

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,

Principal Bench, New Delhi

Original Application No. 67/2019

And

Original Application No. 138/2019

In the matter of:-

Sumit Kumar

Vs.

Applicant

State of Himachal Pradesh & ors.

Respondent(s)

With

Amarjeet Kumar

Vs.

Applicant

Union of India & Ors.

Respondent(s)

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(Nazimuddin)

Scientist-E

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

Date: 12.01.2021

Place: Delhi

**Compliance Report on Hon'ble NGT order dated 28.03.2019 and 04.07.2019
in O.A. No. 67/2019 and O.A. No. 138/2019
(Fourth Compliance Status Report)**

1. Salient orders passed by Supreme Court in Writ Petition (C) 13029/1985 about i) banning **the use of pet coke and FO** in NCR states and subsequently permitting **the use of pet coke** in certain processes / industrial sectors in NCR states, and ii) permitting **the use of imported pet coke** only in certain processes / industrial sectors all over the country are listed below in chronological order and annexed at **Annexure-I**.

**Orders to ban / permit use of pet coke in certain processes / industrial sectors
(in NCR states)**

- Order dated 24.10.2017 (banning use of pet coke and FO)
- Order dated 17.11.2017 (requesting other States/UT to consider taking similar measures)
- Order dated 13.12.2017 (permitting use of pet coke in cement kilns and lime kilns and allowing one year time to power plants to switch over from FO to LDO)
- Order dated 05.02.2018 (permitting use pet coke in calcium carbide units)

Orders to permit use of imported pet coke only in certain processes / industrial sectors (in India)

- Order dated 26.07.2018 (permitting use of imported Pet Coke only in Cement Kilns, Lime Kilns, Calcium Carbide and Gasification (in Oil Refinery))
- Order dated 06.09.2018 (permitting import of Needle Pet Coke in Graphite Electrode Industry)
- Order dated 09.10.2018 (permitting use of imported Calcined Pet Coke in Aluminium Industry and use of imported anode grade Raw Pet Coke in CPC manufacturing units)

In view of above orders of Hon'ble Supreme Court, Central Government has following notifications regarding monitoring of use of pet coke in NCR states and regarding import of pet coke which are annexed at **Annexure-II**

- Notification G.S.R.45(E) dt.-19.01.2018 and its Amendment G.S.R.492(E) dt.-25.05.2018 about **regulation and monitoring of use of pet coke in lime kilns in NCR states** (further amended from time to time in respect of addition of listed lime kilns)
- Notification G.S.R.46(E) dt.-19.01.2018 and its Amendment G.S.R.493(E) dt.-25.05.2018 about **regulation and monitoring of use of pet coke in cement kilns in NCR states**
- Notification G.S.R.494(E) dt.-25.05.2018 about regulation and monitoring of use of pet coke in **calcium carbide units in NCR states**
- O.M. dt.-10.09.2018 about **Guidelines for regulation and monitoring of imported pet coke in India**

2. In compliance of Hon'ble NGT order dated 28.03.2019 and 04.07.2019 in O.A. Nos. 67/2019 and 138/2019, CPCB issued directions under Section 5 of the Environment (Protection) Act, 1986 to the Chief Secretaries/Administrators of States Governments /Union Territory Administrations vide letter dated **23.08.2019 (Annexure-III)**, as below:

- *State Government/Union Territory Administration shall formulate and enforce fuel policy regarding use of pet coke and FO in the State/UT in light of various orders passed by Supreme Court regarding use of pet coke and FO in Writ Petition (C) 13029/1985.*
 - *State Government/Union Territory Administration through respective SPCB/PCC shall take strict action against any industry if found violating the fuel policy on use of pet coke and FO that will be enforced as above, using the powers conferred under environmental laws.*
3. State Governments/UT Administrations were asked to submit action taken report on above to CPCB through their SPCBs/PCCs within one month. After expiry of one month period given in the directions, reminder emails were sent to SPCBs/PCCs on 01.10.2019, 11.10.2019 and 23.10.2019. Based on the first set of ATRs received from 14 SPCBs/PCCs, CPCB submitted **first compliance status report** dated-04.11.2019 to NGT.
4. CPCB sent reminder e-mails to SPCBs/PCCs on 08.11.2019, 20.11.2019 and 27.12.2019, and based on further ATRs received from SPCBs/PCCs, CPCB submitted **second compliance status report** dated-03.01.2020 to NGT, covering ATRs of 19 SPCBs/PCCs. Hon'ble NGT considered the report on 07.01.2020, directing as below:
- "9. After hearing the learned counsels for the parties and considering the matter, we direct as follows:*
- i. 13 States which have still not furnished their respective ATRs in pursuance of direction of the CPCB dated 23.08.2019 may do so positively within one month .."*
5. CPCB sent further reminder e-mails/letters dt- 14.01.2020, 06.03.2020 and 20.03.2020. Eight more SPCBs/PCCs submitted ATRs. Therefore, CPCB submitted **third compliance status report** dated-14.07.2020 to NGT, covering ATRs of 27 SPCBs/PCC. A number of states were in the process of finalising their draft fuel According to the said updated status, a number of States were still in the process of finalising their draft fuel policy in the context of this matter. Hon'ble NGT considered the report on 16.07.2020, directing as below:
- "4. In view of above, compliance report has been filed by the CPCB on 14.07.2020 with summary of action taken reports from 27 States/UTs. Some of the reports of the States/UTs are contrary to the orders of the Tribunal referred to above. Reports which are non-compliant with the orders of this Tribunal based on order of the Hon'ble Supreme Court will stand rejected to that extent. Orders of the Tribunal be given effect and CPCB may ensure compliance by issuing such further direction as may be necessary in exercise of its statutory power."*

6. It is submitted that as highlighted above, in compliance of orders dated 28.03.2019 04.07.2019 of Hon'ble Tribunal, CPCB has already issued necessary directions regarding formulation and enforcement of fuel policy regarding use of pet coke and FO in the States/UTs vide letter dated 23.08.2019
7. Taking cognizance of the latest order dated 16.07.2020 of Hon'ble Tribunal, two more SPCBs namely Assam and Odisha provided ATR, and two SPCBs namely Goa and Uttarakhand provided updated ATRs, whereas two other SPCBs namely Sikkim and Lakshadweep have provided updated ATRs after a draft status report was circulated by CPCB to SPCBs/PCCs on 21.12.2020 for updating (**Annexure IV**). Thus, ATRs have been submitted by total **twenty nine** States/UTs on CPCB's direction dt.-23.08.2019. A summary of the ATRs of twenty nine States/UTs, along with copies of ATRs is annexed at **Annexure-V**.

The ATRs from 29 States/UTs reveal that:

- **Twelve** States/UTs have informed about use of both pet coke and FO not allowed (Goa, Manipur, Mizoram, Nagaland, Sikkim, Tripura, Uttarakhand, Andaman & Nicobar, Chandigarh, Daman & Diu, Dadra & Nagar Haveli, Lakshadweep)
 - **Five** States/UTs have informed about use of pet coke allowed only in certain processes / industrial sectors, and use of FO allowed with conditions (Bihar, Chhattisgarh, Gujarat, Maharashtra, Tamil Nadu)
 - **Four** States / UTs have informed about allowing use of pet coke / FO with conditions (Andhra Pradesh., **Kerala**, Madhya Pradesh, Telangana)
 - **Eight** States / UTs are in the process of finalising their draft fuel policies (Assam, H.P. J&K, Karnataka, , Meghalaya, Odisha, Punjab, Puducherry)
8. ATR is still awaited from the remaining **three** States/UTs, namely, Arunachal Pradesh, Jharkhand and West Bengal.

Recd on - 28/08/19

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
केन्द्रीय प्रदूषण नियंत्रण बोर्ड
केन्द्रीय प्रदूषण नियंत्रण बोर्ड

SPEED POST

B-33014/07/2019/IPC-II/ 5747-5778

August 23, 2019

To,
The Chief Secretary/Administrators,
Government of States/Union Territories
(As per list enclosed - 1)

Sub: Directions under Section 5 of the Environment (Protection) Act, 1986 regarding preparing a policy on use of Pet coke & Furnace oil.

WHEREAS, rising pollution is a matter of serious concern, especially high levels of particulate matter exceeding National ambient air quality standards, 2009; and

WHEREAS, pet coke and furnace oil / fuel oil (FO) emit more SO₂ as compared to other conventional fuels due to high sulphur content and also contribute to forming of finer secondary particulate matter in ambient air, which form a significant fractions of PM (PM₁₀ & PM_{2.5}); and

WHEREAS, Hon'ble Supreme Court of India passed vide dated 24.10.2017 in Writ Petition (Civil) 13029 / 1985, banned use of Pet coke and furnace oil in industries in the NCR state of Haryana, Uttar Pradesh and Rajasthan. Accordingly, Central Pollution Control Board at the behest of Government of India issued directions under Section 5 of the Environment (Protection) Act, 1986 to NCR state; and

WHEREAS, subsequently, Supreme Court passed Order dated 17.11.2017 in the above mentioned writ petition, noting that pollution caused by pet coke and furnace oil is not a problem confined only to the NCR but appears to be a problem faced by almost all the States and Union Territories in the country. Hon'ble Supreme Court requested all the State Governments and Union Territories to consider taking similar measures as have been taken by the Government of India and the Chairman of the Central Pollution Control Board (thereby referring to the above mentioned Directions issued by CPCB to state governments of NCR states for compliance of Supreme Court order dated 24.10.2017); and

WHEREAS, Hon'ble Supreme Court passed subsequent orders dated 13.12.2017, 05.02.2018, 26.07.2018, 09.10.2018 in the above writ petition; and

WHEREAS, Hon'ble Supreme Court in above mentioned order dated 09.10.2018 noted CPCB's report regarding use of pet coke as feed stock in CPC units wherein it was recommended that due to emission of SO₂ in high concentrations the emissions need to be treated in FGD systems having removal efficiency more than 90% and also noted that the views expressed by CPCB have been considered by MoEF&CC which is in agreement with the CPCB; and

WHEREAS, for filling response in cases O.A. No. 67 of 2019 Sumit Kumar Vs State of Himachal Pradesh & Ors. and O.A. No. 138 of 2019 Amarjeet Kumar Vs Union of India & Ors in Hon'ble National Green Tribunal, CPCB requested all states governments vide email dated 01.02.2019 to provide details of measures taken for banning use of pet coke and furnace oil in their state as suggested by the Hon'ble Supreme Court vide its order dated 17.11.2017; and

WHEREAS, Hon'ble National Green Tribunal passed Order dated 28.03.2019 in O.A. No. 67 of 2019 and O.A. No. 138 of 2019, noting the brief on the above Supreme Court orders regarding pet coke and furnace oil provided by CPCB, and directing CPCB to issue appropriate directions in this regard to the concerned States and Union Territories indicating coercive measures against those who fail to comply with the directions; and

WHEREAS, Hon'ble National Green Tribunal passed further Order dated 04.07.2019 in above cases, directing CPCB again to proceed to take further action in the matter (as already directed by Order dated 28.03.2019); and

WHEREAS, the matter was discussed by CPCB with oil refinery representative on 20.05.2019 wherein it was informed that it is technically possible to produce low sulphur oil like slurry oil, LSHS, LDO by refineries and that if demand of FO is reduced, the refineries will have to convert it either into pet coke by installing cocker, or into bitumen by enhancing capacity of VBU which may require minimum one-year time, or will have to export it; and

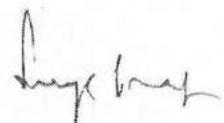
WHEREAS, as per notification no. S.O. 844 (E) dated 19th November 1986 under sub rule 3 of rule 3, the standards for emission or discharge of environmental pollutants specified under sub-rule (1) or sub-rule (2) shall be complied with by an industry, operation or process within a period of one year of being so specified; and

WHEREAS, Ministry of Environment & Forests, Government of India, vide Notifications No. S. O. 157 (E) of 27.02.1996 and S. O. 730 (E) dated 10.07.2002, has delegated the powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board, to issue directions to any industry or any local body or any other authority for violations of the standards and rules notified under the Environment (Protection) Rules, 1986 and amendments thereof.

NOW, THEREFORE, in view the above and in exercise of the powers vested under Section 5 of the Environment (Protection) Act, 1986, following directions are issued:

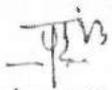
1. State Government / Union Territory Administration shall formulate and enforce fuel policy regarding use of pet coke and FO in the State/UT in light of various orders passed by Supreme Court regarding use of pet coke and FO in Writ Petition (C) 13029/1985.
2. State Government / Union Territory Administration through respective SPCB/PCC shall take strict action against any industry if found violating the fuel policy on use of pet coke and FO that will be enforced as above, using the powers conferred under environmental laws.

Action taken report shall be submitted through SPCB/PCC by State/UT within one month i.e. by 23.09.2019.


(S.P.S. Parihar)
Chairman


Copy to:

1. The Chairman
SPCBs / PCCs
(As per list enclosed - 2)
2. The Joint Secretary (CP Division)
Ministry of Environment, Forests and Climate Change
Prithvi Wing, 2nd Floor, Room No. 216
Indira Paryavaran Bhawan,
Aliganj, Jor Bagh Road, New Delhi - 110003
3. The Regional Directors
Central Pollution Control Board
(As per list enclosed - 3)
4. The Divisional Head - IT, CPCB


(Prashant Gargava)
Member Secretary

List - 1

List of Chief Secretaries/ Administrators of States/UTs

S. No.	State	Designation	Address
1	Andhra Pradesh	Chief Secretary	Government of Andhra Pradesh 1st Block, 1st Floor A.P Secretariat Office, Velagapudi - 522503
2	Arunachal Pradesh	Chief Secretary	Government of Arunachal Pradesh Civil Secretariat Itanagar - 791111
3	Assam	Chief Secretary	Government of Assam Block- C, 3rd Floor, Assam Sachivalaya Dispur - 781006, Guwahati
4	Bihar	Chief Secretary	Government of Bihar Main Secretariat, Patna - 800015
5	Chhattisgarh	Chief Secretary	Government of Chhattisgarh Mahanadi Bhawan, Mantralaya Naya Raipur - 492002
6	Goa	Chief Secretary	Government of Goa, Secretariat, Porvoin, Bardez, Goa - 403521
7	Gujarat	Chief Secretary	Government of Gujarat 1st Block, 5th Floor Sachivalaya, Gandhinagar - 382010
8	Himachal Pradesh	Chief Secretary	Government of Himachal Pradesh H P Secretariat, Shimla - 171002
9	Jammu & Kashmir	Chief Secretary	Government of Jammu & Kashmir R. No. 2/7, 2nd, Floor Main Building Civil Secretariat, Jammu - 180001 R. No. 307, 3rd Floor Civil Secretariat, Srinagar - 190001
10	Jharkhand	Chief Secretary	Government of Jharkhand 1st Floor, Project Building, Dhurwa, Ranchi - 834004
11	Karnataka	Chief Secretary	Government of Karnataka Room No. 320, 3rd Floor Vidhana Soudha, Bengaluru - 560 001
12	Kerala	Chief Secretary	Government of Kerala Secretariat, Thiruvananthapuram - 695001

13	Madhya Pradesh	Chief Secretary	Government of Madhya Pradesh MP Mantralaya, Vallabh Bhavan Bhopal - 462004
14	Maharashtra	Chief Secretary	Government of Maharashtra CS Office Main Building, Mantralaya 6th Floor, Madame Cama Road, Mumbai - 400032
15	Manipur	Chief Secretary	Government of Manipur, South Block, Old Secretariat Imphal-795001
16	Meghalaya	Chief Secretary	Government of Meghalaya Main Secretariat Building Rilang Building, Room No. 321 Meghalaya Secretariat, Shillong - 793001
17	Mizoram	Chief Secretary	Government of Mizoram New Secretariat Complex, Aizwal - 796001
18	Nagaland	Chief Secretary	Government of Nagaland Civil Secretariat, Kohima- 797004
19	Odisha	Chief Secretary	Government of Odisha General Administration Department Odisha Secretariat Bhubaneswar - 751001
20	Punjab	Chief Secretary	Government of Punjab Chandigarh - 160001
21	Sikkim	Chief Secretary	Government of Sikkim New Secretariat, Gangtok - 737101
22	Tamil Nadu	Chief Secretary	Government of Tamil Nadu Secretariat, Chennai - 600009
23	Telangana	Chief Secretary	Government of Telangana Block C, 3rd Floor, Telangana Secretariat Khairatabad, Hyderabad, Telangana
24	Tripura	Chief Secretary	Government of Tripura New Secretariat Complex Secretariat-799010, Agartala West Tripura

25	Uttarakhand	Chief Secretary	Government of Uttarakhand 4 Subhash Road, Uttarakhand Secretariat Dehradun - 248001
26	West Bengal	Chief Secretary	Government of West Bengal Nabanna, 13th Floor, 325, Sarat Chatterjee Road, Mandirtala Shibpur, Howrah - 711102
27	Union Territory Andaman and Nicobar	Chief Secretary	Andaman and Nicobar Administration Secretariat, Port Blair - 744101
28	Union Territory of Dadra and Nagar Haveli	Administrator	Secretariat, Moti, Silvassa, Daman - 396220
29	Union Territory of Daman & Diu	Administrator	Secretariat, Moti, Daman - 396 220
30	Union Territory of Lakshadweep	Administrator	Lakshadweep, Kavaratti - 682555
31	Union Territory of Puducherry	Chief Secretary	Chief Secretariat, Goubert Avenue, Puducherry - 605001
32	Union Territory of Chandigarh	Administrator	Punjab Raj Bhavan, Sector 6, Chandigarh - 160019, India

List 2: List of SPCBs/PCCs

1.	The Member Secretary Andhra Pradesh Pollution Control Board D. No. 33-26-14 D/2, Near Sunrise Hospital, Pushpa Hotel Centre, Chalamalavari Street, Kasturibaipet, Vijayawada - 520 010	9.	The Member Secretary Gujarat Pollution Control Board Paryavaran Bhavan, Sector 10-A, Gandhi Nagar 382 010, Gujarat
2.	The Member Secretary Arunachal Pradesh State Pollution Control Board Govt. of Arunachal Pradesh, Department of Environment & Forests, Paryavaran Bhawan, Yupia Road, Papu Nalah, Naharlagun - 791 110	10.	The Member Secretary Himachal Pradesh State Pollution Control Board Him Parivesh, Phase- III, New Shimla - 171 009
3.	The Member Secretary Pollution Control Board- Assam, Bamunimaidam, Guwahati - 781 021, Assam	11.	The Member Secretary (April- October) J&K State Pollution Control Board, Parivesh Bhawan, Shiekh-ul- Campus, Behind Govt. Silk Factory, Raj Bagh, Srinagar (J&K)
4.	The Member Secretary Bihar Bihar State Pollution Control Board Parivesh Bhawan, Plot No. NS-B/2, Paliputra Industrial Area, Patliputra, Patna - 800 023	12.	The Member Secretary Jharkhand State Pollution Control Board T.A. Bldg., HEC, P. O Dhurwa, Ranchi-834 004 (Jharkhand)
5.	The Member Secretary Chhattisgarh State Environment Conservation Board, Paryavas Bhawan, North Block Sector-19, Atal Nagar, Raipur - 492 002, Chhattisgarh	13.	The Member Secretary Karnataka State Pollution Control Board "Parisara Bhavan", #49,4th & 5th Floor, Church Street, Bangalore 560 001
6.	The Member Secretary Chandigarh Pollution Control Committee Paryavaran Bhawan, Ground Floor, Sector-19 B, Madhya Marg, Chandigarh - 160 019	14.	The Member Secretary Kerala State Pollution Control Board Head Office, Pattom. P. O Thiruvananthapuram - 695 004 Kerala
7.	The Member Secretary Pollution Control Committee, UTs of Daman, Diu and Dadra & Nagar Haveli Fort Area, Court Compound, Moti Daman - 396 220	15.	The Member Secretary Madhya Pradesh Pollution Control Board Paryavaran Parisar, E-5, Arera Colony Bhopal - 462 016, Madhya Pradesh
8.	The Member Secretary, Goa State Pollution Control Board Nr. Pilerne Industrial Estate, Opp. Saligao Seminary, Saligao-Bardez Goa - 403511	16.	The Member Secretary Maharashtra Pollution Control Board, Kalpataru Points, 3rd & 4th Floor, Sion Matunga Scheme Road No.6 Opp. Cine Planet, Sion Circle, Sion (E), Mumbai-400 022

17.	The Member Secretary Manipur Pollution Control Board Lamphalpat, Imphal - 795 004, Manipur	25.	The Member Secretary Tripura State Pollution Control Board Parivesh Bhawan, Pandit Nehru Complex, P.O. Kunjaban, Gorkhabasti, Agartala - 799 006, Tripura
18.	The Member Secretary Meghalaya State Pollution Control Board, "ARDEN", Lumpyngngad, Shillong - 793 014, Meghalaya	26.	The Member Secretary, Uttarakhand Environment Protection & Pollution Control Board, Gaura Devi Bhawan, 46 B IT Park Sahastradhara, Dehradun - 248 001, Uttarakhand
19.	The Member Secretary Mizoram Pollution Control Board New Secretariat Complex, Khatla, Aizawl - 796 001, Mizoram	27.	The Member Secretary Telangana State Pollution Control Board Paryavarana Bhavan, A-III, Industrial Estate, Sanathnagar, Hyderabad - 500 018
20.	The Member Secretary Nagaland Pollution Control Board Signal Point, Dimapur Nagaland	28.	The Member Secretary West Bengal Pollution Control Board Paribesh Bhavan, 10-A, Block LA, Sector III, Salt Lake City, Kolkata-700 091
21.	The Member Secretary Odisha State Pollution Control Board Paribesh Bhawan, A-118, Nilakantha Nagar Unit VIII Bhubaneswar - 751 012, Odisha	29.	The Member Secretary Puducherry Pollution Control Committee 'B' Block, Ground Floor, Chief Secretariat, Puducherry-605 001
22.	The Member Secretary Punjab Pollution Control Board Vatavaran Bhawan, Nabha Road Patiala 147 001, Punjab	30.	The Member Secretary Andaman & Nicobar Islands Pollution Control Committee, Department of Science & Technology, Dollygunj Van Sadan, Haddo P.O., Port Blair - 744102
23.	The Member Secretary Sikkim State Pollution Control Board State Land Use & Environment Cell Govt. of Sikkim, Deorali Gangtok - 737 102, Sikkim	31.	The Member Secretary Lakshadweep Pollution Control Committee, Department of Science, Technology & Environment, Kavarati- 682555
24.	The Member Secretary Tamil Nadu Pollution Control Board No. 76, Mount Salai, Guindy Chennai- 600 032 Tamilnadu		

List 3. List of RD's

1. The Regional Director
Central Pollution Control Board
1st & 2nd Floors, Nisarga Bhavan, A-Block,
Thimmaiah Main Road, 7th D Cross,
Shivanagar, **Bengaluru -560 079**
2. The Regional Director
Central Pollution Control Board
Southend Conclave, Block 502, 5th & 6th Floor
1582, Rajdanga Main Road
Kolkata - 700 107
3. The Regional Director
Central Pollution Control Board
4th Floor, Sahkar Bhawan,
North TT Nagar,
Bhopal - 462 003
4. The Regional Director
Central Pollution Control Board
Parivesh Bhawan, Opp. VMC Ward Office No. 10
Subhanpura, **Vadodara - 390 023**
5. The Regional Director
Central Pollution Control Board
PICUP Bhawan, Ground Floor
Vibhuti Khand, Gomti Nagar
Lucknow-226010
6. The Regional Director
Central Pollution Control Board
"TUM-SIR", Lower Motinagar
Near Fire Brigade H.Q.,
Shillong - 793 014

ITEM NO.2

COURT NO.4

SECTION PIL-W

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

Writ Petition(s) (Civil) No(s) .13029/1985

M.C. MEHTA

IN RE REPORT NO. 72 FILED BY EPCA AND
ALLOCATION OF NATURAL GAS TO IGL

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(1) IN RE: REPORT NO. 72 SUBMITTED BY EPCA REGARDING BAN ON SALES
AND USE OF FURNACE OIL & PET-COKE IN NCR

2) IN RE: ALLOCATION OF NATURAL GAS TO M/S INDRAPRASTHA GAS LIMITED
IA NO. 104664/2017 (APPLICATION FOR DIRECTIONS ON BEHALF OF
INDRAPRASTHA GAS LIMITED)

Date : 24-10-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s) Mr. Harish N. Salve, Sr. Adv. (A.C.) (NP)

Ms. Aparajita Singh, Adv. (A.C.)

Mr. A.D.N. Rao, Adv. (A.C.) (NP)

Mr. Siddhartha Chowdhury, Adv. (A.C.) (NP)

Petitioner-In-Person

For Respondent(s) Mr. Maninder Singh, ASG

Mr. A.K. Panda, Sr. Adv.

Ms. V.A. Mohna, Sr. Adv.

Mr. Rajesh K. Singh, Adv.

Mr. Amit Sharma, Adv.

Mr. Vibhu Shanker Mishra, Adv.

Mr. Raj Bahadur, Adv.

Mr. Sanjai Kumar Pathak, Adv.

Mr. S.W.A. Qadri, Adv.

Mr. Zaid Ali, Adv.

Ms. Anil Katiyar, Adv.

Signature invalid
Digitally signed by
SANJAI KUMAR PATHAK
Date: 2017.10.24 14:00:18 IST
Reason:

Mr. B.V. Balaram Das, Adv.
Mr. Gurmeet Singh Makker, AOR

CPCB

Mr. Vijay Panjwani, AOR

Mr. Abhishek Choudhary, AOR (NP)

Mr. Anil Grover, AAG Haryana

Dr. Monika Gusain, Adv.

Mr. Satish Kumar, Adv.

Mr. Sanjay Kr. Visen, AOR

Ms. Ruchi Kohli, AOR (NP)

Mr. Neeraj Kishan Kaul, Sr. Adv.

Mr. Gourab Banerji, Sr. Adv.

Mr. Saurav Agrawal, Adv.

Mr. Bimal Roy Jad, AOR

Mr. Satyawan Shekhawat, Adv.

Mr. Kapil Sibal, Sr. Adv.

Mrs. Neelima Tripathi, Adv.

Mr. K.V. Mohan, Adv.

Mr. Shikhar Khare, Adv.

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

REPORT NO. 72 SUBMITTED BY EPCA REGARDING BAN ON SALES
AND USE OF FURNACE OIL & PET-COKE IN NCR

We have considered the above Report filed by EPCA.

On 2nd May, 2017, learned *amicus curiae* had briefed us on the Report. It was pointed out on that day that use of Furnace Oil and Pet-Coke is prohibited in Delhi. It was further stated that the States of U.P., Haryana and Rajasthan had no objection if the ban is placed on the use of Furnace Oil and Pet-Coke. These State Governments were, therefore, permitted to place such a ban.

Almost four months have gone by and we are told that none of these three State Governments have taken any action in this matter. To make the situation worse, there is no representation on behalf of the State of U.P. nor is there any representation from the State of Rajasthan. Learned counsel appearing for the State of Haryana wants us to wait for two minutes so that he can get instructions from the State Government. We are not inclined to wait for two minutes so as to enable learned counsel to get instructions. Instructions should have been obtained well before the date of hearing.

Since the State Governments of U.P., Haryana and Rajasthan have no objection and they have not taken any positive action, keeping the pollution level in NCR and particularly in Delhi, we have no option but to place a ban on use of Furnace Oil and Pet-Coke in the States of U.P., Haryana and Rajasthan. The ban will come into effect from 1st November, 2017. We expect the State Governments to issue appropriate notification immediately. Even if they do not issue such notification then in compliance with the order of this Court, the ban will take effect from 1st November, 2017 in any case.

The issue for our consideration today is fixing standards for 34 industries with regard to the SO₂, NO_x and SO_x emissions.

On 2nd May, 2017, we had directed the Union of India as well as the Central Pollution Control Board (CPCB) to

fix the standards for the 34 industries mentioned in the order dated 2nd May, 2017.

We had further directed that the standards should be fixed on or before 30th June, 2017. We had given opportunity to the CPCB and the Union of India to move an application for reasonable extension of time. We had also cautioned the above industries, as submitted by learned *amicus curiae*, and agreed to by the learned Additional Solicitor General, that necessary steps would have to be taken by these industries to ensure that the pollution standards that are fixed by the CPCB are adhered to by 31.12.2017 as far as possible. The above industries should, therefore, start making their plans with immediate effect since sufficient notice is being given to them in this regard.

The matter was again taken up by us on 20th July, 2017.

On that date, we had noted the submissions of learned Solicitor General that some more time is required to fix the standards of NOX and SOX and perhaps some other emissions and effluents. Learned Solicitor General had stated that he will file an affidavit during the course of the day.

Several applications were also listed before us on that day and learned counsel for the applicant(s) had stated that they did not press these applications since they have instructions to assure this Court that the

industry would abide by whatever standards are fixed by the CPCB by 31st December, 2017. The assurance was taken on record.

Today, learned Additional Solicitor General has brought to our notice that an affidavit was in fact filed by learned Solicitor General on behalf of the Ministry of Environment, Forest and Climate Change on 20th July, 2017. In that affidavit, it was stated that insofar as 9 industries are concerned, SO₂, NOX and SOX standards had already been fixed. This is confirmed by learned *amicus curiae*.

It is also brought to our notice that emission standards for SO₂, NOX and SOX are not required to be fixed in respect of two industries, viz., electroplating industries and stone crushing units since there is no emission of SO₂, NOX and SOX.

We have been told by learned counsel appearing on behalf of the CPCB that draft standards were fixed by the CPCB in respect of 16 industries and these were communicated to the Ministry of Environment, Forest and Climate Change on 27.06.2017.

We are told by learned counsel that in respect of these 16 industries, the standards were communicated to the Ministry of Environment, Forest and Climate Change on 27.06.2017.

We are told by learned Additional Solicitor General that with regard to 5 more industries, the draft

standards were sent subsequently.

We are quite distressed that the Ministry of Environment, Forest and Climate Change has been sitting over 16 recommendations at least since 27.06.2017, that is, almost about three months without apparently showing any concern whatsoever for the pollution in Delhi and in NCR.

Learned Additional Solicitor General further informs us that the draft notification with regard to these industries was issued on 23rd October, 2017 inviting objections and in terms of Section 5 of the Environment Protection Rules, 60 days' time is required to be given for inviting objections. This period would expire on or about 23rd December, 2017 when hopefully notifications would be issued.

In any event, since the draft notifications have been issued and since the industry had assured us on 20.07.2017 that they would abide by the standards fixed by the CPCB, we expect the industries to live up to the assurance given to us by the industry even though the Ministry of Environment, Forest and Climate Change does not seem to be concerned about the entire issue.

With regard to two remaining industries, i.e., nitric acid industry and fertilizer industry, we are told that the standards in this regard were sent to the Ministry of Environment, Forest and Climate Change by the CPCB on 14th February, 2014. Three and half years have gone by, but

the Ministry of Environment, Forest and Climate Change has not done anything about it.

This is a completely disgusting state of affairs and this is hardly the way in which the Ministry ought to function if it is expected to perform its duties sincerely, honestly and with dedication.

Learned Additional Solicitor General informs us that necessary steps will be taken (after a lapse of three and half years) to issue a draft notification and needful will be done within one month from today, meaning thereby, the deadline of 31st December, 2017 will be crossed by the Ministry of Environment, Forest and Climate Change.

We record our unhappiness at the attitude of the Ministry of Environment, Forest and Climate Change, but we expect the industry to abide by the assurance that has already been given to us and particularly since they are aware of the standards proposed by the CPCB, maybe for the last couple of years at least.

We make it clear that the Ministry of Environment, Forest and Climate Change is bound by the statement made by learned Additional Solicitor General that the draft notification for the two industries would be issued within one month from today.

Seeing the totally insensitive attitude of the Ministry, We are inclined and we do impose costs of Rs.2,00,000/- (Rupees two lakhs only) on the Ministry of

Environment, Forest and Climate Change so that at least they now wake up to the problem relating to environment. The amount be deposited in the Supreme Court Legal Services Committee within four weeks from today for utilization of juvenile justice issues.

List the Report No.72 on 11th December, 2017.

Liberty is granted to the Union of India to file additional affidavit.

IA NO. 104664/2017 (APPLICATION FOR DIRECTIONS ON BEHALF OF INDRAPRASTHA GAS LIMITED)

Issue notice.

Mr. K.V. Mohan, learned counsel accepts notice and seeks some time to file reply.

List the application on 16th November, 2017 with other connected applications.

In the meanwhile, learned counsel for the petitioner has placed before us a letter dated 12th October, 2017 which has been issued by the State of Haryana through the office of the Executive Engineer, HUDA, Division No.1 Gurugram pursuant to the minutes of the meeting held on 8th September, 2017.

The letter has seriously been objected to not only by learned counsel for the petitioner, but also by learned Additional Solicitor General appearing on behalf of the Union of India.

In view of the above, until then, the letter dated 12th October, 2017 and the minutes of the meeting dated 8th September, 2017 will be kept in abeyance only as far as M/s. Indraprastha Gas Limited is concerned.

We had already directed that the I.As. on different subjects should be listed separately. We see no reason why the Registry has listed the matter relating to allocation of natural gas to M/s. IGL with Report No.72. Similarly, in other matters also, all the I.As in the same matter are being listed together, even though they pertain to different subject matters.

A copy of this direction be communicated to the Secretary General of the Registry for compliance.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
COURT MASTER

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

Writ Petition(s) (Civil) No(s). 13029/1985

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(1) In Re: REPORT NO. 71 AND 78 FILED BY EPCA
(REGARDING COMPREHENSIVE ACTION PLAN FOR AIR POLLUTION CONTROL AND
SUPPLEMENTARY REPORT ON THE COMPREHENSIVE ACTION PLAN WITH
TIMELINES)

2) IN Re: REPORT NO. 73 AND 75 FILED BY EPCA (ON THE ASSESSMENT OF
POLLUTION UNDER CONTROL (PUC) PROGRAMME IN DELHI AND NCR)

Date : 17-11-2017 These applications were called on for hearing
today.

CORAM : HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s) Mr. Harish N. Salve, Sr. Advocate (A.C.)

Ms. Aparajita Singh, Advocate (A.C.)

Mr. A.D.N. Rao, Advocate (A.C.) [Np]

Mr. Siddhartha Chowdhury, Advocate (A.C.) [Np]

Petitioner-In-Person

For Respondent(S) Mr. A.N.S. Nadkarni, ASG

Mr. S.Wasim A. Qadri, Adv.

Mr. D.L. Chidanand, Adv.

Mr. Ritesh Kumar, Adv.

Mr. Zaid Ali, Adv.

Mr. Saeed Qadri, Adv.

Mr. S.S. Rebello, Adv.

Ms. Nivedita Nair, Adv.

Mr. Abhisehk Bharadwaj, Adv.

Mr. Jai Dehadrai, Adv.

Ms. Divya Prakash Pandey, Adv.

Mr. Ajit Yadav, Adv.

Ms. Saudamini Sharma, Adv.

Ms. Pallavi Chopra, Adv.

Mr. G.S. Makker, Advocate.

	Mr. Ajit Yadav, Adv.
CPCB	Mr. Vijay Panjwani, Advocate
U.P.	Ms. Aishwarya Bhati, AAG Ms. Rachna Gupta, Adv. Mr. Siddhant S. Malik, Adv.
Haryana	Mr. Anil Grover, AAG Ms. Noopur Singhal, Adv. Mr. Satish Kumar, Adv. Mr. Ajay Bansal, Adv. Mr. Gaurav Yadav, Adv. Mr. Sanjay Kr. Visen, Advocate Mr. Samir Ali Khan, Advocate
Rajasthan	Mr. S.S. Shamsbery, AAG Mr. Amit Sharma, Adv. Mr. Ankit Raj, Adv. Ms. Indira Bhakar, Adv. Ms. Ruchi Kohli, Advocate
NCT	Mr. Chirag M. Shroff, Adv. Ms. Neha Sangwan, Adv. Mr. B.K. Prasad, Advocate. M/S S Narain
Mercedes Benz	Mr. Gopal Subramaniam, Sr. Adv. Mr. Akshat Hansaria, Adv. Mr. Amit K. Mishra, Adv. Mr. Pavan Bhushan, Adv. Mr. Ritesh Bajaj, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Report Nos. 72 and 76

On 13.11.2017, we had reserved orders on various applications filed for recall of the order dated 24.10.2017 regarding the ban on use of furnace oil and pet coke in the States of U.P., Haryana and Rajasthan.

Today, the learned ASG has placed before us a decision taken

by the Ministry of Environment, Forests and Climate Change of the Government of India on 15.11.2017 requiring the Central Pollution Control Board to issue a direction under Section 5 of the Environment (Protection) Act 1986 to the States of U.P., Haryana and Rajasthan prohibiting any industry, operation or processes using pet coke and furnace oil as fuel with immediate effect until further orders. It is clarified by the learned ASG that this is with respect to entire State and not only NCR region.

Pursuant to the communication dated 15.11.2017, a direction has been issued on the same date i.e. 15.11.2017 by the Chairman, CPCB under Section 5 of the Environment (Protection) Act, 1986. The direction is to the effect that there will be a prohibition on the use of pet coke and furnace oil by any industry, operation or processes within the the States of U.P., Haryana and Rajasthan with immediate effect until further orders.

It is submitted by the learned Amicus that a prohibition on the use of pet coke and furnace oil will solve only a part of the problem. A direction should also be issued to the effect there is a ban on the sale of pet coke and furnace oil in all these three States for being used as fuel.

The learned ASG says that he will look into the matter and will get back to us within a week or so.

We may note that pollution caused by pet coke and furnace oil is not a problem confined only to the NCR region but appears to be a problem faced by almost all the States and Union Territories in the country.

For the present, we do not propose to give any direction to

any other State and Union Territory but we request all the State Governments and Union Territories to consider taking similar measures as have been taken by the Government of India and the Chairman of the Central Pollution Control Board under Section 5 of the Environment (Protection) Act, 1986.

List on 4th December, 2017.

Report Nos. 71 and 78 (REGARDING COMPREHENSIVE ACTION PLAN FOR AIR POLLUTION CONTROL AND SUPPLEMENTARY REPORT ON THE COMPREHENSIVE ACTION PLAN WITH TIMELINES)

List on 4th December, 2017 for final orders.

Report Nos. 73 and 75 (ON THE ASSESSMENT OF POLLUTION UNDER CONTROL (PUC) PROGRAMME IN DELHI AND NCR)

List on 4th December, 2017 for final orders.

Application for Direction by the Amicus Curiae

Learned Amicus has moved an application in which it is prayed as follows:

- a) Direct the collection of a compensatory sum on petrol and diesel in NCR to be used for measures to deal with pollution in the NCR region.
- b) Direct that the charge so collected should be utilized by the Union of India to procure the requisite agricultural equipments for the farmers of Punjab and Haryana.
- c) Further direct that the Ministry of Petroleum and Natural Gas examine the feasibility of existing technologies and present a workable scheme on the use and disposal of the crop stubble to this

Hon'ble Court.

It is our impression that a prayer similar to prayer (c) has already been made in a writ petition filed and is perhaps pending before Hon'ble the Chief Justice.

On the request of the learned Amicus , we take the application on record but do not pass any orders since the learned Amicus says that he will move Hon'ble the Chief Justice.

Application for Direction by the Amicus Curiae

The learned Amicus has moved another application in which it is prayed as follows:

- a) Direct that sufficient gas supply be made available so that all power generation in the NCR region is from power plants using gas as their principal fuel.
- b) Direct a ban on import of pet coke and furnace oil and confine the use of domestic pet coke for the sole purpose of feedstock.
- c) Direct the implementation of the 2015 emission standards for power plants as per schedule i.e. by December 2017
- d) Direct the review of the status of existing coal based power plants and a timebound switch over to natural gas.
- e) Direct the Union to oversee measures to strengthen the distribution of electricity in the NCR region to ensure that there is no shortfall in availability of electricity on 24/7 basis.

Issue notice returnable on 04.12.2017.

Mr. Qadri, learned counsel accepts notice.

Learned ASG seeks some time to have instructions and file a response, if necessary.

Several amounts running into hundreds if not thousand crores have been collected under various heads/accounts pursuant to various orders passed by this Court from time to time. We request the learned ASG appearing for the Union of India, Mr. Vijay Panjwani, learned counsel for CPCB and Ms. Aprajita Singh, the learned Amicus before us to sit together and identify all the heads and the amounts lying under those heads / accounts so that there can be proper utilization of these funds. The Registry is directed to give access to the relevant records, if necessary.

The learned ASG, Mr. Vijay Panjwani and Ms. Aprajita Singh, the learned Amicus may take the assistance of any other person that they feel necessary.

(MEENAKSHI KOHLI)
COURT MASTER

(KAILASH CHANDER)
COURT MASTER

ITEM NO.10+12

COURT NO.4

SECTION PIL-W

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

Writ Petition(s) (Civil) No(s). 13029/1985

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(1) IN RE: REPORT NOS. 72 AND 76 SUBMITTED BY EPCA (REGARDING BAN ON SALES AND USE OF FURNACE OIL AND PET-COKE IN NCR)

2) IN RE: REPORT NO. 71 AND 78 SUBMITTED BY EPCA (REGARDING COMPREHENSIVE ACTION PLAN FOR AIR POLLUTION CONTROL AND SUPPLEMENTARY REPORT ON THE COMPREHENSIVE ACTION PLAN WITH TIMELINES)

3) IA NO. 127792/2017 (APPLN. FOR DIRECTIONS FILED BY AMICUS CURIAE)

4) IA NO. 128349/2017 (APPLN. FOR DIRECTIONS FILED BY AMICUS CURIAE)

WITH

W.P.(C) No. 1109/2017 (PIL-W)

(FOR PERMISSION TO APPEAR AND ARGUE IN PERSON ON IA 119376/2017)

W.P.(C) No.1175/2017 (X)

(With appln. for stay)

W.P.(C) No.1174/2017 (PIL-W)

(With appln. for stay)

W.P.(C) No.1212/2017

Date : 13-12-2017 These matters were called on for hearing today.

Signature invalid

Digitally signed by
SANJAY K. AM :
Date: 2017.12.13 16:50:15
Reason:

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA

Mr. Harish N. Salve, Sr. Adv. (A.C.) (NP)

Ms. Aparajita Singh, Adv. (A.C.)

Mr. A.D.N. Rao, Adv. (A.C.)

Mr. Siddhartha Chowdhury, Adv. (A.C.) (NP)

For Petitioner(s) Petitioner-In-Person

Mr. R.K. Kapoor, In-person

Mr. Gopal Subramaniam, Sr. Adv.

Mr. Jayant Bhushan, Sr. Adv.

Mr. Dhruv Mehta, Sr. Adv.

Mr. Gaurav Juneja, Adv.

Mr. Nawneet Vibhaw, Adv.

Mr. Sanjeev K. Kapoor, Adv.

for Khaitan & Co.

Mr. Kapil Sibal, Sr. Adv.

Mr. Basava Prabhu Patil, Sr. Adv.

Mr. Ajay Bhargava, Adv.

Ms. Vanita Bhargava, Adv.

Ms. Richa Bhargava, Adv.

Ms. Shweta Kabra, Adv.

for Khaitan & Co.

For Respondent(s)
UOI

Mr. A.N.S. Nadkarni, ASG

Mr. Amit Sharma, Adv.

Mr. Raj Bahadur, Adv.

Mr. S.W.A. Qadri, Adv.

Mr. D.L. Chidanand, Adv.

Mr. Ritesh Kumar, Adv.

Mr. Zaid Ali, Adv.

Mr. Saeed Qadri, Adv.

Mr. Ankit Sharma, Adv.

Mr. D.P. Pandey, Adv.

Mr. Gurmeet Singh Makker, AOR

CPCB

Mr. Vijay Panjwani, AOR

Mr. Bikash Chandra, Adv.

Haryana

Mr. Anil Grover, AAG Haryana

Dr. Monika Gusain, Adv.

Ms. Noopur Singhal, Adv.

Mr. Satish Kumar, Adv.

Rajasthan

Mr. Sanjay Kr. Visen, AOR
 Mr. Tushar Mehta, ASG
 Mr. Shiv Mangal Sharma, AAG Rajasthan
 Mr. S.S. Shamsbery, AAG Rajasthan
 Mr. Amit Sharma, Adv.
 Mr. Sandeep Singh, Adv.
 Mr. Ankit Raj, Adv.
 Ms. Indira Bhakar, Adv.
 Ms. Ruchi Kohli, AOR

U.P.

Ms. Rachna Gupta, AOR
 Mr. Anil Kumar Sinha, Adv.
 Mr. Siddhant S. Malik, Adv.

 Mr. Gopal Subramaniam, Sr. Adv.
 Mr. Akhat Hansaria, Adv.
 Mr. Amit K. Mishra, Adv.
 Mr. Mohit Singh, Adv.
 Mr. Pavan Bhushan, Adv.
 Mr. Ritesh Bajaj, Adv.

 Dr. A.M. Singhvi, Sr. Adv.
 Mrs. Nandini Gore, Adv.
 Mr. Sandeep Narain, Adv.
 Mr. Aakarshan Sahay, Adv.
 Ms. Khushboo Bari, Adv.

 Mr. Mukul Rohatgi, Sr. Adv.
 Mr. Sandeep Narain, Adv.
 Ms. Anjali Agarwal, Adv.
 for M/s. S. Narain & Co.

 Mr. Aman Lekhi, Sr. Adv.
 Mr. Vijay K. Sondhi, Adv.
 Ms. Amrita Singh, Adv.
 Mr. Arnav Sanyal, Adv.
 Mr. Himanshu Sharma, Adv.

 Mr. Mohan Parasaran, Sr. Adv.
 Ms. Divya Swami, Adv.
 Ms. Prabha Swami, Adv.
 Mr. Nikhil Swami, Adv.

 Ms. Uttara Babbar, Adv.
 Ms. Akanksha Choudhary, Adv.

Md. Bhavana Duhoon, Adv.

UPON hearing the counsel the Court made the following

O R D E R

IN RE: REPORT NOS. 72 AND 76 SUBMITTED BY EPCA
(REGARDING BAN ON SALES AND USE OF FURNACE OIL AND
PET-COKE IN NCR)

We have been taken through the affidavit filed by the Ministry of Environment, Forests and Climate Change (MOEF) through Mr. Ritesh Kumar Singh, Joint Secretary in the MOEF as well as another affidavit filed in IA NO. 128349/2017 in compliance of the orders dated 17.11.2017 and 04.12.2017.

We have heard Mr. A.N.S. Nadkarni, learned Additional Solicitor General appearing for the Union of India and Mr. Tushar Mehta, learned Additional Solicitor General appearing for the State of Rajasthan and we have also heard learned *amicus curiae*.

(1) Use of Pet Coke in Cement Industries

The view expressed by learned *amicus curiae* is that the cement industry uses pet coke in its kiln where limestone is ground and burnt till it forms clinker. In this process of calcination, limestone absorbs sulphur and, therefore, emissions are minimized. MOEF has notified emission standards for SO₂ and NO_x for cement industry. Consequently, permission can be given for use of pet coke in the cement industry.

This is acceptable to learned Additional Solicitor General appearing for the Union of India.

It is further submitted on behalf of the Union of India that pet coke should be utilized only in industries where sulphur is absorbed in the manufacturing process, for example, cement industry, gasification plants.

This is not objected to by learned *amicus curiae*.

However, it is suggested by learned *amicus curiae* that there is a need to set up a system to regulate the sale and use of pet coke to ensure that there is complete accountability and traceability with no opportunity for leakage.

This suggestion is accepted by the learned Additional Solicitor General appearing for the Union of India who says that a system of regulation for the sale and use of pet coke will be brought into force within four weeks on the outside.

(2) Use of pet coke in lime industry

It is submitted by learned *amicus curiae* that the limestone industry bakes the limestone to make *chuna* or slaked lime and pet coke is burnt in a kiln with limestone which absorbs the sulphur.

It is further submitted that most of the limestone industries are in the small scale sector and their operations are not regulated. It is also submitted that the final product is not regulated and, therefore, unlike cement its kiln temperature and manufacturing process cannot be guaranteed.

On 24th October, 2017, we had directed emission

standards with respect to five industries be finalized within a month.

It is stated by learned Additional Solicitor General appearing for the Union of India that preliminary standards have already been finalized with regard to four of these industries. With regard to the lime industry, the standards may be notified within a period of three months, i.e., on or before 31st March, 2018. Necessary field studies, etc. may be conducted on priority basis by the Central Pollution Control Board.

Learned Additional Solicitor General appearing for the Union of India has no objection to provide information to EPCA about the number of industries dealing with lime and the location and system proposed to be set up to strictly regulate the use of pet coke so that there is no leakage or misuse.

We expect the State Governments/Union Territories to cooperate and coordinate with the MOEF in this regard. The compilation of information and framing of regulations may be concluded within a period of four weeks from today and in any case before 31st January, 2018.

(3) Use of furnace oil should be permitted in thermal power plants

It is submitted by learned *amicus curiae* that the Ministry of Power and Natural Gas has requested the use of furnace oil for a period of one year till the power plants switch to using light diesel oil.

Since this is also stated on affidavit by MOEF, we accept the time line given by the MOEF and direct that the switchover may be completed within a period of one year from today and in any case before 31st December, 2018.

(4) Implementation of the December 2015 standards for thermal power plants, which were to be implemented by December, 2017.

We propose to take up this issue on the adjourned date.

We request Mr. Ritwik Dutta, learned counsel to be present on the next date of hearing and assist us.

List the matter for this issue on 1st February, 2018.

(5) Natural gas to be made available to power plants in NCR

(6) Natural gas to be made available for power plants and industries

(7) Measures to strengthen distribution of electricity in NCR region

The MOEF has requested for some time to look into Issue Nos. (5), (6) and (7) and get back to this Court.

Learned *amicus curiae* has no objection if six weeks time is given for this purpose.

List Issue Nos. (5), (6) and (7) on 1st February, 2018.

Ban on Import of Pet Coke

We may note that the MOEF has stated on affidavit that a ban on the import of pet coke is under

consideration in view of the environmental hazards due to its use. It appears that some discussions are taking place with the Ministry of Petroleum and Natural Gas as well as the Director General of Foreign Trade.

We expect the MOEF to expeditiously take a final decision after consulting the stakeholders as well as EPCA in this regard.

List the matter on this issue on 1st February, 2018.

In view of the orders passed above, nothing further survives in Report Nos. 72 and 76 and they stand disposed of.

IA NO. 128349/2017 (APPLN. FOR DIRECTIONS FILED BY AMICUS CURIAE)

In view of the above orders, nothing further survives in this application, which is accordingly disposed of as infructuous.

W.P.(C) No.1175/2017, W.P.(C) No.1174/2017 and W.P.(C) No.1212/2017

In view of the above orders, nothing further survives in these petitions, which are accordingly disposed of as infructuous.

Affidavit filed by MOEF

In paragraph 15 of the affidavit filed by MOEF, an impression is sought to be created that this Court passed the order dated 24.10.2017 without any prior notice.

This is not borne out from the record of the case.

However, learned counsel appearing for the States of Rajasthan, Uttar Pradesh and Haryana have volunteered to

file an affidavit of the Chief Secretary withdrawing the suggestion sought to be made that the order dated 24.10.2017 passed by this Court was without prior notice to these States.

The affidavits be filed within two weeks.

IN RE: REPORT NO. 71 AND 78 SUBMITTED BY EPCA (REGARDING COMPREHENSIVE ACTION PLAN FOR AIR POLLUTION CONTROL AND SUPPLEMENTARY REPORT ON THE COMPREHENSIVE ACTION PLAN WITH TIMELINES)

As far as Report Nos.71 and 78 filed by EPCA are concerned, the MOEF has no objection to notifying the recommendations made therein.

However, the Society of Indian Automobile Manufacturers (SIAM) has objection to Point Nos.2.2.1 and 2.2.2. This will be considered on the next date of hearing.

There are certain time lines which have been mentioned in the reports. These may be discussed by the MOEF with EPCA within two weeks. Since the MOEF has no objections to the recommendations made (except as regards the time lines), the recommendations made in these two reports may be notified, publicized and implemented by the MOEF at the earliest. The objections of SIAM are kept open for consideration.

List these reports on 25th January, 2018.

We make it clear that the directions that we have given should not be understood as limited only to NCR Region. Since air pollution is apparently a nation-wide

problem, the MOEF will look into the matter and necessary steps taken and notifications issued will be made applicable to the entire country.

IA NO. 127792/2017 (APPLN. FOR DIRECTIONS FILED BY AMICUS CURIAE) and W.P. (C) No. 1109/2017

Learned Additional Solicitor General has taken us through the affidavit filed on behalf of MOEF in response to the interlocutory application filed by learned *amicus curiae*.

It is stated in the affidavit that a High Level Task Force has been set up to look into the issue of stubble burning and actions to discourage crop residue burning. Some technological options have also been discussed and it is expected that the Sub-Committee of the Task Force will submit its report to the Task Force by 15th December, 2017.

We find from reading of the affidavit that no one concerned with health issues such as medical doctors or other professionals from medical institutions has been involved in the discussions. It is a matter of common knowledge that air pollution can cause serious health hazards apart from adverse health effects. As a result of these health hazards and adverse health effects, there is bound to be an economic loss so far as the affected persons are concerned and the entire country due to hospitalization and other attendant expenses including loss of man-hours of work. Economic activity and health

are interlinked.

In our opinion, it would be appropriate if the High Level Task Force also takes the assistance of professionals, particularly from the medical profession as well as agricultural scientists and also those who are well-versed with issues pertaining to the economic impact of adverse health effects due to air pollution. It is better to have a comprehensive and holistic view of the problem caused by air pollution rather than a half-baked response.

Learned Additional Solicitor General says that this view will be placed before the Chairperson of the High Level Task Force so that the involvement of civil society can be seriously considered since it is not only an issue which affects some people, but it affects the entire city and the NCR Region apart from other parts of the country.

List the matters on 24th January, 2018.

W.P. (C) No. 13029/1985

With regard to the status of funds available due to various orders passed by this Court, list the matter on 15th December, 2017. We expect the authorities in CAMPA to render all assistance to learned *amicus curiae* in this regard.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
COURT MASTER

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

Writ Petition(s) (Civil) No(s). 13029/1985

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(1) IN RE: REPORT NO. 71 AND 78 SUBMITTED BY EPCA
(REGARDING COMPREHENSIVE ACTION PLAN FOR AIR POLLUTION CONTROL AND
SUPPLEMENTARY REPORT ON THE COMPREHENSIVE ACTION PLAN WITH
TIMELINES)

2) IA NO. 2733/2018 (APPLN. FOR IMPLEADMENT ON B/O NIPUN MALHOTRA)

Date : 05-02-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA

Mr. Harish N. Salve, Sr. Advocate (A.C.) [NP]

Ms. Aparajita Singh, Advocate (A.C.)

Mr. A.D.N. Rao, Advocate (A.C.)

Mr. Siddhartha Chowdhury, Advocate (A.C.)

For Petitioner(S) Petitioner-In-Person

For Respondent(S) Mr. Vijay Panjwani, Advocate
Mr. Kamlesh Vaswani, Adv.

Mr. A.N.S. Nadkarni, ASG

Mr. Amit Sharma, Adv.

Mr. Wasim Qadri, Adv.

Mr. D.L. Chidanand, Adv.

Mr. Ritesh Kumar, Adv.

Mr. Zaid Ali, Adv.

Mr. Balendu Shekhar, Adv.

Mr. Raj Bahadur, Adv.

Mr. G.S. Makker, Advocate.

Mr. Divya Prakash Pande, Adv.

Mr. Anil Grover, Adv.

Ms. Noopur Singhal, Adv.

Mr. Shivam Kumar, Adv.
Mr. Sanjay Kr. Visen, Advocate

Mr. Abhishek, Advocate
Mr. Arijit Prasad, Adv.
Mr. Ramjee Pandey, Adv.

Mr. Tushar Mehta, ASG
Mr. Shiv Mangal Sharma, Adv.
Mr. Saurabh Rajpal, Adv.
Mr. Amit Sharma, Adv.
Mr. Sandeep Singh, Adv.
Mr. Ankit Raj, Adv.
Ms. Indira Bhakar, Adv.
Ms. Ruchi Kohli, Advocate

Mr. B.V. Balram Das, Advocate

Mr. Sandeep Narain, Adv.
Ms. Anjali Agarwal, Adv.
For M/S S Narain And Co., Advocates

Mr. Jai Dehadrai, Adv.
Mr. Sidharth Arora, Adv.
Ms. Shivangini Gupta, Adv.
Ms. Manisha Ambwani, Advocate

Mr. Gopal Subramaniam, Sr. Adv.
Mr. Akshat Hansaria, Adv.
Mr. Mohit Singh, Adv.
Mr. Pavan Bhushan, Adv.
Mr. Ritesh Bajaj, Adv.

Mr. Jayant Bhushan, Sr. Adv.
Ms. Vanita Bhargava, Adv.
Mr. Ajay Bhargava, Adv.
Ms. Richa Bhargava, Adv.
Ms. Shweta Kabra, Adv.
Mr. Sanjeev K. Kapoor, Adv.
Mr. Gaurav Juneja, Adv.
Mr. Navneet Vibhaw, Adv.
For M/s Khaitan & Co.

UPON hearing the counsel the Court made the following

O R D E R

REPORT NO. 71 AND 78 (REGARDING COMPREHENSIVE ACTION PLAN FOR AIR POLLUTION CONTROL) IN THE NCR REGION INCLUDING HARYANA, RAJASTHAN AND U.P.

The learned *Amicus* has brought to our notice a press release dated 15.11.2017 issued by the Press Information Bureau of the Government of India through the Ministry of Petroleum and Natural Gas.

The Press Release reads as follows:

"Pre-ponement of introduction of BS -VI grade auto fuels in NCT Delhi

The Government of India has been making concerted efforts in line with Prime Minister Shri Narendra Modi's Commitment at COP 21, to reduce vehicular emissions and improve fuel efficiency with an aim to reduce the carbon footprints and keep a healthy environment. India has followed the regulatory pathway for fuel quality and vehicle emissions standards termed as Bharat Stage (BS).

The Ministry of Petroleum and natural Gas has successfully introduced the BS-IV grade transportation fuels across the country w.e.f April 1st 2017. With the launch of BS-IV grade fuel, a new era of clean transportation fuels has begun which will benefit all citizens of our country by substantially reducing pollution levels. Migration to BS-IV grade fuels shows India's resolve to cut down emissions.

As a next step in this direction, Government in consultation with stakeholders has decided to meet international best practices by leapfrogging directly from BS-IV to BS-VI grade by 1st April, 2020, skipping BS-V altogether. Oil refining companies are making huge investments in fuel up gradation projects to produce

the BS-VI grade fuels.

Taking into account the serious pollution levels in Delhi and adjoining areas, Petroleum Ministry in consultation with Public Oil Marketing Companies has decided for preponement of BS-VI grade auto fuels in NCT of Delhi w.e.f 01.04.2018 instead of 01.04.2020. OMCs have also been asked to examine the possibility of introduction of BS-VI auto fuels in the whole of NCR area w.e.f 01.04.2019.

This measure is expected to help mitigate the problem of air pollution in NCT of Delhi and surrounding areas."

It is quite clear from the penultimate paragraph of the Press Release that taking into account the serious pollution levels in Delhi as well as in adjoining areas, the Petroleum Ministry in consultation with Public Oil Marketing Companies has decided to make available BS VI grade auto fuels in NCT of Delhi with effect from 01.04.2018.

Learned counsel appearing for SIAM says that his instructions are that this BS VI fuel will not be available in every petrol station in Delhi but in few selected petrol stations.

In view of the categorical statement made by the Press Information Bureau which we take it as the statement on behalf of the Ministry of Petroleum and Natural Gas, we would like to know the correct position on an affidavit to be filed by the Secretary in the Ministry of Petroleum and Natural Gas.

The Ministry of Petroleum and Natural Gas is impleaded as a respondent.

Issue notice to the Ministry of Petroleum and Natural Gas.

Learned standing counsel for the Union of India accepts notice on behalf of the said Ministry.

The learned ASG says that he will convey the contents of this order to the Secretary in the Ministry of Petroleum and Natural Gas.

Affidavit be filed within two weeks.

List the matter on 21.02.2018.

I.A. No. 2733/2018

The prayer in this application is for a direction for the procurement of disabled friendly transport buses.

It is stated that a tender has been floated for the procurement of 10,000 standard floor buses. This issue is stated to be pending before the Delhi High Court.

Under the circumstances, we decline to entertain this application and leave it to the Delhi High Court to pass appropriate directions.

The application is disposed of.

(MEENAKSHI KOHLI)
COURT MASTER

(KAILASH CHANDER)
COURT MASTER

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

Writ Petition(s) (Civil) No(s). 13029/1985

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

IN RE: REPORT NO. 72 and 76

REPORT NO. 80 SUBMITTED BY EPCA

WITH

WP (C) NO. 60/2018

Date : 05-02-2018 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR

HON'BLE MR. JUSTICE DEEPAK GUPTA

Mr. Harish N. Salve, Sr. Advocate (A.C.) [NP]

Ms. Aparajita Singh, Advocate (A.C.)

Mr. A.D.N. Rao, Advocate (A.C.)

