



E-mail/Speed post

PJ-14011(11)/18/2022-WQM-II-HO-CPCB-HO ²⁶⁹²⁻⁸⁶⁹⁶ ⁸⁸⁵⁴⁻⁵⁵ Dated: 15.02.2023

To,
Member Secretary,
<SPCB>

DIRECTIONS UNDER SECTION 18 (1) (b) OF THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974 REGARDING ADOPTION OF MODEL TEMPLATE FOR CONSENT TO ESTABLISH, CONSOLIDATED CONSENT TO OPERATE AND AUTHORIZATION

WHEREAS, the Central Pollution Control Board (CPCB), has delegated powers vested under Section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 to the Member Secretary, Central Pollution Control Board vide its resolution made in 196th Board meeting dated 29th March, 2022 to issue directions under Section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 to the State Pollution Control Board(s); and

WHEREAS, amongst others, under section 16 of the Water (Prevention and Control of Pollution) Act, 1974, one of the functions of the Central Pollution Control Board (CPCB), constituted under the Water (Prevention and Control of Pollution) Act, 1974 is to coordinate activities of the State Pollution Control Boards (SPCBs) & Pollution Control Committees (PCCs), to provide technical assistance and guidance to SPCBs / PCCs and to promote cleanliness of streams and wells in different areas of the States; and

WHEREAS, amongst others, under section 17 of the Water (Prevention and Control of Pollution) Act, 1974, one of the functions of the State Pollution Control Board (SPCB), constituted under the Water (Prevention & Control of Pollution) Act, 1974 is to plan a comprehensive programme for prevention, control or abatement of pollution of streams and wells located in the State and to secure the execution thereof; and

WHEREAS, amongst others, a State Board shall grant Consent to Establish (CTE) under Section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974, to any person taking steps to establish any industry, operation or process, or any treatment and disposal system or for any change, extension, addition or withdrawal thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land; or bring into use any new or altered outlets for the discharge of sewage/trade effluent; or begin to make any new discharge of sewage/trade effluent; and

WHEREAS, amongst others, a State Board shall grant Consent to Operate (CTO) under Section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974, to any person taking steps to operate any industry, operation or process, or any treatment and disposal system or any change, extension, addition or withdrawal thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land or bring into use any new or altered outlets for the discharge of sewage/trade effluent; or begin to make any new discharge of sewage/trade effluent; and

WHEREAS, amongst others, subject to the provisions of section 21 of the Air (Prevention and Control of Pollution) Act, 1981, no person shall, without the previous consent of the State Board, establish or operate any industrial plant in an air pollution control area; and

WHEREAS, amongst others, State Board issues Consent to Establish (CTE) and Consent to Operate (CTO) under section 21 of the Air (Prevention and Control of Pollution) Act, 1981; and

WHEREAS, amongst others, State Board issues authorization for handling hazardous waste under "The Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016" notified under "The Environment (Protection) Act, 1986" subject to conditions, to every person engaged in generation, processing, treatment, package, transportation, use, etc of hazardous waste; and

WHEREAS, the consents and authorization will be valid for such period as may be specified in the order, and any such conditions imposed shall be binding on any person starting, extending or altering operation or process, or treatment and disposal system or using new or altered outlet, or discharging/emitting the effluent/emissions and hazardous waste from industry premises; and

WHEREAS, since 2015, CPCB in collaboration with SPCBs & National Mission for Clean Ganga (NMCG) has taken several initiatives to facilitate Grossly Polluting Industries (GPIs) operating in Ganga main stem states of Uttarakhand, Uttar Pradesh, Bihar, Jharkhand and West Bengal, for abatement of industrial pollution in river Ganga, including preparation and implementation of sector specific "Charter for Water Recycling & Pollution Prevention" with emphasis on upgradation of process and effluent treatment technologies, through adoption of cleaner technologies and waste minimization practices to reduce specific fresh water consumption, specific effluent generation through reuse and recycling of process water and reduction in pollution load; and

