



SPEED POST

F. No. B-100 KLD (08)/FDB/WQM-II/CPCB/2017-18

15.05.2019

To

M/s Ganga Dairy,
Tulsipuram, Ramghat Road,
Atrauli, Aligarh-202280, Uttar Pradesh

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

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 rule framed there under; and

WHEREAS, Dairy units are identified as one of the Grossly Polluting Industries 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 quality; and

WHEREAS, for strengthening the monitoring and compliance through self-regulatory mechanism, online source emission and effluent monitoring systems need to be installed and operated by the industries on 'polluter pays principle'; 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 violation of emission and effluent standards and rules notified under the Environment (Protection) Rules, 1986 and amendment thereof; and

WHEREAS, it is obligatory on the part of industries to install effluent treatment plants (ETPs) to comply with the effluent discharged standards as notified under the Environment (Protection) Act, 1986 and the rules framed there under and also to meet the consent conditions granted by State Pollution Control Board (SPCBs)/Pollution Control Committees (PCCs); and

WHEREAS, M/s Ganga Dairy, Tulsipuram, Ramghat Road, Atrauli, Aligarh-202280, Uttar Pradesh (hereafter referred to as the 'Unit') manufactures milk, ghee and milk powder; and

WHEREAS, the unit was jointly inspected by CPCB and UPPCB officials on 27.03.2018 and following observations are made:

1. The Unit was found non-operational during the inspection.
2. As per record provided by the unit, the unit was fully functional upto March 2018.
3. The unit manufactures milk, ghee and milk powder.

4. ETP was under construction. Coagulation tank, flocculation tank, primary tube settler, aeration tank, secondary tube settler, filter (MGF and ACF), were under construction/commissioning.
5. The unit is withdrawing water from one borewell without having any flow meter and did not maintain logbook for the same. The unit has not obtained NOC for groundwater extraction and neither applied from CGWA.
6. The consent under Air & Water Acts has validity up to 31.12.2017. Renewal for the same has been applied on 17.01.2018.
7. The unit has not installed OCEMS.
8. The channel coming from unit has a bifurcation, one leading to the adjacent pond and another to inlet of ETP. There is possibility to discharge the effluent directly to the pond. However, at the time of inspection the channel leading to the pond was temporarily closed.
9. At the time of inspection due to washing/cleaning activities effluent was getting discharged into screen chamber and collection tank.
10. Analysis results of effluent sample collected from a temporary channel connected to pond showed **pH: 6.85** (against the norms of 6.5-8.5), **BOD:113 mg/l** (against the norms of 30 mg/l), **COD: 248 mg/l** (against the norms of 250 mg/l) and **Oil & Grease: 40 mg/l** (against the norms of 10 mg/l).

It is evident that the unit discharges its partially treated/untreated effluent, thereby posing serious threat to the surface and groundwater quality.

AND WHEREAS, CPCB issued closure direction dated 14.05.2018 under to the unit Section 5 of the Environment (Protection) Act, 1986; and

WHEREAS, the unit replies dated 28.07.2018, 07.02.2019, 10.04.2019 and 23.04.2019 were examined and following observation are made:

1. The unit has closed its manufacturing operations already since 10.04.2018 due to lack of milk and annual maintenance.
2. The unit has upgraded the existing ETP up to tertiary level.
3. The unit has submitted ETP adequacy report by Dr. R.M.L. Avadh University, Faizabad. As per adequacy report the ETP system adequate except Equalization tank and 01 no. aerator.
4. Now unit has installed fat removal unit and also installed coarse air bubble diffusion in equalization tank to equalize the waste water properly.
5. The unit has installed new blower for aeration tank.
6. The unit is now maintaining the desired nutrients level.
7. The unit has installed the treated water storage tank should be made seepage proof by HDPE and brick lining.
8. The unit has submitted effluent analysis report by Winmet Technologies Private Limited, Greater Noida, UP laboratory recognised from MoEF & CC. and results showed unit is complying with stipulated norms.
9. The unit has applied for grant of CGWA for extraction of groundwater.
10. The unit has submitted an undertaking on stamp paper duly notarized/signed by Oath Commissioner

