

Urgent Court Matter**HP STATE POLLUTION CONTROL BOARD,
BELOW BCS, PHASE-III, NEW SHIMLA**

No. PCB/OA No. 619/2022 -1614

Dated: 09-05-2023

From: The Member Secretary

To

The Registrar General,
Hon'ble National Green Tribunal
Faridkot House, Copernicus Marg, Near India Gate,
New Delhi, 110001.

**Sub: - OA No. 619/2022 titled Mast Ram & Anr. V/s State of
HP pending before the Hon'ble NGT.**

Sir,

Kindly refer to Hon'ble NGT's order dated 28-09-2022 passed in the afore-cited matter related to alleged discharge of hazardous waste effluents into nallah and nearby agricultural land of village Masulkhana, Tehsil Kasauli, District Solan, Himachal Pradesh by M/s Morpen Laboratories Pvt.Ltd., wherein following directions were passed:-

"...3. Prima facie, the averments made in the application raise questions relating to environment arising out of the implementation of the enactments specified in Schedule I to the National Green Tribunal Act, 2010. In view of the averments made in the application, we consider it appropriate that a Joint Committee be constituted to verify the factual position. Accordingly, we constitute a Joint Committee comprising of CPCB, State PCB and Deputy Commissioner, Solan and direct the same to meet within three weeks, undertake visits to the sites, look into the grievances of the applicant, associate the applicant and representatives of the concerned project proponent, verify the factual position and submit its report within one month by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF. The State PCB will be the nodal agency for coordination and compliance.

4. In case the Joint Committee observes any violation of consent conditions/environmental norms, then it shall forward a copy of its report to:-

(i) The concerned Project Proponent to enable the same to comply with the recommendations in the report of the Joint Committee or file objections against the observations/recommendations contained in the same and file its response before this Tribunal as desired, within one month from the date of receipt of a copy of the report of the Joint Committee, by e-mail at judicial-ngt@gov.in preferably in the form of

I/196236/2023

searchable PDF/OCR Supported PDF and not in the form of Image PDF; and

(ii) the concerned Authorities including State PCB and Deputy Commissioner, Solan to enable them to take appropriate remedial O. A. No. 619/2022 Mast Ram & Anr Vs State of Himachal Pradesh -3- action, in accordance with Statutory provisions mandating them to take remedial action for prevention, control and abatement of environmental pollution/degradation and for protection and improvement of environment, by giving notice to/hearing the concerned project proponent and following due process of law and they shall submit their action taken reports separately, within one month from the date of receipt of a copy of the report of the Joint Committee, by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

5. List for further consideration on 24.01.2023.....”.

Thereafter, the matter was further listed on 24-1-2023 wherein following directions were passed:- “

“..Vide order dated 29.09.2023, this Tribunal constituted a Joint Committee with directions to submit its report within one month. In compliance thereof interim report has been submitted by the Joint Committee vide email dated 20.01.2023 with request for grant of time upto 20.02.2023 for submission of further report. 2. Further report may be submitted within two months by email at judicialngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.....

In this connection, it is submitted that in compliance to afore-cited directions, the Joint Committee comprising of SDM Kasuali, Additional Director CPCB, (Regional Directorate) Chandigarh and Regional Officer, HPSPCB Parwanoo conducted joint inspections of the site on 31-10-2022 and 19-2-2023. The Joint Inspection Report has been submitted by the Joint Committee, copy of which is annexed as **Annexure-A**. As per directions of the Hon'ble NGT, the State PCB has further conveyed the shortcomings observed by the Joint Committee to the M/s Morpen Laboratories vide notice dated 2-5-2023, (copy of which is annexed as **Annexure B**) for compliance at its end. The copy of aforementioned report of the Joint Committee at Annexure -**A** may kindly be placed on record please.

(Encl: As above)

Yours faithfully,

Anil Joshi, (IFS)

I/196236/2023

Signed by Anil Joshi, I/s
Date: 05-05-2023 13:41:16
Member Secretary
HPSPCB, Shimla-9

Report of the Joint Committee in the Matter of OA No. 619 of 2022; Mast Ram & Anr. Vs. State of HP & Ors.

1. Background:

The matter is related to a grievance stating that "The grievance in this application is that hazardous waste effluents are being discharged into nallah and nearby agricultural land of village Masulkhana, Tehsil Kasauli, District Solan, Himachal Pradesh by M/s Morepen Laboratories Pvt. Ltd., a pharmaceutical company manufacturing medicines/drugs, which is causing serious environmental degradation, posing serious risks to the health of the villagers and their domestic animals and damaging their crops".

It was directed by Hon'ble National Green Tribunal vide order dated 29/09/2022 (**Annexure-1**) to constitute a Joint Committee comprising of CPCB, State PCB and Deputy Commissioner, Solan and direct the same to meet within three weeks, *undertake visits to the sites, look into the grievances of the applicant, associate the applicant and representatives of the concerned project proponent, verify the factual position* and submit its report within one month. *The State PCB will be the nodal agency for coordination and compliance.*

It was further directed by the Hon'ble Tribunal that in case the Joint Committee observes any violation of consent conditions/environmental norms, then it shall forward a copy of its report to:-

- i) The concerned Project Proponent to enable the same to comply with the recommendations in the report of the Joint Committee or file objections against the observations/recommendations contained in the same and file its response before this Tribunal as desired, within one month from the date of receipt of a copy of the report of the Joint Committee, by e-mail at judicial-ngt@gov.in; and
- ii) the concerned Authorities including State PCB and Deputy Commissioner, Solan to enable them to take appropriate remedial action, in accordance with Statutory provisions mandating them to take remedial action for prevention, control and abatement of environmental

pollution/degradation and for protection and improvement of environment, by giving notice to/hearing the concerned project proponent and following due process of law and they shall submit their action taken reports separately, within one month from the date of receipt of a copy of the report of the Joint Committee.

An interim progress report of the Committee was filed before the Hon'ble National Green Tribunal, seeking grant of more time for revalidation of the data through a comprehensive re-sampling of all stages of ETP, to verify compliance by the industry and also for correlation & calculation of the accumulation of contaminants in Soil (from ETP to drain and then to soil), transfer of contaminants in the agriculture crops and bio-magnification in agro-products, if any. Considering the prayer of the Joint Committee, two months' time was granted by the Hon'ble National Green Tribunal vide order dated 24.01.2023, for submission of the Report.

2. Report of the Joint Committee:

As directed by Hon'ble National Green Tribunal, the Joint Committee Comprising of the following Officers was constituted:

- i. Shri Gaurav Mahajan, HAS, SDM. Kasauli (Member nominated by Deputy Commissioner, Solan)
- ii. Dr. Narender Sharma, Additional Director, CPCB, RD, Chandigarh (Member, nominated by CPCB)
- iii. Er. Pradeep Moudgil, Regional Officer, HPPCB, Parwanoo (Member Nominated by HPSPCB)

The meeting of the Joint Committee and site visit were conducted on 31/10/2022. Both the representatives of the applicant and the project proponents were also associated, as per directions of the Hon'ble National Green Tribunal. The following grievances were shared by the Applicants and other representatives of the Village Masulkhana (**Annexure-2**):

- Discharge of hazardous waste effluent into the nearby drain, which is a source of water for animals and irrigation.
- Illegal extraction of ground water/surface water, leading to water scarcity.
- Contamination of Soil.
- Damage to Crops and health risk to villagers and domestic animals, due to mixing of hazardous waste effluent into the nearby natural drain.

