



By Speed Post

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July 04th, 2019

To,

**M/s Kamarhati Company Ltd. (Paper Division),
1, Graham Road, P.O. Kamarhati,
Dist.- 24 Pargana (N), West Bengal**

REVOKE OF CLOSURE DIRECTION UNDER SECTION 5 OF ENVIRONMENT (PROTECTION) ACT, 1986

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 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, Hon'ble National Green Tribunal in its order dated 15th December, 2014 in the matter of Krishan Kant Singh Vs. M/s Hindustan Cocacola Beverages Pvt. Ltd., Mehdiganj, Rajatalab, Varanasi stated that "It seems appropriate introduction of online monitoring system for the industries needs to be explored and if it is possible to provide for joint online monitoring system"; and

WHEREAS, the Ministry of Environment, Forest and Climate Change, Govt. of India, vide its notification S.O.157(E) dated 27.02.1996, has delegated the powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board (CPCB), to issue directions to any industry, Municipal Corporation, Municipal Council, Cantonment Board, any local or other Authority for the violation of emission and effluent standards notified under the Environment (Protection) Rules, 1986 and other standards and norms; and

WHEREAS, CPCB has held stakeholder consultations with industrial associations and SPCBs/PCCs on 06.08.2014, 19.09.2014, 29.09.2014, 08.10.2014, 16.10.2014, 09.01.2015, 08.04.2015 and 16.06.2015 regarding time bound implementation of installation of these devices; and

WHEREAS, a direction under Section 18 (1) (b) of Water (Prevention & Control of Pollution) Act, 1974 was issued on February 05, 2014 to Ganga Basin State Pollution Control Boards (SPCBs)/Pollution Control Committee (PCC) for installation of online effluent monitoring systems w.r.t. pH, BOD, TSS, COD and Flow parameters in Grossly Polluting Industries; and

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, considering the representations received from industries/industrial associations/SPCBs/PCCs, an extension of time up to June 30, 2015 for installation of online monitoring systems was

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Parivesh Bhawan, East Arjun Nagar, Delhi-110032

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granted vide direction dated March, 2015 issued under Section 18 (1) (b) of Water (Prevention & Control of Pollution) Act,1974; 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,2015 and withdrawal of consent to operate along with forfeiture of bank guarantee of non-complying units will be the only option; and

WHEREAS, an office order dated 27th December,2016 was issued by Member Secretary, CPCB directing that the installation and connectivity of OCEMS by industries must be completed before February 28th ,2017; and

WHEREAS, the GPIs need to follow the guidelines published by CPCB for OCEMS available on the link [http://cpcb.nic.in/upload/thrust-area/revise-GUIDELINES-final-sent-for-publication-on-07.11.2014 . pdf](http://cpcb.nic.in/upload/thrust-area/revise-GUIDELINES-final-sent-for-publication-on-07.11.2014.pdf) and amended thereof; and

WHEREAS, CPCB has re-inventorized the GPI units in consultation with the concerned SPCBs during February,2018 and as a result 39 new units have been identified as Grossly Polluting Industries (GPIs) operating in the Ganga main stem states; and

WHEREAS, M/s Kamarhatty Company (Paper Division), 1, Graham Road, North 24 Pargana, West Bengal (herein after referred to as 'the unit') is a Pulp & Paper Unit; and

WHEREAS, CPCB issued Show Cause Notice under Section 5 of Environment (Protection) Act,1986 dated 3rd May,2018 to the unit to install OCEMS system and provide connectivity of OCEMS system with CPCB server for 24 X 7 data transmission within three (3) months from the date of said directions for the parameters mentioned in the guidelines and for submission of action plan for installation and connectivity within 15 days; and

WHEREAS, the three months' time assigned to the unit to install OCEMS expired on 3rd August,2018 and no response has been received from the unit; and

WHEREAS, CPCB issued closure direction dated 18.12.2018 under section 5 of Environment (Protection) Act, 1986 to the unit M/s Kamarhatty Company (Paper Division), 1, Graham Road, North 24 Pargana, West Bengal for non compliance w.r.t. OCEMS installation/connectivity; and

WHEREAS, the unit's reply dated 31.05.2019 was examined and the following observations are made:

1. The unit has provided self -certificate of closure of unit.
2. The unit has provided OCEMS connectivity with parameters: pH, BOD, COD, TSS and flow.
3. The unit has submitted copy of online application for consent applied to West Bengal Pollution Control Board and copy of old/ expired consent dated 30.09.2015.
4. The unit has provided flow diagram and process details of Effluent Treatment Plant (ETP).

AND WHEREAS, CPCB constituted a three-member committee vide office order dated 27.09.2017 for examination & recommendation of representations from the unit regarding revocation of the closure direction issued by CPCB; and

WHEREAS, the three member committee in its meeting held on 28.06.2019 examined the representations from the Unit and recommended that the Unit may be allowed to resume operation;

AND NOW, THEREFORE, in view of the above observations and in exercise of powers delegated to the Chairman, Central Pollution Control Board under Section 5 of the Environment (Protection) Act, 1986, the following directions are hereby issued:

1. The unit M/s Kamarhatty Company (Paper Division), 1, Graham Road, North 24 Pargana, West Bengal shall resume operation only after obtaining valid consent to operate under Water/Air Acts from West Bengal State Pollution Control Board and shall inform the date of resumption of operation to CPCB.
2. The unit shall ensure to provide data continuously and uninterrupted connectivity of the OCEMS to the CPCB & SPCB servers.

In case of non-compliance of the above directions, CPCB will be constrained to initiate appropriate action against the unit without giving any further notice in accordance with the provision of Environment (Protection) Act, 1986.


(S. P. SINGH PARIHAR)
CHAIRMAN

Copy to:

1. **Member Secretary,** : [For kind information]
West Bengal State Pollution Control Board
Building No. 10 A, Block-LA, Sector-III,
Salt Lake City Kolkata- 700 098
2. **Joint Secretary (CP Division),** : [For kind information]
Ministry of Environment, Forests & Climate
Change, Indra Paryavaran Bhavan,
Jor Bagh Road, New Delhi - 110 003
3. **District Magistrate** : [For information]
Distt. 24 Pargan (N), West Bengal
4. **The Regional Director,** : [For information]
Regional Directorate, Central Pollution Control Board
Southern Conclave, Block 502, 5th & 6th Floors
1582 Rajdanga Main Road
Kolkata – 700 107 (W.B.)
5. **EE, PWD (Elec) Sundarban Elec Div.** : [With request to reconnect
Kamarhaty, 24 pargana(N) power supply of the unit]
West Bengal.
- ✓ 6. **The Incharge IT Division, CPCB, Delhi** : [For CPCB website uploading]
7. Master copy (Textile), WQM-II Division, CPCB, Delhi


(B. VINOD BABU)&1)
MEMBER SECRETARY