

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 582/2024

Rakesh Kumar Applicant

Versus

Union of India & Ors. Respondent(s)

INDEX

S.No.	Particulars	Pages
1.	Counter Affidavit on behalf of Respondent No. 5, Commission for Air Quality Management	1-3
2.	ANNEXURE R-1 A true copy of Direction No.65 dated 23.06.2022	4-8
3.	ANNEXURE R-2 A true copy of addendum dated 03.04.2023	9-11
4.	ANNEXURE R-3 A true copy of Direction No.62 dated 17.03.2022	12-14
5.	ANNEXURE R-4 A true copy of Direction No.64 dated 02.06.2022	15-17

Filed By

Abhishek Atrey

New Delhi
Dated: 05.06.2025

(DR. ABHISHEK ATREY)
Counsel For the Respondent No.5
D-202, Additional Building Complex
Supreme Court of India,
New Delhi -110001
Mob.9810047556
Email:abhishekatrey@gmail.com

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
Original Application No. 582/2024**

Rakesh Kumar

..... Applicant

Versus

Union of India & Ors.

..... Respondent(s)

**COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NO.5,
COMMISSION FOR AIR QUALITY MANAGEMENT IN
NATIONAL CAPITAL REGION AND ADJOINING AREAS**

I, Ritesh Prasad Gurung aged about 45 years, S/o Shri Dhruba Gurung, working as Scientist 'E' in the Commission for Air Quality Management in National Capital Region and Adjoining Areas, New Delhi (hereinafter referred to as 'Commission') having office at 17th Floor, Jawahar Vyapar Bhawan, STC Building, Tolstoy Marg, New Delhi – 110001, do hereby, in my official capacity, solemnly affirm and state as under:

1. That I, in the capacity of Scientist 'E' in the Commission for Air Quality Management in National Capital Region and Adjoining Areas, am fully conversant with the facts of the case and competent to swear this affidavit on behalf of respondent no. 5.
2. That in the present matter the main issue is regarding air pollution in Hisar, Haryana due to industrial pollution and the prayer of the petitioner is to implement directions issued by the respondent No.5 and orders of the Hon'ble Supreme Court regarding PNG/CNG fuel use by industries in NCR to be implemented in Hisar, Haryana also.

R. P. Gurung
 राष्ट्रीय राजधानी क्षेत्र और आसन्न क्षेत्रों में वायु प्रदूषण को नियंत्रित करने के लिए
 Commission for Air Quality Management in NCR & Adjoining Areas
 भारत सरकार / Government of India
 17^{वीं} मंजिल, जवाहर व्यापार भवन (एस.टी.सी. बिल्डिंग), टॉलस्टोय मार्ग,
 17th Floor, Jawahar Vyapar Bhawan (STC Building), Tolstoy Marg,
 नई दिल्ली-110001 / New Delhi-110001



3. That the replying respondent is the Commission constituted under the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act, 2021 for Air Quality Management in National Capital Region and Adjoining Areas for better coordination, research, identification and resolution of problems surrounding the air quality index and for matters connected therewith or incidental thereto.
4. That the Act is applicable to the Delhi National Capital Region and also to adjoining areas in so far as it relates to matters concerning air pollution in the Region.
5. That the Commission has issued a standard list of approved fuel for various applications in the National Capital Territory of Delhi and for NCR vide Direction No. 65 dated June 23, 2022, read with addendum dated April 3, 2023. A true copy of Direction No.65 dated 23.06.2022 is annexed herewith as **ANNEXURE R-1** (page 4 to 8) and a true copy of addendum dated 03.04.2023 is annexed herewith as **ANNEXURE R-2** (page 9 to 11).
6. It is pertinent to mention here that PNG has already been included in the above said approved fuel list. Besides, use of certain fuels viz. biomass/ agro-waste, Metallurgical coke (For Standalone Cupola Foundries) and Low Sulphur Fuels namely LSHS, Very Low Sulphur & Ultra-Low Sulphur fuel Oil (For metal smelting/melting/refining / heating furnaces and kilns) etc. has been permitted to the industries/ entities in the region for use subject to achieving mandated emission limits as per the Direction No. 62 dated 17.03.2022 and Direction No. 64 dated 02.06.2022. A true copy of Direction No.62 dated 17.03.2022 is annexed herewith as **ANNEXURE R-3** (page 12 to 14) and a true copy of Direction



R. P. Kuriy

No.64 dated 02.06.2022 is annexed herewith as **ANNEXURE R-4** (page 15 to 17).

