

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

Original Application No. 373 OF 2022

**IN THE MATTER OF:**

SUMIT SAINI

...APPLICANT

VERSUS

HARYANA STATE POLLUTION  
CONTROL BOARD & ORS.

...RESPONDENTS

**INDEX**

<b>S`L. NO.</b>	<b>PARTICULARS</b>	<b>PAGES</b>
1.	Reply on behalf of Respondent No. 5 Project Proponent: M/s SPS Bio-Chem Private Limited along with affidavit.	<b>1 – 8</b>
2.	<b>Annexure R-1</b> Copy of Biogas Process Flow.	<b>9</b>
3.	<b>Annexure R-2</b> Copy of Notification dated 09.03.2018 issued by the Haryana Government Department of New & Renewable Energy regarding Haryana Bio-Energy Policy, 2018.	<b>10 – 17</b>
4.	<b>Annexure R-3</b> Copy of order dated 04.12.2020 issued by the Haryana State Pollution Control Board stating procedure for obtaining Consent to Establish and Consent to Operate for different categories of projects.	<b>18 – 49</b>
5.	<b>Annexure R-4</b> Copy of letter dated 22.09.2021 issued by Central Pollution Control Board, Ministry of Environment, Forest and Climate Change, Government of India categorizing the project of the answering respondent under “White Category”.	<b>50 – 53</b>
6.	<b>Annexure R-5</b> Copy of order dated 24.05.2022, passed by this Hon’ble Tribunal in OA No.373 of 2022.	<b>54 – 55</b>
7.	<b>Annexure R-6</b> Copy of Show Cause Notice dated 15.05.2022 issued by the officers of Respondent.	<b>56 – 58</b>
8.	<b>Annexure R-7</b> Copy of Reply to the said Show Cause Notice filed by the answering Respondent on 25.05.2022/ 02.06.2022.	<b>59 – 60</b>
9.	<b>Annexure R-8</b> Copy of Closure Order dated 13/10.06.2022 passed by the Haryana State Pollution Control Board.	<b>61 – 63</b>

10.	<b>Annexure R-9</b> Copy of letter dated 04.07.2022 in response to the Closure Order dated 13/10.06.2022 issued by the answering Respondent to the Chairman, Haryana State Pollution Control Board (HSPCB).	<b>64 – 68</b>
11.	<b>Annexure R-10</b> Copy of letter dated 18.07.2022 issued by the answering Respondent to Mr.. Nirmal Kumar Regional Officer, Haryana State Pollution Control Board (HSPCB) Yamuna Nagar.	<b>69</b>
12.	<b>Annexure R-11</b> Copy of letter dated 07.10.2022 issued by the answering Respondent to the Regional Officer, Haryana State Pollution Control Board (HSPCB) for Suspension of Closure Order.	<b>70</b>
13.	<b>Annexure R-12</b> Copy of Suspension of Closure Order dated 02.12.2022 passed by the Haryana State Pollution Control Board (HSPCB).	<b>71 – 72</b>
14.	<b>Annexure R-13</b> Copy of letter dated 22.12.2022 issued by the Haryana State Pollution Control Board (HSPCB) to M/s SPS BIO Chem Private Limited for Grant of consent to Establish to M/s SPS BIO Chem Private Limited.	<b>73 – 76</b>

Filed by:



(ANUBHA AGRAWAL)

Counsel for the Respondent No. 5  
E-53, F.F., Greater Kailash -II,  
New Delhi-110048

Ph. 011-41650725 Mobile No. 9999750725

Email: [anubha.advocate@gmail.com](mailto:anubha.advocate@gmail.com)

Filed on: 13.02.2023

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

ORIGINAL APPLICATION NO.373 OF 2022

**IN THE MATTER OF:**

SUMIT SAINI

...APPLICANT

VERSUS

HARYANA STATE POLLUTION  
CONTROL BOARD

....RESPONDENT

**SHORT REPLY ON BEHALF OF RESPONDENT NO.5  
PROJECT PROPONENT M/S. SPS BIO-CHEM  
PRIVATE LIMITED****MOST RESPECTFULLY SHOWETH:**

1. That this Hon'ble Tribunal, vide order dated 29.09.2022 was pleased to implead and issue notice to the answering respondent, i.e. Project Proponent namely M/s. SPS Bio-Chem Private Limited and vide order dated 17.01.2023 was pleased to grant one month time to file reply. In compliance of the said orders, the answering respondent is filing short reply for kind consideration of the Hon'ble Tribunal.
2. That the answering respondent, a responsible entity, is working towards the protection of environment, sustainable development, generation of alternate source for energy for reducing dependence on fossil fuels and reducing carbon footprint. In furtherance of vision of the Government of India, for Sustainable Alternative Towards Affordable Transportation (hereinafter referred to as "SATAT Scheme") launched by the Ministry of Petroleum and Natural Gas, Government of India in October 2018, the answering respondent-Project Proponent is setting up a plant for effective disposal and conversion of residue of sugar producing industry (i.e. Press Mud) into Compressed Bio Gas (CBG) alongwith production of Fermentation Organic Manure (FOM) and LFOM to be entirely utilized as manure in organic farming and not discharging any water. Answering respondent is setting up the plant in collaboration with Hindustan Petroleum Corporation Limited (HPCL) wherein the latter has agreed to retail the CBG produced.
3. The Compressed Bio Gas (CBG) plant is being set up at Village Damla, District Yamuna Nagar, Haryana. Bio-gas output of 16000 cubic meter per day is sought to be generated, which can be used to run

commercial vehicles for 1,80,000 kms and produce 100 Ton of FOM manure per day. The plant, when commissioned, will save 82,000 tons of Carbon dioxide emissions per year.

4. As per the process being followed by the answering respondent, Press Mud and Cow Dung (raw material) will be treated in the Mixing Tank whereafter Gas will be collected, compressed and transported. Simultaneously, (FOM) Fertilizer will be produced for use as manure in organic farming and the liquid remaining thereafter would again be used in the mixing tank and there would be no discharge of water effluent. Entire remaining liquid would be used in the process itself. Hence, there would be no discharge of effluent. A copy of Biogas Process Flow is attached as **Annexure R-1**.
5. Storage of raw material has been designed in a scientific manner. Two layers of 1500 Micron (1.5mm) pond liner will be laid on the prepared ground. Area has been divided into multiple sub areas and slopes are given to the Centre of each area. At center of each sub area perforated pipes are laid with mesh filter. These pipes are interconnected, and leachate collected is transferred to main header which is connected to sump from where it is connected to a mixing tank to feed into digester. To avoid the smell raw material will be stored in multiple layers of Press Mud, Paddy Straw and Tarpaulin. Further, regular spray would be done to making the environment odourless. This storage design is appreciated and recognized by United Nations. Answering respondent would also undertake plantation of trees.
6. It is relevant to mention that the raw material being used and stored by the answering respondent is 'Press Mud'. It is the residue of filtration of sugarcane juice. In its unprocessed form, it is directly used as manure by farmers and has the capability to improve yield. It is also taken by the briquette manufacturers. It is submitted that the raw material is natural and does not create any environmental pollution or hazard. Molasses is not used as a raw material by the answering respondent.
7. Setting up of CBG Plant has been facilitated under the SATAT scheme, wherein entrepreneurs setting up Compressed Bio Gas plant are encouraged to produce and supply compressed bio-gas to oil related public sector companies for sale in automotive and industrial field.

This initiative undertaken by Government of India is with a view to benefit the vehicle users who would utilize this clean fuel instead of petrol or diesel thereby reducing air pollution and carbon emission; reduce dependency on crude oil imports and help the farmers by supplying them organic manure for farming for producing better quality farm produce. Compressed Bio Gas plant (CBG) would serve dual purposes in as much as it would be an efficient way for disposal of Press Mud and on the other hand it would generate clean fuel, which can be used for running of automobiles and Fermentation Organic Manure (FOM), which can be used for organic farming thereby having tremendous health benefits for the consumers of such agricultural products. Further, it is relevant to mention that CBG will be produced in controlled environment and immediately stored in cascades. Carbon dioxide would also not be released and stored for further use in the industry.

8. Under the scheme, Priority Sector lending has been expanded to give loans for setting up the CBG projects. Central Financial Assistance in the form of capital subsidy and grants-in-aid is sought to be given for installation of such plants. Setting up about 5000 CBG plants, at the earliest, is the need of the hour and the vision of the Government under the scheme so as to achieve target production of 15 million ton of CBG by 2023.
9. That State of Haryana also, vide notification dated 09.03.2018, formulated Haryana Bio-Energy Policy, 2018 with an objective to promote generation of energy from the surplus biomass in the State, to create conducive environment to attract private investment in bio-mass project and to harness bio-mass power as it has huge potential of energy with sustainable environmental benefits. The State Government gives incentives for setting up such units in as much these units can be set up on agricultural land, do not require any Change of Land Use (CLU) or approval from Town & Country Planning Department; are exempted from payment of External Development Charges; are given 100% exemption from payment of fees on stamp duty charges for registration of land required for setting up such projects etc. A copy of Haryana Bio-Energy Policy, 2018 notified on 09.03.2018 by Department of New & Renewable Energy, Haryana Government, is attached as **Annexure R-2**. Haryana State Pollution

Control Board also issued Office Order dated 04.12.2020 stating procedure for obtaining Consent to Establish and Consent to Operate for different categories of projects, a copy of which is attached as **Annexure R-3**.

10. That it is relevant to mention that a unit for production of Compressed Bio Gas (CBG) alongwith FOM and LFOM, with no wastewater discharge, as is being established by the answering respondent falls under the "White Category", as stated by the Central Pollution Control Board, Ministry of Environment, Forest and Climate Change, Government of India, vide letter dated 22.09.2021. A copy of letter dated 22.09.2021 issued by Central Pollution Control Board, Ministry of Environment, Forest and Climate Change, Government of India categorizing the project of the answering respondent under "White Category", is attached as **Annexure R-4**. Consequently, as per Office order dated 04.12.2020 issued by Haryana Pollution Control Board, no Consent was required to be taken. It is further relevant to mention that setting up of CBG plant does not require Environmental Clearance under the 2006 EIA Notification.
11. However, the Project proponent, before start of construction, diligently submitted Online Application for obtaining Consent to Establish in August 2021 vide Online Application No. 15398691. The said application was rejected on 28.10.2021 majorly due to non-submission of Change of Land Use permission from the Department of Town and Country Planning, Haryana. Thereafter, the Department of Town and Country Planning, Haryana granted CLU permission on 05.05.2022 (though the same had been applied for in October 2021). Pursuant thereto, Project proponent re-submitted the application physically on 02.06.2022 and online on 22.06.2022 vide Application No. 24289056.
12. In the meanwhile, present O.A. No. 373 of 2022 was filed before this Hon'ble Tribunal without any notice to the answering respondent. This Hon'ble Tribunal, vide order dated 24.05.2022, was pleased to constitute a Joint Committee to verify the factual position and look into the grievances of the villagers. A copy of order dated 24.05.2022, passed by this Tribunal in OA No.373 of 2022, is attached as **Annexure R-5**.

13. That pursuant to the said order, it is alleged that one field officer of HSPCB visited the unit on 23.04.2022 but was restrained from inspection. It is submitted that no notice was given to the answering respondent for inspection of the unit. It is not a case where the answering respondent willful denied entry to an officer, without any reasons whatsoever. No person without a valid ID card or authority is allowed inside the unit for security purposes. However, subsequently, the unit was duly inspected by the authorities on 13.05.2022.
14. That pursuant to inspection, Show Cause Notice dated 15.05.2022, was issued by the officers of respondent, a copy of which, is attached as **Annexure R-6**. Thereafter, reply to the said Show Cause Notice was filed by the answering respondent on 25.05.2022/ 02.06.2022, a copy of which, is attached as **Annexure R-7**. It was categorically stated that establishing and operating of the plant shall commence only after getting all the approvals.
15. However, still the Competent Authority, issued Closure Order dated 13/10.06.2022, served on 15.06.2022, a copy of which, is attached as **Annexure R-8**. It is relevant to mention that in compliance of the said orders, the unit was closed from 15.06.2022 itself. Answering respondent, vide letter dated 04.07.2022, submitted a response to the closure order, a copy of which, is attached as **Annexure R-9**. It was stated that the unit in question falls under the 'White Category' and meets all the requirements and hence requested that the Closure Order be withdrawn. The answering respondent also diligently lifted and disposed of all the Press mud urgently and intimated the same to the authorities, vide letter dated 18.07.2022, a copy of which, is attached as **Annexure R-10**. Here it is relevant to mention that Pressed Mud is a biodegradable product which is as such used in the fields as manure. The stored material was removed without any environmental after effects.
16. Answering respondent, vide letter dated 07.10.2022, requested for Suspension of Closure Order in view of constrain to lift the Press Mud generated by the mills, delay of the plant due to Covid-19 restrictions and for ensuring that the construction work and commissioning of the plant does not get further delayed. A copy of letter dated 07.10.2022/ 14.11.2022, requesting for Suspension of Closure Order, is attached as **Annexure R-11**. Haryana State Pollution Control Board levied a

fine of Rs. 15,31,250, which was diligently deposited by the answering respondent. Haryana State Pollution Control Board (HSPCB), vide letter dated 02.12.2022, issued Suspension of Closure Order in view deposit of performance security and payment of compensation, a copy of which is attached as **Annexure R-12**.

17. That Haryana State Pollution Control Board (HSPCB), vide letter dated 22.12.2022, has also been pleased to grant "Consent to Establish" to the answering respondent for a period of five years. A copy of "Consent to Establish" letter issued by HSPCB, is attached as **Annexure R-13**.

18. It is therefore respectfully submitted that the Project Proponent is a non-polluting unit, and infact is helping in tackling the problem of environment pollution by using biomass for generation of clean fuel for automobiles and organic manure for farmers. It falls under the 'White' category project. Raw material being used and stored is organic and in its unprocessed form is used by farmers as manure. Answering respondent has been diligent in its actions during the process of setting up the plant. The plant is likely to commission from end of February, 2023 and would be a huge support to the cause of environment.

In view of above detailed facts and circumstances, it is most respectfully prayed that this Hon'ble Tribunal may kindly be pleased to dismiss the present Application qua the answering respondent no. 5, Project Proponent namely M/s SPS Bio-Chem Pvt. Ltd. Answering respondent undertakes to abide by all the terms and conditions as may be prescribed by the authorities and shall always remain committed to work in the interest of and for the protection of environment.

Filed by:



(ANUBHA AGRAWAL)

Counsel for the Respondent No. 5

E-53, F.F., Greater Kailash -II,

New Delhi-110048

Ph. 011-41650725 Mobile No. 9999750725

Email: [anubha.advocate@gmail.com](mailto:anubha.advocate@gmail.com)

Filed on: 13.02.2023

Bond



Indian-Non Judicial Stamp  
Haryana Government



Date : 08/02/2023

Certificate No. PAH2023B136



Stamp Duty Paid : ₹ 101

(Rs. Only)

GRN No. 99137301



Penalty : ₹ 0

(Rs. Zero Only)

**Deponent**

Name : Sps Bio chem Pvt ltd  
H.No/Floor : Sco/85/86 Sector/Ward : Landmark : Sector 12  
City/Village : Panchkula District : Panchkula State : Haryana  
Phone : 84\*\*\*\*\*00



Purpose : AFFIDAVIT to be submitted at Concern



The authenticity of this document can be verified by scanning this QrCode Through smart phone or on the website <https://egrashry.nic.in>

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
ORIGINAL APPLICATION NO.373 OF 2022**

IN THE MATTER OF:  
SUMIT SAINI

...APPLICANT

VERSUS

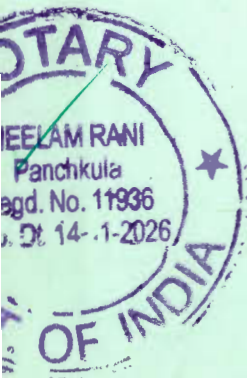
HARYANA STATE POLLUTION  
CONTROL BOARD & ORS.

....RESPONDENTS

**AFFIDAVIT**

I, Rohit Singla, S/o Shri S P Singla, Director of M/s SPS Bio-Chem Private Limited, Registered Office at: SCO 85-86, Sector 12, Panchkula, Haryana - 134112, do hereby solemnly affirm on oath and state as under:-

1. That I am the Director of Respondent No.5 Project Proponent M/s SPS Bio-Chem Private Limited and as such competent to swear and affirm this affidavit.
2. That I have read over and understood the contents of accompanying Reply and state that the facts stated therein are true and correct to my knowledge and belief.

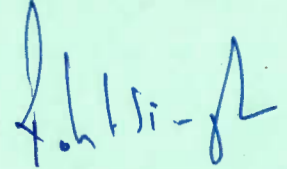


Cont...2

09 FEB 2023

-2-

3. The annexures annexed to the application are true copies of their respective originals.

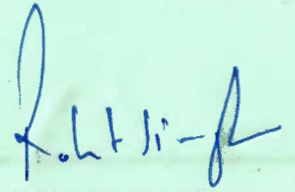


DEPONENT

## VERIFICATION:

I, the deponent above named deponent hereby verify that the contents of paras 1 and 3 of my above affidavit are true and correct to my knowledge & belief, no part of it is false and nothing material has been concealed therefrom.

Verified at Panchkula on the 9<sup>th</sup> day of February, 2023

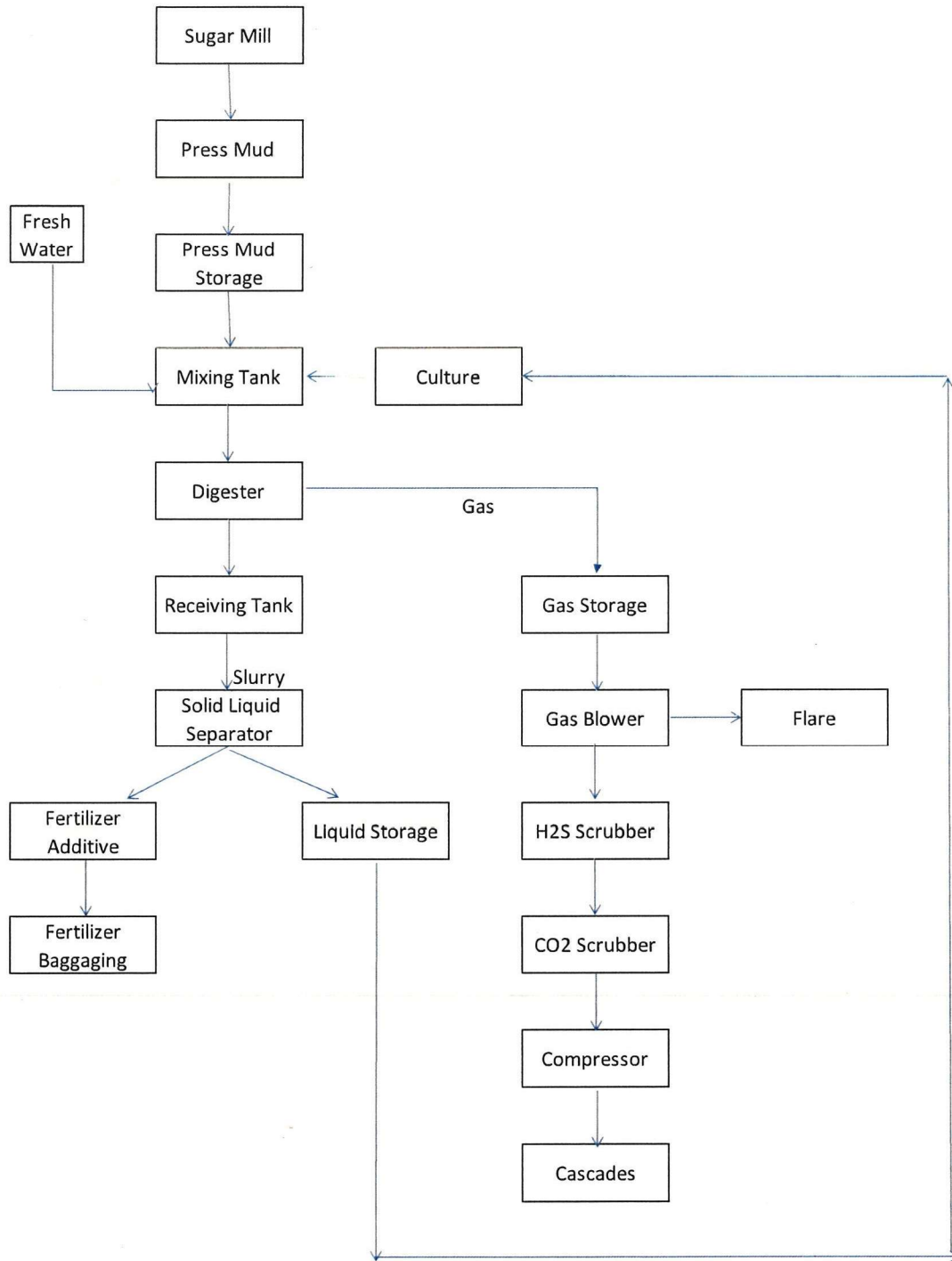


DEPONENT



ATTESTED  
NEELAM RANI  
NOTARY PUBLIC  
Panchkula Harvana

09 FEB 2023



**ANNEXURE R-2**

# Haryana Government Gazette

Published by Authority

© Government of Haryana

---

No. 12-2018] CHANDIGARH, TUESDAY, MARCH 20, 2018 (PHALGUNA 29, 1939 SAKA)

---

## PART-I

### Notifications, Orders and Declarations by Haryana Government

#### HARYANA GOVERNMENT

#### NEW & RENEWABLE ENERGY DEPARTMENT

#### Notification

The 9th March, 2018

#### Haryana Bio-energy Policy 2018

**No. 19/06/2018-5P.**— The Government of Haryana has formulated Haryana Bio-energy Policy 2018 to promote generation of energy from the surplus biomass in the State. Forgiving effect to this policy, necessary amendments in various policies, rules and regulations, wherever necessary shall be expeditiously undertaken by the concerned department.

