BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

Original Application No. 29 of 2015

Smt. Sunaina Singh Vs. Rama Shyama Paper Pvt. Ltd. & Ors.

CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. DR. D.K. AGRAWAL, EXPERT MEMBER
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER

Present:	**Applicant:**	**Ms. Sunaina Singh, Applicant in person**
	Respondent No. 1:	**Mr. Siddhartha Pooja Dhar, Adv.**
	Respondent No. 2:	**Mr. Rajkumar, Adv. with Mr. S. L. Gundli, SLO**
	Respondent No. 3:	**Mr. Pradeep Misra and Mr. Daleep Kr. Dhyani, Advs.**
	Respondent No. 4 & 5:	**Ms. Savitri Pandey and Ms. Azma Praveen, Advs.**

	Date and Remarks	**Orders of the Tribunal**
	Item No. 08 **May 7, 2015** **A**	The report of the joint inspection team had been placed on record. Copy provided to Respondent No. 1 – M/s Rama Shyama Paper Pvt. Ltd. It is evident from the record that Respondent No. 1 is a non-compliant and polluting industry. We are unable to appreciate that the industry can even provide a bye pass to frustrate the functioning of any anti pollution devices if at all installed by the industry. This would result in direct pollution of water body, drains or any other part on which the effluent is being discharged and the ETP and CRP is reported to be not performing as per the prescribed standard. The relevant portion of the report of joint inspection team reads as under:- ***Observations:*** 1. *The unit is engaged in production of Semi Kraft Paper using agro residue-40% (wheat straw, bagasse) and Waste Paper (60%) as major raw material with installed capacity of 80 TPD. During inspection, unit was in operation with present production of 70 TPD of Semi Kraft Paper. As per production details provided by unit, the average production of the unit for the month of March, 2015 was 74.57 TPD, which is higher than consented capacity (70 TPD) given by UPPCB.* 2. *The unit is meeting its fresh water requirement through two*

tube wells. Water meter is installed at tube wells and log book is maintained. As per log book, the average fresh water consumption of the unit for month of March, 2015 was 965.32 KLD. The unit has also obtained NOC from Central Ground Water Authority for abstraction of ground water.

3. *The unit has installed Effluent Treatment Plant (ETP), which comprises of Effluent Collection sump pit (25 m^3), Hill Screen, Primary Clarifier (905 m^3), Aeration Tank (864 m^3), Secondary Clarifier Secondary Clarifier (809 m^3) and Sludge Drying Beds (02 Nos. with size 6mX4m each). During inspection, ETP was found operational. Samples were collected from Effluent Collection Sump, Aeration Tank and Treated discharge. Analysis results is presented below:*

Sampling Locations	Parameters						
	pH	SS (mg/l)	BOD (mg/l)	COD (mg/l)	SAR	MLSS (mg/l)	MLVSS (mg/l)
Effluent Collection Sump	6.69	2788	3868	10262	8.38	-	-
Aeration Tank	-	-	-	-	-	3540	3053
Treated Discharge	7.28	239	216	736	2.84	-	-
Standards as per EPA notification S.O. 64(E) dated 18.01.1998 for disposal in inland surface water	5.5-9.0	100	30	-	-	-	-

It is evident from the results that unit is not meeting with the stipulated norms of effluent discharge with respect of parameters SS and BOD. Thus poses serious pollution problem in nakatia nalla as well as River Ramganga, a tributary of River Ganga.

4. *V-notch was installed at the outlet of ETP, which was not proper (not properly placed, not calibrated, nor metered etc.). Significant leakage was also observed from its sidewalls. As per log book available at the unit, effluent discharged from ETP on 27.04.2015 was 726.62 m^3/day, which is equivalent to 10.38 m^3/ton of paper production.*
5. *The unit has only effluent receiving tank (sump pit) & not equalization tank.*

		6. *Primary Clarifier overflow was withdrawn through several points with variable/higher velocity instead of uniform withdrawn with proper weirs. Similarly, Secondary Clarifier launder was not properly levelled. Sludge bulking/rising was also observed.* 7. *The unit has installed Hill screen before feed of effluent into Primary Clarifier for sludge/fibre removal in the effluent. During inspection, the Hill screen was found damaged. The provided system appears inadequate including sludge dying beds (02 nos, with size 6mX4m each).* 8. *The unit has installed Krofta for fibre recovery from back water. Overflow from Krofta is sent to ETP and fibre is reused in the process.* 9. *The sludge drying beds were found filled with sludge. The leachate from sludge drying beds is collected in Effluent Collection Sump. As reported, ETP sludge was sold to board manufacturing unit.* 10. *The unit has 10(ten) digesters for the pulp cooking. Two digesters were not in operational condition and placed within the pulping section. The unit has no proper leakage collection system in the digester areas. Black liquor leakage was fond spread in & around the digester area. The drains leading to ETP were observed filled with black liquor, which may adversely affect the ETP operation.* 11. *The unit has installed Chemical Recovery Plant (CRP) for black liquor management with reported installed capacity of 120 Ton black liquor solid fired per day. On date of inspection, CRP was not in operation. As informed by the unit representative, the black liquor was collected in tanks. During inspection, Weak Black liquor (Tank capacity-350 m^3) level was 32% Strong lack Liquor (Tank capacity-350 m^3) level was 43% and Heavy Black Liquor (Tank capacity0200 m^3) level was 21%. The unit has installed flor meter at the CRP for the measurement of Black*