7. It is pertinent to mention here that that Hissar, Haryana lies outside the National Capital Region and the Commission has not issued any direction with respect to Hisar till now.
8. That the enforcement of emission norms from industries in non-NCR areas is required to be carried out by the respective State Pollution Control Boards (SPCBs)/ Pollution Control Committees (PCCs) through Consent Mechanism as stipulated under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and in line with extant CPCB guidelines/ standards. Therefore, in the non-NCR region like Hissar, the respective SPCBs/ PCCs can take suitable measures accordingly.

R. P. Khurana
DEPONENT

राष्ट्रीय राजधानी क्षेत्र और 인접 क्षेत्रों में वायु प्रदूषण नियंत्रण आयोग
Commission for Air Quality Management in NCR & Adjoining Areas
भारत सरकार / Government of India
17वीं मंजिल, जवाहर व्यापार भवन (एस.टी.सी. बिल्डिंग), टॉलस्टॉय मार्ग,
17th Floor, Jawahar Vyapar Bhawan (STC Building), Tolstoy Marg,
नई दिल्ली-110001 / New Delhi-110001

VERIFICATION

Verified at New Delhi on this 05 day of June, 2025 that the contents of the above affidavit are true and correct to my knowledge and as per official records maintained in the routine course of business. No part of the above affidavit is false and nothing material has been concealed there from.



R. P. Khurana
DEPONENT

ATTESTED
NOTARY PUBLIC
GOVT. OF INDIA



राष्ट्रीय राजधानी क्षेत्र और 인접 क्षेत्रों में वायु प्रदूषण नियंत्रण आयोग
Commission for Air Quality Management in NCR & Adjoining Areas
भारत सरकार / Government of India
17वीं मंजिल, जवाहर व्यापार भवन (एस.टी.सी. बिल्डिंग), टॉलस्टॉय मार्ग,
17th Floor, Jawahar Vyapar Bhawan (STC Building), Tolstoy Marg,
नई दिल्ली-110001 / New Delhi-110001

05 JUN 2025

Direction No. 65

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

F. No. A-110018/01/2021-CAQM/8218-40

Dated: 23rd June, 2022**Subject: Standard list of approved fuels for various applications across NCR.**

WHEREAS, emissions due to use of polluting fuels for various industrial, vehicular, domestic and miscellaneous purposes contribute significantly to the degradation of air quality in the NCR and adjoining areas and accordingly a consistent need has been felt to switch over to lesser polluting and cleaner fuel in the NCR;

2. WHEREAS, the Central Govt., State Govts. in the NCR and the Govt. of the NCT of Delhi have been continually making efforts to move towards use of cleaner fuels across various sectors contributing to the overall air quality in the region;

3. WHEREAS, the Govt. of NCT of Delhi and the State Govts. of Haryana and Rajasthan have an approved fuel list for various applications in their respective states, including the districts in the NCR, the State of Uttar Pradesh presently does not have an approved fuel list of its own;

4. WHEREAS, a perusal of such approved fuel lists as above indicates that there are still some heavily polluting fuels featuring in the approved fuel lists like coal, HSD, Naptha, LDO etc., the lists are not comprehensive, non-uniform and vary significantly from state to state;

5. WHEREAS, the matter related to use of clean fuels for industrial applications has already been deliberated extensively in the Commission from time to time and shifting of industries to PNG / cleaner fuels has been a priority area for the Commission and to this effect, statutory directions for permissible fuels for industrial applications in the NCR have already been issued in terms of Direction Nos. 53, 62, 63 and 64 dated 04.02.2022, 17.03.2022, 18.05.2022 and 02.06.2022 respectively;

