

Speed Post

B-33014/7/2016/PCI-II/ 15559

March 27, 2017

To

M/s Shiv Shakti Cements,
15th Mile, GS Road, Byrinhat,
Kamrup, Assam-793101

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

Ref.: Notice under Section 5 of the Environment (Protection) Act, 1986 regarding installation of on-line effluent and emission monitoring system dated July 24, 2015

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

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;

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;

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' ;

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

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 direction 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;

WHEREAS, a letter vide 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PCCs informing that no further extension of time will be given after June 30, 2015 and consent to operate will be withdrawn along with forfeiture of bank guarantee of non-complying units;

WHEREAS, concerned SPCB/ PCC 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 install the online monitoring system by June 30, 2015 and to submit bank guarantee of 100% of the cost of online emission & effluent monitoring system;

WHEREAS, Show Cause Notice under Section 5 of Environment (Protection) Act 1986, was issued on July 23, 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 directed to submit documentary evidence regarding status of installation and connectivity;

WHEREAS, on unit's request for exemption from installation of online monitoring system, letter dated 16.08.2016 was sent to the unit to submit documentary evidences mentioning production capacity of the plant and through the reply received from the unit vide letter dt. 03.09.2016, it was observed that the unit is covered under 17 category of highly pollution industries.

WHEREAS, letter dated 04.10.2016 was sent to direct the unit to install online continuous emission monitoring system and to provide its connectivity as their request for exemption had not been considered.

WHEREAS, vide letter dated 17.10.2016, it was informed by the unit that they are in process of installation of the system and in reply letter dated 20.10.2016 and 16.12.2016 were sent to the unit to inquire about the fixed time required to install the system.

WHEREAS, letter dated 16.01.2017 was also sent to the unit informing that time upto 28.02.2017 has been granted to the unit for installing the system.

WHEREAS, till date no information has been received, in above context.

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 view of the above, M/s Shiv Shakti Cements Works Pvt Ltd, Mangalpur, Ranigunj, West Bengal is hereby directed 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 website.

(S. P. Singh Parihar)
Chairman

Copy to:

1. The Chairman : With the request to ensure compliance of this closure
Assam Pollution Control Board & to submit action taken report
Bamunimaidan
Guwahati - 781 021, Assam
2. The District Magistrate : With request to ensure compliance of this closure
Office of the Collector, direction & to submit action taken report
District Kamrup, Assam
3. The Chairman : With request to disconnect electricity w.r.t
Assam State Electricity Board operation of industry & power supply to
Bijulee Bhawan, Palton Bazaar continue only for domestic & security purposes.
Guwahati -781001 Assam
4. The Joint Secretary (CP Division) : For information plz.
Ministry of Environment, Forests
and Climate Change
Prithvi Wing, 2nd Floor, Room No. 216
Indira Paryavaran Bhawan
Aliganj, JorBagh Road, New Delhi - 110003
5. The Regional Director- North East
Central Pollution Control Board
TUM- SIR, Lower Motinagar,
Near Fire Brigade H.Q., Shillong - 793014
6. The Incharge, IT, CPCB


(A.B. Akolkar)
Member Secretary
