

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

APPEAL NO. 29 OF 2022

[OLD APPEAL NO.11 OF 2022 (CZ)]

WITH

APPEAL NO. 28 of 2022

[OLD APPEAL NO. 04 OF 2022 (CZ)]

IN THE MATTER OF:

Rathi Special Steels Ltd. & Ors.Appellant

Versus

Commission for Air Quality Management
in National Capital Region and Adjoining
Areas & Ors.Respondents

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New Delhi
Dated: 24.06.2022

Filed By



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APPEAL NO. 29 OF 2022

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IN THE MATTER OF:

Rathi Special Steels Ltd. & Ors.Appellant

Versus

Commission for Air Quality Management
in National Capital Region and Adjoining
Areas & Ors.

.....Respondent

WRITTEN SUBMISSION ON BEHALF OF RESPONDENT NO.1
COMMISSION FOR AIR QUALITY MANAGEMENT IN NATIONAL
CAPITAL REGION AND ADJOINING AREAS

1. In these 2 appeals two order of replying respondent are challenged by the appellant i.e. order dated 21.1.2022 in Appeal No. 28 of 2022 [Earlier Appeal No. 04/2022 (CZ)] and order dated 5.5.2022 in Appeal No. 29 of 2022 [Earlier Appeal No. 11/2022 (CZ)].
2. That the Commission for Air Quality Management was constituted under the provisions of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act, 2021 for better coordination, research, identification and resolution of problems surrounding the air quality index and for matters connected therewith or incidental thereto and under the Act the Commission has been

vested with the power to take all such measures, issue directions and entertain complaints, as it deems necessary or expedient, for the purpose of protecting and improving the quality of the air in the National Capital Region and Adjoining Areas and shall also have the duty to take all such measures as may become necessary for protecting and improving the quality of air in the National Capital Region and Adjoining Areas.

3. That on 2.12.2021 the Commission constituted Enforcement Task Force to monitor and supervise the implementation of statutory directions through surprise inspections of industries and other units within jurisdiction of the Commission.
4. That on 15.12.2021 the Commission direction No.49 in respect of various industries in NCR which have still not shifted to PNG/ cleaner fuels to schedule their operations only for five days a week and industries for this purpose were categorized into three categories as given in para 12 of the direction 49 and the industry of the appellant was to remain closed on Thursday and Friday. (Annexure R-4 at page 52 to 55 to the counter of the replying respondent filed in Appeal No. 28 of 2022 [Earlier Appeal No. 04/2022 (CZ)])
5. It is pertinent to mention here that from 2.12.2021 to 20.6.2022 a total of 6722 incognito / surprise inspections were conducted by the flying squads and 443 closure directions were issued which includes 300 industries, 99 C & D sites and 44 DG Sets and after compliance operation of total 299 units was resumed out of which 229 are industries, 37 are C & D Sites and 33 are D G Sets. In the State of Rajasthan total 51 units were closed and after compliance 36 units were resumed. As such as on 20.6.2022 total 71 industries are still closed under directions of the Commission.

6. That the unit of the appellant was firstly inspected on 17.01.2022, in which it was found that CTO of the unit had expired on 31.7.2021 and it was operating without CTO. It was also found that the unit was also not operating on PNG/cleaner fuels and had also operated on Thursdays and Fridays i.e. on 6th, 7th, 13th and 14th January, 2022 in violation of the Direction No. 49 of the Commission.
7. That after examining the report the Enforcement Task Force the Commission issued closure order dated 21.1.2022 (Annexure R-6 at page 62 to 64 to the counter of the replying respondent filed in Appeal No. 28 of 2022 [Earlier Appeal No. 04/2022 (CZ)])
8. That thereafter the appellant filed Appeal No.4 of 2022 before this Hon'ble Tribunal against the aforesaid Closure Order dated 21.1.2022, on which this Hon'ble Tribunal vide order dated 29.3.2022 allowed the appellant to resume operations and directed the Commission for Air Quality Management to pass order on the representation of the appellant in accordance with law.
9. That after giving proper opportunity of hearing to the appellant and in further examination of the matter it emerged that the appellant's unit also failed to obtain environmental clearance under EIA Notification 2006 amended from time to time.
10. That since there is no provision under the environment laws which permits the unit of Appellant to run without obtaining mandatory statutory clearance or permission under environmental laws, therefore, the Commission passed final order dated 5.5.2022, which is under challenge in Appeal No.29 of 2022.
11. It is not disputed that regarding violation of direction No.49, the appellant has paid the penalty imposed by RSPCB but in the absence of CTO and EC the operation of the unit of the appellant cannot be

resumed. However after order dated 5.5.2022, the appellant has now applied for EC before MOEFCC on 10.5.2022 and it is for MOEFCC to take decision on the issue of environmental clearance and decision on pending application for renewal of CTO has to be taken by the RSPCB.

