

SPEED POST

F. No. B-190194/NGRBA/RG/CPCB/others /2017-18 10207

September 06, 2017
11

To

M/s Field Gun Factory, Kanpur (FTK)
Kalpi Road, Kanpur-208009,
Uttar Pradesh

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

WHEREAS, M/s Field Gun Factory has been identified as one of the Grossly Polluting Industries (GPIs) 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, for strengthening the monitoring and compliance through self regulatory mechanism, a direction under section 18 (1) (b) of the Water (Preservation & 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 on-line emission monitoring system w.r.t. pH, BOD, COD, TSS, Flow parameters in other sector industries; 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, 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 guideline uploaded on website of CPCB dated November 7, 2014; and

WHEREAS, considering the requests/ representations received from industrial associations/ SPCBs/PCCs, an extension of time upto June 30, 2015 for installation of online monitoring system was granted vide direction dated March 02, 2015 under section 18 (1) (b) of the Water (Prevention and 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 will be the only option; and

WHEREAS, concerned SPCB /PCC have issued directions under section 33 (A) of the Water (Prevention and control of pollution) Act, 1974 and section 31 (A) of the Air (Prevention and 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 and effluent monitoring system; and

WHEREAS, CPCB issued show cause notice dated 30.07.2015 under section 5 of the Environment (Protection) Act, 1986 to the unit for not installation of online monitoring system; and

WHEREAS, Notice dated 15.12.2015 has been served upon vide leading newspaper TIMES NATION to respond immediately but not later than within a week time from the publication of this notice, and

WHEREAS, M/s Field Gun Factory, Kanpur (FTK), Kalpi Road, Kanpur-208009, Uttar Pradesh (hereafter referred to as the 'Unit') is manufacturing defence equipments; and

WHEREAS, the unit has not responded with time bound plan for installation of online monitoring system to CPCB; and

WHEREAS, CPCB issued closure direction dated 18.01.2016 under section 5 of the Environment (Protection) Act, 1986 to the unit for not installation of online monitoring system; and

WHEREAS, the unit's reply vide letter dated 31.05.2017 was examined following observation made:

1. FGK plans to install an online effluent monitoring system at the outlet of ETP and technical discussion with probable suppliers have been held and specifications framed.
2. At present, the tendering process for procurement of online monitoring system is in Technical evaluation stage and the supply order is likely to be placed by the end of June 2017 and the installation of online effluent monitoring system may take 03 more months after placement of supply order.
3. Meanwhile, FGK applied for grant of Air and Water consent for the year 2016 to the UPPCB but the same has been rejected by the UPPCB, Lucknow primarily because of non cancellation of the closure notice issued by CPCB on 18.01.2016.
4. Furthermost, the application for grant of consent for the year 2017 has also been rejected because of the same reason.
5. FGK is an important Defence installation engaged in manufacturing of various ordnances for the use of Armed Forces.
6. It is requested that a relaxation of 06 months may be given to FGK so as to complete the installation of online monitoring system in line with the directions of CPCB.

AND WHEREAS, CPCB issued direction dated 07-07-2017 to comply with the following directions:

1. The Unit shall remain closed till installation of online emission monitoring system for prescribed parameters and providing connectivity with CPCB server for 24 x 7 continuous monitoring data transmission.
2. The Unit shall submit documentary evidence like excise report, West Bengal Pollution Control Board (WBPCB) report etc. regarding closure of the manufacturing operations.
3. After completion of the above said measures, the Unit shall report to CPCB and seek permission from CPCB before resumption of their manufacturing operations.

AND WHEREAS, unit replied vide its letter dated 24-07-2017, wherein it was informed that the unit has installed OCEMS and provided connectivity, which was verified from IT division, CPCB and the unit has also submitted self certificate and the unit did not close its manufacturing operations which is violation of CPCB directions dated 18-01-2016 and 07-07-2017 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 Field Gun Factory, Kanpur (FTK) Kalpi Road, Kanpur-208009, Uttar Pradesh** 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.
2. The unit shall ensure to provide continuous data connectivity for OCEMS 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. **Chairman,**
Uttar Pradesh Pollution Control Board,
Building No. TC-12V,
Vibhuti Khand, Gomti Nagar, Lucknow-226010
: [For information please]
2. **The Advisor** (CP Division).
Ministry of Environment, Forests & Climate Change,
Indira Paryavaran Bhavan,
Jor Bagh Road, New Delhi - 110 003
: [for information please]
3. **The Regional Director,**
Regional Directorate (N),
Central Pollution Control Board,
Zonal Office (North) PICUP
Bhawan Vibhuti Khand, Gomti Nagar,
Lucknow - 226 010, Uttar Pradesh
: [For the implementation and
compliance of the direction]
4. **District Magistrate**
District-Kanpur Nagar, Uttar Pradesh
:[For information please]
5. **Managing Director,**
Kanpur Electricity Supply Company Limited,
Headquarter, Kesa House,
14/71 Civil Lines, Kanpur
:[With direction re-connect the
power supply of the unit]
6. ✓ The Incharge IT Division, CPCB, Delhi
7. Master copy (Others), CPCB, Delhi


(A. SUDHAKAR)
MEMBER SECRETARY