

SPEED POST/E-mail

B-29016/04/06/IPC-1/1773

To

M/s Vaidhatru Pharma Pvt Ltd,
Survey No. 106, Plot No 28, KIADB Indl. Area,
Raichur Growth Center, Raichur- 584134,
Karnataka

26/06/2020

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

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, a Show Cause Notice under Section 5 of Environment (Protection) Act 1986, was issued on July 27, 2015 to the Pharmaceutical units to show cause as to why the unit should not be closed down if, the unit has not complied fully with the directions issued w.r.t. installation of online effluent monitoring system by June 30, 2015. Further it was directed to submit documentary evidence regarding status of installation and connectivity; and

WHEREAS, the unit has submitted a reply vide letter dated November 04, 2015 wherein it was informed that the installation of online monitoring system is completed; and

WHEREAS, the unit has not provided the connectivity of the online monitoring system to the CPCB as per the verification report dated March 10, 2017 generated by the IT division of the CPCB; and

WHEREAS, Karnataka State Pollution Control Board (KSPCB) vide letter dated May 05, 2017 informed that the unit is closed; and

WHEREAS, a direction under section 5 of Environment (Protection) Act 1986 was issued to the Unit vide letter no. B-29016/04/06/PCI-I/298 dated March 28, 2017 directing not to restart the operation till online effluent monitoring system is installed and connected to the CPCB; and

WHEREAS, the unit has submitted the compliance of directions vide letter received on May 10, 2020 alongwith self-certificate that the unit has stopped plant operations with effect from April 15, 2017 in compliance of the CPCB closure direction dated March 28, 2017, the unit had consent valid upto June 30, 2016 and application for renewal application is submitted to KSPCB. KSPCB refused to process the application in view of the CPCB directions issued.

WHEREAS, the unit vide letter received on May 10, 2020 submitted that the online connectivity has been provided for OCEMS and requested to revoke the closure direction; and

WHEREAS, the connectivity of online data submitted by the unit was verified by the IT division of the CPCB and as per report dated May 15, 2020 the unit was found connected w.r.t. flow meters at High TDS & Low TDS streams and camera feed with CPCB; 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 June 08, 2020 examined the compliance report submitted by the unit, recommended that the unit may be allowed to resume operation with condition that:

1. The unit shall ensure uninterrupted connectivity of OCEMS data with CPCB server.
2. The unit shall obtain valid consent to operate from KSPCB before restart of operations.

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, 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 (M/s. Vaidhatru Pharma Pvt. Ltd., Karnataka) vide letter dated March 28, 2017 is hereby revoked with conditions that:

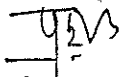
1. The unit shall ensure uninterrupted connectivity of OCEMS data with CPCB server.
2. The unit shall obtain valid consent to operate from KSPCB before restart of operations.

In case of non-compliance by the unit action as deemed fit under the provisions of Environment (P) Act, 1986 shall be taken.


(Shiv Das Meena)
Chairman

Copy to:

1. The Chairman
Karnataka Pollution Control Board
Parisara Bhavan,
#49, 4th & 5th floor, Church Street,
Bangalore- 560001
2. The Chairman
Gulbarga Electricity Supply
Company Ltd.,
Main Road, Gulbarga
Gulbarga-585102, Karnataka : With request to restore electricity supply
of the unit.
3. The Joint Secretary (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 Director
Central Pollution Control Board
1st & 2nd Floors, Nisarga Bhavan, A-Block,
Thimmaiah Main Road, 7th D Cross, Shivanagar, Opp.
Pushpanjali Theatre, Bangalore -560 010
5. The Divisional Head, IPC-VI, CPCB
- ✓ 6. The Divisional Head, IT, CPCB


(Prashant Gargava)
Member Secretary