

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

APPEAL NO. 42 OF 2024

IN THE MATTER OF:

M/S. GUPTA OIL MILL DEPOT

..... APPLICANT

VERSUS

UP POLLUTION CONTROL BOARD & ANR.

.....RESPONDENTS

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NEW DELHI
DATED: 30.03.2025



(PRADEEP MISRA & DALEEP DHYANI)
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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

APPEAL NO. 42/2024

IN THE MATTER OF:

M/S GUPTA OIL MILL DEPOT

..... APPELLANT

VERSUS

UTTAR PRADESH POLLUTION CONTROL
BOARD & ANR

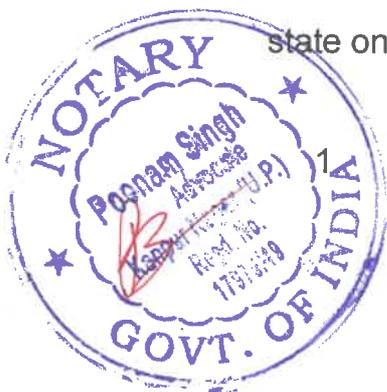
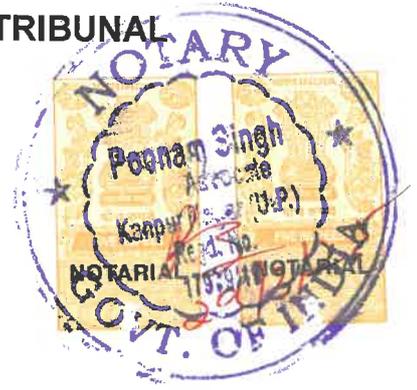
.....RESPONDENT(S)

AFFIDAVIT ON BEHALF OF UTTAR PRADESH POLLUTION
CONTROL BOARD IN COMPLIANCE TO THE ORDER DATED
23.12.2024 PASSED BY THE HON'BLE NATIONAL GREEN
TRIBUNAL, PRINCIPAL BENCH, NEW DELHI.

I, Amit Mishra S/o Shri D.P. Mishra, aged about 44 years, presently posted as Regional Officer, Uttar Pradesh Pollution Control Board (hereinafter UPPCB), Kanpur Nagar do hereby solemnly affirm and state on oath as under:

1. That the present appeal has been filed against the order dated 26.09.2024 whereby the answering opposite party has issued a closure order to the appellant herein for running the industry without following the mandatory provisions of law.

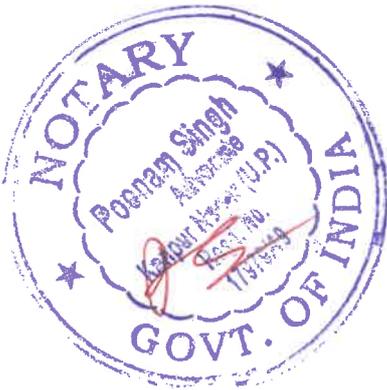
2. That the officials of Regional Office, Kanpur Nagar, conducted the inspection of the unit in question on 13.06.2024 in the presence of the proprietor of the unit and found that the unit has neither obtained the requisite NOC nor consent from Uttar Pradesh Pollution Control Board (UPPCB) nor having the



sanctioned map duly approved from Kanpur Development Authority. Copy of Inspection report dated 13.06.2024 is hereby annexed herewith and marked as **Annexure R1/1**.

3. That the Appellant's unit is situated in the area of Nagar Nigam, Kanpur in a residential area. Thus the unit cannot work in a residential area and the Nagar Nigam has to take action for relocation of the unit.

4. That on the outcome of the said inspection and on the recommendation of the Regional Officer, Kanpur Nagar, UPPCB issued a Show-Cause notice dated 21.06.2024 to the unit for closure of the operation and also to impose the Environmental Compensation. Copy of Show Cause Notice dated 21.06.2024 is annexed herewith and marked as **Annexure –R1/2**.



5. That the unit has given reply to the show cause notice wherein it has been stated that no water is used for floor washing and also mopping is done. It was also stated that it is a small-scale unit exempted from taking consent as per notification dated 03.06.1997 issued by U.P. Pollution Control Board.

As per list of Categorization of Industrial Sectors by Central Pollution Control Board, Delhi vide letter No. B-29012/ESS(CPA)/2015-16/ dated 07.03.2016, the said industry falls under Serial No. 29, Original No. 59 of Green Category. Industries in the green category need to get a Consent to Establish (CTE) and a Consent to Operate (CTO). The details of the classification (categorisation) of the said sector are as follows:-

Table No. 1: Categorization of Industrial Sectors Under Green Categories

Sl. No.	Orgnl Sl. No.	Industry Sector	Remarks
29	59	Oil mill Ghani and extraction (no hydrogenation / refining)	Small quantities of floor washings & equipment's washings are generated.

Copy of Categorization of Industrial Sectors by CPCB dated 07.03.2016 is annexed herewith and marked as **Annexure –R1/3**.

1. That again the said unit was inspected by the officials of UPPCB on 12.08.2024. During the said inspection, it was found that the unit was running without obtaining the prior NOC/Consent and was also deliberately violating the environmental norms. Hence, UPPCB has issued a closure order dated 26.09.2024 to the unit. Copy of closure order dated 26.09.2024 is annexed herewith and marked as **Annexure R1/4**.
2. That UPPCB has taken all necessary action in accordance with the law to ensure compliance of environmental norms.

The above facts are being placed for kind consideration of this Hon'ble Tribunal.


DEPONENT

VERIFICATION:

Verified at Kanpur Nagar on this 29th day of March, 2025 that the contents of above affidavit are true and correct to my knowledge based on records and information received and are believed to be true, no part of it is false and nothing material has been concealed herein.


DEPONENT

Certified that this documents is presented before me today by Shri. Amrit Mishra who is identified by Sri. Sanjay Dubey verified per identification. Hence Attested
Poornam Singh (Advocate)
Notary Govt. of India Kanpur (U.P.)

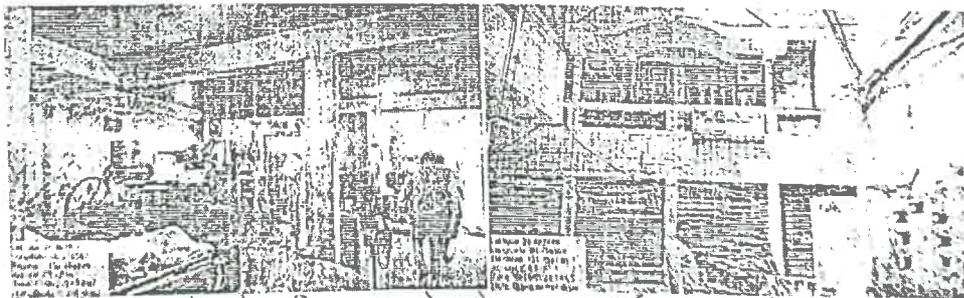
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PS
29/3/25

कार्यालय में दूग्धाघ के माध्यम से प्राप्त गैसर्स गुप्ता ऑयल मिल डिपो, 119/82, नसीमाबाद, गुमटी नं० 5, कानपुर नगर में इकाई के विरुद्ध की गयी शिकायत के सम्बन्ध में निरीक्षण आख्या।

उपरोक्त शिकायती स्थल का निरीक्षण अधोहस्ताक्षरी द्वारा दिनांक 13.06.2024 को किया गया। निरीक्षण के समय शिकायती स्थल के प्रतिनिधि के रूप में श्री रवि किशोर गुप्ता, प्रोपराइटर उपस्थित थे। आख्या निम्नवत् है:-

