



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. PJ-14013(12)/11/2021-WQM-II-HO-CPCB-HO (CETP Sitarganj) Date: June 13, 2023

To,

M/s ELDECO SIDCUL Industrial Park Ltd. (ESIPL),  
201-212, II<sup>nd</sup> Floor, Splendour Forum,  
Jasola, District Centre,  
New Delhi - 110025

**DIRECTIONS UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986 REGARDING NON-COMPLIANCE OF COMMON EFFLUENT TREATMENT PLANT (CETP) AT SITARGANJ, UTTARAKHAND**

**WHEREAS**, the Ministry of Environment & Forests, Govt. of India, vide notification S.O.157 (E) of 27.02.1996 has delegated powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, CPCB, to issue direction to any industry, Municipal Corporation, Municipal Council, Cantonment Board or to any local or other Authority for the violation of 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, Common Effluent Treatment Plants (CETP) and Sewage Treatment Plants (STP) under the Environment (Protection) Act, 1986 and the rules framed there under; and

**WHEREAS**, the 4 MLD Common Effluent Treatment Plant located at the ELDECO SIDCUL Industrial Park, Plot No. U-3, Phase-III, Tehsil Sitarganj, District Udham Singh Nagar, Uttarakhand (here in after referred as 'CETP') is designed to treat effluent generated from 210 industrial units located in ELDECO SIDCUL Industrial Park. The CETP is owned by M/s ELDECO SIDCUL Industrial Park Ltd. (ESIPL) which is a joint venture of SIDCUL and M/s ELDECO, which has sublet the operation & maintenance work to M/s JITF ESIPL CETP (Sitarganj) Limited (here in after referred as 'the operator'); and

**WHEREAS**, CETP was inspected by CPCB officials on 22/03/2021 and found non-complying w.r.t. inlet and outlet discharge standards. CPCB issued a letter dated 18/08/2021 to CETP Operator namely, M/s JITF ESIPL CETP (Sitarganj) Limited and suggested to take necessary measures required to improve the functioning of CETP Sitarganj; and

**WHEREAS**, M/s JITF, ESIPL, CETP (Sitarganj) Limited reply dated 20/09/2021 was examined; and

Contd.

**'परिवेश भवन' पर्वी अर्जुन नगर, दिल्ली-110032**

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in



**WHEREAS**, CETP was inspected by CPCB officials on 23/09/2021 and found non-complying w.r.t. treated effluent discharge standards prescribed by Uttarakhand Pollution Control Board (UKPCB) for TDS-2456 mg/l (against norm of 2100 mg/l), Fluoride-11.83 mg/l (against norm of 2 mg/l), Cyanide-0.42 mg/l (against norm of 0.2 mg/l) and Boron-8.34 mg/l (against norm of 2 mg/l). Industrial effluent received at the inlet of the CETP was not meeting the inlet effluent quality standards prescribed by UKPCB for TDS-2388 mg/l (against norm of 2100 mg/l) and Boron-17.96 mg/l (against norm of 2 mg/l); and

**WHEREAS**, CPCB issued Show Cause Notice dated 31/01/2022 under section 5 of the Environment (Protection) Act, 1986 to ESIPL to explain the reason of non-compliance of treated effluent w.r.t. prescribed treated effluent quality standards and why environmental compensation should not be imposed; and

**WHEREAS**, State Infrastructure and Industrial Development Corporation of Uttarakhand Limited (SIIDCUL) vide letter dated 19/02/2022 submitted that CETP at Sitarganj is operated by M/s JITF ESIPL CETP (Sitarganj) Limited under BOT model vide agreement dated 14/05/2008 between operator and ESIPL, for which CCA upto 31/03/2022 has been issued to the operator (M/s JITF ESIPL CETP (Sitarganj) Limited) by UKPCB. SIIDCUL informed that the compliance of standards prescribed by UKPCB is responsibility of the operator; and

