

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
O.A No.116 of 2014**

IN THE MATTER OF:

MEERA SHUKLA

...APPLICANT

VERSUS

MUNICIPAL CORPORATION, GORAKHPUR & ORS.

...RESPONDENTS

INDEX

Sl. No.	PARTICULARS	PAGE No.
1.	ENVIRONMENT COMPENSATION PROPOSED TO BE LEVIED ON THE INDUSTRIES VIOLATING NORMS IN COMPLIANCE TO HON'BLE NGT ORDER DATED 07.03.2019 IN THE MATTER OF O.A NO. 116 OF 2014 TITLED MEERA SHUKLA VS. MUNICIPAL CORPORATION, GORAKHPUR & ORS.	
2.	ANNEXURE- I DETAILED REPORT OF CPCB, LUCKNOW.	
3.	ANNEXURE-II HON'BLE TRIBUNAL ORDER DATED 07.03.2019.	



**A. SUDHAKAR
SCIENTIST "E"**

**CENTRAL POLLUTION CONTROL BOARD
EAST ARJUN NAGAR, DELHI -110032**

**PLACE: DELHI
DATED: 03 .04.2019**

Compliance of Hon'ble NGT order dated 07.03.2019 in OA No. 116/2014 & OA No. 437/2015 titled by Meera Shukla Vs Municipal Corporation, Gorakhpur & Ors. With Vishwa Vijay Singh Vs U.P. Pollution Control Board & Ors.

1.0 Background

This has reference to the Hon'ble NGT order dated 07.03.2019 in the matter of Meera Shukla Vs Municipal Corporation, Gorakhpur & ors. With Vishwa Vijay Singh Vs U.P. Pollution Control Board & Ors. The Hon'ble NGT order dated 07.03.2019 is subsequent to the report submitted by the Hon'ble NGT Committee under the Chairmanship of Justice D P Singh. Based on the report submitted by the Committee on 08.02.2019, the Hon'ble NGT passed the following order and the direction given under point no. 8 of the order, which is reproduced under:

8. *Further reports dated 08.02.2019 have been received from the Committee with regard to the pollution caused by M/s Bharati Research and Breeding Farm, FL-27, Sector -13, GIDA, Gorakhpur, UP, M/s Mother Shree Dairy, D-1/3D, Sector 13, GIDA, Gorakhpur, UP, M/s Alkane Construction Equipment Pvt. Ltd., FL-24, Sector 13, GIDA, Gorakhpur, UP, M/s Burnet Pharmaceutical Pvt. Ltd., AL-1, Sector -13, GIDA, Gorakhpur, UP, M/s Gorakhnath Agro Industries Pvt. Ltd., FL-20/27, Sector-13, GIDA, Gorakhpur, UP, M/s Royal Savera Foods Pvt. Ltd., FL-28, Sector -13, GIDA, Gorakhpur, UP and M/s Dr. Sandhu Hatchery, FL-28, Sector -13, GIDA, Gorakhpur, UP.*
9. *The reports show that the above units were violating the environmental norms. The Committee has suggested recovery of compensation to the extent of Rs. 50 lakhs each for the damage caused to the environment and public health by the operation of the above units. The Committee has also suggested recovery of compensation to the extent of Rs. 50 laksh each from the UPPCB on account of its failure and possible collision with the polluters.*
10. *We find that the CPCB has, on directions of this Tribunal, undertaken a study of the scale of compensation to be recovered which has been noted in the order of the Tribunal dated 19.02.2019 in Original Application No.593/2017, Paryavaran Suraksha Samiti & Anr. Vs. Union of India & Ors. The Tribunal has also directed conduct of performance audit of the Pollution Control Boards vide order dated*

11.01.2019 in Original Application No. 95/2018, Aryavart Foundation Vs. M/s Vapi Gree Enviro. Ltd. & Ors.

11. Having regard to the facts and circumstances of the present case, we are inclined to refer the reports of the Committee to the CPCB form their comments in the matter. We note that representative of CPCB is a Member of the Committee and represented in the Committee. We may need assistance of CPCB to finalise the amount of compensation and action against the UPPCB.

12. Let CPCB furnish its comments within one month by e-mail at ngt.filing@gmail.com. The reports may be forwarded to CPCB, (Headquarters) by e-mail.

2.0 Specific detail about industries:

Detailed signed report of the joint inspection team are attached as **Annexure-1**. Salient observations and recommendation for seven industries under reference are as below:

1) M/s Bharti Research and Breeding Firm, FL-27, Sector-13, GIDA, Gorakhpur (UP)

1.1 Observations:

- a. The unit is hatchery and engaged in the production of Chicks with reported capacity of 1.5 lac eggs processed per month. During inspection, the unit was in operation.
- b. The unit comes under Green category of industries. The unit is operated without consent from UPPCB.
- c. The unit is meeting its fresh water requirement through 01 borewell. No flow meter is installed at the borewell. The unit has not obtained NOC from CGWA from ground water abstraction.
- d. The UPPCB has issued public notice on dated 30.08.2016 for obtaining NOC from CGWA, but the unit has not yet applied for NOC from CGWA.
- e. The major water pollution is caused from the industries is due to washing and cleaning process. It was informed that the unit is carrying out washing and cleaning twice in a week.
- f. The unit has not installed any Effluent treatment Plant (ETP) for treatment of waste water.
- g. All waste water (industrial and domestic) and egg shells is discharged directly to the GIDA drain, which meets to Saraiya drain. The unit has provided two drains to

discharged untreated waste water. During inspection, the unit was found discharging untreated effluent. Sample was collected. Analysis result is presented below:

Sampling Locations	Parameters				
	pH	TSS (mg/l)	TDS (mg/l)	BOD (mg/l)	COD (mg/l)
Untreated effluent from industry drain	7.15	2624	452	986	1388
General discharge standard	5.5-9.0	100	--	30	250

- h. **It is evident from the results that the unit is not complying with the stipulated norms of effluent discharged with respect of TSS, BOD and COD parameters, which pollute Saraiya drain and subsequently Ami River.**
- i. The unit has 02 DG sets with capacity 85 KVA and 100 KVA. The DG sets were not equipped with adequate stack height.

1.2 Recommendations:

In view of above observation, environmental compensation may be imposed to the unit and the unit may be directed to close down immediately and not allowed to operate till compliance of following:

- The unit should operate with valid consent from UPPCB.
- The unit should install electromagnetic flow meter at the outlet of borewell and maintain proper log book of fresh water consumption.
- The unit should obtain NOC from CGWA for ground water abstraction.
- The unit should install Effluent Treatment Plant (ETP) for treatment of waste water generated.
- The unit should close all bypass drain and treated effluent should discharge through only single outlet.
- The unit should provide adequate stack height as per rule.

2) M/s Mother Shree Dairy, D-1/3D, Sector-13, GIDA, Gorakhpur (UP)

2.1 Observation:

- a. The unit is engaged in processing of 50 KL/day of Milk to produce Flavored milk (35 kl/day), ghee (10 kl/day), dahi, chach, lassi (05 kl/day). During inspection, the unit was in operation. It was informed by the unit representative; the unit has started its operation 01 month before.
- b. The unit has been granted consent to establish (NOC) by UPPCB on 27.09.2017, which was valid for 05 years. As per NOC condition, the unit should not start production of the unit till the unit obtained consent to operate by UPPCB, but the unit has started operation of the unit without obtaining consent from UPPCB.
- c. The unit is meeting its fresh water requirement through one tube well. No flow meter is installed at the tube well abstraction, which is violation of NOC granted by UPPCB.
- d. The unit has not obtained NOC from CGWA from ground water abstraction which is violation of NOC granted by UPPCB.
- e. The waste water generated from the unit is treated in its Effluent Treatment Plant (ETP), which comprises of Bar Screen, Collection Tank, Primary Settling Tank, Aeration Tank, Secondary Settling Tank and Sludge Drying Bed.
- f. During inspection, ETP was not operational. The unit is bypassing all its effluent into GIDA drain. The unit has provided 05 outlet for discharge of untreated effluent.
- g. Sample was collected from bypassing effluent. Analysis results are presented below:

Sampling Locations	Parameters					
	pH	TSS (mg/l)	TDS (mg/l)	BOD (mg/l)	COD (mg/l)	Oil and Grease (mg/l)
Bypass drain	4.20	2273	3828	6283	11218	250
Standard	6.5-8.5	150	--	100	--	10

- h. **It is evident from the results that the unit is discharging untreated effluent into GIDA drain, which pollute Saraiya drain and subsequently Ami River.**
- i. The domestic waste water is discharged into GIDA drain.
- j. The unit has not provided separate energy meter for the operation of ETP. The unit has also not maintained any log book regarding operation of ETP.

