

OFFICE ORDER

Annexure 'D'

HARYANA STATE POLLUTION CONTROL BOARD,
C-11, SECTOR 6, PANCHKULA

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The matter regarding delegation of powers for issuance of show cause notice for closure under section 33 A of the Water Act and under section 31 A of the Air Act to the defaulting units which have not obtained NOC or not installed ETP/APCM or not obtained environmental clearance (32 categories of projects) from the Ministry of Environment & Forest, Govt. of India or by passing the untreated effluent and discharging into water bodies or throwing untreated effluent through tankers or dispose of hazardous sludge generated from the process/ ETP into the drain/ water bodies or using unauthorized fuel such as waste plastic/ rubber in the boiler/ furnace etc. has been under consideration of the Board.

After detailed deliberations it was decided that ROs be authorized to issue show cause notices for closure under section 33 A of the Water Act and 31 A of the Air Act against the defaulting units in following circumstances:-

1. not obtained NOC and commenced operation/production without operation or installation of ETP/APCM or
2. obtained NOC but not operating/installed ETP/APCM or
3. not obtained environmental clearance (32 categories of projects) from the Ministry of Environment & Forest, Govt. of India and operating or
4. caught on the spot and in the act passing the untreated hazardous effluent and discharging into water bodies or
5. throwing untreated effluent through tankers
6. caught in the act, on the spot, dispose of hazardous sludge generated from the process/ ETP into the drain/ water bodies or
7. using unauthorized fuel such as waste plastic/ rubber in the boiler/ furnace etc.

The above mentioned use of powers of issuance of show cause notice for closure shall in all cases be supported with corroborative and relevant photographs and other relevant evidence such as samples results, if possible. The R.O's should give full justification and reasons in the shape of a speaking order on the file of the regional office before issuance of such notice and a copy of such closure notice should immediately be sent to the Head office without any delay by way of FAX/E-Mail along with supporting documents mentioned above. In case it is found that such notices have been issued on flimsy ground then the R.O would be liable for strict disciplinary action.

Further R.Os are also authorized to issue closure show cause notice under Water Act and under Air Act depending upon the gravity of the situation in case there is a leakage/spillage imminent and on immediate danger of leakage/spillage of toxic/obnoxious gases and affecting public at large or release of toxic/ highly hazardous material/ gases/ sludge into the water bodies which

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are serving as source of water supply and affecting public at large or in case of illegal lead units operating without installation of environmentally sound technologies and emitting highly hazardous lead oxide vapours/ emissions or where there is a reverse pumping done by any industry by injecting the effluent directly into aquifer affecting the sub-soil water adversely. 157

Due to the nature of this delegation and the imperative need to keep a close check on the action taken to prevent pollution in public interest, it is directed that every RO shall send an action taken through E-Mail and FAX to Chairman Office everyday at 6.00PM. If no action is taken then NIL report will be sent. Non-Compliance of sending report on Performa will be viewed seriously and would invite strong administrative action.

Dated, Panchkula the
2nd of August, 2005

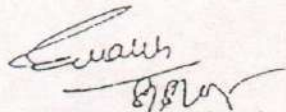
SAMIR MATHUR
CHAIRMAN

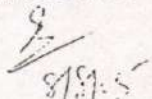
Dated:- 8/8/05

Endst.No.HSPCB/2005/2551-67

Copy of the above is forwarded to the following for information and further necessary action:-

1. All Regional Officers in field.
2. All Branch Incharges in the Head office.
3. P.S. to Chairman for the information of Worthy Chairman.


SCIENTIST C-I(HQ)
For CHAIRMAN


8/8/05