

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
Principal Bench, New Delhi
Original Application No. 220/2019

In The Matter of:

Adil Ansari

Applicant(s)

Versus

M/s C. L. Gupta Exports Pvt. Ltd. & Ors.

Respondent(s)

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Ajit- kumar vidyarthi

(DR. A.K. VIDYARTHI)

Scientist-'E'

Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar,
Delhi- 110032

Place: Delhi

Date: 10.07.2020

Compliance Report in the matter of Adil Ansari Vs. M/s. C. L. Gupta Exports Pvt. Ltd. & Ors. in O.A. No. 220/2019 in compliance to the Hon'ble NGT order dated 4.12.2019

The matter is related to the illegal discharge of hazardous waste into the river Ramganga and illegal drawl of groundwater by M/s C.L. Gupta Export Ltd., Amroha, U.P.

2. Hon'ble NGT vide order dated 08.03.2019 directed CPCB and UPPCB to furnish a factual and action taken report. In compliance, inspection of the unit was undertaken by the joint committee and inspection report was submitted to Hon'ble NGT on 07.05.2019. Hon'ble NGT vide its order dated 29.08.2019 considered the report filed by the Joint Committee and further directed as follows:

"A further updated status needs to be submitted by a joint Committee of CPCB, UP State PCB, and CGWA. The Joint Committee may also make an assessment of the compensation to be recovered for the damage caused which should cover the entire period of damage and should be deterrent having regard to financial capacity of the unit and the nature of violations. The nodal agency will be the State PCB for coordination and compliance. The report may be furnished within two months by e-mail at judicial-ngt@gov.in."

3. Again, in pursuance of Hon'ble NGT order, inspection of M/s C.L. Gupta Export Ltd., Amroha, U.P. comprising of Wooden Artware mfg. Section, Glass Art ware mfg. Section, Metal Art ware mfg. Section and Thermocoal Block mfg. Section was carried out on 16.10.2019 by the joint committee comprising of officials from CPCB, UPPCB, and CGWA.

4. The joint inspection report was filed in Hon'ble NGT on 03.12.2019. Hon'ble NGT vide its order dated 04.12.2019 considered the said inspection report, accepted and reproduced the observations and recommendations made in the inspection report and further directed as follows:

"9. In view of the above, let further follow up action be taken by the statutory regulators-CPCB, State PCB, CGWA and District Magistrate in accordance with the due process of law. Compliance report may be filed on or before 31.01.2020 by e-mail at judicial-ngt@gov.in

10. A copy of this order be sent to CPCB, SPCB, CGWA and District Magistrate, Amroha for compliance."

5. Thereafter, complying with the Hon'ble NGT order dated 04.12.2019, a meeting of joint committee of officials/ representatives of UPPCB, CGWA, CPCB and District Magistrate, Amroha was convened on 26.12.2019 at CPCB Delhi, to discuss follow up action to be taken in view of the observations and recommendations made in the joint inspection report, so that the Compliance Report could be filed by 31.01.2020. Official of CGWA did not attend the meeting and intimated about the same to CPCB through an email.

6. In the meeting, the Joint committee contemplated the Hon'ble NGT order dated 04.12.2019, wherein the observations and recommendations made by the Joint Committee in its report filed in Hon'ble NGT had been accepted. The committee further observed that all the four manufacturing sections of the unit namely Metal Art ware, Glass Art ware, Wood Art ware, and Thermocol Block have inadequate ETPs/STPs because of the absence of secondary biological treatment system/Primary Clarifier and thus treated effluents are found non complying with respect to discharge norms. Therefore, ETP could not provide requisite treatment to the effluent/wastewater to meet the stipulated effluent discharge standards.

7. It was further noticed that in absence of requisite treatment systems in ETPs/STPs, dilution of these ETPs/STPs through freshwater could not be ruled out. Based on the detailed deliberations held, the committee recommended the following:

- a. The UPPCB shall issue directions following appropriate procedure within 30 days for the closure of the manufacturing operations excluding Thermocol manufacturing section till installation and commissioning of adequate ETPs/STPs by the unit. The unit shall be directed to install and commission two stages (Physical primary treatment followed by secondary biological treatment of adequate capacity) ETPs and STPs to provide requisite treatment to effluent and ensure to meet the prescribed effluent discharge standards. The unit shall submit the time bound Action plan for approval to UPPCB.
- b. UPPCB shall also levy Environmental Compensation (Rs. 2,49,71,157/-) as calculated by the Joint committee in its inspection report dated 03.12.2019 accepted by the Hon'ble NGT vide its order dated 04.12.2019.
- c. UPPCB shall also issue appropriate direction within 30 days for compliance of the recommendations of the Joint inspection report and file the Compliance Report to NGT and inform CPCB accordingly.

8. Thereafter, Minutes of the Meeting was circulated to the members of the Joint Committee vide CPCB Office Memorandum dated 2.01.2020 (**Annexure-I**) for information and necessary action. A reminder letter dated 24.01.2020 (**Annexure-II**) was sent to Member Secretary, UPPCB with a copy to Member Secretary, CGWA, SDM, Amroha and RO, Bijnor to take necessary actions.

9. UPPCB vide its email dated 29.01.2020 has sent a copy of the Show Cause Notices dated 29.01.2020 issued to the unit under section 33-A of the Water Act, 1974 for violation of effluent discharge norms; under section-5 of the Environmental Protection Act, 1986 for Violation of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016; and also for illegal extraction/withdrawal of ground water.

10. As recommended in the meeting UPPCB filed an Action Taken Report in Hon'ble NGT. The same is annexed as **Annexure III**.

11. UPPCB vide its email-dated 08.06.2020 & 10.06.2020 has sent a copy of the Directions and show cause notices issued to the unit superseding its show notices dated 29.01.2020 on the basis of the reply received from the unit. Details of the Directions and show cause notices issued by the UPPCB are as follows:

- UPPCB directions dated 8.06.2020 (H49689/C-7/Jal-58/2020) (**Annexure-IV**) to the unit to deposit revised Environmental compensation of Rs 1,01,80,740 for illegal extraction of groundwater without NOC from CGWA. The unit has received NOC from CGWA for ground water extraction for domestic, drinking and green belt purpose only.
- UPPCB directions dated 8.06.2020 (H49690/C-7/Jal-58/2020) (**Annexure-V**) to the unit to deposit Environmental compensation of Rs 1,08,60,000 as calculated by the Joint

Committee for non-compliance of effluent discharge norms/ absence of adequate Treatment unit/non implementation of Zero liquid discharge.

- UPPCB directions dated 9.06.2020 (H49696/C-7/Jal-58/2020) (**Annexure-VI**) to the unit to deposit Environmental Compensation of Rs 21,30,417/- as calculated by the joint committee for non-compliance of Hazardous Waste Management Rules, 2016.
- UPPCB Show cause notice dated 10.06.2020 (H49746/C-7/Jal-58/2020) (**Annexure-VII**) to the unit to take permission for ground water extraction for industrial processes from CGWA within 15 days or to make alternative arrangements. It is also directed to submit reply to the notice issued within 15 days, and in case of inappropriate response from the unit, order for closure of the unit shall be issued

12. Subsequently, UPPCB vide its letters dated 30th June, 2020 and 1st July, 2020 has denied the request of the unit (vide its response letters dated 17th June, 2020) to waive off and reconsider the Environmental Compensation levied on them by the Joint Committee appointed by Hon'ble NGT. Letters of the UPPCB are annexed as **Annexure VIII** and letters by the unit as **Annexure IX**.

Now, this report is submitted in compliance of Hon'ble NGT directions.



F. No. B-Others(N)/CPCB/2019-20

Date: 02.01.2020

OFFICE MEMORENDUM

Subject: Minutes of the meeting held on 26.12.2019 at CPCB, Delhi in the matter of Adil Ansari Vs. M/s. C.L.Gupta Exports Pvt. Ltd. & Ors. in O.A. No. 220/2019-reg.

A meeting was held at Central Pollution Control Board, Delhi with officials of UPPCB, CGWA and DM, Amroha to discuss the action taken status against the observations and suggestions made in the joint inspection report. CGWA officials could not attend the meeting and CPCB received a mail regarding the same. The minutes of the meeting is enclosed for kind information and necessary actions please.

Angarthy
02/01/20
(Dr. A.K. Vidyarthi)
Additional Director & DH WQM-II

To;

1. **The Member Secretary, Uttar Pradesh Pollution Control Board**, Building No. TC-12V, Vibhuti Khand, Gomti Nagar, Lucknow-226010
2. **The Member Secretary, Central Ground Water Authority**, 18/11, Jamnagar House, Man Singh Road, New Delhi-110011.
3. **Regional Officer, Bijnor**, Uttar Pradesh Pollution Control Board, 108/11, Avas Vikas Colony, Bijnor, U.P.
4. **Shri M.K.Biswas, Sc. D**, Central Pollution Control Board, Delhi

For Information;

1. **PS to MS**, Central Pollution Control Board, Delhi

Angarthy
02/01/20
(Dr. A.K. Vidyarthi)
Additional Director & DH WQM-II

Minutes of Meeting held with UPPCB, CGWA, District Magistrate, Amroha and CPCB on 26.12.2019 at CPCB, Delhi to discuss the Action to be taken in compliance to Hon'ble NGT order dated 04/12/2019 in the matter of Adil Ansari Vs M/s. C.L.Gupta Exports Pvt. Ltd. & Ors. in O.A. No. 220/2019

Hon'ble NGT in the matter of Adil Ansari Vs M/s. C.L.Gupta Exports Pvt. Ltd. & Ors. in O.A. No. 220/2019 vide its order dated 4th December, 2019 has considered the report dated 03.12.2019 filed by a Joint Committee of the CPCB, UPPCB and CGWA on the basis of the inspection carried out on 16th October, 2019.

Hon'ble NGT has directed that further follow up action be taken by the statutory regulators-CPCB, State PCB, CGWA and District Magistrate, Amroha in accordance with the due process of law, Compliance report may be filed on or before 31.01.2020 by email at judicial-ngt@gov.in .

To comply with the NGT order, a meeting of Joint Committee comprising of representatives of UPPCB, CGWA, District Magistrate, Amroha and CPCB was convened on 26.12.2019 at CPCB Delhi, to discuss follow up in view of the observations and recommendations made in the joint inspection report, so that the Compliance Report could be filed by 31.01.2020.

The list of participants is enclosed at Annexure 1.

Hon'ble NGT vide its order dated 4th December, 2019 has accepted the observation and recommendations made in the inspection report of the joint committee which was submitted to NGT on 03.12.2019.

Based on the Joint inspection report filed in NGT, the committee made following observations:

1. The unit has 04 nos. of manufacturing sections namely, Metal Art ware, Glass Art ware, Wood Art ware and Thermocol Block.
2. Wooden Art ware manufacturing section with 15 Ton/Month consented capacity has one Effluent Treatment Plant (ETP) of 25 KLPD capacity to treat the industrial effluent. However, the ETP is in-adequate as it does not have Primary Clarifier. Further, Aeration tank was also found un-stabilized during inspection. Also the treated effluent from ETP was found non-complying w.r.t the stipulated discharge standard of BOD and NH₃-N.
3. Glass Art ware manufacturing section with 150 Ton/Month consented capacity has one Effluent Treatment Plant (ETP) of 100 KLPD capacity and one Sewage Treatment Plant (STP) of 60 KLPD capacity to treat the industrial effluent and domestic effluent respectively. Both ETP as well as STP are in-adequate as both treatment plants do not have secondary biological treatment system which is required to provide requisite treatment to the effluent. The treated effluent of ETP was found non-complying w.r.t the stipulated discharge standard of NO₃-N Cr, Fe, Ni, Se and Zn. The treated effluent from STP was also found non-complying w.r.t the stipulated standard of pH, TSS and BOD.

4. Metal Art ware manufacturing section with 30 Ton/Month consented capacity has one Effluent Treatment Plant (ETP) of 175 KLPD capacity and one Sewage Treatment Plant (STP) of 60 KLPD capacity to treat the industrial effluent and domestic effluent respectively. Both ETP as well as STP are in-adequate as both treatment plant do not have requisite secondary biological treatment system. The treated effluent from STP was found non-complying w.r.t the stipulated standard of BOD and COD.
5. The unit has one Sewage Treatment Plant (STP) of 120 KLPD capacity at Residential colony to treat the domestic effluent. The STP is found in-adequate as it does not have requisite secondary biological treatment system. The treated effluent from STP was found non-complying w.r.t the stipulated standard of BOD.

The committee observed that, in absence of secondary biological treatment system/Primary Clarifier the installed ETPs/STPs are in-adequate and could not provide requisite treatment to the effluent/wastewater to meet the stipulated effluent discharge standards.

In absence of requisite treatment systems in ETPs/STPs, dilution of these ETPs/STPs through fresh water could not be ruled out. Based on the detailed deliberations held, the committee recommended the following;

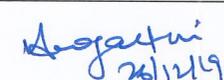
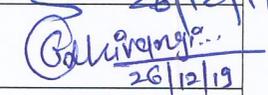
- a. The UPPCB shall issue directions following appropriate procedure within 30 days for closure of the manufacturing operations excluding Thermocol manufacturing section till installation and commissioning of adequate ETPs/STPs by the unit. The unit shall be directed to install and commission two stages (Physical primary treatment followed by secondary biological treatment of adequate capacity) ETPs and STPs to provide requisite treatment to effluent and ensure to meet the prescribed effluent discharge standards. The unit shall set the time bound Action plan approved by UPPCB.
- b. UPPCB shall also levy Environmental Compensation (Rs. 2,49,71,157/-) as calculated by the Joint committee in its inspection report dated 03.12.2019 accepted by the Hon'ble NGT vide order dated 04.12.2019.
- c. UPPCB shall also issue appropriate direction within 30 days for compliance of the recommendations of Joint inspection report and file the Compliance Report to NGT and inform CPCB accordingly.

Annexure - I

Central Pollution Control Board (WQM-II)

Meeting of Joint Committee of CPCB, UPPCB, CGWA & District Magistrate, Amroha to discuss the Action to be taken in compliance to Hon'ble NGT order dated 04/12/2019 in the matter of Adil Ansari Vs M/s. C.L.Gupta Exports Pvt. Ltd. & Ors. in O.A. No. 220/2019

Date: 26.12.2019

Sr. No	Name of the officers	Organization	Designation	Email ID & Mobile No	Signature
1.	Sanjai Bansal	Distt. Administration Amroha	S.D.M.	9818771703	
2.	J. P. Murtya	U.P. Pollution Control Board, Bijnor	Regional officer	robijoor@uppcb.com	
3.	A. R. Sharma	Asstt. Env. Engineer U.P. PCB, Bijnor	Asstt. Env. Engineer	— do —	
4.	A. K. Vidyanthi	CPCB, Delhi	Addl. Director	akvidyanthi@gmail.com	 26/12/19
5.	M. K. Biswas	CPCB Delhi	SEE	mbiswasmainal@gmail.com	
5.	S. P. Raghunathan	CPCB Delhi	scd	sprhita@gmail.com	
7.	C. B. Chourasia	CPCB Delhi	Secy 'E'	cbchourasia.epcb@gmail.com	 26/12/19
3.	Shivangi Goswami	CPCB, Delhi	RA - I	shivangigoswami4413@gmail.com	 26/12/19
0					

CGWA could not attend the meeting. - Mail Received.



By Speed Post/Email

B-Others(N)/CPCB/2019-20/

Date: 24.01.2020

To,

Member Secretary,

Uttar Pradesh Pollution Control Board (UPPCB),
H.N.O. TC-12 Vibhuti Khand,
Gomti Nagar,
Lucknow-226010
Uttar Pradesh

Subject: Implementation of the Hon'ble NGT order dated 04.12.2019 including imposition of Environmental Compensation (EC) with respect to M/s C.L.Gupta Exports Pvt. Ltd., Amroha, UP in O.A. no. 220/2019 in the matter of Adil Ansari Vs. M/s. C.L.Gupta Exports Pvt. Ltd. & Ors.

Reference:

- i. Hon'ble NGT order dated 04.12.2019 in O.A. no. 220/2019 in the matter of Adil Ansari Vs M/s. C.L.Gupta Exports Pvt. Ltd. & Ors.
- ii. Minutes of Joint committee meeting (held on 26.12.2019 at CPCB, Delhi), sent through email dated 03.01.2020

Sir,

This is in reference to the minutes of joint committee meeting (Copy enclosed) of CPCB, UPPCB, CGWA and DM, Amroha, which was held on 26.12.19 at CPCB, Delhi in compliance to the Hon'ble NGT order dated 04.12.2019 in O.A. no. 220/2019 in the matter of Adil Ansari Vs M/s. C.L.Gupta Exports Pvt. Ltd. & Ors. Based on the detailed deliberations held in the meeting, the committee recommended the following, which was conveyed to UPPCB through email and letter dated 03.01.2020;

- a. The UPPCB shall issue directions following appropriate procedure within 30 days for closure of the manufacturing operations excluding Thermocol manufacturing section till installation and commissioning of adequate ETPs/STPs by the unit. The unit shall be directed to install and commission two stages (Physical primary treatment followed by secondary biological treatment of adequate capacity) ETPs and STPs to provide requisite treatment to effluent and ensure to meet the prescribed effluent discharge standards. The unit shall set the time bound Action plan approved by UPPCB.
- b. UPPCB shall also levy Environmental Compensation (Rs. 2,49,71,157/-) as calculated by the Joint committee in its inspection report dated 03.12.2019 accepted by the Hon'ble NGT vide order dated 04.12.2019.

- c. UPPCB shall also issue appropriate direction within 30 days for compliance of the recommendations of Joint inspection report and file the Compliance Report to NGT and inform CPCB accordingly.

However, till date CPCB has not received any compliance/Action taken report from UPPCB. The last date of compliance report to Hon'ble NGT is 31.01.2020 and the next hearing of the said matter is scheduled to be held on 25.02.2020.

You are therefore, requested to take necessary actions including imposition of Environmental Compensation w.r.t M/s C.L.Gupta Exports Pvt. Ltd., Amroha, UP as per Hon'ble NGT order dated 04.12.2019, decisions taken in the meeting dated 26.12.2019 and to submit the compliance report to NGT at earliest.

Yours faithfully,

A.K. Vidyarthi
29/01/20

(A.K.Vidyarthi)

Scientist 'E' &
Divisional Head, WQM-II Division

Action taken report by UPPCB in O.A. no. 220/2019 Adil Ansari vs. M/s C.L. Gupta Exports Pvt. Ltd. and Ors.

- Hon'ble NGT in O.A No. 220 of 2019 passed following order dated 04-12-2019.

"8. Learned Counsel for the unit states that Central Ground Water Authority (CGWA) had given a letter that the unit was compliant. We fail to understand how such a letter can be given and be of any help when the area is in 'over-exploited' category where ground water cannot be allowed to be extracted for commercial purposes as is being done and no such permission can be given in view of order of this Tribunal dated 10.10.2019 in Original Application No. 176/2015, Shailesh Singh v. Hotel Holiday Regency, Moradabad & Ors. as follows:

"6. Since the OCS areas have been found to be seriously affected by overdrawal of ground water, regulation of such drawal for commercial purposes cannot be dispensed with for any industry even in industrial area. Availability of water for drinking is a first priority. The 'Precautionary' principle, 'Sustainable Development' principle and the Intergenerational equity are part of life and in absence of replenishment of ground water, unregulated drawl thereof cannot be held to be right of any commercial entity. Shortage of availability of water for commercial purposes cannot be remedied by drawal of groundwater in over exploited, critically exploited and semi-critical exploited (OCS) areas. Water is certainly a scarce resource and the industry has to put up with such scarcity. It is for the industry and the concerned authorities to find out alternative ways and means for sustenance of the industries instead of permitting indiscriminate drawal of groundwater in such areas till situation improves. Alternative means may be shifting to areas where water is not scarce or to processes where water is not required. As already noted, groundwater is depleting in such areas and measures are required to check such depletion. If industries continue to draw ground water without NOC from CGWA as per current guidelines and orders of this Tribunal in OCS areas, the industries will have to face legal consequence of such illegal action."

9. In view of the above, let further follow up action be taken by the statutory regulators-CPCB, State PCB, CGWA and District Magistrate in accordance with the due process of law. Compliance report may be filed on or before 31.01.2020 by e-mail at judicial-ngt@gov.in."

- 1- That in compliance of the directions of Hon'ble Tribunal Central Pollution Control Board conducted a meeting of Joint Committee on 26-12-2019.
- 2- Central Pollution Control Board vide its letter dated 02-01-2020 issued the minutes of meeting dated 26-12-2019. Annexed as **Annexure No. 1**. Following recommendations were made in the minutes of meeting dated 26-12-2019 :

- a. The UPPCB shall issue directions following appropriate procedure within 30 days for closure of the manufacturing

operations excluding Thermocol manufacturing section till installation and commissioning of adequate ETPs/STPs by the unit. The unit shall be directed to install and commission two stages (Physical primary treatment followed by secondary biological treatment of adequate capacity) ETPs and STPs to provide requisite treatment to effluent and ensure to meet the prescribed effluent discharge standards. The unit shall set the time bound Action plan approved by UPPCB.

- b. UPPCB shall also levy Environmental Compensation (Rs. 2,49,71,157/-) as calculated by the Joint committee in its inspection report dated 03-12-2019 accepted by the Hon'ble NGT vide order dated 04-12-2019.
- c. UPPCB shall also issue appropriate direction within 30 days for compliance of the recommendations of Joint Inspection report and file the Compliance Report to NGT and inform CPCB accordingly.

3- That in compliance of the orders passed by this Hon'ble Tribunal dated 04-12-2019 and recommendations made in the Minutes of meeting of Joint Committee dated 02-01-2020, U.P. Pollution Control Board has taken action against M/s C.L. Gupta Exports Ltd., 18 K.M. Delhi-Moradabad highway, N.H. 24, Village Jivai, Amroha, as detailed in following paragraphs:

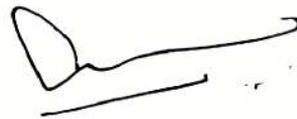
- U.P. Pollution Control Board issued Show Cause Notice under Section 33 A of Water (Prevention and Control of Pollution) Act, 1974 as amended for closure of the unit and also to impose Environmental Compensation of Rs. 1,08,60,000/- (Rs. One Crore Eight Lakh Sixty Thousand only) against M/s C.L. Gupta Exports Ltd., 18 K.M. Delhi-Moradabad highway, N.H. 24, Village Jivai, Amroha vide letter dated 29-01-2020 for discharging polluted effluent not-complying with the stipulated norms and having in adequate ETP/STP and also for violation of the condition of Consent to Operate. Letter dated 29-01-2020 is annexed as **Annexure No. 2**.
- U.P. Pollution Control Board issued notice dated 29-01-2020 for imposition of Environmental Compensation of Rs. 1,19,80,740/- (Rs. One Crore Nineteen Lakh Eighty Thousand Seven Hundred and Forty only) against M/s C.L. Gupta Exports Ltd., 18 K.M. Delhi-Moradabad highway, N.H. 24, Village Jivai, Amroha for illegal



extraction of Ground Water without the permission of CGWA. Letter dated 29-01-2020 is annexed as **Annexure No.3.**

- U.P. Pollution Control Board has issued Show Cause Notice under section 5 of Environment (Protection) Act, 1986 vide its letter dated 29-01-2020 against M/s C.L. Gupta Exports Ltd., 18 K.M. Delhi-Moradabad highway, N.H. 24, Village Jivai, Amroha for closure of the unit and imposition of Environmental Compensation of Rs. 2130417/- (Rs. Twenty One Lakh Thirty Thousand Four Hundred and Seventeen only) for not having authorization under the provision of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016. Letter dated 29-01-2020 is annexed as **Annexure No.4.**

That the unit M/s C.L. Gupta Exports Ltd., 18 K.M. Delhi-Moradabad highway, N.H. 24, Village Jivai, Amroha has submitted the reply of the above directions and Show Cause Notices issued by U.P. Pollution Control Board . The reply and compliance status of the unit are being examined by Board for passing of directions as per Rules.



Amit Chandra
Chief Environmental Officer
U.P. Pollution Control Board,
Lucknow



F. No. B-Others(N)/CPCB/2019-20

Date: 02.01.2020

OFFICE MEMORENDUM

Subject: Minutes of the meeting held on 26.12.2019 at CPCB, Delhi in the matter of Adil Ansari Vs. M/s. C.L.Gupta Exports Pvt. Ltd. & Ors. in O.A. No. 220/2019-reg.

A meeting was held at Central Pollution Control Board, Delhi with officials of UPPCB, CGWA and DM, Amroha to discuss the action taken status against the observations and suggestions made in the joint inspection report. CGWA officials could not attend the meeting and CPCB received a mail regarding the same. The minutes of the meeting is enclosed for kind information and necessary actions please.

Ansari
02/01/20
(Dr. A.K. Vidyarthi)
Additional Director & DH WQM-II

To;

1. **The Member Secretary, Uttar Pradesh Pollution Control Board**, Building No. TC-12V, Vibhuti Khand, Gomti Nagar, Lucknow-226010
2. **The Member Secretary, Central Ground Water Authority**, 18/11, Jamnagar House, Man Singh Road, New Delhi-110011.
3. **Regional Officer, Bijnor**, Uttar Pradesh Pollution Control Board, 108/11, Avas Vikas Colony, Bijnor, U.P.
4. **Shri M.K.Biswas, Sc. D**, Central Pollution Control Board, Delhi

For Information;

1. **PS to MS**, Central Pollution Control Board, Delhi

Ansari
02/01/20
(Dr. A.K. Vidyarthi)
Additional Director & DH WQM-II

Minutes of Meeting held with UPPCB, CGWA, District Magistrate, Amroha and CPCB on 26.12.2019 at CPCB, Delhi to discuss the Action to be taken in compliance to Hon'ble NGT order dated 04/12/2019 in the matter of Adil Ansari Vs M/s. C.L.Gupta Exports Pvt. Ltd. & Ors. in O.A. No. 220/2019

Hon'ble NGT in the matter of Adil Ansari Vs M/s. C.L.Gupta Exports Pvt. Ltd. & Ors. in O.A. No. 220/2019 vide its order dated 4th December, 2019 has considered the report dated 03.12.2019 filed by a Joint Committee of the CPCB, UPPCB and CGWA on the basis of the inspection carried out on 16th October, 2019.

Hon'ble NGT has directed that further follow up action be taken by the statutory regulators-CPCB, State PCB, CGWA and District Magistrate, Amroha in accordance with the due process of law, Compliance report may be filed on or before 31.01.2020 by email at judicial-ngt@gov.in .

To comply with the NGT order, a meeting of Joint Committee comprising of representatives of UPPCB, CGWA, District Magistrate, Amroha and CPCB was convened on 26.12.2019 at CPCB Delhi, to discuss follow up in view of the observations and recommendations made in the joint inspection report, so that the Compliance Report could be filed by 31.01.2020.

The list of participants is enclosed at Annexure 1.

Hon'ble NGT vide its order dated 4th December, 2019 has accepted the observation and recommendations made in the inspection report of the joint committee which was submitted to NGT on 03.12.2019.

Based on the Joint inspection report filed in NGT, the committee made following observations:

1. The unit has 04 nos. of manufacturing sections namely, Metal Art ware, Glass Art ware, Wood Art ware and Thermocol Block.
2. Wooden Art ware manufacturing section with 15 Ton/Month consented capacity has one Effluent Treatment Plant (ETP) of 25 KLPD capacity to treat the industrial effluent. However, the ETP is in-adequate as it does not have Primary Clarifier. Further, Aeration tank was also found un-stabilized during inspection. Also the treated effluent from ETP was found non-complying w.r.t the stipulated discharge standard of BOD and NH₃-N.
3. Glass Art ware manufacturing section with 150 Ton/Month consented capacity has one Effluent Treatment Plant (ETP) of 100 KLPD capacity and one Sewage Treatment Plant (STP) of 60 KLPD capacity to treat the industrial effluent and domestic effluent respectively. Both ETP as well as STP are in-adequate as both treatment plants do not have secondary biological treatment system which is required to provide requisite treatment to the effluent. The treated effluent of ETP was found non-complying w.r.t the stipulated discharge standard of NO₃-N Cr, Fe, Ni, Se and Zn. The treated effluent from STP was also found non-complying w.r.t the stipulated standard of pH, TSS and BOD.

4. Metal Art ware manufacturing section with 30 Ton/Month consented capacity has one Effluent Treatment Plant (ETP) of 175 KLPD capacity and one Sewage Treatment Plant (STP) of 60 KLPD capacity to treat the industrial effluent and domestic effluent respectively. Both ETP as well as STP are in-adequate as both treatment plant do not have requisite secondary biological treatment system. The treated effluent from STP was found non-complying w.r.t the stipulated standard of BOD and COD.
5. The unit has one Sewage Treatment Plant (STP) of 120 KLPD capacity at Residential colony to treat the domestic effluent. The STP is found in-adequate as it does not have requisite secondary biological treatment system. The treated effluent from STP was found non-complying w.r.t the stipulated standard of BOD.

The committee observed that, in absence of secondary biological treatment system/Primary Clarifier the installed ETPs/STPs are in-adequate and could not provide requisite treatment to the effluent/wastewater to meet the stipulated effluent discharge standards.

In absence of requisite treatment systems in ETPs/STPs, dilution of these ETPs/STPs through fresh water could not be ruled out. Based on the detailed deliberations held, the committee recommended the following;

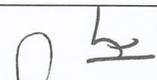
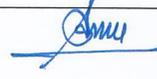
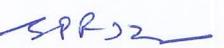
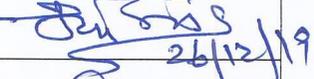
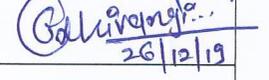
- a. The UPPCB shall issue directions following appropriate procedure within 30 days for closure of the manufacturing operations excluding Thermocol manufacturing section till installation and commissioning of adequate ETPs/STPs by the unit. The unit shall be directed to install and commission two stages (Physical primary treatment followed by secondary biological treatment of adequate capacity) ETPs and STPs to provide requisite treatment to effluent and ensure to meet the prescribed effluent discharge standards. The unit shall set the time bound Action plan approved by UPPCB.
- b. UPPCB shall also levy Environmental Compensation (Rs. 2,49,71,157/-) as calculated by the Joint committee in its inspection report dated 03.12.2019 accepted by the Hon'ble NGT vide order dated 04.12.2019.
- c. UPPCB shall also issue appropriate direction within 30 days for compliance of the recommendations of Joint inspection report and file the Compliance Report to NGT and inform CPCB accordingly.