- k. The unit has one boiler with capacity 01TPH using wood as fuel. Emission from boiler is vented through stack of height approx. 60 ft. with cyclone separator as APCD.
- l. The unit has 01 DG sets with capacity 300 KVA equipped with acoustic enclosure. The DG sets is not having adequate stack height as per norms.

2.2 Recommendations:

In view of above observation, environmental compensation may be imposed to the unit and the unit may be directed to close down immediately and not allowed to operate till compliance of following:

- a. The unit should not start operation of the unit till obtain consent to operate from UPPCB.
- b. The unit should immediately close all bypass drains.
- c. The unit should carry out adequacy assessment of ETP through reputed govt. institution such as IIT, NIT and accordingly upgrade its ETP.
- d. The unit should integrate all effluent and routed through ETP. The unit should properly operate its ETP to meet with the stipulated norms of effluent discharge.
- e. The unit should install electromagnetic flow meter at borewell and maintain log book of fresh water consumption.
- f. The unit should obtain NOC from CGWA for ground water abstraction.
- g. The unit should provide separate energy meter for operation of ETP and the unit should maintain proper log book for operation of ETP.
- h. The unit should provide adequate stack height in DG sets.

3) M/s Alkane Construction Equipment Pvt. Ltd., FL-24, Sector-13, GIDA, Gorakhpur (UP)

3.1 Observations:

- a. The unit is engaged in manufacturing of road construction equipment by welding and cutting process.
- b. The unit comes under White category of industries. The unit is operated without consent from UPPCB.
- c. The unit is meeting its fresh water requirement through one tube well for domestic purpose.

3.2 Recommendations:

In view of above observation, the unit may be directed to close down immediately and not allowed to operate till compliance of following:

- a. The unit should be operated with valid consent from UPPCB.

4) M/s Burnet Pharmaceutical Pvt. Ltd., AL-1, Sector-13, GIDA, Gorakhpur (UP)

4.1 Observations:

- a. The unit is engaged in the production of Vitamin capsule and cough syrup(expectorate) with reported capacity of 2000 lt. per day and 1000 lt. per day respectively using Sorvitol, Glycerine and Propylene as major raw material. During inspection, the unit was in operation.
- b. The unit has been granted consent to operate by UPPCB, which is valid upto 31.12.2018.
- c. The unit is meeting its fresh water requirement through one tube well. No flow meter is installed at the tube well.
- d. The unit has not obtained NOC from CGWA from ground water abstraction.
- e. The UPPCB has issued public notice on dated 30.08.2016 for obtaining NOC from CGWA, but the unit has not yet applied for NOC from CGWA.
- f. The waste water generated from the unit is treated in its Effluent Treatment Plant (ETP), which comprises of Bar Screen, Chemical Dosing Tank, Aeration Tank, Settling tank, Sludge Drying Beds
- g. During inspection, ETP was not operational. However, effluent is coming into ETP. Sample was collected from inlet and outlet of ETP. Analysis results are presented below:

Sampling Locations	Parameters								
	pH	SS	Sulphide	Phosphate	Phenol	Oil and Grease	BOD	COD	Cr (VI)
Inlet of ETP	5.92	60	BDL	BDL	0.959	BDL	872	1463	BDL
Outlet of ETP	5.42	37.1	1.6	BDL	1.0	5.98	568	773	BDL
Standard as per GSR 512(E), dated	6.0-8.5	100	2.0	5.0	1.0	10	100	--	0.10

09.07.2009.									
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All values are in mg/l except pH

- h. **It is evident from the results that ETP of the unit is not complying with the stipulated norms with respect of pH and BOD parameters.**
- i. It was informed that treated effluent is used for gardening. But, possibility of effluent discharged could not be ruled out, as pump used for irrigation/gardening was non-working condition.
- j. The domestic waste water is discharged into GIDA drain.
- k. The unit has not provided separate energy meter for the operation of ETP. The unit has also not maintained any log book regarding operation of ETP.
- l. The discarded bottles of medicine are sold to kabari, as informed by the unit representative.
- m. The unit has DG set with capacity 63 KVA, which is not equipped with adequate stack height.

4.2 Recommendations:

In view of above observation, environmental compensation may be imposed to the unit and the unit may be directed to close down immediately and not allowed to operate till compliance of following:

- a. The unit should carry out adequacy assessment of ETP & ZLD system in gardening through reputed govt. institution such as IIT, NIT and accordingly upgrade its ETP.
- b. The unit should properly and regularly operate its ETP to meet with stipulated norms.
- c. The unit should provide separate energy meter for operation of ETP.
- d. The unit should maintain proper log book for operation of ETP.
- e. The unit should install electromagnetic flow meter at bore well and maintain log book of fresh water consumption.
- f. The unit should obtain NOC from CGWA for ground water abstraction.
- g. The unit should install acoustic enclosure in DG set and should provide adequate stack height as per rule.
- h. The unit should dispose off discarded medicine/bottles in TSDF only.

5) M/s Gorakhnath Agro Industries Pvt. Ltd., FL-20/27, Sector-13, GIDA, Gorakhpur (UP)

5.1 Observations:

- a. The unit is engaged in the production of Namkeen using Dal, Dalda, Salt, Palm Oil etc. as major raw material with reported capacity of 02 ton per day of namkeen production. During inspection, the unit was in operation.
- b. The unit has been granted consent to operate by UPPCB, which is valid upto 31.12.2020.
- c. The unit is meeting its fresh water requirement through One tube well. Electromagnetic flow meter is installed at the tube well. The unit has not maintained any log book of fresh water consumption.
- d. The unit has not obtained NOC from CGWA from ground water abstraction.
- e. The UPPCB has issued public notice on dated 30.08.2016 for obtaining NOC from CGWA, but the unit has not yet applied for NOC from CGWA.
- f. The waste water generated from the unit is treated in its Effluent Treatment Plant (ETP), which comprises of Oil & Grease Trap, Collection Cum Equalization Tank, Primary & Secondary Tube Settler, Sand & Carbon Filter.
- g. The unit has started operation of ETP, while team entered into the unit. The unit has made a bypass drain at the inlet drain of ETP, which is used for bypassing of untreated effluent. Sample of the bypassing effluent is collected. Analysis result is presented below:

Sampling Locations	Parameters				
	pH	TSS (mg/l)	TDS (mg/l)	BOD (mg/l)	COD (mg/l)
Untreated effluent from industry drain	5.91	2343	1073	663	1667
General discharge standard	5.5-9.0	100	--	30	250

- h. **It is evident from the results that the unit is not complying with the stipulated norms of effluent discharged with respect of TSS, BOD and COD parameters, which pollute Saraiya drain and subsequently Ami River.**

- i. The unit has not maintained any log book of operation of ETP. The unit has also not provided separate energy meter for operation of ETP.
- j. The unit has 02 DG sets with capacity 82 KVA and 160 KVA. The DG sets were not equipped with adequate stack height.