1. उक्त शिकायती स्थल मकान नं० 119/82, नसीमाबाद, गुमटी नं० 5, कानपुर नगर पर गैसर्स गुप्ता ऑयल मिल डिपो के नाग से सरसों का तेल निकालने की इकाई स्थापित/संचालित है।
2. उक्त इकाई में रॉ-सरसों का प्रयोग कर लगभग-4000 ली०/दिन सरसों का उत्पादन किया जाता है।
3. उक्त इकाई में सरसों की पिराई हेतु 03 नग स्पेलर एवं 01 नग फिल्टर स्थापित पाया गया।
4. उक्त इकाई में जल का प्रयोग फ्लोर वाशिंग एवं सरसों का तेल निकालने हेतु प्रयुक्त पात्रों की धुलाई हेतु किया जाता है। फ्लोर वाशिंग एवं पात्रों की धुलाई प्रक्रिया से जनित अशोधित उत्प्रवाह को स्थानिक सीवेज प्रणाली में निस्तारित किया जाता है।
5. निरीक्षण के समय इकाई प्रतिनिधि द्वारा कानपुर विकास प्राधिकरण से स्वीकृत मानचित्र प्रस्तुत नहीं किया गया।
6. कार्यालय अभिलेखानुसार उक्त इकाई को स्थापना/संचालन हेतु अनापत्ति/सहमति प्रदत्त नहीं है।
7. उक्त शिकायती स्थल के आस-पास रिहायशी क्षेत्र है, जिससे आस-पास के निवासियों को परेशानी होना स्वाभाविक है। उक्त शिकायती स्थल नगर निगम की सीमान्तर्गत आच्छादित है।



अतः उपरोक्त तथ्यों को दृष्टिगत रखते हुये उक्त इकाई द्वारा अशोधित उत्प्रवाह को सीधे स्थानिक सीवेज प्रणाली में निस्तारित किये जाने के कारण इकाई के विरुद्ध जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 यथासंशोधित प्राविधानों के अन्तर्गत बन्दी किये जाने हेतु कारण बताओ नोटिस जारी किये जाने की संस्तुति सहित आख्या आपके अवलोकनार्थ एवं अग्रिम आवश्यक कार्यवाही हेतु सादर प्रस्तुत है।

AB 13/06/24
(एश्वर्य शुक्ला)
एफ०ए०

AB 13/06/24
(रत शुक्ला)
जे०आर०एफ०

AB 13.06.24
(एस०के० अवस्थी)
अनु०सहा०

पर्यावरण अभियन्ता / क्षेत्रीय अधिकारी महोदय

AB 13/6/24

AB 13/06/2024

4

उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड

UTTAR PRADESH POLLUTION CONTROL BOARD

संदर्भ सं०
Ref. No.

112746 / (A)-2 / जल-1773/24

दिनांक
Date

21-6-24

5-3

सेवा में,

मैसर्स गुप्ता ऑयल मिल डिपो,
119/82, नसीमाबाद, गुमटी नं०-5,
कानपुर नगर।

पंजीकृत

यह कि मैसर्स गुप्ता ऑयल मिल डिपो, 119/82, नसीमाबाद, गुमटी नं०-5, कानपुर नगर जिसे आगे उद्योग कहा जायेगा, जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा- 47 के अन्तर्गत एक कम्पनी है। जोकि सरसों का तेल निकालने की इकाई के रूप में उपरोक्त वर्णित स्थल पर कार्यरत है।

यह कि उद्योग मैसर्स गुप्ता ऑयल मिल डिपो, 119/82, नसीमाबाद, गुमटी नं०-5, कानपुर नगर के विरुद्ध प्राप्त शिकायत के सम्बंध में क्षेत्रीय कार्यालय, कानपुर नगर के अधिकारियों द्वारा उद्योग का स्थलीय निरीक्षण दिनांक 13.06.2024 को किया गया। उक्त इकाई में रॉ-सरसों का प्रयोग कर लगभग 4000 ली०/दिन सरसों का उत्पादन किया जाता है। उक्त इकाई में सरसों की पिराई हेतु 3 नग स्पेलर एवं 01 नग फिल्टर स्थापित पाया गया। इकाई में जल का प्रयोग फ्लोर वाशिंग एवं सरसों का तेल निकालने हेतु प्रयुक्त पात्रों की धुलाई हेतु किया जाता है। फ्लोर वाशिंग एवं पात्रों की धुलाई प्रक्रिया से जनित अशोधित उत्प्रवाह को स्थानिक सीवेज प्रणाली में निस्तारित किया जाता है। कार्यालय अभिलेखानुसार उक्त इकाई द्वारा स्थापना/संचालन हेतु अनापत्ति/सहमति प्राप्त नहीं की गयी है। उक्त शिकायती स्थल के आसपास रिहायशी क्षेत्र है, जिससे आसपास के निवासियों को परेशानी होना स्वाभाविक है। उक्त शिकायती स्थल नगर निगम की सीमान्तर्गत आच्छादित है। उक्त इकाई द्वारा अशोधित उत्प्रवाह को सीधे स्थानिक सीवेज प्रणाली में निस्तारित किये जाने के कारण इकाई के विरुद्ध जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1974 यथासंशोधित प्राविधानों के अन्तर्गत बन्दी आदेश जारी किये जाने से पूर्व कारण बताओ नोटिस जारी किये जाने की संस्तुति की गयी है।

यह कि क्षेत्रीय अधिकारी, कानपुर के पत्र दिनांक 13.06.2024 द्वारा आवासीय क्षेत्र तथा नगर निगम सीमा के अन्तर्गत स्थापित औद्योगिक इकाई के संचालन से जन स्वास्थ्य तथा नगरीय सीवेज की गुणता पर प्रतिकूल प्रभाव पड़ने के दृष्टिगत मैसर्स गुप्ता ऑयल मिल डिपो, 119/82, नसीमाबाद, गुमटी नं०-5, कानपुर नगर के विरुद्ध जल (प्रदूषण निवारण एवं नियंत्रण) अधिनियम 1974 की धारा 33ए के अन्तर्गत कार्यवाही किये जाने की संस्तुति की गयी है।

अतः उपरोक्त परिप्रेक्ष्य में जल (प्रदूषण निवारण एवं नियंत्रण) अधिनियम, 1974 (यथासंशोधित) की धारा-33ए के अन्तर्गत राज्य बोर्ड को प्रदत्त शक्तियों के अधीन एवं उपरोक्त वर्णित तथ्यों के परिप्रेक्ष्य में उद्योग के विरुद्ध सक्षम अधिकारी के अनुमोदनोपरान्त निम्नानुसार कारण बताओ नोटिस जारी किया जाता है :-

1. यह कि क्यों न मैसर्स गुप्ता ऑयल मिल डिपो, 119/82, नसीमाबाद, गुमटी नं०-5, कानपुर नगर का संचालन तत्काल प्रभाव से बन्द कर दिया जाए।
2. यह कि क्यों न मैसर्स गुप्ता ऑयल मिल डिपो, 119/82, नसीमाबाद, गुमटी नं०-5, कानपुर नगर को मिलने वाली बिजली, पानी तथा अन्य सुविधाओं को तुरन्त बन्द कर दिया जाए। साथ ही यह भी स्पष्ट करें कि क्यों न इकाई के विरुद्ध उल्लंघन अवधि हेतु पर्यावरणीय क्षतिपूर्ति अधिरोपित कर दी जाये।

उपरोक्त के संबंध में पूर्ण स्पष्टीकरण इस पत्र प्राप्ति के 15 दिन के अन्दर बोर्ड मुख्यालय को प्रेषित करें, अन्यथा उपरोक्त वर्णित आदेश/निर्देश की पुष्टि कर दी जायेगी, जिसका पूर्ण उत्तरदायित्व स्वयं इकाई एवं उसके स्वामी का होगा।

सक्षम अधिकारी की अनुमति से निर्गत।

मुख्य पर्यावरण अधिकारी (वृत्त-2)

कमरा:..... 2/-

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

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

-2-

प्रतिलिपि:- क्षेत्रीय अधिकारी उ०प्र० प्रदूषण नियंत्रण बोर्ड, कानपुर नगर को इस निर्देश के साथ कि इकाई को कारण बताओ नोटिस की प्राप्ति सुनिश्चित कराये तथा पुनः निरीक्षण कर कारण बताओ नोटिस के निर्देशों के सम्बंध में स्पष्ट संस्तुति सहित आख्या निर्धारित समयावधि में मुख्यालय प्रेषित करना सुनिश्चित करें।


मुख्य पर्यावरण अधिकारी (वृत्त-2)

WHEREAS, the report prepared by the Working Group was discussed in the 57th Conference of Chairmen & Member Secretaries of CPCB & SPCBs/PCCs held in Delhi on September 15, 2011, wherein some modifications were proposed;

WHEREAS, the final report of the working group was prepared, incorporating the suggestions/observations made in the 57th Conference of Chairmen and Member Secretaries of CPCB & SPCBs/PCCs and in exercise of the powers delegated to the Chairman, CPCB under Section 18(1)(b) of the Water Act, 1974, following directions were issued for compliance to all SPCBs/PCCs to maintain uniformity in categorization of industries as red, orange and green as per list finalized by CPCB, which identified 85 types of industrial sectors as 'Red', 73 industrial sectors as 'Orange' and 86 sectors as 'Green':

a). To maintain uniformity in categorization of industries under Red/Orange/Green category, the SPCBs /PCCs shall adopt the list as finalized by CPCB based on the recommendations of that Working Group for grant of Consent, inventorization of industries under Red, Orange and Green categories and other related activities.