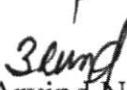
send

6. WHEREAS, the concerns of air pollution are uniform across NCR and particularly from the standpoint of a common airshed approach for the entire NCR and adjoining areas, it is desirable to have a unified list of approved fuels for various applications across all sectors in the entire territorial jurisdiction of the NCR towards aiming for uniform and better emission standards and an overall improved air quality in the region;
7. WHEREAS, in pursuance of the Order of Hon'ble Supreme Court of India dated 16.12.2021 (Civil) No 1135 in the matter of Aditya Dubey (minor) and Anr v/s UOI & Ors, directed the Commission to with a view to "find permanent solution to the air pollution menace occurring every year in Delhi and NCR, suggestions may be invited from the general public as well as the experts in the field, an Expert Group was constituted by the Commission to examine and deliberate upon all such suggestions and proposals;
8. WHEREAS, the Expert Group in their report in the subject matter have also strongly recommended phasing out usage of heavily polluting fossil fuels like coal, diesel oil, light diesel oil (LDO), Pyrolysis oil, Naptha etc. across NCR and to this end, have recommended a "Common" approved fuel list for NCR, incorporating cleaner fuels, to the extent possible;
9. WHEREAS, the proposed standard / common fuel list for NCR was also deliberated upon as an agenda item in the recently held meeting of the full Commission on 25.05.2022 and considering the need to optimally balance the imperatives of sustainability of operations as also the emissions from use of various types/ categories of fuels that have a direct bearing on the air quality, the Commission approved the standard fuel list for uniform adoption of clean fuels across the entire NCR, barring some exceptions;
10. NOW, THEREFORE, in exercise of its powers under Section 12 of the Act, the Commission hereby directs for adoption of a standard list of fuels in NCR as annexed;

2/1/22

11. The aforesaid standard list of approved fuels shall come in force w.e.f. 01.10.2022 (for areas where PNG infrastructure and supply is already available) and w.e.f. 01.01.2023 (for other areas where the PNG supply is still not available). In effect, the approved fuel list shall be completely in force in the entire NCR w.e.f. 01.01.2023.

12. Strict compliance of the above noted directions of the Commission be ensured by all concerned.

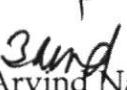

(Arvind Nautiyal)
Member-Secretary
Tel No.: 011-23701197
Email: arvind.nautiyal@gov.in

To,

1. The Chief Secretary, Govt. of Haryana.
2. The Chief Secretary, Govt. of Rajasthan.
3. The Chief Secretary, Govt. of Uttar Pradesh.
4. The Chief Secretary, Govt. of NCT of Delhi.
5. Member Secretary, Haryana State Pollution Control Board.
6. Member Secretary, Rajasthan State Pollution Control Board.
7. Member Secretary, Uttar Pradesh State Pollution Control Board.
8. Member Secretary, Delhi Pollution Control Committee.

Copy to:

The Chairperson and all Members, CAQM.


(Arvind Nautiyal)
Member-Secretary

Standard list of approved fuels for entire NCR

- **Petrol** (BS VI with 10 ppm Sulphur) as per Notification of Government of India as amended from time to time- **Vehicular fuel**
- **Diesel** (BS VI with 10 ppm Sulphur) as per Notification of Government of India as amended from time to time- **Vehicular fuel**
- **Hydrogen/Methane**- Vehicular and Industrial purposes.
- **Natural Gas (CNG/ PNG/ LNG) - Vehicular, Industrial and Domestic Purposes**
- **Liquified Petroleum Gas (LPG) /Propane/Butane - Vehicular, Industrial and Domestic Purposes**
- **Electricity - Vehicular, Industrial, Commercial and Domestic Purposes.**
- **Aviation turbine fuel**
- **Biofuels** (Bio-alcohols, Bio-diesel, Bio-gas, CBG, Bio-CNG)- **for industrial/vehicular/Domestic purposes as applicable.**
- **Refuse Derived Fuel (RDF)** for Power plants, Cement plants, Waste to Energy plants.
- **Firewood/ Biomass briquettes for religious purposes.**
- **Wood/Bamboo Charcoal** for Tandoors and Grills of Hotels/Restaurants/Banquet Halls (with emission channelization/control system) and Open eateries/ Dhabas.
- **Wood charcoal** for cloth ironing.
- **Electricity/ CNG/ Firewood and Biomass briquettes** for Crematoria.

