್, ಬೆಂಗಳೂರು - 560 001, ಕರ್ನಾಟಕ ರಾಜ್ಯ, ಭಾರತ
"Parisara Bhavan", 1st to 5th Floor, # 49, Church Street, Bangalore - 560 001, Karnataka State, India

No: PCB/17/COC/2023-24/ 4922.

Date: 13 DEC 2023

To,

The Member Secretary
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar,
Delhi-110032.



Sir,

Sub: Harmonization of Classification of Industrial Sectors into Red, Orange Green and White Categories - regarding sand/river bed material mining activities.

Ref: CPCB Letter No: CPCB/IPC-IV/ROGW, dt: 22.09.2023.

Adverting to above subject & reference, it is to be informed that the Board has taken note of the additional categorization done by the CPCB regarding 'Sand/Riverbed material mining from riverbed and its floodplains (excluding manual excavation)' and same is communicated to all the Board Officers for necessary implementation.

This is for your kind information.

Yours Faithfully

MEMBER SECRETARY

IPC-VI
IPC-II

SCLSD
20/12/23



Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, JhalanaDoongri, Jaipur-302004
Phone :0141-27168049,2716800 e-mail : member-secretary@rpcb.nic.in
HelpLineNo. : 0141-2716877



F14(Policy-23)/RPCB/Project/2992- 2999

Date:29.12.2023

Order

In partial modification to State Board's earlier Office Order no. F14 (23) Policy/RPCB/Plg/153-189 dated 02.06.2020, the categorization for following sectors of industries under consent mechanism is decided as under:

S.No	Sector of Industry	New Category
1.	Sand / riverbed material mining from riverbed and its floodplains (excluding manual excavation) in: Mining lease area more than 5 Ha or All Mining Lease area which is part of cluster mining	Red
2.	Fire crackers manufacturing and bulk storage facilities (except Green Crackers)	Red
3.	Semiconductor manufacturing industries	Red
4.	Manufacturing/ assembly/ recycling related processes of lithium ion batteries	Red
5.	Dredging and De-silting of dams and Reservoirs	Orange
6.	Sand / riverbed material mining from riverbed and its floodplains (excluding manual excavation) in Standalone mining lease area upto 5 Ha in area	Orange
7.	Semiconductor Assembly, Testing, Marking and Packaging Facility (ATMP)	Orange
8.	Solar module non-conventional energy apparatus manufacturing unit	Orange
9.	Vaccine manufacturing	Orange
10.	PET bottle recycling for flakes/staple fibre (involving wet process)	Orange
11.	Green crackers manufacturing and bulk storage facilities	Orange
12.	Standalone Bakery/confectionery units irrespective of capacity and using only cleaner/gaseous fuel	Green
13.	Chanachur and laddoo from puffed and beaten rice(muri and chira)	Green
14.	PET bottle recycling for flakes/staple fibre (not involving any wet process)	Green

Signature Not-Verified

RajKaj Ref
5252485



Digitally signed by Prema Lal Raigar
Designation : Chief Environmental
Engineer
Date: 2023.12.29 19:11:17 IST
Reason: Approved



Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, JhalanaDoongri, Jaipur-302004

Phone :0141-27168049,2716800 e-mail : member-secretary@rpcb.nic.in

HelpLineNo. : 0141-2716877



Rest of the categorization of industries will remain same as categorized vide Office Order no. F14 (23) Policy/RPCB/Plg/153-189 dated 02.06.2020, F14 (23) Policy/RPCB/Plg/838-874 dated 28.07.2020, F14 (23) Policy/RPCB/Plg/2512-2555 dated 21.01.2022, F14 (23) Policy/RPCB/Plg/3322-3366 dated 22.02.2023, F14 (23) Policy/RPCB/Plg/1095-1114 dated 21.06.2023, F14 (23) Policy/RPCB/Plg/2924-2955 dated 20.12.2023.

This bears approval of the competent authority.

(Prema Lal)
Chief Environmental Engineer

F14(Policy-23)/RPCB/Project/2992- 2999

Date:29.12.2023

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

1. The Member Secretary, CPCB, Parivesh Bhawan, East Arjun Nagar, Delhi, 110032.
2. P.S. to Chairperson, RSPCB, Jaipur.
3. Sr.PA to Member Secretary, RSPCB, Jaipur.
4. The CEE/CAO/CSO/ Joint Secretary, RSPCB, Jaipur.
5. All GICs, HO, RSPCB, Jaipur.
6. All Regional Officers, Regional Office, RSPCB.
7. GIC (IT), with directions to upload on RSPCB website.
8. Guard File.

Chief Environmental Engineer

Signature Not Verified

RajKaj Ref
5252485

Digitally signed by Prema Lal Raigar
Designation : Chief Environmental
Engineer
Date: 2023.12.29 19:11:17 IST
Reason: Approved



Circular Memo No.2/ TSPCB/Categorization/HO/2023

Dt:11.12.2023

Sub: TSPCB – CPCB directions on ‘Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation)’ Categorization – Addendum to Circular dated 28.05.2016 — **Issued** – Reg.

Ref:

1. CPCB directions vide B-29012/ESS(CPA)/2015/16, dated. 07.03.2016.
2. Circular Memo No.94/TSPCB/Categorisation/HO/2016 dated 28.05.2016.
3. CPCB letter vide CPCB/IPC-IV/ROGW dated. 22.09.2023.

* * *

In continuation to the above circular, the CPCB vide reference 3rd cited communicated the categorization of additional Non-industrial operation i.e., ‘Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation)’ as mentioned below and directed to adopt and implement the Categorization.

Sl. No.	Sl.no. (as per CPCB Document)	Non-industrial Operations	Category	Remarks
1	63	Sand/ riverbed material mining from riverbed and its floodplains (excluding manual excavation)		i. Sand/riverbed material mining from riverbed and its floodplains may cause ecological disturbances, erosion of riverbed, change of hydro-geological conditions & river ecosystem, etc.
		(i) Mining lease area more than 5 hectares or Mining Lease area up to 5 hectares which is part of cluster mining.	Red	ii. Cluster mining means that the distance of mining lease area is less than 500 m from periphery of another lease area.
		(ii) Standalone mining lease area up to five hectares in area (not a part of any cluster mining)	Orange	iii. This categorisation is made considering the ecological damages and not based on pollution potential/index

In view of the above, all the Divisional at Head Office, Zonal Officers and Regional Officers are directed to implement the above CPCB categorization with immediate effect.

Sd/-

MEMBER SECRETARY

To

1. All Divisional Heads, Board Office, Hyderabad.
2. The Joint Chief Environmental Engineer, Zonal Office, Hyderabad / RC Puram
3. The EE, Regional Offices, Hyderabad / Rangareddy-I / Medchal / Warangal / Ramagundam / Kothagudem / Nalgonda / Nizamabad / Sangareddy - I & R.C.Puram.

//T.C.F.B.O//



JOINT CHIEF ENVIRONMENTAL ENGINEER



West Bengal Pollution Control Board

(Department of Environment, Government of West Bengal)

Memo No. : 75/ 4A-21/2005 (Part-X)

Date : 7/12/ 2023

From: **The Member Secretary**
West Bengal Pollution Control Board

To,
The Member Secretary
Central Pollution Control Board
"Parivesh Bhawan", East Arjun Nagar,
Delhi-110032

SC (40)
18/12/2023
SSA
15/12/23

Subject : Harmonization of Classification of Industrial Sectors into Red, Orange, Green and White Categories, regarding Semiconductor Industries and Sand / River Bed Materials Mining Activities

Ref. No.: Your letter *CPCB/IPC-VI/ROGW/ dated 05/09/2023* and *CPCB/IPC-IV/ROGW/ dated 22/09/2023*

Sir,

In reference of the above, this is to inform you that the West Bengal Pollution Control Board has adopted the following new activities categorized by CPCB and included the same in the Online Consent Management and Monitoring System (WBOCMMS):-

- I. Categorization of "Semiconductor Manufacturing Industries" vide Order dated 05.09.2023 and
- II. Categorisation of "Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation)" vide Order dated 22.09.2023.



Yours sincerely,

Signature
7/12/2023

Member Secretary



ANDHRA PRADESH POLLUTION CONTROL BOARD
Dr. Y.S.R. Paryavaran Bhavan, APIIC Colony Road,
Gurunanak Colony, Autonagar, Vijayawada- 520007
Phone. No.0866-2463200, Website :https://pcb.ap.gov.in/



Lr.No. APPCB-11022/548/2023-TEC-CFO-APPCB

Date: 17/11/2023

To

**The Director & Division Head (IPC –VI),
Central Pollution Control Board,
Parivesh Bhavan, East Arjun Nagar, Delhi – 110032.**

Sir,

Sub: APPCB – HO – CPCB – Harmonization of classification of industrial sectors into Red, - Orange, Green and White categories regarding sand/ river bed material mining Activities –Action taken report – Communicated - Reg.,

Ref: 1. CPCB Lr.No. CPCB/IPC-VI/ROGW dated 22.09.2023.
2. CPCB Lr.No. CPCB/IPC-VI/ROGW/5583-3626 dated 27.10.2023.
3. APPCB Lr.No.APCB-11022/548/2023-TEC-CFO-APPCB Date: 13.11.2023.

*

The Central Pollution Control Board (CPCB) has communicated ‘Sand/ riverbed material mining from riverbed and its flood plains (excluding manual excavation)’ under harmonization of classification of industrial sectors into Red, Orange, Green and White categories vide reference 1st cited and directed SPCBs to adopt and implement the same. It was requested to furnish Action Taken Report (ATR) to the CPCB in this regard vide reference 2nd cited.

It is to inform that the Andhra Pradesh Pollution Control Board (APPCB) had already considering the sand mining projects under Red category. However, the APPCB vide reference 3rd cited has adopted the above CPCB classification and communicated to the Director of Mines & Geology department with a copy to the concerned officers of APCB for effective adoption and implementation. A copy of the same is herewith enclosed for information.

Yours faithfully,

Encl: As above.

B

SREEDHAR IAS, MS(BS), O/o MEMBER SECRETARY-APPCB



Pollution Control Board, Assam

(Department of Environment & Forests, Government of Assam)

অসম প্ৰদূষণ নিয়ন্ত্ৰণ পৰিষদ

(অসম চৰকাৰৰ বন আৰু পৰিৱেশ বিভাগ)

NABL Accredited Testing Laboratory : Certificate No. TC-11384



PCBA/LGL-196/2023/NGT/16

2162

Dated Guwahati the, the 07th December, 2023

To : Shri. P. K. Gupta,
Director & Div. Head, IPC-VI
Central Pollution Control Board, MoEF&CC.
Email: ipc6.cpcb@gov.in

Sub : Action Taken Report regarding "Harmonization of Classification of industrial Sectors into Red, Orange, Green and White Categories- regarding sand/river bed material mining activities"

Ref : CPCB letter no. CPCB/IPC-VI/ROGW dated 05-12-2023

Sir,

With reference to the above, it is to inform you that Pollution Control Board Assam has adopted the categorization of "Sand/riverbed material mining from the riverbed and its floodplains (excluding manual excavation" in the consent management. In this regard, action taken by the Board are as follows:

Sl no	Action taken
1	A committee has been constituted comprising of both technical and scientific section for adoption and implementation of categorization of "Sand/riverbed material mining from the riverbed and its floodplains (excluding manual excavation" vide PCBA office order no. PCBA/T-383/23-24/87/2019 dated 18-11-2023, (Copy enclosed as Annexure I)
2	The Chairman to State Environment impact Assessment Authority (SEIAA), Assam, vide letter no. PCBA/LGL-196/2023/NGT/8/2099 dated 20-11-2023 has been informed and requested to take necessary steps to amend the conditions of Environment Clearance (EC) for Sand, Riverbed material mining industries by in cooperating the requirement of CTE for new industries and CTO for existing industries within the State of Assam (Copy enclosed as Annexure II)
3	Public Notice vide this office letter no. PCBA/LGL-196/2023/NGT/10/2151 dated 06-10-2023 in the said subject with special attention to projects of Sand/riverbed material mining has been uploaded in the Board's website and the same is published in the State News paper "The Assam Tribune" on 07-12-2023 (Copy of paper cutting enclosed as Annexure III)
4	The Board has incorporated the Sand/riverbed mining projects in its online consent management portal, OCMMS.

This is for your kind information and necessary action.

Your faithfully,

Encl.: As Stated.

(Shantanu K. Dutta)
Member Secretary

Memo no. PCBA/LGL-196/2023/NGT/16-A

Dated Guwahati the, the 07th December, 2023

Copy to: -

The Regional Director, ZO-Shillong, CPCB, for favour of information.

Member Secretary



Pollution Control Board, Assam

(Department of Environment & Forests, Government of Assam)

অসম প্ৰদূষণ নিয়ন্ত্ৰণ পৰিষদ
(অসম চৰকাৰৰ বন আৰু পৰিৱেশ বিভাগ)



LIFE
Lifestyle for
Environment

NABL Accredited Testing Laboratory : Certificate No. TC-11384

No.PCBA/T-383/23-24/87

Dated Guwahati, the 18th Nov, 2023

OFFICE ORDER

Sub: Harmonization of classification of industrial sectors into Red, Orange, Green and White Categories-regarding Sand /river bed material mining activities.

To adopt and implement the categorization of "Sand /river bed material mining from riverbed and its floodplains (excluding manual excavation)" and prepare Action Taken Report in compliance to Hon'ble NGT order dated 17.10.2023 in the matter of OA No.176/2022 titled as "Aman Chaudhary v/s Union of India & Ors", a committee has been constituted comprising of the following officials:

1. Shri. Gokul Bhuyan, Addl. Chief Environmental Engineer,
2. Shri. Mridul Dev Adhikary, Senior Environmental Scientist and
3. Shri. Pralay Das, Executive Environmental Scientist.

(Shantanu Kr. Dutta)
Member Secretary

Memo No.PCBA/T-383/23-24/87-A
2019

Dated Guwahati, the 18th Nov, 2023

1. Concerned persons for information and necessary action.
2. PA to the Chairman, PCBA for kind appraisal of the Hon'ble Chairman.

(Shantanu Kr. Dutta)
Member Secretary



2161
Pollution Control Board, Assam
(Department of Environment & Forests, Government of Assam)
অসম প্ৰদূষণ নিয়ন্ত্ৰণ পৰিষদ
(অসম চৰকাৰৰ বন আৰু পৰিৱেশ বিভাগ)
NABL Accredited Testing Laboratory : Certificate No. TC-11384



PCBA/LGL-196/2023/NGT/8

Dated Guwahati the, 20th November, 2023

To : The Chairman
State Environment Impact Assessment Authority (SEIAA), Assam
Bamunimaidam, Guwahati -781021

Sub : Original Application 176/2022 (Aman Choudhary vs Union of India and ORS)

Ref : CPCB letter no. CPCB/IPC-VI/ROGW(5583-5626)

Sir,

With reference to the above, please find herewith the enclosed copy of the letter dated 27/10/2023, received from Ajay Aggarwal, Director & Div.Head, IPC-VI CPCB, which is self-explanatory. In this regard, you are requested to take necessary steps to amend the conditions of Environment Clearance (EC) for Sand, Riverbed material mining industries by incorporating the requirement of Consent to Establish (CTE) for new Industries and Consent to Operate (CTO) for existing Industries within the State of Assam.

This is for your kind information and necessary action.

Your faithfully,

Encl.: As Stated.

(Shantanu kr. Dutta)
Member Secretary

Ok

2163



Pollution Control Board, Assam
Bamunimaidam: Guwahati-21

PUBLIC NOTICE

No. PCBA/LGL-196/2023/NGT/10

2151

Dated Guwahati, the 06th December, 2023

Attention all projects of Sand/riverbed material mining.

The Sand/riverbed material mining projects have been classified as Red category (Mining lease area > 5 ha or upto 5 ha which is part of cluster mining) or Orange Category (Standalone Mining lease area upto 5 ha) of industries following the guidelines of Central Pollution Control Board, MoEF&CC, GOI and as such all these projects will have to obtain mandatory Consent to Establishment (CTE) and Consent to Operate (CTO) from Pollution Control Board, Assam.