(b). The SPCBs/PCCs shall revise the list of Red, Orange and Green categories of industries operating in their jurisdiction based on the criteria specified in the final report of that Working Group and submit the same to CPCB within 90 days in hard copy as well as soft copy;

WHEREAS, later-on, it was observed that the process of categorization thus far was primarily based on the size of the industries and consumption of resources and pollution due to discharge of emissions and effluents and its likely impact on health was not considered as primary criteria;

WHEREAS, there have been proposals from the SPCBs / PCCs and industrial associations for categorization of the industrial sectors in a more pragmatic manner. The issue was discussed during the national level conference of the Environment Ministers of the States, held in New Delhi during April 06-07, 2015 and also during the Conference of the Chairmen and Member Secretaries of CPCB and SPCBs/PCCs held in New Delhi on April 08, 2015. Accordingly, a 'Working Group' comprising of the Members from Central Pollution Control Board and State Pollution Control Boards representing the States of Andhra Pradesh, Punjab, Tamilnadu, West Bengal, Madhya Pradesh and Maharashtra, was constituted to revisit the criteria of categorization of industries and suggest rationale based on pollution potential for categorization of industrial sectors and adopting it for implementation of pollution control plan;

WHEREAS, the Working Group has developed the criteria of categorization of industrial sectors based on the concept of Pollution Index which is a function of the emissions (air pollutants), effluents (water pollutants), hazardous wastes generated and consumption of resources. For this purpose the references are taken from the the Water (Prevention and Control

of Pollution) Cess (Amendment) Act, 2003, Standards so far prescribed for various pollutants under Environment (Protection) Act, 1986 and Doon Valley Notification, 1989 issued by MoEFCC. The Pollution Index (PI) of any industrial sector is a number from 0 to 100 and the increasing value of PI denotes the increasing degree of pollution load from the industrial sector;

WHEREAS, based on the series of consultations with SPCBs, different Government / Non-government Institutions including industries and MoEFCC, the following criteria on 'Range of Pollution Index' for the purpose of categorization of industrial sectors has been finalized:

- o Industrial Sectors having Pollution Index score of 60 and above. - Red category
- o Industrial Sectors having Pollution Index score of 41 to 59 -Orange category
- o Industrial Sectors having Pollution Index score of 21 to 40 -Green category
- o Industrial Sectors having Pollution Index score incl. & upto 20 -White category

WHEREAS, based on the revised criteria, the 'Final Report on Revised Categorization of Industrial Sectors under Red/Orange/Green/White' has been evolved. The 'Categorization' is based on the relative pollution potential of the industrial sectors and grouping of the industrial sectors based on the use of raw materials, manufacturing process adopted and pollutants likely to be generated;

WHEREAS, based on relative Pollution Index, the number of industries in various categories are as under :

- i. The Red category of industrial sectors: 60
- ii. The Orange category of industrial sectors: 83
- iii. The Green category of industrial sectors: 63 and
- iv. The Newly introduced White category: 36

WHEREAS, there shall be no necessity of obtaining the Consent to Operate" for White category of industries and an intimation to concerned SPCB / PCC shall suffice;

WHEREAS, the purpose of categorization is to ensure that the industry is established in a manner consistent with the environmental objectives and to prompt industrial sectors to adopt cleaner technologies, ultimately resulting in generation of no or minimum pollutants.

WHEREAS the new categorization system shall also facilitate in self-assessment by industries;

Now, therefore, in exercise of the powers delegated to the Chairman, CPCB under Section 18(1)(b) of the Water (Prevention & Control of Pollution) Act, 1974 and Section 18(1)(b) of the Air (Prevention & Control of Pollution), Act, 1981 the earlier Directions issued in June 2012 in the context of categorisation of industries as Red, Orange & Green are withdrawn with immediate effect and following 'Directions' are hereby issued for compliance by all SPCBs and PCCs :

1. That the SPCBs and PCCs shall adopt the Revised Criteria of categorization of industrial sectors as detailed in table nos. F1, F2, F3 and F4 and Revised Lists of Red, Orange, Green and White categories of industrial sectors, presented at table no. G2, G3, G4 and G5 respectively, in the 'Final Report' as attached herewith immediately.
2. That all pending applications for consideration of 'Consent to Establish' and 'Consent to Operate' and future such applications shall be processed as per revised criteria.
3. That the SPCBs and PCCs will provide the list of industries identified in each category existing in the State which have been considered for grant of consents. SPCBs/PCCs will forward the list of such industries before 31.05.2016 and the same will be uploaded on the websites of respective SPCB/PCC.
4. That the 'Revised Lists of Red, Orange, Green and White category of industrial sectors' shall be used by the SPCBs and PCCs for Consent Management and inventorization of industries under Red, Orange, Green and White categories. Siting of industries shall be only in conforming areas. SPCBs / PCCs shall evolve sector specific plans for control of pollution and industrial surveillance for verifying compliance.
5. That the SPCBs and PCCs shall revise /prepare the inventory of Red, Orange, Green and White categories of industries operating in their jurisdiction based on the revised criteria specified in the Final Report and submit the same to CPCB within 90 days i.e., before 30.05.2016 in hard copy as well as soft copy.
6. That the listed category of industries or those identified later-on under different categories shall not be linked to sanction of loan /finance or bank proceedings.
7. That any further addition of any new or left-over industrial sector and their categorization which is not listed in the revised list of Red, Orange, Green and White industrial sectors, shall be done at the level of concerned SPCB /PCC following revised criteria & guidelines as detailed in the attached document and no concurrence of CPCB shall normally be required. It is further clarified that while categorizing the industries, fractional numbers shall be rounded off to nearest integer.

The SPCBs/PCCs shall acknowledge the receipt of directions and submit the 'Action Taken Report' in compliance with these directions to CPCB before 15.04.2016.

(Arun Kumar Mehta)
Chairman

7/3/16

Copy to:

1. The Chief Secretary of all the States and UTs
2. The Secretary ,
Ministry of Micro, Small and Medium Entrepreneurs
Udyog Bhawan, Rafi Marg, New Delhi - 110 011
3. The Secretary ,
Ministry of Heavy Industries
Udyog Bhawan, Rafi Marg, New Delhi - 110 011
4. The Secretary,
Ministry of New and Renewable Energy
Block-14, CGO Complex,
Lodhi Road, New Delhi-110 003,
5. The Advisor(CP Division)
Ministry of Environment ,Forests and Climate Change
Indira Paryavaran Bhawan
Jor Bagh Road, New Delhi - 110 003
6. All Zonal Offices of CPCB

(A. B. Akolkar) 5.3.16
Member Secretary

Final Document
on
Revised
Classification
of
Industrial Sectors
Under

Red, Orange, Green and White Categories
(February 29, 2016)



Central Pollution Control Board
Delhi

Executive Summary

Categorization of Industrial Sectors under Red, Orange, Green and White Category

The Ministry of Environment, Forest and Climate Change (MoEFCC) had brought out notifications in 1989, with the purpose of prohibition/ restriction of operations of certain industries to protect ecologically sensitive Doon Valley. The notification introduced the concept of categorization of industries as " Red", "Orange "and "Green" with the purpose of facilitating decisions related to location of these industries. Subsequently, the application of this concept was extended in other parts of the country not only for the purpose of location of industries, but also for the purpose of Consent management and formulation of norms related to surveillance / inspection of industries.

The concept of categorization of industries continued to evolve and as different State Pollution Control Boards interpreted it differently, a need arose to bring about necessary uniformity in its application across the country. In order to harmonize the 'Criteria of categorization', Directions were issued by CPCB under Section 18(1)(b) of the Water (Prevention & Control of Pollution) , Act, 1974 to all SPCBs/PCCs to maintain uniformity in categorization of industries as red, green and orange as per list finalized by CPCB, which identified 85 types of industrial sectors as 'Red', 73 industrial sectors as 'Orange' and 86 sectors as 'Green'.