Annexure - I

Central Pollution Control Board (WQM-II)

Meeting of Joint Committee of CPCB, UPPCB, CGWA & District Magistrate, Amroha to discuss the Action to be taken in compliance to Hon'ble NGT order dated 04/12/2019 in the matter of Adil Ansari Vs M/s. C.L.Gupta Exports Pvt. Ltd. & Ors. in O.A. No. 220/2019

Date: 26.12.2019

Sr. No	Name of the officers	Organization	Designation	Email ID & Mobile No	Signature
1.	Sanjai Bansal	Distt. Administration Amroha	S.D.M.	9818771703	
2.	J. P. Maurya	U.P. Pollution Control Board, Bijnor	Regional officer	robjor@uppcb.com	
3.	A. R. Sharma	Asstt. Env. Engineer U.P. PCB, Bijnor	Asstt. Env. Engineer	— do —	
4.	A. K. Vidyanthi	CPCB, Delhi	Add. Director	akvidyanthi@gmail.com	
5.	M. K. Biswas	CPCB Delhi	SEE	mbiswasminal@gmail.com	
5.	S. P. Razhmanishi	CPCB Delhi	SCD	sphitd@gmail.com	
7.	C. B. Chourasia	CPCB Delhi	Sec 'E'	cbchourasia.epcb @gmail.com	
3.	Shivangi Goswami	CPCB, Delhi	RA - I	shivangigoswami4413@gmail.com	
0					

CGWA could not attend the meeting. - Mail Received.

H46982 / एी-२/जल-58/मान.नो/2020

दिनांक-29-1-2020

सेवा में,

मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0,
18 कि0मी0 दिल्ली मुरादाबाद हाइवे, एन0एच0 24, ग्राम जिवई,
अमरोहा।

विषय:-जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा-33ए के अन्तर्गत कारण बताओ नोटिस।

यह कि मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0, 18 कि0मी0 दिल्ली मुरादाबाद हाइवे, एन0एच0 24, ग्राम जिवई, अमरोहा जो कि इलेक्ट्रोप्लेटिंग प्रक्रिया द्वारा फिनिश आर्टवेयर का उत्पादन कार्य करते हुए उपरोक्त वर्णित स्थल पर कार्यरत है, जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा-47 के अन्तर्गत एक कम्पनी है।

यह कि माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली, में विचाराधीन ओ0ए0 सं0-220/2019 आदिल अंसारी बनाम मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0 एण्ड अदर्स में पारित आदेश दिनांक 04.12.2019 के निम्न सुसंगत अंश निम्नवत् हैं -

"Learned Counsel for the unit states that Central Ground Water Authority (CGWA) had given a letter that the unit was compliant. We fail to understand how such a letter can be given and be of any help when the area is in 'over-exploited' category where ground water cannot be allowed to be extracted for commercial purposes as is being done and no such permission can be given in view of order of this Tribunal dated 10.10.2019 in *Original Application No. 176/2015, Shailesh Singh v. Hotel Holiday Regency, Moradabad & Ors.* as follows:

"6. Since the OCS areas have been found to be seriously affected by overdrawal of ground water, regulation of such drawal for commercial purposes cannot be dispensed with for any industry even in industrial area. Availability of water for drinking is a first priority. The 'Precautionary' principle, 'Sustainable Development' principle and the Intergenerational equity are part of life and in absence of replenishment of ground water, unregulated drawl thereof cannot be held to be right of any commercial entity. Shortage of availability of water for commercial purposes cannot be remedied by drawal of groundwater in over exploited, critically exploited and semi-critical exploited (OCS) areas. Water is certainly a scarce resource and the industry has to put up with such scarcity. It is for the industry and the concerned authorities to find out alternative ways and means for sustenance of the industries instead of permitting indiscriminate drawal of groundwater in such areas till situation improves. Alternative means may be shifting to areas where water is not scarce or to processes where water is not required. As already noted, groundwater is depleting in such areas and measures are required to check such depletion. If industries continue to draw ground water without NOC from CGWA as per current guidelines and orders of this Tribunal in OCS areas, the industries will have to face legal consequence of such illegal action."

In view of the above, let further follow up action be taken by the statutory regulators- CPCB, State PCB, CGWA and District Magistrate in accordance with the due process of law. Compliance report may be filed on or before 31.01.2020 by e-mail at judicial-ngt@gov.in.

A copy of this order be sent to CPCB, SPCB, CGWA and District Magistrate, Amroha for compliance.

यह कि मा0 अधिकरण के उक्त आदेश के अनुक्रम में केन्द्रीय प्रदूषण नियंत्रण बोर्ड दिल्ली में दिनांक 26.12.2019 को संयुक्त समिति की बैठक आहूत की गयी जिसका कार्यवृत्त केन्द्रीय प्रदूषण नियंत्रण बोर्ड के पत्रांक-B-Others(N)/CPCB/2019-20 दिनांक 02.01.2020 को

....2/-

(2)

बोर्ड प्राप्त हुआ है। संयुक्त समिति द्वारा बैठक के उपरान्त कार्यवृत्त में निम्नलिखित तथ्यों व संस्तुतियों का उल्लेख किया गया है—

The committee observed that, in absence of secondary biological treatment system/Primary Clarifier the installed ETPs are in-adequate and could not provide requisite treatment to the effluent/wastewater to meet the stipulated effluent discharge standards.

In absence of requisite treatment systems in ETPs/STPs, dilution of these ETPs/STPs through fresh water could not be ruled out. Based on the detailed deliberations held, the committee recommended the following:

The committee observed that, in absence of secondary biological treatment system/Primary Clarifier the installed ETPs are in-adequate and could not provide requisite treatment to the effluent/wastewater to meet the stipulated effluent discharge standards.

In absence of requisite treatment systems in ETPs/STPs, dilution of these ETPs/STPs through fresh water could not be ruled out. Based on the detailed deliberations held, the committee recommended the following:

- g. The UPPCB shall issue direction following appropriate procedure within 30 days for closure of the manufacturing operations excluding Thermocol manufacturing section till installation and commissioning of adequate ETPs/STPs by the unit. The unit shall be directed to install and commission stages (Physical primary treatment followed by secondary biological treatment of adequate capacity) ETPs and STPs to provide requisite treatment to effluent and ensure to meet the prescribed effluent discharge standards. The unit shall set the time bound Action plan approved by UPPCB.
- h. UPPCB shall also levy Environmental Compensation (Rs. 2,49,71,157/-) as calculated by the Joint Committee in its inspection report dated 03-12-2019 accepted by the Hon'ble NGT vide order dated 04-12-2019.
- i. UPPCB shall also issue appropriate direction within 30 days for compliance of the recommendations of Joint inspection report and file the Compliance Report of NGT and inform CPCB accordingly.

यह कि मा0 अधिकरण के निर्देशानुसार केन्द्रीय प्रदूषण नियंत्रण बोर्ड, केन्द्रीय मूलज प्राधिकरण बोर्ड तथा उ0प्र0 प्रदूषण नियंत्रण बोर्ड की संयुक्त समिति द्वारा किये गये निरीक्षण दिनांक 16.10.2019 की निरीक्षण आख्या में उद्योग द्वारा किये गये उल्लंघन के दृष्टिगत उद्योग पर पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने का विवरण निम्नवत् है—

उल्लंघन	पर्यावरणीय क्षतिपूर्ति घनराशि
अवैध भूजल दोहन (अवधि 01.10.2017 से 16.10.2019 तक)	रु 1,19,80,740 /—
उत्प्रवाह निस्तारण मानकों के अनुरूप नहीं किया जाना/अपर्याप्त उत्प्रवाह शुद्धिकरण संयंत्र/सहमति शर्तों के उल्लंघन में शून्य उत्प्रवाह निस्तारण नहीं किया जाना।	रु 1,08,60,000 /—
परिसंकटमय अपशिष्ट नियम, 2016 का उल्लंघन	रु 21,30,417 /—
कुल योग	रु 2,49,71,157 /—

अतः उपरोक्त को दृष्टिगत रखते हुए उद्योग मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0, 18 कि०मी० दिल्ली मुरादाबाद हाइवे, एन०एच० 24, ग्राम जिवई, अमरोहा द्वारा उत्प्रवाह निस्तारण मानकों के अनुरूप नहीं किये जाने/अपर्याप्त उत्प्रवाह शुद्धिकरण संयंत्र की स्थापना/सहमति शर्तों के उल्लंघन में शून्य उत्प्रवाह निस्तारण सुनिश्चित नहीं किये जाने के दृष्टिगत सक्षम अधिकारी के अनुमोदनोपरान्त जल

(3)

अधिनियम, 1974 की धारा-33ए के अन्तर्गत निम्नानुसार कारण बताओ नोटिस जारी किये जाते हैं :-

1. यह कि क्यों न उद्योग मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0, अमरोहा के विरुद्ध बन्दी आदेश जारी कर दिया जाये।
2. यह कि क्यों न उद्योग मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0, अमरोहा के विरुद्ध उत्प्रावाह निस्तारण मानकों के अनुरूप नहीं किये जाने/अपर्याप्त उत्प्रावाह शुद्धिकरण संयंत्र की स्थापना/सहमति शर्तों के उल्लंघन में शून्य उत्प्रावाह निस्तारण सुनिश्चित नहीं किये जाने के दृष्टिगत रू 1,08,60,000/- की पर्यावरणीय क्षतिपूर्ति अधिरोपित कर दी जाए।

उपरोक्त के संबंध में स्पष्टीकरण पत्र प्राप्ति के 15 दिन में प्रस्तुत करें। संतोषजनक उत्तर निर्धारित समयावधि में प्राप्त न होने की दशा में उपरोक्त वर्णित आदेश/निर्देश की पुष्टि कर दी जाएगी, जिसका सम्पूर्ण उत्तरदायित्व स्वयं उद्योग का होगा।



मुख्य पर्यावरण अधिकारी वृत्त-7

प्रतिलिपि: निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1. जिलाधिकारी, अमरोहा।
2. क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, बिजनौर को इस निर्देश के साथ प्रेषित कि मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0, अमरोहा के विरुद्ध जारी कारण बताओ नोटिस की प्रति उद्योग को प्राप्त कराते हुए सतत् निरीक्षणों के क्रम में अद्यतन निरीक्षण करते हुए आख्या स्पष्ट संस्तुति सहित 15 दिन के अन्दर बोर्ड मुख्यालय प्रेषित करना सुनिश्चित करें।



मुख्य पर्यावरण अधिकारी वृत्त-7

o/c G.C.P.

H46981/सी-7/अल-58/नोटिस/2020

दिनांक - 29-1-2020

सेवा में,

मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0,
18 कि0मी0 दिल्ली मुरादाबाद हाइवे, एन0एच0 24, ग्राम जिवई,
अमरोहा।

विषय:—अवैध भूजल दोहन किये जाने के दृष्टिगत पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने हेतु नोटिस।

यह कि मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0, 18 कि0मी0 दिल्ली मुरादाबाद हाइवे, एन0एच0 24, ग्राम जिवई, अमरोहा जो कि इलेक्ट्रोप्लेटिंग प्रक्रिया द्वारा फिनिश आर्टवेयर का उत्पादन कार्य करते हुए उपरोक्त वर्णित स्थल पर कार्यरत है, जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा-47 के अन्तर्गत एक कम्पनी है।

यह कि माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली, में विचाराधीन ओ0ए0 सं0-220/2019 आदिल अंसारी बनाम मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0 एण्ड अदर्स में पारित आदेश दिनांक 04.12.2019 के निम्न सुसंगत अंश निम्नवत् हैं -

"Learned Counsel for the unit states that Central Ground Water Authority (CGWA) had given a letter that the unit was compliant. We fail to understand how such a letter can be given and be of any help when the area is in 'over-exploited' category where ground water cannot be allowed to be extracted for commercial purposes as is being done and no such permission can be given in view of order of this Tribunal dated 10.10.2019 in Original Application No. 176/2015, Shailesh Singh v. Hotel Holiday Regency, Moradabad & Ors. as follows:

"6. Since the OCS areas have been found to be seriously affected by overdrawal of ground water, regulation of such drawal for commercial purposes cannot be dispensed with for any industry even in industrial area. Availability of water for drinking is a first priority. The 'Precautionary' principle, 'Sustainable Development' principle and the Intergenerational equity are part of life and in absence of replenishment of ground water, unregulated drawl thereof cannot be held to be right of any commercial entity. Shortage of availability of water for commercial purposes cannot be remedied by drawal of groundwater in over exploited, critically exploited and semi-critical exploited (OCS) areas. Water is certainly a scarce resource and the industry has to put up with such scarcity. It is for the industry and the concerned authorities to find out alternative ways and means for sustenance of the industries instead of permitting indiscriminate drawal of groundwater in such areas till situation improves. Alternative means may be shifting to areas where water is not scarce or to processes where water is not required. As already noted, groundwater is depleting in such areas and measures are required to check such depletion. If industries continue to draw ground water without NOC from CGWA as per current guidelines and orders of this Tribunal in OCS areas, the industries will have to face legal consequence of such illegal action."

In view of the above, let further follow up action be taken by the statutory regulators- CPCB, State PCB, CGWA and District Magistrate in accordance with the due process of law. Compliance report may be filed on or before 31.01.2020 by e-mail at judicial-ngt@gov.in.

A copy of this order be sent to CPCB, SPCB, CGWA and District Magistrate, Amroha for compliance.

यह कि मा0 अधिकरण के उक्त आदेश के अनुक्रम में केन्द्रीय प्रदूषण नियंत्रण बोर्ड दिल्ली में दिनांक 26.12.2019 को संयुक्त समिति की बैठक आहूत की गयी जिसका कार्यवृत्त केन्द्रीय प्रदूषण नियंत्रण बोर्ड के पत्रांक-B-Others(N)/CPCB/2019-20 दिनांक 02.01.2020 को

....2/-

(2)

बोर्ड प्राप्त हुआ है। संयुक्त समिति द्वारा बैठक के उपरान्त कार्यवृत्त में निम्नलिखित तथ्यों व संस्तुतियों का उल्लेख किया गया है-

The committee observed that, in absence of secondary biological treatment system/Primary Clarifier the installed ETPs are in-adequate and could not provide requisite treatment to the effluent/wastewater to meet the stipulated effluent discharge standards.

In absence of requisite treatment systems in ETPs/STPs, dilution of these ETPs/STPs through fresh water could not be ruled out. Based on the detailed deliberations held, the committee recommended the following;

The committee observed that, in absence of secondary biological treatment system/Primary Clarifier the installed ETPs are in-adequate and could not provide requisite treatment to the effluent/wastewater to meet the stipulated effluent discharge standards.

In absence of requisite treatment systems in ETPs/STPs, dilution of these ETPs/STPs through fresh water could not be ruled out. Based on the detailed deliberations held, the committee recommended the following;

- The UPPCB shall issue direction following appropriate procedure within 30 days for closure of the manufacturing operations excluding Thermocol manufacturing section till installation and commissioning of adequate ETPs/STPs by the unit. The unit shall be directed to install and commission stages (Physical primary treatment followed by secondary biological treatment of adequate capacity) ETPs and STPs to provide requisite treatment to effluent and ensure to meet the prescribed effluent discharge standards. The unit shall set the time bound Action plan approved by UPPCB.
- UPPCB shall also levy Environmental Compensation (Rs. 2,49,71,157/-) as calculated by the Joint Committee in its inspection report dated 03-12-2019 accepted by the Hon'ble NGT vide order dated 04-12-2019.
- UPPCB shall also issue appropriate direction within 30 days for compliance of the recommendations of Joint inspection report and file the Compliance Report of NGT and inform CPCB accordingly.

यह कि मा0 अधिकरण के निर्देशानुसार केन्द्रीय प्रदूषण नियंत्रण बोर्ड, केन्द्रीय भूजल प्राधिकरण बोर्ड तथा उ0प्र0 प्रदूषण नियंत्रण बोर्ड की संयुक्त समिति द्वारा किये गये निरीक्षण दिनांक 16.10.2019 की निरीक्षण आख्या में उद्योग द्वारा किये गये उल्लंघन के दृष्टिगत उद्योग पर पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने का विवरण निम्नवत् है-

उल्लंघन	पर्यावरणीय क्षतिपूर्ति धनराशि
अवैध भूजल दोहन (अवधि 01.10.2017 से 16.10.2019 तक)	रु 1,19,80,740 /-
उत्प्रावह निस्तारण मानकों के अनुरूप नहीं किया जाना/अपर्याप्त उत्प्रावह शुद्धिकरण संयंत्र/सहमति शर्तों के उल्लंघन में शून्य उत्प्रावह निस्तारण नहीं किया जाना।	रु 1,08,60,000 /-
परिसंकटमय अपशिष्ट नियम, 2016 का उल्लंघन	रु 21,30,417 /-
कुल योग	रु 2,49,71,157 /-

अतः उपरोक्त को दृष्टिगत रखते हुए उद्योग मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0, 18 कि0मी0 दिल्ली मुरादाबाद हाइवे, एन0एच0 24, ग्राम जिबई, अमरोहा द्वारा अवैध भूजल दोहन किये

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जाने के दृष्टिगत सक्षम अधिकारी के अनुमोदनोपरान्त निम्न निर्देश जारी किये जाते हैं :-

“ यह कि क्यों न उद्योग मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0, अमरोहा के विरुद्ध अवैध भूजल दोहन किये जाने के दृष्टिगत रू रू 1,19,80,740/-की पर्यावरणीय क्षतिपूर्ति अधिरोपित कर दी जाए। ”

उपरोक्त के संबंध में स्पष्टीकरण पत्र प्राप्ति के 15 दिन में प्रस्तुत करें। संतोषजनक उत्तर निर्धारित समयावधि में प्राप्त न होने की दशा में उपरोक्त वर्णित आदेश/निर्देश की पुष्टि कर दी जाएगी, जिसका सम्पूर्ण उत्तरदायित्व स्वयं उद्योग का होगा।

मुख्य पर्यावरण अधिकारी वृत्त-7

प्रतिलिपि: निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1. जिलाधिकारी, अमरोहा।
2. क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, बिजनौर को इस निर्देश के साथ प्रेषित कि मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0, अमरोहा के विरुद्ध जारी निर्देश की प्रति उद्योग को प्राप्त कराते हुए सतत् निरीक्षणों के क्रम में अद्यतन निरीक्षण करते हुए आख्या स्पष्ट संस्तुति सहित 15 दिन के अन्दर बोर्ड मुख्यालय प्रेषित करना सुनिश्चित करें।

मुख्य पर्यावरण अधिकारी वृत्त-7

dr G.C.D.

H46983/एन-7/जल-58/राज.गो/2020

दिनांक-29-1-2020

सेवा में,

मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0,
18 कि0मी0 दिल्ली मुरादाबाद हाइवे, एन0एच0 24, ग्राम जिवई,
अमरोहा।

विषय:-परिसंकटमय और अन्य अपशिष्ट (प्रबन्धन और सीमापारीय संचालन) नियम, 2016 के उल्लंघन के दृष्टिगत पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा-5 के अन्तर्गत कारण बताओ नोटिस।

यह कि मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0, 18 कि0मी0 दिल्ली मुरादाबाद हाइवे, एन0एच0 24, ग्राम जिवई, अमरोहा जो कि इलेक्ट्रोप्लेटिंग प्रक्रिया द्वारा फिनिश आर्टवेयर का उत्पादन कार्य करते हुए उपरोक्त वर्णित स्थल पर कार्यरत है, जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा-47 के अन्तर्गत एक कम्पनी है।

यह कि माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली, में विचाराधीन ओ0ए0 सं0-220/2019 आदिल अंसारी बनाम मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0 एण्ड अदर्स में पारित आदेश दिनांक 04.12.2019 के निम्न सुसंगत अंश निम्नवत् हैं -

"Learned Counsel for the unit states that Central Ground Water Authority (CGWA) had given a letter that the unit was compliant. We fail to understand how such a letter can be given and be of any help when the area is in 'over-exploited' category where ground water cannot be allowed to be extracted for commercial purposes as is being done and no such permission can be given in view of order of this Tribunal dated 10.10.2019 in Original Application No. 176/2015, Shailesh Singh v. Hotel Holiday Regency, Moradabad & Ors. as follows:

"6. Since the OCS areas have been found to be seriously affected by overdrawal of ground water, regulation of such drawal for commercial purposes cannot be dispensed with for any industry even in industrial area. Availability of water for drinking is a first priority. The 'Precautionary' principle, 'Sustainable Development' principle and the Intergenerational equity are part of life and in absence of replenishment of ground water, unregulated drawl thereof cannot be held to be right of any commercial entity. Shortage of availability of water for commercial purposes cannot be remedied by drawal of groundwater in over exploited, critically exploited and semi-critical exploited (OCS) areas. Water is certainly a scarce resource and the industry has to put up with such scarcity. It is for the industry and the concerned authorities to find out alternative ways and means for sustenance of the industries instead of permitting indiscriminate drawal of groundwater in such areas till situation improves. Alternative means may be shifting to areas where water is not scarce or to processes where water is not required. As already noted, groundwater is depleting in such areas and measures are required to check such depletion. If industries continue to draw ground water without NOC from CGWA as per current guidelines and orders of this Tribunal in OCS areas, the industries will have to face legal consequence of such illegal action."

In view of the above, let further follow up action be taken by the statutory regulators-CPCB, State PCB, CGWA and District Magistrate in accordance with the due process of law. Compliance report may be filed on or before 31.01.2020 by e-mail at judicial-ngt@gov.in.

A copy of this order be sent to CPCB, SPCB, CGWA and District Magistrate, Amroha for compliance.

यह कि मा0 अधिकरण के उक्त आदेश के अनुक्रम में केन्द्रीय प्रदूषण नियंत्रण बोर्ड दिल्ली में दिनांक 26.12.2019 को संयुक्त समिति की बैठक आहूत की गयी जिसका कार्यवृत्त केन्द्रीय प्रदूषण नियंत्रण बोर्ड के पत्रांक-B-Others(N)/CPCB/2019-20 दिनांक 02.01.2020 को

...2/-

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बोर्ड प्राप्त हुआ है। संयुक्त समिति द्वारा बैठक के उपरान्त कार्यवृत्त में निम्नलिखित तथ्यों व संस्तुतियों का उल्लेख किया गया है—

The committee observed that, in absence of secondary biological treatment system/Primary Clarifier the installed ETPs are in-adequate and could not provide requisite treatment to the effluent/wastewater to meet the stipulated effluent discharge standards.

In absence of requisite treatment systems in ETPs/STPs, dilution of these ETPs/STPs through fresh water could not be ruled out. Based on the detailed deliberations held, the committee recommended the following;

The committee observed that, in absence of secondary biological treatment system/Primary Clarifier the installed ETPs are in-adequate and could not provide requisite treatment to the effluent/wastewater to meet the stipulated effluent discharge standards.

In absence of requisite treatment systems in ETPs/STPs, dilution of these ETPs/STPs through fresh water could not be ruled out. Based on the detailed deliberations held, the committee recommended the following;

- d. The UPPCB shall issue direction following appropriate procedure within 30 days for closure of the manufacturing operations excluding Thermocol manufacturing section till installation and commissioning of adequate ETPs/STPs by the unit. The unit shall be directed to install and commission stages (Physical primary treatment followed by secondary biological treatment of adequate capacity) ETPs and STPs to provide requisite treatment to effluent and ensure to meet the prescribed effluent discharge standards. The unit shall set the time bound Action plan approved by UPPCB.
- e. UPPCB shall also levy Environmental Compensation (Rs. 2,49,71,157/-) as calculated by the Joint Committee in its inspection report dated 03-12-2019 accepted by the Hon'ble NGT vide order dated 04-12-2019.
- f. UPPCB shall also issue appropriate direction within 30 days for compliance of the recommendations of Joint inspection report and file the Compliance Report of NGT and inform CPCB accordingly.

यह कि मा0 अधिकरण के निर्देशानुसार केन्द्रीय प्रदूषण नियंत्रण बोर्ड, केन्द्रीय भूजल प्राधिकरण बोर्ड तथा उ0प्र0 प्रदूषण नियंत्रण बोर्ड की संयुक्त समिति द्वारा किये गये निरीक्षण दिनांक 16.10.2019 की निरीक्षण आख्या में उद्योग द्वारा किये गये उल्लंघन के दृष्टिगत उद्योग पर पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने का विवरण निम्नवत् है—

उल्लंघन	पर्यावरणीय क्षतिपूर्ति धनराशि
अवैध भूजल दोहन (अवधि 01.10.2017 से 16.10.2019 तक)	रु 1,19,80,740 / -
उत्प्रेषण निस्तारण मानकों के अनुरूप नहीं किया जाना/अपर्याप्त उत्प्रेषण शुद्धिकरण संयंत्र/सहमति शर्तों के उल्लंघन में शून्य उत्प्रेषण निस्तारण नहीं किया जाना।	रु 1,08,60,000 / -
परिसंकटमय अपशिष्ट नियम, 2016 का उल्लंघन	रु 21,30,417 / -
कुल योग	रु 2,49,71,157 / -

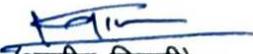
अतः उपरोक्त को दृष्टिगत रखते हुए उद्योग मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0, 18 कि0मी0 दिल्ली मुरादाबाद हाइवे, एन0एच0 24, ग्राम जिबई, अमरोहा द्वारा परिसंकटमय और अन्य

(3)

अपशिष्ट (प्रबन्धन और सीमापारीय संचालन) नियम, 2016 के उल्लंघन के दृष्टिगत पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा-5 के अन्तर्गत निम्नानुसार कारण बताओ नोटिस जारी किये जाते हैं :-

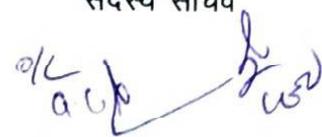
1. यह कि क्यों न उद्योग मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0, अमरोहा के विरुद्ध बन्दी आदेश जारी कर दिया जाये।
2. यह कि क्यों न उद्योग मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0, अमरोहा के विरुद्ध परिसंकटमय अपशिष्ट नियम, 2016 के उल्लंघन के दृष्टिगत रू 21,30,417/-की पर्यावरणीय क्षतिपूर्ति अधिरोपित कर दी जाए।

उपरोक्त के संबंध में स्पष्टीकरण पत्र प्राप्ति के 15 दिन में प्रस्तुत करें। संतोषजनक उत्तर निर्धारित समयावधि में प्राप्त न होने की दशा में उपरोक्त वर्णित आदेश/निर्देश की पुष्टि कर दी जाएगी, जिसका सम्पूर्ण उत्तरदायित्व स्वयं उद्योग का होगा।


(आशीष तिवारी)
सदस्य सचिव

प्रतिलिपि: निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

1. जिलाधिकारी, अमरोहा।
2. क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, बिजनौर को इस निर्देश के साथ प्रेषित कि मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0, अमरोहा के विरुद्ध जारी कारण बताओ नोटिस की प्रति उद्योग को प्राप्त कराते हुए सतत् निरीक्षणों के क्रम में अद्यतन निरीक्षण करते हुए आख्या स्पष्ट संस्तुति सहित 15 दिन के अन्दर बोर्ड मुख्यालय प्रेषित करना सुनिश्चित करें।


सदस्य सचिव




उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
UTTAR PRADESH POLLUTION CONTROL BOARD

Annexure-IV

संदर्भ संख्या- 149689 / सी-7/जल-58/2020

दिनांक

08-02-20
पंजीकृत

सेवा में,

मै0 सी0एल0 गुप्ता एक्सपोर्ट्स लि0,
18 कि0मी0 दिल्ली-मुरादाबाद हाइवे,
एन0एच0 24, ग्राम जिवई, अमरोहा

विषय- औद्योगिक इकाई के संचालन हेतु केन्द्रीय भूजल प्राधिकरण से अनापत्ति प्रमाण पत्र प्राप्त किये बिना भूगर्भीय जल के उपयोग के दृष्टिगत उद्योग के विरुद्ध बोर्ड के पत्र दिनांक 29.01.2020 द्वारा जारी नोटिस की पुष्टि किये जाने तदानुसार पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक बोर्ड के पत्र सं0-एच46981/सी-7/जल-58/नोटिस/2020 दिनांक 29.01.2020 का सन्दर्भ ग्रहण करें जिसके द्वारा अवैध भूजल दोहन किये जाने के दृष्टिगत रु 1,19,80,740/- की पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने हेतु नोटिस जारी किया गया।

उद्योग द्वारा उपरोक्त नोटिस दिनांक 29.01.2020 के कम में प्रेषित केन्द्रीय भूजल प्राधिकरण से निर्गत अनापत्ति प्रमाण पत्र दिनांक 23.04.2020 में 155 घन मी0/दिन भूजल दोहन हेतु निर्गत अनापत्ति प्रमाण पत्र जो दिनांक 21.12.2018 से 19.12.2021 तक मात्र Domestic, Drinking and/or Greenbelt Purpose हेतु वैध है।

उद्योग के पक्ष में पूर्व में केन्द्रीय भूजल प्राधिकरण द्वारा प्रदान अनापत्ति 330 घन मी0/दिन हेतु प्रदान की गई थी जिसकी वैधता दिनांक 20.12.2018 तक थी। केन्द्रीय प्रदूषण नियंत्रण बोर्ड एवं उ0प्र0 प्रदूषण नियंत्रण बोर्ड एवं केन्द्रीय भूजल प्राधिकरण की संयुक्त समिति द्वारा भूजल उल्लंघन मद में आंकलित पर्यावरणीय क्षतिपूर्ति रु 1,19,80,740/- के अन्तर्गत समयावधि 20.12.2018 से 16.10.2019 के मध्य बिना अनुमति के 330 घन मी0 /दिन की दर से भूजल दोहन किया जाना सम्मिलित है।

केन्द्रीय भूजल प्राधिकरण द्वारा 155 घन मी0/दिन भूजल दोहन हेतु निर्गत अनापत्ति प्रमाण पत्र दिनांक 21.12.2018 से 19.12.2021 तक वैध होने के दृष्टिगत संयुक्त समिति द्वारा आंकलित पर्यावरणीय क्षतिपूर्ति 330 घन मी0/दिन के स्थान पर 175 घन मी0/दिन के आधार पर पूर्वानुसार समयावधि 20.12.2018 से 30.05.2020 तक अर्थात् कुल दिवस 480 दिन हेतु केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा जारी गाइडलाइन के अनुसार पर्यावरणीय क्षतिपूर्ति की गणना निम्नवत् है-

$EC_{GW} = \text{Water consumption per day} \times \text{EC rate for illegal extraction of ground water (ECR}_{GW}) \times \text{No. of days} \times \text{Deterrent Factor}$

(A) Year : 2018-19

$$EC_{GW} = 175 \text{ (m}^3\text{/day)} \times 120 \text{ (Rs/m}^3\text{)} \times 480 * \text{ (days)} \times 1 \\ = \text{Rs. 1,00,80,000/-}$$