All the Sand/riverbed material mining projects in Assam are directed to obtain mandatory CTE and CTO from the Board, as per the provisions of the Water Act, 1974 and Air Act, 1981, by submitting application in the Consent Management portal www.asocmms.nic.in. The defaulting Units shall be liable to pay Environmental Compensation Fine (ECF) as per the Environmental Compensation regime recommended by National Green Tribunal for assessing ECF.

- 62 -
Member Secretary

Memo No. PCBA/LGL-196/2023/NGT/10-A

2151

Dated Guwahati, the 06th December, 2023

Copy to:

1. The Addl. Chief Secretary, Environment & Forest Department, for information and necessary action.
2. The Regional Heads, ROs/RLOs, PCBA for information and necessary action.
3. Website of the Board.

o/c
Member Secretary



BIHAR STATE POLLUTION CONTROL BOARD

Parivesh Bhawan, Patliputra Industrial Area, P.O.-Sadakat Ashram, Patna-800010

EPABX 0612-2261250/2262265, Fax 0612-2261050

Ref. No. 2865

Patna, dated- 30.11.2023

From,

S. Chandrasekar, IFS,
Member Secretary.

To,

The Member Secretary,
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar,
Delhi- 110 032.

Sub:-Harmonization of Classification of Industrial Sectors into Red, Orange, Green and White Categories-regarding sand /river bed material mining activities.

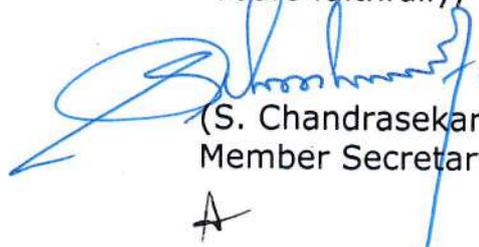
Ref: CPCB/IPC-VI/ROGW/5583-5626, dated-27.10.2023.

Sir,

With reference to the subject cited above, pleased to inform that Bihar State Pollution Control Board, Patna has adopted the "Categorization of Sand /Riverbed Material Mining from riverbed and its Floodplain (excluding manual excavation)" as per the direction of Central Pollution Control Board, Delhi. A coping of the notification is attached herewith for your kind information and necessary action.

Encl: **As above**

Yours faithfully,


(S. Chandrasekar)
Member Secretary.

A



BIHAR STATE POLLUTION CONTROL BOARD

Parivesh Bhawan, Patliputra Industrial Area, P.O.-Sadakat Ashram, Patna-800010

EPABX 0612-2261250/2262265, Fax 0612-2261050

Ref. No.

Patna, dated-

From,

S. Chandrasekar, IFS,
Member Secretary.

To,

The Member Secretary,
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar,
Delhi- 110 032.

Sub:-Harmonization of Classification of Industrial Sectors into Red, Orange, Green and White Categories-regarding sand /river bed material mining activities.

Ref: CPCB/IPC-VI/ROGW/5583-5626, dated-27.10.2023.

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With reference to the subject cited above, pleased to inform that Bihar State Pollution Control Board, Patna has adopted the "Categorization of Sand /Riverbed Material Mining from riverbed and its Floodplain (excluding manual excavation)" as per the direction of Central Pollution Control Board, Delhi. A coping of the notification is attached herewith for your kind information and necessary action.

Yours faithfully,

Encl: **As above**

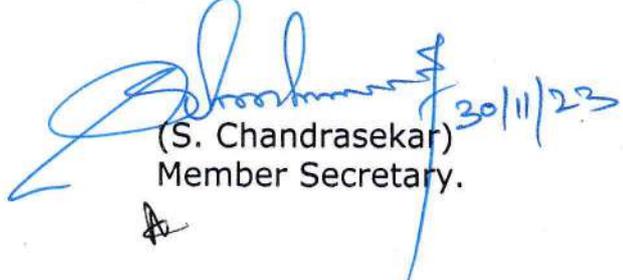
Sd/-

(S. Chandrasekar)
Member Secretary.

Memo No: 2865

Patna, Date: 30/11/2023

Copy to: Sri Ajay Aggarwal, Director & Div. Head, IPC-VI for information and necessary action.


(S. Chandrasekar)
Member Secretary.



BIHAR STATE POLLUTION CONTROL BOARD

Parivesh Bhawan, Patliputra Industrial Area, P.O.-Sadakat Ashram, Patna-800010
EPABX 0612-2261250/2262265, Fax 0612-2261050

Notification No. 29

Patna, dated 10.11.23

Notification

In compliance with the categorization of "Sand/River Bed Material mining from river bed and its flood plains (excluding manual excavation)" vide Central Pollution Control Board reference no. CPCB/IPC-IV/ROGW, dated-22.09.2023, Bihar State Pollution Control Board hereby adopt the aforesaid categorization for implementation in the State of Bihar as hereunder:-

Categorization of Sand/ riverbed material mining from the river bed and its flood plains (excluding manual excavation)

Sl. No.	Sl. No. (as per CPCB Document)	Non-Industrial Operation	Category	Remarks
1	63	Sand/ riverbed Material mining from riverbed and its floodplains (excluding Manual excavation);		i. Sand/ riverbed material mining from riverbed and its floodplains may cause ecological disturbances, erosion of river bed, change in hydro-geological conditions & river ecosystem.
		(i) Mining lease area more than 5 hectares or Mining lease area up to 5 hectares which is part of cluster mining	Red	
		ii. standalone mining lease area up to five acre in areas (not a part of any cluster mining)	Orange	ii. Cluster mining means that the distance of mining lease are is less than 500 m from periphery of another lease area. iii. This categorization is made considering the ecological damages and not based on

P

				pollution potential/ index.
Note: Cluster mining as defined in 'Enforcement & Monitoring Guidelines for Sand Mining, 2020' issued by MoEF&CC.				

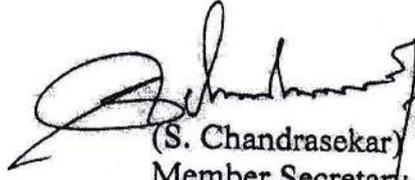
This is being notified with the approval of the Hon'ble chairman.

Sd/-
(S. Chandrasekar)
Member Secretary.

Memo No.: 2714

Patna, date: 10/11/23

- Copy to:
1. The Additional Chief Secretary-cum-Mines Commissioner, Mines and Geology Department, Govt. of Bihar, Patna.
 2. The Secretary, Department of Environment, Forest and Climate Change, Govt. of Bihar, Patna.
 3. The Chairman, State Environment Impact Assessment Authority (SEIAA), Beltron Bhawan, Shastri Nagar, Patna- 800 023.
 4. The Chairman, State Appraisal Committee (SEC), Beltron Bhawan, Shastri Nagar, Patna- 800 023.
 5. The District Magistrate, All district of Bihar
 6. All the Regional Officers, Bihar State Pollution Control Board for information and necessary action.


(S. Chandrasekar) 10/11/23
Member Secretary.



Chandigarh Pollution Control Committee

Paryavaran Bhawan, Madhya Marg, Sector 19-B, Chandigarh- 160019

No. CPCC/2023/ 3900

Dated: 06-12-2023

To

Sh. Bharat Kumar Sharma
Member Secretary,
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar, Delhi.

Sub:- **Compliance of the order dated 30.05.2023, passed by the Hon'ble National Green Tribunal, New Delhi in Original Application No. 176/2022 in the matter of Aman Chaudhary Vs. UOI & Ors. – reg...**

.....

Sir,

This is reference of letter F.No. IA-L-11011/102/2022-IA-II (M) – NCM, dated 7th November, 2023 and letter No. CPCB/IPC-IV)ROGW, dated 22.09.2023 on the subject cited above.

In this context, it is informed that Chandigarh Pollution Control Committee has already adopted the categorization of Industries Sand/Riverbed material mining from riverbed and its floodprints (excluding manual excavation) under Orange Category.

Yours sincerely,

(T.C. Nautiyal, IFS)
Member Secretary



छत्तीसगढ़ पर्यावरण संरक्षण मंडल

पर्यावास भवन, नार्थ ब्लॉक, सेक्टर - 19,
नवा रायपुर अटल नगर, रायपुर (छ.ग.) 492002

Email add - hocecb@gmail.com

क्रमांक
प्रति,

6667 / तक / मु. / छ.ग.पं.सं.म. / 2023

नवा रायपुर अटल नगर, रायपुर, दिनांक 24/11/2023

✓ सदस्य सचिव,
केन्द्रीय प्रदूषण नियंत्रण बोर्ड,
परिवेश भवन, पूर्वी अर्जन नगर,
दिल्ली 110032

विषय :- Harmonization of Classification of industrial sectors into Red, Orange, Green and White Categories- regarding sand/river bed material mining activities के संबंध में।

सन्दर्भ:- डायरेक्टर एण्ड डिवीजनल हेड, आई.पी.सी.-वी.आई., केन्द्रीय प्रदूषण नियंत्रण बोर्ड परिवेश भवन, पूर्वी अर्जन नगर, दिल्ली का पत्र क्रमांक CPCB/IPC-VI/ROGW 5587 दिनांक 27/10/2023.

---:00:---

उपरोक्त विषयांतर्गत संदर्भित पत्र के माध्यम से केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा लाल, नारंगी, हरा एवं सफेद श्रेणी के उद्योगों का वर्गीकरण कर किये गये वर्गीकरण को अंगीकृत किये जाने हेतु निर्देशित किया गया था। उक्त के परिपेक्ष्य में कृपया सूचित हो कि छत्तीसगढ़ पर्यावरण संरक्षण मंडल द्वारा पत्र दिनांक 20/11/2023 को आदेश जारी कर विषयांतर्गत वर्गीकरण को अंगीकृत कर लिया गया है। इस संदर्भ में छत्तीसगढ़ पर्यावरण संरक्षण मंडल द्वारा जारी आदेश की प्रति संलग्न कर सूचनार्थ प्रस्तुत है।

संलग्न - उपरोक्तानुसार।

सदस्य सचिव

छत्तीसगढ़ पर्यावरण संरक्षण मंडल,
नवा रायपुर अटल नगर, रायपुर (छ.ग.)



छत्तीसगढ़ पर्यावरण संरक्षण मंडल

पर्यावास भवन, सेक्टर - 19,

नवा रायपुर अटल नगर, रायपुर (छ.ग.) 492002

Email -hocecb@gmail.com

6492

क्रमांक /मुख्या./तक./छ.ग.प.सं.मं./2023 नवा रायपुर अटल नगर, दिनांक 20/11/2023

—::कार्यालय आदेश::—

जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 एवं वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 के प्रावधानों के तहत छत्तीसगढ़ शासन द्वारा छत्तीसगढ़ पर्यावरण संरक्षण मंडल का गठन किया गया है।

छत्तीसगढ़ पर्यावरण संरक्षण मंडल द्वारा उद्योगों/कार्यकलापों/संस्थानों को जारी किये जाने वाले सम्मति/सम्मति-नवीनीकरण तथा इनके श्रेणीकरण के लिए वर्तमान में केन्द्रीय प्रदूषण नियंत्रण बोर्ड, दिल्ली के पत्र क्रमांक बी-29012/ईएसएस(सीपीए)/2015-16/8568 दिनांक 07/03/2016 में दिये गये जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 एवं वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 की धारा 18(1)(बी) के अंतर्गत जारी निर्देश में संलग्न 'फाईनल रिपोर्ट' में वर्णित इंडस्ट्रियल सेक्टर्स हेतु निर्धारित रिवाइज्ड काईटेरिया तथा लाल, नारंगी, हरा एवं सफेद श्रेणी के इंडस्ट्रियल सेक्टर्स की रिवाइज्ड लिस्ट को दिनांक 13/06/2016 को अंगीकृत किया गया है। तदोपरांत केन्द्रीय प्रदूषण नियंत्रण बोर्ड, दिल्ली द्वारा औद्योगिक/गैर औद्योगिक क्रियाकलापों/परिचालन/सुविधाओं के वर्गीकरण बाबत समय-समय पर जारी निर्देशों के पालनार्थ उक्त वर्गीकरण संशोधनों को भी अंगीकृत किया गया है।

केन्द्रीय प्रदूषण नियंत्रण बोर्ड, दिल्ली द्वारा पत्र क्रमांक सी.पी.सी.बी./आईपीसी-VI/आरओजीडब्ल्यू दिनांक 22/09/2023 के माध्यम से जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 एवं वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 की धारा 18(1)(बी) में प्रदत्त शक्तियों का उपयोग करते हुए "Sand /riverbed material mining from riverbed and its floodplains (excluding manual excavation)" का वर्गीकरण किया जाकर अंगीकृत करने हेतु निर्देशित किया गया है।

अतः छत्तीसगढ़ पर्यावरण संरक्षण मंडल एतद् द्वारा केन्द्रीय प्रदूषण नियंत्रण बोर्ड, दिल्ली द्वारा पत्र क्रमांक सी.पी.सी.बी./आईपीसी-VI/आरओजीडब्ल्यू दिनांक 22/09/2023 के साथ संलग्न Annexure-I में उल्लेखित गैर औद्योगिक परिचालन(Non Industrial Operations) के वर्गीकरण (Category) को तत्काल प्रभाव से अंगीकृत करता है।

संलग्न :- उपरोक्तानुसार

सदस्य सचिव

छत्तीसगढ़ पर्यावरण संरक्षण मंडल,
नवा रायपुर, अटल नगर, रायपुर (छ.ग.)

पृ.क्रमांक 6493 / मुख्या. / तक. / छ.ग.प.सं.मं. / 2023 नवा रायपुर अटल नगर, दिनांक 20/11/2023
प्रतिलिपि :-

1. सदस्य सचिव, केन्द्रीय प्रदूषण नियंत्रण बोर्ड, परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली 110032 की सूचनार्थ प्रेषित।
2. अतिरिक्त मुख्य अभियंता/अधीक्षण अभियंता/सहायक अभियंता, मुख्यालय, छत्तीसगढ़ पर्यावरण संरक्षण मंडल, नवा रायपुर अटल नगर, जिला-रायपुर(छ.ग.) की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
3. क्षेत्रीय अधिकारी, क्षेत्रीय कार्यालय, छत्तीसगढ़ पर्यावरण संरक्षण मंडल, रायपुर/मिलाई-दुर्ग/बिलासपुर/रायगढ़/कोरबा/अंबिकापुर/जगदलपुर की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

सदस्य सचिव

छत्तीसगढ़ पर्यावरण संरक्षण मंडल,
नवा रायपुर, अटल नगर, रायपुर (छ.ग.)

01/11

Categorization of sand / riverbed material mining from riverbed and its floodplains (excluding manual excavation)

Sl. No.	Sl. No. (as per CPCB Document)	Non-Industrial operations	Category	Remarks
1	63	Sand / riverbed material mining from riverbed and its floodplains (excluding manual excavation)		i. Sand / riverbed material mining from riverbed and its floodplains may cause ecological disturbances, erosion of riverbed, change in hydro-geological conditions & river ecosystem, etc.
		(i) Mining lease area more than 5 hectares or Mining lease area up to 5 hectares which is part of cluster mining	Red	ii. Cluster mining means that the distance of mining lease area is less than 500 m from periphery of another lease area.
		(ii) Standalone mining lease area up to five hectares in areas (not a part of any cluster mining)	Orange	iii. This categorization is made considering the ecological damages and not based on pollution potential/index.

Note: Cluster mining as defined in 'Enforcement & Monitoring Guidelines for Sand Mining, 2020', issued by MoEF&CC.



GPCB

2173
GUJARAT POLLUTION CONTROL BOARD

PARYAVARAN BHAVAN

Sector-10-A, **Gandhinagar**-382 010

Phone : (079) 23226295

Fax : (079) 23232156

Website : www.gpcb.gov.in

No.GPCB/P-1/14 (7)/759146

Date: 2-10-2023

To,
Shri Ajay Aggarwal,
Director & Div. Head, IPC-VI,
Central Pollution control Board,
Parivesh Bhawan, East Arjun Nagar,
Delhi-110032.