#### CHAPTER-1

#### INTRODUCTION

- Biomass energy is replenishable over a cycle that may vary from months to years. The biomass produced in agriculture operations is an excellent source of energy and need to be harnessed to save precious conventional fuels.
- Haryana is primarily an agrarian State. Haryana has surplus biomass availability of 8416 thousand tons which has tremendous potential for utilization of the residues of these crops to generate electricity/biogas/ bio-CNG/bio-manure/bio-fuels etc. The State has potential to generate about 1000 MW of power or 11.5 lac ton of bio-CNG.
- The need to promote these projects has been further necessitated due to the aggravated environmental issues because of burning of crop residues in fields.

- Promoting use of biomass for production of energy including cogeneration, bio-CNG, bio-char and bio-fuels/bio-ethanol will not only help reduce dependence on conventional sources energy thereby reducing import bills but will also help to improve environment & soil health and will also create alternate stream of income to farmers and employment in rural areas.
- The open crop residue/Biomass burning causing the emission of air pollutants such as atmospheric pollutants and gases and ultimately influence the atmospheric quality and climate.
- Biomass based projects, unlike solar and hydro, face the challenge of fuel linkage, so, while promoting these projects due diligence is required for the same.

## CHAPTER-2

### OBJECTIVES, TARGET & ELIGIBLE TECHNOLOGIES

#### 2.1 Objectives

- To create conducive environment to attract private investment in biomass projects.
- To harness biomass based power/ biogas/ bio-CNG/ bio-manure/ bio-fuels etc. as it has huge potential of energy with sustainable environmental benefits through techno-economically viable technologies.
- To support research and development, demonstration and commercialization of new technologies.

#### 2.2 Target & Eligible Technologies

- 2.2.1 It is proposed to achieve a target of minimum 150 MW biomass based power generation (or equivalent) by 2022.
- 2.2.2 **Eligible Technologies:** This Policy will strive to promote Biomass to bio energy projects based on the technologies approved by MNRE and categorized as biomass based projects for power generation using Rankine cycle, Bio-CNG/bio-gas cum organic manure projects using advanced anaerobic digestion and bio-fuels/ bio ethanol and other innovative technologies etc.

## CHAPTER-3

### INCENTIVES

The Haryana Government is committed to promote and develop biomass based projects to harness clean power and safeguard environment. It will provide following incentives for such projects set up in the State to eligible project developers:-

#### A. Land and Clearances for the projects

- (I) Agricultural land shall also be allowed to be used for setting up of biomass based Projects in the State.
- (II) **Panchayat Land on Lease /Rent basis**  
The Government of Haryana will facilitate the lease of Panchayat land at reasonable rates directly through Panchayat (as per prevailing Govt. Policy) for setting up of biomass projects for minimum period of 35 years.
- (III) **Exemption from Land use approval, External Development Charges, scrutiny fee and infrastructure development charges.**
- These projects shall not require any change of Land Use approval from Town & Country Planning Department/Urban Local Bodies (ULB) Department. The project shall also be exempted from External Development Charges (EDC), scrutiny fee and infrastructure development charges but if special service is required for the biomass project then EDC charges shall be charged on pro-rata basis. The details of such projects will be intimated to the Town & Country Planning Department.
  - However, after the expiry of power purchase agreement period or when plant ceases to operate on the land, land use will revert to the original master plan of the area/city/town (i.e. it will convert to the original status of land).
- (IV) The land used in biomass projects will be out of the purview of the Land Ceiling Act of the government.
- (V) 100% exemption from payment of fee and stamp duty charges will be allowed for registration of rent/lease/sale deed for the land required for setting up of these projects in B, C and D category blocks as defined in the Haryana Enterprise Promotion Policy 2015.

- 
- (VI) No fee will be charged by the Pollution Control Board for issuing Consent to Establish(CTE) and Consent to Operate(CTO) for such project anywhere in the State. However, these projects will be set up as per the prevalent pollution control norms of the Government.
  - (VII) Though, power projects with only air cooled condensers will be allowed under this policy, the Irrigation Department/ Agriculture Department will allow canal/ ground water usage for such projects, except for condenser,at 50% of the charges applicable to industrial units in the State, on priority basis within one month from the date of application by the project developer.

**B. Grid Interfacing and Power Evacuation**

- (i) The Power producers shall meet with all the requirements, as per the State Grid Code for setting up their projects. For connectivity with grid, the project developers shall connect the Power Plant with the nearest Sub-Station of Transmission/Distribution Licensee and inject the electricity at appropriate voltage of the Sub-Station.
- (ii) For biomass power projects installed for captive use or sale of power to power utilities/third party sale through open access, all arrangements for power evacuation i.e. voltage step up, synchronizing equipments, metering within the project premises shall be done by the Project Developer as per the technical specifications, guidelines and regulation issued by HERC.
- (iii) The State transmission utility or the Transmission/Distribution Licensee shall bear the cost of Extra High Voltage (EHV)/ High Voltage (HV) transmission line up to a distance of 10 km. from the inter-connection point. In case the distance between the inter connection point and point of grid connectivity is more than 10 kms then the cost of transmission line for the distance beyond the 10 kms shall be borne equally between the Independent Power Producer and the licensee.
- (iv) All expenses for power evacuation, Transmission, distribution line and synchronizing equipment required for installation will be as per the orders of the Haryana Electricity Regulatory Commission on Renewable Energy Tariff & other issues, as modified from time to time.
- (v) The cost of any augmentation required after the interconnection point in the grid system of the Transmission/Distribution Licensee shall also be borne by the concerned Transmission/Distribution Licensee.
- (vi) For implementation of such projects, electricity connection shall be provided by the power utilities within seven day from the date of application and it will be ensured that the electricity connection is provided on priority basis so that the project implementation schedule is not delayed.
- (vii) Power utilities will keep on upgrading the capacity of transformer/evacuation facility including the substation from time to time as per the generation requirement.

**C. Third party Sale, Wheeling, Banking and Open Access**

- (i) In case, the power is to be sold to a third party, the name of such party shall be indicated by the power producer at the time of making an application in the prescribed form of Licensee/Utilities. However, in respect of third party sale, licensee/utilities would have preference over the power generated by the power producers andthereafter, third party sale would be allowed when the surplus power is not being evacuated by the licensee/utilities.
- (ii) Discoms/ Licensees shall permit electricity generated by eligible producers to be wheeled and banked without any charges.
- (iii) The banking facility shall be allowed on annual basis by the Licensee/ Utilities to eligible electricity producers as per HERC Regulations and IPP will pay the difference of Unscheduled Interchange charges (UI charges) at the time of injection and at the time of withdrawal.However, withdrawal of banked power will be allowed only during non-peak hours.If the banked energy is not utilized within a period of twelve months from the date of power banked with the concerned power utilities/ licensee, it will automatically lapse and no charges shall be paid in lieu of such power.
- (iv) The biomass project developer as per the entitlement under the policy will also be allowed inter/intra State open access for Captive (within and outside the premises), sale of power to Discoms and Third party Sale simultaneously.
- (v) Third party sale shall be allowed only after refusal by Discoms/ licensee to purchase the power on the tariff discovered as per orders of HERCfor long term PPA.

---

**D. Tariff/ Purchase Price**

- (i) Licensee/ Utilities will purchase electricity offered by the power producers in case of new projects set up after the notification of the present policy at the rate to be decided by the Haryana Electricity Regulatory Commission as per provisions in the New Electricity Act, 2003 and National Tariff Policy 2016. HAREDA shall invite proposals from IPPs through competitive bidding route and the IPPs will be asked to offer their most competitive rate through reverse bidding on the tariff decided by the HERC being the ceiling tariff, on which they want to sell power to the State Power Utilities. The PPA shall be for a period coinciding with the plant life or minimum 35 years, whichever is earlier. Thereafter, the tariff may be further, re-negotiated.
- (ii) For old captive/co-generation projects which are having surplus power to offer for sale to the power utilities, the tariff shall be decided by the HERC.
- (iii) The technologies/resources for which tariff has not been notified by the HERC, the developers shall be required to submit petition to the Commission, for determination of tariff.
- (iv) Regarding standards, purchase price and incentives, in case of bio-fuels/bio-CNG and bio-fertilizers, the policies of the Govt. of India, as applicable from time to time shall be followed.

**E. Must Run Status**

The biomass projects up to 10 MW capacity set up under this policy shall be treated as “Must Run” power plants and shall not be subjected to Merit Order Dispatch (MoD) principles and will not be asked to back down as this will badly affect their viability and planning for fuel linkage. In case of biomass power projects of 10 MW and above generation capacity, scheduling and dispatch code shall be as per the HERC Regulations.

**F. Exemption of Transmission & distribution, cross subsidy charges, surcharges and Reactive Power Charges**

All cross subsidy charges, Transmission & distribution charges, surcharges and reactive power charges will be totally waived off for any biomass projects set up in the State.

**G. VAT/GST/ Tax Holidays**

VAT/GST on the plant and machinery used in setting up of Renewable Energy Power Projects in the State and any other incentives/exemptions shall be as per Government of Haryana notifications from time to time.

**H. Octroi on biomass fuels for all projects including bio-CNG, bio-ethanol and bio-fertilizer shall be fully exempted.**
**I. 100% exemption from entry tax will be allowed in respect of all supplies (including capital goods, structure and raw materials) made for setting up and trial operations of the projects.**
**J. For efficient collection of biomass for the approved projects, reaper, raiker, baler and trawlers will be provided either on rent or on upfront subsidy as per the schemes of the Agriculture & Farmer Welfare Department, Haryana, in force from time to time.**
**K. The Agriculture & Farmer Welfare Department, Haryana and State Agriculture Universities will also promote organic fertilisers produced from such projects provided they meet the specifications & standards prescribed for the purpose from time to time. The State Agriculture Universities shall conduct trials to document the results without charging any cost.**
**L. The State Transport Department shall also promote use of bio-diesel/ bio-fuels in public transport vehicles and shall preferentially purchase the bio-fuels produced from the projects located in the State as per National/ State Policy on Bio-fuels.**
**M. All projects developed under this policy will be treated as “Industry” in terms of industrial policy of the state and all the incentives available to new industrial projects will be applicable as per Industrial policy of the State, subject to qualifications and approval of the concerned departments, if any, subject to its eligibility.**
**N. The projects set up under this policy shall be eligible for Central and State Financial Assistance and other exemptions like excise duty and custom duty etc. as applicable from Central and State Governments, subject to eligibility.**

---

**CHAPTER-4**
**NODAL AGENCY AND FACILITATION FOR APPROVAL OF PROJECTS**

**4.1 Nodal Agency:** The Haryana Renewable Energy Development Agency (HAREDA) will be the Nodal Agency to facilitate these projects and implement this Policy. HAREDA shall act as the single window to provide all clearances or arrange clearances for various departments, wherever required. All biomass project developers in the state (including Captive, Cogeneration, IPP and merchant power developers) will be required to submit their project proposals with HAREDA for approval and validation for sale of power in or outside the state.

**4.2 Invitation of Proposals & Approval Procedure**

- A. In cases where HAREDA has carried out prefeasibility study and the feedstock for the project is under the control of the Government or in cases where competitive bidding is required for purchase of power from such projects, HAREDA shall invite proposals based on competitive bidding.
- B. Before inviting proposals for biomass based renewable energy projects, comments of the Agriculture Department about the availability of the surplus biomass in the area shall be obtained to ensure steady and continuous supply of biomass to the proposed/established projects for which appropriate area demarcation and its allocation/attachment to the specific project will be carried out by the Department of Agriculture and Farmer Welfare keeping in view the fact that such proposed projects are not in conflict with other projects/schemes of the Agriculture Department.
- C. In cases of industrial cogeneration, where the project developer has itself carried out the prefeasibility study for generation of power primarily for captive use and has guaranteed supply of the feed stock, as established by such fuel supply agreements, HAREDA will consider project proposals from such captive project developers, provided that the sale of power from such projects shall be limited to 49% of the total power generated. The tariff for such projects will be decided by the HERC.

In both of the above said cases, following eligibility criterion and procedure will be adopted for approval of the projects:

**4.3 Eligibility Criteria and Financial Eligibility**

- a. There will be no restriction on generation capacity or supply of electricity to the grid up to Renewable Purchase Obligation(RPO) and tendered capacity.
- b. The project developer may be individual/company/firm/group of companies or a Joint venture/ Consortium of maximum 4 partners having minimum 26% shareholding of leading partner.
- c. The capacity of the proposed projects should not be more than 80% of the potential available in the proposed district as per biomass assessment report or biomass assessment report of HAREDA after taking into account already set up biomass projects and should be supported with a map showing catchment area for the project.
- d. Only projects with new plant and machinery shall be allowed under this policy.

**4.4 Documents and Fees**

Application in the prescribed format, complete in all respect along with documents to be required as per detail mentioned in the application format alongwith application fee, non-refundable scrutiny fee and performance security fee etc.as specified in the bidding document.

**4.5 Approval Procedure**

- (a) Technical Appraisal Committee (TAC), with at least one external expert, shall be constituted by the State Govt. to appraise the proposals/bids in terms of technical and financial capabilities, scrutinizing the techno-economic feasibility. The TAC is authorized to seek any additional information from the bidders to supplement the proposals and will submit its report within one month.
- (b) Projects upto 5 MW capacities in case of power generation or upto Rs.50 Cr. investment in other cases will be considered and approved by the Board of Governors of HAREDA on the recommendations of TAC within two months' time with concurrence of Administrative Department.
- (c) For the biomass power projects above 5 MW capacity or above Rs.50 Cr. investment in other cases, a High Powered Committee constituted by the State Govt. under the chairmanship of Administrative Secretary, New & Renewable Energy Department, Haryana (Appendix-I) shall consider the report of Technical Appraisal Committee, shortlist, prioritize and approve / reject the investment proposals for allocation of sites for preparation of Detailed Project Reports (DPR) by the private investors within two months' time. The High Powered Committee can co-opt any other members /experts as its member for a particular meeting with the approval of the Administrative Secretary.

- 
- (d) Once the proposal has been approved by the Board of Governors of HAREDA/ High Powered Committee, a Letter of Intent (LoI) will be issued by HAREDA and it will enter into an MOU with the private investors for preparation of DPR and implementation of the project within one month's time after the applicant deposits performance security deposit as specified in the bidding document for timely completion of the project.
  - (e) After approval of DPR by the HAREDA, the project developer is required to enter into PPA with the concerned power utilities/ licensee for the sale of power to it after getting necessary approval from the Haryana Electricity Regulatory Commission (HERC). In case of captive use or third party sale HERC approval not required. However open access permission, if required, needs to be obtained from concerned utility, as per HERC open access Regulations.
  - (f) The Power Producer and the concerned Power Utility/ licensee shall make efforts to enter into Power Purchase Agreement within two months' time from the date of providing the clearance. In case there is delay beyond this period then either party can approach the Haryana Electricity Regulatory Commission for decision in this matter within another two months.
  - (g) If the applicant does not take effective steps to implement the project as per time schedule for submission of DPR, signing of Power Purchase Agreement, Financial Closure of project & execution of project mentioned in the Memorandum of Understanding signed with HAREDA, the allocation could be terminated and the security deposited with the HAREDA shall be forfeited.
  - (h) The project completion time will be 36 months from the date of signing of MoU and the performance security deposit will be refunded in case the project is commissioned within the allowed time. Extension will be allowed by the Director, HAREDA only for the projects where at least 50% of the project cost has been incurred to implement the projects on ground with penalty in the following manner:
    - i. First extension of six months with penalty of 10% of the Bank Guarantee amount.
    - ii. Second extension of three months with penalty of 15% of the Bank Guarantee amount.
    - iii. Third extension of three months with penalty of 25% of the Bank Guarantee amount.
    - iv. In cases where less than 50% of the project cost has been incurred at the end of 36 month, the entire security deposit will be forfeited with no obligation on the State to buy the power from such projects.

## CHAPTER-5

### OTHER TERMS & CONDITIONS

- 5.1 The other terms and conditions / guidelines mentioned in the State Policy for promoting Generation of Electricity through Renewable Energy Sources dated 23.11.2005 as amended from time to time and Haryana Electricity Regulatory Commission (terms and conditions for determination of tariff from Renewable Energy Sources) Regulations 2010 notified vide no. HERC/23/2010 dated 3.2.2011 and guidelines issued by the CERC / MNRE/GOI from time to time shall also be applicable. Salient features of the Haryana Electricity Regulatory Commission (terms and conditions for determination of tariff from Renewable Energy Sources) Regulations 2010 notified vide no. HERC/23/2010 dated 3.2.2011 are as under:
- a. Tariff to be determined by the HERC and it will be the ceiling tariff. The Power Utilities shall buy the power through reverse bidding process with the HERC tariff as the upper limit.
  - b. Project specific tariff to be determined on case to case basis for small hydro, municipal solid waste, poultry litter, mixed waste or any other new renewable energy technology approved by the MNRE, GOI based projects.
  - c. Grid Connectivity: As per clause B(iii) of Chapter -III.
  - d. The proceeds of carbon credit from approved CDM Project, after deduction of expenses incurred by the generating company for registration and approval of project as CDM project shall be shared between generating company and concerned beneficiaries in the following manner, namely:
    - i. 100% of gross proceeds to be retained by the project developer in first year after the date of commercial operation.
    - ii. In the second year, the share of beneficiary shall be 10% which shall be progressively increased by 10% every year till it reaches 50%, where after the proceeds shall be shared in equal proportion by the generating company and the beneficiaries.

- 
- e. The Commission shall take into consideration any incentive or subsidy offered by the Central or State Government, including accelerated depreciation benefit if availed by the generating company for the renewable energy power plants while determining the tariff.
- 5.2 All project developers shall be required to submit monthly statement for verification of usage of fuel as detailed out in RE regulations and orders for determination of generic tariff issued by HERC. In addition, monthly information with regard to other parameter like energy generated, revenue earned, power factor and plant load factor achieved, reasons for non-achievement of full generation etc as directed by HAREDA shall also be submitted so as to maintain and update data bank on NRSE generation in the state and also for the purpose of monitoring generation under RPO regulations.
- 5.3 For giving effect to this policy, necessary amendments in various policies, rules & regulations, wherever necessary, shall be expeditiously undertaken by the concerned departments within three months time from the date of its notification.
- 5.4 The Principal Secretary, New & Renewable Energy Department shall have the powers to issue clarification/ amendment / relaxation, if need be, on any matter related to interpretation of any provision in these guidelines after consultation with the concerned Departments/Agencies.