(B) Year : 2017-18

$$EC_{GW} = 2.30 \text{ (m}^3\text{/day)} \times 120 \text{ (Rs/m}^3\text{)} \times 365 * \text{ (days)} \times 1 \\ = \text{Rs. 1,00,740/-}$$

EC (A+B) = Rs. 1,01,80,740/- (Rs. One Crore One Lakh Eighty Thousand Seven Hundred Forty only)

.....कृ०पृ०उ०

टी. सी. - 12 वी, विभूति खण्ड गोमतीनगर, लखनऊ-226010
दूरभाष-272831, 2720828, 2720691, 2720681
ई-मेल- info@uppcb.com
वेबसाइट: www.uppcb.com

T.C. 12 - V, Vibhuti Khand Gomti Nagar, Lucknow - 226010
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Web Site: www.uppcb.com

उद्योग मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0, 18 कि0मी0 दिल्ली मुरादाबाद हाइवे, एन0एच0 24, ग्राम जिवई, अमरोहा द्वारा बोर्ड के पत्र सं0-एच46981/सी-7/जल-58/का0ब0नो0/2020 दिनांक 29.01.2020 द्वारा जारी नोटिस में दिये गये निर्देशों तथा केन्द्रीय भूजल प्राधिकरण के पत्र दिनांक 23.04.2020 द्वारा मात्र Domestic, Drinking and/or Greenbelt Purpose हेतु निर्गत अनापत्ति के दृष्टिगत औद्योगिक प्रक्रिया हेतु बिना अनुमति के भूगर्भीय जल का प्रयोग किये जाने के दृष्टिगत सक्षम अधिकारी के अनुमोदनोपरान्त औद्योगिकभूगर्भीय जल दोहन हेतु संशोधित पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने हेतु निम्नानुसार निर्देश जारी किये जाते हैं-

"यह कि उद्योग मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0, 18 कि0मी0 दिल्ली मुरादाबाद हाइवे, एन0एच0 24, ग्राम जिवई, अमरोहा के पक्ष में केन्द्रीय भूजल प्राधिकरण के पत्र दिनांक 23.04.2020 द्वारा 155 घन मी0/दिन भूजल दोहन हेतु निर्गत अनापत्ति प्रमाण पत्र जो दिनांक 21.12.2018 से 19.12.2021 तक मात्र Domestic, Drinking and/or Greenbelt Purpose हेतु वैध होने के दृष्टिगत उद्योग मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0, 18 कि0मी0 दिल्ली मुरादाबाद हाइवे, एन0एच0 24, ग्राम जिवई, अमरोहा पर दिनांक 20.12.2018 से 30.05.2020 तक Rs. 1,01,80,740/- (Rs. One Crore One Lakh Eighty Thousand Seven Hundred Forty only) की संशोधित पर्यावरणीय क्षतिपूर्ति अधिरोपित की जाती है तथा निर्देशित किया जाता है कि पर्यावरणीय क्षतिपूर्ति धनराशि को उ0प्र0 प्रदूषण नियंत्रण बोर्ड के यूनियन बैंक आफ इण्डिया, विभूतिखण्ड, गोमतीनगर, लखनऊ स्थित बैंक के खाता सं0-701502010002104 आई0एफ0एस0 कोड-UBIN0570150 में एक सप्ताह के अन्दर जमा कर, जमा की गयी धनराशि का साक्ष्य क्षेत्रीय कार्यालय एवं बोर्ड मुख्यालय में प्रस्तुत करना सुनिश्चित करें।"

भवदीय,


(अमित चन्द्रा)

मुख्य पर्यावरण अधिकारी
(वृत्त-7)

पृष्ठांकन संख्या एवं दिनांक उपरोक्तानुसार।

प्रतिलिपि: निम्नलिखित को सूचनार्थ प्रेषित।

1. सदस्य सचिव, केन्द्रीय प्रदूषण नियंत्रण बोर्ड, परिवेश भवन, ईस्ट अर्जुन नगर, नई दिल्ली।
2. जिलाधिकारी, अमरोहा।
3. क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, बिजनौर को आवश्यक कार्यवाही हेतु।


मुख्य पर्यावरण अधिकारी
(वृत्त-7)



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड Annexure V
UTTAR PRADESH POLLUTION CONTROL BOARD

संदर्भ संख्या- H49690/सी-7/जल-58/2020 दिनांक 08-6-20

पंजीकृत

सेवा में,

मै0 सी0एल0 गुप्ता एक्सपोर्ट्स लि0,
18 कि0मी0 दिल्ली-मुरादाबाद हाइवे,
एन0एच0 24, ग्राम जिवई, अमरोहा

विषय- जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 यथासंशोधित की धारा-33ए के अन्तर्गत बोर्ड के पत्र दिनांक 29.01.2020 द्वारा जारी कारण बताओ नोटिस की पुष्टि हेतु निर्देश जारी किये जाने तथा उद्योग के विरुद्ध पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने के सम्बन्ध में।

महोदय,

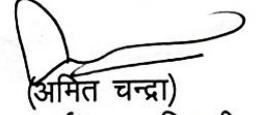
कृपया उपरोक्त विषयक बोर्ड के पत्र सं0-एच46982/सी-7/जल-58/का0ब0नो0/2020 दिनांक 29.01.2020 का सन्दर्भ ग्रहण करें जिसके द्वारा जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 यथासंशोधित की धारा-33ए के अन्तर्गत उद्योग के विरुद्ध बन्दी आदेश जारी किये जाने एवं नियमों के उल्लंघन के दृष्टिगत पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने हेतु कारण बताओ नोटिस जारी किया गया।

उद्योग का नवीनतम निरीक्षण क्षेत्रीय कार्यालय, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, बिजनौर के अधिकारियों द्वारा दिनांक 15.02.2020 को किया गया। क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, बिजनौर द्वारा प्रेषित आख्या एवं उद्योग द्वारा प्रस्तुत अनुपालन आख्या सम्बन्धी अभिलेखों के दृष्टिगत सक्षम अधिकारी के अनुमोदनोपरान्त बोर्ड के पत्र -एच46982/सी-7/जल-58/का0ब0नो0/2020 दिनांक 29.01.2020 द्वारा जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 यथासंशोधित की धारा-33ए के अन्तर्गत जारी कारण बताओ नोटिस को बन्दी आदेश जारी किये जाने सम्बन्धी बिन्दु निक्षेपित करते हुए एवं पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने सम्बन्धी बिन्दु की पुष्टि निम्न निर्देशों के साथ की जाती है-

1. यह कि उद्योग मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0, 18 कि0मी0 दिल्ली मुरादाबाद हाइवे, एन0एच0 24, ग्राम जिवई, अमरोहा द्वारा जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 यथासंशोधित के प्राविधानों का अक्षरशः अनुपालन तथा उद्योग के संचालन हेतु शून्य उत्प्रवाह निस्तारण के निर्देशों का अनुपालन कड़ाई से किया जाना सुनिश्चित किया जाए।
2. यह कि उद्योग मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0, 18 कि0मी0 दिल्ली मुरादाबाद हाइवे, एन0एच0 24, ग्राम जिवई, अमरोहा द्वारा जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 यथासंशोधित के प्राविधानों के अन्तर्गत राज्य बोर्ड से संचालन हेतु सहमति प्राप्त की जाए।
3. यह कि केन्द्रीय प्रदूषण नियंत्रण बोर्ड, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, केन्द्रीय भूजल प्राधिकरण की संयुक्त समिति द्वारा मा0 अधिकरण में प्रस्तुत निरीक्षण दिनांक 16.10.2019 की आख्या में उद्योग द्वारा पूर्व में उत्प्रवाह निस्तारण मानकों के अनुरूप नहीं किये जाने/समुचित उत्प्रवाह शुद्धिकरण संयंत्र नहीं होने/शून्य उत्प्रवाह निस्तारण नहीं किये जाने के दृष्टिगत सहमति शर्तों के उल्लंघन से उत्पन्न डिफाल्ट के दृष्टिगत संयुक्त समिति द्वारा आंकलित पर्यावरणीय क्षतिपूर्ति रु 1,08,60,000/- (रूपये एक करोड़ आठ लाख साठ लाख मात्र) उद्योग मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0, 18 कि0मी0 दिल्ली

.....कृ0पृ0उ0

मुरादाबाद हाइवे, एन0एच0 24, ग्राम जिवई, अमरोहा पर अधिरोपित की जाती है तथा निर्देशित किया जाता है कि पर्यावरणीय क्षतिपूर्ति धनराशि को उ0प्र0 प्रदूषण नियंत्रण बोर्ड के यूनियन बैंक आफ इण्डिया, विभूतिखण्ड, गोमतीनगर, लखनऊ स्थित बैंक के खाता सं0-701502010002104 आई0एफ0एस0 कोड-UBIN0570150 में एक सप्ताह के अन्दर जमा कर, जमा की गयी धनराशि का साक्ष्य क्षेत्रीय कार्यालय एवं बोर्ड मुख्यालय में प्रस्तुत करना सुनिश्चित करें।



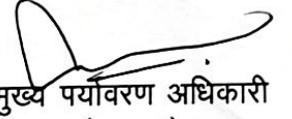
(अमित चन्द्रा)
मुख्य पर्यावरण अधिकारी
(वृत्त-7)

o/c

पृष्ठांकन संख्या एवं दिनांक उपरोक्तानुसार।

प्रतिलिपि: निम्नलिखित को सूचनार्थ प्रेषित।

1. सदस्य सचिव, केन्द्रीय प्रदूषण नियंत्रण बोर्ड, परिवेश भवन, ईस्ट अर्जुन नगर, नई दिल्ली।
2. जिलाधिकारी, अमरोहा।
3. क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, बिजनौर को आवश्यक कार्यवाही हेतु।



मुख्य पर्यावरण अधिकारी
(वृत्त-7)

o/c



UTTAR PRADESH POLLUTION CONTROL BOARD

संदर्भ संख्या-

1/सी-7/उत्प्र-58/20

दिनांक

9/6/2020

सेवा में,

मै0 सी0एल0 गुप्ता एक्सपोर्ट्स लि0,
18 कि0मी0 दिल्ली-मुरादाबाद हाइवे,
एन0एच0 24, ग्राम जिवई, अमरोहा

यह कि मै0 सी0एल0 गुप्ता एक्सपोर्ट्स लि0, 18 कि0मी0 दिल्ली-मुरादाबाद हाइवे, एन0एच0 24, ग्राम जिवई, अमरोहा जो कि इलेक्ट्रोप्लेटिंग प्रक्रिया द्वारा फिनिश आर्टवेयर का उत्पादन कार्य करते हुए उपरोक्त वर्णित स्थल पर कार्यरत है, जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा 47 के अन्तर्गत एक कम्पनी है।

यह कि माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली, में विचाराधीन ओ0ए0 सं0-220/2019 आदिल अंसारी बनाम मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0 एण्ड अदर्स में पारित आदेश दिनांक 04.12.2019 में केन्द्रीय प्रदूषण नियंत्रण बोर्ड, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, केन्द्रीय भूजल प्राधिकरण द्वारा किये गये संयुक्त निरीक्षण दिनांक 16.10.2019 में पाये गये तथ्यों को संज्ञान में लेते हुए निम्न आदेश पारित किये गये-

"Learned Counsel for the unit states that Central Ground Water Authority (CGWA) had given a letter that the unit was compliant. We fail to understand how such a letter can be given and be of any help when the area is in 'over-exploited' category where ground water cannot be allowed to be extracted for commercial purposes as is being done and no such permission can be given in view of order of this Tribunal dated 10.10.2019 in Original Application No. 176/2015, Shailesh Singh v. Hotel Holiday Regency, Moradabad & Ors. as follows:

"6. Since the OCS areas have been found to be seriously affected by overdrawal of ground water, regulation of such drawal for commercial purposes cannot be dispensed with for any industry even in industrial area. Availability of water for drinking is a first priority. The 'Precautionary' principle, 'Sustainable Development' principle and the Intergenerational equity are part of life and in absence of replenishment of ground water, unregulated drawl thereof cannot be held to be right of any commercial entity. Shortage of availability of water for commercial purposes cannot be remedied by drawal of groundwater in over exploited, critically exploited and semi-critical exploited (OCS) areas. Water is certainly a scarce resource and the industry has to put up with such scarcity. It is for the industry and the concerned authorities to find out alternative ways and means for sustenance of the industries instead of permitting indiscriminate drawal of groundwater in such areas till situation improves. Alternative means may be shifting to areas where water is not scarce or to processes where water is not required. As already noted, groundwater is depleting in such areas and measures are required to check such depletion. If industries continue to draw ground water without NOC from CGWA as per current guidelines and orders of this Tribunal in OCS areas, the industries will have to face legal consequence of such illegal action."

In view of the above, let further follow up action be taken by the statutory regulators-CPCB, State PCB, CGWA and District Magistrate in accordance with the due process of law. Compliance report may be filed on or before 31.01.2020 by e-mail at judicial-ngt@gov.in.

A copy of this order be sent to CPCB, SPCB, CGWA and District Magistrate, Amroha for compliance.

.....क०प०उ०

यह कि मा0 अधिकरण द्वारा गठित संयुक्त समिति के निरीक्षण दिनांक 16.10.2019 में पाये गये तथ्यों के आधार पर बोर्ड के पत्र सं0-एच46983/सी-7/जल-58 /का0ब0नो0/2020 दिनांक 29.01.2020 द्वारा उद्योग के विरुद्ध पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा-5 के अन्तर्गत निम्नानुसार कारण बताओ नोटिस जारी किया गया-

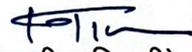
- i. यह कि क्यों न उद्योग मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0, अमरोहा के विरुद्ध बन्दी आदेश जारी कर दिया जाये।
- ii. यह कि क्यों न उद्योग मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0, अमरोहा के विरुद्ध परिसंकटमय अपशिष्ट नियम, 2016 के उल्लंघन के दृष्टिगत रू 21,30,417/-की पर्यावरणीय क्षतिपूर्ति अधिरोपित कर दी जाए।

यह कि उद्योग का नवीनतम निरीक्षण क्षेत्रीय कार्यालय, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, बिजनौर के अधिकारियों द्वारा दिनांक 15.02.2020 को किया गया जिसमें इकाई द्वारा संयुक्त समिति की संस्तुतियों का अनुपालन पाया गया।

यह कि उद्योग के पक्ष में बोर्ड के पत्र सं0- 8531/UPPCB/Bijnore(UPPCBRO) /HWM/JYOTIBA PHULE NAGAR/2019 दिनांक 16-07-2019 द्वारा परिसंकटमय एवं अन्य अपशिष्ट (प्रबन्धन एवं सीमापार संचालन) नियम, 2016 के अन्तर्गत प्राधिकार निर्गत किया गया है।

अतः उपरोक्त को दृष्टिगत रखते हुए बोर्ड के पत्र सं0-एच46983/सी-7/जल-58/ का0ब0नो0/2020 दिनांक 29.01.2020 द्वारा पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा-5 के अन्तर्गत जारी कारण बताओ नोटिस को निम्न निर्देश के साथ निक्षेपित किया जाता है-

"यह कि केन्द्रीय प्रदूषण नियंत्रण बोर्ड, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, केन्द्रीय भूजल प्राधिकरण की संयुक्त समिति द्वारा मा0 अधिकरण में ओ0ए0 सं0-220/2019 आदिल अंसारी बनाम मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0 एण्ड अदर्स में प्रस्तुत निरीक्षण आख्या में उद्योग द्वारा पूर्व में परिसंकटमय अपशिष्ट नियम, 2016 के प्राविधानों के उल्लंघन के दृष्टिगत आंकलित पर्यावरणीय क्षतिपूर्ति रू 21,30,417/- (रूपये इक्कीस लाख तीस हजार चार सौ सत्रह मात्र) को उद्योग मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0, 18 कि0मी0 दिल्ली मुरादाबाद हाइवे, एन0एच0 24, ग्राम जिवई, अमरोहा पर अधिरोपित किया जाता है तथा निर्देशित किया जाता है कि पर्यावरणीय क्षतिपूर्ति धनराशि को उ0प्र0 प्रदूषण नियंत्रण बोर्ड के यूनियन बैंक आफ इण्डिया, विभूतिखण्ड, गोमतीनगर, लखनऊ स्थित बैंक के खाता सं0-701502010002104 आई0एफ0एस0 कोड-UBIN0570150 में एक सप्ताह के अन्दर जमा कर, जमा की गयी धनराशि का साक्ष्य क्षेत्रीय कार्यालय एवं बोर्ड मुख्यालय में प्रस्तुत करना सुनिश्चित करें।"


(आशीष तिवारी)
सदस्य सचिव

प्रतिलिपि :

1. सदस्य सचिव, केन्द्रीय प्रदूषण नियंत्रण बोर्ड, परिवेश भवन, ईस्ट अर्जुन नगर, नई दिल्ली को सूचनार्थ।
2. क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, बिजनौर को इस निर्देश के साथ कि उपरोक्त निर्देशों का अनुपालन सुनिश्चित कराये जाने हेतु कार्यवाही करें।


सदस्य सचिव

१/८





उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड Annexure-VII
UTTAR PRADESH POLLUTION CONTROL BOARD

संदर्भ संख्या-

449746 / सी-7/जल-58/20

दिनांक

10/6/2020

पंजीकृत

सेवा में,

मै0 सी0एल0 गुप्ता एक्सपोर्ट्स लि0,
18 कि0मी0 दिल्ली-मुरादाबाद हाइवे,
एन0एच0 24, ग्राम जिवई, अमरोहा

यह कि यह कि मै0 सी0एल0 गुप्ता एक्सपोर्ट्स लि0, 18 कि0मी0 दिल्ली-मुरादाबाद हाइवे, एन0एच0 24, ग्राम जिवई, अमरोहा जो कि इलेक्ट्रोप्लेटिंग प्रक्रिया द्वारा फिनिश आर्टवेयर का उत्पादन कार्य करते हुए उपरोक्त वर्णित स्थल पर कार्यरत है, जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा 47 के अन्तर्गत एक कम्पनी है।

यह कि बोर्ड के पत्र सं0-एच46981/सी-7/जल-58/नोटिस/2020 दिनांक 29.01.2020 का सन्दर्भ ग्रहण करें जिसके द्वारा अवैध भूजल दोहन किये जाने के दृष्टिगत रु 1,19,80,740/- की पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने हेतु नोटिस जारी किया गया।

यह कि उद्योग द्वारा उपरोक्त नोटिस दिनांक 29.01.2020 के क्रम में प्रेषित केन्द्रीय भूजल प्राधिकरण से निर्गत अनापत्ति प्रमाण पत्र दिनांक 23.04.2020 में 155 घन मी0/दिन भूजल दोहन हेतु निर्गत अनापत्ति प्रमाण पत्र जो दिनांक 21.12.2018 से 19.12.2021 तक मात्र Domestic, Drinking and/or Greenbelt Purpose हेतु वैध है।

यह कि उद्योग के पक्ष में पूर्व में केन्द्रीय भूजल प्राधिकरण द्वारा प्रदान अनापत्ति 330 घन मी0/दिन हेतु प्रदान की गई थी जिसकी वैधता दिनांक 20.12.2018 तक थी। केन्द्रीय प्रदूषण नियंत्रण बोर्ड उ0प्र0 प्रदूषण नियंत्रण बोर्ड एवं केन्द्रीय भूजल प्राधिकरण की संयुक्त समिति द्वारा भूजल उल्लंघन मद में आंकलित पर्यावरणीय क्षतिपूर्ति रु 1,19,80,740/- के अन्तर्गत समयावधि 20.12.2018 से 16.10.2019 के मध्य बिना अनुमति के 330 घन मी0 /दिन की दर से भूजल दोहन किया जाना सम्मिलित है।

यह कि उद्योग मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0, 18 कि0मी0 दिल्ली मुरादाबाद हाइवे, एन0एच0 24, ग्राम जिवई, अमरोहा के पक्ष में केन्द्रीय भूजल प्राधिकरण के पत्र दिनांक 23.04.2020 द्वारा 155 घन मी0/दिन भूजल दोहन हेतु निर्गत अनापत्ति प्रमाण पत्र जो दिनांक 21.12.2018 से 19.12.2021 तक मात्र Domestic, Drinking and/or Greenbelt Purpose हेतु वैध होने के दृष्टिगत बोर्ड के पत्र सं0- एच49689/सी-7/जल-58/2020 दिनांक 08.06.2020 द्वारा उद्योग पर Rs. 1,01,80,740/- (Rs. One Crore One Lakh Eighty Thousand Seven Hundred Forty only) की संशोधित पर्यावरणीय क्षतिपूर्ति अधिरोपित की गई है।

केन्द्रीय भूजल प्राधिकरण के पत्र दिनांक 23.04.2020 द्वारा मात्र Domestic, Drinking and/or Greenbelt Purpose हेतु निर्गत अनापत्ति एवं औद्योगिक प्रक्रिया हेतु भूगर्भीय जल का प्रयोग बिना अनुमति प्राप्त किये हुए किये जाने के दृष्टिगत औद्योगिक प्रक्रिया संचालन को बन्द किये जाने हेतु उद्योग मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0, 18 कि0मी0 दिल्ली मुरादाबाद हाइवे, एन0एच0 24, ग्राम जिवई, अमरोहा के विरुद्ध सक्षम अधिकारी के अनुमोदनोपरान्त जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 यथासंशोधित की धारा-33ए के अन्तर्गत बन्दी आदेश जारी किये जाने हेतु निम्नानुसार कारण बताओ नोटिस जारी किये जाते हैं-

"यह कि उद्योग मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0, 18 कि0मी0 दिल्ली मुरादाबाद हाइवे, एन0एच0 24, ग्राम जिवई, अमरोहा द्वारा औद्योगिक प्रक्रिया के लिए भूगर्भीय जल के दोहन हेतु केन्द्रीय भूजल प्राधिकरण से अनुमति 15 दिन के अन्दर प्राप्त की जाए अथवा उद्योग मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0, 18 कि0मी0 दिल्ली मुरादाबाद हाइवे, एन0एच0 24, ग्राम जिवई, अमरोहा द्वारा औद्योगिक प्रक्रिया के लिए जल की आपूर्ति हेतु अन्य वैकल्पिक व्यवस्था के सम्बन्ध में केन्द्रीय भूजल प्राधिकरण से अनुमति 15 दिन के अन्दर प्राप्त की जाए।"

.....कृ०प०उ०

टी. सी. - 12 वी. विभूति खण्ड गोमतीनगर, लखनऊ-226010

दूरभाष-2720831, 2720828, 2720691, 2720681

फैक्स 0522-2720764 Fax: 0522 - 2720764 ई-मेल- info@uppcb.com

वेबसाइट: www.uppcb.com

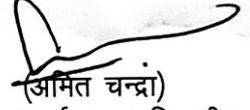
T.C. 12 - V, Vibhuti Khand Gomti Nagar, Lucknow - 226010

Phone:2720831,2720828,2720691,2720681

Email: info@uppcb.com

Web Site: www.uppcb.com

आपको निर्देशित किया जाता है कि उपरोक्त निर्देशों के सम्बन्ध में अनुपालन की स्थिति सहित अपना स्पष्टीकरण 15 दिन के अन्दर बोर्ड में प्रस्तुत किया जाए, निर्धारित समयावधि में उत्तर प्राप्त न होने अथवा सन्तोषजनक उत्तर प्राप्त न होने की दशा में कारण बताओ नोटिस की पुष्टि करते हुए उद्योग के विरुद्ध औद्योगिक प्रक्रिया बन्द किये जाने हेतु निर्देश जारी कर दिये जायेंगे जिसका सम्पूर्ण उत्तरदायित्व स्वयं उद्योग एवं उद्योग स्वामी का होगा।



(अमित चन्द्रा)
मुख्य पर्यावरण अधिकारी
(वृत्त-7)

पृष्ठांकन संख्या एवं दिनांक उपरोक्तानुसार।

प्रतिलिपि: निम्नलिखित को सूचनार्थ प्रेषित।

1. सदस्य सचिव, केन्द्रीय प्रदूषण नियंत्रण बोर्ड, परिवेश भवन, ईस्ट अर्जुन नगर, नई दिल्ली।
2. सदस्य सचिव, केन्द्रीय भूजल प्राधिकरण (सी0जी0डब्ल्यू0ए0), नई दिल्ली को सूचनार्थ।
3. जिलाधिकारी, अमरोहा।
4. क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, बिजनौर को इस निर्देश के साथ कि उक्त निर्देशों के क्रम में उद्योग का निरीक्षण करते हुए ससमय निरीक्षण आख्या स्पष्ट संस्तुति सहित बोर्ड मुख्यालय प्रेषित करना सुनिश्चित करें।



मुख्य पर्यावरण अधिकारी
(वृत्त-7)

५८



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
UTTAR PRADESH POLLUTION CONTROL BOARD

संदर्भ संख्या:
सेवा में,

1450479/सी-7/जल-58/20

दिनांक: 30-06-2020

पंजीकृत

मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0,
18 कि0मी0 दिल्ली मुरादाबाद हाइवे,
एन0एच0 24, ग्राम जिवई, अमरोहा।

विषय:-प्रत्यावेदन सं0-सीएलजी/एचआर-31/2020-21/29 दिनांक 17.06.2020 के निस्तारण के संबंध में।

महोदय,

कृपया उपरोक्त विषयक अपने प्रत्यावेदन सं0-सीएलजी/एचआर-31/2020-21/29 दिनांक 17.06.2020 का संदर्भ ग्रहण करें। उक्त प्रत्यावेदन द्वारा बोर्ड के पत्र सं0-49696/सी-7/जल-58/2020 दिनांक 09.06.2020 द्वारा माननीय अधिकरण के आदेशों के क्रम में गठित संयुक्त समिति द्वारा किये गये निरीक्षण दिनांक 16.10.2019 की आख्या में उद्योग द्वारा पूर्व में परिसंकटतय अपशिष्ट नियम, 2016 के प्राविधानों के उल्लंघन के दृष्टिगत आंकलित पर्यावरणीय क्षतिपूर्ति रू 21,30,417/- (रूपये इक्कीस लाख तीस हजार चार सौ सतरह मात्र) को उद्योग पर अधिरोपित किया जाना निराधार बताते हुए उद्योग के विरुद्ध अधिरोपित पर्यावरणीय क्षतिपूर्ति को निक्षेपित किये जाने अथवा रू0 100000/-मात्र की पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने हेतु प्रत्यावेदन प्रस्तुत किया गया।

उद्योग के उक्त प्रत्यावेदन दिनांक 17.06.2020 के क्रम में आपको अवगत कराना है कि माननीय अधिकरण में ओ0ए0 सं0-220/2019 आदिल अंसारी बनाम मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0 एवं अन्य में पारित आदेश दिनांक 29.08.2019 के द्वारा जारी निर्देशों के क्रम में केन्द्रीय प्रदूषण नियंत्रण बोर्ड, उ0प्र0 प्रदूषण नियंत्रण बोर्ड तथा केन्द्रीय भूजल प्राधिकरण की संयुक्त समिति द्वारा किये गये निरीक्षण दिनांक 16.10.2019 की रिपोर्ट दिनांक 03.12.2019 को माननीय अधिकरण में प्रस्तुत की गयी। उक्त निरीक्षण रिपोर्ट में उद्योग द्वारा परिसंकटतय अपशिष्ट नियम, 2016 के प्राविधानों का उल्लंघन पाये जाने के दृष्टिगत पर्यावरणीय क्षतिपूर्ति रू 21,30,417/- का आंकलन किया गया है।

उक्त के संबंध में केन्द्रीय प्रदूषण नियंत्रण बोर्ड के पत्र दिनांक 02.01.2020 द्वारा दिनांक 26.12.2019 को समस्त संबंधित विभागों की आहूत बैठक के कार्यवृत्त उद्योग के विरुद्ध संयुक्त समिति द्वारा माननीय अधिकरण में दिनांक 03.12.2019 को प्रस्तुत रिपोर्ट में आंकलित पर्यावरणीय क्षतिपूर्ति उद्योग पर अधिरोपित किये जाने के निर्देश दिये गये।

उक्त विवरण बोर्ड के पत्र सं0-49696/सी-7/जल-58/2020 दिनांक 09.06.2020 द्वारा आपको पूर्व में सूचित किया जा चुका है।

अतः यह दृष्टिगत रखते हुए कि उद्योग के विरुद्ध अधिरोपित पर्यावरणीय क्षतिपूर्ति का आंकलन माननीय अधिकरण के आदेशों के क्रम में गठित संयुक्त समिति द्वारा किया गया है, आपके प्रत्यावेदन दिनांक 17.06.2020 को इस निर्देश के साथ निस्तारित किया जाता है कि उद्योग द्वारा पर्यावरणीय क्षतिपूर्ति के संबंध में प्रत्यावेदन केन्द्रीय प्रदूषण नियंत्रण बोर्ड, नई दिल्ली में प्रस्तुत किया जाये।

भवदीय

(अमित चन्द्रा)

मुख्य पर्यावरण अधिकारी वृत्त-7

प्रतिलिपि: निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु।

1. सदस्य सचिव, केन्द्रीय प्रदूषण नियंत्रण बोर्ड, नई दिल्ली को उद्योग के प्रत्यावेदन दिनांक 17.06.2020 की प्रति इस अनुरोध के साथ संलग्न कर प्रेषित कि उद्योग द्वारा प्रस्तुत प्रत्यावेदन के निस्तारण हेतु संबंधित को आवश्यक निर्देश निर्गत करना चाहेंगे।
2. क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, बिजनौर को आवश्यक कार्यवाही हेतु।

मुख्य पर्यावरण अधिकारी वृत्त-7

15/06/20 1A-7/W-58/20

17-2020

सेवा में,

पंजीकृत

मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0,
18 कि0मी0 दिल्ली मुरादाबाद हाइवे,
एन0एच0 24, ग्राम जिवई, अमरोहा।

विषय:-प्रत्यावेदन सं0-सीएलजी/एचआर-31/2020-21/27 दिनांक 17.06.2020 के निस्तारण के संबंध में।

महोदय,

कृपया उपरोक्त विषयक अपने पत्र सं0-सीएलजी/एचआर-31/2020-21/27 दिनांक 17.06.2020 का संदर्भ ग्रहण करें। उक्त पत्र के द्वारा बोर्ड के पत्र सं0-49689/सी-7/जल-58/2020 दिनांक 08.06.2020 द्वारा उद्योग द्वारा केन्द्रीय भूजल प्राधिकरण से अनुमति प्राप्त किये बिना औद्योगिक प्रयोजन हेतु भूगर्भीय जल का प्रयोग किये जाने के दृष्टिगत अधिरोपित संशोधित पर्यावरणीय क्षतिपूर्ति Rs. 1,01,80,740/- (Rs. One Crore One Lakh Eighty Thousand Seven Hundred Forty only) को उद्योग पर अधिरोपित किया जाना निराधार एवं पुनः संशोधित किये जाने हेतु प्रत्यावेदन प्रस्तुत किया गया है तथा अवगत कराया गया है कि उद्योग के पत्र सं0-सीएलजी/एचआर-31/2020-21/30 दिनांक 19.06.2020 द्वारा रू0 रू0 37,53,600/-की पर्यावरणीय क्षतिपूर्ति बोर्ड में RTGS-UTR No. SBIN220171842298 dated 19-06-2020 द्वारा जमा की गयी है।

उद्योग के उक्त प्रत्यावेदन दिनांक 17.06.2020 के क्रम में अवगत कराना है कि माननीय अधिकरण में ओ0ए0 सं0-220/2019 आदिल अंसारी बनाम मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0 एवं अन्य में पारित आदेश दिनांक 29.08.2019 द्वारा जारी निर्देशों के क्रम में केन्द्रीय प्रदूषण नियंत्रण बोर्ड, उ0प्र0 प्रदूषण नियंत्रण बोर्ड तथा केन्द्रीय भूजल प्राधिकरण की संयुक्त समिति द्वारा किये गये निरीक्षण दिनांक 16.10.2019 की रिपोर्ट दिनांक 03.12.2019 को माननीय अधिकरण में प्रस्तुत की गयी। उक्त निरीक्षण आख्या में उद्योग द्वारा केन्द्रीय भूजल प्राधिकरण से अनुमति प्राप्त किये बिना भूजल दोहन किये जाने तथा वर्ष 2018-19 में केन्द्रीय भूजल प्राधिकरण से निर्गत अनुमति में अनुमन्य क्षमता से अधिक भूजल दोहन किये जाने के दृष्टिगत पर्यावरणीय क्षतिपूर्ति का आंकलन किया गया है। उक्त के संबंध में केन्द्रीय प्रदूषण नियंत्रण बोर्ड के पत्र दिनांक 02.01.2020 द्वारा दिनांक 26.12.2019 को समस्त संबंधित विभागों की आहूत बैठक के कार्यवृत्त उद्योग के विरुद्ध संयुक्त समिति द्वारा माननीय अधिकरण में दिनांक 03.12.2019 को प्रस्तुत रिपोर्ट में आंकलित पर्यावरणीय क्षतिपूर्ति उद्योग पर अधिरोपित किये जाने के निर्देश दिये गये।

तत्क्रम में उद्योग द्वारा राज्य बोर्ड में प्रस्तुत केन्द्रीय भूजल प्राधिकरण द्वारा 155 घन मी0 प्रतिदिन भूजल दोहन हेतु निर्गत अनापत्ति प्रमाणपत्र (वैधता 21.12.2018 से 19.12.2021) का संज्ञान लेते हुए अवैध भूजल दोहन 175 घन मी0 प्रतिदिन के आधार पर पर्यावरणीय क्षतिपूर्ति रू0 1,01,80,740/- आंकलित कर उद्योग पर अधिरोपित की गयी है।

उक्त विवरण बोर्ड के पत्र सं0-49689/सी-7/जल-58/2020 दिनांक 08.06.2020 द्वारा आपको पूर्व में सूचित किया जा चुका है।

अतः यह दृष्टिगत रखते हुए कि उद्योग के विरुद्ध अधिरोपित पर्यावरणीय क्षतिपूर्ति का आंकलन माननीय अधिकरण के आदेशों के क्रम में गठित संयुक्त समिति द्वारा किया गया है, आपके

प्रत्यावेदन दिनांक 17.06.2020 को इस निर्देश के साथ निस्तारित किया जाता है कि उद्योग द्वारा पर्यावरणीय क्षतिपूर्ति के संबंध में प्रत्यावेदन केन्द्रीय प्रदूषण नियंत्रण बोर्ड, नई दिल्ली में प्रस्तुत किया जाये।

भवदीय



(अमित चन्द्रा)

मुख्य पर्यावरण अधिकारी वृत्त-7

प्रतिलिपि:-निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु।

1. सदस्य सचिव, केन्द्रीय प्रदूषण नियंत्रण बोर्ड, नई दिल्ली को उद्योग के प्रत्यावेदन दिनांक 17.06.2020 की प्रति इस अनुरोध के साथ संलग्न कर प्रेषित कि उद्योग द्वारा प्रस्तुत प्रत्यावेदन के निस्तारण हेतु संबंधित को आवश्यक निर्देश निर्गत करना चाहेंगे।
2. क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, बिजनौर को आवश्यक कार्यवाही हेतु।



मुख्य पर्यावरण अधिकारी वृत्त-7

011



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
UTTAR PRADESH POLLUTION CONTROL BOARD

संदर्भ संख्या: 49689/सी-7/जल-58/20

दिनांक: 7/2/20

सेवा में,

पंजीकृत

मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0,
18 कि0मी0 दिल्ली मुरादाबाद हाइवे,
एन0एच0 24, ग्राम जिवई, अमरोहा।

विषय:—प्रत्यावेदन सं0—सीएलजी/एचआर—31/2020—21/27 दिनांक 17.06.2020 के निस्तारण के संबंध में।

महोदय,

कृपया उपरोक्त विषयक अपने पत्र सं0—सीएलजी/एचआर—31/2020—21/27 दिनांक 17.06.2020 का संदर्भ ग्रहण करें। उक्त पत्र के द्वारा बोर्ड के पत्र सं0—49689/सी—7/जल—58/2020 दिनांक 08.06.2020 द्वारा उद्योग द्वारा केन्द्रीय भूजल प्राधिकरण से अनुमति प्राप्त किये बिना औद्योगिक प्रयोजन हेतु भूगर्भीय जल का प्रयोग किये जाने के दृष्टिगत अधिरोपित संशोधित पर्यावरणीय क्षतिपूर्ति Rs. 1,01,80,740/- (Rs. One Crore One Lakh Eighty Thousand Seven Hundred Forty only) को उद्योग पर अधिरोपित किया जाना निराधार एवं पुनः संशोधित किये जाने हेतु प्रत्यावेदन प्रस्तुत किया गया है तथा अवगत कराया गया है कि उद्योग के पत्र सं0—सीएलजी/एचआर—31/2020—21/30 दिनांक 19.06.2020 द्वारा रू0 रू0 37,53,600/- की पर्यावरणीय क्षतिपूर्ति बोर्ड में RTGS-UTR No. SBIN220171842298 dated 19-06-2020 द्वारा जमा की गयी है।

उद्योग के उक्त प्रत्यावेदन दिनांक 17.06.2020 के कम में अवगत कराना है कि माननीय अधिकरण में ओ0ए0 सं0—220/2019 आदिल अंसारी बनाम मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0 एवं अन्य में पारित आदेश दिनांक 29.08.2019 द्वारा जारी निर्देशों के कम में केन्द्रीय प्रदूषण नियंत्रण बोर्ड, उ0प्र0 प्रदूषण नियंत्रण बोर्ड तथा केन्द्रीय भूजल प्राधिकरण की संयुक्त समिति द्वारा किये गये निरीक्षण दिनांक 16.10.2019 की रिपोर्ट दिनांक 03.12.2019 को माननीय अधिकरण में प्रस्तुत की गयी। उक्त निरीक्षण आख्या में उद्योग द्वारा केन्द्रीय भूजल प्राधिकरण से अनुमति प्राप्त किये बिना भूजल दोहन किये जाने तथा वर्ष 2018—19 में केन्द्रीय भूजल प्राधिकरण से निर्गत अनुमति में अनुमन्य क्षमता से अधिक भूजल दोहन किये जाने के दृष्टिगत पर्यावरणीय क्षतिपूर्ति का आंकलन किया गया है। उक्त के संबंध में केन्द्रीय प्रदूषण नियंत्रण बोर्ड के पत्र दिनांक 02.01.2020 द्वारा दिनांक 26.12.2019 को समस्त संबंधित विभागों की आहूत बैठक के कार्यवृत्त उद्योग के विरुद्ध संयुक्त समिति द्वारा माननीय अधिकरण में दिनांक 03.12.2019 को प्रस्तुत रिपोर्ट में आंकलित पर्यावरणीय क्षतिपूर्ति उद्योग पर अधिरोपित किये जाने के निर्देश दिये गये।

तत्कम में उद्योग द्वारा राज्य बोर्ड में प्रस्तुत केन्द्रीय भूजल प्राधिकरण द्वारा 155 घन मी0 प्रतिदिन भूजल दोहन हेतु निर्गत अनापत्ति प्रमाणपत्र (वैधता 21.12.2018 से 19.12.2021) का संज्ञान लेते हुए अवैध भूजल दोहन 175 घन मी0 प्रतिदिन के आधार पर पर्यावरणीय क्षतिपूर्ति रू0 1,01,80,740/- आंकलित कर उद्योग पर अधिरोपित की गयी है।

उक्त विवरण बोर्ड के पत्र सं0—49689/सी—7/जल—58/2020 दिनांक 08.06.2020 द्वारा आपको पूर्व में सूचित किया जा चुका है।

अतः यह दृष्टिगत रखते हुए कि उद्योग के विरुद्ध अधिरोपित पर्यावरणीय क्षतिपूर्ति का आंकलन माननीय अधिकरण के आदेशों के कम में गठित संयुक्त समिति द्वारा किया गया है, आपके

प्रत्यावेदन दिनांक 17.06.2020 को इस निर्देश के साथ निस्तारित किया जाता है कि उद्योग द्वारा पर्यावरणीय क्षतिपूर्ति के संबंध में प्रत्यावेदन केन्द्रीय प्रदूषण नियंत्रण बोर्ड, नई दिल्ली में प्रस्तुत किया जाये।

भवदीय

(अमित चन्द्रा)

मुख्य पर्यावरण अधिकारी वृत्त-7

प्रतिलिपि:-निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु।

1. सदस्य सचिव, केन्द्रीय प्रदूषण नियंत्रण बोर्ड, नई दिल्ली को उद्योग के प्रत्यावेदन दिनांक 17.06.2020 की प्रति इस अनुरोध के साथ संलग्न कर प्रेषित कि उद्योग द्वारा प्रस्तुत प्रत्यावेदन के निस्तारण हेतु संबंधित को आवश्यक निर्देश निर्गत करना चाहेंगे।
2. क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, बिजनौर को आवश्यक कार्यवाही हेतु।


मुख्य पर्यावरण अधिकारी वृत्त-7



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
UTTAR PRADESH POLLUTION CONTROL BOARD

संदर्भ संख्या:

1150488 | 11-7/W-58/20

दिनांक: 1-7-20

सेवा में,

पंजीकृत

मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0,
18 कि0मी0 दिल्ली मुरादाबाद हाइवे,
एन0एच0 24, ग्राम जिवई, अमरोहा।

विषय:-प्रत्यावेदन सं0-सीएलजी/एचआर-31/2020-21/28 दिनांक 17.06.2020 के निस्तारण के संबंध में।

महोदय,

कृपया उपरोक्त विषयक अपने प्रत्यावेदन सं0-सीएलजी/एचआर-31/2020-21/28 दिनांक 17.06.2020 का संदर्भ ग्रहण करें। उक्त प्रत्यावेदन के द्वारा बोर्ड के पत्र सं0-49690/सी-7/जल-58/2020 दिनांक 08.06.2020 द्वारा माननीय अधिकरण के आदेशों के क्रम गठित संयुक्त समिति द्वारा किये गये निरीक्षण दिनांक 16.10.2019 की आख्या में उद्योग द्वारा पूर्व में उत्प्रवाह निस्तारण मानकों के अनुरूप नहीं किये जाने/समुचित उत्प्रवाह शुद्धिकरण संयंत्र नहीं होने/शून्य उत्प्रवाह निस्तारण नहीं किये जाने के दृष्टिगत सहमति शर्तों के उल्लंघन पाये जाने के कारण आंकलित पर्यावरणीय क्षतिपूर्ति रू 1,08,60,000/- (रूपये एक करोड़ आठ लाख साठ हजार मात्र) को उद्योग पर अधिरोपित किया जाना निराधार बताते हुए उद्योग के विरुद्ध अधिरोपित पर्यावरणीय क्षतिपूर्ति को निक्षेपित किये जाने अथवा रू0 10000/-मात्र की पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने हेतु प्रत्यावेदन प्रस्तुत किया गया।

उद्योग के पत्र सं0-सीएलजी/एचआर-31/2020-21/31 दिनांक 19.06.2020 द्वारा रू0 10000/-की पर्यावरणीय क्षतिपूर्ति under protest बोर्ड में RTGS-UTR No. SBIN220171842422 dated 19-06-2020 द्वारा जमा की गयी है।

उद्योग के उक्त प्रत्यावेदन दिनांक 17.06.2020 के क्रम में अवगत कराना है कि माननीय अधिकरण में ओ0ए0 सं0-220/2019 आदिल अंसारी बनाम मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0 एवं अन्य में पारित आदेश दिनांक 29.08.2019 द्वारा जारी निर्देशों के क्रम में केन्द्रीय प्रदूषण नियंत्रण बोर्ड, उ0प्र0 प्रदूषण नियंत्रण बोर्ड तथा केन्द्रीय भूजल प्राधिकरण की संयुक्त समिति द्वारा किये गये निरीक्षण दिनांक 16.10.2019 की रिपोर्ट दिनांक 03.12.2019 को माननीय अधिकरण में प्रस्तुत की गयी। उक्त निरीक्षण रिपोर्ट में उद्योग द्वारा उत्प्रवाह निस्तारण मानकों के अनुरूप नहीं किये जाने/समुचित उत्प्रवाह शुद्धिकरण संयंत्र नहीं होने/शून्य उत्प्रवाह निस्तारण नहीं किये जाने के दृष्टिगत सहमति शर्तों के उल्लंघन पाये जाने के दृष्टिगत पर्यावरणीय क्षतिपूर्ति रू 1,08,60,000/- का आंकलन किया गया है।

उक्त के संबंध में केन्द्रीय प्रदूषण नियंत्रण बोर्ड के पत्र दिनांक 02.01.2020 द्वारा दिनांक 26.12.2019 को समस्त संबंधित विभागों की आहूत बैठक के कार्यवृत्त उद्योग के विरुद्ध संयुक्त समिति द्वारा माननीय अधिकरण में दिनांक 03.12.2019 को प्रस्तुत रिपोर्ट में आंकलित पर्यावरणीय क्षतिपूर्ति उद्योग पर अधिरोपित किये जाने के निर्देश दिये गये।

उक्त विवरण बोर्ड के पत्र सं0-49690/सी-7/जल-58/2020 दिनांक 08.06.2020 द्वारा आपको पूर्व में सूचित किया जा चुका है।

अतः यह दृष्टिगत रखते हुए कि उद्योग के विरुद्ध अधिरोपित पर्यावरणीय क्षतिपूर्ति का आंकलन माननीय अधिकरण के आदेशों के क्रम में गठित संयुक्त समिति द्वारा किया गया है, आपके प्रत्यावेदन दिनांक 17.06.2020 को इस निर्देश के साथ निस्तारित किया जाता है कि उद्योग द्वारा

पर्यावरणीय क्षतिपूर्ति के संबंध में प्रत्यावेदन केन्द्रीय प्रदूषण नियंत्रण बोर्ड, नई दिल्ली में प्रस्तुत किया जाये।

भवदीय

(अमित चन्द्रा)

मुख्य पर्यावरण अधिकारी वृत्त-7

प्रतिलिपि:—निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु।

1. सदस्य सचिव, केन्द्रीय प्रदूषण नियंत्रण बोर्ड, नई दिल्ली को उद्योग के प्रत्यावेदन दिनांक 17.06.2020 की प्रति इस अनुरोध के साथ संलग्न कर प्रेषित कि उद्योग द्वारा प्रस्तुत प्रत्यावेदन के निस्तारण हेतु संबंधित को आवश्यक निर्देश निर्गत करना चाहेंगे।
2. क्षेत्रीय अधिकारी, उ०प्र० प्रदूषण नियंत्रण बोर्ड, बिजनौर को आवश्यक कार्यवाही हेतु।

मुख्य पर्यावरण अधिकारी वृत्त-7

H50488 / सी-7/जल-58/20

01-7-20

सेवा में,

पंजीकृत

मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0,
18 कि0मी0 दिल्ली मुरादाबाद हाइवे,
एन0एच0 24, ग्राम जिवई, अमरोहा।

विषय:-प्रत्यावेदन सं0-सीएलजी/एचआर-31/2020-21/28 दिनांक 17.06.2020 के निस्तारण के संबंध में।

महोदय,

कृपया उपरोक्त विषयक अपने प्रत्यावेदन सं0-सीएलजी/एचआर-31/2020-21/28 दिनांक 17.06.2020 का संदर्भ ग्रहण करें। उक्त प्रत्यावेदन के द्वारा बोर्ड के पत्र सं0-49690/सी-7/जल-58/2020 दिनांक 08.06.2020 द्वारा माननीय अधिकरण के आदेशों के क्रम गठित संयुक्त समिति द्वारा किये गये निरीक्षण दिनांक 16.10.2019 की आख्या में उद्योग द्वारा पूर्व में उत्प्रवाह निस्तारण मानकों के अनुरूप नहीं किये जाने/समुचित उत्प्रवाह शुद्धिकरण संयंत्र नहीं होने/शून्य उत्प्रवाह निस्तारण नहीं किये जाने के दृष्टिगत सहमति शर्तों के उल्लंघन पाये जाने के कारण आंकलित पर्यावरणीय क्षतिपूर्ति रू 1,08,60,000/- (रूपये एक करोड़ आठ लाख साठ हजार मात्र) को उद्योग पर अधिरोपित किया जाना निराधार बताते हुए उद्योग के विरुद्ध अधिरोपित पर्यावरणीय क्षतिपूर्ति को निक्षेपित किये जाने अथवा रू0 10000/-मात्र की पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने हेतु प्रत्यावेदन प्रस्तुत किया गया।

उद्योग के पत्र सं0-सीएलजी/एचआर-31/2020-21/31 दिनांक 19.06.2020 द्वारा रू0 10000/-की पर्यावरणीय क्षतिपूर्ति under protest बोर्ड में RTGS-UTR No. SBIN220171842422 dated 19-06-2020 द्वारा जमा की गयी है।

उद्योग के उक्त प्रत्यावेदन दिनांक 17.06.2020 के क्रम में अवगत कराना है कि माननीय अधिकरण में ओ0ए0 सं0-220/2019 आदिल अंसारी बनाम मै0 सी0एल0 गुप्ता एक्सपोर्ट प्रा0 लि0 एवं अन्य में पारित आदेश दिनांक 29.08.2019 द्वारा जारी निर्देशों के क्रम में केन्द्रीय प्रदूषण नियंत्रण बोर्ड, उ0प्र0 प्रदूषण नियंत्रण बोर्ड तथा केन्द्रीय भूजल प्राधिकरण की संयुक्त समिति द्वारा किये गये निरीक्षण दिनांक 16.10.2019 की रिपोर्ट दिनांक 03.12.2019 को माननीय अधिकरण में प्रस्तुत की गयी। उक्त निरीक्षण रिपोर्ट में उद्योग द्वारा उत्प्रवाह निस्तारण मानकों के अनुरूप नहीं किये जाने/समुचित उत्प्रवाह शुद्धिकरण संयंत्र नहीं होने/शून्य उत्प्रवाह निस्तारण नहीं किये जाने के दृष्टिगत सहमति शर्तों के उल्लंघन पाये जाने के दृष्टिगत पर्यावरणीय क्षतिपूर्ति रू 1,08,60,000/- का आंकलन किया गया है।

उक्त के संबंध में केन्द्रीय प्रदूषण नियंत्रण बोर्ड के पत्र दिनांक 02.01.2020 द्वारा दिनांक 26.12.2019 को समस्त संबंधित विभागों की आहूत बैठक के कार्यवृत्त उद्योग के विरुद्ध संयुक्त समिति द्वारा माननीय अधिकरण में दिनांक 03.12.2019 को प्रस्तुत रिपोर्ट में आंकलित पर्यावरणीय क्षतिपूर्ति उद्योग पर अधिरोपित किये जाने के निर्देश दिये गये।

उक्त विवरण बोर्ड के पत्र सं0-49690/सी-7/जल-58/2020 दिनांक 08.06.2020 द्वारा आपको पूर्व में सूचित किया जा चुका है।

अतः यह दृष्टिगत रखते हुए कि उद्योग के विरुद्ध अधिरोपित पर्यावरणीय क्षतिपूर्ति का आंकलन माननीय अधिकरण के आदेशों के क्रम में गठित संयुक्त समिति द्वारा किया गया है, आपके प्रत्यावेदन दिनांक 17.06.2020 को इस निर्देश के साथ निस्तारित किया जाता है कि उद्योग द्वारा

पर्यावरणीय क्षतिपूर्ति के संबंध में प्रत्यावेदन केन्द्रीय प्रदूषण नियंत्रण बोर्ड, नई दिल्ली में प्रस्तुत किया जाये।

भवदीय

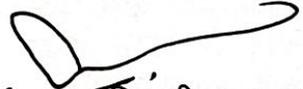


(अमित चन्द्रा)

मुख्य पर्यावरण अधिकारी वृत्त-7

प्रतिलिपि:-निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु।

1. सदस्य सचिव, केन्द्रीय प्रदूषण नियंत्रण बोर्ड, नई दिल्ली को उद्योग के प्रत्यावेदन दिनांक 17.06.2020 की प्रति इस अनुरोध के साथ संलग्न कर प्रेषित कि उद्योग द्वारा प्रस्तुत प्रत्यावेदन के निस्तारण हेतु संबंधित को आवश्यक निर्देश निर्गत करना चाहेंगे।
2. क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, बिजनौर को आवश्यक कार्यवाही हेतु।



मुख्य पर्यावरण अधिकारी वृत्त-7

o/c

H50503

1/11/2020 E-219/19/20

17/2020

सेवा में,

क्षेत्रीय अधिकारी,
उ०प्र० प्रदूषण नियंत्रण बोर्ड,
मुरादाबाद।

विषय:—माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली में दायर Execution Application No. 14/2020 IN Original Application No. 219/2019 Adil Ansari Vs. State of U.P. & Ors. में पारित आदेश दिनांक 26.06.2020 के अनुपालन के संबंध में।

महोदय,

कृपया उपरोक्त विषयक माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली में दायर Execution Application No. 14/2020 IN Original Application No. 219/2019 Adil Ansari Vs. State of U.P. & Ors. में पारित आदेश दिनांक 26.06.2020 निम्नवत् का अवलोकन करें :-

This application seeks execution of order of this Tribunal dated 13.11.2019 against illegal drawal of groundwater. It is stated that the ground water is still being illegally extracted in violation of order of this Tribunal. It is also stated that compensation assessed is inadequate, ignoring the laid down norms about scale of compensation.

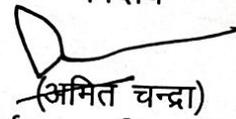
Before proceeding further, we require the UP State PCB to furnish its comments before the next date by e-mail at judicialngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

A copy of this order be sent to the State PCB by e-mail.

List for further consideration on 29.09.2020.

माननीय अधिकरण द्वारा पारित उपरोक्त आदेश दिनांक 26.06.2020 के अनुपालन में उद्योग का अद्यतन निरीक्षण कराते हुए अनुपालन आख्या प्रेषित करना सुनिश्चित करें।

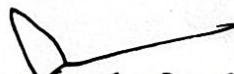
भवदीय



(अमित चन्द्रा)

मुख्य पर्यावरण अधिकारी वृत्त-7

प्रतिलिपि:- विधि अधिकारी-प्रथम, विधि अनुभाग, बोर्ड मुख्यालय, लखनऊ।



मुख्य पर्यावरण अधिकारी वृत्त-7

86



C.L. Gupta Exports Ltd.

18 km Before Moradabad, Delhi Highway,
vill. Jivai, Amroha-244221, India
Cin :- U74999 DL2004 PLC 125090

Tel. : +91-591-2477000
Fax : +91-591-2477300
e-mail : mail@clgupta.com

CLG/HR-31/2020-21/27

17.06.2020

The Chief Environment Officer(Circle-7)
Uttar Pradesh Pollution Control Board
Building.No. TC-12V, Vibhuti Khand,
Gomti Nagar, Lucknow-226010

Subject: H49689/ C-7/Water-58/2020 dated 8.6.2020 received by us on 11.6.2020.

Dear Sir,

We refer to the captioned letter No. H49689/ C-7/Water-58/2020 dated 8.6.2020 , by which penalty has been imposed on us to the tune of 1,01,80,740/- (One Crore One Lac Eighty Thousand Seven Hundred Forty only), for alleged illegal extraction of groundwater.

We wish to bring to your attention that several essential facts have been missed in the imposition of penalty and we respectfully file this letter for the same and consequent correction/review of the order.

A. NO BASIS TO IMPOSE PENALTY:

- a. Admittedly, we had NOC for extraction of groundwater from the CGWA for 330 m³/day until 20.12.2018. Said earlier NOC is annexed as **Annexure-I**.
- b. Admittedly, we had applied for renewal of the above NOC on 08.12.2018, well before the expiry of the earlier NOC. However, our application was kept pending. **This application was never rejected in 2018-2019.** This application is annexed as **Annexure-II**.
- c. It was only on 19.12.2019, i.e. more than one year later, that we were informed that our application **would be kept pending** until the NGT case in the matter is disposed of finally. This intimation to us on 19.12.2019 is annexed as **Annexure-III**.
- d. Further, the NGT order referenced in your letter is also dated 04.12.2019.
- e. Thus, prior to 04.12.2019, we were operating in *good faith* and without knowledge concerning the classification of our district as an OCS category area. This was never an issue raised by your good self when our application for NOC or its renewal was filed.
- f. We submit that we have operated for close to 2 decades in the same factory in compliance with all laws, and we provide gainful employment to more than

Manufacturer & Exporters

Brass Art Ware • E.P.N.S. Ware • Wrought Iron Ware • Glass & Crystal Ware • Iron & Steel Ware • Wooden Furniture & Accessories

Regd. Office : DPT 337, DLF PRIME TOWER, OKHLA, NEW DELHI-110020

6300 persons. While our NOC renewal application was kept pending between 08.12.2018 till 19.12.2019 and beyond, we operated in good faith to ensure the continued employment of more than 6300 people, whose livelihoods are dependent on our factory.

- g. We have also made *bona fide* efforts at our own costs to maintain the water table and prevent the degradation of groundwater resources. We have complied with every requirement of the law and the directions of the Hon'ble NGT. You are also aware of our rainwater harvesting system that recharges the groundwater to the tune of **1,07,000 KL/year**, which has also been inspected and noted to be functioning correctly.
- h. Ultimately, our application for NOC renewal was granted, and we are allowed to extract up to 155 m³/day with retrospective effect from 20.12.2018, which your goodself has noted in the letter. The NOC renewal is annexed as **Annexure-IV**.

In these circumstances, we respectfully protest the imposition of any penalty and reiterate that we have always complied with the law and to impose penalty with retrospective effect from 20.12.2018 even though: (i) we had moved an appropriate renewal application on 8.12.2018, (ii) our NOC renewal was never officially rejected, (iii) we were not aware of the classification of OCS until the NGT order dated 04.12.2019, (iv) there is no official legislation or rule intimating to us that groundwater cannot be drawn by us in allegedly OCS areas, and (v) we have implemented a groundwater recharging system, is unfair, unjust, *ultra vires* and illegal.

B. CORRECTION OF MATHEMATICAL ERROR:

Without prejudice to the above, there are calculation errors apparent on the face of the record in the calculation of the penalty. These errors are noted below:

B.1 FOR 2018-2019 and till 30.05.2020

	CORRECTION	COMMENTS
Number of days	460 days	You have calculated penalty for 480 days, i.e. 20.12.2018 to 30.05.2020. However, given the COVID-19 lockdown, our factory has been shut down on 21.03.2020. Although we reopened after 17.05.2020, no wet processes were undertaken until 28.05.2020. Therefore, at best, the penalty, if applicable, can only be for 460 days, i.e. 20.12.2018 to 21.03.2020 plus 28.05.2020 to 30.05.2020.
Penalty rate	Rs. 120/m ³	No change
Quantum of groundwater	68 m ³ /day	Actual consumption of groundwater as per meter Reading for the relevant period (20.12.2018 to 30.05.2020) (See
		102,448 KL

		Annexure-V)	
		(Minus) Allowed under CGWA approval with effect from 20.12.2018 [155 (m ³ /day), for 460 days]	71,300 KL
		Final Quantum for 460 days	31,148 KL

In view of the above, it is most humbly and respectfully submitted that penalty can only be calculated for 60 (m³/day) for the period of **460 days, i.e. 20.12.2018 to 21.03.2020 plus 28.05.2020 to 30.05.2020. This would result in a penalty of Rs. 37,53,600, i.e. [68 (m³/day) * 120 (Rs/m³) * 460 * 1].**

B.2 For 2017-2018

For the period of 2017-2018, For the 1st period of 01.10.2017 – 30.09.2018, we submit if the period taken is the financial year, then we are within the permissible limit. Your goodself had recorded this in your letter dated 29.11.2019, annexed herewith **Annexure-VI**, based on our earlier reply dated 04.11.2019, which is also annexed herewith as **Annexure-VII**.

In view of the calculation errors, total penalty, if at all to be imposed, can only be Rs. 37,53,600.

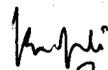
C. Prayer

In view of the above, it is humbly prayed that:

- a. No penalty be imposed at all;
- b. In the alternative, a penalty is to be imposed only to the extent of Rs. 37,53,600

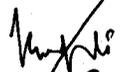
This letter is issued without prejudice to our rights and remedies. Nothing in this letter can be construed as an admission that we have not complied with the law.

Yours sincerely
For C. L. Gupta Exports Ltd.


(Teevra Gupta)
Director

Encl:aa

Cc: 1-Member Secretary, CPCB, Parivesh Bhawan, East Arjun Nagar, New Delhi.
2-DM-Amroha.
3-RO, UPPCB, Bijnore


(Teevra Gupta)
Director

Signed all pages
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भारत सरकार

केन्द्रीय भूमि जल प्राधिकरण

जल संसाधन, नदी विकास

और गंगा संरक्षण मंत्रालय

MEMBER SECRETARY

Government of India

Central Ground Water Authority

Ministry of Water Resources,

River Development & Ganga Rejuvenation

File No:- 21-4/1237/UP/IND/2016 - 2745

NOC No:- CGWA/NOC/IND/ORIG/2016/2380

Date :- 21/12/2016

To

27 DEC 2016

M/s C. L. Gupta Exports Ltd.,
18 Km Stone Before Moradabad Delhi Highway,
Village Jiwai, Amroha,
District Amroha, Uttar Pradesh - 244221

Sub:- NOC for ground water withdrawal to M/s C. L. Gupta Exports Ltd., in respect of their existing furniture manufacturing unit located at 18 KM Stone Before Moradabad Delhi High Way, Village Jiwai, Block Joya, District Amroha, Uttar Pradesh - reg.

