

By Speed Post/ Email

F.No.190162/CETP-Pilkhuwa/PIAS/WQM-II/CPCB/2019-20 6611

Date:24.11.2022

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, 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 22.03.2021 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), Ammoniacal 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. There was no tertiary unit for further polishing and treatment of industrial effluent.
8. Analysis result of sample collected from the rainy well showed BOD-1915 mg/l, COD-3389 mg/l, TSS-10909 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 cloths of filter press has been replaced for proper sludge dewatering.
5. HPDA signed contract with Bharat Oil & Waste Management Ltd. (BOWML) 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, CETP Pilkhuwa was inspected by a team of officials from CPCB, NMCG & UPPCB on 12/10/2021 and following observations were 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 BOWML 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.

AND WHEREAS, CPCB issued Show Cause Notice dated 10.01.2022 under section 5 of Environment (Protection) Act, 1986 to M/s. CETP Textile Centre Pilkhuwa Association, CETP Premises, Textile Centre Scheme, Pilkhuwa, Hapur, UP 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)** shall be levied for the non-compliance period (11.05.2021 - 24.11.2021); and

WHEREAS, CETP Pilkhuwa reply vide letter dated 27.01.2022 was examined and following observations were made;

1. CETP has installed OCEMS at outlet of CETP on 24.09.2021 & its connectivity was ensured with CPCB server on 12.01.2022.
2. CETP has provided the application copy dated 21.01.2022 for obtaining Hazardous Waste Authorization from UPPCB.
3. CETP is complying with the conditions stipulated in the Consent to Operate (CTO) for treated effluent quality norms prescribed by UPPCB and it is being regularly monitored by UPPCB and HPDA

4. All member units have their PETP installed in their unit premises & following the prescribed rules, regulations, guidelines and standards of CPCB and UPPCB.
5. CETP has provided the lab analysis report dated 25.01.2022 of NABL approved & MoEF recognized lab for inlet & outlet of CETP having sample collection date 20.01.2022 showing the compliance of CETP w.r.t norms prescribed for CETP by UPPCB for inlet BOD-205 mg/l against norms of 900 mg/l, COD-940 mg/l against norms of 1850 mg/l, TSS-165 mg/l against norms of 350 mg/l, O&G-7 mg/l against norms of 25 mg/l & outlet for BOD 15 mg/l against norm of 30 mg/l, COD 110 mg/l against norm of 250 mg/l, TSS 81.5 mg/l against norm of 100 mg/l and FDS 1938 mg/l against norm of 2100 mg/l.
6. Logbooks of CETP operation, chemical consumption and electricity consumption were maintained by CETP.
7. CETP also informed that there are some non-member industrial units who might discharge effluent in rainy storm water drain.
8. SPV, namely CETP Textile Centre Pilkhuwa Association has taken over operation and maintenance of CETP Pilkhuwa from HPDA on 16.04.2021 and initiative for upgradation of CETP has been taken to meet the stipulated discharge norms.
9. CETP Textile Centre Pilkhuwa Association has requested to drop the issued Show Cause Notice.

AND WHEREAS, CETP Pilkhuwa was inspected by CPCB officials on 14.03.2022 and based on inspection, following observations were made;

1. CETP was found operational during visit.
2. CETP has recently installed tertiary treatment system (multi grade filter and activated carbon filter) to get better quality of effluent.
3. Electromagnetic flow meters were found installed at the inlet and outlet of the CETP.
4. OCEMS was found installed at the outlet of the CETP and connected with CPCB server.
5. Dewatered and dried sludge was provided to Bharat Oil & Waste Management Pvt. Ltd. for final disposal.
6. Analysis results of CETP inlet showed BOD-173 mg/l against norms of 900 mg/l, COD-533 mg/l against norms of 1850 mg/l, TSS-91 mg/l against norms of 350 mg/l, O&G-8 mg/l against norms of 25 mg/l, NH₃-N BDL mg/l against norms of 50 mg/l and SAR-15.46 mg/l against norms of 26 mg/l. Results indicate that CETP was meeting inlet norms prescribed by UPPCB.
7. MLSS & MLVSS values in aeration tank is measured as 5926 mg/l & 3275 mg/l respectively.
8. Outlet of CETP was found complying w.r.t. stipulated discharge standards for BOD 17mg/l against norm of 30 mg/l, COD 100 mg/l against norm of 250 mg/l, TSS 41 mg/l against norm of 100 mg/l & FDS 2008 against norm of 2100 mg/l.

