



By Speed Post

F. No. B-190019/NGRBA/CPCB/2018-19 4139-4157

July 29, 2019
Aug. 1, 2019

To,

(List enclosed of 12 units)

SHOW CAUSE NOTICE UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986 REGARDING INSTALLATION OF ON-LINE EFFLUENT MONITORING SYSTEM-REG.

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 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, Hon'ble National Green Tribunal in its order dated 15th December, 2014 in the matter of Krishan Kant Singh vs. M/s Hindustan CocaCola Beverages Pvt. Ltd., Mehendiganj, Rajatalab, Varanasi stated that "It seems appropriate introduction of online monitoring system for the industries needs to be explored and if it is possible to provide for joint online monitoring system"; and

WHEREAS, CPCB has explored installation of Online Monitoring device in the other countries and has come to conclusion that the online monitoring devices are essential for improving compliance as the conventional monitoring systems not able to capture violations on regular basis; 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 implementation of installation of these devices; and

WHEREAS, a direction under Section 18 (1) (b) of Water (Prevention & Control of Pollution) Act, 1974 was issued on February, 2014 to Ganga Basin State Pollution Control Boards (SPCBs)/Pollution Control Committee (PCC) for installation of online effluent monitoring systems w.r.t. pH, BOD, TSS, COD and flow parameters in Grossly Polluting Industries; and

Contd.

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, 2015 under Section 18 (1) (b) of Water (Prevention & Control of Pollution) Act, 1974; 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,2015 and withdrawal of consent to operate along with forfeiture of bank guarantee of non-complying units will be the only option; and

WHEREAS, the GPIs need to follow the guidelines published by CPCB for OCEMS available on the link <http://cpcb.nic.in/upload/thrust-area/revised-GUIDELINES-final-sent-for-publication-on-07.11.2014.pdf> and amended thereof; and

WHEREAS, the Ministry of Environment, Forest and Climate Change, Govt. of India, vide its notification S.O.157(E) dated 27.02.1996, has delegated the powers vested under Section 5 of the Environment (Protection) Act,1986 (29 of 1986) to the Chairman, Central Pollution Control Board (CPCB), to issue directions to any industry, Municipal Corporation, Municipal Council, Cantonment Board, any local or other Authority for the violation of emission and effluent standards notified under the Environment (Protection) Rules,1986 and other standards and norms; and

WHEREAS, CPCB issued directions under Section 5 of Environment (Protection) Act, 1986 dated 30.07.2015 / 21.06.2016 stating that "The unit shall submit the status on connectivity for submission of online 24x7 monitoring data to SPCBs/PCCs and CPCB"; and

WHEREAS, (List enclosed) (hereinafter referred as the 'Unit') is involved in the process of (Food dairy & Beverages/Textile/Pulp & Paper/Tannery); and


WHEREAS, as per record, OCEMS data transmission of the unit was not available with CPCB server since (details enclosed); and

WHEREAS, an intimation letter no. B-190019/NGRBA/CPCB/2018-19 dated 27.06.2019 has been sent to the unit to explain the reason of failure of OCEMS data transmission to CPCB server and restore the data connectivity within 15 days; and

WHEREAS, no reply has been received from the unit till date; and

NOW, THEREFORE, based on all material facts available with CPCB, in exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986, notice is hereby served to the unit, (List enclosed) to show cause why it should not be closed down for non-compliance of CPCB directions.

In case of default in compliance within 15 days with the above directions, CPCB will be constrained to initiate appropriate action against the unit, without giving any further notice, in accordance with the provision of Environment (Protection) Act, 1986.


(S.P.S. PARIHAR)
CHAIRMAN

Copy to:

1. The Joint Secretary (CP Division)
Ministry of Environment, Forests & Climate Change,
Indra Paryavaran Bhavan, Jor Bagh Road,
New Delhi - 110 003 For kind information please
2. The Member Secretary
Uttar Pradesh Pollution Control Board
Building.No. TC-12V, Vibhuti Khand,
Gomti Nagar, Lucknow-226 010 With request to ensure the compliance
3. The Member Secretary
West Bengal Pollution Control Board
Paribesh Bhavan, 10A, Block-L.A.,
Sector III, Salt Lake City, Calcutta -700 106 With request to ensure the compliance
4. The Member Secretary
Uttarakhand Environment Protection & Pollution
Control Board
Gaura Devi Bhawan 46 B IT Park, Sahastradhara Rd,
Dehradun, Uttarakhand 248001 With request to ensure the compliance
5. The Member Secretary
Bihar State Pollution Control Board,
Parivesh Bhawan, Plot No. NS-B/2, Paliputra
Industrial Area, Patliputra, Patna (Bihar) - 800 010 With request to ensure the compliance
6. The Incharge, Regional Directorate,
Central Pollution Control Board,
ZO (North), Ground Floor, PICUP Bhawan,
Vibhuti Khand, Gomti Nagar, Lucknow, U.P.-226010 For kind information please
7. The Incharge, Regional Directorate,
Central Pollution Control Board,
Southernd Conclave, Block 502, 5th & 6th Floors,
1582 Rajdanga Main Road, Kolkata-700 107 (W.B.) For kind information please
- ✓ 8. Incharge, IT Division, CPCB For uploading on CPCBs website
9. Master copy WQM-II, CPCB


(PRASHANT GARGAVA)
MEMBER SECRETARY



List of 13 units which are failed to reply of CPCB letter & re-connectivity of OCEMS to CPCB server:-

S. No.	Industry Name	Sector	Last date of data at central portal	Date of directions issued
1.	M/s Mother Dairy Calcutta P.O. Dankuni Coal Complex, P.S. Dankuni, Dist- Hooghly (W.B.)	Food dairy and beverage	16.11.2017	30.07.2015
2.	M/s Pepsico India Holdings Pvt. Ltd. (M/s Frito Lay Division), Sankrail, P.O. Dhulagorh, Howrah (W.B.)-711 302	Food dairy and beverage	12.02.2018	21.06.2016
3.	M/s Shreedhar Milk Foods Limited Ikonda Road, Mubarakhpur, Joya, Amroha (U.P.)	Food dairy and beverage	16.09.2018	21.06.2016
4.	M/s Apolo Dyeing Centre Jangi Road, Vairhwa Chouraha, Mirzapur (U.P.)	Textile	27.02.2019	21.06.2016
5.	M/s Dilshad Textiles Sarai Rajai Ali Pst. Nahtour, Dist. Bijnor (U.P.)-246733	Textile	23.02.2019	21.06.2016
6.	M/s I.S. Dyeing Ramraipur, Badohi, Uttar Pradesh	Textile	28.01.2019	21.06.2016
7.	M/s Surbhi Multi Tex-Prints Pvt. Ltd. 418/3, Chijarsi Main, Nh-24, Near Mother Dairy, Pilkhuwa, Hapur (U.P.)	Textile	29.06.2018	21.06.2016
8.	M/s J J Exporters Ltd. Panna Mills Compound, Bousi Road, Bhagalpur, (Bihar)-812002	Textile	06.02.2019	30.07.2015
9.	M/s R.A Dyeing (Kiran Hatkargah) Beelna, Naugava, Amroha, (U.P.)-244251	Textile	04.03.2019	21.06.2016
10.	M/s Multiwal Pulp & Board Mills Private Limited 9 th Km. Stone, Bazpur Road, Kashipur, Distt- U.S. Nagar (UK)	Pulp & Paper	01.11.2018	30.07.2015
11.	M/s Shree Badri Kedar Papers Pvt. Ltd. 5 km, Nagina Road, Dist- Bijnor (U.P.)	Pulp & Paper	08.04.2019	21.06.2016
12.	Imperial Leather Finishers Pvt. Ltd. 176/a-1, Chhabilepurwa, Jajmau, Kanpur (U.P.)	Tannery	20.04.2019	30.07.2015