



SPEED POST

B-29016/PC-1/Fertilizer/62

June 01, 2020

To,

HS6
M/s. Madras Fertilisers Ltd.,
Manali, Madhavaram Taluk,
Tiruvallur, Dist. 600060,
Tamil Nadu

June 03, 2020

Sub: Directions under Section 5 of the Environment (Protection) Act, 1986-reg.

WHEREAS, Fertilizer units 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, 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;

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. Urea Plants – PM, CAN/NPK/Ammonium Nitrite – PM, Ammonia, Fluoride, DAP plants – PM, Fluoride & SSP plants – PM, Fluoride parameters & online effluent monitoring system w.r.t. pH, Ammonical Nitrogen, Fluoride & Flow parameters in Fertilizer industries;

WHEREAS, it was clarified that flow meter & web camera may be installed in case of Units with zero liquid discharge (ZLD) by March 31, 2015 vide guidelines uploaded on website of CPCB dated November 7, 2014; and

WHEREAS, a Show Cause Notice under Section 5 of Environment (Protection) Act 1986, was issued by Central Pollution Control Board on July 24, 2015 to the **M/s Madras Fertilisers Ltd., Manali, Tamil Nadu** 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 & Effluent Monitoring System by June 30, 2015. Further it was directed to submit documentary evidence regarding status of installation and connectivity; and

WHEREAS, the unit has submitted a reply vide letter dated October 22, 2015 wherein it was informed that the installation of online monitoring system is completed; and

WHEREAS, the unit did not provide the connectivity of the online monitoring system to the CPCB as per the verification report dated March 16, 2017 generated by the IT division of the CPCB; and

WHEREAS, a closure direction under section 5 of E(P) Act 1986 was issued to the unit on March 29, 2017 on the basis that the unit has not provided the connectivity of the online monitoring system to the CPCB as per the verification report dated March 16, 2017 generated by the IT division of the CPCB; and

WHEREAS, it was observed that the unit has not closed its operations despite CPCB closure directions dated 29.03.2017 and hence CPCB filed original application No. 256/2017 (CPCB Vs

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Haladisiddnath & Others (including M/s. Madras Fertilizers Ltd., Tamil Nadu) before Hon'ble National Green Tribunal (NGT), Chennai; and

WHEREAS, the unit has informed through email dated January 22, 2020 that the Unit has installed all the requisite emission monitoring instruments/systems and provided connectivity to CPCB and requested to revoke the closure directions dated March 29, 2017; and

WHEREAS, the unit has provided the connectivity of OCEMS to CPCB as per the IT division report dated January 24, 2020; and

WHEREAS, Hon'ble NGT (South) passed the order on February 24, 2020 stating that the petition is closed and no further orders are necessary in this application; and

WHEREAS, CPCB constituted a Three-member committee vide office order dated 03.10.2017 having representative(s) from CPCB and MoEF&CC for examination and recommendation for revocation of the closure direction issued by CPCB; and

WHEREAS, the three-member committee in its meeting held on 13.03.2020 examined the compliance status of the unit and recommended that the closure direction issued to the unit on 29.03.2017 may be revoked with conditions that the unit shall provide continuous real time data of Online Continuous Effluent/Emission Monitoring System to Central Pollution Control Board and the unit shall obtain valid consent to operate from Tamil Nadu Pollution Control Board; and

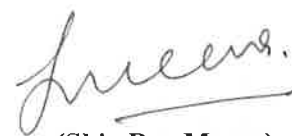
WHEREAS, the unit has through email dated May 13, 2020 provided the copy of consent to operate valid up to March 21, 2021 and requested to revoke of closure direction dated March 29, 2017; and

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; and

NOW, THEREFORE, in exercise of powers vested to the Chairman, Central Pollution Control Board under Section 5 of the Environment (Protection) Act, 1986, and in view of the recommendations made by the revocation committee on 13.03.2020, the closure direction issued under the Section 5 of the Environment (Protection) Act, 1986 to the unit (M/s. Madras Fertilisers Ltd., Manali, Tamil Nadu), on March 29, 2017 is hereby revoked with conditions that:

1. The Unit shall provide continuous real time data of Online Continuous Effluent/Emission Monitoring System to Central Pollution Control Board.

In the event of failure to comply with the above stated conditions, the revocation order shall automatically stand withdrawn and the closure order shall again become operative. The unit shall ensure compliance with the norms. In case of non-compliance by the unit action as deemed fit under the provisions of Environment (Protection) Act, 1986 shall be taken.



**(Shiv Das Meena)
Chairman**




M/s. Madras Fertilisers Ltd., Manali, Tamil Nadu

Copy to:

1. The Chairman
Tamil Nadu Pollution Control Board
No. 100, Anna Salai Guindy, Chennai – 600 032
2. The Chairman
Tamil Nadu Electricity Board,
Eastern Wing, 10th floor,
NPKRR Maaligai, 144, Anna Salai,
Chennai - 600 002
3. The Joint Secretary (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 Regional Director
Central Pollution Control Board
Regional Directorate, 2nd Floors, 77-A,
South Avenue Road, Ambattur Industrial Estate,
Ambattur Taluk, Thiruvallur Dist. Chennai-600 058
5. ✓ DH, IT, CPCB
6. DH, IPC-VI

With request to restore industrial
electricity supply of the Unit.


(Prashant Gargava)
Member Secretary