



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

B-29016/04/06/IPC-I/ 8647

November 09, 2021

To

M/s Metropolitan Overseas limited
(Presently M/s Koye Pharmaceuticals Pvt. Ltd)
Plot No. 5, Hirehalli Industrial Area
Tumkur, Karnataka- 572106

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 M/s Metropolitan Overseas limited (Presently Koye Pharmaceuticals Pvt. Ltd, Karnataka) (herein after referred to as the Unit) vide letter no. B-29016/04/06/PCI-I/6613 dated July 27, 2015 for installation of Online Continuous Effluent Monitoring System (OCEMS) along with connectivity for submission of online 24x7 monitoring data to SPCBs/PCCs and CPCB; and

WHEREAS, the Unit did not submit any reply in response to the CPCB show cause notice dated July 27, 2015; and

WHEREAS, Karnataka State Pollution Control Board (KSPCB) vide letter dated January 20, 2016 informed that the Unit was 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/8937 dated March 03, 2016 directing not to restart the operation till online effluent monitoring system is installed and connected to the CPCB; and

WHEREAS, the Bangalore Electricity Supply Co. Ltd., informed vide letter no. AEE/AAO/SA/KYA/F-2/2016-17/196-97 dated May 03, 2016 that the electricity supply of the Unit had been disconnected since 01.01.2015; and

WHEREAS, the Unit has submitted the compliance of directions vide letter received on July 25, 2021 along with self-certificate that the Unit has already stopped plant operations even before the issue of CPCB closure direction dated March 03, 2016, the Unit had consent valid up to June 30, 2015 and application for renewal application dated June 22, 2021 is submitted to KSPCB; and

WHEREAS, the Unit vide letter received on July 25, 2021 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 September 13, 2021 the Unit was found connected w.r.t. flow meters 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 September 28, 2021 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.
3. The Unit shall ensure periodic calibration of the analyzers as per standard operating procedure/recommendations of the supplier and submit the calibration results.

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 M/s Metropolitan Overseas limited (Presently M/s Koye Pharmaceuticals Pvt. Ltd, Karnataka) vide letter dated March 03, 2016 is hereby revoked with conditions that:

1. The Unit shall communicate date of commencement of plant operation to CPCB and revocation conveyed vide the aforesaid would be for an initial period of three months after the commencement of the plant operation, and in case of compliance of the effluent/emission as per prescribed standards, further revocation would be deemed as having been granted.
2. The Unit shall ensure uninterrupted data connectivity of OCEMS with CPCB server after commencement of operation of the plant.
3. The Unit shall obtain valid consent to operate from KSPCB before commencement of operations.
4. The Unit shall ensure periodic calibration of the analyzers as per standard operating procedure/recommendations of the supplier and submit the calibration results.

In case of non-compliance by the Unit action as deemed fit under the provisions of Environment (P) Act, 1986 including imposition of environmental compensation shall be taken by the Central Pollution Control Board.


9/11/21
(Tanmay Kumar)
Chairman

Copy to:

1. The Chairman
Karnataka Pollution Control Board,
Parivesh Bhavan, #49, 4th & 5th floor, Church Street,
Bangalore-560001
2. The Managing Director :With request to restore the electricity
Bangalore Electricity Supply Co. Ltd. supply of the Unit
K. R. Circle, Bengaluru 560001, Karnataka
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. Divisional Head, IT, CPCB
6. Divisional Head, IPC-VI, CPCB


(Prashant Gargava)
Member Secretary