



F.No. S29011/2012-13/NMCG/Textile/Pilkhuwa

Date: 19th March, 2021

1. **Chief Secretary,**
Govt. of Uttar Pradesh
Secretariat, Lucknow, Uttar-Pradesh
2. **Vice Chairperson**
Hapur-Pilkhuwa Development Authority
Preet Vihar, Delhi Road, Hapur (UP)-245101
3. **Member Secretary,**
Uttar Pradesh Pollution Control Board
Building.No. TC-12V, Vibhuti Khand, Gomti Nagar
Lucknow (UP) - 226010

SUB: DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986 REGARDING NON-COMPLIANT 2.1 MLD CETP IN TEXTILE CENTRE PILKHUWA, UTTAR PRADESH –reg.

WHEREAS, National Mission for Clean Ganga (NMCG) has been constituted as an authority vide Government of India Notification No. S.O. 3187(E) dated 7th October, 2016 (notification) under the provisions of the Environment (Protection) Act, 1986 to exercise powers and discharge functions conferred under the said notification for abatement of pollution and rejuvenation, protection and management of the River Ganga and its tributaries; and

WHEREAS, para 39 of the Notification provides function of the NMCG and amongst others, clause (c) of the said para provides that NMCG shall identify or cause to be identified the specific threats to the River Ganga and its tributaries in areas abutting River Ganga and its tributaries, including the remedial actions to be taken for rejuvenation and protection of River Ganga and its tributaries; and

WHEREAS, para 41(2) & (3) of the Notification empowers NMCG to direct any person, authority, Board or Corporation to take such measures which may be necessary for prevention, control and abatement of pollution, rejuvenation, protection and management of the River Ganga and its tributaries; and

WHEREAS, the Central Government has notified the standards for discharge of environmental pollutants from various categories of industries, Common Effluent Treatment Plants (CETP) and Sewage Treatment Plants (STP) under the Environment (Protection) Act, 1986 and the rules framed there under; and

WHEREAS, amongst others, under Section 17 of the Water (Prevention and Control of Pollution) Act, 1974, one of the functions of the State Pollution Control Boards (SPCBs) and Pollution Control Committees (PCCs), constituted under the Water (Prevention & Control of Pollution) Act, 1974 is to plan a comprehensive programme for prevention, control or abatement of pollution of streams and wells in the State and to secure the execution thereof; and

WHEREAS, Hon'ble Supreme Court vide order Dt. 22.02.2017 in the writ petition (c) No. 375 of 2012 has observed that continuation of industrial activity in an area should be allowed only when there is in place functional 'primary effluent treatment plants' and/or 'common effluent treatment plants'. The Secretary of the Department of Environment, of the State Government concerned (and the Union Territory concerned), shall be answerable in case of default; and

WHEREAS, Hon'ble National Green Tribunal (NGT) vide order Dt. 21.09.2020 in the matter of O. A. No. 593/2017 directed that the States/ UTs must ensure that the CETP/ETPs meet the laid down norms and remedial action be taken wherever norms are not met. It must be ensured that no untreated sewage/effluent is discharged into any water body. Further, prompt remedial action must be taken by the State PCBs/PCCs against non-compliant CETPs/ETPs by closing down or restricting the effluents generating activity, recovering compensation and taking other coercive measures following due process of law; and

WHEREAS, Environmental compensation is to be levied and recovered for non-compliant CETPs/effluent discharge into drains and rivers/illegal abstraction of ground water in terms of compensation regime as fixed by the Hon'ble NGT; and

WHEREAS, Pilkhuwa Textile Centre, Pilkhuwa Dehat, Pilkhuwa, Hapur, Uttar Pradesh with total no. of 179 allotted industrial plots is located in the Semi-critical zone as per categorization made by the CGWA; and

WHEREAS, CETP located in Pilkhuwa Textile Centre (CETP, Pilkhuwa) having installed treatment capacity of 2.1 MLD is being operated and maintained by Hapur, Pilkhuwa Development Authority (HPDA) and serves industrial units in Pilkhuwa Textile cluster; and

WHEREAS, out of total no. of 179 allotments in Pilkhuwa Textile Cluster, only 23 units are member of CETP and out of these 23 units only 06 units are presently operational and rest are non-operational; and

WHEREAS, all the member units have their individual operational Primary Effluent Treatment Plant (PETP) for primary treatment of effluent to meet the prescribed effluent discharge standards. Primary treated effluent of all member units are discharged to the CETP for final treatment & disposal of treated effluent as per the stipulated effluent discharge norms; and

WHEREAS, during a joint inspection of NMCG and UPPCB dated 16.12.2020 of 2.1 MLD CETP, Pilkhuwa, it has been observed as following:-

1. The 2.1 MLD CETP was found operational during the visit.
2. The CETP comprises of inlet, oil removal, equalization tank, physiochemical treatment, and biological treatment with secondary clarifier, Sludge pit, Filter press and sludge disposal area.
3. No data/information was available with HPDA with respect to amount of industrial effluents being received by CETP, Pilkhuwa for treatment.
4. CETP, Pilkhuwa is not having valid NOC from CGWA for abstraction of ground water. The unit uses ground water resources for supply of fresh water.
5. CETP, Pilkhuwa is not having valid Authorization under Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 for management and proper disposal of hazardous and other wastes.
6. The CETP data/records was not available as no information was provided by Hapur Pilkhuwa Development Authority (HPDA) and its sub-contractor which is looking after

O&M of the unit.