5.2 Recommendations:

In view of above observation, environmental compensation may be imposed to the unit and the unit may be directed to close down immediately and not allowed to operate till compliance of following:

- a. The unit should immediately close bypass drain of the ETP.
- b. The unit should carry out adequacy assessment of its ETP through any reputed Govt. institution such as IIT, NIT etc. as accordingly upgrade its ETP.
- c. The unit should properly and regularly operate its ETP to meet with the stipulated norms.
- d. The unit should install separate energy meter for operation of ETP and maintain proper log book for operation of ETP.
- e. The unit should maintain proper log book of fresh water consumption.
- f. The unit should obtain NOC from CGWA for ground water abstraction.
- g. The unit should install acoustic enclosure in DG set and should provide adequate stack height as per rule.

6) M/s Royal Savera Foods Pvt. Ltd., FL-1, Sector-13, GIDA, Gorakhpur (UP)

6.1 Observations:

- a. The unit is engaged in the production of Sauce with reported capacity of 02 Ton per day using vegetables (tomato, carrot, pumpkin), Sugar, Salt, colour as major raw material. During inspection, the unit was in operation.
- b. The unit has been granted consent to operate by UPPCB, which is valid upto 31.12.2018.
- c. The unit is meeting its fresh water requirement through one tube well. No flow meter is installed at the tube well.
- d. The unit has not obtained NOC from CGWA from ground water abstraction.
- e. The UPPCB has issued public notice on dated 30.08.2016 for obtaining NOC from CGWA, but the unit has not yet applied for NOC from CGWA.

- f. The waste water generated from the unit is treated in its Effluent Treatment Plant (ETP), which comprises of Bar Screen, Chemical Dozing Tank, Aeration Tank, Compact Clarifier, M.B.B.R. Reactor, Sand Filter, Sludge Drying Beds.
- g. During inspection, ETP was operational. Sample was collected from outlet of ETP. Analysis results are presented below:

Sampling Locations	Parameters				
	pH	TSS (mg/l)	TDS (mg/l)	BOD (mg/l)	COD (mg/l)
Outlet of ETP	6.50	95.4	1924	72.9	206
General discharge standard	5.5-9.0	100	--	30	250

- h. **It is evident from the results that the ETP of the unit is not complying with the stipulated norms of effluent discharge with respect of BOD parameters.**
- i. During inspection, the unit was found bypassing of effluent through 02 drains. Samples was collected from the bypass drains. Analysis results are presented below:

Sampling Locations	Parameters				
	pH	TSS (mg/l)	TDS (mg/l)	BOD (mg/l)	COD (mg/l)
Bypass Drain-1	6.61	98.4	1953	51.6	188
Bypass drain-2	6.95	472	416	69	161
General discharge standard	5.5-9.0	100	--	30	250

- j. **It is evident from the results that the unit is discharging untreated effluent into GIDA drain, which pollute Saraiya drain and subsequently Ami River.**
- k. The domestic waste water is discharged into GIDA drain.
- l. The unit has provided separate energy meter for the operation of ETP, but log book is not maintained. The unit has also not maintained any log book regarding operation of ETP.

- m. The unit has 02 DG sets with capacity 63 KVA and 300 KVA, which is not equipped with adequate stack height.

6.2 Recommendations:

In view of above observation, environmental compensation may be imposed to the unit and the unit may be directed to close down immediately and not allowed to operate till compliance of following:

- a. The unit should immediately close bypass drains.
- b. The unit should carry out adequacy assessment of ETP through reputed govt. institution such as IIT, NIT etc. and accordingly upgrade its ETP.
- c. The unit should integrate all effluent into ETP and it should be properly treated in ETP.
- d. The unit should properly operate its ETP to meet with stipulated norms.
- e. The unit should install electromagnetic flow meter at bore well and maintain log book of fresh water consumption.
- f. The unit should obtain NOC from CGWA for ground water abstraction.
- g. The unit should maintain proper log book for operation of ETP.
- h. The unit should provide adequate stack height in DG sets as per rule.

7) M/s Dr. Sandhu Hatchery, FL-28, Sector-13, GIDA, Gorakhpur (UP)

7.1 Observations:

- a. The unit is hatchery and engaged in the production of Chicks with reported capacity of 1.5 lac eggs processed per month. During inspection, the unit was in operation.
- b. The unit comes under Green category of industries. The unit is operated without consent from UPPCB.
- c. The unit is meeting its fresh water requirement through 01 borewell. No flow meter is installed at the borewell. The unit has not obtained NOC from CGWA from ground water abstraction.
- d. The UPPCB has issued public notice on dated 30.08.2016 for obtaining NOC from CGWA, but the unit has not yet applied for NOC from CGWA.
- e. The major water pollution is caused from the industries is due to washing and cleaning process. It was informed that the unit is carrying out washing and cleaning twice in a week.
- f. The unit has not installed any Effluent treatment Plant (ETP) for treatment of waste water.

- g. All waste water (industrial and domestic) and egg shells is discharged directly to the GIDA drain, which meets to Saraiya drain. The unit has provided three drains to discharged untreated waste water.
- h. The unit has 02 DG sets with capacity 85 KVA and 125 KVA. One DG set with capacity 85 KVA is not equipped with acoustic enclosure. The DG sets were not equipped with adequate stack height.

7.2 Recommendations:

In view of above observation, environmental compensation may be imposed to the unit and the unit may be directed to close down immediately and not allowed to operate till compliance of following:

- The unit should operate with valid consent from UPPCB.
- The unit should install electromagnetic flow meter at the outlet of borewell and maintain proper log book of fresh water consumption.
- The unit should obtain NOC from CGWA for ground water abstraction.
- The unit should install Effluent Treatment Plant (ETP) for treatment of waste water generated.
- The unit should close all bypass drain and treated effluent should discharge through only single outlet.
- The unit should install acoustic enclosure in DG set and should provide adequate stack height as per norms.

3.0 Calculation of Environmental Compensation:

As per direction of Hon'ble NGT, the environmental compensation is calculated as below:

Name of Industry	Category	Date of Inspection	Date of Directions issued by UPPCB	No. of violating days	Environmental Compensation
M/s Bharti Research and Breeding Firm, FL-27, Sector-13, GIDA, Gorakhpur, UP	Green (Sl. No. 33 of UPPCB list)	19.11.2018	15.01.2019 (Closure direction under section 33 A of the Water (PCP) Act, 1974 and environmental compensation of Rs. 50,000/-)	58	2,90,000
M/s Mother Shree Dairy, D-1/3D, Sector-13, GIDA, Gorakhpur, UP	Red (Sl. No. 16 of UPPCB list)	21.11.2018	15.01.2019 and 12.02.2019 (Closure under section 33 A of the Water (PCP) Act, 1974 direction and environmental compensation of Rs. 50,000/-)	84	8,40,000

Name of Industry	Category	Date of Inspection	Date of Directions issued by UPPCB	No. of violating days	Environmental Compensation
M/s Alkane Construction Pvt. Ltd., FL-24, Sector-13, GIDA, Gorakhpur, UP	White (Sl. No. 14 of UPPCB list)	19.11.2018	13.02.2019 (Closure direction under section 33 A of the Water (PCP) Act,1974)	85	4,25,000
M/s Burnet Pharmaceutical Pvt. Ltd., FL-1, Sector-13, GIDA, Gorakhpur, UP	Orange (Sl. No. 74 of UPPCB list)	20.11.2018	14.01.2019 (direction for compliance under section 33 A of the Water (PCP) Act,1974 and environmental compensation of Rs. 50,000/-)	56	3,50,000
M/s Gorakhnath Agro Industries Pvt. Limited, FL-20/27, Sector-13, GIDA, Gorakhpur, UP	Orange (Sl. No. 2 of UPPCB list)	19.11.2018	10.01.2019 (direction for compliance under section 33 A of the Water (PCP) Act,1974 and environmental compensation of Rs. 50,000/-)	53	3,31,250
M/s Royale Savera Foods Pvt. Ltd., FL-28, Sector-13, GIDA, Gorakhpur, UP	Orange (Sl. No. 2 of UPPCB list)	20.11.2018	15.01.2019 (direction for compliance under section 33 A of the Water (PCP) Act,1974 and environmental compensation of Rs. 50,000/-)	57	3,56,250
M/s Dr. Sandhu Hatchery, FL-28, Sector-13, GIDA, Gorakhpur, UP	Green (Sl. No. 33 of UPPCB list)	19.11.2018	14.01.2019 (Closure direction under section 33 A of the Water (PCP) Act,1974 and environmental compensation of Rs. 50,000/-)	57	2,85,000

Criteria considered for calculation of Environmental Compensation (EC)

$$EC = PI \times N \times R \times S \times LF$$

Where, EC is Environmental Compensation in ₹

PI = Pollution Index of industrial sector

N = Number of days of violation took place

R = A factor in Rupees (₹) for EC

S = Factor for scale of operation

LF = Location factor

A. PI (Pollution Index) criteria considers for calculation

For Red category of industries, PI= 80
For Orange category of industries, PI= 50
For Green category of industries, PI= 30
For White category of industries, PI= 10

B. N considers for calculation of period of violation

'N' is the date of violation observed (i.e. date of visit) and date of compliance observed (here it is considered as date of direction issued).

C. R (A factor in Rupees (₹) for EC) considers for calculation

'R' is Rs. 250/- per day

D. S considers for calculation in terms of scale of operation

For Small Scale industries 'S' is 0.5. All the industrial units are small scale industries.

E. LF considers for calculation of Location Factor (LF) based on population

The population of Gorakhpur City is around 06 lac and hence LF is considered as '1'

Detailed calculation of EC:

1. **M/s Bharati Research and Breeding Farm, FL-27, Sector -13, GIDA, Gorakhpur, UP**

- Where, PI=30, R= Rs. 250/- per day, S=0.5 and LF=1
- Environmental Compensation (EC) per day= $30 \times 250 \times 0.5 \times 1 = 3750$ /- per day
- Minimum EC for consideration is Rs. 5000/- per day and No. of Violating days(N)=58
- Hence, total EC = $5000 \times 58 = 2,90,000$ /-

2. **M/s Mother Shree Dairy, D-1/3D, Sector-13, GIDA, Gorakhpur, UP**

- Where, PI=80, R= Rs. 250/- per day, S=0.5 and LF=1
- Environmental Compensation (EC) per day= $80 \times 250 \times 0.5 \times 1 = 10,000$ /- per day
- No. of Violating days(N)=84
- Hence, total EC = $10000 \times 84 = 8,40,000$ /-

3. **M/s Alkane Construction Pvt. Ltd., FL-24, Sector-13, GIDA, Gorakhpur, UP**

- Where, PI=10, R= Rs. 250/- per day, S=0.5 and LF=1
- Environmental Compensation (EC) per day= $10 \times 250 \times 0.5 \times 1 = 1250$ /- per day
- Minimum EC for consideration is Rs. 5000/- per day and No. of Violating days(N)=85
- Hence, total EC = $5000 \times 85 = 4,25,000$ /-

4. **M/s Burnet Pharmaceutical Pvt. Ltd., FL-1, Sector-13, GIDA, Gorakhpur, UP**

- Where, PI=50, R= Rs. 250/- per day, S=0.5 and LF=1
- Environmental Compensation (EC) per day= $50 \times 250 \times 0.5 \times 1 = 6250$ /- per day

- No. of Violating days(N)=56
 - Hence, total EC =6250X85=3,50,000/-
- 5. M/s Gorakhnath Agro Industries Pvt. Limited, FL-20/27, Sector-13, GIDA, Gorakhpur, UP**
- Where,PI=50, R= Rs. 250/- per day, S=0.5 and LF=1
 - Environmental Compensation (EC) per day=50X250X0.5X1=6250/- per day
 - No. of Violating days(N)=53
 - Hence, total EC =6250X53=3,31,250/-
- 6. M/s Royale Savera Foods Pvt. Ltd., FL-28, Sector-13, GIDA, Gorakhpur, UP**
- Where,PI=50, R= Rs. 250/- per day, S=0.5 and LF=1
 - Environmental Compensation (EC) per day=50X250X0.5X1=6250/- per day
 - No. of Violating days(N)=57
 - Hence, total EC =6250X57=3,56,250/-
- 7. M/s Dr. Sandhu Hatchery, FL-28, Sector-13, GIDA, Gorakhpur, UP**
- Where,PI=30, R= Rs. 250/- per day, S=0.5 and LF=1
 - Environmental Compensation (EC) per day=30X250X0.5X1=3750/- per day
 - Minimum EC for consideration is Rs. 5000/- per day and No. of Violating days(N)=57
 - Hence, total EC =5000X57=2,85,000/-

Note:

The violation period shall continue till the date these units comply with the direction issued by UPPCB. Accordingly, UPPCB shall levy further EC in addition to the EC calculated above.

4.10 M/s Royal Savera Foods Pvt. Ltd., FL-1, Sector-13, GIDA, Gorakhpur (UP)

01.	Name of the Industry	M/S Royal Savera Foods Pvt. Ltd.
02.	Address/Tel	F.L. -1, Sector-13, GIDA, Gorakhpur
03.	Name & Designation of Industry representative	Sri Raj Kumar Agrawal, Director
04.	Products/By-products/Process	Sauces- 1.0 T/Day Noodles-1.0 T/Day
05.	Production Capacity Installed Present production	(As reported) 2.0 T/Day 2.0 T/Day
06.	Raw material & their consumption	Flour, Maida, Salt, Sugar, Flavor, Vegetables etc
07.	Year of Commissioning	2017
08.	Sector (Govt./Pvt./Co-op)	Private
Information pertaining to Water Pollution		
09.	Water source & Consumption (KL/Day)	(As reported)
	Industrial	Tube Well 26 Kl/Day
	Domestic	7 Kl/Day
10.	Waste water generation (KL/Day)	(As reported)
	Industrial	25 Kl/Day
	Domestic	6 Kl/Day
11.	Waste water Treatment (KL/Day)	
	Industrial	Partially treated in its ETP remaining is bypassed directly into GIDA drain.
	Domestic	Partially send to soak pit and remaining is discharged into GIDA drain.
12.	Details of ETP with unit wise detail/dimension	1. Bar Screen, 2. Chemical Dozing Tank, 3. Aeration Tank, 4. Compact Clarifier, 5. M.B.B.R. Reactor, 6. Sand Filter, 7. Sludge Drying Beds
13.	Quality of effluent being discharged	Mentioned in observation.
14.	Mode of Effluent Disposal (Land/River/Drain)	GIDA Drain
15.	Consent Status (Water)	Valid upto 31.12.2018.
16.	Treated effluent storage facility	N.A
Information pertaining to Air Pollution		
18.	Source of Air Pollution	Boiler-1.0 T/hr D.G. Set-300 KVA
19.	Details of fuel and its consumption	Coal-1.0 T/Day HSD-30 Lit/Hr

20.	Details of Air Pollution Control Systems	Chimney Attached with Boiler-Approx 30 Meter Exhaust Pipe
21.	Status of APCS	Dust Collector
22.	Consent of status (Air)	Valid up to 31.12.2018

Observations:

1. The unit is engaged in the production of Sauce with reported capacity of 02 Ton per day using vegetables (tomato, carrot, pumpkin), Sugar, Salt, colour as major raw material. During inspection, the unit was in operation.
2. The unit has been granted consent to operate by UPPCB, which is valid upto 31.12.2018.
3. The unit is meeting its fresh water requirement through one tube well. No flow meter is installed at the tube well.
4. The unit has not obtained NOC from CGWA from ground water abstraction.
5. The UPPCB has issued public notice on dated 30.08.2016 for obtaining NOC from CGWA, but the unit has not yet applied for NOC from CGWA.
6. The waste water generated from the unit is treated in its Effluent Treatment Plant (ETP), which comprises of Bar Screen, Chemical Dosing Tank, Aeration Tank, Compact Clarifier, M.B.B.R. Reactor, Sand Filter, Sludge Drying Beds.
7. During inspection, ETP was operational. Sample was collected from outlet of ETP. Analysis results are presented below:

Sampling Locations	Parameters				
	pH	TSS (mg/l)	TDS (mg/l)	BOD (mg/l)	COD (mg/l)
Outlet of ETP	6.50	95.4	1924	72.9	206
General discharge standard	5.5-9.0	100	--	30	250

8. It is evident from the results that the ETP of the unit is not complying with the stipulated norms of effluent discharge.
9. During inspection, the unit was found bypassing of effluent through 02 drains. Samples were collected from the bypass drains. Analysis results are presented below:

Sampling Locations	Parameters				
	pH	TSS (mg/l)	TDS (mg/l)	BOD (mg/l)	COD (mg/l)
Bypass Drain-1	6.61	98.4	1953	51.6	188
Bypass drain-2	6.95	472	416	69	161
General discharge standard	5.5-9.0	100	--	30	250

10. It is evident from the results that the unit is discharging untreated effluent into GIDA drain, which is the cause of pollution in Sariya drain and subsequently Ami River.
11. The domestic waste water is discharged into GIDA drain.
12. The unit has provided separate energy meter for the operation of ETP, but log book is not maintained. The unit has also not maintained any log book regarding operation of ETP.
13. The unit has 02 DG sets with capacity 63 KVA and 300 KVA, which is not equipped with adequate stack height.

Recommendations:

In view of above observations, environmental compensation may be imposed to the unit and the unit may be directed for compliance of following:

1. The unit should immediately close all bypass drains.
2. The unit should carry out adequacy assessment of ETP through reputed govt. Institution such as IIT, NIT and accordingly upgrade its ETP if recommended.
3. The unit should integrate all industrial effluent into ETP immediately and it should be properly treated in ETP.
4. The unit should properly operate its ETP to meet with stipulated norms.
5. The unit should install electromagnetic flow meter at bore well and maintain log book of fresh water consumption, waste water generation and discharge.
6. The unit should apply for obtaining NOC from CGWA for ground water abstraction.
7. The unit should maintain proper log book for operation of ETP.
8. The unit should provide adequate stack height in DG sets as per norms within one month.

4.4 M/s Dr. Sandhu Hatchery, FL-28, Sector-13, GIDA, Gorakhpur (UP)

01.	Name of the Industry	M/S Dr. Sandhu Poultry Farm
02.	Address/Tel	F.L.-28, Sector-13, GIDA, Gorakhpur
03.	Name & Designation of Industry representative	Shri Dalbeer Singh Sh. Jatin, Supervisor
04.	Products/By-products/Process	Hatching of Eggs
05.	Production Capacity Installed Present production	(As reported) 1.5 lac eggs processed per month 1.5 lac eggs processed per month
06.	Raw material & their consumption	Eggs
07.	Year of Commissioning	2013
08.	Sector (Govt./Pvt./Co-op)	Private
Information pertaining to Water Pollution		
09.	Water source & Consumption (KL/Day) Industrial Domestic	(As reported) 2.0 KI/Day 5.0 KI/Day
10.	Waste water generation (KL/Day) Industrial Domestic	(As reported) 1.5KI/Day 4.0 KI/Day
11.	Waste water Treatment (KL/Day) Industrial Domestic	NIL Partially send to soak pit and remaining is discharged into GIDA drain.
12.	Details of ETP with unit wise detail/dimension	No ETP is installed. Effluent is discharge directly into GIDA drain.
13.	Quality of effluent being discharged	During inspection, no effluent was found discharged by the unit.
14.	Mode of Effluent Disposal (Land/River/Drain)	GIDA Drain
15.	Consent Status (Water)	Valid upto 30.6.2017. The unit is operated without consent from UPPCB.
16.	Treated effluent storage facility	N.A
Information pertaining to Air Pollution		
17.	Source of Air Pollution	85 KVA and 125 KVA
18.	Details of fuel and its consumption	HSD
19.	Details of Air Pollution Control Systems	Exhaust pipe
20.	Status of APCS	-

21.	Consent of status (Air)	Valid upto 30.6.2017. The unit is operated without consent from UPPCB.
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Observations:

1. The unit is hatchery and engaged in the production of Chicks with reported capacity of 1.5 lac eggs processed per month. During inspection, the unit was in operation.
2. The unit comes under Green category of industries. The unit is operated without consent from UPPCB.
3. The unit is meeting its fresh water requirement through 01 borewell. No flow meter is installed at the borewell. The unit has not obtained NOC from CGWA for ground water abstraction.
4. The UPPCB has issued public notice on dated 30.08.2016 for obtaining NOC from CGWA, but the unit has not yet applied for NOC from CGWA.
5. The major source of polluted waste water generation in the industries is washing and cleaning process. It was informed that the unit is carrying out washing and cleaning twice in a week.
6. The unit has not installed any, Effluent Treatment Plant (ETP) for treatment of waste water generated.
7. All waste water (industrial and domestic) and egg shells is discharged directly to the GIDA drain, which meets to Sariyadrain. The unit has provided three drains for discharging untreated waste water. During inspection, the unit was found discharging untreated effluent. Sample was collected. Analysis result is presented below:
8. The unit has 02 DG sets with capacity 85 KVA and 125 KVA. One DG set with capacity 85 KVA is not equipped with acoustic enclosure. The DG sets were not equipped with adequate stack height.

Recommendations:

In view of above observations, environmental compensation may be imposed to the unit and the unit may be directed to close down immediately and not allowed to operate till compliance of following:

1. The unit should operate only after obtaining valid consent from UPPCB.
2. The unit should install electromagnetic flow meter at the outlet of borewell and maintain proper log book of fresh water consumption.
3. The unit should obtain NOC from CGWA for ground water abstraction.

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4. The unit should install Effluent Treatment Plant (ETP) for treatment of waste water generated.
5. The unit should close all bypass drains and treated effluent should discharge through single outlet only.
6. The unit should install acoustic enclosure in DG set and should provide adequate stack height as per norms.

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4.5 M/s Gorakhnath Agro Industries Pvt. Ltd., FL-20/27, Sector-13, GIDA, Gorakhpur (UP)

01.	Name of the Industry	M/S Gorakhnath Agro Industries Pvt. Ltd.
02.	Address/Tel	F.L.-26 & 27, Sector-13, GIDA, Gorakhpur
03.	Name & Designation of Industry representative	Shri Anoop Sharma, Director Sh. Rajesh Kumar, Manager
04.	Products/By-products/Process	Dalmoth, Namkeen & Sevara
05.	Production Capacity Installed Present production	25 T/Month 25 T/Month
06.	Raw material & their consumption	Besan, Maida, Pulses, Sugar, Salt, Spices & Refined Oil
07.	Year of Commissioning	2014
08.	Sector (Govt./Pvt./Co-op)	Private
Information pertaining to Water Pollution		
09.	Water source & Consumption (KL/Day) Industrial Domestic	(As reported) 6.0 Kl/Day 6.0 Kl/Day
10.	Waste water generation (KL/Day) Industrial Domestic	(As reported) 5.0 Kl/Day 5.0 Kl/Day
11.	Waste water Treatment (KL/Day) Industrial Domestic	5.0 Kl/Day Partially send to soak pit and remaining is discharged into GIDA drain.
12.	Details of ETP with unit wise detail/dimension	1- Oil & Grease Trap, 2. Collection Cum Equalization Tank, 3. Primary & Secondary Tube Settler, 4. Sand & Carbon Filter
13.	Quality of effluent being discharged	Mentioned in observation.
14.	Mode of Effluent Disposal (Land/River/Drain)	GIDA Drain
15.	Consent Status (Water)	Valid upto 31.12.2020.
16.	Treated effluent storage facility	N.A
Information pertaining to Air Pollution		
18.	Source of Air Pollution	Diesel Fired Bhatthi-3 Nos. 82.5 KVAD.G.Set
19.	Details of fuel and its consumption	Diesel-100 Lit/Hr


