



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-33014/02/2023/IPC-II/ 9243

Dated: 28/02/2023

To

~~The Unit Head
M/s Shri Ram Industries
Plot No. 239 to 242 & 252 to 259
IID Centre, Battal Ballian,
Udhampur, J&K-182101~~

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

WHEREAS, cement plants 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, 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 OCEMS w.r.t. PM, NOx and SO₂ in cement industries; 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all the SPCBs/ PCCs informing that no further extension of time will be given after June 30, 2015 and Consents will be withdrawn along with forfeiture of bank guarantee of non-complying Units; and

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

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Parivesh Bhawan, East Arjun Nagar, Delhi-110032

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

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industries to install OCEMS and submit bank guarantee of 100% of the cost of OCEMS; and

WHEREAS, direction under Section 5 of Environment (Protection) Act 1986, was issued on July 24, 2015 to all 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 w.r.t. installation of online emission monitoring system by June 30, 2015. Further it was directed to submit documentary evidence regarding status of installation and connectivity; and

WHEREAS, CPCB- (North) RD inspected the Unit i.e. M/s Shri Ram Industries, Udhampur, J&K, w.r.t. high SMS alerts/offline status and found non-compliance in emission standards and therefore closure direction dated 05.10.2018 was issued to the Unit; and

WHEREAS, the Unit submitted a revocation request on 31.10.2018, informing that the Unit has rectified the pollution issue and has taken effective steps to prevent the PM emission. A letter dated 30.11.2018 was sent to the Unit for submitting requisite documents for consideration of revocation request. In reply, a revocation request vide letter dated 07.01.2019 was received from the Unit regarding compliance of closure direction. A letter dated 22.01.2019 was sent to the Unit for submitting adequacy report, self-closure certificate and compliance of remaining points mentioned in the direction and a reminder e-mail dated 26.11.2021 was sent to the Unit; and

WHEREAS, two complaints were received about operation of plant in violation of CPCB closure direction, which have been forwarded to SPCB for necessary action and report is requested from SPCB; and

WHEREAS, revocation requests were received from the Unit vide letters dated 15.01.2022, and 20.02.2022 submitting adequacy report, self-closure certificate and compliance of remaining points mentioned in the closure direction.

WHEREAS, a letter dated 15.03.2022 was sent to the Unit to install OCEMS at the stacks and establish connectivity with CPCB server as per CPCB guidelines for which directions were issued in respect of all cement plants on 05.02.2014 and 02.03.2015 and a reminder letter was sent to the Unit vide letter dated 07.09.2022; and

WHEREAS, the Unit submitted revocation requests vide letters dated 24.11.2022 and 03.01.2023 and informed that it has installed OCEMS and established connectivity with CPCB server as per CPCB guidelines in the stacks attached with cement mill/grinding mill. As per IT Division report dated 10.01.2023, the Unit was found connected with CPCB server for all stacks; and

WHEREAS, the case was put-up before the 3-member revocation committee, constituted for examination and recommending revocation of closure directions, in its meeting on 19.01.2023 and the Committee recommended that the closure direction issued to M/s Shri Ram Industries, Udhampur, J&K, may be revoked; and

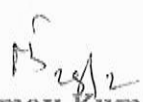

NOW THEREFORE, in view of the above and exercising the powers delegated to the Chairman, Central Pollution Control Board under section 5 of the Environment (Protection) Act, 1986 vide Ministry of Environment, Forest and climate change, Government of India Notification No. S. O. 157 (E) of 27.02.1996 and S. O. 730 (E)



dated 10.07.2002 the closure directions issued to M/s Shri Ram Industries, Udhampur, J&K, dated 05.10.2018 is hereby revoked with conditions that:

- i. The Unit shall obtain the valid Consent under the Water Act, Air Act, and Authorization under Hazardous & other Wastes Rules, 2016 issued by SPCB and shall not operate without valid Consents.
- ii. The Unit shall communicate the date of resumption of manufacturing operation to CPCB and revocation will be done for an initial period of three months from the date of commencement of operation and in case of compliance of the prescribed effluent/emission discharge standards during permitted three months, further revocation would be deemed as having been granted.
- iii. The Unit shall submit performance assessment of the emission control systems by the same reputed Government Institute including emission test reports within 60 days from the date of resumption of manufacturing operations.
- iv. The Unit shall ensure that the installed OCEMS devices are functioning properly & continuously and uninterrupted data connectivity of OCEMS with CPCB server after commencement of operation of the plant.
- v. The Unit shall ensure periodic calibration of the analyzers as per Standard Operating Procedure/recommendations of the supplier and submit the calibration results.

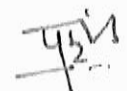
In case of non-compliance by the Unit action as deemed fit under the provisions of Environment (P) Act, 1986, including imposition of environmental compensation as per Environmental Compensation Policy framed by CPCB in compliance of Hon'ble NGT order dt.-31.08.2018 in OA No. 593/2017, shall be taken.


[Tanmay Kumar]
Chairman


Copy to:

1. The Chairman
J&K Pollution Control Committee
Parivesh Bhawan, Forest Complex, Gladni,
Narwal, transport Nagar, Jammu (J&K)-
180004
2. The District Development Commissioner
/Deputy Commissioner/District Magistrate
Udhampur (DC Office) Udhampur, -182101
3. The Chief Engineer
Elect. Maint. & RE Wing, Canal Power
House, Canal Road, PDD, Bhagwati Nagar,
Talab Tillo, Jammu, Jammu & Kashmir.
180002
4. The Joint Secretary -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 (North-East)
Central Pollution Control Board
BSNL Telephone Exchange, 2nd Floor,
Sector -49 C, Chandigarh - 160047
- ✓ 6. The Divisional Head IT, CPCB, Delhi
7. The Divisional Head, IPC-VI, CPCB
Delhi

: With request to provide
report in respect of the
above mentioned
complaints as received
vide letters dt. 22.09.2022
& 19.10.2022 (copy
enclosed)


(Dr. Prashant Gargava)
Member Secretary

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