7. Flowmeter installed before physio-chemical treatment. However, no flowmeter installed at inlet of CETP, Pilkhuwa.
8. ***CETP, Pilkhuwa has not installed OCEMS, which is mandatory as per direction of CPCB/UPPCB.***
9. Analysis of samples taken from CETP inlet, amongst others shows TSS as **2158 mg/L** against the norms of 350 mg/L, which shows that CETP is non-complying against the norms prescribed by UPPCB for CETP Inlet Effluent Quality. This indicates that PETP installed by the member units are not functioning adequately to achieve desired CETP treated effluent quality norms.
10. Analysis of samples taken from CETP outlet, amongst others shows TSS as **170 mg/L** against the norms of 100 mg/L which shows that CETP is non-complying against the norms prescribed by UPPCB for CETP Outlet Effluent Quality.
11. No fresh sludge (generated within last one week) was found in CETP, Pilkhuwa during the visit.
12. Filter press was found corroded and these indicates that unit was not running adequately.
13. There is no tertiary treatment unit for further reduction and polishing the industrial effluent.
14. CETP, Pilkhuwa lacks proper provision for collection of filtrate water and it is collected in an earthen pit that is without any impermeable lining. This has developed into a potential source of ground water contamination due to seepage of leachate into ground water.
15. A water collection tank with arrangement for discharge into nearby drain was observed inside the CETP premises. The water samples from this tank could not be analyzed. However, based on the visible appearance/characteristics collected water looked like raw influent.

AND WHEREAS, it has been reported that approx. 1.4 MLD of treated effluent, which remains non-compliant to outlet discharge norms, is being discharged directly into the river Kali (E) and thereby into the river Ganga; and

WHEREAS, 2.1 MLD CETP, PILKHUWA was found non-compliant in earlier inspection on 20.12.2017 by joint team of NMCG and UPPCB and notice Dt. 06.01.2018 was issued to HPDA followed by reminders Dt. 28.02.2018 and Dt.12.06.2018 for taking necessary action for making the CETP unit compliant to the stipulated norms. However, response of HPDA in this regard has been nil; and

WHEREAS, CETP, Pilkhuwa was once again inspected on 30.05.2019 by CPCB team and reported non-compliant. Show cause notice Dt. 24.09.2019 was served to HPDA to explain reasons of non-compliance and show cause as to why member units should not been closed down for non-compliance of CETP effluent quality norms and also why appropriate environmental compensation should not be imposed until necessary pollution control measures are planned and implemented in a time bound manner; and

NOW, THEREFORE, in view of the above and in exercise of powers conferred to NMCG under the notification, following directions under Section 5 of the Environment (Protection) Act, 1986, are issued for compliance:-

- i. All industrial units without operational PETP/ ETP in Pilkhuwa Textile Centre should be closed forthwith and should be allowed to operate only with the complying and functional PETP/ ETP.

- ii. CETP in Pilkhuwa Textile Cluster should be closed with immediate effect.
- iii. State Government of U.P. and UPPCB shall take effective and immediate actions under law against HPDA, the operator of defaulter CETP, Pilkhuwa and erring officials/ Departments/Institutions including assigning of liability to prevent such default in future.
- iv. UPPCB should levy and recover the environmental compensation from State Govt. of U.P., HPDA and defaulting industrial units in Pilkhuwa Textile Centre in terms of compensation regime as fixed by the Hon'ble NGT for non-compliant CETPs/effluent discharge into drains/rivers.
- v. State Government of U.P. shall direct the district administration of Hapur to initiate criminal action against erring officials/ Departments/Institutions for polluting the Kali (East) and Ganga Rivers by discharging partially or non-compliant effluents into them.
- vi. State Government of U.P. shall ensure strict vigilance on performance of CETP, Pilkhuwa by conducting surprise inspections through team of enforcement agencies and monitoring of efficacy and efficiency of the unit through regular water quality assessments.
- vii. HPDA should take urgent action for making the CETP compliant to norms and for starting all allotted units in Hapur Textile Cluster and connectivity/ P/ETP functionality of all member units of **2.1 MLD CETP, PILKHUWA** in time bound manner in order to ensure optimal functioning of the unit.
- viii. HPDA should dismantle the water collection tank with arrangement for discharge into nearby drain and provision for ground water recharge through rain water harvesting system should be ensured.
- ix. Partially treated or non-compliant wastewater should not be allowed to discharge into river Kali (East) and thereby into River Ganga.
- x. An Action Taken Report must be submitted to NMCG within **one week** from the date of receipt of the aforesaid directions.



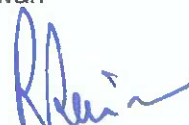
Director General
National Mission for Clean Ganga

Copy to:

1. **Chairman,**
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar, Delhi- 110032

Copy for kind information to:

1. **PPS to Secretary,** Department of Water Resources, River Development and Ganga Rejuvenation, Ministry of Jal Shakti, Shram Shakti Bhawan
2. **PS to ED (Technical),** NMCG



Director General
National Mission for Clean Ganga