

Comments and Action Taken Report in Execution Number 14/2019 in the Original Application Number 219/2019 Adil Ansari vs. State of U.P. and Ors.

- A- That M/s Genus Paper and Board Agwanpur, Mordabad is engaged in the production of Media Craft Paper using Waste Paper as major raw material. The production capacity of the unit is 450 Ton/day of Media Craft Paper.
- B- That the said unit has installed Effluent Treatment Plant of capacity 2400 KLD for the treatment of industrial process effluent. The effluent treatment plant comprises of equalization tank, primary clarifier, aeration tank, secondary clarifier, sludge drying beds, carbon sand filter.
- C- That the treated effluent is reused in process and no effluent is discharged outside the premises.
- D- That unit has earlier submitted Technical Report on Feasibility of Zero Liquid Discharge (ZLD) carried out by Central Pulp & Paper Research Institute, Saharanpur, U.P. in the said report it has been verified that almost all process operations are completed with back water and fresh water is used as makeup water only. The excess back water is treated to remove the suspended matter to make it suitable for re-use in to process.
- E- That the unit was inspected by Joint Committee, constituted by Hon'ble NGT, on 11-04-2019. During the inspection the fresh water consumption was found to be 3.26 cubic meter per ton which is less than the permissible limit of 15 cubic meter per ton as per charter made by Central Pollution Control Board for paper units. Further there was no discharge found during the joint inspections dated 11-04-2019.
- F- That U.P. Pollution Control Board vide letter dated 28-01-2020 has issued Consent to Operate under the provisions of Section 25/26 of Water (Prevention and Control of Pollution) Act, 1974 as amended valid till 31-12-2024. The Consent to Operate issued by UPPCB stipulates the condition that industrial effluent shall be treated and reuse in process/irrigation and unit shall achieve Zero Liquid Discharge into any drain, stream, surface water body.
- G- That Central Ground Water Authority earlier issued NOC dated 02-06-2017 valid till 24-05-2019. In consideration thereof U.P. Pollution Control Board vide its letter dated 09-11-2019 imposed Environmental Compensation of Rs. 96,28,000/- (Ninety Six Lakh Twenty Eight Thousand only) based upon CPCB guidelines for Environmental Compensation in case of illegal extraction of Ground Water. Hon'ble National Green Tribunal vide its order dated 05-12-2019 in Appeal No.

105/2019 Genus Paper & Board Limited vs. Uttar Pradesh Pollution Control Board passed following order :

“In view of the above, without expressing any opinion on merits, we direct that the impugned order on these issues be treated as a notice to the appellant and the appellant may file its reply within two weeks before the State PCB so that State PCB can pass further order in accordance with law.”

H- Central Ground Water Authority vide its letter no CGWA/NOC/IND/REN/1/2019/5597 dated 26-12-2019 renewed the permission for ground water extraction for M/s Genus Paper and Board Limited.

That the renewal of the permission for the ground water is valid from 25-05-2019 to 23-05-2022. The NOC issued by CGWA permits Ground Water Abstraction of 1450 cubic meter/day. Also in the renewal it is mention that total existing number of ground water abstraction/Dewatering Structure in the unit is one.

I- That considering the fact that CGWA has renewed the permission for ground water abstraction vide its letter dated 26-12-2019 with retrospective effect from the date of expiry of the last NOC that is 25-05-2019, and also the fact that there is only one ground water abstraction source in the unit as mentioned in the NOC of CGWA, the compensation earlier imposed by UPPCB for illegal withdrawal of Ground Water was waved off vide letter dated 21-01-2020.

CONCULSION

- 1- That Uttar Pradesh Pollution Control Board has earlier imposed Environmental Compensation due to illegal withdrawal of Ground Water without valid NOC from CGWA.
- 2- The representation made by the unit was duly considered along with the valid NOC issued by CGWA for Ground Water abstraction with retrospective effect.
- 3- Based upon the continuance of validity of NOC from CGWA, the Environmental Compensation component related to illegal ground water abstraction was waved off and duly communicated to the unit vide letter dated 21-01-2020.