WHEREAS, the implementation of Charter in five major industrial sectors namely, pulp & paper, sugar, distillery, textile and tannery have resulted in 23.5% reduction in effluent discharge and 32.2% reduction in BOD load entering river Ganga respectively between the period 2017-2021. In addition, sector-wise improvement due to Charter implementation is as below:

- In the pulp & paper sector, 78% reduction in fresh water consumption between 2011 to 2021, 36% reduction in pollution load and 50% reduction in effluent generation through recycling between 2017 and 2021.
- In the sugar sector, 69% reduction in specific fresh water consumption, 29% reduction in effluent discharge and 24% reduction in pollution load from 2017 to 2021.
- In the distillery sector, 63% reduction in specific fresh water consumption and 42% reduction in specific spent wash generation between 2017 and 2021.
- In the textile sector, 30% reduction in specific fresh water consumption, 24% reduction in effluent discharge and 17% reduction in pollution load between 2019 and 2021.

AND WHEREAS, the implementation of Charter in the five major industrial sectors resulted in GPIs, belonging to pulp & paper, sugar, distillery and textile sectors achieving Charter norms w.r.t specific effluent discharge (spent wash generation norms in case of distillery sector) which are significantly lower than the sector specific national norms/practices. Details presented in the table below:

Sector	National Norm/Practices	Charter Norm (2021-22)
Pulp & Paper	Large pulp & paper mill-200 KL/MT Small pulp & paper mill-75 KL/MT	Agro/Wood based bleached grade & Market Pulp Based Speciality Paper - 30 KL/MT Agro/Wood based unbleached grade-12 KL/MT RCF based bleached grade-6 KL/MT RCF based unbleached grade-3 KL/MT
Sugar	200 L/T of cane crushing	Standalone sugar mill- 120 L/T Sugar mill with co-gen – 120 L/T Sugar refinery- 100 L/T Sugar refinery with co-gen – 150 L/T
Distillery	12 KL/KL of alcohol	6-8 KL/KL
Textile	40-200 L/Kg	26-145 L/Kg
Tannery	2-10 mg/L (Total Chromium)	2-10 mg/L (Total Chromium)

AND WHEREAS, through Charter implementation, cleaner technology and waste minimization practices have been successfully demonstrated and implemented by GPIs operating in the Ganga and Yamuna main stem states resulting in overall reduction in freshwater consumption, effluent generation and discharge; and

WHEREAS, Ministry of Jal Shakti (MoJS) observed that discharge norms as per the Consents being issued to GPIs are not in congruence with the Charter norms being achieved by the GPIs; and

WHEREAS, in the meeting held on 30.11.2022 with Ministry of Jal Shakti (MoJS) and Ministry of Environment, Forest & Climate Change (MoEF&CC), it was observed that the charter mechanism involving adoption of cleaner technologies wherein stringent norms w.r.t water consumption, effluent discharge etc have been set for the GPIs, are not reflecting in the consents being issued by SPCBs; and

WHEREAS, in compliance to the minutes of the meeting dated 30.11.2022 issued vide office memorandum TE-22/1/2022-O/oED(TECH)NMCG dated 12.12.2022, the following actions were undertaken by CPCB:

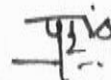
- Model Templates for Consolidated Consent & Authorization (CCA) for major industrial sectors namely Pulp & Paper, Sugar, Distillery, Textile and Tannery as well as for sewage treatment plants (STP), was prepared and duly vetted by knowledge partners like IITs, Central Pulp & Paper Research Institute, National Sugar Institute, Vasantdada Sugar Institute etc.
- The model templates include novel and proven cleaner technologies as well as specific fresh water consumption & effluent discharge norms, as key performance indicators.
- Final draft of model templates of CCA were circulated amongst the seven SPCBs, NMCG, CGWB & experts vide email dated 09.12.2022.