11. The has obtained Consent under water and Air Acts from UPPCB with validity upto 31.12.2019.

AND WHEREAS, the unit was inspected on 01.05.2019 by CPCB officials for verification of compliance status and reply of the unit including dismantle all bypass arrangements and following observations are made by inspecting team:

1. The unit and its ETP were found operational at the time of inspection, which is in violations of CPCB direction dated 14.05.2018 issued under section 5 of environment (Protection) Act, 1986.
2. OCEMS display showed results as pH; 7.95, COD: 132.61 mg/l, BOD: 16.15 mg/l, TSS: 72.42 mg/l and Flow: 9.9 m³/hr.
3. Bypass was observed from the back wall of the ETP discharging untreated waste water into an open permeable land. Samples were taken. Laboratory results awaited.
4. Previously reported bypass channel, which was bifurcation from inlet channel to open permeable land, still exists but was in dry state.
5. It was informed by the unit's representative that, it is operational since October, 2018 as per the revocation order of UPPCB, dated 08.02.2019. As per the documents collected, UPPCB had issued closure direction on 02.11.2018 to the unit and revocation direction was issued by UPPCB on 08.02.2019 only for two months.
6. The unit is in operation in violation of direction dated 14.05.2018 issued by CPCB and direction dated 02.11.2018 by UPPCB.
7. The treated effluent was observed being discharge into open permeable pond across the road.

It is evident that the unit discharges its partially treated/untreated effluent, thereby posing serious threat to the surface and groundwater quality.

AND WHEREAS, the unit is operation in violation of CPCB direction dated 14.05.2018 issued under section 5 of the Environment (Protection) Act, 1986; and

WHEREAS, as per the methodology for assessing penalty and environmental compensation, environmental compensation to be levied to the unit is calculated as **Rs. 22,37,500/- (Rupees Twenty-two lakhs thirty-seven thousand five hundred only)** for the non-compliance period from (14.05.2018 to 06.05.2019); and

NOW, THEREFORE, in exercise of powers delegated to Chairman CPCB under Section 5 of the Environment (Protection) Act, 1986, the unit is directed close to down its manufacturing operations immediately and deposit **Rs.22,37,500/-** in CPCB A/c No. **532702050000164** (Bank name: Union Bank Of India, IP Extension Branch, Vikas Marg Extn., Delhi; IFSC: UBIN0553271) towards environmental compensation within 15 days from the date of receipt of direction and shall comply with the following directions:

1. The Unit shall close down all its all manufacturing operations with immediate effect and shall not resume its operations.

M/s Ganga Dairy, Tulsipuram, Ramghat Road, Atrauli, Aligarh-202280, Uttar Pradesh

2. The unit (**M/s Ganga Dairy, Tulsipuram, Ramghat Road, Atrauli, Aligarh-202280, Uttar Pradesh**) shall dismantle all bypass arrangements immediately.
3. The unit shall not start its operation without complying with the above directions and written permission from CPCB.

In case of default in compliance with the above directions, CPCB will be constrained to initiate action against the Unit without giving any further notice in accordance with the provisions of the Environment (Protection) Act, 1986.


(S. P. SINGH PARIHAR)
CHAIRMAN

Copy to:

- 1) **Member Secretary,**
Uttar Pradesh Pollution Control Board,
Building No. TC-12V, Vibhuti Khand, Gomti
Nagar, Lucknow-226 010, Uttar Pradesh : for information please.
- 2) **Joint Secretary (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 : for information please.
- 3) **Regional Director,**
Central Pollution Control Board
Regional Directorate (North), PICUP Bhawan
Vibhuti Khand, Gomti Nagar, Lucknow - 226 010 : for information please.
- 4) **District Magistrate**
Aligarh, Uttar Pradesh : [To ensure closure and sealing of
the unit in compliance of the
direction]
- 5) **Managing Director**
Dakshinanchal Vidyut Vitran Nigam Ltd.,
Urja Bhavan, NH - 2 (Agra - Delhi Bypass Road),
Sikandra, Agra - 282002 : [With a request to disconnect the
electricity supply to the Unit]
- 6) **I/c IT division, CPCB, Delhi** : for uploading the direction at
CPCB website.
- 7) Master copy (Dairy), WQM-II Division.

(PRASHANT GARGAVA)
MEMBER SECRETARY

O/C

