(1)

Action Taken Report

In the matter of Original Application No. 33 of 2019

Residents of Shubh Dales Housing Society, Rudrapur

Vs

State of Uttarakhand

In compliance of the order passed by the Hon'ble National Green Tribunal, Principal Bench, New Delhi on dated 16.01.2019, inspection of the site was carried out by the officials of Regional Office, Uttarakhand Environment Protection and Pollution Control Board, Kashipur, Distt. US Nagar on dated 30.01.2019. Representatives of Shubh Dales Housing Society were also present during the inspection. Detailed inspection report is enclosed as **Annexure-1**.

As per inspection report:

1. During the inspection it was observed that M/S Shubham Foods and M/S Jaigurudev Industries are situated in residential area.

2. M/S Shubham Food, Khasra No. 133, Kichha Road, Rudrapur was in operation. Unit is engaged in manufacturing of rice. The unit has not appropriate arrangement for control of rice husk and dust generating from the milling process, which is causing dust problem in nearby residential area .Air quality monitoring were conducted at premises of house no. 27 and RSPM concentration showed 181.9 microgram per cubic meter, which is above the prescribed limit. The unit is operating without consent to operate of the Board.

3. M/S Jai Gurudev Industries, Near Shubh Dales Housing Society, Kichha Road, Rudrapur is engaged in manufacturing of agriculture equipments through cutting, welding, spray painting processes. The unit has not obtained consent to establish and consent to operate from the Board.

4. Considering the violation of environmental norms, the State Board has issued closure orders to M/S Shubham Food, Khasra No. 133, Kichha Road, Rudrapur, Distt. US Nagar and M/S Jai Gurudev Industries, Near Shubh Dales Housing Society, Kichha Road, Rudrapur, Distt. US Nagar on dated 21.02.2019 under section 33(A) of the Water (Prevention and Control of Pollution) Act, 1974 and section-31(A) of the Air (Prevention and Control of Pollution) Act, 1981. Copies of closure order issued on 25.02.2019 are enclosed as **Annexure-2 & 3**.

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(9)

Annexure-1

माननीय एन0जी0टी0 द्वारा मूल आवेदन संख्या 33/2019 Residents of Shubh Dales Housing Society, Rudrapur पारित आदेश दिनांक 16.01.2019 के क्रम में दिनांक 30.01.2019 को शुभडेल हाउसिंग सोसाईटी का निरीक्षण किया गया। निरीक्षण के दौरान मै0 शुभम फूड व मै0 जयगुरू देव इण्डस्ट्रीज आवासीय परिसर से लगे पाये गये।

निरीक्षण मे उपस्थिति निम्नानुसार रही–

1. श्री सुभाष चन्द पंवार, क्षेत्रीय अधिकारी(प्र0)
2. श्री राकेश सिंह कण्डारी, सहायक पर्यावरण अभियन्ता
3. श्री हरीश चन्द्र जोशी, वैज्ञानिक सहायक
4. श्री मानेन्द्र सिंह राणा, अनुश्रवण सहायक
5. श्री योगेश सिंह रावत, अनुश्रवण सहायक

उद्योग प्रतिनिधि, श्री पवन कुमार अग्रवाल,

शुभडेल हाउसिंग सोसाइटी के प्रतिनिधि

1. डा0 वर्षा मिश्रा
2. श्रीमति शशि दीक्षित
3. श्रीमति कुसुम गुप्ता, हाउस नं0–11
4. श्री योगेश चौधरी, हाउस नं0–24
5. डा0 अजय सिंह, हाउस नं0–25
6. श्री जिम्मी कामरा, एल0आई0जी0–7
7. श्री प्रदीप सक्सेना, हाउस नं0–22

