

HATYANA STATE POLLUTION CONTROL BOARD

C-11, SECTOR-6, PANCHKULA

ORDER

During the meeting of the officers held on 28.7.2005 and on 1.8.2005 the matter regarding delegation of powers regarding issuance of closure orders and powers to seal the unit in grave emergency was discussed and it is decided that the powers to Regional Officers be given decided for issuance of closure orders under section 33-A of the water Act/section 31-A of the Air Act under special circumstances and also giving powers of sealing the unit in grave emergency when there is immediate threat to the environment and endangering lives of the public at large in following circumstances:-

Regional Officers are authorized to issue closure order/sealing of the polluting process of the unit after giving 3 days notice or directly seal the polluting process in grave emergency when there is immediate threat to environment and endangering the lives of people at large and other living creatures in following circumstances :-

- a) Unit is doing reverse pumping of untreated effluent by injecting it directly in to aquifer and polluting the sub-soil water; or
- b) Unit is illegally operating lead recovery unit by using waste batteries in violation of Battery Rules and has not adopted environmentally sound technologies, because lead oxide emissions can adversely affect the central nervous system of human beings and living creatures; or
- c) When there is leakage/spillage of hazardous/obnoxious gas in the atmosphere or releasing toxic/hazardous material in water bodies used for drinking water source and endangering lives of people at large or other living creatures.
- d) It has been the concern of the Govt. and the Board for some time now that decisive action is not being taken with regard to

illegal or unscientific disposal of polluted effluents including disposal by ways of transporting potentially or decidedly polluting effluent from manufacturing/process industries and disposing these off at various places through tankers while the above decision has sought to delegate powers to the R.Os. to take immediate prohibitory action under various Environmental Laws and enabling provisions, it would be appropriate and in order to delegate the power to order closure of those units which adopt above means for disposal of polluting effluents through tankers or other vehicles. This is being done to ensure that immediate and effective action is taken in public interest under Environmental Laws. R.O should record full justification/reasons on the file and send a copy of such notice to the Head Office and should also take photograph and provide other evidence such as sample, if possible.

R.O. Should record full justification/reasons on the file and send a copy of such notification to the Head Office within 24 hours and should also take photograph and provide other evidence such as sample, if possible.

In case of non-compliance of above orders or issuing any notice/order on flimsy grounds they will be liable for action.

Dated: 23.08.2005

SAMIR MATHUR
CHAIRMAN.

PKL

Endst No. H.S.P.C.B./2005/2745-53

Dated: 23.08.2005

A copy of the above is forwarded to all the Regional Officers in the field for information and necessary compliance immediately. They are requested to ensure daily computerized (E-mail/Fax) Monitoring & sending report to Head Office.

2. The Officers should, whenever necessary, provide information regarding Law/Rules/Guidance to potential violations/violators, other than taking action as required.

[Handwritten Signature]

Scientist 'C'-I (HQ)

For Chairman.

cc: 2754-60 dt. 23.8.2005

All the officers in the Head Office for information and necessary action.

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Scientist 'C'-I (HQ)

For Chairman