



**Speed Post**

File no. B-751 (622)/Textile/WQM-II/CPCB/2017-18

Dated: 15.05.2019

To,

M/s. Pramod Zari Industries Pvt, Ltd,  
Plot No. – C-12, Industrial Estate,  
Maunath Bhanjan,  
Mau, Uttar Pradesh

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

**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**, the Ministry of Environment & Forests, Government of India, vide Notifications no. S.O. 157(E) of 27.02.1996 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 emission and effluent standards notified under the Environment (Protection) Rules, 1986 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 Committee (PCCs); and

**WHEREAS**, M/s. Pramod Zari Industries Pvt, Ltd, Plot No. – C-12, Industrial Estate, Maunath Bhanjan, Mau, UP (hereinafter referred as 'the Unit') is involved in the production of dyed polyester yarn using and chemicals; and

**WHEREAS**, the unit was inspected on 24.03.2017 under NGRBA programme by the officials of CPCB, Regional Directorate (North and West) and found the Unit is not meeting with the prescribed effluent discharge standard w.r.t. BOD-864mg/l (as against standard 30 mg/l), COD-4627 mg/l (as against standard 250 mg/l) and SS-1170 mg/l (against the norms of 100 mg/l) at ETP outlet; and

**WHEREAS**, CPCB issued closure direction dated 26.04.2017 under section 5 of the Environment (protection) Act, 1986 to the unit; and

**WHEREAS**, the unit replies dated 30.05.2017, 21.08.2017, 17.08.2017, 20.11.2018, 03.12.2018 and 13.03.2019 were examined and following observations are made:

1. The unit has submitted ETP adequacy report from Harcourt Butler Technical University, Kanpur and found system is adequate.
2. The unit has applied consent to operate under Water and Air Act from UPPCB.
3. The unit has installed OCEMS (flow meter and web camera) and connected to CPCB server.
4. The unit has submitted photographs of dismantled structure of bypass arrangement (flexible line system).

**AND WHEREAS**, the unit was inspected on 16.04.2019 by the officials of CPCB, Regional Directorate (North) and made following observations:

1. The Unit was found non-operational at the time of inspection.
2. It is noticed that unit was seized by District Administration dated 26.03.2019 due to non-violation of CPCB closure direction under the Environment (Protection) Act, 1986.

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M/s. Pramod Zari Industries Pvt. Ltd, Plot No. – C-12, Industrial Estate, Maunath Bhanjan, Mau, UP

3. The unit has no consent under Water Act & Air act and Hazardous Waste authorization, however unit has applied for the same.
4. The unit has installed OCEMS (flow meter and Camera) at the outlet of the ETP. As reported, OCEMS connected with CPCB server.
5. The unit has closed the bypass arrangement and remove the flexible pipeline from ETP outlet for discharge of untreated effluent to adjacent drain.
6. The unit has installed electromagnetic flow meter for water extraction at borewell.
7. The unit has applied for NOC of CGWA for extraction of water from borewell.
8. As per adequacy assessment report of ETP prepared by HBTI, Kanpur the design of ETP is adequate.

**AND WHEREAS**, CPCB issued closure direction on 26.04.2017, unit informed that the unit was closed all manufacturing operation w.e.f. 26.05.2017. District Magistrate, Mau informed that the unit was closed on 25.08.2017. During the TPA 2018-2019 inspection dated 08.04.2018, the unit was found closed. UPPCB issued a letter dated 03.07.2018 to the unit for compliance. UPPCB issued Closure direction dated 06.09.2018 under section 33 A of Water (Pollution prevention and control) Act, 1974 to the unit. The unit was seized by District Administration dated 26.03.2019 due to violation (operating the unit without permission of CPCB/SPCB) of CPCB closure direction under the Environment (Protection) Act, 1986; 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**, as per the methodology for assessing penalty and environmental compensation, the environmental compensation to be levied to the unit is calculated as **Rs. 15,15,000/- (Rupees fifteen lakhs fifteen thousand only)** for the non-compliance period (06.09.2018 to 26.03.2019); 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 25.04.2019 examined the replies of the Unit and recommended that

- (i) The unit shall resume manufacturing operation with valid consent to operate under Air and Water Acts obtained from UPPCB.
- (ii) Performance audit report be submitted as per guidelines.

**AND NOW, THEREFORE**, in exercise of powers delegated to Chairman CPCB under Section 5 of the Environment (Protection) Act, 1986, the Unit is directed to deposit **Rs. 15,15,000/-** in CPCB

M/s. Pramod Zari Industries Pvt. Ltd, Plot No. – C-12, Industrial Estate, Maunath Bhanjan, Mau, UP

**A/c No. 532702050000164** (Bank name: Union Bank of India, IP Extension Branch, Vikas Marg Extn., Delhi; IFSC: UBIN0553271)/ demand draft in favour of EC by CPCB towards environmental compensation within 15 days from the date of receipt of direction and shall comply with the following directions:

- (i) The unit **M/s. Pramod Zari Industries Pvt, Ltd, Plot No. – C-12, Industrial Estate, Maunath Bhanjan, Mau, UP** shall resume operation with valid consent to operate under Air and Water Acts obtained from UPPCB.
- (ii) 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.

16/05/20  
(S. P. SINGH PARIHAR)  
CHAIRMAN

**Copy to:**

1. **Chairman,** : For information please  
Uttar Pradesh Pollution Control Board  
Building No. TC-12V, Vibhuti Khand,  
Gomti Nagar, Lucknow-226 010 (UP)
2. **Joint Secretary (CP Division),** : For information please  
Ministry of Environment, Forests & Climate  
Change, Indira Paryavaran Bhawan, Jor Bagh  
Road, New Delhi-110 003
3. **Regional Director** : For information please  
Regional Directorate (North) CPCB  
PICUP Bhawan, Ground Floor, Vibhuti Khand,  
Gomti Nagar, Lucknow- 226010 (UP)
4. **District Magistrate** : For information please  
Mau, Uttar Pradesh
5. **Managing Director,** : To re-connect the electricity supply  
Purvanchal Vidyut Vitran Nigam Limited,  
Bhikaripur, Varanasi-221004, U.P.
7. **In-charge, IT Division, CPCB** : For uploading the direction at  
CPCB website.
8. **Master copy , WQM-II Division** : For record.

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(PRASHANT GARGAVA)  
MEMBER SECRETARY