



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

No.: B-33014/258/2017/IPC-II 10789

Sept. 08, 2017

To

M/s Om Shanti Steel & Casting Pvt. Ltd.
Routa, Marar, Ramgarh
Jharkhand

Sub.: Revocation of Closure Directions issued under Section 5 of the Environment (Protection) Act, 1986 regarding Non-connectivity of on-line effluent and emission monitoring system.

Ref.: Letter No. B-33014/7/2016/PCI-II/7566, dated 02.02.2016

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

WHEREAS, Central Government has notified the 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 the 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, a direction under section 18(1)(b) of the Water (Prevention & Control of Pollution) Act, 1947 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. PM and SO₂ parameters & online effluent monitoring system w.r.t pH, BOD, COD and TSS in iron & steel industries; and

WHEREAS, two effluent parameters namely phenol and cyanide were added for online installation in iron and steel plants with by-product recovery type coke ovens; and

WHEREAS, considering the requests / representations received from industries/ industrial association /SPCBs / PCCs, an extension of time up to June 30, 2015 for installation of online monitoring system 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

WHEREAS, concerned SPCB/PCC 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 install the online monitoring system by June 30, 2015 and to submit bank guarantee of 100% of the cost of online emission & effluent monitoring system; and

WHEREAS, Show Cause Notice under section 5 of Environment (Protection) Act, 1986 was issued on July 23, 2015 to all integrated iron & steel plants and sponge iron units 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, a notice dated 07 January, 2016 was published in Hindustan Times, Navbharat Times and local newspapers to the non-responding industries to respond immediately within a weeks'time from the publication of the notice; and

WHEREAS, M/s Om Shanti Steel & Casting Pvt. Ltd. Routa, Marar, Ramgarh, Jharkhand had failed to reply the matter/ status of installation of online monitoring system and provide 24 x 7 online connectivity to CPCB server for effluent and emission monitoring system till February 28, 2017, and

WHEREAS, in exercise of power vested under Section 5 of the Environment (Protection) Act, 1986, M/s Om Shanti Steel & Casting Pvt. Ltd. Routa, Marar, Ramgarh, Jharkhand, had been directed vide Closure Notice dated February 02, 2016 to close down its operation with immediate effect due to non-compliance of the notice issued on July 23, 2015 and January 07, 2016 respectively regarding installation and providing 24x7 online connectivity to CPCB server for effluent and emission monitoring system as per guideline of CPCB; and

WHEREAS, representations and affidavit (on non-judicial stamp paper) vide letters dated 12.08.2017 are submitted by M/s Om Shanti Steel & Casting Pvt. Ltd. Routa, Marar, Ramgarh, Jharkhand to CPCB in response to aforesaid closure direction, wherein following points are submitted for consideration:

1. That the industry is neither an integrated steel plant nor a sponge iron plant.
2. That the industry is a stand-alone mini steel plant having a production capacity of 9.0 MT/day of MS ingots.
3. That the industry was operating with consent from Jharkhand State Pollution Control Board (JSPCB) issued vide Memo No. PC/Water/ HZB/W-7/08/ D528(C), dated 06.04.2015 which has expired on 31.12.2015.


WHEREAS, a request is made by the unit for revocation of the Closure Direction issued by CPCB based on the facts as referred above; and

WHEREAS, the matter is referred by CPCB to JSPCB vide letter no. CPCB-B-33014/258 (MS In)/2017/PCI-II/7325, dated 18.08.2017 with a request to forward the details in respect of the claims made by the industry including raw materials, manufacturing processes, infrastructure facilities and products of the industry. The response is still awaited; and

WHEREAS, in view of above circumstances and based on the material facts available with CPCB, the request made by the industry has been examined and it is considered that the unit doesn't fall under 17 categories of highly polluting industries and operating with a valid consent from Jharkhand state Pollution Control Board.

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 & Forests, Government of India Notifications No. S.O. 157 of 27.02.1996 and S.O. 730 dated 10.07.2002, the closure direction issued u/s 5 of the Environment (Protection) Act, dated February 02, 2016 to M/s Om Shanti Steel & Casting Pvt. Ltd. Rوتا, Marar, Ramgarh, Jharkhand, is hereby revoked subject to the following conditions;

1. That the unit shall run only with valid consent from JSPCB.
2. Any expansion of the existing project shall be intimated to CPCB and JSPCB and applicability and scope of the installation of OCEMS will be subjected to proposed expansion activities.
3. That, in future, if it is brought to the notice of CPCB that the material facts are hidden by the industry for whatsoever the reasons may be, this 'Revocation Direction' shall stand cancelled automatically and legal action including prosecution as per the provisions of the National Green Tribunal Act, 2010 shall be launched.



[S.P.S. Parihar]
Chairman

12/09/2017

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Copy to:

1. The Chairman
Jharkhand State Pollution Control Board
T.A. Bldg., HEC, P.O. Dhurwa,
Ranchi - 834004, Jharkhand
2. The Additional Secretary (AKM), CP Division
Ministry of Environment, Forests and Climate Change
Prithvi Wing, 2nd Floor, Room No. 216
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Aliganj, Jor Bagh Road, New Delhi - 110003
3. The Managing Director
Jharkhand Bijli Vitran Nigam Ltd.
Engineer's Building, Dhurwa
Ranchi
4. The Regional Director (East)
Central Pollution Control Board
Southend Conclave, Block 502,
5th & 6th Floors, 1582 Rajdanga Main Road,
Kolkata-700107 (West Bengal)
- ✓ 5. The Divisional Head- IT, CPCB, Delhi
6. The Divisional Head IPC-VI, CPCB, Delhi.


[A.Sudhakar]
Member Secretary