मै0 शुभम फूड, खसरा नं0–133, किच्छा रोड रूद्रपुर–निरीक्षण के दौरान उद्योग संचालन मे पाया गया। उद्योग को 250 मैट्रिक टन चावल उत्पादन हेतु जल/वायु सहमति वर्ष 31.03.2017 तक प्राप्त है। उद्योग मे एक हॉट एयर ब्लयर स्थापित है। निरीक्षण के दौरान उद्योग द्वारा पूर्व निर्गत सहमति शर्तो का का अनुपालन नही होता पाया गया। मिलिंग प्रकिया से जनित धूल व राईस हस्क के नियन्त्रण हेतु स्थापित चैम्बर/बंद कमरे के ऊपरी छत उद्योग प्रतिनिधि के द्वारा अन्यत्र स्थानान्तरित कर ली गयी है(फोटोग्राफ संलग्न)। जिससे जनित धूल/राईस हस्क के नियंत्रण हेतु किसी भी प्रकार की व्यवस्था स्थापित नही पायी गयी। जिसके परिणाम स्वरूप जनित होने वाले धूल कणों का आवासीय क्षेत्र मे जाना स्वभाविक है। आवासीय कालोनी के हाउस नं0–27, श्री शुभम उकराल के परिसर मे परिवेशीय वायु गुवत्ता (RSPM) का अनुश्रवण किया गया, जो कि बोर्ड मानको के अनुरूप नही पाया गया। परिवेशीय वायु गुणवत्ता की जॉच आख्या निम्नवत् है(अनुश्रवण आख्या संलग्न)।

S.No	Parameter	Monitoring Location	Measure Value($\mu g/m^3$)	Standard Value ($\mu g/m^3$)
1	Respirable Suspended Particulate Matter (RSPM)	On the roof of house No-27	181.9	100

अग्रेत्तर उद्योग के विरूद्ध जल/वायु सहमति शर्तो का अनुपालन न करने व जन बूझकर धूल नियंत्रण व्यवस्था डिस्मेन्टल करने पर उद्योग के विरूद्ध वायु प्रदूषण (निवारण एवं नियंत्रण) अधिनियम–1981 के अन्तर्गत बंदी आदेश निर्गत किये जाने की संस्तुति की जाती है।

मै0 जय गुरूदेव इण्डस्ट्रीज, निकट शुभ डेल हाउसिंग सोसाइटी, किच्छा रोड, रूद्रपुर– निरीक्षण के दौरान उद्योग मे कृषि यंत्रों का उत्पादन कटिंग, वैल्डिंग, स्प्रे पेन्टिंग आदि प्रक्रियाओ से होता पाया गया। जिस हेतु उद्योग को बोर्ड से किसी भी प्रकार की स्थापनार्थ/संचालनार्थ सहमति प्राप्त नही है। उद्योग के द्वारा स्थापनार्थ/संचालनार्थ सहमति प्राप्त किये बिना उद्योग का संचालन किया जा रहा है। अतः उद्योग के विरूद्ध बंदी की कार्यवाही किये जाने की संस्तुति की जाती है।

(राकेश सिंह कण्डारी)
सहा0 पर्यावरण अभियन्ता

(सुभाष चन्द पंवार)
क्षेत्रीय अधिकारी(प्र0)

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(10)

Annexure-2

HEAD OFFICE

गौरा देवी पर्यावरण भवन

Uttarakhand Environment Protection and Pollution Control Board
29/20, Nemi Road, Dalanwala, Dehradun(Uttarakhand)
Phone: (0135) 2650086; Fax: (0135) 2716092; E-mail: (mailpcb@yahoo.com; Web: www.uepcb.uk.gov.in

उत्तराखण्ड पर्यावरण संरक्षण एवं प्रदूषण नियंत्रण बोर्ड
29/20, नेमी रोड, डालनवाला, देहरादून (उत्तराखण्ड)

Ref: UEPPCB/HO/ Gen-~~441183(366)~~ 9187-1654 Dehradun, 21/02/19

BY SPEED POST

To,

M/s Shubham Food
Khasra No. 133, Kichha Road
Rudrapur, Dist- Udham Singh Nagar

Directions under section-33(A) of the Water (Prevention and Control of Pollution) Act, 1974 and section-31(A) of the Air (Prevention and Control of Pollution) Act, 1981.