**WHEREAS**, ESIPL vide its letter dated 14/02/2022 requested CPCB to provide analysis report of inspection conducted on 23/09/2021; and

**WHEREAS**, CPCB vide its letter dated 23/02/2022 forwarded the analysis report of samples collected on 23/09/2021 to ESIPL; and

**WHEREAS**, M/s JITF ESIPL CETP (Sitarganj) Limited (the operator) vide their letter dated 10/03/2022 denied the finding/observation of the analysis report prepared on basis of sample collected from the CETP during the inspection carried out on 23/09/2021; and

**WHEREAS**, CETP was inspected by CPCB officials on 08/03/2022 and found non-complying w.r.t. treated effluent quality standards prescribed by UKPCB for Fluoride-6 mg/l (against norm of 2 mg/l), Boron-3.12 mg/l (against norm of 2 mg/l) and  $\alpha$ -Endosulfan-0.161  $\mu$ g/l (against norm of "Absent"). Industrial effluent received at the inlet of the CETP was not meeting the inlet effluent quality standards prescribed by UKPCB for TDS-3372 mg/l (against norm of 2100 mg/l) and Fluoride-36 mg/l (against norm of 15 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 the above quoted Hon'ble NGT order, cases to be considered for levying environmental compensation regarding 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**, CPCB issued Show Cause Notice dated 01/07/2022 under section 5 of the Environment (Protection) Act, 1986 to ESIPL to show cause as to why the operation of CETP Sitarganj, Uttarakhand and its member units should not be closed down and environmental compensation of Rs. 10,43,750/- shall be levied for the non-compliance period from 23/09/2021 to 08/03/2022. The detailed calculation of environmental compensation is as under:

Time period		N	PI	R	S	LF	Total Amount
From	To						
23/09/2021	08/03/2022	167	50	250	0.5	1	$EC = N \times PI \times R \times S \times LF$ $EC = 167 \times 50 \times 250 \times 0.5 \times 1$ $EC = \text{Rs. } 10,43,750/-$

EC calculation details: N= No. of days of violation; PI= Pollution index of industrial sector; R= A factor in Rupees for EC; S= Scale of operation; and LF= Location factor.

**AND WHEREAS**, ESIPL vide its letter dated 14/07/2022 submitted their reply wherein they denied the observations made in the CPCB's Show Cause Notice dated 01/07/2022 and requested CPCB to provide analysis reports corresponding to inspection conducted on 08/03/2022; and

**WHEREAS**, CPCB vide its letter dated 21/07/2022 forwarded the analysis report of samples collected on 08/03/2022 to ESIPL; and

**WHEREAS**, CETP was inspected by CPCB officials on 15/06/2022 and found non-complying w.r.t. treated effluent quality standards prescribed by UKPCB for TDS-2592 mg/l (against norm of 2100 mg/l), Fluoride-10.58 mg/l (against norm of 2 mg/l) and  $\beta$ -HCH-0.312 mg/l (against norm of "Absent"); and

**WHEREAS**, ESIPL was granted opportunity of personal hearing which was held on 14/11/2022 before the CPCB's Four-Member committee constituted to examine the representations against environmental compensation and following were the recommendations:

1. CETP has been non-complying w.r.t. fluoride and boron in treated wastewater repeatedly in three consecutive inspections carried out by CPCB. Non-compliance was also noticed in pesticide compounds ( $\alpha$ -Endosulfan and  $\beta$ -HCH), which were banned globally.
2. CETP has discharged treated wastewater with high fluoride levels over a period of about nine months. This indicates that CETP has not taken timely steps to overcome shortcomings in the existing treatment system. Steps taken if any, were also not reported. It was expected that CETP should have carried out root cause analysis for such non-compliance.

3. CETP has not yet investigated and reported the source of banned pesticide compounds in treated wastewater.
4. CETP has also failed to ensure effluent quality standards at the inlet to CETP as prescribed by UKPCB.

