



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

E-Mail &
SPEED POST
June 17, 2019

B-Tannery/IPC-IV/2019-20/ 2784

To

M/s Adharsh Thermopack Industries Ltd.,
E- 106, Surajpur, Site -B, Greater Noida
Distt. Gautam Buddha Nagar,
Uttar Pradesh- 201306

Sub: Revocation Directions under Section 5 of the Environment (Protection) Act, 1986 on account of non-compliance of notified norms.

WHEREAS, the tanneries are identified as one of the 17 categories of highly 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 and air 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 there under; and

WHEREAS, there is need to inculcate habit of self-monitoring within the industries for complying with the prescribed standards and this can be achieved by the methods like installing online effluent and emission monitoring devices; 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, a direction under section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 was issued on February 05, 2014 to all the State Pollution Control Boards (SPCBs)/ Pollution Control Committees (PCCs) for installation of online effluent monitoring system w.r.t. pH, BOD, COD, TSS, and Flow parameters in Tanneries; and

WHEREAS, considering the requests/ representations received from industries/ industrial associations/ SPCBs / PCCs, an extension of time up to June 30, 2015 for installation of online monitoring systems was granted vide direction dated March 02, 2015 under section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981; and

WHEREAS, a letter vide dated May 29, 2015 was issued by the Chairman CPCB to all the SPCBs/ PCCs informing that no further extension of time will be given after June 30, 2015 and withdrawal of consent to operate along with forfeiture of bank guarantee of non-complying units; and

WHEREAS, concerned SPCB/ PCC issued directions under section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and section 31A of the Air (Prevention & Control of Pollution) Act, 1981 to install the online monitoring system by June 30, 2015 and to submit bank guarantee of 100% of the cost of online emission & effluent monitoring system; 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 violations of the standards and rules notified under the Environment (Protection) Rules, 1986 and amendment thereof; and

WHEREAS, the industry namely M/s Adharsh Thermopack Industries Ltd., E- 106, Surajpur, Site B, Gautam Buddha Nagar, Uttar Pradesh was inspected by a team of Scientists from Regional Directorate – North, CPCB, Lucknow on 20.1.2018 based on exceedance of OCEMS SMS alerts and made following observations requiring attention of Regulating Authority :

1. The Unit is engaged in processing of raw to wet blue of goat & sheep skin (semi-finished leather) with consented capacity of 2000 Pcs/day. During inspection, Unit was in operation with reported production of 500 Pcs/day.
2. Source of water is tube well and industry has not provided water meter to quantify fresh water extraction.
3. The unit is having ETP based on biological treatment system clubbed with Sand filter and Carbon filter. However, it was observed by the inspection team that entire generated effluent is not received by ETP.
4. During inspection, ETP was not in proper operation. Samples collected at the outlet of ETP were analysed and observed that it is not meeting with the prescribed standards in respect of pH - 5.37 (standard - 6.5-9.0).
5. MLSS and MLVSS in the aeration tanks 1 & 2 are found as 33 mg/l & 31.1 mg/l AND 21.4 mg/l & 19.6 mg/l respectively which are much on the lower-side and indicate poor state of operation of ETP.
6. Treated effluent from ETP is discharged into Lohiyakhar nallah which meets river Hindon and ultimately to river Yamuna.
7. Although OCEMS was found in the working condition but large variation was observed between OCEMS data and laboratory analytical data which indicates that proper calibration of the OCEMS as per protocol is not being undertaken.

Sample	pH	TSS, mg/l	BOD, mg/l	COD, mg/l
Lab analysis of Outlet of ETP	5.37	21.8	7.0	29.1
OCEMS data	8.67	50.0	17.0	111.8
% variance wrt laboratory data	61.5%	129.4%	142.9%	284.2 %

8. The Unit has installed Chrome Recovery Plant (CRP) for treatment of chrome bearing effluent, however, Unit has not made proper segregation system and CRP was observed as non-operational.
9. The Unit has not installed separate energy meters for operation of ETP & CRP.
10. Height of the DG set stack installed by the unit is not as per norms.

WHEREAS , in exercise of powers vested delegated to the Chairman, CPCB under Section 5 of the Environment (Protection) Act, 1986, M/s Adharsh Thermopack Industries Ltd., E- 106, Surajpur, Site B, Gautam Buddha Nagar, Uttar Pradesh was directed on April 06, 2018 to close down its manufacturing activities with immediate effect. The unit was further directed for the following :

- i. The unit shall submit a time-targeted action plan within 15 days for rectification of the short comings as described above.
- ii. The unit shall not re-start its manufacturing activities without written permission from CPCB.