Refer to your application on the above cited subject. Based on recommendations of Regional Director, Central Ground Water Board Northern Region, Lucknow vide their recommendations dated 03/11/2016 and further deliberations on the subject, the NOC of Central Ground Water Authority is hereby accorded to **M/s C. L. Gupta Exports Ltd., in respect of their existing furniture manufacturing unit located at 18 KM Stone Before Moradabad Delhi High Way, Village Jiwai, Block Joya, District Amroha, Uttar Pradesh.** The NOC is, however subject to the following conditions:-

1. The firm may abstract **330 cu.m/day** (and not exceeding **99,000 cu.m/year**) of ground water, through existing two (2) tubewells only. No additional ground water abstraction structures to be constructed for this purpose without prior approval of the CGWA
2. All the wells to be fitted with water meter by the firm at its own cost and monitoring of ground water abstraction to be undertaken accordingly on regular basis, atleast once in a month. The ground water quality to be monitored twice in a year during pre- monsoon and post- monsoon periods
3. **M/s C. L. Gupta Exports Ltd.,** shall, in consultation with the Regional Director, Central Ground Water Board, Northern Region, Lucknow implement ground water recharge measures atleast to the tune of **1,06,000 cu.m/year** as proposed, for augmenting the ground water resources of the area within six months from the date of issue of this letter. Firm shall also undertake periodic maintenance of recharge structures at its own cost. In addition, the firm shall adopt 1 no. villages for Water

West Block - 2, Wing - 3, Sector - 1, R.K. Puram, New Delhi - 110066

Tel : 011-26175362, 26175373, 26175379 • Fax : 011-26175369

Website : www.cgwa-noc.gov.in

स्वच्छ सुरक्षित जल - सुन्दर खुशहाल कल

CONSERVE WATER - SAVE LIFE

Security Plan in District Amroha, Uttar Pradesh. The necessary guideline for the Water Security Plan is available on website of Ministry of Water Resources, RD & GR (www.mowr.gov.in). Both, the Demand Side Management /Supply Side Management with maintenance of structures in the said villages to be ensured and a comprehensive plan to be submitted to Regional Director, CGWB. Firm shall also undertake periodic maintenance of recharge structures at its own cost.

4. The photographs of the recharge structures after completion of the same are to be furnished immediately to the Regional Director, Central Ground Water Board, Northern Region, Lucknow for verification and under intimation to this office.

5. The firm at its own cost shall install two (2) piezometers fitted with automatic water level recorders having telemetry system at suitable locations and execute ground water regime monitoring programme in and around the project area on regular basis in consultation with the Central Ground Water Board, Northern Region, Lucknow.

6. The ground water monitoring data in respect of S. No. 2 & 5 to be submitted to Central Ground Water Board, Northern Region, Lucknow on regular basis at least once in a year.

7. The firm shall ensure proper recycling and reuse of waste water after adequate treatment.

8. Action taken report in respect of S. No. 1 to 7 may be submitted to CGWA within one year period.

9. The permission is liable to be cancelled in case of non-compliance of any of the conditions as mentioned in S. No. 1 to 8.

10. This NOC is subject to prevailing Central/State Government rules/laws or Courts orders related to construction of tubewell/ground water withdrawal/construction of recharge or conservation structure/discharge of effluents or any such matter as applicable.

11. This NOC does not absolve the applicant / proponent of this obligation / requirement to obtain other statutory and administrative clearances from other statutory and administrative authorities.

12. The NOC does not imply that other statutory / administrative clearances shall be granted to the project by the concerned authorities. Such authorities would consider the project on merits and be taking decisions independently of the NOC.

13. This NOC is valid from 21/12/2016 till 20/12/2018


Member Secretary

Copy to:

1. The Member Secretary, Uttar Pradesh Pollution Control Board, Picup Bhawan, Third Floor, B-Block, Vibnuti Khand, Gomti Nagar, Lucknow, Uttar Pradesh **with a request to ensure that the conditions mentioned in the NOC are complied by the firm.**

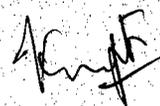
2. The Regional Director, Central Ground Water Board, Northern Region, Lucknow. This has reference to your recommendation dated 03/11/2016.

3. The District Magistrate, District Amroha, Uttar Pradesh.

4. TS to the Chairman, Central Ground Water Board, Bhujal Bhawan, Faridabad, Haryana.

5. Guard File 2016-17.


Member Secretary





C.L. Gupta Exports Ltd.

18 km. Before Moradabad, Delhi Highway,
Vill. Jivai, Amroha-244221, India
Cin - U74999 DL2004 PLC 125090

Annexure II

Tel. : +91-591-2477000
Fax : +91-591-2477300
e-mail : mail@clgupta.com

CLG/HR(167)/18-19/ 526

The Regional Director

CGWA

Lucknow

Sub: Application for renewal of water NOC.

Sir,

We have applied for renewal of water NOC No. CGWA/NOC/IND/ORIG/2016/2380 along with renewal fee, the hard copy of application along with necessary attachments are sent here with.

Kindly peruse and renew NOC in our favour.

Thanks

Yours Sincerely

(A.K. Johri)

Authorised Signatory

Encl aa

cc. Director CGWA, New Delhi for kind information please.

Recd
प्रेषक / DESPATCHER
केन्द्रीय मृदा (N.R.)
Central Ground Water
भुजल संसाधन विभाग
Bhujal Bhan
सीतापुर रोड, यमुना
Lucknow-226021

Manufacturer & Exporters

Brass Art Ware • E.P.N.S. Ware • Wrought Iron Ware • Glass & Crystal Ware • Iron & Steel Ware • Wooden Furniture & Accessories

Regd. Office : DPT 337, DLF PRIME TOWER, OKHLA, NEW DELHI-110020

Application for Renew of NOC Issued to Existing Industrial Projects Abstracting GroundWater (Application For Renewal of NOC)

Application Number : 21-4/1237/UP/IND/2016

Applied For Renewal : 1st

2. Details of Water Requirement (Fresh and Recycled Water Usage):		Existing Ground Water				
(Please Enclose Water Flow Chart of Activities and Requirement of Water at each Stage) (\$)						
(i) Total Water Requirement (a+b+c+d) (m3/day)						
		Existing	Additional	Total		
Water Requirement Details (Fresh Water) (m3/day)						
(a) Ground Water Requirement (m3/day):		330.00	0.00	330.00		
(b) Surface Water Available (Canal, River, Ponds etc.) (m3/day):		0.00	0.00	0.00		
(c) Water Supply from Any Agency (m3/day):		0.00	0.00	0.00		
Total Fresh Water Requirement (a+b+c)(m3/day):		330.00	0.00	330.00		
(d) Recycled Water Usage (m3/day):		160.00	0.00	160.00		
Total Water Requirement : (a+b+c+d)(m3/day)		490.00	0.00	490.00		
(ii) Breakup of Water Requirement and Usage:						
Activity	Existing Requirement (m3/day)	Additional Requirement (m3/day)	Total Requirement (m3/day)	No. of Operational Days in a Year	Annual Requirement (m3/year)	
Industrial Activity	375.00	0.00	375.00	300	112500.00	
Residential / Domestic	55.00	0.00	55.00	300	16500.00	
Greenbelt Development /Environment Maintenance	60.00	0.00	60.00	300	18000.00	
Other Use	0.00	0.00	0.00	0	0.00	
Grand Total	490.00	0.00	490.00		147000.00	
(iii) Details of Water Availability from ETP / STP for Recycle / Resuse usage:						
	Existing	Additional		Total		
	(m3/day)	No. Of Days	(m3/year)	(m3/day)	No. Of Days	(m3/year)
Effluent / Sewerage generated and treated in ETP / STP:	180.00	300	54000.00			180.00 54000.00
Availability treated Effluent / Sewerage for usage:	160.00	300	48000.00			160.00 48000.00
Effluent / Sewerage discharge after treatment:	0.00	0	0.00			0.00 0.00
(iv) Availability treated effluent usage : Total quantity same as 2 i (d) and 2 ii (b) above						

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Page 2 of 7

**Application for Renew of NOC Issued to Existing Industrial Projects Abstracting GroundWater
 (Application For Renewal of NOC)**

Application Number : 21-4/1237/UP/IND/2016

Applied For Renewal : 1st

	Existing (m3/day)	Additional availability (m3/day)	Total Use + Availability (m3/day)
Industrial Activity / Commercial Use	375.00	0.00	375.00
Domestic / Residential Use	55.00	0.00	55.00
Greenbelt development / Environment maintenance	60.00	0.00	60.00
Other Use / Flushing Req.	0.00	0.00	0.00
Total	490.00	0.00	490.00

(a). Groundwater Abstraction Structure- Existing:

Number of Existing Structures: 2

SNo.	Type of Structure Name / Year of Construction	Depth (Meter) / Diameter (mm)	Depth to Water Level (Meters below Ground Level)	Discharge (m3/Hour)	Operatio nal Hours (Day) / Days (Year)	Mode of Lift Name	Horse Power of Pump	Whether Fitted with Water Meter	Whether Permission Registered with CGWA / If so Details Thereof
1	Borewell / 2016	75.00 / 250	15.82	16.00	9 / 300	Submer sible Pump	15.00	Yes	Yes / -
2	Borewell / 2016	75.00 / 250	15.42	15.00	8 / 300	Submer sible Pump	15.00	Yes	Yes / -

(b). Groundwater Abstraction Structure- Additional:

Number of Additional Structures: 0

SNo.	Type of Structure Name / Year of Construction	Depth (Meter) / Diameter (mm)	Depth to Water Level (Meters below Ground Level)	Discharge (m3/Hour)	Operatio nal Hours (Day) / Days (Year)	Mode of Lift Name	Horse Power of Pump	Whether fitted with Water Meter	Whether Permission Registered with CGWA / If so Details Thereof

4. (a). Compliance to the Condition prescribed in the NOC

SNo.	Conditions given in NOC	Compliance Conditions Applicable	Status of Compliance
1	Area Specific Plantation	Yes	Complied
2	Domestic Water School Sanitation	Yes	For residential water supply separated
3	Groundwater quality monitoring - Pre monsoon and Post monsoon	Yes	Complied
4	Maintenance of recharge structures	Yes	Under Construction
5	Number of Pizometers as per NOC and Water Level Record	Yes	Complied

08/12/2018 04:39 PM

Government of India
Central Ground Water Authority (CGWA)
Ministry of Water Resources, River Development and Ganga Rejuvenation
Applications for Issue of NOC to Abstract Ground Water (NOCAP)

Application for Renew of NOC Issued to Existing Industrial Projects Abstracting GroundWater
(Application For Renewal of NOC)

Application Number : 21-4/1237/UP/IND/2016

Applied For Renewal : 1st

6	Number of Tubewells Borewales as per NOC	Yes	Complied
7	Pizometer fitted with AWLRs with telemetry as per NOC	Yes	Complied (Supplied installed commissioned technical and demonstrated to our staff hand trained all properly by OBM Electronics Technology Company Jaipur)
8	Quantum of Groundwater as per NOC	Yes	Complied
9	Recharge through ponds	Not Applicable	Complied
10	Recycle and reuse of water	Yes	Under Construction
11	RWH and AR structures implemented	Yes	Complied
12	Submission of Compliance report to the Region	Yes	
13	Water conservation measures	Yes	Water Sprinkler Boiler Heat Condensation
14	Water Security Plan of villages	Yes	Taken care of S.No 13 above. This condition requested to be waived as per letter #140 dated 29.5.17
15	Well monitored around the plant premises	Not Applicable	
16	Wells fitted with water meter and its Record	Yes	Complied

(b). Compliance to the Condition prescribed in the NOC - Other

SNo.	Conditions given in NOC	Status of Compliance
1	Complied	Complied but recharge structures are under construction

5. **Groundwater Availability (Please Enclose a Comprehensive Report / Note on Groundwater Condition / Groundwater Quality in and Around the Area) Applicable to Industries Consuming Greater Than 500 m³/day and / or having a Land Area of Greater Than 2 Ha.- (\$)**

Ground water quality is good

6. **Details of Rainwater Harvesting and Artificial Recharge Measures for Groundwater Recharge in the Area. If the Firm has Proposed to take up Rainwater Harvesting and Recharge outside the Industrial Unit Premises, then provide NOC from the Concern Authority / Agency where the Harvesting Measures are Proposed, if Already implemented, details may be furnished. (Attach Report on Comprehensive & Feasible Rainwater Harvesting / Recharge Proposal).- (\$)**

Proposed 12 RWH Under Construction

INDUSTRIAL USE- Self Declaration

It is to Certify that the Details and Information furnished above are true to the best of my Knowledge and Belief and I am aware that if any part of the Data/Information submitted is found to be false or misleading at any stage the application will be Rejected Out Rightly.

1. Application Proforma is Subject to Modification from Time to Time.

2. Application should be submitted to Regional Office.

Regional Director, Central Ground Water Board Northern Region, Bhujal Bhavan, Sector-B. Sitapur Road Yojna, Ram Ram Bank Chauraha, LUCKNOW, UTTAR PRADESH, 226021

08/12/2018 04:39 PM



Application for Renew of NOC Issued to Existing Industrial Projects Abstracting GroundWater
(Application For Renewal of NOC)

Application Number : 21-4/1237/UP/IND/2016

Applied For Renewal : 1st

3. Incomplete Application will be Summarily Rejected.

Submitted Application will not be Processed till the Print Out of the Signed Complete Application is Submitted to Regional Office.

4. Applicant has to Submit Processing Fee of Rs. 500.00/- (Rupees Five Hundred Only) through NON TAX RECEIPT PORTAL (<https://bharatkosh.gov.in>). A receipt will be generated. Please fill in the Transaction Ref No. and Date from the receipt, in print out of application and attach receipt along with hard copy of application.

Bharatkosh Details:-

Transaction Ref Number:-

0812180002009

Dated:-

0/12/2018

Note:- The Processing Fee is Non-Refundable. Applicant should ensure and Check Eligibility of Submission of Application and Required Documents before Submitting Online Application.

Attached Files:

1). Site Plan : (Refer: 1 (ii))

No Attachment Found!

2). Certified Revenue Sketch : (Refer: 1 (ii))

No Attachment Found!

3). Reason for Not Applying for Renewal before Expiring NOC : (Refer: 1 (v))

No Attachment Found!

4). Existing NOC : (Refer: 1 (vii))

S.No	Attachment Name	File Name
1	Water Noc	Water NOC.pdf

5). Enclose Flow Chart of Activity and Requirement of Water: (Refer: 2)

No Attachment Found!

6). Groundwater Availability Report : (Refer: 4)

S.No	Attachment Name	File Name
1	Ground Water Detail	Ground Water Detail.pdf

7). Details of Rainwater Harvesting / Artificial Recharge Measures : (Refer: 5)

S.No	Attachment Name	File Name
1	Rainwater Harvesting	Rainwater Harvesting.pdf

8). Authorization :

No Attachment Found!

9). Extra Attachment :

08/12/2018 04:39 PM

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[Handwritten Signature]

Government of India
Central Ground Water Authority (CGWA)
Ministry of Water Resources, River Development and Ganga Rejuvenation
Applications for Issue of NOC to Abstract Ground Water (NOCAP)

**Application for Renew of NOC Issued to Existing Industrial Projects Abstracting GroundWater
(Application For Renewal of NOC)**

Application Number : 21-4/1237/UP/IND/2016

Applied For Renewal : 1st

No Attachment Found!

10). Compliance to the Condition prescribed in the NOC

S.No.	Conditions given in NOC	Attachments		
		S.No.	Attachment Name	File Name
1	Area Specific Plantation	1	Plantation	CLG Plantation.pdf
2	Domestic Water School Sanitation	1	Domestic Water sanitation	Domestic water Sanitation.pdf
3	Groundwater quality monitoring - Pre monsoon and Post monsoon	1	Pre monsoon and Post monsoon	Pre and Post monsoon.pdf
4	Maintenance of recharge structures	1	Maintenance RS	Maintenance RS.pdf
5	Number of Pizometers as per NOC and Water Level Record	1	Pizometers Record	Ground Water Detail.pdf
6	Number of Tubewells Borewales as per NOC	1	Borewells	Borewells.pdf
7	Pizometer fitted with AWLRs with telemetry as per NOC	1	Pizometer fitted with AWL	Pizometer fitted with AWL.pdf
8	Quantum of Groundwater as per NOC	1	Quantum of Groundwater	Water NOC.pdf
9	Recharge through ponds	No Attachment Found!		
10	Recycle and reuse of water	1	Recycle Water Record Glass Division	Recycle Water Record Glass Division.pdf
		2	Recycle Water Record Metal Division	Recycle Water Record Metal Division.pdf
11	RWH and AR structures implemented	1	RWH Structures	RWH Structures.pdf
12	Submission of Compliance report to the Region	1	Compliance Report	Compliance Report.pdf
13	Water conservation measures	1	Boiler Heat Condensation	Boiler Heat Condensation.pdf
		2	Water Sprinkler	Water Sprinkler.pdf
14	Water Sécurité Plan of villages	1	Water Security Plan	Water Security Plan.pdf
15	Well monitored around the plant premises	No Attachment Found!		
16	Wells fitted with water meter and its Record	1	Water Meter and Reading	water meter.pdf

11). Compliance to the Condition prescribed in the NOC - Other

S.No.	Conditions given in NOC	Attachments		
		S.No.	Attachment Name	File Name
1	Complied	No Attachment Found!		

08/12/2018 04:39 PM

Page 6 of 7

Handwritten signature/initials

Application for Renew of NOC Issued to Existing Industrial Projects Abstracting GroundWater
(Application For Renewal of NOC)

Application Number : 21-4/1237/UP/IND/2016

Applied For Renewal : 1st

Date :

Place :

Name & Signature of the applicant

(With official seal)

Associated User : HARIOMSINGH

Submitted By User : HARIOMSINGH

Submission Date : 08/12/2018

* In case signed by any authorized signatory, the details of the signatory with the authorization shall be enclosed.

08/12/2018 04:39 PM



AK Johri

From: Uma Kapoor <uma-cgwb@gov.in>
Sent: Thursday, December 19, 2019 3:02 PM
To: ajaijohri@clgupta.com
Cc: Member (CGWA); CHAIRMAN, CGWB
Subject: Re: Renewal of Water NOC No.- CGWA/NOC/IND/ORIG/2016/2380 dated 27.12.16

Sir,

As per NGT order, Central Ground Water Authority is not issuing/ renewing NOC in Over-exploited, Critical and Semi-critical areas. As your industry is located in Over-exploited area, CGWA will not be able to renew your NOC. Nor it will be able to issue adhoc / conditional approval. For redressal of your grievance, you may approach NGT/ Higher Court.

Uma Kapoor
 CGWA

From: ajaijohri@clgupta.com
To: "Uma Kapoor" <uma-cgwb@nic.in>
Sent: Thursday, December 19, 2019 1:25:47 PM
Subject: Renewal of Water NOC No.- CGWA/NOC/IND/ORIG/2016/2380 dated 27.12.16

Hon'ble Sir,

We are an Export house at Moradabad U.P. dealing in manufacturing and Exports of Handicrafts of Metal, Glass, Wood and Marble having turnover of around 700 crores employing over 5000 craftsmen comprising of over 30000 members of their families directly and around 50000 including indirect persons of contractors/subcontractors.

We had been granted permission to draw 330 KLD ground water which was valid till 20.12.2018. We had applied for its renewal on 8.12.18, but so far it has not been approved. The application is pending before R.D. , CGWB office Lucknow.

We had been maintaining all the conditions of original approval viz Rain Water Harvesting, recharge structures, installation of piezometers, proper recycling and reuse of waste water.

You are kindly requested to please advise the concerned officer to accord approval and in the meanwhile, an adhoc/conditional approval be granted as our international buyers like IKEA, H & M, Target and Walmart etc. need it to meet their compliance conditions.

Thanks
 With kind Regards



A. K. Johri
 GM(HR/ADMIN)



सत्यमेव जयते

भारत सरकार

जल शक्ति मंत्रालय

जल संसाधन, नदी विकास

और गंगा संरक्षण विभाग

केन्द्रीय भूमि जल प्राधिकरण

Government of India

Ministry of Jal Shakti

Department of Water Resources,

River Development & Ganga Rejuvenation

Central Ground Water Authority

Annexure-IV

(भूजल निकासी हेतु अनापत्ति प्रमाण पत्र)

NO OBJECTION CERTIFICATE (NOC) FOR GROUND WATER ABSTRACTION

Project Name:	M/s C. L. Gupta Exports Ltd.		
Project Address:	18 Km Stone Before Moradabad Delhi High Way, Jiwai, Joya, Amroha, Uttar Pradesh		
Village:	Jiwai	Block:	Joya
District:	Amroha	State:	Uttar Pradesh
Pin Code:	244221		
Communication Address:	18 Km Stone Before Moradabad Delhi High Way, Jiwai, Joya, Amroha, Uttar Pradesh - 244221		
Address of CGWB Regional Office :	Central Ground Water Board Northern Region, Bhujal Bhavan, Sector-B Sitapur Road Yojna, Ram Bank Chauraha, Lucknow, Uttar Pradesh - 226021		

1. NOC No.:	CGWA/NOC/IND/REN/1/2020/5657									
2. Application No.:	21-4/1237/UP/IND/2016	3. Category:	Industry							
4. Project Status:	Existing Project	5. NOC Type:	1st Renewal							
6. Valid from:	21/12/2018	7. Valid up to:	19/12/2021							
8. Ground Water Abstraction Permitted:										
	Fresh Water		Saline Water							
	Dewatering		Total							
	m ³ /day	m ³ /year	m ³ /day							
	m ³ /day	m ³ /year	m ³ /day							
	m ³ /day	m ³ /year	m ³ /day							
	155.00	46500.00	155.00							
			46500.00							
9. Details of ground water abstraction /Dewatering structures										
	Total Existing No.:3					Total Proposed No.:0				
	DW	DCB	BW	TW	MP	DW	DCB	BW	TW	MP
Abstraction Structure*	0	0	0	3	0	0	0	0	0	0
*DW- Dug Well; DCB-Dug-cum-Bore Well; BW-Bore Well; TW-Tube Well; MP-Mine Pit										
10. Quantum of ground water recharge/harvesting(m ³ /year):	106000.00									
11. Number of Piezometers (Observation wells) to be constructed/ monitored & Monitoring mechanism.	No. of Piezometers		Monitoring Mechanism							
			Manual	DWLR**	DWLR With Telemetry					
**DWLR - Digital Water Level Recorder	1		0	1	0					

(Compliance Conditions given overleaf)

**NOC VALID ONLY FOR
DOMESTIC, DRINKING AND/OR
GREENBELT PURPOSES**

सदस्य (केन्द्रीय भूमि जल प्राधिकरण)
Member (CGWA)

18/11, जामनगर हाउस, मानसिंह रोड, नई दिल्ली - 110011 / 18/11, Jamnagar House, Mansingh Road, New Delhi-110011

Phone: (011) 23383561 Fax: 23382051, 23386743

Website: cgwa-noc.gov.in

पानी बचाये - जीवन बचाये
SAVE WATER - SAVE LIFE

K. Gupta

Validity of this NOC shall be subject to compliance of the following mandatory conditions:

1. No additional ground water abstraction and/or de-watering structures shall be constructed for this purpose without prior approval of the Central Ground Water Authority (CGWA).
2. The proponent shall seek prior permission from CGWA for any increase in quantum of groundwater abstraction (more than that permitted in NOC for specific period).
3. All new as well as existing ground water abstraction/ de-watering structures shall be fitted with digital water flow meters by the firm at its own cost immediately on completion of their construction or grant of NOC as the case may be. In case of renewal of NOCs, all existing ground water abstraction structures shall continue to be fitted with digital water flow meters. Intimation of installation of flow meters shall be sent by the proponent to the Regional Director of CGWB within 6 months of grant of NOC. Daily ground water abstraction data shall be monitored / continue to be monitored (in case of renewal) by the firm and recorded in a log book. Details of month-wise ground water abstraction shall be submitted to the Regional Director, CGWB, once every year.
4. In case the ground water abstraction is more than 10 m³/day, monthly water level monitoring data shall be maintained and submitted annually to the Regional Office of CGWB. Wherever groundwater withdrawal is more than 500 m³/day, the firm shall install telemetry system in one of the piezometers and share USER ID and password of the telemetry system with the Regional Director, CGWB.
5. In case ground water abstraction is more than 10 m³/day, ground water quality shall be monitored once in a year (during pre- monsoon period) and the report submitted to the Regional Office, CGWB. Wherever the extraction is less than 10 m³/day, ground water quality report shall be submitted by the proponent at the time of submission of self-compliance report.
6. Ground water augmentation/harvesting measures, as stipulated in the NOC, shall be implemented (in new cases) / continue to be maintained (in case of renewal) in consultation with the concerned Regional Director, CGWB.
7. Proof of recharge/water harvesting structures constructed (photographs of structures) shall be submitted to the concerned Regional Director, CGWB within 6 months from the date of issue of NOC. The firm shall also undertake periodic maintenance of recharge/water harvesting structures at its own cost.
8. The project proponent shall take all necessary measures to prevent contamination of ground water in the premises failing which the firm shall be responsible for any consequences arising thereupon.
9. In case of industries that are likely to contaminate the ground water, no recharge measures shall be taken up by the firm inside the plant premises. The runoff generated from the rooftop shall be stored and put to beneficial use by the firm.
10. The firm shall optimize water use through recycling/ reuse of waste water after proper treatment.
11. Wherever the NOC is for abstraction of saline water and the existing wells (s) is /are yielding fresh water, the same shall be sealed and new tubewell(s) tapping saline water zone shall be constructed within 3 months of the issuance of NOC. The firm shall also ensure safe disposal of saline residue, if any.
12. In case of mining projects, additional key wells shall be established in consultation with the Regional Director, CGWB for ground water level monitoring four (4) times a year (January, May, August and November) in core as well as buffer zones of the mine.
13. Unexpected variations in inflow of ground water into the mine pit, if any, shall be reported to the concerned Regional Director, Central Ground Water Board.
14. The firm shall report compliance of the NOC conditions online in the website (www.cgwa-noc.gov.in) within one year from the date of issue of this NOC.
15. This NOC is subject to prevailing Central/State Government rules/laws/norms or Court orders related to construction of tube well/ground water abstraction structure / recharge or conservation structure/discharge of effluents or any such matter as applicable.
16. This NOC does not absolve the proponents of their obligation / requirement to obtain other statutory and administrative clearances from appropriate authorities.
17. The issue of this NOC does not imply that other statutory / administrative clearances shall be granted to the project by the concerned authorities. Such authorities would consider the project on merits and take decisions independently of the NOC.
18. This NOC is being issued without any prejudice to the directions of the Hon'ble NGT/court orders in cases related to ground water or any other related matters.
19. Application for renewal can be submitted online from 90 days before the expiry of NOC. Ground water withdrawal, if any, after expiry of NOC shall be illegal & liable for legal action as per provisions of Environment(Protection)Act, 1986.
20. **In case of any violation of NOC conditions or illegal extraction of Ground water the firm shall be liable to pay "Environmental Compensation"/ "Penalty", if any under Sec 15 of EPA 1986 as and when decided by statutory authorities.**

(Non-compliance of the conditions mentioned above is likely to result in the cancellation of NOC and legal action against the proponent.)



Summary				
Borewell #4	Initial Reading	Final Reading	Total (in KL)	Remarks
21.12.18 to 16.10.19	53582	74989	21407	
22.10.19 to 18.01.20	0	7697	7697	Meter Replaced
19.1.20 to 21.3.20	0	2071	2071	Meter Replaced
21.3.20 to 30.5.20	2071	3389	1318	
	Total 1		32493	
Borewell No#3	Initial Reading	Final Reading	Total (in KL)	Remarks
21.12.18 to 26.12.18	98984	100000	1016	
27.10.19 to 15.10.19	0	45154	45154	Meter Restart
16.10.19 to 22.10.19	45154	46404	1250	
22.10.19 to 18.01.20	0	12754	12754	Meter Replaced
19.1.20 to 21.3.20	0	6355	6355	Meter Replaced
21.3.20 to 30.5.20	6355	9781	3426	
	Total 2		69955	

Total Water Withdraw

102448 KL

21.12.18 to 30.5.20

Kruph

Annexure VI Ser. No. 36

Speed Post/ Registered
No.21-4/1237/UP/IND/2016-3522
Government of India
Ministry of Water Resources, RD & GR
Central Ground Water Board, NR
Bhujal Bhawan, Sector 'B'
Sitapur Road Yojna, Aliganj
Lucknow 226021
Phone: 0522 - 2363812 Fax: 2732478
Email: rdnr-cqwb@nic.in

Date- 29 NOV 2019

To
The Regional Officer,
Uttar Pradesh Pollution Control Board,
Bijnor Office, Adampur
Dist- Bijnor
Uttar Pradesh -246701.

Subject: Joint Inspection carried out on 16.10.2019 of M/s C.L Gupta Exports Ltd, 18 Km Stone Before Moradabad Delhi Highway, Vill- Jiwai, Dist- Amroha, Uttar Pradesh- 244221.

Ref: Reply of Show Cause Notice No. 21-4/1237/UP/IND/2016-3302 Date 04.11.2019.

Sir

It is to inform that this office has issued show cause notice (Copies enclosed) on deficiencies observed during Joint Inspection

The issues were as follows.

1. As per NOC, two tube wells allowed but during time of inspection 6 tube wells existing in the campus (3 with flow meter and three without flow meter. Firm is advised to immediately seal 4 illegal tube wells).
2. Annual abstraction allowed as per NOC is 99000 m³/annum whereas as per the last record, firm has abstracted 99691m³/annum during the year 2017-2018.

M/s C.L Gupta Exports Ltd, has submitted compliance report on the above observation.

- I. M/s C.L Gupta Export Ltd, have dismantled 3 tube wells and photograph has been attached. One tube well has been kept for fire fighting. During 30.04.2018 to 16.10.2019 only 1943 m³ water has been abstracted which means that water has been abstracted for fire fighting only.
- II. The firm has replaced that the period of abstraction should be as per financial year which comes to within permissible limits. Reply has been accepted.

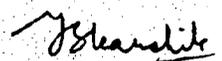
In view of the above all violations given in the Joint Inspection report have been rectified.

Yours Faithfully

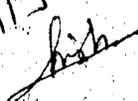
(Y. B. Kaushik)
Regional Director

Copy To:

1. The Member Secretary, CGWA, Gallery No. 18/11 Jamnagar House, Mansingh Road New Delhi, 110011.
2. The Member Secretary, Central Pollution Control Board, Unnamed Road, Vishwas Nagar Extension, Vishwas Nagar, Shahdara, Delhi, 110032 New Delhi.
3. M/s C.L Gupta Exports Ltd, 18 Km Stone Before Moradabad Delhi Highway, Vill- Jiwai, Dist- Amroha, Uttar Pradesh- 244221.


(Y. B. Kaushik)
Regional Director



Received on
02/12/19




C.L. Gupta Exports Ltd.

18 km Before Moradabad, Delhi Highway,
vill. Jivai, Amroha-244001, India
Cin :- U74999 DL2004 PLC 125090

Tel. : +91-591-2477000
Fax : +91-591-2477300
e-mail : mail@clgupta.com

CLG/HR-194/19-20/91
The Regional Director
CGWB, Northern Region
Bhujal Bhavan Sec-B,
Sitapur Road
Lucknow-226021

14/11/19

Sub: Reply of Show- cause notice (File No. - 21-4/1237/UPIND/2016-3302, dated 4.11.19 received on 14.11.19)

Sir,

There was an inspection held on 16.10.19 in our factory by Mr. T. K. Pant. and Mr. Tejas. During the inspection, they witnessed 6 Borewells in the premises in which 2 Borewells (No. 3 & 4) were in operation and other 3 Borewells (No- 1, 2 & 5) not in operation and sealed. Borewell No- 6 used only for fire hydrant.

During inspection Borewell No- 3 & 4 water abstraction records provided by us in hard and soft copies from Jan'17 to 16 Oct'19. We abstracted total water 78349 m³ from these both Borewells April'17 to March'18 and 82262 m³ from April'18 to March'19, which are within limit according to CGWA, NOC. The figures taken and checked by inspection team on 16/10/19.

Earlier inspection too held on 28.4.19 by CGWA in our factory. reveals, that CGWA found 6 Borewells in the factory premises in which only 2 Borewells (3 and 4) were operational and other 3 Borewells (# 1, 2 & 5) found sealed and not in operation Borewell # 6 used only for fire hydrant(that too metered).

During 28.4.18 inspection, we had submitted Borewells records from Jan'17 to 28 April'18 which abstracted as per CGWA NOC (with in limit).

But your show cause notice (File No.- 21-4/1237/UPIND/2016-3302 dated 4.11.19 received on 14.11.19) shows ground water annual abstraction allowed as per NOC 99000 m³/annum whereas as per the last record firm has abstracted 99691 m³ during the year 2017-2018 which exceeds limit to 691 m³/annum is not correct and there is a definite mistake in calculation by CGWA team.

As, when we calculated as per our record, comes as follow which had been submitted by us to you as well:

Table#1

S. NO.	Financial Year (April to March)	Total Water Abstracted by Firm	Total Water Abstraction limit NOC as per CGWA	Status
1	2017-2018	78349 m ³ /annum	99000 m ³ /annum	Within Limit
2	2018-2019	82262 m ³ /annum	99000 m ³ /annum	Within Limit

Manufacturer & Exporters

Brass Art Ware • E.P.N.S. Ware • Wrought Iron Ware • Glass & Crystal Ware • Iron & Steel Ware • Wooden Furniture & Accessories

Regd. Office : DPT 337, DLF PRIME TOWER, OKHLA, NEW DELHI-110020



C.L. Gupta Exports Ltd.

18 km Before Moradabad, Delhi Highway,
vill. Jivai, Amroha-244001, India
Cin :- U74999 DL2004 PLC 125090

Tel. : +91-591-2477000
Fax : +91-591-2477300
e-mail : mail@clgupta.com

It is as such clarified that:

1. There were 6 borings and out of them three were sealed as witnessed by your team on 16.10.19 as also regularly by UPPCB team, during their monthly inspection. You will kindly appreciate that ours is a continuous process industry and activities mainly Glass Melting furnace (50 tons per day) cannot work if there is no water supply for over 2 hours. If the borings are also demolished, there will be a chaos and whole 50 tonnes glass will freeze and the furnace may burn causing a dreadful tragedy. Director of factories has also acknowledged this, while issuing the factory license. In our application dated 3/3/17. We had clearly requested for 2 tubewells as standby for coping up with any break in present water supply and our contest is still pending. Hence the decision on this point is awaited before demolishing the sealed tubewells.
2. Annual abstraction is also within limit as confirmed in table#1 above.

All actions/clarifications in compliance have been taken and it is humbly prayed that the said show- cause notice be withdrawn and renewal of NOC may please be granted.

Thanks

(A.K. Johri)

GM(HR/Admin)

Cc: CGWA, New Delhi.

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Regd. Office : DPT 337, DLF PRIME TOWER, OKHLA, NEW DELHI-110020



C.L. Gupta Exports Ltd.

18 km Before Moradabad, Delhi Highway,
vill. Jivai, Amroha-244221, India
Cin :- U74999 DL2004 PLC 125090

Tel. : +91-591-2477000
Fax : +91-591-2477300
e-mail : mail@clgupta.com

CLG/HR-31/2020-21/20

17.06.2020

The Chief Environment Officer(Circle-7)
Uttar Pradesh Pollution Control Board
Building.No. TC-12V, Vibhuti Khand,
Gomti Nagar, Lucknow-226010

Subject: H49690/ C-7/Water-58/2020 dated 8.6.2020 received by us on 11.6.20

Dear Sir,

We refer to the captioned letter No. H49690/ C-7/Water-58/2020 dated 8.6.2020, by which penalty has been imposed on us to the tune of Rs. 1,08,60,000/- (One Crore Eight Lacs Sixty Thousand only), for violation of Water (Prevention and Control of Pollution) Act 1974.

We wish to bring to your attention that several essential facts have been missed in the imposition of penalty and we respectfully file this letter for the same and consequent correction/review of the order.

A. NO BASIS TO IMPOSE PENALTY:

- a. The penalty is solely and entirely based on the Inspection Report dated 16.10.2019.
- b. It is submitted that the method and methodology used for calculating the aforesaid compensation amount in said Inspection Report dated 16.10.2019 is completely unilateral, whimsical, arbitrary and unreasonable. The Inspection Officials observed that there was leakage from the peripheral wall of residential colony's STP which was going into the Kachha Pond, which is located behind the unit and that the unit has a dismantled open drain, which is carrying domestic wastewater at the residential colony behind the installed STP.
- c. It is submitted that this alleged leakage/pilferage is not at all connected with the unit of the undersigned (Please see the photos attached as **Annexure-I**) The said allegation and observations made by the Inspecting Officials is not maintainable as there is no Kachha Pond located behind the STP.
- d. There is no inadequacy of ETPs and ETP/STP of all divisions are working well and test reports are well within the limit as found in the samples tested at our end (NABL Laboratory). We have also submitted those reports before the Hon'ble National Green Tribunal on 04.12.2019 (See Letter No. CLG/HR-31/19-20/100 dated 02.12.2019). These are enclosed herewith again as **Annexure-II**.
- e. The analogy and conclusion of the Inspecting Officials are sans any documentary or other proof and is wholly arbitrary and without any basis whatsoever.

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Regd. Office : DPT 337, DLF PRIME TOWER, OKHLA, NEW DELHI-110020

f. For the aforementioned reasons, the said imposition of Environment Compensation/Fine and Penalty is entirely unreasonable, arbitrary and is not justifiable against the undersigned.

B. QUANTUM OF PENALTY:

It is humbly submitted that maximum financial penalty imposable under the Water (Prevention and Control of Pollution) Act 1974 is only Rs. 10,000 (Sections 41, 42 or 45A). Additional penalty imposable is only for continuing violations, which is not the case here. We submit that we are not a habitual offender and the leakage, even if incorrectly attributed to us, is extremely minor and one-time. We have never been found to be non-compliant before. Even in your subsequent inspections on 15.02.2020, such a leak has not been found.

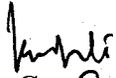
C. PRAYER

In view of the above, it is humbly prayed that:

- a. No penalty be imposed at all;
- b. In the alternative, a penalty is to be imposed only to the extent of Rs. 10,000

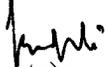
This letter is issued without prejudice to our rights and remedies. Nothing in this letter can be construed as an admission that we have not complied with the law.

Yours sincerely
For C. L. Gupta Exports Ltd.


(Teevra Gupta)
Director

Encl:aa

Cc: 1-Member Secretary, CPCB, Parivesh Bhawan, East Arjun Nagar, New Delhi.
2-DM-Amroha.
3-RO, UPPCB, Bijnore


(Teevra Gupta)
Director

Annexure-I



Boundary Wall Plaster
There is no leakage

Keuph



C.L. Gupta Exports Ltd.

18 km Before Moradabad, Delhi Highway,
vill. Jivai, Amroha-244001, India
Cin :- U74999 DL2004 PLC 125090

Annexure-II

Tel. : +91-591-2477000
Fax : +91-591-2477300
e-mail : mail@clgupta.com

CLG/HR-31/19-20/100

02.12.19

The Regional Officer
UPPCB, Aadmapur Road
Bijnore-246701

Sub: Status of NGT case 220/2019.

Sir,

The status as on date is as under against the issues narrated in order dated 29.08.2019 of NGT, New Delhi.

1. There is no river nearby. Ganga is 49.5 Km. and Ram Ganga is 24.6 Km from factory. The drawl of water is also within approved limit of 99000 m³/annum i.e. between April'18 to March'19 it was. 82262 m³/annum.
2. The STP/ETP effluent are treated regularly.
During the period Apr'18 to Mar'19 recycled Qty. is 18537 m³ which is used in flushing. (Toilets)
3. The issues in the joint inspection on 16.10.19 have been resolved as under:
 - a. We are maintaining 100% ZLD and as such there is no question of any leakages. Not a single drop goes into pond. The photographs of UPPCB team on 27.4.19 show absolute dry drain at our factory.
 - b. Addition of other items in Hazardous Waste list.
Authorisation for all items generated in the category of Haz. Waste has been obtained from UPPCB (Annexure-I) and accordingly such items lying stored in factory premises have been disposed off to approved agent (copy of one such form-10 is attached herewith as Annexure-II). Earlier also they were returned to the same TSDF (Record available and shown to UPPCB officials regularly).
 - c. Thermocol Mfg. Consent.
There is no generation of effluent in thermocol block formation by our factory as informed to UPPCB. However consent application moved by us on 14.05.19, got approved by UPPCB on 27.09.19. Hence the issue is closed.
 - d. ETP treated effluent analysis
The Case Goods effluent is treated on every Saturday (after stipulated operation of booths) as the booths are 'No Pump' spray booths. The booths extract the fumes of water base clear which enter in the chemical mixed tank solution and continuously breaks the clear. The inspection was carried out on 16.10.19 and the booths were planned for cleaning on 19th Oct'19 (after each 15 days operation). Hence the issue evolved, but after scheduled treatment, the discharge shows perfect result (Annexure-III). Moreover there was no question of CN availability as clarified in episode and reports dated 11.6.19. The same has already been and accordingly challenged vide our letter No. CLG/HR-31/19-20/08 dated 27.04.19. There was no question of CN present in the result.

Manufacturer & Exporters

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Regd. Office : DPT 337, DLF PRIME TOWER, OKHLA, NEW DELHI-110020



C.L. Gupta Exports Ltd.

18 km Before Moradabad, Delhi Highway,
vill. Jivai, Amroha-244001, India
Cin :- U74999 DL2004 PLC 125090

Tel. : +91-591-2477000
Fax : +91-591-2477300
e-mail : mail@clgupta.com

- e. Report of Glass division (ETP) is within limit. (attached as Annexure-IV)
- f. Report of Glass division (STP) found satisfactory. (attached as Annexure-V)
- g. Report of Metal division (STP) found satisfactory. (attached as Annexure-VI)
- h. Report of sample collected from hand pump outside.

Not related to us as no discharge of any water of our factory moves outside and the hand pump in question is at least 2 km from our factory and there are so many cottage industries exist in between. The nearby villages i.e. Amheda, Jivai and Karanpur are also involved in jobs of chemical colouring and electrolysis etc. at their homes.

4. The letter dated 22.04.19 of UP PCB u/s 33A of water Act 1974 for closer of unit and also imposition of environment compensation of Rs. 10 Lacs was duly replied by us on the basis of real facts and the authorities were pleased to withdraw closure order as also reduction of compensation to 3.60 Lacs (order as per Annexure-VII) and the same was deposited on 20.08.19. In this context it is worthwhile to write that we had already deposited an Environment Compensation of Rs. 20 Lacs on 17.02.17 also in compliance of NGTs order dated 01.02.17 and it is regretted that no amt. was spent by CPCB- New Delhi for improvement of area inspite of NGTs evident orders.
5. In consideration of our compliances stated above, the U.P. Pollution control Board were pleased to withdraw the prosecution orders u/s 44 of water Act 1979.
6. We had been honouring the court order in toto without any deviation. All authorizations have been updated like Hazardous waste Management, Thermocol slabs compaction, and control on all effluents analysis.
7. We had already paid Rs.20 Lacs of Environment compensation against O.A. No. 301/2016 which was never utilized by CPCB in violation of NGTs order
8. All our actions in compliance have been confirmed and accepted by UP PCB – Bijnore and CGWA Lucknow.
9. As per the directions of Hon'ble court a joint inspection has been carried out by UP PCB and CGWA on 16.08.19. We are sure that the results will be upto mark as no objection was informed to us during inspection as also the results of counter samples provided to us by the inspecting team were tested by an independent NABL Laboratory and all are within limits. We however take this privilege to give us sufficient opportunity to clarify any issue if raised. This is no doubt, a matter of living of over 20,000 family members of 5500 employees with us.

We have always been awarded Top Export Awards by Govt. of India and Govt. of UP. Our group is also doing enormous CSR activities like marriages of approx 500 poor girls running of a eye hospital and running of old age home etc. With our positive actions of Rain Water Harvesting the water level has also increased by 39 cm during last rains.

Submitted please. There is definitely the Anti Nation Activates who try to create problems to gain their ill full benefits. We have sufficient evidences in this regards as well.

Thanks and Regards

Manufacturer & Exporters

Brass Art Ware • P.N.S. Ware • Wrought Iron Ware • Glass & Crystal Ware • Iron & Steel Ware • Wooden Furniture & Accessories

(A.K. Jhari)

Regd. Office : DPT 337, DLF PRIME TOWER, OKHLA, NEW DELHI-110020

GM (HR/Admin)

**UTTAR PRADESH POLLUTION CONTROL BOARD**

TC-12V, Vibhuti Khand, Gomti Nagar, Lucknow-226010

Ref. No : 8531/UPPCB/Bijnore(UPPCBRO)/HWM/JYOTIBA PHULE NAGAR/2019**Dated: 16/07/2019**

To,

M/s C L GUPTA EXPORTS LTD

C. L. Gupta Exports Ltd, Vill- Jivai, NH-24 Moradabad- Delhi Highway

Amroha(U.P), AMROHA, 244221

Tehsil : Amroha

District : JYOTIBA PHULE NAGAR

Sub :- Authorisation issued under the provisions of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016

1. Number of authorization and date of issue 8531 and 16/07/2019 .
2. Reference of application (No. and date) 5269513 and 21/05/2019 .
3. Mr TEEVRA GUPTA of M/s C L GUPTA EXPORTS LTD is hereby granted an authorization based on the enclosed signed inspection report for generation, collection, utilization, storage and disposal or any other use of hazardous or other wastes or both on the premises situated at C. L. Gupta Exports Ltd, Vill- Jivai, NH-24 Amroha .

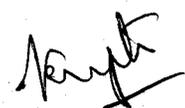
Details of Authorisation

S No.	Category of Hazardous Waste as per the Schedules I,II and III of these rules	Authorised mode of disposal or recycling or utilization or co-processing, etc.	Quantity(ton/annum)
1	Schedule 1 (category 33.1) Empty Containers	TSDF/Authorized Recyclers	50 no. per day
2	Schedule 1 (category 33.2) Cotton Waste, Used Cloth Mask	TSDF/Authorized Recyclers	10 kg/day
3	Part B Schedule 3 (category B3040) Rubber Gloves	TSDF/Authorized Recyclers	5 kg/month
4	Part B Schedule 3 (category B4030) Old Batteries	TSDF/Authorized Recyclers	20 No./month
5	Schedule 4 (category 19) Paint Booth sludge	TSDF/Authorized Recyclers	50 kg/Month
6	Schedule 1 (category 1.3) Oily Rags	TSDF/Authorized Recyclers	0.15 kg/day
7	Schedule 1 (category 5.1) Used Oil	TSDF/Authorized Recyclers	0.1 KL/Month
8	Part D Schedule 3 (category B3020) Empty Corrugated Cartons	TSDF/Authorized Recyclers	8 kg/day
9	Schedule 1 (category 6.3) Melting Furnace Ash	TSDF	20 kg/Month
10	Schedule 1 (category 15.2) Asbestos Gloves/Cloth	TSDF/Authorized Recyclers	5 kg/month
11	Schedule 1 (category 3.3) Fuel Filter and Air Filter	TSDF/Authorized Recyclers	5 no./Month
12	Schedule 1 (category 12.6) Polishing Dust	TSDF	1000 kg/Month
13	Schedule 1 (category 35.3) ETP Sludge	TSDF	40 kg/day

1. The authorization shall be valid for a period of 16/07/2024 from the date of issue of this letter
2. The authorization is subject to the following general and specific conditions (please specify any conditions that need to be imposed over and above general conditions, if any).

A General Conditions of Authorization -

1. The authorised person shall comply with the provisions of the Environment (Protection) Act, 1986, and the rules made there under.
2. The authorisation or its renewal shall be produced for inspection at the request of an officer authorised by the State Pollution Board.
3. The person authorized shall not rent, lend, sell, transfer or otherwise transport the hazardous and other wastes except what is permitted through this authorization.
4. Any unauthorized change in personnel, equipment or working conditions as mentioned in the application by the person authorized shall constitute a breach of his authorisation.
5. The person authorised shall implement Emergency Response Procedure (ERP) for which this authorisation is being granted considering all site specific possible scenarios such as spillages, leakages, fire etc. and their possible impacts and also carry out mock drill in this regard at regular interval of time.
6. The person authorised shall comply with the provisions outlined in the Central Pollution Control Board guidelines on Implementing Liabilities for Environmental Damages due to Handling and Disposal of Hazardous Waste and penalty.
7. It is the duty of the authorised person to take prior permission of the State Pollution Control Board to close down the facility.



8. The imported hazardous and other wastes shall be fully insured for transit as well as for any accidental occurrence and its clean-up operation .
9. The record of consumption and fate of the imported hazardous and other wastes shall be maintained .
10. The hazardous and other waste which gets generated during recycling or reuse or recovery or pre-processing or utilisation of imported hazardous or other wastes shall be treated and disposed of as per specific conditions of authorisation .
11. The importer or exporter shall bear the cost of Import or export and mitigation of damages if any
12. An application for the renewal of an authorisation shall be made as laid down under these Rules .
13. Any other conditions for compliance as per the Guidelines issued by the Ministry of Environment, Forest and Climate Changes or Central Pollution Control Board from time to time .
14. Annual return shall be filed by June 30th for the period ensuring 31st March of the year .

B Specific Conditions of Authorization

1-The Authorization issued vide letter no. F72473/C-7/Haz.Auth./68/2016 dated 18-01-2016 is hereby revoked.

2- Unit shall ensure compliance of The Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.

3- Unit shall comply with the provisions of Rule 19 of The Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and send copy of Form 10 regarding Manifest for Hazardous and Other Wastes.

4- Unit shall comply with the provisions of Rule 20 of The Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and submit Annual Returns to State Board in Form-IV.

5- Unit shall comply with the directions issued by Hon'ble National Green Tribunal in O.A. No. 220/2019 Adil Ansari vs. M/s C.L. Gupta Export Ltd.

(Authorized Signatory)

UTTAR PRADESH POLLUTION CONTROL BOARD

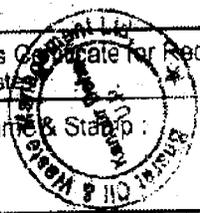
Copy to: To the Regional Officer, U.P.Pollution Control Board, Bijnore for information and necessary action .

CEO/EE, I/C Circle _____



MANIFEST FOR HAZARDOUS AND OTHER WASTE S.No. 33277

1 Occupier's Name & Mailing Address (including Phone No. and email)	C.L. Gupta Exports Hdl. 18th Km Before Moradabad-Delhi Highway Jindal, Amroha-245001 UP			
2 Sender's Authorization No.				
3 Manifest Document No.	Challan No. on letter head dt. 3/10/19			
4 Transporter's Name & Address (including Phone No. and email)	C.L. Gupta (Self)			
5 Type of Vehicle	(Truck / Tanker / Special Vehicle)			
6 Transporter's Registration				
7 Vehicle Registration No.	UP23T 040			
8 Receiver's Name & Mailing Address (including Phone No. and email)	(II) BHARAT OIL COMPANY (I) REG E-18, Site-IV, Sahibabad Industrial Area, Ghaziabad, UP-201010 Tel.: 0120-4167924, e-mail:sales@bharatoil.com			
(III) BHARAT OIL & WASTE MANAGEMENT LTD. Mauza Mukimpur, Roorkee-Lakshar Road, Roorkee - 247664 UK, Tel. :08874207664 e-mail:sales@bharatoil.com	(III) BHARAT OIL & WASTE MANAGEMENT LTD. Plot # 672, Sikandra Road, NH-2, Kumbhi Village, Tehsil Akbarpur, Kanpur Dehat, UP, Tel : 0512-2286298 e-mail:sales@bharatoil.com			
9 Receiver's Authorization No.	(I) 1486/UPPCB/Ghaziabad(UPPCBRO)/HWM/GHAZIABAD/2018 Valid upto: 03/05/2023			
(II) UEPPCB/HO/Con-B-84/2018/548 Valid upto: 31/03/2023	(III) 1483/UPPCB/Kanpur Dehat(UPPCBRO)/HWM/KANPUR DEHAT/2018 Valid upto: 30/04/2023			
10 Waste Description	Empty Cans, Used Lubricant, Filters			
11 Total Quantity No. of Containers	166 Kg, 25 Litre, 7 Kg, 11.55 Kg m ³ or MT Nos.			
12 Physical Form	(Solid/Semi-Solid/Sludge/Oily/Tarry/Slurry/Liquid)			
13 Special Handling Instructions & Additional Information	Do not throw Drums from truck. In case of leakage/seepage, use Washing soap at point of leak to stop its leakage.			
14 SENDER'S CERTIFICATE	I hereby declare that the contents of the consignment are fully and accurately described above by proper shipping name and are categorised, packed, marked, and labeled, and are in all respects in proper condition for transport by road according to applicable national government regulations.			
Typed Name & Stamp :	Signature :	Month	Day	Year
		10	03	2019
15 Transporter Acknowledgement of Receipt of Waste				
Typed Name & Stamp :	Signature :	Month	Day	Year
		10	03	2019
16 Receiver's Certificate for Receipt of Hazardous and other Wastes				
Typed Name & Stamp :	Signature :	Month	Day	Year
		03	20	19



Empty

MANIFEST FOR HAZARDOUS AND OTHER WASTE S.No. 20439

1. Occupier's Name & Mailing Address (including Phone No. and email)	CL Gupta Exports Ltd Bhubaneswar
2. Sender's Authorization No.	
3. Manifest Document No.	Letter on date 01/03/2019
4. Transporter's Name & Address (including Phone No. and email)	By Courier
5. Type of Vehicle	(Truck / Tanker / Special Vehicle)
6. Transporter's Registration	
7. Vehicle Registration No.	UP21 76 870
8. Receiver's Name & Mailing Address (including Phone No. and email) CIN:U11201DL2007PLC160944	(I) BHARAT OIL COMPANY (I) LTD E-18, Site-IV, Sambabhad Industrial Area, Ghaziabad, UP-201010, Tel: 0120-4167924, e-mail:sales@bharatoil.com
(II) BHARAT OIL & WASTE MANAGEMENT LTD. Mauza Mukimpur, Roorkee-Lakshar Road, Roorkee - 247864 UK, Tel: 08874207804 e-mail:sales@bharatoil.com	(III) BHARAT OIL & WASTE MANAGEMENT LTD. Plot # 672, Sikandra Road, NH-2, Kundli Village, Tejpal Akberpur, Kangra, Dehra, UP, Tel: 0512-2285298 e-mail:sales@bharatoil.com
9. Receiver's Authorization No.	(I) UETPC97/0/Gen-B-14/2018/548 Valid upto: 31/03/2021
(II) UETPC97/0/Gen-B-14/2018/548 Valid upto: 31/03/2021	(III) UETPC97/0/Gen-B-14/2018/548 Valid upto: 31/03/2021
10. Waste Description	Sludge, Thin, Dark, etc.
11. Total Quantity No. of Containers	000.00 m ³ MT Nos
12. Physical Form	(Solid/Semi-Solid/Sludge/Oily/Tarry/Slur./Liquid)
13. Special Handling Instructions & Additional Information	Do not throw Drums from truck. In case of leakage/ seepage, use Washing soap at point of leak to stop its leakage
14. SENDER'S CERTIFICATE	
Typed Name & Stamp CL Gupta Exports Ltd	Signature Month: 07, Day: 29, Year: 2019
15. Transporter Acknowledgement of Receipt of Waste	
Typed Name & Stamp	Signature Month: 07, Day: 29, Year: 2019
16. Receiver's Certificate for Receipt of Hazardous and other Waste	
Typed Name & Stamp	Signature Month: 08, Day: 01, Year: 2019



Temple

अनुसंधान, परीक्षण एवं कॅलिब्रेशन प्रयोगशाला

RESEARCH TESTING AND CALIBRATION LABORATORY

RTC LABORATORY

[NABL ACCREDITED LABORATORY as per ISO / IEC: 17025-2005]

(A Division of Metal Handicrafts Service Centre)

वस्त्र मंत्रालय भारत सरकार के नियंत्रणाधीन

(Under Control of Ministry of Textiles Govt. of India, New Delhi)

Peetal Nagri, Rampur Road, Moradabad - 244001 (U.P.) INDIA



Indian
handicrafts
हस्तशिल्प
continuing tradition

☎ : 91-591-6532354

Telefax : 91-591-2460131

Website : www.handicrafts.nic.in/mhsc/mhsc.htm

E-mail : rtclindia@gmail.com

rtcl_mhsc@consultant.com

TEST REPORT

Date of TR : 22.07.2019

TR REF. No. : RTCL- 29081 / 2019 - 20 / Q2D- 192007001012

Date of Test Start : 18.07.2019

Customer Ref. : TC668318000001529F

Date of Test End : 20.07.2019

ULR No. : NIL DATED : 17.07.2019

Page 1 of : 3

Customer Name : M/S C.L. GUPTA EXPORT LTD.

Address : VILL- JIWAI, DELHI ROAD,
DIST. AMROHA

Tel. No. : 8057961529

Contact Person : MR. PARTUSH

Sample Information

* Sample Description : ETP UNTREATED WATER

* Qty. Submitted : 01(ONE) NO. (5 LTRS.)

* Date of Receipt : 17.07.2019

* Colour : LIGHT YELLOWISH

* Ref. No. : NIL

* Style No. / Article No. : -----

* Type of Test Required : WATER PARAMETERS EXCEPT BL TEST,
AS SPECIFIED BY CUSTOMER* Deviation if any from
the standard including
environmental condition : N.A.

Order No. : N.A.

Buyer Name : N.A.

Buying House : N.A.

Country of

Destination : N.A.

Country Origin : INDIA

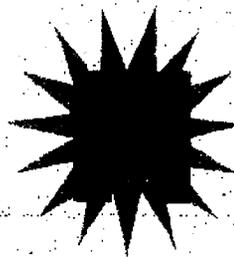
SKU No./ Item No. : -----

Sample from : (RM / in process / Finished Product) : - N.A.

027539

Contd..2

डा० रविन्द्र कुमार / Dr. Ravindra Kumar
महाप्रबन्धक / General Manager
एम०एच०एस०सी० / M.H.S.C.
मुरादाबाद (उ०प्र०) / Moradabad (U.P.)
244001 / 244001



TR REF. No. : RTCL- 29081 / 2019 - 20 / Q2D- 192007001012

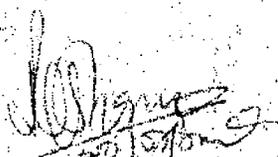
Page 2 of : 3
Date of TR : 22.07.2019

RESULT : Type of Test Conducted :- Water Parameters Except BL Test.

Sample / Item No.	Type of Test Conducted	Ref. to Test method / Standard	Test Results
ETP UNTREATED WATER	P ^H	IS : 3025 (11):02	6.50
	COLOUR	IS : 3025 (4):06	Light Yellowish
	ODOUR	IS : 3025 (5):06	Objectionable
	TURBIDITY	IS : 3025 (10):06	<5.0 NTU
	TOTAL DISSOLVED SOLIDS (T.D.S.)	IS : 3025 (15):09	1.11 ppt
	CHLORIDE	IS : 3025 (32):09	248.1 mg /l.
	TOTAL HARDNESS	IS : 3025 (21):06	256.2 mg /l.
	CYANIDE (CN) T.S.S.	IS : 3025 (26):86	<0.01 mg /l.
	LEAD (Pb)	IS : 3025 (17):99	18.0 mg /l.
	CADMIUM (Cd)	APHA 22 nd ED12/ ASTM D:1976:12 [ICPOES]	<0.02 mg /l.
	IRON (Fe)	- do -	<0.003 mg /L
	NICKEL (Ni)	- do -	4.2 mg /L
	MANGANESE (Mn)	- do -	0.12 mg /L
	COPPER (Cu)	- do -	0.10 mg /L
	CHROMIUM (Cr)	- do -	0.08 mg /L
ZINC (Zn)	- do -	0.07 mg /L	
			0.79 mg /L

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027539

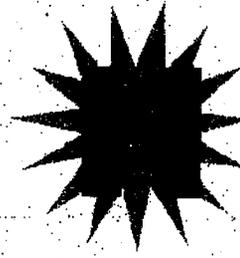

डा० रविन्द्र कुमार / Dr. Ravindra Kumar
महाप्रबन्धक / General Manager
एम०एच०एस०सी० / M.H.S.C.
मुरादाबाद (उ०प्र०) / Moradabad (U.P.)
244001 / 244001



RTC

LABORATORY

Continuation Sheet



भारतीय
handicrafts
हस्तशिल्प
continuing tradition

TR REF. No. : RTCL- 29081 / 2019 - 20 / Q2D- 192007001012

Page 3 of : 3
Date of TR : 22.07.2019

CONCLUSION / REMARKS : Except P^H, Colour, Odour, Taste & Turbidity all limits are in mg /L.
mg /L = miligram per litre, < = Less than
: 1 mg/kg = 1 ppm (PART PER MILLION)= 0.0001%

Note :

1. The test results relate only to the Item(s) tested & we do not accept any Legal Liabilities.
2. This report is not to be reproduced wholly or in part and can not be used as an Evidence in the Court of Law & should not be used in any Advertising Media without prior permission of the Centre in writing.

