

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

EXECUTION APPLICATION NO. 39/2023

In

ORIGINAL APPLICATION NO 400 OF 2019

IN THE MATTER OF: -

SOCIAL ACTION FOR FOREST AND ENVIRONMENT (SAFE)

....APPLICANT

VERSUS

UNION OF INDIA & ORS.

.....RESPONDENTS

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Filed by: Adv. Rajkumar

On behalf of Central Pollution Control Board

Place: Delhi

Date: 30.04.2025

**BEFORE THE HONBLE NATIONAL GREEN TRIBUNAL,
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**RESPONSE BY CPCB ON THE OBJECTIONS FILED BY THE
APPLICANT VIDE ITS REPORT DATED 18.01.2025:**

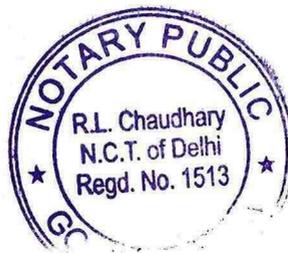
Background: -

1. In the matter of O.A. No. 400/2019 (Social Action for Forest and Environment (SAFE) vs. Union of India and Others.) filed before Hon'ble NGT, Principal Bench (PB), New Delhi, the issue under consideration is the mismanagement of waste tyres/end of life tyres (ELTs) by tyre pyrolysis industries. The Hon'ble NGT while disposing the matter on 07.11.2022 issued following directions:-



“We have heard learned Counsel for the parties and given further consideration to the issue in the light of above material”.

8. *It is seen that action has been taken against number of non-compliant units but there still remains gap in the units which are non-compliant and units against whom action has been taken to close them till compliance. Such gaps need to be bridged at the earliest in the interest of rule of law and environmental good governance. Tyre Pyrolysis Oil Units (TPOs) need to follow ‘Zero Liquid’ and ‘Zero Emission’ norms. Further, carbon produced during the process needs to be utilized in cement industries. Carbon material should not be simply transported to landfills.*
9. *Accordingly, we direct that non-compliant units be closed till compliance expeditiously. CPCB may finalize the classification of the units so that application norms can be enforced. Revised SOP may be finalized by the CPCB and MoEF&CC in light of discussion in today’s hearing and above observations within one month. SOP may also provide for certifying the fuel quality standards of pyro-oil as per norms of the Petroleum Ministry.”*
2. That the CPCB has duly complied with the directions issued by the Hon’ble NGT while disposing the matter on 07.11.2022. The actions taken by CPCB were submitted vide its affidavit dated 18.01.2024 and the same are herein re-iterated for ready reference please:
- a. CPCB has written to all SPCBs/PCCs for the implementation of the orders dated 07.11.2022.



- b. CPCB has revised Standard Operating Procedure (SOP) on “Recycling of Waste Tyre Scrap for the recovery of Tyre Pyrolysis Oil, Pyro Gas and Char in Tyre Pyrolysis Oil (TPO) Units” which has been prepared based on the outcomes of 07 studies carried out by CPCB. 70 studies carried out by SPCBs and suggestions made by the petitioner and stakeholders. The SoP was finalized in consultation with the expert members from NEERI & IIT, Delhi.
 - c. CPCB circulated the revised SOP to all SPCBs/PCCs vide email dated 19.01.2024 and 20.03.2024 for its implementation.
 - d. CPCB has written to MoPNG & BIS seeking details on Fuel Quality specifications of TPO vide letter dated 13.12.2023.
 - e. CPCB sought compliance status of existing TPOs in the country.
 - f. CPCB has categorized TPO units into “Orange Category” and the same was conveyed to all SPCBs/PCCs for implementation and the same was circulated vide letter dated 30.11.2023.
3. Further, in compliance of the Hon’ble NGT order dated 05.07.2024, CPCB provided parawise comments on the Common Objection Report Filed by the applicant on the CPCB’s reply affidavit dated 18.01.2024 & 20.03.2024 vide its report dated 23.09.2024. CPCB provided detailed clarification on each and every objection raised by the petitioner.
 4. Hon’ble National Green Tribunal (Hon’ble NGT) further passed following directions during last hearing held on 20.01.2025:



1. *In this original application, the applicant is seeking compliance with the order dated 07.11.2022 passed in OA No. 400/2019. That OA relates to the absence of proper management of End-of-Life-Tyres/Waste Tyres (ELTs) following the existing framework.*
2. *Central Pollution Control Board had earlier filed the response dated 23.09.2024 and the applicant has filed objection dated 18.01.2025 culling out as many as 13 issues that according to the applicant have not been dealt with by CPCB and which need consideration by the Tribunal.*
3. *Learned Counsel for the CPCB seeks four weeks time to Examine those issues and respond to them.*

5. Action Taken by CPCB in compliance with the Hon'ble NGT directions:-

In the above matter, CPCB has already revised the SoP on “Recycling of Waste Tyre Scrap for the Production of Tyre Pyrolysis Oil in Tyre Pyrolysis Oil (TPO) Units”. **The revised SoP stipulates the concept of Advanced Batch Automated Process (ABAP) for the improvement in Environmental performance of the Tyre Pyrolysis Oil Units.** As per the revised SOPs, the TPO Unit having cumulative maximum batch capacity up to 60 tonnes per day (TPD) only be allowed within a premises and this is applicable for new ABAP type Units /expansion in existing batch type TPO Unit. Further, beyond the cumulative batch capacity of 60 TPD, only continuous process type TPO unit be allowed in case of setting up of new ABAP type units or expansion in existing TPO Unit in a single premises.

6. The afore-said revised SoP stipulates that from the study carried out by CPCB, it was observed that Advanced Batch Automated Process (ABAP) and



continuous tyre pyrolysis process had no significant impact on ambient air quality. Therefore, for standardizing the batch type pyrolysis operations, Advanced Batch Automated Process (ABAP) type TPO Unit shall only be allowed. The revised guidelines were circulated to SPCBs/PCCs for its implementation by CPCB vide email dated 19.01.2024 and 20.03.2024. Further CPCB vide its letter No. CP-22/139/2021-HO-CPCB-HO Part(2) dated March 20, 2024 has again asked SPCBs/PCCs to implement the revised SOP of TPO.

7. That on 29.04.2025 (to be issued) CPCB has issued directions under section 5 of the environment (Protection) Act, 1998 directing all SPCBs/PCCs for the following:
- Ensure implementation of Revised SOPs for “Recycling of Waste scrap for the recovery of Tyre Pyrolysis Oil, Pyro Gas and Char in Tyre Pyrolysis Oil (TPO) Units” dated 16-01-2024.
 - Immediately submit compiled compliance status on verification of TPO Units operating in your State/UT including actions taken in accordance with aforesaid communications dated 19/01/2024 and 20/03/2024 made by CPCB.
 - Ensure at least yearly compliance verification of TPO Units as TPO units are under orange category and submission of compliance report to CPCB. CPCB has given 30 days time to SPCB/s/PCCs for the submission of the ATR/Compliance report to CPCB

A copy of said directions dated 29.04.2025 is given at **Annexure-I**.

1. That the CPCB in its revised SoP has already mentioned that the TPO will comply with the fuel quality specifications as and when specified by BIS



& MoPNG. Further, CPCB is pursuing the matter related to Fuel quality specification before MoPNG & BIS. And has sent letters and reminder letters to both BIS & MoPNG.