The **Approach followed by the Joint Committee** for arriving at conclusion and preparing a factual report addressing all the grievances of the applicant and covering all the points of Hon'ble NGT Order, involved:

- i. **Site visit and interaction** with the applicant and local villages to understand the grievances and determine the affected area.
- ii. **Sampling** from nearby drain (up-stream and down-stream of the industry) and from Effluent Treatment Plant (ETP) of the Industry
- iii. **Sampling of agriculture Soil** of the affected area established from the above Point No. 2, to determine the accumulation of contaminants in the soil over a period of time, by irrigation with contaminated water.
- iv. **Sampling of agriculture crops and the produce**, to estimate the bio-magnification of contaminants in plant and produce.
- v. **Calculation of Transfer Factor (TF)**, for determining the bio-accumulation of metals/contaminants in plants from soil and **Health Risk Index (HRI)** by considering daily intake and reference oral dose.

The surface water samples were collected from the nearby drain and ETP of the Industry during site visit on 31/10/2022, for analysis of water quality parameters and effluent parameters respectively.

The sampling of the soil, agriculture crops (Plant) and produce to determine the accumulation of contaminants in soil, crops & produce and the correlation with the effluent parameters, by the Joint Committee was also conducted during the site visit on 31/10/2022 and the samples were analysed in Punjab Biotechnology Incubator (PBTI) Laboratory, Mohali.

It was observed by the Joint Committee that while the COD concentration in the final Outlet of ETP, as per Online Continuous Emission Monitoring System (OCEMS) installed by the Industry at the time of Sampling was 140 mg/l; the Concentration in the sample drawn by the Joint Committee and analysed in HPPCB Laboratory was 88 mg/l, which accounts to 42% variation (in comparison to OCEMS) that too on the lower side, in the analysis results conducted in HPPCB Laboratory. Examination of previous data of OCEMS with that of analysis conducted in HPPCB Laboratory indication variation as high as 300% on the lower side (in comparison to OCEMS). Using this type of data for preparing factual report regarding compliance by the Industry and correlation with the contamination of water, soil

and crops as alleged by the applicant may lead to errors. In view of this, it was decided to conduct a comprehensive study and analysis of different stages of ETP of the Industry to verify compliance and also to correlate it with the analysis of drain water, soil, crop and produce. The Industry was revisited by the Joint Committee on 9/2/2023, for comprehensive study and sampling of different stages of the ETP. The samples collected by the Joint Committee were analysed in the CPCB head Office Laboratory.

The documents in support of the compliance of prescribed norms and conditions including ground water extraction provided by the Industry on 2/1/2023 and 6/1/2023, were also examined by the Joint Committee.

2.1. Finding of the Joint Committee:

2.1.1. Compliance of prescribed norms/standards by the industry:

Comprehensive and stage wise study of Effluent Treatment Plant (ETP) installed by the industry indicated that the ETP was not in operation during surprise inspection by the Joint Committee on dated 09.02.2023 and hence comprehensive stage wise study of the ETP could not be conducted by the Joint Committee.

State PCB has granted Consent to Operate (CTO) No. 193-C dated 29/3/2022 with validity upto 31/3/2025 (Copy attached as **Annexure-3**), **with the condition that the industry shall treat and recycle all the trade effluent i.e Zero Liquid Discharge.**

Further, it was observed by the Joint Committee that Industry is sending its untreated trade effluent to CETP Baddi for the last 04 years, in violation of the condition of Consent to Operate (CTO) from the State Pollution Control Board. The analysis of the samples collected by the Joint Committee (**Annexure-4**), from the storage tank used to supply effluent to CETP from the Industry, indicates that the industry is not complying with the inlet norms prescribed by the HPPCB/Govt. of Himachal Pradesh for COD (43808 mg/l > 1000 mg/l), BOD (22067 mg/l > 350 mg/l), TSS (303 mg/l > 250 mg/l) and TDS (20104 mg/l > 2100 mg/l (FDS)) parameters.

According to the Member representing HPPCB, "in order to restrict discharge of effluent and up gradation of the ETP, the unit was temporarily allowed to send its effluent to the CETP Baddi (meant for the Industries in the catchment of Baddi, Barotiwala and Nalagarh) in 2019 (Annexure-5), strictly after meeting the prescribed CETP inlet parameters. However, even after passing almost 04 years, the industry is

still sending its effluent to CETP without meeting the norms notified by Government of HP. Further, the ETP of the Industry is still not operational for the treatment of entire effluent as per CTO granted by HPPCB”.

It was further informed by HPPCB Member that “*though the ETP of the Industry has been found to be non-operational by the Joint Committee, the Industry has been treating a part of effluent (10-15 m³/day) and sending the remaining untreated effluent without complying with the Inlet norms of CETP for the last 04 years, in violation of conditions of CTO. The industry has given the following ETP Upgradation Schedule to HPPCB, with a deadline of July, 2023 for achieving Zero Liquid Discharge (ZLD), which is being monitored by HPPCB*” (Table-1)”.

Table 1 : The proposal of the unit regarding up-gradation of ETP for ZLD as informed by HPPCB Member

S. No.	Description(s)	Capacity	Investments (Rs)	Time line
1	Reverse Osmosis (RO) Plant	5 KL/h	13,00,000.00	May 2023
2	Activated Sludge System	120 KLD	65,00,000.00	June 2023
3	Stripper Column	80 KLD	26,55,000.00	June 2023
4	Agitated Thin Film Dryer (ATFD)	500 kg/h	91,50,000.00	June 2023
5	Multi Effect Evaporator (MEE)	80 KLD	2,68,40,000.00	July 2023

Therefore, the industry is neither meeting the norms/condition of Recycle (ZLD) prescribed in the CTO issued by HPPCB and nor meeting the inlet norms of CETP prescribed by Himachal Government/HPPCB for sending the effluent to CETP, in violation of CTO.

2.1.2. Contamination of Soil and Crops:

To determine the accumulation of contaminants in the soil over a period of time, by irrigation with contaminated water as alleged by the applicant/villagers, soil samples from agriculture fields and soil accumulated in the nearby drain (upstream and downstream of the industry), were drawn by the Joint Committee and got analysed for various indicator parameters in the Punjab Biotechnology Incubator Laboratory. The results of analysis of soil samples are summarized in Table 2.

Table 2: Analysis report w.r.t Samples of Soil taken from the agriculture field and nearby drain.

S.No.	Parameters	Results of Analysis				Target Value of Soil, mg/Kg, WHO
		Agriculture Field UpStream	Agriculture Field Downstream	Soil sample taken from the drain (Upstream)	Soil sample taken from the drain (Downstream)	
1	Zinc (as Zn), mg/Kg	69.1	100	38.9	52.5	50
2	Manganese (as Mn), mg/Kg	367	596	381	392	
3	Iron (as Fe), %	1.5	2.77	2.03	2.59	
4	Copper (as Cu), mg/Kg	14.29	26.27	10.17	12.04	36
5	Molybdenum (as Mo), mg/Kg	BDL (MDL 0.05)	BDL (MDL 0.05)	BDL (MDL 0.05)	0.63	
6	Cadmium (as Cd), mg/Kg	BDL (MDL 0.05)	BDL (MDL 0.05)	BDL (MDL 0.05)	BDL (MDL 0.05)	0.8
7	Chromium (as Cr), mg/Kg	21.06	26.32	21.07	35.02	100
8	Nickel (Ni), mg/Kg	21.8	44.9	26.3	41.6	35
9	Lead (Pb), mg/Kg	14.8	20.05	12.6	13.5	85
10	Mercury (as Hg), mg/Kg	BDL (MDL 0.1)	BDL (MDL 0.1)	BDL (MDL 0.1)	BDL (MDL 0.1)	
11	Arsenic (As), mg/Kg	2.9	6.9	4	4.7	
12	Selenium (as Se), mg/Kg	BDL (MDL 0.5)	BDL (MDL 0.5)	BDL (MDL 0.5)	0.54	

