



SPEED POST

F. No. B-751(605)/Textile/WQM-II/CPCB/2017-18

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17.09.2019
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To,

M/s Palki Industry Pvt. Ltd.,
Plot No. C-1, C-2, C-3,
Tajopur Industrial Area,
Mau, Uttar Pradesh.

Directions under Section 5 of the Environment (Protection) Act, 1986

WHEREAS, the Textile dyeing and bleaching industries are 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, the Central Government has notified the general discharge standards of environmental pollutants from various categories of industries under the Environment (Protection) Act, 1986 and the rules framed there under;

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; and

WHEREAS, M/s Palki Industry Pvt. Ltd., Plot No. C-1, C-2, C-3, Tajopur Industrial Area, Mau, Uttar Pradesh (here in after referred as 'the unit') is a textile and dyeing unit; and

WHEREAS, CPCB issued closure directions dated 26th April, 2017 under Section 5 of Environment (Protection) Act, 1986 to the unit and comply with the following directions:

1. The unit shall obtain authorization under Hazardous & other Waste (Management and Trans-Boundary Movement) Rules, 2016
2. The unit shall comply with the notified effluent discharge norms under Environment (Protection) Rules, 1986.
3. The unit shall install OCEMS and provide its connectivity to CPCB server.

WHEREAS, the unit was issued closure direction dated 15.05.2017 under section 5 of Environment (Protection) Act, 1986 and directed to comply with the following directions:

1. The unit shall stop all wet process operations immediately till commissioning of OCEMS and provide its connectivity to CPCB server.
2. The unit shall report to CPCB regarding stopping of wet process operations.
3. The unit shall seek permission from CPCB before resumption of wet process.

AND WHEREAS, the unit was inspected by CPCB officials on 20.06.2017 and following observations were made:

1. The unit was operational.
2. The ETP of the unit was found in out of order and corrodes condition.
3. The unit was directly discharged effluent into the adjacent drain.
4. The unit was not installed OCEMS which is in violation of CPCB closure direction dated 15.05.2017.

AND WHEREAS, the unit's reply dated 26-07-2017 was examined; and

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

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दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

WHEREAS, CPCB issued closure directions dated 03.10.2017 under Section 5 of Environment (Protection) Act, 1986 to the unit for compliance of following directions:

- 1) The unit shall immediately close down and stop all the manufacturing operations till upgradation of ETP to meet prescribed discharge standards.
- 2) The unit shall install online effluent monitoring system (OCEMS) and provide connectivity with the CPCB server.
- 3) The unit shall report to CPCB regarding closure of manufacturing operations in compliance of the direction immediately on receipt of this direction.
- 4) The unit shall seek permission from CPCB before resumption of any manufacturing operations.

AND WHEREAS, the unit was inspected on 8th April, 2018 by third party technical institution and was found again operational (dry process only); and

WHEREAS, the unit's reply dated 27.11.2018 was examined and the following observations were made:

- 1) The unit informed that it has closed its wet process activities.
- 2) The unit has installed a 100 KLD ETP plant.
- 3) The unit has installed flowmeter at outlet of ETP.
- 4) The unit has installed OCEMS which is yet to be connected to CPCB server.

AND WHEREAS, CPCB issued letter dated 31.01.2019 to the unit to submit requisite supporting documents for further processing; and

WHEREAS, the unit's reply dated 27.06.2019 was examined and the following observations were made:

- 1) The unit submitted evidence of Installed OCEMS and its connectivity with CPCB server
- 2) The unit submitted copy of consent renewal application along with expired consent.
- 3) The unit submitted adequacy assessment report of ETP by IIT, BHU alongwith work completion report of the recommendation of the adequacy report. The report indicates that the ETP is adequate.
- 4) The unit submitted self-certificate of closure of unit in compliance of CPCB directions.

AND WHEREAS, The Hon'ble National Green Tribunal (NGT), Principal Bench in the matter of OA No. 593/2017 (WP (CIVIL) No. 375/2012), Paryavaran Suraksha Samiti & Anr. Vs. Union of India & Ors. directed Central Pollution Control Board (CPCB) that "*The CPCB may take penal action for failure, if any, against those accountable for setting up and maintaining STPs, CETPs and ETPs. CPCB may also assess and recover compensation for damage to the environment and said fund may be kept in a separate account and utilized in terms of an action plan for protection of the environment*"; and

WHEREAS, in compliance of above quoted Hon'ble NGT order, cases to be considered for levying penalty are discharges in violation of consent conditions/ non-compliance with the directions, such as direction for closure due to non-installation of OCEMS/ non-adherence to the action plans submitted/ intentional avoidance of data submission or data manipulation by tampering OCEMS; and

WHEREAS, for unremitting violations of CPCB closure directions dated 26-04-2017, 15.05.2017 & 03.10.2018 issued under section 5 of Environment (Protection) Act, 1986 by the unit, Environmental Compensation may be levied as per CPCB policy; and

WHEREAS, CPCB constituted a three-member committee vide office order dated 27.09.2017 having representative from CPCB, MoEF & CC and NMCG for examination and recommendation for revocation of the closure direction issued by CPCB; and

WHEREAS, the three-member committee in its meeting held on 08.08.2019 examined the replies of the unit and recommended for revocation and Environmental Compensation may be imposed as per CPCB policy; and

NOW, THEREFORE, in view of the above observations and in exercise of the powers delegated to the Chairman, Central Pollution Control Board under Section 5 of the Environment (Protection) Act, 1986, the unit, M/s Palki Industry Pvt. Ltd., Plot No. C-1, C-2, C-3, Tajapur Industrial Area, Mau, Uttar Pradesh is hereby directed to comply with the following directions:

- (i) The unit may resume manufacturing operations only after obtaining valid consent to operate under Water and Air Acts with reduced discharge capacity as per consent application submitted to UPPCB.
- (ii) The unit shall obtain NOC form CGWA for ground water abstraction.
- (iii) The unit shall immediately inform to CPCB regarding the date of resumption of operations.
- (iv) The unit shall submit performance audit report of the treatment system including analysis of treated effluent by the same reputed government expert institute within 60 days.

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.S. PARIHAR)
CHAIRMAN

Copy to:

1. **Member Secretary,**
Uttar Pradesh Pollution Control Board,
Building No. TC-12V, Vibhuti Khand,
Gomati Nagar, Lucknow : For kind information.
2. **Joint Secretary (CP Division)**
Ministry of Environment, Forests &
Climate Change,
Indra Paryavaran Bhavan,
Jor Bagh Road, New Delhi - 110 003 : For kind information.
3. **Regional Director,**
Regional Directorate (North),
Central Pollution Control Board, Lucknow,
PICUP Bhawan, Ground Floor, Vibhuti
Khand, Gomati Nagar, Lucknow-226010 : For kind information.
4. **District Magistrate,**
Hatthi Madari, Mau,
Uttar Pradesh 275101 : For kind information.
5. **Managing Director,**
Purvanchal Vidyut Vitran Nigam Limited,
Bhikaripur, Varanasi-221004, U.P. : To re-connect the electricity supply
to the Unit.
6. Incharge, IT Division, CPCB : For uploading on CPCB's website.
7. Master File WQM-II, CPCB : For records.
8. Scientific Assistant (AK), WQM-II, CPCB : For updating status.


(PRASHANT GARGAVA)
MEMBER SECRETARY

O/C

