industry and it is located within 400 mtr. of the residential area.

Before we proceed further in the matter, let the Punjab Pollution Control Board furnish a factual and action taken report of this Tribunal within two months by email at ngt.filing@gmail.com."

(B) **ON MERIT:**

In compliance to orders dated 09.04.2019 of Hon'ble NGT, brief report of the industry is as under:

ABOUT INDUSTRY

1. That the industry is engaged in the process of manufacturing of gelatine and the same is sold as different brand names i.e. Glue/Gelatine/ Protein Colloid/ Hydrolyzed Gelatine/Hydrolyzed Proteins @ 2 MTD. The industry is utilizing raw material as Raw Hides and chemicals such as Lime, Sulphuric acid, Hydrogen Peroxide, Sodium Pentachlorophenate & DiButyl Phthalate.
2. The industry had obtained consent to establish in the year 1986 and subsequently it commissioned in the year 1989.
3. The industry was granted consent to operate u/s 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 vide Board's letter no. 437 dated 06.02.1989 having validity upto 01.02.1990.
4. The industry failed to obtain renewal of consent to operate of the Board

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Original Application No. 390 of 2019

Escon Arena Apartment Owners Association

Applicant (s).....

Versus

Punjab Pollution Control Board & another

Respondent (s).....

Status/Action Taken Report – in compliance of order dated 09.04.2019.

Respectfully showeth:

A) BACK-GROUND:

An application has been filed by Escon Arena Apartment Owners Association before the Hon'ble National Green Tribunal. The applicant has alleged that the industry i.e. M/s Ajay Gelatine Pvt. Ltd. is causing air and water pollution in the process of manufacturing of Hu Bone glue, collide protein without any valid consent of the statutory authorities. The Hon'ble NGT was pleased to pass an order dated 09.04.2019, the operative part of which is reproduced here under for kind perusal and reference:

9. In the meantime, the industry applied for obtaining consent to operate of the Board both under Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 on 19/10/2018.

10. Thus, the consents applied by the industry under both Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 were refused vide Board's letter dated 15/11/2018. Also, the PSPCL authorities were directed to disconnect the electric supply available with the industry with immediate effect vide Board's letter no. 6445-46 dated 15/11/2018.

11. The industry submitted vide its letter dated 21/11/2018 mentioning therein that the industry is complying with the operation of ETP / APCD and requested to restore the electric connection of the industry. The request of the industry was considered and the electric connection of the industry was restored temporarily for a period of six months subject to the conditions as under :

a. The industry shall submit a comprehensive bank guarantee amounting to Rs.1.00 lakh as an assurance to comply with the various Environmental Laws / Rules.

b. The industry shall operate and maintain its ETP and APCD efficiently so as to achieve effluent / emission standards, consistently as prescribed by the Board and MoEF&CC.

12. The industry has submitted the bank guarantee no. 6322BGFD005719 is of Rs. 1.0 lakhs dated 27.11.2018 having

opportunities of personal hearing in due course of time. Despite, repeated notices / persuation by the Board, the industry failed to obtain the consent to operate of the Board under Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

6. The industry was visited by the officers of the Board on 7/5/2018 to verify its status w.r.t. pollution control measures of the industry and observed that the industry was not in operation and had not put the Effluent Treatment Plant (ETP) in operation and again during visit on 31/5/2018, observed that the industry was not in operation and had yet not made adequate arrangements of the disposal of its treated trade effluent onto land for plantation.

7. Keeping in view the above status, directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31-A of the Air (Prevention & Control of Pollution) Act, 1981 were issued to the industry vide Board's letter no. 3931 dated 10/7/2018 as under :

"The industry shall not restart its manufacturing activities without developing adequate area (minimum 6 acre) for utilisation of its treated wastewater as well as without obtaining consents to operate under the Water Act, 1974 and Air Act, 1981."

