

**Speed Post/Email**

CM-13013/1/2023-TECH-RD-BENGALURU-RD (Bengaluru) 10150 February 21, 2024

To

The Member Secretary,  
Karnataka State Pollution Control Board  
Parisara Bhavan, 4th& 5th floors, Church Street,  
Bangalore – 560001, Karnataka

**Sub: Directions Issued under Section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and Section 18 (1) (b) of The Air (Prevention and Control of Pollution) Act, 1981 in the matter of order passed by Hon'ble National Green Tribunal, Principal Bench in the matter of Original Application No. 34/2019 (SZ)–reg.**

WHEREAS, under section 17 sub-section (1) clause (o) of the Water Act, 1974, and with parallel provision under section 17 sub-section (1) clause (i) of the air (Prevention & control of pollution) Act, 1981, hereinafter referred to as Air Act, 1981, one of the functions of the State Pollution Control Board (SPCB) constituted under the Water Act, 1974, is to perform such functions as may be prescribed or as may, from time to time entrusted to it by the Central Board; and

WHEREAS, the 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 promote self-monitoring and self-regulation 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, the CPCB and SPCBs have been pursuing the polluting industries to install effluent treatment plants (ETPs) to comply with the effluent discharge standards as notified under the environment (Protection) Act, 1986 and the rule framed there under; and

WHEREAS, it is obligatory on the part of industries to install effluent treatment plants (ETPs) to comply with the effluent discharge standards as notified under the environment (Protection) Act, 1986 and the Rules framed there under and also to comply with consent conditions of Karnataka State Pollution Control Board (KSPCB); and

WHEREAS, in the matter of O. A. No. 34 of 2019, Hon'ble NGT (SZ bench, Chennai) vide order dated 18th October, 2019 had constituted a Joint Committee consisting of Central Pollution Control Board (CPCB), Karnataka State Pollution Control Board (KSPCB) and District Collector to inspect Kolhar Industrial Area and to submit the factual report on allegation made in the

application and on the actions, if any taken in case of any violation found. Accordingly, Joint Committee submitted its report to Hon'ble Tribunal on 4th February, 2020; and

WHEREAS, Hon'ble NGT vide order dated 9<sup>th</sup> May, 2022 disposed the matter with some directions to CPCB, KSPCB and District Administration; and

WHEREAS, in compliance of the NGT order, RD, CPCB Bengaluru convened a meeting with concerned stakeholders on 31-01-2023 wherein it was decided that KSPCB shall implement the recommendations of the joint committee against individual units and industrial estates, actions against KIADB for early completion of CETP and actions regarding imposition of EC against respondent 5 to 9 industrial units; and

WHEREAS, in compliance to the Hon'ble Tribunal vide order dated 9th May, 2022, two teams of official(s) from the CPCB Regional Directorate Bengaluru and KSPCB Regional Office Bidar inspected the 19 industries (mainly pharma industries) namely M/s Vivimed Laboratories, Unit-I & Unit-II, M/s Chandra Life Sciences Pvt. Ltd., M/s Corvine Chemicals and Pharmaceuticals Ltd., M/s Sai Life Sciences Ltd., M/s Chorus labs Ltd., M/s Shree Gen Pharma, M/s Azakem Labs Pvt Ltd., M/s Shree Lakshmi Chemicals, M/s. Sri Indu Drugs (India) Pvt.Ltd., M/s. Chiral Biosciences , M/s. Chiral Biosciences, M/s. Syntho Chirals Pvt Ltd, M/s. Suryakala Laboratories Pvt.Ltd., M/s. Stereo Drugs Pvt.Ltd, M/s. P R Drugs, M/s. Wohler laboratories Pvt.Ltd, M/s. Sri Vari natural Products, M/s. Vani Organics Pvt.Ltd, situated in Kolhar Industrial Area during 22-08-2023 to 25-08-2023 to verify the status and compliance of these industries with respect to OCEMS connectivity, hazardous waste management , effluent treatment systems, sampling and analysis of ground water and surface water quality , soil analysis etc. and following are the major observations of the inspecting teams:

- i. Out of the 19 industries inspected, eight (08) units were not in operation, four (04) units were closed and seven (07) Units were in operation.
- ii. The pharma industries in Kolhar industrial area, Bidar are generally not segregating the effluent into Low TDS & High TDS.
- iii. Most of the Units have not obtained permission from Karnataka SPCB for disposal of mixed solvents, which is hazardous in nature and industries are not properly maintaining records on quantity of mixed solvents generated, quantity of HW disposed off and mode of disposal.
- iv. The Units have installed OCEMS devices with flow meter and PTZ cameras but not calibrated.
- v. Most of the pharmaceutical industries are disposing MEE condensate through cooling tower or in gardening and claiming ZLD.
- vi. The 1.2 MLD CETP proposed in industrial area have obtained consent to operate from KSPCB since 14-06-2023 but yet to be commissioned.
- vii. CETP has not signed MoU with any industries and has not obtained membership with TSDF for disposal of hazardous waste.


- viii. The joint inspection teams have inferred that bore well samples are exceeding both acceptable & permissible limits of drinking water standards (IS 10500:2012) and hence not fit for drinking purposes.
- ix. High TDS, Sulphate and Chlorides contents in ground water samples indicate that the ground water may be contaminated due to industrial effluents.
- x. Bypass of effluent or discharge of effluent was not observed and also do not indicate disposal of effluent from Kolhar Industrial Area into applicant's land.

NOW, THEREFORE, on the basis of observations and recommendations of inspection team and in exercise of the power conferred under 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and Section 18 (1) (b) of The Air (Prevention and Control of Pollution) Act, 1981, Karnataka State Pollution Control Board is hereby directed to take appropriate action for compliance of following directions:

1. CETP shall be commissioned by completing all pending works immediately including membership of TSDF for disposal of hazardous waste and carrying out performance evaluation and shall install OCEMS devices. Real time effluent data shall be transferred to CPCB and KSPCB servers.
2. KSPCB shall ensure that pharma industries in Kolhar industrial area are segregating Low TDS & High TDS effluents and be managed appropriately by incorporating requisite conditions for the same in consent to operate (CTO) order/authorisation granted under the Hazardous Waste (Management and Transboundary Movement Rules) 2016.
3. KSPCB shall prescribe norms for MEE condensate which is used for cooling tower in the CTO and no untreated effluent will be used in cooling tower in the name of ZLD.
4. KSPCB shall direct pharma units to install separately two (02) flow meters and PTZ cameras before sending to CETP.
5. All the Units shall ensure that their OCEMS devices are calibrated properly by manufacturer/ supplier.
6. KSPCB shall ensure that mixed solvents (spent solvents) is brought under the purview of Authorization under the Hazardous Waste (Management and Transboundary Movement Rules) 2016 and shall be disposed as per authorization conditions stipulated by KSPCB.
7. KSPCB shall ensure and keep constant vigil on the industries so as to prevent discharge of untreated effluent in to land and to prevent further contamination of ground water.
8. KSPCB shall calculate Environmental Compensation (EC) as per the Guideline of CPCB for the non compliance units.
9. KSPCB shall carry out detailed ground water assessment through expert institute and remediation plan be prepared & implemented in case contamination of ground water is revealed during the said assessment.
10. The Units shall ensure treating sewage in a sewage treatment plant(STP) rather than disposing in septic tank & soak pit.


11. District Administration in consultation with KSPCB and Ground Water Department shall examine and may impose restriction on industries for withdrawal of ground water till the time the ground water quality improves and meet BIS permissible drinking water standards.
12. KSPCB shall direct Karnataka Industrial Area Development (KIADB) to provide (i) general solid waste management facility, (ii) proper storm water management system and (iii) surface water supply to the industries in the Kolhar Industrial Area.

KSPCB shall acknowledge the receipt of directions immediately and action taken report to ensure compliance of above directions shall be submitted within 30 days from date of receipt of directions.

  
(Bharat Kumar Sharma)  
Member Secretary

**Copy to:**

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3. ✓ Divisional Head, IT, CPCB
4. Divisional Head, IPC-VI, CPCB
5. Divisional Head, Law, CPCB

  
(Bharat Kumar Sharma)  
Member Secretary