Sub: Harmonization of Classification of industrial Sectors into Red, Orange, Green and White Categories- regarding Semiconductor manufacturing industries and sand/river bed material mining activities.

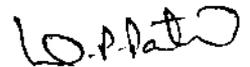
- Ref: 1) Your letter No. CPCB/IPC-VI/ROGW, dated: 05/09/2023
2) Your letter No. CPCB/IPC-VI/ROGW, dated: 22/09/2023
3) Your letter No. CPCB/IPC-VI/ROGW/5583-5626, dated: 27/10/2023

Sir,

In connection with above mentioned subject and reference, The board has adopted and implemented the categorization of "Semiconductor manufacturing industries" and "Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation)".

This letter is issued after obtaining approval of competent authority.

**For and on behalf of
Gujarat Pollution Control Board**



(D.P Patel)

I/C Unit head,

P-1 branch

Clean Gujarat Green Gujarat

ISO - 9001 - 2008 & ISO - 14001 - 2004 Certified Organisation

**H.P. STATE POLLUTION CONTROL
BOARD
"HIM PARIVESH", PHASE III,
NEW SHIMLA-171009.**

No. HPSPCB/ CPCB Miscellaneous /2023- 12409

Dated: 6.12.2023

To

Sh. Ajay Aggarwal

Director & Div. Head, IPC-VI,
Central Pollution Control Board,
Ministry of Environment Forest & Climate Change Govt. of
India.
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

**Subject: - Harmonization of Classification of Industrial Sectors
into Red, Orange, Green and White
Categories-regarding sand/river bed
material mines activities.**

Sir,

This is in reference to letter no. CPCB/IPC-VI/ROGW 5591 dated 27/10/2023 received from your office on the subject cited above. In this context, in view of information sought by your office, it is informed that Sand mining projects of category A and B1 under EIA notification 2006 have been classified by the State Board in Red category industry and Minor minerals mining projects of category B2 have been classified in Orange category industry.

Signed by

Anil Joshi

Date: 06-12-2023 13:24:09

(Anil Joshi, IFS)

Member Secretary

HP State Pollution Control Board





Winter office: November-April
Parivesh Bhawan, Gladini,
Transport Nagar, Narwal,
Jammu-180006
Ph./Fax.0191-2476925

Government of Jammu and Kashmir
J&K Pollution Control Committee



Summer office: May-October
Sheikh-ul-Alam campus,
Behind Govt. Silk factory,
Rajbagh, Srinagar (J&K)- 190008
Ph./Fax.0194-2311165

Email: membersecretaryjkpcb@gmail.com

**The Member Secretary,
Central Pollution Control Board,
Parivesh Bhawan, C.B.D. Cum-Office Complex,
East Arjun Nagar, Shahdara,
Delhi-110032.**

No: JKPCC/T/CPCB/RBM/2023/ 898-31

Date: 03-11-2023.

Sub.: Harmonization of Classification of Industrial Sectors into Red, Orange, Green and White Categories, regarding sand / river bed material mining activities.

Ref.:- Your office letter no. CPCB/IPC-VI/ROGW dt.27.10.2023.

Sir,

With reference to the subject cited above, I am to say that earlier J&K Pollution Control Committee classified **Sand / River bed material mining activities under "Orange Category"** and the consent have been issued accordingly. After receiving the directions of CPCB vide letter no. CPCB/IPC-IV/ROGW dt.22.09.2023, the revised classification for Sand / River bed material mining activities has been adopted.

I am directed to convey that, the consent for mining lease area **more than 5 hectares** or Mining lease **upto 5 hectares**, which is part of cluster mining shall henceforth be issued under **Red** category.

Yours faithfully,


(J N Sharma) 3.11.23

Environmental Engineer

J&K PCC, Jammu.

Copy to :-

- 1- Member Secretary, JKPCC, Jammu for information.
- 2- PA to Chairman JKPCC for kind information of the worthy Chairman JKPCC.
- 3- Office file.

2176

☎: General: 0471- 2312910, 2318153, 2318154, 2318155 Chairman: 2318150 Member Secretary: 2318151
e-mail: chn.kspcb@gov.in; ms.kspcb@gov.in FAX: 2318152 web: kspcb.kerala.gov.in



KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram – 695 004

പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695 004



KSPCB/159/2022-SEE3

Date: 06/11/2023

From

The Member Secretary

To

The Member Secretary
Central Pollution Control Board
Parivesh Bhavan
East Arjun Nagar
Delhi-110032

Sub: Action Taken Report on Categorization of Sand / riverbed material mining– reg

Ref: Your Letter No CPCB/IPC-VI/ROGW-5595 dated 27/10/2023

Sir,

Kind attention please invited in the subject matter. As directed Board has adopted the categorization of Sand / riverbed material mining and directed all Regional Offices and District Offices to implement the same throughout the state.

Yours Faithfully

MEMBER SECRETARY

Copy to: Regional Director
CPCB, RD Bengaluru

2177

MAHARASHTRA POLLUTION CONTROL BOARD

Phone No. 24010437 / 24020781
Visit us at : <http://mpcb.gov.in>
Email : jdwater@mpcb.gov.in



"Your Service is our Duty"

Kalpitaru Point 3rd floor,
Sion Matunga Scheme
Road No. 8, Infant of Sion
Cercal, Sion (E),
Mumbai – 400 022.

No.MPCB/JD(WPC)/B- 23/130 - FTS - 0006

Date: 30/ 11 /2023

To,
Director & Div. Head, IPC – VI,
Central Pollution Control Board,
Ministry of Environment Forest &
Climate Change of India,
Parivesh Bhavan, East Arjun Nagar,
Delhi – 110032.

Sub: Submission of Action taken report wrt. Harmonization of Classification of Industrial Sectors into Red, Orange, Green and White Categories – reg. sand/river bed material mining activities.
Ref: Letter received from CPCB vide no. CPCB/IPC-VI/ROGW (5583-5626), dtd. 27.10.2023.

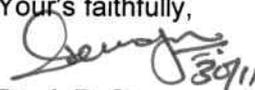
Sir,

With reference to the above subject matter this office is in receipt of the letter no. CPCB/IPC-VI/ROGW (5583-5626), dtd. 27.10.2023 wrt. categorization 'Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation) for adoption and implementation of categorization.

In this concern , MPC Board has been submitting action taken report (ATR) Wrt. Harmonization of Classification of Industrial Sector categorization 'Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation) as under –

- MPC Board vide email dtd. 08.11.2023 communicated these categorization to all the Regional Offices / Sub-Regional Offices to adopt & implementation of harmonization of classification for Sand/ Riverbed Material Mining categorization.
- MPC Board has prepared a circular in this matter vide letter dtd. 22.11.2023 and communicated to all the Regional Offices / Sub-Regional Offices to adopt & implementation of Harmonization of Classification for Sand/ Riverbed Material Mining in consent management sector.
- MPC Board has also hosted these categorization of 'Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation) on website for information of general public.

Your's faithfully,


Dr. J. B. Sangewar
Joint Director (WPC)

Copy submitted for Information:

- Hon'ble Chairman, MPC Board, Mumbai.
- Hon'ble Member Secretary, MPC Board, Mumbai.

Copy submitted to:

All HOD's, Maharashtra Pollution Control Board, Sion, Mumbai.

2178

MAHARASHTRA POLLUTION CONTROL BOARD

Phone No. 24010437 / 24020781

Visit us at : <http://mpcb.gov.in>

Email : jdwater@mpcb.gov.in



"Your Service is our Duty"

Kalpitaru Point 3rd floor,
Sion Matunga Scheme
Road No. 8, Infant of Sion
Cercal, Sion (E),
Mumbai – 400 022.

No.MPCB/JD(WPC)/B- 23/130 - FTS - 0006

Date: 30/ 11 /2023

To,
Director & Div. Head, IPC – VI,
Central Pollution Control Board,
Ministry of Environment Forest &
Climate Change of India,
Parivesh Bhavan, East Arjun Nagar,
Delhi – 110032.

Sub: Submission of Action taken report wrt. Harmonization of Classification of Industrial Sectors into Red, Orange, Green and White Categories – reg. sand/river bed material mining activities.

Ref: Letter received from CPCB vide no. CPCB/IPC-VI/ROGW (5583-5626), dtd. 27.10.2023.

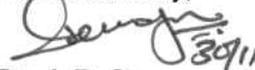
Sir,

With reference to the above subject matter this office is in receipt of the letter no. CPCB/IPC-VI/ROGW (5583-5626), dtd. 27.10.2023 wrt. categorization 'Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation) for adoption and implementation of categorization.

In this concern , MPC Board has been submitting action taken report (ATR) Wrt. Harmonization of Classification of Industrial Sector categorization 'Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation) as under –

- MPC Board vide email dtd. 08.11.2023 communicated these categorization to all the Regional Offices / Sub-Regional Offices to adopt & implementation of harmonization of classification for Sand/ Riverbed Material Mining categorization.
- MPC Board has prepared a circular in this matter vide letter dtd. 22.11.2023 and communicated to all the Regional Offices / Sub-Regional Offices to adopt & implementation of Harmonization of Classification for Sand/ Riverbed Material Mining in consent management sector.
- MPC Board has also hosted these categorization of 'Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation) on website for information of general public.

Your's faithfully,


Dr. J. B. Sangewar
Joint Director (WPC)

Copy submitted for Information:

- Hon'ble Chairman, MPC Board, Mumbai.
- Hon'ble Member Secretary, MPC Board, Mumbai.

Copy submitted to:

All HOD's, Maharashtra Pollution Control Board, Sion, Mumbai.

MIZORAM POLLUTION CONTROL BOARD

No. H.88088/Poltn/3/2023-MPCB

Dated Aizawl, the 10th November, 2023

To,

The Member Secretary
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar
Delhi-110032.

Subj.: Action Taken Report on Harmonization of Classification of Industrial Sectors into Red, Orange, Green and White Categories, regarding Sand/river bed material mining activities

Reference: Your Letter No. CPCB/IPC-IV/ROGW dt. 22.09.2023

Sir,

With reference to the subject cited above, may I submit herewith the Action Taken Report on the above referenced subject as follows:

1. The categorization of 'Sand/river bed material mining from riverbed and its floodplains (excluding manual excavation)' as per details given at Annexure-I is duly adopted by the Board.
2. The state's Geology and Mining Department were also informed of the categorization vide letter dated 16.10.2023, requesting their cooperation with its implementation.

May I further inform you that there are no cases of 'Sand/river bed material mining from riverbed and its floodplains (excluding manual excavation)' in the State at present.

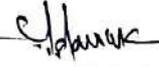
Yours faithfully


(C. LALDUHAWMA)
Member Secretary

Memo No.H.88088/Poltn/3/2023-MPCB

Dated Aizawl, the 10th November, 2023

Copy to: Scientist 'C', IPC-VI Division, Central Pollution Control Board, Delhi for information and necessary action with respect to her letter dated 22.09.2023


(C. LALDUHAWMA)
Member Secretary

Mizoram Pollution Control Board



NAGALAND POLLUTION CONTROL BOARD

Signal Point, Dimapur – 797112, Nagaland
Tel.: 03862-245727, TeleFax; 03862-245726
Website: www.npcb.nagaland.gov.in e-mail: npcb2@yahoo.com

Dated 02/11/2023

NPCB/IND-CON-2/5027-28

To

✓ Ajay Aggarwal
Director & Div. Head, IPC-VI
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar
Delhi - 110032

Sub: Harmonization of Classification of industrial sectors into Red, Orange, Green and White Categories – regarding sand/river bed material mining activities – reg.

Ref: CPCB/IPC-VI/ROGW/5583-5626 Dtae 27.10.2023

Sir,

With reference to the above cited subject, I would like to inform you that the Nagaland Pollution Control Board has adopted the categorization of Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation) by including the new category to the existing classification of industrial sector.

I am enclosing herewith the action taken report regarding the same.

Encl: As above

Yours Sincerely,

(K. Hukato Chishi IFS)
Member Secretary

Dated 02/11/2023

NPCB/IND-CON-2/ ✓

Copy to:

The Regional Director, Central Pollution Control Board, Regional Directorate – Shillong, BSNL NE-I, Telecom Circle, CTO Building, Ground Floor, Shillong – 793001, with reference to your letter RDNE/403/HCI/2023-24/1287-1289 Dated 30.10.2023 for kind information.

Member Secretary



NAGALAND POLLUTION CONTROL BOARD

Signal Point, Dimapur – 797112, Nagaland
Tel.: 03862-245727, TeleFax; 03862-245726

Website: www.npcb.nagaland.gov.in e-mail: npcb2@yahoo.com

NPCB/IND/CON-2/

Dated 30/10/2023

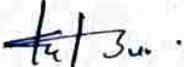
Notification

In compliance to the directions issued by CPCB under Section 18(1)(b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 regarding harmonization of classification of industrial sectors into Red, Orange, Green and White Categories, the NPCB includes the following industries to the existing classification of industrial sectors.

The lists of newly categorized sectors included are: -

- (i) Scrapping Centre
- (ii) Used Cooking Oil (UCO) Collection centres
- (iii) Compressed/Refined Bio-Gas
- (iv) Railway Stations
- (v) Dairy Farms
- (vi) Gaushalas
- (vii) Building and Construction Projects, having built-up area up to 20,000m² and waste water generation >50KLD
- (viii) Construction and Demolition (C&D) Waste Processing Plants
- (ix) Gold Assaying & Hallmarking Centres
- (x) Semi-conductor manufacturing industries
- (xi) Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation)

Details are given at Annexure –I


(K. Hukato Chishi IFS)
Member Secretary



NAGALAND POLLUTION CONTROL BOARD

Signal Point, Dimapur – 797112, Nagaland
Tel.: 03862-245727, TeleFax; 03862-245726

Website: www.npcb.nagaland.gov.in e-mail: npceb2@yahoo.com

Annexure - I

Sl. No.	Entry at S.No. of respective category in CPCB's classification	Industry Sector	Category	Remarks
1	85	Scrapping Centres (for End of life of vehicles and other scraps such as plant and machineries, structural material, railway coaches and wagons, etc).	Orange	
		a.Collection, De-pollution, Dismantling Centres and shredding Centres	Orange	i. process will generate waste water from vehicle washing, surface washing, spillage while depolluting the vehicle. ii. Emission of particulate matter. iii. Residue generated during the process needs stabilization before disposal as it may contain asbestos.
		b.Collection, De-pollution and Dismantling Centres	Orange	i. process will generate waste water from vehicle washing, surface washing, spillage while depolluting the vehicle. ii. Fugitive emission may be generated from dismantling and other activities. iii. Residue generated during the process needs stabilization before disposal as it may contain asbestos.
		c.Shredding Centres(can include white goods*/other scraps also)	Orange	i. Waste water may be generated from floor washing, etc. ii. Residue generated may be incinerated/landfilled. iii. Emission of particular matter.