2/2/2017

Annexure to Direction No. 65

Fuels permissible only beyond the jurisdiction of GNCTD

- **Biomass/Agriculture refuse and Pellets/ briquettes** - for Industrial Boilers, Power plants, Biofuel projects, Cement industry, Waste to Energy plants etc.
- **Biomass Pellets/ briquettes** - for Tandoors and Grills of Hotels/ Restaurants/ Banquet Halls (along with mandatory emission channelization/ control system) and for Open eateries/ Dhabas.
- **Metallurgical coke** - For industrial purposes in standalone Cupola based Foundries.
- **"Low Sulphur Fuels" namely LSHS, Very Low Sulphur fuel oil & Ultra-Low Sulphur fuel Oil** - for industrial purposes in metal smelting/melting/ refining / heating furnaces and kilns.

NOTE:

1. Coal with low Sulphur shall be permitted as fuel only in Thermal Power Plants in the NCR.
2. Specific requirement of any other fuel(s), other than in the lists above, by a class/category of industries / other entities, owing to technical, technological and / or process requirements shall be considered by CAQM on merits.
3. Any other clean fuel notified by the Govt. of India, from time to time, shall be included in the list appropriately.
4. All other fuels will be deemed as "unapproved" in as far as the NCR is concerned.

Jand



सत्यमेव जयते

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



F. No. A110018/01/2021/CAQM

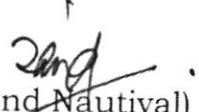
Dated: 3rd April' 2023

Addendum to Direction No: 65

Subject: Standard list of approved fuels for various applications across NCR - reg.

Pursuant to the approval of the Commission at the meeting held on 10.03.2023 and in partial modification of the Commission's Direction No. 65 dated 23.06.2022, 'Annexure to Direction No.-65' is hereby updated and may now be read as **annexed** with this addendum.

Enclosure: As above

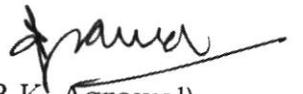

(Arvind Nautiyal)
Member - Secretary

To

1. Member Secretary, UP State Pollution Control Board.
2. Member Secretary, Haryana State Pollution Control Board.
3. Member Secretary, Rajasthan State Pollution Control Board.
4. Member Secretary, Delhi Pollution Control Committee.

Copy to:

1. Chief Secretary, Government of Haryana, Haryana.
2. Chief Secretary, Government of Uttar Pradesh, Uttar Pradesh.
3. Chief Secretary, Government of Rajasthan, Rajasthan.
4. Chief Secretary, Government of NCT of Delhi, New Delhi.
5. Chairman, UP State Pollution Control Board.
6. Chairman, Haryana State Pollution Control Board.
7. Chairman, Rajasthan State Pollution Control Board.
8. Chairman, Delhi Pollution Control Committee.
9. Chairman, CPCB, New Delhi.
10. Addl. Secretary, Ministry of Environment, Forest and Climate Change, New Delhi.


(R.K. Agrawal)
Director

Annexure to Direction No. 65

As revised on 03.04.2023

(Revisions highlighted in bold letters)

Standard list of approved fuels for entire NCR

- Petrol (BS VI with 10 ppm Sulphur) as per Notification of Government of India as amended from time to time – Vehicular fuel
- Diesel (BS VI with 10 ppm Sulphur) as per Notification of Government of India as amended from time to time – Vehicular fuel and **fuel for Power Generating Set.**
- Hydrogen/Methane – Vehicular and Industrial purposes
- Natural Gas (CNG/PNG/LNG) – Vehicular, Industrial and Domestic Purposes
- Liquefied Petroleum Gas (LPG) /Propane/Butane – Vehicular, Industrial and Domestic Purposes
- Electricity – Vehicular, Industrial, Commercial and Domestic Purposes.
- Aviation turbine fuel
- Biofuels (Bio-alcohols, Bio-diesel, Bio-gas, CBG, Bio-CNG)- for industrial/vehicular/Domestic purposes as applicable.
- Refuse Derived Fuel (RDF) for Power plants, Cement plants, Waste to Energy plants.
- Firewood / Biomass briquettes for religious purposes.
- Wood/Bamboo Charcoal for Tandoors and Grills of Hotels/Restaurants/ Banquet Halls (with emission channelization/control system) and Open eateries/Dhabas
- Wood charcoal for cloth ironing.
- Electricity/CNG/Firewood and Biomass briquettes for Crematoria.