- Meetings were organized with SPCBs, NMCG, SMCG & CGWA on 13.12.2022, 04.01.2023, 06.01.2023 & 13.01.2023 to facilitate and expedite the adoption of model CCA.
- During the meeting dated 13.12.2023, all the seven SPCBs and NMCG approved the draft model template and agreed to adopt the same.
- CPCB held meeting with NIC and SPCBs of Ganga & Yamuna main stem states on 19.01.2023 to facilitate changes in the online portal as per the new model template.
- CPCB vide email dated 03.02.2023 forwarded to all seven SPCBs and NIC, the template of application format for obtaining information from industries to enable issuance of Consolidated Consent & Authorization (CCA) based on the model template. In addition, a common model template of CCA for other remaining industrial sectors was also forwarded through the aforementioned email.

NOW THEREFORE, in view of the above and in exercise of the powers conferred under section 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974, you are hereby directed to take appropriate actions for compliance to the following:

1. SPCBs/PCC shall henceforth issue Consent to Establish (CTE) and Consolidated Consent & Authorization (CCA) for all fresh applications including renewal, based on the model template prepared by CPCB following appropriate procedure, with immediate effect.
2. SPCBs/PCC shall issue supplementary conditions or make suitable addendums to the existing Consents to Operate (CTO)/CCA so as to suitably accommodate the additional required conditions w.r.t the model template following appropriate procedure within 15 days.
3. SPCBs/PCC shall ensure the incorporation of the Charter mechanism in the newly issued Consolidated Consent & Authorization (CCA) as well as supplementary consents based on the model template, including adoption of cleaner technologies and stringent norms for specific freshwater consumption, specific effluent discharge and pollution load which have been successfully implemented and demonstrated by GPIs belonging to the industrial sectors in which Charter has been adopted.
4. SPCBs/PCC shall coordinate with NIC and other concerned state agencies including state environment department, law department, etc, to expedite the process of adoption of model template.

SPCBs/PCC shall acknowledge the receipt of these directions to CPCB within a week and submit action taken report within 30 days.



**(PRASHANT GARGAVA)
MEMBER SECRETARY**

COPY TO:

1.	Secretary, Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi-110003	: For kind information please
2.	Secretary (DoWR,RD&GR) Ministry of Jal Shakti Rafi Marg, Sansad Marg Area, New Delhi- 110001	: For kind information please
3.	Additional Secretary (CP-Division), Ministry of Environment Forests & Climate Change Indira Paryavaran Bhawan, Jor Bagh Road, NEW DELHI-110 003	: For kind information please
4.	Director General, National Mission for Clean Ganga (MoWR, RD & GR) 1 st Floor, Major Dhyan Chand National Stadium India Gate, NEW DELHI – 110002	: For kind information please
5.	Member Secretary, Central Ground Water Authority(CGWA), 18/11, Jamnagar House, Mansingh Road, NEW DELHI - 110011	: with direction to ensure that freshwater consumption norms as per Charter to be firmly embedded in the NOC issued for freshwater abstraction and to be in congruence with the template for model CCA.
6.	The Member Secretary, Uttar Pradesh Ground Water (Management & Regulatory) Authority 9 th Floor Indira Bhawan, Ashok Marg Lucknow-226001	: For kind information please
7.	The Chief Executive Officer Haryana Water Resources authority Rear building 3 rd floor, HSVP, Sector-6, Panchkula, Haryana-134109	: For kind information please
8.	The Engineer-in-Chief, Jal Shakti Vibhag, Jal Shakti Bhawan, Shimla-171005	: For kind information please
9.	The Director, State Water Investigation Directorate,	: For kind information please

