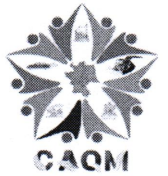




राष्ट्रीय राजधानी क्षेत्र और निकटवर्ती क्षेत्र  
वायु गुणवत्ता प्रबंधन आयोग  
Commission for Air Quality Management in  
National Capital Region and  
Adjoining Areas



F. No. 16014/ 14 / 2021/ MERD / I P / -13147-52

16<sup>th</sup> March, 2023

To

1. The Addl. Chief Secretary (Environment), Govt. of Haryana.
2. The Chairman, Haryana State Pollution Control Board.

**Subject: Industries located in non-conforming areas in NCR - Review of Closure Directions thereof.**

Subject matter under the consideration of the Commission relates to running of industries, which are not fulfilling the pre-requisites of various environmental statutes like a prior Consent to Establish (CTE) and a Consent to Operate (CTO), these being located in non-conforming / unapproved industrial areas etc.

2. Besides the non-availability of CTE / CTO, which is the foremost statutory requirement for running an industry, some of the units were also found wanting towards air pollution control measures in their respective units. There are also instances wherein there is a general compliance of various air pollution related directions, orders and guidelines, however the CTE / CTO was not available.

3. The location of industries in non-conforming areas and granting a CTE / CTO to such industries is by itself a dichotomous situation. Identifying / earmarking industrial areas is purely a subject matter of the State Governments / GNCTD and the respective State Pollution Control Boards / DPCC. Even if all appropriate measures are initiated in these units for compliance of all air pollution control norms / standards, the Commission would not be in a position to take a conclusive decision related to resumption of such units without CTE / CTO.

4. The matter was also taken up for deliberations during the just held meeting of the full Commission on 10.03.2023. Members of the Commission representing the State Govt. of Haryana, the GNCTD and other representatives from the State Govt. of UP and Rajasthan generally apprised the Commission of a mechanism and arrangement existing in the State Governments to deal with and decide on issues related to industries located in non-conforming areas and regulations / permissions thereof.

...2/-

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5. Accordingly, it has been decided by the Commission not to pursue with the subject closure directions further and transfer such cases (list enclosed) to the State Government of Haryana and HSPCB for them to examine the contentions made by such industries and take further decision towards issuance of CTE / CTO to these industries including appropriate decision on permitting / regulating industrial operations in these areas. For other gross violations noted during inspection of these industries, besides non-availability of CTE / CTO, the HSPCB may also initiate appropriate action and impose suitable EC charges for the violations reported during the inspections by the Flying Squads as also reflecting in the respective closure directions.

6. While majority of such cases reported to the Commission are from non-conforming industrial areas of Haryana, similar situation also exists in other areas in NCR and such cases need to be dealt with similarly.

Encl.: **As above**

  
(Rajesh Kumar)  
Director

Copy to:

1. ACS / Pr. Secretary (Environment), Govt. of Rajasthan / Uttar Pradesh
2. Chairman, RSPCB / UPPCB