Fuels permissible only beyond the jurisdiction of GNCTD

- **Pellets/briquettes made out of biomass/Agriculture refuse, rice-husk, waste wood, saw dust and chips generating during wood processing wastes/ saw dust** – for Industrial Boilers, Power plants, Biofuel projects, Cement industry, Waste to Energy plants etc.
- **Wood Charcoal – for lead recycling (secondary process) units**
- Biomass Pellets/briquettes – for Tandoors and Grills of Hotels/Restaurants/Banquet Halls (along with mandatory emission channelization/ control system) and for Open eateries/Dhabas.
- Metallurgical coke – For industrial purposes in standalone Cupola based Foundries.
- “Low Sulphur Fuels” namely LSHS, Very Low Sulphur fuel oil & Ultra-Low Sulphur fuel Oil – for industrial purposes in metal smelting/melting/refining/heating furnaces and **in Tunnel/Refractory** kilns.

NOTE:

1. Coal with low Sulphur shall be permitted as fuel only in Thermal Power Plants (**TPPs**) including **Captive TPPs** in the NCR.
2. **“Wood, wood logs/ blocks etc.” shall not be permitted as approved fuels.**
3. Specific requirement of any other fuels(s), other than in the lists above, by a class/category of industries/other entities, owing to technical, technological and/or process requirement shall be considered by CAQM on merits.
4. Any other clean fuel notified by the Govt. of India, from time to time, shall be included in the list appropriately.
5. All others fuels will be deemed as “unapproved” in as far as the NCR is concerned.

2/11/11

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

F.No. A-110018/01/2021-CAQM/7267-7298 Dated: 17th March, 2022

Subject: Directions under Section 12 of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act, 2021 – Standards for emissions in industrial processes in NCR using bio-mass fuels.

WHEREAS, the emissions from industries using polluting fuels like coal etc. have serious adverse impact on air quality in the National Capital Region and Adjoining Areas and shifting of Industries to PNG/cleaner fuels has been a priority for the Commission for Air Quality Management in NCR and Adjoining Areas;

2. WHEREAS, the Hon'ble Supreme Court in its Order dated 03.12.2021 in the matter "Aditya Dubey & Anr. Vs Union of India & Ors." also directed for proposal to be submitted to switch over all the industries to PNG/ cleaner fuels in a time-bound manner;

3. WHEREAS, pursuant to Hon'ble Supreme Court's directions in the above referred matter dated 10.12.2021 directing the Commission to examine requests of various industries and organisations about relaxation of conditions imposed by virtue of Hon'ble Supreme Court's Orders or by the Directions/ Orders of the Commission, Direction No. 49 was issued in respect of industries in NCR which have still not shifted to PNG / cleaner fuels, restricting the operations of such industries only for 5 days in a week;

4. WHEREAS, representations were received from various organizations/ associations/ federations/ entities and individuals for permitting use of biomass fuels in addition to PNG, citing that biomass fuels are much more environment friendly than fossil fuels like HSD and Coal etc;

5. WHEREAS, an analysis of PM emissions from industries presently using biomass fuels for boiler operations indicates that biomass fuels are much superior than conventional fossil fuels like coal, diesel oil etc. in terms of carbon emissions, the PM emissions are much controlled and that the advantages of using such fuels far outweigh the environmental and technical concerns towards proper scientific disposal of large volumes of rice husk and other biomass as also the rampant open burning of paddy straw;

3cmf

6. WHEREAS, biomass fuels, internationally are categorised and used as relatively cleaner fuels and technical reports and scientific studies indicate that biomass fuels like rice husk and paddy straw etc. are carbon neutral fuels as the CO₂ released during combustion such fuels is less than the amount of CO₂ sequestrated during the entire growth cycle of the biomass, thus facilitating net carbon neutrality;