## CHAPTER-6

### GLOSSARY

- 6.1 Following expressions used in the Policy would have meanings assigned to them as defined hereunder:-
- i. "Act" means Electricity Act 2003, including amendments there to.
  - ii. "APPC" means Average Power Purchase Cost.
  - iii. "Biomass Power Developer" / "BPD" means an entity, which owns facilities or intends to generate electric power for sale to DISCOM of Haryana/Licensees/NVVN /NTPC/ to third party/captive use.
  - iv. "Canal" means feeder, canal, rajbahas, minors, drains, channels and Minor Irrigation Tubewells, Corporation (MITC) Nalas.
  - v. "CEA" means Central Electricity Authority.
  - vi. "CERC" means the Central Electricity Regulatory Commission of India, constituted under sub-section (1) of Section 76 of the Electricity Act, 2003, or its successors.
  - vii. "Central Agency" means National Load Dispatch Centre (NLDC) as designated by the Central Electricity Regulatory Commission vide order dated 29.01.2010 for the purposes of the REC Regulations.
  - viii. "CDM" means Clean Development Mechanism.
  - ix. "DISCOM of Haryana" means a distribution licensee, such as Uttar Haryana Bijli Vitran Nigam Ltd.(UHBVNL), Panchkula and Dakshin Haryana Bijli Vitran Nigam Ltd. (DHBVNL), Hisar.
  - x. "DPR" means Detailed Project Report.
  - xi. "Government" and "State" means the Government of Haryana and the State of Haryana respectively.
  - xii. "IREDA" means Indian Renewable Energy Development Agency.
  - xiii. "Licensee" includes a person deemed to be a licensee under Section 14 of the Act.
  - xiv. "MNRE" means Ministry of New and Renewable Energy, a Central Government Ministry responsible to develop and deploy new and renewable energy for supplementary energy requirement of the country.
  - xv. "MOU" means Memorandum of Understanding.
  - xvi. "Nodal agency" means Haryana Renewable Energy Development Agency (HAREDA) or any other agency designated by Government of Haryana for promotion of electricity generation from renewable energy sources.
  - xvii. "PPA" means Power Purchase Agreement.

- 
- xviii. "REC Regulation" or "CERC REC Regulation" means Central Electricity Regulatory Commission (Terms & Condition for recognition and issuances of Renewable Energy Certificate for Renewable Energy Generation) Regulation, 2010 notified by CERC vide Notification dated 14.1.2010 and amended from time to time.
- xix. "Renewable Energy Certificate" or "REC" means the Renewable Energy (Solar) Certificate issued by the Central Agency in accordance with the procedure prescribed by it and under the provision specified in the Central Electricity Regulatory Commission (Terms & Conditions for recognition and issuance of Renewable Energy Certificate for Renewable Energy Generation) Regulation, 2010.
- xx. "HERC"/"Commission" means Haryana Electricity Regulatory Commission.
- xxi. "RPO" means Renewable Purchase Obligation.
- xxii. "Biomass Power Plant" means a power plant utilizing biomass or agri residue for generating of electricity.
- xxiii. "Tariff" means the schedule of charges for generation, transmission, wheeling and supply of electricity together with terms and conditions for application thereof.
- xxiv. "TOD" means Time of Day in Hours.
- xxv. "UI Charges" means unscheduled Interchange charges.
- xxvi. "EHV" means Extra High Voltage.
- xxvii. "HV" means High Voltage.
- xxviii. "MW" means Mega Watt.
- xxix. "KWp" means Kilo Watt Peak.
- xxx. "LOI" means Letter of Intent.
- xxxi. "HPPC" means Haryana Power Purchase Centre.
- 6.2 All other words and expressions used here in and not defined shall have the meanings respectively assigned to them in the Electricity Act-2003.

ANKUR GUPTA,  
Principal Secretary to Government Haryana,  
New & Renewable Energy Department.



## HARYANA STATE POLLUTION CONTROL BOARD

C-11 Sector-6, Panchkula  
Ph - 0172- 577870-73, Fax No. 2581201  
E-mail- hspcbho@gmail.com

### Office Order

Whereas, the Board vide Head Office order Endst. No. HSPCB/2018/517-546 dated 26.02.2018 has issued consent procedure for grant of consent to establish and consent to operate under Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 based upon the directions issued by CPCB vide its letter no. B-29012/ESS (CPA)/2015-16/8526 dated 07.03.2016 to all the State Pollution Control Boards u/s 18(1)(b) of Water Act, 1974 and Air Act, 1981; and

Whereas, Central Pollution Control Board (CPCB) has issued directions under section 18 (1)(b) of the Water (Prevention and Control of Pollution) Act 1974 vide letter no. B-29016/ROGW/IPC-VI/2020-21/ dated 30.04.2020 regarding categorization of some new industrial sectors and listing of Non-Industrial Operations (Activities/ Facilities/ Infrastructure/ Services) and subsequent letter no. B-29016/ROGW/IPC-VI/2020-21/ dated 10.07.2020 regarding categorization of Dairy Farm and Gaushala; and

Whereas, in compliance of above directions of CPCB and recommendations by the committee constituted vide office order endst. no. 6862-6865 dated 03.05.2016 for categorization of new or left over industrial sectors/projects, the Board has reviewed all the earlier office orders regarding the categorization of the Industrial/ Non-Industrial Sector/Project/Unit for the purpose of consent mechanism.

In view of above and in supersession of consent procedure alongwith consolidated list of Industrial Sector/Project covered under Red, Orange, Green and White categories was issued vide No. HSPCB/2018/517-546 dated 26.02.2018 (as amended thereof), the amended procedure for obtaining consent to establish and consent to operate under Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 alongwith amended categorization of Red, Orange, Green and White category of Industrial/ Non-Industrial Sector/Project/Unit/unit under the consent management of the Board is given as **Annexure-P**.

These orders shall come in to force with immediate effect.

Dated Panchkula, the  
3<sup>rd</sup> December, 2020

Ashok Kheterpal,  
Chairman

Endst. No. HSPCB/PLG/2020/ 1767-93

Dated: 04-12-2020

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

1. All Branch Incharges dealing with consent management in Head Office of the Board.
2. All Regional Officers of the Board in the field.
3. Nodal Officer of the HSPCB, Haryana Enterprises Promotion Centre (HEPC), Bay No. 63-64-65-66, Sector 2, Panchkula.
4. Branch Incharge -IT Cell.

Endst. No. HSPCB/PLG/2020/ 1794-95

Sr. EE (PLG)  
For Chairman  
Dated: 04-12-2020

A copy of the above is forwarded to the following for information of the officers:-

1. PS to Chairman
2. PA to Member Secretary

Sr. EE (PLG)  
For Chairman

## Haryana State Pollution Control Board

### Procedure for obtaining consent to establish and consent to operate under Water Act, 1974 & Air Act, 1981.

In pursuance of the provisions of section 25, 26 and 27 of Water (Prevention and Control of Pollution) Act, 1974 read with Rule 22 of the Haryana Water (Prevention and Control of Pollution) Rules, 1978 and section 21 of the Air (Prevention and Control of Pollution) Act, 1981 read with Rule 15 of the Haryana Air (Prevention and Control of Pollution) Rules, 1983 as amended from time to time and approval of the Board in its 178<sup>th</sup> meeting held on 30.01.2018, vide agenda item no. 178.22, the following revised comprehensive procedure for grant and refusal of the consent to establish and consent to operate under Water Act, 1974 and Air Act, 1981 after incorporating all the policy orders and instructions and new categorization of Industrial/ Non-Industrial Sector/Project/Unit issued by the Board from time to time, is laid down in supersession of earlier procedure for grant of consent to establish and consent to operate under Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 issued vide Head Office order Endst. No. HSPCB/2018/517-544 dated 26.02.2018 and all other orders issued in this regard before issue of this procedure:-

#### 1. General Provisions.

- 1.1 All the Industrial/ Non-Industrial Sector/Project/Unit have been categorized under Red, Orange, Green and White categories based upon their pollution potential and range of pollution index for the purpose of consent management under Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of pollution) Act, 1981 on the direction of CPCB issued under section 18 (1) (b) of Water Act, 1974 and Air Act, 1981 vide letter no. B-29012/ESS(CPA)/2015-16 /8571 dated 07.03.2016 in supersession of earlier categorization of Industrial Sector/Project/Unit issued vide notification dated 15.04.2014 and amended from time to time. The revised list of Industrial/ Non-Industrial Sector/Project/Unit categorized under Red, Orange, Green and White categories for the purpose of consent management and inventrization of industries under these categories under Water Act, 1974 and Air Act, 1981, has already been adopted by this Board and implemented vide Head Office order Endst. No. HSPCB/PLG-135/2016/546-572 dated 14.07.2016 and subsequently vide order Endst. No. HSPCB/PLG-171/2017/4081-4106 dated 19.05.2017, Endst. No. HSPCB/PLG-171/2017/4295-4320 dated 08.06.2017 and consent procedure alongwith consolidated list of Industrial Sector/Project covered under Red, Orange, Green and White categories was issued vide No. HSPCB/2018/517-544 dated 26.02.2018 and subsequent order no. HSPCB/2018/1312-1336 dated 29.06.2018, HSPCB/PLG/20195095 dated 15.02.2019 and HSPCB/PLG/2019/507-531 dated 15.10.2019 and consolidated lists of Industrial/Non Industrial Sector/Project covered under Red, Orange, Green and White categories, are given at **Annexure-I to IV** respectively.

- 1.2 The Industrial/ Non-Industrial Sector/Project/Unit categorized as Red, Orange and Green, have been covered under consent management for obtaining prior consent to establish (CTE) and consent to operate (CTO) under section 25/26 of the Water Act, 1974 and under section 21 of the Air Act, 1981.
- 1.3 The Industrial/ Non-Industrial Sector/Project/Unit falling under white Category as per **Annexure-IV**, are exempted from Consent Management for the purpose of obtaining CTE and CTO under Water Act, 1974 and Air Act, 1981 and there is no necessity for obtaining the CTE and CTO by the industries covered under white category and other units not covered under Red, Orange and Green categories and intimation to the Board in this regard shall suffice.

However, this type of units will have to provide required pollution control devices to meet the prescribed standards for discharge of environmental pollutants, where ever required, depending upon their process and activities and these Industrial/ Non-Industrial Sector/Project/Unit shall be governed by self regulatory regime and are not permitted to pollute the environment.

No inspection of White category of industries will be carried out by the Board officials except in the cases where any complaint is received against such type of industries for causing pollution.

- 1.4 The Industrial/ Non-Industrial Sector/Project/Unit already existing and not covered previously under consent management as per notification dated 15.04.2014 or earlier but have been covered under consent management now as per new categorization of industrial sectors appended with this procedure, shall obtain only CTO and will not require to obtain the CTE.
- 1.5 Siting of the industries / projects shall be only in confirming areas and no industry/project shall be permitted to establish or operate in the ecologically fragile area / protected area or in any non confirming areas or in the residential areas of MCs / HUDA / villages and in any other approved residential colonies / areas.
- 1.6 The units covered under Environment Impact Assessment (EIA) Notification dated 14.09.2006, as amended from time to time, shall apply for Consent to Establish to the Board only after obtaining prior Environmental Clearance from the Competent Authority.
- 1.7 The Industrial/ Non-Industrial Sector/Project/Unit falling in the area prescribed in the Aravali Notification dated 7<sup>th</sup> May, 1992 issued by MoEF & CC, shall require prior clearance from competent authority prescribed under the Aravali Notification, before applying to the Board for CTE or 1<sup>st</sup> CTO in case of new units covered under consent management as per new categorization of projects listed in this procedure.
- 1.8 The report regarding siting of the projects outside the Aravali area in the Districts of Gurgaon & Mewat, shall also be taken for the purpose of Consent to Establish (CTE) or first CTO in case of new units covered under consent management as per new categorization of projects listed in this procedure, from Tehsildar and District Forest Officer through the concerned

Deputy Commissioner, to ensure the compliance of the provisions of Aravali Notification dated 7<sup>th</sup> May, 1992 in addition to other prescribed documents. However, in case of Industrial/ Non-Industrial Sector/Project/Unit located in approved industrial estates/approved HUDA sectors of District Gurgaon and Mewat, verification report in this regard would be required from Regional Officer concerned.

- 1.9 The projects falling in the revenue estates, covered in ambit of the Notification no. 191(E) dated 27.08.2010 issued by Ministry of Environment, and Forest, Government of India regarding protected area of Sultanpur National Park in District Gurgaon, shall comply with the provisions of said Notification and will obtain the prior permission/clearance of the Monitoring Committee and the Prescribed Authority constituted under the said Notification before submitting the application for CTE to the Board.  
Prior permission/clearance from competent authority shall also be required in case of other similar protected areas declared by the MoEF & CC, Government of India or any prescribed authority from time to time.
- 1.10 For obtaining CTE in case of the Hot Mix Plants, Screening Plants, Grinding/pulverizing units, poultry farms and Stone crushers, the project proponents will also submit the distance regarding the siting parameters prescribed by the Government of Haryana, Environment Department for these projects, provided by the concerned authorities prescribed in the respective notifications, in addition to other prescribed documents for obtaining CTE, to ensure the compliance of the prescribed siting parameters before grant of the CTE.
- 1.11 The units proposed to be setup outside approved industrial areas/estates, will necessarily provide the information in the application form regarding detail of land i.e. Khasra/Kila nos. of the land where the unit has to be established. In case of approved industrial area/estates, the plot no. allotted by the concerned authority will have to be mentioned in the application. The detail of land or plot no. of the unit will be mentioned in the CTE to be granted by the Board.
- 1.12 CTE will be granted only for the operation/ process for product (s) or activities for which the plot has been allotted or CLU permission has been given by the concerned authorities. In case, later on concerned authorities allowed change in product (s) or activity at such specified location in that eventuality, the concerned unit is entitled for CTE for the such changed product (s) or activities at such specified place.
- 1.13 All the units shall provide all necessary facilities for sampling of air or emission from any of their chimney, flue or duct, plant or Vessel of any other sources and outlets, stationery or mobile including necessary facilities for access to the sampling places, as specified by the Board before applying for first CTO as per provisions of Rule 18 of Haryana Air (Prevention and Control of Pollution) Rules, 1983 as amended from time to time.
- 1.14 The performance security deposited along with the application for CTE, shall be refunded / returned on the recommendation of concerned Regional Officer automatically without taking any request from the units in this

regard, after installation of the required and adequate pollution control devices, compliance of all the conditions of CTE & first CTO and submission of satisfactory analysis reports of effluent/ air emissions/ noise levels, as applicable, from all sources within the stipulated time period prescribed in first CTO, showing all the results complying with the standards prescribed for discharge of pollutants under EP Rules, 1986 and/or laid down by the HSPCB if any.

The performance security so deposited will be forfeited in case the unit fails to comply with any of the conditions of CTE or first CTO or the standards prescribed by the Board / under EP Rules, 1986 as amended from time to time, for discharge of Environmental Pollutants or if 1<sup>st</sup> CTO is refused.

- 1.15 The consent to operate can be granted even to those units which have past violation of their establishment without obtaining CTE provided these type of units are complying with all the relevant provisions of Environmental Acts/Rules and standards for discharge of environmental pollutants prescribed under EP Rules, 1986 as applicable, subject to the legal action is taken against such units by filing the prosecution case in Special Environment Court for such past violations under relevant Acts before granting of CTO and subject to imposing a specific condition that CTO so granted is without prejudice to the action taken for prosecution in respect of past violation committed by the unit and CTO so granted will have no effect on the persecution case filed by the Board against such units for past violation in the Court under the relevant provisions of the Water Act, 1974 and/or Air Act, 1981.

No ex-post facto CTE will be given in such cases of past violation as no such provisions is available in Water Act, 1974 and/or Air Act, 1981.

- 1.16 In case the unit is covered under Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016, E-Waste (Management) Rules, 2016, Plastic Waste Management Rules, 2016 and Bio-Medical Waste Management Rules, 2016, it shall simultaneously apply for the grant of authorization/registration under the relevant provisions of these Rules.
- 1.17 The units which intend to increase quantity of effluent or no. of outlets or no. of stacks/ source of emissions, as compared with the quantity for which consent to establish and consent to operate was previously granted or intend to make any expansion in the existing project or change in manufacturing process, such units will obtain the fresh prior consent to establish, for such change.

In case of change of machinery of latest technology in existing units without increase in production or without any change in the manufacturing process, there will be no need to obtain fresh CTE.

- 1.18 All the applications for CTE and CTO shall be processed within time period prescribed by the Board for all the concerned officers dealing with the consent management at Regional as well as at Head Office level and it will

be ensured by all the concerned officers that the applications are decided within the time limit prescribed by the Board.

1.19 Thrust will be given that all units obtain CTO for 5 years in case of Red category, 10 year in case of Orange category and 15 years in case of Green Category of industries.

1.20 In case any unit changes its nomenclature (name) only, then such unit will apply on the prescribed performa given at **Annexure-A**, through the concerned Regional Office of the Board for grant of permission for change of its name in CTE/CTO and in other records of the Board, alongwith the documents as given in the Checklist of the documents given at serial no. 1 of **Annexure-1**.

Regional Officer will submit the details and his recommendation to Head Office for approval on the prescribed performa given at **Annexure-B**.

In case there is only change in the ownership of the unit without change in its nomenclature (name), the copy of fresh memorandum of article & association or partnership deed or proof of proprietorship, as the case may be, shall be submitted through the concerned Regional Office who in turn will forward a copy of the same to Head Office alongwith his comments.

1.21 Where a unit, to whom consent has been granted by the Board, transfers his interest in the industry to any other person/unit, by its sale or otherwise, such consent shall be deemed to have been granted to such other person/unit after grant of permission by the Board for the same and such other person/unit shall be bound to comply with all the conditions subject to which it was granted as if the consent was granted to such other person/unit originally.

In such cases the unit transferring his interest in the industry to any other person/unit, will intimate the Board for the same through concerned Regional Office and request to allow transfer of his interest in the industry on the prescribed format given at **Annexure-C** alongwith the documents as given in the Checklist of the documents given at serial no. 2 of **Annexure-F**.

Regional Officer will submit the details and his recommendation to Head Office for approval on prescribed performa given at **Annexure-D**.

1.22 Where an existing unit is purchased or taken on lease by another unit and the new unit apply to the Board for grant or renewal of CTE/CTO in his name such units will first obtain the permission for change of name and other details of the existing unit, purchased or taken on lease by such units, in the record of the Board including transfer of interest of such industry in their name for which an application for the same on the prescribed performa given at **Annexure-C**, alongwith the documents as given in the Checklist of the documents given at serial no. 2 of **Annexure-F**, through concerned Regional Office.

Regional Officer will submit the details and his recommendation to Head Office for approval on the prescribed performa given at **Annexure-D**.

- 1.23 Applications for change of name of the unit or transfer of interest in the industry to any other person/unit, will be decided at the level of Head Office on the recommendation of concerned Regional Officer.
- The concerned Branch in Head Office dealing with consent management, will submit the proposal to the authorities on the format on the prescribed performa given at **Annexure-E** for approval.
- 1.24 First CTO for expansion of projects, shall be valid for a period up to which the CTO for their existing project already stand granted and in case 1st CTO for expansion project is applied alongwith the application for renewal of CTO for existing project then validity of such CTO shall be the same for both expended and existing projects.
- 1.25 The provisions of inspection policy issued by the Board shall be strictly complied.
- 1.26 No unit shall be established and operated by any person without obtaining prior CTE and CTO respectively under Water Act, 1974/ Act, 1981 from the Board. If the unit after grant of CTE/CTO, intends to shift to another site/location then it will take the fresh CTE for the establishment at the new site/location.

