



SPEED POST

B-29016/04/06/IPC-1/1027  
To

April 13, 2018

M/s. Fortune Pharma Pvt. Ltd.,  
B-6, MIDC Shendra, Aurangabad-431001,  
Maharashtra

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

WHEREAS, Pharmaceutical units 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, 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 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, 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 effluent monitoring system w.r.t. pH, BOD, COD, TSS, Chromium (Cr), and Arsenic (As) in Pharmaceutical 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 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, a letter vide 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 withdrawal of consent to operate along with forfeiture of bank guarantee of non-complying units; 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, CPCB has held stakeholder consultations with industrial associations and SPCBs/PCCs on 06.08.2014, 19.09.2014, 29.09.2014, 08.10.2014, 16.10.2014, 09.01.2015, 08.04.2015 And 16.06.2015 regarding time bound implementations of installation of these devices; and

WHEREAS, as per the CPCB policy dated April 02, 2018 of new industries falling under 17-categories with whom CPCB has not made any prior communication regarding installation of Online Continuous Effluent/emission Monitoring System and not providing connectivity (after installation) of Online Continuous Effluent/emission Monitoring System with CPCB server, CPCB shall issue directions to all such units asking them to provide connectivity with CPCB server within 30 days of issuing notice, failing which such industries shall be asked to close their operations; and

WHEREAS, the name of the Unit M/s. Fortune Pharma Pvt. Ltd., Maharashtra obtained from the India E-Track site, online data connectivity of these units was verified by the IT division of the CPCB dated April 02, 2018 and found not connected with CPCB; and


WHEREAS, the 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; and

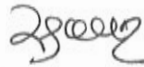
NOW, THEREFORE, based on all material facts available with CPCB, in exercise of power vested under section 5 of the environment (protection) Act, 1986, notice hereby served to the Units to show cause why the Unit should not be closed down for not providing online effluent monitoring system connectivity to CPCB server.

The compliance of the above direction shall be submitted to this office within 30 days of the receipt of the direction. In case of failure to comply with the said direction necessary action as deemed fit under the provision of the environment (Protection) act 1986 will be taken by CPCB.

Copy to:

1. The Chairman  
Maharashtra State Pollution Control Board  
Kalpataru Point, 3rd & 4th floors  
Sion Matunga Scheme, Road No. 8  
Opp. Cine Planet, Sion Circle, Sion (E)  
Mumbai - 400 022
2. The Advisor (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 - 110003
3. The Zonal Officer  
Central Pollution Control Board  
Parivesh Bhawan  
Opp VMC Ward office no 10  
Subhanpura, Vadodara - 390 023
4. The Incharge, IT, CPCB

  
(S. P. Singh Parihar)  
Chairman  
Gmimo 187416

  
(A. Sudhakar)  
Member Secretary