Mr. Siddhartha Chowdhury, Advocate (A.C.)

For Petitioner(S) Petitioner-In-Person

For Respondent(S) Mr. Vijay Panjwani, Advocate
Mr. Kamlesh Vaswani, Adv.

Mr. A.N.S. Nadkarni, ASG

Mr. Amit Sharma, Adv.

Mr. Wasim Qadri, Adv.

Mr. D.L. Chidanand, Adv.

Mr. Ritesh Kumar, Adv.

Mr. Zaid Ali, Adv.

Mr. Balendu Shekhar, Adv.

Mr. Raj Bahadur, Adv.

Mr. G.S. Makker, Advocate.

Mr. Divya Prakash Pande, Adv.

Mr. Anil Grover, Adv.

Ms. Noopur Singhal, Adv.

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Mr. Sanjay Kr. Visen, Advocate

Mr. Abhishek, Advocate
Mr. Arijit Prasad, Adv.
Mr. Ramjee Pandey, Adv.

Mr. Tushar Mehta, ASG
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Mr. Saurabh Rajpal, Adv.
Mr. Amit Sharma, Adv.
Mr. Sandeep Singh, Adv.
Mr. Ankit Raj, Adv.
Ms. Indira Bhakar, Adv.
Ms. Ruchi Kohli, Advocate

Mr. B.V. Balram Das, Advocate

Mr. Sandeep Narain, Adv.
Ms. Anjali Agarwal, Adv.
For M/S S Narain And Co., Advocates

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Ms. Shivangini Gupta, Adv.
Ms. Manisha Ambwani, Advocate

Mr. Gopal Subramaniam, Sr. Adv.
Mr. Akshat Hansaria, Adv.
Mr. Mohit Singh, Adv.
Mr. Pavan Bhushan, Adv.
Mr. Ritesh Bajaj, Adv.

Mr. Jayant Bhushan, Sr. Adv.
Ms. Vanita Bhargava, Adv.
Mr. Ajay Bhargava, Adv.
Ms. Richa Bhargava, Adv.
Ms. Shweta Kabra, Adv.
Mr. Sanjeev K. Kapoor, Adv.
Mr. Gaurav Juneja, Adv.
Mr. Navneet Vibhaw, Adv.
For M/s Khaitan & Co.

WP (C) 60

Mr. Gopal Subramaniam, Sr. Adv.
Mr. Sanjeev K. Kapoor, Adv.
Mr. Navneet Vibhaw, Adv.
Mr. Pawan Bhushan, Adv.
For M/s Khaitan & Co.

UPON hearing the counsel the Court made the following

O R D E R

REPORT NOs. 72 and 76 [BAN ON SALES AND USE OF FURNACE OIL AND PET COKE IN NCR] AND REPORT NO. 80

The Ministry of Environment, Forests and Climate Change has filed an affidavit in compliance of the order dated 13.12.2017. In response to the affidavit, EPCA has filed Report No.80.

The issues raised are as follows:

(1) Setting emission standards for SO₂, NOx and SOx for 23 industries.

It is stated by the learned ASG that SO₂, NOx standards for 5 industries limekiln, glass, ceramic, foundries, re-heating furnaces will be finalized by 31st March, 2018 latest.

(2) Ban on import of Pet Coke

It is stated by the learned ASG that there is some expected deficit with regard to availability of domestic pet coke. A final decision is yet to be taken in the matter and consultations on shortage from domestic production are going on with the Ministry of Petroleum and Natural Gas and a decision will be taken within two weeks.

(3) Permitted use of pet coke in certain industries

It is stated by the learned ASG that the use of pet coke in Calcium Carbide based industries may be permitted on the basis of recommendations made by the CPCB. This is acceptable to EPCA.

However, EPCA has suggested that the recommendations need to be implemented constructively and the CPCB should compile all the data with the assistance of all the State Pollution Control Boards (SPCB) of all the industries using Calcium Carbide within a period of four weeks from today. Thereafter, the source of pet coke and its utilization should be monitored on a monthly basis for the first one year with all the details being put up on the website of the CPCB and thereafter monitoring may be carried out on quarterly basis.

Mr. Gopal Subramaniam, learned senior counsel appearing for DCM Shriram Ltd. in Writ Petition (C) No. 60/2018 says that he has no objection to these directions being issued and that all the directions will be complied with.

In view of the above, learned senior counsel does not press the writ petition.

The writ petition (bearing No. WP (C) 60/2018) is disposed of as not pressed.

As far as Aluminium industries are concerned, it is stated by Mr. Jayant Bhushan, learned senior counsel appearing on behalf of Aluminium industries that a representation has been made to the Ministry of Environment, Forests and Climate Change.

The learned ASG says that he is not aware of this. If such a

representation is made, it will be considered.

(4) Natural gas to be made available to power plants in NCR

For the time being, we are confining the orders today to the Bawana Plant Unit I in Delhi. The other issues will be considered on the next date of hearing i.e. 16.02.2018.

It is stated by the learned ASG that MoEF will have detailed discussions with the Ministry of Petroleum and Natural Gas, Petroleum and Natural Gas Regulatory Board, Gas Authority of India Ltd., Pragati Power Corporation Limited and EPCA sometime next week and arrive at a final decision.

As far as Bawana Plant Unit I is concerned, it is stated by the learned ASG that it will start working at its full capacity by 01.03.2018 and necessary steps have already been taken in this regard.

We make the statement of the learned ASG a direction of this Court.

(5) Natural Gas to be made available for power plants and industry

List this issue on 16.02.2018.

(6) Measures to be taken to strengthen distribution of electricity in NCR

It is stated by the learned ASG that communications have been sent to the Ministry of Power and to the three States in the NCR region - Haryana, Rajasthan and U.P. This issue will be addressed

later as and when responses are received by the MoEF.

List this issue on 16.02.2018.

(7) Comprehensive Action Plan for Air Pollution Control for Delhi

It is stated by the learned ASG that the entire plan has not yet been notified. The learned *Amicus* has handed over a note of items on which the Comprehensive Action Plan has not been notified. The learned ASG will take necessary instructions in this regard so that the notification of the plan can be expedited.

He says that discussions will be held with the Ministry of Road, Transport and Highways and other Ministries, if so required.

The notification of the Comprehensive Action Plan should be concluded within a period of three weeks.

This is not applicable to para 2.2.1 to 2.2.2 of the Comprehensive Action Plan.

(8) Comprehensive Plan for other cities with high pollution.

It is stated by the learned ASG that the National Clean Air Programme has been formulated for 100 non-attainment cities. This is up for discussion with EPCA and necessary steps will be taken in due course of time and the National Plan will be notified at the earliest.

List the matter on 08.03.2018.

In the meanwhile, liberty to file affidavits.

(MEENAKSHI KOHLI)
COURT MASTER

(KAILASH CHANDER)
COURT MASTER

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

Writ Petition(s) (Civil) No(s). 13029/1985

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

IN RE: REPORT NO. 73 AND 75 SUBMITTED BY EPCA
(ON THE ASSESSMENT OF POLLUTION UNDER CONTROL (PUC) PROGRAMME IN
DELHI AND NCR)

ISSUE OF ON BOARD DIAGNOSTIC

Date : 05-02-2018 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA

Mr. Harish N. Salve, Sr. Advocate (A.C.) [NP]

Ms. Aparajita Singh, Advocate (A.C.)

Mr. A.D.N. Rao, Advocate (A.C.)

Mr. Siddhartha Chowdhury, Advocate (A.C.)

For Petitioner(S) Petitioner-In-Person

For Respondent(S) Mr. Vijay Panjwani, Advocate
Mr. Kamlesh Vaswani, Adv.

Mr. A.N.S. Nadkarni, ASG

Mr. Amit Sharma, Adv.

Mr. Wasim Qadri, Adv.

Mr. D.L. Chidanand, Adv.

Mr. Ritesh Kumar, Adv.

Mr. Zaid Ali, Adv.

Mr. Balendu Shekhar, Adv.

Mr. Raj Bahadur, Adv.

Mr. G.S. Makker, Advocate.

Mr. Divya Prakash Pande, Adv.

Mr. Anil Grover, Adv.

Ms. Noopur Singhal, Adv.

Mr. Shivam Kumar, Adv.

Mr. Sanjay Kr. Visen, Advocate

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Mr. Abhishek, Advocate
Mr. Arijit Prasad, Adv.
Mr. Ramjee Pandey, Adv.

Mr. Tushar Mehta, ASG
Mr. Shiv Mangal Sharma, Adv.
Mr. Saurabh Rajpal, Adv.
Mr. Amit Sharma, Adv.
Mr. Sandeep Singh, Adv.
Mr. Ankit Raj, Adv.
Ms. Indira Bhakar, Adv.
Ms. Ruchi Kohli, Advocate

Mr. B.V. Balram Das, Advocate

Mr. Sandeep Narain, Adv.
Ms. Anjali Agarwal, Adv.
For M/S S Narain And Co., Advocates

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Ms. Manisha Ambwani, Advocate

Mr. Gopal Subramaniam, Sr. Adv.
Mr. Akshat Hansaria, Adv.
Mr. Mohit Singh, Adv.
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Mr. Ritesh Bajaj, Adv.

Mr. Jayant Bhushan, Sr. Adv.
Ms. Vanita Bhargava, Adv.
Mr. Ajay Bhargava, Adv.
Ms. Richa Bhargava, Adv.
Ms. Shweta Kabra, Adv.
Mr. Sanjeev K. Kapoor, Adv.
Mr. Gaurav Juneja, Adv.
Mr. Navneet Vibhaw, Adv.
For M/s Khaitan & Co.

UPON hearing the counsel the Court made the following

O R D E R

REPORT NO. 73 (REPORT ON THE ASSESSMENT OF POLLUTION UNDER CONTROL (PUC) PROGRAMME IN DELHI AND NCR) and AND REPORT NO.75 (SUPPLEMENTARY REPORT TO REPORT NO.73)

A Report has been received from ARAI. This Report has been

considered by EPCA and it is recommended that the failure rate of PUC Centres in Delhi is mere 2%. Accordingly, the concerned State Government of Delhi, the National Capital Region and the Ministry of Road Transport and Highways be directed to ensure correct testing of vehicles at the PUC Centres. Accepting the recommendation of EPCA, we direct that the Ministry of Road, Transport and Highways to implement the recommendations of EPCA forthwith.

Report Nos. 73 and 75 are disposed of.

However, a separate note on the issue on On-Board Diagnostics may be furnished by the learned counsel.

Response be given by the Union of India for consideration.

List the matter on 07.03.2018 with regard to On-Board Diagnostics.

(MEENAKSHI KOHLI)
COURT MASTER

(KAILASH CHANDER)
COURT MASTER

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

Writ Petition(s) (Civil) No(s). 13029/1985

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(1) REPORT NO. 79, 80 AND 87 SUBMITTED BY EPCA

Date : 26-07-2018 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MADAN B. LOKUR
 HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s) Mr. Harish N. Salve, Sr. Advocate (A.C.) [NP]
 Ms. Aparajita Singh, Advocate (A.C.)
 Mr. A.D.N. Rao, Advocate (A.C.)
 Mr. Siddhartha Chowdhury, Advocate (A.C.)

Petitioner-In-Person

For Respondent(s) Mr. A.N.S. Nadkarni, ASG
 Mr. S. Wasim A. Qadri, Adv.
 Mr. D.L. Chidanand, Adv.
 Mr. Ritesh Kumar, Adv.
 Mr. Devasis Bharuka, Adv.
 Ms. Subhasni Sen, Adv.
 Mr. Amit Sharma, Adv.
 Mr. Rajesh Kumar Singh, Adv.
 Mr. Raj Bahadur, Adv.
 Mr. G.S. Makker, Advocate.
 Mr. D.N. Goburdhun, Adv.
 Ms. Pallavi Chopra, Adv.

Delhi

Mr. Anil Grover, AAG
Mr. Shivam Kumar, Adv.
Mr. Satish Kumar, Adv.
Mr. Sanjay Kr. Visen, Advocate
Dr. Monika Gusain, Adv.

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MEENAKSHI KOHLI
Date: 2018.08.01
15:20:51
Reason

Ms. Manpreet Kaur Bhalla, Adv.

Mrs. Rachana Gupta, Advocate
Mr. Jitendra Kumar Tripathi, Adv.

Rajasthan

Mr. S.S. Shamsbery, AAG
Mr. Amit Sharma, Adv.
Mr. Sandeep Singh, Adv.
Mr. Ankit Raj, Adv.
Ms. Nidhi Jaiswal, Adv.
Ms. Indira Bhakar, Adv.
Ms. Ruchi Kohli, Advocate

Ms. Snidha Mehra, Adv.
Mr. B.V. Balramdas, Advocate.

Mr. Yash Pal Dhingra, Advocate

Aluminium

Mr. Jayant Bhushan, Sr. Adv.
Mr. Ajay Bhargava, Adv.
Ms. Vanita Bhargava, Adv.
Ms. Shweta Kabra, Adv.
For M/S Khaitan And Co., Advocates

Steel

Mr. Shyam Divan, Sr. Adv.
Mr. Sanjeev K. Kapoor, Adv.
Mr. Nawneet Vibhaw, Adv.
Mr. Gaurav Juneja, Adv.
For M/S Khaitan And Co., Advocates

M/S S. Narain And Co., Advocates

UPON hearing the counsel the Court made the following

O R D E R

REPORT NO. 79, 80 AND 87 SUBMITTED BY EPCA

On 10.05.2018, we had passed the following order with regard to ban on import of pet coke:

Ban on import of Pet Coke

The learned ASG assures us that the exercise of receiving inputs from Ministry of Petroleum and Natural Gas and DGFT with regard to ban on import of pet coke and the State Governments is under way and will be completed within six weeks.

We expect and direct that a decision will be taken in this regard on or before 30th June, 2018 failing which we may have to deal with the matter.

The targeted dated of 30th June, 2018 is over.

Notwithstanding that the targeted date was over, we passed an order on 16.07.2018 to the following effect:

Ban on import of pet coke

Learned Additional Solicitor General stated before us that the Report of the Technical Expert Committee to evaluate the pollution load of pet coke versus possible alternatives is ready. A copy of it has been handed over to learned amicus curiae.

Learned Additional Solicitor General says that the matter will be discussed by the officers of the Ministry of Environment, Forest and Climate Change with EPCA during the course of this week and final decision taken and communicated to this Court next week.

List the matter for this purpose on 26th July, 2018.

Today, the learned ASG has placed before us an affidavit of the Ministry of Environment, Forest and Climate Change in compliance of order dated 16.07.2018.

On a reading of the affidavit, it is clear that a meeting was held by the Ministry of Environment, Forest and Climate Change along with officers of the Ministry of Petroleum and Natural Gas and EPCA and discussions were also held with the Directorate General of Foreign Trade.

In the Minutes of the meeting dated 18.07.2018, it is recorded in paras 1.10 and 1.11 as follows:

1.10 EPCA stated that based on extensive discussion between MoEFCC, MoPNG and DGFT, a regime for regulating import of pet coke had been suggested by DGFT, which is also compliant with WTO norms. EPCA stressed that this regulatory framework should be immediately implemented

and import of pet coke should be permitted only in those industries where pet coke is used as a feedstock or in the manufacturing process and not as a fuel. These industries, which have been permitted to use pet coke in NCR states and accepted by the Hon'ble Supreme Court are the following : cement, lime kiln, calcium carbide and gasification. Import should be allowed only for these industries in the country, which will make the regime compatible with WTO requirements. EPCA also said that it would prefer an arrangement, which prioritises the use of domestic pet coke as against imported pet coke.

1.11 The Ministry officials responded to this by stating that the views of EPCA in the matter have been noted and that a suitable decision would be taken in the Ministry.

From a reading of the above decisions, it is quite clear that a consensus decision has been taken that the use of imported pet coke all over the country may be permitted only in the following industries : cement, lime kiln, calcium carbide and gasification. It is stated that this would be in compliance with the WTO norms and these industries may be permitted to import pet coke for use as a feedstock or in the manufacturing process and not as a fuel.

EPCA has also stated that it will prefer an arrangement, which prioritizes the use of domestic pet coke as against imported pet coke.

The learned ASG says that a suitable decision is required to be taken by the Ministry. The Ministry concerned has not been mentioned. We take it that the Ministry concerned is relatable only to EPCA preferring an arrangement of prioritizing the use of domestic pet coke as against imported pet coke. The preference of EPCA deserves serious consideration.

Since the decision to permit limited import of pet coke has

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been taken by consensus by all the authorities mentioned above and since the time already fixed by us expired on 30.06.2018, we direct that the decision taken in para 1.10 in terms of the Minutes dated 18.07.2018 be notified and implemented with immediate effect.

Report Nos. 79 stands disposed of.

(MEENAKSHI KOHLI)
COURT MASTER

(KAILASH CHANDER)
COURT MASTER

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

Writ Petition(s) (Civil) No(s). 13029/1985

M.C. MEHTA

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Respondent(s)

IA NOS. 15338 AND 15739/2018

(APPLNS. FOR IMPLEADMENT AND DIRECTIONS ON B/O ALUMINIUM ASSOCIATION OF INDIA) ALONGWITH REPORT NO. 82 SUBMITTED BY EPCA)

IA NOS. 100194 AND 102169/2018 (APPLNS. FOR INTERVENTION AND PERMISSION/DIRECTIONS ON BEHALF OF INDIAN STEEL ASSOCIATION)

Date : 26-07-2018 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s) Mr. Harish N. Salve, Sr. Advocate (A.C.) [NP]

Ms. Aparajita Singh, Advocate (A.C.)

Mr. A.D.N. Rao, Advocate (A.C.)

Mr. Siddhartha Chowdhury, Advocate (A.C.)

Petitioner-In-Person

For Respondent(s) Mr. A.N.S. Nadkarni, ASG
Mr. S. Wasim A. Qadri, Adv.
Mr. D.L. Chidanand, Adv.
Mr. Ritesh Kumar, Adv.
Mr. Devasis Bharuka, Adv.
Ms. Subhasni Sen, Adv.
Mr. Amit Sharma, Adv.
Mr. Rajesh Kumar Singh, Adv.
Mr. Raj Bahadur, Adv.
Mr. G.S. Makker, Advocate.
Delhi Mr. D.N. Goburdhun, Adv.
Ms. Pallavi Chopra, Adv.

Haryana Mr. Anil Grover, AAG
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Mrs. Rachana Gupta, Advocate
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Rajasthan

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Mr. Yash Pal Dhingra, Advocate

Aluminium

Mr. Jayant Bhushan, Sr. Adv.
Mr. Ajay Bhargava, Adv.
Ms. Vanita Bhargava, Adv.
Ms. Shweta Kabra, Adv.
For M/S Khaitan And Co., Advocates

Steel

Mr. Shyam Divan, Sr. Adv.
Mr. Sanjeev K. Kapoor, Adv.
Mr. Nawneet Vibhaw, Adv.
Mr. Gaurav Juneja, Adv.
For M/S Khaitan And Co., Advocates

M/S S. Narain And Co., Advocates

UPON hearing the counsel the Court made the following

O R D E R

IA NOS. 15338 AND 15739/2018 (APPLNS. FOR IMPLEADMENT AND DIRECTIONS ON B/O ALUMINIUM ASSOCIATION OF INDIA) ALONGWITH REPORT NO. 82 SUBMITTED BY EPCA and IA NOS. 100194 AND 102169/2018 (APPLNS. FOR INTERVENTION AND PERMISSION/DIRECTIONS ON BEHALF OF INDIAN STEEL ASSOCIATION)

The decision on the use of imported pet coke in the steel industry and aluminium industry is still under consideration. We are informed by the learned ASG that studies will have to be conducted and BIS standards will have to be fixed in the case of aluminium industry.

The entire exercise may take about eight weeks. W
accordingly grant time till 1st October, 2018 for a decision to be
taken in the matter.

List the applications on 09th October, 2018.

(MEENAKSHI KOHLI)
COURT MASTER

(KAILASH CHANDER)
COURT MASTER

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

Writ Petition(s) (Civil) No(s). 13029/1985

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

IA NOS. 31988/2018

(APPLN. FOR DIRECTIONS ON B/O PAPER MANUFACTURING ASSOCIATION)

Date : 26-07-2018 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s) Mr. Harish N. Salve, Sr. Advocate (A.C.) [NP]

Ms. Aparajita Singh, Advocate (A.C.)

Mr. A.D.N. Rao, Advocate (A.C.)

Mr. Siddhartha Chowdhury, Advocate (A.C.)

Petitioner-In-Person

For Respondent(s) Mr. A.N.S. Nadkarni, ASG
Mr. S. Wasim A. Qadri, Adv.
Mr. D.L. Chidanand, Adv.

Mr. Ritesh Kumar, Adv.

Mr. Devasis Bharuka, Adv.

Ms. Subhasni Sen, Adv.

Mr. Amit Sharma, Adv.

Mr. Rajesh Kumar Singh, Adv.

Mr. Raj Bahadur, Adv.

Mr. G.S. Makker, Advocate.

Delhi Mr. D.N. Goburdhun, Adv.

Ms. Pallavi Chopra, Adv.

Haryana

Mr. Anil Grover, AAG

Mr. Shivam Kumar, Adv.

Mr. Satish Kumar, Adv.

Mr. Sanjay Kr. Visen, Advocate

Dr. Monika Gusain, Adv.

Ms. Manpreet Kaur Bhalla, Adv.

Mrs. Rachana Gupta, Advocate

Mr. Jitendra Kumar Tripathi, Adv.

Rajasthan

Mr. S.S. Shamsbery, AAG
Mr. Amit Sharma, Adv.
Mr. Sandeep Singh, Adv.
Mr. Ankit Raj, Adv.
Ms. Nidhi Jaiswal, Adv.
Ms. Indira Bhakar, Adv.
Ms. Ruchi Kohli, Advocate

Ms. Snidha Mehra, Adv.
Mr. B.V. Balramdas, Advocate.

Mr. Deepesh Sharma, Adv.
Ms. Ananya Panday, Adv.
Mr. Yash Pal Dhingra, Advocate

Aluminium

Mr. Jayant Bhushan, Sr. Adv.
Mr. Ajay Bhargava, Adv.
Ms. Vanita Bhargava, Adv.
Ms. Shweta Kabra, Adv.
For M/S Khaitan And Co., Advocates

Steel

Mr. Shyam Divan, Sr. Adv.
Mr. Sanjeev K. Kapoor, Adv.
Mr. Nawneet Vibhaw, Adv.
Mr. Gaurav Juneja, Adv.
For M/S Khaitan And Co., Advocates

M/S S. Narain And Co., Advocates

UPON hearing the counsel the Court made the following

O R D E R

IA NOS. 31988/2018

(APPLN. FOR DIRECTIONS ON B/O PAPER MANUFACTURING ASSOCIATION)

Before we take up the application for consideration, 38 members of the Paper Manufacturing Association as mentioned on page 95 of the application should file an affidavit indicating the steps they have taken.

(MEENAKSHI KOHLI)
COURT MASTER

(KAILASH CHANDER)
COURT MASTER

ITEM NO.11

COURT NO.3

SECTION PIL-W

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

Writ Petition(s)(Civil) No(s). 13029/1985

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(1) IA NO. 112633/2018
(APPLN. FOR DIRECTIONS ON BEHALF OF GRAPHITE INDIA LTD.)

(2) IA NO. 117302 AND 117304/2018
(APPLN FOR INTERVENTION AND DIRECTIONS ON BEHALF OF MOOKNAYAK)

Date : 06-09-2018 These applications were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE S. ABDUL NAZEER
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s) Mr. Harish N. Salve, Sr. Advocate (A.C.) [NP]
Ms. Aparajita Singh, Advocate (A.C.)
Mr. A.D.N. Rao, Advocate (A.C.)
Mr. Siddhartha Chowdhury, Advocate (A.C.)
Petitioner-In-Person

For Respondent(s) Mr. A.N.S. Nadkarni, ASG
Mr. S. Wasim A. Qadri, Adv.
Mr. D.L. Chidanand, Adv.
Mr. Ritesh Kumar, Adv.
Mr. Amit Sharma, Adv.
Mr. Devasis Bharuka, Adv.
Mrs. Suhasini Sen, Adv.
Mr. Rajesh Kumar Singh, Adv.
Mr. Raj Bahadur, Adv.
Ms. Anil Katiyar, Advocate
Mr. G.S. Makker, Advocate

Validity unknown

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SANJAY KUMAR
Date: 2018.09.06
12:47:00 +05'30'

NO. 112633/2018 and I.A. No. 112813/2018

Mr. Shyam Divan, Sr. Adv.
Mr. Navneet Vibhaw, Adv.

For M/S Khaitan And Co.

IA NO. 117302 AND 117304/2018

Mr. Sanjay R. Hegde, Sr. Adv.
Mr. Namit Saxena, Adv.
Ms. Taruna Ardhendumauli Prasad, Advocate

Ms. Pinky Anand, ASG
Mr. S. Wasim A. Qadri, Adv.
Ms. Snidha Mehra, Adv.
Mr. B.V. Balramdas, Advocate

Mr. Ajay Bansal, Adv.
Mr. Praveen Swarup, AOR

Mr. Chirag M. Shroff, Adv.

Mr. D.N. Goburdhun, Adv.
Ms. Pallavi Chopra, Adv.

Mr. Anil Grover, AAG
Dr. Monika Gusain, Adv.

Mr. Sanjay Kr. Visen, Advocate

Mr. Abhishek, Advocate

Mr. S.S. Shamsbery, AAG
Mr. Amit Sharma, Adv.
Mr. Sandeep Singh, Adv.
Mr. Ankit Raj, Adv.
Ms. Nidhi Jaswal, Adv.
Ms. Indira Bhakar, Adv.
Ms. Ruchi Kohli, Advocate

Ms. Sandhya Raghav, Adv.
Ms. Gurpreet Kaur Oberoi, Adv.
Mr. Rohitash Kumar Sharma, Adv.

M/S S Narain And Co.

UPON hearing the counsel the Court made the following

O R D E R

IA NO. 112633/2018 and I.A. No. 112813/2018
(APPLN. FOR DIRECTIONS ON BEHALF OF GRAPHITE INDIA LTD. And HEG LTD.)

I.A. No. 112813/2018 is taken on Board.

The prayer made in these applications is for permission to

import needle pet coke.

It is stated that imported needle pet coke will be used as feed stock for manufacture of Graphite Electrodes which in turn are used in the Steel Industry.

We had issued notice on these applications. It is stated on behalf of EPCA that given the specialized nature of feed stock and the specialized nature of the industry, there is no objection if the applications are allowed in so far as the import is concerned.

The Ministry of Environment, Forests and Climate Change has also filed an affidavit of Mr. Ritesh Kumar Singh, Joint Secretary, Government of India in which it is stated in Para 8 as follows:-

8. Use of Needle grade Pet Coke in Graphite Electrode Industry
(IA Nos. 112633 and 112633/2018 of Graphite India Ltd. And IA Nos. 112806 and 112813/2018 of HEG Ltd)

That the Ministry has received representation from the Graphite India Ltd and HEG Ltd regarding the use of needle pet coke for graphite electrode industry. Technical Inputs from CPCB were obtained in this regard vide letter dated 31.08.2018 and the same is annexed herewith and marked as Annexure R-4. CPCB has recommended the use of needle pet coke for graphite electrode industry as sulphur content in needle pet coke is reported to be 0.5% to 0.8% which is comparable to Indian coal. The view of CPCB have been examined in this Ministry and we are in agreement with the same. In view of the existing orders of the Hon'ble Court, this conclusion is presented for consideration and appropriate orders of the Hon'ble Court."

Under the circumstances, the prayer for import is allowed and the applications stand disposed of.

In so far as the guidelines are concerned (the second prayer in the applications), it is stated by the learned ASG that the matter is being considered by the Director General of Foreign Trade

(DGFT) in consultation with the Ministry of Environment, Forest and Climate Change. No orders are required to be passed in this regard.

IA NO. 117302 AND 117304/2018

(APPLN FOR INTERVENTION AND DIRECTIONS ON BEHALF OF MOOKNAYAK)

Learned counsel for the applicant seeks leave to withdraw the applications. He says that he will approach the jurisdictional High Court.

The applications are dismissed as withdrawn.

(MEENAKSHI KOHLI)
COURT MASTER

(KAILASH CHANDER)
ASSISTANT REGISTRAR

65

ITEM NO.1

COURT NO.2

SECTION PIL-W

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

Writ Petition(s)(Civil) No(s).13029/1985

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IN RE: PET COKE)

(i) IA NOS. 15338 AND 15739/2018 (APPLNS. FOR IMPLEADMENT AND DIRECTIONS ON B/O ALUMINIUM ASSOCIATION OF INDIA) ALONGWITH REPORT NO. 82 SUBMITTED BY EPCA)

(ix) IA NO. 117497/2018 (APPLN FOR CLARIFICATION ON BEHALF OF ALUMINIUM ASSOCIATION OF INDIA)

(ii) IA NOS. 100194 AND 102169/2018 (APPLNS. FOR INTERVENTION AND PERMISSION/DIRECTIONS ON BEHALF OF INDIAN STEEL ASSOCIATION)

(iii) IA NO. 108253/2018 (APPLN. FOR CLARIFICATION OF ORDER DT. 26.7.2018 ON BEHALF OF INDIAN STEEL ASSOCIATION)

(iv) IA NO. 109181/2018 (APPLN. FOR DIRECTIONS ON BEHALF OF RAIN CII CARBON (VIZAG) LTD.)

(v) IA NO. 109742/2018 (APPLNS. FOR DIRECTIONS ON BEHALF OF GOA CARBON LTD.)

(vi) IA NO. 109783/2018 (APPLNS. FOR DIRECTIONS ON BEHALF OF SANVIRA INDUSTRIES LTD.)

(vii) IA NO. 109791/2018 (APPLNS. FOR DIRECTIONS ON BEHALF OF KALINGA CALCINER LTD.)

(viii) IA NO. 109784/2018 (APPLNS. FOR DIRECTIONS ON BEHALF OF PETRO CARBON AND CHEMICALS PVT. LTD.)

(x) IA NOS. 125492 AND 125493/2018 (APPLNS. FOR IMPLEADMENT AND DIRECTIONS ON B/O INDIA CARBON LTD.)

Validity of the order : 09-10-2018 This petition was called on for hearing today.

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SANJAY KUMAR
Date: 2018.10.10
17:33:00
Reason:

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTA

Mr. Harish N. Salve, Sr. Adv.(A.C.)(NP)

Ms. Aparajita Singh, Adv. (A.C.)

Mr. A.D.N. Rao, Adv. (A.C.)

Mr. Siddhartha Chowdhury, Adv. (A.C.)

For Petitioner(s) Petitioner-in-person

For Respondent(s) Ms. Pinky Anand, ASG
 Mr. Amit Sharma, Adv.
 Ms. Suhasini Sen, Adv.
 Mr. D.L. Chidanand, Adv.
 Mr. Raj Bahadur, Adv.
 Mr. G.S. Makker, Advocate
 Mr. B.K. Prasad, Advocate
 Ms. Rachna Gupta, Adv.
 Mr. Vikas Chaudhary, Adv.
 Mr. S. Wasim A. Qadri, Adv.
 Mr. Ritesh Kumar, Adv.
 Mr. Amit Sharma, Adv.
 Mr. Devasis Bharuka, Adv.
 Ms. Snidha Mehra, Adv.
 Mr. Shiv Kumar, Adv.

Mr. Anil Grover, AAG
 Mr. Shivam Kumar, Adv.
 Dr. Monika Gusain, Adv.
 Mr. Sanjay Kr. Visen, Advocate

Mr. Abhishek, Advocate

Mr. S.S. Shamsbery, AAG
 Mr. Amit Sharma, Adv.
 Mr. Sandeep Singh, Adv.
 Mr. Ankit Raj, Adv.
 Ms. Nidhi Jaswal, Adv.
 Ms. Indira Bhakar, Adv.
 Ms. Ruchi Kohli, Advocate

Mr. B.V. Balramdas, Advocate.

Ms. Anil Katiyar, Advocate

M/S S Narain And Co. , Advocates

Mr. P. Chidambaram, Sr. Adv.
 Mr. Basava Prabhu Patil, Sr. Adv.
 Mr. Ajay Bhargava, Adv.
 Ms. Shweta Kabra, Adv.
 for M/s Khaitan & Co.

Mr. Shyam Divan, Sr. Adv.
Mr. Nawneet Vibhaw, Adv.
for M/S Khaitan And Co.

Mr. Jayant Bhushan, Sr. Adv.
Mr. Manu Nair, Adv.
Mr. Kuber Dewan, Adv.
Ms. Suverna Kashyap, Adv.
Mr. Shardul S. Shroff, Advocate

Mr. Kapil Sibal, Sr. Adv.
Mr. Jaideep Gupta, Sr. Adv.
Mr. Ashish Prasad, Adv.
Ms. Mukta Dutta, Adv.
Mr. Avinash Tripathi, Adv.
Mr. Rohan Roy, Adv.
Mr. M.P. Devanath, Advocate

Mr. Gaurav Kejriwal, Advocate
Mr. Sujit Kumar Keshri, Adv.

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

In the aforesaid interlocutory applications, the Union of India through the Ministry of Environment, Forests and Climate Change has filed an affidavit dated 8th October, 2018. In the affidavit, it is stated as follows:

1. Regarding use of Calcined Pet Coke (CPC) in Aluminium Industry

[IA Nos. 15338 And 15739/2018 (APPLNS. For Impleadment And Directions On B/O Aluminium Association Of India) Alongwith Report No. 82 Submitted By Epca), IA No. 117497/2018 (APPLN For Clarification On Behalf Of Aluminium Association Of India)

The issue in these applications arise out of an application filed by the Aluminium Association of India.

The Central Pollution Control Board (CPCB) has looked into the matter and has submitted a report dated 3rd

October, 2018. In the report, it is stated as follows:

"With the change in technology from Soderberg to Prebake anode, CPC of higher Sulphur is used for anode baking worldwide. The revised BIS specifications (IS 17049:2018) specify Sulphur content in CPC used for anode making in Aluminium industry as 3.5% (Max.)."

The views expressed by the CPCB have been considered by the Ministry of Environment, Forest and Climate Change which is in agreement with the CPCB.

It is stated by learned *amicus curiae* that the views expressed by the CPCB are also acceptable to EPCA.

Consequently, Calcined Pet Coke (CPC) (domestic as well as imported) can be used as raw-material for anode making in the Aluminium industry with the revised BIS specifications.

We make it clear that the imported raw-material cannot exceed 0.5 MT per annum in total.

Applications stand disposed of.

2. Use of anode grade pet coke in CPC manufacturing units

[IA NO. 109181/2018 (APPLN. FOR DIRECTIONS ON BEHALF OF RAIN CII CARBON (VIZAG) LTD.), IA NO. 109742/2018 (APPLNS. FOR DIRECTIONS ON BEHALF OF GOA CARBON LTD.), IA NO. 109783/2018 (APPLNS. FOR DIRECTIONS ON BEHALF OF SANVIRA INDUSTRIES LTD.), IA NO. 109791/2018 (APPLNS. FOR DIRECTIONS ON BEHALF OF KALINGA CALCINER LTD.), IA NO. 109784/2018 (APPLNS. FOR DIRECTIONS ON BEHALF OF PETRO CARBON AND CHEMICALS PVT. LTD.), IA NOS. 125492 AND 125493/2018 (APPLNS. FOR IMPLEADMENT AND DIRECTIONS ON B/O INDIA CARBON LTD.)]

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These applications have been filed by several entities and the CPCB has given a Report dated 4th October, 2018 in which it is stated as follows:

"i. Raw Petroleum Coke is feed stock for producing calcinated petroleum coke which is a raw material for anode making in aluminium industries. Therefore, calcination of Raw Petroleum Coke is a pre-requisite to produce anode grade calcined pet coke having sulphur content less than 3.5%.

ii. As per BIS guidelines, calciners are permitted to use high sulphur containing raw petroleum coke for making CPC having sulphur content less than 3.5%. There will be emission of SO₂ in high concentration (para 1 of results) which needs to be treated in Flue gas desulphurisation system having efficiency of sulphur removal more than 90%."

The views expressed by the CPCB have been considered by the Ministry of Environment, Forest and Climate Change which is in agreement with the CPCB.

It is stated by learned *amicus curiae* that the views expressed by the CPCB are also acceptable to EPCA.

Consequently, raw pet coke (domestic and imported) can be used as a feedstock for producing calcined pet coke.

We make it clear that the imported raw pet coke for this purpose cannot exceed 1.4 MT per annum in total.

Applications stand disposed of.

IA NO. 109181/2018 (APPLN. FOR DIRECTIONS ON BEHALF OF RAIN CII CARBON (VIZAG) LTD.)

Rain CII Carbon (Vizag) Ltd. has filed an affidavit pursuant to our order dated 23rd August, 2018.

In the affidavit, it is stated that 11 contracts have been entered into on or before 26th July, 2018 for the import of Anode grade raw pet coke.

Vessels pertaining to these 11 contracts have already arrived some time in August, 2018.

In view of the orders passed above today, the consignment may be cleared, subject to the overall limit which is 1.4 MT per annum, as mentioned above.

Application stands disposed of.

3. Regarding use of Pet coke in Blast Furnace in the Steel Industry

[IA Nos. 100194 And 102169/2018 (APPLNS. For Intervention And Permission/Directions On Behalf Of Indian Steel Association) and IA No. 108253/2018 (APPLN. For Clarification Of Order Dt. 26.7.2018 On Behalf Of Indian Steel Association)]

These are the applications filed by the Indian Steel Association.

The CPCB has given its report on 3rd October, 2018 which has also been shared with EPCA for its comments on 4th October, 2018.

The Ministry of Environment, Forest and Climate Change would like to examine the report before taking a final view in this matter.

It is submitted that three weeks' time is required for this purpose.

Applications filed by the Indian Steel Association be listed on 14th November, 2018.

EPCA Report No.91

It has been pointed out in the Report of EPCA that Graphite India's Plant in Whitefield, Bengaluru has utilized domestic pet coke which is causing a huge amount of pollution and black dust. Complaints in this regard have been made by the community which feels that their health is being endangered.

Issue notice to Graphite India through learned counsel returnable on 12th October, 2018 to explain why the use of needle pet coke should not be stopped with immediate effect since it is causing tremendous pollution and damage to the health of the community in Bengaluru. Notice be also issued to Graphite India by email.

The Registry will ensure that the notice is served upon learned counsel and Graphite India along with a copy of the Report of EPCA.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
ASSISTANT REGISTRAR



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 36]

नई दिल्ली, शुक्रवार, जनवरी 19, 2018/पौष 29, 1939

No. 36]

NEW DELHI, FRIDAY, JANUARY 19, 2018/PAUSHA 29, 1939

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 19 जनवरी, 2018

सा.का.नि. 45(अ).—यतः राष्ट्रीय राजधानी क्षेत्र (एनसीआर) राज्यों में पर्यावरणीय गुणवत्ता के संरक्षण तथा निवारण और पर्यावरण प्रदूषण के निवारण, नियंत्रण तथा उपशमन के उद्देश्य से एनसीआर राज्यों में पेटकोक की बिक्री तथा उपयोग के संबंध में उपाय किये जाने की आवश्यकता है;

अतः, अब केन्द्रीय सरकार एतद्वारा पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1) और उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निम्नलिखित निदेश करती है, अर्थात् :-

राष्ट्रीय राजधानी क्षेत्र (एनसीआर) के राज्यों में चूना भट्टों में पेटकोक की बिक्री और उपयोग:-

- (1) एनसीआर राज्यों में कोई भी चूना भट्टा जिसमें ईंधन के रूप में पेटकोक का इस्तेमाल किया जाता है, संबंधित राज्य प्रदूषण नियंत्रण बोर्ड की सम्मति प्राप्त किये बिना और उसके साथ रजिस्ट्रीकरण कराये बिना कार्य नहीं करेगा।
- (2) संबंधित राज्य के प्रदूषण नियंत्रण बोर्ड द्वारा जारी की गयी सम्मति में, प्रति माह और प्रति वर्ष उत्पादित उत्पादों की मात्रा की तुलना में प्रति माह और प्रति वर्ष ईंधनों की अनुमत्य मात्रा को स्पष्ट रूप से विनिर्दिष्ट किया जाएगा।
- (3) औद्योगिक इकाई को, इसकी तीन माह की खपत से अधिक पेटकोक का भंडारण करने की अनुज्ञा नहीं होगी।
- (4) एनसीआर राज्यों में पेटकोक के सभी उत्पादकों या परिष्करणियों, उनके प्राधिकृत व्यवहारियों और प्रयोक्ताओं का संबंधित राज्य प्रदूषण नियंत्रण बोर्ड में रजिस्ट्रीकरण किया जाएगा।
- (5) एनसीआर राज्यों में परिष्करणियों और उनके प्राधिकृत व्यवहारी संबंधित राज्य के प्रदूषण नियंत्रण बोर्ड द्वारा जारी की गई सम्मति में अनुमत्य मात्रा के अनुसार केवल सम्मति-प्राप्त तथा रजिस्ट्रीकृत औद्योगिक इकाइयों को ही पेटकोक की बिक्री करेंगे।

- (6) उत्पादकों और परिष्करणियों द्वारा पेटकोक की बिक्री अधिकतम दो चरणों से होगी, परिष्करणी-से-उद्योग अथवा परिष्करणी-से-प्राधिकृत व्यवहारी-से-उद्योग।
- (7) एनसीआर राज्यों की केवल सम्मति प्राप्त तथा रजिस्ट्रीकृत औद्योगिक इकाइयों को ही पेटकोक का सीधा आयात करने की अनुज्ञा दी जाएगी और परेषित माल प्रयोक्ता औद्योगिक इकाई के नाम से केवल उनके स्वयं के उपयोग के लिए होगा।
- (8) एनसीआर राज्यों में व्यापार के प्रयोजनों के लिए पेटकोक के आयात की अनुज्ञा नहीं दी जाएगी।
- (9) उत्पादक या परिष्करणियां और उनके प्राधिकृत व्यवहारी माह के दौरान उत्पादित और अंतिम प्रयोक्ता औद्योगिक इकाइयों को बेचे गये पेटकोक और आरंभ और अंतिम स्टॉक के ब्यौरे त्रैमासिक आधार पर संबंधित राज्य प्रदूषण नियंत्रण बोर्ड को प्रस्तुत करेंगे।
- (10) तेल परिष्करणियों सहित सभी अंतिम प्रयोक्ता माह के दौरान विभिन्न स्रोतों से प्राप्त पेटकोक (स्व-उत्पादित, आयातित, परिष्करणियों या प्राधिकृत व्यवहारियों से खरीदे गये), माह के दौरान प्रयुक्त मात्रा, और आरंभ और अंतिम स्टॉक के ब्यौरे त्रैमासिक आधार पर संबंधित राज्य प्रदूषण नियंत्रण बोर्ड को प्रस्तुत करेंगे।
- (11) एनसीआर राज्यों के प्रदूषण नियंत्रण बोर्ड, जैसाकि ऊपर उल्लेख किया गया है, सम्मतियों, रजिस्ट्रीकरण, तेल परिष्करणियों द्वारा की गई बिक्रियों और औद्योगिक इकाइयों द्वारा किये गये उपयोग संबंधी अभिलेख को अपलोड करने के लिए एक इलैक्ट्रॉनिक अभिलेख प्रणाली को विकसित करेंगे और उक्त बोर्ड इस जानकारी को त्रैमासिक आधार पर केन्द्रीय प्रदूषण नियंत्रण बोर्ड के साथ साझा करेंगे।
- (12) एनसीआर राज्यों में स्थित औद्योगिक इकाइयां पेटकोक को केवल उत्पादकों या परिष्करणियों और उनके प्राधिकृत व्यवहारियों से प्राप्त (सोर्स) करेंगी और वे इन उत्पादों को किसी अन्य बिचौलिये से प्राप्त नहीं करेंगी, चाहे वे एनसीआर राज्यों से बाहर अवस्थित हों।
- (13) एनसीआर से इतर राज्यों में उत्पादकों या परिष्करणियों तथा उनके प्राधिकृत व्यवहारियों को, जो एनसीआर राज्यों में प्रयोक्ता उद्योगों को बिक्री कर रहे हैं, उपर्युक्त निदेश (4) के अनुसार उन राज्यों के राज्य प्रदूषण नियंत्रण बोर्डों में रजिस्ट्रीकरण कराना होगा, जहां अंतिम प्रयोक्ता रह रहे हैं और वे इस बात को सुनिश्चित करेंगे कि बिक्रियां उपर्युक्त (5) और (6) में दिये गये निदेशों के अनुसार हों और वे उपर्युक्त निदेश (9) के अनुसार त्रैमासिक रिपोर्ट उस राज्य के राज्य प्रदूषण नियंत्रण बोर्ड को फाइल करेंगे, जहां अंतिम प्रयोक्ता रहते हैं।
- (14) इस अधिसूचना में, अनुबंध के रूप में संलग्न सूची में उल्लिखित औद्योगिक इकाइयों को ही पेटकोक की बिक्री की जाएगी और उक्त सूची में कोई भी बदलाव संबंधित राज्य सरकार की संस्तुति और केन्द्रीय प्रदूषण नियंत्रण बोर्ड के अनुमोदन से किया जाएगा।

2. अधिसूचना राजपत्र में प्रकाशित किए जाने की तारीख को प्रवृत्त होगी।

[फा. सं. क्यू-16017/4/2018-सीपीए]

रितेश कुमार सिंह, संयुक्त सचिव

306	राजस्थान सुपर लाइम	खसरा नं. 1787/1 गोतन रोड, बोरुंदा, तमील बिलारा	3	1800	3780	360
307	राजपुरोहित लाइम उद्योग एंड मिनरल्स	शुभलक्ष्मी होटल के सामने मानकपुर, जिला जोधपुर	2	1200	2520	240
308	शिवा केमिकल्स	गांव पोंडलू, तहसील मेरता, नागौर (राज.)	3	1800	3780	360
309	राजेंद्र लाइम एंड केमिकल्स इंडस्ट्रीज	बोरुंदा, जिला, जोधपुर	2	900	1890	180
310	कृष्णा लाइम उद्योग	बोरुंदा, जिला, जोधपुर	2	1200	2520	240
311	बाबा रामदेव केमिकल्स एंड मिनरल्स	गांव बिटन, मेरता सिटी, जिला, नागौर	2	1200	2520	240
312	नंदु लाइम प्रोडक्ट्स	608/3/2, रन्सीगांव, तहसील बिलारा	2	1250	2625	250
313	गोरीशंकर लाइम इंडस्ट्रीज	बोरुंदा, जिला, जोधपुर	1	600	1260	120
314	कृष्णा लाइम प्रोडक्ट्स	जोशी फार्म के निकट बोरुंदा, जिला, जोधपुर	1	600	1260	120
315	श्री हरि लाइम प्रोडक्ट्स	खोजा नगर, हरियादाना, तहसील बिलारा, जोधपुर	3	1800	3780	360
316	कृष्णा लाइम प्रोडक्ट्स	गांव बायद, मेरता सिटी, जिला नागौर	1	600	1200	120
317	श्री बजरंग लाइम प्रोडक्ट्स	गांव बिटन, मेरता सिटी, जिला, नागौर	1	600	1200	120
318	दी लाइट लाइम इंडस्ट्रीज	जोशी फार्म के निकट बोरुंदा, जिला, जोधपुर	2	1200	2400	240
319	एक्स्ट्रा क्वालिटी मिनरल्स एंड एलाइड प्रोडक्ट्स	पी नं 43 जोशी फार्म के निकट बोरुंदा, जिला, जोधपुर	3	1800	3780	360
320	रूप लाइम प्रोडक्ट्स	बोरुंदा से पटेल नगर रोड नाहर सिंह का भट्टा, बोरुंदा, जिला जोधपुर	1	600	1260	120
321	अग्रमेन लाइम इंडस्ट्रीज	गांव बिटन, मेरता सिटी, जिला, नागौर	3	1800	4200	400
322	बालाजी लाइम प्रोडक्ट्स	गोतन रोड, पुंडलू, जिला नागौर	1	600	1500	110
323	बनरंगा मिनरल एंड केमिकल इंडस्ट्रीज	गांव रामयावाला, तहसील जामवरमगढ, जिला जयपुर	2	600	1260	120

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 19th January, 2018

G.S.R.45(E).—Whereas with a view to protecting and improving the quality of environment and preventing, controlling and abating environmental pollution in the National Capital Region (NCR) States, there is a need to take measures relating to sale and use of pet coke in the NCR States;

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby issues the following directions, namely:-

Sale and use of pet coke in Lime Kiln in NCR States:

- (1) No lime kiln consuming pet coke as a fuel shall operate in NCR States without obtaining the consent of and registration with the concerned State Pollution Control Board.
- (2) Consent issued by the concerned State Pollution Control Board shall clearly specify the quantity of fuels permitted per month and per annum vis-à-vis products produced per month and per annum.

- (3) Industrial unit shall not be permitted to store pet coke for more than its three months consumption.
 - (4) All producers or refineries, their authorised dealers and users of pet coke in NCR States, shall be registered with the concerned State Pollution Control Board.
 - (5) Refineries and their authorised dealers shall sell pet coke to only consented and registered industrial units in the NCR States according to the quantity permitted in the consent issued by the concerned State Pollution Control Board.
 - (6) Sale of pet coke by producers or refineries shall be in maximum two steps, from refinery-to-industry or from refinery-to-authorised dealer-to-industry.
 - (7) Only consented and registered industrial units of NCR States shall be permitted to directly import pet coke and consignment shall be in the name of user industrial units for their own use only.
 - (8) Import of pet coke for purposes of trading shall not be permitted in NCR States.
 - (9) Producers or refineries, their authorised dealers shall submit details of pet coke produced and sold to end user industrial units during the month, and opening and closing stock to the concerned State Pollution Control Board on quarterly basis.
 - (10) All end user industrial units, including oil refineries, shall submit details of pet coke from different sources during the month (self produced, imported, purchased from refineries or authorised dealers), quantity consumed during the month, and opening and closing stock to the concerned State Pollution Control Board on quarterly basis.
 - (11) The NCR States Pollution Control Boards shall develop an electronic record system for uploading of consents, registration, record of sales by oil refineries, and record of use by industrial units, as mentioned above and the said Boards shall share this data on a quarterly basis with the Central Pollution Control Board.
 - (12) Industrial units in NCR States shall source pet coke only from producers or refineries and their authorised dealers and they shall not source these products from any other intermediaries even when they are located outside the NCR States.
 - (13) For producers or refineries and their authorised dealers in non NCR States who are making sales to user industries in NCR States, such producers or refineries, their authorised dealers shall have to be registered with the State Pollution Control Board of the States where the end users reside in accordance with direction (4) above and they shall ensure that the sales are as per the directions (5) and (6) above and they shall file quarterly reports to the State Pollution Control Board of the State where the end users reside, in accordance with direction (9) above.
 - (14) Sale of pet coke shall be made only to the industrial units mentioned in the list annexed to this notification as Annexure, and any change in the said list shall be made on the recommendation of the concerned State Government and with the approval of the Central Pollution Control Board.
2. The notification shall come into force on the date of publication in the Official Gazette.

[F.No. Q-16017/4/2018-CPA]

RITESH KUMAR SINGH, Jt. Secy.


भारत का राजपत्र
The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

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पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 25 मई, 2018

सा.का.नि. 45(अ)—राष्ट्रीय राजधानी क्षेत्र (एनसीआर) राज्यों में पर्यावरण की गुणवत्ता के संरक्षण एवं सुधार और पर्यावरण प्रदूषण के निवारण, नियंत्रण तथा उपशमन के उद्देश्य में, राष्ट्रीय राजधानी क्षेत्र राज्यों में पेटकोक की बिक्री तथा प्रयोग के संबंध में उपाय किये जाने की आवश्यकता है;

और केन्द्रीय सरकार ने पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1) और (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राष्ट्रीय राजधानी क्षेत्र के राज्यों में चूना भट्टों में पेटकोक की बिक्री और प्रयोग के लिए दिनांक 19 जनवरी, 2018 अधिसूचना संख्या सा.का.नि. 45 (अ) (जिसे इसमें इसके पश्चात् उक्त अधिसूचना कहा गया है) जारी की थी।

और उक्त अधिसूचना को जारी करने के बाद पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय (जिसे इसमें इसके पश्चात् मंत्रालय कहा गया है) में अभ्यावेदन प्राप्त हुए हैं कि अनुज्ञात प्रयोग के मामलों में भी, प्रयोक्ता अभिकरणों द्वारा आयात नहीं किया जा रहा है और आयात प्रायः सुविधा प्रदाताओं के माध्यम से किया जा रहा है।

और उक्त अभ्यावेदनों पर विचार करने के बाद मंत्रालय का यह सुविचारित राय है कि उक्त अधिसूचना के अधीन प्रयोक्ता की सुविधा के लिए उन्हें, उक्त अधिसूचना के प्रावधानों के अन्तर्गत, सुविधा प्रदाताओं के माध्यम से आयात करने की अनुमति दी जा सकती है।

और राष्ट्रीय राजधानी क्षेत्र (एनसीआर) के राज्यों में पेटकोक की बिक्री और प्रयोग के मामलों में पारदर्शिता को बढ़ाने और निगरानी को बेहतर बनाने की भी आवश्यकता है;

और अब, केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1) और उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए दिनांक 19 जनवरी, 2018 की उक्त अधिसूचना संख्या सा.का.नि. 45 (अ) में, एतद् द्वारा, निम्नलिखित संशोधन करती है, अर्थात्: -

उक्त अधिसूचना में, -

2955 GI/2018

(1)

(i) निदेश (1) में, 'ईंधन के रूप में' शब्दों का लोप किया जाएगा;

(ii) निदेश (8) में, निम्नलिखित परन्तुक अंतः स्थापित किया जाएगा, अर्थात्: -

"परंतु यदि कोई पंजीकृत औद्योगिक इकाई अपनी ओर से पेटकोक का आयात करने के लिए तीसरे पक्षकार को नियुक्त करने की इच्छुक है तो उसे इसकी अनुमति दी जा सकती है, बशर्ते कि -

- (क) ऐसा तीसरा पक्षकार संबंधित राज्य प्रदूषण नियंत्रण बोर्ड में पंजीकृत हो;
- (ख) तीसरे पक्षकार द्वारा किया जाने वाला आयात, निदेश (2) में उल्लिखितानुसार औद्योगिक इकाई की वास्तविक आवश्यकता तक सीमित हो और यह किसी अन्य पक्षकार को बिज्री के लिए न हो;
- (ग) ऐसा तीसरा पक्षकार खंड (i) और (ii) के संदर्भ में सीमा शुल्क प्राधिकरणों को इस आशय की घोषणा उद्घोषणा प्रस्तुत करा

(iii) निदेश (11) के स्थान पर, निम्नलिखित निदेश को प्रतिस्थापित किया जाएगा, अर्थात्:

"(11) राष्ट्रीय राजधानी क्षेत्र राज्यों के प्रदूषण नियंत्रण बोर्ड, ऊपर किए गए उल्लेख के अनुसार, महामतियों, पंजीकरण, तेल शोधन कारखानों द्वारा की गई बिक्रियों के रिकॉर्ड और औद्योगिक इकाइयों द्वारा किए गए उपयोग के रिकॉर्ड को अपलोड करने के लिए एक इलेक्ट्रॉनिक रिकॉर्ड सिस्टम बनाएंगे और उक्त बोर्ड इन आंकड़ों को पहले एक वर्ष तक मासिक आधार पर और उसके बाद त्रैमासिक आधार पर केन्द्रीय प्रदूषण नियंत्रण बोर्ड के साथ साझा करेंगे और राज्यों के प्रदूषण नियंत्रण बोर्डों से प्राप्त होने के बाद इन आंकड़ों को केन्द्रीय प्रदूषण नियंत्रण बोर्ड की वेबसाइट पर दर्शाया जाएगा।"

[फा. सं. क्यू-16017/4/2018—सीपीए]

रितेश कुमार सिंह, संयुक्त सचिव

टिप्पण : मूल अधिमूचना भारत के राजपत्र में दिनांक 19 जनवरी, 2018 की अधिमूचना सं. मा.का.नि. 45 (ख) के द्वारा प्रकाशित की गई थी।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE NOTIFICATION

New Delhi, the 25th May, 2018

G.S.R. 492(E).—Whereas, with a view to protecting and improving the quality of environment and preventing, controlling and abating environmental pollution in the National Capital Region (NCR) States, there is a need to take measures relating to sale and use of pet coke in the NCR States;

And Whereas, in exercise of the powers conferred by sub-sections (1) and (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government issued notification, published vide number G. S. R. 45 (E), dated the 19th January, 2018, for sale and use of pet coke in lime kiln in NCR States (hereinafter referred to as the said notification);

And Whereas, subsequent to issuance of the said notification, the Ministry of Environment, Forest and Climate Change (hereinafter referred to as the Ministry) has received representations that even in cases of permitted use, imports are not undertaken by the user agencies and are usually sourced through import facilitators;

And Whereas, the Ministry after considering the said representations is of the considered opinion that in order to facilitate the user under the said notification, they can be permitted to source through import facilitators subject to provisions of the said notification;

And Whereas, there is further need for enhancing transparency and better monitoring with reference to sale and use of pet coke in the NCR States;

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following amendments in the said notification number G. S. R. 45(E), dated the 19th January, 2018, namely: -

In the said notification, -

- (i) in direction (1), the words "as a fuel" shall be omitted;
(ii) in direction (8), the following proviso shall be inserted, namely: -

"Provided that in case, a registered industrial unit desires to engage a third party to import pet coke on its behalf, the same may be permitted, if-

- (a) such third party registers with the concerned State Pollution Control Board;
(b) the import by the third party is limited to the actual requirement of the industrial unit as specified in direction (2) and not for sale to any other party;
(c) such third party furnishes declaration with respect to clauses (i) and (ii) to the custom authorities.";

- (iii) for direction (11), the following direction shall be substituted, namely:-

"(11) The NCR States Pollution Control Boards shall develop an electronic record system for uploading of consents, registration, record of sales by oil refineries, and record of use by industrial units, as mentioned above and the said Boards shall share this data with the Central Pollution Control Board on a monthly basis for the first one year and thereafter on quarterly basis, and this data shall be published on the Central Pollution Control Board website on receipt from the States Pollution Control Boards".

[F. No. Q-160174/2018-CPA]

RITESH KUMAR SINGH, Jt. Secy.

Note: the principal notification was published vide number G.S.R 45 (E), dated the 19th January, 2018.