	Nirman Bhaban, 3 rd floor, Salt Lake City, Kolkata-91	
10.	The Chief Executive Officer, Delhi Jal Board, Varunalaya Complex, Staff Colony, Jhandewalan Extension, Jhandewalan, New Delhi-110005	: For kind information please
11.	Regional Director, Central Ground Water Board, Northern Region, M/2M/36, Sitapur Rd, Sector B, Aliganj, Lucknow, Uttar Pradesh 226021	: For kind information please
12.	Regional Director, Central Ground Water Board, North Western Region, 3-B, Sector 27-A, Chandigarh 160019	: For kind information please
13.	Regional Director Central Ground Water Board Eastern Region, 26, Manik Bandyopadhyay Sarani Rd, Moor Avenue, Ashok Nagar, Regent Park, Kolkata, West Bengal 700040	: For kind information please
14.	Regional Director Central Ground Water Board North Himalayan region 687G+W97, Dove Cottage, Near Ram Nagar PO, Himachal Pradesh 176215	: For kind information please
15.	Officer In Charge Central Ground Water Board 8/11, Jamnagar House, Mansingh Road, New Delhi - 110011	: For kind information please
16.	The In-charge, Regional Office, Luckow, Kolkata	: For kind information please
17.	The In-charge, IT Division, CPCB	: To upload in the CPCB website please.


(PRASHANT GARGAVA)

List of SPCBs

Sl.No.	SPCB/PCC
1.	Member Secretary, Haryana State Pollution Control Board, C-11, Sector-6, Panchkula, Haryana - 134109 8854,
2.	Member Secretary, Bihar Pollution Control Board, Parivesh Bhavan, Plot No. NS-B/2, Patliputra Industrial Area, Patliputra, Patna (Bihar) - 800023
3.	Member Secretary, Delhi Pollution Control Committee, 6th floor, C wing, Delhi Secretariat, I P Estate, Delhi-110002
4.	Member Secretary, Jharkhand Pollution Control Board, T.A Building, HEC, P.O. Dhurwa, Ranchi – 834004
5.	Member Secretary, Uttarakhand Pollution Control Board, Gaura Devi Bhawan, 46 B IT Park Sahastradhara, Dehradun, Uttarakhand – 248001 8855
6.	Member Secretary, Uttar Pradesh Pollution Control Board, Building.No. TC-12V VibhutiKhand, Gomti Nagar Lucknow-226 010
7.	Member Secretary, West Bengal Pollution Control Board, ParibeshBhavan, 10A, Block-L.A., Sector III, Bidhan Nagar, Kolkata - 700 106



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

BY SPEED POST

CP-11/1/2023-IPC-III-HO-CPCB-HO 8962

February 22, 2023

To,

M/s Indian Potash Ltd, (Sugar Division),
Unit- Siswa Bazar, Maharajganj,
Uttar Pradesh-273164

Show Cause Notice under Section 5 of the Environment (Protection) Act, 1986

WHEREAS, Sugar industries 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, for strengthening the monitoring and compliance through self-regulatory mechanism, 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. Particulate Matter parameter & online effluent monitoring system w.r.t. pH, BOD, COD, TSS, Flow parameters in 17 categories of industries including Sugar; and

WHEREAS, M/s Indian Potash Ltd, Sugar Division, Unit-Siswa Bazar, Maharajganj, Uttar Pradesh-273164 (*hereafter referred to as 'the Unit'*) is a sugar manufacturing unit; and

WHEREAS, the Unit was inspected by a Joint team of CPCB and UPPCB on 11.04.2019 under SMS alert Surveillance programme based on the SMS alert generated from online effluent/emission monitoring system and during the visit it was observed that the Unit was found to be by-passing the untreated effluent through two drains (BOD-323 mg/l and 857 mg/l) without treatment; and

WHEREAS, based on the non-compliance's found during the inspection by the Joint team of CPCB and UPPCB, a direction dated 15.05.2019 under section 5 of the Environment (Protection) Act, 1986, was issued to M/s Indian Potash Ltd, Sugar Division, Unit-Siswa Bazar, Maharajganj, UP to immediately close down all its manufacturing operations and not to restart manufacturing till it complies with CPCB's direction and obtain permission from CPCB before resuming operation. The direction was also forwarded to UPPCB for ensuring compliance of the direction and to Uttar Pradesh Power Corporation Limited (UPPCL) for disconnection of power supply of the Unit; and

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'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