WHEREAS, the Central Government has made the **Water (Prevention and Control of Pollution) Act, 1974** and the **Air (Prevention and Control of Pollution) Act, 19781**, and vide provisions of these Acts every water/air polluting industry/unit is required to obtain Consent to Establish and Consent to Operate from the **State Pollution Control Board**; and

WHEREAS, for the purposes of protecting and improving the quality of environment and preventing and abating environmental pollution, the standards for discharge of environmental pollutants from the industries, operations or processes, have been specified under the **Environment (Protection) Rules, 1986**; and it is mandatory to every industries, operations or processes of keep their effluent/emission quality within the specified norms all the time; and

WHEREAS, as per **section-25** of the **Water (Prevention and Control of Pollution) Act, 1974** and **section-21** of the **Air (Prevention and Control of Pollution) Act, 1981**, it is the mandatory requirement for any industry, operation or process, or any treatment and disposal system or any extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land/emit air emission; to obtain prior Consent from the Board; and

WHEREAS, in the matter of Original Application 33/2019 before the Hon'ble NGT (Residents of Shubh Dales Housing Society, Rudrapur Vs State of Uttarakhand), Hon'ble Tribunal passed the order that the SPCB will take appropriate action in accordance with law and;

WHEREAS, the inspection of the site was carried out by officials of the Regional Office, Kashipur of this Board on 30.01.2019 in presence of representatives of the housing society and found that:-

1. You are operated the rice mill adjacent to the residential colony and have CCA up to March 31, 2017
2. You have not provided any dust control system for abatement of dust and husk generated from the operation of the mill.
3. Respirable Suspended Particulate Matter (adjacent to the roof of neighbouring house) was found above the prescribed norms (181.9 microgram/cubic meter).

As such it is evident from above observations that the Unit has not complied with the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981; and is in operation without Air Pollution Control System and without CCA of the Board.

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AND NOW THEREFORE, in view of above observations, and in exercise of the power conferred under Section-33(A) of the Water (Prevention and Control of Pollution) Act, 1974 and Section-31(A) of the Air (Prevention and Control of Pollution) Act, 1981, as amended thereafter, with approval of the Competent Authority of the Board, **you are hereby directed to close down the rice mill with immediate effect.**

In case of default in compliance with the above directions by the Unit, the **UEPPCB will be constrained to initiate appropriate actions against the occupier(s) of the Unit** without giving any further notice, in accordance with provisions of the aforementioned Acts.

MEMBER SECRETARY

Copy to:

1. The Chairman, UEPPCB, Dehradun for kind information please.
2. District Magistrate, US Nagar for information and arrange to compliance please.
3. Sub Divisional Magistrate, Rudrapur, District Udham Singh Nagar for strict compliance of the above direction.
4. Program Director, SPMG, NGRBA, 117-Indira Nagar, Dehradun for kind Information please.
5. Managing Director, Uttarakhand Power Corporation Ltd., Urja Bhawan, Kanwali Road, Dehradun (Uttarakhand) for kind information and request to issue necessary instructions to concern.
6. Executive Engineer, Uttarakhand Power Corporation Ltd, Rudrapur, for disconnection of electricity of the unit.
7. Regional Officer (I/c), UEPPCB, Regional Office, Kashipur (US Nagar) for strict compliance of above directions.
8. Dr Rajemdra Singh, ASO to submit the action taken report before Hon'ble NGT by e-mail.
8. Consent File/Guard file.

