CONFEDERATION OF BIOMASS ENERGY INDUSTRY OF INDIA

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Ref: CBEII/2022/LTR/003 **Date: 07th February'2022**

To,
Sh. Tanmay Kumar, IAS
Chairman,Central Pollution Control Board
Ministry of Environment, Forest and Climate Change
Government of India
Parivesh Bhawan, East Arjun Nagar, Delhi-110032
Tel: +91-11-22307233 / +91-11-43102030
Email Id: ecb.cpcb@nic.in

Subject: Air Pollution Mitigation with solutions for cleaner and sustainable green fuel.

Introduction

1. Confederation of Biomass Energy Industry of India (CBEII) is the apex industry body which represents all stakeholders of the Biomass industry including Biogas, 2G-Ethanol, Briquettes & Pellets manufacturers, Biomass IPPs, Industry segments, etc. Website www.cbeii.org.
2. Senior and esteemed industry leaders are part of CBEII's Governing Council and Executive Committee thereby providing direction and guidance to its activities and members furthering the cause of sustainable green bioenergy in India.
3. We continue to represent our members and the society at large with various policy makers, regulators, and society influencers for assisting the Biomass industry in India which is a sunrise sector and therefore there is need to understand the potential applications better & engage for appropriate policy interventions from time to time.

Problem Statement

4. Over the last 5xYears efforts have been stepped up both by the central and state governments and the private sector, to wean farmers away from the practice of burning the stubble and other farm agri-residues, but year 2021 has been a watershed time with the maximum number of farm fires which is continuing with the environment and health issue looming at large across India.

Background

5. In order to address the issue of air pollution due to farm stubble burning and to reduce carbon footprints of thermal power generation, Ministry of Power has set up a **"National Mission on use of Biomass in coal based thermal power plants."** Such a national mission is a welcome development, and it will support the energy transition in the country and our targets to move towards cleaner energy sources.

6. Our Honorable Prime Minister, Shri Narendra Modi has given the clarion call of ***"Ann data se Oorja data"*** in several of his addresses highlighting the great potential of Biomass as a source of renewable energy.

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7. Statutory bodies like Central Electricity Authority (CEA) have issued Biomass Utilization Advisory to all State Power Secretaries, Thermal Power Generating Plants and Utilities (Public and Pvt), Power Equipment Manufacturers under Biomass co-firing mission, supported by Clarification letter from Ministry of New and Renewable Energy, TERI etc. Thus various statutory & regulatory organisations have recognized the various forms of Biomass energy as a net carbon neutral clean and renewable energy in various policy documents and communications.

8. With reference to the above as a background and directives issued by Commission for Air Quality Management (CAQM) in National Capital region and adjoining areas, over a period and more recently on review of Directive No. 53 Section 12 of the (order enclosed), quote below:

"Quote"

Now, THEREFORE, in respect of industries in NCR which, despite availability of natural gas infrastructure and supply have still not shifted to PNG/ cleaner fuels, in view of the technical requirements of different industrial processes and the prevailing trend of Air Quality Index, the Commission, in furtherance of Direction No. 49 dated 15.12.2021, with immediate effect and till further orders, hereby relaxes the restrictions imposed on running of such industries only for 5 days in a week and permitting operations for all the days during the week, strictly subject to the following:

(i) Such industries as above located in the NCR, beyond the jurisdiction of GNCTD, shall under all circumstances completely switch over to PNG or biomass fuels, latest by 30.09.2022, failing which such industries shall be closed down and not permitted to schedule their operations thereafter.

"Unquote"

Request for your kind attention

9. We Confederation of Biomass Energy Industry of India as an Industry body would like to bring to the attention of your good office (Chairman, CPCB) to pass directions to the Central Pollution Control Board (CPCB) and State Pollution Control Boards (SPCB's) to take note of the directions of CAQM for the use of biomass / bioenergy in Industry and in the same manner to be cognizant of such a forward looking order towards clean fuel and in letter & spirit such directions for use of PNG or Biomass should be implemented across India in a similar manner to the directions passed by CAQM.

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10. We on behalf of CBEII and the biomass industry, seek time from your good office to have a detail discussion as an industry body to urge your good office to continue support and guide the various central & state pollution control boards / industry ministries / industries on utilization of biomass-bioenergy which is a Green and Sustainable fuel as an alternative to fossil fuel usage.
11. Looking forward for your positive response.