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

WHEREAS, the team of CPCB again visited the Unit on 16.11.2022 for verification of the CPCB's Closure direction dated 15.05.2019. The Unit was non-operational during inspection, however, it was observed from the RT-8C form submitted by the Unit that the Unit has operated in crushing season 2019-20, 2020-21 and 2021-22 despite closure direction from CPCB. During the visit it was observed that the washing /cleaning effluent is discharged directly through bypass drain and inspection team collected sample of the bypass drain and lab analysis result showed **BOD value as 173mg/l** (against standard of 30 mg/l) and **COD as 399 mg/l**. It clearly indicates that cleaning /washing effluent is being bypassed through drain without treatment; and

WHEREAS, the Hon'ble NGT, Principal Bench order dated 31.08.2018 in the matter of O.A. No. 593/2017 (WP(CIVIL) No. 375/2012), Paryavaran Suraksha Samiti & Anr. Vs Union of India & Ors. directed "*CPCB to take penal action for failure and, if any, against those accountable for setting up and maintaining STPs, CETPs and ETPs and may also asses and recover compensation for damage to the environment and said fund may be kept in a separate account and utilised in term of an action plan for protection of the environment*"; and

WHEREAS, in compliance of the Hon'ble NGT order dated 31.08.2018 (O.A. No. 593/2017), a Committee was constituted by CPCB for developing a formula for imposing environmental compensation (EC) on industrial Units. As per the Committee recommendations, one of the case to be considered for levying EC is "non-complying with the direction issued such as closure direction"; and

WHEREAS, the Unit has submitted its RT-8(c) form and it has been observed that the Unit has operated for 146 days in crushing season 2019-20; for 114 days in crushing season 2020-21 and 113 days in crushing season 2021-22, without seeking revocation from CPCB against closure dated 15.05.2019. The EC for the Crushing Season 2022-23 will be calculated separately after submission of RT-8c form for this season; and

WHEREAS, as per the formula derived for EC by CPCB, the total EC amount shall be calculated for the non-compliance period. Number of days of violation (non-compliance period) for imposing EC is calculated based on actual number of days of operation during crushing seasons till date of compliance of direction i.e. closing of manufacturing operation. Based on the formula derived by CPCB, the total environmental compensation amount is calculated as **Rs.1,11,90,000/- (One Crore Eleven Lakh Ninety Thousand only)** for the non-compliance period (29.11.2019 to 22.04.2020) in crushing season 2019-20, (26.11.2020 to 20.03.2021) in crushing season 2020-21, and (06.12.2021 to 28.03.2022) in crushing season 2021-22 and same shall be deposited by the Unit to CPCB. A separate notice of levying EC will be issued to the Unit if the Unit found to be operating in crushing season 2022-23 without seeking permission from CPCB, based on RT-8(C) form of the Crushing Season 2022-23; and

OR

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

NOW, THEREFORE, in view of the above observations and in exercise of the powers delegated to the Chairman, CPCB under section 5 of the Environment (Protection) Act, 1986, **notice is served herewith to show cause why environmental compensation of Rs.1,11,90,000/- (One Crore Eleven Lakh Ninety Thousand only) should not be imposed** on M/s Indian Potash Ltd, Sugar Division, Unit-Siswa Bazar, Maharajganj, Uttar Pradesh for violation of CPCB closure direction based on available record i.e. for running their manufacturing operation during crushing season 2019-20, 2020-21, and 2021-22 without seeking revocation from CPCB against closure direction dated 15.05.2019.

You are hereby given an opportunity to file your objections (if any) to the above proposed direction within 15 days from the receipt of this notice, failing which it will be presumed that you have nothing to say and appropriate action, in accordance with the provisions of the Environment (Protection) Act, 1986, will be taken against the Unit without giving any further notice.