2. That further BIS in meeting held on 11.03.2024 has informed that said project is in nascent stage and will take time.
3. That MoPNG vide its letter dated 08.04.2024 has informed *that BIS has moved a proposal or framing specifications for Pyrolysis Oil produced from waste tyres, Plastics & Biomass. As per discussions held in the technical committee of "Petroleum and their related products of synthetic or biological or natural origin - PCD 03 (Petroleum, Coal, and Related Product Development) of BIS", a study has been proposed for framing the specifications of Pyrolysis Oil produced from all the three sources involving all the stakeholders.* "
8. That the CPCB issued the directions dated April 29, 2025, under Section 5 of the EP Act 1986, mandating the implementation of CPCB's Standard Operating Procedures (SoPs) for Recycling of Waste Tyre Scrap for the Production of Tyre Pyrolysis Oil in Tyre Pyrolysis Oil (TPO) Units, and requiring SPCBs/PCCs to submit a compliance report on all TPO units within their jurisdiction within one month.
9. That the compliance report has to be filed in view of the direction dated 29-04-2025 u/s 5 of Environment (Protection) Act, 1986 therefore, this respondent respectfully requests a period of three months may be granted to file a comprehensive compliance report before the Hon'ble NGT.



PRAYER:-

In view of the above facts and circumstances, it is therefore, humbly prayed that the response of the CPCB may kindly be taken on record as well as a period of 3 months may kindly be granted for filing the compliance status of implementation of SOP sent to all SPCBs/PCCs, in the interest of justice.

Or pass any other further order as the Hon'ble court may deems fit and proper.



A handwritten signature in blue ink, appearing to read "Youthika".

(Youthika)

Scientist "E"

Central Pollution Control Board



**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL PRINCIPAL
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EXECUTION APPLICATION NO. 39/2023

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AFFIDAVIT

I, Youthika, in the capacity of Scientist-E, having office at the Delhi, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi, do hereby solemnly affirm and sincerely state on oath as follows: -

1. That, I, the deponent herein well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent to verify, sign and swear this affidavit on behalf of the Respondent CPCB.



2. That, the accompanying response may be read part and parcel of the present affidavit.
3. That, the accompanying response has been drafted and filed under my instructions and authority the contents thereof are true and correct on the basis of the records maintained during ordinary course of business of CPCB and available records and documents and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.

Youthika

DEPONENT

यूथिका / Youthika
वैज्ञानिक 'ई' / Scientist E

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
(M/o Environment, Forest & Climate Change, Govt. of India)
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

VERIFICATION

Verified at Delhi on this day of _____ 2025 that the contents of the above reply are correct and true on the basis of the records of the case as mentioned in the day-to-day affairs of the CPCB. Nothing has been concealed therefrom or mis-stated.

ATTESTED

[Signature]
NOTARY PUBLIC
GOVT. OF INDIA

30 APR 2025



Youthika

DEPONENT

यूथिका / Youthika
वैज्ञानिक 'ई' / Scientist E

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
(M/o Environment, Forest & Climate Change, Govt. of India)
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

F.No. B-29016/1(NGT)/24-25/WM-III Division

April 29, 2025

929-973

To

The Chairman
All SPCBs/PCCs
(As per list 1)

Sub: Directions under Section 5 of the Environment (Protection) Act, 1986 regarding compliance of revised SOPs for "Recycling of Waste Scrap for the recovery of Tyre Pyrolysis Oil, Pyro Gas and Char in Tyre Pyrolysis Oil (TPO) Units" - reg.

WHEREAS, the Ministry of Environment, Forests & Climate Change, Government of India (herein after referred as MoEF&CC) has notified the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 under the Environment (Protection) Act, 1986, for proper management and handling of Hazardous wastes; and

WHEREAS, MoEF&CC, vide Notifications No. S.O. 157(E) of February 27, 1996 and S.O. 730 (E) dated July 10, 2002, has delegated the powers under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board (herein after referred to as CPCB), to issue directions to any industry or any local or any other authority for the violation of the standards and rules, notified under the Environment (Protection) Act, 1986 and amendments thereof; and

