



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-33014/9/2022-23/IPC-II/ 2576

Dated: July.19, 2023

To

The Unit Head
M/s SMW Ispat Pvt. Ltd.
(formerly Mahalaxmi TMT Pvt. Ltd.)
C-2, MIDC, Deoli Groth Center,
Distt Wardha, Maharashtra-442101

Sub: Revocation of closure direction under Section 5 of the Environment (Protection) Act, 1986.

Ref: CPCB Closure Letter No. B-33014/7/2016/PCI-II/3342 dated 16.05.2016.

WHEREAS, integrated iron and steel plants and sponge iron units are identified as one of the 17 categories of highly polluting industries, which discharge environmental pollutants directly or indirectly into the ambient air and water, having potential threat to cause adverse effect on water and air quality; and

WHEREAS, the Central Government has notified standards for discharge of environmental pollutants from various categories of industries under the Environment (Protection) Act, 1986 and the rules framed there under; 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 methods like installing online emission monitoring devices; and

WHEREAS, for strengthening the compliance and monitoring through self-regulatory mechanism, online source emission monitoring systems (OCEMS) need to be installed and operated by the industries on 'polluter pays principle'; and

WHEREAS, directions under section 18(1)(b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 were issued on February 05, 2014 to all the State Pollution Control Boards (SPCBs)/ Pollution Control Committees (PCCs) for OCEMS w.r.t. PM, NOx and SO₂ in iron & steel industries and sponge iron units; and

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 directions 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 Consents will be withdrawn along with forfeiture of bank guarantee of non-complying Units; and

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WHEREAS, concerned SPCBs/PCCs 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 17 category of highly polluting industries to install OCEMS; and

WHEREAS, show cause notice under section 5 of Environment (Protection) Act, 1986 dated 23.07.2015 was issued to M/s SMW Ispat Pvt. Ltd.(formerly Mahalaxmi TMT Pvt. Ltd.) MIDC, Deoli Distt Wardha, Maharashtra 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 (OCEMS) by June 30, 2015 and a notice dated January 07, 2016 was published in Hindustan Times, Navbharat times and local newspapers to the non-responding industries to respond immediately within one week, but no response was received form the unit; and

WHEREAS, closure direction under section 5 of Environment (Protection) Act 1986, was issued on February 02, 2016 to M/s SMW Ispat Pvt. Ltd. (formerly Mahalaxmi TMT Private Ltd.) MIDC, Deoli Distt Wardha, Maharashtra for non-installation of OCEMS; and

WHEREAS, a reply dated March 28, 2016, was received from the unit informing that the unit is no more operational and a modified direction dated May 16, 2016, under section 5 of Environment (Protection) Act 1986, was issued to the unit not to restart operation till online emission and effluent monitoring system is installed and uplinked with CPCB server for relevant parameters; and

WHEREAS, the unit submitted a revocation request on November 28, 2022, informing that it has installed OCEMS. However, the unit did not submit the requisite documents (copy of Consent, Self-Closure Certificated etc) and therefore, a letter dated December 08, 2022 was sent to the unit for submitting the requisite documents and complete the connectivity of OCEMS with CPCB server as per CPCB guideline; and

WHEREAS, the unit submitted a fresh revocation request on May 02, 2023 informing that it has installed and connected OCEMS with CPCB server along with requisite documents and as per IT Division report dated May 19, 2023, the OCEMS of the unit was found connected with CPCB server for relevant parameters; and

WHEREAS, the case was put-up before the 3-member revocation committee, constituted for examining and recommending revocation of closure directions. The Committee in its meeting on June 14, 2023 recommended that the closure direction issued to M/s SMW Ispat Pvt. Ltd MIDC, Deoli Distt Wardha, Maharashtra may be revoked with certain conditions; 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, Forest and climate change, Government of India Notification No. S. O. 157 (E) of 27.02.1996 and S. O. 730 (E) dated 10.07.2002 the closure directions issued to M/s SMW Ispat Pvt. Ltd (Formerly Known as Mahalaxmi TMT Private Ltd.) MIDC, Deoli Distt Wardha, Maharashtra dated February 02, 2016 is hereby revoked with the conditions that:

- i. The unit shall be permitted to operate for three months form the date of commencement of operation.




- ii. The unit shall obtain the valid consent under Water Act 1974, Air Act 1981, and Authorization under Hazardous & other Wastes Rules, 2016 issued by SPCB and shall not operate without valid consents.
- iii. The unit shall ensure uninterrupted data connectivity of OCEMS with CPCB server after commencement of operation of the plant.
- iv. The unit shall ensure periodic calibration of the analysers as per Standard Operating Procedure/recommendations of the supplier and submit the calibration results.
- v. The unit shall intimate the date of resumption of manufacturing operation of CPCB.
- vi. In case of compliance of the above conditions during the permitted three months from the date of resumption of operation, the revocation direction shall be deemed to be continuing on stipulated conditions.

In case of non-compliance by the Unit action as deemed fit under the provisions of Environment (P) Act, 1986, including imposition of environmental compensation as per Environmental Compensation Policy framed by CPCB in compliance of Hon'ble NGT order dt.-31.08.2018 in OA No. 593/2017, shall be taken.

15th 19/7/23
[Tanmay Kumar]
Chairman
hkg

Copy to:

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|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
| 1. | The Chairman Maharashtra Pollution Control Board Kalpataru Point 3 rd & 4 th Floors, Sion Matunga Scheme, Road No. 8 Opp. Cine Planet, Sion Circle, Sion (E) Mumbai-400022, Maharashtra | |
| 2. | The District Magistrate, Collectorate Kolhapur, Swarajya ,Bhawan Nagala Park, Kolhapur-416003, Maharashtra | |
| 3. | The Chief Engineer : Maharashtra Electricity Board Warna colony , Kolhapur-416003, Maharashtra | With request to restore electricity supply of the Unit |
| 4. | The Director-CP Division Ministry of Environment, Forests and Climate Change Prithvi Wing, Indira Paryavaran Bhawan Aliganj, Jor Bagh Road, New Delhi - 110003 | |
| 5. | The Regional Director Regional Directorate Central Pollution Control Board Parivesh Bhawan, Opp.VMC Ward office no 10, Subhanpura, Vadodara-390023, Gujarat | |
| 6. | The Divisional Head IT, CPCB, Delhi | |
| 7. | The Divisional Head, IPC-VI, CPCB Delhi | |


(Dr. Prashant Gargava)
Member Secretary