The process of categorization thus far was primarily based on the size of the industries and consumption of resources. The pollution due to discharge of emissions & effluents and its likely impact on health was not considered as primary criteria. There was demand from the SPCBs / PCCs and industrial associations for categorization of the industrial sectors in a more transparent manner. Accordingly, the issue was discussed thoroughly during the national level conference of the Environment Ministers of the States, held in New Delhi during April 06-07, 2015 and a 'Working Group' comprising of the members from CPCB, APPCB, TNPCB, WBPCB, PPCB, MPCCB and Maharashtra PCB is constituted to revisit the criteria of categorization of industries and recommend measures for making the system transparent and rational.

The Working Group has developed the criteria of categorization of industrial sectors based on the Pollution Index which is a function of the emissions (air pollutants), effluents (water pollutants), hazardous wastes generated and consumption of resources. For this purpose the references are taken from the the Water (Prevention and Control of Pollution) Cess (Amendment) Act, 2003, Standards so far prescribed for various pollutants under Environment (Protection) Act , 1986 and Doon Valley Notification, 1989 issued by MoEFCC. The Pollution Index PI of any industrial sector is a number from 0 to 100 and the increasing value of PI denotes the increasing degree of pollution load from the industrial sector. Based on the series of brain storming sessions among CPCB, SPCBs and MoEFCC , the following criteria on 'Range of Pollution Index 'for the purpose of categorization of industrial sectors is finalized.

- | | |
|---|------------------|
| ○ Industrial Sectors having Pollution Index score of 60 and above | - Red category |
| ○ Industrial Sectors having Pollution Index score of 41 to 59 | -Orange category |
| ○ Industrial Sectors having Pollution Index score of 21 to 40 | -Green category |
| ○ Industrial Sectors having Pollution Index score incl.&upto 20 | -White category |

The newly introduced White category of industries pertains to those industrial sectors which are practically non-polluting such as Biscuit trays etc. from rolled PVC sheet (using automatic vacuum forming machines), Cotton and woolen hosiers making (Dry process only without any dyeing/washing operation), Electric lamp (bulb) and CFL manufacturing by assembling only, Scientific and mathematical instrument manufacturing, Solar power generation through photovoltaic cell, wind power and mini hydel power (less than 25 MW).

The salient features of the 'Re-categorization' Exercise are as follows :

- Due importance has been given to relative pollution potential of the industrial sectors based on scientific criteria . Further, wherever possible, splitting of the industrial sectors is also considered based on the use of raw materials, manufacturing process adopted and in-turn pollutants expected to be generated.
- The Red category of industrial sectors would be 60.
- The Orange category of industrial sectors would be 83.
- The Green category of industrial sectors would be 63.
- Newly introduced White category contains 36 industrial sectors which are practically non-polluting.
- There shall be no necessity of obtaining the Consent to Operate'' for White category of industries. An intimation to concerned SPCB / PCC shall suffice.
- No Red category of industries shall normally be permitted in the ecologically fragile area / protected area.

The purpose of categorization is to ensure that the industry is established in a manner which is consistent with the environmental objectives. The new criteria will prompt industrial sectors willing to adopt cleaner technologies, ultimately resulting in generation of fewer pollutants. Another feature of the new categorization system lies in facilitating self-assessment by industries as the subjectivity of earlier assessment has been eliminated. This 'Re-categorization' is a part of the efforts, policies and objective of present government to create a clean & transparent working environment in the country and promote the Ease of Doing Business.

Other similar efforts include installation of Continuous Online Emissions/ Effluent Monitoring Systems in the polluting industries, Revisiting of the CEPI (Comprehensive Environment Pollution Index) concept for assessment of polluted industrial clusters, Revision of existing industrial Emission/Effluent discharge standards, initiation of special drive on pollution control activities in Ganga River basin and many more in coming future.

Revised Criteria of Categorization of Industries

“Securing industrial pollution control in accordance with the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 by linking with categorization of industries, consent management and vigilance – ‘In context of Red, Orange, Green and White categories of industries’”

A: Genesis of Categorization:

- The Ministry of Environment, Forest and Climate Change (MoEFCC) had brought out notifications, which inter-alia refers to Prohibition/ Restriction on operation of industries to protect ecologically sensitive areas or areas of specific importance. This has for the first time brought the concept of categorization of industries to “Red”, “Orange” and “Green” and restrict their operation in certain areas of importance. Therefore, it is at-once interpreted that Red, Orange and Green categorization is linked with location specific needs.
- The notification of MoEF was first brought on 2nd February, 1989 in case of “Restriction on location of industries, mining operations and other developmental activities in Doon Valley in “Uttarakhand” and thereafter another notification on 24th February 1999 regarding restriction on the setting up of industries in Dahanu Taluka in Maharashtra. The categorization had been made mainly on the basis of size of the industries, man power and consumption of resources.
- However, in other parts of the country, there have been variations in context to the classification of industries under Red, Orange and Green categories. SPCBs / PCCs were following their own criteria in different States thereby creating confusion.
- In order to harmonize the ‘Criteria of categorization’, a ‘Working Group’ was formed as per resolution passed during the 57th Conference of the Chairmen & Member Secretaries of CPCB and SPCBs. Based on the recommendations of the Working Group, Directions dated 4/6/2012 under Section 18(1)(b) of the Water

(Prevention & Control of Pollution) , Act, 1974 were issued to all SPCBs/PCCs with the effects to maintain uniformity in categorization of industries as red, green and orange as per list finalized by the Working Group. This indicative list included 85 types of industrial sectors as 'Red', 73 industrial sectors as 'Orange' and 86 sectors as 'Green'. However, these identified categories have not been assigned with scores as per existing criteria/ or any new criteria

B: Categorization criteria used by SPCBs/PCCs:

SPCBs and PCCs use the criteria of Red, Orange and Green categories for consent management and vigilance purposes for carrying out inspections to verify compliance to the stipulated standards. However the above categorization do not emphasize on sector-specific plan for control of pollution in accordance with priority based on pollution index.

C: Gap in the process:

1. The categorization has been made mainly on the basis of size of the industries and consumption of resources. The pollution due to discharge of emissions & effluents and its impact on health was not considered as primary criteria.
2. Categorization was on random basis, no scoring system was adopted.

D: Resolutions made during National Level Conferences

The issue was discussed thoroughly during the following national level conferences held in New Delhi:

- Conference of the Environment Ministers of Central Government and State Governments during April 06-07, 2015
- 59th Conference of Chairmen & Member Secretaries of Pollution Control Boards / Pollution Control Committees held on April 08, 2015

Accordingly following resolutions were made during the Conferences:

1. A 'Working Group' comprising of the members from CPCB, APPCB, TNPCB, WBPCB, PPCB, MPPCB and Maharashtra PCB is constituted.
2. This WG shall revisit the categorization of industries that is based on pollution index criteria & environmental issues such as generation of emission, effluent and hazardous wastes.
3. The categorization will be done on the basis of composite score (0-100 marks) of Pollution Index given in accordance with the following weightage.

Air Pollution Score based on parameters namely PM, CO, NO _x , SO _x , HMs, Benzene, Ammonia and other toxic parameters relevant to the industry.	40 Marks
Water Pollution Score based on parameters namely pH, TSS, NH ₃ -N, BOD, Phenol and other toxic pollutants relevant to the industry.	40 Marks
Hazardous wastes (land fillable, incinerable, recyclable) as generated by the industry.	20 Marks
Note :	
<ul style="list-style-type: none"> • Parameters to be decided on the basis of the nature of the wastes generating from the industrial sector. • Industries having only either water pollution or air pollution, the score will be normalized wrt 100. 	

4. Based on the score of the Pollution Index, following categorization be made :
 - Type of industries, if scores 60 and above be categorized as Red
 - Type of industries, if scores from 30 to 59 be categorized as Orange
 - Type of industries, if scores from 15 to 29 be categorized as Green
 - Type of industries, if less than 15 be categorized as White or non-polluting industry.
5. SPCBs/PCCs may issue consent to the industries
 - Red category of industries for 5 years.
 - Orange category of industries for 10 years.
 - Green category of industries for 15 years.
 - No necessity of consent for non-polluting industries.
6. No red categories of industries will be permitted to establish in eco-sensitive areas and protected areas.

E: Follow-up Actions made on the Resolutions :-

- Accordingly, a Committee comprising the Chairmen of CPCB, APPCB, TNPCB, MPPCB, MPCB, PPCB, WBPCB and MS, CPCB was constituted vide CPCB OM dated

23.04.2015 to review & classify industrial sectors into different categories based on criteria of respective pollution potential.

