



By Speed Post/ Email

F. No. 190162/CETP- Pilkhuwa /PIAS/WQM-II/CPCB/2019-20 / 0303 Date: 10.01.2022

To.

Director
CETP Textile Centre Pilkhuwa Association
CETP Premises, Textile Center Scheme,
Pilkhuwa, Hapur, UP-245304

Direction under section 5 of the Environment (Protection) Act, 1986

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, the Central Government has notified the standards for discharge of environmental pollutants from various categories of industries and from common effluent treatment plants under the Environment (Protection) Act, 1986 and rules framed there under; and

WHEREAS, Hon'ble Supreme Court in the writ petition (c) no. 375 of 2012 pronounced judgement dated: 22/02/2017 and issued direction as under:

1. *The setting up of 'common effluent treatment plants (CETP)' should be taken up as an urgent mission. CETPs which are already under implementation should be completed within the lines already postulated. CETPs which are yet to be set up, concerned State Governments/ Union Territories were directed to complete the same within three years from today (i.e. 22/02/2017).*
2. *While acquiring lands for setting up of 'common effluent treatment plants' concerned State Governments will acquire such additional land as may be required for setting up "zero liquid discharge plants" as and when required in future.*
3. *Government (or the Union Territories), shall cater to the financial requirement, of running the CETPs, which are presently dis-functional, from their own financial resources.*
4. *For setting up CETPs, the concerned State Governments (or the Union Territories) will prioritize such cities, towns and villages, which discharge industrial pollutants and sewage, directly into rivers and water bodies.*

5. *The directions pertaining to continuation of industrial activity only when there is in place a functional primary ETP, and the setting up of functional CETPs, within the time lines, shall be of the Member Secretaries of the concerned Pollution Control Boards.*
6. *Some of the CETPs are dis-functional, because of lack of finances. Onus to operate the existing CETPs, rests on concerned Municipalities (and / or Local Bodies), cannot be permitted to shy away, from discharging this onerous duty.*
7. *The norms for generating funds, for setting up and / or operating the CETP shall be finalized, on or before 31.3.2017, so as to be implemented w.e.f, the next financial year.*

AND WHEREAS, M/s. CETP Textile Centre Pilkhuwa Association CETP Premises, Textile Centre Scheme, Pilkhuwa, Hapur, UP (hereinafter referred as 'the CETP Pilkhuwa') is involved in textile effluent treatment which was initially operated by Hapur Pilkhuwa Development Authority (HPDA) as a Concessioneing Authority; and

WHEREAS, CETP Pilkhuwa was inspected by CPCB officials on 30/05/2019 and following observations were made:

1. CETP Pilkhuwa was operational at the time of inspection.
2. Analysis results of samples taken from CETP inlet showed TSS as 358 mg/l against the norms of 350 mg/l prescribed by UPPCB for CETP Inlet Effluent Quality indicating that PETP installed by the member units are not adequate and functioning properly to achieve desired PETP treated effluent quality norms.
3. Analysis results of samples taken from CETP outlet showed FDS as 2152 mg/l against the norm of 2100 mg/l prescribed for CETP Treated Effluent Quality.
4. A harvesting water tank was observed in premise. Two pumps were observed, attached to the harvesting water tank and with pipes leading to a channel running by side of CETP boundary wall that extends to adjacent drain. It was informed by operator that the pumps were non-operational. Analysis results of effluent stored in harvesting tank indicated Colour 257 Hazen, BOD 98 mg/l, FDS 2068 mg/l and COD 211 mg/l. The characteristics of heavy metals, Chloride and sulphide analysis results matches with inlet effluent quality.
5. A by-pass channel was observed, near harvesting unit, extending under the wall of CETP/ adjacent to the outlet and near the boundary wall of the CETP. There is a possibility that effluent from harvesting unit can be directly pumped to the channel flowing adjacent to the CETP wall with outfall into drain outside premises. There is a possibility that waste water from harvesting unit can directly be pumped to the channel flowing adjacent to the CETP wall with outfall into drain outside premises.

