

Speed Post

B-33014/7/2018/IPC-II/ 9333

August 21, 2018

To

The Unit Head

M/s. JCI Cement Pvt. Ltd.
Village: Babhanbhai, Demotand,
District-Hazaribagh
Jharkhand

Sub: Revoking of closure directions issued under Section 5 of the Environment (Protection) Act, 1986 regarding installation of on-line 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 industries 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; 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 effluent and 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, 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, SO₂, and NO_x parameters;

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; and

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 after June 30, 2015 will be given and withdrawal of consent to operate along with forfeiture of bank guarantee of non-complying Units will be the only option; and



WHEREAS, concerned SPCB/PCC were expected to have 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

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 15.06.2018 and 21.07.2018 to withdraw closure direction on the basis of being a mini cement plant; and

WHEREAS, it is observed that the production capacity of the unit is less than 200 TPD which does not come under the 17 categories of highly polluting industries as the production capacity mentioned in Consent issued by Jharkhand SPCB dated 30.08.2012 is 110 TPD.

WHEREAS, the unit has informed vide letter dated 21.07.2018 that the unit, which was commissioned in 1999, was not required to obtain Environmental clearance at that time.


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, directions issued to M/s. JCI Cement Pvt. Ltd., village Babhanbhai, Demotand, District Hazaribagh, Jharkhand dt. 26.04.2016 are hereby revoked with the condition that the unit shall not commence their production until valid consent is obtained 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

 27/8/18

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	


(Prashant Gargava)
Member Secretary


Rama Shankar