

**HARYANA STATE POLLUTION CONTROL BOARD**  
**C-11, SECTOR-6, PANCHKULA**  
**Ph-2577870-73 E-mail: [hspcbho@gmail.com](mailto:hspcbho@gmail.com)**  
**[Website:www.hspcb.gov.in](http://www.hspcb.gov.in)**

**[Important Information for the farmers regarding  
Directions passed by Hon'ble NGT on 10.12.2015](#)**

It is brought to the notice of all the farmers that Hon'ble National Green Tribunal, New Delhi vide its order dated 10.12.2015 in OA No. 118/2013 titled as Vikrant Kumar Tongad Vs Environment Pollution (Prevention & Control) Authority & Others has issued the following directions to improve the air quality of NCR Delhi by not burning the farm fire/residue crop by the farmers:-

- a. The National Policy for Management of Crop Residue, 2014 prepared by the Ministry of Agriculture, Government of India shall in conjunction with the Action Plan prepared by the States of Rajasthan, Uttar Pradesh, Haryana and Punjab shall be implemented in all these States now, without any default and delay.
- b. All these State Governments and NCT Delhi shall immediately take steps to educate and advise the farmers through media, Gram Panchayats and Corporations that crop residue burning is injurious to human health, causes serious air pollution and is now banned or prohibited by law. They shall also be educated that the agriculture residue can be extracted and utilized for various purposes including manufacturing of boards, fodder, rough paper manufacturing and as a raw material for power generation etc.
- c. Every State Government to this application shall evolve the mechanism for collection of crop residue, its transportation and utilization for appropriate purposes. 19 Such mechanism shall be implemented directly under the control of the State Authorities.
- d. In the event of any conflict or contradiction between the National Policy for Management of Crop Residue, 2014 and the Action Plan prepared by the State Governments, the National Policy for Management of Crop Residue 2014 shall prevail.
- e. In cases of persistent defaulters of crop residue burning, an appropriate coercive and punitive action could be taken by the concerned State Government including launching of prosecution under Section 15 of the Act of 1986.
- f. Where on the one hand State Governments are directed to provide incentives for farmers for not burning agriculture residue in the open and on the other hand they are required to take into consideration passing of such direction, including withdrawal of assistance provided to the farmers if they persist with the defaults.
- g. All the States which have issued Notification prohibiting agriculture crop residue burning shall ensure that the Notifications are enforced rigorously and proper action is taken against the defaulters. Any person or body that is found offending this direction would be liable to pay Environmental Compensation as follows:
  - Small land holders having an area less than 2 Acres shall pay Environmental Compensation of Rs. 2500/- per incidence.
  - Land holders having land area more than 2 Acres but Less than 5 Acres shall pay Environmental Compensation of Rs. 5000/- per incidence.
  - Land holders having land area more than 5 Acres shall pay Environmental Compensation of Rs. 15000/- per incidence.
- h. Every State will provide Machines, Mechanism and Equipments or its cost to the farmers to ensure that agricultural residue in the field in these states are removed, collected and stored at appropriate identified sites in each district.
  - Such equipments like happy seeders would be provided to small farmers having land area less than 2 Acres free of Cost.
  - For the farmers possessing area of more than 2 Acres but Less than 5 Acres, the cost for such machines is to be Rs. 5000/-.
  - For land owners having land area more than 5 Acres the cost for such machines is to be Rs. 15,000/-. These costs are for each crop growing season only once.
- i. We hereby direct and prohibit agricultural residue burning in any part of the NCT of Delhi, State of Rajasthan, State of Punjab, State of Uttar Pradesh and State of Haryana.
- j. All the Pollution Control Boards of these states shall monitor the ambient air quality of the major cities, particularly in NCT of Delhi and submit the data to the Tribunal.

- k. We direct the District Magistrate of all the Districts in these states to constitute a special team to monitor and physically inspect the sites to ensure that there is no agriculture crop residue burning in their respective jurisdictions.
- l. This shall be done on regular intervals and inspection reports should be submitted to the respective Pollution Control Boards which in turn would provide comparative statement based on these inspections and air quality samples to the Tribunal.
- m. We hereby direct all the State Governments and the Pollution control Boards should ensure that small land holding farmers are provided with the aid and machines for extracting agricultural crop residue in their respective fields and transport them to the designated sites in the respective districts where either it is used as a fuel in the plants or it is used for manufacturing of Straw/Fiber Boards and it can also be converted into a manure wherever it is possible.
- n. The District Magistrates shall further ensure from the Gram Panchayat that farmers are educated by holding special program of public hearing, circulating pamphlets and by practically demonstrating to the farmers the amount of pollution caused and consequential harm to public health, including that of their children from agricultural residue burning in open, as well as the possible ways for disposing agricultural crop residue by even providing benefit in terms of money. In some of the policies declared by the States, even some incentive and aid can be provided. Let the States implement this with greater sincerity and effectiveness.
- o. All the State Governments shall, if they have not already done, create an alert system so as to bring to the notice of the Concerned Authorities that in a particular part of the jurisdiction of the State, agricultural crop residue burning has commenced so as to enable them to take effective and immediate measures by use of satellite imagery or otherwise.
- p. We direct all the State Governments to bring this order to the notice of the farmers of each State. The District Magistrate, Secretary Environment and Member Secretary of the respective Pollution Control Boards shall be personally responsible for implementation of these directions.
- q. The State Governments should in coordination with Indian Space Research Organization (ISRO), National Remote Sensing Agency (NRSA) and State Remote Sensing Agency (SRSA) develop real time monitoring mechanism for monitoring the place, date and time of burning of agricultural residues within their respective States and evolve communication mechanism for giving SMS alerts to all the district level functionaries in respect of the instances of agricultural residue burning within their jurisdiction.
- r. We also direct that a copy of this judgment be circulated to the Chief Secretaries of the States for compliance in accordance with law and accordingly for preparation of Action Plan and compliance thereof in accordance with law.
- s. All the District Administrative Officers including District Magistrate, Superintendent of Police, Officers of the regional office of the Pollution Control Boards and the Environmental Department of the districts including Corporations, Municipalities etc. would be responsible for carrying out these directions in their true spirit and substance, without default.

**Chairman  
HSPCB**