क्षेत्रीय कार्यालय–उ0प्र0 प्रदूषण नियंत्रण बोर्ड, गाजियाबाद
Regional Office, U.P. Pollution Control Board, Ghaziabad
Website- www.uppcb.com, e-mail:roghaziabad@uppcb.in

संदर्भ संख्या : 2537 /NGT OA-268/20/2021 दिनांक 20/01/2021

To,

The Registrar,
The National Green Tribunal,
Principal Bench,
New Delhi
E-mail- judicial-ngt@gov.in & ngt.filling@gmail.com

Mail

Sub: Action taken report in compliance to order passed by Hon'ble NGT, New delhi on dated 27.11.2020 in matter of Original Application No. 268/2020, Anil Gupta Versus M/s Derpa Industrial Polymers Pvt. Ltd.

Respected Sir,

With reference to the above subject mentioned above, this is to inform you that in compliance of Hon'ble NGT, New delhi on dated 27.11.2020 in matter of Original Application No. 268/2020, Anil Gupta Versus M/s Derpa Industrial Polymers Pvt. Ltd. In compliance of Hon'ble NGT order dated 27.11.2020, the joint report is hereby submitted for kind perusal and necessary action please.

Enclosure: Joint report.

Yours Sincerely

(Utsav Sharma)
Regional Officer

Copy to:

1- Member Secretary, U.P. Pollution Control Board, Lucknow for information.
2- Shri Pradeep Misra, Advocate, Hon'ble Supreme Court/NGT, New Delhi for perusal and necessary action please.
3- Chief Environmental Officer, Circle-1, U.P. Pollution Control Board, Lucknow for information.
4- Law Officer-I, U.P. Pollution Control Board, Lucknow for information.

Regional Officer

Action taken report in compliance to order passed by Hon'ble NGT, New delhi on dated 27.11.2020 in matter of Original Application No. 268/2020, Anil Gupta Versus M/s Derpa Industrial Polymers Pvt. Ltd.

1. Background

Hon'ble National Green Tribunal has acknowledged a grievance as an application. In said grievance it has been alleged that M/s DERPA Industrial Polymers Pvt Ltd at 56, Rural Industrial Estate, Loni, Ghaziabad is manufacturing rubberized fabric, leather shoes, leather suitcase, PU sole shoes, tarpaulin, etc. based on the NSIC certificate, using boilers and hazardous chemicals for coating and treatment purposes which is causing damage to environment. Accordingly, Hon'ble Tribunal had passed following order on 27.11.2020:-

"...2. The above allegations need to be looked into by the State PCB and the District Magistrate, Ghaziabad and action taken as per law. The nodal agency for coordination and compliance will be the State PCB..."

2. Inspection Report

In compliance to the above order, joint inspection of M/S Derpa Industrial Polymers Pvt Ltd, Plot No. 56 & 56a, Rural Industrial Area Loni, Ghaziabad was carried out on 05-02-2021 by joint team of representative of District Administration, Ghaziabad and Regional Office, U.P. Pollution Control Board, Ghaziabad. During inspection the unit was found operational. Observations of inspection report is as follows :-

1. The industry is engaged in production of canvas shoes, PU Sole Leather Shoes, Jackets, Water Proof Rain Coat, Body Protector etc. Production capacity of the industry Shoes- 20000 Numbers/ month and Jackets, Water Proof Rain Coat, Body Protector etc is 10000 Numbers/Month, using raw materials as Cloth fabrics, Eylete, Lashes, Sole (PU sole & Rubber sole) etc.
2. For production process the unit has installed stitching machine, punching machine for manufacturing of Jackets, Water Proof Rain Coat,

Body Protector etc and direct injection machine for PU Sole and heating furnaces for shoes bonding.

