



केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

**Speed Post**

B-33014/7/2017-18/IPC-II

October 14, 2019

To

**The Unit Head**  
M/s Kailashpati Cement Ltd.  
Bennibari Industrial Estate, Howly BTAD  
Assam 781 316

**Sub: Show Cause direction under section 5 of the Environment (Protection) Act, 1986.**

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; 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 thereunder; 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, 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, NO<sub>x</sub> and SO<sub>2</sub> in cement industries ; and

WHEREAS, considering the requests/representations received from industries/ industrial associations/ SPCBs /PCCs, an extension of time upto 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PCCs informing that no further extension of time will be given after June 30, 2015 and consent to operate will be withdrawn along with forfeiture of bank guarantee of non-complying units; and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 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; and

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

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

WHEREAS, Notice under Section 5 of Environment (Protection) Act 1986, was issued on July 24, 2015 to 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.

WHEREAS, a circular dated 23.12.2016 was uploaded on CPCB website stating that the all integrated cement plants of 200 TPD and above shall install OCEMS in all notified process stacks; and

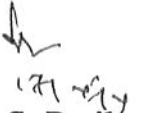
WHEREAS, M/s Kailashpati Cement Ltd., Bennibari Industrial Estate, Howly, BTAD, Assam was inspected by RD-Shillong on 19/09/2018 for high SMS alerts/Offline status and made following observations/recommendations:

1. The Unit has two stacks i.e Cement Mill-1& 2 but has installed OCEMS in Cement Mill- 2 only. Therefore, the unit needs to connect OCEMS for cements Mill- 1 also as per CPCB guidelines.
1. Both Cement Mill-1& 2 stacks are not erected as per CPCB Emission Regulation Part -III and portholes are made just above entry point of duct and stacks were not having approach for stack monitoring. The unit should construct stack, approach and monitoring facility as per CPCB Emission Regulation Part -III and IV.
2. The unit does not have a valid CTO and Authorization under HW Rules and applied for the same on 26.04.2019 which is not issued by SPCB because of non-connectivity of OCEMS with SPCB server. Therefore, the unit should obtain the same and operate with valid CTO and Authorization under HW Rules.
3. There was no display of OCEMS data, Hazardous chemicals used and waste generated at the factory gate. The unit needs to ensure displaying the same at entry gate.
2. Housekeeping was poor and fugitive emissions were observed in clinker feeder area.

WHEREAS, the Ministry of Environment, Forest & Climate Change (MoEF&CC), Government of India, vide Notification 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 above shortcomings and exercising the powers delegated to the Chairman, Central Pollution Control Board under section 5 of the Environment (Protection) Act, 1986, M/s Kailashpati Cement Ltd., Bennibari Industrial Estate, Howly, BTAD, Assam is hereby directed to show cause as to why the unit should not be directed to close operation for the above non-compliance and;

The unit is given an opportunity to submit its response/objections if any within 15 days from the date of issue of this Notice. In case of failure, the Board will be constrained to initiate action as deemed necessary and appropriate under the Environment (Protection) Act, 1986.

  
**(S.P. S. Parihar)**  
Chairman

M/s Kailashpati Cement Ltd., Bennibari Industrial Estate, Howly, BTAD, Assam

**Copy to:**

1	The Chairman Assam Pollution Control Board Bamunimaida Guwahati - 781 021, Assam	For information & ensuring compliance please.
2	The Regional Director Regional Directorate (North-East) Central Pollution Control Board TUM- SIR, Lower Motinagar Near Fire Brigade H.Q. Shillong - 793014	For information please.
3	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	
4	The Divisional Head, IT, CPCB, Delhi	
5.	The Divisional Head, IPC-VI	

  
(Prashant Gargava)  
Member Secretary  


*o/c*