H₂212
(TANMAY KUMAR) *o/c*
CHAIRMAN

Copy to:

1. **The Member Secretary** : For information and
Uttar Pradesh Pollution Control necessary action please.
Board,
Building No. TC-12V, Vibhuthi Khand,
Gomti Nagar, Lucknow - 226 010
Uttar Pradesh
2. **The Regional Director,** : For information and
Regional Directorate Lucknow, necessary action please.
Central Pollution Control Board
PICUP Bhawan, Vibhuthi Khand, Gomti
Nagar, Lucknow - 226010

o/c

o/c

3. **The Director (CP
Division),**
Ministry of Environment, Forest &
Climate Change, Indra Paryavaran
Bhavan, Jor Bagh Road, New Delhi -
110 003

: For information please

✓ 4. The Divisional Head, IT Division,
CPCB, Delhi

: To upload the direction at
CPCB website


(PRASHANT GARGAVA) o/c
MEMBER SECRETARY

o/c

o/c



By Speed-Post

CP-11/114/2022-IPC-III-HO-CPCB-HO 9246

March 01., 2023

To,

The Aska Co-operative Sugar industries Ltd,
Distillery Unit, P.O-Nuagam (Aska),
District-Ganjam, Odisha-761111

Directions under Section 5 of the Environment (Protection) Act, 1986- Revoked thereof.

WHEREAS, Distilleries 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, M/s Aska Co-operative Sugar Industry Ltd, Distillery Unit, P.O-Nuagam (Aska), District-Ganjam, Odisha (hereinafter referred to as 'the Unit') is a molasses based distillery having production capacity of rectified spirit of 10 KLD; and

WHEREAS, a team of Central Pollution Control Board (CPCB) visited M/s Aska Co-operative Sugar Industry Ltd. (Distillery), P.O-Nuagam (Aska), District-Ganjam, Odisha on 19.03.2012. Based on the observations made during the inspection, CPCB issued closure direction dated 30.05.2012 under section 5 of E(P) Act, 1986 to the Unit for observed non-compliance's; and

WHEREAS, for strengthening the monitoring and compliance through self regulatory mechanism, 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 continuous emission monitoring system (OCEMS) w.r.t. Particulate Matter parameter & online effluent monitoring system w.r.t. pH, BOD, COD, TSS, Flow parameters in 17 categories of industries including distilleries; and

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

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WHEREAS, in follow up to the directions issued to the SPCBs/PCCs, CPCB had issued show cause notices under section 5 of the Environment (Protection) Act, 1986 dated 24.07.2015 to 347 distilleries, including M/s The Aska Co-operative Sugar industries Ltd, Distillery Unit, P.O-Nuagam(Aska), District-Ganjam, Odisha, as to why the Unit should not be closed down if the Unit has not complied fully with the direction issued w.r.t. installation of OCEMS by June 30, 2015. It was further directed to submit documentary evidence regarding status of installation and connectivity of online emission & effluent monitoring system in the format given; and

WHEREAS, no reply was filed by the said Unit in response to the CPCBs show cause notice dated 24.07.2015. Further, CPCB had included the name of the Unit in the list of defaulter Units, published in the CPCB website and in the advertisement in national & local newspaper dated 07.01.2016. However, no response was received from the Unit w.r.t installation of OCEMS and its connectivity with CPCB server; and

WHEREAS, in view of the non-compliance of the Unit w.r.t installation and connectivity of OCEMS to CPCB server and in exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986; CPCB had issued direction dated 29.04.2016 to close down manufacturing operation of the Unit until required OCEMS are installed and data connectivity to CPCB is established; and

WHEREAS, the Unit vide letter dated 11.04.2022, 27.05.2022, 09.09.2022 & 05.12.2022 informed that the Unit was closed since July 2012 and still not in operation and submitted having adequate ETP for ZLD vetted by NIT-Rourkela report, submitted 'self-certificate' regarding closure of operation, installed online continuous effluent/emission monitoring system i.e. flow-meters and camera required for ZLD Units and provided connectivity of these systems to CPCB, and the same has been verified by the IT Division of CPCB; 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 of the revocation of closure directions issued by CPCB; and

WHEREAS, the Committee in its meeting held on 19.01.2023 reviewed the compliance made by the Unit & verified the submitted supporting documents in line with the agreed criteria and recommended that the Unit may be allowed to resume its manufacturing operation with conditions; and