- The categorization is made on the basis of following:
 - Quality of emissions (air pollutants) generated
 - Quality of effluents (water pollutants) generated
 - Types of hazardous wastes generated
 - Consumption of resources

- Reference is taken from the following :
 - The Water (Prevention and Control of Pollution) Cess Act, 1977
 - Standards so far prescribed for various pollutants under the Environment (Protection) Act , 1986
 - Doon Valley Notification, 1989 issued by MoEF.

F : Scoring Methodology :

The details on the scoring methodology in respect of the aforesaid 3 components is presented in the following tables F-1 to F-4 .

Table F-1 : Water Pollution Scoring Methodology

Sl. No.	Activity / Types of Discharges	Score
Part A : Score W1 : Score based on types of expected criteria water-pollutants present in industrial processes waste waters. Maximum of the following seven categories is to be taken.		
W11	<p>Waste-water which is polluted and the pollutants are -</p> <ul style="list-style-type: none"> • not easily biodegradable (very high strength waste waters having BOD > 5000 mg/l); or • toxic; or • both toxic and not easily biodegradable. <p>(Presence of criteria water pollutants having prescribed standard limits up-to 10 mg/l or having BOD > 5000 mg/l). For details appendix 1 may be referred)</p>	30
W12	<p>Non-toxic high strength polluted waste-water having BOD in the range of 1000-5000 mg/l and the pollutants are biodegradable.</p> <p>(Presence of criteria water pollutants having prescribed standard limits from 11 mg/l to 250 mg/l and having BOD strength in the range of 1000-5000 mg/l) . For details appendix 1 may be referred)</p>	25
W13	<p>Non toxic- polluted waste-water having BOD below 1000 mg/l and the pollutants are easily biodegradable.</p> <p>(Presence of criteria water pollutants having prescribed standard limits from 11mg/l to 250 mg/l and having BOD strength below 1000 mg/l) . For details appendix 1 may be referred)</p>	20
W14	<p>Waste-water generated from the chemical processes and which is polluted due to presence of high TDS (total dissolved solids) of inorganic nature.</p> <p>(Presence of criteria water pollutants having prescribed standard limits more than 250 mg/l. For details appendix 1 may be referred)</p>	15
W15	<p>Waste-water generated from the physical unit operations / processes and which is polluted due to presence of TDS (total dissolved solids) of inorganic nature and of natural origin like fresh-water RO rejects, boiler blow-downs, brine solution rejects etc.</p> <p>(Presence of criteria water pollutants having prescribed standard limits more than 250 mg/l. For details appendix 1 may be referred)</p>	12
W16	<p>Non-toxic polluted waste-water from those units which are:</p> <ul style="list-style-type: none"> • Having the overall waste-water generation less than 10 KLD and • The pollutants are easily bio-degradable having BOD below 200 mg/l which can be easily treated in a single stage ASP (activated 	12

	sludge process) based Effluent Treatment Plant. Note : This is a special category and is applicable to only those units having over-all liquid waste generation less than 10 KLD with low strength organic load.	
W17	Waste-water from cooling towers and cooling-re-circulation processes	10
Part B : Score W2 : Score based on huge discharges of any kind (Penalty Clause)		
W2	Industry having overall liquid waste generation of 100 KLD or more including industrial & domestic waste-water.	10
Overall Water Pollution Score $W = W1+W2$		

- **Water Pollutants covered under Group W11:**
 - ✓ Free available Chlorine , Total residual chlorine, Fluoride (as F), Sulphide (as S), Free Ammonical Nitrogen, Dissolved phosphates (as P), Free ammonia (as NH₃), Nitrate Nitrogen, Mercury (As Hg), Selenium (as Se), Hexa-valent chromium (as Cr + 6), Lead (as Pb), Tin , Vanadium (as V), Cadmium (as Cd), Manganese (as Mn), Total chromium (as Cr), Copper (as Cu), Iron (as Fe), Nickel (as Ni), Zinc (as Zn), Benzene, Arsenic (as As), Benzo-a-pyrene, Cyanide (as CN), Phenolic compounds (as C₆H₅OH) , Adsorbable Organic Halogens (AOX), Boron and /or
 - ✓ BOD strength of waste water > 5000 mg/l
- **Water Pollutants covered under Group W12:**
 - ✓ Sodium Absorption Ratio (SAR) , Biochemical oxygen demand (3 days at 27°C), Total Kjeldahl nitrogen (TKN), Ammonical nitrogen (as N), Suspended solids, Total nitrogen (as N), Chemical oxygen demand, Oils & grease and
 - ✓ BOD strength of waste water is in the range of 1000-5000 mg/l
- **Water Pollutants covered under Group W13:**
 - ✓ Sodium Absorption Ratio (SAR), Biochemical oxygen demand (3 days at 27°C), Total Kjeldahl nitrogen (TKN), Ammonical nitrogen (as N), Suspended solids, Total nitrogen (as N), Chemical oxygen demand and
 - ✓ BOD strength of waste water is below 1000 mg/l
- **Water Pollutants covered under Group W14 and W15:**

Chlorides as Cl, Colour , Total dissolved solids (TDS - Inorganic)
- **Water Pollutants covered under Group W16**
 - ✓ BOD strength of waste water is below 200 mg/l and overall discharge is less than 10 KLD.

Table F-2 : Air Pollution Score

Sl. No.	Air Pollutants Group	'Range of Prescribed Standard' of criteria pollutants	Marks
Part 1 : Score A1 = Score based on types of expected criteria Air Pollutants present in the emissions . Maximum of the following seven categories is to be taken. For details appendix 2 may be referred.			
1	Group A1A	Presence of criteria air pollutants having prescribed standard limits up - to 2 mg/Nm ³	30
2	Group A1B	Presence of criteria air pollutants having prescribed standard from 3 to 10 mg/Nm ³	25
3	Group A1C	Presence of criteria air pollutants having prescribed standard from 11 to 50 mg/Nm ³	20
4	Group A1D	Presence of criteria air pollutants having prescribed standard from 51 to 250 mg/Nm ³	15
5	Group A1E	Presence of criteria air pollutants having prescribed standard from 251 mg/Nm ³ & above.	10
6	Group A1F	<ul style="list-style-type: none"> • Generation of fugitive emissions of Particulate Matters which are: <ul style="list-style-type: none"> ○ Not generated as a result of combustion of any kind of fossil-fuel. ○ Generated due to handling / processing of materials without involving the use of any kind of chemicals. ○ Which can be easily contained / controlled with simple conventional methods 	10
7	Group A1G	<ul style="list-style-type: none"> • Generation of Odours which are : <ul style="list-style-type: none"> ○ Generated due to application of binding gums / cements / adhesives / enamels ○ Which can be easily contained / controlled with simple conventional methods 	10
Part 2 : Score A2 = Score based on consumption of fuels and technologies required for air pollution control :			
6	Group A2F1	<ul style="list-style-type: none"> • All such industries in which the daily consumption of coal/fuel is more than 24 MT/day and the particular (Particulate/gaseous/process) emissions from which can be controlled only with high level equipments / technology like ESPs, Bag House Filters, High Efficiency chemical wet scrubbers etc. 	10
7	Group A2F2	<ul style="list-style-type: none"> • All such industries in which the daily consumption of coal/fuel is from 12 MT/day to 24 MT/day and the particular (Particulate/gaseous/process) emissions from which can be controlled with suitable proven technology. 	5
Overall Air Pollution Score -A = A1 + A2			

- Air pollutants covered under Group A1A:
Cd+Th, Dioxins & Furans, Mercury, Asbestos
- Air Pollutants covered under Group A1B:
HF, Nickel+ Vanadium, HBr, Manganese, Lead, H₂S, P₂O₅ as H₃PO₄
- Air Pollutants covered under Group A1C:
Chlorine, Pesticide compounds, CH₃Cl, TOC, Total Fluoride, Hydrocarbons, NH₃, HCL vapour & Mist, H₂SO₄ Mist, SO₂
- Air Pollutants covered under Group A1D:
CO, PM, CO, NO_x
- Air Pollutants covered under Group A1E:
NO_x with liquid-fuel, SO₂ with liquid-fuel