7. WHEREAS, in the above light and in terms of Directions No. 53 dated 04.02.2022, it was decided by the Commission that such industries located in the NCR beyond the jurisdiction of GNCTD, where gas infrastructure and supply is available, shall under all circumstances completely switch over to PNG or biomass fuels, latest by 30.09.2022, failing which such industries shall be closed down and not permitted to schedule their operations thereafter;

8. WHEREAS, for industrial areas in NCR where PNG infrastructure and supply is not available, such industries were also directed to plan and switchover to operate on biomass fuels at the earliest;

9. WHEREAS, while the extant CPCB standards for PM emission in respect of coal range from 150-1200 mg/Nm³ for various levels of steam generation through coal-based boilers, there are presently no specific emission standards prescribed for Biomass fuels in industrial Boilers;

10. WHEREAS, Section 12(2)(iv) of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act 2021 empowers the Commission to lay down parameters for emission or discharge of environmental pollutants from various sources whatsoever that have implications on air quality in the region;

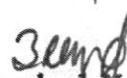
11. NOW, THEREFORE, the Commission, in exercise of its powers under Section 12 of the Act referred to above, considering the levels of PM emissions generally observed/achieved in respect of existing industries using biomass fuels and applicable international standards, hereby directs that:

- (i) The max permissible Emission standards for Particulate Matter (PM) emissions for the biomass fuelled boilers shall be 80 mg/Nm³; however, such industries shall aim for an emission level of 50 mg/ Nm³, through suitable technology upgrades and installation of requisite air pollution control devices such as bag filters, cyclonic filters, wet scrubbers, ESPs etc., to be decided by the individual units based on their onsite technical requirements;
- (ii) Simultaneously while switching to use of agro-residue/ biomass fuels on a regular basis, all such industries in NCR must apply for and obtain a revised CTO from the PCBs

3and

concerned with added conditions to the effect viz. permission to use bio-fuels and prescribed level of emission standards, particularly for controlling the particulate matter emissions.

- (iii) In furtherance of Direction No. 53 dated 04.02.2022, in respect of industrial areas in NCR where PNG infrastructure and supply is not available, such industries shall also work to completely switch over to bio-mass fuels at the earliest but not later than 31.12.2022;
- (iv) The respective State Governments and Pollution Control Boards in the States of Haryana, Uttar Pradesh and Rajasthan shall disseminate and widely publicise these directions across all industrial sectors / units in the NCR territory and ensure compliance of these directions, particularly the targeted timelines for complete switch over to only use PNG or biomass as fuel for all industrial applications in the NCR.


(Arvind Nautiyal)

Member-Secretary

Tel No.: 011-23701197

Email: arvind.nautiyal@gov.in

To,

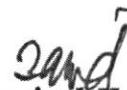
1. The ACS/ Pr. Secretary, Industries Department, Government of Haryana.
2. The ACS/ Pr. Secretary, Industries Department, Government of Rajasthan.
3. The ACS/ Pr. Secretary, Industries Department, Government of Uttar Pradesh.
4. The ACS/ Pr. Secretary, Industries Department, Government of NCT of Delhi.
5. Member Secretary, Haryana State Pollution Control Board.
6. Member Secretary, Rajasthan State Pollution Control Board.
7. Member Secretary, Uttar Pradesh State Pollution Control Board.
8. Member Secretary, Delhi Pollution Control Committee.

Copy to:

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

Copy also to:

The Chairperson and all Members, CAQM.


(Arvind Nautiyal)
Member-Secretary

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

F. No. A-110018/01/2021-CAQM | 8045-8071

Dated: 2nd June, 2022

Subject: Permissible fuels for industrial applications in NCR.