		HSD-9.0 Lit/Hr
20.	Details of Air Pollution Control Systems	1- Common Stack attached with Diesel Fired Batthi - Approx. 11 Meter from Ground level 2- Exhaust Pipe
21.	Status of APCS	-
22.	Consent of status (Air)	Valid upto 31.12.2019

Observations:

1. The unit is engaged in the production of Namkeen using different types of pulses, spices, Salt & Palm Oil etc. as major raw material with reported capacity of 02 ton per day of namkeen production. During inspection, the unit was in operation.
2. The unit has been granted consent to operate by UPPCB, which is valid upto 31.12.2020.
3. The unit is meeting its fresh water requirement through One tube well. Electromagnetic flow meter is installed at the tube well. The unit has not maintained any log book of fresh water consumption.
4. The unit has not obtained NOC from CGWA for ground water abstraction.
5. The UPPCB has issued public notice on dated 30.08.2016 for obtaining NOC from CGWA, but the unit has not yet applied for NOC from CGWA.
6. The waste water generated from the unit is treated in its Effluent Treatment Plant (ETP), which comprises of Oil & Grease Trap, Collection Cum Equalization Tank, Primary & Secondary Tube Settler, Sand & Carbon Filter.
7. The unit started operation of ETP, while team entered into the unit. The unit has made a bypass drain at the inlet drain of ETP, which is used for bypassing of untreated effluent. Sample from bypass drain was collected. Analysis result is presented below:

Sampling Locations	Parameters				
	pH	TSS (mg/l)	TDS (mg/l)	BOD (mg/l)	COD (mg/l)
Untreated effluent from industry drain	5.91	2343	1073	663	1667
General discharge standard	5.5-9.0	100	--	30	250

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8. It is evident from the results that the unit is not complying with the stipulated norms of effluent discharge with respect to TSS, BOD and COD parameters, which is a cause of pollution in Sariya drain and subsequently Ami River.
 9. The unit has not maintained any log book of operation of ETP. The unit has also not provided separate energy meter for operation of ETP.
 10. The unit has 02 DG sets with capacity 82KVA and 160 KVA. The DG sets were not equipped with adequate stack height.

Recommendations:

In view of above observations, environmental compensation may be imposed to the unit and the unit may be directed for compliance of following:

1. The unit should immediately close down bypass drain made near inlet of the ETP.
2. The unit should carry out adequacy assessment of its ETP through any reputed Govt. institution such as I.I.T., N.I.T. and accordingly upgrade its ETP within a stipulated time frame if recommended.
3. The unit should properly and regularly operate its ETP to meet with the stipulated norms.
4. The unit should install separate energy meter for operation of ETP and maintain proper log book for operation of ETP.
5. The unit should maintain proper log book of fresh water consumption, waste water generation and discharge.
6. The unit should apply for obtaining NOC from CGWA for ground water abstraction within one month.
7. The unit should install acoustic enclosure in DG set and should provide adequate stack height as per norms within one month.



4.9M/s Burnet Pharmaceutical Pvt. Ltd., AL-1, Sector-13, GIDA, Gorakhpur (UP)

01.	Name of the Industry	M/S Burnett Pharmaceuticals Pvt. Ltd.
02.	Address/Tel	A.L.-1, Sector-13, GIDA, Gorakhpur
03.	Name & Designation of Industry representative	Shri Ashok Chakravarti, Production Manager
04.	Products/By-products/Process	Oral Syrup
05.	Production Capacity Installed Present production	(As reported) 9542 MT/Month 9542 MT/Month
06.	Raw material & their consumption	Pharmaceuticals Chemicals
07.	Year of Commissioning	1998
08.	Sector (Govt./Pvt./Co-op)	Private
Information pertaining to Water Pollution		
09.	Water source & Consumption (KL/Day) Industrial Domestic	(As reported) 4.0 Kl/Day 4.0 Kl/Day
10.	Waste water generation (KL/Day) Industrial Domestic	(As reported) 2.5Kl/Day 3.0 Kl/Day
11.	Waste water Treatment (KL/Day) Industrial Domestic	2.5 Kl/Day Partially send to soak pit and remaining is discharged into GIDA drain.
12.	Details of ETP with unit wise detail/dimension	1.Bar Screen, 2. Chemical Dozing Tank, 3. Aeration Tank, 4. Sludge Drying Beds
13.	Quality of effluent being discharged	Mentioned in observation.
14.	Mode of Effluent Disposal (Land/River/Drain)	GIDA Drain
15.	Consent Status (Water)	Valid upto 31.12.2018
16.	Treated effluent storage facility	N.A
Information pertaining to Air Pollution		
17.	Source of Air Pollution	Baby Boiler-400Kg/Hr 63 KVA D.G.Set
18.	Details of fuel and its consumption	LDO/HSD-approx 15 Lit/Hr HSD-7.0 Lit/Hr
19.	Details of Air Pollution Control Systems	1-Chimney Attached with Baby Boiler (Closed) - Approx 11 Meter from Ground level

		2- Exhaust Pipe
20.	Status of APCS	-
21.	Consent of status (Air)	31.12.2018
Information pertaining to hazardous waste/ solid waste		
22.	Quantity of waste generated	No information available with the unit.
23.	Type of waste	Discarded medicine, ETP sludge
24.	Facility for storage/disposal/treatment	<ul style="list-style-type: none"> Discarded medicine is stored in room and dispose off on land outside, as informed. ETP sludge is dispose off on land
26.	Quantum of hazardous waste stored so far	N.A.
27.	Status of grant of authorization	Not available

Observations:

1. The unit is engaged in the production of Vitamin capsule and cough syrup (expectorate) with reported capacity of 2000 lt. per day and 1000 lt. per day respectively using Sorbitol, Glycerine and Propylene as major raw material. During inspection, the unit was in operation.
2. The unit has been granted consent to operate by UPPCB, which is valid upto 31.12.2018.
3. The unit is meeting its fresh water requirement through one tube well. No flow meter is installed at the tube well.
4. The unit has not obtained NOC from CGWA for ground water abstraction.
5. The UPPCB has issued public notice on dated 30.08.2016 for obtaining NOC from CGWA, but the unit has not yet applied for NOC from CGWA.
6. The waste water generated from the unit is treated in its Effluent Treatment Plant (ETP), which comprises of Bar Screen, Chemical Dosing Tank, Aeration Tank, Settling tank, Sludge Drying Beds
7. During inspection, ETP was not operational. However, effluent was coming into ETP. Sample was collected from inlet and outlet of ETP. Analysis results are presented below:

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Sampling Locations	Parameters								
	pH	SS	Sulphide	Phosphate	Phenol	Oil and Grease	BOD	COD	Cr (VI)
Inlet of ETP	5.92	60	BDL	BDL	0.959	BDL	872	1463	BDL
Outlet of ETP	5.42	37.1	1.6	BDL	1.0	5.98	568	773	BDL
Standard as per GSR 512(E), dated 09.07.2009.	6.0-8.5	100	2.0	5.0	1.0	10	100	--	0.10

All values are in mg/l except pH

8. **It is evident from the results that ETP of the unit is not complying with the stipulated norms with respect to pH and BOD parameters.**
9. It was informed that treated effluent is used for gardening. But, possibility of effluent discharge into GIDA drain may not be ruled out, as pump used for irrigation/gardening was in non-working condition.
10. The domestic waste water is discharged into GIDA drain.
11. The unit has not provided separate energy meter for the operation of ETP. The unit has also not maintained any log book regarding operation of ETP.
12. The discarded bottles of medicine are sold to kabari, as informed by the unit representative.
13. The unit has DG set with capacity 63 KVA, which is not equipped with adequate stack height.