WHEREAS, the Unit vide letters dated 23/05/2018 and 28/05/2018 had informed about the steps taken to improve pollution control practices and requested for revocation of the Closure Directions dtd. 06.04.2018. The industry had submitted following additional documents as evidences in support of measures taken:

- a. An undertaking on stamp paper duly notarised to the effect that compliance of the CPCB directions has been done.
- b. Copies of Water Consent (validity till 31.12.2018), Air Consent (validity till 31.12.2018) and Authorization (validity till 09.08.2019) issued by Uttar Pradesh Pollution Control Board.
- c. A report on ETP Adequacy prepared by M/s Newcon Consultants India Pvt. Ltd., Ghaziabad.

WHEREAS, the case of revocation of the closure directions issued to the unit was examined by the 'Committee' constituted by CPCB during its meeting convened on June 26, 2018 and the Committee had recommended for revocation of Closure Directions issued to the Unit subject to certain conditions; and

WHEREAS, the closure directions issued to the Unit namely : M/s Adharsh Thermopack Industires Ltd., E- 106, Gautam Buddha Nagar, Uttar Pradesh were revoked on July 02, 2018 for a period of 3 months only from the date of issue of Revocation Directions and the unit is permitted to restart the manufacturing operations , subject to following conditions :

1. The Unit shall engage some government agency viz. CLRI Chennai/IIT Delhi / IIT Roorkee /NPC/ Govt. Engg. College / University for judging the adequacy of ETP and performance evaluation and report be submitted to CPCB within 45 days from the date of issue of these Revocation Directions.
2. CPCB shall re-inspect the unit within 2 months from the date of issue of these Revocation Directions to verify the claims of the Unit.
3. The Unit shall ensure all time compliance with the prescribed discharge norms and proper functioning of OCEMS.
4. The unit shall run only with valid Consent from Uttar Pradesh Pollution Control Board under the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and Authorization under the Hazardous & Other Wastes (Management & Transboundary Movement) Rules, 2016.
5. Based on 1 to 4 above, decision shall be taken by CPCB for 'Full & Final Revocation of Closure Directions'. In case of failure of the Unit to comply with directions, action as deemed fit under the provisions of Environment (Protection) Act, 1986 shall be taken against the Unit.

WHEREAS, in compliance of aforesaid condition no. 1, the industry had submitted ETP Adequacy cum Performance Evaluation Report on 08.10.2018. It was a delayed submission. It is got prepared through Department of Civil Engg., Faculty of Engg. & Technology, Jamia Milia Islamia, New Delhi; and

WHEREAS, in compliance of aforesaid condition no. 4, the unit has submitted photocopies of Consents (valid upto 31.12.2018) and Authorization (valid upto 09.08.2020) as issued by UP Pollution Control Board; and

WHEREAS, to verify the claims of the unit and check the compliance, the unit was inspected by a team of Scientists from CPCB (Regional Directorate, Lucknow and Head Office, Delhi) on 24.11.2018 and following observations requiring attention of Regulatory Authorities were made:

1. The unit has not obtained NOC from Central Ground Water Authority for extraction of the ground water.
2. The unit has not provided Oil & Grease trap system at the inlet of ETP.
3. The unit has not provided back wash arrangement as well as pressure gauge system at filtration system.
4. The unit has installed a chrome Recovery plant of 3 KL capacity for spent chrome liquor. It comprises of Collection Tank > Reaction Tank > Chrome recovery Pit. It was found as non functional and in corroded condition. No proper record of recovered chrome is maintained by the unit.
5. All the sludge drying beds were found as empty.
6. Samples were collected from inlet, outlet, and aeration tank to verify the compliance norms. It is observed that the unit is non-compliant in respect of oils & grease. The observed value is 81.4 mg/l against prescribed standard of 10.0 mg/l.
7. Overall Housekeeping of the plant was found as unsatisfactory.

WHEREAS, during the period from 15.09.2018 to 15.12.2018, 6826 OCEMS exceedance alerts in respect of pH were recorded by CPCB which are exceptionally on higher side; and

WHEREAS, in view of the above non-compliance and in exercise of the powers vested under Section 5 of the Environment (Protection) Act, 1986 to the Chairman, CPCB, show cause notice was served to M/s Adharsh Thermopack Industries Ltd., E- 106, Site B, Greater Noida, Distt. Gautam Buddha Nagar, Uttar Pradesh on 18.01.2019 so as to initiate closure of the unit on account of following non-compliances:

1. Shortfalls observed during inspection on 24.11.2018 as detailed above.
2. Exceptionally high numbers of OCEMS alerts in respect of pH during last 3 months as detailed above.