## 2. Procedure for grant of consent to establish (CTE) for new units

### 2.1 Consent to Establish for new units

- 2.1.1 The new Industrial/ Non-Industrial Sector/Project/Unit falling under Red, Orange and Green Categories listed as **Annexure-I, II & III** respectively, shall apply for Consent to Establish of the Board through the on-line portal of Haryana Enterprises Promotion Centre (HEPC), in the prescribed form alongwith requisite NOC/CTE fee as prescribed by the Board from time to time and will be deposited through online payment gateway as per fees schedule available on the website of the Board i.e. [hspcb.gov.in](http://hspcb.gov.in)
- 2.1.2 Application shall be submitted by the authorized official of the industry/project, duly authorized by the owner/Board of directors / partners of the unit.
- 2.1.3 All documents applicable for respective Industrial/ Non-Industrial Sector/Project/Unit mentioned in the checklist given at **Annexure-V**, will be submitted by the units while applying for CTE, by uploading the same on the online portal.
- 2.1.4 The units while submitting the application for obtaining CTE, shall also submit a performance security through online payment gateway as per the slab given at **Annexure-VI** or revised from time to time, alongwith undertaking by the applicant as per specimen given at **Annexure-VII**, signifying adherence to the prescribed standards, all the conditions of CTE and indicating awareness about the provisions of the Water Act, 1974/Air Act, 1981 and applicable Rules and self

certification regarding not starting of any construction or installation work at site.

- 2.1.5 No inspection is required for the purpose of dealing the cases of CTE unless any violation come to the notice of the Board and undertaking/self certification submitted by the unit, will be considered sufficient to decide the CTE applications, subject to submission of complete application alongwith prescribed documents, consent fee and performance security.
- 2.1.6 If at any stage it is found that the work at the site of the unit was/has been started for construction of plant and installation of machinery before obtaining the consent to establish under Water Act, 1974 and Air Act, 1981 from the Board, legal action will be taken in that case against such units by filing the prosecution case in Special Environment Court for such violations under relevant provisions of the said Acts before or even after grant of CTE, as the case may be.
- 2.1.7 The validity period of CTE so granted by the Board will be as under:-
- (i). The CTE for the projects requiring Environmental Clearance, shall be granted for a period upto 07 years subject to the validity of Environmental Clearance or the date of commissioning of the project, whichever is earlier.
  - (ii). The CTE, for the projects not requiring Environmental Clearance, shall be granted for a period upto 05 years including stone crushers, hot mix plants, screening plants, brick kilns etc. or the date of commissioning of the project, whichever is earlier.

## 2.2 Renewal/Extension of Consent to Establish

- 2.2.1 The units intending for auto renewal of their CTE from the Board, shall apply through online portal of HEPC at least 90 days prior to the date of expiry of the period of previous CTE, in prescribed Performa with declaration and undertaking as per **Annexure-VIII** alongwith the prescribed CTE/NOC fees and documents prescribed for extension of CTE as per checklist given in **Annexure-V**.
- 2.2.3 This application shall be submitted by the authorized official of the industry/project, duly authorized by the owner/board of directors / partners of the unit.
- 2.2.4 The consent to establish will be renewed on the basis of self certification only in those cases where there is no change in the raw material, process, product, increase in overall capital investment cost on land, building, plant and machinery, production capacity and also in pollution load of the unit and will remain the same as declared by the unit in its original application submitted earlier to the Board for obtaining first CTE.

- 2.2.5 The CTE will be renewed only once and for a period of maximum 02 years from the date of expiry of the period of first CTE granted subject to validity of EC if applicable.
- 2.2.6 The units where the CTE has earlier been granted as per provisions of policy notification dated 15.04.2014 and/ or extended upto the eligible period as prescribed in the said notification or less, those units will apply for renewal of CTE for remaining period as applicable as per provisions prescribed in this procedure in Para no. 2.1.5 plus another 02 years (Subject to validity of EC if applicable).
- 2.2.7 The facility for renewal of CTE can be availed for one term only subject to payment of requisite NOC/CTE fees. Such units will deposit requisite NOC/CTE fees for renewal of consent to establish only applicable for one time alongwith the application for auto renewal.
- 2.2.8 In case the unit fails to apply for renewal of CTE before 90 days of expiry of CTE and apply there after upto the date of expiry of CTE then 50% performance security deposited by the unit at the time of obtaining the first CTE, will be forfeited and such units will be required to deposit the forfeited amount of performance security along with application for renewal of CTE. In case of the units which fail to apply for renewal of CTE within the validity period of previous CTE, 100% performance security will be forfeited and direction will be issued to such units by the Board to stop the further construction and installation work of their project.

The units which fail to apply for renewal of CTE within validity period of previous CTE, shall apply afresh along with all relevant documents, NOC/CTE fees and fresh performance security required for grant of fresh CTE with documentary proof that they have not done any work for construction or installation of machinery after expiry of validity period of CTE.

Where ever it come to the notice of the Board at any stage that any unit, applied for extension of CTE or has been extended the CTE, has done any construction or machinery installation work after expiry of validity of CTE, legal action under the relevant provisions of Water Act, 1974 and/or Air Act, 1981 will be taken against such units in that case for such violation.

- 2.2.9 Inspection will not be carried out by the Board's officers for processing the applications for extension/renewal of CTE, except in the cases where any complaint or report has been received in the Board regarding any violation made by the unit.
- 2.2.10 Those units which have been granted CTE but do not want to continue the work for construction and installation of their project beyond the validity period of their CTE, shall submit an undertaking in this regard to the Board, at least 30 days prior to the date of expiry of previous CTE, on prescribed format given at **Annexure IX**, giving the detail about the status of their project constructed and established till the date of submission of such undertaking.

Such units will not start the work for further construction/ installation of their project, without obtaining prior CTE for remaining work of establishment of their project and shall apply for extension as per policy, as and when it is intended to resume the remaining construction/installation work of this project, alongwith the required documents prescribed for extension of CTE, CTE/NOC fees as applicable and self declaration to the effect that they have not done any work at site or construction or installation of machinery after expiry of validity of previous CTE granted by the Board. In case any violation in this regard come to the notice of the Board at any stage then CTE will be refused/cancelled beside taking legal action.

No fresh performance security will be required for such type of cases.

- 2.2.11 In case of building & construction projects or township and area development projects, where the validity period of license issued by Town & Country Planning Department expired after grant of CTE and applied for renewal/extension of CTE without renewal of such license, the CTE for such projects will be extended till the validity of Environmental Clearances of such projects, subject to submission of all required documents prescribed for renewal of CTE and subject to submission of proof regarding submission of their application to Town and Country Planning Department for renewal of their license, with one of the specific condition that the unit will not do any construction work of their project till the renewal of license from Town & Country Planning Department and the extension of CTE so granted will become null & void if such units fail to renew their license for their project from Town & Country Planning Department. The copy of extension of CTE so granted will also be forwarded to Director, Town & Country Planning Department for their information and necessary action.

### **2.3 Consent to Establish for Expansion of the industries/projects**

- 2.3.1 No expansion in the existing Industrial/ Non-Industrial Sector/Project/Unit covered under consent management will be done without prior CTE of the Board.
- 2.3.2 For expansion of the existing Industrial/ Non-Industrial Sector/Project/Unit falling under Red, Orange and Green Categories, the application shall be submitted for Consent to Establish of the Board under Water Act, 1974 and Air Act, 1981 through the on-line portal of the HEPC in the prescribed form alongwith documents related to CTE for expansion projects as per checklist given in **Annexure-V**, applicable performance security as per the slab given at **Annexure-VI** and requisite NOC/CTE fee prescribed by the Board as per fees schedule available on the website of the Board. The

performance security and NOC/CTE fees should be deposited through online payment gateway.

- 2.3.3 The performance security and CTE fees for expansion projects shall be charged based on the cost of the expansion project.

In case the project proponent proposes to increase the production capacity within the existing plant without adding any investment cost, then the performance security and CTE fees shall be charged on the basis of capital investment cost of the existing plant.

- 2.3.4 Application shall be submitted by the authorized official of the industry/project, duly authorized by the owner/Board of directors / partners of the unit.
- 2.3.5 Inspection will not be carried out for processing the cases of CTE for Expansion of the Industrial/ Non-Industrial Sector/Project/Unit and cases of CTE for expansion will be decided on the basis of status of compliance of standards for discharge of Environmental Pollutants prescribed under EP Rules, 1986, for the existing plant of the unit supported with the latest analysis reports and valid consent to operate.
- 2.3.6 Period of CTE for expansion projects, shall be same as applicable for establishment of new units at the time of Ist CTE as well as renewal of CTE as prescribed in para no. 2.1 and 2.2 respectively.
- 2.3.7 For extension/renewal of CTE granted for expansion projects, the procedure prescribed in para no. 2.2, shall be applicable.

### 3. Procedure for Grant of Consent to Operate

#### 3.1 First Consent to operate

- 3.1.1 The Industrial/ Non-Industrial Sector/Project/Unit falling under Red, Orange and Green Categories listed in **Annexure-I, II & III** respectively, after completing the construction and installation of their project with valid CTE, shall apply for 1<sup>st</sup> consent to operate of the Board before commissioning their proposed production/activities and even before starting the trial run of such activities/trial production, through the online portal of the HEPC in the prescribed form alongwith all documents, applicable for respective industrial sectors/projects, mentioned in the checklist given at **Annexure-X** and report on compliance of conditions of CTE and Environmental Clearance (if applicable) by uploading the same on the online portal. No documents are allowed to be submitted manually.
- 3.1.2 Application shall be submitted by the authorized official of the industry/project, duly authorized by the owner/Board of directors / partners of the unit.
- 3.1.3 Requisite consent fee, as prescribed by the Board from time to time, shall also be deposited by the units while applying for CTO, through

online payment gateway, as per schedule available on the website of the Board i.e. [www.hspcb.gov.in](http://www.hspcb.gov.in).

- 3.1.4 The application shall be submitted for grant of CTO for a period, based upon the category of the project, as prescribed by the Board. However the units shall be at liberty to apply for consent to operate for lesser period also, by giving the justification for the same.
- 3.1.5 No separate trial consent will be granted and 1<sup>st</sup> consent to operate will include trial consent. The units can operate their projects only after obtaining prior CTO from Board.
- 3.1.6 At the time of obtaining 1<sup>st</sup> CTO, the industries will deposit the prescribed testing fees with the Board through online payment gateway for analyzing their samples of effluent/air emission/noise, as applicable, from the Board's laboratories. Analysis reports issued from the authorized laboratories will not be accepted for grant of first CTO.
- 3.1.7 Inspection of the industry will be carried out by the authorized officer/officers of the Board before commissioning of the production in the unit and before giving the 1<sup>st</sup> CTO, after approval from the Competent Authority, to ascertain the status regarding installation of pollution control measures/ devices undertaken at the time of obtaining the CTE, as well to assess their structural adequacy and to check the compliance of the other conditions of CTE and Environmental Clearance (if applicable), before deciding the cases of 1<sup>st</sup> CTO. The application for first CTO will be decided on the merits of the case and according to the compliance status ascertained by the Regional Officers after inspection of the unit.
- 3.1.8 In case the first CTO is refused then the performance security deposited by the unit at the time of obtaining the CTE will be forfeited and the unit will also not start its production or any of its activities at site.
- 3.1.9 The inspection of the unit will be carried out again, after grant of the 1<sup>st</sup> CTO, by the authorized officer (s) of the Board with prior approval of competent authority as per inspection policy within a period of 03 months after grant of 1<sup>st</sup> CTO for collection of samples of effluent/ air emissions/ noise, as applicable, to get the samples analyzed from the Board's Laboratories as per policy of the Board, in case sampling from the unit is required depending upon the process of the unit.
- 3.1.10 In case the analysis report of samples of Air/ effluent/ noise so collected, are found complying the standards prescribed by the Board or under EP Rules, 1986, the 1<sup>st</sup> CTO granted, will remain valid for the period for which it has been granted based upon the category of the project or as was demanded by the unit whichever is less but in case of failure of sample (s), the 1<sup>st</sup> CTO so granted will be revoked/ cancelled after following the due procedure, beside taking legal action against the unit and forfeiture of performance security

deposited by the unit at the time of obtaining the CTE, as per policy of the Board.

### 3.2 Period for consent to operate

3.2.1 Validity of period of consent to operate for different category of Industrial/ Non-Industrial Sector/Project/Unit under Water Act, 1974 and Air Act, 1981, will be as under:-

<b>Industry/Project Category</b>	<b>Validity Period</b>
Red Category	5 Years
Orange Category	10 Years
Green Category	15 Years

3.2.2 The units will be at liberty to deposit the full applicable consent fee for the whole prescribed period depending upon their category. However the units shall be at liberty to apply for consent to operate for lesser period also by giving justification for the same. The fees for consent to operate can also be deposited by the industries in installments as per time schedule given below :-

<b>Sr. No.</b>	<b>Category</b>	<b>Validity period of consent</b>	<b>Time schedule</b>
1	Red	05 years	For the First 03 years, at the time of filing of application and for the remaining 02 years before ending the 3 <sup>rd</sup> year.
2	Orange	10 Years	For the First 04 years, at the time of filing of application, for next 03 years before ending the 4 <sup>th</sup> year and for the remaining 03 years before ending the 7 <sup>th</sup> year.
3	Green	15 Years	For the first 05 years at the time of filing the application, for next 05 year before ending the 5 <sup>th</sup> year and for the remaining 05 year before ending the 10 <sup>th</sup> years.

3.2.3 In case of the units, who opted to pay consent fee in installments for obtaining CTO for longer period and fails to deposit the installment of consent fees within prescribed time limit, the CTO so granted will be revoked/cancelled for the remaining period for which consent fees will not be deposited, after following the due procedure.

3.2.4 In case the rates of consent fees are revised during the period of consent to operate and the unit has opted to deposit the consent fees in the installments then such units will have to deposit the consent fee at the revised / enhanced rates for the remaining period

from the date of revision of the consent fees. However, the units which have opted to deposit the full consent fees at the time of filing the application for consent to operate, will not be liable to pay the revised / enhanced consent fees in case the consent fee is enhanced during the period of consent to operate granted to those units.

- 3.2.5 The consent to operate granted shall have the validity ending as indicated in the table below:-

Sr. No.	Category	Validity month (up to)
1	Red	End of September
2	Orange	End of March
3	Green	End of December

### 3.3 Renewal of Consent to Operate

- 3.3.1 The Industrial/ Non-Industrial Sector/Project/Unit falling under Red, Orange and Green Categories listed in **Annexure-I, II & III** respectively, intending for renewal of the CTO from the Board, shall apply through the online portal of the HEPC, not earlier than 180 days and atleast 90 days before expiry of the validity period of previous CTO granted by the Board under Water Act, 1974 and Air Act, 1981, on prescribed Performa as per **Annexure-XI**, self certification and undertaking on compliance of conditions of previous consent to operate granted to the unit alongwith the requisite consent fees to be deposited through online payment gateway and the documents as mentioned in the checklist given at **Annexure-X**.
- 3.3.2 No documents are allowed to be submitted manually.
- 3.3.3 Application shall be submitted by the authorized official of the industry/project, duly authorized by the owner/Board of directors / partners of the unit.
- 3.3.4 The consent to operate will be renewed only in those cases where there is no change in the raw material, process, product, increase in overall capital investment cost on land, building, plant and machinery, production capacity and also in pollution load of the unit and will remain the same as declared in the original application for obtaining previous CTO.
- 3.3.5 The CTO will be renewed only for those units which are complying the standards prescribed for discharge of pollutants prescribed under EP Rules, 1986 and submitted all required documents and prescribed consent fees.
- 3.3.6 Renewal of CTO will not prevent the Board from taking appropriate action against the defaulting units including revoking the CTO, which will fail to comply with any of the conditions of the CTO or any relevant provisions of the Water Act, 1974 and Air Act, 1981.
- 3.3.7 If the Industrial/ Non-Industrial Sector/Project/Unit fails to apply before 90 days of the expiry of previous consent and applies 60 days before the expiry of previous consent, the unit shall have to pay

additional consent fee @ 50% of the consent fee notified under the Rules. Subsequently, if the unit fails to apply before 60 days of the expiry of previous consent and applies 30 days before the expiry of previous consent, then the unit will have to pay additional consent fee @ 100% of the consent fee applicable. If the unit fails to apply 30 days before the expiry of the previous consent, the unit will have to pay additional consent fee @ 200% of the consent fee applicable. Thereafter, the Board will take closure action under the provisions of Water Act, 1974/ Air Act, 1981 against such units for not having the valid consent to operate.

- 3.3.8 In, case the unit apply for renewal of CTO after the date of expiry of consent period or after taking the penal action as prescribed above then such applications will be entertained only if such units deposit consent fees for the longer period as per the policy of the Board depending upon the category of the unit alongwith the additional fees @ 300% of the consent fees prescribed for one year alongwith normal consent fees for subsequent years.
- 3.3.9 There will be no requirement of inspection of industries at the time of renewal of CTO. However such units will be required to submit the analysis reports of effluent, air emissions and noise levels, as applicable, from all sources issued from any of the recognized laboratories or from any of the Board's Laboratory, not more than 03 months old, showing the compliance of prescribed standards, with self certification and undertaking for compliance of the relevant provisions of Acts/Rules as applicable and adherence to the prescribed standards alongwith latest Mandatory Inspection report / analysis reports conducted by the team of officer of the Board and required documents.
- 3.3.10 The unit will be at liberty to get their samples of effluent/air emissions/noise, analyzed from Board's laboratories, for the purpose of renewal of consent to operate. In that case, the inspection will be carried out for the purpose of this sampling by the authorized officer (s) of the Board only after taking prior permission from the Competent Authority as per inspection policy of the Board.

**3.4 Procedure for obtaining Consent to Operate (CTO) by the Industrial/ Non-Industrial Sector/Project/Unit already existing and operating before 14.07.2016 which were not covered previously under consent management as per notification dated 15.04.2014 amended from time to time or earlier but have been covered under consent management first time w.e.f. 14.07.2016 as per revised categorization of industrial sectors for consent management.**

- 3.4.1 The Industrial/ Non-Industrial Sector/Project/Unit already existing and operating before 14.07.2016 which were not covered previously under consent management as per notification dated 15.04.2014 amended from time to time or earlier but have been covered under consent management first time w.e.f. 14.07.2016 in view of revised categorization of industrial sectors for consent management as per order issued vide Ends. No. HSPCB/PLG-135/2016/546-572 dated 14.07.2016, vide order Endst. No. HSPCB/PLG-171/2017/4081-4106 dated 19.05.2017 and Endst. No. HSPCB/PLG-171/2017/4295-4320 dated 08.06.2017, shall not require CTE and will obtain CTO directly and apply for the same to the Board through online portal of HEPC in the prescribed form alongwith documents as mentioned in the check list given at **Annexure-XII** and requisite consent fee prescribed by the Board to be deposited through online payment gateway as per fees schedule available on the website of the Board i.e. hspcb.gov.in.
- 3.4.2 The application shall be submitted for grant of CTO for a period based upon the category of the project as prescribed by the Board. However the units shall be at liberty to apply for consent to operate for lesser period also, by giving the justification for the same.
- 3.4.3 These units will also be at liberty to deposit the applicable fee for consent to operate as per provisions given in Para No. 3.2.2 of this procedure.
- 3.4.4 These units will deposit the prescribed testing fees with the Board for analyzing their samples of effluent/air emission/noise, as applicable, only from the Board's laboratories, for obtaining the first CTO.
- 3.4.5 Inspection of these units applying for CTO will be carried out by the authorized officers of the Board after obtaining prior permission from the competent authority to verify and process the applications for CTO and for collection of the samples of effluent/air emissions/noise, as required.
- 3.4.6 Consent to operate shall be granted only in those cases where all the applicable documents as mentioned in the checklist are submitted and have installed the required and adequate pollution control measures and the standards prescribed by the HSPCB or under EP Rules, 1986 for discharge of environmental pollutants has been complied with.