NAGALAND POLLUTION CONTROL BOARD

Signal Point, Dimapur – 797112, Nagaland
Tel.: 03862-245727, TeleFax: 03862-245726

Website: www.npcb.nagaland.gov.in e-mail: npqb2@yahoo.com

2	37	Used Cooking Oil (UCO) Collection centres	White	<ul style="list-style-type: none"> i. Generally, there is no waste water generation or air emissions from UCO collection centres. ii. Concerned SPCB/PCC shall ensure the above.
3	86	Compressed/Refined Bio-Gas	Orange	<ul style="list-style-type: none"> i. All digesters requiring discharge of excess wastewater to be treated in orange category. ii. Domestic bio-digesters based on cow-dung or household biodegradable wastes (such as Gobargas plant)- white category. iii. No wastewater discharge from digester and also feed slurry to digester having Volatile Organic Fraction more than 75% to be considered as Green category. iv. Wastewater may be generated from wet processes for gas refining, cooling towers and cooling re-circulation processes. v. Odour generation from pretreatment of organic waste and composting. vi. Exhausted adsorption media/filters and spent solvents may also get generated.
4	87	Dairy Farm	Orange	<ul style="list-style-type: none"> i. This categorization is applicable to dairy farm where milching animals (cows/buffalos) are housed to produce milk for distribution and supply to milk processing plants. ii. Wastewater is generated from floor washing, urinal output and bathing/washing of animals. Wastewater contains high organic matter, however, it is non-toxic and easily biodegradable. iii. Odour is generated due to dung and wastewater. iv. Stand-alone or isolated dairy farm, having 15 animals & above, shall obtain CTE/CTO under "Orange category". v. Dairy farm in colonies/clusters should obtain CTE/CTO under "Orange category". vi. All Dairy farms shall follow the "Guidelines for Environmental Management of Dairy Farms and Gashalas" issued by CPCB.



NAGALAND POLLUTION CONTROL BOARD

Signal Point, Dimapur – 797112, Nagaland
Tel.: 03862-245727, TeleFax; 03862-245726

Website: www.npcb.nagaland.gov.in e-mail: npcb2@yahoo.com

5	87	Gaushalas	Green	<p>i. This categorization is applicable to Gaushala where weak, sick, injured, handicapped and abandoned homeless cattle/ cows are housed for rehabilitation.</p> <p>ii. Wastewater is generated from floor washing, urinal output and bathing/washing of animals. Wastewater contains high organic matter; however, it is non-toxic and easily biodegradable.</p> <p>iii. Odour is generated due to dung and wastewater.</p> <p>iv. All Gaushalas shall follow the "Guidelines for Environmental Management of Dairy Farms and Gaushalas" issued by CPCB.</p> <p>v. In case, overall wastewater generation is 100 KLD or more, the gaushala will be categorized in "Orange category" with PI=50</p>
6	62	Semiconductor manufacturing industries		
		(i) Semiconductor fabs manufacturing	Red	<p>Toxic wastewater is generated due to presence of Hydrofluoric acid (HF), Mixed Nitric HF (HF + HNO₃), Phosphoric acid, Sulphuric acid (H₂SO₄), HYDROGEN PEROXIDE, Isopropyl alcohol (IPA)/ Methanol (Methanol Only), Stripper EKC-265/ACT N396 (ACT N396 Only), BHF – 63 U, Choline etchant, etc.</p> <p>The air pollutants which are being emitted during manufacturing process are SiH₄, PH₃, B₂H₆, HF, HBr, DCS, NF₃, SF₆, BCL₃, CL₂, HCL, NH₃, C₂F₆, CHF₃, CF₄, C₄F₈, C₂F₆ etc.</p> <p>Process waste, used oil etc.. are generated as hazardous waste.</p>
		(ii) Display fabs manufacturing	Red	
		(iii) Compound semiconductors/Silicon photonics/sensor fabs manufacturing	Red	
		(iv) Semiconductor Assembly, Testing, Marking and Packaging Facility (ATMP)	Orange	Scores are normalized to 100 based on the contribution from air pollution (fugitive emission) and hazardous waste generation.



NAGALAND POLLUTION CONTROL BOARD

Signal Point, Dimapur – 797112, Nagaland
Tel.: 03862-245727, TeleFax: 03862-245726

Website: www.npcb.nagaland.gov.in e-mail: npcb2@yahoo.com

Non-Industrial Operations (Activities/Facilities/Infrastructure/Service sector)

Sl.No.	Entry at S.No. of respective category in CPCB's classification	Non-Industrial Operations (Activities/Facilities/Infrastructure/Service sector)	Category	Remarks
1	61	Railway Stations (waste water Generation \geq 100 KLD)	Red	<ul style="list-style-type: none"> i. Mainly water polluting, scores are normalized. Wastewater generating from public toilets, public-taps, platform and apron washing, coach cleaning, laundry, restaurants etc. ii. Air emissions may be generated from boilers, DG sets (> 1MVA), railway sidings, etc. iii. Small amount of hazardous waste such as used oil from DG sets, waste oil from coach cleaning, etc. may be generated.
	84	Railway Stations (Waste Water Generation \geq 10 KLD, but \leq 100 KLD)	Orange	<ul style="list-style-type: none"> i. Mainly water polluting, scores are normalized. Waste water generating from various uses such as public toilets, public-taps, platform and apron washing, restaurants, etc. ii. Air emissions may be generated from boilers, DG sets (> 1MVA), railway sidings, etc. iii. Small amount of hazardous waste such as used oil from DG sets, waste oil from coach cleaning, etc. may be generated.



NAGALAND POLLUTION CONTROL BOARD

Signal Point, Dimapur – 797112, Nagaland
Tel.: 03862-245727, TeleFax; 03862-245726

Website: www.npcb.nagaland.gov.in e-mail: npceb2@yahoo.com

	64	Railway Stations (Waste Water Generation < 10 KLD)	Green	<ul style="list-style-type: none"> i. On small railway stations, waste water generation mainly from public taps and toilets. Scores are normalized. ii. Small railway stations normally may not have boilers or any other prominent stationary air emission sources.
2	63	Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation)		<ul style="list-style-type: none"> i. Sand / riverbed material mining from riverbed and its floodplains may cause ecological disturbances, erosion of riverbed, change in hydro-geological conditions & river ecosystem, etc. ii. Cluster mining means that the distance of mining lease area is less than 500 m from periphery of another lease area. iii. This categorization is made considering the ecological damages and not based on pollution potential/index
		(i) Mining lease area more than 5 hectares or Mining lease area up to 5 hectares which is part of cluster mining	Red	
		(ii) Standalone mining leased area up to five hectares in areas (not a part of any cluster mining)	Orange	
3	21	Building and Construction Project more than 20,000 sq.m built up area	Orange	



NAGALAND POLLUTION CONTROL BOARD

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 Tel.: 03862-245727, TeleFax: 03862-245726
 Website: www.npcb.nagaland.gov.in e-mail: npqb2@yahoo.com

4		Construction and Demolition (C&D) Waste Processing Plants	Orange	
5		Gold Assaying & Hallmarking Centres	Orange	

Member Secretary
 Nagaland pollution Control Board

2188

No.4507/DSTE/PPCC/SCI/SAND/ CIRC/2023/ 10 51
DEPARTMENT OF SCIENCE, TECHNOLOGY & ENVIRONMENT
PUDUCHERRY POLLUTION CONTROL COMMITTEE
III FLOOR, PHB BUILDING, ANNA NAGAR, PUDUCHERRY- 605 005.
Phone : (0413) 2201256 ; Telefax : (0413) 2203494

Puducherry, the 08 NOV 2023

To

Ajay Aggarwal
Director & Div. Head IPC-VI,
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar,
Delhi - 110 032.

Sir,

Sub: PPCC - Sand / River bed material Mining Activities - Harmonization of classification of Industrial Sectors - Action Taken Report - Reg

Ref: (i) Hon'ble NGT order in O.A No.176/2022 I.A No.39/2023, IA No.40/2023 Aman Chaudhary vs Union of India & Ors dated 17.10.2023.

(ii) CPCB communication dated 22.09.2023 and 27.10.2023.

With reference to the above-mentioned subject, it is informed that Puducherry Pollution Control Committee (PPCC) has issued necessary circular on 2.11.2023 and adopted the CPCB Harmonization of Classification of Industrial Sectors - Sand / River bed material Mining activities dated 22.09.23 in U.T of Puducherry. PPCC has also issued necessary communication to all the Concerned Departments dealing with the subject matter in U.T of Puducherry to comply with the Hon'ble NGT order dated 17.10.2023 to ensure that there shall be **No river sand mining / Riverbed material mining from riverbed and its flood plains (Excluding manual excavation) will be allowed to continue to operate in U.T of Puducherry without obtaining consents from PPCC.**

This is for your kind information.

Yours sincerely,

N. Ramesh

(Dr. N. RAMESH)
MEMBER SECRETARY
PPCC

Copy to:

1. Smt. H D Varalaxmi,
Scientist 'E' & Incharge,
Regional Directorate Chennai,
Central Pollution Control Board,
No. 77-A, Padi, Ambattur Industrial Estate,
Chennai - 600058.

For Information,

Sh. Dixit

Arjun
16/11/23

2. The Standing Guard file.

2189

ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD



Dated.

No. SEE(HQ-2)/F no. 10/2023/.....

To

The Environmental Engineer,
Punjab Pollution Control Board,
Regional Office, Patiala/Ludhiana-1/2/3/4/Batala/ Sangrur/
Jalandhar-1/2/Amritsar/Hoshiarpur/ SAS Nagar/
Roopnagar/Bathinda/Faridkot/Fatehgarh Sahib/ HQ-1/2/3.

Subject: Harmonization of Classification of Industrial Sectors into Red, Orange, Green and White Categories-reg.

Ref: CPCB letter no. CPCB/IPC-IV/ROGW dated 05.09.2023 and 22.09.2023.

The Board vide order no. SEE(HQ-2)/F-10(Vol.II)/458 dated 29.09.2016 has issued the list of Red/Orange/Green/White category of industries, which is being updated from time to time by including new categories or modifying the existing categories either on the representations from Regional offices or directions from CPCB.

Now, CPCB vide letter no. CPCB/IPC-IV/ROGW dated 05.09.2023 and 22.09.2023 has categorized 'Semiconductor Manufacturing Industries' and 'Sand/river bed material mining from river bed and its floodplains (excluding manual excavation)'. The copies of the letters dated 05.09.2023 and 22.09.2023 are attached herewith.

'Semiconductor Manufacturing Industry' is not in the existing list of categorization of PPCB, however, mining activities has been included under Red & Orange Category at Type Code – 1088 & 2090, respectively. As such, the following modifications/additions are made in the list of industries earlier categorized by Board under Red/Orange/Green/White category.

Sr. No.	Type code	Industrial Sector - Type	Category	Remarks
Semiconductor Manufacturing Industry				
97	1097	i. Semiconductor fabs Manufacturing ii. Display fabs manufacturing iii. Compound semiconductors/Silicon photonics/ Sensor fabs manufacturing	Red	New addition
121	2121	Semiconductor Assembly, Testing, Marking and Packaging Facility (ATMP)	Orange	New addition

Contd.....

ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ-147001

Vatavaran Bhawan, Nabha Road, Patiala -147001

Phone : Chairman : 0175-2215793, Member Secretary : 0175-2215802 (O)

Website : www.ppcb.gov.in | E-Mail : chairmanppcb@yahoo.in | msppcb@gmail.com |



Sr. No.	Type code	Non Industrial operations	Category	Remarks
Sand/river bed material mining from river bed and its floodplains (excluding manual excavation)				
88	1088	Mining lease area more than 5 hectares or Mining lease area up to 5 hectares which is part of cluster mining.	Red	Modified existing categorization. i Sand/riverbed material mining from riverbed and its floodplains may cause ecological disturbances, erosion of riverbed, change in hydro-geological conditions & river ecosystem, etc.
90	2090	Standalone mining lease area up to five hectares in areas (not a part of any cluster mining)	Orange	ii Cluster mining means that the distance of mining lease area is less than 500 m from periphery of another lease area. iii This categorization is made considering the ecological damages and not based on pollution potential/index.

This is for your information and compliance.

DA/as above

Endst. No. SEE(HQ-2)/2023/.....²⁸¹⁷⁹

^{-sd-}
Member Secretary

Dated^{09/11/23}

A copy of the above is forwarded to the Member Secretary, Central Pollution Control Board, Parivesh Bhawan, Delhi to construed it as action taken report with reference to letter no. CPCB/IPC-VI/ROGW/5603 dated 27.10.2023, please.

Endst. No. SEE(HQ-2)/2023.....

^{JK}
Member Secretary

Dated:.....^h

A copy of the above is forwarded to the following for information and necessary action:

1. The Chief Environmental Engineer, Punjab Pollution Control Board, PBIP/HQ, Patiala, Bathinda, Jalandhar and Ludhiana.
2. The Senior Environmental Engineer, Punjab Pollution Control Board, HQ-1/2/3, Zonal Office - Jalandhar, Amritsar, Bathinda, Ludhiana 1/2 and Patiala 1/2.
3. The Environmental Engineer, Computer Section, Punjab Pollution Control Board, Patiala with a request to upload the communication on website of the Board and make necessary modification in OCMMS.
4. The Administrative Officer/Senior Law Officer/Deputy Controller (F&A), Punjab Pollution Control Board, Patiala.
5. The Scientific Officer (Air/Water), PPCB, Head Office, Patiala, Ludhiana and Jalandhar.
6. PS to Chairman/ PA to Member Secretary, Punjab Pollution Control Board, Patiala.

DA/as above

^{-sd-}
Member Secretary



138938/ 4.12.23/ IPC-VI
2191
उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
UTTAR PRADESH POLLUTION CONTROL BOARD

संदर्भ सं०
Ref. No

103265
सी=2/साप्रान्व=348/23

दिनांक
Date

24/11/23

सेवा में,

श्री अजय अग्रवाल,
Director & Div. Head, IPC-VI,
केन्द्रीय प्रदूषण नियंत्रण बोर्ड,
परिवेश भवन, पूर्वी अर्जुन नगर,
दिल्ली-110032

विषय:—Harmonization of Classification of Industrial Sectors into Red, Orange, Green and White Categories-regarding sand/river bed material mining activities.

महोदय,

कृपया उपरोक्त विषयक अपने पत्र संख्या CPCB/IPC-VI/ROGW(5583-9626 दिनांक 27.10.2023 का संदर्भ ग्रहण करने का कष्ट करें। उक्त के संबंध में अवगत कराना है कि केन्द्रीय प्रदूषण नियंत्रण बोर्ड, दिल्ली के पत्र दिनांक 22.09.2023 द्वारा दिये गये निर्देशों/सुझावों एवं खनन इकाईयों हेतु सरलीकृत व्यवस्था को बढ़ावा दिये जाने के उद्देश्य से राज्य बोर्ड के कार्यालय आदेश दिनांक 03.11.2023 (छायाप्रति संलग्न) द्वारा केन्द्रीय प्रदूषण नियंत्रण बोर्ड के पत्र दिनांक 22.09.2023 में उल्लिखित Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation) को 5.0 हेक्टेयर क्षेत्रफल से अधिक खनन परियोजना को लाल श्रेणी एवं 5.0 हेक्टेयर क्षेत्रफल तक खनन परियोजना को नारंगी श्रेणी में अंगीकृत किया गया है।

सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

संलग्नक—यथोपरि।

भवदीय

(अजय कुमार शर्मा)
सदस्य सचिव



टी.सी. - 12 वी, विभूति खण्ड, गोमती नगर,
लखनऊ - 226 010
दूरभाष : 0522-2720828, 2720831
फैक्स : 0522-2720764, 2720676
ई-मेल : info@uppcb.in
वेबसाइट : www.uppcb.com

T.C.-12 V, Vibhuti Khand, Gomti Nagar,
Lucknow - 226 010
Phone : 0522-2720828, 2720831
Fax : 0522-2720764, 2720676
E-mail : info@uppcb.in
Website : www.uppcb.com



Hon'ble NGT Matter

Reminder

CPCB/IPC-VI/ROGW (5583-5626)

Date: 27.10.2023

To,

The Member Secretary
SPCBs/PCCs
(as per the list)

Sub: Harmonization of Classification of industrial Sectors into Red, Orange, Green and White Categories- regarding sand/river bed material mining activities.

Sir,

This has reference to the CPCB letter no. CPCB /IPC-IV/ROGW, dated 22.09.2023, on the above-mentioned subject, wherein SPCBs/PCCs were directed to adopt & implement the categorization of 'Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation)' and submit Action Taken Report (ATR). However, the ATR is still awaited.

The Hon'ble NGT vide order dated 17.10.2023 in the matter of OA No. 176/2022, titled as 'Aman Chaudhary v/s Union of India & Ors.', directed CPCB as follows:

"CPCB is directed to compile information on the basis of action taken reports received from the SPCBs/PCCs in response to its letter dated 22.09.2023 and file complied status report with one month."