It was observed from the analysis of soil samples that the concentration of Nickel in the soil samples taken from the downstream locations is on much higher side in comparison of target values of soil specified by WHO. The concentration of nickel in the soil samples collected from these two downstream locations were found be 44.9 mg/Kg (Agriculture field) and 41.6 mg/Kg (Soil samples taken from the drain) against the target values of 35 mg/Kg. The concentration of nickel in the samples drawn from upstream locations were on much lower side in comparison to target values. Similarly, the concentration of Zinc taken from the agriculture field downstream of the industry was on much higher side (100 mg/Kg) against the target value of 50 mg/Kg as specified by WHO. In general, the concentration of all the heavy metals analysed was on higher side in the downstream locations in comparison to upstream locations, though within the target limits. The high concentration of heavy metals (Zn and Ni) in the soil

in the downstream locations despite low heavy metal concentration in the effluent samples collected by the Joint Committee, is an area of concern.

The samples of the crops grown on the same agriculture field were also collected by the Joint Committee for analysis of various parameters to study effect on agriculture crops and the **bio-magnification of contaminants in agro-products**. The crops grown at the time of visit of the Joint Committee were Ginger (*Zingiber officinale*) and Arbi (*Colocasia esculanta*). The results of analysis are summarized in **Table 3 and 4**.

Table 3: Analysis Report w.r.t Samples of Crop (Ginger) grown in the fields at the time of site visit.

S.No.	Parameters	Results of Analysis						Target Value Plant, mg/Kg, WHO
		Ginger Crop						
S.No.		Upstream agriculture field (edible part)	Upstream agriculture field (Plant)	Upstream agriculture field (Whole Plant)	Downstream agriculture field (Edible Part)	Down agriculture field (Plant)	Downstream agriculture field (Whole Plant)	
B	Plant							
	Arsenic, mg/Kg	0.01	0.01	0.02	0.02	0.01	0.03	
	Zinc (as Zn), mg/Kg	3.96	3.75	7.71	2.83	4.93	7.76	0.6
	Nickel, mg/Kg	0.1	0.11	0.21	0.35	0.23	0.58	10
	Lead, mg/Kg	0.03	0.21	0.24	0.09	0.23	0.32	2
	Copper (as Cu), mg/Kg	0.52	0.24	0.76	0.76	0.36	1.12	10
	Chromium (as Cr), mg/Kg	0.09	0.36	0.45	0.34	0.19	0.53	1.3

Table 4: Analysis Report w.r.t. Samples of Crop (Ginger) grown in the fields at the time of site visit.

Parameters	Results of Analysis						
	Arbi Crop						
	Upstream agriculture field (edible part)	Upstream agriculture field (Plant)	Upstream agriculture field (Whole Plant)	Downstream agriculture field (Edible Part)	Down agriculture field (Plant)	Downstream agriculture field (Whole Plant)	Target Value in Soil/Plant, mg/Kg, WHO
Plant							
Arsenic, mg/Kg	0.01	0.01	0.02	0.01	0.1	0.11	
Zinc (as Zn), mg/Kg	11.32	3.97	15.29	9.64	4.57	14.21	0.6
Nickel, mg/Kg	0.11	0.12	0.23	0.15	0.42	0.57	10
Lead, mg/Kg	0.04	0.05	0.09	0.02	0.15	0.17	2
Copper (as Cu), mg/Kg	1.08	0.22	1.3	2	0.8	2.8	10
Chromium (as Cr), mg/Kg	0.09	0.23	0.32	0.07	0.27	0.34	1.30

Out of various parameters tested, *Zinc was found to be in much higher concentration both in plant and the edible part, both upstream and downstream of the industry.* Though, Zn is an essential nutrient for human health, but at the same time, it can be toxic in higher concentrations leading to various health complications including reduction in immune function and levels of high density lipo-proteins besides affecting the absorption of copper and iron.

The health risks posed by the soil with heavy metal (Zn and Ni) were assessed by using different approaches viz, Transfer Factor (TF), Daily Intake of Metal (DIM)_n and Health Risk Index (HRI) w.r.t high levels of Zn, by the Joint Committee and the results are presented in **Table 5:**

Table 5: Results of Analysis w.r.t Transfer Factor, Daily Intake of metals and Health Risk Index w.r.t high levels of Nickel and Zinc observed in Soil.

S.No.	Parameters	Results of Analysis			
		Ginger Crop		Arbi Crop	
S.No.		Upstream agriculture field (edible part)	Downstream agriculture field (Edible Part)	Upstream agriculture field (edible part)	Downstream agriculture field (Edible Part)
A	Soil				
	Arsenic, mg/Kg	2.9	6.9	2.9	6.9
	Zinc (as Zn), mg/Kg	69.1	100	69.1	100
	Nickel, mg/Kg	21.8	44.9	21.8	44.9
	Lead, mg/Kg	14.8	20.05	14.8	20.05
	Copper (as Cu), mg/Kg	14.29	26.27	14.29	26.27
	Chromium (as Cr), mg/Kg	21.06	26.32	21.06	26.32
B	Plant				
	Arsenic, mg/Kg	0.01	0.02	0.01	0.01
	Zinc (as Zn), mg/Kg	3.96	2.83	11.32	9.64
	Nickel, mg/Kg	0.1	0.35	0.11	0.15
	Lead, mg/Kg	0.03	0.09	0.04	0.02
	Copper (as Cu), mg/Kg	0.52	0.76	1.08	2
C	Chromium (as Cr), mg/Kg	0.09	0.34	0.09	0.07
	Transfer Factor (TF: C _{plant} /C _{soil})				
	Arsenic	0.0034	0.0029	0.003	0.001
	Zinc (as Zn)	0.0573	0.0283	0.164	0.096
	Nickel	0.0046	0.0078	0.005	0.003
	Lead	0.0020	0.0045	0.003	0.001
	Copper (as Cu)	0.0364	0.0289	0.076	0.076
	Chromium (as Cr)	0.0043	0.0129	0.004	0.003
	DIM				
	Arsenic			0.0001	0.0001
	Zinc (as Zn)			0.0957	0.0815
	Nickel			0.0009	0.0013
	Lead			0.0003	0.0002
Copper (as Cu)			0.0091	0.0169	
Chromium (as Cr)			0.0008	0.0006	
Health Risk Index (HRI); HRI: DIM/RFD					
Zinc (as Zn)			0.32	0.27	
Nickel			0.05	0.06	

The Joint Committee determined transfer factor for only for Ginger and Arbi, which were found to be grown during the study period and it may vary for other crops and vegetable grown in the same area, depending on the seasonal variation w.r.t temp.,

humidity and absorbing capacity of a particular crop. *Therefore, it is recommended that such study may be conducted for other staple crops grown in the area by the Unit and submit the report to State Pollution Control Board, for taking timely action w.r.t public health and safety.*