AND WHEREAS, CPCB issued Show Cause Notice under section 5 of Environment (Protection) Act, 1986 dated 24/09/2019 to HDPA to explain the reason for non-compliance of treated effluent, storing untreated effluent in harvesting unit, having bypass arrangement and operating without valid consent to operate and why member units should also not been closed down for non-compliance of CETP inlet effluent quality norms prescribed by UPPCB and also why appropriate environmental compensation should not be imposed; and

WHEREAS, HDPA vide letter dated 23/12/2019 requested to revoke Show Cause Notice issued and informed following:

1. Currently 20 units are operating in Pilkhuwa Textile Centre. The scheme's entrepreneurs have been requested to form SPV and operate CETP on their own soon.
2. Since CETP has been in operation for many years, it will be appropriate that SPV may obtain CTO rather than Authority.
3. The flow meter installed at flux meter has been shifted to inlet. Tender invited on 24/12/2019 for installation of OCEMS at Outlet and will be installed earliest after approval of the tender
4. Norms are being followed. The Carbon filter could not be installed due to poor financial situation of authority due to which sometimes TSS norm may not be complied.
5. All log books are being maintained at their place and can be reviewed.
6. Oil & grease skimmer, flocculation units and mixing unit are being repaired. Tender invited on 24.12.2021 for filter press cloth, which will be repaired soon.
7. Sometimes untreated effluent was discharged into drains by industries, prevention of that was proposed through UPPCB.

AND WHEREAS, the CETP at Textile Centre, Pilkhuwa, Hapur, was inspected by National Mission for Clean Ganga (NMCG) and UPPCB officials jointly on 16.12.2020 and the effluent received at inlet of CETP was found non-complying w.r.t. norms prescribed by UPPCB for **TSS-2158 mg/L (against norm- 350 mg/L)** indicating that PETP installed by the member units are not adequate and functioning properly to achieve desired CETP inlet quality norms prescribed by UPPCB. The CETP treated effluent was also found non-complying w.r.t. discharge standards for **TSS-170 mg/L (against norm- 100 mg/L)**; and

WHEREAS, during monthly monitoring of CETP Pilkhuwa outlet recipient drain (referred above as local drain), carried out by IIT Delhi as Third Party Technical Institute on 24/02/2021, discharge from the opening of CETP boundary wall was observed while no discharge was found from CETP outlet. Samples of recipient drain wastewater were collected from upstream (400 m.) and downstream (200 m.) locations of CETP outlet. Analysis results indicated high BOD (564 mg/l) & COD (2390 mg/l) values in downstream location in comparison to the upstream location (BOD- 244 mg/l & COD- 1040 mg/l); and

WHEREAS, NMCG issued closure direction under section 5 of the Environment (Protection) Act, 1986 dated 19/03/2021 to HDPA regarding non-compliance of CETP, Pilkhuwa observed during inspection dated 16/12/2020; and

WHEREAS, CETP Pilkhuwa was inspected by CPCB officials on 22.03.2021 to verify the status of compliance and following observations were made:

1. CETP was found operational on the day of visit and intermittent inflow was observed at the time of inspection.
2. Flow meter at outlet was found defunct and no flow meter installed at inlet point of the CETP, however flow meter was found installed after equalization tank.

3. OCEMS was not installed at outlet of CETP.
4. CETP has consent under Water Act, 1974 and Air Act, 1981 valid till 31/12/2024.
5. Blackish effluent was observed in the rainy well and thick blackish sludge deposition observed at the bottom of storm water drain. Operator informed that textile units discharged their untreated effluent into rainy storm water drain during night hours which is being discharged into nearby local drain through an underground pipeline without any treatment.
6. CETP was found non-complying w.r.t. stipulated discharge standards for **TSS-108 mg/L (against norm- 100 mg/L), BOD-107 mg/L (against norm- 30 mg/L), COD-382 mg/L (against norm- 250 mg/L), FDS-2616 mg/L (against norm- 2100 mg/L), Nitrate-19.3 mg/l (against 10 mg/l), Ammonical Nitrogen-95 mg/l (against 50 mg/l) and iron 3.63 mg/L (against norms of 3 mg/L)** as per standards prescribed for discharge of treated effluents of CETP treated effluent into surface water.
7. The MLSS and MLVSS values in the aeration tank were found 1753 and 1299 mg/l, respectively, which indicates poor stabilization of Activated Sludge Process system due to poor operation and maintenance of CETP.
8. There is no tertiary unit for further polishing and treatment of industrial effluent.
9. Analysis result of sample collected from the rainy well showed **BOD-1915 mg/l, COD-3389 mg/l, TSS-16909 mg/l, TDS-3216 mg/l and FDS-2528 mg/l** which substantiates that rainy well is storing untreated wastewater discharged from industrial units which is discharged in to local drain without any further treatment.