As the status report is required to be filed by 17.11.2023, it is requested again, to submit the ATR regarding adoption & implementation of categorization of 'Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation)' to this office, immediately. The information may also be forwarded through email to ipc6.cpcb@gov.in

Yours faithfully,

Aj Aggarwal

(Ajay Aggarwal)

Director & Div. Head, IPC-VI

Copy to:

The Regional Directors,
CPCB
(as per the list)

: With the request to follow-up and ensure timely submission of information

'परिवेश भवन' पर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड,
टी0सी0-12वी, विभूति खण्ड गोमती नगर,
लखनऊ

पत्रांक :- 1102653/सा.प्र.प. - 348/23
कार्यालय ज्ञाप

दिनांक : 03-11-23

एतद्वारा केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 तथा वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 की धारा 18 (1)(b) के अंतर्गत सभी औद्योगिक इकाईयां, लाल श्रेणी, नारंगी श्रेणी, हरी श्रेणी एवं सफेद श्रेणी में विभाजित करने हेतु दिनांक 07.03.2016 को आदेश पारित किये गये थे, जिसके अनुपालन में श्रेणीवार व्यवस्था को बोर्ड द्वारा दिनांक 29.03.2016 को सम्पन्न बोर्ड की 96वीं बैठक में अंगीकृत करने हेतु अनुमोदनोपरान्त राज्य बोर्ड के कार्यालय ज्ञाप आदेश दिनांक 18.04.2016 द्वारा अनुपालनार्थ आदेशित किया गया है ।

माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली में-योजित ओ0ए0 संख्या-176/2022 अमन चौधरी बनाम यूनियन ऑफ इण्डिया व अन्य में पारित आदेश दिनांक 30.05.2023 के अनुपालन में भारत सरकार के पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय द्वारा दाखिल शपथ-पत्र के साथ संलग्न केन्द्रीय प्रदूषण नियंत्रण बोर्ड, दिल्ली के पत्र दिनांक 22.09.2023 के द्वारा निम्न निर्देश दिये गये हैं :-

Categorization of sand/riverbed material mining from riverbed and its floodplains (Excluding manual excavation)

Sl. No.	Sl. No. (as per CPCB document)	Non-industrial operations	Category	Remarks
1	63	Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation)		i. Sand/riverbed material mining from riverbed and its floodplains may cause ecological disturbances, erosion of riverbed, change in hydro-geological conditions & river ecosystem, etc.
		(i) Mining lease area more than 5 hectares or Mining lease area up to 5 hectares which is part of cluster mining	Red	ii. Cluster mining means that the distance of mining lease area is less than 500 m from periphery of another lease area.
		(ii) Standalone mining lease area up to 5 hectares in areas (not a part of any cluster mining)	Orange	iii. This categorization is made considering the ecological damages and not based on pollution potential/index.

केन्द्रीय प्रदूषण नियंत्रण बोर्ड के पत्र दिनांक 22.09.2023 द्वारा Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation) को उपरोक्तानुसार तालिका में वर्णित 5.0 हेक्टेयर क्षेत्रफल से अधिक खनन परियोजना को लाल श्रेणी एवं 5.0 हेक्टेयर क्षेत्रफल तक खनन परियोजना को नारंगी श्रेणी में अंगीकृत किया जाता है ।

उपरोक्त आदेश तत्काल प्रभाव से लागू होंगे ।

(अजय कुमार शर्मा)
सदस्य सचिव

पृ0सं0 एवं दिनांक - उपरोक्तानुसार ।

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

1. अध्यक्ष महोदय, उ0प्र0 प्रदूषण नियंत्रण बोर्ड के निजी सहायक को सूचनार्थ प्रेषित ।
2. समस्त मुख्य पर्यावरण अधिकारी/वृत्त प्रभारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, लखनऊ ।
3. समस्त क्षेत्रीय अधिकारी/क्षेत्रीय अधिकारी (प्रभारी), उ0प्र0 प्रदूषण नियंत्रण बोर्ड ।
4. वेब मास्टर, उ0प्र0 प्रदूषण नियंत्रण बोर्ड को विभाग की वेबसाइट पर प्रदर्शित करने हेतु ।
5. गार्ड फाईल ।

सदस्य सचिव



HEAD OFFICE
Uttarakhand Pollution Control Board
"Gauradevi Paryavaran Bhawan"
 46B, IT Park, Sahastradhara Road, Dehradun
 E-mail : msukpcb@yahoo.com, Phone No.-0135-2607092

Ref.: UKPCB/HO/Gen-257(II)/2023/927,

Date: 10.10.2023

OFFICE ORDER

In continuation of directions issued by the Central Pollution Control Board (CPCB) dated 07.03.2016 under section 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 regarding harmonization of classification of industrial sectors under Red/Orange/Green and White categories, following new industrial sectors have been categorized by CPCB vide letters ref. No. CPCB/IPC-IV/ROGW dated 05.09.2023 (Copy enclosed) and CPCB/IPC-IV/ROGW dated 22.09.2023 (Copy enclosed) and directed to implement the same.

S. N.	Sr. No. as per CPCB document	Industrial Sector	Category	Remarks
1.	62	Semiconductor manufacturing industries – Semiconductor fabs manufacturing.	Red	Toxic wastewater is generated due to presence of hydrofluoric acid (HF), mixed Nitric HF (HF +HNO ₃), Phosphoric Acid, Sulphuric acid (H ₂ SO ₄), Hydrogen Peroxide, Isopropyl alcohol (IPA/Methanol (Methanol; only), Stripper EKC-265 / ACT N396 (ACT N396 only), BHF-63 U, Choline etchant, etc.
2.		Semiconductor manufacturing industries – Display fabs manufacturing.	Red	
3.		Semiconductor manufacturing industries – Compound Semiconductors/ Silicon photonics/ Sensor fabs manufacturing.	Red	
4.		Semiconductor manufacturing industries – Semiconductor Assembly, Testing, Marking and Packaging Facility (ATMP)	Orange	Score are normalized to 100 based on the contribution from air pollution (fugitive emission) and hazardous waste generation.
5.	63	Sand / Riverbed material mining from riverbed and its floodplains (excluding manual excavation) - Mining lease area more than five	Red	i) Sand / riverbed material mining from riverbed and its flood plains may cause ecological disturbances, erosion of riverbed, change in hydro-geological

97C

	hectares or Mining lease area up to five hectares which is part of cluster mining.		conditions and river ecosystem, etc. ii) Cluster mining means that the distances of mining lease area less than 500 Meter from periphery of another lease area. iii) The Categorization is made considering the ecological damages and not based on pollution potential / index.
6.	Sand / Riverbed material mining from riverbed and its floodplains (excluding manual excavation) – Standalone mining lease area up to five hectares in areas (not a part of any cluster mining).	Orange	<i>Note: Cluster mining as defined in "Enforcement & Monitoring Guidelines for Sand Mining, 2020", issued by MoEF&CC.</i>

In view of above, all application for Consent to Establish (CTE) and Consolidated Consent & Authorization (CCA) of aforesaid sectors shall be processed as per above categorization. This has immediate effect.

End: As Above

(S.K. Pattnaik)

Member Secretary

o/c B

Letter No.: UKPCB/HO/Gen-257(II)/2023/Date: As above.

Copy to: Followings for kind information and necessary action please.

1. Member Secretary, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Shahdara, Delhi – 110032 for kind information please.
2. Managing Director, Uttarakhand Forest Development Corporation, Aranya Vikas Bhawan, 73-Nehru Road, Dalanwala, Dehradun.
3. Managing Director, Garhwal Mandal Vikas Nigam Ltd., 74/1, Rajpur Road, Dehradun.
4. Managing Director, Kumaon Mandal Vikas Nigam Ltd., Oak House, Mallital, Nainital.
5. Director, Industrial Development, Patel Nagar Industrial Area, Patel Nagar, Dehradun.
6. Director, Geology & Mining, Uttarakhand, Bhopalpani, Thano Road, Dehradun.
7. Chief Environment Officer, UKPCB, Dehradun.
8. Authorization & Registration Cell / Consent Management Cell-1/ Consent Management Cell-2/ Compliance & Monitoring Cell, UKPCB, Dehradun.
9. Regional Officer, UKPCB, Regional Office, Dehradun/Roorkee/Kashipur/Haldwani.
10. Industries Association, Uttarakhand (through WhatsApp Message).
11. Shri Nikhil Ranghar, IT Cell, UKPCB, Dehradun for updating of above categorization in OCMMS modules and report compliance.
12. Guard File.

Member Secretary

o/c B



Tripura State Pollution Control Board
(A Statutory Organization Under Government of Tripura)
Department of Science, Technology & Environment



LIFE
Lifestyle for
Environment



November 15, 2023

No.F.18(28)/TSPCB/ 7086-88

To
Shri Ajay Aggarwal
The Director & Div. Head IPC-VI
Central Pollution Control Board
MOEF & CC, Govt. of India.
Parivesh Bhawan, East Arjun Nagar, Delhi-110032.

Sub. : Harmonization of Classification of Industrial Sectors into Red, Orange, Green and White Categories-regarding sand/river bed material mining activities.
Ref: CPCB Letter No.CPCB/IPC-VI/ROGW/ 5583-5626, dated 27-10-2023

Sir,

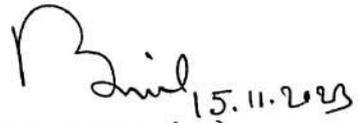
This has reference to your letter Vide CPCB Letter No.CPCB/IPC-VI/ROGW/ 5583-5626, dated 27-10-2023 on the subject cited above. In this connection, I would like to inform you that, as per the Notification No.F.17(33)/TSPCB/2020/11514-27 dated 16.09.2020 issued by the TSPCB, mining of all types of Minerals and Ore beneficiation irrespective of lease area/Cluster mining, has been included in the revised categorization of industries/processes/operations /activities under the Red Category. In addition, 10 industrial sectors as mentioned in the CPCB letter No. CP CB/IPC-IV/ROGW dated 22.09.2023, has also been incorporated in the list of categorization of industries/processes/activities by the TSPCB. Copies of the said Notifications issued by the TSPCB time to time is enclosed herewith for ready reference.

However, the process of inclusion of (i) Minimum lease area more than 5 hectares or Mining lease area up to 5 hectares which is part of cluster mining and (ii) Standalone mining lease area up to five hectares in areas (not a part of any cluster mining) under the Red and Orange Category respectively as per the CPCB guidelines, is under process

This is for your kind information and necessary action.

Enclosed: As stated

Yours sincerely,


(Dr. Bishu Karmakar)
Member Secretary

Copy to:

- PA to the Principal Secretary to the Govt of Tripura, Science, Technology & Environment Department for kind information of the Principal Secretary.
- The Director, Science, Technology & Environment, Govt of Tripura for kind information.

 Address:

PARIVESH BHAWAN
Pandit Nehru Complex, Gorkhabasti
PO. Kunjaban, Agartala, Tripura(West)
Pin: 799006

 Website:

www.tspcb.tripura.gov.in/ trpensis.nic.in

 Email:

tripuraspcb@gmail.com / hoospcb-tr@gov.in

 Contact:

Chairman : 0381 - 2322462
Member Secretary : 0381 - 2325421
Head of Office : 0381 - 2322455
OCMMS Help Desk : 0381 - 2328792



2197

**REVISED CATEGORISATION OF
INDUSTRIES/ PROCESSES/ OPERATIONS/ ACTIVITIES
(As per Direction of Central Pollution Control Board)**

**Requiring Consent to Establish & Consent to Operate of
TRIPURA STATE POLLUTION CONTROL BOARD
UNDER**

**The Water (Prevention & Control of Pollution) Act, 1974
The Air (Prevention & Control of Pollution) Act, 1981**



September, 2020



TRIPURA STATE POLLUTION CONTROL BOARD

(A Govt. of Tripura Organisation)

No.F.17(33)/TSPCB/2020/ 11514-27

September 16, 2020

NOTIFICATION

In exercise of power conferred under Section 17(1)(a) of the Water (Prevention and Control of Pollution) Act, 1974 and Section 17(1)(a) of the Air (Prevention and Control of Pollution) Act, 198 and pursuant to the decision of General Body of the Tripura State Pollution Control Board taken in its 42nd Board Meeting held on 11/09/2020, the Tripura State Pollution Control Board is pleased to notify the Revised List of Industries/ Processes/ Operation/ Activities under the Red, Orange, Green and White Categories including the exempted category of Industries/units as a comprehensive programme for the prevention, control or abatement of water pollution and air pollution in the Tripura State and to secure execution thereof (enclosed as Annexure-I, II & III).

This issues in supersession to earlier Notification No.F.17(33)/TSPCB/2016/4933-45 dated July 02, 2019 and in compliance with the various directions of the Central Pollution Control Board issued under Section 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 and Section 18(1)(b) of the Air (Prevention and Control of Pollution) Act, 1981.

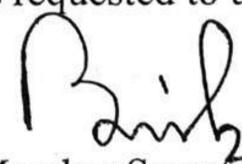
This Notification is effective from the date of issue and shall remain in force until further Notification.


16.9.2020
(Bishu Karmakar)
Member Secretary

Tripura State Pollution Control Board

Copy to:-

1. The Special Secretary to the Chief Minister, Govt. of Tripura.
2. PS to the Deputy Chief Minister, Govt. of Tripura.
3. The Chief Secretary, Govt. of Tripura.
4. The Chairman, Tripura State Pollution Control Board.
5. The Member Secretary, Central Pollution Control Board.
6. The Secretary, Department of Science, Technology & Environment, Govt. of Tripura.
7. The Director, Department of Industries and Commerce, Govt. of Tripura.
8. The Director, Health and Family Welfare Department, Govt. of Tripura.
9. The Director, Department of Science, Technology & Environment, Govt. of Tripura.
10. The Managing Director, Tripura Industrial Development Corporation Limited.
11. The Head of Office, Tripura State Pollution Control Board.
12. Central/ North/ South Zonal Office & Laboratory, TSPCB.
13. Consent Management Division/ Waste Management Division, TSPCB, Agartala.
14. Sri. Prakash Paul, Jr. Environmental Engineer, TSPCB. He is requested to upload the said Notification in the Official Website of the TSPCB.


16.9.2020
Member Secretary

Tripura State Pollution Control Board

**THE REVISED CATEGORIZATION OF INDUSTRIES/ PROCESSES/
OPERATIONS/ ACTIVITIES UNDER THE RED, ORANGE, GREEN AND WHITE**

I. LIST OF INDUSTRIES UNDER RED CATEGORY

1. Aerial ropeways.
2. Airports and Commercial Air Strips.
3. Alum Mfg. Unit.
4. Aluminium Smelter.
5. Asbestos and asbestos based industries.
6. Automobile Manufacturing (integrated facilities).
7. Bamboo & Cane Products (with boiler) (Capital Investment > Rs. 1 Crore).
8. Basic chemicals and electro chemicals and its derivatives including manufacturing of acid.
9. Cement plant.
10. Chemical fertilizer.
11. Chlor Alkali.
12. Chlorates, per-chlorates & peroxides.
13. Chlorine, fluorine, bromine, iodine and their compounds.
14. Coal tar processing.
15. Coke making, liquefaction, coal tar distillation or fuel gas making.
16. Coke oven plants.
17. Common Bio-Medical Waste Treatment Facilities.
18. Common Effluent Treatment Plants (CETPs).
19. Common hazardous waste treatment, storage and disposal facilities (TSDFs).
20. Common Municipal Solid Waste Management Facility (CMSWMF).
21. Common Treatment & Disposal facilities (Effluent Conveyance Project, Incinerator, MSW Sanitary Land Fill Site)#
22. Copper Smelter.
23. DG Set of capacity > 5 MVA.
24. Distillery (molasses / grain / yeast based).
25. Dyes and Dye- Intermediates.
26. Fertilizer (basic) (excluding formulation).
27. Fibre glass production and processing (excluding moulding).
28. Fire crackers manufacturing and bulk storage facilities.
29. Health-care Establishment (as defined in BMW Rules).
30. Hotels having overall wastewater generation @ 100 KLD and more.
31. Incineration plants.



