



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

July 12, 2018

B-29016/04/06/IPC-1/ 3463

To

M/s. Auro Laboratories Limited,
K-56, MIDC Tarapur,
Thane- 401506, Maharashtra

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

WHEREAS, the Pharmaceutical industries 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, 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, 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. flow, pH, BOD, COD, TSS, Chromium (Cr), and Arsenic (As) parameters in Pharmaceutical industries;

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 upto 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 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 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, a show cause notice under section 5 of Environment (Protection) Act 1986 was issued to the Unit vide letter no. B-

29016/04/06/PCI-I/6668 dated July 27, 2015 for installation of Online Monitoring device along with connectivity for submission of online 24x7 monitoring data to SPCBs/PCCs and CPCB; and

WHEREAS, the unit informed vide letters dated September 07, 2015 & March 16, 2016 that the installation of online monitoring system is under progress and it was found that the Unit has not complied with the above said notice issued on July 27, 2015 under section 5 of Environment (Protection) Act 1986; and

WHEREAS, a direction under section 5 of Environment (Protection) Act 1986 was issued vide letter no. B-29016/04/06/IPC-I/7094 dated July 27, 2016 to M/s. Auro Laboratories Limited, Maharashtra (herein after referred to as the Unit) to close down operation and not to restart the production till online effluent monitoring system is installed and connected; and

WHEREAS, the Unit through email dated October 28, 2016 submitted the online connectivity status to CPCB by providing URL, user ID & password and requested to revoke the closure direction; and

WHEREAS, the connectivity of online data submitted by the Unit was verified by the CPCB IT division of the CPCB dated November 02, 2016 and Unit was found not connected with CPCB for Flow meter; and

WHEREAS, an email has been sent to the Unit on July 12, 2017 to install and provide the connectivity of flow meter to CPCB; and

WHEREAS, the Unit submitted a letter dated December 27, 2017 that the Unit has installed the flow meter and compliance has been achieved in response to CPCB closure direction dated July 27, 2016; and

WHEREAS, the connectivity of online data submitted by the Unit was verified by the IT division of the CPCB dated January 15, 2018; and

WHEREAS, the three-member committee in its meeting held on 19.01.2018 examined the compliance report submitted by the Unit and recommended that that the Unit may be allowed to resume operation with condition that the Unit shall submit one-month data of effluent water quality analysis report from the start of its plant operation and the unit shall obtain the valid consent from MPCB; and

WHEREAS, the Unit submitted a reply through email dated February 06, 2018 that the unit was in operation at that time; and

WHEREAS, the Unit has submitted the false information through self certificate dated February 22, 2018 regarding close down of the plant operation w.e.f August 08, 2016 in response to CPCB direction dated July 27, 2016 for which action as per law shall be initiated separately; and

WHEREAS, it is evident that the unit has installed OCEMS (for parameters pH, BOD, COD, TSS & Flow, completed the data connectivity for submission of online data to CPCB and provided other requisite details to CPCB for 24x7 online data transmission. However, it has been observed through the email received from the Unit dated February 06, 2018 that the unit has not closed its manufacturing operation after receipt of CPCB closure direction. Which is non-compliance of the closure direction issued by CPCB under section 5 of the E(P) Act, 1986 vide letter dated July 27, 2016 for which action as per law shall be initiated separately for recovery of environmental damage; and

WHEREAS, CPCB constituted a Three-member committee vide office order dated 03.10.2017 having representative(s) from CPCB and MoEF&CC for examination and recommendation for revocation of the closure direction issued by CPCB; and

WHEREAS, the three-member committee in its meeting held on 26.06.2018 examined the compliance report submitted by the Unit and recommended that that the Unit may be allowed to resume operation with condition that the Unit shall submit one-month data of treated effluent quality analysis report from the start of its plant operation and the unit shall obtain the valid consent from MPCB; 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.

NOW, THEREFORE, in exercise of powers vested to Chairman CPCB under Section 5 of the Environment (Protection) Act, 1986, and in view of compliance with relevant direction under reference, the direction issued under the Section 5 of the Environment (Protection) Act, 1986 to the Unit vide letter dated July 27, 2016 is hereby revoked with a condition that "Before commencement of operations, the Unit shall obtain valid consent to operate under the Water & Air Act(s) from Maharashtra State Pollution Control Board" and the Unit shall submit one month data of treated effluent quality analysis report from the start of its plant operation. In case of non-compliance by the Unit action as deemed fit under the provisions of Environment (P) Act, 1986 shall be taken.

(S. P. Singh Parihar)
Chairman

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 Chairman
Maharashtra State Electricity
Distribution Company Limited
Hongkong Bank Building, M.G. Road, Fort, Mumbai-400001
: With request to restore the electricity
supply of the Unit.
3. 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
4. The Regional Directorate
Central Pollution Control Board
Parivesh Bhawan, Opp VMC Ward office no 10
Subhanpura, Vadodara - 390 023
- ✓ 5. The Incharge, IT, CPCB

(Prashant Gargava)
Member Secretary