Recommendations:

In view of above observations, environmental compensation may be imposed to the unit and the unit may be directed to comply with following:

1. The unit should carry out adequacy assessment of existing ETP through reputed govt. institution such as I.I.T., N.I.T. and should upgrade accordingly if recommended.
2. The unit should properly and regularly operate its ETP to meet with stipulated norms.
3. The unit should provide separate energy meter for operation of ETP.
4. The unit should maintain proper log book for operation of ETP.

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5. The unit should install electromagnetic flow meter at bore well and should maintain log book of fresh water consumption, waste water generation and discharge.
6. The unit should apply for obtaining NOC from CGWA for ground water abstraction within one month.
7. The unit should install acoustic enclosure in DG set and should provide adequate stack height as per norms within one month.
8. The unit should dispose off discarded medicine/bottles in TSDF only.

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4.6 M/s Alkane Construction Equipment Pvt. Ltd., FL-24, Sector-13, GIDA, Gorakhpur (UP)

Observations:

1. The unit is engaged in manufacturing of road construction equipment by turning, boring, de-rusting, cutting, welding and painting process.
2. The unit comes under orange category of industries. The unit is operated without consent from UPPCB.
3. The unit is meeting its fresh water requirement through one tube well for domestic purpose.

Recommendations:

In view of above observations, the unit may be directed for compliance of following:

1. The unit should obtain valid consent from UPPCB within one month.
2. The unit should apply for obtaining NOC from CGWA for ground water abstraction within one month.



4.19 M/s Mother Shree Dairy, D-1/3D, Sector-13, GIDA, Gorakhpur (UP)

Observation:

1. The unit is engaged in processing of 50 KL/day of Milk to produce Flavored milk (35 kl/day), ghee (10 kl/day), dahi, chach, lassi (05 kl/day). During inspection, the unit was in operation. It was informed by the unit representative; the unit has started its operation 01 month before.
2. The unit has been granted consent to establish (NOC) by UPPCB on 27.09.2017, which was valid for 05 years. As per NOC condition, the unit should not start production of the unit till the unit obtained consent to operate by UPPCB, but the unit has started operation of the unit without obtaining consent from UPPCB.
3. The unit is meeting its fresh water requirement through one tube well. No flow meter is installed at the tube well abstraction, which is violation of NOC granted by UPPCB.
4. The unit has not obtained NOC from CGWA from ground water abstraction which is violation of NOC granted by UPPCB.
5. The waste water generated from the unit is treated in its Effluent Treatment Plant (ETP), which comprises of Bar Screen, Collection Tank, Primary Settling Tank, Aeration Tank, Secondary Settling Tank and Sludge Drying Bed.
6. During inspection, ETP was not operational. The unit is bypassing all its effluent into GIDA drain. The unit has provided 05 outlet for discharge of untreated effluent.
7. Sample was collected from bypassing effluent. Analysis results are presented below:

Sampling Locations	Parameters					
	pH	TSS (mg/l)	TDS (mg/l)	BOD (mg/l)	COD (mg/l)	Oil and Grease (mg/l)
Bypass drain	4.20	2273	3828	6283	11218	250
Standard	6.5-8.5	150	--	100	--	10

8. It is evident from the results that the unit is discharging untreated effluent into GIDA drain, which is a cause of pollution in Sariya drain and subsequently Ami River.
9. The domestic waste water is discharged into GIDA drain.
10. The unit has not provided separate energy meter for the operation of ETP. The unit has also not maintained any log book regarding operation of ETP.

11. The unit has one boiler with capacity 01TPH using wood as fuel. Emission from boiler is vented through stack of height approx. 60 ft. with cyclone separator as APCD.
12. The unit has 01 DG sets with capacity 300 KVA equipped with acoustic enclosure. The DG sets is not having adequate stack height as per norms.

Recommendations:

In view of above observation, environmental compensation may be imposed to the unit and the unit may be directed to close down immediately and not allowed to operate till compliance of following:

1. The unit should not start operation of the unit till obtain consent to operate from UPPCB.
2. The unit should immediately close all bypass drains.
3. The unit should carry out adequacy assessment of ETP through reputed govt. institution such as IIT, NIT and accordingly upgrade its ETP if recommended.
4. The unit should integrate all effluent and routed through ETP immediately. The unit should properly operate its ETP to meet with the stipulated norms of effluent discharge.
5. The unit should install electromagnetic flow meter at bore well and maintain log book of fresh water consumption.
6. The unit should obtain NOC from CGWA for ground water abstraction.
7. The unit should provide separate energy meter for operation of ETP and the unit should maintain proper log book for operation of ETP.
8. The unit should provide adequate stack height in DG sets.



4.3 M/s Bharti Research and Breeding Farm, FL-27, Sector-13, GIDA, Gorakhpur (UP)

01.	Name of the Industry	M/S Bharti Research & Breeding Farm
02.	Address/Tel	F.L.-27, Sector-13, GIDA, Gorakhpur
03.	Name & Designation of Industry representative	Shri Suresh, Manager Sh. Buntly Malik, Manager
04.	Products/By-products/Process	Hatching of Eggs (21 days)
05.	Production Capacity Installed Present production	(As reported) 1.5 lac eggs processed per month 1.5 lac eggs processed per month
06.	Raw material & their consumption	Eggs
07.	Year of Commissioning	No information available with the unit
08.	Sector (Govt./Pvt./Co-op)	Private
Information pertaining to Water Pollution		
09.	Water source & Consumption (KL/Day) Industrial Domestic	(As reported) 4.0 KI/Day 6.0 KI/Day
10.	Waste water generation (KL/Day) Industrial Domestic	(As reported) 3.0 KI/Day 5.0 KI/Day
11.	Waste water Treatment (KL/Day) Industrial Domestic	NIL Partially send to soak pit and remaining is discharged into GIDA drain.
12.	Details of ETP with unit wise detail/dimension	No ETP is installed. Effluent is discharge directly into GIDA drain.
13.	Quality of effluent being discharged	Mentioned in observation.
14.	Mode of Effluent Disposal (Land/River/Drain)	GIDA Drain
15.	Consent Status (Water)	The unit is operated without consent from UPPCB.
16.	Treated effluent storage facility	N.A
Information pertaining to Air Pollution		
17.	Source of Air Pollution	85 KVA & 100 KVA D.G. Sets
18.	Details of fuel and its consumption	HSD
19.	Details of Air Pollution Control Systems	Exhaust Pipe
20.	Status of APCS	-
21.	Consent of status (Air)	The unit is operated without consent from UPPCB.