Health Risk Index was also determined by the Joint Committee w.r.t Arbi crop and the parameters viz. Zn and Ni, which were found to be in higher conc. in the soil, considering the daily intake of grains as 410g/person/day and vegetables & fruits @ 450 g/person/day. A factor of 0.085 was used to convert the fresh weight of vegetable/fruits to dry weight. Average body weight was considered as 53 Kg, for determining the Health Risk Index (HRI). The Oral Reference Dose of Zn and Ni was taken as 0.30 mg/kg/day and 0.2 mg/Kg/day respectively (Ref: FAO/WHO; Codex Alimentarius Commission, 2013, EPA (IRIS, 2005)). The Health Risk Index (HRI) was found to varying between 0.05 to 0.06 for Ni and between 0.27 to 0.32 for Zn based on the samples drawn by the Joint Committee from upstream and downstream locations. *The values of HRI less than 1 (< 1) is considered safe for intake of food/vegetables. However, it is necessary to conduct similar exercise for the other staple crops in that area since the absorption of heavy metal varies for crop to crop, to avoid the values of HRI exceeding 1 (>1) over a passage of time, in the interest of public health.*

2.2.3. Illegal extraction of ground water:

The issue regarding illegal extraction of water as alleged by the applicant during the meeting was examined by the Joint Committee. The industry has installed one bore-well and obtained permission for the abstraction of ground water @ 100 m³/day vide No. JSW-Member Secy HPGWA-cum-SE-P&HI 2021-22/2060-65. *However, despite the fact the 100 m³ ground water is more than adequate for the industry to operate its facility, it was observed during the site visit that industry has taken another water connection from surface water supply meant for nearby villages for irrigation, without obtaining any permission. The details of the surface water extracted were not shared by the Industry.*

3. Conclusion and Recommendations:

1. The industry is neither meeting the norms/condition of Recycle (ZLD) prescribed in the CTO issued by HPPCB and nor meeting the inlet norms of CETP prescribed by Himachal Government/HPPCB for sending the effluent to CETP, in violation of the conditions of Consent to Operate.
2. According to HPPCB Member *“though the ETP of the Industry has been found to be non-operational by the Joint Committee, the Industry has been treating a part of effluent (10-15 m³/day) and sending the remaining untreated effluent without complying with the Inlet norms of CETP for the last 04 years, in violation of conditions of CTO”* The industry has given ETP Upgradation Schedule to HPPCB, with a deadline of July, 2023 for achieving Zero Liquid Discharge (ZLD), which is being monitored by HPPCB, which further confirm that ETP is not adequate to treat the entire effluent and recycle it i.e. ZLD. *It is recommended that the validity period of the CTO granted to the industry by HPPCB, is linked with the deadline for achieving Zero Liquid Discharge (ZLD) given by the Industry.*
3. As per record shared with the Joint Committee, the industry is paying 60-80 lacs per month to CETP Baddi for the last 04 years, for the treatment of its effluent, despite having its own ETP. This indicates that either the ETP installed by the Industry is not adequate or is not operated efficiently. *It is therefore recommended that adequacy study of the ETP is done by some reputed institute, so as to find out the shortcomings and upgrade the same.*
4. In view of the fact that i) The Industry has not obtained permission of CPCB for incineration of hazardous waste and therefore the incinerator installed by the Industry for incinerating the concentrated effluent is not in operation, ii) Industry is located at such a location without having any provision to contain contaminated storm/rain water passing through the plant, the discharge of untreated effluent is unavoidable with the storm water and may lead to contamination of nearby drain and agriculture field irrigated with the contaminated water. *It is therefore recommended that Industry is directed by HPPCB to: a) Obtain permission from CPCB for incineration of hazardous waste; b) make arrangement to contain the storm water contaminated with industrial effluent while passing through the plant and treat it*

before discharging in the nearby drain; b) to strictly follow the "Guidelines for using treated effluent for irrigation" with regard to treated storm water (contaminated with industrial effluent), prepared by CPCB under the directions of Hon'ble NGT dated 24/5/2019 in the matter of OA No. 348/2017; Shailesh Singh Vs Al-Dua Food Processing Pvt. Ltd

5. The bio-magnification study conducted by the Joint Committee on the soil and two crops growing in the area during study period indicated that:

- *The concentration of nickel and Zinc in the soil samples collected from downstream locations were found be exceeding the limits specified by WHO. The high concentration of heavy metals (Zn and Ni) in the soil in the downstream locations despite low heavy metal concentration in the effluent samples collected by the Joint Committee, is an area of concern and indicates discharge to concentrated waste, although no discharge was observed by the Joint Committee at the time of visit.*

- *The Transfer Factor and Health Risk Index (HRI) was also determined by the Joint Committee. The values of HRI less than 1 (< 1), as determined by the Joint Committee, is considered safe for intake of food/vegetables. However, it is necessary to conduct similar exercise for the other staple crops in that area since the absorption of heavy metal varies for crop to crop, to avoid the values of HRI exceeding 1 (>1) over a passage of time, in the interest of public health.*

6. *It was observed during the site visit that industry has taken water connection from surface water supply meant for nearby villages for irrigation, without obtaining any permission. It is recommended that Industry be directed to immediately disconnect this water connection till permission is obtained from the concerned authority.*

It was also directed by the Hon'ble National Green Tribunal vide order dated 29/9/2022 that:

"4. In case the Joint Committee observes any violation of consent conditions /environmental norms, then it shall forward a copy of its report to:-

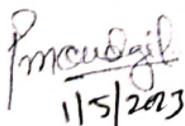
(i) The concerned Project Proponent to enable the same to comply with the recommendations in the report of the Joint Committee or file objections against the

observations/recommendations contained in the same and file its response before this Tribunal as desired, within one month from the date of receipt of a copy of the report of the Joint Committee, by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF; and

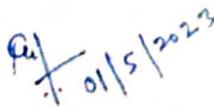
(ii) the concerned Authorities including State PCB and Deputy Commissioner, Solan to enable them to take appropriate remedial O. A. No. 619/2022 Mast Ram & Anr Vs State of Himachal Pradesh -3- action, in accordance with Statutory provisions mandating them to take remedial action for prevention, control and abatement of environmental pollution/degradation and for protection and improvement of environment, by giving notice to/hearing the concerned project proponent and following due process of law and they shall submit their action taken reports separately, within one month from the date of receipt of a copy of the report of the Joint Committee.

Since the violation of both the consent conditions and environmental norms was observed by the Joint Committee, a copy of the Report of the Joint Committee is being provided to the Project proponent through Regional Officer, Parwanoo, HPPCB. Further, the copy of the Report of the Joint Committee is also being forwarded to Deputy Commissioner, Solan and Member Secretary, HPPCB, through Regional Officer, Parwanoo, HPPCB, for taking necessary action and filing Action Taken Report Separately in compliance of the Orders of Hon'ble national Green Tribunal.

The above factual report is being submitted by the Joint Committee, for the consideration of Hon'ble National Green Tribunal. Joint Committee shall abide by further directions of Hon'ble NGT in this regard.



Er. Pradeep Moudgil
HPSPCB, Parwanoo



Dr. Narender Sharma
CPCB, Chandigarh



Gaurav Mahajan, HAS
SDM, Kasauli, Distt. Solan

Date: May 01 , 2023

Type your text

Item No.06

(Court No. 2)

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH**

(By Video Conferencing)
Original Application No. 619/2022

Mast Ram & Anr.

...Applicant

Versus

State of Himachal Pradesh

...Respondent

Date of hearing: 29.09.2022

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Application is registered based on a Letter Petition received by Post.

