



HARYANA STATE POLLUTION CONTROL BOARD

C-11 Sector-6, Panchkula

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Office Order

Whereas the Board as per policy order issued vide order Endst. No. HSPCB/PLG-22/3665-88 dated 01.03.2012, has prescribed procedure for suspension for closure order issued under Water Act, 1974 and Air Act, 1981 with the following provisions:-

- In the cases where the ETP/STP/APCM are not of adequate capacity but sufficient to meet the treatment requirement of lower capacity, then closure orders for the respective units can be suspended with the condition that the unit shall bring down the production proportionate to their treatment capacities of the ETP/STP/APCM.
- In the cases of units whose samples have failed and closure order is issued and suspension of closure is being considered with the condition that unit will bring down the production proportionate to their treatment capacities of ETP/STP/APCM, but at the same time prosecution action shall also be initiated against such units under the provisions of the Water/Air Acts for the past violation committed by them for discharging effluent/air emission in excess of the standards in the past. However, the defaulting units shall be given opportunity where the Board is of the view after hearing the unit that there was operational/technical problem in ETP/STP/APCM arisen on the date of inspection, before taking prosecution action. If the unit still found violating second time after giving the opportunity, then prosecution action shall be taken against the defaulting unit as per law/rules.

Whereas, further as per policy order Endst. No. HSPCB/PLG-74/652-671 dated 03.05.2012, the units whose samples are found to be exceeding the permissible limits on account of minor operational problems, are provided an opportunity, on submission of scheme of modification of ETP/APCM and undertaking to comply with the standards laid down by the Board in time bound manner alongwith prescribed performance security and curtailment of production proportionate to the existing capacity of pollution control devices i.e ETP/APCM, to operate with curtailed production for a specific period within which such modification are to be carried out. However, it was provided in the said policy order that no opportunity shall be given to the units which are found bypassing the effluent and units having no ETP/APCM;

Whereas, Hon'ble National Green Tribunal vide its order dated 19.12.2018 passed in OA. No. 673/2018 with OA. No. 727/2018 has directed to prepare the action plan to restore the water quality of rivers with one of the following feature of the action plan:-

"Laying for regulation industrial pollution control by ensuring consent compliance and closing the defaulting industries till they comply with the norms stipulated to them."

Whereas, the matter has been examined and it has been decided to amend the policy of the Board regarding grant of time to the units found non complying the standard for discharge of pollutants, for modification/upgradation of pollution control devices with curtailment of production proportionate to the existing capacity of pollution control devices and to operate with curtailed production for a specific period within which such modification are to be carried out.

In view of above and in partial modification of this office order Endst. No. HSPCB/PLG-22/3665-88 dated 01.03.2012 and order Endst. No. HSPCB/PLG-74/652-671 dated 03.05.2012, it is hereby ordered that units, having structurally inadequate pollution control devices and found non complying the standards prescribed for discharge of pollutants and/or closed by the Board due to non compliance of the prescribed standards, shall not be allowed to operate and shall not be given time for modification/upgradation of pollution control devices with curtailment of production proportionate to the existing capacity of pollution control devices and closure order issued against such non complying units under Water Act, 1974/Air Act, 1981, shall not be suspended till such units provide the structurally adequate pollution control devices for making the compliance by making the required rectification and modification/upgradation in their existing pollution control devices to comply with the norms stipulated to them for discharge of pollutants, even after they have deposited the performance security and undertaking in this regard to the Board.

This order shall come into force with immediate effect.

Dated Panchkula, the
20th February, 2019

Ashok Kheterpal
Chairman


Endst. No. HSPCB/PLG/2019/ 5520 - 43

Dated: 25/2/19

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

- All section Incharges in Head Office.
- All Regional officers in Field Officers.
- Nodal Officer (IT) for uploading the order on the website of the Board.

Endst. No. HSPCB/PLG/2019/ 5544 - 45

 Sr. Environmental Engineer-I (HQ)
For Chairman

Dated: 25/2/19

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

- P.S. to Chairman
- P.A. to Member Secretary.

 Sr. Environmental Engineer-I (HQ)
For Chairman