12. It is pertinent to mention here that in view of technical requirement of different industrial processes and the then prevailing trend of Air Quality Index the Commission vide direction No.53 dated 4.2.2022 relaxed earlier direction No.49 dated 15.12.2021 thereby allowing all industries who have not shifted to PNG / Cleaner fuel to run 7 days a week subject to the condition that they will switch over to PNG / Biomass fuel latest by 30.9.2022 failing which such industries shall be closed down and shall not be permitted to schedule their operations thereafter. (Copy of direction No.53 dated 4.2.2022 is enclosed herewith at page .6... to .10...).
13. It is further submitted here that the Commission again vide Direction No.62 dated 17.03.2022 directed that in respect of industrial areas in NCR where PNG infrastructure and supply is not available, such industries shall also work to completely switch over to bio-mass fuels at the earliest but not later than 31.12.2022. (Copy of direction No.62 dated 17.3.2022 is enclosed herewith at page .11.. to ..13..).
14. That the Commission, based on representations from certain category of industries citing their applications and technical process requirements call for much higher operating temperatures and / or calorific value of fuels as compared to those achieved through bio-mass fuels, and subsequently reviewing the levels of emissions generally observed / achieved in respect of existing industries using such fuels viz. metallurgical coke and the family of low sulphur heavy

stock fuels and based on extant related national / international standards, in furtherance to its earlier Direction Nos. 53, 62 and 63 issued Direction No.64 dated 02.06.2022 permitting use of metallurgical coke in standalone cupola based furnaces and family of low sulphur heavy stock fuels in furnaces for metal heating / smelting / refining purposes respectively, only for regions in the NCR beyond GNCTD, subject to the stricter emission norms and standards, to be complied with through technological upgrades and use of appropriate pollution control devise / system as given in direction No.64 dated 2.6.2022. (Copy of direction No.64 dated 2.6.2022 is enclosed herewith at page ..14. to ..16..).

15. That however with regard to the case of the appellant it is submitted that there is no provision under the environment laws which permits the unit of appellant to run without obtaining mandatory statutory clearances or permission including the Air (Prevention and control of pollution) Act, 1981 and Environment (Protection) Act, 1986 and therefore the order dated 05.05.2022 passed by the Commission is in accordance with law.
16. That in view of aforesaid facts and circumstances it is most respectfully prayed that this Hon'ble Tribunal may kindly be pleased to dismiss both the appeals of the appellant and may pass such order as may deem fit in the interest of justice.

New Delhi
Dated: 24.06.2022

FILED BY:



**DR. ABHISHEK ATREY
COUNSEL FOR THE RESPONDENT NO. 1**

DIRECTION NO. 53

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

F.No. A-110018/01/2021-CAQM/6510-6518 Dated: 4th February, 2022

Subject: Directions under Section 12 of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act, 2021 – Review of Direction No. 49 dated 15/12/2021.

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

2. WHEREAS, to this effect, the Commission, through statutory Direction No. 31 dated 12.08.2021 had directed the State Governments of Haryana, Uttar Pradesh and Rajasthan:

- (i) To audit and inspect the industries, which are already connected to PNG supply and ensure that those industries are not using any other polluting fuels like coal etc.
- (ii) To maintain strict vigil to prevent the use of unapproved fuels in the NCR, through the enforcement agencies concerned and take stringent action, in case of the defaulting units.
- (iii) To prepare an implementable Action Plan by clearly specifying definite time lines for switching over of all identified industries units to PNG, where infrastructure and supply of gas are already available.
- (iv) To develop a time bound comprehensive action plan, in consultation with the authorized entities to supply gas in the Industrial areas falling within the specified Geographical areas of NCR districts, for ensuring PNG and infrastructure supply in the remaining industrial areas.