#### **4. Competent Authority for deciding the applications for CTE & CTO.**

- 4.1 The CTE and CTO shall be granted or refused on the merits of the case after examination, by the competent authority as per powers delegated by the Board from time to time and the approval certificates bearing digital signatures of the authorized officer, shall be issued through online system which can be downloaded by the applicants from the online portal.
- 4.2 Chairman of the Board has over all and full powers for deciding the application for CTE as well as CTO.
- 4.3 All Regional Officers of the Board have been delegated powers for grant/refusal of CTE and CTO under Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981, in their respective area of jurisdiction, vide order Endst. No. HSPCB/PLG-139/2016/5814-5839 dated 02.03.2016 and vide order Endst. No. HSPCB/2017/2657-2681 dated 25.01.2017 for Red, Orange and Green category of Industrial/ Non-Industrial Sector/Project/Unit having investment cost upto Rs. 10 crore or CLU cases upto 1 acre in conforming area.
- 4.4 All the cases of the Industrial/ Non-Industrial Sector/Project/Unit of Red, Orange and Green category, having investment cost more than Rs. 10 crore or CLU cases more than 1 acre in conforming area, which are submitted through the online portal of HEPC for grant of consent to establish and consent to operate of the Board under Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981, shall be decided by the officer of the Board on deputation with EEC/HEPC and delegated with such powers by the HSPCB for grant/refusal of CTE/CTO.

## 5. Requirement of Sampling and submission of analysis reports

- 5.1 The Industrial/ Non-Industrial Sector/Project/Unit covered under consent management, will submit analysis reports of effluent/air emissions/noise levels of DG sets, as applicable, only from the Board's laboratories at the time of obtaining 1<sup>st</sup> CTO and thereafter the industries will be at liberty to get their samples analyzed from other Govt./Semi Govt./Private laboratories recognized by Board for the purpose of renewal of CTO.
- 5.2 In the case of Mandatory Inspections, court matters, re-sampling and complaints, the samples will be analyzed from Board Laboratories.
- 5.3 The Ambient Air Quality reports will be required only in the cases of specific complaints or where there are specific directions from CPCB/MoEF&CC or from any other competent authority or where any court of law has issued direction in this regard.
- 5.4 In case water is used only for cooling purpose and being circulated completely, there would be no requirement of analysis reports of such cooling water.
- 5.5 The units which have installed Effluent Treatment Plants/ Sewage Treatment Plants and utilizing the treated effluent for agriculture/horticulture purpose within their premises or recycling/reusing in their process of manufacturing, shall also submit the analysis reports of the samples of effluent from inlet and outlet of their ETPs/STPs and from final outlet (s) of the units, if these are different.
- 5.6 The standards prescribed under environmental laws by MoEF&CC/ CPCB are followed by the Board. Further, it is clarified that the standards to be prescribed from time to time under environmental laws by MoEF&CC/CPCB shall also be deemed to be the standards of Board. Provided that in case any stringent parameters will be prescribed by the Board on any subject where upon parameters are also provided by MoEF&CC/CPCB, the standards prescribed by the Board will be followed.  
The general standards prescribed under EP Rules, 1986 (as amended) shall be applicable on the industries for which specific standards are not prescribed.

## 6. Action against Violators

- 6.1 In case the industry is found creating such conditions that generate any type of pollution in excess of the prescribed standards or if there is any objection/ complaint received from the surrounding community & if on verification it is found that such objection/ complaint has some substance even after grant of CTE/CTO by the Board, the Board shall be at liberty to revoke/withdraw/cancel the CTE/CTO issued to such units & take legal action against such units under the provisions of the Water Act 1974, Air Act 1981 and the Environment (protection) Act, 1986, as considered appropriate.
- 6.2 Grant or renewal of CTE and CTO does not prevent the Board from revoking of those CTE and CTO including taking appropriate action against those defaulting units, where CTE or CTO has been obtained or got extended on

the basis of wrong declaration or false documents and also who fail to comply with any of the conditions of CTE granted to such units or any relevant provisions of Water Act, 1974 and Air Act, 1981 beside forfeiture of performance security deposited by the unit for obtaining CTE.

This consent procedure shall come in to force with immediate effect.

**Dated:** \_\_\_\_\_

**Chairman**

**List of Red Category of Industrial/ Non-Industrial Sectors/Projects**

<b>Sr. No.</b>	<b>Industrial/ Non-Industrial Sector/Project/Unit</b>
1.	Isolated storage of hazardous chemicals (as per schedule of manufacturing, storage of hazardous chemicals rules ,1989 as amended)
2.	Automobile Manufacturing (integrated facilities)
3.	Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule iv of HW( M, H& TBM) rules, 2008 - Items namely - Spent cleared metal catalyst containing copper,, Spent cleared metal catalyst containing zinc,,
4.	Manufacturing of lubricating oils ,grease and petroleum based products
5.	DG Set of capacity $\geq$ 5 MVA
6.	Industrial carbon including electrodes and graphite blocks, activated carbon, carbon black
7.	Lead acid battery manufacturing(excluding assembling and charging of lead-acid battery in micro scale)
8.	Phosphate rock processing plant
9.	Power generation plant [except Wind and Solar renewable power plants of all capacities and Mini Hydel power plant of capacity <25MW]
10.	Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule iv of HW( M, H& TBM) rules, 2008 - Items namely - Spent catalyst containing nickel, cadmium, Zinc, copper, arsenic, vanadium and cobalt,
11.	Processes involving chlorinated hydrocarbons
12.	Sugar ( excluding Khandsari)
13.	Fibre glass production and processing (excluding moulding)
14.	Fire crackers manufacturing and bulk storage facilities
15.	Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule iv of HW( M, H& TBM) rules, 2008 - Items namely - Dismantlers Recycling Plants --Components of waste electrical and electronic assembles comprising accumulators and other batteries included on list A, mercury-switches, activated glass cullets from cathode-ray tubes and other activated glass and PCB-capacitors, or any other component contaminated with Schedule 2 constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they exhibit hazard characteristics indicated in part C of this Schedule.
16.	Milk processes and dairy products (large, medium scale and integrated projects)
17.	Phosphorous and its compounds
18.	Pulp & Paper (waste paper based without bleaching process to manufacture Kraft paper)
19.	Coke making , liquefaction, coal tar distillation or fuel gas making
20.	Manufacturing of explosives, detonators, fuses including management and handling activities
21.	Manufacturing of paints varnishes, pigments and intermediate (excluding blending/mixing)
22.	Organic Chemicals manufacturing
23.	Airports and Commercial Air Strips having discharge of 100 KLD or more

Sr. No.	Industrial/ Non-Industrial Sector/Project/Unit
24.	Asbestos and asbestos based industries
25.	Basic chemicals and electro chemicals and its derivatives including manufacturing of acid
26.	Cement
27.	Chlorates, per-chlorates & peroxides
28.	Chlorine, fluorine, bromine, iodine and their compounds
29.	Dyes and Dye- Intermediates
30.	Health-care Establishment as defined in BMW Rules, having discharge of 100 KLD or more with or without incinerator
31.	Hotels having overall waste-water generation @ 100 KLD and more or having 3 star and above or having 100 rooms and above
32.	Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule iv of HW( M, H& TBM) rules, 2008 - Items namely - Lead acid battery plates and other lead scrap/ashes/residues not covered under Batteries (Management and Handling) Rules, 2001. [ * Battery scrap, namely: Lead battery plates covered by ISRI, Code word "Rails" Battery lugs covered by ISRI, Code word "Rakes". Scrap drained/dry while intact, lead batteries covered by ISRI, Code word "rains".
33.	Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule iv of HW( M, H& TBM) rules, 2008 - Items namely - Integrated Recycling Plants --Components of waste electrical and electronic assembles comprising accumulators and other batteries included on list A, mercury-switches, activated glass cullets from cathode-ray tubes and other activated glass and PCB-capacitors, or any other component contaminated with Schedule 2 constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they exhibit hazard characteristics indicated in part C of this Schedule.
34.	Manufacturing of glue and gelatin
35.	Mining and ore beneficiation
36.	Nuclear power plant
37.	Pesticides (technical) (excluding formulation)
38.	Photographic film and its chemicals
39.	Railway locomotive work shop/Integrated road transport workshop/Authorized service centers having discharge of 100 KLD or more
40.	Yarn / Textile processing involving any effluent/emission generating processes including bleaching, dyeing, printing and colouring
41.	Chlor Alkali
42.	Ship Breaking Industries
43.	Oil and gas extraction including CBM (offshore & on-shore extraction through drilling wells)
44.	Industry or process involving metal surface treatment or process such as pickling/ electroplating/paint stripping/ heat treatment using cyanide bath/ phosphating or finishing and anodizing / enamellings/ galvanizing
45.	Tanneries
46.	Ports and harbour, jetties and dredging operations
47.	Synthetic fibers including rayon ,tyre cord, polyester filament yarn
48.	Thermal Power Plants
49.	Slaughter house (as per notification S.O.270(E)dated 26.03.2001)and meat

Sr. No.	Industrial/ Non-Industrial Sector/Project/Unit
	processing industries, bone mill, processing of animal horn, hoofs and other body parts
50.	Aluminium Smelter
51.	Copper Smelter
52.	Fertilizer (basic) (excluding formulation)
53.	Iron & Steel (involving processing from ore/ integrated steel plants) and or Sponge Iron units
54.	Pulp & Paper ( waste paper based units with bleaching process to manufacture writing & printing paper)
55.	Zinc Smelter
56.	Oil Refinery (mineral Oil or Petro Refineries)
57.	Petrochemicals Manufacturing ( including processing of Emulsions of oil and water )
58.	Pharmaceuticals including basis drugs
59.	Pulp & Paper ( Large-Agro + wood) , Small Pulp & Paper ( agro based-wheat straw/rice husk)
60.	Distillery ( molasses / grain / yeast based)
61.	Induction Furnace clubbed with AOD Furnace
62.	Synthetic detergents and soaps having waste water generation more than 100 KLD (excluding formulation)
63.	Automobile servicing, repairing and painting having waste water generation more than 100 KLD (excluding only fuel dispensing)
64.	Building and construction projects having waste water generation more than 100 KLD irrespective of their built-up area
65.	Ceramics and Refractories having coal consumption more than 12 MT per day
66.	Fermentation industry including manufacture of yeast, beer, distillation of alcohol (Extra Neutral Alcohol) having discharge > 100 KLD
67.	Lead metal extraction involving different furnaces through melting, refining, re-processing, casting and alloy-making
68.	Industry or processes involving foundry operations having capacity of 5 MT/hr. and more.
69.	Manufacturing of lead glass
70.	Non-alcoholic beverages (soft drink) & bottling of alcohol/non alcoholic products having waste-water generation > 100 KLD.
71.	Vegetable oil manufacturing including solvent extraction and refinery /hydrogenated oils having waste-water generation more than 100 KLD
72.	Parboiled Rice Mills having waste-water generation > 100 KLD or fuel consumption > 12 MTD or both.
73.	Common treatment and disposal facilities (CETP, TSDF, E-waste recycling, CBMWTF, effluent conveyance project, incinerator, solvent/acid recovery plant, MSW sanitary land fill site
74.	Sewage treatment plants having capacity 100 KLD or more
75.	Industrial estates/ parks / complexes/ areas/ export processing zones/ SEZs/ Biotech parks/ leather complex
76.	Units engaged in the activities of handling and management of Hazardous Waste as defined in Hazardous and other Wastes (M & TM) Rules, 2016, other than those covered under any of the category of industrial sectors, such as use, treatment, processing, recovery, pre-processing, co-processing,

Sr. No.	Industrial/ Non-Industrial Sector/Project/Unit
	utilization etc. of the hazardous and other wastes
77.	Recycling of used lead acid batteries
78.	Lithium Ion battery manufacturing units or assembling of Lithium Ion batteries with or without charging, having overall liquid waste generation of 100 KLD or more irrespective of quantity of fuel used or the projects having overall liquid waste generation less than 100 KLD but having daily fuel consumption above 12 MT/day
79.	Railway Stations (Waste Water Generation $\geq$ 100 KLD)

**List of Orange Category of Industrial/ Non-Industrial Sector Sectors/Projects**

Sr. No.	Industrial/ Non-Industrial Sector Sector/Project
1.	Dismantling of rolling stocks ( wagons/ coaches)
2.	Bakery and confectionery units with production capacity > 1 TPD. ( With ovens / furnaces)
3.	Chanachur and laddoo from puffed and beaten rice( muri and shira) using husk fired oven
4.	Coated electrode manufacturing
5.	Compact disc computer floppy and cassette manufacturing / Reel manufacturing
6.	Flakes from rejected PET bottle
7.	Food and food processing including fruits and vegetable processing
8.	Jute processing without dyeing
9.	Manufacturing of silica gel
10.	Manufacturing of tooth powder, toothpaste, talcum powder and other cosmetic items
11.	Printing or etching of glass sheet using hydrofluoric acid
12.	Silk screen printing, sari printing by wooden blocks
13.	Synthetic detergents and soaps(excluding formulation)
14.	Thermometer manufacturing
15.	Cotton spinning and weaving ( medium and large scale)
16.	Almirah, Grill Manufacturing (Dry Mechanical Process )
17.	Aluminium & copper extraction from scrap using oil fired furnace (dry process only)
18.	Automobile servicing, repairing and painting having quantity of waste water generation up to 100 KLD (excluding only fuel dispensing)
19.	Ayurvedic and homeopathic medicine
20.	Brickfields ( excluding fly ash brick manufacturing using lime process)
21.	Building and construction projects having quantity of waste water generation 10 KLD to 100 KLD irrespective of their built-up area
22.	Ceramics and Refractories having coal consumption upto 12 MT per day
23.	Coal washeries
24.	Dairy and dairy products ( small scale)
25.	DG set of capacity >1MVA but < 5MVA
26.	Dry coal processing, mineral processing, industries involving ore sintering, pelletisating, grinding & pulverization
27.	Fermentation industry including manufacture of yeast, beer, distillation of alcohol having quantity of waste water discharge upto 100 KLD (Extra Neutral Alcohol)
28.	Ferrous and Non- ferrous metal extraction involving different furnaces through melting, refining, re-processing, casting and alloy-making
29.	Fertilizer (granulation / formulation / blending only)
30.	Fish feed, poultry feed and cattle feed
31.	Fish processing and packing (excluding chilling of fishes)
32.	Forging of ferrous and non- ferrous metals ( using oil and gas fired furnaces)

Sr. No.	Industrial/ Non-Industrial Sector Sector/Project
33.	Formulation/pelletization of camphor tablets, naphthalene balls from camphor/naphthalene powders.
34.	Glass ceramics, earthen potteries and tile manufacturing using oil and gas fired kilns, coating on glasses using cerium fluorides and magnesium fluoride etc.
35.	Gravure printing, digital printing on flex, vinyl
36.	Heat treatment using oil fired furnace ( without cyaniding)
37.	Hot mix plants
38.	Hotels (< 3 star) or hotels having > 20 rooms and less than 100 rooms or having quantity of waste water discharge less than 100 KLD.
39.	Ice cream
40.	Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule iv of HW( M, H& TBM) rules, 2008 - Items namely - Paint and ink Sludge/residues
41.	Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule iv of HW( M, H& TBM) rules, 2008 - Items namely - Brass Dross ,, Copper Dross,, Copper Oxide Mill Scale,, Copper Reverts, Cake & Residues,, Waste Copper and copper alloys in dispersible form,, Slags from copper processing for further processing or refining ,, Insulated Copper Wire,, Scrap/copper with PVC sheathing including ISRI-code material namely "Druid" ,, Jelly filled Copper cables ,, Zinc Dross-Hot dip Galvanizers SLAB,, Zinc Dross-Bottom Dross,, Zinc ash/Skimming arising from galvanizing and die casting operations,, Zinc ash/Skimming/other zinc bearing wastes arising from smelting and refining,, Zinc ash and residues including zinc alloy residues in dispersible from ,,
42.	Industry or processes involving foundry operations having capacity of foundry operations less than 5 MT per hr.
43.	Lime manufacturing (using lime kiln)
44.	Liquid floor cleaner, black phenyl, liquid soap, glycerol mono-stearate manufacturing
45.	Manufacturing of glass
46.	Manufacturing of iodized salt from crude/ raw salt
47.	Manufacturing of mirror from sheet glass
48.	Manufacturing of mosquito repellent coil
49.	Manufacturing of Starch/Sago
50.	Mechanized laundry using oil fired boiler
51.	Modular wooden furniture from particle board, MDF< swan timber etc, Ceiling tiles/ partition board from saw dust, wood chips etc., and other agricultural waste using synthetic adhesive resin, wooden box making ( With boiler)
52.	New highway construction project
53.	Non-alcoholic beverages(soft drink) & bottling of alcohol/non alcoholic products having quantity of waste water generation up to 100 KLD
54.	Paint blending and mixing (Ball mill)
55.	Paints and varnishes (mixing and blending)
56.	Ply wood manufacturing (including Veneer and laminate) using the fuel such as wood or coal or any other authorized fuel with or without resin plant
57.	Potable alcohol ( IMFL) by blending, bottling of alcohol products
58.	Printing ink manufacturing
59.	Printing press

Sr. No.	Industrial/ Non-Industrial Sector Sector/Project
60.	Reprocessing of waste plastic including PVC
61.	Rolling mill (oil or coal fired) and cold rolling mill
62.	Spray painting, paint baking, paint shipping
63.	Steel and steel products using various furnaces like blast furnace /open hearth furnace/induction furnace/arc furnace/submerged arc furnace /basic oxygen furnace /hot rolling reheated furnace
64.	Stone crushers
65.	Surgical and medical products including prophylactics and latex
66.	Teflon based products
67.	Thermocol manufacturing ( with boiler)
68.	Tobacco products including cigarettes and tobacco/opium processes
69.	Transformer repairing/ manufacturing ( dry process only)
70.	Tyres and tubes vulcanization/ hot retreating
71.	Vegetable oil manufacturing including solvent extraction and refinery /hydrogenated oils without waste water generation or having quantity of waste water generation up to 100 KLD
72.	Wire drawing and wire netting
73.	Dry cell battery ( excluding manufacturing of electrodes) and assembling & charging of acid lead battery on micro scale
74.	Pharmaceutical formulation and for R & D purpose ( For sustained release/ extended release of drugs only and not for commercial purpose)
75.	Synthetic resins
76.	Synthetic rubber excluding molding
77.	Cashew nut processing
78.	Coffee seed processing
79.	Parboiled Rice Mills having quantity of waste water generation up to 100 KLD or fuel consumption up to 12 MTD or both
80.	Foam manufacturing
81.	Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule iv of HW( M, H& TBM) rules, 2008 - Items namely - Used Oil - As per specifications prescribed from time to time.
82.	Industries engaged in recycling / reprocessing/ recovery/reuse of Hazardous Waste under schedule iv of HW( M, H& TBM) rules, 2008 - Items namely - Waste Oil ---As per specifications prescribed from time to time.
83.	Producer gas plant using conventional up drift coal gasification ( linked to rolling mills glass and ceramic industry refectories for dedicated fuel supply)
84.	Health care establishments (As defined in BMW Rules) having waste water generation less than 100 KLD without incinerator
85.	Airport and commercial air strips having discharge less than 100 KLD
86.	Railway locomotive workshop/Integrated road transport workshop/Authorized service centers (having waste-water generation < 100 KLD)
87.	Manufacturing of pasted veneers using coal/wood scrap boiler or thermic fluid heater and by sun drying
88.	Cardboards and Millboards
89.	Strawboards
90.	Formulation of pesticides/ insecticides
91.	Recycling / Pyrolysis plants of waste pneumatic tyres/tyre scrap

Sr. No.	Industrial/ Non-Industrial Sector Sector/Project
92.	Screening plants
93.	Surgical cotton industries
94.	Inorganic Chemical Compounds such as Chlorides/Sulphates/Sulphites/Niterates/Oxides/Flourides/ Stearates of metals/Cations
95.	Sodium and other silicates manufacturing
96.	Cotton coated fabrics including printing and lamination (Rexene)
97.	Friction dust
98.	Brake lining/ Disc brake pad
99.	Chlorinated paraffin wax/plasticizers
100.	Sewage treatment plants having capacity 10 KLD or more but less than 100 KLD
101.	Infrastructure development projects having overall liquid Waste generation 100 KLD or more
102.	Dismantling of E-Waste
103.	Flour mills generating trade effluent
104.	Distilled water units using boiler or furnace as heating source
105.	Construction and Demolition (C&D) Waste processing and recycling units
106.	Garment/ Apparel manufacturing units having only garment washing, with or without boiler except bleaching, dyeing, printing, coloring
107.	Lithium Ion battery manufacturing units or assembling of Lithium Ion batteries with or without charging, having overall liquid waste generation of 100 KLD and daily consumption of coal/fuel less than 12 MT/day or without use of any fuel in the process
108.	Railway Stations (Waste Water Generation $\geq 10$ KLD but $< 100$ KLD)
109.	Scrapping Centers (for end of life of vehicles and other scraps such as plant and machineries, structural material, railway coaches and wagons etc.) a. Collection, de-pollution, dismantling centres and shredding centres b. Collection, de-pollution and dismantling centres c. shredding centres (can include white goods/other scraps also)
110.	Compressed/refined bio-gas production for bio-degradable wastes
111.	Dairy Farm having 15 animals and above (Stand alone or isolated)
112.	Gaushalas (having waste water generation $> 100$ KLD)