अधिसूचना

नई दिल्ली, 25 मई, 2018

सा.का.नि. 46(अ)—राष्ट्रीय राजधानी क्षेत्र (एनसीआर) राज्यों में पर्यावरण की गुणवत्ता के संरक्षण एवं सुधार और पर्यावरण प्रदूषण के निवारण, नियंत्रण तथा उपशमन के उद्देश्य से, राष्ट्रीय राजधानी क्षेत्र राज्यों में पेटकोक की बिक्री तथा प्रयोग के संबंध में उपाय किये जाने की आवश्यकता है;

और केन्द्रीय सरकार ने पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1) और (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राष्ट्रीय राजधानी क्षेत्र के राज्यों के सीमेंट संयंत्रों में पेटकोक की बिक्री और प्रयोग के लिए दिनांक 19 जनवरी, 2018 अधिसूचना संख्या सा.का.नि. 46 (अ) (जिसे इसमें इसके पश्चात् उक्त अधिसूचना कहा गया है) जारी की थी।

और उक्त अधिसूचना को जारी करने के बाद पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय (जिसे इसमें इसके पश्चात् मंत्रालय कहा गया है) में अभ्यावेदन प्राप्त हुए हैं कि अनुज्ञेय प्रयोग के मामलों में भी, प्रयोक्ता अभिकरणों द्वारा आयात नहीं किया जा रहा है और आयात प्रायः सुविधा प्रदाताओं के माध्यम से किया जा रहा है।

और उक्त अभ्यावेदनों पर विचार करने के बाद मंत्रालय का यह सुविचारित राय है कि उक्त अधिसूचना के अधीन प्रयोक्ता की सुविधा के लिए उन्हें, उक्त अधिसूचना के प्रावधानों के अधधीन, सुविधा प्रदाताओं के माध्यम से आयात करने की अनुमति दी जा सकती है।

और राष्ट्रीय राजधानी क्षेत्र (एनसीआर) के राज्यों में पेटकोक की बिक्री और प्रयोग के मामलों में पारदर्शिता को बढ़ाने और निगरानी को बेहतर बनाने की भी आवश्यकता है;

और अब, केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1) और उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, दिनांक 19 जनवरी, 2018 की उक्त अधिसूचना संख्या सा.का.नि. 46 (अ) में, एनद्वारा, निम्नलिखित संशोधन करती है, अर्थात्:-

उक्त अधिसूचना में, -

- (i) निदेश (1) में, 'ईंधन के रूप में' शब्दों का लोप किया जाएगा;



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EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)

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अधिसूचना

नई दिल्ली, 19 जनवरी, 2018

सा.का.नि. 46(अ).—यतः राष्ट्रीय राजधानी क्षेत्र (एनसीआर) राज्यों में पर्यावरणीय गुणवत्ता के संरक्षण तथा निवारण और पर्यावरण प्रदूषण के निवारण, नियंत्रण तथा उपशमन के उद्देश्य से एनसीआर राज्यों में पेटकोक की बिक्री तथा उपयोग के संबंध में उपाय किये जाने की आवश्यकता है;

अतः, अब केन्द्रीय सरकार पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1) और (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निम्नलिखित निदेश जारी करती है, अर्थात्:—

राष्ट्रीय राजधानी क्षेत्र (एनसीआर) के राज्यों में सीमेन्ट संयंत्र में पेटकोक की बिक्री और उपयोग:—

- (1) एनसीआर राज्यों में कोई भी सीमेन्ट संयंत्र जिसमें ईंधन के रूप में पेटकोक का इस्तेमाल किया जाता है, संबंधित राज्य प्रदूषण नियंत्रण बोर्ड की सम्मति प्राप्त किये बिना और उसके साथ रजिस्ट्रीकरण कराये बिना कार्य नहीं करेगा।
- (2) संबद्ध राज्य के प्रदूषण नियंत्रण बोर्ड द्वारा जारी की गयी सम्मति में, प्रति माह और प्रति वर्ष उत्पादित उत्पादों की मात्रा की तुलना में प्रति माह और प्रति वर्ष ईंधनों की अनुमत्य मात्रा को स्पष्टतः रूप से विनिर्दिष्ट किया जाएगा।
- (3) औद्योगिक इकाई को, इसकी तीन माह की खपत से अधिक पेटकोक का भंडारण करने की अनुज्ञा नहीं होगी।
- (4) एनसीआर राज्यों में पेटकोक के सभी उत्पादकों या परिष्करणियों, उनके प्राधिकृत व्यवहारियों तथा प्रयोक्ताओं का संबंधित राज्य प्रदूषण नियंत्रण बोर्ड में रजिस्ट्रीकरण किया जाएगा।
- (5) परिष्करणियां और उनके प्राधिकृत व्यवहारी एनसीआर राज्यों में संबंधित राज्य के प्रदूषण नियंत्रण बोर्ड द्वारा जारी की गई सम्मति में अनुमत्य मात्रा के अनुसार केवल सम्मति-प्राप्त और रजिस्ट्रीकृत औद्योगिक इकाइयों को ही पेटकोक की बिक्री करेंगे।



- (6) उत्पादकों और परिष्करणियों द्वारा पेटकोक की बिक्री अधिकतम दो चरणों से होगी, परिष्करणी से उद्योग या परिष्करणी से प्राधिकृत व्यवहारी से उद्योग।
 - (7) एनसीआर राज्यों की केवल सम्मति प्राप्त तथा रजिस्ट्रीकृत औद्योगिक इकाइयों को ही पेटकोक का सीधा आयात की अनुज्ञा दी जाएगी और परेषित माल प्रयोक्ता औद्योगिक इकाई के नाम से केवल उनके स्वयं के प्रयोग के लिए होगा।
 - (8) एनसीआर राज्यों में व्यापार के प्रयोजनों के लिए पेटकोक के आयात की अनुज्ञा नहीं दी जाएगी।
 - (9) उत्पादक या परिष्करणियां और उनके प्राधिकृत व्यवहारी माह के दौरान उत्पादित और अंतिम प्रयोक्ता औद्योगिक इकाइयों को बेचे गये पेटकोक और आरंभ और अंतिम स्टॉक का ब्यौरा त्रैमासिक आधार पर संबंधित राज्य प्रदूषण नियंत्रण बोर्ड को प्रस्तुत करेंगे।
 - (10) तेल परिष्करणियों सहित सभी अंतिम प्रयोक्ता मास के दौरान विभिन्न स्रोतों से खरीदे गये पेट कोक (स्व-उत्पादित, आयातित, परिष्करणियों या प्राधिकृत व्यवहारियों से खरीदे गये), मास के दौरान प्रयुक्त मात्रा, और आरंभ और अंतिम स्टॉक का ब्यौरा त्रैमासिक आधार पर संबंधित राज्य प्रदूषण बोर्ड को प्रस्तुत करेंगे।
 - (11) एनसीआर राज्यों के प्रदूषण नियंत्रण बोर्ड, जैसा कि ऊपर उल्लेख किया गया है, सम्मतियों, रजिस्ट्रीकरण, तेल परिष्करणियों द्वारा की गई बिक्रियों और औद्योगिक इकाइयों द्वारा की गई बिक्रियों के अभिलेख को अपलोड करने के लिए एक इलैक्ट्रॉनिक अभिलेख प्रणाली को विकसित करेंगे और उक्त बोर्ड इस जानकारी को त्रैमासिक आधार पर केन्द्रीय प्रदूषण नियंत्रण बोर्ड के साथ शेयर करेंगे।
 - (12) एनसीआर राज्यों में स्थित औद्योगिक इकाइयां पेट कोक को केवल उत्पादकों या परिष्करणियों और उनके प्राधिकृत व्यवहारियों से प्राप्त (मोर्स) करेंगी और वे इन उत्पादों को किसी अन्य विचौलिया स्रोत से प्राप्त नहीं करेंगी चाहे वे एनसीआर राज्यों से बाहर अवस्थित हों।
 - (13) एनसीआर से इतर राज्यों में उत्पादकों या परिष्करणियों तथा उनके प्राधिकृत व्यवहारियों को, जो एनसीआर राज्यों में प्रयोक्ता उद्योगों को बिक्री कर रहे हैं, उपर्युक्त निदेश (4) के अनुसार उन राज्यों के राज्य प्रदूषण नियंत्रण बोर्डों में रजिस्ट्रीकरण कराना होगा, जहां अंतिम प्रयोक्ता रह रहे हैं और वे इस बात को सुनिश्चित करेंगे कि बिक्रियां उपर्युक्त (5) और (6) में दिये गये निदेशों के अनुसार हों और वे उपर्युक्त निदेश (9) के अनुसार त्रैमासिक रिपोर्ट उस राज्य के राज्य प्रदूषण नियंत्रण बोर्ड को फाइल करेंगे, जहां अंतिम प्रयोक्ता रहते हैं।
2. अधिसूचना राजपत्र में प्रकाशन की तारीख को प्रवृत्त होगी।

[फा. सं. क्यू-16017/4/2018-मीपीए]

रितेश कुमार सिंह, संयुक्त सचिव

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 19th January, 2018

G.S.R. 46(E).—Whereas with a view to protecting and improving the quality of environment and preventing, controlling and abating environmental pollution in the National Capital Region (NCR) States, there is a need to take measures relating to sale and use of pet coke in the NCR States;

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby issues the following directions, namely :—

Sale and use of pet coke in Cement Plant in NCR States:—

- (1) No cement plant consuming pet coke as a fuel shall operate in NCR States without obtaining the consent of and registration with the respective concerned State Pollution Control Board.

- (2) Consent issued by the concerned State Pollution Control Board shall clearly specify the quantity of fuels permitted per month and per annum vis-à-vis products produced per month and per annum.
 - (3) Industrial unit shall not be permitted to store pet coke for more than its three months consumption.
 - (4) All producers or refineries, their authorised dealers and users of pet coke in NCR States, shall be registered with the concerned State Pollution Control Board.
 - (5) Refineries and their authorised dealers shall sell pet coke to only consented and registered industrial units in the NCR States according to the quantity permitted in the consent issued by the concerned State Pollution Control Board.
 - (6) Sale of pet coke by producers or refineries shall be in maximum two steps, from refinery-to-industry or from refinery-to-authorised dealer-to-industry.
 - (7) Only consented and registered industrial units of NCR States shall be permitted to directly import pet coke and consignment shall be in the name of user industrial units for their own use only.
 - (8) Import of pet coke for purposes of trading shall not be permitted in NCR States.
 - (9) Producers or refineries and their authorised dealers shall submit details of pet coke produced and sold to end user industrial units during the month, and opening and closing stock to the concerned State Pollution Control Board on quarterly basis.
 - (10) All end user industrial units, including oil refineries, shall submit details of pet coke purchased from different sources during the month (self-produced, imported, purchased from refineries or authorised dealers), quantity consumed during the month, and opening and closing stock to the concerned State Pollution Control Board on quarterly basis.
 - (11) The NCR States Pollution Control Boards shall develop an electronic record system for uploading of consents, registration, record of sales by oil refineries, and record of use by industrial units, as mentioned above and the said Boards shall share this data on a quarterly basis with the Central Pollution Control Board.
 - (12) Industrial units in NCR States shall source pet coke only from producers or refineries and their authorised dealers and they shall not source these products from any other intermediaries even when they are located outside the NCR States.
 - (13) For producers or refineries and their authorised dealers in non-NCR States who are making sales to user industries in NCR States, such producers or refineries shall have to be registered with State Pollution Control Board of the States where the end users reside in accordance with direction (4) above and they shall ensure that the sales are as per the directions (5) & (6) above and they shall file quarterly reports to the State Pollution Control Board of the State where the end users reside in accordance with direction (9) above.
2. This notification shall come into force on the date of its publication in the Official Gazette.

[F. No. Q-16017/4/2018-CPA]

RITESH KUMAR SINGH, Jt. Secy.

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In the said notification, -

- (i) in direction (1), the words "as a fuel" shall be omitted;
- (ii) in direction (8), the following proviso shall be inserted, namely: -

"Provided that in case, a registered industrial unit desires to engage a third party to import pet coke on its behalf, the same may be permitted, if-

- (a) such third party registers with the concerned State Pollution Control Board;
- (b) the import by the third party is limited to the actual requirement of the industrial unit as specified in direction (2) and not for sale to any other party;
- (c) such third party furnishes declaration with respect to clauses (i) and (ii) to the custom authorities."

- (iii) for direction (11), the following direction shall be substituted, namely:-

"(11) The NCR States Pollution Control Boards shall develop an electronic record system for uploading of consents, registration, record of sales by oil refineries, and record of use by industrial units, as mentioned above and the said Boards shall share this data with the Central Pollution Control Board on a monthly basis for the first one year and thereafter on quarterly basis, and this data shall be published on the Central Pollution Control Board website on receipt from the States Pollution Control Boards".

[F. No. Q-16017/4/2018-CPA]

RITESH KUMAR SINGH, Jt. Secy.

Note: the principal notification was published vide number G.S.R. 45 (E), dated the 19th January, 2018.

अधिसूचना

नई दिल्ली, 25 मई, 2018

सा.का.नि. 46(अ)।—राष्ट्रीय राजधानी क्षेत्र (एनसीआर) राज्यों में पर्यावरण की गुणवत्ता के संरक्षण एवं सुधार और पर्यावरण प्रदूषण के निवारण, नियंत्रण तथा उपशमन के उद्देश्य से, राष्ट्रीय राजधानी क्षेत्र राज्यों में पेटकोक की बिक्री तथा प्रयोग के संबंध में उपाय किये जाने की आवश्यकता है;

और केन्द्रीय सरकार ने पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1) और (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राष्ट्रीय राजधानी क्षेत्र के राज्यों के सीमेंट संयंत्रों में पेटकोक की बिक्री और प्रयोग के लिए दिनांक 19 जनवरी, 2018 अधिसूचना संख्या सा.का.नि. 46 (अ) (जिसे इसमें इसके पश्चात् उक्त अधिसूचना कहा गया है) जारी की थी।

और उक्त अधिसूचना को जारी करने के बाद पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय (जिसे इसमें इसके पश्चात् मंत्रालय कहा गया है) में अभ्यावेदन प्राप्त हुए हैं कि अनुज्ञेय प्रयोग के मामलों में भी, प्रयोक्ता अभिकरणों द्वारा आयात नहीं किया जा रहा है और आयात प्रायः सुविधा प्रदाताओं के माध्यम से किया जा रहा है।

और उक्त अभ्यावेदनों पर विचार करने के बाद मंत्रालय का यह सुविचारित राय है कि उक्त अधिसूचना के अधीन प्रयोक्ता की सुविधा के लिए उन्हें, उक्त अधिसूचना के प्रावधानों के अधीन, सुविधा प्रदाताओं के माध्यम से आयात करने की अनुमति दी जा सकती है।

और राष्ट्रीय राजधानी क्षेत्र (एनसीआर) के राज्यों में पेटकोक की बिक्री और प्रयोग के मामलों में पारदर्शिता को बढ़ाने और निगरानी को बेहतर बनाने की भी आवश्यकता है;

और अब, केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1) और उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, दिनांक 19 जनवरी, 2018 की उक्त अधिसूचना संख्या सा.का.नि. 46 (अ) में, एतद्वारा, निम्नलिखित संशोधन करती है, अर्थात्:-

उक्त अधिसूचना में, -

- (i) निदेश (1) में, "ईंधन के रूप में" शब्दों का लोप किया जाएगा;

(ii) निर्देश (8) में, निम्नलिखित परन्तुक अंतःस्थापित किया जाएगा, अर्थात्:-

"परंतु यदि कोई पंजीकृत औद्योगिक इकाई अपनी ओर से पेटकोक का आयात करने के लिए तीसरे पक्षकार को नियुक्त करने की इच्छुक है तो उसे इसकी अनुमति दी जा सकती है, बशर्ते कि -

(क) ऐसा तीसरा पक्षकार संबंधित राज्य प्रदूषण नियंत्रण बोर्ड में पंजीकृत हो;

(ख) तीसरे पक्षकार द्वारा किया जाने वाला आयात, निर्देश (2) में उल्लिखितानुसार औद्योगिक इकाई की वास्तविक आवश्यकता तक सीमित हो और यह किसी अन्य पक्षकार को विक्री के लिए न हो;

(ग) ऐसा तीसरा पक्षकार खंड (i) और (ii) के संदर्भ में सीमा शुल्क प्राधिकरणों को इस आशय की घोषणा उद्घोषणा प्रस्तुत करे।

(iii) निर्देश (11) के स्थान पर, निम्नलिखित निर्देश को प्रतिस्थापित किया जाएगा, अर्थात्:

"(11) राष्ट्रीय राजधानी क्षेत्र राज्यों के प्रदूषण नियंत्रण बोर्ड, ऊपर किए गए उल्लेख के अनुसार, महामतियों, पंजीकरण, नेल शोधन कारखानों द्वारा की गई विक्रियों के रिकॉर्ड और औद्योगिक इकाइयों द्वारा किए गए उपयोग के रिकॉर्ड को अपलोड करने के लिए एक इलेक्ट्रॉनिक रिकॉर्ड सिस्टम बनाएंगे और उक्त बोर्ड इन आंकड़ों को पहले एक वर्ष तक मासिक आधार पर और उसके बाद त्रैमासिक आधार पर केन्द्रीय प्रदूषण नियंत्रण बोर्ड के साथ साझा करेंगे और राज्यों के प्रदूषण नियंत्रण बोर्डों से प्राप्त होने के बाद इन आंकड़ों को केन्द्रीय प्रदूषण नियंत्रण बोर्ड की वेबसाइट पर दर्शाया जाएगा।"

[फा. सं. क्यू-16017/4/2018—सीपीए]

गिनेश कुमार सिंह, संयुक्त सचिव

टिप्पण : मूल अधिसूचना भारत के राजपत्र में दिनांक 19 जनवरी, 2018 की अधिसूचना सं. सा.का.नि. 46 (अ) के द्वारा प्रकाशित की गई थी।

NOTIFICATION

New Delhi, the 25th May, 2018

G.S.R. 493(E).—Whereas, with a view to protecting and improving the quality of environment and preventing, controlling and abating environmental pollution in the National Capital Region (NCR) States, there is a need to take measures relating to sale and use of pet coke in the NCR States;

And Whereas, in exercise of the powers conferred by sub-sections (1) and (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government issued notification, published vide number G. S. R. 46 (E), dated the 19th January, 2018, for sale and use of pet coke in cement plant in NCR States (hereinafter referred to as the said notification);

And Whereas, subsequent to issuance of the said notification, the Ministry of Environment, Forest and Climate Change (hereinafter referred to as the Ministry) has received representations that even in cases of permitted use, imports are not undertaken by the user agencies and are usually sourced through import facilitators;

And Whereas, the Ministry after considering the said representations is of the considered opinion that in order to facilitate the user under the said notification, they can be permitted to source through import facilitators subject to provisions of the said notification;

And Whereas, there is further need for enhancing transparency and better monitoring with reference to sale and use of pet coke in the NCR States;

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following amendments in the said notification number G. S. R. 46(E), dated the 19th January, 2018, namely: -

In the said notification, -

- (i) in direction (1), the words "as a fuel" shall be omitted;
- (ii) in direction (8), the following proviso shall be inserted, namely: -

"Provided that in case, a registered industrial unit desires to engage a third party to import pet coke on its behalf, the same may be permitted, if-

- (a) such third party registers with the concerned State Pollution Control Board;
- (b) the import by the third party is limited to the actual requirement of the industrial unit as specified in direction (2) and not for sale to any other party;
- (c) such third party furnishes declaration with respect to clauses (i) and (ii) to the custom authorities.”;
- (d) for direction (11), the following direction shall be substituted, namely:-

“(11) The NCR States Pollution Control Boards shall develop an electronic record system for uploading of consents, registration, record of sales by oil refineries, and record of use by industrial units, as mentioned above and the said Boards shall share this data with the Central Pollution Control Board on a monthly basis for the first one year and thereafter on quarterly basis, and this data shall be published on the Central Pollution Control Board website on receipt from the States Pollution Control Boards”.

[F. No. Q-16017/4/2018-CPA]

RITESH KUMAR SINGH, Joint Secretary

Note : the principal notification was published vide number G.S.R. 46(E), dated the 19th January, 2018.

अधिसूचना

नई दिल्ली, 25 मई, 2018

सा.का.नि. 494(अ)—राष्ट्रीय राजधानी क्षेत्र (एनसीआर) राज्यों में पर्यावरण की गुणवत्ता के संरक्षण तथा सुधार और पर्यावरणीय प्रदूषण के निवारण, नियंत्रण तथा उपशमन के उद्देश्य से एनसीआर राज्यों में पेटकोक की बिक्री तथा उपयोग के संबंध में उपाय किए जाने की आवश्यकता है;

और पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय (जिसे इसमें इसके पश्चात् मंत्रालय के रूप में निर्दिष्ट किया गया है) को पेटकोक की बिक्री, उपयोग और आयात के संबंध में अभ्यावेदन प्राप्त हुए हैं जो दर्शाते हैं कि अनुज्ञात उपयोग की दशा में भी प्रयोक्ता अभिकरणों द्वारा आयात नहीं किया जाता है और सामान्यता आयात समन्वयकों के माध्यम से प्राप्त किए जाते हैं;

और मंत्रालय का उक्त अभ्यावेदनों पर विचार करने के पश्चात् यह सुविचारित राय है कि इस अधिसूचना के अधीन प्रयोक्ता को मुक्त बनाने के लिए उन्हें इस अधिसूचना के उपबंधों के अधीन आयात समन्वयकों के माध्यम से श्रोत को अनुज्ञात किया जा सकता है;

अतः अब, केन्द्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 3 की उपधारा (1) और उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निम्नलिखित निदेश जारी करती है अर्थात्:-

राष्ट्रीय राजधानी क्षेत्र (एनसीआर) के राज्यों में ईंधन ग्रेड पेटकोक का उपयोग कर रहे कार्बाइड विनिर्माणकारी उद्योग, जिसमें यह विनिर्माण प्रक्रिया में प्रयुक्त किया जाता है और न कि ईंधन के रूप में, पेटकोक की बिक्री और उपयोग:-

- (1) अपनी प्रक्रिया में पेटकोक का इस्तेमाल करने वाले, कार्बाइड विनिर्माणकारी उद्योग, संबंधित राज्य प्रदूषण नियंत्रण बोर्ड की मम्मति प्राप्त किये बिना और उसके साथ रजिस्ट्रीकरण कराये बिना एनसीआर राज्यों में कार्य नहीं करेगा।
- (2) संबद्ध राज्य के प्रदूषण नियंत्रण बोर्ड द्वारा जारी की गयी मम्मति में, प्रति माह और प्रति वर्ष उत्पादित उत्पादों की मात्रा की तुलना में प्रति माह और प्रति वर्ष प्रक्रिया के लिए अनुमत्य मात्रा को स्पष्टतः रूप से विनिर्दिष्ट किया जाएगा।
- (3) औद्योगिक इकाई को, इसकी तीन माह की खपत से अधिक पेटकोक का भंडारण करने की अनुज्ञा नहीं होगी।
- (4) एनसीआर राज्यों में पेटकोक के सभी उत्पादकों या परिष्करणियों, उनके प्राधिकृत व्यवहारियों तथा प्रयोक्ताओं का संबंधित राज्य प्रदूषण नियंत्रण बोर्ड में रजिस्ट्रीकरण किया जाएगा।

NOTIFICATION

New Delhi, the 25th May, 2018

G.S.R. 494(E).—Whereas, with a view to protecting and improving the quality of environment and preventing, controlling and abating environmental pollution in the National Capital Region (NCR) States, there is a need to take measures relating to sale and use of pet coke in the NCR States;

And Whereas, the Ministry of Environment, Forest and Climate Change (hereinafter referred to as the Ministry) has received representations with reference to sale, use and import of petcoke indicating the even in cases of permitted use, imports are not undertaken by the user agencies and are usually sourced through import facilitators;

And Whereas, the Ministry after considering the said representations is of considered opinion that in order to facilitate the user under this notification, they can be permitted to source through import facilitators subject to the provisions of this notification:

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby issues the following directions, namely:-

Sale and use of pet coke in NCR States for carbide manufacturing industry using fuel grade pet coke wherein it is used in the manufacturing process and not as a fuel: -

- (1) The carbide manufacturing industry consuming pet coke in the process shall not operate in NCR States without obtaining the consent of and registration with the concerned State Pollution Control Board.
- (2) Consent issued by the concerned State Pollution Control Board shall clearly specify the quantity for the process permitted per month and per annum vis-à-vis products produced per month and per annum.
- (3) Industrial unit shall not be permitted to store pet coke for more than its three month's consumption.
- (4) All producers or refineries, their authorised dealers and users of pet coke in NCR States, shall be registered with the concerned State Pollution Control Board.
- (5) Refineries and their authorised dealers shall sell pet coke to only consented and registered industrial units in the NCR States according to the quantity permitted in the consent issued by the concerned State Pollution Control Board.
- (6) Sale of pet coke by producers or refineries shall be in maximum two steps, from refinery-to-industry or from refinery-to-authorised dealer-to-industry.
- (7) Only consented and registered industrial units of NCR States shall be permitted to directly import pet coke and consignment shall be in the name of user industrial units for their own use only.
- (8) Import of pet coke for the purpose of trading shall not be permitted in NCR States;

Provided that in case a registered industrial unit desires to engage a third party to import pet coke on its behalf, the same may be permitted, if-

- (a) such third party registers with the concerned State Pollution Control Board;
 - (b) the import by the third party is limited to the actual requirement of the industrial unit as specified in direction (2) and not for sale to any other party;
 - (c) such third party furnishes declaration with respect to clauses (a) and (b) to the custom authorities.
- (9) Producers or refineries and their authorised dealers shall submit details of pet coke produced and sold to end user industrial units during the month, and opening and closing stock to the concerned State Pollution Control Board on quarterly basis.
 - (10) All end user industrial units, including oil refineries, shall submit details of pet coke from different sources during the month (self-produced, imported, purchased from refineries or authorised dealers), quantity consumed during the month, and opening and closing stock to the concerned State Pollution Control Board on quarterly basis.
 - (11) The NCR States Pollution Control Boards shall develop an electronic record system for uploading of consents, registration, record of sales by oil refineries, and record of use by industrial units, as mentioned above and the

said Boards shall share this data with the Central Pollution Control Board on a monthly basis for the first one year and thereafter on quarterly basis, and this data shall be published on the Central Pollution Control Board website on receipt from the State Pollution Control Board.

- (12) Industrial units in NCR States shall source per coke only from producers or refineries and their authorised dealers and they shall not source these products from any other intermediaries even when they are located outside the NCR States.
 - (13) For producers or refineries and their authorised dealers in non NCR States who are making sales to user industries in NCR States, such producers or refineries shall have to be registered with the State Pollution Control Board of the States where the end users reside in accordance with direction (4) above and they shall ensure that the sales are as per the directions (5) and (6) above, and they shall file quarterly reports to the State Pollution Control Board of the State where the end users reside in accordance with direction (9) above.
2. This notification shall come into force on the date of its publication in the Official Gazette,

[P.No. Q-16017/4/2018-CPA]
RITESH KUMAR SINGH, Jt. Secy.

No. Q-18011/54/2018-CPA
GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
(CP Division)

2nd Floor, Vayu Wing, IPB, Jorbagh Road
New Delhi-110003

Dated: September 10, 2018

OFFICE MEMORANDUM

Subject: W.P.(C) No. 13029 of 1985 in the matter of M.C. Mehta Vs. Union of India & Ors. before the Hon'ble Supreme Court of India -regarding.

GUIDELINES FOR REGULATION AND MONITORING OF IMPORTED PETCOKE IN INDIA

In exercise of the powers conferred by sub-sections (1) and (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby issues the following Guidelines for Regulation and Monitoring of Imported Petcoke in India, namely: -

1. Guidelines for Regulation and Monitoring of Imported Petcoke in India: -

As per notification of Director General of Foreign Trade (DGFT) dated 17.8.2018, Import of Petcoke for use as fuel is prohibited. However, import of Petcoke is allowed for the following industries namely, cement, lime kiln, calcium carbide and gasification for use as feedstock or in the manufacturing process only on actual user basis as per the conditions stipulated below:

- (1) Petcoke importing industries namely, cement, lime kiln, calcium carbide and gasification shall obtain the consent of and registration with the concerned State Pollution Control Boards (SPCB)/ Pollution Control Committees (PCC).
- (2) Consent issued by the concerned SPCB/ PCC shall clearly specify the quantity permitted for import and its use on a per month and per annum basis.
- (3) Only registered industrial units with valid consent from SPCBs/PCCs as per clause (1) shall be permitted to directly import pet coke and consignment shall be in the name of user industrial units for their own use only.
- (4) Import of pet coke for the purpose of trading shall not be permitted.
- (5) Authorised importers of Petcoke shall furnish opening and closing stock of imported Petcoke to the concerned SPCB/ PCC on a quarterly basis.

- (6) The SPCBs/ PCCs shall develop an electronic record system for uploading of consents, registration and record of use of imported Petcoke by industrial units, as mentioned above and the said Boards/ Committees shall share this data with the Central Pollution Control Board on a quarterly basis. This data shall be published on the Central Pollution Control Board website on receipt from the SPCB/ PCC.

These Guidelines shall come into force from the date of publication of Office Memorandum by Ministry of Environment, Forest and Climate Change.

2. This issues with the approval of Competent Authority.

ch. Murali Krishna
(Dr. Murali Krishna)
Scientist 'D'/ Joint Director
E-mail: cm.krishna@gov.in
Tel: 011-24695414

To

- (1) **Chairman**
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar
Delhi-110032
- (2) **Member Secretary**
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar
Delhi-110032

-for circulating to SPCBs/PCCs.

CC

DS (IT)- for uploading the Guidelines at the Website of Ministry of Environment, Forest and Climate Change.

Email

Gaurav Gehlot

In reference to compliance of Hon'ble NGT order dated-07.01.2020 in OA No. 67/2019 with OA No. 138/2019 order dt.-14.07.2020-reg.

From : Gaurav Gehlot <gehlot.cpcb@gov.in>

Mon, Dec 21, 2020 06:09 PM

Subject : In reference to compliance of Hon'ble NGT order dated-07.01.2020 in OA No. 67/2019 with OA No. 138/2019 order dt.-14.07.2020-reg.

1 attachment

To : Member Secretary APPCB <membersecy@appcb.gov.in>, arunachalspcb@gmail.com, membersecretary@pcbassam.org, mscellbspcb@gmail.com, hocpcb@gmail.com, goapcb@gspcb.in, membersecretarygpcb@gmail.com, ms-gpcb@gujarat.gov.in, mspcb-hp <mspcb-hp@nic.in>, membersecretaryjkspcb@gmail.com, ranchijspcb@gmail.com, Member Secretary Karnataka State Pollution Control Board <memsecy@kspcb.gov.in>, Head office Karnataka State Pollution Control Board <ho@kspcb.gov.in>, Sreekala S <ms.kspcb@gov.in>, It mppcb <It_mppcb@rediffmail.com>, ms@mpcb.gov.in, megspcb@rediffmail.com, membersecretary@ospcb.org, Member Secretary <msppcb@punjab.gov.in>, TNPCB Chennai <tnpcb-chn@gov.in>, jceekg@gmail.com, ts ms <ts_ms@pcb.ap.gov.in>, ms@wbpcb.gov.in, mspcc dmn <mspcc_dmn@pccdaman.info>, Pondicherry Pollution Control Committee Pondicherry <ppcc.pon@nic.in>

Cc : Pollution Control Board <pcb-man@nic.in>, duhawma15@yahoo.com, rusoviljohn@yahoo.co.in, drgopalpradhan@gmail.com, spcbsikkim@gmail.com, mukherjee manas <mukherjee_manas@rediffmail.com>, msukpcb@gmail.com, dstandamans@gmail.com, Vivek Pandey <cpcc-chd@nic.in>, Director, S&T <lk-dst@nic.in>, Nazimuddin <nazim.cpcb@nic.in>, Sanjeev Paliwal <sanjeevpaliwal.cpcb@nic.in>

Sir / Ma'am,

Please refer to i) the orders dated 28.03.2019 and 04.07.2019 of Hon'ble NGT-PB in O.A. 67 of 2019 and O.A. 138 of 2019 regarding use of pet coke and FO in industries, ii) the Directions issued by CPCB to state governments on 23.08.2019 in compliance of these orders, iii) the status report filed by CPCB to NGT-PB on 03.01.2020 and the order dated 07.01.2020 of NGT-PG on it, expressing displeasure on non-compliance, iv) the latest status report filed by CPCB to NGT-PB on 14.07.2020 and the order dated 16.07.2020 of NGT-PB on it, wherein Hon'ble NGT has further directed as under:

"Some of the reports of the States/UTs are contrary to the orders of the Tribunal referred to above. Reports which are non-compliant with the orders of this Tribunal based on orders of the Hon'ble Supreme Court will stand rejected to that extent. Orders of the Tribunal be given effect and CPCB may ensure compliance by issuing such further direction as may be necessary in exercise of its statutory power."

CPCB has already issued necessary direction dated 23.08.2019 in this matter.

The updated draft status report based on compliance received from some SPCBs is attached.

Any action taken or proposed to be taken in the matter may be informed, preferably latest by 24.12.2020 (the case is listed for 15.01.2021)

Yours faithfully,

(Nazimuddin)
Head - IPC-II Division

Regards

--

Gaurav Gehlot

Scientist - B, IPC - II Division,
Central Pollution Control Board,
Delhi

— **Mail Copy.pdf**

493 KB

Annexure - V

**Summary of the Action Taken by States/UTs in compliance to Directions Issued for
Preparing Policy on Use of Pet coke and Furnace Oil**

Sl. No.	State/UT	ATR of State/ SPCB's	ATR on CPCB's Directions
1.	Andhra Pradesh	20.03.2020	<p>SPCB has framed policy for use of Pet Coke & Furnace Oil as Fuel on 13.03.2020</p> <ul style="list-style-type: none">• State Government vide G.O. Ms. No. 71 dt.-01.11.2017 has permitted the use of pet coke as an approved fuel subject to installation of required air pollution control systems.• Industries using petcoke as fuel shall install scrubbing system or any other proven system to reduce SO2 load with minimum efficiency of 90%.• Industries in Critically and Severely Polluted Areas (CPAs and SPAs) based on CEPI score shall not use pet coke and shall switch over to clean fuels like LDO CNG etc. within 1 year• Industries in Critically Polluted Areas (CPAs) based on CEPI score and using FO shall install scrubbing system or any other proven system to reduce SO2 load with minimum efficiency of 90% within 6 months
2.	Assam	25.11.2019 11.09.2020 25.09.2020	<p>SPCB has informed CPCB vide letter dated 25.11.2019 that SPCB has prepared a draft policy on use of pet coke and furnace oil and forwarded the same to Govt of Assam vide letter dated 11.10.2019</p> <p>SPCB vide letter dated 11.09.2020 has provided to CPCB copy of letters dated 13.03.2020 and 23.03.2020 written to Govt of Assam wherein it is reminded that SPCB has already submitted its recommendation to Govt of Assam for preparation of policy on use of pet coke and FO</p>
3.	Bihar	01.07.2020	<p>BSPCB informed vide letter dated-01.07.2020 that State Fuel Policy on use of Pet Coke and Furnace oil is notified on 29.06.2020 by Department of Environment, Forest and Climate Change, Govt. of Bihar.</p> <ul style="list-style-type: none">- Pet coke (imported or domestic) not allowed as fuel in boilers and furnaces- Pet coke use as feed stock in some specific sectors will be allowed under compliance of MoEF&CC notification dated 10.09.2018- FO use will be allowed with condition of meeting emission norms till network for LNG/PNG will be developed- Decision about switchover from FO to cleaner fuel will be taken by state government separately

4.	Chhattisgarh	15.10.2019	Office order and notification issued on 17.07.2017 and 14.08.2017 by SPCB and State Govt., respectively banning use of pet coke in all industries except for Cement Plants which have been permitted subject to specific conditions formulated by CECB. Further, use of FO is not prohibited presently and necessary decision will be taken this regard in future as per requirement.
5.	Goa	04.10.2019 29.10.2019 10.01.2020 08.12.2020	State Govt also issued notification dated 18.06.2020 regarding approved fuels (which does not include pet coke and FO) and another notification dated 22.06.2020 to specifically ban use of pet coke and FO and switchover by existing units before 31.12.2020
6.	Gujarat	22.06.2020	A Committee constituted by Gujarat SPCB recommended that use of pet coke as fuel may be permitted only in glass and cement sectors. On the basis of this the SPCB published amended notification dated 12.12.2029 (to amend the original notification dated 26.10.2017 as amended on 06.02.2018), The above notification also deletes FO as approved fuel for new projects . Also use of Pet coke and FO not allowed in non-attainment cities Closure directions, Notice for directions, Show-cause notices issued to 8, 5, 1 units using FO.
7.	Himachal Pradesh	03.10.2019 05.01.2021	Draft fuel policy has been formulated by State Govt. and will be finalized after Bye-Election Model Code of Conduct on getting approval of the Council of Ministers.
8.	Jammu & Kashmir	11.10.2019 15.05.2020	Industries & Commerce Department, Govt. of J&K, vide letter 15.05.2020 sent the Draft J&K Pet Coke and Furnace Oil Policy to J&K PCB for necessary action.
9.	Karnataka	31.12.2019	Draft fuel policy has been formulated by State Govt. and draft policy is under process of finalization/notification.
10.	Kerala	30.10.2019 22.11.2019 30.11.2020	KSPCB has informed vide letter dt. 30.10.2019 that Draft fuel policy regarding use of pet coke and FO as fuel has been prepared and submitted to the State Govt. for issuing notification. Kerala State Government submitted a compliance report vide letter dated 22.11.2019 is about to notify pet coke as an approved fuel for use in cement kilns and in heavy and or large industries subject to adequate control measure. KSPCB has requested state government on 18.11.2020 for necessary action in view of NGT order dated 16.07.2020
11.	Madhya Pradesh	28.09.2019 03.10.2019 02.01.2021	In reference to Original Application No. 471 of 2016, State Govt. has already issued Order on 17.07.2017 to allow use of petcoke only after obtaining Consent from MPPCB. MPPCB can allow use of petcoke on case to case basis after proper examination of control equipment installed for control of emission of SO ₂ and other pollutants. By Order dated 28.09.2019 , same policy will be adopted in case of FO also. Informed about above action again vide letter dt. 02.01.2021.

12.	Maharashtra	05.02.2020	Fuel policy regarding use of petcoke and furnace oil has been framed on 05.02.2020 with list of approved fuels and timelines for compliance of fuel policy. Petcoke is allowed in Cement Plant/Lime Kiln, Calcium carbide and Gasification use. Furnace Oil is allowed in units with conditions of 90 % scrubbing and removal of SO ₂ .
13.	Manipur	20.09.2019	Manipur SPCB has informed vide letter dt. 20.09.2019 that none of the industry is using petcoke and FO in the State and therefore the policy regarding use of petcoke and FO may not be required.
14.	Meghalaya	14.11.2019	Meghalaya SPCB has informed vide letter dt. 14.11.2019 that Draft fuel policy has been submitted to the Secretary, Forests & Environment Department, Govt. of Meghalaya for necessary action.
15.	Mizoram	18.10.2019	Mizoram SPCB has informed vide letter dt. 18.10.2019 that neither petcoke nor FO is in use in the State. State Govt. is considering relevant information for formulation of policy on use of petcoke and FO.
16.	Nagaland	11.10.2019	Nagaland SPCB has informed vide letter dt. 11.10.2019 that Nagaland does not have any plants or industries where fuel grade pet coke is used. Further, Dept. of Industries & Commerce, Nagaland has been asked to prepare a policy on the same.
17.	Odisha	28.08.2020	SPCB letter dated 28.08.2020 informs the action taken in pursuance of NGT order dated 16.05.2017 in OA 471/2016 i.e. issuing of notification dated 07.11.2017 by State Government, under which use of pet coke as fuel has been allowed, and states that this was informed to CPCB earlier also vide letter dated 01.11.2019 (in the matter of matter of regulation of import of pet coke)
18.	Punjab	06.02.2020 19.03.2020 24.08.2020	SPCB informed vide letter dated-19.03.2020 that Draft notification for regulating use of pet coke and FO is submitted to State Government for issuance of notification. Use of pet coke and FO and other liquid is allowed in regulated conditions with emission standards for SO ₂ at 400 mg/Nm ³ and with CTO by SPCB. SPCB vide letter dated 24.08.2020 has provided modified draft notification to State Govt in view of NGT order dt. 16.07.2020
19.	Sikkim	29.09.2019 17.10.2019 24.10.2019 28.12.2020	Notification issued on 22.03.2018 for prohibiting sale and use of pet coke and FO as fuel in the State.
20.	Tamil Nadu	20.08.2019 20.09.2019	SPCB has informed CPCB and State Govt. vide letters dt. 20.08.2019 and 20.09.2019 that: 1. Cement Plant is only permitted to use pet coke as fuel in their Cement Kiln after examining case by case and all other industrial units which have used petcoke as fuel are stopped as per TNPCB directions issued during Sept 2017. 2. There is no restriction on use of FO by the industries.

			3. Cement Industries which are using pet coke and industries using FO should comply with prescribed standards.
21.	Telangana	09.10.2019	SPCB has informed that State Govt. has decided that petcoke as fuel does not require to be prohibited in the State subject to installation of air pollution control system by and compliance of emission norms. As of now, TSPCB has permitted only Cement Plants for use of pet coke while issuing CFO & HWA.
22.	Tripura	07.09.2019	Notification issued on 01.03.2018 for complete ban and prohibition on the use of petcoke and FO.
23.	Uttarakhand	23.03.2020 17.07.2020	SPCB has informed vide e-mail dated-23.03.2020 that Draft Fuel Policy is prepared and is under approval of Chairman, PCB. SPCB has issued Office Order dated 17.07.2020 regarding approved fuel and banning use of pet coke and furnace oil
24.	UT of Andaman and Nicobar	04.10.2019	None of the industry is using petcoke and FO in the UT.
25.	UT of Chandigarh	08.08.2019 & 25.10.2019	None of the industry is using petcoke. The policy regarding FO is under consideration that no industry will be allowed to use FO after 06 months.
26.	UT of Daman & Diu	14.10.2019 25.10.2019	None of the industries permitted to use petcoke. Use of FO is permitted subject to compliance of 30 meters stack height criteria and industry equipped with APCDs for control of emission.
27.	UT of Dadra & Nagar Haveli		
28.	UT of Lakshadweep	22.11.2019 23.12.2020	None of the industry is using petcoke and FO in the UT.
29.	UT of Puducherry	02.12.2019	Puducherry PCC has informed vide letter dt. 02.12.2019 that Draft fuel policy has been prepared and submitted to the Government for approval.



ANDHRA PRADESH POLLUTION CONTROL BOARD

D. No. 33-26-14 D/2, Near Sunrise Hospital, Pushpa Hotel Centre,
Chalamalavari Street, Kasturibaipet, Vijayawada – 520 010
Website: <https://pcb.ap.gov.in/>

Lr No: APPCB/UH-IV/HO-VJA/Petcoke/2020-

20/03/2020

To,
Sri. Nazimuddin,
Divisional Head - IPC - II,
CPCB, MoEF&CC, Govt of India,
Parivesh Bhavan, East Arjun Nagar,
Delhi - 110032.

Sir,

Sub:	APPCB - HO - UH:IV - Policy for use of Pet Coke and Furnace Oil as a fuel in the State of Andhra Pradesh
Ref:	Orders passed by Hon'ble National Green Tribunal in Original Application No.67/2019 filed by Sumit Kumar vs State of Himachal Pradesh.

1. It is to inform that the Central Pollution Control Board vide order dt: 23.08.2019 issued the directions to all State Governments under Section 5 of the Environment (Protection) Act, 1986 regarding preparing a policy on use of Petcoke and Furnace Oil.
2. Further, the Hon'ble NGT heard the OA No. 67 of 2019 on 07.01.2020 pertaining to usage of Petcoke and Furnace Oil. The CPCB reported to NGT that 13 states not yet furnished reply to the directions issued by CPCB on 23.08.2019 regarding fuel policy on use of pet coke and FO and to take action on violating industry. The Hon'ble NGT directed the states which have not furnished the ATRs to CPCB earlier, may submit within one month. If there is a non compliance after 31.03.2020, the defaulting states will be liable to pay compensation @ Rs. 1 lakh per month.
3. In this regard the following is submitted for kind perusal:
 - a. The Government of Andhra Pradesh vide G.O. Ms. No. 71 Dated: 01-11-2017 has permitted the use of Pet Coke as an approved fuel under clause (d) of section 2 of the Air (Prevention and Control of Pollution) Act, 1981, subject to installation of required air pollution control systems by the industries using Pet Coke, so that, emission norms prescribed for air pollution control as specified by Andhra Pradesh Pollution Control Board from time to time are adhered to by every

140

Draft

VIP reference status month of November

No. of VIP references received in month of November (till date)	Number of VIP references disposed off	No. of VIP references pending (including backlog)
2	7	4

S. No	VIP Reference	Received Through	Date of Receipt	Subject	Officer Concerned	Status
1	Sh. Y. Devendrappa, Hon'ble MP, Lok Sabha	Sh. Ravi S Prasad, IAS, MoEF&CC,	20.3.2020	Change in Ballari District environment weather due to mining activities by the private mine factories	DH-IPC-II	Complaint was forwarded to KSPCB on 20.03.2020 and reminder sent on 27.04.2020 and 06.07.2020. KSPCB informed about industry premises becoming no entry zone due to Covid-19 vide letter dated 07.07.2020. Reminder sent to KSPCB on 01.10.2020. KSPCB has provided a report based on inspection of two major iron and steel plants in Ballari District vide letter dated 04.11.2020. In view of the concerns raised in the VIP reference mainly regarding environmental impacts due to mining activities in Ballary District, <u>it is proposed to write to KSPCB to issue necessary instructions to mines in Ballary District, as requested by Hon'ble M.P.</u>
2	Sh. Anumula Revanth Reddy, Hon'ble MP, Malkajgiri	-	31.7.2020	Illegal demolition and construction of secretariat building without environment clearance and violation of the directions passed by NGT in OA. No 606/2018	DH-UPC-I	Complaint forwarded to Telangana SPCB on 18.8.2020 for necessary action. Joint Committee comprising of Senior Scientist / Officers from inspected site and communicated the inspection report to the Advocate for filling before the Hon'ble Tribunal
3	Sh. Arjun Singh, MP from Vice President-BJP, Barrackpur-West Bengal	-	27.10.2020	Grave concerns regarding few environmental issues in West Bengal and lack of action being taken therein	DH-IPC-V	Complaint forward to West Bengal SPCB on 6.10.2020. Second letter sent to WBSPCB on 03.12.2020. For necessary action
4	Sh. Anshu Sharma, Hon'ble Minister, EF&CC	engagementsmefcc@gmail.com	2.11.2020	Laghu Udyog Bharati, order related to NGT dated. 5.10.2020, All India organization in service of small scale industries	DH-IPC-VI	Draft letter put up to MS. File is under process.

Pls. Inform

Concerned Division may look into the matter & take necessary action for disposing off the matter. Updated status may be provided to PCP Div by 7/12/2020 so that same may be provided to CETS & sent to MoEF&CC.

✓ DH-IPC-II / UPC-I / IPC-V / IPC-IV

4/12/2020

such industry and taking adequate pollution control measures as per the conditions of the consent granted. Copy of the same herewith enclosed.

- b. APPCB has framed policy for use of Pet Coke & Furnace Oil as Fuel on 13.03.2020. Copy of the same herewith enclosed.

Yours faithfully,

DR.
B.MADHUSUDHANA
RAO, JCEE(MSRB),
O/o JOINT CHIEF
ENVIRONMENTAL
ENGINEER4-APPCB

Signature Not Verified

Digitally signed by DR. B
MADHUSUDHANA RAO
Date: 2020.03.20 17:34:11 IST
Reason: Approved



CENTRAL POLLUTION CONTROL BOARD
(MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE, GOVT. OF INDIA)
REGIONAL DIRECTORATE, NORTH EAST
LOWER MCTINAGAR, SHILLONG – 793 014

No. RDNE/138/MS/2019-20/1205.

Date. 02-09-2019

To,

The Member Secretary
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar, New Delhi

Subject: Direction to CPCB by the Independent Committee Constituted by Hon'ble NGT under the Chairmanship of Hon'ble Mr. Justice B.P. Katakey-Reg.

Sir,

Reference to the subject cited above the Independent Committee Constituted by Hon'ble NGT under the Chairmanship of Hon'ble Mr. Justice B.P. Katakey, former Judge Guwahati High Court (The Hon'ble NGT order dated 31-08-2018 O.A. No. 110 (THC/2012) in its Seventeenth Sitting (**Minute copy enclosed**) directed/advised the CPCB as follows:

1. In **Agenda Item No. 1 Para 5**- the Committee directed Regional Director CPCB RDNE to obtain the decision of the competent Authority in CPCB with regard to Action Plan prepared by the Committee (Whether the Action Plan prepared by the committee is acceptable to CPCB). (Ref. Letter No. RDNE/138/MS/2019-20/1012(A) dated 03-08-2019.

In case the aforesaid suggestion of the Committee is not acceptable to the CPCB, the CPCB shall prepare a detailed Action Plan and submit the same to the Committee within one month.

2. In **Agenda Item No. 2 Para 7**-the Committee advised the CPCB to transfer the said amount (Rs. 100 crore) in a separate bank account to be opened in any Nationalised Bank at Shillong who offers highest rates of Interest. **Decision of the Competent Authority may be intimated for transfer of the Fund.**

3. The Committee in its Sixteenth Sitting First Day, **Agenda Item No. 5 Para 26** decided to constitute Sub-Committee to scrutinize all proposals for restoration of Environment in areas affected by the illegal rat hole coal mining in the state of Meghalaya with the entire amount of Rs. 100 crore placed at the disposal of CPCB (**Minute Copy enclosed**). **Agenda Item No. 2 Para 33 of the Seventeenth Sitting Minute**-the Committee directed Regional Director, CPCB, RDNE Shillong to issue a formal notification to constitute the Sub-Committee. The Notification shall clearly state the Terms of Reference (TOR) of the Sub-Committee. **The Competent Authority may give the Term of Reference (TOR) for the Sub-committee and consent to make formal notification to constitute the sub-Committee by the Regional Director, CPCB, RDNE Shillong.**

Thanking you

Yours faithfully

Z. Changsan
(Z. Changsan)
Regional Director

Tel: 0364-2522859/2520923, Fax: 0364-2520805, email: zoshillong.cpcb@nic.in



ANDHRA PRADESH POLLUTION CONTROL BOARD

D. No. 33-26-14 D/2, Near Sunrise Hospital, Pushpa Hotel Centre,

Chalamalavari Street, Kasturibaipet, Vijayawada – 520 010

Website: <https://pcb.ap.gov.in/>

Circular No: APPCB/UH-IV/HO-VJA/Petcoke/2020-

13/03/2020

Circular

Sub:	APPCB - HO - UH:IV - Policy for use of Pet Coke and Furnace Oil as a fuel in the State of Andhra Pradesh
Ref:	Orders passed by Hon'ble National Green Tribunal in Original Application No.67/2019 filed by Sumit Kumar vs State of Himachal Pradesh.

Shri M.C. Mehta had filed a Writ Petition (s) (Civil) No. 13029/1985 before the Hon'ble Supreme Court of India against the Union of India & Ors., regarding prohibition on use of pet coke and Furnace oil in industries in the NCR state of Haryana, Uttar Pradesh and Rajasthan, wherein, the Hon'ble Supreme Court of India vide order dated 17/11/2017 directed all the State Government and Union Territories to consider similar measures.

Subsequently, the Hon'ble Supreme Court has passed various orders dated 13/12/2017, 05/02/2018, 26/07/2018, 09/10/2018 and in its order dated 09/10/2018, taken on record the Report of Central Pollution Control Board regarding use of pet coke as feed stock in Calcined Petroleum Coke (CPC) units wherein it was recommended that due to emission of SO₂ is in high concentration the emission needs to be treated in Flue-gas desulfurization (FGD) systems having removal efficiency more than 90%.

Sumit Kumar has filed an Original Application bearing No.67/2019 against State of Himachal Pradesh & Ors with clubbed matter before the Hon'ble National Green Tribunal Principal Bench, New Delhi, for prohibition on use of pet coke and furnace oil as a fuel.

In the aforesaid matter, the Hon'ble NGT vide order dated 28/03/2019 has accepted Report of the Central Pollution Control Board and directed the CPCB to issue appropriate directions in this regard to the concerned States indicating corrective measures against those who failed to comply with the directions.

In compliance of the aforesaid directions, the Central Pollution Control Board has issued directions u/s 5 of the Environment (Protection) Act, 1986 vide letter dated B/08/2019 directed all States and Union Territories for preparation of policy on use of pet Coke and Furnace Oil as follows,

- i. State Government/Union Territory Administration shall formulate and

enforce fuel policy regarding use of pet coke and furnace oil in the State/Union Territory in light of various orders passed by Supreme Court regarding use of pet coke and furnace oil in Writ Petition (C) No 13029/1985.

- ii. *State Government / Union Territory Administration through respective SPCB / PCC shall take strict action against any industry, if found violation of the fuel policy on use of pet coke and furnace oil that will be enforced as above, using the powers conferred under environmental laws.*

The Pet Coke is mostly used as an alternate fuel in cement plants, captive power plants of cement plants and thermal power plants etc. The Pet Coke is having higher calorific value (Net calorific value 7800-8400 Kcal/kg) and higher sulphur content (4.0- 7.9 %). The SO₂ emissions are likely to be higher when Pet Coke is used as a fuel requiring efficient sulphur recovery / emission control systems.

The Government of Andhra Pradesh vide G.O. Ms. No. 71 Dated: 01-11-2017 has permitted the use of Pet Coke as an approved fuel under clause (d) of section 2 of the Air (Prevention and Control of Pollution) Act, 1981, subject to installation of required air pollution control systems by the industries using Pet Coke, so that, emission norms prescribed for air pollution control as specified by Andhra Pradesh Pollution Control Board from time to time are adhered to by every such industry and taking adequate pollution control measures as per the conditions of the consent granted.

Now, the Hon'ble National Green Tribunal (NGT), New Delhi vide order dt: 07.01.2020 issued an order regarding the steps to be taken for controlling the use of Pet-coke and Furnace oil as fuel in the issue of Original Application No 67 of 2019 and Original Application No 138 / 2019.

Accordingly, the following policy is framed for use of Pet Coke & Furnace Oil as Fuel:

A. Petcoke:

- I. The industries which are using petcoke as fuel shall install the scrubbing system or any other proven system like Flue Gas Desulphurization unit (FGD) to reduce the SO₂ load with minimum efficiency of 90%, within 6 months.

- II. The industries will be required to install all the requisite air pollution control systems & take all air pollution control measures so as to achieve the emission standards for SO₂ emission and providing minimum stack height, as prescribed in Schedule - I of the Environment (Protection) Rules, 1986, framed under the Environment (Protection) Act, 1986, as amended from time to time.
- III. Large & medium scale units, which are using petcoke as fuel shall install online continuous emission monitoring systems within 3 months i.e., by 30.06.2020.
- IV. All industries located in critically polluted area (CPA) and severely polluted area (SPA) based on the CEPI score shall not use the petcoke as fuel and shall switch over to the clean fuels like LDO, CNG etc., within 1 year.
- V. Usage of petcoke is allowed as a feed stock or in manufacturing process in cement, lime Kiln, Calcium carbide and gasification industries duly obtaining consent under air act specifically for usage of petcoke.
- VI. The industries which are using petcoke shall provide the minimum stack height based on the formula $H=14 (Q)^{0.3}$ (H is the physical stack height & Q is the SO₂ emission load at generation in kg/hr).

B. Furnace Oil (FO):

- a. All industries located in critically polluted area (CPA) based on the CEPI score and using Furnace Oil shall install the scrubbing system or any other proven system to reduce the SO₂ load with minimum efficiency of 90% within 6 months.
- b. Large scale units located in critically polluted area (CPA) and using Furnace Oil as fuel shall install online continuous emission monitoring systems within 6 months.
- c. Industries using furnace oil shall provide the stack height as per the following formula within 6 months:

$$H=14 (Q)^{0.3}$$

Where,

H is the physical stack height;

Q is the SO₂ emission load at generation in kg/hr.

In view of the above, all Regional Officers & Zonal Officers are directed to follow this policy with immediate effect.

VIVEK YADAV IAS, MS(VY), O/o MEMBER SECRETARY-APPCB

MEMBER SECRETARY

To

All ZOs & ROs.

Copy submitted to the Special Chief Secretary to the Government, EFS&T Dept, Govt. of Andhra Pradesh for kind information.

Copy to the Commissioner of Industries, Industries Department, Vijayawada for information.

Copy to all divisional heads, Board Office, Vijayawada for information and necessary action.

Signature valid

Digitally signed by Vivek Yadav
Date: 2020.03.13 17:50:56 IST
Reason: Approved





Pollution Control Board, Assam

(Department of Environment & Forests : : Government of Assam)

অসম প্ৰদূষণ নিয়ন্ত্ৰণ পৰিষদ

(অসম চৰকাৰৰ বন আৰু পৰিৱেশ বিভাগ)

No. WB/T-235/19-20/30

Dated Guwahati, the 25th Nov, 2019

To

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Mr. Nazimuddin
Divisional Head-IPC-II
Central Pollution Control Board,
"Parivesh Bhawan",
C.B.D. Cum Office Complex,
East Arjun Nagar, Shahdara,
Delhi – 110032.

Sub: Direction under Section 5 of the Environment (Protection) Act, 1986 regarding preparing a policy on use of Petcoke & Furnace Oil – reg.

Ref: i) Your letter No. B-33014/7/2019/IPC-II/TPP dtd. 19.09.2019.
ii) Your email dtd. 08.11.2019.

Dear Sir,

With reference to the above subject, it is to inform that this office has already prepared a draft policy regarding preparing a policy on use of petcoke & furnace oil and forwarded the same to Govt. of Assam, Environment & Forests Department vide this office letter No. WB/GUW/T-235/19-20/11/1981 dtd. 11.10.2019 (photocopy enclosed).

This is for favour of your kind information.

Yours faithfully,

Member Secretary (i/c)

Encl: As stated

Memo No. WB/T-235/19-20/30-A,

Dated Guwahati, the 25th Nov, 2019

Copy to:

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1. P.A. to the Chairman, PCBA for kind appraisal of the Hon'ble Chairman.
2. The Regional Director, CPCB, North Eastern Zonal Office, "TUM SIR", Lower Motinagar, Near Fire Brigade H.Q., Shillong – 793014 for information.

Member Secretary (i/c)

OIC

147



Pollution Control Board, Assam

(Department of Environment & Forests : : Government of Assam)

অসম প্রদূষণ নিয়ন্ত্রণ পৰিষদ

(অসম চৰকাৰৰ বন আৰু পৰিৱেশ বিভাগ)

(An ISO 9001:2008 & BS OHSAS 18001:2007 Certified Organisation)

No. WB/T-235/19-20/68

To

Dated Guwahati the 11th Sept, 2020

SLP
By 22/9/20
SB/SH
Nazimuddin
Scientist 'E'
Central Pollution Control Board,
"Parivesh Bhawan",
C.B.D. Cum Office Complex,
East Arjun Nagar, Shahdara,
Delhi - 110032.

Sub: Status of Finalization of Fuel Policy in reference to Hon'ble NGT Order dtd. 07.01.2020 in O.A. No. 67/2019 with O.A. No. 138/2019.

Ref: Board's earlier letter No. WB/T-235/19-20/30/2410 dtd. 25.11.2019.

Sir,

With reference to the subject cited above, it is to inform you that Board has already prepared the draft fuel policy on use of pet coke and furnace oil in the month of October, 2019 and the same has been forwarded to Environment & Forest Department, Govt. of Assam for finalization of the fuel policy vide letter No. as under:

- i) No. WB/T-235/19-20/11/1981 dtd. 11.10.2019.
- ii) No. WB/T-235/19-20/22/2118 dtd. 25.10.2019.
- iii) No. WB/T-235/19-20/32/2412 dtd. 25.11.2019.
- iv) No. WB/T-235/19-20/50/3672 dtd. 13.03.2020.
- v) No. WB/T-235/19-20/56/3836 dtd. 23.03.2020.

This is for your kind information.

Yours faithfully,

Encl: Photocopy of the letters.

[Signature]

Member Secretary (i/c)

Dated Guwahati the 11th Sept, 2020

Memo No. WB/T-235/19-20/68-A,

Copy to:

1. P.A. to the Chairman, PCBA for kind appraisal of the Hon'ble Chairman.
2. The Regional Director, CPCB, North Eastern Zonal Office, "TUM SIR", Lower Motinagar, Near Fire Brigade H.Q., Shillong - 793014 for kind information.
3. The Joint Secretary to the Govt. of Assam, Environment & Forest Deptt., Dispur, Guwahati-6 for kind information.

Member Secretary (i/c)

148

Head Office : Bamunimaidam, Guwahati - 781021, Assam : India.

Phone : 2652774 & 2550258 : Fax : 0361-2550259 ; Gram : POLLUTIONCONTROL

E-mail : membersecretary@pcbassam.org; Website : www.pcbassam.org

Regional Offices at : Dibrugarh, Golaghat, Sibsagar, Tezpur, Guwahati, Bonjaidoon, Nagaon & Silchar.



Pollution Control Board, Assam

(Department of Environment & Forests : : Government of Assam)

অসম প্রদূষণ নিয়ন্ত্রণ পৰিষদ

(অসম চৰকাৰৰ বন আৰু পৰিবেশ বিভাগ)

(11)

No. WB/GUW/T-235/19-20/11/1981

Dated Guwahati, the 11th Oct, 2019

To

The Additional Chief Secretary to the Govt. of Assam
Environment & Forests Department
Dispur, Guwahati-781006

Sub: Direction under Section 5 of the Environment (Protection) Act, 1986 regarding preparing a policy on use of pet coke and furnace oil.

Ref: Your letter No. ENG.3/2019/60 dtd. 09.10.2019.

Sir,

With reference to the above subject, I have the honour to inform you that the Board is of the view that a high level committee be constituted including representatives from the Deptt. of Env. and Forest, Industries Deptt. Govt. of Assam, Pollution Control Board, Assam and one expert in the field of Petroleum Technology from Educational / Research Institution to prepare the policy and to finalize the same.

However, I am enclosing herewith a draft policy prepared by Pollution Control Board, Assam on use of pet coke and furnace oil in the light of various orders passed by the Hon'ble Supreme Court of India and Hon'ble National Green Tribunal.

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

Yours faithfully

Encl: As Stated.

Member Secretary (i/c)

Memo No. WB/GUW/T-235/19-20/11-A/1981

Dated Guwahati, the 11th Oct, 2019

Copy to:

P.A. to the Chairman, PCBA for kind appraisal of the Hon'ble Chairman.

Member Secretary (i/c)

o/c

~

149



Pollution Control Board, Assam

(Department of Environment & Forests : : Government of Assam)

অসম প্ৰদূষণ নিয়ন্ত্ৰণ পৰিষদ

(অসম চৰকাৰৰ বন আৰু পৰিৱেশ বিভাগ)

No. WB/GUW/T-235/19-20/22

Dated Guwahati, the 25th Oct, 2019

To

২১১৪

Smti N. Dutta, ACS
The Additional Secretary to the Govt. of Assam
Environment & Forests Department
Dispur, Guwahati-781006

Sub: Direction under Section 5 of the Environment (Protection) Act, 1986 regarding preparing a policy on use of pet coke and furnace oil.

Ref: Your letter No. ENG.3/2019/60 dtd. 09.10.2019.

Madam,

With reference to the above subject, it is to inform that the Board has already submitted the draft policy prepared by Pollution Control Board, Assam on use of pet coke and furnace oil in the light of various orders passed by the Hon'ble Supreme Court of India and Hon'ble National Green Tribunal vide this office letter No. WB/GUW/T-235/19-20/11/1981 dtd. 11.10.2019. However, the copy of the same again enclosed herewith.

