

Foul air: Thermal power more to blame than crackers

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regulated, for technological support and financial investment instead of holding them responsible for modernity's wicked problems The Supreme Court's recent ban on the sale of firecrackers in Delhi as an emergency measure to control air pollution has re-ignited the debate on how to legally regulate air quality in the city. Court-ordered bans are no doubt painful, but they come about because the state vacates the regulatory space or fails to respond to the changing priorities and sentiments of citizens. Bans are also not effective as they are usually not supported by planning or any institutional implementation mechanisms. So the critics of this cracker ban may be partially right, but for the wrong reasons. It is important to understand why crop burning and Diwali crackers have charged the debate on air pollution. They are part of the informal economy, mostly unsupported by state investment, employing poorer sections of society and seasonal in nature. They are an easy source to blame our problems upon. On the other hand, the formal sectors of the economy like industry, automobiles and energy get ample leeway despite their significant daily contribution to the problem. Let's take the case of thermal power plants (TPPs), a rapidly expanding sector of the economy enjoying massive public financial investments. What is the oversight on this sector by air pollution regulators? **TPPs as a source of air pollution** In preparation for the Paris Climate Conference in September 2015, India's Intended Nationally Determined Contributions (INDC) document stated that coal-based power plants would have to abide by new, more stringent standards to control their harmful emissions. By December 7, 2015, the Environment Ministry put out a set of rules under the Environment (Protection) Act, 1986 with new emission standards for TPPs. While this was important to combat air pollution, these rules legitimised India's proposed five-fold expansion of coal power plants. The rules gave over a year to the sector to make the necessary technological, financial and organisational arrangements to comply with these new standards. The rules prescribed differing standards for three categories of TPPs, those that were set up before December 31, 2003; those installed between then and December 31, 2016, and those that would be installed after January 1, 2017. The emission standards relate to particulate matter, mercury, Sulphur Dioxide (SO₂) and Oxides of Nitrogen (NO_x) — all critical ingredients of poor air quality. According to an officially recognised study by IIT Kanpur on the air quality in Delhi, emissions from TPPs are responsible for 52 and 90 per cent of NO_x and SO₂. Coal burning and fly ash within the city and surrounding regions account for over 35 per cent of PM 2.5 throughout the year. PM 2.5 are tiny particles in the air with a diameter of 2.5 micrometres or microns (one micron is one thousandth of a millimetre) that can get lodged in the respiratory system, causing grave health risks. *Any hope of implementation?* The lack of implementation of these rules was brought to the attention of the National Green Tribunal a year and a half ago. The pre-January 2017 plants have until December 2017 to come into compliance with the new standards. While the Environment Ministry has tried to assure the Tribunal that regulatory authorities are monitoring project compliance, India's dismal track record on environmental compliance doesn't leave room for hope. If these coal plants are not in compliance by December 2017, the court might be forced to resort to some 'painful action' yet again. Secondly, all TPPs that were installed after January 1, 2017, should already have been in compliance with the new air emission requirements. In a recent submission on this case, the Environment Ministry disclosed to the court that 16 new power plants, mostly of the NTPC, are in violation of the new standards. The ministry has left it to the Tribunal to pass any order as it may deem fit. NTPC's defaulting power utilities cannot claim inability to implement these new standards as they are well-funded. In its 2017 Environment Policy, the company committed to comply with all relevant environmental regulations. The new TPP norms, is one such. The TPP rules could become one arena of progressive policymaking where the courts and government work together rather than against each other. It will be in greater public interest for them to enforce the new rules for TPPs as it will tackle the year-round pollution. The episodic pollution by the informal sector is the proverbial last straw that breaks the camel's back as it pushes the already high levels of baseload pollution into the emergency zone. Rather than demonising them, there is much work still to be done to bring these sectors within the ambit of regulation. There is a need to generate their acceptance to being regulated, for technological support and financial investment instead of holding them responsible for modernity's wicked problems. First published by

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