WHEREAS, MoEF&CC vide Notification No. G.S.R. 593(E). dated July 21, 2022 notified the Hazardous and Other Wastes (Management and Transboundary Movement) Amendment Rules, 2022. In the said amendments, Schedule-IX has been inserted for Utilization & Management of Waste Tyre; and

WHEREAS, Rule 10 of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 stipulates that the Ministry of Environment, Forest and Climate Change or the Central Pollution Control Board may issue guidelines or standard operating procedures for environmentally sound management of hazardous and other wastes from time to time; and

WHEREAS, Para 4(5) of the Schedule-IX of the Hazardous and Other Wastes (Management and Transboundary Movement) Amendment Rules, 2022 states that the Central Pollution Control Board shall specify the standard operating procedure strictly in accordance with the provisions of this Schedule; and

Meets

etc

WHEREAS, as per the order dated 25.10.2021 passed by Hon'ble NGT in the matter of OA 400 of 2019 regarding Management of Waste Tyre, CPCB revised SOPs for "Recycling of Waste Tyre Scrap for the recovery of Tyre Pyrolysis Oil, Pyro Gas and Char in Tyre Pyrolysis Oil (TPO) Units" on January 16, 2024. The revised SoP stipulates the concept of Advanced Batch Automated Process (ABAP) for the improvement in Environmental Performance of the Tyre Pyrolysis Oil Units. As per the revised SOPs, the TPO Unit having cumulative maximum batch capacity up to 60 tonnes per day (TPD) only be allowed within a premises and this is applicable for new ABAP type Units /expansion in existing batch type TPO Unit. Further, beyond the cumulative batch capacity of 60 TPD, only continuous process type TPO unit be allowed in case of setting up of new ABAP type units or expansion in existing TPO Unit in a single premises; and

WHEREAS said revised SoP stipulates that from the study carried out by CPCB, it was observed that Advanced Batch Automated Process (ABAP) and continuous tyre pyrolysis process had no significant impact on ambient air quality. Therefore, for standardizing the batch type pyrolysis operations, Advanced Batch Automated Process (ABAP) type TPO Unit shall only be allowed; and

WHEREAS, as per the afore-said revised SoP, the ABAP type of TPO units is required to have Programmable Logic Controller (PLC) based control arrangement, bypass arrangement for pyro gas from reactor door to primary condenser, installation of gas sensors, pressure, temperature gauges at reactor & storage tank, gas /fire alarm system, system for flaring of entire pyro gas during emergency, arrangement for re-circulation of pyro gas for reactor's heating, provision for flaring of pyro gas, suction hoods over the gate of reactor and char bagging area, water sprinkler system and mechanized arrangement for removal of char and steel scrap and arrangement of Nitrogen gas (N) purging to address environmental and safety concerns; and

WHEREAS, the revised guidelines were circulated to SPCBs/PCCs for its implementation by CPCB vide email dated 19.01.2024 and 20.03.2024. Further CPCB vide its letter No. CP-22/139/2021-HO-CPCB-HO Part (2) dated March 20, 2024 has again asked SPCBs/PCCs to implement the revised SOP of TPO; and

WHEREAS, it has been observed that SPCBs/PCCs are yet to send compliance report of the aforesaid communications made by CPCB; and

Now, THEREFORE, in exercise of the powers vested under the Section 5 of the Environment (Protection) Act, 1986, it is therefore directed herewith to:

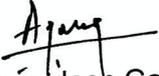
- (i) Ensure implementation of Revised SOPs for "Recycling of Waste Scrap for the recovery of Tyre Pyrolysis Oil, Pyro Gas and Char in Tyre Pyrolysis Oil (TPO) Units" dated 16-01-2024
- (ii) Immediately submit compliance status on verification of TPO Units operating in your State/UT including actions taken in accordance with aforesaid communications dated 19/01/2024 and 20/03/2024 made by CPCB.
- (iii) Ensure at least yearly compliance verification of TPO Units as TPO units are under orange category and submission of compliance report to CPCB.

