

SPEED POST

B-33014/07/2017-18/IPC-II/ 13582

November 10, 2017

To

M/s Divine Vidyut Limited  
Block- D 139, Regent Estate,  
176/14/139 Raipur Road,  
Kolkata- 700 092, West Bengal

**Sub: Directions under Section 5 of the Environment (Protection) Act, 1986 regarding installation of on-line effluent and emission monitoring system- Revocation thereof.**

WHEREAS, the thermal power plants are identified as one of the 17 categories of highly polluting industries in the country and have been discharging environmental pollutants directly or indirectly into the ambient air and water, which pose constant threat to cause adverse effect on the air and water quality; and

WHEREAS, there is need to inculcate habit of self-monitoring mechanism within the industries for complying 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 emission and effluent monitoring systems need to be installed and operated by the developers and 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 installation of online emission monitoring systems w.r.t PM, SO<sub>2</sub> & NO<sub>x</sub> parameters & online effluent monitoring system for pH, TSS, & Temperature parameters in thermal power plants; and

WHEREAS, it is presumed that concerned SPCB/PCC has also in-turn issued direction under section 33 (A) of the Water (Prevention & Control of Pollution) Act, 1974 and section 31 (A) of the Air (Prevention & Control of Pollution) Act, 1981 to M/s Divine Vidyut Limited, Palgam, Dist- Saraikela, Jamshedpur, Jharkhand to install the online effluent and emission monitoring system; and

WHEREAS, under section 5 of the Environment ( Protection ) Act, 1986 a notice was served on July 21, 2015 to show cause as to why the plant should not be closed down, if the plant has not complied fully with directions issued w.r.t installation of on-line effluent and emission monitoring system by June 30, 2015 and the plant was further directed to submit documentary evidence regarding status of installation of on-line

*Signature*

M/s Divine Vidyut Limited, Saraikela, Jamshedpur, Jharkhand

effluent and emission monitoring system and connectivity for submission of online 24x7 monitoring data to SPCBs and CPCB; and

WHEREAS, under section 5 of the Environment (Protection) Act, 1986, a closure direction was issued on 26.04.2017 to M/s Divine Vidyut Limited, Palgam, Dist- Saraikela, Jamshedpur, Jharkhand due to non-compliance of the directions issued vide dated July 21, 2015.

WHEREAS, M/s Divine Vidyut Limited, vide letter dated 12.10.2017 has informed that connectivity of online monitoring system has been provided to CPCB server and successfully fulfilled the compliance of the directions issued on 26.04.2017.

WHEREAS, M/s Divine Vidyut Limited has submitted the self-certificate of compliance of the directions. The connectivity of online monitoring system has been got verified by the IT division of Central Pollution Control Board.

WHEREAS, M/s Divine Vidyut Limited has also submitted that its Consent to Operate (CTO) issued by Jharkhand Pollution Control Board (JPCB) has expired on 30.06.2015 and the industry has applied for the renewal of CTO to JPCB vide dated 14.08.2017, which is not yet been granted by JPCB.

WHEREAS, a meeting was held on 07.11.2017 where a three-membered committee constituted for examination and recommendation for revocation of closure direction issued by CPCB recommended that the closure direction issued to M/s Divine Vidyut Limited may be revoked with conditions of submission of consents to operate and emission/effluent report with analysis from recognised lab within one month.

WHEREAS, Ministry of Environment & Forests, 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.

NOW, THEREFORE, in exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986, closure direction issued on 26.04.2017 to M/s Divine Vidyut Limited, Palgam, Dist- Saraikela, Jamshedpur, Jharkhand is hereby revoked subject to compliance of the above conditions imposed by the three-membered committee and following conditions:

1. That the unit shall operate with a valid consent from JPCB.
2. Any expansion of the existing project shall be intimated to CPCB and JPCB and applicability and scope of the installation of OCEMS will be subjected to proposed expansion activities.

(S.P.S. Parihar)  
Chairman

M/s Divine Vidyut Limited, Saraikela, Jamshedpur, Jharkhand

Copy to:

1. The Chairman  
Jharkhand State Pollution Control Board  
T.A. Bldg., HEC, P. O.  
Dhurwa, Ranchi-834 004 (Jharkhand)
2. Additional Secretary (AKM) CP Division  
Ministry of Environment, Forests and Climate Change  
Prithvi Wing, 2nd Floor, Room No. 216  
Indira Paryavaran Bhawan, Aliganj,  
Jor Bagh Road, New Delhi - 110 003
3. The Regional Director-East  
Central Pollution Control Board  
Southend Conclave, Block 502, 5th & 6th Floor  
1582, Rajdanga Main Road  
Kolkata - 700 107
4. The District Magistrate,  
PurbiSinghbhum, Jhamshedpur,  
Jharkhand
5. The Divisional Head - IT, CPCB, Delhi



(A. Sudhakar)  
Member Secretary