8. The industry was visited by the officers of the Board on 12/10/2018 and observed that the industry was in operation and Effluent Treatment Plant

which are located within 100 meters from the boundary of such air pollution industries. It is also brought into the notice of this Tribunal that the project namely Escon Arena Apartments is situated at a distance of approx. 400 meters from M/s Ajay Gelatine Pvt. Ltd., Vill. Nagla, Zirakpur. NOC from Local Panchayat is not required as alleged in the petition. The group housing project namely Escon Arena developed by M/s Malwa Project Pvt. Ltd., Village Nagla, Zirakpur has been partially established after getting Consent to Establish (NOC) of the Board vide no. 3753 dated 21.05.2013. However, the industry was established after getting NOC of the Board vide no. PTA-36 dated 15/9/1986 and had commissioned its plant in the year 1989 for which consent to operate of the Board under Water (Prevention & Control of Pollution) Act, 1974 was granted vide letter no. 437 dated 6/2/1989.

(D) PRESENT STATUS:

The site of the industry was visited by the officer of the Board latest on 13.05.2019 as well as on 22/5/2019 and it was observed that:

i) The industry was in operation and was engaged in the process of manufacturing of technical grade gelatine @ 2 TPD. The industry has not yet commissioned the machinery installed for manufacturing of edible grade gelatine. No consent to establish (NOC) / consent to operate has been granted by the Board to the industry for

not in operation. The industry has signed an agreement for utilization of treated wastewater onto land for plantation as per Karnal Technology and for utilizing the treated wastewater in fields in an area of approx. 10 acres, the industry has informed that 2 acres of land shall be utilized onto land for plantation as per Karnal Technology and the remaining 8 acres land shall be utilized for plantation of crops.

13. The industry was granted 'consent to operate' under the Water (Prevention & Control of Pollution) Act, 1974 vide no. CTOW/ Renewal/SAS/2019/8916878 dated 28.01.2019 and under the Air (Prevention & Control of Pollution) Act, 1981 vide no. CTOA/Fresh/SAS/2019/8916846 dated 28.01.2019 both having validity upto 21.05.2019, presently, the industry has applied for obtaining varied 'consent to operate' of the Board and the same is under process.

(C) INDUSTRY LOCATION AND SITING:

The industry falls within the Municipal limits of Zirakpur. The industry has submitted the land use classification from the office of DTP vide letter no. 1650 dated 07.10.2016, wherein, it has been mentioned that industry falls under the residential zone as per revised notified Master Plan of Zirakpur. However, the spot zoning of the industry has been done as per revised Master Plan, Zirakpur and a green buffer of 15 m surrounding the

material, which may cause nuisance in the area as and when the wind blows towards the residential area.

(F) **OTHER ISSUES :**

It is submitted here that the unit was established in the revenue estate of Vill. Nagla in year 1989, but due to the fast spreading of urban area limits, the unit have come within the Municipal Limits of M.C., Zirakpur at present. Thus, this is a matter of conflict between the existing industrial units and fast spreading of urbanization.

The above facts are placed before the Hon'ble Tribunal with a prayer to pass appropriate order in the matter.

Place - SAS Nagar
Dt :- 07.06.2019

Ashok Kumar Sharma
Environmental Engineer

iii) The industry has provided water meter at the outlet of ETP. The industry has also provided separate energy meter with ETP.

iv) The industry has provided water meter at the bore well for the abstraction of fresh ground water.

v) The industry has provided a boiler of capacity of 2.5 TPH using wood as fuel, which is provided with cyclone separator as APCD and further with economizer and Air Pre Heater (APH). The industry has provided dual fuel furnace, where pet coke and wood can be used as fuel. The industry has further provided two stage alkali scrubber i.e. (spray tower and packed bed) as APCD, which is connected to a stack of approximately 30.5 mtr. above ground level.

vi) The industry has provided one D.G set of capacity of 500 KVA which is provided with canopy of adequate stack height.

(E) **Compliance of Environmental Laws :**

1. The samples of treated trade effluent were collected on 22.05.2019 and air emission samples from the stack of the boiler was collected on 13.05.2019 by the officers of the Board, analysis of the same revealed that the conc. of pollutants was within the permissible limits prescribed by the Board both for the treated trade effluent and air emissions.

2. From the perusal of the facts mentioned in the report, it is observed that the industry is complying with the provisions of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution)