



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

File no. B-190188/CETP-Rooma/WQM-II/CPCB/2021-22

Dated: 14.02.2022

By Speed Post

To,

The Chairman,
Rooma Pollution Control Association,
Uttar Pradesh State Industrial Development Corporation (UPSDIC),
Industrial Area, Textile Park, Rooma, Kanpur (U.P.)

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, M/s. Rooma Pollution Control Association (RPCA), CETP, Rooma, UPSDIC, Industrial Area, Textile Park, Rooma, Kanpur (hereinafter referred as 'the CETP Rooma') is involved in treatment of effluent from cluster of textile industries; 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' 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, CETP, Rooma was inspected by CPCB officials on 04/03/2021 and following observations were made:

1. There are 18-member units, out of which 11 are operational, 2 are closed and 5 are under construction.
2. On the day of visit, the CETP, Rooma was found operational.
3. The consent order dated 26.02.2019 issued to the Unit by UPPCB was valid from 01.01.2019 to 31.12.2020 for treatment of 775 KLD Primary Effluent Treatment Plant (PETP) treated effluent discharged from the member units. The capacity of the CETP is reduced from 1.55 MLD to 775 KLD in view of reduction capacity of each member Unit as per direction of CPCB for effective operation of CETP till modification/upgradation of CETP is completed.
4. It was informed that a valid CTO issued for period after 31.12.2020 has been obtained, however copy was not available with the CETP representative.
5. A flow meter is installed at the inlet of ETP. As per logbook data of February 2021 month, average 489 KLD effluent was treated at the CETP and thus the CETP is operating at about 63% of consented capacity.
6. As permitted by Central Ground Water Authority (CGWA), the Unit has two tube wells in its premises. The Unit has installed flow meters on the two tube wells. Flow meter of one bore well was having some issues with the display. Validity of the NOC was only upto 25.12.2020.
7. Samples were collected from the collection sump, aeration tank and final outlet.
8. The sample collected from the inlet of the CETP is non-complying with inlet effluent quality standards for CETP as per UPPCB O/o G28972/C-7/Textile/102/2018 dated 07.12.2018 (Fixed Dissolved Solids (FDS) - 4304 mg/l against norms of 1000 mg/l, Sodium Absorption Ratio (SAR) - 29.4 mg/l against norms of 26 mg/l & Sulphide - 20.8 mg/l against norms of 2 mg/l).
9. As per the standards notified by MoEF &CC vide notification dated 01.01.2016 under E(P) Rules, 1986 for CETP, treated effluent is non-complying w.r.t. BOD (88 mg/l against norms of 30 mg/l), COD (352 mg/l against norms of 250 mg/l), FDS (5388 mg/l against norms of 2100 mg/l) and sulphide (124 mg/l against norms of 2 mg/l).
10. The treated effluent is discharged through a drain passing through the CETP premises which is in violation of CTO conditions. However, the consent conditions require the CETP to discharge the treated effluent into irrigation channel for further use in irrigation.
11. Colour effluent like water logging was seen in the CETP premises. A sample of the logged effluent was collected and analysis results indicate that the logged effluent is having colour and high content of FDS and SAR. Contamination of groundwater due to this logging condition is a likely probability.
12. Presently the sludge is being handled by thickener and decanter and sludge drying beds (SDBs) are used to dry sludge.

13. As informed by CETP operators the CETP, Rooma is a member of TSDF (Treatment, Storage and Disposal Facility) operated by M/s Bharat Oil & Waste Management Ltd. at Kumbhi, Kanpur. However, no documentary evidence was made available to the visiting team.
14. Proper logbook for sludge generation and dried sludge disposal was not being maintained.

AND WHEREAS, CPCB issued **Show Cause notice** dated 15/06/2021 under section 5 of the Environment (Protection) Act, 1986 to CETP, Rooma as to why the operation of CETP, Rooma and its member units should not be closed down and environmental compensation be levied till necessary pollution control measures are implemented by the CETP; and

WHEREAS, CETP, Rooma submitted reply vide email dated 26.07.2021 stating the following:

1. CETP, Rooma has valid consent under Air/Water acts with validity up to Dec-2025.
2. CETP, Rooma will apply for fresh NOC for ground water abstraction to U.P. Ground Water Dept.
3. CETP, Rooma has attached the recent analytical results for the CETP inlet & outlet water quality from the third party NABL accredited Lab indicating that the inlet & outlet water is meeting the stipulated norms with respect to BOD: 25 mg/l against norms 30 mg/l, COD: 185 mg/l against norms 250 mg/l and Oil and grease: 3.5 mg/l against norms 10 mg/l.
4. As per the site situation designed by the UPSIDC, the final outlet drain of CETP meets the main trunk drain passing parallel to the CETP backyard, which ultimately confluences with irrigation channel approx. 1.5 Km from the CETP complex.
5. There was water logging in barren undulated land within the CETP premises due to the clogging of the main trunk drainage line. The same has been rectified.
6. CETP, Rooma has reported that it has obtained the membership of TSDF for disposal of generated dried sludge transportation. However, data of sludge management has not been provided by the CETP.
7. CETP, Rooma has reported that it maintained proper logbook for the transported sludge. However, no data of logbook was provided.
8. CETP, Rooma, staff has been regularly drawing random samples from its member units, to check the PETP discharge norms for parameters of major concern & thus the CETP inlet norms. Whenever, any discrepancy is found the concerned member unit is strictly warned as a corrective measure.
9. CETP, Rooma informed that recent analytical results of samples drawn from CETP inlet & outlet by third party NABL accredited lab reveal that it is meeting the stipulated norms for inlet & outlet.
10. CETP, Rooma has not provided any information on OCEMS data and its calibration.
11. CETP, Rooma had made repeated requests to the concerned authority for the upgradation/modification of the existing CETP along with the construction of a new CETP in the vacant land available within the CETP complex to fulfil the requirement of the new upcoming units in textile park for membership.
12. CETP, Rooma has requested to drop the show-cause notice.

AND WHEREAS, CETP, Rooma was re-inspected by CPCB officials on dated 02.09.2021 and following observations were made:

1. On the day of visit, the CETP, Rooma was found operational.
2. Consent is valid up to 31.12.2025. The consent is valid for treatment of 775 KLD Primary Effluent Treatment Plant (PETP) treated effluent discharged from the member units.
3. There are 18-member units, 05 units are under construction, 11 units are operational and 02 units were closed.
4. CETP comprises of collection tank, equalization tank, chemical dosing cum reaction tank, tube settler 1, tube settler 2, aeration tank, clarifier, final collection tank, Pressure Sand Filter (PSF), Activated Carbon Filter (ACF) and final outlet. Additionally, there are sludge thickeners, sludge drying beds and sludge centrifuge to handle the sludge.
5. The capacity of the CETP is reduced from 1.55 MLD to 775 KLD in view of reduction capacity of each member Unit as per direction of CPCB for effective operation of CETP till modification/upgradation of CETP is completed.
6. The CETP representative informed that a new CETP of 3.0 MLD capacity is proposed in the same premises of the existing CETP.
7. As per logbook data of August 2021 month, average 498.25 KLD effluent was treated at the CETP and thus the CETP is operating at about 64.29% of consented capacity.
8. NOC of Central Ground Water Authority (CGWA) expired on 25.12.2020 and CETP has applied for renewal of NOC for ground water abstraction to U P Ground Water Dept.
9. Effluent samples were collected from the collection sump, aeration tank and final outlet.
10. The sample collected from the **inlet** of the **CETP is non-complying with inlet effluent quality** standards for CETP as per UPPCB O/o G28972/C-7/Textile/102/2018 dated 07.12.2018 (**Colour: 620 Hazen** against 350-400 Hazen and **SAR - 29.4 mg/l** against norms of 26 mg/l).
11. As per the standards notified by MoEF &CC vide notification dated 01.01.2016 under Environment (Protection) Rules, 1986 for **CETP, treated effluent is non-complying** w.r.t. **BOD (75.6 mg/l)** against norms of 30 mg/l) and **FDS (3689 mg/l)** against norms of 2100 mg/l).
12. Online Continuous Effluent Monitoring System (for parameters i.e., pH, BOD, COD, TSS and flow) was installed at the CETP outlet.
13. High deviation (>10%) between the lab values and OCEMS values of BOD, COD and TSS was observed.

Parameter	OCEMS value	CPCB Lab Analyzed value	% Variation
pH	7.85	8.13	> 0.2 units
COD	104.91	225	53.77
BOD	14.41	75.6	80.93
TSS	76.20	100	23.80

14. Proper logbook for sludge generation and dried sludge disposal was not being maintained.
15. MLVSS/MLSS ratio was 0.36 in the aeration tank. Low ratio indicates towards unstable biological system in the aeration tank.

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 the 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. **Rooma Pollution Control Association (RPCA), CETP, Rooma, UPSDIC, Industrial Area, Textile Park, Rooma, Kanpur** is calculated as **Rs. 17,15,625/- (Rupees Seventeen Lacs Fifteen Thousand Six Hundred Twenty-Five only)** for the non-compliance period (04.03.2021 - 02.09.2021). The details of calculation are as under:

EC Calculation details	From	To	N	PI	R	S	LF	Total Amount
	04.03.2021	02.09.2021	183	75	250	0.5	1	$EC = N \times PI \times R \times S \times L.F$ $EC = 183 \times 75 \times 250 \times 0.5 \times 1$ = Rs. 17,15,625/-

*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

WHEREAS, CPCB issued **Show Cause notice with EC amount Rs. 17,15,625/- (Rupees Seventeen Lacs Fifteen Thousand Six Hundred Twenty-Five only)** dated 13/12/2021 under section 5 of the Environment (Protection) Act, 1986 to CETP, Rooma as to why the operation of CETP, Rooma and its member units should not be closed down and environmental compensation be levied for non-compliance period (04.03.2021 to 02.09.2021) till necessary pollution control measures are implemented by the CETP; and