**AND WHEREAS**, CPCB vide letter dated 13/12/2022 forwarded the minutes of personal hearing of ESIPL held on 14/11/2022 and the copy of the analysis report of samples collected on 15/06/2022 to ESIPL; and

**WHEREAS**, no response has been received from ESIPL till date; and

**WHEREAS**, CETP, Sitarganj, Uttarakhand was inspected by CPCB officials on 16/01/2023 and following observations were made:

1. CETP was found operational on the day of inspection on 16/01/2023 and the utilized capacity was 1.2-1.3 MLD.
2. Flow meters were installed at the inlet and outlet of the CETP and were found to be functional.
3. OCEMS installed at inlet (Raw Effluent Pump House) has no display due to fault in sensor. OCEMS installed at outlet (after Filters) was found in working condition.
4. MLSS and MLVSS in the Aeration Tank were 5576 mg/l and 2838 mg/l, respectively.
5. CETP do not have valid Consent to Operate issued by UKPCB. UKPCB granted Consolidated Consent to Operate and Authorization (CCA) on 20/01/2022 under Water Act, 1974, Air Act, 1981 and Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016 to M/s JITF ESIPL CETP (Sitarganj) Limited which was valid upto 31/03/2022. The CETP has applied for renewal of CCA on 07/03/2022, 18/11/2022 and 27/12/2022 and provided a copy of payment receipts of renewal applications to CPCB.
6. Treated effluent of CETP was found non-complying w.r.t. treated effluent discharge standards for BOD-49 mg/l (against norm of 30 mg/l), TSS-128 mg/l (against norm of 100 mg/l), FDS-2920 mg/l (against norm of 2100 mg/l) and Fluoride-5.27 mg/l (against norm of 2 mg/l). Values of other parameters observed as pH-7.4 (against norm of 6.5-9.0), COD as 200 mg/l (against norm of 250 mg/l), Chloride as 882 mg/l (against norm of 1000 mg/l), Ammoniacal Nitrogen as 16 mg/l (against norm of 50 mg/l), Sulphate as 475 mg/l (against norm of 1000 mg/l), Boron-BDL (against norm of 2 mg/l), Cyanide-BDL (against norm of 0.2 mg/l) and Oil & Grease-BDL (against norm of 10 mg/l).
7. Industrial effluent received at the inlet of the CETP was not meeting the inlet effluent quality standards prescribed by UKPCB for TDS-3668 mg/l (against norm of 2100 mg/l).
8. The treated effluent after tertiary treatment is used for irrigation purpose (area-17 acres).



9. Log books for inlet/outlet flow, laboratory analysis, sludge generation and chemical consumption were maintained.

**AND WHEREAS**, CPCB vide its letter dated 24/04/2023 forwarded the analysis report of samples collected on 16/01/2023 to ESIPL; and

**WHEREAS**, as per the “Policy for levying Environmental Compensation for industries” dated 04.09.2019, environmental compensation to ESIPL for the non-compliance period of 314 days (09/03/2022 – 16/01/2023) is calculated as Rs. 19,62,500/- (Rupees Nineteen Lacs Sixty Two Thousand Five Hundred only). The detailed calculation of environmental compensation is as under:

Time period		N	PI	R	S	LF	Total Amount
From	To						
09/03/2022	16/01/2023	314	50	250	0.5	1	$EC = N \times PI \times R \times S \times LF$ $EC = 314 \times 50 \times 250 \times 0.5 \times 1$ $EC = \text{Rs. } 19,62,500/-$

EC calculation details: N= No. of days of violation; PI= Pollution index of industrial sector; R= A factor in Rupees for EC; S= Scale of operation; and LF= Location factor.