Meek

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You are also hereby directed to take necessary action for compliance of the aforesaid directions and submit the action taken report to this office within 15 days of receipt of this directions.


(Amandeep Garg)
Chairman

Copy to:

- (i) All Regional Directorate, CPCB : For kind information and follow-up (As per list 2)
(ii) IT Division, CPCB : For uploading on the CPCB's website




(Bharat Kumar Sharma)
Member Secretary

3/3

o/c

List -1

S.No	Address	S.No	Address
1	Andhra Pradesh State Pollution Control Board, D.No. 33-26-14 D/2, Near Sunrise Hospital, Pushpa Hotel Centre, Chalamvari Street, Kasturibaipet, Vijayawada – 520010, Andhra Pradesh	7	Chhattisgarh Environment Conservation Board, Paryavas Bhavan, Paryavas Bhavan, North Block Sector-19, Atal Nagar, Raipur -492002, Chhattisgarh
2	Arunachal Pradesh State Pollution Control Board, Paryavaran Bhawan, Papu Hill, Yupia Road, Naharlagun- 791110, Arunachal Pradesh	8	Pollution Control Committee, Dadra and Nagar Haveli and Daman and Diu, 1st Floor, Udhog Bhavan Bhenslore, Dunetha Nani Daman, Daman – 396 210, Daman
3	Assam Pollution Control Board, Bamunimaidan, Guwahati- 781021, Assam	9	Delhi Pollution Control Committee, Government of N.C.T. Delhi, 4th Floor, ISBT Building, Kashmere Gate, Delhi-110006
4	Andaman & Nicobar Islands Pollution Control Committee, Department of Science & Technology, Dollygunj Van Sadan, Haddo P.O., Port Blair-744102, Andaman & Nicobar	10	Gujarat Pollution Control Board, Paryavan Bhavan, Sector 10- A, Gandhinagar – 382043, Gujarat
5	Bihar State Pollution Control Board, Parivesh Bhawan, Plot No. NS-B/2, Paliputra Industrial Area, Patliputra, Patna - 800023, Bihar	11	Goa State Pollution Control Board, Nr. Pilerne Industrial Estate, Opp. Saligao Seminary, Saligao - Bardez – 403511, Goa
6	Chandigarh Pollution Control Committee, Paryavaran Bhawan, Ground Floor, Sector-19 B, Madhya Marg, Chandigarh - 160019	12	Ladakh Pollution Control Committee, Wildlife Office Building, Near Council Secretariat, Opposite Police Station Housing Colony, UT Leh Ladakh – 194101, Ladakh
13	Haryana State Pollution Control Board, C-11, Sector-6, Panchkula-134109, Haryana	21	Madhya Pradesh Pollution Control Board, E-5, Arera Colony, Paryavaran Parisar, Bhopal- 462016, Madhya Pradesh