WHEREAS, CETP, Rooma submitted reply vide email dated 18.01.2022 stating the following:

1. RPCA submitted that the renewal application for ground water abstraction is pending with the UPSGWD
2. RPCA submitted that, CETP lab personnel are randomly taking discharge samples from the PETP of member units, as to ensure the primary treated water quality being discharged in the CETP conveyance system is within the stipulated discharge norms.
3. RPCA stated that arriving at such harsh decision for single grab sample taken in a quarter is non-scientific & non-practical. They also submitted the third-party sample reports & requested that consideration should also be given to annexed report
4. RPCA submitted that the reported deviation in the installed OCEMS at the final outlet of CETP has been rectified and provided the calibration certificate of OCEMS.
5. RPCA submitted that they are maintaining exclusive log-book for the quantum of transported sludge from CETP by the TSDf operator, M/s BOWML, Kanpur-Dehat. The original white receipt of Manifest (Form-10) is being regularly submitted to the regional office of UPPCB. RPCA submitted that they are now properly maintaining the

MLSS/MLVSS ratio in the aeration tank. The recycle/wasting time is now being strictly watched as per the operational needs.

6. RPCA submitted that they willingly accept to abide with the laid down norms, but it should also be thought upon that such CETP which is designed with old-traditional concept of treatment is likely to give erroneous results at times. They also submitted that all dedicated efforts are being made to operate the CETP & individual PETP to limit the discharge parameters within stipulated discharge norms
7. RPCA has requested to waive off the imposed penalty & guide them through expert scientist's team for the betterment.
8. RPCA has requested that instead of punishing them, guide them through expert scientist's team for the betterment of CETP operation and requested to waive off the imposed penalty.

AND WHEREAS, CETP, Rooma was re-inspected by CPCB officials on dated 18.11.2021 and following observations were made:

1. On the day of visit, the CETP, Rooma was found operational with instantaneous flow rate at inlet as 86.6 m³/hr.
2. The sample collected from the inlet of the CETP was found non-complying with inlet effluent quality standards for CETP as per prescribed by UPPCB (Colour: 750 Hazen against 350-400 Hazen, BOD:439 mg/l against norms of 400 mg/l), TSS: 508 mg/l against norms of 400 mg/l), Sulphide: 42.9 mg/l against norms of 2 mg/l) and SAR: 26.9 mg/l against norms of 26 mg/l).
3. Analysis results of CETP outlet shows that treated effluent was found non-complying w.r.t. BOD: 64.2 mg/l against norms of 30 mg/l), FDS: 3878 mg/l against norms of 2100 mg/l) and Sulphide: 8.99 mg/l against norms 2 mg/l.
4. MLSS and MLVSS values in aeration tank was measured as 3390 mg/l & 677 mg/l respectively. MLVSS/MLSS ratio observed as 0.2 only indicating that aeration system was not stabilized.

It is evident that the CETP, Rooma discharges untreated/partially treated effluent into the drain which ultimately meets river Ganga having potential to cause river water pollution. Inlet effluent quality was found consistently non-compliance with the prescribed standards indicating that member units and CETP were not complying with effluent discharge standards.

AND WHEREAS, as per the methodology for assessing penalty and environmental compensation, the revised environmental compensation levied to the unit **M/s M/s. Rooma Pollution Control Association (RPCA), CETP, Rooma, UPSDIC, Industrial Area, Textile Park, Rooma, Kanpur** is calculated as **Rs. 24,37,500/-** for the non-compliance period (04.03.2021 - 18.11.2021). The details of calculation are as under:

EC	From	To	N	PI	R	S	LF	Total Amount
Calculation details	04.03.2021	18.11.2021	260	75	250	0.5	1	$EC = N \times PI \times R \times S \times L.F$ $EC = 260 \times 75 \times 250 \times 0.5 \times 1$ $= \text{Rs. } 24,37,500/-$

*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. Rooma Pollution Control Association (RPCA), CETP, Rooma, UPSDIC, Industrial Area, Textile Park, Rooma, Kanpur** is hereby directed to Show Cause as to why the operation of CETP, Rooma and its member units should not to be closed down and revised environmental compensation of **Rs. 24,37,500/- (Rupees Twenty-Four Lacs**

Thirty-Seven Thousand Five Hundred only) shall be levied for the non-compliance period (04.03.2021 - 18.11.2021).

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.

15/12/22
(TANMAY KUMAR)
CHAIRMAN

Copy to:

1. **Member Secretary,** : 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. **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
4. **Regional Director** : For information please
Regional Directorate (North) CPCB
PICUP Bhawan, Ground Floor, Vibhuti Khand,
Gomti Nagar, Lucknow- 226010 (UP)
5. **District Magistrate** : For information please
Kanpur,
Civil lines, Kanpur, Uttar Pradesh-208001
- ✓ 6. **In-charge, IT Division, CPCB** : For uploading the direction at
CPCB website.

PM
(PRASHANT GARGAVA)
MEMBER SECRETARY

o/c

Asst. Secy