

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

F. No. A-110018/01/2021-CAQM/6596-6600

Dated: 08 February, 2022

Subject: Directions under Section 12 of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act, 2021 for effective control of air pollution in Delhi-NCR – Regulations for use of Power Generating Sets.

WHEREAS, Ministry of Environment, Forest and Climate Change, Government of India, in exercise of the powers conferred under Section 3 of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act 2021, has constituted the Commission for Air Quality Management in National Capital Region and Adjoining Areas (hereinafter referred to as the Commission);

WHEREAS, under Section 12 (1) of the Act, the Commission has powers to take all such measures, issue directions, etc., 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;

Whereas, under Section 12 (2) (v) of the Act, the Commission has powers to impose restrictions of areas carrying out any industry, operation or process that have implications on air quality in the region;

WHEREAS, Section 12 (2) (xi) of the Act, empowers the Commission to issue directions in writing to any person, officer, or any authority and such person, officer or authority shall be bound to comply with such directions;

WHEREAS, the Commission has repeatedly taken up the matter relating to air pollution in NCR with the State governments of Haryana, Rajasthan, Punjab, Uttar Pradesh and Government of NCT of Delhi and various organizations concerned of the Central and State Governments/ GNCTD and has issued various Directions, Orders and has also taken specific decisions for effective implementation of measures for abating air pollution in NCR region from time to time;

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WHEREAS, the Commission has been highlighting that amongst others, uncontrolled use of Diesel Generator (DG) sets is a major contributing factor for deterioration of air quality in the region;

WHEREAS, in wake of adverse air quality in NCR, in consonance with the GRAP notified by the Ministry of Environment, Forest and Climate Change in November, 2017, the Commission vide its Direction No. 44 dated 16th November, 2021, directed for ban on use of DG sets, except for emergency purposes in the NCR;

WHEREAS, for imparting clarity in the matter, emergency purposes / services for which DG sets are to be permitted as an exception were listed out in the Commission's Order dated 13/12/2021;

WHEREAS, a large number of industries, associations, federations and individual entities have represented before the Commission that only owing to interruptions in the regular power supply, such units are compelled to resort to DG sets operations and that DG sets are neither economically viable for regular operations;

WHEREAS, the said units have further submitted that certain continuous industrial processes and production set ups demand un-interrupted power in the interest of salvaging the in-process inventories & semi-finished products and in many cases also for operating various safety and security related systems / equipment;

WHEREAS, some entities have also represented that they are engaged in the telecommunication and data services for which un-interrupted power supply becomes extremely vital and thereby a heavy dependence on DG sets;

WHEREAS, such representations / submissions made, have been studied and deliberated upon in the Commission;

WHEREAS, it is also very important to prevent, control and abate air pollution caused by the DG sets in the region;

NOW, THEREFORE, in wake of the representations / submissions made by the various entities and the concerns raised therein in exercise of the powers vested with the Commission under Section 12 of the Commission for Air Quality Management in NCR and Adjoining Areas Act 2021, it has been directed by the Commission that:

I. The emergency services for which DG set operations shall be permitted as exceptions in the entire NCR, whenever orders for banning the use of DG sets are enforced under the GRAP, shall be as under:

- (i) Elevators / Escalators / Travelators etc. in various installations. Commercial entities / residential societies shall, however, ensure that DG set operation and supply therefrom is purely limited to operation of elevators / escalators / travelators etc. and not for any other activities of commercial entities / residential societies.
- (ii) Medical Services (Hospital/Nursing Home/Health care facilities) including units involved in manufacturing of life saving medical equipment/devices, drugs and medicines.
- (iii) Railway Services / Railway Stations.
- (iv) Metro Rail Corporation & MRTS Services, including trains and stations.
- (v) Airports and Inter-State Bus Terminals (ISBTs).
- (vi) Sewage Treatment Plants.
- (vii) Water pumping Stations.
- (viii) Projects related to national security, defence & of national importance.
- (ix) Entities involved in telecommunications and IT/ data services.

II. The Commission further directs that for other sectors and services, selective use of alternate power (other than electricity supply through DISCOMS) through generating sets would be permitted / regulated, even for the period of ban under the GRAP, as detailed below:

- (a) Generator sets running purely on LPG / Natural Gas / Biogas/Propane/Butane: – There shall be no restrictions on running such generator sets.

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(b) Generator sets shall be permitted to operate for a maximum of 2 hours on a per day basis, to take care of exigencies of power supply failures etc. provided that:

(i) The Diesel Generator Sets have been suitably converted to run in a hybrid/ dual fuel mode (with 70% gas-based fuels and 30% Diesel)

and

(ii) Such Diesel Generator Sets are also equipped with Retrofitted Emission Controlled Devices (RECD) in accordance with the CPCB guidelines towards a minimum PM capturing efficiency of 70% for in-use DG sets up to 800 KW gross power category, issued pursuant to Directions of Hon'ble NGT, further subject to such a retrofitment carried out through an agency which has a valid certification from any of the 5 authorized test agencies by CPCB in this context (viz. Automotive Research Association of India, Pune; International Centre for Automotive Testing, Manesar; Indian Institute of Petroleum, Dehradun; Indian Oil Corporation Research and Development Centre, Faridabad and Vehicle Research Development Establishment, Ahmednagar).

(iii) A detailed log of the intervals / time durations for which the DG Sets have been used is maintained methodically, preferably such data being captured in an electronic mode in the DG Sets itself.

(c) All other categories of Diesel Generator sets, other than listed above, under no circumstances, shall be permitted to operate during the periods of ban imposed under the GRAP, except for emergency services as detailed out in (I) above or with the specific approval of the Commission in special cases.

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- III. To facilitate effective implementation of the above noted directions of the Commission, the respective power distribution companies in NCT of Delhi shall provide un-interrupted power supply, particularly during the winter months, so as to facilitate mitigating adverse air quality owing to a large-scale use of alternative power generating systems.
- IV. The above directions shall take effect in strict force w.e.f. 01.10.2022. Till such time, extant guidelines and orders related to restricted use of DG sets under the GRAP shall prevail.
- V. The Government of NCT of Delhi and Delhi Pollution Control Committee shall give wide publicity including through print and social media and by organizing meetings / interactions with business associations, stake holders and others concerned for effective and timely compliance of the Direction.
- VI. Noncompliance of this Directions may lead to sealing of DG sets and /or sealing of establishments using DG sets, imposing and levying of environmental compensation charges etc. as well as penal action under the relevant laws.

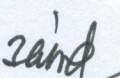

(Arvind Nautiyal)
Member-Secretary
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To

1. The Chief Secretary, Government of NCT of Delhi.
2. All DISCOMS in NCT of Delhi
3. The Chairperson and all Members, CAQM.

Copy to (NOO):

1. Chairman, Central Pollution Control Board.
2. Chairman, Delhi Pollution Control Committee


(Arvind Nautiyal)
Member-Secretary