3. There is no use of water in industrial process. Water is being used only for domestic purpose 1.0 KLD approx. For abstraction of ground water one borewell of 01 HP has been installed. The unit has not valid NOC from CGWA/ Competent authority for abstraction of ground water. Recommendation sent to CGWA as per Hon'ble Tribunal's order in OA 593/2017, Paryavaran Suraksha Samiti and Others Versus Union of India.
4. The unit has 02 numbers of Thermopack of 4.0 LKCAL and 2.0 LKCAL. Out of these 01 Thermopack of 4.0 LKCAL capacity is not in use since 2017 and is out of line. During inspection, the Thermopack of capacity 4.0 LKCAL was found disconnected with oil pipelines and electricity. Multi cyclone dust collector with chimney of 50 feet approx. from ground level is installed as air pollution control system on 4.0 LKC thermopack. Thermopack of capacity 2.0 LKCAL was found in operation during inspection in which LPG (Kit of 05 cylinders having 19 KG LPG each) is being used as fuel. The stack height of the thermopack is approx. 30 feet from GL.
5. The unit has one DG Set of capacity 50 KVA with acoustic encloser for power back up in absence of electricity.
6. The unit has been granted conditional Consent to Operate under the provisions of Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control of Pollution) Act, 1974 which is valid upto 31.07.2022.

3. Observations

1. It was observed during inspection that unit is generating hazardous waste i.e. empty chemical drums, contaminated cotton rags and used oil for which unit has not provided separate dedicated storage.
2. The unit has not obtained authorization for hazardous waste disposal. It has been informed by industry representative that empty chemicals drums are collected and taken back by the supplier. However no

supporting documents could be furnished to justify same. Twentry drums were found on site during inspection.

Action taken: -

1. Notice has been issued to unit for obtaining Authorization under the provisions of Hazardous Waste Management Rules, 2016 and dispose hazardous waste generated in accordance with law, copy of same is annexed as **Annexure 1.**

2. Recommendation to impose Environmental compensation for illegal extraction of ground water has been sent by Regional office, Ghaziabad vide letter dated 10.02.2020 to CGWA, copy of same is annexed as **Annexure 2.**

Report is being attached for kind perusal and necessary action please.

(N.K.Pandey) Junior Engineer UPPCB, Ghaziabad	(B.K.Singh) Assistant Environmental Engineer UPPCB, Ghaziabad	(Prakash Singh) Tehsildar Loni

Annexure-1

क्षेत्रीय कार्यालय–उ0प्र0 प्रदूषण नियंत्रण बोर्ड, गाजियाबाद
Regional Office, U.P. Pollution Control Board, Ghaziabad

संदर्भ संख्या : 2325 /सा0पत्रा0-66/2020 दिनांक 22/01/2021

सेवा में,

मैसर्स डेरपा इण्डस्ट्रीयल पालीमर्स प्रा0 लि0,
प्लाट नं0 56/56-ए, रूरल इण्डस्ट्रीयल एरिया,
लोनी, जनपद-गाजियाबाद।

विषयः **परिसंकटमय और अन्य अपशिष्ट (प्रबन्ध एवं सीमापार संचलन) नियम, 2016 के आज्ञापक प्राविधानों के अनुपालन के संबंध में।**

महोदय,

जैसे कि आप विदित है कि पर्यावरण, वन और जल-वायु मंत्रालय, भारत सरकार द्वारा **परिसंकटमय और अन्य अपशिष्ट (प्रबन्ध एवं सीमापार संचलन) नियम, 2016** यथा संशोधित के अन्तर्गत विभिन्न प्राविधान लागू किये गये है, जिसका अनुपालन किया जाना अनिवार्य है। उक्त का अनुपालन न करने की दशा में मा0 सर्वोच्च न्यायालय के आदेशों के अन्तर्गत कार्यवाही निहित है।

यह है कि उधोग में स्थापित/संचालित डी.जी. सेट से उत्पन्न रिसाइकिलबेल वेस्ट (यूज्ड आयल) को केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा रजिस्ट्रीकृत पुनः परिश्करणकर्त्ता या पुनः चक्रणकर्त्ता को ही देना सुनिश्चित करें तथा साथ ही वर्तमान में उधोग से जनित हो रहे रिसाइकिलवेल वेस्ट की भण्डारित मात्रा एव निस्तारण की क्या व्यवस्था अपनायी गयी है तथा आपकी इकाई द्वारा उत्पादन सम्बन्धी अपनायी जा रही तकनीक, प्रदूषण नियंत्रण व्यवस्था से उत्पन्न स्लज का भण्डारण/निस्तारण, सूचित करें।