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

Yours faithfully

Encl: As Stated (3 sheets)

২ Member Secretary (i/c)

Memo No. WB/GUW/T-235/19-20/22-A

Dated Guwahati, the 25th Oct, 2019

Copy to:

২১১৪

P.A. to the Chairman, PCBA for kind appraisal of the Hon'ble Chairman.

২ Member Secretary (i/c)

OK

150

Head Office : Bamunimaidam, Guwahati - 781021, Assam : India.

Phone : 2652774 & 2550258 : Fax : 0361-2550259 ; Gram : POLLUTIONCONTROL

E-mail : membersecretary@pcbassam.org ; Website : www.pcbassam.org

Regional Offices at : Dibrugarh, Golaghat, Sibsagar, Tezpur, Guwahati, Bongaigaon, Nagaon & Silchar.

Pollution Control Board, Assam

(Department of Environment & Forests : : Government of Assam)

অসম প্ৰদূষণ নিয়ন্ত্ৰণ পৰিষদ

(অসম চৰকাৰৰ বন আৰু পৰিৱেশ বিভাগ)

No. WB/T-235/19-20/32

Dated Guwahati, the 25th Nov, 2019

To

2412
Smiti N. Dutta, ACS
Addl. Secretary to the Govt. of Assam
Environment and Forest Department
Dispur, Guwahati-781006

Sub: Direction under Section 5 of the Environment (Protection) Act, 1986 regarding preparing a policy on use of Petcoke & Furnace Oil – reg.

Sir,

With reference to the above subject, I would like to inform that this office received a letter from the Govt. of Assam, Environment & Forests department vide No. ENG.3/2019/52 dtd. 16.09.2019 regarding the above subject and again received another letter vide No. ENG.3/2019/66 dtd. 09.10.2019 on the same subject. This office has already sent the reply of the Govt. of Assam letter No. ENG.3/2019/66 dtd. 09.10.2019 vide this office letter No. WB/GUW/T-235/19-20/11/1981 dtd. 11.10.2019.

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

Yours faithfully

Encl: As stated

[Signature]

Member Secretary (i/c)

Memo No. WB/T-235/19-20/32-A

Dated Guwahati, the 25th Nov, 2019

Copy to:

2412
P.A. to the Chairman, PCBA for kind appraisal of the Hon'ble Chairman.

[Signature]
Member Secretary (i/c)

OK

151

Pollution Control Board, Assam

(Department of Environment & Forests : : Government of Assam)

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

No. WB/T-235/19-20/50

Dated Guwahati, the 13th March, 2020

To

3672
The Principal Secretary to the Govt. of Assam
Environment & Forests Department
Dispur, Guwahati-781006

Sub: Status of Finalization of Fuel Policy in reference to Hon'ble NGT Order dtd. 07.01.2020 in O.A. No. 67/2019 with O.A. No. 138/2019.

Ref: Letter received from CPCB via email dtd. 06.03.2020.

Sir,

With reference to above subject, please find herewith the copy of order of Hon'ble NGT dtd. 07.01.2020 received from CPCB via email as referred above. It has been mentioned in the order that 13 States including Assam have not submitted fuel policy on use of petcoke & furnace oil and directed to submit the same by 31.03.2020. It is also directed that if there is non compliance after 31.03.2020, the defaulting State will be liable to pay compensation at the rate Rs. 1 Lakh per month from 01.04.2020 till compliance. It may be mentioned here that the Board has already submitted its recommendation to Environment & Forests Department, Govt. of Assam for use of fuels in various sectors for preparation of policy regarding use of petcoke and furnace oil in various sectors of the state as per direction of the Hon'ble NGT vide this office letter No. WB/T-235/19-20/40/2493 dtd. 29.11.2019 (photocopy enclosed).

This is for favour of your kind information & necessary action please.

With regards.

Yours faithfully

Encl: As stated

~ **Member Secretary (i/c)**

Memo No. WB/T-235/19-20/50-A

Dated Guwahati, the 13th March, 2020

Copy to:

3672
P.A. to the Chairman, PCBA for kind appraisal of the Hon'ble Chairman.

~ **Member Secretary (i/c)**

OK

152

Head Office : Bamunimaidam, Guwahati - 781021, Assam : India.

Phone : 2652774 & 2550258 : Fax : 0361-2550259 ; Gram : POLLUTIONCONTOL

E-mail : membersecretary@pcbassam.org ; Website : www.pcbassam.org

Regional Offices at : Dibrugarh, Golaghat, Sibsagar, Tezpur, Guwahati, Bongaigaon, Nagaon & Silchar.



Pollution Control Board, Assam

(Department of Environment & Forests : : Government of Assam)

অসম প্ৰদূষণ নিয়ন্ত্ৰণ পৰিষদ

(অসম চৰকাৰৰ বন আৰু পৰিবেশ বিভাগ)

No. WB/T-235/19-20/56

Dated Guwahati, the 23rd March, 2020

To

3836
The Joint Secretary to the Govt. of Assam
Environment & Forests Department
Dispur, Guwahati-781006

Sub: Status of Finalization of Fuel Policy in reference to Hon'ble NGT Order dtd. 07.01.2020 in O.A. No. 67/2019 with O.A. No. 138/2019.

Ref: i) Letter received from CPCB via email dtd. 20.03.2020.
ii) This office letter No. WB/T-235/19-20/50 dtd. 13.03.2020.

Sir,

With reference to above subject, please find herewith the copy of order of Hon'ble NGT dtd. 07.01.2020 received from CPCB via email as referred above. It has been mentioned in the order that 13 States including Assam have not submitted fuel policy on use of petcoke & furnace oil and directed to submit the same by 31.03.2020. It is also directed that if there is non compliance after 31.03.2020, the defaulting State will be liable to pay compensation at the rate Rs. 1 Lakh per month from 01.04.2020 till compliance. It may be mentioned here that the Board has already submitted its recommendation to Environment & Forests Department, Govt. of Assam for use of fuels in various sectors for preparation of policy regarding use of petcoke and furnace oil in various sectors of the state as per direction of the Hon'ble NGT vide this office letter No. WB/T-235/19-20/40/2493 dtd. 29.11.2019 (photocopy enclosed). It may be mentioned here that this office has already communicated to you on the matter vide letter under reference no. (ii) (photocopy enclosed).

This is for favour of your kind information & necessary action please.

With regards.

Yours faithfully

Enclo: As stated

n Member Secretary (i/c)

Memo No. WB/T-235/19-20/56-A

Dated Guwahati, the 23rd March, 2020

Copy to:

3836

1. The Principal Secretary to the Govt. of Assam, Environment & Forests Department, Dispur, Guwahati-6 for kind information.
2. P.A. to the Chairman, PCBA for kind appraisal of the Hon'ble Chairman.

n Member Secretary (i/c)

OLG

153

GOVERNMENT OF ASSAM
ENVIRONMENT AND FOREST DEPARTMENT
DISPUR, GUWAHATI - 6

No. ENG.3/2019/177

Dated Dispur, the 25th September, 2020

From : Shri I. Kalita, ACS,
Additional Secretary to the Govt. of Assam,
Environment & Forest Department.

To : Nazimuddin, Scientist 'E',
Central Pollution Control Board,
"Parivesh Bhawan",
C.B.D. Cum Office Complex,
East Arjun Nagar, Shahdara,
Delhi - 110032.

Sub : Status report on finalization of "draft Fuel Policy" in reference to
Hon'ble NGT order dated 07.01.2020 in O.A. No. 67/2019 with
O.A. No. 138/2019 - reg.

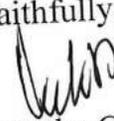
Ref : Letter No. WB/T-235/19-20/68, dated 11.09.2020.

Sir,

In inviting a reference to the letter on the subject cited above, I am directed to say that in view of the order dated 07.01.2020 in O.A. No. 67/2019 with O.A. No. 138/2019 passed by Hon'ble NGT, a draft Fuel Policy has been formulated and the same has been endorsed to Industries & Commerce Department, Finance Department and Judicial Department, Assam for their views on the draft policy so that it can be placed before the Hon'ble Cabinet for approval.

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

Yours faithfully,


Additional Secretary to the Govt. of Assam,
Environment & Forest Department.

Memo No. ENG.3/2019/177-A

Dated Dispur, the 25th September, 2020

Copy to:

The Member Secretary (i/c), Pollution Control Board, Bamunimaidam,
Guwahati -21 for kind information.

By order etc.,


Additional Secretary to the Govt. of Assam,
Environment & Forest Department.

154



BI HAR STATE POLLUTION CONTROL BOARD

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

EPABX-0612-2261250/2262265, Fax-0612-2261050

Ref. No. B-2958

From,

Alok Kumar,
Member Secretary.

To,

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



Sub:-State Fuel Policy on use of Pet Coke and Furnace Oil.

- Ref: 1. Direction of CPCB under section 5 of the Environment (Protection) Act, 1986 regarding preparation of State Policy on use of Pet Coke and Furnace Oil vide letter no.B-33014/07/2019/IPC-II/5747-5778,dated-23.08.2019.
2. Order of the Hon'ble NGT dated-28.03.2019 and 07.01.2020 in O.A. No. 138/2019 in the matter of Sumit Kumar Vs Union of India & Ors.

Sir,

Please find enclosed herewith 'State Fuel Policy on use of Pet Coke and Furnace Oil (Fuel Oil)' notified by the State of Bihar vide Department of Environment, Forest & Climate Change, Govt. of Bihar Resolution No. 890(E), dated-29.06.2020 in compliance with the aforesaid direction of CPCB and order of the Hon'ble NGT in O.A. No. 138/2019 in the matter of Sumit Kumar Vs Union of India & Ors.

Encl: As above.

Yours faithfully,


(Alok Kumar)
Member Secretary.

IPC/11
14/7/20
SB-sep
SB-64

बिहार सरकार
पर्यावरण, वन एवं जलवायु परिवर्तन विभाग

संकल्प

पर्या०/वन (मु०) 19/2017-...../प०व०ज०प०, पटना-14, दिनांक-.....

विषय:- बिहार राज्य में पेट-कोक एवं फर्नेस ऑयल के उपयोग के विनियमन हेतु ईंधन नीति।

कच्चा पेट्रोलियम कोक (Raw Petroleum Coke), जिसे अक्सर पेट-कोक कहा जाता है, तेल शोधन कारखानों में तेल शोधन प्रक्रिया के दौरान जनित एक कार्बन-युक्त ठोस है। फर्नेस ऑयल भी कच्चे तेल के शोधन प्रक्रिया से भारी घटक के रूप में प्राप्त किया जाता है। सामान्यतया कोयले (0.5 से 1.0%) की तुलना में पेट-कोक (06 से 7.5%) एवं फर्नेस ऑयल (3.5%) में सल्फर की मात्रा अधिक होने के कारण इनके दहन से सल्फर-डाइ-ऑक्साइड का उत्सर्जन कई गुणा अधिक होता है।

2. माननीय सर्वोच्च न्यायालय द्वारा रिट याचिका संख्या (सिविल) संख्या 13029/1985 के संदर्भ में दिनांक 24.10.2017 को पारित आदेश द्वारा एन.सी.आर क्षेत्र के उद्योगों में पेट कोक और फर्नेस ऑयल के उपयोग पर प्रतिबंध लगाया गया है। पुनः माननीय सर्वोच्च न्यायालय ने माना है कि पेट-कोक और फर्नेस ऑयल के कारण होने वाला प्रदूषण केवल एन.सी.आर. क्षेत्र तक ही सीमित नहीं है, बल्कि देश के लगभग सभी राज्यों/केन्द्र शासित प्रदेशों के लिए भी एक समस्या है।

3. माननीय सर्वोच्च न्यायालय द्वारा पारित आदेश के आलोक में पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार द्वारा भारत में आयातित पेट-कोक के विनियमन एवं अनुश्रवण हेतु ज्ञापांक 18011/54/2018 CPA दिनांक 10.09.2018 द्वारा आवश्यक दिशा-निर्देश जारी किये गये हैं। उपरोक्त के आलोक में ईंधन के रूप में पेट-कोक का उपयोग करने हेतु आयात को प्रतिबंधित किया गया है। हालांकि पेट-कोक का उपयोग फीडस्टॉक के रूप में अथवा सीमेंट, चूना-भट्टा, कैल्सियम कार्बाइड और गैसीकरण जैसे कुछ उद्योगों की विनिर्माण प्रक्रिया में करने हेतु आयात की अनुमति दी गयी है।

4. उपरोक्त के आलोक में, बिहार राज्य प्रदूषण नियंत्रण पंषद द्वारा दिनांक-23.01.2020 एवं पुनः दिनांक-30.03.2020 को प्रधान सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, बिहार सरकार की अध्यक्षता में फर्नेस ऑयल के बदले वैकल्पिक ईंधन की उपलब्धता के मुद्दों पर चर्चा करने हेतु संबंधित हितधारकों की बैठक बुलाई गयी। इंडियन ऑयल कॉर्पोरेशन लिमिटेड के प्रतिवेदन के अनुसार बिहार राज्य में औद्योगिक इकाईयों में उपयोग हेतु वर्ष 2018-19 के दौरान कुल 26,660 मीट्रिक टन फर्नेस ऑयल की आपूर्ति की गयी, जिसमें सीमेंट उद्योग (31%), पावर (24%), रोलिंग मिल (12%), डेयरी (06%), रोड इन्फ्रास्ट्रक्चर (12%), फास्ट मूविंग कंज्यूमर गुड्स (FMCG) (09%), रेलवे (01%) एवं अन्य (05%) सम्मिलित हैं।

5. राज्य के अंदर पेट-कोक का उपयोग औद्योगिक ईंधन के रूप में नहीं किया जा रहा है। फर्नेस ऑयल के विकल्प के रूप में द्रवित प्राकृतिक गैस (Liquified Natural Gas)/हल्का डीजल ऑयल (Light Diesel Oil) का उपयोग औद्योगिक ईंधन के रूप में किया जा सकता है। इंडियन ऑयल कारपोरेशन लिमिटेड (IOCL) राज्य में एल.एन.जी. (LNG) की आपूर्ति हेतु नेटवर्क विकसित करने की प्रक्रिया में है, लेकिन इसमें अभी करीब 3 वर्ष और लगेंगे।
6. उपरोक्त तथ्यों को ध्यान में रखते हुए तथा माननीय सर्वोच्च न्यायालय के आदेशों के अनुपालनार्थ राज्य सरकार पेट-कोक एवं फर्नेस ऑयल के उपयोग हेतु "ईंधन नीति" (प्रति संलग्न-हिन्दी एवं अंग्रेजी में) निर्धारित की गई है, जिसके मुख्य बिन्दु निम्नवत् हैं :-
- (i) पेट-कोक (आयातित या घरेलू स्तर पर उत्पादित) का उपयोग बिहार राज्य में किसी भी बॉयलर या भट्ठी या किसी भी प्रकार की उष्मन तंत्र (Heating system) में औद्योगिक ईंधन के रूप में नहीं किया जाएगा।
 - (ii) पेट-कोक (आयातित या घरेलू स्तर पर उत्पादित) का उपयोग फीडस्टॉक के रूप में या कुछ निश्चित श्रेणी के उद्योगों में निर्माण प्रक्रिया यथा-किलकर उत्पादन हेतु सीमेंट उद्योग में, चूना-भट्ठा, कैल्सियम कार्बाइड, गैसीफिकेशन, एल्मुनियम उद्योग में एनोड उत्पादन में एवं राज्य में कैल्साइन्ड पेट-कोक उत्पादन करने वाली कैल्साइन्ड उद्योगों में, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय के संदर्भ संख्या-Q-18011/54/2018-CPA दिनांक 10.09.2018 द्वारा पेट-कोक के विनियमन एवं अनुश्रवण हेतु अधिसूचित दिशा-निर्देश का पालन करते हुए किया जा सकता है।
 - (iii) किसी भी बॉयलर अथवा फर्नेस अथवा किसी प्रकार के मौजूदा परिचालित उद्योगों (Existing operational industries) के उष्मन तंत्र में फर्नेस ऑयल का उपयोग पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार द्वारा NOx एवं SOx के लिए अधिसूचना संख्या GSR96 (E) दिनांक 29.01.2018 द्वारा अधिसूचित तथा समय-समय पर यथा संशोधित उत्सर्जन मानकों का अनुपालन करते हुए स्वच्छ ईंधन के रूप में LNG/PNG की आपूर्ति नेटवर्क विकसित होने तक किया जा सकेगा।
 - (iv) राज्य के पटना, मुजफ्फरपुर एवं गया जैसे वायु गुणवत्ता के मानकों को पूरा नहीं करने वाले शहरों (Non-attainment cities) तथा हाजीपुर औद्योगिक क्षेत्र जैसे अतिप्रदूषित क्षेत्र में नए/अथवा प्रस्तावित उद्योगों द्वारा फर्नेस ऑयल का उपयोग ईंधन के रूप में नहीं किया जायेगा।
 - (v) फर्नेस ऑयल आधारित उद्योगों को अन्य स्वच्छ ईंधन तकनीक में परिवर्तन हेतु अनुदान दिये जाने के संबंध में उद्योग विभाग, बिहार द्वारा अलगसे निर्णय लिया जा सकेगा।

बिहार राज्यपाल के आदेश से

ह0/-

(दीपक कुमार सिंह)

राज्यपाल के प्रधान सचिव

ज्ञापांक-पर्या०/वन (मु०) 19/2017-...../प०व०ज०प०, पटना-14, दिनांक-.....

प्रतिलिपि- ई० गजट कोषांग, वित्त विभाग को बिहार, पटना को सी० डी० एवं दो अतिरिक्त प्रतियों के साथ बिहार राजपत्र के अगले असाधारण अंक में प्रकाशन हेतु प्रेषित।

ह०/-

(दीपक कुमार सिंह)

सरकार के प्रधान सचिव

ज्ञापांक-पर्या०/वन (मु०) 19/2017-...../प०व०ज०प०, पटना-14, दिनांक-.....

प्रतिलिपि- राज्यपाल बिहार के प्रधान सचिव/महालेखाकार, बिहार, पटना/प्रधान सचिव, मुख्यमंत्री सचिवालय, बिहार, पटना/उप मुख्य (पर्यावरण, वन एवं जलवायु परिवर्तन विभाग) मंत्री के आप्त सचिव, बिहार/मुख्य सचिव के आप्त सचिव, बिहार/सभी विभागीय अपर मुख्य सचिव/सभी प्रधान सचिव, बिहार/सभी सचिव, बिहार/सभी प्रमंडलीय आयुक्त, बिहार/सभी जिला पदाधिकारी बिहार को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

ह०/-

(दीपक कुमार सिंह)

सरकार के प्रधान सचिव

ज्ञापांक-पर्या०/वन (मु०) 19/2017-...../प०व०ज०प०, पटना-14, दिनांक-.....

प्रतिलिपि- प्रधान सचिव, मंत्रिमंडल सचिवालय, बिहार पटना को मंत्रिपरिषद् की बैठक दिनांक-26.06.2020 में मद संख्या-15 के रूप में सम्मिलित एवं स्वीकृत प्रस्ताव के अनुपालन के क्रम में प्रेषित।

ह०/-

(दीपक कुमार सिंह)

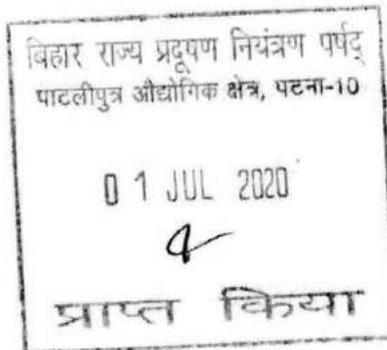
सरकार के प्रधान सचिव

ज्ञापांक-पर्या०/वन (मु०) 19/2017-~~8906~~/प०व०ज०प०, पटना-14, दिनांक-29/06/2020

प्रतिलिपि- सदस्य सचिव, बिहार राज्य प्रदूषण नियंत्रण पर्वद, पटना को सूचनार्थ आवश्यक कार्रवाई हेतु प्रेषित।

(दीपक कुमार सिंह)

सरकार के प्रधान सचिव



पेट कोक एवं फर्नेश ऑयल पर
राज्य की ईंधन नीति



बिहार सरकार

पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, बिहार सरकार

(बिहार राज्य प्रदूषण नियंत्रण पर्षद् के परामर्श से तैयार)

पृष्ठभूमि:

देश में वायु प्रदूषणके निवारण एवं नियंत्रण हेतु भारतीय संसद द्वारा पारित/अधिनियमित वायु (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1981 एवं पर्यावरण (संरक्षण) अधिनियम, 1986 व्यापक कानून हैं।

वायु (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1981 की धारा 19 की उपधारा(1) में प्रदत्त शक्तियों का प्रयोग करते हुए राज्य सरकार द्वारा बिहार राज्य प्रदूषण नियंत्रण पर्षद के परामर्श से अधिसूचना संख्या 135 दिनांक 08.03.1988 द्वारा सम्पूर्ण बिहार राज्य को "वायु प्रदूषण नियंत्रण क्षेत्र" घोषित किया गया है।

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार द्वारा पर्यावरण (संरक्षण) नियमावली, 1986 के तहत दिनांक 16.11.2009 को राष्ट्रीय परिवेशीय वायु गुणवत्ता मानक अधिसूचित किया गया है। केन्द्रीय प्रदूषण नियंत्रण बोर्ड, दिल्ली द्वारा भी वायु (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1981 के प्रावधानों के तहत राष्ट्रीय परिवेशीय वायु गुणवत्ता मानक दिनांक 18.11.2009 को अधिसूचित किया गया है।

बिहार राज्य प्रदूषण नियंत्रण पर्षद, राज्य में परिवेशीय वायु गुणवत्ता से संबंधित मानक अनुपालन सुनिश्चित करने तथा राज्य सरकार को वायु प्रदूषण के निवारण, नियंत्रण एवं उपशमन (abatement) के लिए परामर्श देने हेतु उत्तरदायी है।

वायु प्रदूषण के मानकों का अनुपालन नहीं करने वाले शहरों (Non-attainment cities) यथा—पटना, मुजफ्फरपुर एवं गया तथागंभीर प्रदूषित क्षेत्र (हाजीपुर औद्योगिक क्षेत्र) में वायु प्रदूषण का स्तर विशेष रूप से जाड़े के मौसम में एक गंभीर चिंता का विषय रहा है। मानकों को पूरा नहीं करने वाले शहरों (Non-attainment cities) में वायु प्रदूषण के निवारण एवं नियंत्रण तथा हाजीपुर औद्योगिक क्षेत्र में पर्यावरणीय गुणवत्ता बनाये रखने एवं व्यापक पर्यावरण प्रदूषण सूचकांक (Comprehensive Environmental Pollution Index) को नीचे लाने हेतु कार्ययोजना बनाये गये हैं। औद्योगिक इकाइयों द्वारा कोयला, पेट-कोक, एच.एस.डी. फर्नेस ऑयल, एल.पी. जी., कृषि आधारित ईंधन जैसे पेराई उपरान्त ईख के अवशेष (Bagasse) धान की भूसी आदि का उपयोग किया जाता है। उपरोक्त वर्णित कार्य-योजनाओं (Action Plan) में औद्योगिक प्रदूषण नियंत्रण भी सम्मिलित है।

कच्चा पेट्रोलियम कोक (Raw Petroleum Coke): आर.पी.सी. (जिसे अक्सर पेट-कोक कहा जाता है) तेल शोधन कारखानों के कोकर इकाई अथवा अन्य टूटने (Cracking) की प्रक्रिया से प्राप्त एक कार्बन-युक्त (Carbonaceous) ठोस है। पेट्रोलियम कोक (Pet Coke) कच्चे तेल के शोधन के दौरान जनित एक उप-उत्पाद (by product) है जबकि अन्य कोक परंपरागत रूप से कोयले से प्राप्त किया जाता है। कच्चा पेट्रोलियम कोक एक किफायती घरेलू एवं औद्योगिक ईंधन है। इसका उपयोग ईंधन के रूप में (ईंधन श्रेणी कोक को सामान्यतया पेट-कोक कहा जाता है) अथवा सूखी बैट्री (dry cell), इलेक्ट्रॉड आदि (एनोड श्रेणी का कोक) के उत्पादन में किया जाता है। कम धातु युक्त आर.पी.सी. को एनोड ग्रेड कोक के रूप में जाना जाता है। अधिक धातुयुक्त कोक को कलसाइन्ड करने हेतु जलाया जाता है। ऐसे आर. पी.सी. (RPC) को ईंधन श्रेणी कोक कहा जाता है।

सामान्यतः पेट कोक में स्टीम कोयले की अपेक्षा कम राख (<0.5%), कम आद्रता (8-10%) एवं कम वाष्पशील पदार्थ (Volatiles 8-10%) होते हैं, फलस्वरूप इनकी उच्चदहन क्षमता/कैलोरीमान 8000 किलो कैलोरी/प्रति किलोग्राम होती है। सामान्यतया कोयले की तुलना में जहां सल्फर की मात्रा 0.5 से 1.0% होती है, पेट कोक में इसकी मात्रा 6-7.5% तक पायी जाती है।

केन्द्रीय प्रदूषण नियंत्रण बोर्ड, दिल्ली की एक रिपोर्ट (संदर्भ: एन.सी.आर के लिए पर्यावरणीय प्रदूषण (निवारण एवं नियंत्रण) प्राधिकार) के अनुसार थर्मल पावर प्लांट में कोयले की अपेक्षा पेट कोक के उपयोग से उत्सर्जन की मात्रा 5 से 6 गुणा अधिक होती है जबकि 15-40 टन प्रति घंटा स्टीम उत्पादन क्षमता वाले औद्योगिक बॉयलर में यह 3 से 6 गुणा अधिक होती है।

सीमेंट उद्योग के विनिर्माण प्रक्रिया में (ईंधन के रूप में नहीं) पेट कोक उपयोगी है क्योंकि सल्फर, कैल्सियम सल्फेट (CaSO_4) में परिवर्तित होकर, यह जिप्सम की आवश्यकता को कम करता है। एनोड श्रेणी के कच्चे पेट्रोलियम कोक के कैल्साइनेशन (Calcination) से कैल्साइन्ड पेट्रोलियम कोक (सी.पी.सी.) बनाया जाता है। कैल्साइन्ड पेट्रोलियम कोक का उपयोग एल्यूमिनियम, स्टील और टाइटेनियम गलाने वाले उद्योग के लिए एनोड बनाने के लिए किया जाता है।

ईंधन तेल (Fuel Oil) जिसे फर्नेस ऑयल भी कहा जाता है, कच्चे तेल के शोधन की प्रक्रिया में भारी घटक (heavier Component) के रूप में प्राप्त किया जाता है। फर्नेस ऑयल में भी सल्फर की मात्रा अधिक (3.5% तक) होती है। अतः इससे भी अधिक सल्फर डाइआक्साइड (SO_2) का उत्सर्जन होता है।

माननीय सर्वोच्च न्यायालय द्वारा रिट याचिका संख्या (सिविल) संख्या 13029/1985 के संदर्भ में दिनांक 24.10.2017 को पारित आदेश द्वारा एन.सी.आर क्षेत्र के उद्योगों में पेट कोक और फर्नेस ऑयल के उपयोग पर प्रतिबंध लगाया गया है। पुनः माननीय सर्वोच्च न्यायालय ने महसूस किया कि पेट कोक और फर्नेस ऑयल के कारण होने वाला प्रदूषण केवल एन.सी.ओ. आर. तक ही सीमित नहीं है, बल्कि देश के लगभग सभी राज्यों/केन्द्र शासित प्रदेशों के लिए भी एक समस्या है। माननीय नेशनल ग्रीन ट्रिब्यूनल (NGT) ने केन्द्रीय प्रदूषण नियंत्रण बोर्ड, दिल्ली को निदेशित किया है कि वह सम्बन्धित राज्यों को इस संबंध में अनुपालन हेतु उचित निर्देश जारी करे। तदनुसार, केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 5 के तहत अपने पत्रांक बी- 33014/07/2019/आई.पी.सी.-II/5747-5778 दिनांक 23.08.2019 द्वारा सभी राज्यों को पेट कोक और फर्नेस ऑयल के उपयोग के बारे में एक नीति तैयार करने हेतु निम्नलिखित निदेश जारी किया गया है:-

1. माननीय सर्वोच्च न्यायालय द्वारा रिट याचिका (सिविल) संख्या 13029/1985 में पेट कोक एवं फर्नेस ऑयल के उपयोग के संबंध में पारित विभिन्न आदेशों के आलोक में राज्य सरकार/केन्द्र शासित शासन अपने-अपने क्षेत्रों में पेट कोक/फर्नेस ऑयल के उपयोग के संबंध में एक 'ईंधन नीति' तैयार कर इसे लागू करेंगे।

2. राज्य सरकार/केन्द्र शासित शासन संबंधित राज्य प्रदूषण नियंत्रण बोर्ड/प्रदूषण नियंत्रण समिति के माध्यम से पेट कोक/फर्नेस ऑयल के उपयोग पर "ईंधन नीति" का उल्लंघन करते पाये जाने की स्थिति में पर्यावरणीय कानूनों के तहत प्रदत्त शक्तियों का उपयोग करते हुए किसी भी उद्योग के खिलाफ कार्रवाई कर सकेगी।

माननीय सर्वोच्च न्यायालय द्वारा एम.सी.मेहता बनाम भारत संघ (डब्लू पी. संख्या-13029/1985) में पारित आदेश के आलोक में पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार द्वारा भारत में आयातित पेट कोक के विनियमन एवं अनुश्रवण हेतु ज्ञापांक 18011/54/2018 CPA दिनांक 10.09.2018 द्वारा आवश्यक दिशा-निर्देश जारी किए गये हैं। उपरोक्त के आलोक में ईंधन के रूप में पेट-कोक का उपयोग करने हेतु आयात को प्रतिबंधित किया गया है। हालांकि पेट कोक का उपयोग फीडस्टॉक के रूप में अथवा सीमेंट, चूना-भट्ठा, कैल्सियम कार्बाइड और गैसीकरण जैसे कुछ उद्योगों की विनिर्माण प्रक्रिया में करने हेतु आयात की अनुमति दी गयी है।

पेट-कोक में सल्फर की मात्रा अधिक होने के कारण सल्फर डाइऑक्साइड (SO₂) के उत्सर्जन की संभावना अधिक होती है। यही कारण है कि इसका उपयोग ईंधन के रूप में प्रतिबंधित किया गया है। आयातित पेट कोक एवं घरेलू स्तर पर उत्पादित पेट-कोक के बीच कोई भेद-भाव नहीं किया जा सकता है। इसलिए घरेलू स्तर पर उत्पादित पेट-कोक का ईंधन के रूप में उपयोग को प्रतिबंधित करने और सीमेंट, लाइम-भट्ठा, कैल्सियम कार्बाइड, गैसीकरण, ग्रेफाइट इलेक्ट्रोड, एल्यूमिनियम और कैल्साइन उद्योग में इसके फीडस्टॉक के रूप में उपयोग को सीमित करने हेतु विधायी/अन्य उपायों की आवश्यकता है।

उपरोक्त के आलोक में, बिहार राज्य प्रदूषण नियंत्रण पर्वद द्वारा दिनांक 23.01.2020 एवं पुनः दिनांक 30.03.2020 को प्रधान सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, बिहार सरकार की अध्यक्षता में फर्नेस ऑयल के बदले वैकल्पिक ईंधन की उपलब्धता के मुद्दों पर चर्चा करने हेतु संबंधित हितधारकों की बैठक बुलाई गयी थी। इंडियन ऑयल कॉरपोरेशन लिमिटेड के प्रतिवेदन के अनुसार बिहार राज्य में औद्योगिक इकाईयों में उपयोग हेतु वर्ष 2018-19 के दौरान कुल 26,660 मीट्रिक टन फर्नेस ऑयल की आपूर्ति की गयी जिसमें सीमेंट उद्योग (31%), पावर (24%), रोलिंग मिल (12%), डेयरी (06%), रोड इन्फ्रास्ट्रक्चर (12%), फास्ट मूविंग कंज्यूमर गुड्स (FMCG) (09%), रेलवे (01%) एवं अन्य (05%) सम्मिलित हैं। यह सूचित किया गया कि राज्य में फर्नेस ऑयल के थोक उपभोक्ता एन.टी.पी.सी., कहलगांव (5529 मीट्रिक टन), अल्ट्राटेक सीमेंट लिमिटेड (7094 मीट्रिक टन), ब्रिटॉनिया इंडस्ट्रीज लिमिटेड, हाजीपुर (1933 मीट्रिक टन), नालंदा डेयरी (1361 मीट्रिक टन), ITC मुंगेर (1131 मीट्रिक टन) और पटना अवस्थित रोलिंग मिल्स (2646 मीट्रिक टन) हैं।

इंडियन ऑयल कारपोरेशन लिमिटेड (IOCL) राज्य में एल.एन.जी (LNG) की आपूर्ति हेतु नेटवर्क विकसित करने की प्रक्रिया में है, लेकिन इसमें अभी करीब 3 वर्ष और लगेंगे। बरौनी ऑयल रिफाइनरी में ईंधन श्रेणी का पेट-कोक और फर्नेस ऑयल का उत्पादन नहीं किया जाता है। वैकल्पिक ईंधन की तुलना में फर्नेस ऑयल के सस्ता होने के कारण संबंधित उद्योगों पर करीब 33 प्रतिशत का आर्थिक भार बढ़ेगा। इसलिए उद्योग संघों द्वारा राज्य सरकार से वित्तीय अनुदान/सहायता का अनुरोध किया गया है ताकि वे फर्नेस ऑयल की जगह वैकल्पिक ईंधन का उपयोग कर सकें।

उपरोक्त तथ्यों को ध्यान में रखते हुए तथा माननीय सर्वोच्च न्यायालय के आदेशों के अनुपालनार्थ राज्य सरकार पेट-कोक एवं फर्नेस ऑयल के उपयोग हेतु राज्य नीति निम्नवत् तैयार करती है:-

- (i) पेट कोक (आयातित या घरेलू स्तर पर उत्पादित) का उपयोग बिहार राज्य में किसी भी बॉयलर या भट्ठी या किसी भी प्रकार के उष्मन तंत्र (Heating system) में औद्योगिक ईंधन के रूप में नहीं किया जाएगा।
- (ii) पेट कोक (आयातित या घरेलू स्तर पर उत्पादित) का उपयोग फीडस्टॉक के रूप में या कुछ निश्चित श्रेणी के उद्योगों में निर्माण प्रक्रिया यथा-विलंकर उत्पादन हेतु सीमेंट उद्योग में, चूना-भट्ठा, कैल्सियम कार्बाइड, गैसीफिकेशन, एल्युमिनियम उद्योग में एनोड उत्पादन में एवं राज्य में कैल्साइन्ड पेट कोक उत्पादन करने वाली कैल्साइनर उद्योगों में पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय के संदर्भ संख्या-Q-18011/54/2018-CPA दिनांक 10.09.2018 द्वारा पेट कोक के विनियमन एवं अनुश्रवण हेतु अधिसूचित दिशा-निर्देश का पालन करते हुए किया जा सकता है।
- (iii) किसी भी बॉयलर अथवा फर्नेस अथवा किसी प्रकार के मौजूदा परिचालित उद्योगों (Existing operational industries) के उष्मन तंत्र में फर्नेस ऑयल का उपयोग पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार द्वारा NOx एवं SOx के लिए अधिसूचना संख्या GSR96 (E) दिनांक 29.01.2018 द्वारा अधिसूचित तथा समय-समय पर यथा संशोधित उत्सर्जन मानकों का अनुपालन करते हुए स्वच्छ ईंधन के रूप में LNG/PNG की आपूर्ति नेटवर्क विकसित होने तक किया जा सकेगा।
- (iv) राज्य के पटना, मुजफ्फरपुर एवं गया जैसे मानकों को पूरा नहीं करने वाले शहरों (Non-attainment cities) तथा हाजीपुर औद्योगिक क्षेत्र जैसे अतिप्रदूषित क्षेत्र में नए/अथवा प्रस्तावित उद्योगों द्वारा फर्नेस ऑयल का उपयोग ईंधन के रूप में नहीं किया जायेगा।
- (v) फर्नेस ऑयल आधारित उद्योगों को अन्य स्वच्छ ईंधन तकनीक में परिवर्तन हेतु अनुदान दिये जाने के संबंध में उद्योग विभाग, बिहार द्वारा अलग से निर्णय लिया जा सकेगा।

State Fuel Policy
on
Use of Pet Coke & Furnace/Fuel Oil



Bihar Government

Department of
Environment, Forest & Climate Change,
Govt. of Bihar

Prepared in Consultation
with

Bihar State Pollution Control Board

Background:

The Air (Prevention and Control of Pollution) Act, 1981 and the Environment (Protection) Act, 1986, enacted by the Parliament are comprehensive legislations for prevention and control of air pollution & environmental protection in the country.

In exercise of the powers conferred under sub-section (1) of section 19 of the Air (Prevention & Control of Pollution) Act, 1981 and after consultation with Bihar State Pollution Control Board, State Govt. has declared entire State of Bihar as 'Air Pollution Control Area' vide Gazette Notification no. 135, dated-08.03.1988.

Ministry of Environment and Forest Govt. of India has notified National Ambient Air Quality Standards under the Environment (Protection) Rules, 1986 on 16.11.2009. Central Pollution Control Board has also notified the revised National Ambient Air Quality Standards under the provisions of the Air (Prevention and Control of Pollution) Act, 1981 on 18.11.2009.

Bihar State Pollution Control Board is mandated for maintaining ambient air quality standards in the State of Bihar and to advise the State Govt. on any matter concerning prevention, control and abatement of air pollution.

The level of air pollution in non-attainment cities (Patna, Muzaffarpur & Gaya) and Severely Polluted Area (Hajipur Industrial Area) has been a matter of serious concern particularly in winter season. Action plan has been prepared for prevention and control of air pollution in the non-attainment cities and also to maintain environmental quality in the Hajipur Industrial Area and to bring down Comprehensive Environmental Pollution Index (CEPI). Industrial units use Coal, Pet Coke, HSD, Fuel oil (furnace oil), LPG, Agro based fuel (bagasse, Rice husk) etc. The action plan includes control of industrial pollution.

Raw Petroleum Coke: RPC (often termed as **Pet coke**) is a carbonaceous solid derived from oil refinery coke (coker) units or other cracking process. While Petroleum coke is a byproduct in the refining of the crude oil, other coke has traditionally been derived from coal. Raw Petroleum coke is an economic, domestic & industrial fuel. It can be used as fuel (i.e. fuel grade coke generally called as Pet coke), or for the manufacture of dry cells, electrodes, etc. (i.e. anode grade coke). RPC with low metal content is referred to as Anode grade coke. The coke with too high metal content can be calcined and is used for burning. This RPC is called fuel grade coke.

Pet coke in general is having lower Ash (<0.5%), lower Moisture (8-10%) and lower Volatiles (8-10%) compared to steam coal, resulting in much higher heating/calorific value (8000 kcal/kg). Pet coke is generally having higher sulphur, ranging from about 6 to 7.5% compared to typical levels of 0.5 to 1.0 % in case of coal.

Emission from Pet coke usage are 5 to 6 times higher than coal in Thermal Power Plants and 3-6 times higher in industrial boilers (15-40 tones per hours steam generation capacity) as per CPCB report (Ref. Environmental Pollution (Prevention and Control) Authority for NCR).

The utilization of pet coke in the cement industries as a feedstock in the manufacturing process (not as a fuel) is useful as sulphur is converted to calcium sulphate (CaSO_4), which reduces the Gypsum requirement. Calcined Petroleum Coke (CPC) is made from calcination of anode grade Raw Petroleum Coke. The calcined petroleum coke is used to make anodes for the aluminium, steel and titanium smelting industry.

Fuel oil (FO), also called Furnace Oil is obtained as heavier component from crude oil refining process. Sulphur content in the furnace oil is also high (up to 3.5%) and hence also releases high sulphur dioxide (SO_2) emission.

The Hon'ble Supreme Court of India in its order dated-24.10.2017 in Writ Petition (Civil) 13029/1985, banned use of Pet Coke and Furnace Oil in industries in the NCR region. Further Hon'ble Supreme Court felt that the pollution caused by pet coke and furnace oil is not a problem confined only to NCR but appears to be a problem faced by almost all the States/Union Territories of the country. The Hon'ble NGT has also directed CPCB to issue appropriate directions in this regard to the concerned States to comply with. Accordingly, CPCB has issued direction to all the States under section 5 of the Environment (Protection) act, 1986 regarding preparing a policy on use of Pet Coke and Furnace Oil vide its letter no. B-33014/07/2019/IPC-II/5747-5778, dated-23.08.2019 as hereunder:-

1. State Government/Union Territories Administration shall formulate and enforce fuel policy regarding use of pet coke and FO in the State/UT in light of various orders passed by Supreme Court regarding use of pet coke and FO in Writ Petition (C) 13029/1985.
2. State Government/Union Territories Administration through respective SPCB/PCC shall take strict action against any industry if found violating the fuel policy on use of pet coke and FO that will be enforced as above, using the powers conferred under environmental laws.

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In pursuance to the order of Hon'ble Supreme Court of India in the matter of M.C. Mehta Vs. Union of India (WP no. 13029/1985), MoEF&CC, Govt. of India has issued guidelines for regulation and monitoring of imported pet coke in India vide office memorandum 18011/54/2018 CPA dated 10.09.2018. In light of the above, import of pet coke for use as a fuel is prohibited. However, import of pet coke is allowed for use as feedstock or in the manufacturing process in certain category of industries namely cement, lime kiln, calcium carbide and gasification.

Pet coke contains higher range of sulphur content and hence having high potential of SO₂ emission. There cannot be any discrimination between imported pet coke and domestically produced pet coke. Therefore, there is a need to bring out legislative/other measures to prohibit domestically produced pet coke for being used as fuel and to restrict its use for Cement, Lime Kiln, Calcium Carbide, Gasification, Graphite Electrode, Aluminium and Calciner Industries.

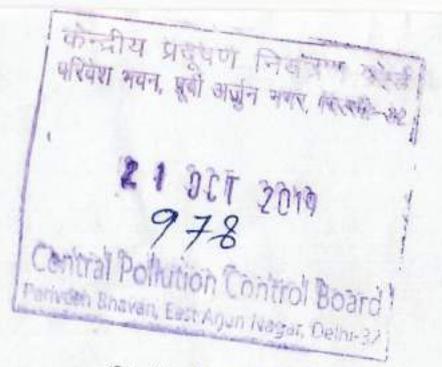
In light of the above, stakeholders meetings were convened by Bihar State Pollution Control Board on 23.01.2020 and further on 03.03.2020 under the chairmanship of the Principal Secretary, Department of Environment, Forest & Climate Change, Govt. of Bihar for discussing the issues of availability of alternative fuels against furnace oil. As per IOCL reports a total of 26660 MT per annum furnace oil was used by industrial units in the State of Bihar during 2018-19 which includes Cement Industries (31%), Power (24%), Rolling Mill (12%), Dairy (06%), Road Infrastructure (12%), Fast Moving Consumer Goods (FMCG) (09%), Railway (01%) and others (05%). Bulk consumers of furnace oil are NTPC, Kahalgaon (5529 MT during 2018-19), Ultratech Cement Ltd. (7094 MT during 2018-19), Britannia Industries Ltd., Hajipur (1933 MT during 2018-19), Nalanda Dairy (1361 MT during 2018-19), ITC, Munger (1131 MT during 2018-19) and Rolling Mills of Patna (2646 MT during 2018-19) etc.

IOCL is in process of development of LNG supply network in the State of Bihar but it will take approx. 03 years. Fuel grade pet-coke and furnace oil are not produced at the Barauni Oil Refinery. Furnace oil being cheaper than alternative fuels, shifting to cleaner fuels may add an additional financial burden of 33% approximately. Industry associations have therefore requested fiscal support from State Govt. for switching over from furnace oil.

In view of the above and in compliance with the orders of the Hon'ble Supreme Court of India, State Govt. formulates **State Policy on use of pet coke and furnace oil** as hereunder:-

- (i) Pet coke (imported or domestically produced) shall not be used as industrial fuel in any boiler or furnace or any kind of heating system in the State of Bihar.
- (ii) Pet coke (imported or domestically produced) can be used as feedstock or in the manufacturing process in certain category of industries namely Cement for clinker production, Lime Kiln, Calcium Carbide, Gasification, Anode making in Aluminium Industry and Calciner Industries producing Calcined Pet Coke in the State of Bihar by following the guidelines for regulation and monitoring of pet coke notified by the MoEF&CC, Govt. of India vide ref. no. Q-18011/54/2018-CPA, dated-10.09.2018.
- (iii) Furnace oil can be used as industrial fuel in any boiler or furnace or any kind of heating system of existing operational industries in the State of Bihar till development of supply network and availability of LNG/PNG as cleaner fuel, subject to the condition that such industries shall comply with emission standards for SO_x and NO_x notified by MoEF&CC, GoI, vide notification no. GSR 96 (E) dated 29.01.2018 as amended time to time.
- (iv) New/ proposed industries in the non-attainment cities of Bihar (Patna, Muzaffarpur & Gaya) and Severely Polluted Area (Hajipur industrial area) shall not use furnace oil as fuel.
- (v) Decision regarding giving grant to the Furnace Oil based enterprises for switching over to other clean fuel technology may be taken separately by the Industry Department, Bihar.

छत्तीसगढ़ शासन
आवास एवं पर्यावरण विभाग,
मंत्रालय,
महानदी भवन, नवा रायपुर,
अटल नगर, रायपुर (छ.ग.)



क्रमांक /F570/2017/32
प्रति,

नवा रायपुर, अटल नगर, दिनांक 15/10/2019

सदस्य सचिव
केन्द्रीय प्रदूषण नियंत्रण बोर्ड,
परिवेश भवन, पूर्वी अर्जुन नगर,
दिल्ली - 110032

विषय :- पेट कोक एवं फर्नेस ऑयल को ईंधन के रूप में उपयोग करने के संबंध में राज्य में नीति बनाने हेतु पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 5 के तहत जारी निर्देश बाबत।

संदर्भ :- केन्द्रीय प्रदूषण नियंत्रण बोर्ड का पत्र क्रमांक बी-33014/07/2019/आईपीसी-II/5747-5778, दिनांक 23/08/2019

----:OO:----

उपरोक्त विषय में लेख है कि संदर्भित पत्र के माध्यम से केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा पेट कोक एवं फर्नेस ऑयल को ईंधन के रूप में उपयोग करने के संबंध में राज्य में नीति बनाने हेतु पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 5 के तहत निर्देश जारी किये गये थे। उक्त के परिप्रेक्ष्य में छत्तीसगढ़ राज्य में छत्तीसगढ़ पर्यावरण संरक्षण मण्डल के आदेश क्रमांक 2046 दिनांक 17/07/2017 द्वारा पेट कोक केवल सीमेंट किलन में उपयोग हेतु वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 की धारा 2(D) के अंतर्गत 'एप्रूव्ड फ्यूल' घोषित किया गया है। सुलभ संदर्भ हेतु आदेश की प्रति संलग्न है।

इसी तारतम्य में राज्य शासन की अधिसूचना दिनांक 14/08/2017 द्वारा वायु (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1981 की धारा 19(3) के अंतर्गत प्रदत्त शक्तियों का उपयोग करते हुये सीमेंट प्लांट के अतिरिक्त किसी अन्य उद्योग में पेट कोक ईंधन के रूप में उपयोग को प्रतिबंधित कर दिया है। सुलभ संदर्भ हेतु आदेश की प्रति संलग्न है। उक्त के परिप्रेक्ष्य में सीमेंट उद्योगों को छोड़कर किसी अन्य उद्योग में पेट कोक को ईंधन के रूप में उपयोग करने की अनुमति नहीं दी जा रही है एवं उपरोक्त आदेशों का पालन सुनिश्चित कराया जा रहा है।

छत्तीसगढ़ राज्य में फर्नेस ऑईल का उपयोग मुख्य रूप से ऑईल फायर्ड रोलिंग मिलों एवं ताप विद्युत संयंत्रों में बॉयलर आरंभ करते समय किया जाता है। उल्लेखनीय है कि राज्य में परिवेष्टीय वायु में सल्फर डाई ऑक्साईड का स्तर निर्धारित मानकों से काफी कम है एवं यह वायु प्रदूषण का प्रमुख कारण नहीं है। अतः वर्तमान में फर्नेस ऑईल के औद्योगिक उपयोग को प्रतिबंधित नहीं किया गया है। भविष्य में आवश्यकतानुसार इस बाबत निर्णय लिया जावेगा।
संलग्न - उपरोक्तानुसार।

MS for
1/10/19
2/10/19
1/10/19
5/10/19

विशेष सचिव

आवास एवं पर्यावरण विभाग,
मंत्रालय, महानदी भवन
नवा रायपुर, अटल नगर (छ.ग.)



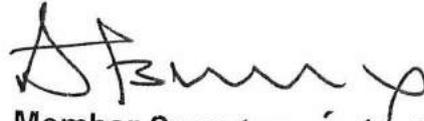
CHHATTISGARH ENVIRONMENT CONSERVATION BOARD
Paryavas Bhawan, North Block, Sector - 19,
Naya Raipur (C.G.)
Email - hocecb@gmail.com

:- Office Order :-

Naya Raipur, dated: 17/7/2017
No. 2046 /H.O./CECB/2017. In pursuance to the Hon'ble National Green Tribunal, Principal Bench, New Delhi order dated 16.05.2017 in the matter of Original Application No. 471 of 2016. People for Education and Research Scholarship and Outward Nutrition, New Delhi Vs Union of India & Central Pollution Control Board; Chhattisgarh Environment Conservation Board has examined the matter and facts in record and therefore, in exercise of the powers conferred by clause (d) of Section 2 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981), the Chhattisgarh Environment Conservation Board hereby approves the 'Pet Coke' as 'an approved fuel' for use in the cement kiln only for manufacturing of clinker subject to fulfillment of the following conditions:-

1. That 'Pet Coke' shall be an approved fuel in cement kiln for manufacturing of clinker where consent under section 21 of the Air (Prevention and Control of Pollution) Act, 1981 has been specifically obtained from Chhattisgarh Environment Conservation Board.
2. That cement kiln units shall be required to install all the requisite air pollution control measures so as to achieve an emission standard of SO₂ as prescribed in Schedule-I of the Environment (Protection) Rules, 1986 for cement plants.
3. That the height of stack(s) connected to cement kiln units shall be of a minimum of 30 metres or, as per the formula $H = 14 (Q1)^{0.3}$ and $H = 74 (Q2)^{0.27}$ whichever is more, where 'H' is the height of stack in metres and 'Q1' is the maximum quantity of SO₂ expected to be emitted in kg/hr and 'Q2' is the maximum quantity of particulate matter expected to be emitted in tonnes/hr through the stack at 100 percent rated capacity of the plant.

4. That the cement plants shall comply with all the conditions as laid down in the consent under section 21 of the Air (Prevention and Control of Pollution) Act, 1981.
5. That the 'Pet Coke' shall not be 'an approved fuel' if used in any industry / plant other than cement kiln for manufacturing of clinker, failing which; inter-alia will attract the provisions of the Air (Prevention and Control of Pollution) Act, 1981 for punitive action.
6. That the Board reserves the right to amend/cancel any of the above conditions, add new conditions and further stringent the emission limit as and when deemed necessary.


Member Secretary

Chhattisgarh Environment Conservation Board
Naya Raipur (C.G.)

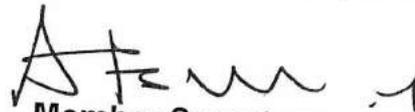
o/c

Endt. No. 2047-ITS/CECB/2017

Naya Raipur, dated: 17/7/2017

Copy to: -

1. Secretary, Department of Housing and Environment, Government of Chhattisgarh, Mantraiaaya, Mahanadi Bhawan, Naya Raipur (C.G.)
2. CE / ACE / SE / SSO / EE / CC / AE, Head Office, Chhattisgarh Environment Conservation Board, Naya Raipur.
3. Regional Officer, Regional Office, Chhattisgarh Environment Conservation Board, Raipur/Bilaspur/Bhilai-Durg/Korba/Raigarh/Ambikapur/Jagdalpur.


Member Secretary

Chhattisgarh Environment Conservation Board
Naya Raipur (C.G.)

o/c

(17/7)

"विजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमत क्रमांक जी. 2-22-छत्तीसगढ़ मजट / 38 सि. से. मिलाई, दिनांक 30-05-2001."



पंजीयन क्रमांक

"छत्तीसगढ़/दुर्ग/09/2013-2015"

छत्तीसगढ़ राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 355]

रायपुर, सोमवार, दिनांक 14 अगस्त 2017— श्रावण 23, शक 1939

आवास एवं पर्यावरण विभाग
मंत्रालय, महानदी भवन, नया रायपुर

नया रायपुर, दिनांक 14 अगस्त 2017

अधिसूचना

क्रमांक एफ.5-70/2017/32. — यत्न, राज्य सरकार ने इस विभाग की अधिसूचना क्र. 1481-1473-वर्ल्ड-88, दिनांक 9 मार्च, 1988 द्वारा वायु (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1981 (1981 का सं. 41) की धारा 19 की उप-धारा (1) के अधीन सम्पूर्ण छत्तीसगढ़ राज्य को प्रदूषण नियंत्रण क्षेत्र अधिसूचित किया है.

और यतः People for Education and Research Scholarship and Outward Nutrition, New Delhi Vs. Union of India and Central Pollution Control Board, Original Application No. 471 of 2016 के मामले में, राष्ट्रीय हरित अधिकरण, प्रमुख खण्डपीठ, नई दिल्ली ने आदेश दिनांक 16 मई 2017 द्वारा, राज्य सरकार को निम्नलिखित निर्देश दिया है, -

"संबंधित राज्य सरकार, वायु (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1981 (1981 का सं. 41) की धारा 19 की उप-धारा (3) के संदर्भ में निर्णय लेगी कि क्या 'पेट कोक' अनुमोदित ईंधन है या नहीं तथा दो माह की कालावधि के भीतर अपना निर्णय अधिसूचित करेगी."

और यतः, अभिलेख के विषयों एवं नथ्यों का परीक्षण करने के पश्चात् एवं छत्तीसगढ़ पर्यावरण संरक्षण मंडल से परामर्श पश्चात्, राज्य सरकार की यह राय है कि 'पेट कोक' के उपयोग से वायु प्रदूषण होने की संभावना होती है यदि धातुमल (स्क्रिपर) के विनिर्माण के लिए सिमेंट भट्टे से भिन्न किसी उद्योग/संयंत्र में ईंधन के रूप में उपयोग किया जाता है.

अतएव, वायु (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1981 (1981 का सं. 41) की धारा 19 की उप-धारा (3) के अधीन प्रदत्त शक्तियों का प्रयोग में लाते हुए, राज्य सरकार, एतद्द्वारा, धातुमल (स्क्रिपर) के विनिर्माण के लिए सिमेंट भट्टे से भिन्न किसी उद्योग/संयंत्र में ईंधन के रूप में 'पेट कोक' के उपयोग को, सम्पूर्ण छत्तीसगढ़ राज्य में, नन्दाव प्रभाव से निषिद्ध करती है. और उक्त अधिनियम की धारा 2 के खण्ड (घ) के अधीन धातुमल (स्क्रिपर) के विनिर्माण के लिए ही सिमेंट भट्टे में अनुमोदित ईंधन के रूप में 'पेट कोक' के उपयोग हनु, ऐसी शर्तों के अध्वधीन रहते हुए, जैसा कि विहित किया जाये, अनुमति प्रदान करने के लिये, छत्तीसगढ़ पर्यावरण संरक्षण मंडल को सक्षम प्राधिकारी के रूप में अधिकृत करती है.

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,

रेजीना टोण्डो अपर सचिव,

नया रायपुर, दिनांक 14 अगस्त 2017

क्रमांक एफ 5-70/2017/32. — भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में इस विभाग की समसख्यक अधिसूचना दिनांक 14-08-2017 का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्वारा प्रकाशित किया जाता है।

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,
रेजीना टोप्पो, अपर सचिव

Naya Raipur, the 14th August 2017

NOTIFICATION

No. F 5-70/2017/32.— Whereas, the State Government vide this department's Notification No. 1481-1473-XXXII-88, dated 9th March, 1988 has notified pollution control area for the whole State of Chhattisgarh under sub-section (1) of Section 19 of the Air (Prevention and Control of Pollution) Act, 1981 (No. 14 of 1981);

And Whereas, in the matter of People for Education and Research Scholarship and Outward Nutrition, New Delhi Vs. Union of India and Central Pollution Control Board, Original Application No. 471 of 2016, the Principal Bench of National Green Tribunal, New Delhi has vide order dated 16th May, 2017 given the following directions to the State Government:-

"The respective State Government shall take a decision as to whether the 'Pet coke' is an approved fuel or not in terms of sub-section (3) of Section 19 of the Air (Prevention and Control of Pollution) Act, 1981 (No. 14 of 1981) and notify their decision within a period of two months."

And Whereas, after examining the matter and fact on record and after consulting the Chhattisgarh Environment Conservation Board, the State Government is of the opinion that the use of 'Pet coke' is likely to cause air pollution if used as a fuel in any industry/plant other than the cement kiln for manufacturing of clinker;

Now therefore, in exercise of the powers conferred under sub-section (3) of Section 19 of the Air (Prevention and Control of Pollution) Act, 1981 (No. 14 of 1981), the State Government, hereby, prohibits use of 'Pet coke' as a fuel in any industry/plant other than the cement kiln for manufacturing of clinker in whole State of Chhattisgarh with immediate effect; and authorize the Chhattisgarh Environment Conservation Board as a Competent Authority to allow the use of 'Pet coke', subject to such conditions as may be prescribed, as an approved fuel in the cement kiln only for manufacturing of clinker under clause (d) of Section 2 of the said Act.

By order and in the name of the Governor of Chhattisgarh,
REGINA TOPPO, Additional Secretary



Government of Goa
Department of Environment
1st Floor, Pandit Deendayal Upadhyay Bhavan,
Behind Pundalik Devasthan, Near Sanjay School,
Porvorim, Bardez Goa

Phone Nos.: 0832-2416581 / 2416583 / 2416584

e-mail: dir-env.goa@gov.in

No.5/2/2017/ENV/DIR/ 586

Date: 4 /10/ 2019

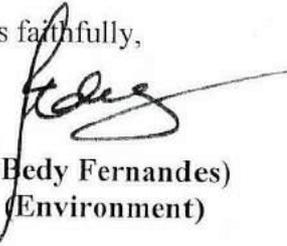
To,
The Member Secretary,
Goa State Pollution Control Board,
Saligao-Goa.

**Sub: Direction under section 5 of the Environment (Protection) Act, 1986
regarding preparing a policy on use of Pet coke & Furnace oil – reg...**

Madam,

I am to forward herewith a copy of letter No.B-33014/7/2019/IPC-II/TPP dated 19th September 2019 received via email dated 19/09/2019 from the Divisional Head-IPC-II, Central Pollution Control Board, Ministry of Environment, Forest and Climate Change, Parivesh Bhawan, East Arjun Nagar, Delhi regarding preparing a policy on use of Pet coke & Furnace oil. In this regards, you are requested to examine the same and submit the action taken report on the above to CPCB under intimation to this office.

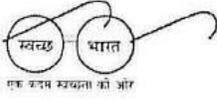
Yours faithfully,


(Johnson Bedy Fernandes)
Director (Environment)

Encl: As above.

Copy to:

The Divisional Head-IPC-II, Central Pollution Control Board, Ministry of Environment,
Forest and Climate Change, Parivesh Bhawan, East Arjun Nagar, Delhi



Government of Goa
Department of Environment
1st Floor, Pandit Deendayal Upadhyay Bhavan,
Behind Pundalik Devasthan, Near Sanjay School,
Porvorim, Bardez Goa

Phone Nos.: 0832-2416581 / 2416583 / 2416584

e-mail: dir-env.goa@gov.in

No.2-13-2018/ENV/Part/ 717

Date: 29/10/2019

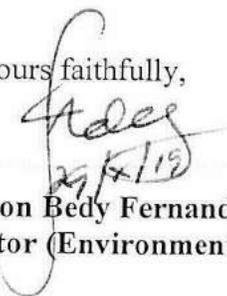
To,
The Member Secretary,
Goa State Pollution Control Board,
Saligao, Bardez-Goa.

Sub: Direction under section 5 of the Environment (Protection) Act, 1986 regarding preparing a policy on use of Pet coke & Furnace Oil.

Madam,

I am to forward herewith a copy of letter dated 19/09/2019 received via email dated 01/10/2019 alongwith enclosures from the Divisional Head, IPC-II, Central Pollution Control Board (CPCB), MoEFF&CC, Delhi on above cited subject matter. In this regards you are requested to prepare a policy on use of Pet Coke & Furnace Oil and submit the action taken report to the CPCB at the earliest with intimation to this office.

Yours faithfully,


(Johnson Bedy Fernandes)
Director (Environment)

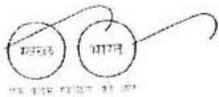
Encl: As above.