3. WHEREAS, it was further *inter-alia* reiterated in terms of Direction No. 44 dated 16.11.2021 that "All industries in NCR having gas connectivity shall be run only on Gas as a fuel and that all industries in NCR where gas connectivity is available shall immediately be shifted to gas and the State Governments to furnish industry wise date of shifting;

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4. WHEREAS, in terms of subsequent Direction No. 46 dated 02.12.2021, in wake of adverse air quality, it was directed that "All industrial operations and processes in Delhi-NCR not running on PNG or cleaner fuels shall be allowed to operate upto only 8 hours per day from Monday to Friday and shall not be allowed to operate on Saturdays and Sundays";
5. WHEREAS, the Hon'ble Supreme Court in its Order dated 03.12.2021 in the matter "Aditya Dubey & Anr. Vs Union of India & Ors." also directed for the proposal to be submitted to switch over all the industries to PNG/ cleaner fuels in a time-bound manner;
6. WHEREAS, despite repeated follow-up, plan of action indicating definite timelines for such switch over of industrial units to PNG/ cleaner fuels, in respect of areas in NCR where gas infrastructure/ supply is already available, has still not been furnished to the Commission by the State Governments of Uttar Pradesh and Haryana;
7. WHEREAS, pursuant to Hon'ble Supreme Court's directions in the above referred matter dated 10.12.2021 directing the Commission to examine requests of various industries and organisations about relaxation of conditions imposed by virtue of Hon'ble Supreme Court's Orders or by the Directions/ Orders of the Commission, Direction No. 49 was issued in respect of industries in NCR which have still not shifted to PNG / cleaner fuels, restricting the operations of such industries only for 5 days in a week (with no restriction on number of hours on operations on a daily basis);
8. WHEREAS, it was also clarified that the stipulations under Direction No. 49 would also be applicable to such industries which, despite having PNG / gas supply in their industrial units, have only so far partially converted their operations to PNG and continue to run on other fuels as well, however, subject to a definite and an expedient timeline to be undertaken by such individual industrial units concerned, in the NCR;
9. WHEREAS, at the time of passing of the above said Direction No. 49, the Air Quality Index (AQI) of Delhi was under the "Severe" Category;
10. WHEREAS, various organizations/ associations/ federations/ entities and individuals such as All Indian Distillers Association, Indian Paper Manufacturers Association, Indian Industries Association, Builders Association of India, Panipat Export Association, Garments Exporters and Manufacturers Association, Gurugram,

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Chamber of Indian Trade & Industries, Ghaziabad, Industrial Area Manufactures Association, Ghaziabad, Industrial Federation, Ghaziabad, Sahibabad Industries Association, Gurgaon Industrial Association, Gurgaon Chamber of Commerce and Industry, Faridabad Industries Association, Industrial Association Behror, Alwar, Neemrana Industries Association, Confederation of Industries and Commerce, Alwar, Bhiwadi Rolling Mill Association, Alwar and Matsya Udyog Sangh, Alwar also made their submissions/ represented their respective cases to the Commission, mainly seeking exemption from restricted operations, across all industrial sectors in the NCR in respect of industries which are presently not running on PNG as fuel, and some of the associations, federations and individuals were also heard in person in this regard;

11. WHEREAS, during deliberations as above, the main contention and concern put forth by majority of the industries was in respect of mandatory technical requirements of uninterrupted / long running hours for total cycle time of operation in various industrial processes and in order to avoid huge losses and damage to in-process inventories;

12. WHEREAS, the Commission was informed that some units have taken-up with agencies concerned for supplying gas to its unit but unable to shift to PNG for want of gas infrastructure and supply and those not connected with PNG have informed that on availability of PNG infrastructure they will convert to PNG;

13. WHEREAS, Secretary, Department of Food and Public Distribution, Ministry of Consumer Affairs, Government of India, have also requested for continued operations of distilleries in the NCR region in order to achieve the targets for blending of ethanol with petrol;

14. WHEREAS, a large number of associations, federations and individuals have submitted before the Commission their requests for permitting use of biomass fuels in addition to PNG, citing that biomass-based fuels are much more environment friendly than fossil fuels like HSD and Coal etc. in terms of carbon emissions and also their PM emissions are much controlled;

15. WHEREAS, the technical and process requirements in individual sectors were assessed and deliberated in detail in the Commission;

16. WHEREAS, other than in GNCTD, majority of industries in industrial areas across NCR, where gas infrastructure and supply is available, are however still not fully operating with PNG/ cleaner fuels and continue to use polluting fuels such as coal, HSD etc;

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17. WHEREAS, the Air Quality Index of Delhi has since significantly improved from 'severe' category and is currently in the "Poor" category and the forecast indicates that the air quality is not likely to deteriorate further;