32. Industries engaged in Recycling / Reprocessing/ Recovery/Reuse of the following Hazardous Wastes as listed under the Schedule-IV of Hazardous & Other Wastes (Management & Transboundary Movement) Rules, 2016
- (a) Used Lead acid battery plates and other leads scrap/ashes/residues not covered under Batteries (Management and Handling) Rules, 2001. [* Battery scrap, namely: Lead battery plates covered by ISRI, Code word "Rails" Battery lugs covered by ISRI, Code word "Rakes ". Scrap drained/dry while intact, lead batteries covered by ISRI, Code word "rains".
- (b) Components of waste electrical and electronic assemblies comprising accumulators and other batteries included in Part-A of Schedule-III, mercury switches, activated glass cullets from cathode-ray tubes and other activated glass and PCB-capacitors, or any other component contaminated with Schedule-II constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they exhibit hazard characteristics indicated in Part-C of this Schedule-II
- (c) Spent cleared metal catalyst containing copper, Spent cleared metal catalyst containing zinc.
- (d) Spent catalyst containing nickel, cadmium, Zinc, copper, arsenic, vanadium and cobalt.
33. Industrial carbon including electrodes and graphite blocks, activated carbon, carbon black.
34. Industrial Estate/Parks/Complexes/Areas/Export Processing Zone/Special Economic Zone/Biotech Park/Food Parks etc.
35. Industry or process involving metal surface treatment or process such as pickling/electroplating/paint stripping/ heat treatment using cyanide bath/phosphating or finishing and anodizing/enamellings/ galvanizing.
36. Integrated paint blending.
37. Iron & Steel (involving processing from ore/ integrated steel plants) and or Sponge Iron units.
38. Irrigation project.
39. Isolated storage & handling of hazardous chemicals (As per threshold planning quantity indicated in column 3 of Schedule-2 & Schedule-3 of the Manufacture, Storage and Import of Hazardous Chemical Rules 1989, as amended time to time).
40. Isolated storage of hazardous chemicals (as per schedule of manufacturing, storage of hazardous chemicals rules, 1989 as amended).
41. Latex Processing/Centrifuging unit. (Capital Investment > Rs. 1 Crore).
42. Lead acid battery manufacturing (excluding assembling and charging of lead acid battery in micro scale).
43. LPG Bottling unit.
44. Manmade fibers manufacturing.
45. Manufacturing of explosives, detonators, fuses including management and handling activities.



46. Manufacturing of glue and gelatin.
47. Manufacturing of lubricating oils, grease and petroleum based products.
48. Manufacturing of paints varnishes, pigments and intermediate (excluding blending/mixing).
49. Metallurgical industries (ferrous & non ferrous).
50. Milk processes and dairy products (integrated project).
51. Mineral beneficiation.
52. Mining of minerals and ore beneficiation.
53. Nuclear power plant.
54. Oil and gas extraction including CBM (offshore & on-shore extraction through drilling wells).
55. Oil Refinery (mineral Oil or Petro Refineries).
56. Organic Chemicals manufacturing.
57. Pesticides (technical) (excluding formulation).
58. Pesticides industry and pesticide specific intermediates (excluding formulations).
59. Petro-chemical complexes (industries based on processing of petroleum fractions & natural gas and/or reforming to aromatics).
60. Petrochemical products and petrochemical based processing such as production of carbon black and electrode grade graphite (processes other than cracking & reformation and not covered under the complexes).
61. Petrochemicals Manufacturing (including processing of Emulsions of oil and water).
62. Petroleum refining industry.
63. Pharmaceuticals.
64. Phosphate rock processing plant.
65. Phosphorous and its compounds.
66. Photographic film and its chemicals.
67. Ports and harbour, jetties and dredging operations.
68. Power generation plant [except Wind and Solar renewable power plants of all capacities and Mini Hydel power plant of capacity <25MW].
69. Processes involving chlorinated hydrocarbons.
70. Pulp & Paper (Large-Agro + wood), Small Pulp & Paper (agro based-wheat straw/rice husk).
71. Pulp & Paper (waste paper based units with bleaching process to manufacture writing & printing paper).
72. Pulp & Paper (waste paper based without bleaching process to manufacture Kraft paper).
73. Railway locomotive work shop/ Integrated road transport workshop/ Authorized service centers.
74. Railway Stations (Waste Water Generation \geq 100 KLD)
75. River valley project.
76. Sewage Treatment Plant.

77. Ship Breaking Industries.
78. Slaughter house (as per notification S.O.270(E)dated 26.03.2001)and meat processing industries, bone mill, processing of animal horn, hoofs and other body parts.
79. Slurry pipelines (coal, lignite and other ores) passing through national parks / sanctuaries / coral reefs, ecologically sensitive areas.
80. Soda ash industry.
81. Sugar (excluding Khandsari).
82. Synthetic fibers including rayon, tyre cord, polyester filament yarn.
83. Synthetic organic chemicals industry (dyes & dye intermediates; bulk drugs and intermediates excluding drug formulations; synthetic rubbers; basic organic chemicals, other synthetic organic chemicals and chemical intermediates).
84. Tanneries (Skin/hide processing).
85. Thermal Power Plants.
86. Townships and Area Development projects.
87. Yarn/Textile processing involving any effluent/emission generating processes including bleaching, dyeing, printing and colouring.
88. Zinc Smelter.
89. Any other Industries/ Processes/ Operations/ activities, having pollution index of 60 and above

II. LIST OF INDUSTRIES UNDER ORANGE CATEGORY

1. Alcohol based formulations, products and bottling/ packaging.
2. Almirah, Grill Manufacturing (Dry Mechanical Process).
3. Aluminium & copper extraction from scrap using oil fired furnace (dry process only).
4. Aluminium utensils from scrap.
5. Automobile servicing, repairing and painting (excluding only fuel dispensing).
6. Ayurvedic and homeopathic medicine.
7. Bakery and confectionery units with production capacity > 1 TPD. (With ovens / furnaces).
8. Brick Crushing Units (Stationary or mobile).
9. Brickfields (excluding fly ash brick manufacturing using lime process).
10. Building and construction project more than 20,000 sq. m built up area
11. Cashew nut processing.
12. Ceramics and Refractories.
13. Chanachur and Laddoo from puffed and beaten rice (muri and chira) using husk fired/ diesel fired oven. (capital investment more than 5 lakh)
14. Coal washeries.
15. Coated electrode manufacturing.



16. Coffee seed processing.
17. Compact disc computer floppy and cassette manufacturing/Reel manufacturing.
18. Compressed / refined Bio Gas production from Bio-degradable wastes.
19. Cotton spinning and weaving (medium and large scale).
20. Dairy Farm and dairy products (small scale).
21. DG set of capacity >1MVA but < 5MVA.
22. Dismantling of rolling stocks (wagons/ coaches).
23. Dry cell battery (excluding manufacturing of electrodes) and assembling & charging of acid lead battery on micro scale.
24. Dry coal processing, mineral processing, industries involving ore sintering, pelletising, grinding & pulverization.
25. Dry Fish Processing & Godown.
26. Fermentation industry including manufacture of yeast, beer, distillation of alcohol (Extra Neutral Alcohol).
27. Ferrous and Non- ferrous metal extraction involving different furnaces through melting, refining, re-processing, casting and alloy making.
28. Fertilizer (granulation/formulation/blending only).
29. Fish feed, poultry feed and cattle feed.
30. Fish processing and packing (excluding chilling of fishes).
31. Flaked Rice.
32. Flakes from rejected PET bottle.
33. Foam manufacturing.
34. Food and food processing including fruits and vegetable processing.
35. Forging of ferrous and non- ferrous metals (using oil and gas fired furnaces).
36. Formulation/pelletization of camphor tablets, naphthalene balls from camphor/ naphthalene powders.
37. Glass ceramics, earthen potteries and tile manufacturing using oil and gas fired kilns, coating on glasses using cerium fluorides and magnesium fluoride etc.
38. Gravure printing, digital printing on flex, vinyl.
39. Heat treatment using oil fired furnace (without cyaniding).
40. Hot mix plants.
41. Hotels (< 3 star) or hotels having > 20 rooms and less than 100 rooms.
42. Housing Complex (Irrespective of built up area).
43. Ice cream.
44. Industries engaged in Recycling / Reprocessing/ Recovery/Reuse of the following Hazardous Wastes as listed under the Schedule-IV of Hazardous & Other Wastes (Management & Transboundary Movement) Rules, 2016
 - (a) Paint and ink Sludge/residues.
 - (b) Brass Dross
 - (c) Copper Dross
 - (d) Copper Oxide Mill Scale



- (e) Waste Copper and copper alloys in dispersible form
 - (f) Copper Reverts, Cake & Residues
 - (g) Slags from copper processing for further processing or refining.
 - (h) Insulated Copper Wire, Scrap/copper with PVC sheathing including ISRI-code material namely "Druid"
 - (i) Jelly filled Copper cables
 - (j) Zinc Dross-Hot dip Galvanizers SLAB
 - (k) Zinc Dross-Bottom Dross
 - (l) Zinc ash/Skimming arising from galvanizing and die casting operations
 - (m) Zinc ash/Skimming/other zinc bearing wastes arising from smelting and refining.
 - (n) Zinc ash and residues including zinc alloy residues in dispersible form.
 - (o) Used Oil & Waste Oil - As per specifications prescribed from time to time.
45. Industry or processes involving foundry operations.
 46. Jute processing without dyeing.
 47. Latex Processing / Centrifuging unit. (Capital Investment < Rs. 1 Crore).
 48. Lime manufacturing (using lime kiln).
 49. Liquid floor cleaner, black phenyl, liquid soap, glycerol mono - stearate manufacturing.
 50. LPG/CNG Cylinder Testing.
 51. Machinery manufacturing/assembling unit (With spray painting).
 52. Manufacturing of glass.
 53. Manufacturing of iodized salt from crude/ raw salt.
 54. Manufacturing of mirror from sheet glass.
 55. Manufacturing of mosquito repellent coil.
 56. Manufacturing of silica gel.
 57. Manufacturing of Starch/Sago.
 58. Manufacturing of tooth powder, toothpaste, talcum powder and other cosmetic items.
 59. Mechanized laundry using oil fired boiler.
 60. Modular wooden furniture from particle board, MDF< swan timber etc, Ceiling tiles/ partition board from saw dust, wood chips etc., and other agricultural waste using synthetic adhesive resin, wooden box making (With boiler).
 61. New highway construction project.
 62. Non-alcoholic beverages (soft drink)/ non alcoholic products.
 63. Paint blending and mixing (Ball mill).
 64. Paints and varnishes (mixing and blending).
 65. Parboiled Rice Mills.
 66. Pharmaceutical formulation and for R & D purpose (For sustained release/extended release of drugs only and not for commercial purpose).
 67. Ply-board manufacturing (including Veneer and laminate) with oil fired boiler/ thermic fluid heater (without resin plant).
 68. Potable alcohol (IMFL) by blending, bottling of alcohol products.



69. Printing ink manufacturing.
70. Printing or etching of glass sheet using hydrofluoric acid.
71. Printing press.
72. Producer gas plant using conventional up drift coal gasification (linked to rolling mills glass and ceramic industry refectories for dedicated fuel supply).
73. Railway Stations (Waste Water Generation \geq 10 KLD but $<$ 100 KLD)
74. Reprocessing of waste plastic including PVC.
75. Restaurant (Capital Investment $>$ Rs. 30 Lakhs).
76. Rolling mill (oil or coal fired) and cold rolling mill.
77. Scrapping Centers (for End of Life of Vehicles and other scraps such as plant and machineries, structural material, railway coaches and wagons etc.)
 - a) Collection, De-pollution, Dismantling Centers and Shredding Centers
 - b) Collection, De-pollution, Dismantling Centers
 - c) Shredding Centers (can include white goods*** /other scraps also)
78. Silk screen printing, sari printing by wooden blocks.
79. Spray painting, paint baking, paint shipping.
80. Steel and steel products using various furnaces like blast furnace/open hearth furnace/induction furnace/arc furnace/submerged arc furnace /basic oxygen furnace /hot rolling reheated furnace.
81. Steel utensils from scrap.
82. Stone crushers.
83. Surgical and medical products including prophylactics and latex.
84. Synthetic detergents and Soaps (excluding formulation).
85. Synthetic resins.
86. Synthetic rubber excluding molding.
87. Tephlon based products.
88. Thermometer manufacturing.
89. Thermocol manufacturing with boiler
90. Tobacco products including cigarettes and tobacco/opium processes.
91. Transformer repairing/ manufacturing (dry process only).
92. Tyres and tubes vulcanization/ hot retreating.
93. Vegetable oil manufacturing including solvent extraction and refinery /hydrogenated oils.
94. Wire drawing and wire netting.
95. Any other Industries / Processes / Operations / activities, which score of pollution index between 40 to 59, be categorized as Orange.



III. LIST OF INDUSTRIES UNDER GREEN CATEGORY

1. Aluminium utensils and other aluminium product from aluminium circles by pressing only (dry mechanical operation).
2. Aviation Fuelling Station.
3. Ayurvedic and homeopathic medicines (without boiler).
4. Automobile Fuel Dispensing (Petrol/Diesel)
5. Bakery /confectionery /sweets products (with production capacity <1tpd (with gas or electrical oven).
6. Bamboo & Cane Products (with boiler) (Capital Investment < Rs. 1 Crore).
7. Bi-axially oriented PP film along with metalizing operations.
8. Biomass briquettes (sun drying) without using toxic hazardous wastes.
9. Blending of melamine resins & different powder, additives by physical mixing.
10. Brass and bell metal utensils manufacturing from circles (dry mechanical operation without re-rolling facility).
11. Candy.
12. Cardboard or corrugated box and paper products (excluding paper or pulp manufacturing and without using boilers).
13. Carpentry & wooden furniture manufacturing (excluding saw mill) with the help of electrical (motorized) machines such as electrical wood planner, steel saw cutting circular blade, etc.
14. Cement products (without using asbestos/boiler/steam curing) like pipe, pillar, jafri, well ring, block/tiles etc. (should be done in closed covered shed to control fugitive emissions).
15. Ceramic colour manufacturing by mixing & blending only (not using boiler and wastewater recycling process).
16. Chanachur/ dalmut and laddoo from puffed and beaten rice (muri and chira) using husk fired oven (capital investment more than 5 lakh).
17. Chilling plant and ice making without using ammonia.
18. Chilling plant, cold storage and ice making.
19. CNG station.
20. CO2 recovery.
21. Coke briquetting (sun drying).
22. Corrugated sheet mfg.
23. Cotton spinning and weaving (small scale).
24. Cutting, sizing and polishing of marble stone.
25. Dal Mills.
26. Decoration of ceramic cups and plates by electric furnace.
27. Digital printing on PVC clothes.
28. Distilled water (without boiler) with electricity as source of heat.
29. Electrode mfg.
30. Emery powder (fine dust of sand) manufacturing.
31. Facility of handling, storage and transportation of food grains in bulk.
32. Flour mills (dry process).
33. Flyash export, transport & disposal facilities.



