



Speed Post

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

March 06, 2018

To

The Unit Head
M/s. Laxmi Business & Cement Co.
PO-Morangi,
Distt-Hazaribagh - 825302,
Jharkhand

Sub: Revoking of closure directions issued under Section 5 of the Environment (Protection) Act, 1986 regarding installation of on-line effluent and emission monitoring system

Ref.: 1. Notice under Section 5 of the Environment (Protection) Act, 1986 regarding installation of on-line effluent and emission monitoring system dated July 24, 2015
2. 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 systems 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 Mr. 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, it was also directed to submit documentary evidence regarding status of installation and connectivity; and

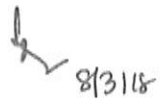
WHEREAS, no confirmed information was received from the unit, in above context, therefore, on 26.04.2016, direction was issued to the unit to close down all its operations with immediate effect till online emission monitoring system are installed in stacks as notified process and the same are uplinked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

WHEREAS, request was made by the unit vide letter dated 29.01.2018 to withdraw closure direction on the basis of being a mini cement plant.

WHEREAS, the claim of the unit of production capacity 100 TPD is supported by Capacity Assessment Report dated 30.08.2017 issued by MSME-Development Institute, Ranchi and letter dated 28.06.2017, issued by Jharkhand SPCB and it is observed that the production capacity of the unit is less than the threshold limit 200 TPD which do not come under the 17 categories of highly polluting industries.

WHEREAS, meeting of 3-Member Committee, constituted for examination and revocation of closure direction issued by CPCB, was held on 21.02.2018 and the committee recommended that the closure direction issued to M/s. Laxmi Business & Cement Co, Morangi, Hazaribagh Jharkhand may be revoked subject to the condition of valid Consent to Operate.

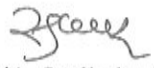
Now THEREFORE, in view of the above and exercising the powers delegated to the Chairman, Central Pollution Control Board under section 5 of the Environment (Protection) Act, 1986 vide Ministry of Environment, Forest and climate change, Government of India Notifications No. S. O. 157 (E) of 27.02.1996 and S. O. 730 (E) dated 10.07.2002, the directions issued to M/s. Laxmi Business & Cement Co, Morangi, Hazaribagh Jharkhand dt. 26.04.2016 are hereby revoked subject to the condition that the unit shall operate with valid consent from the Jharkhand SPCB. 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.


(S. P. Singh Parihar)
Chairman

M/s. Laxmi Business & Cement Co, Morangi, Hazaribagh Jharkhand

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 ParyavaranBhawan Aliganj, JorBagh Road, New Delhi - 110003	
✓6	The Divisional Head, IT, CPCB, Delhi	
7.	The Divisional Head (PKG), IPC-VI, CPCB	


(A. Sudhakar)
Member Secretary