14	Himachal Pradesh Pollution Control Board, Him Parivesh, Phase-III, New Shimla- 171009, Himachal Pradesh	22	Manipur Pollution Control Board, Lamphelpat, Near Imphal West D.C. Office, Imphal – 795004, Manipur
15	Jharkhand Pollution Control Board, T.A Building, HEC, P.O. Dhurwa, Ranchi – 834004, Jharkhand	23	Meghalaya Pollution Control Board, Arden-Lumpynggad, Shillong- 793014, Meghalaya
16	Jammu & Kashmir State Pollution Control Board, Parivesh Bhawan, Forest Complex, Gladni, Narwal, transport Nagar, Jammu - 180004, Jammu and Kashmir	24	Mizoram Pollution Control Board, New Secretariat Complex, Khatla Thlanmual Peng, Khatla, Aizawl- 796001, Mizoram
17	Karnataka State Pollution Control Board, Parisara Bhavan, 4th & 5th Floor,# 49, Church Street, Bangalore-560001, Karnataka	25	Nagaland Pollution Control Board, Signal Point, Dimapur- 797112, Nagaland
18	Kerala State Pollution Control Board, Plamoodu Jn., Pattom Palace P.O., Thiruvananthapuram-695004, Kerala	26	Odisha Pollution Control Board, A-118, Nilakanta Nagar, Unit –VIII, Bhubaneswar – 751012, Odisha
19	Lakshadweep Pollution Control Committee, Department of Science, Technology & Environment, Kavarati-682555, Lakshadweep	27	Pondicherry Pollution Control Committee, Housing Board Complex, Anna Nagar- 600005, Pondicherry
20	Maharashtra Pollution Control Board, Kalpataru Point, 2 nd – 4 th Floor, (Opp. Cine Planet Cinema), Nr. Sion Circle, Sion, Mumbai – 400022, Maharashtra	28	Punjab Pollution Control Board, Vatavaran Bhawan, Nabha Road, Patiala – 147001, Punjab
29	Rajasthan Pollution Control Board, 4, Jhalana Institutional Area, Jhalana Doongri, Jaipur- 302004, Rajasthan	33	Tripura Pollution Control Board, Vigyan Bhawan Pandit Nehru Complex, Gorkhabasti, PO: Kunjaban, Agartala – 799006, Tripura

30	Sikkim State Pollution Control Board, Department of Forest, Environment & Wildlife Management, Deorali, Gangtok, - 737102, Sikkim	34	Uttar Pradesh Pollution Control Board, Building No. TC-12V, Vibhuti Khand, Gomti Nagar, Lucknow - 226010, Uttar Pradesh
31	Tamil Nadu Pollution Control Board, 76, Mount Salai, Guindy, Chennai - 600032, Tamil Nadu	35	Uttarakhand Pollution Control Board, Gaura Devi Bhawan, 46 B IT Park Sahastradhara, Dehradun – 248001, Uttarakhand
32	Telangana State Pollution Control Board, Paryavaran Bhawan, A-3, I.E. Sanath Nagar, Hyderabad - 500018, Telangana	36	West Bengal Pollution Control Board, Paribesh Bhavan, 10A, Block-L.A., Sector III, Bidhan Nagar, Kolkata – 700106, West Bengal

List -2

S.No	Regional Directorate	S.No	Regional Directorate
1	The Regional Directorate, Central Pollution Control Board, Ground Floor, PICUP Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow – 226010, Uttar Pradesh	6	The Regional Directorate, Central Pollution Control Board , Opp. Government Press, Ground Floor, CTO Building, BSNL Shillong – 793001 Manipur
2	The Regional Directorate, Central Pollution Control Board, A-Block Nisarga Bhavan, 1st & 2nd Floors, 7th D Cross Thimmaiah Road, Shivanagar, Bangaluru – 560079, Karntaka	7	The Regional Directorate, Central Pollution Control Board ,No. 40-E, 2nd Floor, BSNL Building, TVK Industrial Estate, CIPET Road, Guindy Tamil Nadu - 600032, Chennai
3	The Regional Directorate, Central Pollution Control Board, 'South end Conclave' Block-502, 5th & 6th Floor, 1582, Razidanga, Main Road, Kolkata – 700107 West Bengal	8	The Regional Directorate, Central Pollution Control Board Survey No. 110, Dhankude Multi-Purpose Hall, Baner Road, Baner, Pune – 411045
4	The Regional Directorate, Central Pollution Control Board, Parivesh Bhawan, Opp. Ward No. 10 VMC Office Subhanpura, Vadodara – 390023, Gujarat	9	The Regional Directorate, Central Pollution Control Board BSNL Telephone Exchange, 2nd Floor, Sector 49 -C, Chandigarh – 160047
5	The Regional Directorate, Central Pollution Control Board Parivesh Bhawan, Paryavaran Parisar, E-5, Arera Colony, Bhopal – 462016 Madhya Pradesh		