

Speed Post

F.No. B-23012/1/IPC-III/

18114

March 06, 2018

To,

The Managing Director,
Paschimanchal Vidyut Vitran Nigam Ltd.,
Urja Bhawan, Victoria Park,
Meerut- 250001

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

WHEREAS, the Ministry of Environment, Forest & Climate Change, Govt. of India, vide notification S.O.157(E) of 27.02.1996 has delegated powers vested under Section 5 of the Environment (Protection) Act,1986 (29 of 1986) to the Chairman, Central Pollution Control Board (CPCB), to issue direction to any industry, Municipal Corporation, Municipal Council, Cantonment Board, to any local or other Authority for the violation of emission and effluent standards notified under the Environment (Protection) Rules,1986 and other standards and norms. Section 5 (b) of the Environment (Protection) Act, 1986 entrust provision of power to direct in writing to any person, officer, or any authority including direction for stoppage or regulation of the supply of electricity or water or any other service and such person, officer or authority shall be bound to comply with such directions.

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, M/s Ashoka Pulp & Paper Pvt. Ltd., Mohan Nagar, Ghaziabad, UP (*hereafter referred to as 'the Unit'*) is engaged in manufacturing of Kraft paper using wastepaper as raw material with an installed capacity 150 TPD; and

WHEREAS, CPCB received a public complaint dated 19.09.2017, of Shri Jagannath, resident of Rajnagar, Ghaziabad, UP, forwarded by MoEFCC vide mail dated 23.10.2017 regarding discharge of untreated wastewater by the Unit in Hindon River through bypass drain; and

WHEREAS, the Unit was inspected by a team of officials from CPCB on October 26, 2017 to verify the compliance status. The Unit was found non-complying with the prescribed effluent discharge standards and also found bypassing untreated effluent outside the premises into the local drain. The Unit is violating standards prescribed under E(P)Rules by discharging untreated effluent directly into the drain which meets Hindon River onwards and posing a grave threat to the water quality of the Hindon River.

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WHEREAS, CPCB issued closure direction to the unit vide letter dated 20.11.2017 under Section 5 of the Environment (Protection) Act, 1986 and directed to close down all the manufacturing operations; and

WHEREAS, the copy of closure direction dated 20.11.2017 was endorsed to Paschimanchal Vidyut Vitaran Nigam Ltd. (PVVNL) which was directed to disconnect electricity supply to the Unit; and

WHEREAS, complaints regarding non-compliance of closure direction by aforesaid unit was received in CPCB. Regional office, Ghaziabad, UP Pollution Control Board (UPPCB) inspected the unit on 16.02.2018 and 23.02.2018 and reported that electricity supply to the Unit was not disconnected. This is the clear violation of said order of CPCB and contravention of the provisions of Environment(Protection) Act, 1986; and

WHEREAS, any non-compliance of directions of CPCB issued under section 5 of the E(P)Act, 1986 is punishable under section 15 of E(P)Act, 1986 and under which such failure or contravention is punishable with imprisonment for a term which may extend to five years with fine which may extend to one lakh rupees, or with both, and in case the failure or contravention continues, with additional fine which may extend to five thousand rupees for every day during which such failure or contravention continues after the conviction for the first such failure or contravention; and

Therefore, immediate action is required to ensure disconnection of electricity supply to the Unit.

NOW, THEREFORE, in view of the above facts and in exercise of the powers delegated to the Chairman, CPCB under section 5 of the Environment (Protection) Act, 1986, **notice is served herewith to the Paschimanchal Vidyut Vitran Nigam Ltd. (PVVNL) to show cause why action against the PVVNL shall not be initiated, under section 15 of the Environment (Protection) Act, 1986 for non-compliance of the CPCB direction, under which a fine of Rupees 01 lakhs or imprisonment for a term which may extend to 5 years or both could be imposed on erring officers or officials.**

The reply to the show cause notice shall be submitted to this office within 15 days from the date of this notice, failing which suitable action as deemed fit under the provisions of the Environment (Protection) Act, 1986, shall be initiated.


(S.P. SINGH PARIHAR)
CHAIRMAN

Copy for information and necessary action to :

1. **The Member Secretary**
Uttar Pradesh Pollution Control Board,
Building No-TC- 12 V, Vibhuti Khand,
Gomati Nagar, Lucknow-226010
2. **The Regional Director,**
Regional Directorate (Lucknow),
Central Pollution Control Board,
PICUP Bhawan, Ground Floor, Vibhuti
Khand, Gomati Nagar, Lucknow-226010
3. **The Director (CP Division)**
Ministry of Environment, Forest & Climate Change,
Indra Paryavaran Bhavan, Jor Bagh Road,
New Delhi-110003
4. **The District Magistrate,**
Collectorate office, Ghaziabad District, UP
5. ✓ The In-charge, IT Division, CPCB, Delhi
6. The Master file (Pulp & Paper), IPC-III Division, CPCB, Delhi



(A. SUDHAKAR)
MEMBER SECRETARY