34. Gaushalas (≥ 15 cows/ cattle).
35. Glass, ceramic, earthen potteries, tile and tile manufacturing using electrical kiln or not involving fossil fuel kiln.
36. Glue from starch (physical mixing) with gas / electrically operated oven /boiler.
37. Gold and silver smithy (purification with acid smelting operation and sulphuric acid polishing operation) (using less or equal to 1 litre of sulphuric acid/ nitric acid per month).
38. Heat treatment with any of the new technology like ultrasound probe, induction hardening, ionization beam, gas carburizing etc.
39. Hotels (up to 20 rooms and without boilers).
40. Insulation and other coated papers (excluding paper or pipe manufacturing).
41. Iron pipe slotting.
42. Kerosene dispensing.
43. Leather foot wear and leather products (excluding tanning and hide processing except cottage scale).
44. Lubricating oil, greases or petroleum based products (only blending at normal temperature).
45. Manufacturing of optical lenses (using electrical furnace).
46. Manufacturing of pasted veneers using gas fired boiler or thermic fluid heater and by sun drying.
47. Marriage Halls /banquets.
48. Mineral stack yard / Railway sidings.
49. Mineralized water.
50. Oil and gas transportation pipeline.
51. Oil mill Ghani and extraction (no hydrogenation / refining).
52. Packing materials manufacturing from non asbestos fibre, vegetable fibre yarn.
53. Phenyl/toilet cleaner formulation and bottling.
54. Photo Lab (Capital Investment $>$ Rs. 20 Lakhs).
55. Polythene and plastic processed products manufacturing (virgin plastic).
56. Poultry (which are handling 1 lakh or more birds at a given time in single location), Hatchery and Piggery.
57. Power looms (without dye and bleaching).
58. Puffed rice (muri) (using gas or electrical heating system).
59. Pulverization of bamboo and scrap wood.
60. Railway Stations (Waste Water Generation $<$ 10 KLD)
61. Ready mix cement concrete.
62. Reprocessing of waste cotton.
63. Rice mill (Rice hullers only).
64. Rolling mill (gas fired) and cold rolling mill.
65. Rubber goods industry (with gas operated baby boiler).
66. Rubber sheet processing.
67. Saw mills.
68. Seasoning of wood in steam heated chamber.
69. Soap manufacturing (hand made without steam boiling / boiler).
70. Spice grinding ($>$ 20 hp motor).
71. Spice grinding (upto-20 HP motor).



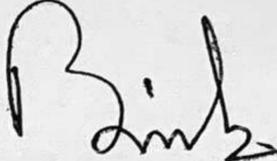
72. Steel furniture without spray painting.
73. Steel utensils from circle.
74. Steeping and processing of grains.
75. Synthetic detergent formulation.
76. Tamarind powder manufacturing.
77. Tea processing (with boiler).
78. Tyres and tube retreating (without boilers)
79. Any other Industries / Processes / Operations / activities, which score of pollution index between 20 to 39, be categorized as Green.

IV. LIST OF INDUSTRIES UNDER WHITE CATEGORY

1. Assembly of air coolers /conditioners, repairing and servicing.
2. Assembly of bicycles, baby carriages and other small non motorizing vehicles.
3. Bailing (hydraulic press) of waste papers.
4. Bio fertilizer and bio-pesticides without using inorganic chemicals.
5. Biscuits trays etc from rolled PVC sheet (using automatic vacuum forming machines).
6. Blending and packing of tea.
7. Block making of printing without foundry (excluding wooden block making).
8. Chalk making from plaster of Paris (only casting without boilers etc. (sun drying / electrical oven).
9. Chanachur/ dalmut and laddoo from puffed and beaten rice (muri and chira) using husk fired oven (capital investment less than 5 lakh).
10. Compressed oxygen gas from crude liquid oxygen (without use of any solvents and by maintaining pressure & temperature only for separation of other gases).
11. Cotton and woolen hosiers making (Dry process only without any dyeing /washing operation).
12. Diesel pump repairing and servicing (complete mechanical dry process).
13. Electric lamp (bulb) and CFL manufacturing by assembling only.
14. Electrical and electronic item assembling (completely dry process).
15. Engineering and fabrication units (dry process without any heat treatment / metal surface finishing operations / painting).
16. Flavoured betel nuts production/ grinding (completely dry mechanical operations).
17. Fly ash bricks/ block manufacturing.
18. Fountain pen manufacturing by assembling only.
19. Glass ampules and vials making from glass tubes.
20. Glass putty and sealant (by mixing with machine only).
21. Ground nut decorticating.
22. Handloom/ carpet weaving (without dyeing and bleaching operation).
23. Leather cutting and stitching (more than 10 machine and using motor).
24. LPG Storage.
25. Machinery manufacturing/assembling unit (Without spray painting).
26. Manufacturing of coir items from coconut husks.



27. Manufacturing of metal caps containers etc.
28. Manufacturing of shoe brush and wire brush.
29. Medical oxygen.
30. Organic and inorganic nutrients (by physical mixing).
31. Organic manure (manual mixing).
32. Packing of powdered milk.
33. Paper pins and u clips.
34. Repairing of electric motors and generators (dry mechanical process).
35. Restaurant (Capital Investment < Rs. 30 lakhs).
36. Rope (plastic and cotton).
37. Scientific and mathematical instrument manufacturing.
38. Solar module non conventional energy apparatus manufacturing unit
39. Solar power generation through solar photovoltaic cell plants of all capacities, wind power plant of all capacities and mini hydel power plant (less than 25 MW).
40. Surgical and medical products assembling only (not involving effluent / emission generating processes).
41. Used cooking oil (UCO) collection Centers.
42. Any other Industries / Processes / Operations / activities, which score of pollution index upto 20 be categorized as Green.



16.9.2020

(Bishu Karmakar)

Member Secretary

Tripura State Pollution Control Board

EXEMPTED CATEGORY

List of units which are exempted from the purview of Consent to Establish/ Consent to Operate:

1. Agarbati.
2. Bamboo & Cane Products (without boiler).
3. Candle Manufacturing.
4. Diesel generator sets (15 KVA to 1 MVA)*.
5. Guest House.
6. Photo Lab (Capital Investment < Rs. 20 Lakhs).
7. Poultry** (which are handling less than 1 lakh birds at a given time in single location).

* Normal operation – 12 hrs a day.

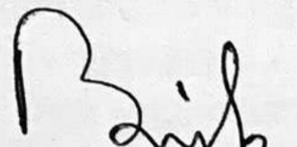
Consumption of diesel = 1680 litres for 1 MVA DG set at full load @ 0.21 litres / KVA / hr.

Stand-alone DG Sets having total capacity 1 MVA or less and equipped with acoustic enclosures alongwith adequate stack height may be exempted from the purview of Consent management. Higher capacity DG sets have already been covered under Red / Orange categories.

** Environmental Guidelines for Poultry Farm including minimization of odour pollution, management of solid waste, management of waste water discharge, good house - keeping practices is applicable to all poultry farm irrespective of no. of birds.

*** recycling / dismantling of white goods are covered under E-Waste (Management & Handling) Rules 2016 and have already been categorized in CPCB documents classification of industrial sector (February 2016).

Solvent / acid recovery plant and E-Waste recycling are considered as industrial operation.


(Bishu Karmakar) 16.9.2020
Member Secretary

Tripura State Pollution Control Board

**PERIODICITY OF CONSENT TO ESTABLISH AND
CONSENT TO OPERATE**

In accordance with the provision of Section 25 (4)(a)(iii) of the Water (Prevention & Control of Pollution) Act 1974 & Section 21(4) of the Water (Prevention & Control of Pollution) Act 1981, the Tripura State Pollution Control Board introduced periodicity of Consent to Establish Certificate & Consent to Operate Certificate of different category of Industries/ Processes/ Operations/ activities. The periodicity of Consent to Establish Certificate is based on the basis of Capital Investment of the Projects. However, the periodicity of Consent to Operate Certificate has been framed on the relative 'Pollution Index', which is a function of emission, effluent, hazardous waste generated and consumption of resources. The specified validity period of Consent to Establish and Consent to Operate of different category of industries are as follows:-

A. Consent to Establish Certificate:-

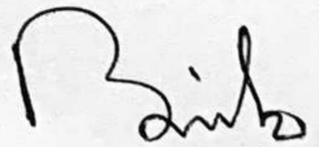
Sl. No.	Capital Investment on Land , Building, Plants & Machineries	Validity Period	Category
1	Upto 1 Crore	1 (one) year	Red, Orange & Green
2	Above 1 Crore and upto 10 Crore	2 (two) years	
3	Above 10 Crore	3 (three) years	

B. Consent to Operate Certificate:-

Sl. No.	Category	Periodicity of Renewal
1	Red	Once in Five Years
2	Orange	Once in Ten Years
3	Green	Once in Fifteen Years
4	white	Not Required

The Renewal/Extension of validity of both Consent to Establish and Consent to Operate Certificate is required before expiry of validity of consent.

The Renewal/ Extension of validity of Consent to Operate Certificate is required after every 5(five) years for the Industries/ Processes/ Operations/ activities which are coming under the Red category of Industries. Similarly, the Industries / Processes / Operations / activities, which are falling under the Orange Category and Green Category, will apply for Renewal/ Extension of validity of Consent to Operate Certificate after every 10(ten) years and 15 (fifteen) years respectively.


(Bishu Karmakar)
Member Secretary

16.9.2020
Tripura State Pollution Control Board


TRIPURA STATE POLLUTION CONTROL BOARD

(A Statutory Organisation Under Government of Tripura)

Department of Science Technology & Environment

No.F.17(33)/TSPCB/2020/ 8765-77

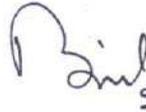
October 25, 2021

NOTIFICATION

In continuation to the Notification No.17 (33)/TSPCB/2020/11514-27 dated 16/09/2020 and pursuant to the decision of General Body of the Tripura State Pollution Control Board taken in its 47th Board Meeting held on 11.10.2021, the Tripura State Pollution Control Board is pleased to include the following Activities/processes/Operation/ Industries in the Revised List of Industries under the Red, Orange, Green and White Categories based on their relative Pollution Index.

1. In the Annexure-I under the list of Red Category of Industries, TSPCB is pleased to include **“Compressed Bio Gas (CBG) plants based on Municipal Solid Waste (MSW) having discharge of waste water is more than 100 KLD/ CBG plants based on process waste (industrial/ process liquid effluent & solid waste like press mud, organic sludge, molasses etc.) having discharge of wastewater more than 100 KLD”** under the serial No.89.
2. In the Annexure-I under the list of Orange Category of Industries, for the item Sl. No. 18 and the entries relating thereto, the following entries shall be substituted namely **“CBG plants based on crop residue (paddy straw/ wheat straw/ corn sweet sorghum/ Napier grass, etc.) having discharge of wastewater more than 100 KLD/ CBG plants based on animal waste (dairy farms, poultry farms and other animal waste) having discharge of wastewater more than 100 KLD”**
3. In the Annexure-I under the list of White Category of Industries, TSPCB is pleased to include **“CBG plants (irrespective of the type of feed) producing Fermented Organic Manure (FOM) & Liquid Fermented Organic Manure (LFOM) as by-products and also not discharging any wastewater/ Household bio digesters/ gobar-gas (cow dung) plants based on biodegradable wastes etc with feed slurry to digesters having Volatile Organic Fraction more than 75%”** under the serial No.42.

This Notification is effective from the date of issue and shall remain in force until further Notification.


25.10.2021
(Bishu Karmakar)
Member Secretary

Copy to:-

1. PS to the Hon'ble Deputy Chief Minister, Govt. Of Tripura.
2. The Chief Secretary, Govt. Of Tripura.
3. The Chairman, Tripura State Pollution Control Board.
4. The Member Secretary, Central Pollution Control Board.
5. The Special Secretary, Department Of Science, Technology & Environment, Govt. of Tripura.
6. The Director, Department of Industries and Commerce, Govt. Of Tripura.
7. The Director, Health and Family Welfare Department, Govt. Of Tripura.

Address :
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website :
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e-mail :
tripuraspbc@gmail.com / hoospcb-tr@gov.in

Contact :
Chairman : 0381 - 2322462
Member Secretary : 0381 - 2325421
Head of Office : 0381 - 2322455
OCMS Help Desk : 0381 - 2328792

8. The Director, Department of Science, Technology & Environment, Govt. of Tripura.
9. The Managing Director, Tripura Industrial Development Corporation Limited.
10. The Head of Office, Tripura state pollution Control Board.
11. Central/North/South Zonal Office & Laboratory, TSPCB.
12. Consent Management Division /Waste Management Division, TSPCB, Agartala.
13. Sri. Prakash Paul, Jr. Environmental Engineer, TSPCB. He is requested to upload the said Notification in the Official Website of the TSPCB.


25.10.2021
(Bishu Karmakar)
Member Secretary



TRIPURA STATE POLLUTION CONTROL BOARD

(A Statutory Organisation under Government of Tripura)

Department of Science Technology & Environment

No.F.17(33)/TSPCB/2020/

January 30, 2021

NOTIFICATION

In continuation to the Notification No.F.17(33)/TSPCB/2020/11514-27 dated 16/09/2020 and pursuant to the Direction No.CPCB/IPC-VI/ROGW dated 12/01/2021 of the Central Pollution Control Board, Delhi, the Tripura State Pollution Control Board is pleased to include the following activities/units/industries under the Orange Category based on their relative pollution index.

- i. Building and Construction Projects, having built-up area upto 20,000 m² and waste water generation \geq 50 KLD.
- ii. Construction and Demolition (C&D) Waste Processing Plants.
- iii. Gold Assaying & Hallmarking Centers

This Notification is effective from the date of issue and shall remain in force until further order.

Bishu Karmakar
1.2.2021
(Bishu Karmakar)
Member Secretary

Tripura State Pollution Control Board

Copy to:-

1. PS to the Deputy Chief Minister, Govt. of Tripura.
2. The Chairman, Tripura State Pollution Control Board.
3. The Member Secretary, Central Pollution Control Board.
4. The Secretary, Department of Science, Technology & Environment, Govt. of Tripura.
5. The Director, Department of Industries and Commerce, Govt. of Tripura.
6. The Director, Department of Science, Technology & Environment, Govt. of Tripura.
7. The Managing Director, Tripura Industrial Development Corporation Limited.
8. The Head of Office, Tripura State Pollution Control Board.
9. Central/ North/ South Zonal Office & Laboratory, TSPCB.
10. Consent Management Division/ Waste Management Division, TSPCB, Agartala.
11. Sri. Prakash Paul, Jr. Environmental Engineer, TSPCB. He is requested to upload the said Notification in the Official Website of the TSPCB.

Bishu Karmakar
1.2.2021
Member Secretary
Tripura State Pollution Control Board

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Website :

www.tspcb.tripura.gov.in / trpenvis.nic.in

e-mail :

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Contact :

Chairman: 0381 - 2322462
Member Secretary: 0381 - 2325421
Head of Office: 0381 - 2322455
OCMS Help Desk: 0381 2328792



Annexure - 1

2215

TRIPURA STATE POLLUTION CONTROL BOARD

(A Govt. of Tripura Organisation)

No.F.17(33)/TSPCB/2020/13714

October 27, 2020

Addendum to Notification No. F.17(33)/TSPCB/2020/11514-27 dated September 16, 2020

In compliance with the direction dated 18.11.2019 of the Hon'ble National Green Tribunal in the matter of OA No. 568/2019 and pursuant to the guidelines of Central Pollution Control Board as communicated vide No. CPCB/IPC-V/NGT_Gold/2020/7972 dated 09.10.2020, the Tripura State Pollution Control Board is pleased to include the gold assaying and hallmarking centres in Green Category of industries under Sl. No.37 of the Notification No.F.17(33)/TSPCB/2020/11514-27 dated September 16,2020 as "Gold and silver smithy (purification with acid smelting operation and sulphuric acid polishing operation) (using less or equal to 1 litre of sulphuric acid/ nitric acid per month) and Gold Assaying & Hallmarking." in place of "Gold and silver smithy (purification with acid smelting operation and sulphuric acid polishing operation) (using less or equal to 1 litre of sulphuric acid/ nitric acid per month)".

2. The other contents as stated in the Notification regarding the revised categorization of Industries/ Processes/Operations/Activities under the Red, Orange, Green & White No.F.17(33)/TSPCB/2020/11514-27 dated September 16,2020 shall remain unchanged.
3. This Addendum is effective from the date of issue and shall remain in force until further Notification.