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 M/s. CETP Textile Centre Pilkhuwa Association CETP Premises, Textile Centre Scheme, Pilkhuwa, Hapur, UP, was calculated as Rs. 23,81,250/- (Twenty-Three Lacs Eighty-One Thousand Two Hundred Fifty only) for the non-compliance period starting from date of CPCB direction dated 11.05.2021 till the compliance of CETP w.r.t., effluent discharge standards in 19.01.2022. The detail calculation of environmental compensation is as under:

From	To	N	PI	R	S	LF	Total Amount
11.05.2021 (date of CPCB direction)	19.01.2022 date till CETP non-compliance observed	254	75	250	0.5	1	EC = N × PI × R × S × L.F EC = 254 × 75 × 250 × 0.5 × 1 = Rs. 23,81,250/-

*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

AND WHEREAS, CPCB issued Show Cause Notice dated 28.07.2022 under section 5 of Environment (Protection) Act, 1986 to M/s. CETP Textile Centre Pilkhuwa Association, as to why the operation of CETP Pilkhuwa and its member units should not to be closed down and revised environmental compensation of **Rs. 23,81,250/-** (Twenty-Three Lacs Eighty-One Thousand Two Hundred Fifty only) shall not be levied for the non-compliance period (11.05.2021 - 19.01.2022); and

WHEREAS, CETP Pilkhuwa vide letter dated 02.08.2022 requested for personnel hearing regarding their representation on proposed environmental compensation of **Rs. 23,81,250/-** (Twenty-Three Lacs Eighty-One Thousand Two Hundred Fifty only); and

WHEREAS, personnel hearing of CETP Textile Centre Pilkhuwa Association was held on 11.10.2022 through video conferencing and based on the discussion the following decisions were taken:

1. The CETP Textile Center Pilkhuwa Association to submit the complete details of the performance of the plant along with the test report of the UPPCB laboratory for the period (11.05.2021 to 19.01.2022) for which environment compensation was proposed, within 10 days from the date of issue of the minutes so that the number of days of violation can be reviewed based on the days of compliance and the environmental compensation can be revised accordingly.

AND WHEREAS, CETP Textile Centre Pilkhuwa Association submitted its representation through email dated 31.10.2022 and provided fortnightly analysis reports of monitoring carried out by Regional office Ghaziabad, Uttar Pradesh Pollution Control Board for the period from 11.05.2021 to 19.01.2022. As per analysis report , CETP Pilkhuwa was non-compliant on 26.05.2021 (TSS- 135 mg/L against 100 mg/L), 07.06.2021 (BOD-32 mg/L against 30 mg/L, COD-292 mg/L against 250 mg/L and TSS- 122 mg/L against 100 mg/L) and 22.06.2021 (BOD-37 mg/L against 30 mg/L and TSS- 114 mg/L against 100 mg/L). The CETP Pilkhuwa was found non-compliant for the non-compliance period of 35 days (11.05.2021 to 17.05.2021 and 26.05.2021 to 22.06.2021); and

WHEREAS, as per the methodology for assessing penalty and environmental compensation, the environmental compensation to M/s. CETP Textile Centre Pilkhuwa Association CETP Premises, Textile Centre Scheme, Pilkhuwa, Hapur, UP is re-calculated as **Rs. 3,28,125/-** (Rupees three lacs twenty-eight thousand one hundred twenty-five only) for the non-compliance period of 35 days (11.05.2021 to 17.05.2021 and 26.05.2021 to 22.06.2021). The detail calculation of environmental compensation is as under:

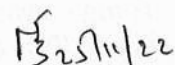
From	To	N	PI	R	S	LF	Total Amount
11.05.2021 (date of CPCB direction)	17.05.2021 (till CETP non-compliance Observed)	07	75	250	0.5	1	$EC = N \times PI \times R \times S \times L.F$ $EC = 35 \times 75 \times 250 \times 0.5 \times 1$ $= \text{Rs. } 3,28,125/-$
and 26.05.2021	22.06.2021 (till CETP non-compliance Observed)	28	75	250	0.5	1	

***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 comply with the following directions:

1. M/s. CETP Textile Centre Pilkhuwa Association shall deposit the environmental compensation of **Rs. 3,28,125/- (Rupees three lacs twenty-eight thousand one hundred twenty-five only)** for the non-compliance period of 35 days (11.05.2021 to 17.05.2021 and 26.05.2021 to 22.06.2021) in CPCB A/c No. 532702050000164 (Bank name: Union Bank of India, IP Extension Branch, Vikas Marg Extn., Delhi; IFSC: UBIN0553271) within 15 days of receipt of this direction. In case of delay, simple interest @ 12% shall be levied for the delay period (the delay period shall be calculated after 15 days of issue of this direction till the date of EC deposited by the unit). EC deposited in the CPCB account will be spent by CPCB as per the EC utilization policy as approved by Hon'ble NGT.
2. CETP Textile Centre Pilkhuwa Association shall continue to take necessary pollution control measures to complying with norms.

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.


(TANMAY KUMAR)
CHAIRMAN

O/C

Signature

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


(PRASHANT GARGAVA)
MEMBER SECRETARY

OK