



BY SPEED POST

B-33014/Iron & Steel (CPP)/2017/310/IPC-II/ [GSAW] January 23, 2018

To

M/s Jai Balaji Industries Limited (Formerly H.E.G. Limited),  
Captive Power Plant Division  
Industrial Growth Centre Borai, Rasmada,  
Durg - 491 009, Chhattisgarh

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

Ref.: Letter No B-33014/07/IPC-II/2017-18/2183, dated 26.04.2017

WHEREAS, the thermal power plants are identified as one of the 17 categories of highly polluting industries in the country and have 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, directions under section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 were 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, SO<sub>2</sub> & NO<sub>x</sub> parameters & online effluent monitoring system for pH, TSS, & Temperature parameters in thermal power plants; and

WHEREAS, it is presumed that concerned SPCB/PCC has also in-turn issued direction under section 33 (A) of the Water (Prevention & Control of Pollution) Act, 1974 and section 31 (A) of the Air (Prevention & Control of Pollution) Act, 1981 to M/s Jai Balaji Industries Limited, Rasmada, Durg, Chhattisgarh to install the online effluent and emission monitoring system; and

WHEREAS, under section 5 of the Environment ( Protection ) Act, 1986 a notice was served on July 21, 2015 to show cause as to why the plant

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M/s Jai Balaji Industries Limited, Captive Power Plant (Formerly H.E.G. Limited)

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

should not be closed down, if the plant has not complied fully with directions 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 on-line effluent and emission monitoring system and connectivity for submission of online 24x7 monitoring data to SPCBs and CPCB; and

WHEREAS, under section 5 of the Environment (Protection) Act, 1986, a closure direction was issued on 26.04.2017 to M/s Jai Balaji Industries Limited, Captive Power Plant (Formerly H.E.G. Limited), Rasmada, Durg, Chhattisgarh due to non-compliance of the directions issued vide dated July 21, 2015.

WHEREAS, M/s Jai Balaji Industries Limited, vide letter dated 08.11.2017 (received in CPCB attached with CECB letter dated 25.11.2017) has informed that connectivity of online monitoring system has been provided to CPCB server and successfully fulfilled the compliance of the directions issued on 26.04.2017.

WHEREAS, vide CPCB, Delhi, IT division report dated 11.01.2018 confirmed compliance of OCEMS for source emission. However, status of compliance w.r.t. online effluent monitoring system still is not clear, nor it is informed by the unit that, effluent is 100 % recycled.

WHEREAS, the unit filed the WP (C) No. 27 of 2018 before the Hon'ble High Court of Chhattisgarh, challenging the order dated 01.01.2018 of R.O. of CECB to disconnect electricity of the unit on the basis that CPCB directive has already been complied and CPCB has confirmed to CPCB about the compliance vide letter dated 25.11.2017.

WHEREAS, Hon'ble High Court of Chhattisgarh disposed of WP (C) No. 27 of 2018 with order dated 11.01.2018 where in it is stated that, *"to consider its earlier decision dated 26.04.2017 in light of compliance said to be made and representation made by the petitioner-Company within a week from the date of production of certified copy of this order along with additional representation (if any) looking to the fact that all operations of the petitioner-industry is closed pursuant to the order dated 01.01.2018 passed by Chhattisgarh Environment Conservation Board."*

WHEREAS, M/s Jai Balaji Industries Limited submitted representation dated 13.01.2018 to CPCB on 15.01.2018 for revocation of aforesaid closure direction.

WHEREAS, a meeting was held on 19.01.2018 at CPCB, Delhi where a three-member committee constituted for examining the case and recommendation for revocation of aforesaid closure direction.

WHEREAS, 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

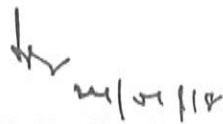


Pollution Control Board, to issue directions to any industry or any local body or any other authority for violations of the standards and rules notified under the Environment (Protection) Rules, 1986 and amendment thereof.

**NOW, THEREFORE,** in exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986, closure direction issued on 26.04.2017 to M/s Jai Balaji Industries Limited, (Formerly H.E.G. Limited), (Captive Power Plant Division), Rasmada, Durg, Chhattisgarh is hereby revoked subject to compliance of the following conditions:

1. That the unit shall operate with a valid consent from CECB.
2. Any expansion of the existing project shall be intimated to CPCB and CECB and applicability and scope of the installation of OCEMS will be subjected to proposed expansion activities.
3. That the unit shall submit the status of (OCEMS) for other divisions i.e. Integrated Iron & Steel / Sponge Iron Division within 15 days.

Further, industry is directed to report compliance status of this direction within 15 days of receipt of this direction. Failing which, action as deemed fit under the provision of Environment (Protection) Act, 1986 shall be launched against the unit without any further notice.

  
(S.P.S. Parihar)  
Chairman



**Copy to:**

1. The Chairman  
Chhattisgarh Environment Conservation Board  
Paryavas Bhavan,  
North Block Sector-19,  
Naya Raipur(C.G.) 492002.
2. The District Magistrate,  
Durg, Chhattisgarh
3. The Additional 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 – 110003
4. The chairman,  
Chhattisgarh State Power Distribution Company  
Limited  
Vidyut Seva Bhavan,  
Daganiya, Raipur (CG)  
Pin – 492013
5. The Regional Director (Central)  
Central Pollution Control Board  
4th Floor, Sahkar Bhawan  
North T.T. Nagar  
Bhopal – 462 003
- ✓ 6. The Divisional Head- IT, CPCB, Delhi
7. The Divisional Head- IPC-VI, CPCB,  
Delhi

: As recommended by three-member committee, a random inspection of the unit may be carried out within 45 days.



(A. Sudhakar)  
Member Secretary