		liquor. The unit does not comply with the protocol for operation of CRP issued by CPCB such as installation of mass flow meter, proper log book and reporting to UPPCB on monthly basis etc. 12. *The Unit has common/combined storm water drain and the effluent drain.* 13. *The unit is carrying out wet washing of Wheat straw and as reported, wet washing effluent is recycled back in the process of wet washing. During inspection, wet washing process was not carried out.* 14. *The Unit has installed separate energy meter for the operation of ETP. Log book is maintained for the operation of ETP. As per log book available with the unit, the average energy consumption of the Unit for the month of March, 2015 was 748 Unit per day.* 15. *The unit has established environmental lab for the analysis of environmental parameter but the required trained staff to ensure regular analysis with QA/QC was not deployed by the unit.* 16. *The unit has not installed online monitoring system at the ETP and boilers.* 17. *Treated effluent is discharged through closed pipeline (pipe dia. 450 mm), which travels approx. 05 km through village Satrapur (near Royal Public School) and meets local storm water drain and further traverse approx. 03 km to meet Nakatia Nalla. Nakatia Nalla meets River Ramganga tributary of River Ganga. The laying of closed pipelines was done along the local storm water drain. Improper laying & jointing of pipeline has resulted leakages, overflowing manhole & ponding of wastewater in low lying areas.* 18. *As informed by the local villager of Razau Paraspur Sh. Ram Shevak Yadav, s/o Sh. Bahadur Singh Yadav that leakages of effluent from the closed pipelines & overflow from the manhole including foams were regularly noted and due to the stagnation*

of effluent ground water pollution is possible. Ground water sample were collected from the Razao paraspur village. Sample analysis results is presented below:-

Sample locations	*parameters*							
	pH	*Turbidity (NTU)*	*Colour (Hazen)*	*Conductivity (uS/cm)*	*TDS (mg/l)*	*Total Hardness (mg/l)*	*BOD (mg/l)*	*COD (mg/l)*
Razau Paraspur (Sarvesh Saxsena House)	*7.0*	*42.5*	*10*	*1779*	*1154*	*711*	*BDL*	*8.06*
Standards as per IS 10500:2012 for drinking water (acceptable limit)	*6.5-8.5*	*01*	*5*	*_*	*500*	*200*	*__*	*__*

19. It was observed that highly coloured effluent was stagnated in storm water drain adjacent to pipeline near Satrapur Village. Sample was collected from the drain. Analysis results is presented below:

Sampling Locations	*Parameters*				
	pH	*SS (mg/l)*	*BOD (mg/l)*	*COD (mg/l)*	*SAR*
Sample from drain near Satrapur Village	*`8.79*	*1753*	*6595*	*13490*	*19.6*

20. The samples was also collected from the manhole of closed pipelines located near Royal Public School (village Satrapur). Analysis results is presented below:

Sampling Locations	*Parameters*				
	pH	*SS (mg/l)*	*BOD (mg/l)*	*COD (mg/l)*	*SAR*
Sample from manhole of industry pipe near Satrapur Village	*6.69*	*433*	*1317*	*2734*	*5.51*
Standards as per EPA notification S.O.64(E) dated 18.01.1998 for disposal in inland surface water	*5.5-9.0*	*100*	*30*	*___*	*___*

Significant variation i.e. approx. 05 fold increase in the BOD value at the last manhole of discharge pipeline was observed in comparison with the treated effluent collected from the factory premise/entry of pipeline. It is also evident from the results that unit is significantly polluted the nakatia nalla as

well as River Ramganga, a tributary of River Ganga.

21. The Unit has installed 05 DG sets each capacity 500 KVA, 01 DG sets capacity 200 KVA and 01 DG set capacity 600 KVA. All DG sets with capacity 500 KVA and 600 KVA was not attached with the proper stack height. DG set (capacity 200 KVA) is not equipped with acoustic enclosure and proper stack height.

22. The Unit has two boilers with capacity 14 TPH and 08 TPH. Emissions from boiler with capacity 14 TPH was emitted through stack of height approx. 35 m followed by Multi cyclone Dust Collectro as APCD. Similarly, emissions from boiler with capacity 08 TPH was emitted through stack of height approx. 35 m followed by Multi cyclone Dust Collector as APCD. Wood chips, bagasse and pet coke are used as fuel in boilers.

23. During inspection, only boiler with capacity 14 TPH was in operation. It was observed that duct connected with the boiler stack (14 TPH boiler) was damaged and proper monitoring facility was not made in boiler with capacity 08 TPH.

24. Boiler ash generated from the boiler was dispose off in Units's own low lying area. No record for solid waste generated was maintained.

25. Housekeeping of the unit was found very poor".

The industry does not also have permission from the Central Ground Water Authority to use the tubewells. There is thus apparent flagrant violation of the law in force as well as the industry is causing pollution. Consequently, we direct this industry to stop its operation forthwith. The Uttar Pradesh Pollution Control Board shall ensure that the Unit is

closed forthwith and does not operate without the specific orders of the Tribunal.

Learned counsel appearing for the industry submits that they would like to rectify and remove the defects and then approach to the Pollution Control Board for permission to operate. If such an application is moved, again joint inspection would be conducted and a report be submitted to the Tribunal for appropriate orders. The inspection and the analysis would be done at the cost of the industry when they make an application.

In the circumstances afore stated, it is obvious that this industry has been polluting for a long long time. Consequently, we issue Show Cause Notice to the industry to place their submission on record as to why the industry should not be directed to pay compensation for causing pollution, and restoration and restitution of environment and ecology.

Learned counsel appearing for the industry accepts Notice and prays for time to file the Reply.

As far as Original Application No. 29 of 2015 is concerned, we dispose of the same finally with the above order without any orders as to costs.

The Registry is directed to maintain a separate file and number the same in relation to the Show Cause Notice proceedings as afore-referred.

.....,CP
(Swatanter Kumar)

.....,EM
(Dr. D.K. Agrawal)

.....,EM
(B. S. Sajwan)