



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/IIP-II 11504

January 14, 2020

To,

The Unit Head

M/s Raksha Cement Pvt. Ltd.
Kamarkuchi, District Kamrup Metro
Assam- 782 402

Sub: Revocation of closure direction cum SCN 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_x and SO₂ 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PCCs informing that no further extension of time will be given after June 30, 2015 and consent to operate will be withdrawn along with forfeiture of bank guarantee of non-complying units; and

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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

WHEREAS, M/s Raksha Cements (P) Ltd. Kamarkuchi, Assam was inspected by CPCB, RD-Shillong during April 10-11, 2017, to verify compliance status and based on the observations made by the inspecting team closure direction was issued to the unit on 02.08.2017; and

WHEREAS, request was made by the unit vide letter dated 12.10.2017 for exemption from installation of online continuous emission monitoring system and to revoke closure direction as the production capacity of the unit is less than 200 TPD and it does not come under 17 categories of highly polluting industries and submitted plant capacity Certificate no. DICC/K(III)7/17/PT-V/11/2017/2724 dated 14.09.2017 issued by District Industries & Commerce Centre, Guwahati, Assam (DICC). Also, compliance status of shortcomings mentioned in closure direction dated 02.08.2017 has been submitted by the unit vide email dated 30.11.2017, stating that corrective measures have been taken by the unit; and

WHEREAS, the matter was put-up before 3-Member Committee, constituted for examination and revocation of closure direction issued by CPCB, held on 14.11.2017 and the committee recommended that the closure direction issued to M/s Raksha Cements (P) Ltd., Kamarkuchi, Assam, may be revoked with the condition to start operation with valid consent to operate; and

WHEREAS, as per Environmental Clearance (EC) provided by the unit vide letter dated 07.12.2017 and Assam SPCB letter dated 28.05.2018, stating that the industry was accorded environment clearance dated 12.03.2009 for setting up of cement plant with production capacity 200 TPD, it was observed that OCEMS installation can not be exempted for the unit and thus closure direction was not revoked; and

WHEREAS, vide letter dated 25.09.2018, the unit was informed that exemption for OCEMS was not granted in view of production capacity being 200 TPD as per environment clearance and was required to complete installation of OCEMS and establish its connectivity with CPCB server as per CPCB guidelines; and

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WHEREAS, M/s Raksha Cements (P) Ltd. Kamarkuchi, Assam was again inspected by CPCB, RD-Shillong during March 30-31, 2019 to verify compliance status w.r.t. SMS alert/offline status and following observations were made:

1. The unit was found in operation in non-compliance of CPCB's closure direction dated 02.08.2017.
2. PM emission from VSK-II was observed to be 442 mg/Nm³, exceeding limit of 150 mg/Nm³ for VSK.
3. The monitoring platform at raw mill and cement mill stack needed to be connected with permanent ladder and easy access for manual monitoring.
4. The unit needed to install bag filter in clinker feed hopper connected to cement mill feeding.

WHEREAS, letters dated 30.05.2019 and 28.06.2019 were sent to Assam SPCB for verifying compliance of closure direction with a copy endorsed to District Magistrate; and

WHEREAS, letter was received from the unit through email dated 29.07.2019, informing that the unit has shutdown operation of the unit on 12.06.2019. Therefore, again letter dated 06.09.2019 was sent to Assam SPCB for verification of closure of the unit. Reply from Assam SPCB dated 09.09.2019 was received, informing that Assam SPCB has issued letter directing the unit to comply with CPCB direction. Further, letter dated 27.09.2019 was received from Assam SPCB informing that during virification, M/s Raksha Cement Ltd., Kamarkuchi Assam was not in operation; and

WHEREAS, as per IT division connectivity report dated 01.08.2019, the unit was found connected with CPCB server only for 2 stacks i.e. VSK-1 and cement mill. However, the unit has 4 stacks i.e. VSK-1, VSK2, Raw mill and Cement mill and further vide email dated 01.10.2019, the unit claimed that VSK-2 has been permanently closed; and

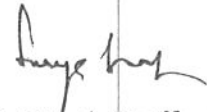
WHEREAS, as per IT division connectivity report dated 01.11.2019, the unit was found connected with CPCB server for 3 stacks i.e. VSK-1, Raw mill and cement mill; and


WHEREAS, meeting of the three member committee, constituted for examination and recommendation for revocation of closure direction issued by CPCB was held on 09.12.2019 and 01.01.2020 and the committee approved that the closure direction issued to M/s Raksha Cement Ltd., Kamarkuchi, Assam may be revoked; and

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 & Forests, Government of India Notifications No. S. O. 157 (E) of 27.02.1996 and S. O. 730 (E) dated 10.07.2002, closure direction issued to M/s Raksha Cement Ltd., Kamarkuchi Assam dt. 02.08.2017 is hereby revoked; and

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Further, it is directed to show cause as to why Environmental Compensation of Rs 30,000/- per day shall not be levied as per Environmental Compensation policy for operation period in non-compliance of closure direction dated 02.08.2017 and exceeding PM emission norms in VSK-II as per CPCB Guideline on Environmental Compensation introduced in November 2018. The unit is given an opportunity to file its objection, if any, within 15 days from the date of issue of this Notice. 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

 17/11/20

Copy to:

1	The Chairman Assam Pollution Control Board Bamunimaida Guwahati - 781 021, Assam	For information & ensuring compliance please.	
2.	The District Magistrate District - Kamrup, Assam		
3.	The Chairman and Managing Director Assam Power Distribution Company Ltd. 4 th Floor, Bijulee Bhawan Paltan Bazar, Guwahati-781 001, Assam		
4	The Regional Director Regional Directorate (North-East) Central Pollution Control Board TUM- SIR, Lower Motinagar Near Fire Brigade H.Q. Shillong -- 793014	With the request to carry out inspection and submit inspection report within 60 days as revocation committee recommended to submit inspection report before the committee within 60 days .	
5	The Joint Secretary Ministry of Environment, Forests and Climate Change Prithvi Wing, 2nd Floor, Room No. 216 Indira Paryavaran Bhawan Aliganj, JorBagh Road, New Delhi - 110003	For information please.	
6	The Divisional Head (PKG), IPC-VI, CPCB		
7.	The Divisional Head, IT, CPCB, Delhi		

(Prashant Gargava)
Member Secretary