Jai Hind!
Kind regards,

Lt Col Monish Ahuja (Retd)
Chairman
CBEII
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Email: monishahuja@cbeii.org ; monishahuja@prespl.com

Encl: Direction No 53 of CAQM reference no. A-110018/01/2021-CAQM/6510-6518, Dtd. 04th February 2022

CC to

1. **Dr. Prashant Gargava**
   Member Secretary, Central Pollution Control Board
   Ministry of Environment, Forest and Climate Change
   Government of India
   Parivesh Bhawan, East Arjun Nagar, Delhi-110032
   Tel: +91-11-22303655 / +91-11-43102030
   Email Id: mscb.cpcb@nic.in

2. **Shri Sundeep**
   Additional Project Director
   Society of Integrated Coastal Management (SICOM),
   Ministry of Environment, Forest and Climate Change
   Government of India
   Ground Floor, Pt. Deendayal Antyodaya Bhavan
   CGO Complex, Lodhi Road, New Delhi-110003
   Tel: 011-24360933 / 9433080107/ 9433080104
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DIRECTION NO. 53

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

F.No. A-110018/01/2021-CAQM/6510-6518 Dated:4th February,2022

Subject: Directions under Section 12 of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act, 2021 – Review of Direction No. 49 dated 15/12/2021.

WHEREAS, the emissions from industries using polluting fuels like coal etc. have adverse impact on air quality in the National Capital Region and Adjoining Areas and shifting of Industries to PNG/cleaner fuels has been a priority for the Commission for Air Quality Management in NCR and adjoining areas;

2. WHEREAS, to this effect, the Commission, through statutory Direction No. 31 dated 12.08.2021 had directed the State Governments of Haryana, Uttar Pradesh and Rajasthan:

(i) To audit and inspect the industries, which are already connected to PNG supply and ensure that those industries are not using any other polluting fuels like coal etc.

(ii) To maintain strict vigil to prevent the use of unapproved fuels in the NCR, through the enforcement agencies concerned and take stringent action, in case of the defaulting units.

(iii) To prepare an implementable Action Plan by clearly specifying definite time lines for switching over of all identified industries units to PNG, where infrastructure and supply of gas are already available.

(iv) To develop a time bound comprehensive action plan, in consultation with the authorized entities to supply gas in the Industrial areas falling within the specified Geographical areas of NCR districts, for ensuring PNG and infrastructure supply in the remaining industrial areas.

3. WHEREAS, it was further *inter-alia* reiterated in terms of Direction No. 44 dated 16.11.2021 that "All industries in NCR having gas connectivity shall be run only on Gas as a fuel and that all industries in NCR where gas connectivity is available shall immediately be shifted to gas and the State Governments to furnish industry wise date of shifting;

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4. WHEREAS, in terms of subsequent Direction No. 46 dated 02.12.2021, in wake of adverse air quality, it was directed that "All industrial operations and processes in Delhi-NCR not running on PNG or cleaner fuels shall be allowed to operate upto only 8 hours per day from Monday to Friday and shall not be allowed to operate on Saturdays and Sundays";

5. WHEREAS, the Hon'ble Supreme Court in its Order dated 03.12.2021 in the matter "Aditya Dubey & Anr. Vs Union of India & Ors." also directed for the proposal to be submitted to switch over all the industries to PNG/ cleaner fuels in a time-bound manner;

6. WHEREAS, despite repeated follow-up, plan of action indicating definite timelines for such switch over of industrial units to PNG/ cleaner fuels, in respect of areas in NCR where gas infrastructure/ supply is already available, has still not been furnished to the Commission by the State Governments of Uttar Pradesh and Haryana;

7. WHEREAS, pursuant to Hon'ble Supreme Court's directions in the above referred matter dated 10.12.2021 directing the Commission to examine requests of various industries and organisations about relaxation of conditions imposed by virtue of Hon'ble Supreme Court's Orders or by the Directions/ Orders of the Commission, Direction No. 49 was issued in respect of industries in NCR which have still not shifted to PNG / cleaner fuels, restricting the operations of such industries only for 5 days in a week (with no restriction on number of hours on operations on a daily basis);

8. WHEREAS, it was also clarified that the stipulations under Direction No. 49 would also be applicable to such industries which, despite having PNG / gas supply in their industrial units, have only so far partially converted their operations to PNG and continue to run on other fuels as well, however, subject to a definite and an expedient timeline to be undertaken by such individual industrial units concerned, in the NCR;

9. WHEREAS, at the time of passing of the above said Direction No. 49, the Air Quality Index (AQI) of Delhi was under the "Severe" Category;

10. WHEREAS, various organizations/ associations/ federations/ entities and individuals such as All Indian Distillers Association, Indian Paper Manufacturers Association, Indian Industries Association, Builders Association of India, Panipat Export Association, Garments Exporters and Manufacturers Association, Gurugram,