WHEREAS, CPCB issued directions dated 11/05/2021 under section 5 of the Environment (Protection) Act, 1986, to CETP, Pilkhuwa and its member units to not to resume operations till the compliance of following directions:

1. CETP shall dismantle the rainy well (Harvesting unit) along with all bypass arrangement for discharge into nearby local drain.
2. CETP shall install Online Continuous Effluent Monitoring System (OCEMS) at the outlet of CETP and ensure connectivity with CPCB/SPCB servers.
3. CETP shall install flow meter at inlet of CETP.
4. CETP shall repair the corroded filter press unit and non-operational flow meter installed at outlet of CETP.
5. CETP shall ensure the sludge uplifting on regular intervals and the sludge lying in CETP premises shall be disposed scientifically and proper record shall be maintained.
6. CETP shall comply with the conditions stipulated in the Consent to Operate (CTO) for treated effluent quality norms prescribed by UPPCB.
7. CETP shall ensure that the connected member units shall follow the PETP norms for discharge of primary treated effluent in to the CETP.
8. CETP shall maintain proper logbooks for operation, inlet/outlet characteristics.

AND WHEREAS, HPDA replies dated 23/06/2021 & 28/08/2021 were examined by CPCB and following observations were made;

1. All inlets and outlets of rainy well have been closed with sandbags, so that no water can be stored and released into the rainy well. Further HPDA is going to separate rainy well from CETP by erecting brick wall for which the tender has already been invited.
2. HPDA has initiated the tendering process for installation of OCEMS.
3. Flow meter is installed after equalization tank and all the effluent received at CETP passes through this flow meter.
4. Filter cloth of filter press has been replaced for proper sludge dewatering.
5. HPDA signed contract with Bharat Oil & Waste Management Ltd. (BOWMLIZ) dated 08/10/2020 for disposal of hazardous waste.
6. HPDA has assured that no member unit will be allowed to discharge effluent out without following the PETP norms.
7. HPDA has maintained proper logbooks for CETP operation.

AND WHEREAS, CETP, Pilkhuwa was inspected by officials from CPCB Regional Directorate, Lucknow on 13/07/2021 for compliance verification. CETP found non-complying w.r.t following conditions of CPCB closure direction dated 11.05.2021:

1. CETP & its member units were found operational during visit despite CPCB closure direction.
2. No OCEMS found installed at outlet of CETP
3. Rainy well was not dismantled.
4. Approximately 50 tons of hazardous sludge found stored in shed which indicates that periodic uplifting of sludge is not taking place.
5. Inlet of CETP found non-complying w.r.t norms prescribed by UPPCB for O&G 27.2 mg/l against norms of 25 mg/l and NH₄-N 51.4 mg/l against norms of 50 mg/l. Values of other parameters were found within the prescribed norms limit.

AND WHEREAS, HPDA vide concession agreement dated 30/07/2021 handed over the management of CETP to CETP Textile Centre Pilkhuwa Association (SPV formed by CETP member units) for further execution and administration; and

WHEREAS, NMCG vide letter dated 15.09.2021 has proposed the joint inspection of CETP Pilkhuwa for verification of the compliance condition imposed by CPCB as well as to verify the status of implementation of suggestive measures by HPDA; and

WHEREAS, CETP Pilkhuwa was inspected jointly by a team of officials from CPCB, NMCG & UPPCB on 12/10/2021 and following observations are made;

1. CETP was found operational during visit.
2. CETP is based on physio-chemical treatment followed by Activated Sludge Process.
3. Electromagnetic flow meters were found installed at the inlet and outlet of the CETP.
4. Logbook was found maintained for CETP operation, chemical consumption, electricity consumption etc.
5. OCEMS was found installed at the outlet of the CETP but not connected with CPCB server.