Bishu 27-10-2020

(Bishu Karmakar)
Member Secretary

Tripura State Pollution Control Board

Copy to:

1. The Special Secretary to the Chief Minister, Govt of Tripura
2. PS to the Deputy Chief Minister, Govt. of Tripura
3. The Chief Secretary, Govt. of Tripura
4. The Chairman, Tripura State Pollution Control Board
5. The Member Secretary, Central Pollution Control Board
6. The Secretary, Department of Science, Technology & Environment, Govt. of Tripura
7. The Director, Department of Industries & Commerce, Govt. of Tripura
8. The Director, Department of Science, Technology & Environment, Govt of Tripura
9. The Director, Health & Family Welfare Department, Gpvt. Of Tripura
10. The Managing Director, TIDC Ltd.
11. The Head of Office, Tripura State Pollution Control Board

PARIVESH BHAWAN
Pandit Nehru Complex, Gorkhabasti,
PO : Kunjaban, Agartala,
West Tripura, PIN - 799 006

Phone : (0381) 231 2589 / 232 2455
232 2462 (Chairman), 232 8792 (Member Secretary)
Fax : (0381) 232 5421, 232 2455
e-mail : tripuraspcb@gmail.com



लक्षद्वीप प्रदूषण नियंत्रण समिति
LAKSHADWEEP POLLUTION CONTROL COMMITTEE
विज्ञान एवं प्रौद्योगिकी विभाग
DEPARTMENT OF SCIENCE & TECHNOLOGY
कवरत्ती- 682555
KAVARATTI -682 555
E-Mail: lk-dst@nic.in

F.No.LD-03001/1/2023-LPCC

Dated 7th December, 2023

To

Shri P.K.Gupta,
Director & Divisional Head, IPC-VI
Central Pollution Control Board,
New Delhi
E-Mail: ipc6.cpcb@gov.in

Sub: Harmonization of Classification of industrial Sectors into Red, Orange, Green and White Categories- regarding sand/river bed material mining activities. – Regarding

Sir,

Kindly refer your letter No. CPCB/IPC-VI/ROGW dated 05.12.2023 regarding harmonization of Classification of industrial Sectors into Red, Orange, Green and White Categories in sand/river bed material mining activities. It is to inform that in the UT of Lakshadweep there is no river; hence the issue of sand/river bed material mining from riverbed and its floodplains is not arisen.

This is for your kind information and further action.

Yours faithfully,


MEMBER SECRETARY,
Lakshadweep Pollution Control Committee

No.MSPCB/LEGAL-638/2023/2023-24/2

Dated Shillong, the 20th November, 2023

Speed Post/E-mail

To,

Smt. Saubhagya Dixit,
Scientist 'C', IPC VI Division,
Parivesh Bhawan, East Arjun Nagar,
Central Pollution Control Board,
New Delhi – 110032
Email: ipc6division.cpcb@gov.in

Sub: Categorization of Sand/riverbed material mining activities – reg.

Ref: Your mail dated Nov. 8, 2023

Madam,

With reference to the above, I have the honour to inform you that in compliance to the CPCB direction regarding adoption and implementation of categorization of Sand/riverbed material mining from the riverbed and its floodplains (excluding manual excavation) vide CPCB/IPC-IV/ROGW dated 22/09/2023, the Board intends to incorporate the matter in its upcoming Board's Meeting for adoption of the same.

This is for favour of your kind information and necessary action.

Yours faithfully,



Member Secretary

Meghalaya State Pollution Control Board
Shillong

Memo No.MSPCB/LEGAL-638/2023/2023-24/2-11

Dated Shillong, the 20th November, 2023

Copy to:

1. The Regional Director, RDNE, CPCB, Shillong for favour of information.



Member Secretary



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
(MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE, GOVT. OF INDIA)
REGIONAL DIRECTORATE (NORTH - EAST)
CTO BUILDING, GROUND FLOOR - II, SHILLONG - 793001



Hon'ble NGT Matter
Reminder-II

RDNE/403/HCI/2023-24/ 1497-1501

Dated: 11.12.2023

To,

The Member Secretary,
State Pollution Control Boards,
(Arunachal Pradesh, Manipur & Sikkim)

Sub: Harmonization of Classification of industrial Sectors into Red, Orange, Green and White Categories- regarding sand/river bed material mining activities.

Ref.: CPCB HO letter CPCB/IPC-VI/ROGW/Nos. dt. 05.12.2023.

Sir/Madam,

Please find attached herewith CPCB HO letter CPCB/IPC-VI/ROGW/Nos. dt. 05.12.2023 wherein all SPCBS/PCCS were directed to adopt & implement the categorization of 'Sand/riverbed material mining from riverbed and its floodplains' and submit Action Taken Report (ATR).

In this regard, it is requested to kindly acknowledge the receipt of the letter and submit the Action Taken Report (ATR) to CPCB HO Delhi email: ipc6.cpcb@gov.in under intimation to this office at the earliest.

With regards,

Encl.: As above.

Yours faithfully,


(M. K. Choudhury)
Regional Director

Copy to;

1. The DHIPC-VI, CPCB HO Delhi
2. PS to MS CPCB HO :for kind information of MS, please.


(M. K. Choudhury)

2219



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT FOREST & CLIMATE CHANGE GOVT OF INDIA

Hon'ble NGT Matter

Reminder-II

CPCB/IPC-VI/ROGW

Date: 05.12.2023

To,

The Member Secretary
SPCBs/PCCs
(as per the list)

Sub: Harmonization of Classification of industrial Sectors into Red, Orange, Green and White Categories- regarding sand/river bed material mining activities.

Sir,

This has reference to the CPCB letter no. CPCB /IPC-IV/ROGW, dated 22.09.2023, and subsequent reminder letter dated 27.10.2023 on the above-mentioned subject, wherein SPCBs/PCCs were directed to adopt & implement the categorization of 'Sand/riverbed material mining from riverbed and its floodplains' and submit Action Taken Report (ATR). However, the ATR is still awaited.

The Hon'ble NGT vide order dated 17.10.2023 in the matter of OA No. 176/2022, titled as 'Aman Chaudhary v/s Union of India & Ors.', directed CPCB as follows:

"CPCB is directed to compile information on the basis of action taken reports received from the SPCBs/PCCs in response to its letter dated 22.09.2023 and file complied status report with one month."

As the matter is listed for hearing on 12.12.2023. It is requested again, to submit the ATR regarding adoption & implementation of categorization of 'Sand/river bed material mining from riverbed and its floodplains (excluding manual excavation)' to this office, **latest by, 07.12.2023**. The information may also be forwarded through email to ipc6.cpcb@gov.in

Yours faithfully,

(P.K Gupta)

Director & Div. Head, IPC-VI

Copy to:

The Regional Directors.
CPCB
(as per the list)

With the request to follow up and ensure timely submission of information.

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board

(पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, भारत सरकार)

Ministry of Environment, Forest & Climate Change, Govt. of India

'परिवेश भवन' पर्वी अर्जुन

Parivesh Bhawan, East Arjun Nagar, Delhi - 110032

क्षेत्रीय निदेशालय - उत्तर पूर्व, शिलांग - 793001

Regional Directorate - North East, Shillong - 793001

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

RECEIPT No.....1659.....216

06/12/2023

E-141976/18-12-2023

2220

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ಹೆಲ್ಪ್ ಲೈನ್ / Helpline : 080-25582559

ಈಮೇಲ್ / Email : contact@kspcb.gov.in

ವೆಬ್‌ಸೈಟ್ / Website : kspcb.karnataka.gov.in

080-25581383, 25589112
080-25589113, 25589114



ಕರ್ನಾಟಕ ರಾಜ್ಯ ಮಾಲಿನ್ಯ ನಿಯಂತ್ರಣ ಮಂಡಳಿ Karnataka State Pollution Control Board

"ಪರಿಸರ ಭವನ", 1 ರಿಂದ 5ನೇ ಮಹಡಿಗಳು, ನಂ. 49, ಚರ್ಚ್ ಸ್ಟ್ರೀಟ್, ಬೆಂಗಳೂರು - 560 001, ಕರ್ನಾಟಕ ರಾಜ್ಯ, ಭಾರತ
"Parisara Bhavan", 1st to 5th Floor, # 49, Church Street, Bangalore - 560 001, Karnataka State, India

No: PCB/17/COC/2023-24/ 4922.

Date: 13 DEC 2023

To,

The Member Secretary
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar,
Delhi-110032.



Sir,

Sub: Harmonization of Classification of Industrial Sectors into Red, Orange Green and White Categories - regarding sand/river bed material mining activities.

Ref: CPCB Letter No: CPCB/IPC-IV/ROGW, dt: 22.09.2023.

Adverting to above subject & reference, it is to be informed that the Board has taken note of the additional categorization done by the CPCB regarding 'Sand/Riverbed material mining from riverbed and its floodplains (excluding manual excavation)' and same is communicated to all the Board Officers for necessary implementation.

This is for your kind information.

Yours Faithfully


MEMBER SECRETARY

IPC-VI
IPC-II

SCLSD
20/12/23



Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, JhalanaDoongri, Jaipur-302004
Phone :0141-27168049,2716800 e-mail : member-secretary@rpcb.nic.in
HelpLineNo. : 0141-2716877



F14(Policy-23)/RPCB/Project/2992- 2999

Date:29.12.2023

Order

In partial modification to State Board's earlier Office Order no. F14 (23) Policy/RPCB/Plg/153-189 dated 02.06.2020, the categorization for following sectors of industries under consent mechanism is decided as under:

S.No	Sector of Industry	New Category
1.	Sand / riverbed material mining from riverbed and its floodplains (excluding manual excavation) in: Mining lease area more than 5 Ha or All Mining Lease area which is part of cluster mining	Red
2.	Fire crackers manufacturing and bulk storage facilities (except Green Crackers)	Red
3.	Semiconductor manufacturing industries	Red
4.	Manufacturing/ assembly/ recycling related processes of lithium ion batteries	Red
5.	Dredging and De-silting of dams and Reservoirs	Orange
6.	Sand / riverbed material mining from riverbed and its floodplains (excluding manual excavation) in Standalone mining lease area upto 5 Ha in area	Orange
7.	Semiconductor Assembly, Testing, Marking and Packaging Facility (ATMP)	Orange
8.	Solar module non-conventional energy apparatus manufacturing unit	Orange
9.	Vaccine manufacturing	Orange
10.	PET bottle recycling for flakes/staple fibre (involving wet process)	Orange
11.	Green crackers manufacturing and bulk storage facilities	Orange
12.	Standalone Bakery/confectionery units irrespective of capacity and using only cleaner/gaseous fuel	Green
13.	Chanachur and laddoo from puffed and beaten rice(muri and chira)	Green
14.	PET bottle recycling for flakes/staple fibre (not involving any wet process)	Green

Signature Not-Verified

RajKaj Ref
5252485



Digitally signed by Prema Lal Raigar
Designation : Chief Environmental
Engineer
Date: 2023.12.29 19:11:17 IST
Reason: Approved



Rajasthan State Pollution Control Board

Headquarter, 4, Institutional Area, JhalanaDoongri, Jaipur-302004
 Phone :0141-27168049,2716800 e-mail : member-secretary@rpcb.nic.in
 HelpLineNo. : 0141-2716877



Rest of the categorization of industries will remain same as categorized vide Office Order no. F14 (23) Policy/RPCB/Plg/153-189 dated 02.06.2020, F14 (23) Policy/RPCB/Plg/838-874 dated 28.07.2020, F14 (23) Policy/RPCB/Plg/2512-2555 dated 21.01.2022, F14 (23) Policy/RPCB/Plg/3322-3366 dated 22.02.2023, F14 (23) Policy/RPCB/Plg/1095-1114 dated 21.06.2023, F14 (23) Policy/RPCB/Plg/2924-2955 dated 20.12.2023.

This bears approval of the competent authority.

(Prema Lal)
 Chief Environmental Engineer

F14(Policy-23)/RPCB/Project/2992- 2999

Date:29.12.2023

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

1. The Member Secretary, CPCB, Parivesh Bhawan, East Arjun Nagar, Delhi, 110032.
2. P.S. to Chairperson, RSPCB, Jaipur.
3. Sr.PA to Member Secretary, RSPCB, Jaipur.
4. The CEE/CAO/CSO/ Joint Secretary, RSPCB, Jaipur.
5. All GICs, HO, RSPCB, Jaipur.
6. All Regional Officers, Regional Office, RSPCB.
7. GIC (IT), with directions to upload on RSPCB website.
8. Guard File.

Chief Environmental Engineer

Signature Not Verified

RajKaj Ref
 5252485

Digitally signed by Prema Lal Raigar
 Designation : Chief Environmental
 Engineer
 Date: 2023.12.29 19:11:17 IST
 Reason: Approved



Circular Memo No.2/ TSPCB/Categorization/HO/2023

Dt:11.12.2023

Sub: TSPCB – CPCB directions on ‘Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation)’ Categorization – Addendum to Circular dated 28.05.2016 — **Issued** – Reg.

Ref:

1. CPCB directions vide B-29012/ESS(CPA)/2015/16, dated. 07.03.2016.
2. Circular Memo No.94/TSPCB/Categorisation/HO/2016 dated 28.05.2016.
3. CPCB letter vide CPCB/IPC-IV/ROGW dated. 22.09.2023.

* * *

In continuation to the above circular, the CPCB vide reference 3rd cited communicated the categorization of additional Non-industrial operation i.e., ‘Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation)’ as mentioned below and directed to adopt and implement the Categorization.

Sl. No.	Sl.no. (as per CPCB Document)	Non-industrial Operations	Category	Remarks
1	63	Sand/ riverbed material mining from riverbed and its floodplains (excluding manual excavation)		i. Sand/riverbed material mining from riverbed and its floodplains may cause ecological disturbances, erosion of riverbed, change of hydro-geological conditions & river ecosystem, etc.
		(i) Mining lease area more than 5 hectares or Mining Lease area up to 5 hectares which is part of cluster mining.	Red	ii. Cluster mining means that the distance of mining lease area is less than 500 m from periphery of another lease area.
		(ii) Standalone mining lease area up to five hectares in area (not a part of any cluster mining)	Orange	iii. This categorisation is made considering the ecological damages and not based on pollution potential/index

In view of the above, all the Divisional at Head Office, Zonal Officers and Regional Officers are directed to implement the above CPCB categorization with immediate effect.

Sd/-

MEMBER SECRETARY

To

1. All Divisional Heads, Board Office, Hyderabad.
2. The Joint Chief Environmental Engineer, Zonal Office, Hyderabad / RC Puram
3. The EE, Regional Offices, Hyderabad / Rangareddy-I / Medchal / Warangal / Ramagundam / Kothagudem / Nalgonda / Nizamabad / Sangareddy - I & R.C.Puram.

//T.C.F.B.O//



JOINT CHIEF ENVIRONMENTAL ENGINEER



West Bengal Pollution Control Board

(Department of Environment, Government of West Bengal)

Memo No. : 75/ 4A-21/2005 (Part-X)

Date : 7/12/ 2023

From: **The Member Secretary**
West Bengal Pollution Control Board

To,
The Member Secretary
Central Pollution Control Board
"Parivesh Bhawan", East Arjun Nagar,
Delhi-110032

SC (4A)
18/12/2023
CPD
15/12/23
SSA

Subject : Harmonization of Classification of Industrial Sectors into Red, Orange, Green and White Categories, regarding Semiconductor Industries and Sand / River Bed Materials Mining Activities

Ref. No.: Your letter *CPCB/IPC-VI/ROGW/ dated 05/09/2023* and *CPCB/IPC-IV/ROGW/ dated 22/09/2023*

Sir,

In reference of the above, this is to inform you that the West Bengal Pollution Control Board has adopted the following new activities categorized by CPCB and included the same in the Online Consent Management and Monitoring System (WBOCMMS):-

- I. Categorization of "Semiconductor Manufacturing Industries" vide Order dated 05.09.2023 and
- II. Categorisation of "Sand/riverbed material mining from riverbed and its floodplains (excluding manual excavation)" vide Order dated 22.09.2023.



Yours sincerely,

Signature
7/12/2023

Member Secretary