

By registered AD

File No. B-190194/Textile/New/WQM-II/CPCB/2017-18

Date: 25-01-2018
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To,

M/s. M.K. Dying,
Site-3, Panki, Kanpur, UP

Directions under Section 5 of the Environment (Protection) Act, 1986

WHEREAS, the Textile, Dyeing & Bleaching industries are identified as one of the 17 categories of highly polluting industries which have been discharging effluent directly or indirectly into the ambient air and water, having potential threat to cause adverse effect on the water and air quality; 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 emission monitoring system and online effluent monitoring system w.r.t pH, COD, BOD, TSS and Flow parameters in Textile, Dyeing & Bleaching industries; and

WHEREAS, it was clarified that flow meter & web camera may be installed in case of Units with 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 27, 2015 under section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974; 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 will be the only option; and

WHEREAS, concerned SPCB/ PCC have issued directions under section 33 (A) of the Water (Prevention & Control of Pollution) Act, 1974 to install the online monitoring system by June 30, 2015 and to submit bank guarantee of 100% of the cost of online effluent monitoring system; and

WHEREAS, the Ministry of Environment, Forests and 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 standards and rules notified under the Environment (Protection) Rules, 1986 and amendment thereof; and

WHEREAS, CPCB issued show cause notice dated 30.07.2015 under section 5 of the Environment (Protection) Act, 1986, notice was served to the Unit to show cause why the Unit should not be closed down if the Unit has not complied fully with the direction issued w.r.t. installation of online effluent monitoring system and further directions to comply with; and

WHEREAS, CPCB has further published the name of non-compliance units, which had not responded to the Show Cause Notice issued on 30.07.2015. In national daily newspapers dated 15.12.2015 and given opportunity to file the reply within a week; and

WHEREAS, despite several reminders and telephonic discussions the unit has failed to comply with the direction issued vide Show Cause Notice dated 30.07.2015;

WHEREAS, CPCB issued closure direction under section 5 of the Environment (Protection) Act, 1986 on dated 25.07.2016; and

WHEREAS, the unit **M/s. M.K. Dying, Site-3, Panki, Kanpur, UP** replies vide letters dated 23.06.2017, 28.06.2017, 06.07.2017, 07.07.2017 and 18.12.2017 were examined and following observations are made:

1. The unit has applied for revise consent to operate application to UPPCB for 8.0 KLD disposal of effluent.
2. The unit has provided OCEMS data connectivity (Flow meter and web camera) to CPCB server.
3. The unit has upgraded ETP system.
4. The unit has applied for NoC to CGWA for ground water abstraction.

AND WHEREAS, CPCB constituted a three-member committee vide office order dated 27.09.2017 having representative from CPCB, MoEF & CC and NMCG for examination and recommendation for revocation of the closure direction issued by CPCB; and

WHEREAS, the three member committee in its meeting held on 21.12.2017 examined the replies of the Unit and recommended that the Unit may be allowed to resume operation with recommendation that the unit shall obtain valid consent to operate of 8.0 KLD disposal of effluent and the unit shall submit treated effluent analysis report from laboratory recognized under Environment (Protection) Act, 1986 within 30 days of resumption of operations; and

NOW THEREFORE, in view of the above and in exercise of the powers, delegated to the Chairman, CPCB under Section 5 of the Environment (Protection) Act, 1986, the unit namely **M/s. M.K. Dying, Site-3, Panki, Kanpur, UP** is directed to comply with the following directions:

1. The Unit shall remain closed and may resume manufacturing operations after seeking valid consent to operate from Uttar Pradesh Pollution Control Board for 8.0 KLD disposal of effluent.
2. The Unit shall immediately inform to CPCB regarding the resumption of operations.
3. The Unit shall operate ETP properly so as to ensure compliance with the effluent discharge norms notified under Environment (Protection) Act, 1986.
4. The Unit shall submit treated effluent analysis report by the laboratory recognized under the Environment (Protection) Act, 1986 within 30 days of resumption of the unit.
5. The Unit shall ensure continuous connectivity OCEMS with CPCB server.

In case of default in compliance with the above directions CPCB will be constrained to initiate appropriate actions against the unit, without giving any further notice, in accordance with provisions of Environment (Protection) Act, 1986.


(S. P. SINGH PARIHAR)
CHAIRMAN

Copy to:

- 1 **The Member Secretary**
Uttar Pradesh Pollution Control Board
Building No-TC- 12 V, Vibhuti Khand,
Gomati Nagar, Lucknow-226010 : [To ensure compliance of
the direction please]
- 2 **The Advisor (CP Division)**
Ministry of Environment, Forests & Climate Change,
Indra Paryavaran Bhavan,
Jor Bagh Road, New Delhi - 110 003 : [For kind information
please]
- 3 **The District Magistrate**
Collectorate Office, District; Kanpur
Uttar Pradesh-208022 : [For kind information
please]
- 4 **The Regional Director,**
Lucknow Zonal Office,
Central Pollution Control Board,
Ground Floor, PICUP Bhawan, Vibhuti Khand, Gomti
Nagar, Lucknow-226010 (U.P.) : [with direction that unit
may be randomly
inspected within 30 days
of resumption]

- 5 **The Superintendent Engineer**
Uttar Pradesh Power Corporation Limited, District-
Kanpur
Uttar Pradesh-208022 : [With the direction to
connect power supply to
the unit]
- 6 ✓ The Incharge IT Division, CPCB, Delhi :[For uploading the
direction at CPCB
website]
- 7 The Incharge WQM-II, CPCB, Delhi :[For kind information
please]



(A.SUDHAKAR)
MEMBER SECRETARY