SAMPLE NOT DRAWN BY RTCL

Authorised Signatory

(Dr. R.K. SHARMA)

डा० रविन्द्र कुमार / Dr. Ravindra Kumar
महाप्रबन्धक / General Manager
एम०एच०एस०सी / MOHS-2460864
मुरादाबाद (उ०प्र०) / Moradabad (U.P.)
244001 / 244001
rsharma@gmail.com

END OF REPORT

Facilities available at R.T.C.L. :-

- *Testing :- Lead & Cadmium Leaching, Total Lacquer Quality Test (Salt Spray, Humidity, Pin Hole, Adhesion etc.) Metallic & Non - Metallic Coating Thickness (Silver, Copper, Nickel, Zinc & Chrome etc. and Paint, Powder & Lacquer), Metal & Metal Alloys Composition, Drop Test & Bursting Test
- *Any Other problem in the field of Metal Finishing, Casting & Forming, Water & Waste Water Testing.
- *Consignment Inspection, Expert Opinion & Handicrafts Product Test as per Buyer Protocol.

SRS -

(Under Control of Development Commissioner (Handicrafts), Ministry of Textiles, Govt. of India, New Delhi)

027539

NABL ACCREDITED LABORATORY

Listed with ASTM International Directory of Testing Labs

Pis. refer the website www.nabl-india.org to view our scope of Accredited Tests.

अनुसंधान, परीक्षण एवं कॅलिब्रेशन प्रयोगशाला

RESEARCH TESTING AND CALIBRATION LABORATORY

RTC
LABORATORY

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(A Division of Metal Handicrafts Service Centre)

वस्त्र मंत्रालय भारत सरकार के नियन्त्रणाधीन

(Under Control of Ministry of Textiles Govt. of India, New Delhi)

Peetal Nagri, Rampur Road, Moradabad - 244001 (U.P.) INDIA

भारतीय
handicrafts
हस्तशिल्प
continuing tradition

☎ : 91-591-6532354

Telefax : 91-591-2460131

Website : www.handicrafts.nic.in/mhsc/mhsc.htm

E-mail : rtclindia@gmail.com

rtcl_mhsc@consultant.com

TEST REPORT

Date of TR : 22.07.2019

Date of Test Start : 18.07.2019

Date of Test End : 20.07.2019

Page 1 of : 3

TR REF. No. : RTCL- 29081 / 2019 - 20 / Q2D- 192007001013

ULR No. : TC668318000001530F

Customer Ref. : NIL DATED : 17.07.2019

Customer Name : M/S C.L. GUPTA EXPORT LTD.

Address : VILL- JIWAI, DELHI ROAD,
DIST. AMROHA

Tel. No. : 8057961529

Contact Person : MR. PARTUSH (W O D S)

Sample Information

* Sample Description

: ETP TREATED WATER

* Qty. Submitted

: 01(ONE) NO. (5 LTRS.)

* Date of Receipt

: 17.07.2019

* Colour

: COLOURLESS

* Ref. No.

: NIL

* Style No. / Article No.

: -----

* Type of Test Required

: WATER PARAMETERS EXCEPT BL TEST,
AS SPECIFIED BY CUSTOMER* Deviation if any from
the standard including
environmental condition

: N.A.

Order No. : N.A.

Buyer Name : N.A.

Buying House : N.A.

Country of
Destination : N.A.

Country Origin : INDIA

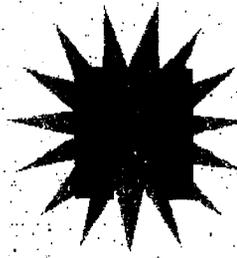
SKU No./ Item No. : -----

Sample from : (RM / In process / Finished Product) : - N.A.

027540

Contd..2

डा० रविन्द्र कुमार / Dr. Ravindra Kumar
महाप्रबन्धक / General Manager
एम०एच०एस०सी० / M.H.S.C.
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244001 / 244001



TR REF. No. : RTCL- 29081 / 2019 - 20 / Q2D- 192007001013

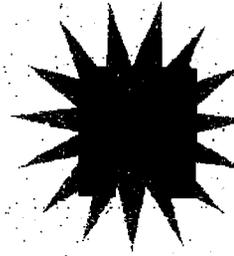
RESULT : Type of Test Conducted : - Water Parameters Except BL Test.

Sample / Item No.	Type of Test Conducted	Ref. to Test method / Standard	Test Results
ETP TREATED WATER	P ^H	IS : 3025 (11):02	6.90
	COLOUR	IS : 3025 (4):06	Colourless
	ODOUR	IS : 3025 (5):06	Unobjectionable
	TURBIDITY	IS : 3025 (10):06	< 5.0 NTU
	TOTAL DISSOLVED SOLIDS (T.D.S.)	IS : 3025 (15):09	700.0 mg/l.
	CHLORIDE	IS : 3025 (32):09	135.1 mg /l.
	TOTAL HARDNESS	IS : 3025 (21):06	140.2 mg /l.
	CYANIDE (CN) T.S.S.	IS : 3025 (26):86	<0.01 mg /l.
	LEAD (Pb)	IS : 3025 (17):99 APHA 22 nd ED12/ ASTM D:1976:12 [ICPOES]	<0.02 mg /l.
	CADMIUM (Cd)	- do -	<0.003 mg /l.
	IRON (Fe)	- do -	0.09 mg /l.
	NICKEL (Ni)	- do -	0.07 mg /l.
	MANGANESE (Mn)	- do -	0.06 mg /l.
	COPPER (Cu)	- do -	0.05 mg /l.
CHROMIUM (Cr)	- do -	0.05 mg /l.	
ZINC (Zn)	- do -	0.65 mg /l.	

027540

Contd..3

डा० रविन्द्र कुमार / Dr. Ravindra Kumar
महाप्रबन्धक / General Manager
एम० एच० एस० सी० / M.H.S.C.
मुरादाबाद (उ० प्र०) / Moradabad (U.P.)
244301 / 244301



TR REF. No. : RTCL- 29081 / 2019 - 20 / Q2D- 192007001013

Page 3 of : 3

Date of TR : 22.07.2019

CONCLUSION / REMARKS : Except P^{H} , Colour, Odour, Taste & Turbidity all limits are in mg /L.
mg /L = miligram per litre, < = Less than
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Note :

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SAMPLE NOT DRAWN BY RTCL

Authorised Signatory

(Dr. R.K. SHARMA)

डा० रविन्द्र कुमार / Dr. Ravindra Kumar
महाप्रबन्धक / General Manager
एम०एच०एस०सी० / M.T.S.C. 2460864
मुरादाबाद (उ०प्र०) / Muradabad (U.P.)
244001 / 244001

END OF REPORT

Facilities available at R.T.C.L. :-

- *Testing :- Lead & Cadmium Leaching, Total Lacquer Quality Test (Salt Spray, Humidity, Pin Hole, Adhesion etc.) Metallic & Non - Metallic Coating Thickness (Silver, Copper, Nickel, Zinc & Chrome etc. and Paint, Powder & Lacquer), Metal & Metal Alloys Composition, Drop Test & Bursting Test
- *Any Other problem in the field of Metal Finishing, Casting & Forming, Water & Waste Water Testing.
- *Consignment Inspection, Expert Opinion & Handicrafts Product Test as per Buyer Protocol.

SRS -

(Under Control of Development Commissioner (Handicrafts), Ministry of Textiles, Govt. of India, New Delhi)

027540

NABL ACCREDITED LABORATORY

Listed with ASTM International Directory of Testing Labs

Pls. refer the website www.nabl-india.org to view our scope of Accredited Tests.

Kumar

अनुसंधान, परीक्षण एवं कॅलिब्रेशन प्रयोगशाला
RESEARCH TESTING AND CALIBRATION LABORATORY

RTC
LABORATORY

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(A Division of Metal Handicrafts Service Centre)

वस्त्र मंत्रालय भारत सरकार के नियन्त्रणाधीन

(Under Control of Ministry of Textiles Govt. of India, New Delhi)

Peeta Nagri, Rampur Road, Moradabad - 244001 (U.P.) INDIA



Handicrafts
हरसतिलक
continuing tradition

☎ : 91-591-6532354

Telefax : 91-591-2460131

Website : www.handicrafts.nic.in/mhsc/mhsc.htm

E-mail : rtclindia@gmail.com

rtcl_mhsc@consultant.com

TEST REPORT

Date of TR : 22.07.2019

Date of Test Start : 18.07.2019

Date of Test End : 20.07.2019

Page 1 of : 3

TR REF. No. : RTCL- 29081 / 2019 - 20 / Q2D- 192007001015

ULR No. : TC668318000001532F

Customer Ref. : NIL DATED : 17.07.2019

Customer Name : M/S C.L. GUPTA EXPORT LTD.

Address : VILL- JIWAJ, DELHI ROAD,
DIST. AMROHA

Tel. No. : 8057961529

Contact Person : MR. PARTUSH

Sample Information

* Sample Description : STP TREATED WATER

* Qty. Submitted : 01(ONE) NO. (5 LTRS.)

* Date of Receipt : 17.07.2019

* Colour : COLOURLESS

* Ref. No. : NIL

* Style No. / Article No. : -----

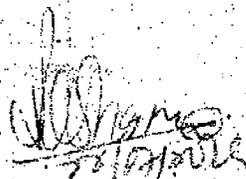
* Type of Test Required : WATER PARAMETERS EXCEPT BL TEST,
AS SPECIFIED BY CUSTOMER

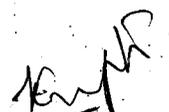
* Deviation if any from
the standard including
environmental condition : N.A.

Sample from : (RM / In process / Finished Product) : - N.A.

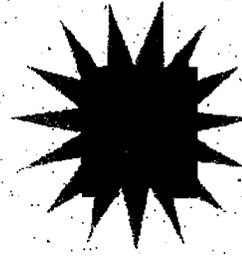
027542

Contd..2


डा० रविन्द्र कुमार / Dr. Ravindra Kumar
महप्रबन्धक / General Manager
एम०एच०एस०सी० / M.H.S.C.
मुरादाबाद (उ०प्र०) / Moradabad (U.P.)
244001 / 244001



027542



TR REF. No. : RTCL- 29081 / 2019 - 20 / Q2D- 192007001015

Date of TR : 22.07.2019

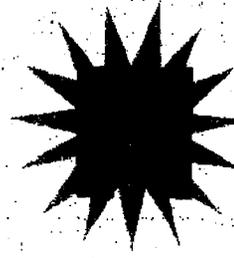
RESULT : Type of Test Conducted : - Water Parameters Except BL Test.

Sample / Item No.	Type of Test Conducted	Ref. to Test method / Standard	Test Results
STP TREATED WATER	P ^H	IS : 3025 (11):02	7.01
	COLOUR	IS : 3025 (4):06	Colourless
	ODOUR	IS : 3025 (5):06	Unobjectionable
	TURBIDITY	IS : 3025 (10):06	< 5.0 NTU
	TOTAL DISSOLVED SOLIDS (T.D.S.)	IS : 3025 (15):09	235.0.0 mg/l.
	CHLORIDE	IS : 3025 (32):09	94.2 mg /l.
	TOTAL HARDNESS	IS : 3025 (21):06	101.5 mg /l.
	CYANIDE (CN)	IS : 3025 (26):86	<0.01 mg /l.
	T.S.S.	IS : 3025 (17):99	12.0 mg /l.
	LEAD (Pb)	APHA 22 nd ED12/ ASTM D:1976:12 [ICPOES]	<0.02 mg /l.
	CADMIUM (Cd)	- do -	<0.003 mg /l.
	IRON (Fe)	- do -	0.07 mg /l.
	NICKEL (Ni)	- do -	0.06 mg /l.
	MANGANESE (Mn)	- do -	0.05 mg /l.
	COPPER (Cu)	- do -	0.04 mg /l.
CHROMIUM (Cr)	- do -	0.04 mg /L	
ZINC (Zn)	- do -	0.35 mg /l.	

027542

Contd...

डॉ० रविन्द्र कुमार / Dr. Ravindra Kumar
सहायक/General Manager
एम्प्लॉयर्स एंड वर्कर्स एजुकेशनल सोसायटी (ए.ए.एस.ई.एस.)
मुरादाबाद (उ.प्र.)/Muradabad (U.P.)
201002



TR REF. No. : RTCL- 29081 / 2019 - 20 / Q2D- 192007001015

Page 3 of : 3
Date of TR : 22.07.2019

CONCLUSION / REMARKS : Except P^H, Colour, Odour, Taste & Turbidity all limits are in mg /L.
mg /L = miligram per litre, <= Less than
: 1 mg/kg = 1 ppm (PART PER MILLION)= 0.0001%

Note :

1. The test results relate only to the Item(s) tested & we do not accept any Legal Liabilities.
2. This report is not to be reproduced wholly or in part and can not be used as an Evidence in the Court of Law & should not be used in any Advertising Media without prior permission of the Centre in writing.

SAMPLE NOT DRAWN BY RTCL

Authorised Signatory

(Dr. R.K. SINGH)

END OF REPORT

डा० रविन्द्र कुमार / Dr. Ravindra Kumar
महाप्रबन्धक / General Manager
एम०एच०एस०सी० / M.H.S.C. - 2460864
मुरादाबाद (उ०प्र०) / Muradabad (U.P.)
244001 / 244001

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- *Any Other problem in the field of Metal Finishing, Casting & Forming, Water & Waste Water Testing;
- *Consignment Inspection, Expert Opinion & Handicrafts Product Test as per Buyer Protocol.

SRS

(Under Control of Development Commissioner (Handicrafts), Ministry of Textiles, Govt. of India, New Delhi :)

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handicrafts
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continuing tradition

☎ : 91-591-6532354

Telefax : 91-591-2460131

Website : www.handicrafts.nic.in/mhsc/mhsc.htm

E-mail : rtclindia@gmail.com

rtcl_mhsc@consultant.com

TEST REPORT

Date of TR : 22.07.2019

Date of Test Start : 18.07.2019

Date of Test End : 20.07.2019

Page 1 of : 3

TR REF. No. : RTCL- 29081 / 2019 - 20 / Q2D- 192007001014

Customer Ref. : TC668318000001531F

ULR No. : NIL DATED : 17.07.2019

Customer Name : M/S C.L. GUPTA EXPORT LTD.

Address : VILL- JIWAI, DELHI ROAD,

DIST. AMROHA

Tel. No. : 8057961529

Contact Person : MR. PARTUSH

Sample Information

* Sample Description : STP UNTREATED WATER

* Qty. Submitted : C1(ONE) NO. (5 LTRS.)

* Date of Receipt : 17.07.2019

* Colour : LIGHT MILKY

* Ref. No. : NIL

* Style No. / Article No. : -----

* Type of Test Required : WATER PARAMETERS EXCEPT BL TEST,
AS SPECIFIED BY CUSTOMER

* Deviation if any from
the standard including
environmental condition : N.A.

Order No. : N.A.

Buyer Name : N.A.

Buying House : N.A.

Country of
Destination : N.A.

Country Origin : INDIA

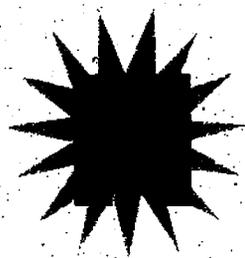
SKU No./ Item No. : -----

Sample from : (RM / In process / Finished Product) : - N.A.

027541

Contd.

डा० रविन्द्र कुमार / Dr. Ravindra Kumar
महाप्रबन्धक / General Manager
एम०एच०एस०सी० / M.H.S.C.
मुरादाबाद (उ०प्र०) / Moradabad (U.P.)
244001 / 244001



TR REF. No. : RTCL- 29081 / 2019 - 20 / Q2D- 192007001014

Date of TR : 22.07.2019

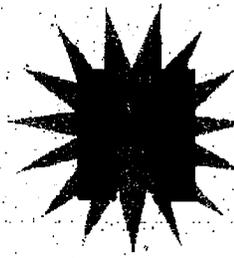
RESULT : Type of Test Conducted :- Water Parameters Except BL Test.

Sample / Item No.	Type of Test Conducted	Ref. to Test method / Standard	Test Results
STP UNTREATED WATER	P ^H	IS : 3025 (11):02	6.94
	COLOUR	IS : 3025 (4):06	Light Milky
	ODOUR	IS : 3025 (5):06	Objectionable
	TURBIDITY	IS : 3025 (10):06	<5.0 NTU
	TOTAL DISSOLVED SOLIDS (T.D.S.)	IS : 3025 (15):09	412.0 mg/kg
	CHLORIDE	IS : 3025 (32):09	108.2 mg/l.
	TOTAL HARDNESS	IS : 3025 (21):06	115.3 mg/l.
	CYANIDE (CN)	IS : 3025 (26):86	<0.01 mg/l.
	T.S.S.	IS : 3025 (17):99	15.0 mg/l.
	LEAD (Pb)	APHA 22 nd ED12/ ASTM D:1976:12 [ICPOES]	<0.02 mg/l.
	CADMIUM (Cd)	- do -	<0.003 mg/l.
	IRON (Fe)	- do -	0.10 mg/l.
	NICKEL (Ni)	- do -	0.08 mg/l.
	MANGANESE (Mn)	- do -	0.07 mg/l.
	COPPER (Cu)	- do -	0.07 mg/l.
CHROMIUM (Cr)	- do -	0.06 mg/l.	
ZINC (Zn)	- do -	0.59 mg/l.	

Contd...3

027541

डा० रविन्द्र कुमार / Dr. Ravindra Kumar
महाप्रबन्धक / General Manager
एम०एच०एस०सी० / M.H.S.C.
मुरादाबाद (उ०प्र०) / Moradabad (U.P.)
244001 / 244001



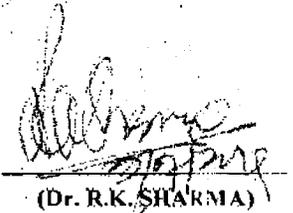
CONCLUSION / REMARKS : Except P^H, Colour, Odour, Taste & Turbidity all limits are in mg /L.
mg /L = miligram per litre, < = Less than
: 1 mg/kg = 1 ppm (PART PER MILLION)= 0.0001%

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SAMPLE NOT DRAWN BY RTCL

Authorised Signatory


(Dr. R.K. SHARMA)

END OF REPORT

डा० रविन्द्र कुमार शर्मा
महाप्रबन्धक/General Manager
एम०एच०एस०सी०/M.H.S.C.
मुरादाबाद (उ०प्र०)
244001 / 244001

Facilities available at R.T.C.L. :-

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- *Any Other problem in the field of Metal Finishing, Casting & Forming, Water & Waste Water Testing.
- *Consignment Inspection, Expert Opinion & Handicrafts Product Test as per Buyer Protocol.

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Telefax : 91-591-2460131

Website : www.handicrafts.nic.in/mhsc/mhsc.htm

E-mail : rtclindia@gmail.com
rtcl_mhsc@consultant.com

TEST REPORT

TR REF. No. : RTCL- 29058 / 2019 - 20 / Q2D- 192007000968
ULR No. : TC668318000001487F
Customer Ref. : NIL DATED : 12.07.2019
Customer Name : M/S C.L. GUPTA EXPORT LTD.
Address : VILL- JIWAI, DELHI ROAD,
DIST. AMROHA
Tel. No. : 9719715446
Contact Person : MR. SHRIKANT

Date of TR : 17.07.2019
Date of Test Start : 15.07.2019
Date of Test End : 17.07.2019
Page 1 of : 3

Sample Information

* Sample Description : STP TREATED WATER
* Qty. Submitted : 01(ONE) NO. (5 LTRS.)
* Date of Receipt : 12.07.2019
* Colour : COLOURLESS
* Ref. No. : NIL
* Style No. / Article No. : -----
* Type of Test Required : WATER PARAMETERS EXCEPT BL TEST,
AS SPECIFIED BY CUSTOMER
* Deviation if any from the standard including environmental condition : N.A.

Order No.	:	N.A.
Buyer Name	:	N.A.
Buying House	:	N.A.
Country of Destination	:	N.A.
Country Origin	:	INDIA
SKU No./ Item No.	:	-----

Sample from : (RM / In process / Finished Product) : - N.A.

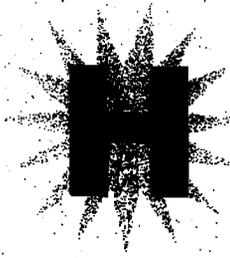
027495

Contd..2

Dr. Ravindra Kumar
डा० रविन्द्र कुमार / Dr. Ravindra Kumar
महाप्रबन्धक / General Manager
एम०एच०एस०सी० / M.H.S.C.
मुरादाबाद (उ०प्र०) / Moradabad (U.P.)
244001 / 244001

[Signature]

127495/100



TR REF. No. : RTCL- 29058 / 2019 - 20 / Q2D- 192007000968

Date of TR : 17.07.2019

RESULT : Type of Test Conducted : - Water Parameters Except BL Test.

Sample / Item No.	Type of Test Conducted	Ref. to Test method / Standard	Test Results
STP TREATED WATER	P ^H	IS : 3025 (11):02	7.02
	COLOUR	IS : 3025 (4):06	Colourless
	ODOUR	IS : 3025 (5):06	Unobjectionable
	TURBIDITY	IS : 3025 (10):06	< 5.0 NTU
	TOTAL DISSOLVED SOLIDS (T.D.S.)	IS : 3025 (15):09	455.0 mg/L
	CHLORIDE	IS : 3025 (32):09	85.2 mg /L
	TOTAL HARDNESS	IS : 3025 (21):06	96.3 mg /L
	CYANIDE (CN)	IS : 3025 (26):86	<0.01 mg /L
	T.S.S.	IS : 3025 (17):99	16.0 mg /L
	LEAD (Pb)	APHA 22 nd ED12/ ASTM D:1976:12 [ICPOES]	<0.02 mg /L
	CADMIUM (Cd)	- do -	<0.003 mg /L
	IRON (Fe)	- do -	0.08 mg /L
	NICKEL (Ni)	- do -	0.07 mg /L
	MANGANESE (Mn)	- do -	0.05 mg /L
	COPPER (Cu)	- do -	0.05 mg /L
CHROMIUM (Cr)	- do -	0.04 mg /L	
ZINC (Zn)	- do -	0.37 mg /L	

027495

Contd..3

डा० रविन्द्र कुमार / Dr Ravindra Kumar
महप्रबन्धक / General Manager
एम०एच०एस०सी० / M.H.S.C.
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244001 / 244001



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
UTTAR PRADESH POLLUTION CONTROL BOARD

संदर्भ संख्या **140/07** सी-7/जल-58/शिक्षण/2019 दिनांक **16/07/19**

शेष में,

मै0 सी0एल0 गुफा एक्सपोर्ट्स लि0,
18 कि0मी0 दिल्ली-मुसादाबाद हाइवे,
एन0एच0 24, ग्राम जिवई, अमरोहा

विषय - बोर्ड के पत्र दिनांक 22.04.2019 द्वारा जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 यथासंशोधित की धारा 33ए के अन्तर्गत जारी कारण बताओ नोटिस को निक्षेपित तथा उद्योग पर रुं 10 लाख मात्र की पर्यावरणीय क्षतिपूर्ति को संशोधित किये जाने के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक बोर्ड के पत्र सं0-एच34988/सी-7/जल-58/का0ब0नो0/2019 दिनांक 22.04.2019 द्वारा उद्योग मै0 सी0एल0 गुफा एक्सपोर्ट्स लि0, 18 कि0मी0 दिल्ली-मुसादाबाद हाइवे, एन0एच0 24, ग्राम जिवई, अमरोहा के विरुद्ध जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 यथासंशोधित की धारा 33ए के अन्तर्गत जारी कारण बताओ नोटिस जारी किया गया। क्षेत्रीय कार्यालय, बिजनौर के अधिकारियों द्वारा उद्योग पर किये गये निरीक्षण दिनांक 01.06.2019 में पाये गये तथ्यों, उद्योग द्वारा प्रेषित पत्र दिनांक 18.06.2019 के साथ संलग्न प्रपत्रों, ई0टी0पी0 तथा एस0टी0पी0 के आउटलेट के उत्प्रवाह के गुणता की रिपोर्ट को सज्जान में रखते हुए उद्योग के विरुद्ध जारी कारण बताओ नोटिस दिनांक 22.04.2019 को सक्षम अधिकारी के अनुमोदनोपरान्त निम्न शर्तों के साथ निक्षेपित किया जाता है-

1. उद्योग द्वारा जल (प्रदूषण, निवारण तथा नियंत्रण) अधिनियम, 1974 यथासंशोधित, वायु (प्रदूषण, निवारण तथा नियंत्रण) अधिनियम, 1981 यथासंशोधित एवं पर्यावरण (संरक्षण) अधिनियम, 1986 के प्राविधानों का अक्षरशः अनुपालन सुनिश्चित किया जाए।
2. उद्योग द्वारा बिना राज्य बोर्ड से स्थापनार्थ सहमति प्राप्त किये हुए किसी प्रकार का क्षमता विस्तार, उत्पादन प्रक्रिया परिवर्तन, प्लांट मशीनरी की स्थापना नहीं की जाए।
3. उद्योग में स्थापित समस्त प्रदूषण नियंत्रण संयंत्रों का सतत संचालन करते हुए शुद्धिकृत उत्प्रवाह एवं उत्सर्जन की गुणता पर्यावरण संरक्षण नियम के प्राविधानों में निर्धारित मानकों के अनुरूप रखा जाना सुनिश्चित किया जाए।
4. उद्योग का संचालन मात्र शून्य उत्प्रवाह निस्तारण मात्र पर संचालन अनुमन्त्र है। उद्योग परिसर के बाहर किसी भी प्रकार के उत्प्रवाह का निस्तारण न किया जाए।
5. उद्योग द्वारा ई0टी0पी0, एस0टी0पी0, उत्प्रवाह रिसाइविलिंग बिन्दु, सिंचाई कार्यक्षेत्र पर पी0टी0जेड0, एच0डी0, नाइट्रोजन ओपेन टू नेटवर्क कैमरे की स्थापना 15 दिन में की जाए एवं कैमरे को उ0प0 प्रदूषण नियंत्रण बोर्ड के कण्ट्रोल रूम सर्वर से लिंक किया जाना सुनिश्चित किया जाए।
6. उत्पादन प्रक्रिया में साइनाइड का प्रयोग प्रतिबन्धित है।
7. केन्द्रीय भूजल बोर्ड द्वारा प्रदान अनुमति के अनुरूप ही भूजल का दोहन एवं रिचार्ज सुनिश्चित किया जाए।
8. बोर्ड के पत्र सं0- सं0-18602/यू0पी0पी0सी0बी0/बिजनौर (यू0पी0पी0सी0बी0आर0ओ0)/सी0टी0 ओ0/वाटर/ ज्योतिबा फूले नगर/2018 दिनांक 09.05.2018 द्वारा निर्गत शर्त सहमति जल में अधिरोपित समस्त शर्तों का अक्षरशः अनुपालन सुनिश्चित किया जाए।

.....कृ०पृ०च०

टी. सी. - 12 वी. विभुति खन्ड
गोमतीनगर, लखनऊ-226010
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[Handwritten Signature]

(2)

अप्रेर उद्योग द्वारा प्रस्तुत शुद्धिकृत उत्प्रवाह विश्लेषण आख्या का संज्ञान लेते हुए पूर्व में उद्योग पर अधिरोपित पर्यावरणीय क्षतिपूर्ति रु 10 लाख को केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा जारी 'Levying of Environmental Compensation against Defaulting Industries' के अनुसार पुनः आंकलित करते हुए उद्योग पर राक्षम अधिकारी से निर्गत अनुमोदनोपरान्त रु 3,60,000/- (रु तीन लाख साठ हजार मात्र) का पर्यावरणीय क्षतिपूर्ति के रूप में अर्थदण्ड अधिरोपित किया जाता है तथा निर्देशित किया जाता है कि पर्यावरणीय क्षतिपूर्ति धनराशि को उ०प्र० प्रदूषण नियंत्रण बोर्ड के यूनियन बैंक आफ इण्डिया, विभूतिखण्ड, गोमतीनगर, लखनऊ स्थित बैंक के खाता सं०-701502010002104 आई०एफ०एस० कोड-UBIN0570150 में एक सप्ताह के अन्दर जमा कर, जमा की गयी धनराशि का साक्ष्य क्षेत्रीय कार्यालय एवं बोर्ड मुख्यालय में प्रस्तुत करना सुनिश्चित करें।

भवदीय,

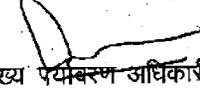

(अमित चन्द्रा)

मुख्य पर्यावरण अधिकारी
वृत्त-7

पृष्ठांकन संख्या एवं दिनांक उपरोक्तानुसार।

प्रतिलिपि: निम्नलिखित को सूचनार्थ प्रेषित।

1. जिलाधिकारी, अमरोहा।
2. क्षेत्रीय अधिकारी, उ०प्र० प्रदूषण नियंत्रण बोर्ड, बिजनौर को इस निर्देश के साथ प्रेषित कि उपरोक्तानुसार निर्दिष्ट निर्देशों के परिप्रेक्ष्य में सतत् अनुश्रवण कम में अद्यतन निरीक्षण आख्या ससमय प्रेषित करें।


मुख्य पर्यावरण अधिकारी
वृत्त-7

eu
G.C.A.
11/11/19
A.E.L.

Item No. 05

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 220/2019

(With Report dated 03.12.2019)

Adil Ansari

Applicant(s)

Versus

M/s. C. L. Gupta Exports Pvt. Ltd. & Ors.