**List of Green Category of Industrial/ Non-Industrial Sector Sectors/Projects**

Sr. No.	Industrial/ Non-Industrial Sector Sector/Project
1.	Aluminium utensils from aluminium circles by pressing only (dry mechanical operation)
2.	Ayurvedic and homeopathic medicines (without boiler)
3.	Bakery /confectionery /sweets products (with production capacity <1tpd (with gas or electrical oven)
4.	Bi-axially oriented PP film along with metalizing operations
5.	Biomass briquettes (sun drying) without using toxic hazardous wastes
6.	Blending of melamine resins & different powder, additives by physical mixing
7.	Brass and bell metal utensils manufacturing from circles(dry mechanical operation without re-rolling facility)
8.	Candy
9.	Cardboard or corrugated box and paper products (excluding paper or pulp manufacturing and without using boilers)
10.	Carpentry & wooden furniture manufacturing (excluding saw mill) with the help of electrical (motorized) machines such as electrical wood planner, steel saw cutting circular blade, etc.
11.	Cement products (without using asbestos / boiler / steam curing) like pipe ,pillar, jafri, well ring, block/tiles etc.(should be done in closed covered shed to control fugitive emissions)
12.	Ceramic colour manufacturing by mixing & blending only (not using boiler and wastewater recycling process)
13.	Chilling plant, cold storage and ice making
14.	Coke briquetting ( sun drying)
15.	Cotton spinning and weaving (small scale)
16.	Dal Mills
17.	Decoration of ceramic cups and plates by electric furnace
18.	Digital printing on PVC clothes
19.	Facility of handling, storage and transportation of food grains in bulk
20.	Flour mills/Atta Chakki (dry process) running on commercial mode with packing facility of Atta for selling it into market (having wheat cleaning process and fugitive dust)
21.	Glass , ceramic, earthen potteries, tile and tile manufacturing using electrical kiln or not involving fossil fuel kiln
22.	Glue from starch (physical mixing) with gas / electrically operated oven /boiler.
23.	Gold and silver smithy (purification with acid smelting operation and sulphuric acid polishing operation) (using less or equal to 1 litre of sulphuric acid/ nitric acid per month)
24.	Heat treatment with any of the new technology like ultrasound probe , induction hardening , ionization beam, gas carburizing etc.
25.	Insulation and other coated papers (excluding paper or pipe manufacturing)
26.	Leather foot wear and leather products (excluding tanning and hide processing except cottage scale)

Sr. No.	Industrial/ Non-Industrial Sector Sector/Project
27.	Lubricating oil, greases or petroleum based products (only blending at normal temperature)
28.	Manufacturing of pasted veneers using gas fired boiler or thermic fluid heater and by sun drying
29.	Oil mill Ghani and extraction ( no hydrogenation / refining)
30.	Packing materials manufacturing from non asbestos fibre, vegetable fibre yarn
31.	Phenyl/toilet cleaner formulation and bottling
32.	Polythene and plastic processed products manufacturing (virgin plastic)
33.	Poultry Farms handling one lac or more birds at a given time in single location and Hatchery & Piggery irrespective of no. of birds/animals
34.	Power looms (without dye and bleaching)
35.	Puffed rice (muri) (using gas or electrical heating system)
36.	Pulverization of bamboo and scrap wood
37.	Ready mix cement concrete irrespective of investment cost
38.	Reprocessing of waste cotton
39.	Rice mill (Rice hullers only)
40.	Rolling mill ( gas fired) and cold rolling mill
41.	Rubber goods industry (with approved fuel operated baby boiler)
42.	Saw mills
43.	Soap manufacturing (hand made without steam boiling / boiler)
44.	Spice grinding (up to 20 HP motor)
45.	Spice grinding (>20 HP motor)
46.	Steel furniture without spray painting
47.	Steeping and processing of grains
48.	Tyres and tube retreating (without boilers)
49.	CO2 recovery
50.	Distilled water ( without boiler) with electricity as source of heat
51.	Hotels (up to 20 rooms and without boilers)
52.	Manufacturing of optical lenses (using electrical furnace)
53.	Mineralized water
54.	Tamarind powder manufacturing
55.	Cutting, sizing and polishing of marble stone
56.	Emery powder ( fine dust of sand) manufacturing
57.	Flyash export, transport & disposal facilities
58.	Mineral stack yard / Railway sidings
59.	Oil and gas transportation pipeline
60.	Seasoning of wood in steam heated chamber
61.	Synthetic detergent formulation
62.	Tea processing ( with boiler)
63.	Modular wooden furniture from particle board, MDF< swan timber etc, Ceiling tiles/ partition board from saw dust, wood chips etc., and other agricultural waste using synthetic adhesive resin, wooden box making (Without boiler)
64.	LPG bottling plants
65.	Sewage treatment plants having capacity less than 10 KLD
66.	Infrastructure development projects having overall liquid Waste generation less than 100 KLD

Sr. No.	Industrial/ Non-Industrial Sector Sector/Project
67.	Industrial inorganic gases namely- a) Chemical gas- Acetylene, hydrogen, chlorine, fluorine, ammonia, sulphur dioxide, ethylene, hydrogen-sulphide, phosphine b) Hydrocarbon gases- Methane, ethane, propane
68.	Automobiles manufacturing outsourcing all of the polluting activities.
69.	Refurbishing of used electrical and electronic equipments
70.	Manufacturing of bakelite molded components
71.	Railway Stations (Waste Water Generation <10 KLD)
72.	Gaushalas (having waste water generation <100 KLD)
73.	Compressed/refined bio-gas production for bio-degradable wastes (No waste water discharge from digester and also feed slurry to digester having volatile organic fraction more than 75%)

**List of White Category of Industrial/ Non-Industrial Sector Sectors/Projects**

<b>Sr. No.</b>	<b>Industrial/ Non-Industrial Sector Sector/Project</b>
1.	Assembly of air coolers /conditioners ,repairing and servicing
2.	Assembly of bicycles ,baby carriages and other small non motorizing vehicles
3.	Bailing (hydraulic press)of waste papers
4.	Bio fertilizer and bio-pesticides without using inorganic chemicals
5.	Biscuits trays etc from rolled PVC sheet (using automatic vacuum forming machines)
6.	Blending and packing of tea
7.	Block making of printing without foundry (excluding wooden block making)
8.	Chalk making from plaster of Paris (only casting without boilers etc. (sun drying / electrical oven)
9.	Compressed oxygen gas from crude liquid oxygen (without use of any solvents and by maintaining pressure & temperature only for separation of other gases)
10.	Cotton and woolen hosiers making (Dry process only without any dyeing / washing operation)
11.	Diesel pump repairing and servicing (complete mechanical dry process)
12.	Electric lamp ( bulb) and CFL manufacturing by assembling only
13.	Electrical and electronic item assembling ( completely dry process)
14.	Engineering and fabrication units (dry process without any heat treatment / metal surface finishing operations / painting)
15.	Flavoured betel nuts production/ grinding (completely dry mechanical operations)
16.	Fly ash bricks/ block manufacturing
17.	Fountain pen manufacturing by assembling only
18.	Glass 51ydel51es and vilas making from glass tubes
19.	Glass putty and sealant (by mixing with machine only)
20.	Ground nut decorticating
21.	Handloom/ carpet weaving (without dyeing and bleaching operation)
22.	Leather cutting and stitching (more than 10 machine and using motor)
23.	Manufacturing of coir items from coconut husks
24.	Manufacturing of metal caps containers etc
25.	Manufacturing of shoe brush and wire brush
26.	Medical oxygen
27.	Organic and inorganic nutrients (by physical mixing)
28.	Organic manure (manual mixing)
29.	Packing of powdered milk
30.	Paper pins and u clips
31.	Repairing of electric motors and generators (dry mechanical process)
32.	Rope (plastic and cotton)
33.	Scientific and mathematical instrument manufacturing
34.	Solar module non conventional energy apparatus manufacturing unit
35.	Solar power generation through solar photovoltaic cell, wind power and mini

Sr. No.	Industrial/ Non-Industrial Sector Sector/Project
	hydel power (less than 25 MW)
36.	Surgical and medical products assembling only (not involving effluent / emission generating processes)
37.	Automobile fuel outlets (only dispensing)
38.	Diesel generator sets having total capacity 1 MVA or less and equipped with acoustic enclosures alongwith adequate stack height
39.	Almirah, Grill Manufacturing without painting operation (Dry Mechanical Process)
40.	Health care Establishments i.e hospitals/clinics without indoor facilities and having only OPD consultancy
41.	Printing presses without involving water polluting process
42.	Garment / Apparel units involving only stitching process, without discharge of effluent and Air emissions from process
43.	Poultry Farms handling less than one lac birds. (Environmental guidelines issued by Haryana Government/CPCB for poultry farms shall be applicable)
44.	Atta chakki for personal use with dry process without involving wheat cleaning process and fugitive dust emission
45.	Compressed/refined bio-gas production for bio-degradable wastes [Domestic bio-digesters based on cow dung or house hold biodegradable waste (such as gobar gas plant)]



172

50

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

SPEED POSTANNEXURE R-4

CPCB/IPC-VI/ROGW 6686-6730

Date: 22.09.2021

To

**The Member Secretary**  
**SPCB/PCC**  
(as per the list)

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

Sir,

This has reference to CPCB letter dated 30.04.2020 on the above-mentioned subject, wherein 'Compressed/refined bio-gas production from bio-degradable waste' was categorized under Orange Category of industries.

Subsequently, CPCB was in the receipt of representations from various stakeholders with a request to revisit the categorization of Compressed Bio-Gas (CBG) plants in light of the notifications issued by the Ministry of Agriculture and Farmers Welfare vide Gazette Notification No. 2051 dated 14.07.2020 and No. 1972 dated 01.06.2021 regarding inclusion of Fermented Organic Manure (FOM) and Liquid Fermented Organic Manure (LFOM) under Fertilizer (Inorganic, Organic or Mixed) (Control) Act, 1985.

In view of the above notifications and to promote the cleaner sources of energy, CPCB revisited the categorization of CBG plants. Accordingly, CBG plants producing FOM & LFOM as by products in conformity with requirements of Gazette Notification No. 2051 dated 14.07.2020 & No. 1972 dated 01.06.2021, respectively, and utilizing entire FOM & LFOM as a fertilizer or manure on land and also not discharging any waste-water, are to be considered under White category, subject to verification by SPCB on case-to-case basis. The aforesaid criteria may be re-assessed based on ground conditions after a period of two years. CBG plants which do not fall in the aforesaid category are to be categorized based on the type of feed-stocks being used. CBG plants based on animal waste and crop residue as feedstock are categorized under green category. CBG plants based on Municipal Solid Waste (MSW) and process waste as feedstock are categorized under Orange Category.

In addition, Household bio-digesters/gobar-gas (cow-dung) plants based on biodegradable wastes, etc. with feed slurry to digesters having Volatile Organic Fraction more than 75 %, are to be considered under White' category.

The details of categorization of 'Compressed Biogas (CBG)/Bio-CNG plants' and 'Household bio-digesters/gobar-gas (cow-dung) plants based on biodegradable wastes, etc.' are enclosed.

The aforementioned revised categorization shall supersede the earlier categorization of 'Compressed/Refined Bio-gas production from bio-degradable waste', issued vide directions dated 30.04.2021.

All SPCBs/PCCs are directed to adopt and follow the categorization of CBG plants as per the enclosed Annexure.

Yours faithfully,

  
(Prashant Gargava)  
Member Secretary

Encl: as above

**Copy to:**

- 1 The Joint Secretary (CP Division)  
Ministry of Environment, Forests  
& Climate Change,  
Indira Paryavaran Bhawan,  
3rd Floor, Prithivi, Jor Bagh Road,  
New Delhi -110 003
- 2 The Regional Directors,  
CPCB  
(as per list)
- 3 Div. Head, IPC-III, CPCB, Delhi
- 4 Div. Head-IT, CPCB, Delhi

: with a request to upload this  
letter on CPCB website

  
(Prashant Gargava)

o/c

केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
दिनांक 24/9/2021

Annexure**Categorization of Compressed Biogas (CBG)/Bio-CNG plants**

Sl. No.	Industrial Sector	W1	W2	W	A1	A2	A	H	PI	Category	Remarks
86	Compressed Biogas (CBG)/Bio-CNG plants										<p>Pollution potential from Compressed Biogas (CBG)/Bio-CNG plants may vary depending on the type of feed stock, size of operation and requirement for discharge of wastewater.</p> <p>In CBG plants, high BOD/COD wastewater is generated from anaerobic bio-digesters which is required to be treated prior to disposal or to comply with Gazette Notification No. 2051 dated 14.07.2020 &amp; No. 1972 dated 01.06.2021 for use as Fermented Organic Manure (FOM) and/or Liquid Fermented Organic Manure (LFOM). Further, these plants may cause odour nuisance due to storage &amp; handling of organic waste and composting. Exhausted adsorption media/ filters, used lubrication/hydraulic oils and spent solvents may also get generated as hazardous waste.</p> <p>Accordingly, the following classification is suggested:</p>
a.	CBG plants based on Municipal Solid Waste (MSW)	30	-	30	10	-	10	10	50	Orange	The waste contains heterogeneous material. The anaerobic biodegradation of the same may generate waste water containing high BOD and COD. If discharge of wastewater is more than 100 KLD, Pollution Index (PI) will be 60 and will be categorized as Red.
b.	CBG plants based on process waste (industrial/ process liquid effluent & solid waste like press mud, organic sludge, molasses, etc.)	30	-	30	10	-	10	10	50	Orange	The anaerobic biodegradation of the same may generate waste water containing high BOD and COD. If discharge of wastewater is more than 100 KLD, PI will be 60 and will be categorized as Red.
c.	CBG plants based on crop residue (paddy straw /wheat straw /corn sweet sorghum/ napier grass, etc.)	20	-	20	10	-	10	10	40	Green	If discharge is more than 100 KLD, PI will be 50 and will be categorized as Orange

d.	CBG plants based on animal waste (dairy farms, poultry farms, and other animal waste)	20	-	20	10	-	10	10	40	Green	If discharge is more than 100 KLD, PI will be 50 and will be categorized as Orange
e.	CBG plants (irrespective of the type of feed) producing Fermented Organic Manure (FOM) & Liquid Fermented Organic Manure (LFOM) as by-products	-	-	-	10	-	10	10	20	White	CBG plants producing FOM & LFOM as by products in conformity with requirements of Gazette Notification No. 2051 dated 14.07.2020 & No. 1972 dated 01.06.2021, respectively, and utilizing entire FOM & LFOM as a fertilizer or manure on land and also not discharging any waste-water, to be considered under White category, subject to verification by SPCB on case-to-case basis.  Above criteria may be re-assessed based on ground conditions after a period of two years.
38	Household bio-digesters/gobar-gas (cow-dung) plants based on biodegradable wastes, etc.	-	-	-	-	-	-	-	-	White	Household bio-digesters/gobar-gas (cow-dung) plants based on biodegradable wastes, etc. with feed slurry to digesters having Volatile Organic Fraction more than 75 %, to be considered under White' category.

\*\*\*\*\*

**ANNEXURE R-5**

Item No.3

(Court No. 2)

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH**

(By Video Conferencing)

Original Application No.373/2022

Sumit Saini

Applicant

Versus

Haryana State Pollution Control Board

Respondent

Date of hearing: 24.05.2022

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

1. Mr. Sumit Saini resident of village Damla, District Yamuna Nagar, Haryana has sent the present letter petition raising substantial questions relating to environment and seeking intervention by this Tribunal for issuance of directions for protection of environment.

2. In the letter petition the applicant has raised following four grievances:-

- i) there are about 25 plywood industries and 5 brick kilns which are being run in village Damla. Pollution Control Systems have not been installed in the said industries which are discharging untreated effluents and emitting flyash and smoke causing air pollution and contamination of ground water;
- ii) one 2000 TPT CNG Plant is being set up by M/s SPS Bio Chem Pvt. Ltd., in the said village for generating CNG by compressing Bio-gas by using sugar mill molasses. The above said company has stored excessive quantity of sugar molasses more than its requirement of 72,000 tons per year which is emitting foul smell

and methane gas causing serious health hazards to the inhabitants;

- iii) Yamuna Nagar Municipal Corporation has started dumping municipal solid waste in the vicinity of the village causing serious environmental problems in the area; and
- iv) there is a drain running alongside the village wherein the industries are discharging untreated waste water which finally goes to the Yamuna River.

6. In view of the grievances made in the letter petition, we consider it appropriate that a Committee of the concerned authorities be asked to verify the factual position and take remedial action on the basis thereof. Accordingly, we constitute a Joint Committee of representatives of SEIAA, State PCB, Yamuna Nagar Municipal Corporation, and Deputy Commissioner, Yamuna Nagar and direct the same to verify the factual position, look into the grievances of the villagers and take remedial action in accordance with law by following due process. State PCB will be the nodal agency for coordination and compliance. Factual and action taken report may be furnished within two months by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

List the matter for further consideration on 22/08/2022.

A copy of this order, along with a copy of the complaint, be forwarded to SEIAA, State PCB, Yamuna Nagar Municipal Corporation, and Deputy Commissioner, Yamuna Nagar by e-mail for compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

May 24, 2022  
Original Application No. 373/2022  
AG

**ANNEXURE R-6**

**Regional Office, Yamuna Nagar Region  
Haryana State Pollution Control Board**

S.C.O. No- 131, Sector -17, HUDA, Jagadhri, Yamuna Nagar  
Website - www.hspcb.gov.in E-Mail - hspcbroyr@gmail.com-Contact No. 01732-268137,237840

**Through Regd. Post/Email**

To

M/s SPS Bio Chem Pvt. Ltd.,  
Village Damla, Yamuna Nagar  
C/o Sh Deepak Singla, Director & Sh. Rohit Singla, Director

(Registered Address: SCO 85-86, Sector-12, Panchkula-134112)

**Sub: Show Cause Notice for Prosecution under section 43/44/45/45-A/47 of Water (Prevention & Control of Pollution) Act 1974 & under section 37/38/39/40 of Air (Prevention & Control of Pollution) Act 1981 and show cause notice for closure under section 33-A of Water (Prevention & Control of Pollution) Act, 1974 and under section 31-A of Air (Prevention & Control of Pollution) Act, 1981 alongwith imposition of Environmental Compensation.**

Whereas as per provisions of section 24/25 of Water (Prevention & Control of Pollution) Act 1974 & as per provisions of sections 21/22 of Air (Prevention & Control of Pollution) Act 1981, no industrial plant causing water pollution and air pollution cannot operate without providing the adequate and sufficient provisions for such pollution control and without prior permission from the Pollution Control Board.

Whereas a complaint against your establishment/work/industrial work/pollution/public nuisance at Village Damla, Yamuna Nagar received in this office through CM Window Grievance Portal vide Grievance No. CMOFF/N/2022/037666 dated 08.04.2022 from Sh. Sumit Kumar Saini, Village Damla, Yamuna Nagar also the similar complaint received through District Level Grievance Monitoring Committee, District Yamuna Nagar.

Whereas site of your establishment/work/industrial work inspected by the filed officer of this office on dated 13.05.2022 in presence of the Duty Magistrate Sh. Deepak, Municipal Engineer, Municipal Corporation, Yamuna Nagar deputed for the inspection by the District Magistrate, Yamuna Nagar.