अतः आपको निर्देशित किया जाता है कि पत्र प्राप्ति के एक सप्ताह के अंदर उपरोक्त वर्णित अधिनियमों के प्राविधानों का अनुपालन एवं परिसंकटमय अपशिष्ट प्राधिकार हेतु यथा शीध्र उधोग बन्धु की वेव साइट निवेश मित्र (http://niveshmitra.up.nic.in) पर आन लाइन आवेदन निर्धारित शुल्क के साथ करना सुनिश्चित करें। कृपया नोट करें कि उधोग परिसर में जनित/भण्डारित परिसंकटमय अपशिष्ट का निस्तारण बोर्ड से मान्यता प्राप्त टी.एस.डी.एफ. के माध्यम से ही किया जाना सुनिश्चित किया जायें तथा वांछित अनुपालन आख्या प्राप्त न होने पर की गयी कार्यवाही के लिए स्वंय उधोग/उधोग पदाधिकारी उत्तरदायी होगें।

Received
For Derpa Indl. Polymers (P) Ltd.
Auth.Signatory
Santosh Singh
05/02/21

भवदीय,

(उत्सव शर्मा)
क्षेत्रीय अधिकारी

प्रतिलिपिः मुख्य पर्यावरण अधिकारी, वृत्त-1, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, लखनऊ को सूचनार्थ सादर प्रेषित।

क्षेत्रीय अधिकारी

क्षेत्रीय कार्यालय : आई0एन0एस0–2, सेक्टर–16, वसुन्धरा, गाजियाबाद–201012 फोन–0120–4160108

मुख्यालय : TC-12V, विभूति खण्ड, गोमती नगर, लखनऊ 226010

Annexure - 2

क्षेत्रीय कार्यालय–उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, गाजियाबाद
Regional Office, U.P. Pollution Control Board, Ghaziabad

संदर्भ संख्या : 2471/ सा०प्र०-246/2021 दिनांक : 10/02/2021

सेवा में,

क्षेत्रीय निदेशक,
केन्द्रीय भू–गर्भीय जल बोर्ड, उत्तरी क्षेत्र,
भूजल भवन, सेक्टर–बी, सीतापुर रोड योजना,
राम–राम बैंक चौराहा, लखनऊ–226021.
ई–मेल–rdnr-cgwb@nic.in

Mail

विषयः **माननीय राष्ट्रीय हरित अधिकरण, नईदिल्ली द्वारा O. A. No. 593/2017 पर्यावरण सुरक्षा समिति व अन्य बनाम भारत सरकार व अन्य में दिनांक 28.08.2019 को पारित आदेश के अनुपालन में M/s. Derpa Industrial Polymers Pvt. Ltd., Plot No-56 & 56A, Rural industrial Area, Loni, Ghaziabad के विरुद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने के सम्बन्ध में।**

महोदय,

कृपया उपरोक्त विषयक सन्दर्भ ग्रहण करने का कष्ट करें। माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा O.A. No. 593/2017 पर्यावरण सुरक्षा समिति व अन्य बनाम भारत सरकार में दिनांक 28.08.2019 को पारित आदेश में विभिन्न प्रदूषण कारकों तथा श्रोतों से होने वाले प्रदूषण के दृष्टिगत केंद्रीय प्रदूषण नियंत्रण बोर्ड की आख्यानुसार पर्यावरणीय क्षतिपूर्ति प्रशमन (Environmental Compensation) अधिरोपित किये जाने के सम्बन्ध में आवश्यक आदेश पारित किये गये हैं।

उक्त आदेश में 'Formula for Environmental Compensation for Illegal extraction of ground water' के सम्बन्ध में केंद्रीय प्रदूषण नियंत्रण बोर्ड द्वारा तैयार की गयी प्रणाली को लागू किये जाने के सम्बन्ध में आदेश पारित किये गए हैं। उक्त प्रणाली के अनुसार Illegal extraction of ground water सम्बन्धी प्रकरणों में पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने हेतु केन्द्रीय भूजल प्राधिकरण को अधिकृत किया गया है ।