Respondent(s)

Date of hearing: 04.12.2019

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant(s): Mr. Adil Ansari, applicant in person
For Respondent(s): Mr. Daleep Dhyani, Advocate for UPPCB
Mr. Priyadarshi Gopal, Advocate for R-1

ORDER

1. Remedial action against the illegal discharge of hazardous waste into the river Ramganga and illegal drawal of ground water by M/s C.L. Gupta Export Ltd., Amroha, U.P., is the grievance in this application. Vide order dated 08.03.2019, a joint action taken report was sought from CPCB and the State PCB.
2. The matter was considered on 29.08.2109 in the light of the report dated 07.05.2019 filed by the Uttar Pradesh State Pollution Control Board showing that the unit was violating Hazardous Waste Management Rules, 2016 by storing hazardous waste like empty containers of paint, lacquer, electroplating chemicals, oil soaked cotton rags, used oils etc. It was further found that industry was involved in the expansion /modification of premises and Thermo-coal manufacturing unit was found operational without having consent to establish/ operate. The effluent analysis report of wood division and

metal division were not as per parameters. The unit was directed to pay Rs. 10 lacs as environmental compensation and not to operate expansion/ modification component without CTE and CTO.

3. The Tribunal observed:-

“

5. *The UP State PCB has also filed a report on 16.07.2019 to the effect that authorization has been applied for disposal of hazardous waste like empty containers of paint, lacquer, electroplating chemicals, oil soaked cotton rags used oils etc. Thermo coal manufacturing unit has filed an application for consent. The unit has set up a blower. Treatment equipments have been installed to deal with pickling phosphate and electroplating activities. Sample was found to be compliant from wooden and glass division also. Illegal borewells have been closed. Sewage disposal is taking place.*

6. *In view of the joint Committee report filed on 07.05.2019, a further updated status needs to be submitted by a joint Committee of CPCB, UP State PCB and CGWA. The joint Committee may also make an assessment of the compensation to be recovered for the damage caused which should cover the entire period of damage and should be deterrent having regard to financial capacity of the unit and the nature of violations. The nodal agency will be the State PCB for coordination and compliance. The report may be furnished within two months by e-mail at judicial-ngt@gov.in.”*

4. Accordingly the Joint Committee has filed a report on 03.12.2019. With reference to the recommendations in the last joint inspection report, the status has been indicated as follows:-

" 9.0 Compliance Status of the Recommendations provided in the last Joint committee inspection report

Table 14 Compliance status of the recommendations provided in the last Joint committee inspection report

Sr. No.	Recommendation in the last Joint committee Inspection report	Remarks	Compliance Status (Complying/non-complying/partial complying)

1.	Total domestic wastewater generated from industry/colony is about 175 KLD. The industry has installed 120 KLD capacity of STPs and rest sewage passes through septic tank. The Industry must installed STP for remaining capacity of 55 KLD.	The unit has constructed new STP of 120 KLD capacity at the residential colony for treatment of sewage generating from the residential colony and started its operation from 14th June, 2019.	Complying
2.	It should be ensured by the industry that drain/outlets, carrying industrial/domestic wastewater which are connected with Kacha pond are to be dismantled or sealed and no water or wastewater from the premises reach the pond at any time outside the premises.	A Leakage was observed from the periferrial wall of residential colony's STP, which was going into the Kachha Pond, which is located behind the unit. The unit has not dismantled open drain, which is carrying domestic wastewater at the residential colony behind the installed STP.	Non-complying
3.	As per the permission from CGWA only 02 bore wells are allowed for abstraction of groundwater. The remaining 04 bore wells installed in premises should be dismantled immediately.	At the time of inspection remaining 04 borewells were found just covered with the help of red cloth and all the other connections were observed along with the borewells.	Non-complying
4.	The industry must be strictly followed ZLD process.	A Leakage was observed from the periferrial wall of residential colony's STP, which was going into the Kachha Pond, which is located behind the unit. Industrial effluent was being mixed with the domestic effluent and was being used in gardening, which is not acceptable to establish ZLD.	Non-complying
5.	At the time of inspection, it was found that industry is involved in the expansion/modification in premises hence industry must be obtained CTE from UPPCB before expansion/modification,	The unit has obtained CTO under section 21/22 of the Air (Prevention & Control of Pollution) Act, 1981 from UPPCB for Thermocoal Block manufacturing plant dated 27.09.2019, which is valid upto 31.12.2019	Complying

6.	<p>The industry has obtained the authorization for disposal of Hazardous waste ETP sludge only. At the time of inspection, it was found that other type of hazardous waste also stored in the premises like empty containers of paint, lacquer, electroplating chemicals, oil-soaked cotton rags, used oils etc. The industry must be obtained authorization for all types Hazardous waste generated from the factory and it should be ensured to dispose of through authorized TSDF only.</p>	<p>The industry has obtained the authorization (No. 8531, issued dated 16.07.2019) for disposal of hazardous waste like empty containers, cotton waste, used cloth mask, rubber gloves, old batteries, booth sludge, oily rags, used oil, empty corrugated cartons, melting furnace ash, asbestos gloves/cloth, filter and air filter, polishing dust and ETP sludge from UPPCB, which is valid upto 16.07.2024. Authorization No. 8531 is placed at Annexure-7.</p>	Complying
7.	<p>The industry should install an electromagnetic flow meter on all the water supply system as well as inlet and outlets of the ETPs and STPs and proper record/logbooks should be maintained.</p>	<p>The unit has not installed electromagnetic flow meter on all the water supply system as well as inlet and outlets of the ETPs and STPs. The unit is maintaining logbook for flow meter reading only and not for daily sludge generation, hence it can be concluded that the unit is partially maintaining the record/logbooks.</p>	Non-complying
8.	<p>Flow meters installed at the outlet pipeline of the wood case ETP and outlet of STPs should be relocated to any suitable outlet position having easy access for getting the flow details of treated effluent.</p>	<p>The unit has not yet relocated the flow meters which are installed at the outlet pipeline of the wood case ETP and outlet of STPs to other suitable outlet position having easy access for getting the flow details of treated effluent.</p>	Non-complying
9.	<p>The performance of wood case division ETP is poor and not meeting the general effluent discharge norms for inland surface water. The unit must upgrade and augment ETP to meet the standards. The ETP treated wastewater strictly should not be used for irrigation/ horticulture purposes till up-gradation of ETP system.</p>	<p>Analysis result of samples collected from ETP outlet of Wood division showed BOD-43 mg/l against the General Standard of 30 mg/l and NH₃-N-68 mg/l against the General Standard of 50 mg/l for discharge to inland surface water, which is non-complying (refer Table 7).</p>	Non-complying

10.	Cyanide value of metal and wood case division ETP is on higher sight so, unit should operate and maintain CN (Cyanide) removal unit Properly to meet the standards.	Cyanide value of metal and wood case division ETP was observed BDL and 0.09 mg/I respectively against the standard for discharge to Inland surface of 0.2 mg/I, which was within the limit.	Complying
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5. Conclusions on various issues are as follows:-

“10.0 Conclusion

10.1 Ground water withdrawal

1. The unit is not having valid NOC from CGWA for withdrawal of groundwater, the NOC has been expired on 20.12.2018.
2. As per expired CGWA NOC, the unit was permitted to extract 330 KLD of ground water from 02 nos. of borewells only. However, the unit has extracted 8.45 KLD of ground water apart from 02 borewells (from borewell no, 6-refer Table-3) from July-2019 to 15th Oct-2019, which is violation of CGWA NOC. Hence, Environmental Compensation for illegal extraction of ground water shall be calculated and levied on the unit.
3. Analysis result of samples collected from Borewell No. 3 & 4 found complying with the permissible limit of drinking water quality standard while, sample collected from handpump (inside Masjid) showed Fe-1.94 mg/I against 0.3 mg/I and Mn-0.35 mg/I against 0.3 mg/I of the permissible limit of drinking water quality standard.

10.2 ETP/STP Adequacy and Effluent Discharge Norms

1. The unit does not have valid consent to operate for separate ETPs and STPs, which are provided at Wooden Artware mfg. division, Glass Artware mfg. division, Metal Artware mfg. division and Residential colony.
2. The unit has not provided adequate requisite biological treatment facility at ETPs installed at Wooden Artware mfg. division and Glass Artware mfg. division.
3. The unit has not installed Secondary/biological treatment facility in any STPs installed in the unit.
4. During visit, no ETP sludge has been found at ETP areas of Glass division, Wood division and Metal division, which indicates that the unit is not operating the ETP continuously.
5. During visit, no STP sludge has been found at STP areas of Glass division, Wood division and Residential Colony, which indicates that the unit is not operating the STP continuously.
6. The unit is not maintaining logbook for ETP/STP for daily dosing of chemicals in physico-chemical treatment, flow meter reading at inlet and recycling point, daily sludge generation

from the ETPs/STPs at Glass division, Wood division and Metal division.

Wood Division:

- i. The ETP at Wood division found non-complying w.r.t BOD and NH₃-N and the unit is not maintaining MLSS concentration in the Aeration tank of ETP, hence it can be concluded that, the unit do not have adequate ETP at wood division.
- ii. The unit is not operating and maintaining properly the Secondary/biological treatment facility in ETP and reduction of BOD from 3240 mg/I (at inlet) to 43 mg/I (at outlet) clearly indicates dilution with fresh water addition at wood division.
- iii. No flow meter is provided at inlet and recycled pipeline of ETP.

Glass Division:

- i. Analysis result of samples collected from ETP outlet of Glass division found non-complying w.r.t NO₃-N, Cr, Fe, Ni, Se and Zn for discharge to inland surface water.
- ii. The unit has not installed secondary treatment unit while as per the analysis result of collected sample of ETP inlet, it is having COD concn. of 754 mg/I, which practically not possible without biological treatment, hence dilution or by-pass can not be ruled out.
- iii. No flow meter is provided at inlet and recycled pipeline of ETP.
- iv. The unit is mixing grinding effluent of Glass division with the domestic effluent and treating the same in STP provided for Glass division and analysis result of samples collected from STP outlet of Glass division found non-complying w.r.t pH-3.08, TSS-230 mg/I and BOD-81 mg/I, hence it can be concluded that mixing of grinding effluent with the domestic effluent is leading to the non-compliance of the Glass division's STP discharge norms as prescribed in the unit's consent and the unit cannot be allowed to utilize the treated domestic effluent for gardening purpose.
- v. The characteristics of the STP effluent (pH-2.58, COD-475 mg/I) at inlet of STP establish the fact that the unit is treating industrial effluent along with the domestic effluent in STP.

Metal Division:

- i. No flow meter is provided at inlet and recycled pipeline of ETP.
- ii. Analysis result of samples collected from ETP outlet found complying w.r.t stipulated norms for discharge to inland surface water.
- iii. Analysis result of samples collected from outlet of STP found noncomplying w.r.t BOD-104 mg/I and COD-267 mg/I against effluent discharge standards to all mode of disposal.

10.3 Haz. Waste Management

- i. The unit do not have valid agreement with Transport Storage and Disposal Facility (TSDF) for lifting, transportation, treatment, storage and disposal of hazardous waste generated

at M/s C. L. Gupta Exports Ltd., Amroha, Uttar Pradesh. It was expired on 31/03/2019.

- ii. The unit could not provided details of remaining categories of hazardous waste except ETP sludge, Gloves/ masks and old batteries sent to TSDF facility from year 2017 to 2019.
- iii. As stipulated under the Guidelines for storage of incinerable hazardous wastes, the unit have not provided automatic water sprinkling arrangements, fire alarming systems, flame arresters, smoke/ heat detectors, fire extinguishers and other necessary provisions in the storage area.
- iv. As prescribed in Form 8 of the HOWM Rules, 2016, the unit is required to label the bags with requisite details, while there was no labeling on bags stored with hazardous wastes as per the Rule 17(1) of the HOWM Rules.
- v. The unit has not mentioned the details of other haz. Waste apart from ETP sludge, Gloves/ masks and Old battery in the annual return of year 2017-18 and 2018-19. Also, annual return before the year 2016-17 could not be provided by the unit.
- vi. The unit is maintaining daily records of the hazardous waste generated and disposed, however, such daily record is not as per the Form 3 prescribed under Rule 20(1) of the HOWM Rules, 2016.
- vii. The unit has not provided the process flow chart including material balance for production of each of the products, hence, the relationship between products manufactured and quantity waste generated, which may be utilized in the process or sent to the TSDF cannot be establish.

In view of the above violations w.r.t haz. Waste management, Environmental Compensation has been calculated to be levied on the unit.

11.0 Recommendations based on the above observations

11.1 Water Consumption of the unit & Analysis result of ground water samples

1. The unit shall obtain NOC from CGWA for withdrawal of groundwater, as the CGWA NOC have already been expired on 20.12.2018.
2. All the fresh water consumption points and treated effluent recycling points should be metered and logbook shall be maintained against each flow meter.
3. All existing meters should be periodically calibrated and records to be maintained.
4. The unit shall engage expert institute to carry out detailed Water Audit for detailed study of total water consumption and recycling for reduction of the withdrawal of the ground water.

11.2 For Wooden Art ware mfg. Section

1. The unit shall modify/upgrade the ETP and shall operate properly to comply

with the norms stipulated in CTO.

- 2. The unit shall provide sampling point at approachable location for collection of ETP outlet sample.*
- 3. The unit shall install flowmeter at inlet of ETP and at recycled water pipeline.*
- 4. The unit shall install primary clarifier in the ETP provided at Wood division and shall maintain MLSS concentration in Aeration tank-1 and Aeration tank-2.*
- 5. The unit shall maintain ETP log book record for daily dosing of chemicals in physico-chemical treatment, flow meter reading at inlet and recycling point, daily sludge generation from the ETP and ETP sludge disposal.*
- 6. The unit shall operate ETP regularly and shall have trained ETP operator with environment background, who is able to operate the ETP properly.*
- 7. The unit shall discard the extra pipelines which are connected with the final HDPE treated tank.*
- 8. The unit shall obtain consent to operate for separate ETP provided at Wooden Artware mfg. division.*

11.3 For Glass Art ware mfg. Section and for STP at Glass Section

- 1. The unit shall stop mixing of industrial effluent in STP and shall stop using treated effluent in gardening within the premises.*
- 2. The unit shall keep and maintain ETP and STP log book record for daily dosing of chemicals in physico-chemical treatment, flow meter reading at inlet and recycling point, daily sludge generation from the ETP/STP and ETP/STP sludge disposal.*
- 3. The unit shall install flowmeter at inlet of ETP and at recycled water pipeline.*
- 4. The unit shall display the actual flow chart of the actual unit processes being followed in the ETP,*
- 5. The unit shall have trained operator for ETP and STP with environment background, who is able to operate the ETP and STP properly.*
- 6. The unit shall stop the practice of treatment of mixed effluent of grinding section and domestic waste water in the STP and shall treat domestic effluent separately.*
- 7. The unit shall install Secondary/biological treatment facility in the STP installed at Glass division for treatment of sewage and to use the same for toilet flushing/gardening within the premises.*
- 8. The unit shall obtain consent to operate for separate ETP provided at Glass Artware mfg. division,*

11.4 For Metal Art ware mfg. Section and for STP at Metal Section

- 1. The unit shall operate ETP as well as STP properly & continuously.*
- 2. The unit shall keep and maintain ETP and STP log book record for daily dosing of chemicals in physico-chemical*

treatment, flow meter reading at inlet and recycling point, daily sludge generation from the ETP/STP and ETP/STP sludge disposal.

The unit shall install flowmeter at inlet of ETP and at recycled water pipeline.

3. The unit shall have trained operator for ETP and STP with environment background, who is able to operate the ETP and STP properly.
4. The unit shall install Secondary/biological treatment facility in the STP installed at Metal division for treatment of sewage and to use the same for toilet flushing/gardening within the premises,
5. The unit shall obtain consent to operate for separate ETP provided at Metal Artware mfg. division.

11.5 For SIP provided at Residential Colony

1. As Leakage was observed on the periferrial wall of residential colony's STP, hence it can be concluded that, the unit failed to comply with the consent condition of reuse of treated domestic effluent in flushing/gardening within the premises. The unit shall seal/close the leakage and shall ensure that in any condition, the treated/untreated domestic/industrial effluent shall not go outside of the unit's premises and shall strictly follow the ZLD condition as per the consent to operate.
2. The unit shall keep and maintain STP log book record for daily dosing of chemicals in physico-chemical treatment, flow meter reading at inlet and recycling point, daily sludge generation from the STP and STP sludge disposal.
3. The unit shall operate STP regularly and shall have trained STP operator with environment background, who is able to operate the STP properly.
4. The unit shall seal all the open drains which transfer the treated STP and shall install proper closed pipe system for the same.
5. The unit shall obtain consent to operate for separate STP provided at Residential colony.

11.6 For Haz. Waste management

The unit shall:

1. Send hazardous waste to the TSDF with valid agreement with TSDF;
2. Maintain daily records on generation, storage, management of hazardous wastes in compliance with Rule 20(1) of the HOWM Rules, 2016;
3. Submit the Annual return w.r.t. generation and management of each of the hazardous waste to Uttar Pradesh Pollution Control Board, as required under Rule 20(2) of the HOWM Rules, 2016.
4. Package and label the hazardous waste in accordance with provisions stipulated under Rule-17 of the HOWM Rules, 2016;

5. Install automatic water sprinkling arrangements, fire alarming systems, flame arresters, smoke /heat detectors, fire extinguishers and other necessary provisions as stipulated under the Guidelines for storage of incinerable hazardous wastes;
6. Install necessary slope, channelization drain and collection pit for management of spilled oil; and
7. Install display board outside the factory gate displaying details of hazardous wastes being handled by the unit.

11.7 For Recommendations provided in the last Joint committee inspection report

1. The unit has failed to comply with the recommendation mentioned at para 10 at point 2, 3, 7, 8 & 9 and shall, taken necessary action immediately. In addition following are recommended.
2. The unit shall dismantle the channel carrying effluent from STP located at residential colony.
3. The unit shall seal illegal 04 borewells properly and shall dismantle all the electrical and pipeline connections along with the same and shall not withdraw ground water from the illegal borewells.
4. The unit shall maintain ETP & STP log book record properly for flow meter reading, daily sludge generation and sludge disposal.
5. As per the Analysis result of samples collected from ETP outlet of Wood division, it found non-complying w.r.t BOD-43 mg/I and NH₃-N-68 mg/I for discharge to inland surface water. Hence, the unit shall operate ETP properly and treated effluent must meet the discharge norms as mentioned in the granted CTO. Treated wastewater should not be used for irrigation/horticulture purposes, if the quality of treated effluent is not meeting with the stipulated discharge norms.

11.8 For NGT order dt. 29.08.2019 in O.A. No. 220/2019 Principal Bench, New Delhi

1. Hon'ble NGT vide order dated 29.08.2019 directed that, "The joint Committee may also make an assessment of the compensation to be recovered for the damage caused which should cover the entire period of damage and should be deterrent having regard to financial capacity of the unit and the nature of violations."

Assessment of the compensation to be recovered for the damage caused covering the entire period of damage needs detailed survey through expert institutes. Hence, expert institute may be engaged for the detailed study of environmental damage caused by the unit for the entire period to cover the environmental compensation from the unit.

2. However, the committee has been calculated Environmental Compensation for illegal extraction of ground water, for ZLD condition violation and for not managing Haz. Waste as per

management as per the the HOWM Rules, 2016 in the following section (Section 12.0).

12.0 Environmental Compensation

12.1 EC for illegal extraction of ground water

1. EC has been calculated as per the Report prepared by CPCB on "Assessment of Environmental Compensation in case of illegal extraction of Ground water" dated 26 June, 2019 which was submitted in compliance to hon'ble NGT order dated 07/05/2019 in O.A. No. 327/2018 in the matter of Shailesh Singh Vs Central Ground Water Board & Ors. The copy of the Report is placed at Annexure-11.
2. The EC has been calculated for the period beyond the expiry of CGWA NOC that is 20.12.2018 to 16.10.2019 and also for illegal annual extraction of 99,691 m³ for the period of 01.10.2017 to 30.09.2018, which is higher than the permitted ground water extraction of 99,000 m³/annum as below:

$$\text{ECGW} = \text{Water consumption per day} \times \text{EC rate for illegal extraction of ground water (ECRGw)} \times \text{No. of days} \times \text{Deterrent Factor}$$

(A) Year: 2018-19

$$\text{ECGW} = 330 \text{ (m}^3\text{/day)} \times 120 \text{ (Rs/m}^3\text{)} \times 300^* \text{ (days)} \times 1$$

= Rs. 1,18,80,000 /-..... (I)

*CGWA NOC was valid upto 20.12.2018. Hence days calculated from the date of NOC expiration to the Joint inspection date (21.12.2018 to 16.10.2019=300 days)

- As per the above detailed calculation, the unit is liable to pay Rs. 1,18,80,000/- of EC for illegal ground water extraction.

(B) Year: 2017-18

$$\text{ECGW} = 2.30 \text{ (m}^3\text{/day)} \times 120 \text{ (Rs/m}^3\text{)} \times 365^* \text{ (days)} \times 1$$

= Rs. 1,00,740 I-..... (II)

*As per the compliance status of CGWA NOC prepared by CGWA (placed at **Annexure-12**), the unit extracted 99,691 m³/annum during 01.10.2017 to

30.09.2018, which is higher than the permitted ground water extraction of 99,000 m³/annum. Hence days calculated from 01.10.2017 to 30.09.2018=365 days

3. As per the above detailed calculation, the unit is liable to pay Rs.1,00,740/-of EC for illegal ground water extraction.

(C) In addition, the unit have total 06 borewells, while CGWA have issued NOC for extraction of ground water from 02

borewells only. Hence, illegal extraction of ground water from illegal 04 borewells could not be excused as the unit has not installed flow meter, Hence environmental compensation for the same could not be calculated.

-The unit is liable to pay total Environmental compensation amount of Rs. 1,19,80,740 (Rs. 1,18,80,000 + Rs. 1,00,740) for illegal ground water extraction for the period of 01.10.2017 to 16.10.2019.

12.2 Environmental Compensation for violation of effluent discharge/ inadequate ETPs/ZLD norms as per CTO

1. As per the valid consent to operate issued under section 25/26 of The Water (Prevention and Control of Pollution) Act, 1974 it is mentioned that the domestic effluent shall be treated and reused in flushing/gardening within the premises.

2. But during inspection, a Leakage was observed from the periferrial wall of residential colony's STP, which was going into the Kachha Pond, which is located behind the unit. This is violation of effluent discharge/ inadequate ETPs/ZLD norms as per CTO. Hence the following EC has been calculated as per the "Report of the CPCB In-house Committee on Methodology for Assessing Environmental Compensation and Action Plan to Utilize the Fund" acknowledged by Hon'ble NGT vide order dated 19.02.2019 in the matter of Paryavaran Suraksha Samiti & Anr. Vs. Union of India & Ors. in O.A. No. 93/2017:

Environmental Compensation (EC) = PI x N x R x S x LF

Where,

PI = Pollution index of industrial sector (here-80, for red category industrial sector),

N = Number of days of violation took place (here-203 days, from date of inspection carried out by the joint team and found violation of ZLD

norms dated 28.03.2019 to date of inspection of 2nd inspection of the joint team dated 16.10.2019)

R = A factor in Rupees for Penalty (R to be taken as 250)

S = Factor for scale of Operation of the facility (here-1.5, for large scale

industry)

LF = Location factor (Here-1, for less than 1 million population)

Here,

Date of last inspection: 28.03.2019

Date of current inspection: 16.10.2019

As per the EC formula, EC has been calculated as follows:

A). 28.03.2019-25.06.2019
 $(EC=PI*N*R*S*LF)$
 $=80*90*250*1.5*1$
=27,00,000/-

B). 26.06,2019- 23.09.2019
 $(EC= PI *N*R*S* LF)*2$
 $=80*90*250*1.5*1*2$
=54,00,000/-

C). 23.09.2019- 16.10.2019
 $(EC= PI *N*R*S* LF)*4$
 $=80*23*250*1.5*1*4$
=27,60,000/-

Total EC (A+B+C)= Rs. 1,08,60,000/- (III)

The unit is liable to pay total Environmental compensation amount of Rs. **1,08,60,000** /-for violation of ZLD norms for the period of 28.03.2017 to 16,10.2019.

12.3 Environmental Compensation for not managing Haz. Waste as per management as per the the HOWM Rules, 2016

As per the methodology prepared by CPCB on "Determination of Environmental Compensation for violation of Hazardous waste and other Waste (Management and Transboundary Movement) Rules, 2016" financial penalty and Environmental Compensation have been calculated as follows;

1. Financial Penalty

The unit was found violating 07 provisions (at SI. No. 2, 3, 5b, 6(B)d, 8, 7 and 31) of HoWM Rules, 2016 for which 07 lakhs financial penalty may be imposed.

2. Environmental Compensation

The following violations have been considered for calculation of EC a) When hazardous and others wastes is disposed at unauthorised place or handed over or sold to unauthorised party and b)Waste found stored beyond the stipulated period (refer Rule 8 of the HOWM Rules, 2008)

a) When hazardous and others wastes is disposed at unauthorised place or handed over or sold to unauthorised party

Hazardous Waste

During inspection, it was observed that about 914 Kg of ETP sludge was found stored in the covered shed which is considered to be generated during the period from 15th April, 2019 to 15th October, 2019 i.e. in 6.5 months.

Whereas, as per the information provided by the unit, annual average ETP sludge generation during 2017-18 & 2018-19 is 4.567 MT and therefore during 6.5 months ETP sludge is estimated 2968 kg.

The estimated quantity of ETP sludge disposed to unauthorized places is 2968 kg = 2.968 tonnes in 6.5 months.

$Environmental\ Compensation = Q \times ERF \times R$

$Q = Quantity\ in\ tonnes/year = 3.15\ tonne/year$
 $ERF = Environmental\ Risk\ Factor = 1.5$

$R = Environmental\ Compensation\ factor = Rs.\ 30,000$
 $= 3.15 \times 1.5 \times 30,000 = Rs.14,17,750$ —Rs. 14.17 lakhs

Other waste

Estimated other waste stored is 551kg in 6.5 months

$Environmental\ Compensation = Q \times ERF \times R$

$Q = Quantity\ in\ tonnes/year = 0.847\ tonne/year$

$ERF = Environmental\ Risk\ Factor = 0.3$

$R = Environmental\ Compensation\ factor = Rs,\ 30,000$
 $= 0.847 \times 0.3 \times 30,000 = Rs.7623$

b) Waste found stored beyond the stipulated period (refer Rule 8 of the HOWM Rules, 2008)

$Environmental\ Compensation\ for\ Hazardous\ Waste = Q \times ERF \times R$

$= 1.406 \times 0.1 \times 30000 = Rs. 4218$

$Environmental\ Compensation\ for\ Other\ Waste = Q \times ERF \times R = 0.551 \times 0.05 \times 30000 = Rs. 826$

Total amount determined for Environmental Compensation and Penalty for violation of Hazardous waste and other Waste (Management and Transboundary Movement) Rules, 2016 is [7,00,000 + (14,17,750+7,523+4,218+826)]

= Rs. 21,30,417/-..... (IV) 12.4 Total

Environmental Compensation

1. As per the available methodology, Environmental Compensation has been calculated for illegal extraction of ground water, for ZLD condition violation and for not managing Haz. Waste as per management as per the the HOWM Rules, 2016 however for assessment of the compensation to be recovered for the damage caused, covering the entire period of damage needs detailed survey through expert institutes.

Hence, expert institute may be engaged for the detailed study of environmental damage caused by the unit for the entire period to cover the environmental compensation from the unit.

2. Total Environmental Compensation for illegal extraction of ground water, for ZLD condition violation and for not managing Haz. Waste as per management as per the the HOWM Rules, 2016 is as below:

=(I) + (II) + (III) + (IV)

=Rs. 1,18,80,000 + Rs. 1,00,740 + Rs. 1,08,60,000 + Rs. 21,30,417

=Rs. 2,49,71,157

The unit is liable to pay total Environmental compensation amount of **Rs. 2,49,71,157/-.**"

6. The report also points out that the area in question has deteriorated in terms of category of ground water from semi-critical to over exploited:-

*"4. As per CGWB report **"Dynamic Ground Water Recourses of India (as on 31.3.2013)"** (Page No. 260) Joya, District Amroha has been deteriorated from Semi Critical (2011) to Over Exploited category (2013)."*

7. Thus joint report concludes that the industry is non-complying and the treated effluents from ETP and STPs are not complying with the prescribed norms. It has been observed that even highly acidic effluents are disposed, constantly posing threat of ground water contamination and also to the vegetations. The Effluent Treatment Plants for wood, glass and metal division requires upgradation and will have to work on complete ZLD System and no effluent be allowed to dispose on land. It is also clear that the Hazardous Waste is not properly managed and the unit is not having valid agreement with transport storage and disposal facility. The unit is not having permission from Ground Water Board and thus illegally withdrawing the ground water. Compensation of rupees 2,49,71,157 has been assessed which is on account of non-compliance of ETP and STP

norms, improper Hazardous Waste Management and Illegal drawal of ground water.

8. Learned Counsel for the unit states that Central Ground Water Authority (CGWA) had given a letter that the unit was compliant. We fail to understand how such a letter can be given and be of any help when the area is in 'over-exploited' category where ground water cannot be allowed to be extracted for commercial purposes as is being done and no such permission can be given in view of order of this Tribunal dated 10.10.2019 in *Original Application No. 176/2015, Shailesh Singh v. Hotel Holiday Regency, Moradabad &Ors.* as follows:

“6. Since the OCS areas have been found to be seriously affected by overdrawal of ground water, regulation of such drawal for commercial purposes cannot be dispensed with for any industry even in industrial area. Availability of water for drinking is a first priority. The ‘Precautionary’ principle, ‘Sustainable Development’ principle and the Inter-generational equity are part of life and in absence of replenishment of ground water, unregulated drawl thereof cannot be held to be right of any commercial entity. Shortage of availability of water for commercial purposes cannot be remedied by drawal of groundwater in over exploited, critically exploited and semi-critical exploited (OCS) areas. Water is certainly a scarce resource and the industry has to put up with such scarcity. It is for the industry and the concerned authorities to find out alternative ways and means for sustenance of the industries instead of permitting indiscriminate drawal of groundwater in such areas till situation improves. Alternative means may be shifting to areas where water is not scarce or to processes where water is not required. As already noted, groundwater is depleting in such areas and measures are required to check such depletion. If industries continue to draw ground water without NOC from CGWA as per current guidelines and orders of this Tribunal in OCS areas, the industries will have to face legal consequence of such illegal action.”

9. In view of the above, let further follow up action be taken by the statutory regulators-CPCB, State PCB, CGWA and District Magistrate in accordance with the due process of law. Compliance report may be filed on or before 31.01.2020 by e-mail at judicial-ngt@gov.in.

10. A copy of this order be sent to CPCB, SPCB, CGWA and District Magistrate, Amroha for compliance.

List again on 25.02.2020.

Adarsh Kumar Goel, CP

S.P Wangdi, JM

Dr. Nagin Nanda, EM

December 04, 2019
Original Application No. 220/2019
SN