ORDER

1. Mr. Mast Ram resident of Village and Post Masulkhana, Tehsil Kasauli, District Solan, Himachal Pradesh has sent the letter petition by email, which has been treated and registered as Original Application. The grievance in this application is that hazardous waste effluents are being discharged into nallah and nearby agricultural land of village Masulkhana, Tehsil Kasauli, District Solan, Himachal Pradesh by M/s Morpen Laboratories Pvt.Ltd., a pharmaceutical company manufacturing medicines/drugs, which is causing serious environmental degradation, posing serious risks to the health of the villagers and their domestic animals and damaging their crops.

2. This Tribunal is empowered to ***suo moto*** take cognizance of the cases involving questions relating to environment arising out of the implementation of enactments specified in Schedule I of the National Green

basis of letter petitions in accordance with settled principles of law governing Public Interest Litigation.

3. *Prima facie*, the averments made in the application raise questions relating to environment arising out of the implementation of the enactments specified in Schedule I to the National Green Tribunal Act, 2010. In view of the averments made in the application, we consider it appropriate that a Joint Committee be constituted to verify the factual position. Accordingly, we constitute a Joint Committee comprising of **CPCB, State PCB and Deputy Commissioner, Solan** and direct the same to meet **within three weeks**, undertake visits to the sites, look into the grievances of the applicant, associate the applicant and representatives of the concerned project proponent, verify the factual position and submit its report **within one month** by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF. The State PCB will be the nodal agency for coordination and compliance.

4. In case the Joint Committee observes any violation of consent conditions/environmental norms, then it shall forward a copy of its report to:-

(i) The concerned Project Proponent to enable the same to comply with the recommendations in the report of the Joint Committee or file objections against the observations/recommendations contained in the same and file its response before this Tribunal as desired, **within one month from the date of receipt of a copy of the report of the Joint Committee**, by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of

action, in accordance with Statutory provisions mandating them to take remedial action for prevention, control and abatement of environmental pollution/degradation and for protection and improvement of environment, by giving notice to/hearing the concerned project proponent and following due process of law and they shall submit their action taken reports separately, **within one month from the date of receipt of a copy of the report of the Joint Committee**, by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

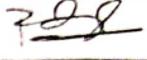
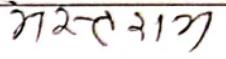
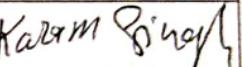
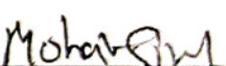
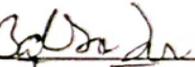
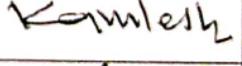
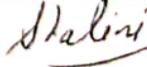
5. List for further consideration on 24.01.2023.
6. A copy of this order, along with a copy of the application and documents attached with the same, be forwarded to the **CPCB, State PCB and Deputy Commissioner, Solan** by e-mail for compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

September 29, 2022
AG

Attendance Sheet of the Committee constituted by the Hon'ble NGT passed vide order Dated 29.09.2022 in Original Application No. 619/2022 titled Mast Ram & Anrs V/s State of HP & Ors. The following were present during site visit of M/s Morepen Laboratories Limited, Village & P.O. Malulkhana, Tehsil-Kasauli, Distt. Solan on 31.10.2022.

Sr. No.	Name of the Person	Name of Deptt.	Mob. No.	Signature
1.	Sh. Gaurav Mahajan	S.D.M, Kasauli		
2.	Dr. Navendu Sharma	C.P.C.B, RD Chandigarh.		
3.	Sh. Pradeep Moudgil	AEE, HPSPCB	91-2015218	
4.	Sh. Mast Ram.	VPO Malulkhana	9805836953	
5.	Sh. Kavam Singh	—do—	9816070771	
6.	Sh. Mohan Singh	Vill-Patta Malulkhana	9816890858	
7.	Sh. Balvant Singh	—do—	8988119026	
8.	Sh. Shiv Kumar	VPO Malulkhana	7807285153	
9.	Sh. Vinendu Kumar	Vill-Patta Malulkhana	7018905500	
10.	Dr. Vikas Thakur	Morepen Lab Ltd.	7807806700	
11.	Kamlesh K.	Morepen Lab Ltd.	9816678912	
12.	Shalini	Morepen Labs Ltd.	7018218422	
13.				
14.				
15.				

ध्यान की कर्म सिंह पुत्र श्री अस्तवाम, गाँव,
मसूखणा, तहसील कासौली, जिला सोलन हि.प्र.

ध्यान किया कि आज शेष 31.10.2022 को
Pollution Control Board की टीम ने हमारे द्वारा
उठाये गए विवादास्पद स्थलों का हमारे साथ
ऑनचल विरीक्षा किया तथा गौंके पर खेतों के
साथ लगते नालों, खेतों की किट्टी व गौंके पर
लगी फसल, अरबी, अदरक के सैम्पल लिए।
और भी जो पानी के स्रोत हैं उनके उक्त
मैरपेन के कारणों को पानी जाता है तथा उक्त
कारणों द्वारा पानी को गौंके पर दिरवाया गया
और उक्त दल ने उन स्थलों के सैम्पल हमारे
समक्ष लिए गए। आज के दिन उक्त दल ने जो
गौंके पर कसौली की है वो हमारे लिए सन्तोषजनक
है।

R.O. Hand A.C
Karam Singh

31-10-2022

(कर्म सिंह)
Karam Singh

Attested

(Signature)

31/10/22

Sub-Divisional Officer (Civil)
Kasauli, Distt. Solan (H.P.)

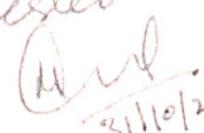
ध्यान श्री अस्त राघ पुत्र श्री ज्यूनू राघ, गाँव
 मसूखरखाना, तहसील कसौली, जिला सोलन (हि.प्र.)
 ध्यान लिया कि आज रात 31-10-2022 को
 PWD के Contract Board की टीम ने हमारे द्वारा
 उठाये गए विगदास्पद स्थलों का हमारे साथ
 औचक निरीक्षण किया तथा मौके पर खेतों के
 साथ लगते नालों, खेतों की मिट्टी व मौके पर
 लगी फसल, अरबी व अदरक के सैंपल लिए,
 और जो पानी के स्रोत हैं वैसे उक्त
 मौरपेन के कारखाने को पानी जाता है तथा
 उक्त कारखाने द्वारा पानी के मौके पर दिखाया
 गया और उक्त दल ने उन स्रोतों के
 सैंपल हमारे समक्ष लिए गए। आज के दिन
 उक्त दल ने जो मौके पर कारवाई की है वो
 हमारे लिए सन्तोषजनक है।

RO&AC

मर-राम
 (Mast Ram)

मर-राम

31/10/2022

Attested

 31/10/22

Sub-Divisional Officer (Civil)
 Kasauli, Distt. Solan (H.P.)

Interim Compliance Report

On the directions of the worthy Deputy Commissioner, Siran
vide letter No. NCD/18 (LFA) O.A. No. 619/2023-525 dated
27-10-2023. S.D.O. (Civil) Kasauli, along with Addl.
Director, CPCB, Regional Directorate, Chandigarh and AEE,
HRSPCB, R.O. Patwari visited the spot of the moropen lab.
unit at Masulkhona, that had been indicated to be inspected
as per the complaint filed by Sh. Mast Ram in the Harbale
NAT, New Belhi. All the parties concerned were duly informed
in advance.

The spots of contention as indicated by the complainant
have been visited and the samples of water, soil & crops
have been extracted from the spot. The samples collected
are being arranged to be sent to the authorized lab for testing
the potency of water, soil & crops and also effluents or any
other pollutants have also been indicated to be investigated
by the Authorized Lab.

The committee after visiting the spots have satisfied
the complainant with the visit of team and team working
as per norms and established SOPs have been collected and
would be sent to the lab. The final report in the matter
could be only be arrived after the reports of the given
samples are received from the designated lab.