WHEREAS, the Ministry of Environment, Forest & Climate Change, 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 view of the compliance made by the Unit to the direction issued by CPCB and in exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986, the closure direction issued to the Unit [M/s The Aska Co-operative Sugar industries Ltd, Distillery Unit, P.O-Nuagam (Aska), District-Ganjam, Odisha] is hereby revoked and the Unit is allowed to resume its manufacturing operations subject to the following conditions:

1. The Unit shall communicate date of commencement of plant operation to CPCB and the revocation would be for an initial period of three months after the commencement of operation and in case of compliance of conditions as stipulated below, further revocation would be deemed as having been granted.
2. Before commencement of operations, the Unit shall obtain valid Consents under the Water Act, Air Act, and Authorization under Hazardous & other Wastes Rules, 2016 from SPCB and industry shall not operate under any circumstances without valid consent orders.
3. The Unit shall ensure uninterrupted data connectivity of OCEMS with CPCB server after commencement of operation of the plant.
4. The Unit shall ensure periodic calibration of the analyzers as per Standard Operating Procedure/recommendations of the supplier and submit the calibration results.
5. The Unit shall submit actual performance assessment report of installed ZLD system & ETP, including Mass & Water Balance, Bio-composting yard adequacy & groundwater monitoring report, by the same reputed Govt. Institute within 60 days of resumption of the operations.

In case of default in compliance with the above conditions, CPCB will be constrained to initiate further action against the Unit, in accordance with the provisions of the Environment (Protection) Act, 1986, without any further notice.

M 31/3
(TANMAY KUMAR)
CHAIRMAN
o/c

1. **The Chairman,** :With a request to
Odisha Pollution Control Board, ensure compliance of the above
A-118, Nilakanta Nagar, Unit -VIII, conditions please
Bhubaneshwar - 751012
2. **The Advisor (CP Division)** : For information please.
Ministry of Environment, Forest and
Climate Change, Prithvi Wing, 2nd
Floor, Room No. 216, Indira
Paryavaran Bhawan, Aliganj, Jor
Bagh Road, New Delhi - 110003

AC

3. **The Regional Director,**
Central Pollution Control Board
Regional Directorate (Kolkata)
Southern Conclave, Block 502,
5th & 6th Floors, 1582
Rajdanga Main Road
Kolkata, West Bengal-700 107

:For follow-up and ensuring compliance please.

4. **The District Magistrate,**
Ganjam, Odisha

: For information please.

5. **The Head,**
TP Central Odisha Distribution Limited
(TPCODL), Kalyani Complex, Market St,
Unit 8, Gopabandhu Nagar, Bhubaneswar,
Odisha 751008.

:With request to restore the power supply to the Unit, please.

6. ✓ The Divisional Head, IT , CPCB, Delhi: For uploading the direction at CPCB website please

(PRASHANT GARGAVA)
MEMBER SECRETARY



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, NO_x 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

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

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

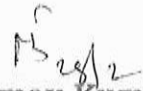

NOW THEREFORE, in view of the above and exercising the powers delegated to the Chairman, Central Pollution Control Board under section 5 of the Environment (Protection) Act, 1986 vide Ministry of Environment, Forest and climate change, Government of India Notification No. S. O. 157 (E) of 27.02.1996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

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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.

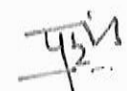
In case of non-compliance by the Unit action as deemed fit under the provisions of Environment (P) Act, 1986, including imposition of environmental compensation as per Environmental Compensation Policy framed by CPCB in compliance of Hon'ble NGT order dt.-31.08.2018 in OA No. 593/2017, shall be taken.