WHEREAS, emissions from industries using polluting fuels like coal and Diesel oils etc. have adverse impact on air quality in the National Capital Region and Adjoining Areas and shifting of Industries to PNG/cleaner fuels has also been a priority for the Commission for Air Quality Management in NCR and adjoining areas;

2. WHEREAS, to this effect, the Commission, through statutory Directions No. 53, 62 and 63 dated 04.02.2022, 17.03.2022 and 18.05.2022 respectively issued to the State Governments of Haryana, Uttar Pradesh and Rajasthan and the GNCTD, *inter-alia*, in respect of industries in NCR directed that:

- (i) These shall completely switch over to PNG or biomass fuels, latest by 30.09.2022 (for industries in areas in NCR where PNG infrastructure / supply is available) and by 31.12.2022 (for industries in areas in NCR where PNG infrastructure / supply is not available), failing which such industries shall be closed down and not permitted to schedule their operations.
- (ii) The industries using biomass fuels shall adhere to the stipulated emission standards.
- (iii) Use of biomass fuels as an alternative option, in addition to PNG or other cleaner fuels, shall be permitted even in new / under commissioning industries in the NCR;
- (iv) Industries in the jurisdiction of GNCTD shall necessarily be run only on PNG or electricity.

3. WHEREAS, the Commission has further received submissions / representations from the following categories of industries citing that their

applications and technical process requirements call for much higher operating temperatures and / or calorific value of fuels as compared to those achieved through bio-mass fuels:

- (i) Standalone cupola-based foundries which mandatorily require a carbon feed stock, in addition to the fuel, have represented for permitting use of metallurgical coke, both as fuel and feedstock in cupola-based furnaces;
- (ii) Furnaces/Kilns involved in metal melting/smelting/ heating/refining processes have represented that the desired temperature/ Specific heat and calorific value would not be achieved through use of bio-mass fuels;

4. WHEREAS, the technical, technological and process requirements in the above two categories of industries and the respective emission characteristics of the proposed fuels have been examined and analysed in the Commission;

5. WHEREAS, the matter was also deliberated upon as a specific agenda item in the recently held meeting of the full Commission on 25.05.2022 and considering the need to optimally balance the imperatives of sustainability of industries as also the emissions from such industrial operations that have a direct bearing on the air quality, the Commission approved the proposal to also permit the aforementioned fuels as alternatives to PNG/Bio-mass fuels for industrial applications only in regions beyond the jurisdiction of GNCTD.

6. NOW, THEREFORE, in furtherance of Direction Nos. 53, 62 & 63, the Commission in exercise of its powers under Section 12 of the Act, considering the levels of emissions generally observed / achieved in respect of existing industries using such fuels viz. metallurgical coke and the family of low sulphur heavy stock fuels and based on extant related national/ international standards, hereby permit use of metallurgical coke in standalone cupola based furnaces and family of low sulphur heavy stock fuels in furnaces for metal heating / smelting / refining purposes respectively, only for regions in the NCR beyond the jurisdiction of GNCTD, subject

to the stricter emission norms and standards as under, to be complied with through technological upgrades and use of appropriate pollution control devices / systems:

Parameter	Permissible Standards	
	Metallurgical coke (For Standalone Cupola Foundries)	Low Sulphur Fuels namely LSHS, Very Low Sulphur & Ultra-Low Sulphur fuel Oil (For metal smelting/melting/ refining / heating furnaces and kilns)
PM (mg/Nm ³)	80 (Aim for achieving a level of 50 mg/Nm ³)	
SO ₂ (mg/Nm ³)	50	
NO _x (mg/Nm ³)	50	
CO	1% max	

↑

Arvind Nautiyal
(Arvind Nautiyal)
Member-Secretary
Tel No.: 011-23701197
Email: arvind.nautiyal@gov.in

To,

1. The ACS/Pr. Secretary, Industries Department, Govt of Haryana.
2. The ACS/Pr. Secretary, Industries Department, Govt of Rajasthan.
3. The ACS/Pr. Secretary, Industries Department, Government of Uttar Pradesh.
4. The ACS/Pr. Secretary, Industries Department, Government of NCT of Delhi.
5. Member Secretary, Haryana State Pollution Control Board.
6. Member Secretary, Rajasthan State Pollution Control Board.
7. Member Secretary, Uttar Pradesh State Pollution Control Board.
8. Member Secretary, Delhi Pollution Control Committee.

Copy to:

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

Copy also to:

The Chairperson and all Members, CAQM.

Arvind Nautiyal
(Arvind Nautiyal)
Member-Secretary