



Speed Post

B-33014/7/2018/IPC-II/

March 06, 2018

To

~~The Unit Head~~

~~M/s Swati Udyog Pvt. Ltd.
P.O. Juri, Distt. East Singhbhum
Jharkhand-831002~~

Sub: Revocation of closure direction, dated 01.06.2017 under Section 5 of the Environment (Protection) Act, 1986 issued to M/s Swati Udyog Pvt. Ltd., Jharkhand w.r.t. OCEMS installation

Ref.: i. Notice under Section 5 of the Environment (Protection) Act, 1986 regarding installation of on-line effluent and emission monitoring systems dated July 24, 2015
ii. Closure direction issued to the unit under Section 5 of the Environment (Protection) Act, 1986 dated 26.04.2016

WHEREAS, the cement plants are identified as one of the 17 categories of highly polluting industries, discharging environmental pollutants directly or indirectly into the ambient air and water and having potential threat to cause adverse effect on the water and air quality; and

WHEREAS, the Central Government has notified the standards for discharge of environmental pollutants from various categories of industries under the Environment (Protection) Act, 1986 and the rules framed there under; and

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

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

WHEREAS, 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 emission monitoring system w.r.t. PM, NOx and SO₂ in cement industries; and

WHEREAS, considering the requests/ representations received from industries/ industrial associations/ SPCBs / PCCs, an extension of time up to June 30, 2015 for installation of online monitoring systems was granted vide directions dated March 02, 2015 under section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981; and

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WHEREAS, a letter dated May 29, 2015 was issued by the Chairman, CPCB to all the SPCBs/ PCCs informing that no further extension of time will be given after June 30, 2015 and consent to operate will be withdrawn along with forfeiture of bank guarantee of non-complying units; and

WHEREAS, concerned SPCBs/PCCs issued directions under section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and section 31A of the Air (Prevention & Control of Pollution) Act, 1981 to 17 category of highly polluting industries to install online monitoring systems by June 30, 2015 and submit bank guarantee of 100% of the cost of online emission & effluent monitoring system; and

WHEREAS, Show Cause Notice under Section 5 of Environment (Protection) Act 1986, was issued on July 24, 2015 to all cement plants to show-cause as to why the unit should not be closed down, if the unit has not complied fully with the directions issued w.r.t. installation of online emission monitoring system by June 30, 2015. Further, the unit was directed to submit documentary evidences regarding status of installation and connectivity; and

WHEREAS, no confirmed information was received from the unit regarding installation of online monitoring system, in above context. Therefore, direction was issued to the unit on 26.04.2016 to close all operations of the unit with immediate effect till online emission monitoring system are installed in stacks as notified process and the same are uplinked with CPCB server.

WHEREAS, request was made by the unit vide letter dated 13.01.2017 to withdraw closure direction as the unit had installed online continuous emission monitoring system and connected to CPCB server. IT division, CPCB has verified vide report dt. 29.12.2017 that the unit has installed online monitoring system and PM emission data is being received online for its grinding unit only.

WHEREAS, for SO₂ and NO_x, parameter connectivity with CPCB server, it has been informed vide unit's email dated 16.06.2017 that the clinkerization unit is closed since 2012 due to acute shortage of raw material and only grinding mill is in operation and the same has been verified by Jharkhand SPCB vide letter dated 26.09.2017.

WHEREAS, letter dated 11.01.2018 was sent to the unit to submit a valid consent to operation (CTO) as on 05.01.2018, a 3-Membered Committee, constituted for examination and revocation of closure direction issued by CPCB, suggested to obtain valid CTO or clarification from the unit.

WHEREAS, letter of Jharkhand SPCB dated 08.08.2016, has been submitted by unit vide letter dated 19.01.2018, mentioning that the renewal of application has been rejected due to closure direction issued by CPCB u/s-5 of EP Act, 1986.

WHEREAS, meeting of a 3-Member Committee was again held on 21.02.2018 and the Committee recommended that the closure direction issued to M/s Swati Udyog Pvt. Ltd., Jharkhand may be revoked subject to valid Consent to operate.



M/s Swati Udyog Pvt. Ltd., Jharkhand

Now, THEREFORE, in view of the above and exercising the powers delegated to the Chairman, Central Pollution Control Board under section 5 of the Environment (Protection) Act, 1986 vide Ministry of Environment & Forests, Government of India Notifications No. S. O. 157 (E) of 27.02.1996 and S. O. 730 (E) dated 10.07.2002, the direction issued to M/s Swati Udyog Pvt. Ltd., Jharkhand dated 27.07.2016 is hereby revoked for its grinding operation only subject to condition that the unit should operate with valid consent. The clinkerization unit shall remain closed till online emission monitoring system are installed in stacks as notified process and the same are uplinked with CPCB server and permission is obtained from CPCB. In case of non-compliance, appropriate action as deemed fit under the provisions of Environment (Protection) Act, 1986 will be initiated against the unit without any further notice.

08/2/18
(S. P. Singh Parihar)
Chairman

Copy to:

1	The Chairman Jharkhand State Pollution Control Board T.A. Bldg., HEC, P.O. Dhurwa, Ranchi - 834004, Jharkhand	For information & ensuring compliance please.
2.	The District Magistrate Distt-Hazaribagh Jharkhand	
3.	The Chairman Jharkhand State Electricity Board Engineering Building Centre HEC, Dhruva Ranchi, Jharkhand	
4	The Regional Director Regional Directorate (Eastern) Central Pollution Control Board 502, Southend Conclave 1582, Rajdanga Main Road Kolkata - 700 107	For information please.
5	The Additional Secretary (AKM) Ministry of Environment, Forests and Climate Change Prithvi Wing, 2nd Floor, Room No. 216 Indira Paryavaran Bhawan Aliganj, JorBagh Road, New Delhi - 110003	
6	The Divisional Head, IT, CPCB, Delhi	
7.	The Divisional Head (PKG), IPC-VI, CPCB	

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(A. Sudhakar)
Member Secretary

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M/s Swati Udyog Pvt. Ltd., Jharkhand