Pradeep (M-dyl)

13/11/23

Sub-Divisional Officer (Civil)
Kasauli, Distt. Solan (H.P.)



H.P.STATE POLLUTION CONTROL BOARD

HIM PARIVESH, PHASE-III, NEW SHIMLA-171009.

Website:- <http://hppcb.nic.in>

HPSPCB No : 193-C

Date: 29/03/2022

Industry Registration ID: 10026

Application No : 4535120

To,

M/s. Morepen Laboratories Limited
Masulkhana, Kasauli Road Parwanoo District Solan, H.P.Masoolkhana
Parwanoo
Solan Parwanoo
173220

Subject: Renewal of 'Consent to Operate' u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of Air (Prevention & Control of Pollution) Act, 1981.

With reference to your application for obtaining Renewal of 'Consent to Operate' u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of Air (Prevention & Control of Pollution) Act, 1981, you are hereby authorized to operate an industrial unit subject to the Terms and Conditions as mentioned in this Consent letter.

1.Particulars of Consent to Operate under Water Act, 1974 and Air Act, 1981 granted to the industry

Consent No.	CTO/BOTH/RENEW/RO/2022/4535120
Consent valid from:	01/04/2020
Consent valid upto:	31/03/2025
Certificate Type :	RENEW
Previous CTO No. & Validity :	

2. Particulars of the Industry

Name & Designation of the Applicant	Morepen Laboratories Ltd , (Authorized Signatory)
Address of Industrial premises	M/s. Morepen Laboratories Limited, Masulkhana, Kasauli Road Parwanoo District Solan, H.P.Masoolkhana, Parwanoo,Solan Parwanoo-173220
Category of Industry	Red
Type of Industry	Basic drugs and Pharmaceuticals
Scale of the Industry	Micro
Office District	Solan Parwanoo
Capacity	
Raw Materials (Name with quantity per day)	

Raw Materials	Quantity	Unit
LNS	19.5	M.T./Month
HF	23.4	M.T./Month
BF3 Gas	11.7	M.T./Month
KOH	85.5	M.T./Month
NaCl	9.75	M.T./Month
Water	380.25	M.T./Month
Toluene	2.55	M.T./Month
Ethyl Chloro formate	12.15	M.T./Month
N.N. Diisopropyl Ethyl Amine	1.8	M.T./Month
HCl	0.6	M.T./Month
Isopropyl Ether	3.3	M.T./Month
Carbon	1.35	M.T./Month
Hyflo	1.5	M.T./Month
Ethyl Acetate	0.6	M.T./Month
Acetonitrile	0.9	M.T./Month
MT8	10.82	M.T./Month
Acetonitrile	67.23	M.T./Month
Di Isopropyl Ethyl Amine	4.56	M.T./Month
Methyl Sulfonyl Chloride	2.86	M.T./Month
Methanol	88.34	M.T./Month
DMF	15.48	M.T./Month
THF	28.90	M.T./Month
Liquid Nitrogen	216.53	M.T./Month
Caustic	1.73	M.T./Month
MN-7/ MTS-5	4.98	M.T./Month
Ethyl Acetate	64.95	M.T./Month
Sodium Sulphate	2.13	M.T./Month
Sodium Chloride	12.59	M.T./Month
Tartaric Acid	4.33	M.T./Month
Caustic prill	1.73	M.T./Month
Dicyclo Hexyl Amine	6.171	M.T./Month
Toluene	69.98	M.T./Month

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Hexane	25.11	M.T./Month
Acetic Acid	2.24	M.T./Month
Caustic LR grade	0.44	M.T./Month
Carbon	0.459	M.T./Month
Hyflo	0.306	M.T./Month
MTS-4	5.24	M.T./Month
MDC	8.387	M.T./Month
Sodium Bi Carbonate	2.09	M.T./Month
Water	432	M.T./Month
Sulphuric Acid	0.26	M.T./Month
L10	2.78	M.T./Month
Caustic	3.07	M.T./Month
Ethyl Acetate	6.96	M.T./Month
Methanol	25.06	M.T./Month
Carbon	0.064	M.T./Month
Hyflo	0.278	M.T./Month
Water	74	M.T./Month
Sodium Chloride	0.167	M.T./Month

Products (Name with quantity per day)

Name of Products	Unit	Quantity	Intermediate Product	Principal Use
Loratadine	M.T./Year	180	Nil	For Medication
Montelukast Sodium	M.T./Year	72	Nil	For Medication
Desloratadine	M.T./Year	24	Nil	For Medication

Details of the Effluent Treatment Plant

Type of Effluent	Capacity(KLD)	Quantity(KLD)
STP	20 KLD	10
ETP	72 KLD	61.5

Mode of Disposal

Description	Quantity(in KLD)	Method of Treatment	Method of Disposal
Boiler Cooling	5.7	ETP	Recycle
Domestic	10	STP	Irrigation/Gardening
Industrial Process	55.8	ETP	Recycle

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Quantity of fuel required (in TPD) and capacity of boilers/ Furnace/Thermo heater etc.

Type	No. of Boiler/Heater/ Evaporator/Incinerator/DG Set/Other	Capacity	Type of Boiler/Heaters /Evaporators/Incinerator/DG Sets/Others	Type of Fuel	Fuel consumption rate in MT/hour or KL/hour or M3 /hour
DG Sets	2	500 KVA & 250 KVA	DG set	Diesel	65 Ltrs/ hr & 30 Ltrs /hr
Boilers	2	2.5 and 1.5 Ton/hr	Heaters	Furnace oil	60 Ltrs /hr
Incinerator	1	0.6 Ton/ hr	Heaters	Wastes from manufacturing process	80 Ltrs /hr

Type of Air Pollution Control Devices Installed

Equipment Type	Equipment Name	Date/proposed date of installation	Efficiency(%reduction)	Final concentration of pollution being emitted
Wet Scrubber	Boilers	Fri Jan 19 00:01:00 IST 2018	98%	PM, SO ₂ , NO ₂ & Carbon Monoxide
Wet Scrubber	Incinerator	Sat Jan 15 00:01:00 IST 2000	98.5%	PM, SO ₂ , NO ₂ & carbon Monoxide

Sources of emissions and type of pollutants

Name and location of the process vessel to which the stack/ vent is attached	Rate of emission in Kg./hr	Concentration of pollution like SO ₂ , NO _x , H ₂ S, Cl, HCl etc. in mg/NM ³	Height of Vent/outlet/stack from ground level in meters
R-201 A-II & R-217 are attached with process scrubber at unit-II	HF-3.96 Kg/hr	Hydrogen Fluoride	6.1 Meters
RE-04 B-I is attached with process scrubber at unit-I	HCl -2.45 Kgs /hr	HCl	16 Meters

APOORV
DEVGAN

Digitally signed
by APOORV
DEVGAN
Date: 2022.03.31
10:24:07 +05'30'

Apoorv Devgan, IAS
Member Secretary
For & on behalf of
(H. P. State Pollution Control Board)

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M/s. Morepen Laboratories Limited, Masulkhana, Kasauli Road Parwanoo District Solan, H.P. Masoolkhana, Parwanoo, Solan Parwanoo, 173220

Page 4

Endst. No.:

Copy To:-

1. The Regional Officer, HPSPCB, Parwanoo for kind information and shall ensure the operation of the unit with adequate Pollution control devices.