Copy to:

The Divisional Head, IPC-II, Central Pollution Control Board (CPCB), Ministry of Environment, Forest and Climate Change, Parivesh Bhawan, East Arjun Nagar, Delhi-110032

Handwritten notes:
by 15/11/19
SD/SAP
Sub: 2-13-2018/ENV/Part/717
29/10/2019

175



CHAIRMAN OFFICE
C. P. C. B.
No. 144579
Date 16/1/2020

परिषद् भवन, पूर्व अर्जुन नगर, दिल्ली-110052
144579
16 JAN 2020
Central Pollution Control Board
Parivash Bhawan, East Arjun Nagar, Delhi-110052

Government of Goa
Department of Environment
1st Floor, Pandit Deendayal Upadhyay Bhavan,
Behind Pundalik Devasthan, Near Sanjay School,
Porvorim, Bardez Goa
Phone Nos.: 0832-2416581 / 2416583 / 2416584
e-mail: dir-env.goa@gov.in

No.2-29-2018/ENV/1077

Date: 10/01/2020

To,

The Member Secretary,
Goa State Pollution Control Board,
Saligao - Goa.

Sub:- Direction under Section 5 of the Environment (Protection) Act, 1986
regarding preparing a policy on use of Pet coke and Furnace oil.
Ref: - B-33014/07/2019/IPC-II/5752 dated 23/08/2019.

Madam,

Please find enclosed with direction issued by the Central Pollution Control Board (CPCB) under Section 5 of the Environment Protection Act, 1986 to the State Government for preparation of policy on use of pet coke and furnace oil. In order to comply with the said direction issued by the CPCB as referred above, you are kindly requested to provide a copy of circular/order issued in terms of Section 2 of the Air Act for "Approved Fuel" with approval of the Board.

Further you are also requested to convey your opinion on the policy on use of pet coke and furnace oil as a fuel, in view of the orders passed by the Hon'ble Supreme Court in Writ Petition (Civil) 13029/1985 and the order passed by the Hon'ble NGT in O.A. No. 67, O.A. 138 of 2019 so that the State Government can issue a appropriate notification in terms of Section 19(3) of the Air Act. This may be considered on top priority and placed before the Board for its opinion so as to comply with the direction of CPCB under Section 5 of Environment (Protection) Act, 1986.

Yours faithfully

(Johnson Bedy Fernandes)
Director Environment

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Copy to:-

1. Chairman, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar,
Delhi - 110032.
2. OSD to Hon'ble Minister for Environment Secretariat, Porvorim- Goa.
3. P.A to Principal Secretary (Environment) Secretariat, Porvorim- Goa.

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GOA STATE POLLUTION CONTROL BOARD

गोंय राज्य प्रदूषण नियंत्रण मंडळ

(An ISO 9001:2015, ISO 14001:2015, OHSAS 18001:2007 Certified Board)

Phone Nos. : 0832-2407700
2407701, 2407702
2407703

Tel/Fax No. : 0832-2407700



Email Ids:
Chairman, GSPCB: chairman-gspcb.goa@nic.in
Member Secretary GSPCB: ms-gspcb.goa@nic.in
Environment Engineer, GSPCB: ee-gspcb.goa.nic.in
Scientist, GSPCB: scientist-gspcb.goa@nic.in
Office: goapcb@gspcb.in

No. 1/20/20-PCB/Tech/15&13

Speed Post

Date : 08/12/2020

To,
Shri, Nazimuddin,
Additional Director, Head, IPC-II, Division,
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar,
Delhi - 110032

Sub: Regarding fuel policy to be formulated by states.

Ref: CPCB/IPC-II/Petcoke/2020/1698 dated 26/06/2020

Sir,

With reference to the subject cited above in letter dated. 26/06/2020, please find enclosed herewith the Circular dated 18/06/2020 and 22/06/2020 issued by Department of Environment, Porvorim, in the matter of Approved fuel for your information.(copy of Circular enclosed)

Yours Faithfully,

(Dr. Shamila Monteiro)

Member Secretary

For Goa State Pollution Control Board.

Copy to,

1. Office file.
2. Guard file.



Government of Goa

Department of Environment & Climate Change

1st Floor, Pandit Deendayal Upadhyay Bhavan,
Behind Pundalik Devasthan, Near Sanjay School, Porvorim,
Bardez - Goa

Phone nos. 0832-2416581, 2416583, 2416584
e-mail: dir-env.goa@nic.in www.dste.goa.gov.in

No: 2-29-2018/ENVT/229

Date: 18 /06/2020

NOTIFICATION

Whereas vide Section 2(d) of the Air (Prevention and Control of Pollution) Act, 1981, "approved fuel" means any fuel approved by the State Board for the purposes of this Act;

Whereas, the Goa State Pollution Control Board (GSPCB) in its 142nd Meeting has taken a decision with regard to "Approved Fuels" and has recommended a list of the "Approved Fuels", in the State of Goa and conveyed vide their letter No.1/20/Vol.XXIII/Admn/2377 dated 03/06/2020;

Now, therefore, the list of **Approved fuels**, as recommended by the Board is enlisted as below:

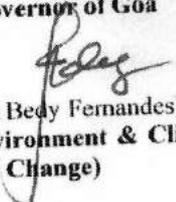
1.	Coal with low sulphur (Less than 0.4%)	2.	Coke /Lignite
3.	LDO/LSHS		
4.	Petrol (BS - IV with 50 ppm Sulphur with effect from April, 2010 and BS VI with 10ppm Sulphur vide Government of India G.S.R. 889 (E) dated 16 th September, 2016 to be implemented with effect from 01/04/2020		
5.	Diesel (BS - IV with 50ppm Sulphur with effect from April, 2010 and BS VI with 10ppm Sulphur vide Government of India G.S.R. 889 (E) dated 16 th September, 2016 to be implemented with effect from 01/04/2020		
6.	Aviation turbine Fuel	7.	Liquid Petroleum Gas (LPG)
8.	Compressed Natural Gas (CNG)/LNG	9.	Kerosene
10.	Naptha	11.	Firewood/ Dung cake

12.	Bio-gas	13.	Agro waste/bio fuel/briquettes
14.	RDF, as per the provision of Solid Waste Management Rules, 2016	15.	Charcoal
16.	Hydrogen/Methane		

1) No other fuel with the exception of the ones listed in the table shall be used in the State of Goa.

2) This is issued with the approval of the Government vide U.O. 297 dated 28/05/2020.

**By order and in the name of the
Governor of Goa**


(Johnson Bedy Fernandes)
**Director (Environment & Climate
Change)**

To,

The Government Printing Press, with a request to publish the above notification in Official Gazette, Government of Goa and intimate this office. The matter is checked and found fit for publication.

Copy to :

- 1) The Secretary (Environment), Ministry of Environment, Forests and climate Change, New Delhi.
- 2) The Chief Secretary, Government of Goa, Secretariat - Porvorim, Goa.
- 3) The Pr Secy.(Environment), Secretariat, Porvorim.
- 4) The Chairman, Goa State Pollution Control Board, Saligao.
- 5) The Additional Secretary, Industries, Trade and Commerce, Secretariat, Porvorim.
- 6) The Member Secretary, Goa State Pollution Control Board, Saligao.



Government of Goa

Department of Environment & Climate Change

1st Floor, Pandit Deendayal Upadhyay Bhavan,
Behind Pundalik Devasthan, Near Sanjay School, Porvorim,
Bardez - Goa

Phone nos. 0832-2416581, 2416583, 2416584
e-mail: dir-env.goa@nic.in www.dstcgoa.gov.in

No: 2-29-2018/ENV1/239

Date:22/06/2020

NOTIFICATION

Whereas, "Section 19 sub-section (3) of the Air (Prevention and Control of Pollution) Act, 1981 states that " if the State Government, after consultation with the State Board, is of the opinion that the use of any fuel, other than an approved fuel, in any air pollution control area or part thereof, may cause or is likely to cause air pollution, it may, by notification in the Official Gazette, prohibit the use of such fuel in such area or part thereof with effect from such date (being not less than three months from the date of publication of the Notification) as may be specified in the notification;"

Whereas, the Goa State Pollution Control Board (GSPCB) vide its letter No.1/20/Vol.XXIII/Admn/2377 dated 03/06/2020 recommended to prohibit the use of certain fuels in the State of Goa;

Now, therefore, in exercise of the powers conferred by sub-section (3) of Section 19 of the Air (Prevention and Control of Pollution) Act, 1981, the State Government in consultation with the Goa State Pollution Control Board (GSPCB) issues directions to "**Prohibit**" the use of following fuels, in the State of Goa:-

- (1) Petcoke;
- (2) Furnace Oil;

All units utilising Pet Coke as fuel & furnace oil as fuel shall discontinue the use of the above fuels on or before 31/12/2020.

This is issued with the approval of the Government vide U.O. 297 dated 28/05/2020.

By order and in the name of the
Governor of Goa

(Johnson Bedy Fernandes)
Director (Environment & Climate
Change)

To,

The Government Printing Press, with a request to publish the above notification in Official Gazette, Government of Goa and intimate this office. The matter is checked and found fit for publication.

Copy to :

1) The Secretary (Environment), Ministry of Environment, Forests and climate Change, New Delhi.

- 2) **The Chief Secretary**, Government of Goa , Secretariat - Porvorim, Goa.
- 3) **The Pr Secy.(Environment)**, Secretariat, Porvorim.
- 4) **The Chairman**, Goa State Pollution Control Board, Saligao.
- 5) **The Additional Secretary**, Industries, Trade and Commerce, Secretariat, Porvorim.
- 6) **The Member Secretary**, Goa State Pollution Control Board, Saligao.

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GUJARAT POLLUTION CONTROL BOARD

PARYAVARAN BHAVAN
Sector-10-A, Gandhinagar 382 010
Phone : (079) 23222425
(079) 23232152
Fax : (079) 23232156
Website : www.gpcb.gov.in

No. GPCB/P-1/218/ 56 2685

Date: 22.06.2020

22 JUN 2020

✓ Shri Nazimuddin

Divisional Head – IPC-II,

Central Pollution Control Board

'Parivesh Bhavan', East Arjun Nagar,

Delhi – 110032

30/7/20
SB-SEP
SB-6/2

Sub: Directions under Section 5 of the Environment (Protection) Act, 1986 regarding preparing a policy on use of Pet coke & Furnace Oil – reg.

Ref: (1) CPCB letter no. B-33014/07/2019/IPC-II/5753, dated 23.08.2019

(2) CPCB letter no. B-33014/7/2019/IPC-II/TPP, dated 19.09.2019

Sir,

With reference to the above subject, I am instructed to submit compliance status of Direction issued on 23.08.2019 by Central Pollution Control Board under Section 5 of the Environment (Protection) Act, 1986 regarding preparing a policy on use of Pet coke & Furnace Oil – reg.

Pointwise compliance is as follows:

1.	State Government / Union Territory Administration shall formulate and enforce fuel policy regarding use of pet coke and FO in the State/UT in light of various orders passed by Supreme Court regarding use of pet coke and FO in Writ Petition (C) 13029/1985.
Compliance	In order to comply with the Direction issued by Central Pollution Control Board on 23.08.2019 under section 5 of the Environment (Protection) Act, 1986 regarding preparing a policy on use of Pet coke & Furnace Oil – reg., Gujarat Pollution Control Board has constituted a committee in this regard under the Chairmanship of Hon'ble

	<p>Member Secretary, Gujarat Pollution Control Board vide this office letter no. GPCB/P-1/218/525787, dated 25.10.2019 comprising experts from various Educational Institutions, Central Pollution Control Board, federation of Industrial Association, representatives from various industrial sectors etc. (Annexure – A)</p> <p>The meeting of the committee was held on 01.11.2019. Minutes of the meeting is annexed herewith as Annexure - B</p> <p>As per the discussion took place in the meeting and decision taken in the meeting, the committee strongly recommended that the use of Pet Coke as fuel may be permitted only in Glass and Cement Sectors. On the basis of this meeting, the amendment in the notification published by Gujarat Pollution Control Board in the Gujarat Government Gazette on 26.10.2017 and 06.02.2018, was done and amended notification is published on 12.12.2019. copy of all notifications is annexed herewith as Annexure – C</p>
2	<p>State Government / Union Territory Administration through respective SPCB/PCC shall take strict action against any industry if found violating the fuel policy on use of pet coke and FO that will be enforced as above, using the powers conferred under environmental laws.</p>
Compliance	<p>The closure direction has been issued to 8 units, Notice of Direction is issued to 5 units and Show Cause Notice issued to 1 unit for the use of FO in Gujarat. Now, Gujarat Pollution Control Board has not issued new permission / project for the use of pet coke / furnace oil (FO). Also not allowed the use of pet coke and FO in non-attainment cities of Gujarat as amended from time-to-time by higher authorities.</p>

The letter is issued on approval of higher authority.

Thanking you,

For & on behalf of
Gujarat Pollution Control Board


(G. V. Patel)

Environmental Engineer

Encl: As above

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GPCB

Annexure - A
GUJARAT POLLUTION CONTROL BOARD

PARYAVARAN BHAVAN
Sector-10-A, Gandhinagar 382 010
Phone : (079) 23222425
(079) 23232152
Fax : (079) 23232156
Website : www.gpcb.gov.in

W/S/L
10975
3956

GPCB/P-1/218 / 525416 /

Date: 25.10.2019
25 OCT 2019

To,

1. Member Secretary, Gujarat Pollution Control Board
2. Prof. J.N. Joshi
16/182, Parishram Apartments
(Takarshi Charitable Trust),
Near Shivranjani Char Rasta,
Satellite, Ahmedabad
3. Dr. P.A. Joshi
Dharmsinh Desai Institute of Technology
Nadiad
4. Regional Directorate,
Central Pollution Control Board
"Parivesh Bhavan" Opp. Ward,
Office No. 10, Subhanpura,
Vadodara
5. Shri B. R. Naidu, Ex. Regional Directorate, CPCB
6. President, Federation of Industries Association (FIA)
Prakashbhai Varmora
7. Representative of Respective Industrial sectors:

Cement Industries Sector	Representative from M/s. Ultratech Cement
	Shri Seetharamalu Ch, Joint President
Power Plant Sector	Representative from M/s. Essar Power Ltd., Jamnagar
	Shri Pratik Mehta, Head - Health Safety and Environment
Glass Sector	Representative from M/s. SISECAM

Clean Gujarat Green Gujarat
ISO-9001-2008 & ISO-14001 - 2004 Certified Organisation

h/a/c

FLAT GLASS, Halol, Vadodara

Shri Jatin Patel, Manager EHS

**Shri Nirmalindu Ghosh, Genral
Manager operation**

**Refractory
Sector**

**Shri Shailesh D. Kadchhud,
President, Vankaner Association
(Petcoke Committee Member)**

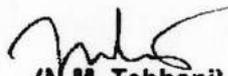
8. Unit Head of concern region.
9. Shri G. H. Trivedi, Unit Head – P-2 Branch

Sub: For formulated the fuel policy of Petcoke / Furnace Oil in the State.

Respected Sir,

The Pet Coke Committee Meeting is scheduled on **01/11/2019** at **15:00 hrs.** in the Committee Room, Room no. 106, First Floor, Gujarat Pollution Control Board, Gandhinagar under the chairmanship of Shri N.M. Tabhani, Member Secretary, Gujarat Pollution Control Board, Kindly make it convenient to attend the Petcoke Committee meeting to revised the fuel Policy.

This is for your information and kind perusal.


**(N.M. Tabhani)
Member Secretary**

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MINUTES OF MEETING OF STATE LEVEL COMMITTEE TO PREPARE POLICY ON USE OF PET COKE AND FURNACE OIL AS PER HON'BLE NGT ORDER O.A. NO.67/2019 & O.A. NO.138/2019, DATED 04.07.2019.

State Level Committee Meeting to prepare policy on use of Pet Coke and Furnace Oil as per Hon'ble NGT Order regarding O.A. No.67/2019 & O.A. No.138/2019, dated 04.07.2019 was convened on 01.11.2019 under the Chairmanship of Hon'ble Member Secretary, Gujarat Pollution Control Board at room no. 106 at 03.00 p.m. Experts and representatives from various sectors like Academia, Cement, Ceramics & refractories, Officials from Central Pollution Control Board as well as Gujarat Pollution Control Board remained present in the meeting. Attendance sheet is annexed herewith as Annexure.

Shri G. V. Patel, Environment Engineer, GPCB welcomed Hon'ble Member Secretary, Committee Members and other attendees. He then explained the purpose of the meeting through briefing the agenda.

Hon'ble Member Secretary, Gujarat Pollution Control Board explained about the Direction under section 5 of Environment (Protection) Act, 1986 issued by Central Pollution Control Board regarding preparing a policy on use of Pet Coke & Furnace Oil, dated 23.08.2019. He also mentioned that as per various Judgments of Hon'ble Supreme Court and Hon'ble NGT in this regard, use of Pet Coke and FO shall be diminished.

Shri B. R. Naidu, Ex. Regional Directorate, CPCB added that as per Hon'ble Supreme Court Judgment, Pet coke and FO can be permitted as a fuel, either as feed stock (Calcined Pet Coke (CPC) units, aluminum industries) or where they get absorbed along with product in manufacturing process (cement, lime kiln, calcium carbide industries). In CPC units, use of Raw Petroleum Coke (RPC) has been allowed with condition of 90 % recovery of SO₂ emission.

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Shri A. V. Shah, Senior Environment Engineer, GPCB opined that wherever lime is used as a raw material and direct firing of pet coke takes place, in such case use of pet coke may be permitted.

Other committee members opined that such conditions of absorbance of pet coke in product or its use as a feed stock, take place only in Glass and Cement industries, where, in case of Refractories industries, pet coke does not get absorbed along with the product and hence SO₂ generation takes place in such industries and for the existing Thermal Power Plant, this may be reviewed and then decided.

Committee strongly recommended that use of Pet Coke as fuel may be permitted only in Glass and Cement Sectors.

President of Vankaner Association, Shri Shailesh D. Kadchhud strongly represented his views that refractory industries currently use Pet Coke as a fuel, as it contains High Calorific Values and economically viable to even small scale ceramics and refractory units. He urged for the study to be carried out to find alternate fuel for such units prior to coming to any decision regarding depriving them from use of Pet Coke as fuel.

Committee members suggested him to submit his techno-economical representation for use of Pet Coke as fuel to Central Pollution Control Board under intimation to Gujarat Pollution Control Board.

Committee discussed that as per Hon'ble NGT Order, the same principle may also be followed in industrial processes where use of Furnace Oil (FO) as feed stock is considered and hence, same guidelines as may be prepared for the use of Pet Coke shall be adopted for use of Furnace Oil (FO).

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Committee opined that use of FO and Petcock shall not be allowed as per following:

- In Non – attainment cities.
- At least 5 km from the limit of Municipal Corporations.
- At least 2.5 km from the limit of Municipalities.
- At least 1 km from the limit of Gamtal of a Village.

Committee also discussed that the approved fuels as published by the State of Gujarat vide The Gujarat Government Gazette (Vol LVIII, Part IV-C, Friday, October 27, 2017/KARTIKA 5, 1939) and amendment (Vol. LIX, part IV-C, Tuesday, February 6, 2018/MAGHA 17,1939) is required to be updated as per the Judgment of Hon'ble NGT dated 04.07.2019.

The meeting ended with vote of thanks.

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ANNEXURE

1st Meeting of State Level Committee on the Use of
 Pet-coke and Fuel Oil, Dated 01.11.2019 at 3:00 PM

Attendance Sheet

Sr. No.	Attendees	Sign
1	B. R. NAIDU	
2	J. N. Joshi	
3	Shailoch Kadilband (Member)	
4	C. G. Naidu	
5	Seetharamulu ch	
6	V. D. Raghava	
7	D. M. THAKER	
8	Rajshree Kumar	
9	Susmit Kogola	
10	A. V. SHAN	
11	G. V. Patil	
12		
13		
14		
15		
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Extra No. 455

વાર્ષિક લવાજમનો દર રૂ. ૩૫૦૦/-

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The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. LVIII]

FRIDAY, OCTOBER 27, 2017/KARTIKA 5, 1939

Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV-C

Statutory Rules and Orders (Other than those published in Parts I, I-A and I-L) made by Statutory Authorities other than the Government of Gujarat including those made by the Government of India, the High Courts, the Director of Municipalities, the Commissioner of Police, the Director of Prohibition and Excise, the District Magistrates and the Election Commission, Election Tribunals, Returning Officers and other authorities under the Election Commission.

THE GUJARAT GOVERNMENT GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

THURSDAY, OCTOBER 26, 2017

PART IV-C

GUJARAT POLLUTION CONTROL BOARD

NOTIFICATION

SECTOR -10A, NEAR AIR FORCE STATION,
GANDHINAGAR.

The Gujarat Pollution Control Board in exercise of the powers conferred under clause (d) of Section (2) of the Air (Prevention and Control of Pollution) Act 1981, here by notifies the following fuels as the "APPROVED FUELS" in the state.

- (1) List of "APPROVED FUELS"
1. Coal
 2. Lignite
 3. Furnace Oil/LDO/LSHS
 4. Motor Gasoline
 5. Diesel
 6. Liquid Petroleum Gas (LPG)
 7. Compressed Natural Gas(CNG)/LNG
 8. Kerosene
 9. Naphtha
 10. Firewood
 11. Bio-gas

IV-C-Ex-455

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12. Agro waste/bio fuel/briquettes
13. RDF, as per provisions of Solid Waste Management Rules-2016.
14. Petcoke
15. Charcoal

(2) Petcoke is hereby notified as "APPROVED FUELS" subject to the following conditions:-

a) The Sulphur content shall not be more than 7 % in any case/circumstance.

b) Petcoke shall be permitted in the following projects only:-

- i. Cement manufacturing in kilns
- ii. Thermal Power Plant/Captive Power Plant of capacity above 25 MW
(with a condition to mix lime granules in required quantity with Petcoke)
- iii. Glass manufacturing- up to 25 % of total fuel consumption
- iv. Refractories manufacturing

(3) For utilization of the above approved fuels, adequate APCM shall be provided by the unit.

(4) CTE/CCA/EC, as the case may be, shall have to be obtained for utilization of these fuels.

(5) The use of Petcoke shall not be permitted in Eco-Sensitive Zone.

**K.C.MISTRY,
MEMBER SECRETARY,
GUJARAT POLLUTION CONTROL BOARD
GANDHINAGAR**



સત્યમેવ જયતે

The Gujarat Government Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Vol. LIX]

TUESDAY, FEBRUARY 6, 2018/MAGHA 17, 1939

Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV-C

Statutory Rules and Orders (Other than those published in Parts I, I-A and I-L) made by Statutory Authorities other than the Government of Gujarat including those made by the Government of India, the High Courts, the Director of Municipalities, the Commissioner of Police, the Director of Prohibition and Excise, the District Magistrates and the Election Commission, Election Tribunals, Returning Officers and other authorities under the Election Commission.

GUJARAT POLLUTION CONTROL BOARD

NOTIFICATION

SECTOR -10A, NEAR AIR FORCE STATION, GANDHINAGAR. 6th February, 2018.

No: GPCB/LGL-GEN-29(2)/443721 :- Whereas the Gujarat Pollution Control Board, in exercise of the powers conferred under clause (d) of Section (2) of the Air (Prevention and Control of Pollution) Act 1981, hereby makes the following amendments in The Gujarat Government Gazette notification in Vol. LVIII on Friday, October 27, 2017.

- A. In serial number (1), after number 15, the following number shall be inserted;
 16. Saw dust
- B. Serial number (2)(b)(ii) shall be replaced and read as under;
 - ii. Thermal Power Plant/Captive Power Plant of capacity above 25 MW, Co-generation plant as combined heat and power (CHP) where boiler steam generation capacity should be 80 T/Hr or more.
(With a condition to mix lime granules in required quantity with Petcoke)
- C. Serial number (6) shall be inserted after serial number (5) and shall be read as under;
 - (6) The new projects in the sectors mentioned in serial number (2)(b), using Petcoke as fuel, shall abide by the siting criteria as under:
 - a) At least 5 km from the limit of a Municipal Corporation;
 - b) At least 2.5 km from the limit of a Municipality;
 - c) At least 1 km from the limit of Gamtal of a Village.

K. C. MISTRY,
MEMBER SECRETARY
GUJARAT POLLUTION CONTROL BOARD
GANDHINAGAR.

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106-1

Government Central Press, Gandhinagar

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The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. LX | FRIDAY, NOVEMBER 13, 2019 / AGRAHAYANA 22, 1941

Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV-C

Statutory Rules and Orders (Other than those published in Parts I, I-A and I-L) made by Statutory Authorities other than the Government of Gujarat including those made by the Government of India, the High Courts, the Director of Municipalities, the Commissioner of Police, the Director of Prohibition and Excise, the District Magistrates and the Election Commission, Election Tribunals, Returning Officers and other authorities under the Election Commission.

GUJARAT POLLUTION CONTROL BOARD

NOTIFICATION

Gandhinagar, 12th December, 2019.

No: GPCB/P-1/218(A)/530582: The Gujarat Pollution Control Board in exercise of the powers conferred under clause (d) of Section (2) of the Air (Prevention and Control of Pollution) Act 1981, hereby makes the following amendments in the Gujarat Government Gazette notification in Vol. LVIII on Friday October 27, 2017 and Vol. LIX, Tuesday February 6, 2018.

- (A) In the serial no. (1) of (3) list of approved fuels, "Furnace oil (FO)" is deleted for new Project/Permission.
- (B) The serial no. (2) of notification dated 27.10.2017 and serial no. (B) of notification dated 06.02.2018 shall be replaced and read as under for new Project/Permission:
- (1) Petcoke is hereby notified as "APPROVED FUEL" subject to the following conditions:-
- The Sulphur content shall not be more than 7% in any case/ circumstance.
 - Petcoke shall be permitted in the following projects only:-
 - Cement manufacturing in kilns.
 - Glass manufacturing- up to 25 % of total fuel consumption.
- (C) The new project in the sector mentioned above in serial number (1)(b), using Petcoke or Furnace Oil (FO) as a fuel shall not be permitted in Non-attainment cities declared by the Central Pollution Control Board, New Delhi.

N. M. TABHANI,
Member Secretary,
Gujarat Pollution Control Board,
Gandhinagar.

GOVERNMENT CENTRAL PRESS, GANDHINAGAR

Regd.

No. STE-F(1)-1/2019
Government of Himachal Pradesh
Department of Env., Sci. & Technology

From

Addl. Chief Secretary (Env. Sci.&T) to the
Government of Himachal Pradesh

To

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

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
परिवेश भवन, पूरबी अर्जुन नगर, दिल्ली-32
11 OCT 2019
132392
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar, Delhi-32

132392/m
w/10

3rd Oct
Sept., 2019.

Dated: Shimla-2, the

Subject:- Regarding Hon'ble NGT Order passed on 28.03.2019 in OA No.67/2019 with OA No.138/2019 titled Sumit Kumar Vs State of HP and Amarjeet Kumar Vs Union of India regarding formulation of fuel policy for industries.

Sir,

I am directed to refer to your letter No.B-33014/7/2019/IPC-II/TPP dated 19th September, 2019 received from Shri Nazimuddin, Divisional Head-IPC-II, CPCB, New Delhi addressed to State Pollution Control Board and copy endorsed to the Chief Secretaries of all the States/Administrators of the UTs on the subject cited above and to inform that in compliance of the Hon'ble NGT order dated 28.03.2019 and Hon'ble Supreme Court of India order dated 24.10.2017, the State Govt. of Himachal Pradesh has formulated the Draft Fuel Policy in consultation with the H.P. State Pollution Control Board and this policy will be finalized immediately after the Bye-Election Model Code of Conduct on getting approval of the Council of Ministers.

Yours faithfully,

Umm
(Sat Pal Dhiman) 3-10-2019

Joint Secretary (Env. S&T) to the
Government of Himachal Pradesh
Phone No. 0177-2621874

Copy forwarded to Shri Nazimuddin, Divisional Head-IPC-II, CPCB, New Delhi-110032 for information and further necessary action please.

(Sat Pal Dhiman)
Joint Secretary (Env. S&T) to the
Government of Himachal Pradesh
Phone No. 0177-2621874

Handwritten notes and signatures: "12/10/19", "SDSKP/15/10/19", and other illegible scribbles.

H.P State Pollution Control Board
"Him Parivesh" Phase-III
New Shimla-09

No. PCB/ EIA Notification/Consent Branch/2016- 22078 -79

Dated: 05-01-2021

To

The Principal Secretary,
Environment Science & Technology Department,
Government of the Himachal Pradesh.

Subject: In reference to compliance of Hon'ble NGT order dated 7.01.2020 in OA. No 67 /2019 with OA. No. 138/2019 order dated 14.07.2020.

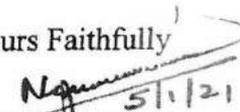
Sir,

This is in reference to email dated 22.12.2020 received from CPCB on the subject cited above vide which action taken report have been sought on the compliance of directions issued for preparing policy on pet coke and furnace oil. **(Copy enclosed)**

In this context, it is submitted that the concerned matter is with regard to the finalization of State Fuel Policy, which shall regulate the use of Pet coke and Furnace oil among all the industries in Himachal Pradesh. A letter from State Board bearing No. PCB/EIA Notification/Consent Branch/2016-18174 was forwarded to State Government on 26-08-2019 **(copy enclosed)** informing that draft fuel policy have been finalised by the State Board after due consideration of the views of Industries associations as well as the stakeholders and was submitted for further action, but the HPSPCB has not received any approval/correspondence in this regard.

Therefore, it is once again requested that State Board may be informed about the present status of State Fuel Policy, so that the quarter concerned may be apprised accordingly within stipulated time period.

Yours Faithfully


5/1/21
Dr. Nipun Jindal
Member Secretary
HPSPCB

o/c v.a

Copy forwarded to Mr. Nazimuddin, Head -IPC-II Division, CPCB, New Delhi w.r.t. e-mail dated 22-12-2020 for information please.


5/1/21
Dr. Nipun Jindal
Member Secretary
HPSPCB

o/c v.a

19/6



Government of Jammu and Kashmir
J&K STATE POLLUTION CONTROL BOARD

Winter Office: November-April
Parivesh Bhawan, Gladni
Transport Nagar, Narwal,
Jammu (J&K) 180006
Ph/Fax : 0191-2476925

Summer Office: May - October
Sheikh Ul Alam Campus
Behind Govt. Silk Factory,
Rajbagh Srinagar (J&K) 190008
Ph/Fax 0194-2311165

Email: membersecretaryjkspcb@gamil.com.

**Principal Secretary to Govt.,
Industries & Commerce Department,
Civil Secretariat
Srinagar.**

No.: SPCB/NGT/35/2017/1225-1226

Dt.: 11 -10-2019

Subject : Directions under Section 5 of the Environment (Protection) Act, 1986 regarding preparing a policy on use of Pet Coke and Furnace Oil.

Ref. : Central Pollution Control Board binding instruction conveyed vide No. B-33014 / 07 /2019 / IPC-II/ 5755 dt. August 23, 2019.

Sir,

Pursuant to different orders issued by Hon'ble Supreme Court of India at tandem, regarding regulation of use of **Pet Coke and Furnace Oil**, Ministry of Environment, Forests and Climate Change (MoEFCC) has issued an **Office Memorandum** on **10th of Sept., 2018**, containing Guidelines for Regulation and Monitoring of imported Pet Coke in India. This has been followed by binding instructions of Central Pollution Control Board under reference, issued under Section 5 of Environment (Protection) Act 1986 in the mater, wherein it is enjoined :-

- i. State Government/Union Territory Administration shall formulate and enforce fuel policy regarding use of pet coke and FO in the State/UT in light of various orders passed by Supreme Court regarding use of pet coke and Furnace Oil in Writ Petition (C) 13029/1985,
- ii. State Government/Union Territory Administration through respective SPCB/PCC shall take strict action against any industry if found violating, the fuel policy on use of pet coke and furnace oil that will be enforced as above, using the powers conferred under environmental laws.

It is therefore requested to kindly frame a policy in the matter, as pet coke and furnace oil are used as main sourced of energy/fuel in different industries. Policy needs to emphasize and focus on minimizing the use of Pet Coke and even prohibiting the use of Furnace Oil by Industries in the State of Jammu and Kashmir. Copy of binding instructions is enclosed.

Kindly post this end informed about the action taken in the matter.

Encl.: CPCP binding instructions.

Yours faithfully


(B. M. Sharma)
Member Secretary
J&K SPCB

Copy to the :-

Member Secretary, Central Pollution Control Board, Parivesh Bhawan East Arjun Nagar
Delhi- 110032. This is in reference to his communication No. B-33014 / 07 /2019 / IPC-II/
5755 dt. August 23, 2019.

SPEED POST

B-33014/07/2019/IPC-II/ 5755

August 23, 2019



To,

The Chief Secretary,
Government of Jammu & Kashmir
R. No. 307, 3rd Floor, Civil Secretariat,
Srinagar - 190 001,
Jammu & Kashmir

Sub: Directions under Section 5 of the Environment (Protection) Act, 1986 regarding preparing a policy on use of Pet coke & Furnace oil.

WHEREAS, rising pollution is a matter of serious concern, especially high levels of particulate matter exceeding National ambient air quality standards, 2009; and

WHEREAS, pet coke and furnace oil / fuel oil (FO) emit more SO₂ as compared to other conventional fuels due to high sulphur content and also contribute to forming of finer secondary particulate matter in ambient air, which form a significant fractions of PM (PM₁₀ & PM_{2.5}); and

WHEREAS, Hon'ble Supreme Court of India passed vide dated 24.10.2017 in Writ Petition (Civil) 13029 / 1985, banned use of Pet coke and furnace oil in industries in the NCR state of Haryana, Uttar Pradesh and Rajasthan. Accordingly, Central Pollution Control Board at the behest of Government of India issued directions under Section 5 of the Environment (Protection) Act, 1986 to NCR state; and

WHEREAS, subsequently, Supreme Court passed Order dated 17.11.2017 in the above mentioned writ petition, noting that pollution caused by pet coke and furnace oil is not a problem confined only to the NCR but appears to be a problem faced by almost all the States and Union Territories in the country. Hon'ble Supreme Court requested all the State Governments and Union Territories to consider taking similar measures as have been taken by the Government of India and the Chairman of the Central Pollution Control Board (thereby referring to the above mentioned Directions issued by CPCB to state governments of NCR states for compliance of Supreme Court order dated 24.10.2017); and

WHEREAS, Hon'ble Supreme Court passed subsequent orders dated 13.12.2017, 05.02.2018, 26.07.2018, 09.10.2018 in the above writ petition; and

WHEREAS, Hon'ble Supreme Court in above mentioned order dated 09.10.2018 noted CPCB's report regarding use of pet coke as feed stock in CPC units wherein it was recommended that due to emission of SO₂ in high concentrations the emissions need to be treated in FGD systems having removal efficiency more than 90% and also noted that the views expressed by CPCB have been considered by MoEF&CC which is in agreement with the CPCB; and

WHEREAS, for filling response in cases O.A. No. 67 of 2019 Sumit Kumar Vs State of Himachal Pradesh & Ors. and O.A. No. 138 of 2019 Amarjeet Kumar Vs Union of India & Ors in Hon'ble National Green Tribunal, CPCB requested all states governments vide email dated 01.02.2019 to provide details of measures taken for banning use of pet coke and furnace oil in their state as suggested by the Hon'ble Supreme Court vide its order dated 17.11.2017; and

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All put up in
Case file with
Cont / NGT
order
concerned.*

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WHEREAS, Hon'ble National Green Tribunal passed Order dated 28.03.2019 in O.A. No. 67of 2019 and O.A. No. 138 of 2019, noting the brief on the above Supreme Court orders regarding pet coke and furnace oil provided by CPCB, and directing CPCB to issue appropriate directions in this regard to the concerned States and Union Territories indicating coercive measures against those who fail to comply with the directions; and

WHEREAS, Hon'ble National Green Tribunal passed further Order dated 04.07.2019 in above cases, directing CPCB again to proceed to take further action in the matter (as already directed by Order dated 28.03.2019); and

WHEREAS, the matter was discussed by CPCB with oil refinery representative on 20.05.2019 wherein it was informed that it is technically possible to produce low sulphur oil like slurry oil, LSHS, LDO by refineries and that if demand of FO is reduced, the refineries will have to convert it either into pet coke by installing cocker, or into bitumen by enhancing capacity of VBU which may require minimum one-year time, or will have to export it; and

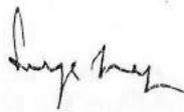
WHEREAS, as per notification no. S.O. 844 (E) dated 19th November 1986 under sub rule 3 of rule 3, the standards for emission or discharge of environmental pollutants specified under sub-rule (1) or sub-rule (2) shall be complied with by an industry, operation or process within a period of one year of being so specified; and

WHEREAS, Ministry of Environment & Forests, Government of India, vide Notifications No. S. O. 157 (E) of 27.02.1996 and S. O. 730 (E) dated 10.07.2002, has delegated the powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board, to issue directions to any industry or any local body or any other authority for violations of the standards and rules notified under the Environment (Protection) Rules, 1986 and amendment thereon.

NOW, THEREFORE, in view the above and in exercise of the powers vested under Section 5 of the Environment (Protection) Act, 1986, following directions are issued:

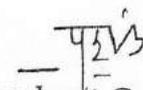
1. State Government / Union Territory Administration shall formulate and enforce fuel policy regarding use of pet coke and FO in the State/UT in light of various orders passed by Supreme Court regarding use of pet coke and FO in Writ Petition (C) 13029/1985.
2. State Government / Union Territory Administration through respective SPCB/PCC shall take strict action against any industry if found violating the fuel policy on use of pet coke and FO that will be enforced as above, using the powers conferred under environmental laws.

Action taken report shall be submitted through SPCB/PCC by State/UT within one month i.e. by 23.09.2019.


(S.P.S. Parihar)
Chairman


Copy to:

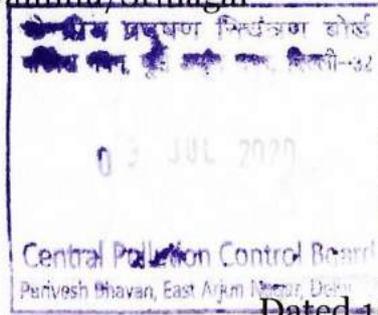
1. The Chairman
J&K State Pollution Control Board,
Parivesh Bhawan, Shiekh-ul- Campus,
Behind Govt. Silk Factory,
Raj Bagh, Srinagar (J&K)
2. The Joint Secretary (CP Division)
Ministry of Environment, Forests and Climate Change
Prithvi Wing, 2nd Floor, Room No. 216
Indira Paryavaran Bhawan,
Aliganj, Jor Bagh Road, New Delhi - 110003
3. The Regional Director
Central Pollution Control Board
PICUP Bhawan, Ground Floor
Vibhuti Khand, Gomti Nagar
Lucknow-226010
4. The Divisional Head - IT, CPCB


(Prashant Gargava)
Member Secretary



Government of Jammu and Kashmir
Industries & Commerce Department
Civil Secretariat, Jammu/Srinagar

The Member Secretary,
J&K Pollution Control Board, (PCB)
Gladini, Narwal,
Jammu.



No.IND/Legal-30/2020

Dated: 15.05.2020

Subject;- J&K Pet Coke and Furnace Oil Policy.

Sir,

Kindly refer your communications No. JK PCB/NGT/2017/35/05 dated 05.05.2020 issued on the captioned subject. In this connection, I am directed to enclose the draft **J&K Pet Coke and Furnace Oil Policy** drafted in consultation with JK PCB and request to kindly take further necessary action in the matter.

Yours faithfully,

(Sanjeev Kumar)

Under Secretary to the Government

15.5.2020

Copy to the;-

1. Additional Director & Head-IPC-II Division Central Pollution Control Board (CPCB) Parivesh Bhawan, East Arjun Nagar Delhi 110032 for information.
2. Managing Director J&K SIDCO (Nodal Officer) Jammu for information.
3. Director Industries and Commerce Jammu/Kashmir for information.

GOVERNMENT OF KARNATAKA

No. FEE 168 EPC 2017

Karnataka Government Secretariat
M.S. Building
Bangalore, dated:31.12.2019

From,

Principal Secretary to Government
(Ecology and Environment),
Forest, Ecology and Environment Department,
Bengaluru.

To,

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

Sir,

Sub: Policy on use of pet coke and furnace oil for the State
of Karnataka.

Ref: Letter of Central Pollution Control Board No. B-
33014/07/2019/IPC-II/5747-5778, dated 23.08.2019.

Please find herewith a copy of the draft Policy regarding the subject and reference supra. Karnataka State Pollution Control Board has submitted the above said draft policy after adopting a necessary resolution in their 226th Board Meeting to Government of Karnataka to finalize the same and transmit it to Central Pollution Control Board. The process of finalization of the policy is underway and the draft policy as submitted by KSPCB is being shared with CPCB for further needful action. Soon after notifying the draft policy, the notified policy document will be once again shared with CPCB.

This is for your kind information and needful action.

Yours faithfully,

Dec 31/12/2019
(Vijayakumar Gogi)
Principal Secretary to Government,
(Ecology and Environment)
Forest, Ecology and Environment Dept.

S

MS for 31/12/20
IPC-II
by 31/12/20
SD-SKP

143180/MS
31/12/20

SPEED POST
केन्द्रीय प्रदूषण नियंत्रण बोर्ड
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
106 JAN 2020
143180
Central Pollution Control Board
Parivesh Bhavan, East Arjun Nagar, Delhi-110032

Draft

State Fuel Policy

For

Karnataka

(Pet Coke and Furnace Oil)

Department of Forest, Ecology and Environment.
Government of Karnataka

Prepared in
Consultation with

KARNATAKA STATE POLLUTION CONTROL BOARD

"Parisara Bhavan", No. 49, Church Street, Bangalore - 560 001.

BACKGROUND

Preamble : Hon'ble National Green Tribunal , Principal Bench, New Delhi while disposing off the Original application No. 471 of 2016 has passed orders on 16.05.2017 regarding use of pet coke as fuel by industries. In the said order, following directions were issued for compliance by MoEF & CC, Government of India, Central Pollution Control Board, State Pollution Control Boards and State Governments.

1. The respective State Government shall take a decision as to whether the pet coke is an approved fuel or not in terms of Section 19(3) of the Air (Prevention and Control of Pollution) Act, 1981 and notify their decision within a period of two months.
2. MoEF & CC shall take a decision on classification of pet coke, whether it is a hazardous waste or not in view of the provisions of the Hazardous Waste Management Rules and necessary notification/clarification in this regard shall be issued within a period of 2 months.
3. The industries which are having necessary consent for use of pet coke as an industrial fuel or for energy generation can continue to use the same for a period of 2 months. Thereafter, they shall abide by the decisions taken by the State Governments and MoEF & CC, in furtherance of the aforesaid directions No.1 & 2 respectively. But, the industries that do not have any consent for use of pet coke, the State Pollution Control Boards shall take immediate action against them. Such industries are to be closed down forthwith.

In the said Order "the Hon'ble NGT has taken note of the submission made by CPCB and MoEF & CC that a similar issue on use of pet coke in the industry in NCR area and its contribution to the air pollution in the NCR area is under consideration of the Hon'ble Supreme Court in IA No. 345 in WPC No. 13029 of 1985. The Hon'ble NGT in para 21 of the Order has noted that, the Apex Court in that matter where the order of the Apex Court there is no specific direction in the matter or stay to the present proceedings. The Apex court is comprehensively hearing the ambient air pollution problem in Delhi and NCR area; and particularly the issue of illegal use of pet coke and furnace oil was brought before the apex court by EPCA and was not part of action plan prepared by CPCB. The present application is specifically regarding use of pet coke as industrial fuel across the country and therefore do not find any merit in the arguments advance by MoEF & CC and CPCB regarding the consideration of issue by the Apex Court and disposed the application by issuing directions as stated above".

As per the Order of the Hon'ble NGT & keeping in view of the clarification issued MoEF & CC on 14.07.2017 regarding considering pet coke as hazardous waste or not, the Karnataka State Pollution Control Board has deliberated the issue of permitting pet coke as approved fuel as per Section 2(d) of the Air (Prevention and Control of Pollution) Act, 1981

in industries in the Technical Committee meeting held on 05.07.2017 & declared pet coke as approved fuel only in cement units for clinker production in Kilns and captive power plant in cement units vide Office Memorandum dated: 22.07.2017. The recommendations of the Technical Committee was communicated to Department of Ecology and Environment, Government of Karnataka on 06.07.2017 to issue notification prohibiting the use of pet coke as fuel as per Section 19(3) of the Air (Prevention and Control of Pollution) Act, 1981 other than the industries stated above. The Department of Ecology and Environment, Government of Karnataka has issued notification on 11.08.2017 under Section 19(3) of the Air (prevention and Control of Pollution) Act, 1981, prohibiting the use of pet coke as fuel in all the industries except in the following;

- 1) The Cement Kilns.
- 2) Captive Power plants within the Cement units having facility of Circulating Fluidized Bed Combustion (CFBC) boilers, where in SO₂ emissions are controlled by use of lime Stone.

In the mean time, the Hon'ble Supreme Court in the matter titled as *M.C. Mehta Versus Union of India & Ors.* in Writ Petition (s) (Civil) No. 13029/1985 passed an order on 24.10.2017 and banned use of pet coke and furnace as fuel in the NCR state of Harayana, Uttar Pradesh and Rajasthan. Hon'ble Supreme Court in its order dated: 17.11.2017 in the above mentioned writ petition noted that, pollution caused by pet coke and furnace oil is not a problem confined to NCR states, but appears to be a problem faced by almost all the states and Union Territories in the country & suggested all the State Governments and Union Territories to consider taking measures as have been taken by Government of India and Chairman, Central Pollution Control Board in case of NCR states.

Further, the Hon'ble National Green Tribunal observed in OA No. 67/2019 titled as *Sumit Kumar Versus State of HP & Ors. And Amarjeet Kumar Versus Union of India & Ors.*, that, "Considering the various directions and orders of Hon'ble Supreme Court regarding use of Pet-Coke and Furnace Oil (FO) containing higher sulphur, it is required that States and UTs, formulate fuel policies regarding use of Pet-Coke and FO in light of Hon'ble Supreme Court order dated 24.10.2017 (banning use of Pet-Coke and FO in NCR States) and observing vide order dated 17.11.2017 that States/UTs are suggested to take similar measures. Also further Hon'ble Supreme Court order dated 13.12.2017, 05.02.2018 and 26.07.2019 allowing use of Pet-Coke in industries/processes which use Pet-Coke and FO either as feed stock such as Calcined Pet Coke (CPC) units, Aluminum industries or where they get absorbed along with product in manufacturing process such as Cement, Lime Kiln, Calcium Carbide Industries. It is relevant to mention that use of Raw Petroleum Coke (RPC) in CPC units has been allowed with condition of 90% recovery of SO₂ emission. The same principle may be followed in industrial processes where use of FO as feed stock is considered by States/UTs."

The reason for the above conclusion is due to presence of higher concentration of Sulphur and huge emission of SO₂ and other pollutants due to use of *Pet-Coke* and *FO* by the industries which has been banned in several States but continuing in some of the States.

Hon'ble NGT further observed that "on consideration of the matter, we find that in view of established adverse impact of use of *Pet-Coke* and *FO* by the industries, prohibition of its use may need consideration on 'Precautionary' principle as well as 'Sustainable Development' principle statutorily recognized under the National Green Tribunal Act, 2010, the industries may have to switch over to alternatives and cleaner fuels. We may note that air quality in many of the locations in India is

not of prescribed quality and as many as 102 cities have been identified as "Non-attainment Cities". The said cities are spread over almost in all the States, including the State of Himachal Pradesh. 100 industrial clusters are declared critically polluted throughout India. This makes it imperative that any measure which is helpful in controlling air pollution must be preferred to the extent viable. These aspects have been considered by the Tribunal in order dated 08.10.2018 in O.A No. 681 of 2018 in News Item published in "The Times of India" authored by Shri Vishwa Mohan titled "NCAP with multiple timelines to clean air in 102 cities to be released around August 15" and order dated 13.12.2018 in Original Application No. 1038/2018 in News Item published in "The Asian Age" Authored by Sanjay Kaw Titled "CPCB to rank industrial units on pollution levels" respectively."

The Hon'ble National Green Tribunal passed Order on 28.03.2019 in OA NO. 67 of 2019 and OA No. 138 of 2019, noting the brief of the above of the Hon'ble Supreme Court Orders regarding pet coke and furnace oil provided by CPCB, and directing CPCB to issue appropriate directions in this regard to the concerned state and Union territories. Accordingly, the CPCB has issued direction under Section (5) of the Environment (Protection) Act, 1986 on 23.08.2019 to formulate and enforce the fuel policy regarding use of pet coke and FO in the state in light of various orders Passed by Hon'ble Supreme Court regarding use of pet coke and FO in WP No. 13029/1985.

In this background, fuel policy for use Pet Coke and Furnace Oil in the State of Karnataka is formulated.

1.1 CLIMATE OF KARNATAKA

Karnataka witnesses three types of climate. The State has a dynamic and erratic weather that changes from place to place within its territory. Due to its varying geographic and physiographic conditions, Karnataka experiences climatic variations that range from arid to semi-arid in the plateau region, sub-humid to humid tropical in the Western Ghats and humid tropical monsoon in the coastal plains.

More than 75 percent of the entire geographical area of Karnataka, including interior Karnataka, witnesses arid or semi-arid climate. Karnataka has about 15 percent of the total semi-arid or 3 percent of the total arid areas marked in India.

Due to the climatic difference Karnataka is divided into three meteorological regions:

- **Coastal Karnataka:** This region stretches over the districts of Udupi, Uttara Kannada and Dakshina Kannada. The entire coastal belt and the adjoining areas have tropical monsoon. The area receives heavy rainfall. The average annual rainfall in Coastal Karnataka is about 3456 mm, which is much more than the rainfall received in the other parts of the state.
- **North Interior Karnataka:** This region extends over the districts of Bagalkot, Belgaum, Bijapur, Bidar, Bellary, Dharwad, Haveri, Gadag, Gulbarga, Koppal and Raichur. This area is an arid zone. North Interior Karnataka receives the least amount of rainfall in the state and the average annual rainfall is just 731 mm.

- **South Interior Karnataka:** This region spreads over the districts of Bangalore Rural, Bangalore Urban, Chitradurga, Chamrajnagar, Chikmagalur, Hassan, Kodagu, Kolar, Mysore, Shimoga and Tumkur. This zone experiences semi-arid type of climate. South Interior Karnataka receives an annual average of 1286 mm rainfall.

Seasons in Karnataka

Karnataka experiences the following four seasons in a year:

- **Summer:** The summer season starts from March and extends till May. April and May are the hottest months in Karnataka. During these two months the weather turns very dry and uncomfortable in the state.
- **Monsoon:** The monsoon season begins in June and lasts until September. During the month of June humidity and temperature soars in the state. It is also the month when the South West monsoon winds bring rainfall to the southern part of the state. From July to September the heat reduces to an extent due to the rainfall but the humidity stays high. The district of Udupi receives the highest average rainfall while the districts of Chitradurga, Bijapur and Koppal receive the lowest average rainfall.
- **Post-Monsoon:** The post-monsoon season begins from October and continues until December. This period brings about a pleasant change in the weather. The state receives a few spells of rain associated with the north-eastern monsoon which affects the south-eastern parts of Karnataka. The humidity reduces considerably during this period of the year.
- **Winter:** The winter season extends from January to February. These are the coldest months in most parts of Karnataka and the temperature dips low. The weather remains pleasant as the humidity reduces considerably.

Temperature in Karnataka

Karnataka experiences lowest temperature during the month of January and then the temperature gradually increases. The temperature begins to soar rapidly during the month of March. The southern parts of the state generally experience the highest temperature during the month of April while in the coastal plains the temperature reaches its maximum during the month of May. Post monsoon, during the months of October and November the temperature decreases in the state and comes down further during the month of December.

The average high temperature during summer is 34 degrees Celsius across the state. The average day temperature is 29 degrees Celsius in the monsoon season. During winter temperatures range from 32 degrees Celsius to below 20 degrees Celsius.

AIR QUALITY SCENARIO OF THE STATE:

The Board is monitoring air quality at various locations of Bangalore City and other major cities of the State under National Air Quality Monitoring programme (NAMP) covering industrial areas, mixed urban areas and Sensitive areas as per the frequency stipulated in the National Ambient Air Quality standards for parameters namely PM₁₀, PM_{2.5}, SO₂ and NO_x. The ambient air quality is being carried out using Continuous Ambient Air Quality Monitory System and manual stations. Annual average of ambient air quality for the years 2016-17 (prior to ban on use of pet coke as fuel other than Cement units), 2018-19 and 2018-19 for Bangalore City and major cities of the state is given in Annexure-I. As per the Ambient Air Quality monitoring before and after the ban on use of pet coke, annual average concentration of Sulphur Dioxide is well within limits specified in National Ambient Air Quality Standards.

FULE POLCIY FOR USE OF PET COKE AND FURNACE OIL IN THE STATE OF KARNATAKA

PET COKE (PC):

Petroleum coke, abbreviated coke or petcoke, is a final carbon rich solid material produced during refining of crude oil in petroleum refineries. Pet Coke can either be fuel grade (high in sulfur and metals) or anode grade (low in sulfur and metals). Pet Coke has high calorific value (around 8,000 Kcal/kg) compared to Indian coal 3,500-4,500 kcal/kg. In other properties like ash content and volatile matter it has been found to be superior. The negative point is the sulphur content, which goes up to 7 per cent. The sulphur content varies depending on the source of crude oil. Pet-Coke contains over 80% Carbon and emits 5% to 10% more Carbon Dioxide (CO₂) than Coal on a per unit-of-energy basis when it is used as fuel. Due to higher calorific value, pet coke has become a popular substitute to coal for use in boilers and Clinker production in Cement units.

M/s Mangalore Refinery and Petrochemicals Limited, Mangalore is the only Petroleum refinery operating in the State of Karnataka and producing pet coke with production capacity of 3.0 MMTPA. The average production of pet coke during the period January 2019 to June 2019 is about 63,933 MT /Month. The characteristic of fuel grade pet coke produced by MRPL is given in Table No.1.

PRODUCTION OF PET COKE IN KARNATAKA:

Month 2019	Jan.	Feb.	March	April	May	June	July
Quantity in MT	89,662	84,391	96,810	58,618	57	24,524	93,892

TABEL No. 1

Sl. No.	Parameter	Unit	Typical Value
1	Moisture Content (As Received)	% Mass	8 Max
2	Volatile Content (After initial drying)	% Mass	13.5 Max
3	Fixed Carbon (Calculated)	% Mass	85 Min.
4	Ash Content (After initial drying)	% Mass	0.45 Max.
5	Total Sulphur (After initial drying), About (~)	% Mass	7.5
6	Gross Calorific Value	Cal / gm	8000 Min.

USAGE OF PET COKE IN THE STATE OF KARNATKA:

As per the orders of the Hon'ble NGT, the Board has approved pet coke as approved fuel under Section 2(d) of the Air (Prevention and Control of Pollution) Act, 1981 vide Office Memorandum dated: 22.07.2017 only for Clinker production and CFBC boilers operating in power plants located within in Cement Plants. Department of Ecology and Environment, Government of Karnataka in its Government Order dated:11.08.2017 has prohibited use of pet coke as fuel under Section 19(3) of the Air Act, 1981 except for use in Cement Kilns and Captive power plant located in within the premises of Cement unit. Further, the KSPCB has amended the Consent Orders issued to Cement industries indicating the quantity of pet coke permitted per month/ year to be used as feed stock as per MoEF & CC Office Memorandum No. Q-18011/54/2018-CPA dated: 10.09.2018. The list of Cement units permitted for use of pet coke as feed Stock in the state of Karnataka is given in Table No.2

TABLE NO.2

Sl. No.	Name and address of the Cement unit	Quantity of pet coke permitted in MT /month	Quantity of pet coke permitted in MT /year
1.	Kalaburgi Cement private Limited, Chatrasala Village, Chincholi taluk, Kalaburgi district-585 320	32,136	3,85,639
2.	Chettinad Cement Corporation Limited, Sangam K Vilalge, Kalaburgi district	16,667	2,00,000
3.	ACC Limited, Unit-I, Wadi Post, Kalaburgi district.	13,265	1,59,176
4.	ACC Limited, Unit-II, Wadi Post, Kalaburgi District	37,055	4,44,667
5.	Dalmia Cement (Bharath) Ltd, Yadwad village, Belgum.	18,333	2,20,000
6.	Shir Keshav Cement and Infra Limited, Naganapur, Mudhol taluk, Bagalkot District	21,000	2,50,000
7.	UltraTech Cement Limited, (Unit: Rajashree Cement Works) Adityanagar, Malkhed Road,- 585 292	59,167	7,10,000
8.	JK Cement Works, Muddapur Post, Bagalkot District	18,334	2,20,000

9.	Shree Cement Limited, Unit: Karnataka Cement Project, Benkanhalli and Kodla Village, Sedam taluk, Kalaburgi District	20,000	2,40,000
10.	Kesoram Industries Limited, Cement Division, (Unit: Vasavadatta Cement Works) Sedam taluk, Kalaburgi District	52,586	6,31,028
11.	Orient Cement Limited, Itaga Post, Malkhed Road, Chittapur taluk, Kalaburgi District	12,500	1,50,000

FURNACE OIL (FO)

Fuel oil, also called furnace oil, consisting mainly of residues from crude-oil distillation. It is used primarily for steam boilers in power plants, ships, and in industrial plants. Commercial fuel oils usually are blended with other petroleum fractions to produce the desired viscosity and flash point. Normally the gross calorific value is of the order of 10000 cal/g with Sulphur content varying from 3.5 to 4.5%.

USAGE OF FURNACE OIL IN THE STATE OF KARNATAKA.

Oil Companies namely IOCL, HPCL and BPCL are the major suppliers of Furnace Oil in the State of Karnataka. The annual sale of Furnace Oil in the State of Karnataka is reported to be 3.0 Lakh TPM. Major industries operating in the state of Karnataka are using furnace oil as fuel in boilers, furnaces etc., List of major industries using furnace as fuel is given in Annexure- II.

RECOMMENDATION OF KSPCB ON USE OF PET COKE AND FURNACE OIL

Considering various Order passed by the Hon'ble Supreme Court and National Green Tribunal, ambient air quality for last three years, the Government of Karnataka proposes to adopt the following fuel policy in respect of pet coke and furnace oil.

PET COKE:

- a) Use of pet coke as fuel in industries is prohibited in the State of Karnataka.
- b) Use of pet coke as feed stock be permitted for clinker production, lime kiln, gasification plant, Calcined pet coke (domestic as well as imported) for anode making in Aluminum industry as permitted by Hon'ble Supreme Court.
- c) Use of pet coke as feed stock to require prior consent of KSPCB.
- d) Other Industries (other than those permitted by Hon'ble Supreme Court) which intend to use pet coke as feed stock shall submit a proposal for KSPCB for evaluation and for a decision at MoEF & CC, Government of India.

POLICY FOR FURNACE OIL

- 1) Use of Furnace Oil as fuel by industries within Outer Ring road limits of Bangalore city prohibited.
- 2) Use of Furnace Oil as fuel in the industries other than Sl. No. (1) above is permitted in the State of Karnataka. Such industry are required to comply with emission norms for SO_x and NO_x notified by MoEF & CC in its notification dated: 29.01.2018.

ANNEXURE-I

Annual average values of air pollutants at 16 locations in Bangalore City during the 2016-17

(Before imposing use of pet coke as fuel in cement units)

Sl. No	Name of the Station	SO ₂ µg/m ³	NO ₂ µg/m ³	PM ₁₀ µg/m ³	PM _{2.5} µg/m ³	NH ₃ µg/m ³	lead µg/m ³	CO mg/m ³
1	Export pro Park ITPL	2.0	33.1	130.9	54.8	29.3	0.1	*
2	K.H.B Industrial Area	2.0	28.5	110.8	53.8	25.4	0.1	*
3	Peenya Industrial Area - RO	2.0	37.0	108.9	51.7	36.6	0.1	*
4	Swan Silk Peenya Indl Area	2.3	37.9	98.9	50.2	35.0	0.1	*
5	Yeshwanthpura Police Station	2.0	39.6	93.3	45.9	36.0	0.1	*
6	Amco Batteries	2.0	38.0	106.8	51.0	36.1	0.2	*
7	Central Silk Board	2.3	39.4	131.9	58.0	37.8	0.1	*
8	DTDC House	2.0	33.7	127.0	0.0	23.9	0.1	*
9	Banswadi police station	2.0	26.8	80.3	41.2	22.0	0.3	*
10	CAAQM City Railway Stn.	6.5	45.8	101.9	0.0	0.0	0.0	0.9
11	CAAQM S.G.Halli	3.7	30.3	45.9	0.0	0.0	0.0	0.5
12	Kajisonnenahalli	2.0	24.3	83.2	40.3	22.0	0.1	*
13	TEERI Office, Domlur	2.0	32.0	120.1	55.4	39.3	0.2	*
14	UVCE, K.R Circle	2.0	26.3	86.2	38.2	22.9	0.2	*
15	Victoria Hospital	2.0	36.3	79.9	39.7	32.4	0.1	*
16	Indira Gandhi Children Care	2.0	31.0	77.6	35.9	28.0	0.1	*
	Standards	50.0	40.0	60.0	40.0	100.0	0.5	2.0

Annual average values of Air Pollutants in other districts of Karnataka during the year 2016-17

(Before imposing use of pet coke as fuel in cement units)

Sl No	Location	SO ₂ µg/M ³	NO ₂ µg/M ³	PM ₁₀ µg/M ³	PM _{2.5} µg/M ³	NH ₃ µg/M ³	Pb µg/M ³
1	Ro Kolar	2.0	30.7	80.0	38.1	30.6	0.17
2	RO Tumkur	2.0	34.0	146.1	34.6	32.0	0.09
3	RO Mandya	2.1	19.2	43.4	*	12.6	0.00
4	K.R.Circle, Mysore	2.2	18.8	48.7	*	14.5	0.01
5	KSPCB, Mysore	2.1	19.8	47.0	*	13.1	0.01
6	RO. Chamrajnagar	2.2	20.6	51.2	23.3	13.8	0.01
7	RO Hassan.	5.8	19.4	28.0	25.0	1.6	0.03
8	RO Mangalore Indl Area	8.8	10.8	61.0	38.0	0.0	0.10
9	RO Chitradurga	2.0	4.0	47.0	18.0	5.8	0.03
10	VISL Bhadravathi	2.0	4.0	32.0	18.0	6.6	0.03

11	HPF Intake Point, Dvg	2.0	4.0	52.0	14.0	9.0	0.02
12	Mothi Talkies	5.1	9.8	145.0	0.0	8.8	0.04
13	RO Davangere	2.0	4.0	48.0	23.0	7.0	0.03
14	Dharwad	5.5	22.1	76.0	33.0	15.5	0.00
15	Gokul Road- Hubli	5.6	22.0	89.0	35.0	16.1	0.00
16	RO Belguam	2.0	16.6	80.0	52.4	35.8	0.00
17	Gulbarga Govt.Hospital	*	*	57.0	*	*	*
18	RO Raichur	4.5	12.6	88.0	40.0	*	*
19	RO Bellary	4.0	10.0	57.0	24.0	*	*
20	CMC Bellary	4.0	10.0	65.0	26.0	*	*
21	RO Bidar	*	*	133.0	*	*	*
	NAAQ Standards	50.0	40.0	60.0	40.0	100.0	0.50

**Annual average values of Air Pollutants at Bengaluru city during the year 2017-18
(After ban on use of pet coke as fuel in industries other than Cement Kiln)**

Sl. No	Name of the Station	SO2 µg/m ³	NO2 µg/m ³	PM 1 ₃ µg/m ³	PM 2.5 µg/m ³	NH3 µg/m ³	Lead µg/m ³	CO mg/ m ³	AQI	
1	Bangalore University	3.7	10.7	25.0	*	*	*	*	25	Good
2	CAAQMS at S.G.Halli	2.2	24.0	50.4	*	*	*	0.5	50	Good
3	Urban Ecopark Peenya	2.0	31.9	95.2	44.2	31.0	0.150	*	95	Satisfactory
4	Swan Silk Pvt. Ltd ,Peenya	2.0	32.0	96.6	44.8	32.1	0.133	*	97	Satisfactory
5	Yeshwanthpura Police Station	2.0	33.0	95.0	44.5	32.7	0.101	*	95	Satisfactory
6	AMCO Batteries, Mysore Road	2.0	32.7	86.1	39.9	33.6	0.202	*	86	Satisfactory
7	Banaswadi police station	2.0	24.3	68.7	32.0	20.7	0.145	*	69	Satisfactory
8	Madavachari house, Kajisonnenahalli	2.0	30.6	69.0	*	29.8	0.196	*	69	Satisfactory
9	UVCE, K.R Circle	2.0	23.8	70.9	34.5	21.8	0.132	*	71	Satisfactory
10	Victoria Hospital	2.0	31.7	65.3	40.0	32.1	0.083	*	67	Satisfactory
11	Indira Gandhi Child Health Care Centre	2.0	31.9	65.6	30.4	32.0	0.085	*	66	Satisfactory
12	Export promotional Park, ITPL Whitefield Indl. Area	2.0	31.7	103.9	50.8	30.9	0.148	*	103	Moderate
13	Rail Wheel Factory, Yelahanka	2.0	29.7	101.9	65.8	30.3	0.118	*	119	Moderate
14	Central Silk Board, Hosur Road	2.0	32.0	118.8	*	33.5	0.104	*	113	Moderate
15	CAAQM City Railway Stn.	7.5	52.0	100.9	*	*	*	1.3	101	Moderate
16	TERI Office, Domlur	2.0	32.4	118.4	52.1	30.8	0.182	*	112	Moderate
	Annual average values	2.3	31.5	87.1	3.1	29.5	0.2		3.5	Satisfactory
	Standards, µg/m ³	0	40	60	40	00	500	2		
Note : * Monitoring not carried out										

**Annual average values of Air Pollutants in other districts of Karnataka during 2017-18
(After ban on use of pet coke as fuel in industries other than Cement Kiln)**

Sl No	Location	SO ₂ µg/m ³	NO ₂ µg/m ³	PM ₁₀ µg/m ³	PM _{2.5} µg/m ³	NH ₃ µg/m ³	Lead µg/m ³	AQI	
1	RO Mandya	2.1	14.5	42.8	24.0	10.4	0.002	43	Good
2	KSPCB, Mysuru	2.3	16.6	46.4	25.0	11.2	0.002	46	Good
3	KSPCB Building, Madikeri	2.1	13.1	35.4	18.5	7.1	0.001	35	Good
4	RO Chitradurga	2.3	4.5	47.5	17.1	4.9	0.030	48	Good
5	VISL Bhadravathi	2.4	4.5	36.3	18.2	6.6	0.027	36	Good
6	RO Davangere	2.6	4.5	47.5	21.2	4.7	0.030	48	Good
7	K,R. Circle, Mysuru	2.2	16.8	53.3	28.0	13.3	0.004	53	Satisfactory
8	RO, Kolar	2.0	31.0	72.3	36.6	31.9	0.138	72	Satisfactory
9	RO, Chamraj nagar	2.1	17.3	59.1	30.2	12.3	0.004	59	Satisfactory
10	RO Hassan.	5.1	19.4	33.1	31.3	2.0	BDL	52	Satisfactory
11	Baikampady Industrial Area Mangaluru	8.3	10.3	69.8	45.6	BDL	0.173	76	Satisfactory
12	HPF Intake Point, Ranebennur	2.5	4.5	46.1	19.3	7.7	0.020	87	Satisfactory
13	RO- Dharwad	5.2	21.4	67.2	27.8	23.7	*	67	Satisfactory
14	Gokul Road, Hubballi	5.6	26.4	89.2	34.2	25.8	*	89	Satisfactory
15	RO Belguam	2.0	15.4	79.3	40.2	*	*	79	Satisfactory
16	Govt.Hospital, Kalburgi	2.3	24.0	65.6	42.0	*	*	70	Satisfactory
17	RO-Raichur	2.6	12.3	98.3	38.6	19.1	*	98	Satisfactory
18	RO Bellary	4.8	11.5	51.8	20.5	*	*	52	Satisfactory
19	CMC Bellary	4.9	11.6	57.9	25.3	*	*	58	Satisfactory
20	RO Bidar	2.0	19.7	101.9	54.7	*	*	101	Moderate
21	RO Tumakuru	2.0	31.3	118.1	56.0	31.9	0.114	112	Moderate
22	Mothi Talkies, Davangere	5.3	10.0	164.6	*	9.4	0.040	143	Moderate
	NAAQ Standards	50	40	60	40	100	0.500		

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Annual average values of Air Pollutants at Bengaluru city during the year 2018-19
(After ban on use of pet coke as fuel in industries other than Cement Kiln)

Sl. No	Name of the Station	SO ₂ µg/m ³	NO ₂ µg/m ³	PM ₁₀ µg/m ³	PM _{2.5} µg/m ³	NH ₃ µg/m ³	Pb µg/m ³	O ₃ µg/m ³	CO mg/m ³	AQI	Category
1	Export promotional Park, ITPL, Whitefield Industrial Area	2.0	33.3	121.7	49.8	25.2	0.122	*	*	114	Moderate
2	Rail Wheel Factory, Yelahanka	2.0	32.7	105.9	*	25.2	0.071	*	*	104	Moderate
3	Yeshwanthpura Police Station	2.0	33.0	102.0	46.5	25.2	0.112	*	*	101	Moderate
4	Central Silk Board, Hosur Road	2.1	32.5	124.0	59.5	25.9	0.108	*	*	116	Moderate
5	City Railway Stn(CAAQMS)	6.8	39.0	126.0	*	*	*	*	1.6	117	Moderate
6	Central Silk Board (CAAQMS)	6.9	32.2	103.9	39.6	21.5	*	29.1	1.0	103	Moderate
7	Urban Ecopark Peenya	2.0	33.0	96.0	41.5	27.3	0.169	*	*	96	Satisfactory
8	Swan Silk Pvt. Ltd, Peenya	2.0	32.9	97.5	44.5	25.5	0.135	*	*	98	Satisfactory
9	AMCO Batteries, Mysore Road	2.0	33.4	100.5	43.9	26.8	0.186	*	*	100	Satisfactory
10	Banaswadi police station	2.0	27.8	67.7	*	24.7	0.035	*	*	68	Satisfactory
11	S.G.Halli (CAAQMS)	3.9	22.9	58.8	*	12.9	*	*	0.9	59	Satisfactory
12	Kajisonnalahalli	2.0	32.2	86.5	53.0	24.7	0.143	*	*	88	Satisfactory
13	TERI Office, Domlur	2.0	34.7	84.8	40.0	26.4	0.058	*	*	85	Satisfactory
14	UVCE, K.R Circle	2.0	28.9	75.0	34.0	25.0	0.092	*	*	75	Satisfactory
15	Victoria Hospital, Bangalore	2.0	32.5	65.8	27.5	25.2	0.037	*	*	66	Satisfactory
16	Indira Gandhi Child Health Care Centre	2.0	32.7	69.7	37.0	25.1	0.033	*	*	70	Satisfactory
17	Veterinary College, Hebbal	4.7	29.5	70.1	34.9	16.7	*	33.9	0.9	70	Satisfactory
18	Jayanagara 5th Block (CAAQMS)	7.3	35.9	87.2	38.0	24.1	*	35.7	1.1	87	Satisfactory
19	Kavika, Mysore Road(CAAQMS)	8.3	48.5	87.6	40.0	15.3	*	37.3	0.9	88	Satisfactory
20	Rajeev Gandhi Institute of Chest Diseases, NIMHANS (CAAQMS)	7.0	28.5	68.9	30.6	15.2	*	51.6	0.6	69	Satisfactory
	Standards, µg/m ³	50.0	40.0	60.0	40.0	100.0	0.500	100.0	2.0		
Note : * Monitoring not carried out								Annual average AQI		88.7	Satisfactory

**Annual average values of Air Pollutants in other districts of Karnataka during the year
2018-19
(After ban on use of pet coke as fuel in industries other than Cement Kiln)**

Sl No	Location	SO ₂ µg/M ³	NO ₂ µg/M ³	PM ₁₀ µg/M ³	PM _{2.5} µg/M ³	NH ₃ µg/M ³	Pb µg/M ³	AQI	Category
1.	KSPCB Office Premises, Kolar	2	32	90	*	25	0.068	90	Satisfactory
2.	KSPCB Office Premises, Tumakuru	2	32	79	*	26	0.052	79	Satisfactory
3.	KSRTC, Building, K. R. Circle, Mysuru	2	15	52	28	10	0.038	52	Satisfactory
4.	KSPCB Office Premises, Mandya	2	13	46	*	10	0.002	46	Good
5.	KSPCB Office Premises, Kodagu	2	12	35	19	10	0.002	35	Good
6.	KSPCB Office Premises,Chamarajanagar	2	15	54	28	10	0.003	54	Satisfactory
7.	KSPCB Office Premises, Hassan	2	18	30	24	10	0.006	40	Good
8.	Baikampady Ind. Area, Mangaluru	7	10	54	38	10	0.129	63	Satisfactory
9.	Gokul Rd. Opp. to New Bustand, Hubbli	2	24	82	25	23	0.001	82	Satisfactory
10.	Lakkamanahalli ind.area,Dharwad	2	20	65	22	22	0.001	65	Satisfactory
11.	Karwar Port, Director's Office, Karwar	2	27	57	36	*	*	60	Satisfactory
12.	KSPCB Office Premises, Davangere	7	10	49	20	10	0.017	49	Good
13.	Mothi Theatre, Gandhi Circle, Davangere	5	11	135	*	10	0.04	123	Moderate
14.	HPF Intake Well, Ranibennur	6	4.5	40	17	10	0.016	40	Good
15.	VISL, Bhadravathi,	11	4.5	43	16	10	0.023	43	Good
16.	KSPCB Office Premises, Chitradurga	9	4.5	57	*	10	0.020	57	Satisfactory
17.	KSPCB Office Premises, Belagavi	2	16	106	50	10	0.001	104	Moderate
18.	KSPCB Office Premises, Vijyapura	2	15	79	33	10	0.001	79	Satisfactory
19.	KSPCB Office Premises, Bagalkote	2	14	57	33	10	0.001	57	Satisfactory
20.	Government Hospital, Kalaburagi	2	12	50	36	*	*	60	Satisfactory
21.	KSPCB Office Premises, Raichur	2	10	79	29	31	*	79	Satisfactory
22.	KSPCB Office Premises, Bidar	2	12	85	44	*	*	85	Satisfactory
	NAAQ Standards	50	40	60	40	100	0.500	65.5	Satisfactory
	Note : * Monitoring not carried out						Annual average	88.7	Satisfactory

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ANNEXURE-II

Sl. No.	Name & address of the Industries	Capacity of furnace/boiler/ other source where FO or pet coke is used.	Furnace Oil (in KLPM)	Remarks (details of Air pollution control equipment provided shall be indicated)	
1	Cipla Limited, Sy. No. 30/1, 302, 30/3, 34, 31/1, 31/2, 391, 9/1 & 401, Virgonagar Post, Old Madras Road, Bengaluru 560 049	Steam Boiler 2TPH	10.31	Common 42.530 mts AGL chimney.	
		Thermax Steam Boiler 3TPH	71.80		
		Thermax Steam Boiler 3TPH	37.51	31 mts ARL chimney	
		Oil Fired Thermic Fluid Heater 10 L Kcal/hr X 03 Nos	88	Common 32 mts AGL chimney.	
		Steam Boiler-1 600 kg / Hr			
		Oil Fired Thermic Fluid Heater 6 L Kcal/hr X 03 Nos			Common 32 mts AGL chimney.
		Steam Boiler-1 850 kg / Hr			
		Steam Boiler-2 400 kg / Hr	66	Common 32 mts AGL chimney.	
		Steam Boiler-3 600 kg / Hr			
Oil Fired Thermic Fluid Heater 25 L Kcal/hr X 01 No	32 mts AGL chimney.				
2	Bio- Plus Life Sciences Private Limited, Pharmed Garden, Whitefield Road, Bengaluru 560 048	Steam Boiler 850 Kg/hr	12	30 mts AGL chimney.	
		Hot Water Boiler 04 Lakh K Cal/hr		30 mts AGL chimney.	
3	Mother Dairy Fruits and Vegetables Private Limited, Sy. No. 99, Whitefield - Hoskote Highway, Khajisonnenahalli Village, Bengaluru	Boiler 03 Tonne K Cal/hr	13.00	20 mts AGL chimney.	
4	H.A.L.- Helicopter Division, P.B.No.1790, Vimanapura Post, Marathalli, Bengaluru-560 017	Boiler in Mechanical maintenance No. 1771	08	17 mts AGL chimney.	
		Boiler in Mechanical maintenance No. 1286		17 mts AGL chimney.	
5	H.A.L.- Foundry And Forge Division, Sy No. 93 to 102, HAL (BC), P.B.No.1791 Vimanapura (PO), Old Airport Road Bangalore East Taluk	Magnesium Melting Furnace	0.60	20 mts AGL chimney.	
6	H.A.L.- Aircraft Division, P.B.No.1788, Air Port Road, Bangalore East Taluk	Steam Boiler 2 TPH	14	18 mts ARL chimney	
		Steam Boiler 3 TPH		18 mts ARL chimney	

7	The Mandya District Co-op Milk Producers Societies Union Ltd, (Product Dairy), Gejjalagere Village, Maddur Tq, Mandya Dist-571428.	5 TPH Boiler	0.15 T/hr.	Cyclone Dust Collector
8	Bhoruka Extrusions Private Ltd, No.1, KRS Road, Metagalli Industrial area, Mysore	Reverbaratory Melting Furnace (3.1 MT)	30.67 KL	Dust Collector
9	Bank Note Paper Mill India Pvt Ltd(A JV of SPMCIL- A Govt. of India Enterprise & BRBNMPL- A Subsidiary of RBI) Note Mudran Nagar, Metagalli, Mysore	Boiler 10 TPH (3 Nos.)	390 KL	--
10	TVS Motor Co. Ltd., P.B.No.1, Byathanahalli Village, Kadakola Post, Mysore	DG set (1.5 MW)- 3Nos.	33KL	Acoustic enclosure provided chimney height of 38m AGL
		DG set (3 MW)-1 Nos.		Acoustic enclosure provided chimney height of 64m AGL
11	Mysore Steels Limited, (Formerly Known as : Shimoga Steels Ltd.,) KIADB Industrial Area, KRS Road, Metagalli, Mysore - 570016	Reheating Furnace (19 TPH)	45 KL for September 2018. From 1 st October 2018 production was suspends till date	Recuperate for recovery of waste heat
12	Mysore Paint And Varnish Limited, New Bannimantap Extension, Mysuru - 570 015	Fusion Kettle(500 Kg)-1 Nos.	0.025 KL	Chimney height 3m ARL & Scrubber
13	Rajeshwari Metal Industries, B-128, Industrial Estate, Yadavagiri, Mysore	Crucible furnace of capacity of 150 kg/batch	3KL	Chimney of 10m AGL
14	Hindustan Unilever Ltd., Plot No.424, KIADB Industrial area, Hebbal, Mysore	Boiler-8 TPH	148.91 KL	Chimney height 40m AGL
		Boiler-12 TPH		Chimney height 50 m AGL
15	GRS Engineering Pvt. Ltd., Plant-II, Plot No. 3, Belagola Industrial Area, Mysore-570002	Forging Furnace-2 Nos.	16 KL	Chimney height of 9m ARL
16	Rare Material Plant at Sy. Nos of Chikkadanahalli, Yelawala Village, Ratnahally, Mysore Taluk & Dist	Boilers(5 TPH)-2 Nos.	14 KL	Chimney height of 36m AGL
		Hot water generator- 15 Lakh K Cal/hr-2 Nos.		Chimney height of 30 m AGL
17	Siderforgerossi India Pvt. Ltd.,Plant-II Formerly AMW MGM Forging Pvt Ltd., Plot No.82 & 84, KIADB Idl. Area, Belagola,KRS Road, Metagalli, Mysore - 570016,	Forging Furnace capacity 0.5 T -2 Nos.	31.9 KL	Provided chimney of 20 m AGL

18	J.K. Industries Ltd., Tyres Plant-I, (Formerly Vikrant tyre Ltd., (Main Plant)), KRS Road, Metagalli, Mysore	DG set(4 MW)-2 Nos.	2.82 KL	Chimney height Provided 51 m AGL
19	J.K. Industries Ltd, Truck Radial Plant-II (Formerly Vikranth Tyre Ltd.), (Radial Tyre Unit), No.437, Mysore, Hebbal Industrial Area, Mysore	DG set(6 MW)	2.99 KL	Chimney height provided 60 m AGL
20	Millennium Chemi Pharma (Mysore) Pvt. Ltd., No. 49, Belagola Industrial Area, Mysore, Belagola Industrial Area, Mysore	Boiler (600 kg/hr)-1 Nos.	20 KL	Connected to existing chimney height of 20m AGL
21	HLL Life Sciences, Belgaum	3 TPH & 4 TPH boiler	3.0 KL/day	
22	M/s.Tarun Industries, No.114/11, DG Halli, Patel Puttaih Indl. Estate, Deepanjalinagar, Bengaluru	Furnace Oil - 500 Kgs/hr	1.0 KL	Hood and chimney of ht. 20AGL.
23	M/s.The Golden Metal Rolling Mills, Plot No.15, New Timber Yard Layout, Mysore Road, Bangalore-560026	Crucible-200 KG/hr Crucible - 300 KG/hr	1.5KL	Common chimney of ht. 14ft AGL with scrubber
24	Kems Forgings (Sree Lakshmi Industrial Forging and Engineers Ltd.), No.35/B, KIADB Indl. Area, Hoskote Taluk, BRD	10 kl	20 KL	--
25	Evershine Smelting Alloy Private Ltd., Plot No.15-C, II Zone, Attibele Indl. Area, Anekal Taluk, Bangalore Urban District - 562 107	Rotary furnace (For Melting of Old Lead Acid Batteries/Lead Scrap)	10 Ltr/Hr	Bag Filter and Cyclone Dust Collector
26	M/s.Reid & Taylor (India) Limited, Thandya Indl.Area, Nanjangud Taluk, Mysore District - 571301	2 Nos. of Boilers 4 TPH each	69.52	Chimney attached
		6 Lakh K.Cal/hr Thermic Fluid Heater	23.84	Chimney attached
		2.5 MW DG Set - 2 Nos.	0.35	Chimney attached
		10 Lakh K.Cal/hr Thermic Fluid Heater	37.44	Chimney attached
		20 Lakh K.Cal/hr Thermic Fluid Heater	81.12	Chimney attached
27	M/s.Zenith Textiles (A unit of Zenith Exports Ltd.), No.13, ABC, Nanjangud Indl. Area, Nanjangud-571302, Mysore District.	1.5 TPH Boiler	3.6 KL/Annum	Chimney attached (presently not using this boiler)
28	M/s. ABB India Ltd., Sy.No.410/417, Thandavapura village, Mysore Ooty Road, Thandavapura 571325, Nanjangud Tq., Mysore Dist.	Boiler of capacity 6 PH	36.81	38 mtr. Chimney
29	M/s.SPR Distilleries Pvt.	Boiler of 10 TPH	--	--

	Maliyur village, Bannur Hobli, T.Narasipura Taluk, Mysuru District			
30	M/s.AT & S India Pvt.Ltd., Plot No.12, 12-A, 12-B & 82, Industrial Area, Nanjangud-571301, Mysore District.	5 MW DG Set	2 KL/month (Average)	52 mts of Chimney from ground level has been provided
31	M/s.Solara Active Pharma Sciences Limited, Formerly: M/s.Sequent Scientific Limited, #253, Thandya Industrial Areal, Thandavapura Toremavu village, Nanjangud Taluk-571301, Mysore Dist.	2 TPH Boiler	Avg. 2.5 KL per month	Connected to a common chimney cum dust collector of 30 metres height (AGL)
32	M/s.United Breweries Ltd., Limmavu village, Chikkayana Chatra Hobli, Nanjangud Taluk, Mysuru Dist.	6.3 TPH FO Boiler	7	Stack provided and monitored once in a month
33	M/s.Nestle India Limited, Plot/Phase No.Sy.No.63,99,100/1,100/2,101/1.1 17/3, 121,122/1, 124, 131(p), KIADB Industrial Area, Nanjangud-571302, Mysore District	Hot Air Generator-900,000Kcal/Hr	6559	--
		Boiler 5-14TPH	92	-
		Boiler 6-14TPH	192.17	-
		Boiler 7-14TPH	335.91	-
		Hot Air Generator – 900,000 Kcal/Hr	94	-
		Hot Air Generator-1200,000 Kcal/Hr	74.19	-
34	M/s. Bio-Pharma Pvt.ltd., Plot No.2DI, 3 rd Phase, KIADB industrial Area, Obadenahalli, Doddaballapura taluk, Bangalore Rural District.	Boiler – 3 TPH	36 KL	Provided common chimney of 30m AGL. Each boiler is being, operated for a period of 8 hrs.
35	Davangere Dairy, Doddabathi-Village, Davangere-Tq & Dist	Boiler-1 TPH	0.23	Dust collector with chimney hgt 30 Mtrs (Not in use)
36	Harihara Poly Fibers, (Unit of Grasim Industries), Kumarapattanum, Ranebennur-Tq, Haveri-Dist.	Lime Kiln130 TPD	0.195	ESP with chimney hgt of 30 Mtrs
37	M/s.JSW Seel Ltd., Vidyanagar Post, Toranagallu, Ballari, District	-	Not used	=
38	United spirits Ltd., (old Name Pampasara Distilleries Ltd.,) Sy.No.1,2,3,4 110 & 243b of Chitwadgi, Hospet Taluk, Ballari Dist.	-	-	Temporarily not operating
39	Ballari Thermal Power Station) KPTCL Ltd., Kudutini Village, Ballari Dist	Boiler-2 x 1500 TPH Boiler – 1 x 2100 TPH	586	Used for initial burning of the boiler. Haver Provided ESP and Low Nox Burners as APC measures
40	M/s.JSW Energy Ltd., (860 MW Power Plant) Sy No.348,	Boiler – 2 x 415 TPH	130	Used for initial burning of the

	352, 353, & 361, JVSL Premises, Toranagallu, Ballari District	Boiler- 2 x 1015 TPH		boiler. Haver Provided ESP and Low Nox Burners as APC measures
41	BMM Ispat Ltd (Stage I & II) Sy.No.190 & 191, Marayammanahalli Hobli, Hospet Taluk, Ballari District	Used in Kiln and travel grate	90	Used in pellet plant. Have provided ESP as APC measures
42	M/s.Minera Steel & Power Pvt. Ltd., (Formerly KMMI Steel Pvt. Ltd.,)	Indurating Furnace with burners	50	Earlier used as fuel, now the industry is taking trials with Bio fuel known as Light Blaze Oil (Biofuel). Indurating Furnace is provided with ESP
43	Steel Authority of India Limited, Visvesvaraya Iron & Steel Plant, Bhadravathi – 577301, Shimoga Dist, Karnataka State.	15T/Hour capacity Pusher Furnace, Primary Mills.	(*)	Chimney
		12T/Hour capacity Walking Hearth Furnace, Bar Mill.	29.980 (**)	Chimney
		25 Ton Boghi Hearth Furnace, Forge Plant.	46.320	Chimney
44	E-Ramamurthy Minerals & Metals Pvt. Ltd, Survey No. 61, Navilebasapura Village, Bhadravati Taluk, Shimoga District, Pin -577222, Karnataka.	Furnace Oil	200	1.45 Mtrs Stack (Chimney) 2. Cyclone followed by scrubber.
45	JK Cement Works, Village – Muddapur, Taluka-Mudhol, District-Bagalkot, Karnataka-587122	Clinker Klin – 2.2 MTPA production	Approx.23 KL (HSD/Tire Pyrolosis Oil (TPO)/PPF oil)	Reverse air bag house Selective non-catalytic Reduction (SNCR) System.
46	KPR Agrochem ltd, Sy No:108, 109 &110, Halavarthi-Village Koppal- Taluk and District	1KL/Day	5	Cyclone dust collector attached to chimney of height 30mts
47	Kirloskar Ferrous Industries Ltd, Bevinahalli,Koppal Tq&Dist	BF Gas fired Boiler 19 TPHX2 and 30 TPH	4	Economizer along with Chimney
		DG set of capacity 4.5 MW	5	Chimney
48	Mukund limited,Ginigera Village,Koppal Tq& Dist (power Plant)	Boiler of capacity 55 TPH	150	Chimney
49	KOMUL Nh-4, Seesandra Village, Belaganahalli Cross, Huthur Post, Kolar Taluk & District.	Boiler -3 TPH- 2 No's Boiler -2 TPH Boiler -2 TPH	110	30 m AGL chimney with dust collector

50	Chloride Metals Limited Sy.No.60/1 &2, Seethanayakanahalli, Malur- Hosur Road, Lakkur Hobli, Malur Taluk, Kolar District.	Rotary furnace-5 MT- 3 No's	200	Settling chamber, Multicyclone, Bag filters(200Nos), Venturi Scrubber, Hygiene Hood
51	Theos Metals Trada Private Limited, (Electine Arn Alloys Private Limited) Plot No. 318A- & 318-B, 3rd Phase, KIADB Industrial Area, Malur Taluk, Kolar District.	Rotary Furnace – 5 Ton/batch	10	Cooling duct, gravity chamber, common cyclone dust collector, bag filters & scrubber with common chimney of 30 M AGL
52	Koeleman India Private Limited Sy. No. 38, NH-4, Bellur Panchayath, Narasapura Post, Kolar Taluk and District.	Furnace oil fired boiler of capacity 3 Tons / Hr	30	36 m chimney AGL.
53	Shree Balaji Aluminicast Private Limited, Plot No. 176, P-2, Sy. No. 82 Part, Karinayakanahalli Village, Narasapura Industrial Area, Kasaba Hobli, Kolar Taluk and District.	Furnace – 3 No's	30	30 m chimney AGL with hood & Scrubber
54	Sandeep Lead Alloys India Private Limited, Plot No. 18, 19 & 20, 1st Phase, KIADB Industrial Area, Malur Taluk, Kolar District	Rotary Furnace-10 MT/ batch	25	30 m AGL with Bag Filter, Bag House, Dust collector, multi cyclone, port hole, scrubber & settling chamber
55	Enviro Green Alloys Inc. Plot No. 32, KIADB Industrial Area, 1st Phase, Malur Taluk, Kolar District.	Rotary Furnace	20	30 m AGL chimney with Settling chamber, Pre dust collector, cyclone separator, tube coolers, spark arrestor, bag house filters & 75wet scrubber
56	Kandan Alloys Unit-I Plot No. 6-F, 4th Phase, KIADB Industrial Area, Malur, Kolar District.	Rotary Kiln – 3 Ton/ batch	15	3076 m AGL com77mon chimney with Separate duct with gravity chamber, common cyclone dust collector, bag filters & alkaline wet scrubber.
57	H.S. Metals, Plot No. 26-B, Kurandahalli Road, 1st Phase, KIADB Industrial Area, Malur Taluk, Kolar District.	Rotary Kiln 3 MT/Batch	10	30 m AGL chimney with gravity chamber common cyclone dust collector, bag filters & alkaline

				wet scrubber, bag house, hood cover, settling chamber & water sprinkler.
58	Krish Auto Power India Private Limited, Sy.No.100, Choodagondanahalli Village, Malur Taluk, Kolar district.	Rotary Furnace – 3 Ton/batch	10	450 mm dia with gravity chamber, cyclone, dust collector, bag filters of 150 no's (approximately) & alkaline wet scrubber and common chimney of 30 M AGL
59	Ommi Forge Private Limited (Dhuvish Forge Private Limited), Plot No. 300 ,301 & 302, KIADB Industrial area , Malur Taluk, Kolar District	Induction Furnace Hardening Furnace	35	3 m ARL.
60	Suraj Chemicals, Plot No. 318-C, 3rd PQhase, Malur Industrial Area, Malur Taluk, Kolar District	Oil fired furnace 8 Nos. of capacity 600 kg each	5	Common chimney of 30 m AGL
61	Kalyani Steels, Ginigera Village, Koppal Tq&Dist.	Re-Heating furnace 35X2 TPH	90	Chimney
		Re-Heating furnace 30X2 TPH		
62	Xindia steels Ltd, sy no.43,44 and 81, Kunikera and Hirebaganal Village, Koppal Tq&Dist.	TG (Travelling Grate)	480	ESP with chimney
63	M S P L Ltd, Pellet Plant, Sy No: 2,8, 8 and 12, Halvarthi Village, Koppal Taluk and District	TG (Travelling Grate) 192 Sq meters	625	ESP with chimney
		BGS (Bentonite grinding system)	5	Bag filter
64	Mangalore Chemicals and Fertilizers Ltd. Panambur, Mangaluru- 575010 Mangalore Chemicals and Fertilizers Ltd. Panambur, Mangaluru- 575010	IJT Boiler (Steam Generating 15 T/hr Boiler) - 15 T/hr	1161.3 KL per month	Stack Height of 43 metres Low Nox Burner,
			1161.3 KL per month	Stack Height of 43 metres Low Nox Burner,
		DAP Package Boiler (Steam Generating Boiler) - 6 T/hr	183.55 KL per month	Stack Height of 34 metres Low Nox Burner,
		IJT Boiler (Steam Generating Boiler) - 15 T/hr	1161.3 KL per month	Stack Height of 43 metres Low Nox Burner,
65	Solara Active Pharma Sciences Limited, 120 A&B, Industrial Area, Baikampady, Mangalore 575 011.	Boiler- 2TPH	333.5 KL	Common Chimney of 33 meters height Scrubber
66	M/s. BASF India Limited Surathkal-Bajpe Road Bala Post. Via Katipalla- 575030	Boiler 2 Nos -10 TPH	600 KL	Chimney of 33 meters height

67	Mangalore Refinery & Petrochemicals Ltd, Kuthetoor PO, Mangalore, Dakshina Kannada, 575030 (FO with < 1% produced in-house is being used @phase 1 & 2, for phase 3, FO with S% 0.5 is being used)	CDU-1 Vacuum heater 45.23 MM Kcal/hr	1679 KL	Amine Treatment Unit, Sour water stripper, Tall stacks installed as per stipulation, installed Low Nox burners in majority of heaters.
		VBU-1 heater 16.8 MM Kcal/hr	620 KL	
		HCU-1 recycle splitter heater 12.26 MM Kcal/hr	269 KL	Tall stacks installed as per stipulation, installed Low Nox burners in majority of heaters.
		CDU-2 Atmospheric heater 44.2 MM Kcal/hr	1216 KL	Tall stacks installed as per stipulation, installed Low Nox burners in majority of heaters.
		CDU-2 Vacuum heater 97.31 MM Kcal/hr	3030 KL	Amine Treatment Unit, Sour water stripper, Tall stacks installed as per stipulation, installed Low Nox burners in majority of heaters.
		VBU-2 heater 33.52 MM Kcal/hr	1578 KL	Tall stacks installed as per stipulation, installed Low Nox burners in majority of heaters.
		HCU-2 recycle splitter heater 12.26 MM Kcal/hr	593 KL	Tall stacks installed as per stipulation, installed Low Nox burners in majority of heaters.
		GOHDS reactor charge heater 44.16 MM Kcal/hr	1412 KL	Tall stacks installed as per stipulation, installed Low Nox burners in majority of heaters.
		CPP-1 Boiler-1 90.51 MM Kcal/hr	1944 KL	Tall stacks installed as per stipulation, installed Low Nox burners in majority of heaters.
		CPP-1 Boiler-2 90.51 MM Kcal/hr	5322 KL	Tall stacks installed as per stipulation, installed Low Nox burners in majority of heaters.
CPP-1 Boiler-3 90.51 MM Kcal/hr	4626 KL	Tall stacks installed as per stipulation, installed Low Nox burners in majority of heaters.		

	CPP-2 Boiler-4 90.51 MM Kcal/hr	4227 KL	Tall stacks installed as per stipulation, installed Low Nox burners in majority of heaters.
	CPP-2 Boiler-5 90.51 MM Kcal/hr	4476 KL	Tall stacks installed as per stipulation, installed Low Nox burners in majority of heaters.
	CPP2 Boiler-6 90.51 MM Kcal/hr	4638 KL	Tall stacks installed as per stipulation, installed Low Nox burners in majority of heaters.
	CPP-2 Boiler-7 90.51 MM Kcal/hr	2535 KL	Tall stacks installed as per stipulation, installed Low Nox burners in majority of heaters.
	CDU-3 Atmospheric heater 45.6 MM Kcal/hr	0 KL	Amine Treatment Unit, Sour water stripper, Tall stacks installed as per stipulation, installed Low Nox burners in majority of heaters.
	CDU-3 Vaccum heater 16.53	44 KL	Amine Treatment Unit, Sour water stripper, Tall stacks installed as per stipulation, installed Low Nox burners in majority of heaters.
	CPP-3 Utility Boiler-1 192.74	1921 KL	Tall stacks installed as per stipulation, installed Low Nox burners in majority of heaters.
	CPP-3 Utility Boiler-2 192.74	2810 KL	Tall stacks installed as per stipulation, installed Low Nox burners in majority of heaters.
	CPP-3 Utility Boiler-3 192.74	2510 KL	Tall stacks installed as per stipulation, installed Low Nox burners in majority of heaters.
	CPP-3 Utility Boiler-4 192.74	4670 KL	Tall stacks installed as per stipulation, installed Low Nox burners in majority of heaters.

☎: General: 0471- 2312910, 2318153, 2318154, 2318155 Chairman: 2318150 Member Secretary: 2318151
E-mail: ms.keralapcb@gov.in FAX: 0471 - 2318134, 2318152 web: www.keralapcb.nic.in



KERALA STATE POLLUTION CONTROL BOARD
കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram - 695 004
പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695 004

PCB/HO/LEGAL/O.A.NO.471 OF 2016/27/2017

Date: 30/10/2019

From

The Member Secretary

To

Sri. Nazimuddin,
Divisional Head- IPC- II
Central Pollution Control Board
Parivesh Bhavan,
East Arjun Nagar
Delhi- 110 032

Sub: Formulation of fuel policy

Ref: Your e-mail dated 23/10/2019

Sir,

The Kerala Board had informed the State Government regarding formatting fuel policy as per the NGT directions. A draft notification prepared & submitted to the Government in this regard for notifying in the Government Gazette is enclosed for reference. Necessary action will be taken by the Board against industries violating the fuel policy.

Yours faithfully,

MEMBER SECRETARY

☎: General: 0471- 2312910, 2318153, 2318154, 2318155 Chairman: 2318150 Member Secretary: 2318151
E-mail: ms.keralapcb@gov.in FAX: 0471 - 2318134, 2318152 web: www.keralapcb.nic.in



KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram - 695 004

പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695 004

PCB/HO/Legal/NGT/O.A.NO.471 OF 2016/27/2017

Date: 01/10/2019

From

The Member Secretary

To

The Principal Secretary
Environment Department
Govt. Secretariat
Thiruvananthapuram

DESPATCHED

Sub: O.A.No. 471/2016 before the NGT.

Ref: 1. T.O. Letter of even no dated 26/04/2018.

2. Govt. Letter no. Evt-B2/157/2017-Envnt dated 13/08/2019.

Madam,

The stand of the Board regarding use of Pet coke as fuel and draft notification were communicated vide reference (1). Vide reference (2), it was directed to revise the notification. Draft of revised notification is submitted herewith for further necessary action.

Yours faithfully,


MEMBER SECRETARY

9/c

Government of Kerala

G.O.No.

Date:

Draft Notification

The Government of Kerala in exercise of the powers conferred under section 19(3) of the Air(Prevention and Control of Pollution) Act, 1981 hereby notifies the following fuels as the "APPROVED FUELS" in the state:

(1) List of "APPROVED FUELS"

1. Coal
2. Lignite
3. Furnace Oil/LDO/LSHS
4. Motor Gasoline
5. Diesel
6. Liquid Petroleum Gas (LPG)
7. Compressed Natural Gas (CNG)/LNG
8. Kerosene
9. Naphtha
10. Firewood
11. Bio-gas
12. Agro waste/bio fuel/briquettes
13. RDF, as per provisions of Solid Waste Management Rules, 2016
14. Petcoke
15. Charcoal

(2) Petcoke is hereby notified as "APPROVED FUELS" subject to the following conditions:

1. Petcoke shall be permitted in the following projects only:-
 - a) Cement manufacturing in kilns
 - b) Thermal Power Plant/Captive Power Plant of capacity above 25 MW (with a condition to mix lime granules in required quantity with Petcoke)
 - c) Glass manufacturing up to 25% of total fuel consumption
 - d) Refractories manufacturing
2. For utilization of the above approved fuels, adequate Air Pollution Control Measures shall be provided by the unit.
3. Pet coke shall be used as fuel only with permission/Consent of the Kerala State Pollution Control Board.

4. The Sulphur content in the Pet coke being used as fuel in the State shall not be more than 7% in any case/circumstances.
5. The use of Pet coke shall not be permitted in Ecologically Sensitive Areas.
6. Import of Pet coke shall not be permitted.

(3) For using furnace Oil adequate Air Pollution Control Measures shall be provided by the unit.

The fuels to be used by automobiles shall be as specified in Section 52 of Central Motor Vehicle Act, 1988 and Amendments thereafter.

139372
04 DEC 2019
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar, Delhi-110002

CHAIRMAN OFFICE
C. P. C. B.
No. 139372
Date 06/12/2019



GOVERNMENT OF KERALA

Environment Department
No. Env't-B2/157/2017-Env't 22/11/2019, Thiruvananthapuram

From The Principal Secretary to Government

To
SPS Parihar
Chairman
CENTRAL POLLUTION CONTROL BOARD
Ministry of Environment, Forest & Climate Change Govt.
Of India
Parivesh Bhawan, East Arjun Nagar, Delhi - 11003

Handwritten notes:
Ye 12/11
Comments pl
for review; by 6/12/19
SD-SCB
SB-69

Sir,

Sub: Directions under Section 5 of the EP Act, 1986 regarding preparing a policy on the use of petcoke and furnace oil-reg
Ref: Your letter no B-33014/07/2019/IPC-II/5758 dt 23.8.2019

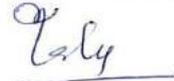
I am to invite your attention to the reference cited and to inform you the following:

It is submitted that Petcoke is a fuel with high sulphur content. So it is desirable to limit the use of Pet coke as a fuel only for Cement kilns and in Heavy or Large Industries/establishments where adequate air pollution control measures including Alkali Media Wet Scrubber are being installed. The operation and maintenance of the entire system shall ensure that the emission parameters are well within the standards. To ensure proper quality of Petcoke for maintaining the desirable emission standards, it is suitable to impose ban on imported Petcoke. State Government is about to notify petcoke as an approved fuel on the basis of above consideration. In the draft notification the sulphur content in the Petcoke being used as fuel in the State has been limited to 7%. In any case/circumstances the import of

Petcoke shall not be permitted.

This is for kind information

Yours Faithfully,


VALSA.V

Additional Secretary

For Principal Secretary to Government

23



KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram – 695 004
പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695 004

PCB/HO/LEGAL/O.A.NO.471 of 2016/27/2017

Date: 30 /11/2020

From

The Member Secretary

To

Sri. Nazimuddhin,
Additional Director & Divisional Head- IPC- II Division
Central Pollution Control Board
Parivesh Bhavan,
East Arjun Nagar
Delhi- 110 032

Handwritten signatures and dates:
1. *hy 10/12/20*
2. *11/11/2020*

Sub: O. A. No. 471/16, O.A. 67/19, O.A. 138/19 regarding banning use of petcoke and furnace oil

Ref: 1) CPCB letter No. CPCB/IPC-II/Petcoke/2020/1706 dated 26/06/2020
2) This office letter of even no. dated 18/11/2020 to Government. → *Doc*

Sir,

We are in receipt of the letter under reference (1). The Hon'ble NGT has rejected the report of the States that have not banned use of Petcoke & furnace oil except as feed stock vide order dated 04/07/2019. In this circumstance Government have been addressed for taking necessary action to ban the use of Petcoke and furnace oil by industries as fuel in the State except using it as feed stock.

The request from IOCL to consider the use of LSHS as industrial fuel while formulating fuel policy was also intimated to Government vide letter under reference (2). Copy of the letter is enclosed herewith for kind information and further necessary action.

Yours faithfully,

Handwritten signature
MEMBER SECRETARY



KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram - 695004
പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695004

KERALA STATE POLLUTION CONTROL BOARD
THIRUVANANTHAPURAM
18 NOV 2020
Date: 18/11/2020
DESPATCHED

PCB/HO/LEGAL/O.A.NO.471 of 2016/27/2017

From

The Chairman

To

The Principal Secretary
Environment Department
Govt. Secretariat
Thiruvananthapuram

Sub: O.A. No. 471/2016, O.A. 67/2019 and O.A. 138/19 regarding banning use of petcoke and furnace oil

- Ref: 1) This office letter of even no. dated 29/11/2017
2) This office letter of even no. dated 06/03/2018
3) Direction no. B-33014/07/2019/IPC-II/5747-5778 dated 23/08/2019 from CPCB
4) This office letter of even no dated 01/10/2019
5) Letter No. CPCB/IPC-II/Petcoke/2020/1706 dated 26/06/2020 from CPCB

Madam,

The Hon'ble Supreme Court of India had vide order dated 24.10.2017 in Writ Petition (Civil) 13029/1985 banned use of pet coke and furnace oil in National Capital Region states as these fuels emit more sulphur dioxide compared to conventional fuels. Subsequently, the Supreme Court vide order dated 17.11.2017 in the said writ petition requested all State Governments to consider taking similar measures.

Meanwhile, the Hon'ble NGT had vide order dated 16.05.2017 in O.A 471/16 directed all State Governments to take decision as to whether pet coke is an approved fuel or not. The Board got a study conducted through BPCL-Kochi Refinery regarding change in emission quality due to use of pet coke. Based on the study it was informed vide reference (1) that, it was desirable to limit the use of pet coke in the State to cement kilns and large industries in which alkali media wet scrubber system was provided in addition to conventional air pollution control systems. A draft notification in this regard was also submitted therewith. Vide reference (2) it was submitted that pet coke may be classified as an approved fuel only for use in cement kilns and in heavy or large industries/establishments where adequate air pollution control measures are installed.

Vide direction under reference (3), the CPCB directed the State to formulate and enforce fuel policy regarding use of pet coke and furnace oil in the State.

It may kindly be noted that, vide Order dated 04.07.2019 of Hon'ble NGT in O.A.67/2019 it was directed as follows:

"The Pet-coke and furnace oil may not be allowed except in terms of the Report of the CPCB dated 15.02.2019 as follows:

"Considering the various directions and orders of Hon'ble Supreme Court regarding use Pet-coke and furnace oil containing higher sulphur, it is required that States and UTs, including Himachal Pradesh, formulate fuel policies regarding use of Pet-coke and FO in light of Hon'ble Supreme Court order dated 24.10.2017 (banning use of Pet-coke and FO in NCR States) and 17.11.2017 (suggesting States/UTs to take similar measures) and further Hon'ble Supreme Court order dated 13.12.2017, 05.02.2018 and 26.07.2017 allowing use of Pet-coke in industries/processes which use Pet-coke and furnace oil either as feed stock (Calcined Pet Coke (CPC) units, Aluminium industries) or where they get absorbed along with product in manufacturing process (cement, Lime Kiln, calcium carbide industries). It is

relevant to mention that use of Raw Petroleum Coke (RPC) in CPC units has been allowed with condition of 90% recovery of SO2 emission. The same principle may be followed in industrial processes where use of FO as feed stock is considered by States/UTs."

Vide reference (4), draft notification regarding use of pet coke & furnace oil in the State was submitted wherein it was stated that both fuels could be used as fuel in the State subject to implementation of air pollution control measures. The matter was informed to CPCB also. CPCB had filed consolidated report of all States before the NGT in O.A. No. 67/2019. **The NGT has rejected the report of the States that have not banned use of Pet coke & furnace oil except as feed stock.** Hence urgent necessary action may kindly be taken to ban the use of pet coke and furnace oil by industries as fuel in the State except using it as feed stock. Meanwhile CPCB vide letter under reference (5), on the basis of IOCL representation, had requested to consider the use of LSHS as industrial fuel while formulating fuel policy. Industries that are already using furnace oil as fuel may be given time to switch over to alternative fuels.

Yours faithfully,



CHAIRMAN

o/c

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-32
131515
03 OCT 2019
Central Pollution Control Board
No. 438/378/2019/32-3

Government of Madhya Pradesh
Department of Environment
Mantralaya, Bhopal

CHAIRMAN OFFICE
C. P. C. B.
To: 131515
Date: 07/10

To,

✓ The Chairman,
Central Pollution Control Board,
Parivesh Bhawan, CBD cum Office Complex
East Arjun Nagar,
Delhi - 110 032.

131515/ms 02 Bhopal, Dated 28/9/19
for
9/10/19

MR
10/10/19
SD-SEP

Sub: Directions under Section 5 of the Environment (protection) Act, 1986, regarding preparing a policy on use of Pet Coke and furnace oil.

Ref: Your letter No B-33014/07/2019/IPC-II/5759, Dated 23/08/2019

In pursuance to the Hon'ble NGT, Principal Bench, New Delhi, order issued on dated 16/5/2017 in reference to original Application No. 471 of 2016 in the matter of People for Education Research Scholarship & Outward Nutrition V/S Union of India & others, the State Government has taken a policy decision regarding the use of pet coke as a fuel in the industries vide order no 2196/2116/2017/18-5, dated 17/07/2017, the copy of the same is attached for information. The same policy will be adopted in case of use of furnace oil also.

Encl: As above

ptk
(N.A.Khan)
Deputy Secretary
Government of Madhya Pradesh
Department of Environment
Bhopal, Dated

Endt No. /378 /2019/32-3

Copy to;

✓ The Member Secretary, MP Pollution Control Board, Bhopal for information and directions to comply with the above policy.

Deputy Secretary
Government of Madhya Pradesh
Department of Environment

Government of Madhya Pradesh
Department of Urban Development and Environment
Mantralaya, Bhopal

No. 2196 / 2116/2017/18-5

Bhopal, Dated: 17/07/2017

Order

In pursuance to the Hon'ble NGT, Principal Bench, New Delhi, order issued on dated 16/5/2017 in reference to original Application No. 471 of 2016 in the matter of People for Education Research Scholarship & Outward Nutrition V/S Union of India & others, the State Government has examined the matter in consultation with the M P Pollution Control Board.

As mentioned by the M P Pollution Control Board, the sulphur content in the Pet Coke is higher than Coal and hence there might be a problem of increase in the Sulphur Dioxide Emission in the atmosphere due to the use of Pet Coke as a fuel in the industries, but the same can be controlled by suitable Pollution Control measures at source of emission.

In light of the above facts, the State Government is of the opinion that the industries can use the Pet Coke as a fuel only after obtaining the consent from the M P Pollution Control Board. The M P Pollution Control Board may allow the pet coke as fuel in the industries on case to case basis through Consent after proper examination of control equipments installed by the proponents for the control of the Emission of Sulphur Dioxide and other pollutants.

(Rajiv Sharma)
 Additional Secretary

Environment
 DEPR

Copy to:

1. The Chairman, M P Pollution Control Board, Bhopal, for information and necessary action.
2. Gourd File.



MADHYA PRADESH POLLUTION CONTROL BOARD

मध्यप्रदेश प्रदूषण नियंत्रण बोर्ड

Paryawaran Parisar, E-5, Arera Colony, Bhopal - 462 016 (M.P.)

पर्यावरण परिसर, ई-5, अरेरा कालोनी, भोपाल- 462 016 (म.प्र.)

Phone : (0755) 2466 095/ 2464 428 Fax : (0755) 2463 742 E-mail : hsm147@gmail.com

No. 2712 /MPPCB/TS/Petcoke/2019

Bhopal, Dated: 03/10/2019

To,

✓ **The Member Secretary,**

Central Pollution Control Board,

Parivesh Bhawan, CBD cum Office Complex

East Arjun Nagar,

Delhi - 110 032.

11 OCT 2019
132390
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar, Delhi

132390/ms
14/10

Sub: The Directions under Section 5 of the Environment (protection) Act, 1986, regarding preparing a policy on use of Pet Coke and furnace oil - reg.

- Ref:** 1. Your letter no B-33014/7/2019/IPC-II/TPP Dated 19/09/2019.
2. Your letter no B-33014/7/2019/IPC-II/5747-5778 Dated 23/08/2019

In reference to the above subject, it is to be intimated that the Government of Madhya Pradesh has taken policy decision regarding the use of pet coke in the industries vide order no 2196/2116/2017/18-5, dated 17/07/2017 according to which the industries can use the petcoke as a fuel only after obtaining the consent from the Madhya Pradesh Pollution Control Board. The MP Pollution Control Board may allow the petcoke as a fuel in the industries on case to case basis through consent after proper examination of control equipments installed by the proponents for the control of the emission of Sulphur Dioxide & other pollutants.

The State Government has taken a policy decision vide letter no. 438/378/2019/32-3 dt. 28.09.2019 regarding the use of furnace oil stating that the policy adopted in case of petcoke will also be adopted in case of furnace oil. The policy decisions taken by the State Government are attached herewith for reference.

Encl: As above

R.S. Kori
(R.S. Kori)

MEMBER SECRETARY

ms
IPC-II
14/10/19
by fistula
SD-step



MADHYA PRADESH POLLUTION CONTROL BOARD

मध्यप्रदेश प्रदूषण नियंत्रण बोर्ड

Paryawaran Parisar, E-5, Arera Colony, Bhopal - 462 016 (M.P.)

पर्यावरण परिसर, ई-5, अरेरा कालोनी, भोपाल- 462 016 (म.प्र.)

Phone : (0755) 2466 095/ 2464 428 Fax : (0755) 2463 742 E-mail : hsmd117@gmail.com

Endt. No.

/MPPCB/TS/Petcoke/2019

Bhopal, Dated:

/2019

Copy to;

1. The Zonal officer, Central Pollution Control Board, 3rd floor, Sahakar Bhawan, North TT Nagar, Bhopal-462003, for information and necessary action a copy of the same is attached herewith.
2. The Regional Officer, MP Pollution Control Board Bhopal/Indore/Dewas/Dahr/Pithampur/Ujjain/Guna/Gwalior/Sagar/Satna/Rewa/Singrauli/Shahdol/Katni/Jabalpur/Chhindwara for information and necessary compliance.

(R.S. Kori)

MEMBER SECRETARY



Government of Madhya Pradesh
Department of Urban Development and Environment
Mantralaya, Bhopal

No. 2196 / 2116/2017/18-5

Bhopal, Dated: 17/07/2017

Order

In pursuance to the Hon'ble NGT, Principal Bench, New Delhi, order issued on dated 16/5/2017 in reference to original Application No. 471 of 2016 in the matter of People for Education Research Scholarship & Outward Nutrition V/S Union of India & others, the State Government has examined the matter in consultation with the M P Pollution Control Board.

As mentioned by the M P Pollution Control Board, the sulphur content in the Pet Coke is higher than Coal and hence there might be a problem of increase in the Sulphur Dioxide Emission in the atmosphere due to the use of Pet Coke as a fuel in the industries, but the same can be controlled by suitable Pollution Control measures at source of emission.

In light of the above facts, the State Government is of the opinion that the industries can use the Pet Coke as a fuel only after obtaining the consent from the M P Pollution Control Board. The M P Pollution Control Board may allow the pet coke as fuel in the industries on case to case basis through Consent after proper examination of control equipments installed by the proponents for the control of the Emission of Sulphur Dioxide and other pollutants.

(Rajiv Sharma)
Additional Secretary

Environment Deptt. 17/07

Copy to:

1. The Chairman, M P Pollution Control Board, Bhopal, for information and necessary action.
2. Gourd File.

340

meif
28/9/19

**Government of Madhya Pradesh
Department of Environment
Mantralaya, Bhopal**

No. /378 /2019/32-3

Bhopal, Dated

To,

**The Chairman,
Central Pollution Control Board,
Parivesh Bhawan, CBD cum Office Complex
East Arjun Nagar,
Delhi - 110 032.**

Sub: Directions under Section 5 of the Environment (protection) Act, 1986, regarding preparing a policy on use of Pet Coke and furnace oil.

Ref: Your letter No B-33014/07/2019/IPC-II/5759, Dated 23/08/2019

In pursuance to the Hon'ble NGT, Principal Bench, New Delhi, order issued on dated 16/5/2017 in reference to original Application No. 471 of 2016 in the matter of People for Education Research Scholarship & Outward Nutrition V/S Union of India & others, the State Government has taken a policy decision regarding the use of pet coke as a fuel in the industries vide order no 2196/2116/2017/18-5, dated 17/07/2017, the copy of the same is attached for information. The same policy will be adopted in case of use of furnace oil also.

Encl: As above

(N.A.Khan)
Deputy Secretary
Government of Madhya Pradesh
Department of Environment
Bhopal, Dated 28/9/19

Endt No 439 /378 /2019/32-3

Copy to;

The Member Secretary, MP Pollution Control Board, Bhopal for information and directions to comply with the above policy.

LO

~~SE (I)~~
28/9

ME
Deputy Secretary
Government of Madhya Pradesh
Department of Environment

341



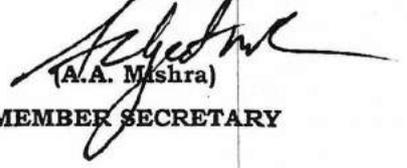
Madhya Pradesh Pollution Control Board
मध्यप्रदेश प्रदूषण नियंत्रण बोर्ड

Paryawaran Parisar, E-5, Arera Colony, Bhopal - 462 016 (M.P.)
पर्यावरण परिसर, ई-5, अरेरा कालोनी, भोपाल- 462 016 (म.प्र.)
Phone : (0755) 2466 095/ 2464 428 Fax : (0755) 2463 742 E-mail : it_mppcb@rediffmail.com

Endt. No. *40* /MPPCB/TS/Petcoke/2020 Bhopal, Dated: *02-01* /2021

Copy to;

1. The Zonal officer, Central Pollution Control Board, E-5, Paryawaran Parisar, Arera Colony, Bhopal-462016, for information and necessary action a copy of the same is attached herewith in continuation to this office letter no 2713 dated 03/10/2019.
2. The Regional Officer, MP Pollution Control Board Bhopal/Mandideep/ Indore/Dewas/Dahr/ Pithampur/ Ujjain/ Guna/ Gwalior/ Sagar/ Satna/ Rewa/ Singrauli/ Shahdol/ Katni/Jabalpur/Chhindwara for information and necessary compliance.
3. Legal Section, MP Pollution Control Board Bhopal for information and records in reference to your letter no 1134 dated 30/12/2020


(A.A. Mishra)
MEMBER SECRETARY



Madhya Pradesh Pollution Control Board

मध्यप्रदेश प्रदूषण नियंत्रण बोर्ड

Paryawaran Parisar, E-5, Arera Colony, Bhopal - 462 016 (M.P.)

पर्यावरण परिसर, ई-5, अरेरा कालोनी, भोपाल- 462 016 (म.प्र.)

Phone: (0755) 2466 095/ 2464 428 Fax : (0755) 2463 742 E-mail : it_mppcb@rediffmail.com

No. **39** /MPPCB/TS/Petcoke/2020
To,

Bhopal, Dated: **02-01** /2021

**The Member Secretary,
Central Pollution Control Board,
Parivesh Bhawan, CBD cum Office Complex
East Arjun Nagar,
Delhi - 110 032.**

Sub: Compliance of the order dated 16/07/2020 of Hon'ble NGT, in case of OA no 67/2019 (Sumit Kumar Versus State of Himachal Pradesh and Ors) regarding preparing a policy on use of Pet Coke and Furnace oil - **reg.**

Ref: This office letter no 2712 dated 03/10/2019

In reference to the above subject, it is to be intimated that the Government of Madhya Pradesh has taken policy decision regarding the use of pet coke in the industries vide order no 2196/2116/2017/18-5, dated 17/07/2017 according to which the industries can use the pet coke as a fuel only after obtaining the consent from the Madhya Pradesh Pollution Control Board. The MP Pollution Control Board may allow the pet coke as a fuel in the industries on case to case basis through consent after proper examination of control equipments installed by the proponents for the control of the emission of Sulphur Dioxide & other pollutants.

The State Government has also taken a policy decision vide letter no. 438/378/2019/32-3 dt. 28.09.2019 regarding use of furnace oil stating that, the policy adopted in case of pet coke will be adopted in case of furnace oil. The above policy decisions were intimated vide this office letter no 2712 dated 03/10/2019. The same are attached herewith for reference.

Encl: As above

(A.A. Mishra)

MEMBER SECRETARY

02/01

MAHARASHTRA POLLUTION CONTROL BOARD

Tel.: 24010437/24020781/24014701

Fax : 24024068 / 24044531

Website : www.mpcb.gov.in

E-mail : jdair@mpcb.gov.in



Kalpataru Point, 2nd - 4th Floor,
Opp. PVR Cinema,
Near Sion Circle, Sion (E),
Mumbai - 400 022.

NO.MPCB/JD(APC)/TB-2/B- 501

Date: 05/02/2020

To,
Nazimuddin,
Divisional Head-IPC-II,
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar,
Delhi-110032

Wj
15/2/20
SD-SRP
stg
15/2/20

Sub: Policy for use of Pet Coke and Furnace Oil as a Fuel in the State of Maharashtra.

- Ref:**
1. Order passed by Hon'ble National Green Tribunal in OA No.67/2019 filed by sumit kumar v/s State of Himachal Pradesh.
 2. CPCB direction No. B-33014/07/2019/IPC-II/5747-5778 dtd. 23/08/2019.
 3. Policy for use of pet coke & furnace oil in State of Maharashtra dtd. 05/02/2020.

In compliance to Hon'ble National Green Tribunal in OA No.67/2019 filed by sumit kumar v/s State of Himachal Pradesh and CPCB direction dtd. 23/08/2019, M.P.C.Board vide circular No. MPCB/JD(APC)/Fuel Policy/TB-2/B-489 dtd.05/02/2020 formulating Policy for use of Pet Coke and Furnace Oil as a Fuel in the State of Maharashtra. Copy of circular submitted for information & further submission to Hon'ble National Green Tribunal.

D.A. Circular dtd.05/02/2020.

(E. Ravendiran, IAS)
Member Secretary

Copy Submitted for information to:

1. Chairman, M.P.C.Board, Sion, Mumbai.
2. Chairman, C.P.C.Board, Delhi.
3. Principal Secretary, Environment, Govt. of Maharashtra, Mantralaya, Mumbai
4. Member Secretary, C.P.C.Board, Delhi

Copy to:

1. PSO / JD-APC / JD-WPC / RO-HQ/Law Officer-1/2, for information.
2. All RO / All SRO, MPCB for information & Necessary Action. They are directed to circulate the said circular to all concerned industries/Industries Association and District Magistrates as per your jurisdiction.
3. ASO / EIC-For uploading on MPCB Website

D.A. Circular dtd.05/02/2020.

MAHARASHTRA POLLUTION CONTROL BOARD

Tel.: 24010437/24020781/24014701
Fax : 24024068 / 24044531
Website : www.mpcb.gov.in
E-mail : jdair@mpcb.gov.in



Kalpataru Point, 2nd - 4th Floor,
Opp. PVR Cinema,
Near Sion Circle, Sion (E),
Mumbai - 400 022.

No. MPCB/JD(APC)/Fuel Policy/TB-2/B- 489

Date : 05/02/2020

CIRCULAR

Sub : Policy for use of Pet Coke and Furnace Oil as a fuel in the State of Maharashtra

Ref : Orders passed by Hon'ble National Green Tribunal in Original Application No.67/2019 filed by Sumit Kumar v/s State of Himachal Pradesh.

Shri M.C. Mehta had filed a Writ Petition (s) (Civil) No. 13029/1985 before the Hon'ble Supreme Court of India against the Union of India & Ors., regarding prohibition on use of pet coke and Furnace oil in industries in the NCR state of Haryana, Uttar Pradesh and Rajasthan, wherein, the Hon'ble Supreme Court of India vide order dated 17/11/2017 directed all the State Government and Union Territories to consider similar measures.

Subsequently, the Hon'ble Supreme Court has passed various orders dated 13/12/2017, 05/02/2018, 26/07/2018, 09/10/2018 and in its order dated 09/10/2018, taken on record the Report of Central Pollution Control Board regarding use of pet coke as feed stock in Calcined Petroleum Coke (CPC) units wherein it was recommended that due to emission of SO₂ in high concentration the emission needs to be treated in Flue-gas desulfurization (FGD) systems having removal efficiency more than 90%.

Sumit Kumar has filed an Original Application bearing No.67/2019 against State of Himachal Pradesh & Ors. with clubbed matter before the Hon'ble National Green Tribunal, Principal Bench, New Delhi, for prohibition on use of pet coke and furnace oil as a fuel.

In the aforesaid matter, the Hon'ble NGT vide order dated 26/03/2019 has accepted Report of the Central Pollution Control Board and directed the CPCB to issue appropriate directions in this regard to the concerned States indicating corrective measures against those who failed to comply with the directions.

In compliance of the aforesaid directions, the Central Pollution Control Board has issued directions u/s 5 of the Environment (Protection) Act, 1986 vide letter dated 23/08/2019 directed to all States and Union Territories for preparation of policy on use of Pet Coke and Furnace Oil as follows,

- (i) State Government / Union Territory Administration shall formulate and enforce fuel policy regarding use of pet coke and furnace oil in the State/ Union Territory in light

of various orders passed by Supreme Court regarding use of pet coke and furnace oil in Writ Petition (C) No.13029/1985.

- (ii) State Government / Union Territory Administration through respective SPCB / PCC shall take strict action against any industry, if found violation of the fuel policy on use of pet coke and furnace oil that will be enforced as above, using the powers conferred under environmental laws.

1. Policy:

Accordingly, the following policy is framed for use of Pet Coke & Furnace Oil as Fuel:

(i) PET COKE (PC) :

Petroleum coke, abbreviated coke or petcoke, is a final carbon-rich solid material which is derived from oil refining and is one type of the group of fuels referred to as cokes. This coke can either be fuel grade (high in sulphur and metals) or anode grade (low in sulphur and metals). Pet-Coke is over 80% Carbon and emits 5% to 10% more Carbon Dioxide (CO₂) than Coal on a per unit-of-energy basis when it is burned.

(ii) FURNACE OIL (FO):

Fuel oil (also known as heavy oil, marine fuel or furnace oil) is a fraction obtained from petroleum distillation, either as a distillate or a residue. Fuel oil is made of long hydrocarbon chains, particularly alkanes, cycloalkanes and aromatics.

2. The following fuel will be allowed subject to Conditions mentioned further:

- A. Liquefied Petroleum Gas (LPG)
- B. Liquefied Natural Gas (LNG)
- C. Piped Natural Gas (PNG)
- D. High Speed Diesel (HSD)
- E. Bio Gas
- F. Bio-fuel (Bio-Ethanol etc.)
- G. Refuse Derived Fuel (RDF): To be used in Cement kiln & Waste to Energy plant or any other unit allowed by the Central Government/State Government.
- H. Biomass as fuel (like Bagasse, Briquettes/Pellets etc.)/ Agriculture refuse/dung cake.
- I. Low Sulphur Heavy Stock (LSHS)
- J. Light Diesel Oil (LDO)
- K. Coal/lignite

- L. Firewood/wood charcoal
- M. Naptha/Propane/ gasoline/Hydrogen/Methane
- N. Pet Coke subject to Specific Conditions: In units such as Cement Plant or Lime kiln, Calcium carbide and Gasification for use as feed stock or in the manufacturing process only on actual user basis or in process where Sulphur is completely absorbed as per Office Memorandum issued by Ministry of Environment Forest & Climate Change (MoEF &CC) vide no. Q-18011/54/2018-CPA dated-10-09-2018.
- O. Units having furnaces based upon Furnace Oil as fuel may be allowed with a condition that Unit(s) shall install the system for 90% scrubbing and removal of SO2 emission and Large scale & Medium Scale unit shall install continuous online emission monitoring system and online data transfer to Maharashtra Pollution Control Board & Central Pollution Control Board.

3. IMPLEMENTATION PERIOD:

- i. Units planning to use Furnace Oil shall follow the timeline given below for compliance with installation of system for 90% scrubbing of SO2 emission and Large Scale & Medium Scale unit shall install the continuous online emission monitoring system.

Table		
Category		Timeline for compliance from the date of Notification.
Unit(s) irrespective of category falling in Critical Polluted Area (CPAs)/ Severely Polluted Area (SPAs)/Other Polluted Areas (OPAs) based on the Comprehensive Environmental Pollution Index (CEPI) developed by CPCB.		One Year
Rest of Areas in Maharashtra	Red Category	Two Years
	Orange Category	
	Green Category	

- ii. In case any units failed to achieve the compliance within the timeline mentioned above, they shall be prohibited for using Furnace Oil.

(E. Ravendiran, IAS)
Member Secretary

Copy submitted for favour of information to:

1. Hon'ble Chairman, MPCB, Sion, Mumbai.
2. Principal Secretary, Environment, Govt. of Maharashtra, Mantralaya, Mumbai

Copy to:

1. PSO / JD-APC / JD-WPC / RO-HQ/Law Officer-1/2, for information.
2. All RO / All SRO, MPCB for information & Necessary Action. They are directed to circulate the said circular to all concerned industries/Industries Association and District Magistrates as per your jurisdiction.
3. ASO / EIC-For uploading on MPCB Website

MAHARASHTRA POLLUTION CONTROL BOARD

Tel.: 24010437/24020781/24014701
Fax : 24024068 / 24044531
Website : www.mpcb.gov.in
E-mail : jdair@mpcb.gov.in



Kalpataru Point, 2nd - 4th Floor,
Opp. PVR Cinema,
Near Sion Circle, Sion (E),
Mumbai - 400 022.

NO.MPCB/JD(APC)/TB-2/B- 501

Date: 05/02/2020

To,
Nazimuddin,
Divisional Head-IPC-II,
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar,
Delhi-110032

Sub: Policy for use of Pet Coke and Furnace Oil as a Fuel in the State of Maharashtra.

Ref: 1. Order passed by Hon'ble National Green Tribunal in OA No.67/2019 filed by sumit kumar v/s State of Himachal Pradesh.
2. CPCB direction No. B-33014/07/2019/IPC-II/5747-5778 dtd. 23/08/2019.
3. Policy for use of pet coke & furnace oil in State of Maharashtra dtd. 05/02/2020.

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D.A. Circular dtd.05/02/2020.

(E. Ravendiran, IAS)
Member Secretary

Copy Submitted for information to:

1. Chairman, M.P.C.Board, Sion, Mumbai.
2. Chairman, C.P.C.Board, Delhi.
3. Principal Secretary, Environment, Govt. of Maharashtra, Mantralaya, Mumbai
4. Member Secretary, C.P.C.Board, Delhi

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1. PSO / JD-APC / JD-WPC / RO-HQ/Law Officer-1/2, for information.
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3. ASO / EIC-For uploading on MPCB Website

D.A. Circular dtd.05/02/2020.

MAHARASHTRA POLLUTION CONTROL BOARD

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Kalpataru Point, 2nd - 4th Floor,
Opp. PVR Cinema,
Near Sion Circle, Sion (E),
Mumbai - 400 022.

No. MPCB/JD(APC)/Fuel Policy/TB-2/B- 489

Date : 05/02/2020

CIRCULAR

Sub : Policy for use of Pet Coke and Furnace Oil as a fuel in the State of Maharashtra

Ref : Orders passed by Hon'ble National Green Tribunal in Original Application No.67/2019 filed by Sumit Kumar v/s State of Himachal Pradesh.

Shri M.C. Mehta had filed a Writ Petition (s) (Civil) No. 13029/1985 before the Hon'ble Supreme Court of India against the Union of India & Ors., regarding prohibition on use of pet coke and Furnace oil in industries in the NCR state of Haryana, Uttar Pradesh and Rajasthan, wherein, the Hon'ble Supreme Court of India vide order dated 17/11/2017 directed all the State Government and Union Territories to consider similar measures.

Subsequently, the Hon'ble Supreme Court has passed various orders dated 13/12/2017, 05/02/2018, 26/07/2018, 09/10/2018 and in its order dated 09/10/2018, taken on record the Report of Central Pollution Control Board regarding use of pet coke as feed stock in Calcined Petroleum Coke (CPC) units wherein it was recommended that due to emission of SO₂ in high concentration the emission needs to be treated in Flue-gas desulfurization (FGD) systems having removal efficiency more than 90%.

Sumit Kumar has filed an Original Application bearing No.67/2019 against State of Himachal Pradesh & Ors. with clubbed matter before the Hon'ble National Green Tribunal, Principal Bench, New Delhi, for prohibition on use of pet coke and furnace oil as a fuel.

In the aforesaid matter, the Hon'ble NGT vide order dated 28/03/2019 has accepted Report of the Central Pollution Control Board and directed the CPCB to issue appropriate directions in this regard to the concerned States indicating corrective measures against those who failed to comply with the directions.

In compliance of the aforesaid directions, the Central Pollution Control Board has issued directions u/s 5 of the Environment (Protection) Act, 1986 vide letter dated 23/08/2019 directed to all States and Union Territories for preparation of policy on use of Pet Coke and Furnace Oil as follows,

- (i) State Government / Union Territory Administration shall formulate and enforce fuel policy regarding use of pet coke and furnace oil in the State/ Union Territory in light

Page 1 of 3

of various orders passed by Supreme Court regarding use of pet coke and furnace oil in Writ Petition (C) No.13029/1985.

- (ii) State Government / Union Territory Administration through respective SPCB / PCC shall take strict action against any industry, if found violation of the fuel policy on use of pet coke and furnace oil that will be enforced as above, using the powers conferred under environmental laws.

1. Policy:

Accordingly, the following policy is framed for use of Pet Coke & Furnace Oil as Fuel:

(i) PET COKE (PC) :

Petroleum coke, abbreviated coke or petcoke, is a final carbon-rich solid material which is derived from oil refining and is one type of the group of fuels referred to as cokes. This coke can either be fuel grade (high in sulphur and metals) or anode grade (low in sulphur and metals). Pet-Coke is over 80% Carbon and emits 5% to 10% more Carbon Dioxide (CO₂) than Coal on a per unit-of-energy basis when it is burned.

(ii) FURNACE OIL (FO):

Fuel oil (also known as heavy oil, marine fuel or furnace oil) is a fraction obtained from petroleum distillation, either as a distillate or a residue. Fuel oil is made of long hydrocarbon chains, particularly alkanes, cycloalkanes and aromatics.

2. The following fuel will be allowed subject to Conditions mentioned further:

- A. Liquefied Petroleum Gas (LPG)
- B. Liquefied Natural Gas (LNG)
- C. Piped Natural Gas (PNG)
- D. High Speed Diesel (HSD)
- E. Bio Gas
- F. Bio-fuel (Bio-Ethanol etc.)
- G. Refuse Derived Fuel (RDF): To be used in Cement kiln & Waste to Energy plant or any other unit allowed by the Central Government/State Government.
- H. Biomass as fuel (like Bagasse, Briquettes/Pellets etc.)/ Agriculture refuse/dung cake.
- I. Low Sulphur Heavy Stock (LSHS)
- J. Light Diesel Oil (LDO)
- K. Coal/lignite

- L. Firewood/wood charcoal
- M. Naptha/Propane/ gasoline/Hydrogen/Methane
- N. Pet Coke subject to Specific Conditions: In units such as Cement Plant or Lime kiln, Calcium carbide and Gasification for use as feed stock or in the manufacturing process only on actual user basis or in process where Sulphur is completely absorbed as per Office Memorandum issued by Ministry of Environment Forest & Climate Change (MoEF &CC) vide no. Q-18011/54/2018-CPA dated-10-09-2018.
- O. Units having furnaces based upon Furnace Oil as fuel may be allowed with a condition that Unit(s) shall install the system for 90% scrubbing and removal of SO2 emission and Large scale & Medium Scale unit shall install continuous online emission monitoring system and online data transfer to Maharashtra Pollution Control Board & Central Pollution Control Board.

3. IMPLEMENTATION PERIOD:

- i. Units planning to use Furnace Oil shall follow the timeline given below for compliance with installation of system for 90% scrubbing of SO2 emission and Large Scale & Medium Scale unit shall install the continuous online emission monitoring system.

Table		Timeline for compliance from the date of Notification.
Category		
Unit(s) irrespective of category falling in Critical Polluted Area (CPAs)/ Severely Polluted Area (SPAs)/Other Polluted Areas (OPAs) based on the Comprehensive Environmental Pollution Index (CEPI) developed by CPCB.		One Year
Rest of Areas in Maharashtra	Red Category	Two Years
	Orange Category	
	Green Category	

- ii. In case any units failed to achieve the compliance within the timeline mentioned above, they shall be prohibited for using Furnace Oil.

(E. Ravendiran, IAS)
Member Secretary

Copy submitted for favour of information to:

- Hon'ble Chairman, MPCB, Sion, Mumbai.
- Principal Secretary, Environment, Govt. of Maharashtra, Mantralaya, Mumbai

Copy to:

- PSO / JD-APC / JD-WPC / RO-HQ/Law Officer-1/2, for information.
- All RO / All SRO, MPCB for information & Necessary Action. They are directed to circulate the said circular to all concerned industries/Industries Association and District Magistrates as per your jurisdiction.
- ASO / EIC-For uploading on MPCB Website



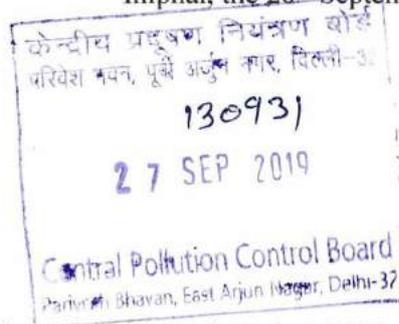
MANIPUR POLLUTION CONTROL BOARD
IMPHAL WEST DC OFFICE COMPLEX
LAMPHELPAT-795004

No. PCB/488/2018-19/

Imphal, the 20th September, 2019

To ✓

The Member Secretary,
Central Pollution Control Board,
Parivesh Bhavan, CBD Cum Office Complex,
East Arjun Nagar, Delhi-110032



MS 30/9/19
IPC-II
SIX-STEP

Subject: Directions under Section 5 of the Environment (Protection) Act, 1986 regarding a policy on use of pet coke and furnace oil

Sir,

130931/ms
20/9/19

In inviting a reference to your letter no. B-33014/07/2019/IPC-II/5761 dated 23rd August, 2019 on the above subject, I am directed to inform you that there is no industry in the state using pet coke or furnace oil as fuels.

The policy regarding use of pet coke and furnace oil may not be required in the state at present.

Yours faithfully,

(Signature)
20/9/19

(T. Mangi Singh)
Member Secretary

Manipur Pollution Control Board
Imphal, the 20th September, 2019

Memo No. PCB/488/2018-19/

Copy to:

1. The P.A. to the Hon'ble Chairman, MPCB for kind information
2. The Staff Officer to the Chief Secretary, Manipur for kind information
3. Guard file

(T. Mangi Singh)
Member Secretary
Manipur Pollution Control Board



MANIPUR POLLUTION CONTROL BOARD
IMPHAL WEST DC OFFICE COMPLEX
LAMPHELPAT-795004

No. PCB/488/2018-19/

Imphal, the 20th September, 2019

To

The Member Secretary,
Central Pollution Control Board,
Parivesh Bhavan, CBD Cum Office Complex,
East Arjun Nagar, Delhi-110032

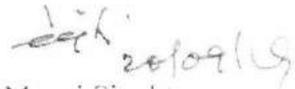
Subject: Directions under Section 5 of the Environment (Protection) Act, 1986 regarding a policy on use of pet coke and furnace oil

Sir,

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The policy regarding use of pet coke and furnace oil may not be required in the state at present.

Yours faithfully,


(T. Mangi Singh)
Member Secretary

Manipur Pollution Control Board
Imphal, the 20th September, 2019

Memo No. PCB/488/2018-19/

Copy to:

1. The P.A. to the Hon'ble Chairman, MPCB for kind information
2. The Staff Officer to the Chief Secretary, Manipur for kind information
3. Guard file


(T. Mangi Singh)
Member Secretary
Manipur Pollution Control Board

Meghalaya State Pollution Control Board

Forests & Environment Department, Government of Meghalaya

'ARDEN' Lumpyngad, Shillong-793014

Website: <http://megspcb.gov.in>



No. MSPCB/ TB-957/2019/2019-2020/

Dtd. Shillong the

November, 2019

To,

The Secretary to the Government of Meghalaya,
Forests & Environment Department

Ref: No. FOR/CC/25/2017/217 dated 21st October, 2019

Sub: **Directions under Section 5 of the Environment (Protection) Act, 1986 regarding preparing a policy on use of Pet Coke and Furnace Oil - regarding**

Sir,

With reference to the above, please find enclosed herewith the '**Draft State Fuel Policy Regarding Use of Pet Coke & Furnace Oil**' as desired for your kind information and necessary action.

Enclosed:

- i. Draft State Fuel Policy Regarding Use of Pet Coke & Furnace Oil

Yours Faithfully

1

Member Secretary

Meghalaya State Pollution Control Board
Shillong

Memo No. MSPCB/ TB-957/2019/2019-2020/**3-A** Dtd. Shillong the **14th** November, 2019
Copy to:

1. The Divisional Head-IPC-II, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi-110032 for kind information. This has a reference to his letter No. B-33014/7/2019/IPC-II/TPP Dtd 19th September 2019.


Member Secretary



MIZORAM STATE POLLUTION CONTROL BOARD

No.H.88088/Poltn/32 (6)/17-MPCB /86

Dated 18th October 2019

To,

Shri. Nazimuddin,
Divisional Head- IPC-II,
Central Pollution Control Board,
"Parivesh Bhawan"
East Arjun Nagar,
Delhi-110032

Subject: Directions under Section 5 of the Environment (Protection) Act, 1986 regarding preparing a policy on use of Pet coke & furnace oil

Reference: Your E mail Dated 23.10.2019

Sir,

With reference to the subject and in pursuance to the e-mail cited above, may I inform you that neither furnace oil nor pet coke is in use in the State of Mizoram as per the Board's record. The only Thermal Power Plant in the State of Mizoram at Bairabi belonging to the State's Power & Electricity Department of the State Government has been closed down while there are no Cement Plants, lime kilns or calcium carbide manufacturing units. Nil Report was also submitted to your good office vide this Office letter No. H.88088/Poltn/32(6)/17-MPCB Dt 19/07/2019.

The matter is referred to the State Government for formulation of policy and the Government is collecting relevant information. It may be noted that there is no such industrial units using pet coke and furnace oil in Mizoram, and the State Government has not framed any policy as yet.

Yours faithfully

(C. LALDUHAWMA)

Member Secretary

Mizoram Pollution Control Board

Dated 28th October 2019

Memo. No.H.88088/Poltn/32 (6)/17-MPCB/86

- Copy to: 1) The Principal Secretary, EF & CC Department, G.O.M, MINECO for information
2) The Regional Director, Regional Directorate North East, Central Pollution Control Board, "TUMSIR", Near Fire Brigade HQ, Motinagar, Shillong-793014, Meghalaya for information

(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

NPCB/NGT-OA-471/ 2494-98

Dated 11/10/2019

To

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



MS
13/11/19
SD-SRIP

Sub: Direction under Section 5 of the Environment (P) Act, 1986 regarding preparing a policy on use of Pet coke & Furnace oil.

Ref: Your letter No. B-33014/7/2019/IPC-II/TPP Dated 19/09/2019

Sir,

With reference to your letter cited above, I am submitting herewith Action Taken Report as requested from CPCB.

1. As per Govt. of Nagaland letter No. FOR.COURT-5/4/2018/322 dated 22nd May 2018 addressed to the Secretary, MoEF & CC, Govt of India. Nagaland does not have any plants or industries where fuel grade pet coke is used. However, Department of Industries & Commerce, govt. Of Nagaland has been asked to prepare a policy on the same vide letter No. NPCB/NGT/OA-471 dated 11/10/2019.
2. As mentioned above, Nagaland does not have any plants or industries where fuel grade pet coke is used.

Thank you

Yours Sincerely,

Dr. Kenei Miachieo, IFS
Member Secretary
Dated 11/10/2019

NPCB/NGT-OA-471/

Copy to:

The Regional Director, CPCB, Shillong, for kind information.

Self
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/NGT-OA-471/2494-96

Dated 11/10/2019

To

The Commissioner & Secretary
Department of Industries & Commerce
Nagaland, Kohima.

Sub: Direction under Section 5 of the Environment (P) Act, 1986 regarding preparing a policy on use of Pet coke & Furnace oil.

Ref: (i) CPCB letter No. B-33014/07/2019/IPC-II/5747-5778 dated 23/08/2019.

Sir,

I am enclosing herewith a letter address to the Chief Secretary Govt. of India Nagaland regarding preparing a policy on use of Pet Coke & Furnace oil.

The directions given under section (5) of the Environment (Protection) Act 1986 are as follows:

1. State Government/Union Territory Administration shall formulate and enforce fuel policy regarding use of pet coke and FO in the State/UT in light of various order passed by Supreme Court regarding use of pet coke and FO in Writ Petition (C) 13029/1985.

I would therefore, request you to take necessary action to formulate fuel policy regarding use of pet coke and furnace oil in Nagaland (even if the above fuel are not in use as of now) and submit Action Taken to the NPCB at the earliest.

Thank you

Encl: reference letter No.1

Yours Sincerely


Dr. Kenei Miachio, IFS
Member Secretary

Dated 11/10/2019

NPCB/NGT-OA-471/

Copy to:-

- i) The OSD to the Chief Secretary, Nagaland for kind information.
- ii) The OSD, Department of Environment, Forests & Climate Change for kind information


Member Secretary



EPABX : 2561909/2562847
Tel : 2562822/2560955
E-mail: paribesh1@ospcboard.org /
cto17category@ospcboard.org
Website: www.ospcboard.org

STATE POLLUTION CONTROL BOARD, ODISHA

[DEPARTMENT OF FOREST & ENVIRONMENT, GOVERNMENT OF ODISHA]

Paribesh Bhawan, A/118, Nilakantha Nagar, Unit - VIII

Bhubaneswar - 751 012, INDIA

No. 7831 IND-I-CON(M)1616 Date 28-08-2020 /

By Speed Post / Email

✓ To

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



Sub : **Direction of CPCB on Policy regarding use of Pet coke and Furnace Oil.**

Sir,

With reference to the above subject, this is to inform you that in pursuance of the direction issued by Hon'ble National Green Tribunal, Principal Bench, New Delhi in O.A No. 471/2016, dtd. 16.05.2017 and in consultation with the State Pollution Control Board, Odisha, the State Government had issued a notification vide No. 22737, dtd. 07.11.2017 in Forest and Environment Department allowed pet coke as an "approved fuel" subject to the condition that the industry / processers interested to use pet coke as fuel shall obtain prior consent of SPCB, Odisha and install required air pollution control system to achieve the emission standards as prescribed from time to time and comply with the conditions stipulated by the competent authorities. Copy of the notification of F & E Dept., Govt. of Odisha was forwarded to MoEF & CC and Member Secretary, Central Pollution Control Board, New Delhi. Further, the policy adopted by the Odisha Govt. on use of pet coke as approved fuel was communicated to the Divisional Head (IPC-II), CPCB, New Delhi along with the list of industries permitted for use of pet coke vide Board's letter No. 11654, dtd. 01.11.2019.

APCF

P.T.O

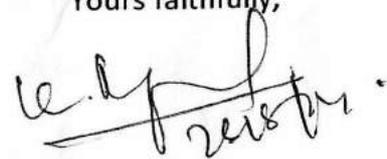
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27/9/20
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SB/AGC
17/9

//2//

It may be mentioned that the ambient air quality data of last few years reveals that the concentration level of SO₂ is well within the prescribed limit of National Ambient Air Quality Standard. However, keep in view of the directions of Hon'ble Supreme Court of India and order of Hon'ble National Green Tribunal emphasizing on switch over to alternative and cleaner fuels, a draft fuel policy regarding use of pet coke and furnace oil in the State of Odisha have been submitted to the State Government for approval and issue of a notification.

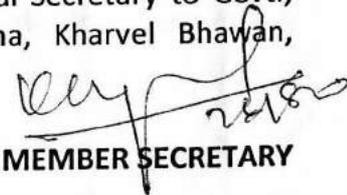
Yours faithfully,



MEMBER SECRETARY

Memo No 7832 /dtd. 28-08-2020

Copy forwarded to the Director (Env)-cum- Special Secretary to Govt., Forest and Environment Department, Govt. of Odisha, Kharvel Bhawan, Bhubaneswar for kind information.



MEMBER SECRETARY



EPABX : 2561909/2562847
E-mail: paribesh1@ospcboard.org
Website: www.ospcboard.org

STATE POLLUTION CONTROL BOARD, ODISHA
[DEPARTMENT OF FOREST & ENVIRONMENT, GOVERNMENT OF ODISHA]
Paribesh Bhawan, A/118, Nilakantha Nagar, Unit – VIII
Bhubaneswar – 751012, INDIA

No 11654 /IND-I-CON-1516(M)

Dt 01.11.19 /
By Speed Post / Email

From

Dr. Akhila Kumar Swar
Chief Env. Engineer

To

The Divisional Head (IPC-II),
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar,
Delhi -110 032

Sub : Guidelines for regulations and monitoring of imported petcoke in India –Reg.

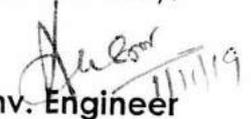
Ref : CPCB letter vide No. 5748, dtd. 22.08.2019.

Sir,

With reference to the above, it is to inform you that as per Notification of Forest and Environment Department, Govt. of Odisha vide letter No. 22737, dtd. 07.11.2017 permission for use of pet coke as approved fuel is being granted by this Board with strict compliance to conditions stipulated in the permission order since, December, 2018. Board has not granted any permission for use of pet coke in the period of September, October and November, 2018. For the month of December, 2018 this Board has granted 6 nos. of permission order for use of pet coke in different units. (List of such industries is enclosed).

This is for your reference and necessary action.

Yours faithfully,


Chief Env. Engineer

SB-cc

7.11.2019

LIST OF INDUSTRIES GRANTED WITH CONSENT TO OPERATE FOR USE OF PET COKE-
2018-19 (as on 31.12.2018)

Sl.No.	Name of the Industries	Quantity	Validity of CTO	Letter No. & Date.
1	M/s Amritesh Industries (P) Ltd, IDCO Industrial Estate, Dist-Angul	Import of raw Pet Coke@2700Tonne/ month as raw-materials for manufacturing of Calcined petroleum coke.	31.03.2019	14269/03.12.2018
2	M/s Goa Carbon Limited, At-Udayabata, Paradeep, Dist-Jagatsinghpur.	Import of raw Pet Coke@18,900 Tonne/ month as raw-materials for manufacturing of Calcined petroleum coke.	31.03.2019	14272/03.12.2018
3	M/s OCL India Ltd (Cement Division), At/Po- Rajgangpur, Dist- Sundargarh.	Raw Petroleum coke:- Domestic-11,700TPM, Import-12,500TPM	31.03.2019	14574/07.12.2018
4	M/s Vedanta Limited,(Smelter& CPP), At- Bhukamunda, Dist- Jharsuguda.	Calcined Petroleum coke:- Domestic-712TPD, Import-1068TPD	31.03.2019	14572/07.12.2018
5	M/s Aditya Aluminium(A Unit of Hindalco Industries Ltd),At/Po- Lapanga, Dist- Sambalpur.	Calcined Petroleum coke:- Domestic-310 TPD, Import-207 TPD.	31.03.2019	14576/07.12.2018
6	M/s ACC Ltd, Bargarh Cement Works, At- Cement Nagar, Po- Bardol.Dist- Bargarh.	Raw Petroleum coke- 9000 TPM(1,08,000TPA)	31.03.2019	15540/31.12.2018



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ
 Central Pollution Control Board
 Patna, Bihar, India-110032
 148979
 24 FEB 2020

ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ

PUNJAB POLLUTION CONTROL BOARD

No. 4660
 To

Dated: 06/02/2020

The Member Secretary,
 Central Pollution Control Board,
 New Delhi-110032.

Me
26/2/20
IPC-II

26/2/20
SDSKP
26/2/20

Subject: Directions under Section 5 of the Environment (Protection) Act, 1986 for formulating and enforcing fuel policy regarding use of Pet coke & Furnace oil in the State of Punjab – in the matter of OA No. 67 of 2019 and 138 of 2019.

148979/mc
25/2/20

Reference: CPCB letter no. B-33014/07/2019/IPC-II/5766 dated 23.08.2019

In pursuance of the subject cited directions, the matter regarding formulation of the fuel policy for use of pet-coke and furnace oil in the State of Punjab, was referred to the State Govt. vide letter no. 32986 dated 25.10.2019. The Govt. has considered the matter and directed the Punjab Pollution Control Board (PPCB) to prepare a draft policy in the matter.

As directed, this office has framed a draft policy for regulating the use of pet coke and furnace oil as fuel in the State of Punjab and sent to the Govt. of Punjab, Department of Science, Technology and Environment vide letter no. 4657- dated 06.02.2020 for issuance of appropriate notification after seeking objections / suggestions from the public and other stakeholders.

This is for your information, please.

Kgale
6/2/2020
Member Secretary

Endst. No. _____

Date: _____

A copy of the above is forwarded to the Principal Secretary to Govt. of Punjab, Deptt. of Science, Technology & Environment, Chandigarh for his kind information, please.

sd-
Member Secretary



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD

No. 4657

Dated: _____

To

The Principal Secretary to Govt. of Punjab,
Deptt. of Science, Technology & Environment,
Chandigarh.

Subject: Directions under Section 5 of the Environment (Protection) Act, 1986 for formulating and enforcing fuel policy regarding use of Pet coke & Furnace oil in the State of Punjab.

Reference: Govt. Memo No. 10/260/2019-STE(5)/542 dated 18.12.2019

In the furtherance of Hon'ble Supreme Court orders passed in Writ Petition (Civil) No. 13029/1985 and subsequent orders of National Green Tribunal in OA no. 67 of 2019 & 138 of 2019, Central Pollution Control Board (CPCB) vide letter no. B-33014/07/2019/IPC-II/5766 dated 23.08.2019 has issued following directions u/s 5 of the Environment (Protection) Act, 1986 to the State Govt. through Hon'ble Chief Secretary, Punjab for formulating a fuel policy on use of pet-coke and furnace oil in the State of Punjab:-

1. State Government/Union Territory administration shall formulate and enforce fuel policy regarding use of pet coke and FO in the State/UT in light of various orders passed by Supreme Court regarding use of pet coke and FO in Writ Petition (C) 13029/1985.
2. State Government/Union Territory administration through respective SPCB/PCC shall take strict action against any industry if found violating the fuel policy on use of Pet coke and FO that will be enforced above, using the powers conferred under environmental laws.

CPCB has desired that the action taken report shall be submitted through SPCB/PCC by State/UT at the earliest and issued reminders for providing the action taken report (ATR) in the matter at the earliest, so as to enable CPCB to compile and submit compliance report to the Hon'ble NGT.

Accordingly, the matter was referred to the State Govt. vide letter no. 32986 dated 25.10.2019 with comments of the Board and with request for the formulation of fuel policy on use of pet coke and furnace oil after consulting all the concerned stakeholders.

The Govt. has taken up meetings with the PPCB and PSCST and upon deliberating, has advised the Board vide letter under reference to prepare a draft policy in the matter.

Now, the matter was again come up for hearing before the Hon'ble National Green Tribunal on 07.01.2020. The Tribunal observed that the 13 States including the State of Punjab are yet to submit the action taken report w.r.t. the above directions. The Hon'ble Tribunal has issued certain directions that includes:

- (i) 13 States which have still not furnished their respective ATRs in pursuance of direction of the CPCB dated 23.08.2019 may do so positively within one month. If there is non-compliance after 31.03.2020, the defaulting States will be liable to pay compensation at the rate Rs. 1 lakh per month from 01.04.2020 till compliance.
- (ii) It is made clear that this Tribunal has vide order dated 22.11.2019 directed that if furnace oil was being used, the same must be stopped. Alternative fuel have least pollution potential, which may be approved by the State PCB, can be used accordance with law.

A copy of the above orders of the Hon'ble Tribunal is annexed herewith for the perusal and ready reference of the Government.

As directed, this office has framed a comprehensive draft policy for regulating the use of pet coke and furnace oil as fuel. A copy of the draft policy is appended herewith as Annexure-1. A background note giving chorological details of the matter is appended as Annexure-2.

Such a policy can be formulated by the State Government being empowered under section 19(3) of the Air (Prevention & Control of Pollution) Act, 1981.

Accordingly, the draft fuel policy for regulating the use of pet-coke and furnace oil is added herewith for issuance of appropriate notification after seeking objections / suggestions from the public and other stakeholders and for sending the action taken report (ATR) to the CPCB as directed by the Hon'ble NGT in the present orders dated 07.01.2020, please.

DA/as above

sd
Member Secretary

Endst. No. _____

Dated: _____

A copy of the above is forwarded to the Director, Directorate of Environment & Climate Change, Chandigarh for information & further necessary action.

DA/as above

sd -
Member Secretary

Endst. No. 4659

Date: 06/02/2020

A copy of the above is forwarded to the Member Secretary, Central Pollution Control Board, New Delhi for information & further necessary action.

Kgall
6/2/2020
Member Secretary



पंजाब प्रदूषण नियंत्रण बोर्ड
 पर्यावरण, प्रदूषण नियंत्रण, दिल्ली-32
 26 MAY 2020
 152752
 Central Pollution Control Board
 Parivesh Bhavan, East Arjun Nagar, Delhi-32

ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ

PUNJAB POLLUTION CONTROL BOARD

No. _____

To _____

Dated: _____

The Principal Secretary to Govt. of Punjab,
 Deptt. of Science, Technology & Environment,
 Chandigarh.

Subject: Directions under Section 5 of the Environment (Protection) Act, 1986 for formulating and enforcing fuel policy regarding use of Pet coke & Furnace oil in the State of Punjab.

Reference: Govt. Memo No. 10/260/2019-STE(5)/346 dated 12.03.2020.

In regard to subject matter, it is intimated that a draft fuel policy for regulating the use of petcoke & furnace oil was forwarded to the Government vide Board's letter no. 4657 dated 06.02.2020 for issuance of appropriate notification after seeking objections / suggestions from the public and other stakeholders.

Now, Government vide under letter reference has advised the Board to send the revised draft notification by mentioning the lay down standards without referring to the other documents.

Accordingly, the recasted draft notification for regulating the use of petcoke & furnace oil is added herewith for issuance of appropriate notification after seeking objections / suggestions from the public and other stakeholders, please.

DA/as above

^{Pat}
Member Secretary

Dated: _____

Endst. No. _____

A copy of the above is forwarded to the Director, Directorate of Environment & Climate Change, Chandigarh for information & further necessary action.

DA/as above

^{Sd/-}
Member Secretary

Date: 19/3/20

Endst. No. 8772

A copy of the above is forwarded to the Member Secretary, Central Pollution Control Board, New Delhi for information & further necessary action, please.

^{Kgall}
19/3/2020
Member Secretary

5/10

Government of Punjab
Department of Science, Technology & Environment
(STE Branch)

No.-----

Dated:-----

DRAFT NOTIFICATION

The March, 2020

In order to control and abate the pollution of air in the State of Punjab in accordance with the provisions of the Air (Prevention & Control of Pollution) Act, 1981, the Govt. of Punjab in consultation with PPCB has declared the whole of the State as 'air pollution control area' under section 19(1) of the Air (Prevention & Control of Pollution) Act, 1981 vide notification no. SO21/C.A.14/81/S.19/88 dated 02.03.1988;

And whereas, the Govt. of Punjab, vide notification No.4/46/92-3ST/2839 dated 29.12.1993 has banned the use and burning of rubber scrap, tyres, oil sludge acid sludge and loose rice husk as fuel, in the State of Punjab, as detailed below:

- i) Rubber in any form with effect from 1.4.1994;
- ii) Process waste containing sulphur and toxic substances with effect from 1.4.1994;
- iii) Rice Husk (except in the form of fuel briquettes and use of rice husk in fluidized bed combustion) as fuel in the air pollution control area with effect from 1.4.1994.

And whereas, the Govt. of Punjab & Punjab Pollution Control Board, from time to time, are taking all such measures which are required for the abatement and control of air pollution in the State of Punjab including the regulation and use of such fuels which may or may have an adverse affect on the quality of environment in the State;

And whereas, the usage of pet coke and furnace oil / fuel oil as fuel in the boilers / furnaces or in any other form by the industry, needs to be regulated due to presence of higher sulphur content leading to Sulphur Dioxide (SO₂) emissions in the ambient air, which may effect the environment;

And whereas, the Hon'ble Supreme Court of India and the Hon'ble National Green Tribunal had also considered the matter relating to the use of pet coke and furnace oil and issued certain directions for compliance, whereupon the Central Pollution Control Board had issued directions dated 23.8.2019 to all the States and Union Tertiaries including the State of Punjab for formulating and enforcing fuel policy regarding use of pet coke and furnace oil;

And whereas, the State Government is empowered under section 19(3) of the Air (Prevention & Control of Pollution) Act, 1981 to prohibit the use of such fuel in such area or part thereof by notification in the official gazatee, if the State Government after consultation with the State Board is of the opinion that the use of any fuel, other than an approved fuel in any air pollution control area or part thereof, may cause or is likely to cause air pollution;

And whereas, the State Government has considered the matter in the above background of the case in consultation with the Punjab Pollution Control Board and is satisfied that the use of pet coke and furnace oil is required to be regulated, so as to ensure that its use beyond the permissible limits and guidelines shall have no adverse impact on the natural environment;

Therefore, the Government of Punjab, in exercise of the powers conferred under section 19(3) of the Air (Prevention & Control of Pollution) Act, 1981 and after consultation with the Punjab Pollution Control Board, hereby, issue the draft policy and guidelines for the use of pet coke and furnace oil in the State of Punjab:

Guidelines for use of domestic pet coke in boilers / furnaces

- a) The industry shall provide well designed two stages desulphurization i.e. at combustion stage and of flue gas emissions.
- b) The industry shall install dry type air pollution control device, such as, cyclone/multi-cyclone followed by spray type alkali scrubber and packed bed alkali scrubber. The packed bed scrubber to be installed should conform to the guide parameters as mentioned below and the industry shall use only caustic soda as scrubbing media:
 - i) Velocity of gas through the tower is recommended to be 1.5-2.5 m/s.
 - ii) Liquid gas ratio is recommended to be 3.5-4.0 liter/m³ of gas flow or 80-325 lpm/m³ of lower cross sectional area.
 - iii) Pressure drop is recommended to 15-150 mm W.G./m of packed bed height.
 - iv) Maximum inlet concentration – 5000 ppm by volume.
- c) The industry shall install on line monitor for SO₂ with the stack of the boiler.
- d) The industry shall provide interlocking of online SO₂ monitor with the feeding system of the boiler, so as to ensure that the feeding system of fuel in the boiler furnace should become in shut down condition, in case, the conc. of SO₂ increases beyond the prescribed standard of 400 mg/Nm³ at any time.
- e) The industry shall provide online pH meter on the recirculation tank of scrubbing liquor, from where the said liquor is fed to the air pollution control device and ensure that the pH of the feed scrubbing liquor should remain within the range of 10-12.
- f) The industry shall provide flow meter and pressure gauge at the outlet of the pump used to supply the scrubbing liquor to the alkali scrubber, so as to ensure that the scrubbing liquor is fed to the air pollution control device at the desired rate and pressure.
- g) The industry shall provide a stack of height calculated by using the formula $H=14Q^{0.3}$, where Q is the emission rate of SO₂ in kg/hr and should be calculated by using the volume of flue gas emissions and the standards for SO₂ (400 mg/Nm³) or 30 m, whichever is higher.
- h) The sludge produced in the recirculation tank of the scrubbing liquor shall be disposed of in an environmentally sound manner.

Guidelines for regulation and monitoring of Imported Pet Coke (IPC)

The Government of India, Ministry of Environment, Forest & Climate Change in compliance to the directions of the Hon'ble Supreme Court of India in Writ Petition (Civil) No. 13029 of 1985 in the matter of M.C Mehta v/s Union of India and Others and in the exercise of the powers conferred under the Environment (Protection) Act, 1986 vide office memorandum No. Q-18011/54/2018-CPA dated 10.9.2018 had issued guidelines for regulation and monitoring of imported pet coke in India. As per the said OM, the import of petcoke for use as fuel is prohibited. However, import of petcoke is allowed to be used by the industries namely cement, lime kiln, calcium carbide and gasification for use as feedstock or in the manufacturing process only on actual user basis as per the conditions stipulated below:

- a) Petcoke importing industries namely, cement, lime kiln, calcium carbide and gasification shall obtain the consent of and registration with the State Pollution Control Board (SPCB).
- b) Consent issued by the State Pollution Control Board shall clearly specify the quantity permitted for import and its use on a per month and per annum basis.
- c) Only registered industrial units with valid consent from State Pollution Control Board as per clause (a) shall be permitted to directly import pet coke and consignment shall be in the name of user industrial units for their own use only.
- d) Import of pet coke for the purpose of trading shall not be permitted.
- e) Authorised importers of Petcoke shall furnish opening and closing stock of imported petcoke to the State Pollution Control Board on quarterly basis.
- f) The State Pollution Control Board shall develop an electronic record system for uploading of consents, registration and record of use of imported Petcoke by industrial units, as mentioned above and the Board shall share this data with the Central Pollution Control Board on quarterly basis.

The above mentioned guidelines for regulation of IPC shall also be applicable in the State of Punjab.

Emission standards of sulphur dioxide(SO₂) in respect of Thermal Power Plants (TPP)

The emission standards in respect of Thermal Power Plants as notified by the Ministry of Environment, Forest & Climate Change vide notification no. S.O 3305 (E) dated 07.12.2015 as amended from time to time, which are given as under, shall be applicable in the State of Punjab:

S.No.	Industry	Parameter	Standards
1	2	3	4
25	Thermal Power Plant	TPPs (units) installed before 31st December, 2003	
		Particulate Matter	100 mg/Nm ³
		Sulphur Dioxide (SO ₂)	600 mg/Nm ³ (Units smaller than 500 MW capacity units) 200 mg/Nm ³ (for units having capacity of 500 MW and above)

	Oxides of Nitrogen (NO _x)	600 mg/Nm ³
	Mercury (Hg)	0.03 mg/Nm ³ (for units having capacity of 500 MW and above)
TPPs (units) installed after 1st January, 2004, upto 31st December, 2016		
	Particulate Matter	50 mg/Nm ³
	Sulphur Dioxide (SO ₂)	600 mg/Nm ³ (Units smaller than 500 MW capacity units) 200 mg/Nm ³ (for units having capacity of 500 MW and above)
	Oxides of Nitrogen	300 mg/Nm ³
	Mercury (Hg)	0.03 mg/Nm ³
TPPs (units) installed from 1st January, 2017		
	Particulate Matter	30 mg/Nm ³
	Sulphur Dioxide (SO ₂)	100 mg/Nm ³
	Oxides of Nitrogen	100 mg/Nm ³
	Mercury (Hg)	0.03 mg/Nm ³

Furnace Oil

- a) The use of furnace oil or any other liquid oil containing high sulphur contents shall not be allowed to be used as fuel;
- b) Only Low Sulphur Heavy Stock (LSHS) having higher pour point and low sulphur contents (not exceeding 1% by weight) and Light Diesel Oil (LDO) having sulphur content (not exceeding 1.8% by weight) shall be allowed as fuel;
- c) The industries using LSHS and LDO as fuel shall switch over to CNG / PNG as and when the supply of the same is available in the towns and cities and as per the time lines prescribed in the Action Plans prepared for non-attainment cities / critically, severely and other polluted areas by the State;
- d) For the areas not covered in clause-c above, the industries / other establishments shall switch over to natural gas (CNG / PNG) within six months from the date of availability of such fuel.

And whereas, the use of pet coke and furnace oil and other liquid oil shall only be allowed in the regulated conditions as mentioned above subject to stringent emission standards for Sulphur Dioxide (SO₂) @ 400 mg/Nm³ at 6% dry O₂ for solid fuel and 3% dry O₂ for liquid fuel (in case of thermal power plants the standards of emissions will be as per MOEF&CC notification dated 7.12.2015 as amended from time to time) and with the consent to operate of the Punjab State Pollution Control Board;

And whereas, the State of Punjab intends to regulate the use of pet coke and furnace oil with conditions aforementioned and hereby publish the draft fuel policy for inviting objections and suggestions from all the stakeholders and general public within sixty days from the date of the publication of the policy. The policy is also available on the website of the Directorate of Environment and Climate Change

(DECC) at www.pbdecc.gov.in as well as the Punjab Pollution Control Board (PPCB) at www.ppcb.gov.in;

And whereas, any person interested in making any objections and suggestions on the proposal contained in the draft notification may forward the same to the office of Directorate of Environment and Climate Change, MGSIPA Complex, adjacent to Strawberry Fields High School, Sector 26, Chandigarh, 160019 in person or in writing within the stipulated period of sixty days for consideration of the State Government;

The State Government will notify the policy for the use of pet coke and furnace oil or any other liquid oil in the State after considering all the objections and suggestions received in the case and it is made clear that objections and suggestions received after the stipulated period of sixty days shall not be entertained.

Dated.....

Chandigarh

**Principal Secretary to Govt. of Punjab,
Department of Science, Technology & Environment**

Endst. No.....

Dated

A copy of the above is forwarded to the Chief Principal Secretary to the Chief Minister, Punjab for information.

Deputy Secretary

Endst. No.....

Dated

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

1. The Principal Secretary, Department of Food, Civil Supplies and Consumers Affairs, Govt. of Punjab, Chandigarh.
2. The Principal Secretary, Department of Industries & Commerce, Govt. of Punjab, Chandigarh.
3. The Principal Secretary, Department of Power, Govt. of Punjab, Chandigarh
4. The Chairman, Punjab Pollution Control Board, Patiala.
5. The Director, Directorate of Environment & Climate Change, Punjab

Deputy Secretary

Endst. No.

Dated

A copy of the above is forwarded to all the Deputy Commissioners, Punjab for information and necessary action.

Deputy Secretary



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ PUNJAB POLLUTION CONTROL BOARD

No.

Dated.

To

The Principal Secretary to Govt. of Punjab,
Deptt. of Science, Technology & Environment,
Chandigarh.

Subject: Directions u/s 5 of the Environment (Protection) Act, 1986 regarding preparing of policy on use of Pet Coke and Furnace Oil.

Reference: Govt. Memo No. eoffice-10/64/2020-STE(5)/43973 dated 8.7.2020

The draft fuel policy for regulating the use of pet-coke and furnace oil was earlier forwarded to the Govt. vide Board's letter no. 4657 dated 06.02.2020 for issuance of appropriate notification after seeking objections from the public and other stakeholders. In compliance of the advise received from the Govt. vide letter dated 12.03.2020, a recasted draft for issuance of notification was sent to the Govt. vide Board's letter no. 8770 dated 19.03.2020.

2. The Govt. vide letter under reference, quoting the discussions held in a meeting taken by the Hon'ble Principal Secretary, Department of Science, Technology & Environment with the Member Secretary of the Board has directed this office to make further amendments and send the revised policy document. It was also desired to prepare a policy document giving background, technical inputs and justification for the notification to be issued for the regulation of the use of pet coke and furnace oil in the State.

3. Meanwhile, the Hon'ble NGT vide orders dated 16.07.2020 in the matter of OA No. 67/2019 has passed following directions:

"The compliance report has been filed by the CPCB on 14.07.2020 with summary of action taken reports from 27 States/UTs. Some of the reports of the States/UTs are contrary to the orders of the Tribunal referred to above. Reports which are non-compliant with the orders of this Tribunal based on order of the Hon'ble Supreme Court will stand rejected to that extent. Orders of the Tribunal be given effect and CPCB may ensure compliance by issuing such further direction as may be necessary in exercise of its statutory power".

A copy of the above orders is attached herewith for the ready reference and perusal of the Government.

Contd.

4. M/s Guru Gobind Singh Refinery (a unit of HPCL-Mittal Energy Ltd.), Bathinda vide its representation dated 31.7.2020 has submitted that being a major stakeholder of fuel policy of the State, any decision of the order contrary to the interests of the refinery may adversely affect the operation of the refinery. Therefore, the view and comments of the company may be given due consideration and may be given personal hearing before finalizing the policy (copy attached).

5. Central Pollution Control Board, while forwarding the representation received from M/s Indian Oil Corporation Ltd. (IOCL) has requested the Board to consider the use of LSHS as industrial fuel while formulating the fuel policy (copy attached).

Accordingly, a policy document alongwith revised draft notification for regulating the use of pet coke and furnace oil in the State has been prepared and is added for issuance of appropriate notification after seeking objections/suggestions from the public and other stakeholders, please.

DA/As above

Sdr
Member Secretary

Endst. No. _____

Dated: _____

A copy of the above is forwarded to the Director, Directorate of Environment & Climate Change, Chandigarh for information & further necessary action.

Endst. No. 18386

Sdr
Member Secretary
Dated: 24/8/20

A copy of the above is forwarded to the Member Secretary, Central Pollution Control Board, New Delhi in reference to his office letter no. CPCB/IPC-II/Petcoke/ 2020/ 1714 dated 26.06.2020 for information, please.

K. G. S.
24/8/2020
Member Secretary



Phone: 03592-281913
Email id: spebsikkim@gmail.com

STATE POLLUTION CONTROL BOARD

DEPARTMENT OF FOREST & ENVIRONMENT
GOVERNMENT OF SIKKIM
DEORALI – 737102

F. No. 788/SPCB/1548

Dated: 28/12/2020

To,

Shri Gaurav Gehlot,
Scientist B, IPC-II Divison,
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar,
Delhi-110032.

Sub: In refence to compliance of Hon'ble NGT order dated 07/01/2020 in OA No. 67/2019 with OA No. 138/2019 order dt.-14/07/2020-reg.

Sir,

Kindly refer to your email dated 21/12/2020 on the subject cited above. Reference above, I have been directed to inform you that the practice of using pet coke and furnace oil is not prevalent in the State of Sikkim. There are no industries in the state utilising pet coke or furnace oil. There are also no enterprises dealing with the sale as well and till date no complaint/information regarding the utilisation of the said fuels has been received by the Board as well. However, in compliance to the order of Hon'ble NGT, the Government of Sikkim has issued notification on ban in sale and use Pet Coke and Furnace Oil in all industrial units in the year 2018(Copy enclosed).

Submitted for kind information please.

Thanking you,

Yours faithfully,

(Kusum Gurung,SFS)

Joint Director

State Pollution Control Board-Sikkim



DH(IPC II)

SIKKIM

GOVERNMENT



GAZETTE

EXTRA ORDINARY
PUBLISHED BY AUTHORITY

GANGTOK

DATED :

NO.

GOVERNMENT OF SIKKIM
DEPARTMENT OF FOREST, ENVIRONMENT & WILDLIFE MANAGEMENT
GANGTOK

NOTIFICATION

NO.GOS/FEWMD/PR.SECY-cum-PCCF.....234...../

DATED 22/3/18

In exercise of the Powers conferred by section 5 read with section 23 of the Environment Protection Act, 1986 (29 of 1986), the State Government hereby prohibits the sale and use of 'Pet Coke' and 'Furnace Oil' as fuel by any industry in the State of Sikkim with immediate effect.


DR, THOMAS CHANDY, IFS,
Principal Secretary-cum-PCCF,
Forest, Env. & Wildlife Management Department,
Government of Sikkim,
Deorali - Gangtok

81C

केन्द्रीय प्रदूषण नियंत्रण
परिवेश भवन, पूर्व अर्जुन नगर, दिल्ली-32
132033
07 OCT 2019



Phone: 03592-281913
Tele-fax: 03592 -281913
Email: spcbsikkim@gmail.com

Central Pollution Control Board
Parivesh Bhavan, East Arjun Nagar, Delhi-32

STATE POLLUTION CONTROL BOARD SIKKIM

FOREST & ENVIRONMENT DEPARTMENT

GOVERNMENT OF SIKKIM

DEORALI, GANGTOK - 737102

F. No. 788/SPCB/2311

Dated: 29/9/2019

To

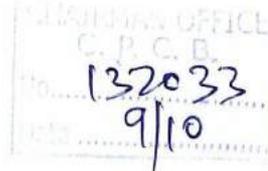
The Chairman

Central Pollution Control Board

Ministry of Env. Forest & Climate Change

Parivesh Bhawan, East Arjun Nagar

Delhi - 110032



132033/m
10/10

MS
10/10/19
9/10
SD-524

Subject: Directions under Section 5 of the Environment (Protection) Act, 1986 regarding preparing a policy on use of Pet coke & Furnace oil - reg.

Sir,

With reference to letter no. B-33014/07/2019/IPC-II/5767 dated August 23, 2019 citing the above subject this is to kindly inform you that the use of pet coke and furnace oil has been banned in the State of Sikkim vide notification no.GOS/FEWMD/PR.SECY-CUM-PCCF 234 DATED 22/03/2018. A copy of the notification has been enclosed, H.C.

Thanking you,

Yours faithfully,

(Dr. Gopal Pradhan)
Member Secretary
SPCB-Sikkim

Dr. Gopal Pradhan
Member Secretary
State Pollution Control Board
Forest Env. & W/L Mangt. Deptt.
Govt. of Sikkim, Gangtok



SIKKIM

GOVERNMENT



GAZETTE

EXTRA ORDINARY
PUBLISHED BY AUTHORITY

GANGTOK

DATED :

NO.

GOVERNMENT OF SIKKIM
DEPARTMENT OF FOREST, ENVIRONMENT & WILDLIFE MANAGEMENT
GANGTOK

NOTIFICATION

NO.GOS/FEWMD/PR.SECY-cum-PCCF.....234...../

DATED 22/3/18

In exercise of the Powers conferred by section 5 read with section 23 of the Environment Protection Act, 1986 (29 of 1986), the State Government hereby prohibits the sale and use of 'Pet Coke' and 'Furnace Oil' as fuel by any industry in the State of Sikkim with immediate effect.


DR, THOMAS CHANDY, IFS,
Principal Secretary-cum-PCCF,
Forest, Env. & Wildlife Management Department,
Government of Sikkim,
Deorali - Gangtok

8/C



Phone: 03592-281913
 Tele-fax: 03592-281913
 Email: spcbsikkim@gmail.com

STATE POLLUTION CONTROL BOARD SIKKIM
 FOREST & ENVIRONMENT DEPARTMENT
 GOVERNMENT OF SIKKIM
 DEORALI, GANGTOK - 737102

134377/m
 25/10

F. No. 423 /SPCB/ 2495

Dated: 17/10/2019
 25 OCT 2019
 CHAIRMAN OFFICE
 C. P. C. B.
 No. 134377
 Date 25/X
 Central Pollution Control Board
 Parivesh Bhawan, East Arjun Nagar, Delhi-32

To

The Chairman
 Central Pollution Control Board
 Ministry of Env. Forest & Climate Change
 Parivesh Bhawan, East Arjun Nagar
 Delhi - 110032

for
 28/10/19
 18
 18/11
 25/X
 29/10/19
 SP-SKP

Subject: Directions under Section 5 of the Environment (Protection) Act, 1986 regarding preparing a policy on use of Pet coke & Furnace oil - reg.

Sir,

With reference to letter vide no. B-33014/07/2019/IPC-II/5767 dated August 23, 2019 citing the above subject this is to kindly inform you that the use of pet coke and furnace oil has been banned in the State of Sikkim vide notification no.GOS/FEWMD/PR.SECY-CUM-PCCF 234 DATED 22/03/2018. A copy of the notification has been enclosed, please.

Further, a letter in this regard has already been sent vide letter no.788/SPCB/2311 dated 29/09/2019.

Thanking you,

Yours faithfully,

(Dr. Gopal Pradhan)
 Member Secretary

State Pollution Control Board-Sikkim
 Dr. Gopal Pradhan
 Member Secretary
 State Pollution Control Board
 Forest Env. & W/L Mangt. Deptt.
 Govt. of Sikkim, Gangtok





Phone: 03592-281913
Tele-fax: 03592 -281913
Email: spcbsikkim@gmail.com

STATE POLLUTION CONTROL BOARD SIKKIM

FOREST & ENVIRONMENT DEPARTMENT

GOVERNMENT OF SIKKIM

DEORALI, GANGTOK - 737102

F. No. 788/SPCB/2539

Dated: 24/10/2019

To

Shri Nazimuddin,
Divisional Head-IPC-II
Central Pollution Control Board
Ministry of Env. Forest & Climate Change
Parivesh Bhawan, East Arjun Nagar
Delhi - 110032

hwp/30/10/19
SA-SKP

Subject: Directions under Section 5 of the Environment (Protection) Act, 1986 regarding preparing a policy on use of Pet coke & Furnace oil - reg.

Sir,

With reference to letter vide no. B-33014/07/2019/IPC-II/5767 dated August 23, 2019 citing the above subject this is to kindly inform you that the use of pet coke and furnace oil has been banned in the State of Sikkim vide notification no.GOS/FEWMD/PR.SECY-CUM-PCCF 234 DATED 22/03/2018. A copy of the notification has been enclosed, please.

Further, a letter in this regard has already been sent vide letter no.788/SPCB/2311 dated 29/09/2019 to Chairman, CPCB, MOEF &CC.

Thanking you,

Yours faithfully,

(Dr. Gopal Pradhan)
Member Secretary

State Pollution Control Board-Sikkim
Dr. Gopal Pradhan
Member Secretary
State Pollution Control Board
Forest Env. & W/L Mangt. Deptt.
Govt. of Sikkim, Gangtok





Phone: 03592-281913
Email id: spcsikkim@gmail.com

STATE POLLUTION CONTROL BOARD

DEPARTMENT OF FOREST & ENVIRONMENT
GOVERNMENT OF SIKKIM
DEORALI - 737102

Dated: 28/12/2020

F. No. 788/SPCB/ 1548

To,
Shri Gaurav Gehlot,
Scientist B, IPC-II Division,
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar,
Delhi-110032.

Sub: In refence to compliance of Hon'ble NGT order dated 07/01/2020 in OA No. 67/2019 with OA No. 138/2019 order dt.-14/07/2020-reg.

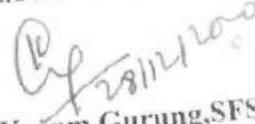
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Submitted for kind information please.

Thanking you.

Yours faithfully,

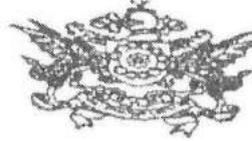

(Kusum Gurung, SFS)
Joint Director

State Pollution Control Board-Sikkim



SIKKIM

GOVERNMENT



GAZETTE

EXTRA ORDINARY
PUBLISHED BY AUTHORITY

GANGTOK

DATED :

NO.

GOVERNMENT OF SIKKIM
DEPARTMENT OF FOREST, ENVIRONMENT & WILDLIFE MANAGEMENT
GANGTOK

NOTIFICATION

NO.GOS/FEWMD/PR.SECY-cum-PCCF...234

DATED 22/3/18

In exercise of the Powers conferred by section 5 read with section 23 of the Environment Protection Act, 1986 (29 of 1986), the State Government hereby prohibits the sale and use of 'Pet Coke' and 'Furnace Oil' as fuel by any industry in the State of Sikkim with immediate effect.