WHEREAS, Environmental Compensation of Rs. 25,37,500/- only [Rs. Twenty Five Lacs, Thirty Seven Thousand and Five Hundred only] @ Rs 12,500/- per day wef 02.07.2018 i.e. the date of revocation of the closure order till 20.01.2019, was also levied as per Environmental Compensation Policy framed in compliance of NGT order dtd. 31.08.2018 in OA no. 593/2017; and

WHEREAS, the unit has submitted its reply vide letters dated 28.02.2019 and 27.03.2019 and the same have been examined and observations are as follows:

1. Work relating to upgradation of ETP including chrome recovery unit is claimed to be under progress.
2. The unit has not deposited the Environmental Compensation and requested for condoning the same.
3. The unit is continuing its operations without obtaining NOC from CGWA for extraction of ground water.

WHEREAS, the OCEMS exceedance alerts in respect of pH norms violations are continuously being recorded by CPCB Server which are to the tune of 479 nos. during the period from 15.12.2018 to 15.02.2019 which are exceptionally on higher side; and

WHEREAS, the following points have been confirmed:

1. That the unit has failed to fulfil the conditions of Revocation Order issued on 02.07.2018.
2. The unit is a habitual defaulter and believes only in exchange of communications instead of concrete measures at the ground level to ensure compliance of environmental legislations.

WHEREAS, in view of the material facts available in respect of above non-compliances and in exercise of the powers vested under Section 5 of the Environment (Protection) Act, 1986

to the Chairman, CPCB, M/s Adharsh Thermopack Industries Ltd., E- 106, Site B, Greater Noida , Distt. Gautam Buddha Nagar, Uttar Pradesh was directed to close down all of its manufacturing activities with immediate effect and further directed for the following:

1. The unit shall not restart its operations till the compliances of the directions issued by CPCB on 18.01.2019 are made.
2. The unit shall not restart its operations without written permission from CPCB.

Any violation of the aforesaid directions shall attract strict action against the unit including prosecution as per the provisions of the NGT Act, 2010.

WHEREAS, the Unit vide its letters dated 23.04.2019 and Mail dated 24.04.2019 had communicated its compliance of CPCB Closure orders and lot of SMS Alerts due to Technical problem in respect of pH, respectively.


WHEREAS, an inspection was carried out on 23.05.2019 by the officials of CPCB to verify the compliance status of unit.

WHEREAS, the case of revocation of the closure directions issued to the unit was examined by the '3 Member Committee' constituted by CPCB during its meeting convened on 04.06.2019 and the Committee has recommended for revocation of Closure Directions issued to the Unit subject to certain conditions.

NOW THEREFORE, in view of the above and in exercise of the powers delegated to the Chairman, Central Pollution Control Board under Section 5 of the Environment (Protection) Act, 1986, the closure directions issued to the Unit namely: M/s Adharsh Thermopack Industries Ltd., E- 106, Surajpur, Site-B, Greater Noida Distt. Gautam Buddha Nagar, Uttar Pradesh-201306 are hereby revoked subject to fulfilment of following condition:

"The industry shall arrange performance evaluation of Effluent Treatment Plant and Air Pollution Control Devices including analysis of treated effluent and emissions by the same institute i.e. Jamia Milia Islamia (A Central University), New Delhi, within a period of sixty days from the date of resuming operations and report be submitted to CPCB."

The unit shall ensure compliance of these directions failing which action shall be taken against the Unit, without giving any further opportunity, in accordance with provisions of the Environment (Protection) Act, 2006 and National Green Tribunal Act, 2010.


19/06/19
[S. P. S. Parihar]
Chairman



Copy for kind information and ensuring compliance to:

1.	The Chairman, Uttar Pradesh Pollution Control Board, Building No. TC-12V, Vibhuti Khand, Gomti Nagar, Lucknow - 226010.	With a request to ensure compliance of the directions, please.
2.	The Managing Director U.P. Power Corporation Limited Shakti Bhawan 14 Ashok Marg, Lucknow [U.P.]	The electricity supply to the industry be restored till further orders.
3.	The District Magistrate - Noida Collectorate, Near LG Office, Surajpur, Greater Noida, Uttar Pradesh 201306	For information, please.
4.	The Joint Secretary (CP Division), Ministry of Environment, Forest & C.C., IPB, Jorbagh Road, New Delhi - 110003.	
5.	The Regional Director, Regional Directorate- North, Central Pollution Control Board, PICUP Bhawan, Gound Floor, Vibhuti Khand, Gomti Nagar, Lucknow - 226010.	
6. ✓	The Divisional Head, IT Division, CPCB-HO., Delhi	
7.	The Divisional Head, IPC-VI Division, CPCB-HO., Delhi	

[Prashant Gargava]
Member Secretary