Chamber of Indian Trade &Industries, Ghaziabad, Industrial Area Manufactures Association, Ghaziabad, Industrial Federation, Ghaziabad, Sahibabad Industries Association, Gurgaon Industrial Association, Gurgaon Chamber of Commerce and Industry, Faridabad Industries Association, Industrial Association Behror, Alwar, Neemrana Industries Association, Confederation of Industries and Commerce, Alwar, Bhiwadi Rolling Mill Association, Alwar and Matsya Udyog Sangh, Alwar also made their submissions/ represented their respective cases to the Commission, mainly seeking exemption from restricted operations, across all industrial sectors in the NCR in respect of industries which are presently not running on PNG as fuel, and some of the associations, federations and individuals were also heard in person in this regard;

11. WHEREAS, during deliberations as above, the main contention and concern put forth by majority of the industries was in respect of mandatory technical requirements of uninterrupted / long running hours for total cycle time of operation in various industrial processes and in order to avoid huge losses and damage to in-process inventories;

12. WHEREAS, the Commission was informed that some units have taken-up with agencies concerned for supplying gas to its unit but unable to shift to PNG for want of gas infrastructure and supply and those not connected with PNG have informed that on availability of PNG infrastructure they will convert to PNG;

13. WHEREAS, Secretary, Department of Food and Public Distribution, Ministry of Consumer Affairs, Government of India, have also requested for continued operations of distilleries in the NCR region in order to achieve the targets for blending of ethanol with petrol;

14. WHEREAS, a large number of associations, federations and individuals have submitted before the Commission their requests for permitting use of biomass fuels in addition to PNG, citing that biomass-based fuels are much more environment friendly than fossil fuels like HSD and Coal etc. in terms of carbon emissions and also their PM emissions are much controlled;

15. WHEREAS, the technical and process requirements in individual sectors were assessed and deliberated in detail in the Commission;

16. WHEREAS, other than in GNCTD, majority of industries in industrial areas across NCR, where gas infrastructure and supply is available, are however still not fully operating with PNG/ cleaner fuels and continue to use polluting fuels such as coal, HSD etc;

2and

17. WHEREAS, the Air Quality Index of Delhi has since significantly improved from 'severe' category and is currently in the "Poor" category and the forecast indicates that the air quality is not likely to deteriorate further;

18. NOW, THEREFORE, in respect of industries in NCR which, despite availability of natural gas infrastructure and supply have still not shifted to PNG/ cleaner fuels, in view of the technical requirements of different industrial processes and the prevailing trend of Air Quality Index, the Commission, in furtherance of Direction No. 49 dated 15.12.2021, with immediate effect and till further orders, hereby relaxes the restrictions imposed on running of such industries only for 5 days in a week and permitting operations for all the days during the week, strictly subject to the following:

(i) Such industries as above located in the NCR, beyond the jurisdiction of GNCTD, shall under all circumstances completely switch over to PNG or biomass fuels, latest by 30.09.2022, failing which such industries shall be closed down and not permitted to schedule their operations thereafter.

(ii) Till such time the transition to fuels as above is effected, such industries shall use only such fuels as approved by the respective State Governments for industrial operations.

(iii) Industries in the jurisdiction of GNCTD shall necessarily be run only on PNG and electricity.

19. For industrial areas where PNG infrastructure and supply is not available, such industries shall also be permitted to schedule their operations for all the 7 days in a week. However, such industries shall also plan and switchover to operate on biomass fuels at the earliest. Till such time this transition is effected, such industries shall use only such fuels as approved by the respective State Governments for industrial operations.

20. All preventive measures related to effectiveness of emission control devices and adherence to the prescribed standards of emissions in the respective fuel/ industry category, as applicable from time to time, shall be ensured by all industrial units in the NCR.

21. This Direction, however, is not applicable in respect of proponents / units where specific orders have been issued for suspension / closure of industrial activities and such units shall not

resume their industrial activities based on this Direction. It is reiterated that such units / proponents shall have to approach the Commission separately and individually for an appropriate decision for resumption of industrial activities, as contained in Commission's Order No. A-110018/01/2021-CAQM dated 16.12.2021.

(Arvind Nautiyal)
Member-Secretary
Tel No.: 011-23701197
Email: arvind.nautiyal@gov.in

To

1. The Chief Secretary, Government of Haryana.
2. The Chief Secretary, Government of Rajasthan.
3. The Chief Secretary, Government of Uttar Pradesh.
4. The Chief Secretary, Government of NCT of Delhi.

Copy to:

1. The Chairman, Central Pollution Control Board.
2. The Chairman, Haryana State Pollution Control Board.
3. The Chairman, Uttar Pradesh Pollution Control Board.
4. The Chairman, Rajasthan Pollution Control Board.
5. The Chairman, Delhi Pollution Control Committee.

Copy also to:

The Chairperson and all Members, CAQM.

(Arvind Nautiyal)
Member-Secretary