

Mechanism/Guidelines

for

Control of Pollution and Enforcement of Environment Norms

at

**Individual Establishments and the Area/Cluster of Restaurants/Hotels/Motels/Banquets
etc.**

Prepared by

**Central Pollution Control Board
Pariviesh Bhawan, East Arjun Nagar, Delhi – 110032**

**(In compliance with the Hon'ble NGT Order dated 19.09.2019 in the matter of OA No.
400/2017 titled as Westend Green Farms Society Vs Union of India & Ors.)**

Mechanism/Guidelines for Control of Pollution and Enforcement of Environment Norms at Individual Establishments and the Area/ Cluster of Restaurants/ Hotels/ Motels/ Banquets etc.

1.0 Background

Hon'ble NGT vide Order dated 19.09.2019 in the matter of OA No. 400/2017 titled as Westend Green Farms Society Vs Union of India & Ors. stated that –

"12. There can be no dispute that violation of environment norms having adverse impact on environment and public health cannot be ignored. Apart from formalizing and enforcing the action plan reproduced above, the MoEF&CC may evolve appropriate siting guidelines as well as mechanism for undertaking impact assessment either of individual establishments or of the area/cluster to ensure that activities beyond carrying capacity of the area are duly regulated to enforce the 'Precautionary' principle as well as 'sustainable development'. The MoEF&CC may also review the reports which may be furnished by the CPCB in respect of progress made by the SPCBs/PCCs. We direct the MoEF&CC to entrust the responsibility of evolving mechanism for mitigation to the CPCB which is a statutory body under the Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974 and/or any other expert/institution. It will be appreciated if the CPCB can lay down suitable guidelines for the regulation of such entities, within the framework of law. The guidelines must provide for coercive measures in case of violations and also a monitoring mechanism."

Further, Hon'ble NGT, vide Order dated 17.12.2019 on the matter highlighted various practical issues and requirements like parking provisions, rain water harvesting system, installation of CCTV cameras, GPS systems and the likes (paras 20 & 21) for consideration and incorporation in CPCB's mechanism/guidelines et also passed the following relevant direction-

"22. (i). CPCB may finalize its draft guidelines dated 16.12.19 referred to in para 13 above in light of observations in paras 20 and 21 above and circulate the same to all the States/UTs within one month. The PCBs/PCCs may, in consultation/coordination with concerned State Authorities, adopt the same with necessary modifications but without diluting its essence and furnish status report about compliance to CPCB within three months but before 30.04.2020."

In compliance with the above Order, Central Pollution Control Board (CPCB) approached all the State Pollution Control Boards/Pollution Control Committees (vide letter dated 24.10.2019, **Annexure-I**) requesting them to provide relevant information about operation and pollution control initiatives/policy (if any) adopted in case of marriage halls, banquets, restaurants and similar other venues of mass gatherings. Only three PCBs/PCCs namely Tamil Nadu State Pollution Control Board, Meghalaya State Pollution Control Board and Madhya Pradesh Pollution Control Board replied submitting limited data and information about marriage halls/banquets operating under their jurisdictions. Two detailed inspection reports prepared by