Table F-3: Hazardous Waste Generation Score

Sl.No.	Types of Hazardous Waste Generated as per Schedule 1 / Schedule 2 of Hazardous Waste (Management, Handling & Trans-boundary Movement) Rules , 2008 . Maximum of the following four categories is to be taken	Score
HW1	<ul style="list-style-type: none"> Land disposable HW which require special care & treatment for stabilization before disposal. 	20
HW2	<ul style="list-style-type: none"> Incinerable HW 	15
HW3	<ul style="list-style-type: none"> Land disposable HW which doesn't require treatment & stabilization before disposal. High volume low effect wastes such as fly-ash, phspho-gypsum, red-mud, slags from pyro-metallurgical operations, mine tailings and ore beneficiation rejects) 	10
HW4	<ul style="list-style-type: none"> Recyclable HW, which are easily recyclable with proven technologies. 	10

Table F-4 : Calculation Sheet
Industrial Sector -

1. Water Pollution Score (W)			
Scores	Waste Water Category	Value	
Score on W1			
Score on W2			
Water Pollution Score = W1+W2			
2. Air Pollution Score (A)			
Scores	Air Pollutant Category	Value	
Score on A1			
Score on A2			
Air Pollution Score = A1+A2			
3. Hazardous Waste Score (HW)			
Score	HW Category	Value	
HW			
Grand Total = W + A + HW			

Note :

- Any of the industrial sector having only either air pollution (A) or water pollution (W) , the score will be normalized to 100 as per the following formula -

$$\text{Normalized Score} = \{100 \times W \text{ (or A)}\} / 40$$

- Any of the industrial sector having air pollution (A) and water pollution (W) both but no hazardous waste generation (H) , the joint score of air & water pollution will be normalized to 100 as per the following formula -

$$\text{Normalized Score} = \{100 \times (W+A)\} / 80$$

- Any of the industrial sector having air pollution (A) & hazardous waste generation (H) but no water pollution (W), the joint score of air pollution & hazardous waste generation will be normalized to 100 as per the following formula -

$$\text{Normalized Score} = \{100 \times (A+H)\} / 60$$

- Any of the industrial sector having water pollution (W) and hazardous waste generation (H) but no air pollution (A), the joint score of water pollution & hazardous waste generation will be normalized to 100 as per the following formula -

$$\text{Normalized Score} = \{100 \times (W+H)\} / 60$$

G : Developments :

- i. The existing Red (85 sectors) , Orange (73 sectors) and Green (86 sectors) i.e a total of 244 industrial sectors have been assessed as per the proposed formula by the Working Group. For this purpose, concerned Engineers / Scientists from the Member SPCBs were also involved & consulted during May 28-29, 2015.
- ii. After careful examination and consideration of the suggestions of concerned stake-holders the "Draft Document on Revised Concept of Categorization of Industrial Sectors " was prepared by the Committee and circulated to all the SPCBs, PCCs and concerned Ministries for their information & comments. The ' Draft Document ' was uploaded on the website of CPCB also for information & comments of one & all.
- iii. The matter was discussed during the 170th Board Meeting also and issues raised by the Board Members pertaining to some of the industrial sectors were clarified.
- iv. Responses were received from various concerned Ministries, SPCBs, Industrial Associations including individuals.
- v. Based on the above, final meeting was convened by the Secretary , MoEFCC with CPCB and senior officers of MoEFCC on January 06, 2016 to resolve the issues appropriately and finalize the 'Re-categorization'. Accordingly , following modifications in the 'Range of Pollution Index 'for the purpose of categorization of industrial sectors were suggested :
 - Industrial Sectors having Pollution Index score of 60 and above - Red category
 - Industrial Sectors having Pollution Index score of 41 to 59 -Orange category
 - Industrial Sectors having Pollution Index score of 21 to 40 -Green category
 - Industrial Sectors having Pollution Index score incl.& upto 20 -White category
- vi. Based on the final criteria as described in v above , the final categorization is as follows :

Category of Industrial Sector	Existing Categorization	Proposed (New) categorization
Red	85	60
Orange	73	83
Green	86	63
White	---	36
Total	244	242

- vii. In the proposed categorization, some of the industrial sectors have been either deleted due to duplication or merged with similar type of sectors on account of same

characteristics of pollution generation. In a similar way, some of the industrial sectors are split into more sectors on account of variation in the raw materials / manufacturing process. As a result final totals of the existing and proposed categorization are different.

- viii. The industrial sector which doesn't fall under any of the above four categories (Red, Orange, Green and White) , decision with regard to its categorization will be taken at the level of concerned SPCB/PCC by a committee headed by the Member Secretary , SPCB/PCC and comprising of two senior cadre Engineers / Scientists of the SPCB / PCC in accordance with the scoring-criteria specified in this document.
- ix. The summary is presented in the following Table G-1 and final lists of Red, Orange, Green and White categories of industries are presented in Tables G-2, G-3, G-4 and G-5 respectively, which are self explanatory.

Table G-1: Final Summary Table Red , Orange, Green and White Categories of Industries (16-01-16)

Sl No.	Original Categorization	Initial Nos.	Addition by Splitting into further classes	Deletion/ Shifting to foot-note due to vague term /Merger / other reasons	Re-categorization to Red	Re-categorization to Orange	Re-categorization to Green	Re-categorization to White	Check
					1	2	3	4	
1	Red	85	11	7	60	26	3	Nil	96=96
2	Orange	73	2	3	Nil	51	19	2	75=75
3	Green	86	Nil	3+2=5	Nil	6	41	34	86=86
Final Categorization		244	13	15	60 (Red)	83 (Orange)	63 (Green)	36 (White)	257 =257 (Total categories including in foot-note)

Table G-4 : Final List of Green Category of Industrial Sectors

Sl. No.	Orgnl Sl. No.	Industry Sector	W1	W2	W	A1	A2	A	H	W+A+H	Revised Category	Remarks
1.	2	Aluminium utensils from aluminium circles by pressing only (dry mechanical operation)	--	--	--	10	--	10	--	25	G-G	Minor air pollution due to some fugitive PM emissions from buffing operations.
2.	6	Ayurvedic and homeopathic medicines (without boiler)	10	--	10	--	--	--	--	25	G-G	Small quantities of waste-waters are generated from washing operations.
3.	8	Bakery /confectionery /sweets products (with production capacity <1tpd (with gas or electrical oven)	10	--	10	--	--	--	--	25	G-G	Small quantities of waste-waters are generated from washing operations.
4.	6	Bi-axially oriented PP film along with metalizing operations	10	--	10	--	--	--	--	25	O-G	Mainly extrusion process involving Cooling water recirculation
5.	10	Biomass briquettes (sun drying) without using toxic hazardous wastes	--	--	--	10	--	10	--	25	G-G	Minor air pollution due to some fugitive PM emissions from pulverization / mixing operations.
6.	13	Blending of melamine resins & different powder, additives by physical mixing	--	--	--	10	--	10	--	25	G-G	Minor air pollution due to some fugitive PM emissions from pulverization / mixing operations.
7.	15	Brass and bell metal utensils manufacturing from circles(dry mechanical operation without re-rolling facility)	--	--	--	10	--	10	--	25	G-G	Minor air pollution due to some fugitive PM emissions from buffing operations.
8.	16	Candy	10	--	10	10	--	10	--	25	G-G	Small quantities of waste-water and minor

												PM emissions are generated.
9.	17	Cardboard or corrugated box and paper products (excluding paper or pulp manufacturing and without using boilers)	--	--	--	10	--	10	--	25	G-G	This score is valid with Small gas / electricity operated oven / furnace for making glue.
10.	18	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.	--	--	--	10	--	10	--	25	G-G	Minor air pollution due to some fugitive PM emissions from cutting operations.
11.	19	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)	--	--	--	10	--	10	--	25	G-G	Minor air pollution due to some fugitive PM emissions from mixing operations.
12.	20	Ceramic colour manufacturing by mixing & blending only (not using boiler and wastewater recycling process)	--	--	--	10	--	10	--	25	G-G	Minor air pollution due to some fugitive PM emissions.
13.	11	Chilling plant, cold storage and ice making	10	--	10	--	--	--	--	25	O-G	Cooling water recirculation only.
14.	13	Coke briquetting (sun drying)	--	--	--	10	--	10	--	25	O-G	Mainly air polluting industry. Sources of air pollution (PM) are pulverizes and mixers. Air pollution score is normalized to 100.
15.	28	Cotton spinning and weaving (small scale)	--	--	--	10	--	10	--	25	G-G	Minor PM emissions from spinning process.
16.	17	Dal Mills	--	--	--	10	--	10	--	25	O-G	Some fugitive emissions of PM.