Whereas at site, it is found that you are under installation of machinery for your proposed project/product i.e. CBG (Compressed Bio Gas). However, at site you have procured huge quantity of press mud of sugar mill i.e. raw material for your product and stored un-scientifically at site in shape of big heaps and without any pollution control arrangement and without any permission from Haryana State Pollution Control Board. As the press mud of sugar mill is bio-degradable product and if not use timely cause huge effluent seepage and huge air pollution in sense of foul smell due to bio-degradation. The such effluent generated due to bio-degradation or otherwise have high

water pollution load and if not handled properly cause land and water pollution. Similarly such bio-degradation also cause huge air pollution in sense of foul smell. At site it observed that effluent generated and coming from such storage of press mud of sugar mill is being spreaded on open land and causing land pollution and underground water pollution as such effluent percolating to the underground water. On site as per provisions of Water Act 1974, the legal sample of such effluent collected from the site and the sample has been sent to the HSPCB laboratory at Panchkula for analysis. Moreover, the bio-degradation of such press mud of sugar mill causing the huge air pollution at site which is effecting the surrounding area upto distance of 3 K.M or more, in sense of foul smell.

Whereas your unit is covered under Orange Category of policy Order dated 04/12/2020 at Serial No. 110 i.e. "Compressed/refined bio-gas production for bio-degradable wastes" and hence unit is establishing and operating without having obtained prior CTE & CTO from the Board and running your work in gross violations of Section 24/25/26 of Water (Prevention & Control of Pollution) Act, 1974 and Section 21/22 of Air (Prevention & Control of Pollution) Act, 1981.

Whereas, for the above said violations the your unit is liable to pay the Environmental Compensation till date and for the days the violations persist, in terms of the directions of Board issued letter no. HSPCB/PLG/2019/6043-75 dated 29-04-2019 further amended vide policy order No. 734-741 dated 20/12/2019 and now amended vide policy order No. 2343-2381 dated 22/12/2021 as assessed by the Board as per methodology defined therein.

Whereas u/s 33-A of Water Act, 1974 & 31-A of the Air Act, 1981" notwithstanding anything contained in any other law, but subject to the provisions of this Act, and to any directions that the Central Government may give in this behalf, a Board may, in the exercise of its powers and performance of its functions under this act, issue any directions in writing to any person, officer or authority, and such person, officer or authority shall be bound to comply with such directions.

Explanations for the avoidance of doubts, it is hereby declared that the power to issue directions under this section includes the power to direct:-

The closure, prohibition or regulation of any industry, operation or process or

The stoppage or regulation of supply of electricity, water or any other service

Therefore you are hereby show caused for 15 days as to why the action of Prosecution under section 43/44/45/45-A/47 of Water (Prevention & Control of Pollution) Act 1974 & under section 37/38/39/40 of Air (Prevention & Control of Pollution) Act 1981 and as to why closure/closure directions under section 33-A of Water (Prevention & Control of Pollution) Act, 1974 and under section 31-A of Air (Prevention & Control of Pollution) Act, 1981, alongwith imposition of Environmental Compensation, not to be taken against your unit and its directors.

Signed by Nirmal Kumar

Date: 15-05-2022 13:55:20

Reason: Approved  
**Regional Officer**  
**Yamuna Nagar**

A copy of above forwarded to the following for information please:-

1. The Chairman, Haryana State Pollution Control Board,  
Panchkula.
2. The Deputy Commissioner, Yamuna Nagar.



**SPS BIO-CHEM**  
The Power of Thinking Future Pvt. Ltd.

## ANNEXURE R-7

Ref. No. SPSBIO-CHEM/DIR/2022-23/28

25<sup>th</sup> May, 2022

To,  
Mr. Nirmal Kumar,  
Regional Officer,  
Haryana State Pollution Control Board,  
Yamuna Nagar.

**Subject:** Regarding Show Cause Notice (File No. HSPCB-180003/14/2022) issued on 15<sup>th</sup> May-2022 and Re-Submission of Application for CTE from HSPCB

Respected Sir,

With reference to the aforesaid Show Cause Notice dated 15<sup>th</sup> May 2022, at the outset, we would like to summarize the **Project Brief** for your kind reference and record:

Under the **SATAT Scheme** (Green Fuel Initiative) launched by the **Ministry of Petroleum & Natural Gas, Government of India**, a Contract has been awarded to M/s SPS BIO-CHEM PVT. LTD. to set up a "**COMPRESSED BIOGAS (CBG) PLANT BASED ON AGRO-WASTE**" at Village: Damla in District Yamuna Nagar of Haryana State.

The details and status of the Applications made by us for obtaining required NOCs till date are as follows :

25 <sup>th</sup> Aug 2021	Applied for CTE from HSPCB - Haryana State Pollution Control Board (Enclosure - 1 to this letter)
5 <sup>th</sup> Oct 2021	Applied for CLU from DTPO - District Town Planning Office (Enclosure - 2 to this letter)
28 <sup>th</sup> Oct 2021	Refusal of CTE from HSPCB for non-submission of CLU from DTPO and few other technical documents (Enclosure - 3 to this letter)
05 <sup>th</sup> May 2022	Received CLU from DTPO (Enclosure - 4 to this letter)
As on Today	Re-applying for CTE from HSPCB immediately upon receipt of CLU (Separately submitting the Application File)

It is humbly submitted that only a part of the machinery has been procured and brought to site however, the establishing and operating of the Plant shall commence only pursuant to procuring of all approvals including the CTE and CTO from your good office.

**Justification & Actions proposed to be taken to resolve existing pollution issue:**

Press mud is a residual compressed sugar industry waste produced from the filtration of the cane juice and its proper disposal has always posed a challenge to a sugar mill considering its composition and the huge quantities generated. In many cases press mud is burnt in brick kilns, resulting in the loss and wastage of millions of tonnes of nutrients, which ultimately degrades the environment. However, once our Project is set up, it will generate biogas by processing of press-mud in an environment friendly manner by using innovative methods.

Regd. Office: SCO 85-86, Sector 12,  
Panchkula, Haryana, India - 134112

+91 172 2566440

spsbiochem@hotmail.com

CIN: U11200HR2019PTC082996

For various reasons beyond our control including delay in grant of CLU & Covid-19 Pandemic, our Project has got delayed. However, to respect our commitment to the Ministry of Petroleum and Natural Gas for early completion of the Project and more particularly towards discharging of our obligations under the agreement with the Saraswati Sugar Mill, we had no option but to lift and store the Press-mud at our Project site. Majority of the press-mud has been stored within the Site by adopting proper storage measures since the month of January, 2022 and there has been no issue. It is only recently due to paucity of space we were constrained to store some quantity of press-mud outside the site by taking land on rent and this small area of land may have been of some concern. However, we remain committed to resolve the issue at the earliest and are already implementing the following measures :

Provision made to avoid Land/ Water Pollution:

An innovative 'Leachate Collection System' has already been implemented under the entire Press-mud Storage Area to avoid seepage of Leachate in the land. Drawings are enclosed herewith for your reference (Enclosure - 5 to this letter). Taking note of the innovative techniques being adopted/ proposed to be adopted by us in respect of our Project for converting industrial organic waste to energy bio-methanation, it has been approved by the Indian Renewable Energy Development Agency Limited (IREDA) as a potential innovation demonstration project (Enclosure – 6 to this letter).

Provision in Progress to avoid Air Pollution:

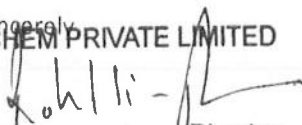
We are also working on a war footing basis to implement the following :

1. Immediately covering entire Press-mud Storage Area with Tarpaulin sheets;
2. Obtaining required NOCs, including CTE & CTO from HSPCB at the earliest after grant of CLU;
3. Commissioning the Biogas Plant and consuming existing Press-mud at the earliest;
4. Tree Plantation suitable for reducing Air/Dust Pollution;
5. Application of Environment Friendly Anti-Flies Repellent.

In order to comply the aforesaid actions at the earliest, we hereby seek your kind guidance and support in obtaining & grant of Consent to Establish (CTE) at the earliest and thereafter issuing the Consent to Operate (CTO) in the near future. Once the plant is operationalized, we undertake to clear the entire stock of press-mud in a very short time duration.

In view of the above, we humbly request you to not take any action under the Water (Prevention & Control of Pollution) Act 1974 and Air (Prevention & Control of Pollution) Act 1981 or for imposition of Environmental Compensation against us.

Yours sincerely,  
SPSBIO-CHEM PRIVATE LIMITED

  
Director

Rohit Singla  
Director  
SPSBIO-CHEM PRIVATE LIMITED

Enclosed:

1. Copy of Application made for CTE from HSPCB
2. Copy of Application made for CLU from DTPO
3. Copy of Refusal of CTE from HSPCB
4. Copy of CLU received from DTPO
5. Drawings for Provision made to avoid Land/Water Pollution
6. Letter from Indian Renewable Energy Development Agency Limited

**ANNEXURE R-8****HARYANA STATE POLLUTION CONTROL BOARD****C-11 Sector-6, Panchkula****Ph - 0172- 577870-73, Fax No. 2581201****E-mail- hspcbho@gmail.com****Website: hspcb.gov.in****CLOSURE ORDER**

Whereas, M/s SPS Bio Chem Pvt. Ltd., Village Damla, Yamuna Nagar has been found to be established & involved in the manufacturing of CBG (Compressed Bio Gas), which is covered under Orange category as per the categorization of Haryana State Pollution Control Board;

Whereas the unit was inspected by field officer, Sh. Naresh Kumar, AEE on 13.05.2022 in the presence of the Duty Magistrate Sh. Deepak, Municipal Engineer, Municipal Corporation, Yamuna Nagar deputed for the inspection by the District Magistrate Yamuna Nagar, in compliance of CM Window Complaint No. CMOFF/N/2022/037666 dated 08.04.2022 received from Sh. Sumit Kumar Saini, Village Damla, Yamuna Nagar. Also, a similar complaint was received through District Level Grievance Monitoring Committee, District Yamuna Nagar. During the inspection, the following shortcomings were observed:

1. Unit was operating without having obtained prior CTE & CTO from the Board.
2. Unit found to have procured huge quantity of press mud of sugar mill i.e. raw material for product and stored un-scientifically at site in the shape of big heaps and without any pollution control arrangement. As the press mud of sugar mill is bio-degradable product and if not used timely, it may cause huge effluent seepage and significant air pollution in the sense of foul smell due to bio-degradation. Such effluent generated due to bio-degradation or otherwise have high water pollution load and if not handled properly may cause land and water pollution. At site, it was observed that the effluent generated and coming from such storage of press mud of sugar mill is being spread on open land and causing land pollution and underground water pollution as such effluent percolates to underground water. Moreover, the bio-degradation of such press mud of sugar mill may cause air pollution at site which affects surrounding areas up to a distance of 3 Km or more, as foul smell.
3. As per analysis report issued by the Board lab vide no. 5450 dated 27.05.2022, the following parameters were exceeding the prescribed limits:-

<b>Sr. No.</b>	<b>Parameter</b>	<b>Results</b>	<b>Prescribed Limit</b>
1.	pH	5.48	5.5-9.0
2.	BOD	22000	30.0
3.	COD	168000	250.0
4.	TSS	3480	100.0
5.	Oil & grease	22.5	10.0
6.	conductivity	3507	---

Whereas, a show-cause notice for closure under section 31-A of the Air Act, 1981 & 33-A of the Water Act, 1984 was issued by the Regional Officer, Yamuna Nagar vide his letter no. HSPCB-180003/14/2022 dated 15.05.2022 and the unit has submitted reply on 02.06.2022 but it was not found satisfactory;

Whereas, the Regional Officer, Yamuna Nagar vide his letter no. 3482 dated 08.06.2022 has recommended for taking closure action against the unit under section 31-A of the Air (Prevention & Control of Pollution) Act, 1981 & 33-A of the Water (Prevention & Control of Pollution) Act, 1974 which has been examined and it has been found that the unit has violated the provisions of the Air (Prevention & Control of Pollution) Act, 1981 & the Water (Prevention & Control of Pollution) Act, 1974 as mentioned above;

Therefore, keeping in view of the above said facts and in exercise of the powers conferred under section 31-A of the Air (Prevention & Control of Pollution) Act, 1981 & 33-A of the Water (Prevention & Control of Pollution) Act, 1974 it is hereby ordered to close down the operation of the above said unit M/s SPS Bio Chem Pvt. Ltd., Village Damla, Yamuna Nagar by sealing its plant, machinery, DG sets along with disconnection of the electric supply with immediate effect.

In addition to above, it is also intimated that non-compliance with the directions issued under section 33-A & 31-A is an offence under the provision of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 respectively.

**Dated Panchkula, the  
10/06/2022  
an, HSPCB**

**Chair**

**CC:**

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

1. The PS to CM, Haryana.
2. The Deputy Commissioner, Yamuna Nagar.
3. The Regional Officer, Yamuna Nagar. He is directed to ensure the compliance of closure order immediately and to submit a compliance report in this regard within 03 days positively and to initiate prosecution action against the unit for violation and to recommend the case for imposing Environment Compensation to this office complete in all respect within 07 days.
4. Executive Engineer, Uttar Haryana Bijli Vitran Nigam (UHBVN), Operation Division, Village Damla Distt. Yamuna Nagar. He is directed to disconnect the electric supply of the above said project of the unit immediately and submit compliance report within 03 days positively.
5. M/s SPS Bio Chem Pvt. Ltd., Village Damla, Yamuna Nagar.

I/118371/2022(1)

185

**Sr. Env. Engineer(HQ)  
For Chairman**



**ANNEXURE R-9**

Ref. No. SPSBIO-CHEM/DIR/2022-23/33

04<sup>th</sup> July, 2022

To,

The Chairman  
Haryana State Pollution Control Board (HSPCB),  
C-11, Sector-6, Panchkula,  
Haryana.

**Subject:** In response to Closure Order (File No. HSPCB-080002(0018)/3/2022-COORDINATION CELL-HSPCBI/120342/2022 issued on 23<sup>rd</sup> June 2022 by HSPCB

Respected Sir,

We are in receipt of the Closure Order issued by your good office. In this regard, at the outset we hereby submit that the site in question has been substantially cleared of Press Mud and the balance quantity of Press Mud shall also be removed very shortly. We shall be able to complete the entire removal process and sanitize the area so as to remove any possibility of effluent seepage and/ or air pollution, within a period of 2 weeks. The photographs of the on-going removal activity on war-footing basis are attached herewith for your kind reference and record.

Further, we would like to submit that our proposed CBG Plant at Village Damla, District Yamuna Nagar does not fall in the Orange Category as mentioned by you in your said Closure Order,; rather our proposed CBG Plant falls within the White Category in terms of the latest guidelines issued by the Central Pollution Control Board (CPCB).

In this regard, we hereby invite your kind attention to the letter bearing no. CPCB/ IPC-VI/ROGW/ 6686-6730 dated 22.09.2021 issued by the Central Pollution Control Board (CPCB) to all the State Pollution Control Boards (SPCBs) while referring to Notification No. 1972 dated 01.06.2021, in para 3 thereof has conveyed as under :

*"In view of the above notifications and to promote the cleaner sources of energy, CPCB revisited the categorization of CBG plants. Accordingly, CBG plants producing FOM & LFOM as by products in conformity with requirements of Gazette Notification No.2051 dated 14.07.2020 & No.1972 dated 01.06.2021, respectively, and utilizing entire FOM & LFOM as a fertilizer or manure on land and also not discharging any waste-water, are to be considered under White category, subject to verification by SPCB on case-to-case basis."*

In view of the aforesaid Gazette Notification No.2051 dated 14.07.2020 & No.1972 dated 01.06.2021 read with letter dated 22.09.2021 of the CPCB, it is clear that any CBG Plant meeting the aforesaid requirements i.e. (i) producing FOM & LFOM as by products in conformity with requirements of the said two notifications dated 14.07.2020 & 01.06.2021; (ii) utilizing entire FOM & LFOM as a fertilizer or manure on land; and (iii) also not discharging any waste-water, are to be considered under White Category.

We hereby emphasize that our proposed CBG Plant at Village Damla, District Yamuna Nagar meets all the aforesaid requirements in terms of the said letter bearing no. CPCB/ IPC-VI/ROGW/ 6686-6730 dated 22.09.2021 of CPCB as would be evident from the submissions made in para 3 above as well as the detailed explanation of the entire working of the proposed

Haryana State Pollution Control Board  
C-11, Sector-6, Panchkula  
04/07/22

Page 1 of 4



Regd. Office: SCO 85-86, Sector 12,  
Panchkula, Haryana, India - 134112



+91 172 2566440



spsbiochem@hotmail.com

CIN: U11200HR2019PTC082996

CBG Plant for processing of the raw material (press mud) given in Annexure – A enclosed herewith.

1. With reference to the subject mentioned Order, we hereby submit as under :With regard to your observation that the Unit was operating without having obtained prior CTE & CTO from the Board, as stated in our previous communication dated 25<sup>th</sup> May 2022, it is again submitted that we had submitted our Online Application No. 15398691 for CTE in the month of September 2021, which was refused on 28<sup>th</sup> October 2021 majorly due to non-submission of NOC for CLU from the Town & Country Planning Office. On 5<sup>th</sup> May 2022 the CLU Permission was granted and on 2<sup>nd</sup> June 2022, we had re-submitted our Application in person through our representative Mr Vikas Pundir. We have re-submitted online application on 22<sup>nd</sup> June 2022 with application number 24289056.
2. With regard to your observation regarding storing of huge quantity of press mud of sugar mill, we hereby bring your kind attention to the following :
  - (i) Delay in Project and Reason for Storage of Press Mud

Covid-19 outbreak followed by number of waves affected economic activities throughout the country. This delayed construction activity of the CBG Plant. SPS Bio-Chem had given commitment (Agreement copy enclosed) to collect the press mud from the Saraswati Sugar Mill but due to delay in the construction activities it could not be stored and converted into biogas inside the premises itself.

- (ii) Press Mud stored inside the site of the plant (Scientific Method with Pollution Control Arrangements)

We have designed the raw material storage area scientifically to store 36000 Tons of press mud. Soil preparation is done, and two layers of thick pond liners are laid on the prepared soil. Slopes are given for free flow of leachate and moisture. The perforated pipes covered with filter cloth are laid in the entire raw material storage area to collect leachate and transfer it into the mixing tank of digestion system. The flushing system is also provided for maintenance. The leachate has high potential for generation of biogas and thus it will be fed to the digestion system. After biodegradation in the digester its BOD and COD also gets into desirable range and overall liquid slurry is turned into fermented liquid manure as defined in Fertilizer Control Order 1985.

The raw material is going to be handled using goliath crane. The heaps will be covered by one layer of ligno-cellulosic biomass and one layer of tarpaulin. This will avoid contamination of raw material and thus there will be no problem of flies and smell. Variety of trees will be planted around the raw material storage area to avoid the smell during stacking and reclaiming of raw material. This is most sustainable method to store the raw material i.e. Press Mud.

We would like to convey that this innovative method to store the raw material has been recognized by United Nations for the plant under construction. The presentation showing 3D design and picture is attached herewith.

(iii) Press Mud Stored outside the plant facility

Due to delay in the construction activities, Press Mud stored inside the plant premises could not be converted into biogas and hence we had to store the excess press mud outside on a rented premise, from where briquette manufacturers and farmers were supposed to lift it. But due to hampered industrial activities, the main consumers i.e. briquette manufacturers could not lift it. This led to accumulation of Press Mud at the rented site.

(iv) Disposing off the Press Mud stored outside the plant facility

Farmers collect press-mud from sugar-mills and use as it is in their field as an organic manure. The press mud stored on outside land can be converted into compost manure using scientific methods following all the norms. This will avoid formation of leachate and problem of flies and leachate will be resolved. It will take 25 days to complete the procedure.

Simultaneously, we have also started lifting the press mud from site and started handing over to the nearby biogas and other processing plants which will dispose this off scientifically. This process has already begun and we have shifted more than 30% to 35% of the total press mud in last few days. The photographs and videography (in pen-drive) depicting the removal process are attached herewith for your kind perusal.

