

SPEED POST

F. No. B-190194/NGRBA/WQM-II/CPCB/Pharma/2017-18

08-09-2017

To

10162
M/s NAARI Pharma Private Limited
(formerly Indo Phyto Chemicals Pvt. Ltd.),
Village Shakhapur via Kashipur),
P.O. Pirumbara, Tehsil- Ramnagar,
Dist. Nainital, Uttarakhand

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

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, 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 5, 2014 to all 11 Ganga Basin State Pollution Control Boards (SPCBs)/Pollution Control Committee (PCCs) for installation of online effluent monitoring systems w.r.t. pH, BOD, TSS, COD, Cr, As and flow parameters in pharmaceutical industries; 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 SPCB/PCC have issued directions under section 33 A of the Water (Prevention & 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, the unit has not communicated the completion of the installation & connectivity of the online monitoring system to CPCB till date; and

WHEREAS, the unit was inspected officials of CPCB on 27-12-2016 and observed the following:

1. The unit has not installed online continuous effluent monitoring system.
2. The ETP is not adequate for treatment of effluent.
3. The effluent samples were collected from the outlet of ETP is exceeding the prescribed limits w.r.t. the parameters pH (9.60 > 8.5), COD (7354 mg/l > 250mg/l) and BOD (3128 mg/l > 30 mg/l).
4. The untreated effluent is being used for gardening purpose; and

WHEREAS, CPCB issued closure directions dated 13.02.2017 under Section 5 of the Environment (Protection) Act, 1986, and

WHEREAS, the Unit reply vide letter dated 09-03-2017 was examined; and

WHEREAS, the unit was re-inspected by CPCB officials on 17.05.2017 and following observations made during the inspection:

1. The unit was found operational on inspection date 17.05.2017, despite the fact that Closure direction under section 5 of the Environment (Protection) Act, 1986 was issued by the CPCB on 13.02.2017.

AND WHEREAS, CPCB issued a letter dt. 12.06.2017 to the District Magistrate, Nainital to ensure compliance of the directions dt. 13.02.2017 and to close down the unit with immediate effect under; and

WHEREAS, the Unit replies dt. 29.05.2017, 13.06.2017, 04.07.2017, 06.07.2017, 18.07.2017, 20.07.2017 were examined and following observations made:

1. The unit has stopped the production activities in this unit from 04-07-2017.
2. The unit has already installed the OCEMS and connected to CPCB server on 06-07-2017 and registered with CPCB sever and also connected to the server.
3. ETP is working efficiently and the outlet is meeting the prescribed limit.
4. The unit has stopped the use of ETP treated water for the gardening purpose and at present the unit is using the STP water for gardening purpose.
5. The unit has installed a new carbon filtration unit at ETP.
6. The unit has hired a reputed and approved lab for the sampling and independent testing of unit's treated water and found well within the stipulated norms.
7. The unit has also submitted self certificate in prescribed format and stated that unit has stopped the production activities in this unit from 04-07-2017. It has confirmed by team of district administration that the unit has been closed and sealed on dt. 07.07.2017.
8. The unit has submitted an undertaking dated 03-08-2017 along with adequacy report of ETP system to achieve Zero Effluent Discharge.
9. The effluent is segregated into high TDS to Low TDS effluent streams as follows:
 - a. High TDS effluent is treated in a dedicated reactor through vacuum distillation process. Spent solvent from high TDS effluent treatment is collected and storage in hazardous waste storage room, the same dispose to authorized SPCB/CPCB recycler. Similar salts/crude collected after distillation is collected and stored at hazardous waste room, the same dispose to authorized SPCB/CPCB TSDF agency. Condensate water collected from distillation process is transferred to low TDS effluent stream to further treatment.

- b. Low effluent is treated in effluent treatment plant is MBBR technology. Reactor washing, utility operations rejects, blow downs and condensate water from high TDS stream is treated in ETP with Primary, Secondary and tertiary treatment followed by Ultra filtration and two stage ETP RO. ETP RO Permeate is used in Utility operations. ETP RO reject is collected and treat through High TDS effluent stream. Sludge generated from ETP treatment is collected and storage in hazardous waste storage room, the same is disposed to authorized SPCB/CPCB TSDF agency.
- c. The unit has implemented Zero Effluent Discharge and only STP treated effluent is used for gardening purposes.

AND WHEREAS, the unit has submitted vide letter dated 02-08-2017, an undertaking on stamp paper with duly signed by Oath Commissioner and technical adequacy report: 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, the unit was found operational on inspection dated 17.05.2017, which is in violation of CPCB direction dated 13-02-2017 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, closure direction dated 13.02.2017 TO the unit **M/s NAARI Pharma Private Limited (formerly Indo Phyto Chemicals Pvt. Ltd.), Village Shakhanpur via Kashipur), P.O. Pirumbara, Tehsil- Ramnagar, Dist. Nainital, Uttarakhand** is hereby revoked and directed to comply with the following direction:

- (i) The Unit shall resume manufacturing operations and shall achieve Zero Effluent Discharge as per ETP adequacy report.
- (ii) The unit shall not discharge any manufacturing process effluent and the treated effluent shall be reused and recycled in the process.
- (iii) The unit shall ensure continuous connectivity with CPCB server.
- (iv) The unit shall get modified consent to operate under Water Act for Zero Effluent Discharge from Uttarakhand Environment Protection and Pollution Control Board.
- (v) The unit shall submit a copy of modified consent to operate under Water Act.

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,**

Uttarakhand Environment Protection and Pollution
Control Board (UEPPCB), 29/30, Nemi Road, : [For information please]
Dalanwala, Dehradun (Uttarakhand)

2. **The Advisor (CP Division),**

Ministry of Environment, Forests & Climate Change,
Indra Paryavaran Bhavan, : [For information please]
Jor Bagh Road, New Delhi - 110 003

3. **Regional Director,**

Central Pollution Control Board
Regional Directorate, PICUP Bhawan Vibhuti Khand, :[For the implementation and
Gomti Nagar, Lucknow - 226 010 compliance of the direction]

4. **Managing Director**

Urja Bhavan, Kanwali Road, Balliwala Chowk, : [With a request to re-connect
Dehradun-248001, Uttarakhand the electricity supply to the Unit]

5.

District Magistrate

District- Nainital, Uttarakhand :[For information please]

6.

The Incharge, IT Division, CPCB, Delhi

7.

Master copy (Pharmaceutical), WQM-II, CPCB, Delhi


(A. SUDHAKAR)

MEMBER SECRETARY

M/s NAARI Pharma Private Limited (formerly Indo Phyto Chemicals Pvt. Ltd.), Village
Shakhanpur via Kashipur), P.O. Pirumbara, Tehsil- Ramnagar, Dist. Nainital, Uttarakhand