MEMBER SECRETARY

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(12)

Annexure-3

HEAD OFFICE
गौरा देवी पर्यावरण भवन
Uttarakhand Environment Protection and Pollution Control Board
29/20, Nemi Road, Dalanwala, Dehradun(Uttarakhand)
Phone: (0135) 2658088; Fax: (0135) 2718092; E-mail: mailupcb@yahoo.com; Web: www.uepcb.uk.gov.in
उत्तराखण्ड पर्यावरण संरक्षण एवं प्रदूषण नियंत्रण बोर्ड
29/20, नेमी रोड, डालनवाला, देहरादून (उत्तराखण्ड)

Ref: UEPPCB/HO/ Gen-186 (366)/ 9186-163 Dehradun, 21/12/19

BY SPEED POST

To,

M/s Jai Gurudev Industries
Near Shubh Dale Housing Society
Kichha Road, Rudrapur,
Dist- Udham Singh Nagar

Directions under section-33(A) of the Water (Prevention and Control of Pollution) Act, 1974 and section-31(A) of the Air (Prevention and Control of Pollution) Act, 1981.

WHEREAS, the Central Government has made the **Water (Prevention and Control of Pollution) Act, 1974** and the **Air (Prevention and Control of Pollution) Act, 19781**, and vide provisions of these Acts every water/air polluting industry/unit is required to obtain Consent to Establish and Consent to Operate from the **State Pollution Control Board**; and

WHEREAS, for the purposes of protecting and improving the quality of environment and preventing and abating environmental pollution, the standards for discharge of environmental pollutants from the industries, operations or processes, have been specified under the **Environment (Protection) Rules, 1986;** and it is mandatory to every industries, operations or processes of keep their effluent/emission quality within the specified norms all the time; and

WHEREAS, as per **section-25** of the **Water (Prevention and Control of Pollution) Act, 1974** and **section-21** of the **Air (Prevention and Control of Pollution) Act, 1981**, it is the mandatory requirement for any industry, operation or process, or any treatment and disposal system or any extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream or well or sewer or on land/emit air emission; to obtain prior Consent from the Board; and

WHEREAS, in the matter of Original Application 33/2019 before the Hon'ble NGT (Residents of Shubh Dales Housing Society, Rudrapur Vs State of Uttarakhand), Hon'ble Tribunal passed the order that the SPCB will take appropriate action in accordance with law and;

WHEREAS, the inspection of the site was carried out by officials of the Regional Office, Kashipur of this Board on 30.01.2019 in presence of representatives of the housing society and found that:-

1. You are operated an industry for manufacturing of agriculture equipments by process of welding, Cutting, Spray painting adjacent to the residential colony.
2. You do not obtained any Consent to Operate from the Board.

As such it is evident from above observations that the Unit has not complied with the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981; and is in operation without Air Pollution Control System and without CCA of the Board.

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AND NOW THEREFORE, in view of above observations, and in exercise of the power conferred under Section-33(A) of the Water (Prevention and Control of Pollution) Act, 1974 and Section-31(A) of the Air (Prevention and Control of Pollution) Act, 1981, as amended thereafter, with approval of the Competent Authority of the Board, **you are hereby directed to close down the rice mill with immediate effect.**

In case of default in compliance with the above directions by the Unit, the **UEPPCB will be constrained to initiate appropriate actions against the occupier(s) of the Unit** without giving any further notice, in accordance with provisions of the aforementioned Acts.

MEMBER SECRETARY

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1. The Chairman, UEPPCB, Dehradun for kind information please.
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3. Sub Divisional Magistrate, Rudrapur, District Udham Singh Nagar for strict compliance of the above direction.
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5. Managing Director, Uttarakhand Power Corporation Ltd., Urja Bhawan, Kanwali Road, Dehradun (Uttarakhand) for kind information and request to issue necessary instructions to concern.
6. Executive Engineer, Uttarakhand Power Corporation Ltd, Rudrapur, for disconnection of electricity of the unit.
7. Regional Officer (I/c), UEPPCB, Regional Office, Kashipur (US Nagar) for strict compliance of above directions.
8. Dr Rajemdra Singh, ASO to submit the action taken report before Hon'ble NGT by e-mail.
8. Consent File/Guard file.

MEMBER SECRETARY

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