17.	29	Decoration of ceramic cups and plates by electric furnace	--	--	--	10	--	10	--	25	G-G	Fumes of enamels. Minor air pollution.
18.	19	Digital printing on PVC clothes	--	--	--	10	--	10	--	25	O-G	Minor emissions / odour generations are expected.
19.	25	Facility of handling, storage and transportation of food grains in bulk	--	--	--	10	--	10	--	25	O-G	Some fugitive emissions of PM during handling of grains.
20.	36	Flour mills (dry process)	--	--	--	10	--	10	--	25	G-G	Fugitive dust emissions.
21.	41	Glass , ceramic, earthen potteries, tile and tile manufacturing using electrical kiln or not involving fossil fuel kiln	--	--	--	10	--	10	--	25	G-G	Minor fugitive emissions only.
22.	34	Glue from starch (physical mixing) with gas / electrically operated oven /boiler.	--	--	--	10	--	10	--	25	O-G	Some fugitive emissions of PM during mixing of raw materials.
23.	42	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)	--	--	--	10	--	10	--	25	G-G	Minor fumes from cleaning process.
24.	36	Heat treatment with any of the new technology like ultrasound probe , induction hardening , ionization beam, gas carburizing etc.	10	--	10	10	--	10	--	25	O-G	<ul style="list-style-type: none"> • Cooling waters and minor heat fumes. • Finalization of categorization subject to field verification.
25.	46	Insulation and other coated papers (excluding paper or pipe manufacturing)	--	--	--	10	--	10	--	25	G-G	Minor fumes due to application of poly-urethane
26.	49	Leather foot wear and leather products (excluding tanning and hide processing except cottage scale)	--	--	--	10	--	10	--	25	G-G	Minor fumes due to use of adhesives / gums.

27.	50	Lubricating oil, greases or petroleum based products (only blending at normal temperature)	--	--	--	10	--	10	--	25	G-G	Minor fumes at the time of transfers from one container to other.
28.	54	Manufacturing of pasted veneers using gas fired boiler or thermic fluid heater and by sun drying	--	--	--	10	--	10	--	25	G-G	1. Minor fumes due to application of gums / adhesives / pastes etc. 2. This score is valid only for gas fired boiler. 3. The units having coal fired boilers shall be categorized as Orange.
29.	59	Oil mill Ghani and extraction (no hydrogenation / refining)	10	--	10	--	--	--	--	25	G-G	Small quantities of floor washings & equipments washings are generated.
30.	48	Packing materials manufacturing from non asbestos fibre, vegetable fibre yarn	--	--	--	10	--	10	--	25	O-G	Some fugitive emissions of PM are expected.
31.	65	Phenyl/ toilet cleaner formulation and bottling	--	--	--	10	--	10	--	25	G-G	Minor fumes of VOCs in the work zone
32.	67	Polythene and plastic processed products manufacturing (virgin plastic)	10	--	10	10	--	10	--	25	G-G	Cooling water & emissions due to mixing of raw materials.
33.	68	Poultry, Hatchery and Piggery	--	--	--	10	--	10	--	25	G-G	Obnoxious odour containing H ₂ S, CH ₄ etc. and fugitive PM emissions
34.	69	Power looms (without dye and bleaching)	--	--	--	10	--	10	--	25	G-G	Minor emissions of PM.
35.	71	Puffed rice (muri) (using gas or electrical heating system)	--	--	--	10	--	10	--	25	G-G	Minor emissions of PM.
36.	57	Pulverization of bamboo and scrap wood	--	--	--	10	--	10	--	25	O-G	Some fugitive emissions of PM are expected.
37.	72	Ready mix cement concrete	--	--	--	10	--	10	--	25	G-G	PM emissions.
38.	73	Reprocessing of waste cotton	--	--	--	10	--	10	--	25	G-G	PM emissions.
39.	60	Rice mill (Rice hullers only)	--	--	--	10	--	10	--	25	O-G	PM emissions are generated. Mainly air

													polluting. AP score is normalized to 100
40.	62	Rolling mill (gas fired) and cold rolling mill	10	--	10	10	--	10	--	25	O-G		Mainly air polluting. AP score is normalized to 100
41.	75	Rubber goods industry (with gas operated baby boiler)	--	--	--	10	--	10	--	25	G-G		Some PM emissions and obnoxious odour.
42.	63	Saw mills	--	--	--	10	--	10	--	25	O-G		Mainly air polluting. PM and noise are generated.
43.	77	Soap manufacturing (hand made without steam boiling / boiler)	10	--	10	--	--	--	--	25	G-G		Small quantities of waste-water are generated.
44.	80	Spice grinding (upto-20 HP motor)	--	--	--	10	--	10	--	25	G-G		Small quantities of fugitive emissions of raw materials.
45.	66	Spice grinding (>20 hp motor)	--	--	--	10	--	10	--	25	O-G		Mainly air polluting. Fugitive emissions of PM.
46.	81	Steel furniture without spray painting	--	--	--	10	--	10	--	25	G-G		Obnoxious gases from welding as well as noise pollution.
47.	82	Steeping and processing of grains	10	--	10	--	--	--	--	25	G-G		Washing waters are generated.
48.	86	Tyres and tube retreating (without boilers)	--	--	--	10	--	10	--	25	G-G		Due to applications of binding gum / adhesives / cement, some obnoxious fumes may generate.
49.	22	Chilling plant and ice making without using ammonia	12	--	12	--	--	--	--	30	G-G		Cooling water and brine water circuits. Spillages / blow down may take place
50.	26	CO2 recovery	12	--	12	--	--	--	--	30	G-G		Normal water pollution from scrubbing action
51.	32	Distilled water (without boiler) with electricity as source of heat	12	--	12	--	--	--	--	30	G-G		TDS as distillation residues

52.	45	Hotels (up to 20 rooms and without boilers)	12	--	12	--	--	--	--	30	G-G	This score is valid for hotels having overall waste-water generation less than 10 KLD.
53.	53	Manufacturing of optical lenses (using electrical furnace)	12	--	12	--	--	--	--	30	G-G	Small quantities of waste-waters containing TDS, SS are generated.
54.	58	Mineralized water	12	--	12	--	--	--	--	30	G-G	RO Rejects.
55.	68	Tamarind powder manufacturing	12	--	12	15	--	15	--	33.75	O-G	<ul style="list-style-type: none"> Dried tamarind fruits - cleaned and after soaking them in water they are boiled in steam jacketed kettle for about 40-45 minutes. Then pulp is extracted in pulper and dried in drum type drier and on cooling, the final product is packed. Generates small quantities of waste waters and air emissions. Joint score is normalized to 100.
56.	15	Cutting, sizing and polishing of marble stone	15	--	15	--	--	--	--	37.5	O-G	Mainly water polluting . Water pollution score is normalized to 100.
57.	22	Emery powder (fine dust of sand) manufacturing	--	--	--	15	--	15	--	37.5	O-G	Air polluting. PM emissions take place during various stages of grindings of naturally occurring minerals.
58.	25	Flyash export, transport & disposal facilities	-	-	-	15	-	15	-	37.5	R-G	<ul style="list-style-type: none"> This is mainly air polluting activity. This is the normalized score based on air pollution.
59.	48	Mineral stack yard / Railway sidings	15	-	15	15	-	15	-	37.5	R-G	<ul style="list-style-type: none"> Mainly air pollution due to loading, unloading, storage and transportation of the minerals.