18. NOW, THEREFORE, in respect of industries in NCR which, despite availability of natural gas infrastructure and supply have still not shifted to PNG/ cleaner fuels, in view of the technical requirements of different industrial processes and the prevailing trend of Air Quality Index, the Commission, in furtherance of Direction No. 49 dated 15.12.2021, with immediate effect and till further orders, hereby relaxes the restrictions imposed on running of such industries only for 5 days in a week and permitting operations for all the days during the week, strictly subject to the following:

(i) Such industries as above located in the NCR, beyond the jurisdiction of GNCTD, shall under all circumstances completely switch over to PNG or biomass fuels, latest by 30.09.2022, failing which such industries shall be closed down and not permitted to schedule their operations thereafter.

(ii) Till such time the transition to fuels as above is effected, such industries shall use only such fuels as approved by the respective State Governments for industrial operations.

(iii) Industries in the jurisdiction of GNCTD shall necessarily be run only on PNG and electricity.

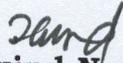
19. For industrial areas where PNG infrastructure and supply is not available, such industries shall also be permitted to schedule their operations for all the 7 days in a week. However, such industries shall also plan and switchover to operate on biomass fuels at the earliest. Till such time this transition is effected, such industries shall use only such fuels as approved by the respective State Governments for industrial operations.

20. All preventive measures related to effectiveness of emission control devices and adherence to the prescribed standards of emissions in the respective fuel/ industry category, as applicable from time to time, shall be ensured by all industrial units in the NCR.

21. This Direction, however, is not applicable in respect of proponents / units where specific orders have been issued for suspension / closure of industrial activities and such units shall not

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resume their industrial activities based on this Direction. It is reiterated that such units / proponents shall have to approach the Commission separately and individually for an appropriate decision for resumption of industrial activities, as contained in Commission's Order No. A-110018/01/2021-CAQM dated 16.12.2021.


(Arvind Nautiyal)

Member-Secretary

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Email: arvind.nautiyal@gov.in

To

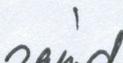
1. The Chief Secretary, Government of Haryana.
2. The Chief Secretary, Government of Rajasthan.
3. The Chief Secretary, Government of Uttar Pradesh.
4. The Chief Secretary, Government of NCT of Delhi.

Copy to:

1. The Chairman, Central Pollution Control Board.
2. The Chairman, Haryana State Pollution Control Board.
3. The Chairman, Uttar Pradesh Pollution Control Board.
4. The Chairman, Rajasthan Pollution Control Board.
5. The Chairman, Delhi Pollution Control Committee.

Copy also to:

The Chairperson and all Members, CAQM.


(Arvind Nautiyal)
Member-Secretary

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

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

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

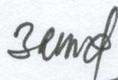
WHEREAS, the emissions from industries using polluting fuels like coal etc. have serious adverse impact on air quality in the National Capital Region and Adjoining Areas and shifting of Industries to PNG/cleaner fuels has been a priority for the Commission for Air Quality Management in NCR and Adjoining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

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

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

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

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



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

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

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

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

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

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

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

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

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

Arvind
(Arvind Nautiyal)

Member-Secretary

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Email: arvind.nautiyal@gov.in

To,

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

Copy to:

1. The Chief Secretary, Govt. of Haryana
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4. The Chief Secretary, Govt. of NCT of Delhi.

Copy also to:

The Chairperson and all Members, CAQM.

Arvind
(Arvind Nautiyal)
Member-Secretary

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

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

Dated: 2nd June, 2022

Subject: Permissible fuels for industrial applications in NCR.

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

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

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

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

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

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

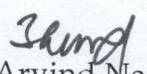
4. WHEREAS, the technical, technological and process requirements in the above two categories of industries and the respective emission characteristics of the proposed fuels have been examined and analysed in the Commission;

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

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

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

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


 (Arvind Nautiyal)
 Member-Secretary
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To,

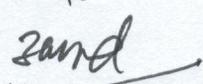
1. The ACS/Pr. Secretary, Industries Department, Govt of Haryana.
2. The ACS/Pr. Secretary, Industries Department, Govt of Rajasthan.
3. The ACS/Pr. Secretary, Industries Department, Government of Uttar Pradesh.
4. The ACS/Pr. Secretary, Industries Department, Government of NCT of Delhi.
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The Chairperson and all Members, CAQM.


 (Arvind Nautiyal)
 Member-Secretary