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DEVGAN

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by APOORV
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Date: 2022.03.31
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Apoorv Devgan, IAS
Member Secretary
For & on behalf of
(H. P. State Pollution Control Board)

82 TERMS AND CONDITIONS

A. SPECIFIC CONDITIONS

1. This 'Renewal of Consent to Operate' is only for the purpose and under the provision of Water Act, 1974 and Air Act, 1981 as the case may be, and will not construed as substitute for mandatory clearances required for the project under any other law/regulation/direction/order and the applicant shall obtain any such mandatory clearance before taking any steps to establish industry/ industrial plant, operation or process or any treatment and disposal system or an extension or addition thereto.
2. Nothing in this Consent shall be deemed to neither preclude the institution of any legal action nor relieve the applicant from any responsibilities, liabilities or penalties to which the applicant is or may be subjected to under this or any other Act.
3. The unit shall apply for further renewal/extension in the validity of the Consent, before the expiry of this 'Renewal of Consent to Operate'.
4.
 - i) The unit shall ensure compliance of Waste Management Rules i.e. Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016/ Plastic Waste Management Rules, 2016/ E-Waste (Management) Rules, 2016/Construction & Demolition Waste Management Rules, 2016 and Manufacture, Storage & Import of Hazardous Chemical Rules, 1989 and provisions made thereunder, as amended from time to time, without any adverse effect on the environment, in any manner (As Applicable).
 - ii) The unit shall made provisions for the compliance Solid Waste Management Rules, 2016 and provisions made thereunder and unit shall also not practice burning activity of solid waste/waste generated from fuel within/outside premises, to avoid public nuisance.
5. This 'Renewal of Consent to Operate' is for:-
 - i) The emissions from all sources conforming to the norms as prescribed in Schedule-I of Environment (Protection) Rules, 1986 as amended from time to time.
 - ii) Noise and Ambient Air Quality shall be maintained within Ambient Air Quality Standards for noise as specified in Schedule-III of Environment (Protection) Rules, 1986 and Noise Pollution (Regulation and Control) Rules, 2000, as amended from time to time.
 - iii) The effluent (Domestic/Industrial) shall conform to the limits as prescribed in Schedule-I or Schedule-VI or Industry specific standards of Environment (Protection) Rules, 1986 as amended from time to time.
 - iv) Sewage and sullage generated from the unit to be disposed-off in a properly designed septic tank system/Sewage Treatment Plant/ Public Sewer System (as applicable).
6. The unit shall ensure regular operation and maintenance of Pollution Control Devices to achieve the norms as prescribed in Environment (Protection) Act, 1986 and the achievement of the adequacy and efficiency of the effluent treatment plant/pollution control devices/re- circulation system installed shall be the entire responsibility of the unit.
7. The unit shall ensure regular operation and maintenance of separate energy meter/flow meter for running pollution control devices and shall also maintain record with respect to operation of air pollution control device/effluent treatment plant, so as to the satisfy the Board regarding the regular operation of air pollution control device/effluent treatment plant and shall maintain log book for the monthly reading / record.
8. **CONDITIONS UNDER WATER (PREVENTION & CONTROL OF POLLUTION) ACT, 1974.**
 - a) The unit shall maintain the record regarding the daily water consumption as per flow meter installed.
 - b) The unit shall ensure that terminal manhole(s) at the end of each collection system and a manhole upstream of final outlet (s) out of the premises of the industry for measurement of flow and for taking samples.

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- c) The pollution control devices shall be interlocked with the manufacturing process of the industry (if applicable) and the authorized outlet and mode of disposal shall not be changed without the prior written permission of the Board. Unit shall not use any unauthorized outlet(s) for discharging effluents from its premises.
- d) Solids, sludge, filter backwash or other pollutant removed from or resulting from treatment or control of waste waters shall be disposed-off in scientific manner.

9. **CONDITIONS UNDER AIR (PREVENTION & CONTROL OF POLLUTION) ACT, 1981.**

- a) The unit shall ensure port-holes, platforms and/or other necessary facilities as may be required for collecting samples of emissions from any chimney, flue or duct or any other outlets as per the specifications.
- b) The unit shall discharge air emissions through a stack of minimum height as specified in 'Consent to Establish' and shall follow standards laid down from time to time.
- c) For industrial furnaces and kilns, the criteria for selection of stack height would be based on fuel used for the corresponding steam generation & as per specification.
- d) Unit shall ensure Stack height for diesel generating sets as per specification.
- e) The unit shall ensure regular operation and maintenance of installed canopy and stack of the D.G sets so as to control the noise & air pollution in order to comply with the provision of notification No GSR-371 E dated 17-5-2002 or direction as issued by MOEF from time to time, under Environment (Protection) Act, 1986.
- f) The unit shall ensure disposal of boiler ash/fuel ash through authorized person or within premises in a scientific manner (as the case may be) and shall maintain proper record for the same, if applicable.
- g) The unit shall ensure regular operation and maintenance of air pollution control arrangements for control emission from its coal/fuel handling area and from handling, transportation and processing of raw material & product of the industry.
10. The unit shall ensure valid and approved on-site and off-site emergency plan, approved by the Chief Inspector of Factories, Himachal Pradesh (If applicable).
11. The unit shall ensure regular operation and maintenance of real time online monitoring equipment's and provisions for the un-interrupted transfer of data as per guidelines of CPCB (if applicable).
12. The unit shall provide adequate arrangements for fighting the accidental leakages/ discharge of any air pollutant/gas/liquids from the vessels, mechanical equipment's etc. which are likely to cause environmental pollution.
13. The unit shall plant & maintain minimum three layer of trees so far possible as per plantation guide (may be download from the website <http://hppcb.nic.in/plantationguide.pdf>) all along the boundary of the industrial premises and check air/water/noise pollution at source.
14. Any guidelines issued by the Central Government/State Government/MoEF/CPCB/SPCB/any other authority concerned, shall be binding.
15. This 'Renewal of Consent to Operate' is subject to orders on any litigation pending in any Court of Law. Any direction/order issued by any court shall be binding (if any).
16. The Board reserves the right to revoke the 'Renewal of Consent to Operate' granted to the industry at any time, in case the industry is found violating the provisions of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 as amended from time to time.
17. The unit shall comply with any other conditions laid down or directions issued in due course by the Board under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

B. OTHER CONDITIONS

1. The unit shall comply with the conditions imposed by the MoEF/State Level Environment Impact Assessment Authority/ District Level Environment Impact Assessment Authority in the environmental clearance granted to it as required under EIA notification dated 14-9-06, if applicable.

2. The issuance of this consent does not convey any property right in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Central, State or Local Laws or Regulations.
3. Stone Crusher units shall comply with the provisions of guidelines notified by the State Government vide Notification No. STE-E(3)-11/2012, dated 29-05-2014 (If Applicable).
4. Brick Kiln units shall comply with the provisions of guidelines notified by the MoEF vide Notification No. G.S.R.233.(E), dated-15-03-2018 and by the State Government vide Notification No. STE-E(5)-6/2013, dated-07-03-2014 (If Applicable).
5. Hydroelectric Projects shall install Online Real Time Monitoring System for the measurement of 15% of minimum discharge in lean season as per orders of Court/Government. The unit shall also ensure provisions for the regular and uninterrupted transfer of data from the real time online monitoring system for 15% of minimum discharge of flow to SPCB, failing which unit shall be liable for action on account of violation of the directions issued by Court/Government/SPCB in this regard (If Applicable).
6. Unit shall strictly adhere to the capacity approved by the Industries Department/ Department of Tourism & Civil Aviation/any other concerned Authority (As Applicable).
7. The unit shall not cause any nuisance/traffic hazard in vicinity of the area.
8. The unit shall ensure that there will not be significant visible dust emissions beyond the property line.
9. The unit shall obtain and submit Insurance cover as required under the Public Liability Insurance Act, 1991.
10. Unit shall submit all the annual/quarterly returns, as per timeline.
11. The industry shall submit a yearly certificate to the effect that no addition/up-gradation/modification/ modernization has been carried out during the previous year otherwise the industry shall apply for the varied consent.
12. The unit shall maintain record regarding the operation of effluent treatment plant i.e. record of quantity of chemicals and energy utilized for treatment and sludge generated from treatment so as to satisfy the Board regarding regular and proper operation of pollution control equipment.
13. Any amendments/revisions made by the Board/CPCB/MOEF in the emission/stack height standards shall be applicable to the industry from the date of such amendments/revisions.