[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





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/ 9244

Dated: 28/02/2023

To

~~The Unit Head
M/s RNB Cement Industries Ltd
Umium Industrial Area
Umium, Ri-Bhoi
Meghalaya-793103~~

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, NO_x 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, closure direction dated 27.07.2016 was issued to M/s RNB Cements Pvt. Ltd., Umiam Industrial Area, Umiam, Ri Bhoi Distt, Meghalaya the for non-installation of OCEMS; and

WHEREAS, the Unit submitted a revocation request on 07.10.2020, informing that they have installed OCEMS. As per IT division report dated 28.10.2020 the Unit was found connected only for PM parameter and not for SO₂ and NO_x and an e-mail dated 13.11.2020 was sent to the Unit to complete the connectivity as per CPCB guideline; and

WHEREAS, the Unit again submitted revocation request on 25.02.2021 and an e-mail dated 23.03.2021 was sent to the Unit for providing registration details mentioning all the parameters; and

WHEREAS, the Unit submitted revocation requests dt. 21.12.2021, 09.06.2022 mentioning that the Unit was shut down for a long time and has completed the connectivity of all parameters i.e. PM, SO₂ and NO_x as per CPCB guidelines and submitted CTO with validity up to 31.03.2022. Further, a letter dated 06.07.2022 was sent to the Unit for submitting requisite documents i.e. self-closure certificate and complete connectivity of all parameters; and

WHEREAS, the Unit submitted another revocation request on 19.07.2022 along with screenshots of data connectivity with CPCB server and self-closure certificate informing that the connectivity of all parameters has been completed as per CPCB guidelines with CPCB server and Meghalaya SPCB server. However, as per IT division report dated 28.10.2020, the Unit was found connected for PM analyzer only & not for SO₂ and NO_x analyzer for Kiln-Cooler stacks with CPCB server; and

WHEREAS, the case of Unit was put-up before the 3-Member committee on 05.08.2022 for revocation of closure direction. The committee discussed the matter and decided that, for consideration of revocation request, the Unit is required to establish SO₂ and NO_x connectivity with CPCB server; and

WHEREAS, a letter was sent to the Unit dated 23.08.2022 for providing the connectivity in all stacks and the Unit replied on 01.09.2022 that it has completed connectivity of all parameters as per CPCB guidelines with CPCB server and Meghalaya SPCB server. In this regard a letter was sent to the Unit dated 21.09.2022 and an e-mail dated 10.10.2022 from IT Division was sent to the Unit for providing requisite documents for consideration of revocation request and in reply e-mail dated 16.12.2022, 21.12.2022, the Unit provided requisite documents; and

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WHEREAS, as per IT Division report dated 03.01.2022, the Unit was found connected with CPCB server in all stacks and the case was put-up before the 3-member revocation committee, constituted for examination and recommending revocation of closure directions, and the Committee in its meeting on 19.01.2023 has recommended that the closure direction issued to M/s RNB Cement Industries Ltd, Jaintia Hills, Meghalaya, may be revoked;

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 RNB Cement Industries Ltd, Jaintia Hills, Meghalaya dated 31.10.2017 is hereby revoked with the 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 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.
- iv. The Unit shall ensure periodic calibration of the analyzers as per Standard Operating Procedure/recommendations of the supplier and submit the calibration results.

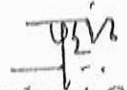
In case of non-compliance by the Unit action as deemed fit under the provisions of Environment (P) Act, 1986, including imposition of environmental compensation as per Environmental Compensation Policy framed by CPCB in compliance of Hon'ble NGT order dt.-31.08.2018 in OA No. 593/2017, shall be taken.

M. 2. 2023
[Tanmay Kumar]
Chairman

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Copy to:

1. The Chairman
Meghalaya State Pollution Control Board,
"ARDEN", Lumpynggad,
Shillong-793014, Meghalaya
2. The Deputy Commissioner,
District -Ri Bhoi,
Meghalaya -793102
3. The Chairman & Managing Director : With request to restore
Meghalaya Energy Corporation limited. electricity supply of the Unit
Lum Jingshai, Short Round Road
Shillong - 793001
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
TUM- SIR, Lower Motinagar,
Near Fire Brigade H.Q.
Shillong - 793014
6. The Divisional Head IT, CPCB, Delhi
7. The Divisional Head, IPC-VI, CPCB
Delhi


(Dr. Prashant Gargava)
Member Secretary

