



SPEED POST

October 23, 2018

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

To

M/s. Derby Dairy Pvt. Ltd.,  
V.P.O. Jattal,  
Panipat-132103, Haryana

**Sub: Directions under Section 5 of the Environment (Protection) Act, 1986 -reg.**

WHEREAS, the Dairy industries are identified as one of the Grossly Polluting Industries which have been discharging effluents directly or indirectly on land and into water, having potential threat to cause adverse effect on land and the ambient water 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 thereunder; and

WHEREAS, it is obligatory on the part of industries to install and operate Effluent Treatment plant (ETP) to comply with the effluent discharge standards as notified under the Environment (Protection) Act, 1986 and the Rules framed thereunder and also to meet the consent conditions granted by State Pollution Control Board (SPCB)/ Pollution Control Committees (PCCs); and

WHEREAS, Hon'ble Supreme Court of India in the matter of Paryavaran Suraksha Samiti Vs Union of India & Others dated 22/02/2017 directed that no industry which requires "consent to operate" from the concerned Pollution Control Board, is permitted to function, unless it has a functional effluent treatment plant, which is capable to meet the prescribed norms for removing the pollutants from the effluent, before it is discharged; and

WHEREAS, M/s. Derby Dairy Pvt. Ltd., Panipat, Haryana (herein after referred as the Unit) is a dairy industry involving manufacturing of dairy products; and

WHEREAS, the Unit was inspected by a joint team of officials from Central Pollution Control Board (CPCB) & Haryana State Pollution Control Board (HSPCB) on June 01, 2018 to assess the adequacy of the existing pollution control measures; and

WHEREAS, on the basis of non-compliance observed during inspection, following direction were issued by CPCB to the Unit vide letter no. B-23012/1/IPC-III/607 dated July 24, 2018:

1. The Unit shall immediately close down all the manufacturing operations and shall report to CPCB regarding closure of manufacturing operations immediately on receipt of this direction.
2. The Unit shall dismantle the bypass drain immediately.

3. The Unit should carry out adequacy assessment of ETP through reputed organization/institute preferably IIT/NIT/NEERI & accordingly upgrade its ETP so as to meet prescribed standard.
4. The Unit shall obtain authorization under Hazardous Waste & other Waste Rules 2016, from HSPCB.
5. The Unit shall install flow meter at the bore well, ETP inlet & outlet and maintain logbook for the same.
6. The Unit shall provide separate energy meter for ETP operation & shall maintain logbook as per the consent condition.
7. The Unit shall seek permission from CPCB before resumption of the manufacturing operation.

WHEREAS, the Unit submitted a reply vide letters dated August 10 & 25, 2018 and September 24, 2018 that the Unit has complied with all the direction dated July 24, 2018 issued by CPCB, it has closed down the plant operations w.e.f. August 05, 2018 and requested to revoke the closure direction; and

WHEREAS, the Unit vide letter dated September 24, 2018 submitted the adequacy assessment report of ETP from Department of Civil engineering, Jamia Millia Islamia (Central University) New Delhi, an undertaking for compliance duly notarized, Effluent analysis report of ETP from MoEF&CC recognized laboratory M/s. Shri Ram Analytical Laboratory, copy of consent to operate valid upto September 30, 2020; 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 17.10.2018 examined the compliance report and in view of ETP adequacy report submitted by the Unit, recommended that the Unit may be allowed to resume operation with conditions that:

1. The Unit shall submit performance assessment of the treatment system by analysis of treated effluent by the same reputed Government Institution within 45 days of start of operation.

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.

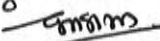
**NOW, THEREFORE**, in exercise of powers vested to Chairman CPCB under Section 5 of the Environment (Protection) Act, 1986, and in view of compliance with relevant direction under reference, the direction issued under the Section 5 of the Environment (Protection) Act, 1986 to the Unit (M/s. Derby Dairy Pvt. Ltd., Panipat) vide letter dated July 24, 2018 is hereby revoked with conditions that:

1. The Unit shall submit performance assessment of the treatment system by analysis of treated effluent by the same reputed Government Institution within 45 days of start of operation.
2. The Unit shall comply with the effluent & emission norms prescribed in the consent to operate issued by Haryana State Pollution Control Board under the Water Act, 1974 and the Air Act, 1981.

In case of non-compliance by the Unit action as deemed fit under the provisions of Environment (P) Act, 1986 shall be taken.



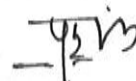
(S.P. Singh Parihar)

25.10.18 Chairman  


Copy to:

1. The Chairman  
Haryana State Pollution Control Board  
C-11, Sector - 6  
Panchkula- 134109, Haryana
2. The Advisor (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
3. The Managing Director,  
Uttar Haryana Bijli Vitran Nigam Ltd.  
(UHBVNL) Vidyut Sadan,  
Plot No: C16, Sector-6,  
Panchkula-134109, Haryana
4. The Incharge, Regional Directorate  
Central Pollution Control Board  
Ground & First Floor, PICUP Bhawan  
Vibhuti Khand, Gomti Nagar  
Lucknow - 226 020
5. Divisional Head, IPC-I, CPCB
6. Divisional Head, IT, CPCB

: With request to restore the electricity supply of the Unit.



(Prashant Gargava)  
Member Secretary