Digitally signed
by APOORV
DEVGAN
Date: 2022.03.31
10:24:31 +05'30'

Apoorv Devgan, IAS
Member Secretary
For & on behalf of
(H. P. State Pollution Control Board)



Central Pollution Control Board केंद्रीय प्रदूषण नियंत्रण बोर्ड
Parivesh Bhawan, East Arjun Nagar, Delhi-110 032
परिवेश भवन, ईस्ट अर्जुन नगर, दिल्ली-110 032
Water Laboratory (Wastewater Section) जल प्रयोगशाला (अपशिष्ट जल अनुभाग)
Analysis Report विश्लेषण आख्या
NABL Accreditation: ISO/IEC 17025:2017, Certificate No: TC-7723



Report No: आख्या सं: WWL/FEB/237/23
Issue Date जारी करने की तिथि: 16/03/2023

Source of sample: Drain/STP/ETP/Other स्रोत : ड्रेन/एस टी पी/ई टी पी/अन्य : E.T.P.
Samples collected by नमूने एकत्रित करने वाले का नाम : Dr. Narender Sharma & Team.
Date & time of sample Collection नमूने एकत्रीकरण की तिथि एवं समय : 09/02/23
Date & time of sample receipt नमूने प्राप्ति की तिथि एवं समय : 10/02/2023.
Period of sample analysis नमूने के विश्लेषण की अवधि : 10th Feb to 13th Mar 23.
Sample registration no. & date नमूने की पंजीकरण सं. एवं तिथि : 237/Water/WW-04/23.
Test method reference परीक्षण विधि का संदर्भ : APHA/BIS. एपीएच/बीआईएस
Report sent to (Name & Division) आख्या जारी की गयी (नाम एवं प्रभाग) : R.D Chandigarh

S. No	Sample Code	Sample No.	pH	COD	BOD	TSS	TDS	NH ₃ -N	Oil & Grease
1.	A S-1	2596	9.0	43808	22067	303	20104	-	-
2.	A S-3	2597	-	-	-	-	-	02	-
3.	A S-5	2598	-	-	-	-	-	-	BDL<05

Note: All the concentrations are expressed in mg/l except pH. नोट : पीएच के अतिरिक्त सभी सांद्रता मिग्रा/ली. में व्यक्त की गई हैं।

Statement: कथन:

- The results relate only to the samples tested. परिणाम केवल जांचे गए नमूनों से संबंधित है।
- The report shall not be reproduced except in full without approval of the laboratory. पूर्ण रिपोर्ट के अतिरिक्त प्रयोगशाला के अनुमोदन के बिना आख्या की प्रतिकृति नहीं की जायेगी।
- BDL & Test methods are mentioned on back side of this report. बी डी एल एवं परीक्षण विधि आख्या के अंत में दिए गए हैं।
- Samples will be retained only for one week after receipt of Report. संबंधित आख्या जारी होने के बाद नमूने केवल एक सप्ताह तक ही सुरक्षित रखे जाएंगे।

(Vinod Kumar)
Analyst & Authorized Signatory

(B. Sasi Devi)
Supervisor, Reviewer & Authorized Signatory

(Dr. K. Ranganathan)
D.H. Water Lab

17/3/23

DOC: CE/CL/QR/7.8/WWL-03	Issue No: 01	Amendment No: 04	Issue Date: 17.09.2015	Amendment date: 19.03.2021	Page: 01 of 01
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86
H.P. STATE POLLUTION CONTROL BOARD
SCF-6, 7 & 8, Sector IV, Parwanoo, Distt. Solan, H.P.
www.hpspcb.nic.in Ph/Fax 01792-234081

Annexure-5

Type

No. PCB/RO (PRW) Morepen Lab Ltd /2018-19-287 Dated: 29.05.19

From Environmental Engineer,

To

M/s Bharuch Enviro Infrastructure Ltd ,
BCTI Complex ,Jharmajri Baddi ,
Distt Solan (HP) ,

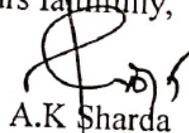
Sub: Regarding Effluent treatment of M/s Morepen Laboratories Ltd,
village Masulkhana unit in Common ETP at Baddi ,Distt Solan (HP)

Sir,

Please refer to letter received from M/s Morepen Laboratories Ltd, Village Masulkhana ,Parwanoo, Distt Solan regarding extensive repair and maintenance of their ETP Plant addressed to the undersigned (copy enclosed) and has requested to send the effluents to CETP through tankers. In this regard you are requested to take necessary action after ensuring compliance to the inlet norms prescribed by the HP Pollution Control Board .

Encl: As Above

Yours faithfully,


A.K Sharda

Environmental Engineer
PCB Parwanoo



H.P. STATE POLLUTION CONTROL BOARD

SCF-6, 7 & 8, Sector IV, Parwanoo, Distt. Solan, H.P

www.hpspcb.nic.in Ph/fax 01792-234081

No. PCB/RO/PWN/ NGT (OA 619) / 2023 -

157-159

Dated: 02.05-2023

To

M/s Morepen Laboratories Ltd.
Village- Masulkhana, P.O. Parwanoo,
Tehsil-Kasauli, Distt. Solan.

Sub: Report of the Joint Committee in the Matter of OA No. 619 of 2022; Mast Ram & Anr. Vs. State of HP & Ors.

Kindly refer to the subject cited as above, and in compliance to the Hon'ble National Green Tribunal vide order dated 29/09/2022 in in the Matter of OA No. 619 of 2022; Mast Ram & Anr. Vs. State of HP & Ors. vide which a Joint Committee comprising of CPCB, State PCB and Deputy Commissioner Solan was constituted and directed the same to meet within three weeks, undertake visits to the sites, look into the grievances of the applicant, associate the applicant and representatives of your unit, verify the factual position.

The meeting of the Joint Committee and site visit was conducted on 31.10.2022 along with the applicant and representative your unit. The committee re- inspected the unit on 19.02.2023. The committee has observed shortcomings/ violation. In compliance to the directions of Hon'ble NGT copy of joint inspection report is attached.

You are hereby directed to submit reply / compliance report within stipulated time period. Failing which the action under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 and Environment (Protection) Act, 1986 or as per the directions / orders passed by the Hon'ble NGT in the above said matter will be initiated at your own risk & cost.

Encl: As above

[Signature]
Regional Officer
HPSPCB, Parwanoo.

No. PCB/RO/PWN/ NGT (OA 619) / 2023 -

Dated:

Copy forwarded to the following for kind information & further n/a please:

1. The Member Secretary, HP State Pollution Control Board, Shimla.
2. The Deputy Commissioner, Solan, Distt. Solan.

[Signature]
Regional Officer
HPSPCB, Parwanoo.