6. Installation of tertiary filtration system was under progress.
7. Dewatered and dried sludge was provided to Bharat Oil & Waste Management Pvt. Ltd. for final disposal. Monthly Form 10 was found maintained.
8. CETP has obtained valid Consent to Operate under Air/ Water Acts from UPPCB with validity till 31.12.2024.
9. CETP has not obtained Hazardous Waste Authorization from UPPCB.
10. Inlet of rainy well found blocked at two points though concreting. No effluent/rain water observed in rainy well however sludge observed at the bottom of rainy well.
11. MLSS & MLVSS values in aeration tank was measured as 3069 mg/l & 1793 mg/l respectively with MLVSS/MLSS ratio of 0.58.
12. Analysis results of CETP inlet showed BOD-305 mg/l against norms of 900 mg/l, COD-704 mg/l against norms of 1850 mg/l, TSS-250 mg/l against norms of 350 mg/l, O&G-14 mg/l against norms of 25 mg/l, NH₃-N 18 mg/l against norms of 50 mg/l, Chloride 738 mg/l against norms of 1000 mg/l, Sulphate 657 mg/l against norms of 1000 mg/l and SAR-3 mg/l against norms of 26 mg/l. Results indicate that CETP was meeting inlet norms prescribed by UPPCB.
13. Analysis results of CETP outlet showed **BOD 53 mg/l** against norms of 30 mg/l and **FDS 2972 mg/l** against norms of 2100 mg/l, COD-199 mg/l against norms of 250 mg/l, TSS-97 mg/l against norms of 100 mg/l, O&G-BDL mg/l against norms of 10 mg/l, NH₃-N 24 mg/l against norms of 50 mg/l and SAR-8 mg/l against norms of 26 mg/l. Results indicate that CETP was found **non-complying** w.r.t. discharge standards for **BOD** and **FDS**.
14. Industrial effluent was found filled in the storm water drain located outside premises of CETP. Analysis results of sample collected from storm water drain showed high colour-218 Hazen, BOD-795 mg/l, TDS 3328 mg/l, TSS 712 mg/l and COD-1832 mg/l which indicate that industries located at Textile Cluster discharge untreated effluent into storm water drains.

It is evident that the CETP, Pilkhuwa continuously discharges partially treated effluent into local drain which ultimately meets river Ganga having potential to cause river water pollution. It is also established that CETP member units discharges their untreated/partially treated effluent in to storm water drain which ultimately affect the ground water quality.

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 levied to the unit **M/s. CETP Textile Centre Pilkhuwa Association CETP Premises, Textile Centre Scheme, Pilkhuwa, Hapur, UP**, is calculated as Rs. 2,128,125/- (Twenty-One Lacs Twenty-Eight Thousand One Hundred Twenty-Five only) for the non-compliance period (11.05.2021 - 24.11.2021). The details of calculation are as under:

EC Calculation details	From	To	N	PI	R	S	LF	Total Amount
	11.05.2021	24.11.2021	227	75	250	0.5	1	EC = N × PI × R × S × L.F
	(date of CPCB closure direction)	(date of processing of file)						EC = 227 × 75 × 250 × 0.5 × 1 = Rs. 2,128,125/-

***EC calculations details:** N= No. of days of violation; **PI**= Pollution Index of Industrial Sector; **R**= A factor in Rupees for EC; **S**= Scale of operation; **LF**= Location factor

NOW, THEREFORE, in view of the above and in exercise of powers delegated to the Chairman, Central Pollution Control Board (CPCB) under section 5 of the Environment (Protection) Act, 1986, **M/s. CETP Textile Centre Pilkhuwa Association CETP Premises, Textile Centre Scheme, Pilkhuwa, Hapur, UP** is hereby directed to Show Cause as to why the operation of CETP Pilkhuwa and its member units should not to be closed down and environmental compensation of **Rs. 2,128,125/- (Twenty-One Lacs Twenty-Eight Thousand One Hundred Twenty-Five only)** should not be levied for the non-compliance period.

The reply to the show cause notice shall be submitted to this office within 15 days from the date of this notice failing which suitable action as deemed fit under the Environmental (Protection) Act, 1986 will be initiated without any further notice.

13/11/22
(TANMAY KUMAR)
CHAIRMAN

Copy to:

1. **Director General** : For information please
National mission for Clean Ganga (MoWR,RD&GR),
1st floor, Major Dhyan Chand National Stadium,
India Gate, New Delhi-110002

2. **Joint Secretary (CP),** : For information please
Ministry of Environment Forests & CC
Indira Paryavaran Bhawan, Jor Bagh Road,
New Delhi-110 003

3. **Member Secretary** : For information please
Uttar Pradesh Pollution Control Board
Building No. TC-12V, Vibhuti Khand,
Gomti Nagar, Lucknow-226 010 (UP)

4. **Vice Chairman** : For information please
Hapur Pilkhuwa Development Authority (HPDA)
Preet Vihar, Delhi Road, Hapur-245101

5. **Regional Director** : For information please
Regional Directorate (North) CPCB
PICUP Bhawan, Ground Floor, Vibhuti Khand,
Gomti Nagar, Lucknow- 226010 (UP)

6. **District Magistrate** : For information please
Hapur,
New Collectorate Hapur (DM office)
Hapur Rd, HPDA Scheme, Anand Vihar
Hapur, Uttar Pradesh

7. **In-charge, IT Division, CPCB** : For uploading the
direction at CPCB
website.


(PRASHANT GARGAVA)
MEMBER SECRETARY