												<ul style="list-style-type: none"> Waste-water generation mainly during rains only.
60.	54	Oil and gas transportation pipeline	-	-	-	10	5	15	-	37.5	R-G	<ul style="list-style-type: none"> Contains small gas based power plants up-to 5 MWs. Air pollution score is normalized to 100. In case , if these power plants are bigger / liquid fuel / oil based, scores will be calculated accordingly.
61.	64	Seasoning of wood in steam heated chamber	--	--	--	15	--	15	--	37.5	O-G	<p>Air pollution due to use boiler for supply of steam. Air pollution score is normalized to 100.</p>
62.	84	Synthetic detergent formulation	--	--	--	15	--	15	--	37.5	G-G	<ul style="list-style-type: none"> This score is valid for the industries which are not manufacturing LABSA. It is procured from outside. Small quantities of emissions are generated from mini boiler. Air pollution score is normalized to 100.
63.	69	Tea processing (with boiler)	--	--	--	15	--	15	--	37.5	O-G	<p>With boiler, it is an orange category industry. Without boiler, it will be green category industry.</p>

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Note :

- i. Under the column Revised Category, the full forms of the abbreviations are as follows :
- R-R means original category was Red and revised category is also Red
 - R-O means original category was Red and revised category is Orange
 - O-O means original category was Orange and revised category is also Orange
 - O-G means original category was Orange and revised category is Green
 - O-W means original category was Orange and revised category is White
 - G-O means original category was Green and revised category is Orange
 - G-G means original category was Green and revised category is also Green
 - G-W means original category was Green and revised category is White
- ii. There are specific remarks in respect of some of the industrial sectors. These sectors are either merged with other relevant sectors or deleted due to duplication. The overall details are as follows :

Sl No.	Original Sl No.	Industry Sector	Original Category	Remarks
1	47	Jobbing and Machining	G	Vague category to be deleted, as such activities have already been covered in other categories.
2	66	Reel manufacturing	G	Already covered in other categories. Hence, deleted
3	1	Assembling of acid lead batteries (up to 10 batteries per day excluding lead plate casting)	G	Already covered in Orange category. Hence, deleted
4	5	Automobile fuel outlets (only dispensing)	G	Minor air pollution due to some fugitive emissions during fuel filling operations. May be exempted from the purview of Consent management.
5	30	Diesel generator sets (15 KVA to 1 MVA)	G	<ul style="list-style-type: none"> Normal operation – 12 hrs a day. Consumption of diesel = 1680 litres for 1 MVA DG set at full load @ 0.21 litres / KVA / hr. Stand-alone DG Sets having total capacity 1 MVA or less and equipped with acoustic enclosures alongwith adequate stack height may be exempted from the purview of Consent management. Higher capacity DG sets have already been covered under Red / Orange categories .

उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड

UTTAR PRADESH POLLUTION CONTROL BOARD

संदर्भ संख्या
Ref. No.

संख्या

117876/सं-2/बिल-1777/ब-2/24

दिनांक

Date

26-9-24

पंजीकृत

मैसर्स गुप्ता ऑयल मिल डिपो,
119/82, नसीमाबाद, गुमठी नं०-5,
जनपद-कानपुर नगर।

यह वि. उद्योग मैसर्स गुप्ता ऑयल मिल डिपो, 119/82, नसीमाबाद, गुमठी नं० 5, जनपद-कानपुर नगर जिले के अंतर्गत कहा जायेगा। इकाई सरसो का तेल निकालने का कार्य हेतु उपरोक्त वर्गित स्थल पर स्थापित/संचालित हो तथा जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा-25 के अन्तर्गत राज्य बोर्ड से सहमति प्राप्त किया जाना अनिवार्य है।

यह कि क्षेत्रीय अधिकारी, कानपुर नगर के पत्र दिनांक 12.08.2024 की आख्यानुसार उद्योग का राज्य बोर्ड के पत्र दिनांक 21.06.2024 द्वारा जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 यथासंशोधित की धारा-33ए के अन्तर्गत कारण बताओ नोटिस जारी किया गया है। उक्त कारण बताओ नोटिस के अनुपालन में उद्योग का निरीक्षण क्षेत्रीय कार्यालय, कानपुर नगर स्तर पर दिनांक 12.08.2024 को किया गया। निरीक्षण के समय इकाई में उत्पादन कार्य होता पाया गया। उक्त इकाई में जल-सरसो का तेल धुलाई हेतु 03 नग स्पेलर एवं 01 नग फिल्टर स्थापित पाया गया। इकाई में जल का प्रयोग फ्लोर वाशिंग एवं सरसो का तेल निकालने हेतु प्रयुक्त पात्रों की धुलाई हेतु किया जाता है। फ्लोर वाशिंग एवं पात्रों की धुलाई प्रक्रिया से जनित अशोधित उद्भवाह का स्थानिक नगरीय सीवेज प्रणाली में निस्तारित किया जाता है। इकाई प्रतिनिधि द्वारा इकाई का स्थल का निरीक्षण कराये जाने में बाधा उत्पन्न की गयी थी। इकाई परिसर में स्थापित प्लान्ट मशीनरी के संचालन समय ध्वनि तीव्रता की जाँच की गयी। परिसर के अन्दर ध्वनि की तीव्रता 110 डीबी(ए) एवं परिसर के बाहर 95 डीबी(ए) पायी गयी, जो कि ध्वनि प्रदूषण नियम, 2000 यथासंशोधित के अन्तर्गत आवासीय क्षेत्र हेतु निर्धारित मानकों से अधिक है। इकाई को स्थापना/संचालन हेतु राज्य बोर्ड से अनापत्ति/सहमति प्रदत्त नहीं है। जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 के आज्ञापक प्राविधानों का स्पष्ट उल्लंघन है।

क्षेत्रीय अधिकारी, कानपुर नगर की आख्या दिनांक 12.08.2024 द्वारा उद्योग के विरुद्ध जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 यथासंशोधित की धारा-33ए के अन्तर्गत दिनांक 21.06.2024 को जारी कारण बताओ नोटिस के निर्देशों की पूर्ति किये जाने की संस्तुति की गयी है।

अतः उपरोक्त वर्गित तथ्यों के दृष्टिगत सक्षम अधिकारी के अनुमोदनोपरान्त उद्योग के विरुद्ध जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 यथासंशोधित की धारा-33ए के अन्तर्गत निम्नानुसार बंदी आदेश जारी किया जाता है :-

1. यह कि मैसर्स गुप्ता ऑयल मिल डिपो, 119/82, नसीमाबाद, गुमठी नं०-5, जनपद-कानपुर नगर में संचालन/उत्पादन प्रक्रिया को तत्काल प्रभाव से बंद कर दें।
2. यह कि सक्षम अधिकारियों को निर्देशित किया जाता है कि आपकी औद्योगिक इकाई को मिलने वाली विद्युत आपूर्ति एवं जल आपूर्ति का विच्छेदन करने के साथ-साथ अन्य सुविधाओं को तात्कालिक प्रभाव से बंद कर दिया जाए।

सक्षम अधिकारी के अनुमोदनोपरान्त

मुख्य पर्यावरण अधिकारी (वृत्त-2)

प्रतिलिपि :-

1. जिलाधिकारी, कानपुर नगर को इस अनुरोध के साथ प्रेषित कि उद्योग को तत्काल बन्द कराये जाने हेतु संबंधित अधिकारी को निर्देशित करने का कष्ट करें।
2. बरिष्ठ पुलिस अधीक्षक, कानपुर नगर को इस आशय से प्रेषित कि उद्योग में संचालन/उत्पादन कार्य की बंदी सुनिश्चित रहने हेतु कृपया संबंधित अधीनस्थ को निर्देशित करने का कष्ट करें।
3. अधिशासी अभियन्ता, उ०प्र० पावर कार्पोरेशन लि०, कानपुर नगर को संदर्भित उद्योग के विद्युत विच्छेदन हेतु।
4. अधिशासी अभियन्ता, उ०प्र० जल निगम, कानपुर नगर को जल आपूर्ति रोकें जाने हेतु।
5. क्षेत्रीय अधिकारी उ०प्र० प्रदूषण नियंत्रण बोर्ड, कानपुर नगर को इस निर्देश के साथ प्रेषित कि उद्योग को जारी बंदी आदेश की प्रति उद्योग को प्राप्त कराते हुए पावती तथा उद्योग को जारी बंदी आदेश का अनुपालन जिला प्रशासन से समन्वय स्थापित कर सुनिश्चित कराते हुए अनुपालन आख्या 03 दिन में प्रेषित करना सुनिश्चित करें।

मुख्य पर्यावरण अधिकारी (वृत्त-2)

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Appeal No.42 of 2024 Gupta oil Mill Depot vs UP Pollution Control Board

From: Pradeep Misra (pradeepmisra@yahoo.com)

To: mansichahal104@gmail.com; kapilsagar1990@gmail.com

Date: Sunday, March 30, 2025 at 12:26 PM GMT+5:30

.Sir/Madam,

Please find attached the Affidavit on behalf of UP pollution Control Board

With Regards,

(PRADEEP MISRA)



Gupta Oil Mill Reply.pdf
2.2MB