DR, THOMAS CHANDY, IFS,
Principal Secretary-cum-PCCF,
Forest, Env. & Wildlife Management Department,
Government of Sikkim,
Deorali - Gangtok

SLC



TAMILNADU POLLUTION CONTROL BOARD



From

Thiru. D. Sekar, M. Tech
Member Secretary
Tamil Nadu Pollution control Board,
76, Mount Salai, Guindy,
Chennai – 600 032

To

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



Letter No. TNPCB/P&D/F 018031/2017, Dated: 20.08.2019

Sir,

Sub: TNPCB - P&D - Usage of Pet coke as approved fuel- Notification to be issued as per the order of the Hon'ble National Green Tribunal dated 16.05.2017- Status of petcoke in Tamilnadu - Reg.

Ref: 1. TNPCB Lr. No. TNPCB/P&D/F 018031/2017, Dated: 11.02.2019
2. Board Proceeding No.48 Dated 09.08.2019 (copy enclosed)

With reference to the letter cited above, I am to inform that the Hon'ble NGT (PB) of India in its order dated 16.05.2017 in O.A.No.471 of 2016, issued orders interalia that the respective State Governments shall take a decision as to whether the Petcoke is an approved fuel or not in terms of Section 19(3) of the Air (Prevention and control of Pollution) Act, 1981 and notify their decision within a period of two months.

In this connection, the subject for notifications of petcoke as approved fuel was placed before the Board and the Board is of the view that it is not desirable to restrict the powers of the State Government under section 19 (3) for any kind of fuel. For this reason, TNPCB, has desisted from notifying any fuel under section 2 (d) and the present circumstances do not warrant any change in this policy. Therefore the Board decided to not to notify Petcoke as 'approved fuel' under section 19(3). A copy of BP No.489 dated 09.08.2019 is enclosed.

Encl: as above.

K. G. S. 20.08.2019.
For Member Secretary

H. 21/8



TAMIL NADU POLLUTION CONTROL BOARD

Abstract

TNPCB- P&D- Notification on approved fuel by the Tamilnadu Pollution Control Board In Exercise of the powers conferred under Section 2 (D) of the Air (Prevention And Control Of Pollution) Act 1981- Orders- Issued.

B.P. No. 48

Dated: 10.08.2019

Read: Board Resolution No.278-1-19 Dated: 30.07.2019

The Hon'ble NGT (PB) of India in its order dated 16.05.2017 in O.A.No.471 of 2016, issued orders interalia that the respective State Governments shall take a decision as to whether the Petcoke is an approved fuel or not in terms of Section 19(3) of the Air (Prevention and control of Pollution) Act, 1981 and notify their decision within a period of two months.

In this connection, the subject for notifications on approved fuels was placed before the Board in the meeting held on 22.07.2019. The Board vide Resolution No. 278-1-18 dated 30.07.2019, read the Hon'ble NGT (PB) order dated: 16.05.2017 in O.A. No. 471 of 2016, wherein the Hon'ble NGT ordered interalia that the respective State Governments shall take a decision as to whether the Petcoke is an approved fuel of not in terms of Section 19 (3) of the Air (Prevention and Control of Pollution) Act, 1981.

The Board noted that the only place other than definitions in Section 2 (d) that the terms "approved fuel" appears in the Act is in Section 19 (3) which reads as follows: 'If the State Government, after consultation with the State Board, is of opinion that the use of any fuel, other than an approve fuel, in any air pollution control area or part thereof, may cause or is likely to cause air pollution, it may, by notification in the Official Gazette, prohibit the use of such fuel in such area or part thereof with effect from such date (being not less than thrée months from the date of publication of the notification) as may be specified in the notification.'

Thus, the only consequence of Board approving a particular fuel as an "approved fuel" is that the State Government loses its power to prohibit the same under section 19 (3) in any area. The Board is of the view that it is not desirable to restrict the powers of the State Government under section 19 (3) for any kind of fuel. For this reason, TNPCB, has desisted from notifying any fuel under section 2 (d).The present

circumstances do not warrant any change in this policy. The Board therefore decided to not to notify Petcoke as 'approved fuel' under section 19(3).

Sd/xxxxx
Member Secretary

K. G. J. 13.08.2019
For Member Secretary

U.
(13/8)

To

The Joint Chief Environmental Engineer (P&D)

Copy to

1. Financial Advisor
2. PS to Chairman
3. PA to Member Secretary
4. File copy
5. *D.M.S*



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-32

27 SEP 2019

Central Pollution Control Board
Parivesh Bhavan, East Arjun Nagar, Delhi-32

TAMIL NADU POLLUTION CONTROL BOARD

From

Thiru. Shambhu Kallollikar, I.A.S.,
Principal Secretary to Government /
Chairman (FAC),
Tamilnadu Pollution Control Board
76, Mount Salai, Guindy,
Chennai – 600 032

To

The Principal Secretary to Government,
Environment and Forests Department,
Secretariat,
Chennai-600 009

MS 2019/10

IPC-II
20/9/19
SP-SK

Letter No. TNPCB/P&D/F 018031/2017, Dated: 20.09.2019

Sir,

Sub: TNPCB - P&D – Directions under Section 5 of the Environment (Protection) Act, 1986 regarding preparing a policy on use of Pet coke & Furnace oil- Status of Tamil Nadu - Reg.

Ref: 1. CPCB Lr.No.B-33014/07/2019/IPC-II/5768 Dated 23.08.2019
2. Letter No. TNPCB/P&D/F 018031/2017, Dated: 20.08.2019

I am to invite your kind attention to the reference 1st cited, wherein CPCB has issued the following directions under Section 5 of the Environment (Protection) Act, 1986 to the Chief Secretary to Government, Government of Tamilnadu:

1. State Government shall formulate and enforce fuel policy regarding use of pet coke and Fuel Oil in the State in light of various orders passed by Hon'ble Supreme Court of India regarding use of pet coke and FO in Writ Petition (C) 13029/1985.
2. State Government through respective SPCB shall take strict action against any industry if found violating the fuel policy on use of pet coke and Fuel Oil that will be enforced as above, using the powers conferred under environmental laws.

In this regard, it is informed that TNPCB vide letter under reference second cited addressed to Government stated that the subject for notifications approved fuels (including Pet coke and Furnace oil) was placed before the Board. The Board is of the view that it is not desirable to restrict the powers of the State Government under section 19 (3) of the Air (P&CP) Act, 1981 for any kind of fuel. For this reason, TNPCB, has desisted from notifying any fuel under section 2 (d), and the present circumstances do not warrant any change in this policy. The Board therefore decided to not to notify Petcoke as 'approved fuel' under section 19(3) of the Air (P&CP) Act, 1981.

76, MOUNT SALAI, GUINDY, CHENNAI - 600 032.

Tel : 22353134, 22353135, 22353136, 22353137, 22353138, 22353139, 22353140, 22353141

Fax : 044-22353068

Email : tnpceb@md3.vsnl.net.in www.tnpceb.gov.in

It is informed that the following procedure is being followed in Tamil Nadu for use of pet coke and furnace oil.

1. Use of Pet coke:

In Tamilnadu, as per the Supreme Court order dated 13.12.2017 and the MoEF & CC Guidelines dated 10.09.2018, Cement Plant is only permitted to use petcoke in their cement kiln after examining case by case. All other industrial units which have used pet coke as fuel are stopped as per Tamil Nadu Pollution Control Board's direction, issued during September 2017 based on NGT Order dated 16.05.2017 and CPCB letter dated 14.07.2017.
(Copy enclosed)

2. Use of Furnace oil:

There is no restriction on use of furnace oil by the industries.

The Cement Industries which are using Pet coke and the industries which are using furnace oil should comply with emission standards prescribed by MOEF & CC under Rule 3 of the Environment (Protection) Rules, 1986.

The above may be furnished to CPCB as reply for the directions issued.

Sd/-xxxx
Chairman (FAC)

X.G. 23.09.2019.
For Chairman

ll
23/9

✓ **Copy to**

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



Registers post

TELANGANA STATE POLLUTION CONTROL BOARD
PARYAVARAN BHAVAN, A - 3, INDUSTRIAL ESTATE,
SANATHNAGAR, HYDERABAD - 500 018

Phone: 23887500
Fax: 040 - 23815631
Website: tspcb.cgg.gov.in

Lr. No.11/TSPCB/Petcoke/HO/2019 - 1640

Dt: 09.10.2019

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



133727/M
27/10
for
27/10/19
MS
1/20/11
hpf 23/10
SD-SKP

Sub: TSPCB -Directions under Section 5 of the Environment (Protection) Act, 1986 regarding preparing a policy on use of Pet coke & Furnace oil-Information of Cement manufacturing industries using Petcoke in the state of Telangana - Submitted - Reg.

Ref: CPCB Lr.No. B.33014/7/2019/IPC-II-5769, dated 23.08.2019.

Kind attention is invited to the subject and reference cited above. The Action taken report to comply with CPCB directions on regulation and monitoring of imported Petcoke in the State of Telangana is submitted below:

Sl. No	Directions	Action taken
1.	State Government / Union Territory Administration shall formulate and enforce fuel policy regarding use of pet coke and FO in the State/UT in light of various orders passed by Supreme Court regarding use of pet coke and FO in Writ Petition (C) 13029/1985.	The EFS & T Department Government of Telangana issued G.O Ms. No. 35 dt. 27.09.2017 stating that Pet Coke as fuel does not require to be prohibited in the State of Telangana subject to installation of air pollution control system by the industries using Petcoke, so that, pollution control norms are adhered to by every such industry. After issue of above GO, TSPCB has permitted 5 cement manufacturing industries to use Petcoke as fuel, by issuing CFO & HWAs.
2.	State Government / Union Territory Administration through respective SPCB/PCC shall take strict action against any industry if found violating the fuel policy on use of pet coke and FO that will be enforced as above, using the powers conferred under environmental laws.	The details on usage of Petcoke by the cement industries for the period from September,2018 to August, 2019 is enclosed. As per online stack emission data, the above 5 cement industries are meeting the emissions standards. As per CPCB directions, Petcoke consumption details are uploaded in TSPCB website. (tspcb.cgg.gov.in/pages/Petcoke.aspx)

This is for information.

Sd/-
MEMBER SECRETARY

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

Senior Environmental Engineer

By Speed Post



TRIPURA STATE POLLUTION CONTROL BOARD

(A Govt. of Tripura Organisation)

No.F. 17(27)/TSPCB/CPCB/7114-18

To
Sri. S. P. S Parihar
Chairman
Central Pollution Control Board
Ministry of Environment, Forest & Climate Change
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

CHAIRMAN OFFICE
C. P. C. B.
No. 129102
Date 16/9

129102/m
16/9
07/09/2019
परिवेश भवन, पूरबी अरजुन नगर, दिल्ली-110032
129102
13 SEP 2019
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

Sub: Directions under Section 5 of the Environment (Protection) Act, 1986 regarding preparing a policy on use of Pet-coke & Furnace-oil-reg.
Ref: Your letter B-33014/07/2019/IPC-II/5770 dated 23.08.2019.

Sir,

This has reference to the Direction dated 23.08.2019 on the subject cited above.

In the said letter following Directions were given:

1. State Government / Union Territory Administration shall formulate and enforce fuel policy regarding use of pet coke and FO in the State/UT in light of various orders passed by Supreme Court regarding use of pet coke and FO in Writ Petition (C) 13029/1985.
2. State Government / Union Territory Administration through respective SPCB/PCC shall take strict action against any industry if found violating the fuel policy on use of pet coke and FO that will be enforced as above, using the powers conferred under environmental laws.

In this connection it is to inform that Department of Science, Technology & Environment, Govt. of Tripura issued a Notification on 01.03.2018 in connection with **complete ban and prohibition on the use of pet coke & furnace oil (FO)** in any industry operating in the State of Tripura. The copy of the said Notification is attached as Annexure-A.

Moreover, as per TSPCB's record there is no industry in Tripura which uses pet coke or furnace oil (FO) during processing till date. Tripura State Pollution Control Board will not issue licence in favour of any industry, operation or processes which will use pet coke or FO in future.

Enclo: As stated.

Yours faithfully,

Bishu 7.9.19
(Bishu Karmakar)
Member Secretary

Copy to:

PS to the Special Secretary to the Govt. of Tripura, Department of Science, Technology & Environment for kind information of the Special Secretary.

GOVERNMENT OF TRIPURA
DEPTT. OF SCIENCE, TECHNOLOGY & ENVIRONMENT
VIGYAN, PRAJUKTI O PARIVESH BHAWAN
GORKHABASTI: AGARTALA
TRIPURA-799006

No.F.11(1)/DSTE/ENV/Pt-I/1121-42

Dated ..01..03./2018

NOTIFICATION

WHERE AS, Article 48-A of the Constitution of India, inter-alia envisages that the State shall endeavour to protect and improve the entire environment;

AND WHEREAS, it is observed that pet coke and furnace oil are non-biodegradable and after hundreds of years breaks to toxic particles, pollute soil, produce toxic gas and ash on burning and cause pollution of water, thereby causing unhygienic environmental condition and result into public health related problems;

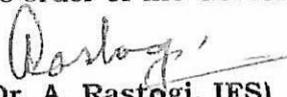
AND WHEREAS, it is observed that the pet coke and furnace oil cause aquatic and terrestrial animals die by its ingest, harmful chemicals contaminate soil and water, restrict percolation of water to ground, choke the living organisms of the soil, effecting the growth of roots and plants etc., which cause long term bad effect on ecology and environment;

AND WHEREAS, the Government of Tripura after considering the above said adverse effects of pet coke and furnace oil, has taken a decision to impose complete ban on the use of pet coke and furnace oil in the state;

NOW, THEREFORE, in exercise of the powers conferred by section 5 of the Environment (Protection) Act, 1986 (Central Act No.29 of 1986), and also the powers conferred to this State vide Notification No.S.O.479 (E) dated the 25th July,1991 under Section 23 of the Environment (Protection) Rules, 1986, the Government of Tripura is pleased to impose a complete ban and prohibition on the use of pet coke and furnace oil in any industry, operation or processes in the whole state, with immediate effect. All Licensing Authorities including Local Administration/ Police Authorities/Tripura State Pollution Control Board/ Transport Authorities/ Municipal Corporation/ Municipal Councils/ Nagar Panchayets/ Panchayets shall ensure that, there is no use of pet coke and furnace oil in any industry, operation or processes at their respective jurisdiction in the whole state.

This shall come into force with immediate effect.

By the order of the Governor


(Dr. A. Rastogi, IFS)
Secretary

Government of Tripura

Copy to:-

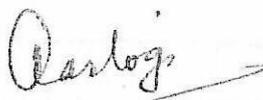
1. The Principal Secretary to the Governor, Tripura, Agartala.
2. The Principal Secretary to the Chief Minister, Tripura.
3. P.S to the All Ministers, Govt. of Tripura.
4. P.S to the Chairman, Tripura Tribal Area Autonomous District Council, Tripura.

Contd.....P/2.



AD(MEE)

5. The Mayor, AMC, Agartala.
6. The Chairman of all Municipal Council, Tripura
7. The Chairman of all Nagar Panchayet, Tripura.
8. The JS & SA to Chief Secretary, Govt. of Tripura.
9. The Director General of Police, Govt. of Tripura, Agartala.
- ✓10. The Chairman, Tripura State Pollution Control Board.
11. P.A/P.S to All Pr. Secretaries/Commissioner /Secretaries/ Special Secretaries, Govt. of Tripura.
12. Chief Executive Officer of Tripura Tribal Area Autonomous District Council, Tripura.
13. The Municipal Commissioner, AMC, Agartala.
14. All DM & Collector, Tripura
-
15. All Head of Department/Director, Govt. of Tripura.
-
16. All Sub-Divisional Magistrate, Tripura
-
17. All Sub-Divisional Police Officer, Tripura
-
18. Chief Executive Officer, All Municipal Council, Tripura
-
19. All Block Development Officer
-
20. Executive Officer, All Nagar Panchayet, Tripura.
-
21. The Manager, Government Press for publication of this notification in the next issue of official gazette.
22. Sri S. Banik, Scientific Officer, DSTE for publication in the Departmental website.


(Dr. A. Rastogi, IFS)
Secretary
Government of Tripura

GOVERNMENT OF TRIPURA
DEPTT. OF SCIENCE, TECHNOLOGY & ENVIRONMENT
VIGYAN, PRAJUKTI O PARIVESH BHAWAN
GORKHABASTI: AGARTALA
TRIPURA-799006

No.F.11(1)/DSTE/ENV/Pt-I/1121-42

Dated ..01./02./2018

NOTIFICATION

WHERE AS, Article 48-A of the Constitution of India, inter-alia envisages that the State shall endeavour to protect and improve the entire environment;

AND WHEREAS, it is observed that pet coke and furnace oil are non-biodegradable and after hundreds of years breaks to toxic particles, pollute soil, produce toxic gas and ash on burning and cause pollution of water, thereby causing unhygienic environmental condition and result into public health related problems;

AND WHEREAS, it is observed that the pet coke and furnace oil cause aquatic and terrestrial animals die by its ingest, harmful chemicals contaminate soil and water, restrict percolation of water to ground, choke the living organisms of the soil, effecting the growth of roots and plants etc., which cause long term bad effect on ecology and environment;

AND WHEREAS, the Government of Tripura after considering the above said adverse effects of pet coke and furnace oil, has taken a decision to impose complete ban on the use of pet coke and furnace oil in the state;

NOW, THEREFORE, in exercise of the powers conferred by section 5 of the Environment (Protection) Act, 1986 (Central Act No.29 of 1986), and also the powers conferred to this State vide Notification No.S.O.479 (E) dated the 25th July,1991 under Section 23 of the Environment (Protection) Rules, 1986, the Government of Tripura is pleased to impose a complete ban and prohibition on the use of pet coke and furnace oil in any industry, operation or processes in the whole state, with immediate effect. All Licensing Authorities including Local Administration/ Police Authorities/Tripura State Pollution Control Board/ Transport Authorities/ Municipal Corporation/ Municipal Councils/ Nagar Panchayets/ Panchayets shall ensure that, there is no use of pet coke and furnace oil in any industry, operation or processes at their respective jurisdiction in the whole state.

This shall come into force with immediate effect.

By the order of the Governor

(Signature)
 (Dr. A. Rastogi, IFS)

Secretary
 Government of Tripura

Copy to:-

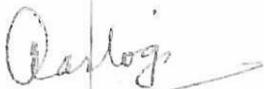
1. The Principal Secretary to the Governor, Tripura, Agartala.
2. The Principal Secretary to the Chief Minister, Tripura.
3. P.S to the All Ministers, Govt. of Tripura.
4. P.S to the Chairman, Tripura Tribal Area Autonomous District Council, Tripura.

Contd.....P/2.



AD (NEE)

5. The Mayor, AMC, Agartala.
6. The Chairman of all Municipal Council, Tripura
7. The Chairman of all Nagar Panchayet, Tripura.
8. The JS & SA to Chief Secretary, Govt. of Tripura.
9. The Director General of Police, Govt. of Tripura, Agartala.
- ✓ 10. The Chairman, Tripura State Pollution Control Board.
11. P.A/P.S to All Pr. Secretaries/Commissioner /Secretaries/ Special Secretaries, Govt. of Tripura.
12. Chief Executive Officer of Tripura Tribal Area Autonomous District Council, Tripura.
13. The Municipal Commissioner, AMC, Agartala.
14. All DM & Collector, Tripura
-
15. All Head of Department/Director, Govt. of Tripura.
-
16. All Sub-Divisional Magistrate, Tripura
-
17. All Sub-Divisional Police Officer, Tripura
-
18. Chief Executive Officer, All Municipal Council, Tripura
-
19. All Block Development Officer
-
20. Executive Officer, All Nagar Panchayet, Tripura.
-
21. The Manager, Government Press for publication of this notification in the next issue of official gazette.
22. Sri S. Banik, Scientific Officer, DSTE for publication in the Departmental website.


(Dr. A. Rastogi, IFS)
Secretary
Government of Tripura

Email

gehlot.cpcb@gov.in

Re: URGENT: Compliance of Hon'ble NGT order dated-07.01.2020 in OA No. 67/2019 with OA No. 138/2019-reg.

From : spsubudhi@gmail.com

Mon, Mar 23, 2020 01:31 PM

Subject : Re: URGENT: Compliance of Hon'ble NGT order dated-07.01.2020 in OA No. 67/2019 with OA No. 138/2019-reg.

To : Gaurav Gehlot <gehlot.cpcb@gov.in>

Dear Sir,

In Uttarakhand, we have already prepared the Fuel Policy & it is with Chairman UKPCB for final approval. However, due to Corona Virus issue, Offices have been locked down. I would therefore request you to kindly grant time till 15th April.

SP Subudhi, IFS
MS, UKPCB

On Fri, Mar 20, 2020 at 4:18 PM Gaurav Gehlot <gehlot.cpcb@gov.in> wrote:

Sir/Ma'am,

I am directed to forward the enclosed file in the matter of Hon'ble NGT order dated-07.01.2020 in OA No. 67/2019 with OA No. 138/2019 for kind information and necessary action in the matter.

Regards

--

Gaurav Gehlot

Scientist - B, IPC - II,
Central Pollution Control Board,
Delhi



UTTARAKHAND POLLUTION CONTROL BOARD
Gauradevi Parayavaran Bhawan
46-B, SIDCUL, IT Park, Sahasradhara Road
DEHRADUN (Uttarakhand)

HEAD OFFICE



उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड
गौरादेवी पर्यावरण भवन
46-बी, सिडकुल, आई.टी. पार्क, सहस्रधारा रोड,
देहरादून(उत्तराखण्ड)

Web: www.ueppcb.uk.gov.in

UEPPCB/HO/Gen-183-426/2020/1671-331,

Date: 17.07.2020

Office Order

In exercise of the Powers conferred is under clause (d) of Section(2) of the Air (Prevention and Control of Pollution) Act 1981, The Uttarakhand Pollution Control Board is (herein after referred as Board) here by prescribed the following fuels as the "APPROVED FUELS" in the entire State of Uttarakhand.

List of "APPROVED FUELS"

- i) Liquefied Petroleum Gas (LPG)
- ii) Liquefied Natural Gas (LNG)
- iii) Low Sulphur Heavy Stock (LSHS) Fuel
- iv) Piped Natural Gas (PNG)
- v) High Speed Diesel (HSD)
- vi) Bio Gas
- vii) Bio-fuel (Agro based)
- viii) Coal
- ix) Wood
- x) Perul (Pine needle)
- xi) Refuse Derived Fuel (RDF): To be used in Cement kiln & Waste to Energy plant or any other unit allowed by the Central Government/State Government.



157105/MY
29/7/20

- (1) For utilization of the above approved fuels, adequate air pollution control measures shall be provided by the unit. The unit shall ensure to obtain Environmental Clearance, Consent to Establish & Consent to Operate, as the case may be, for utilization of these fuels from competent authority.
- (2) The use of Petcoke and Furnace oil fuel shall not be permitted for new industries in the State Uttarakhand.
- (3) The industrial units presently using Pet-Coke/Furnace oil in the process with valid consent of the Board are required to switch over to above approved fuels by altering their plant & machinery alongwith adequate air pollution control system by 31-03-2024.

(Anand Bardhan)
I.A.S.
Chairman

Copy to:

1. Chief Secretary, Uttarakhand Government for information please.
2. All Additional Chief Secretary/ Principal Secretary/ Secretary, Uttarakhand Government for information please.
3. Director General, State Infrastructure and Industrial Development Corporation of Uttarakhand Ltd., Uttarakhand for information please.
4. Member Secretary, Central Pollution Control Board, Delhi for information please.
5. Director, Environment and Climate Change, Dehradun for information please.
6. All District Magistrates, Uttarakhand for information please.
7. Director, Industries Directorate, Uttarakhand for information please.
8. Regional Officer's, Uttarakhand Pollution Control Board, Dehradun, Roorkee, Kashipur and Haldwani for information please.
9. All General Manager, District Industries Centre, Uttarakhand
10. All Industrial Associations, Uttarakhand
11. Guard File


Member Secretary
Uttarakhand Pollution Control Board

F.No.3-1/PCC/Misc./2019/390
अंडमानतथानिको बारप्रशासन
ANDAMAN & NICOBAR ADMINISTRATION
प्रदूषणनियंत्रण समिति
POLLUTION CONTROL COMMITTEE
DEPARTMENT OF SCIENCE AND TECHNOLOGY
Dolly Gunj, Port Blair Tel. Fax 250370
e-mail:dstandamans@gmail.com

Dated: 04-10-2019

To,

The Divisional Head-IPC-II
CPCB New Delhi

Subject: Directions under Section 5 of the Environment (Protection) Act, 1986 regarding preparing a policy on use of Pet coke & Furnace oil - reg

Sir,

With reference to letter No. B-33014/7/2019/IPC-II/TPP/ dated 19.09.2019 regarding use of pet coke and furnace oil in industries, it is to inform that as per this office records, there is no industry using pet coke and furnace oil in Andaman and Nicobar Islands.

Hence, the report may be treated as NIL.

Yours faithfully,


Senior Scientific Officer-II

Copy to:

1. The Regional Director, CPCB Kolkata for kind information


Senior Scientific Officer-II



Chandigarh Pollution Control Committee

Paryavaran Bhawan, Madhya Marg, Sector 19-B, Chandigarh-160 019

Regd.

No. CPCC/2019/2103

Dated: 08/08/19

To,

Sh. Nazimuddin
(Divisional Head-IPC-II),
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar,
Delhi-110032.

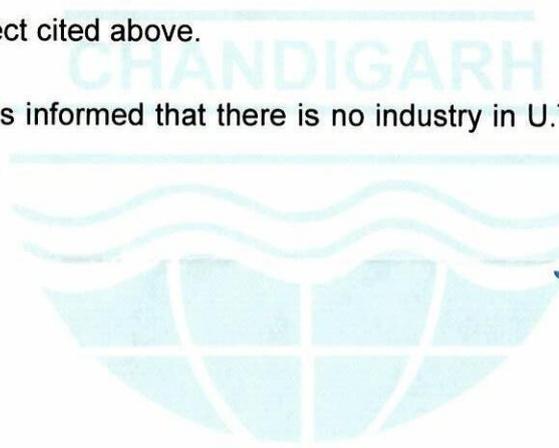
by P/18/19
SD-SEP

Sub: Information regarding Petcoke Industries in U.T., Chandigarh and regarding Guidelines for regulations and monitoring of imported Petcoke in India.

.....

This is with reference to your letter No. B-33014/7/2019/IPC-II/TPP/3583 dated 11.07.2019 on the subject cited above.

In this regard, it is informed that there is no industry in U.T. Chandigarh which is using Petcoke as a fuel.



(T.C. Nautiyal, IFS)
Member Secretary

2

Re: REMINDER 3: Directions under Section 5 of the Environment (Protection) Act, 1986 regarding preparing a policy on use of Pet coke & Furnace oil - reg.

From : cpcc-chd@nic.in

Fri, Oct 25, 2019 04:06 PM

Sender : cpcc-chd@nic.in

Subject : Re: REMINDER 3: Directions under Section 5 of the Environment (Protection) Act, 1986 regarding preparing a policy on use of Pet coke & Furnace oil - reg.

To : Sanjeev Paliwal <sanjeevpaliwal.cpcb@nic.in>

With reference to your email dated 23.10.2019, It is informed that there is no industry in Chandigarh which is using PetCoke. Further, the policy regarding furnace oil is under consideration. No industry will be allowed to use furnace oil after 06 months.

Regards

Chandigarh Pollution Control Committee

Chandigarh

On 10/23/19 01:14 PM, **Sanjeev Paliwal** <sanjeevpaliwal.cpcb@nic.in> wrote:

Sir,

This is in reference to the trailing mails dated 11.10.2019, 01.10.2019 and 19.09.2019 requesting for submission of ATR in respect of CPCB directions dated 23.08.2019 issued under Section 5 of the Environment (Protection) Act, 1986 to the Chief Secretaries/Administrators of States/UTs which required filing of ATR through SPCBs/PCCs at the earliest. The ATR from your SPCB/PCC in this matter has not yet been received by CPCB.

Further, it is informed that CPCB will submit compliance report to Hon'ble NGT in the next week after compiling the status received from SPCBs/PCCs.

It is therefore again requested to provide the ATR on behalf of state government to CPCB **by 28 Oct 2019 positively**. CPCB will file the report to Hon'ble NGT by 30.10.2019 on the basis of ATR received till 28.10.2019.

Yours faithfully,
[Nazimuddin]
Divisional Head-IPC-II

From: "Sanjeev Paliwal" <sanjeevpaliwal.cpcb@nic.in>

To: membersecy@appcb.gov.in, pa-ms@appcb.gov.in, hopcbunit3@gmail.com, arunachalspcb@gmail.com, membersecretary@pcbassam.org,

No.PCC/DDD/PET COKE-FO (W.P.) (C)
13029/ 1985/CPCB(DNH)/ 2019-20/191
Office of the Member Secretary
Pollution Control Committee
DD & DNH,
Silvassa

Dated : 14/10/19

To,

Shri. Nazimuddin
The Divisional Head-IPC-II
Central Pollution Control Board
Ministry of Environment, Forests and
Climate Change, Govt. of India,
Parivesh Bhawan, East Arjun Nagar,
Delhi—110031
Tele: 011-43102030, 011- 22305792

h.g. 5/2/19
SD-SP-P

Sub: Directions under Section 5 of E(P) Act, 1986 regarding preparing of Policy on use of Pet coke and Furnace oil- reg.

Ref : CPCB letter no.B-33014/7/2019/IPC-II/TPP dated 19.9.2019 received in PCC on 25/9/2019 through Email.

Sir,

With reference to the above cited subject regarding Policy on use of Pet Coke as Fuel and Furnace oil. It is to inform that in the UT of Dadra Nagar Haveli there are no any Industries permitted or allowed for use of PET COKE as fuel till date. In case of F.O.Fuel there are industries which run /operate Furnace, Thermic Fluid Heaters, Boilers using furnace oil subject to compliance with providing of adequate stack height of 30 meters and above with well equipped control devices so as to reduce the emission concentration.

Further, as per the ambient air quality monitoring done in the UT of DD & DNH the SOx and NOx in the ambient air is within the standard limit throughout the year.

Yours faithfully


Member Secretary
Pollution Control Committee
DD & DNH
Silvassa

Copy to :

1. The PA to Hon'ble Administrator, Dadra Nagar Haveli, Silvassa for kind information please.

No.PCC/DDD/PET COKE-FO (W.P.) (C)
13029/ 1985/CPCB(DNH)/ 2019-20/912
Office of the Member Secretary
Pollution Control Committee
DD & DNH,
Silvassa

Dated :- 25/10/19

✓ To,

Shri. Nazimuddin
The Divisional Head-IPC-II
Central Pollution Control Board
Ministry of Environment, Forests and
Climate Change, Govt. of India,
Parivesh Bhawan, East Arjun Nagar,
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Yours faithfully


Member Secretary
Pollution Control Committee
DD & DNH
Daman

Copy to :

1. The PA to Hon'ble Administrator, Dadra Nagar Haveli, Silvassa for kind information please.



भारत सरकार

लक्षद्वीप प्रशासन

लक्षद्वीप प्रदूषण नियंत्रण समिति

विज्ञान एवं प्रौद्योगिकी विभाग

कवरत्ती द्वीप 682 555

File No: C-18018/5/2017-LPCC-UT-LKS / 708

Dated: ²² 11.2019

To

Shri Nizamudheen,
Additional Director & Division Head,
IPC- II, Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar,
Delhi- 110 032
E-Mail: nazim.cpcb@nic.in

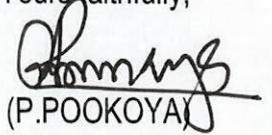
lyg
10/11/2019
SD-SKP (Bombay)
S.B. 10/11/2019

Sub: Directions under Section 5 of the Environment (Protection) Act, 1986 regarding preparing a policy on use of Pet coke & Furnace oil- Reg.

Sir,

Kindly refer the directions dated 23.08.2019 and e-mails dated 19/09/2019, 11/10/2019 regarding preparing a policy on use of Pet coke & Furnace oil. In the Union Territory of Lakshadweep, there are no industries used in the pet coke and furnace oil. Therefore compliance of action in this regard may be treated as NIL.

Yours faithfully,


(P. POOKOYA)

(पी. पूकोया)

Member Secretary, LPCC

सदस्य सचिव, ल.प्र.नि.स

D
22/11/2019

भारत सरकार
लक्षद्वीप प्रशासन
विज्ञान एवं प्रौद्योगिकी विभाग
लक्षद्वीप प्रदूषण नियंत्रण समिति
कवरत्ती द्वीप - 682 555
E-mail: lk-dst@nic.in

File No: LD-03006/10/2020-LPCC-UT-LKS

Dated 23.12.2020

To

(Nazimuddin)
Head - IPC-II Division
Central Pollution Control Board,
New Delhi-
e-mail: gehlot.cpcb@gov.in, nazim.cpcb@nic.in

Sub: Action Taken by UT of Lakshadweep in compliance to Directions Issued for
Preparing Policy on Use of Pet coke and Furnace Oil-Regarding
Ref: E-mail dated 21.12.2020 by Nizamudheen, Head, IPC-II Div, CPCB, New Dlehi

Sir,

Kindly refer the e-mail dated 21.12.2020 regarding in compliance to Directions issued for Preparing Policy on Use of Pet coke and Furnace Oil. In the UT of Lakshadweep there is no industry is using pet coke and Furnace Oil. The UT of Lakshadweep Administration will take decision in future ought to be taken only after taking into consideration Supreme Court order dated 17.09.2017 and NGT orders.

This is for your kind information.

Encl: As Above

Yours faithfully,



(P. POOKOYA)

Member Secretary, LPCC

6) Data notification facility is available or not	Yes
6.1) Data notification acceptance or rejection by SPCBs is practiced	Yes
7) Raw data and validated data is being sent through online mechanism directly to the server	Yes
7.1) Remote management available	No
7.2) Multi server data submission possible or not	Yes
8) Log files data recorded ?	no
8.1) Provide location in the station computer file Path	-
8.3) Config. Change alarm setting is possible Y/N	Yes
9) Events logs recording location address	-
9.1) Is there any in between PLC	No
9.2) Whether data is integrated at Central Control Room of Industry	Yes
10) Independent analysis, notification, calibration provisions for each specific parameter availability	no
10.1) What address available for CPCB to view it	-
11) Non volatile memory storage capacity	no
12) Remote calibration data availability at central server	No
12.1) what address available for CPCB to view it	-
13) User friendly maintenance data visualisation & diagnostic features data	no
13.1) Provide location details	-
14) Continuous measurements on 24x7 basis	Yes
14.1) Change of units possible or not	Yes
15) Analog outputs are available with each analyser and connected to the plant central control room	no
15.1) What channel used for data transfer	-
16) Data sent is in encrypted format	Yes
16.1) Data is linked to Data Acquisition and Handling Center	Yes
16.2) Software is operating on open API and REST technology	no
16.3) Systems records 15 minute values	Yes

No.2550/PPCC/PET/SCI/2019/932
GOVERNMENT OF PUDUCHERY
DEPARTMENT OF SCIENCE, TECHNOLOGY & ENVIRONMENT
PUDUCHERRY POLLUTION CONTROL COMMITTEE
III Floor, Housing Board Complex, Anna Nagar, Puducherry-605 005
PH: 0413 - 2201256 FAX - 0413 -2203494

Puducherry, the **2 DEC 2019**

To
Shri Nazimuddin
Divisional Head - IPC-II
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar
Delhi - 110 032.

*by 9/12/19
SB-SRP (on leave)
SB-GC*

Sir,

Sub: PPCC - Submission of Draft Fuel Policy of U.T. of
Puducherry - Reg.

Ref: Your letter No. B-33014/7/2019/IPC-II/TPP dated 19.11.2019.

With reference to the above mentioned subject, Draft Fuel Policy of the U.T. of
Puducherry is enclosed for perusal.

Final Policy will be submitted shortly with the approval of the Government.

Yours sincerely,

Smitha R
(SMITHA. R)
MEMBER SECRETARY
PPCC

Encl: As stated

Copy to:
Guard File.

No.2550/PPCC/PET/SCI/2019/932
GOVERNMENT OF PUDUCHERY
DEPARTMENT OF SCIENCE, TECHNOLOGY & ENVIRONMENT
PUDUCHERRY POLLUTION CONTROL COMMITTEE
III Floor, Housing Board Complex, Anna Nagar, Puducherry-605 005
PH: 0413 - 2201256 FAX - 0413 -2203494

Puducherry, the - 2 DEC 2019

To
Shri Nazimuddin
Divisional Head - IPC-II
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar
Delhi - 110 032.

Sir,

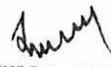
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Final Policy will be submitted shortly with the approval of the Government.

Yours sincerely,


(SMITHA. R)
MEMBER SECRETARY
PPCC

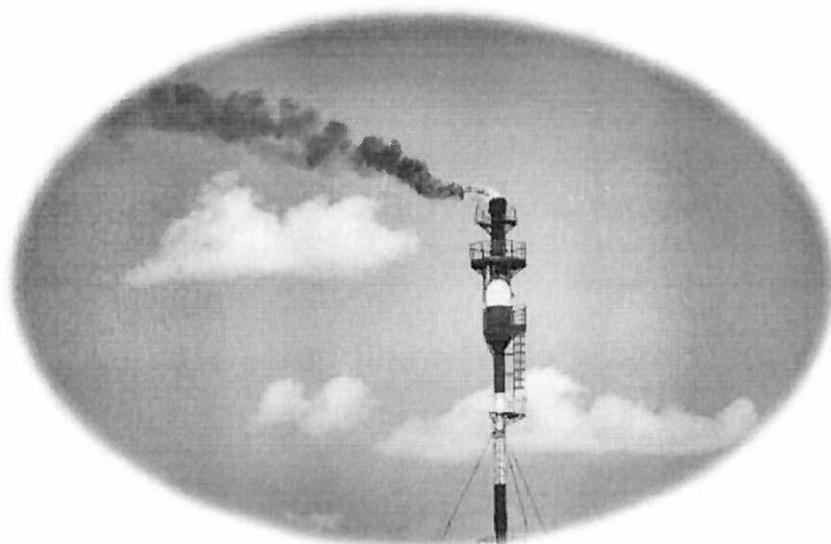
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DRAFT

FUEL POLICY

U.T. OF PUDUCHERRY



Department of Science, Technology and
Environment

Gouvernement of Puducherry

1. Introduction

Based on Hon'ble Supreme Court direction, usage of Pet Coke and Furnace Oil have been banned in NCR region with effect from 01.11.2017 (Delhi, Haryana, Uttar Pradesh and Rajasthan). Subsequently Hon'ble Supreme Court allowed Petcoke and Furnace Oil in industries like Cement, limekiln and Calcium Carbide Units and industries use them as feed stock.

Hon'ble Supreme Court of India in its order dt. 17.11.2017 has also directed all the States/UTs to formulate Fuel Policy for maintaining better air quality.

In pursuance to the Hon'ble Supreme Court direction, Central Pollution Control Board (CPCB) issued direction under Section 5 of Environment (Protection) Act, 1986 to all the SPCB/Committee to formulate and enforce fuel policy regarding use of Pet coke and Furnace oil in the State/UT.

2. Ambient Air Quality Status

Status of Ambient Air Quality of Puducherry is being continuously monitored in 3 locations in Puducherry and in 3 locations in Karaikal under National Ambient Air Quality Monitoring Programme. (NAMP). Annual average of PM_{10} , SO_2 and NO_2 for the last 3 years are given in the Table (1-3).

Table 1: Status of Air Quality 2016

Sl.No.	Location	Pollutant in $\mu g/m^3$		
		PM_{10}	SO_2	NO_2
1	LAD	34	5.6	13
2	DSTE	43	6.1	14.5
3	PIPDIC	43	6.3	14.9
4	B.Ed college	30	8.7	7.4
5	Govt. Tourist Home	42	13.8	10.5
6	PPCL	42	13.2	10.6
Standard		60	50	40

Table 2: Status of Air Quality 2017

Sl.No.	Location	Pollutant in $\mu\text{g}/\text{m}^3$		
		PM ₁₀	SO ₂	NO ₂
1	LAD	34	4.2	11.5
2	DST E	48	5.0	13.7
3	PIPDIC	42	5.0	13.1
4	B.Ed college	35	5.8	8.1
5	Govt. Tourist Home	46	9	11
6	PPCL	49	10.1	11.8
Standard		60	50	40

Table 3: Status of Air Quality 2018

Sl.No.	Location	Pollutant in $\mu\text{g}/\text{m}^3$		
		PM ₁₀	So ₂	NO ₂
1	LAD	38	3.5	10.4
2	DSTE	46	4.1	12.9
3	PIPDIC	45	4.1	12.1
4	B.Ed college	35	3.1	6.1
5	Govt. Tourist Home	43	4.5	8.1
6	PPCL	40	3.9	7.3
Standard		60	50	40

All the values are within the prescribed standard limits in all the locations. Values of PM₁₀ ranges from 34 $\mu\text{g}/\text{m}^3$ to 46 $\mu\text{g}/\text{m}^3$, SO₂ is in the range of 3.5 $\mu\text{g}/\text{m}^3$ to 6.3 $\mu\text{g}/\text{m}^3$ and NO_x is in the range of 10.4 $\mu\text{g}/\text{m}^3$ to 14.9 $\mu\text{g}/\text{m}^3$ in Puducherry.

PM₁₀ ranges from 30 $\mu\text{g}/\text{m}^3$ to 49 $\mu\text{g}/\text{m}^3$, SO₂ is in the range of 5 $\mu\text{g}/\text{m}^3$ to 13.8 $\mu\text{g}/\text{m}^3$ and NO_x is in the range of 6.1.4 $\mu\text{g}/\text{m}^3$ to 10.6 $\mu\text{g}/\text{m}^3$ in Karaikal. Except PM₁₀, all the other pollutants values are very merge when compared to National Ambient Air Quality Standards.

Puducherry is not figured in the 106 non attainment cities notified by the Central Pollution Control Board (CPCB) and also not classified as Critically Polluted Area (CPAs) or Severely Polluted Area (SPAs) based on the Comprehensive Environmental Pollution Index (CEPI) developed by CPCB.

3. Industrial Fuel usage Scenario in Puducherry

Industrial units located in the U.T. of Puducherry uses various types of Fuels. Furnace Oil, HSD, LDO, Briquettes, Wood, husk and gasified coal are the major fuel used by the industries located in the U.T. of Puducherry. Raw coal is not permitted as fuel. There are 2 units viz. M/s. Hindustan Glass Container and M/s. Athiappa Chemicals are using Pet Coke as fuel and feed stock respectively. Around 60 units are using furnace oil as fuel.

Pet Coke and Furnace oil contains higher sulphur content of 3.5% and 4% respectively. Industries are permitted to use furnace oil with required pollution control devices like scrubber etc. connected with minimum of 15 mt stack. Stack emission of the industries which use furnace oil as fuel revealed that all the parameters are within the prescribed standards.

Properties of various fuels used in Puducherry are given in Table - 4

Table 4: Properties of Various Fuels

Fuel Types	Ash Content (%)	Sulphur Content (%)	Moisture (%)	Gross Calorific Value (Kcal/Kg)
Coal	38	0.5 to 0.8	5.98 %	4000
Furnace Oil	0.03 – 0.07%	2 to 4	<1 %	10,500
LDO	0.03 – 0.07%	0.5 – 1.8	<1 %	10,700
LSHS	0.03 – 0.07%	<0.5	<1 %	10,600

Diesel	0.03 – 0.07%	0.05 – 0.25	<1 %	10,800
Kerosene	0.03 – 0.07%	0.05 – 0.2	<1 %	11,100
Wood	0.03 – 0.07%	0.1	13	3000
Pet Coke	1	3.5	1.11	7981

Emission of various fuels is given in Table – 5

Boiler Capacity: 10 TPH						
Pollutant	Pet coke	Coal	Natural gas	FO	LSHS	LDO
Fuel consumption	24.8	49.6	-	19.85	18.85	18.54
Uncontrolled Emission						
SO ₂ emission	3.30	0.47	NM	1.70	0.43	0.64
Secondary Particulate emission as (NH ₄) ₂ SO ₄	6.79	0.97	NM	3.49	0.90	1.32
Primary PM emission	0.19	15.87	NM	0.13	0.005	0.004
Total PM emission load (Primary + Secondary)	6.98	16.84	NM	3.62	0.905	1.324
Controlled Emission						
Scenario 1: Assuming 50% removal efficiency of control system for SO₂ and 70% for PM (coal & petcoke)						
SO ₂ emission	1.65	0.24	NM	0.85	0.22	0.32
Secondary Particulate emission as (NH ₄) ₂ SO ₄	3.40	0.49	NM	1.75	0.45	0.66
PM emission	0.06	4.76	NM	0.04	0.002	0.001
Total PM emission load (Primary + Secondary)	3.46	5.25	NM	1.79	0.452	0.661
Scenario 2: Assuming 90% removal efficiency of control system for SO₂ and 70% for PM (coal & petcoke)						

SO ₂ emission	0.33	0.047	NM	0.17	0.043	0.064
Secondary Particulate emission as (NH ₄) ₂ SO ₄	0.68	0.10	NM	0.35	0.09	0.13
PM emission	0.06	4.76	NM	0.04	0.002	0.001
Total PM emission load (Primary + Secondary)	0.74	4.36	NM	0.39	0.092	0.131

The above table indicates that So₂ emission is more in Pet Coke and Furnace Oil and Particulate Matter is higher in coal.

4. Towards Cleaner atmosphere with Sustainable industrialization

It is pertinent to mention that Air Quality Index (AQI) for Puducherry has been maintained in "Category of Good". Availability of cleaner fuel like CNG, LNG and LPG are not bright in Puducherry. Already industrialization in Puducherry is not in encouraging trend due to various factors. Furnace oil is predominantly preferred fuel choice by the industrial sector considering its cheaper availability and comparatively cleaner fuel. Shifting to more cleaner fuel like LNG, LPG, LDO and HSD etc. would have severe financial burden on the industry sector.

The following recommendations are proposed:

- i. Considering presence of higher sulphur content in Coal and Pet coke, its usage as fuel may be prohibited.
- ii. Liquid fuel viz. Furnace oil shall be used only with scrubber as pollution control device.
- iii. Solid fuel of Briquettes and Refused Derived Fuel (RDF) shall be used with cyclone separator as Air Pollution Control Device.
- iv. Raw wood as industrial fuel is prohibited.
- v. 25% of industrial solid fuel shall be RDF when it is produced in the U.T of Puducherry.
- vi. 25% of consent fee reduction is applicable to the units which uses minimum of 50% of its fuel requirement through cleaner fuel like Liquid Petroleum Gas (LPG), Liquefied Natural Gas (LNG), Piped Natural Gas (PNG) and Bio-Gas.

Item Nos. 03&04

Court No. 1

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

(By Video Conferencing)

Original Application No. 67/2019

(With report dated 14.07.2020)

Sumit Kumar

Applicant(s)

Versus

State of Himachal Pradesh & Ors.

Respondent(s)

WITH

Original Application No. 138/2019

Amarjeet Kumar

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 16.07.2020

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Respondent(s): Mr. Rajkumar, Advocate for CPCB
Mr. Sanjay Kumar, Advocate for HSPCB

ORDER

1. This order is being passed in continuation of earlier orders dated 28.03.2019 and 04.07.2019 on the subject. The issue for consideration is the regulation and control of use of Pet-coke and furnace oil (FO) as fuel to prevent damage to environment and public health.

2. Vide order dated 28.03.2019, the Tribunal considered the response of the CPCB dated 15.2.2019 on the subject in the light of orders of the Hon'ble Supreme Court dated 24.10.2017 (banning use of petcoke and FO in NCR States) and 17.11.2017 (suggesting States/UTs to take similar measures) and further Hon'ble Supreme Court order dated 13.12.2017, 05.02.2018 and 26.07.2017 allowing use of petcoke in industries/processes which use petcoke and furnace oil either as feed stock (Calcined Pet Coke (CPC) units, Aluminum industries) or where they get absorbed along with product in manufacturing process (cement, Lime Kiln, calcium carbide industries) and the expert opinion about harmful effect of their use generally. Applying the 'Sustainable Development' 'Precautionary' principles, the Tribunal directed CPCB to adopt measures for regulation and control. Relevant part of the order is extracted below:-

“3. Accordingly, the response has been received vide e-mail dated 15.02.2019 from the CPCB. The conclusion therein is as follows:

“Considering the various directions and orders of Hon'ble Supreme Court regarding use of petcoke and furnace oil containing higher sulphur, it is required that States and UTs, including Himachal Pradesh, formulate fuel policies regarding use of petcoke and FO in light of Hon'ble Supreme Court order dated 24.10.2017 (banning use of petcoke and FO in NCR States) and 17.11.2017 (suggesting States/UTs to take similar measures) and further Hon'ble Supreme Court order dated 13.12.2017, 05.02.2018 and 26.07.2017 allowing use of petcoke in industries/processes which use petcoke and furnace oil either as feed stock (Calcined Pet Coke (CPC) units, Aluminum industries) or where they get absorbed along with product in manufacturing process (cement, Lime Kiln, calcium carbide industries). It is relevant to mention that use of Raw Petroleum Coke (RPC) in CPC units has been allowed with condition of 90% recovery of SO₂ emission. The same principal may be followed in industrial processes where use of FO as feed stock is considered by States/UTs.”

4. The reason for the above conclusion is **huge emission of SO₂ and other pollutants on account of use of Petcoke and furnace oil by the industries which has been banned in several States but continuing in some of the States. A**

Technical Expert Committee was constituted to evaluate pollution load and as per the report of the said Committee, pollution load of SO₂ is four times higher when Low Sulphur Heavy Stock (LSHS) and LDO are used.

5. *On consideration of the matter, we find that in view of established adverse impact of use of Petcoke and furnace oil by the industries, prohibition of its use may need consideration on 'Precautionary' principle as well as 'Sustainable Development' principle statutorily recognised under the National Green Tribunal Act, 2010, the industries may have to switch over to alternatives and cleaner fuels. We may note that air quality in many of the locations in India is not of prescribed quality and as many as 102 cities have been identified as "non-attainment cities". The said cities are spread over almost in all the States, including the State of Himachal Pradesh. 100 industrial clusters are declared critically polluted throughout India. This makes it imperative that any measure which is helpful in controlling air pollution must be preferred to the extent viable. These aspects have been considered by the Tribunal in order dated 08.10.2018 in O.A No. 681 of 2018 in News item published in "The Times of India" Authored by Shri Vishwa Mohan Titled "NCAP with multiple timelines to clean air in 102 cities to be released around August 15" and order dated 13.12.2018 in Original Application No. 1038/2018 in News item published in "The Asian Age" Authored by Sanjay Kaw Titled "CPCB to rank industrial units on pollution levels" respectively.*

6. ***In view of the above, we accept the report of the CPCB and direct that the same may be given effect to. The CPCB may issue appropriate directions in this regard to the concerned States and Union Territories indicating coercive measures against those who fail to comply with the directions. Response of the States be taken and compiled within two months and further action proposed by way of a report to this Tribunal before the next date.***

3. The above order was reiterated vide order dated 04.07.2019 and further report in the matter was directed to be furnished by the CPCB.

4. In view of above, compliance report has been filed by the CPCB on 14.07.2020 with summary of action taken reports from 27 States/UTs. Some of the reports of the States/UTs are contrary to the orders of the Tribunal referred to above. Reports which are non-compliant with the orders of this Tribunal based on order of the Hon'ble Supreme Court will stand rejected to that extent. Orders of the Tribunal be given effect and

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CPCB may ensure compliance by issuing such further direction as may be necessary in exercise of its statutory power.

5. The CPCB may file its action taken report within four 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.

List for further consideration on 15.01.2021.

Adarsh Kumar Goel, CP

S. P. Wangdi, JM

Dr. Satyawan Singh Garbyal, EM

Dr. Nagin Nanda, EM

July 16, 2020
Original Application No. 67/2019
A

(99)

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

Original Application No. 67/2019
(I.A. No. 32/2019)

WITH

Original Application No. 138/2019
(I.A. No. 65/2019)

Sumit Kumar

Applicant(s)

Versus

State of Himachal Pradesh & Ors.

Respondent(s)

WITH

Amarjeet Kumar

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

(I.A. No. 32/2019 for stay and I.A. No. 65/2019 for stay)

Date of hearing: 04.07.2019

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant(s):

Mr. Arvind Nayar, Senior Advocate with Mr.
Soumik Ghoshal, Advocate
Dr. Sandeep Singh, Advocate

For Respondent (s):

Mr. Alok Kumar Aggarwal, Mr. Panni Poddar,
Advocates for R-11
Mr. Rajkumar, Advocate for CPCB
Mr. Sharat Kapoor, Advocate for SAIL
Mr. Sanjay Kumar and Ms. Kalpana Devi,
Advocates for R-5

ORDER

- The issue for consideration is the steps to be taken for controlling the use of Pet-coke and furnace oil as fuel. The matter was dealt with vide order dated 28.03.2019 in the light of the Report of the Central Pollution Control Board (CPCB) dated 15.02.2019 to the effect that use of Pet coke and furnace oil can be allowed only in

industries/processes either as feed stock (Calcined Pet-Coke (CPC) units, Aluminum industries) or where they get absorbed along with product in manufacturing process (cement, Lime Kiln, calcium carbide industries). Raw Petroleum Coke (RPC) in CPC units can be allowed with condition of 90% recovery of SO₂ emission.

2. The objection to the use of Pet coke and furnace oil, which has already been banned in certain States, is causing of huge emission of SO₂ and other pollutants. The pollution load of SO₂ is four times higher when Low Sulphur Heavy Stock (LSHS) and LDO are used.
3. Accordingly, the Tribunal directed the CPCB to take further measures for enforcing the above directions and to give a report to the Tribunal.
4. The report of the CPCB dated 28.06.2019 is as follows:

“MoEF&CC has replied to CPCB vide letter dated 14.06.2019 that as per Supreme Court orders use and sale of Pet-coke and furnace oil is banned in Delhi and NCR states with exemption granted for certain industries and import of Pet-coke across the country is also restricted to the specified industries, and that in reference to the other areas that are outside NCR states, the Ministry is in the process of consultation with State Government and other stakeholders, as mentioned in Supreme Court order dated 27.11.2018 – “discussion are being held in a consultative manner with regard to import of pet-coke. During the consultation process, the Union of India, Ministry of Environment, Forest and Climate Change and Ministry of Commerce and Industry should consider limiting the use of Pet-coke to industries as per letter issued by the Directorate General of Foreign Trade to the EPCA.”

Submissions:

In view of the above, it is prayed that MoEF&CC may also be heard in the matter considering the consultations being held by the MoEF&CC with States in light of the proceedings in Writ Petition (Civil) No. 13029 of 1985 in the Hon'ble Supreme Court, and thereafter Hon'ble NGT may be pleased to pass orders as appropriate, which shall be abided by the CPCB.”

5. We do not find it necessary to hear the Ministry of Environment, Forest and Climate Change (MoEF&CC). MoEF&CC is free to hold discussions on the subject of limiting the use of Pet-coke as per letter of the DGFT and as per the orders of the Hon'ble Supreme Court. Subject to that, the CPCB may proceed to take further action in the matter. The Pet-coke and furnace oil may not be allowed except in terms of the Report of the CPCB dated 15.02.2019 as follows:

“Considering the various directions and orders of Hon'ble Supreme Court regarding use of Pet-coke and furnace oil containing higher sulphur, it is required that States and UTs, including Himachal Pradesh, formulate fuel policies regarding use of Pet-coke and FO in light of Hon'ble Supreme Court order dated 24.10.2017 (banning use of Pet-coke and FO in NCR States) and 17.11.2017 (suggesting States/UTs to take similar measures) and further Hon'ble Supreme Court order dated 13.12.2017, 05.02.2018 and 26.07.2017 allowing use of Pet-coke in industries/processes which use Pet-coke and furnace oil either as feed stock (Calcined Pet Coke (CPC) units, Aluminum industries) or where they get absorbed along with product in manufacturing process (cement, Lime Kiln, calcium carbide industries). It is relevant to mention that use of Raw Petroleum Coke (RPC) in CPC units has been allowed with condition of 90% recovery of SO₂ emission. The same principle may be followed in industrial processes where use of FO as feed stock is considered by States/UTs.”

6. Further report in the matter be furnished by the CPCB after three months by e-mail at judicial-ngt@gov.in.

The application will otherwise stand disposed of.

List for consideration of the report on 06.11.2019.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

July 04, 2019
Original Application No. 67/2019
WITH
Original Application No. 138/2019
DV



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

Original Application No. 67/2019
(I.A. No. 32/2019)

WITH

Original Application No. 138/2019
(I.A. No. 65/2019)

Sumit Kumar

Applicant(s)

Versus

State of Himachal Pradesh & Ors.

Respondent(s)

With

Amarjeet Kumar

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 28.03.2019

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant(s): Mr. Arvind Nayar, Senior Advocate, Mr. Soumik Ghosal, Mr. Gaurav Singh, Dr. Sandeep Singh and Mr. Vinay Pal, Advocates

For Respondent (s): Mr. Sharat Kapoor and Ms. Salonee Agarwal, Advocates for SAIL.
Mr. Alokke Aggarwal, Ms. Anushruti Kushagra, Ms. Kritika Singh and Ms. Rachita, Advocates for respondent no. 11
Mr. Sanjay Kumar, Advocate for HPSPCB

ORDER

1. The issue for consideration is prohibiting use of Petcoke and furnace oil as fuel. Prayer of the applicant is to issue direction

to the Steel Processing Unit of the Steel Authority of India in the State of Himachal Pradesh in the light of order of the Hon'ble Supreme Court dated 17.11.2017 in W.P No. 13029/1985 in M.C Mehta v. Union of India.

2. Vide order dated 15.01.2019, this Tribunal sought a response from the Central Pollution Control Board (CPCB) and the Himachal Pradesh Pollution Control Board (HPPCB).
3. Accordingly, the response has been received vide e-mail dated 15.02.2019 from the CPCB. The conclusion therein is as follows:

"Considering the various directions and orders of Hon'ble Supreme Court regarding use of petcoke and furnace oil containing higher sulphur, it is required that States and UTs, including Himachal Pradesh, formulate fuel policies regarding use of petcoke and FO in light of Hon'ble Supreme Court order dated 24.10.2017 (banning use of petcoke and FO in NCR States) and 17.11.2017 (suggesting States/UTs to take similar measures) and further Hon'ble Supreme Court order dated 13.12.2017, 05.02.2018 and 26.07.2017 allowing use of petcoke in industries/processes which use petcoke and furnace oil either as feed stock (Calcined Pet Coke (CPC) units, Aluminum industries) or where they get absorbed along with product in manufacturing process (cement, Lime Kiln, calcium carbide industries). It is relevant to mention that use of Raw Petroleum Coke (RPC) in CPC units has been allowed with condition of 90% recovery of SO₂ emission. The same principal may be followed in industrial processes where use of FO as feed stock is considered by States/UTs."

4. The reason for the above conclusion is huge emission of SO₂ and other pollutants on account of use of Petcoke and furnace oil by the industries which has been banned in several States but continuing in some of the States. A Technical Expert Committee was constituted to evaluate pollution load and as per the report of the said Committee, pollution load of SO₂ is four times higher when Low Sulphur Heavy Stock (LSHS) and LDO are used.

5. On consideration of the matter, we find that in view of established adverse impact of use of Petcoke and furnace oil by the industries, prohibition of its use may need consideration on 'Precautionary' principle as well as 'Sustainable Development' principle statutorily recognised under the National Green Tribunal Act, 2010, the industries may have to switch over to alternatives and cleaner fuels. We may note that air quality in many of the locations in India is not of prescribed quality and as many as 102 cities have been identified as "non-attainment cities". The said cities are spread over almost in all the States, including the State of Himachal Pradesh. 100 industrial clusters are declared critically polluted throughout India. This makes it imperative that any measure which is helpful in controlling air pollution must be preferred to the extent viable. These aspects have been considered by the Tribunal in order dated 08.10.2018 in O.A No. 681 of 2018 in News item published in "The Times of India" Authored by Shri Vishwa

Mohan Titled "NCAP with multiple timelines to clean air in 102 cities to be released around August 15" and order dated 13.12.2018 in Original Application No. 1038/2018 in News item published in "The Asian Age" Authored by Sanjay Kaw Titled "CPCB to rank industrial units on pollution levels" respectively.

6. In view of the above, we accept the report of the CPCB and direct that the same may be given effect to. The CPCB may issue appropriate directions in this regard to the concerned States and Union Territories indicating coercive measures against those who fail to comply with the directions. Response of the States be taken and compiled within two months and further action proposed by way of a report to this Tribunal before the next date.

List for further consideration on July 4, 2019.

Adarsh Kumar Goel, CP

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

March 28, 2019
Original Application No. 67/2019
(I.A. No. 32/2019)
With Original Application No. 138/2019
(I.A. No. 65/2019)
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