(v) Closure of Construction Activities and sealing of Factory

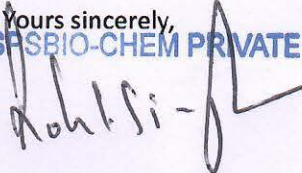
The main motive of biogas plant and SATAT initiative by GOI is to covert this high polluting biomass into fuels and organic fertilizer. This is the most sustainable scientific method to dispose-off this waste. If the construction activity is stopped, then this will adversely affect the project timeline which is in line with the sugar mill starting season. If we are not able to complete the construction before October 2022, again there will be a big problem of disposing off the waste.

Pursuant to commissioning of this project, 72000 Tons of waste will get disposed-off scientifically and problem of pollution will be resolved. The plant will also provide 6.5 Tons of sustainable fuel (CBG) per day which will ably fill 900 cars per day which can cumulatively run 1,80,000 km per day. This will reduce dependence of India on fossil fuel which is imported from other countries and thus boost local economy. The plant will also produce 100 TPD phosphate rich organic Manure which will replace 36500 Tons of DAP (Di Ammonium Phosphate) fertilizer used in agriculture industry. The DAP is not only responsible for high land and water pollution but also its residue in crop and water are highly carcinogenic. The plant under construction is going to save 82,000 Tons of CO<sub>2</sub> emissions per year.

(vi) Security for the clearance of deficiencies

We have mentioned in point number (i), (iii), and (iv) that why press mud got accumulated out side the premises and how we are taking care to shift it from the area and to convert into the compost. Our teams are working day and night on the tasks. At the outset, it looks that with ongoing speed of the work we would be able to clear deficiencies defined in closure order in 15 working days i.e. 2 weeks. To guarantee the commitment we are ready to pay the security fee. If we do not stand by our commitment, HSPCB can liquidate the security as an environmental compensation.

In order to comply the aforesaid actions at the earliest, we hereby seek your kind guidance and support in obtaining Consent to Establish (CTE) at the earliest and Consent to Operate (CTO) in near future, while withdrawing the Closure Order dated 23.06.2022.

Yours sincerely,  
**SPSBIO-CHEM PRIVATE LIMITED**  
  
**Director**

Rohit Singla  
Director  
SPSBIO-CHEM PRIVATE LIMITED

CC: -

- Regional Officer, HSPCB, Yamuna Nagar, Haryana.

Enclosed:

1. Copy of Agreement signed with Sugar Mill
2. The presentation showing 3D design and picture is attached herewith (For Storage area)
3. Copy of Notification no. CPCB/ IPC-VI/ROGW/ 6686-6730 dated 22.09.2021 issued by the Central Pollution Control Board (CPCB)
4. The photographs of the on-going removal of press mud activity
5. Copy of Application for CTE dated 22<sup>nd</sup> June 2022



Ref. No. SPSBIO-CHEM/DIR/2022-23/33

04<sup>th</sup> July, 2022

To,

The Chairman  
Haryana State Pollution Control Board (HSPCB),  
C-11, Sector-6, Panchkula,  
Haryana.

**Subject:** In response to Closure Order (File No. HSPCB-080002(0018)/3/2022-COORDINATION CELL-HSPCBI/120342/2022 issued on 23<sup>rd</sup> June 2022 by HSPCB

Respected Sir,

We are in receipt of the Closure Order issued by your good office. In this regard, at the outset we hereby submit that the site in question has been substantially cleared of Press Mud and the balance quantity of Press Mud shall also be removed very shortly. We shall be able to complete the entire removal process and sanitize the area so as to remove any possibility of effluent seepage and/ or air pollution, within a period of 2 weeks. The photographs of the on-going removal activity on war-footing basis are attached herewith for your kind reference and record.

Further, we would like to submit that our proposed CBG Plant at Village Damla, District Yamuna Nagar does not fall in the Orange Category as mentioned by you in your said Closure Order,; rather our proposed CBG Plant falls within the White Category in terms of the latest guidelines issued by the Central Pollution Control Board (CPCB).

In this regard, we hereby invite your kind attention to the letter bearing no. CPCB/ IPC-VI/ROGW/ 6686-6730 dated 22.09.2021 issued by the Central Pollution Control Board (CPCB) to all the State Pollution Control Boards (SPCBs) while referring to Notification No. 1972 dated 01.06.2021, in para 3 thereof has conveyed as under :

*"In view of the above notifications and to promote the cleaner sources of energy, CPCB revisited the categorization of CBG plants. Accordingly, CBG plants producing FOM & LFOM as by products in conformity with requirements of Gazette Notification No.2051 dated 14.07.2020 & No.1972 dated 01.06.2021, respectively, and utilizing entire FOM & LFOM as a fertilizer or manure on land and also not discharging any waste-water, are to be considered under White category, subject to verification by SPCB on case-to-case basis."*

In view of the aforesaid Gazette Notification No.2051 dated 14.07.2020 & No.1972 dated 01.06.2021 read with letter dated 22.09.2021 of the CPCB, it is clear that any CBG Plant meeting the aforesaid requirements i.e. (i) producing FOM & LFOM as by products in conformity with requirements of the said two notifications dated 14.07.2020 & 01.06.2021; (ii) utilizing entire FOM & LFOM as a fertilizer or manure on land; and (iii) also not discharging any waste-water, are to be considered under White Category.

We hereby emphasize that our proposed CBG Plant at Village Damla, District Yamuna Nagar meets all the aforesaid requirements in terms of the said letter bearing no. CPCB/ IPC-VI/ROGW/ 6686-6730 dated 22.09.2021 of CPCB as would be evident from the submissions made in para 3 above as well as the detailed explanation of the entire working of the proposed

Received  
4/7/22  
Haryana State Pollution Control Board  
YAMUNA NAGAR

Page 1 of 4



**SPS BIO-CHEM**  
Pvt. Ltd.

The Power of Thinking Future

**ANNEXURE R-10**

Ref. No. SPS BIO-CHEM/DIR/2022-23/34

Dated-18<sup>th</sup> July 2022

To,

Mr. Nirmal Kumar  
Regional Officer,  
Haryana State Pollution Control Board (HSPCB),  
Yamuna Nagar.

**Reg :** Closure Order (File No. HSPCB-080002(0018)/3/2022-COORDINATION CELL-  
HSPCBI/120342/2022 issued on 23<sup>rd</sup> June 2022 by HSPCB

**Dear Sir,**

This is in continuation of our letter bearing no. SPSBIO-CHEM/DIR/2022-23/33 dated 04.07.2022 addressed to the worthy Chairman, HSPCB with copy thereof endorsed to your good office. As committed in our said letter dated 04.07.2022 regarding 'disposing off the Press Mud stored outside the plant facility' within least possible time, it is informed that we have cleared the entire site of press-mud. The photographs showing the clear site are enclosed herewith for your kind perusal. We are further in the process of restoring the site by carrying out plantations etc.

The aforesaid is for your kind information and record.

Thanking you,

Yours sincerely,

  
Authorized Signatory  
SPSBIO-CHEM PRIVATE LIMITED

Enclosed:

Photographs



Regd. Office: SCO 85-86, Sector 12,  
Panchkula, Haryana, India - 134112



+91 172 2566440



spsbiochem@hotmail.com  
CIN: U11200HR2019PTC082996



**ANNEXURE R-11**

Ref. No. SPSBIO-CHEM/DIR/2022-23/41

October 7, 2022

To,  
Regional Officer,  
Haryana State Pollution Control Board (HSPCB),  
Yamuna Nagar.

Reg : Closure Order (File No. HSPCB-080002(0018)/3/2022-COORDINATION CELL-HSPCBI/120342/2022 issued on 23<sup>rd</sup> June 2022 by HSPCB

Sub: Request Letter for Suspension of Closure Order

Dear Sir,

We had informed your goodself that we have cleared the entire site of press-mud and had also shared the photographs showing the clear site. Thereafter, an inspection of the site was also carried out by your HSPCB team and your team was satisfied with the remedial works undertaken by us.

Under our Agreement with Saraswati Sugar Mills we are constrained to lift the press-mud generated by the mill and then utilize for generation of compressed Bio-Gas. The fresh sugar cane crushing season will start from 1<sup>th</sup> of November 2022. The Sugar Mill will also start from the same date and press mud will also start getting generated from the same date. We have to do construction and installation of CBG plant within above limited time period which we could not do due to closure order.

Sir, we are incurring huge financial losses because of closure order as we are not able to do any construction work at plant site and consequently the erection and commissioning of the Bio-CBG Plant is getting delayed. We have suffered losses in last two years due to Covid-19 pandemic. The commissioning of our plant is very important for consumption of this press mud and conversion into CBG and organic fertilizer.

In view of the aforesaid, it is humbly requested to your goodself that our case may kindly be recommended to the worthy Chairman, HSPCB for withdrawing of the above said Closure Order bearing File No. HSPCB-080002(0018)/3/2022-COORDINATION CELL-HSPCBI/120342/2022 issued on 23<sup>rd</sup> June 2022

Thanking you,

Yours sincerely,  
SPSBIO-CHEM PRIVATE LIMITED

Rohit Singla  
Director  
SPSBIO-CHEM PRIVATE LIMITED

Received  
10/10/2022  
Haryana State Pollution Control Board  
YAMUNA NAGAR



I/143781/2022

**HARYANA STATE POLLUTION CONTROL BOARD****C-11 Sector-6, Panchkula****Ph - 0172- 577870-73, Fax No. 2581201****E-mail- hspcbho@gmail.com****Website: hspcb.gov.in****SUSPENSION OF CLOSURE ORDER**

Whereas, M/s SPS Bio-Chem Pvt. Ltd., Village Damla, Yamuna Nagar was closed vide order no. I/12034212022 dated 13.06.2022 under section 31-A of the Air (Prevention & Control of Pollution) Act, 1981 & 33-A of the Water (Prevention & Control of Pollution) Act, 1974;

Whereas the request of the unit for suspension of closure order has been received through the Regional Officer, Yamuna Nagar vide his letter no. 4564 dated 14.11.2022. The unit was inspected by the field Officer on 11.10.2022 and found that the unit has complied and lifted/disposed of the Press Mud stored outside the plant completely;

Whereas, the Regional Officer, Yamuna Nagar has reported that the unit has submitted an undertaking along with performance security of Rs. 2,50,000/- vide online receipt no. 647717051 dated 18.09.2021 and the unit has also deposited the environment compensation of Rs. 15,31,250/- imposed by HSPCB and made the compliance of violations mentioned in the above-said closure order;

The Regional Officer has recommended for suspension of the closure order given compliance made by the unit as mentioned above;

Therefore, given the above facts and recommendations of the Regional Officer, Yamuna Nagar, a closure order was issued under section 31-A of the Air (Prevention & Control of Pollution) Act, 1981 & 33-A of the Water (Prevention & Control of Pollution) Act, 1974 against the above said unit vide order no. I/12034212022 dated 13.06.2022 is hereby suspended with the following conditions:-

- The unit shall obtain CTO before starting the plant.
- The unit shall comply with all the terms and conditions of the CTO.
- The unit shall abide by all the Rules/ Acts/ Directions issued by HSPCB/CPCB/MoEF and Hon'ble NGT from time to time.
- The unit shall start construction activity at the site after obtaining permission from the Board.
- The unit shall store the Press mud at the site scientifically after the commencement of production.
- The unit shall adopt conservative measures for storing the press mud in the premises of the unit and to control odour from this press mud.
- The suspension of closure is issued to the unit without prejudice of prosecution filed against the unit before the Special Environment Court at

I/143781/2022

Kurukshetra for past violations.

In case of non-compliance with any of the above-said conditions, a closure order will be initiated beside taking legal action and forfeiting the security deposited by the unit.

**Dated Panchkula, the  
01/12/2022**

**Chairman**

**CC:**

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

1. The Deputy Commissioner, Yamuna Nagar.
2. The Regional Officer, Yamuna Nagar w.r.t. his letter no. 4564 dated 14.11.2022.
3. Executive Engineer, Uttar Haryana Bijli Vitran Nigam (UHBVN), Operation Division, Jagadhari, Yamuna Nagar for restoration of the connection of electricity supply of the unit immediately.
4. M/s SPS Bio-Chem Pvt. Ltd., Village Damla, Yamuna Nagar.

Signed by Sanjiv Kumar

Date: 02-12-2022 10:52:49

Reason: Approved

**Sr. Env. Engineer (HQ)  
For Chairman**


**HARYANA STATE POLLUTION CONTROL BOARD**

**null**
*Website: www.hrocmmms.nic.in E-Mail - hspcbho@gmail.com*
*Telephone No.: 0172-2577870-73*
**No. HSPCB/Consent/ : 843073522YAMCTE30407408**
**Dated:22/12/2022**
**To.**

**M/s : SPS BIO CHEM PRIVATE LIMITED**  
**Village Damla, Tehsil Radaur, Yamuna Nagar**  
**YAMUNANAGAR**  
**135001**

**Sub. : Grant of consent to Establish to M/s SPS BIO CHEM PRIVATE LIMITED**

Please refer to your application no. 30407408 received on dated 2022-11-11 in regional office Yamuna Nagar SWM.

With reference to your above application for consent to establish, M/s SPS BIO CHEM PRIVATE LIMITED is here by granted consent as per following specification/Terms and conditions.

<b>Consent Under</b>	AIR/WATER
<b>Period of consent</b>	22/12/2022 - 21/12/2027
<b>Industry Type</b>	Compressed Biogas (CBG)/Bio-CNG plants: a. CBG plants based on Municipal Solid waste (MSW) (having wastewater discharge less than or equal 100 KLD) b. CBG plants based on process waste (industrial /process liquid effluent & solid waste like press mud, organic sludge, molasses, etc. (having wastewater discharge less than or equal 100 KLD) c. CBG plants based on crop residue (paddy straw /wheat straw/corn sweet sorghum/napier grass etc.) having waste water discharge more than 100 KLD) d. CBG plants based on animal waste (dairy farms, poultry farms, and other animal waste) (having waste water discharge more than 100 KLD)
<b>Category</b>	ORANGE
Investment(In Lakh)	5141.29
Total Land Area (Sq. meter)	36138.0
Total Builtup Area (Sq. meter)	36138.0
<b>Quantity of effluent</b>	
1. Trade	0.0 KL/Day
2. Domestic	5.0 KL/Day
Number of outlets	1.0
<b>Mode of discharge</b>	
1. Domestic	septic tank
2. Trade	0
<b>Permissible Domestic Effluent Parameters</b>	
1. NA	

<b>Permissible Trade Effluent Parameters</b>	
1. NA	mg/l
Number of stacks	1
<b>Height of stack</b>	
1. NA	
<b>Permissible Emission parameters</b>	
1. NA	
<b>Capacity of boiler</b>	
1. NA	Ton/hr
<b>Type of Furnace</b>	
1. NA	
<b>Type of Fuel</b>	
1. NA	

*Regional Officer, Yamuna Nagar SWM  
Haryana State Pollution Control Board.*

#### **Terms and conditions**

1. The industry has declared that the quantity of effluent shall be 5 KL/Day i.e 0KL/Day for Trade Effluent, 0 KL/Day for Cooling, 5.0 KL/Day for Domestic and the same should not exceed .
2. The above 'Consent to Establish' is valid for 60 months from the date of its issue to be extended for another one year at the discretion of the Board or till the time the unit starts its trial production whichever is earlier. The unit will have to set up the plant and obtain consent during this period.
3. The officer/official of the Board shall have the right to access and inspection of the industry in connection with the various processes and the treatment facilities being provided simultaneously with the construction of building/machinery. The effluent should conform the effluent standards as applicable
4. That necessary arrangement shall be made by the industry for the control of Air Pollution before commissioning the plant. The emitted pollutants will meet the emission and other standards as laid/will be prescribed by the Board from time to time.
5. The applicant will obtain consent under section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21/22 of the Air (Prevention & Control of Pollution) Act, 1981 as amended to-date-even before starting trial production
6. The above Consent to Establish is further subject to the conditions that the unit complies with all the laws/rules/decisions and competent directions of the Board/Government and its functionaries in all respects before commissioning of the operation and during its actual working strictly.
7. No in-process or post-process objectionable emission or the effluent will be allowed, if the scheme furnished by the unit turns out to be defective in any actual experience
8. The Electricity Department will give only temporary connection and permanent connection to the unit will be given after verifying the consent granted by the Board, both under Water Act and Air Act.
9. Unit will raise the stack height of DG Set/Boiler as per Board's norms.
10. Unit will maintain proper logbook of Water meter/sub meter before/after commissioning.

11. That in the case of an industry or any other process the activity is located in an area approved and that in case the activity is sited in an residential or institutional or commercial or agricultural area, the necessary permission for siting such industry and process in an residential or institutional or commercial or agricultural area or controlled area under Town and Country Planning laws CLU or Municipal laws has to be obtained from the competent Authority in law permitting this deviation and be submitted in original with the request for consent to operate.
12. That there is no discharge directly or indirectly from the unit or the process into any interstate river or Yamuna River or River Ghaggar.
13. That the industry or the unit concerned is not sited within any prohibited distances according to the Environmental Laws and Rules, Notification, Orders and Policies of Central Pollution control Board and Haryana State Pollution Control Board.
14. That of the unit is discharging its sewage or trade effluent into the public sewer meant to receive trade effluent from industries etc. then the permission of the Competent Authority owing and operating such public sewer giving permission letter to his unit shall be submitted at time of consent to operate.
15. That if at any time, there is adverse report from any adjoining neighbor or any other aggrieved party or Municipal Committee or Zila Parishad or any other public body against the unit's pollution; the Consent to Establish so granted shall be revoked.
16. That all the financial dues required under the rules and policies of the Board have been deposited in full by the unit for this Consent to Establish.
17. In case of change of name from previous Consent to Establish granted, fresh Consent to Establish fee shall be levied.
18. Industry should adopt water conservation measures to ensure minimum consumption of water in their Process. Ground water based proposals of new industries should get clearance from Central Ground Water Authority for scientific development of previous resource.
19. That the unit will take all other clearances from concerned agencies, whenever required.
20. That the unit will not change its process without the prior permission of the Board.
21. That the Consent to Establish so granted will be invalid, if the unit falls in Aravali Area or non conforming area.
22. That the unit will comply with the Hazardous Waste Management Rules and will also make the non-leachate pit for storage of Hazardous waste and will undertake not to dispose off the same except for pit in their own premises or with the authorized disposal authority.
23. That the unit will submit an undertaking that it will comply with all the specific and general conditions as imposed in the above Consent to Establish within 30 days failing which Consent to Establish will be revoked.
24. That unit will obtain EIA from MoEF, if required at any stage.
25. In case of unit does not comply with the above conditions within the stipulated period, Consent to Establish will be revoked.
26. That unit will obtain consent to operate from the board before the start of product activity.

#### **Specific Conditions**

#### **Other Conditions :**

1. The CTE is granted for the remaining construction/installation of plant and machinery.
2. The unit shall store the Press mud at the site scientifically after the commencement of production.
3. The unit shall adopt conservative measures for storing the press mud in the premises of the unit and to control odour from this press mud.
4. The suspension of closure and Consent to Establish are issued to the unit without prejudice of prosecution filed against the unit before the Special Environment Court at Kurukshetra for past violations.
5. That unit will comply all the conditions of suspension of closure order issued vide no. HSPCB-080002(0018)/3/2022-COORDINATION CELL-HSPCB I/143781/2022 dated 02.12.2022.
6. That the unit will apply for consent to operate before starting the production activity.
7. That the unit will maintain the parameters within permissible Standards as per EP Act, 1986.
8. That the unit will abide by the directions of CPCB/HSPCB/MOEF&CC and any other competent authority time to time.
9. That the unit will abide the directions/ orders of Hon'ble Supreme court /High Court/NGT/SEC any other court.
10. That concealing factual data or submission of false/ fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this CTE and attract action under the provisions of Water Act, 1974 and Air Act, 1981 and violation of any law of land.
11. Unit is liable for prosecution for past violations if found at any stage; grant of this CTE doesn't provide any immunity to unit w.r.t to any action taken by board for past Violations.
12. Unit will take adequate measures for controlling of the odour and management of leachate.

*Regional Officer, Yamuna Nagar SWM*

**HARYANA STATE**

*Haryana State Pollution Control Board.*