Observations:

1. The unit is hatchery and engaged in the production of Chicks with reported capacity of 1.5 lac eggs processed per month. During inspection, the unit was in operation.
2. The unit comes under Green category of industries. The unit is operated without consent from UPPCB.
3. The unit is meeting its fresh water requirement through 01 borewell. No flow meter is installed at the borewell. The unit has not obtained NOC from CGWA for ground water abstraction.
4. The UPPCB has issued public notice on dated 30.08.2016 for obtaining NOC from CGWA, but the unit has not yet applied for NOC from CGWA.
5. The major source of polluted waste water generation water in the industries is washing and cleaning process. It was informed that the unit is carrying out washing and cleaning twice in a week.
6. The unit has not installed any Effluent treatment Plant (ETP) for treatment of waste water generated.
7. All waste water (industrial and domestic) and egg shells is discharged directly into the GIDA drain, which meets to Sariyadrain. The unit has provided two drains for discharging untreated waste water. During inspection, the unit was found discharging untreated effluent. Sample was collected. Analysis result is presented below:

Sampling Locations	Parameters				
	pH	TSS (mg/l)	TDS (mg/l)	BOD (mg/l)	COD (mg/l)
Untreated effluent from industry drain	7.15	2624	452	986	1388
General discharge standard	5.5-9.0	100	--	30	250

8. It is evident from the results that the unit is not complying with the stipulated norms of effluent discharge with respect to TSS, BOD and COD parameters, which is a cause of pollution in Sariya drain and subsequently Ami River.
9. The unit has 02 DG sets with capacity 85 KVA and 100 KVA. The DG sets were not equipped with adequate stack height.

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Recommendations:

In view of above observations, environmental compensation may be imposed to the unit and the unit may be directed to close down immediately and not allowed to operate till compliance of following:

1. The unit should operate only after obtaining valid consent from UPPCB.
2. The unit should install electromagnetic flow meter at the outlet of borewell and maintain proper log book of fresh water consumption.
3. The unit should obtain NOC from CGWA for ground water abstraction.
4. The unit should install Effluent Treatment Plant (ETP) for treatment of waste water generated.
5. The unit should close all bypass drains and treated effluent should discharge through single outlet only.
6. The unit should provide adequate stack height as per norms.

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Item No. 04

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 116/2014
WITH
Original Application No. 437/2015

Meera Shukla

Applicant(s)

Versus

Municipal Corporation, Gorakhpur & Ors.

Respondent(s)

WITH

Vishwa Vijay Singh

Applicant(s)

Versus

U. P. Pollution Control Board & Ors.

Respondent(s)

Date of hearing: 07.03.2019

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant(s): Ms. Katyayni, Advocate

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Mr. Anil K. Singh and Mr. Vishan Vijay Singh,
Advocates for R-9&10
Mr. Sanjay Kumar Visen, Advocate for R-2
Ms. Priyanka Swami, Advocate for R4&6
Mr. Rajkumar, Advocate for CPCB
Mr. D.K. Pandey
Mr. Sanjay Upadhyay, Ms. Upama
Bhattacharjee and Mr. Saumitra Jaiswal,
Advocates

ORDER

1. Pollution of Ramgarh Lake, Ami River, Rapti River and Rohani River in and around District Gorakhpur is the issue which has been taken up for consideration before the Tribunal. The rivers in question are tributary of river Ghaghara which in turn is a tributary of river Ganga.

2. The grievance put forward before this Tribunal is that there is contamination of water bodies and the ground water adversely affecting the inhabitants, flora, fauna and ecology of the area. 103 water bodies in the area are under threat. There is no proper management of solid waste. No designated sanitary landfills. There is encroachment of the water bodies. There is no sufficient sewerage system. There is no proper planning for the development. Industries in the area are not compliant with the environmental norms. The Uttar Pradesh Pollution Control Board (UPPCB) was not performing its duties to control the pollution. On samples being tested, lot of pollution is found. Water samples have high organic load in terms of B.O.D. and C.O.D. Underground water was contaminated with arsenic.

3. As per certain studies noted in the order of this Tribunal dated 23.08.2018, 50,000 people died in last 30 years. In the year 2012, 1260 persons were died. Sources of drinking water are highly polluted. STPs/CETPs are either inadequate or non-functional.

4. The Tribunal issued directions from time to time and got joint inspection conducted from Central Pollution Control Board (CPCB), CGWA and UPPCB. Inspection report showed serious violation of law and failure of the administration in performing their duties.

5. Finally, the matter was considered vide the order dated 23.08.2018. A Monitoring Committee was constituted headed by former Judge of Allahabad High Court to comply with the directions of this Tribunal already issued. The Committee was to have an action plan prepared for taking remedial measures and also to see that no further pollution is caused and furnish a report of the Tribunal.

6. The Committee sent certain reports which were considered on 17.12.2018, including reports regarding damage to forest land, pollution by M/s Gallant Ispat Limited, Gaurakhpur, pollution by M/s Rungta Industries Pvt. Ltd., Gaurakhpur, pollution by M/s Crazy Snacks Ltd. Gaurakhpur, pollution by M/s Yash Paper Mills, Darshan Nagar, Ayodhya, pollution by M/s Bajaj Hindustan Limited (Distillery Unit) as well as pollution of Ami River by other sources, encroachment of illegal construction around Ramgarh lake, violation of Bio-medical Waste Management Rules by Baba Raghav Das Medical College.

7. After considering the recommendation of the Committee, and hearing the learned counsel for the UPPCB, the Tribunal vide order dated 17.12.2018 gave certain directions which required action by the Health Department, State of UP, UP Jal Nigam, GIDA, Environment and Forest Department of UP, Irrigation Department of UP, District Magistrate, Sidharth Nagar and Nagar Nigam Gaurakhpur.

8. Further reports dated 08.02.2019 have been received from the Committee with regard to the pollution caused by M/s Bharati Research and Breeding Farm, FL-27, Sector -13, GIDA, Gorakhpur, UP, M/s Mother Shree Dairy, D-1/3D, Sector 13, GIDA, Gorakhpur, UP, M/s Alkane Construction Equipment Pvt. Ltd., FL-24, Sector 13, GIDA, Gorakhpur, UP, M/s Burnet Pharmaceutical Pvt. Ltd., AL-1, Sector -13, GIDA, Gorakhpur, UP, M/s Gorakhnath Agro Industries Pvt. Ltd., FL-20/27, Sector-13, GIDA, Gorakhpur, UP, M/s Royal Savera Foods Pvt. Ltd., FL-28, Sector -13, GIDA, Gorakhpur, UP and M/s Dr. Sandhu Hatchery, FL-28, Sector -13, GIDA, Gorakhpur, UP.

9. The reports show that the above units were violating the environmental norms. The Committee has suggested recovery of compensation to the extent of Rs. 50 lakhs each for the damage caused to the environment and public health by the operation of the above units. The Committee has also suggested recovery of compensation to the extent of Rs. 50 laksh each from the UPPCB on account of its failure and possible collision with the polluters.

10. We find that the CPCB has, on directions of this Tribunal, undertaken a study of the scale of compensation to be recovered which has been noted in the order of the Tribunal dated 19.02.2019 in Original Application No.593/2017, *Paryavaran Suraksha Samiti & Anr. Vs. Union of India & Ors.* The Tribunal has also directed conduct of performance audit of the Pollution Control Boards vide order dated 11.01.2019 in Original Application No. 95/2018, *Aryavart Foundation Vs. M/s Vapi Gree Enviro. Ltd. & Ors.*

11. Having regard to the facts and circumstances of the present case, we are inclined to refer the reports of the Committee to the CPCB for their comments in the matter. We note that representative of CPCB is a Member of the Committee and represented in the Committee. We may need assistance of CPCB to finalise the amount of compensation and action against the UPPCB.

12. Let CPCB furnish its comments within one month by e-mail at ngt.filing@gmail.com. The reports may be forwarded to CPCB, (Headquarters) by e-mail.

13. In the meanwhile, the Pollution Control Board may take further appropriate action to remedy the situation, in exercise of its statutory powers, without awaiting for any further orders from this

Tribunal in the light of the facts found and furnish a report within one month by e-mail at ngt.filing@gmail.com.

List for consideration of the reports in the last week of April.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM



March 07, 2019
Original Application No. 116/2014
WITH
Original Application No. 437/2015
A