

BY SPEED POST

B-33014/07/2017-18/IPC-II/ 14080

November 21, 2017

To

M/s Shantha Steel & Power Pvt Ltd,  
Kenchanaduni & Hosahalli Village,  
Taluk and District- Koppal,  
Karnataka

**Sub: Directions under Section 5 of the Environment (Protection) Act, 1986 regarding installation of on-line effluent and emission monitoring system-closure thereof.**

WHEREAS, the thermal power plants are identified as one of the 17 categories of highly polluting industries in the country and been discharging environmental pollutants directly or indirectly into the ambient air and water, which pose constant threat to cause adverse effect on the air and water quality; and

WHEREAS, there is need to inculcate habit of self-monitoring mechanism within the industries for complying the prescribed standards and this can be achieved by the methods like installing online effluent and emission monitoring devices; and

WHEREAS, for strengthening the monitoring and compliance through self-regulatory mechanism, online emission and effluent monitoring systems need to be installed and operated by the developers and the industries on 'polluter pays principle'; and

WHEREAS, a direction under section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 was issued on February 05, 2014 to all the State Pollution Control Boards (SPCBs)/ Pollution Control Committees (PCCs) for installation of Online Continuous Emission & Effluent Monitoring System (OCEMS) for PM, SO<sub>2</sub> & NO<sub>x</sub>, pH, TSS, Temperature and flow parameters in Thermal Power Plants; and

WHEREAS, it is presumed that concerned SPCB/PCC has also issued a direction under section 33 (A) of the Water (Prevention & Control of Pollution) Act, 1974 to your unit to install the online effluent monitoring system; and

WHEREAS, under section 5 of Environment (Protection) Act, 1986 a notice was served to M/s Shantha Steel & Power Pvt Ltd on July 21, 2015 to show cause why the plant should not be close down, if the plant has not complied fully with direction issued w.r.t installation of on-line effluent and emission monitoring system by June 30, 2015 and the plant was further directed to submit documentary evidence regarding status of installation of

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on-line effluent and emission monitoring system, connectivity for submission of online 24x7 monitoring data to SPCBs and CPCB.

WHEREAS, an inspection team of CPCB Regional Directorate, Bangalore on October 28, 2017 found that M/s Shantha Steel & Power Pvt Ltd located at Kenchanaduni & Hosahalli Village, Taluk and District- Koppal, Karnataka was not in operation and closed.

WHEREAS, M/s Shantha Steel & Power Pvt Ltd located at Kenchanaduni & Hosahalli Village, Taluk and District- Koppal, Karnataka has not complied with the direction issued by CPCB vide letter dated 21.07.2015 with respect to installation and connectivity of OCEMS with CPCB server.

WHEREAS, it has been informed by Karnataka State Pollution Control Board that the unit was also found closed and not in operation during their inspection on 21.08.2017.

WHEREAS, an order has been passed by Hon'ble NGT, Principal Bench, New Delhi vide dated 24.10.2017 in the matter of Central Pollution Control Board v/s General Manager/Chief Engineer of Thermal Power Plants & Others (OA No. 409/2017). Hon'ble NGT has stated that "Central Pollution Control Board and all the State Pollution Control Boards to act in accordance with law. Law provides enough powers including power to direct closure and ensure closing of the defaulting industries. Concerned State Administration shall provide all assistance to the Boards for ensuring execution of their orders".

WHEREAS, the Ministry of Environment & Forests, Government of India, vide Notifications No. S. O. 157 (E) of 27.02.1996 and S. O. 730 (E) dated 10.07.2002, has delegated the powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board, to issue directions to any industry or any local body or any other authority for violations of the standards and rules notified under the Environment (Protection) Rules, 1986 and amendment thereof.

NOW, THEREFORE, in exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986, M/s Shantha Steel & Power Pvt Ltd located at Kenchanaduni & Hosahalli Village, Taluk and District- Koppal, Karnataka is hereby directed that it shall remain closed and shall not resume operation without installation and connectivity of online emission & effluent monitoring system as per the guidelines of the CPCB and seeking permission for restart of operation from CPCB.

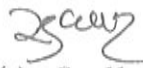
  
(SPS Parihar)  
Chairman

22.11.2017

Copy to:

1. The Chairman  
Karnataka State Pollution Control Board  
"Parisara Bhavan", #49,4th & 5th Floor,  
Church Street, Bangalore - 560 001

2. Addl. Secretary (AKM) - CP Division  
Ministry of Environment, Forests and Climate Change  
Prithvi Wing, 2nd Floor, Room No. 216,  
Indira Paryavaran Bhawan, Aliganj,  
Jor Bagh Road, New Delhi - 110 003
3. The Regional Director - South,  
Central Pollution Control Board  
1st & 2nd Floors, Nisarga Bhawan,  
A- Block, Thimmaiah Main Road,  
7th D Cross, Shivanagar, Bengaluru - 560 010
4. The District Magistrate  
District - Koppal, Karnataka
5. Divisional Head - IT, CPCB, Delhi

  
(A. Sudhakar)  
Member Secretary