**It is evident that CETP, Sitarganj, was not operated and maintained properly to comply with the treated effluent discharge norms and found continuously non-complying w.r.t. treated effluent quality standards. Industrial effluent received at the inlet of the CETP was not meeting the inlet effluent quality standards prescribed by UKPCB indicating that member units were not complying with CETP inlet effluent quality standards. The discharge of partially treated effluent from CETP, non-compliant with discharge norms, is posing potential threat to the ambient environment quality.**

**M/s ELDECO SIDCUL Industrial Park Ltd. (ESIPL) has not responded to the minutes of personal hearing held on 14/11/2022 and therefore, the environmental compensation of Rs. 10,43,750/- for the period of non-compliance (23/09/2021 to 08/03/2022) shall be levied. Further, the CETP-Sitarganj was found discharging partially treated effluent during the inspection carried out on 15/06/2022 & 16/01/2023. Therefore, environmental compensation of additional Rs. 19,62,500/- (Rupees Nineteen Lacs Sixty-Two Thousand Five Hundred only) is proposed to be levied on ESIPL for the non-compliance period (09/03/2022 – 16/01/2023).**

**AND NOW THEREFORE**, in view of the above observations and in exercise of the powers delegated to the Chairman, Central Pollution Control Board under section 5 of the Environment (Protection) Act, 1986, M/s ELDECO SIDCUL Industrial Park Ltd. (ESIPL) is hereby directed to comply with the following directions:

1. ESIPL shall deposit the Environmental Compensation (EC) amount of **Rs. 10,43,750/-** (Rupees Ten Lacs Forty Three Thousand Seven Hundred Fifty only) for the period of non-compliance of 167 days (23/09/2021 to 08/03/2022) into the 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. Also, the ESIPL shall provide detail of EC amount deposited to CPCB within 15 days from date of receipt of direction. EC deposited in the CPCB account will be spent by CPCB as per the EC utilization policy as approved by Hon'ble NGT.

2. ESIPL is also Show Cause as to why the environmental compensation of additional **Rs. 19,62,500/-** (Rupees Nineteen Lacs Sixty-Two Thousand Five Hundred only) shall also not be levied for the non-compliance period (09/03/2022 – 16/01/2023).
3. ESIPL shall identify and take necessary action against the member units which discharges effluent without meeting the CETP inlet norms prescribed by UKPCB.
4. ESIPL shall comply with the treated effluent discharge standards prescribed by UKPCB.

You are hereby given an opportunity to file your objections (if any) to the above proposed directions within 15 days from the date of receipt of this direction. In case of default in compliance of above directions, CPCB will be constrained to initiate appropriate action against M/s ELDECO SIDCUL Industrial Park Ltd. (ESIPL) and the member units connected with CETP Sitarganj in accordance with the provisions of the Environment (Protection) Act, 1986 without any further notice.

13<sup>th</sup> 12/6/23  
(TANMAY KUMAR)  
CHAIRMAN

*Signature*

**Copy to:**

1. **Director General,** : For kind information, please.  
National Mission for Clean Ganga  
(MoWR, RD & GR),  
1<sup>st</sup> Floor, Major Dhyan Chand National Stadium,  
India Gate, New Delhi - 110 002
2. **Additional Secretary (CP Division),** : For kind information, please.  
Ministry of Environment Forests & CC,  
Indira Paryavaran Bhawan, Jor Bagh Road,  
New Delhi - 110 003
3. **Member Secretary** : For kind information, please.  
Uttarakhand Pollution Control Board,  
Gaura Devi Bhawan, 46 B, IT Park,  
Sahastradhara, Dehradun - 248 001,  
Uttarakhand
4. **Managing Director,** : For kind information, please.  
SIIDCUL Head Office,  
29, IIE (IT Park), Sahastradhara Road,  
Dehradun-248001, Uttarakhand
5. **Regional Officer,** : For kind information, please.  
Regional Office (Kashipur),  
Uttarakhand Pollution Control Board,  
Chamunda Complex, Ramnagar Road,  
Kashipur - 244 713, Uttarakhand
6. **In-charge, IT Division, CPCB** : For uploading the direction on  
CPCB website, please.

**(PRASHANT GARGAVA)**  
**MEMBER SECRETARY**