उक्त के क्रम में आपको अवगत कराना है की M/s. Derpa Industrial Polymers Pvt. Ltd., Plot No-56 & 56A, Rural industrial Area, Loni, Ghaziabad एक कैनवास शूज, वर्दी, किट बैग, बुलट प्रुप जाकेट, आदि की यूनिट है, जिनके द्वारा बोरवेल के माध्यम से भूजल का प्रयोग किया जाता है।

अतः माननीय अधिकरण द्वारा पारित आदेश दिनांक 28.08.2019 के अनुपालनार्थ M/s. Derpa Industrial Polymers Pvt. Ltd., Plot No-56 & 56A, Rural industrial Area, Loni, Ghaziabad के सम्बन्ध में आख्या इस पत्र के साथ संलग्नकर अग्रिम आवश्यक कार्यवाही हेतु प्रेषित की जा रही है।

संलग्नकः उपरोक्तानुसार।

भवदीय,

(उत्सव शर्मा)
क्षेत्रीय अधिकारी

प्रतिलिपिः निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु सादर प्रेषित।

1– जिलाधिकारी महोदय, गाजियाबाद।
2– सदस्य सचिव, केन्द्रीय भूजल प्राधिकरण, 18/11, जामनगर हाउस, मानसिंह रोड, नई दिल्ली।
3– मुख्य पर्यावरण अधिकारी, वृत्त–1, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, लखनऊ।

क्षेत्रीय अधिकारी

Environmental Compensation calculation for illegal extraction of ground water M/S DERPA INDUSTRIAL POLYMERS PVT LTD, PLOT NO. 56 & 56A, RURAL INDUSTRIAL AREA LONI, GHAZIABAD.

1. M/S DERPA INDUSTRIAL POLYMERS PVT LTD, PLOT NO. 56 & 56A, RURAL INDUSTRIAL AREA LONI, GHAZIABAD is a Manufacturer of Canvas shoes, Wardi, Kit Bag, Bullet Proof Jacket, Water Proof Rain Coat, Body Protector etc. unit. As per office record unit has been established and operational in the year 1983.
2. Unit has been granted CTO Air/water from UPPCB vide letter dated 11.02.2016 which was valid till 31.12.2020.
3. As per the information submitted by the industry, daily water consumption in the industry is about 01 KLD for domestic purpose.
4. The industry has 01 Borewells for abstraction of groundwater for domestic purpose.
5. The area RURAL INDUSTRIAL AREA LONI, GHAZIABAD (where the industry is situated) lies in over-exploited areas as categorized from the ground water resources point of view (CGWB, 2017).
6. At present, the industry does not have valid NOC from CGWA/competent authority for abstraction of groundwater. As per the information provided by the industry representative ,the industry has not even applied for obtaining NOC from CGWA/competent authority.

In view of the above, it is clear that the industry has not obtained NOC from CGWA/competent authority for abstraction of ground water till now, and at present the industry has not even applied for obtaining NOC from CGWA/competent authority.

Hon'ble NGT in OA Paryavaran Suraksha Samiti & Anr Versus Union of India & Ors on dated 28.8.2019 passed orders for imposing Environmental Compensation for illegal extraction of ground water as per the report on "Assessment of Environmental Compensation In case of Illegal Extraction Of Ground Water" submitted by CPCB on 26.6.2019 to Hon'ble NGT.

As per the report following formula for Environmental Compensation for illegal extraction of ground water has been specified :-

ECGW = Water Consumption per Day x Environmental Compensation Rate for illegal extraction of ground water {ECRGw)x No. of Days x Deterrent Factor.

In view of the above, it is recommended to send letter to CGWA for imposing EC for illegal extraction of ground water as per the above calculation and in compliance to the order passed by Hon'ble National Green Tribunal . The report is being submitted for your kind perusal and necessary action please.

10-02-2021
(N.K.Pandey)
JE

10/02/2021
(B.K. Singh)
AEE

Regional Officer