

By Speed post

F. No. B-751 (746)/Chemical & Others/WQM-II/CPCB/2017-18

August 07, 2017

To,

M/s Mahindra & Mahindra,
Village Lalpur, Kiccha Road,
Rudrapur, District-Udham Singh Nagar,
Uttarakhand

5926

DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986

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, it is obligatory on the part of industries to install effluent treatment plants (ETPs) to comply with the effluent discharged standards as notified under the Environment (Protection) Act, 1986 and the rules framed there under and also to meet the consent conditions granted by State Pollution Control Board (SPCBs)/ Pollution Control Committees (PCCs); and

WHEREAS, it was clarified that flow meter & web camera may be installed in case of Units with Zero liquid discharged (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 SPCBs/PCCs have issued directions under section 33 A of the Water (Prevention and 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, CPCB has held stakeholder consultations with industrial association and SPCBs/PCCs on 06.08.2017, 19.09.2017, 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, 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 emission and effluent standards and rules notified under the Environment (Protection) Rules, 1986 and amendment thereof; and

WHEREAS, CPCB issued show cause notice for closure dated 21.06.2016 under section 5 of the Environment (Protection) Act, 1986 to the unit, to show cause why not the unit should not be closed down if the unit has not complied fully with the direction issued by SPCB in compliance to directions issued by CPCB under Section 18 (1) (b) of the water (Prevention & Control of Pollution) Act, 1974 in respect to installation of online effluent monitoring system by June 30, 2015; and

WHEREAS, unit was inspected on 07.03.2017 and it was observed that registration done by the unit at registration portal is incomplete and unit has not provided on line monitoring system data connectivity to CPCB within the prescribed time period; and

WHEREAS, CPCB issued closure directions dated 29.06.2016 to the unit for non-installation of online effluent monitoring system; and

WHEREAS, unit reply vide letter dated 07.07.2017 and 27.07.2017 was examined and following observations made:

1. The unit has reported to be is a Zero Liquid Discharge (ZLD) unit as per consent and has installed web camera on 31.03.2015
2. The unit has installed OCEMS provided connectivity on 11.07.2017, which was verified from IT division of CPCB; and
3. The unit has consent validity upto 31.03.2017 and has applied for renewal vide online application dated 25.01.2017

AND WHEREAS, unit submitted self certificate informing that the unit has not stopped the operations in compliance of CPCB closure directions dated 29.06.2017 which is in violation of CPCB direction dated 29-06-2017 issued under section 5 of the Environment (Protection) Act, 1986 and for which appropriate legal action shall be taken separately; and

NOW THEREFORE, in view of the above mentioned observations and in exercise of the powers delegated to the Chairman CPCB, under section 5 of the Environment (Protection) Act, 1986, the unit **M/s Mahindra & Mahindra, Village Lalpur, Kiccha Road, Rudrapur, District-Udham Singh Nagar, Uttarakhand** is directed to comply with the following direction:

1. The unit shall resume operation and shall treat their effluent to meet the effluent discharge standards as notified under Environment (Protection) Rules, 1986 after seeking valid consent under Water/Air Acts from Uttarakhand Environment Protection and Pollution Control Board.
2. The unit shall ensure continuous connectivity with CPCB server.

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

(S. P. SINGH PARIHAR)
CHAIRMAN

Copy to:

1. **Member Secretary,**
Uttar Environment Protection and Pollution Control Board (UEPPCB), 29/30, Nemi Road, Dalanwala, Dehradun (Uttarakhand)

[For kind information]

2. **The Advisor** (CP Division). :
Ministry of Environment, Forests & Climate Change, [For kind information]
Indra Paryavaran Bhavan,
Jor Bagh Road, New Delhi - 110 003
3. **District Magistrate** : [For information]
Udham Singh Nagar, Uttarakhand
4. **Managing Director** : [With a request to re-connect
Urja Bhavan, Kanwali Road, Balliwala Chowk, Dehradun- the electricity supply to the Unit]
248001, Uttarakhand
5. ~~The Incharge IT Division, CPCB, Delhi~~
6. Master copy (Others), RG Division, CPCB, Delhi



(A.B.AKOLKAR)
MEMBER SECRETARY