



Central Pollution Control Board

(Ministry of Environment, Forest & Climate Change, Govt. of India)
Parivesh Bhawan, East Arjun Nagar,

Delhi – 110032

Two Member Committee Report on Compliance to the Hon'ble National Green Tribunal (NGT), Principal Bench, New Delhi Order dated 31.08.2018 in Appeal No.180 /2018 (M.A.Nos.1303/2018 & 1304/2018) in the matter of M/s. Parle Agro Private Limited Vs. Uttar Pradesh Pollution Control Board & Anr.

1. Back Ground

In compliance to the Hon'ble National Green Tribunal (NGT), Principal Bench (PB), New Delhi orders dated 12.07.2018 and 08.08.2018 passed in the matter of Doaba Paryavaran Samithi Vs State of U.P. & Ors, Uttar Pradesh Pollution Control Board (UPPCB) has issued closure directions to M/s. Parle Agro Pvt. Ltd., located at A-7, Sector-22, Meerut Road Industrial Area, Ghaziabad (hereafter referred as M/s. PAPL), vide UPPCB letters dated 03.08.2018 and 10.08.2018. Subsequently, M/s. PAPL has confirmed closure of manufacturing operation since 14.08.2018 and filed representations to UPPCB vide letters dated 14th & 18 August, 2018 for withdrawal of closure directions. Further, M/s. PAPL has filed an appeal before Hon'ble NGT on 29th August, 2018. The matter was heard by Hon'ble NGT and passed orders on 31st August, 2018 (**Annexure-I**).

M/s. Parle Agro Pvt. Limited submitted documents to UPPCB and CPCB with a request to withdrawal of the closure directions issued by UPPCB, vide letter dated 06.09.2018. In pursuance to the Hon'ble NGT order dated 31.08.2018, Two member team comprising Shri J.Chandra Babu, Sc 'D', representative of CPCB and Shri A.K.Tiwari, EE & RO, UPPCB, Ghaziabad representative of UPPCB visited M/s. PAPL on 17th September, 2018 for physical verification of the claims made by M/s. PAPL especially with regard to the additional measures made for control of O & G through captive effluent treatment plant (ETP). Following officials were associated with the visited two member committee during the visit to M/s. PAPL on 17.09.2018 are as follows:-

- 1) Shri Praveen Sudhakaran, Quality Assurance Head, Head Office, Mumbai, Maharashtra,

- 2) Shri B.S.Virkar, AVP–Legal & Company Secretary, M/s PAPT, Head Office, Mumbai,
- 3) Shri Vipin Biala, Plant Head, M/s PAPT, Ghaziabad,
- 4) Shri Roshan Rawat, Plant QA Manager, M/s PAPT, Ghaziabad
- 5) Shri Virendra Kumar, Plant HR Manager, M/s PAPT, Ghaziabad and
- 6) Shri Manjul Nigam, Asst. Manager –EHS, M/s PAPT, Ghaziabad.

2. Main observations of the two member committee

As observed during the visit, M/s. Parle Agro Pvt. Ltd., A-7, Sector -22, Industrial Area, Meerut Road, Ghaziabad, UP–201203, manufacturing production process was not in operation or under shutdown. Even the power supply was cut-off, however, the Unit is having power supply through captive DG Set for carrying out routine office work. One tube well out of three tube wells which used to serve as ground water resource was sealed and disconnected. Photographs taken during the visit are Annexed (**Annexure-II**).

Also, the Unit representatives informed to the visited team that there is no other alternate water resource to meet their demand. As informed by the Unit representatives, during the years 2015-2018, raw materials such as sugar (average consumption about 10663 TPA), mango pulp (average consumption about 7591 TPA) and ground water (average consumption about 139775 KLA) are only used in the manufacturing process of juices in Paper based cartons & PET bottles and as informed no chemicals/preservatives are used in the manufacturing process and the Unit employs around 350 workers.

Based on the physical observation with regard to the improvement made in ETP with regard to the additional O & G Skimming provision and on verification of the documents, following are the main observations made during the visit of the two member committee, which are given in the subsequent paras.

- (i) As informed by the unit representatives, M/s. PAPT, operational through its predecessors M/s. Sai Food Packs Private Limited (established during 1988-1992), later M/s. Sai Food Packs Pvt .Ltd was taken over by M/s. Explicit Trading & Marketing Pvt. Ltd., in the year 2000 (UPSIDC issued possession in September 2000). Subsequently, M/s. Explicit Trading & Marketing Pvt. Limited merged with M/s. Parle Agro Pvt. Limited in compliance to the Bombay High Court order dated 12th August 2004. Copies of the Consent issued by UPPCB under Water (Prevention and Control of Pollution) Act, 1986 to M/s. Explicit Trading & Marketing Pvt. Limited and M/s. Parle Agro Pvt. Limited from the year 2000 to till date are enclosed as **Annexure-III**. However, Consent issued under Water (Prevention and Control of Pollution) Act, 1974 to M/s.

Parle Agro Pvt. Limited (PAPL), which is having validity up to 31.12.2019 was revoked vide UPPCB directions dated 03.08.2018 and 10.08.2018.

- (ii) As per the information provided, Central Ground Water Authority (CGWA) has granted NOC to M/s. PAPL for abstraction of ground water at 764 cu.m/day for 250 days (and not exceeding 1,91,000 cu.m per year) through existing three bore wells, vide NOC No. CGWA/NOC/IND/ORIG/2017/2691 dated 09.08.2017 (**Annexure-IV**) which is having validity up to 31.07.2019 subject to the conditions including ground water recharge measures at least to the tune of 3,82,456 cu.m/year for augmenting the ground water resources of the area within six months from the date of issue of afore-said NOC. Further, CGWA made amendment w.r.to part of condition no. 03 of the afore-said NOC with a condition that all other terms and conditions mentioned in the NOC issued dated 09.08.2017 remain unchanged', vide NOC No. CGWA/NOC/IND/ORIG/2017/2691 dated 19.09.2017 (**Annexure-V**).

As observed during the visit, there are four roof top rain water harvesting pits within the industry premises. However, the Unit has not shown any log book record or provided proof regarding total water abstraction during the last three years i.e., 2015-2018.

- (iii) Guidelines /Criteria for evaluation of proposals/requests for ground water abstraction (applicable with effect from 16.11.2015) of Central Ground Water Authority, indicates that 'Municipal Corporation of Ghaziabad, Ghaziabad District' was a notified area vide CGWA notification dated 04.04.1998. Although the Unit is located in critical area, CGWA granted NOC for abstraction of ground water by the Unit. *It is pertinent to mention here that the issue relating to regulation and control of Ground Water Management and Development including to regulate indiscriminate with drawl of groundwater in the country does not fall under the purview of the Pollution Control Boards in the States/Union Territories or Central Pollution Control Board and such issue fall under the purview of the Central Ground Water Board Authority constituted under the Environment (Protection) Act, 1986, which is functioning under the administrative control of the Government of India in the Ministry of Water Resources, River Development and Ganga Rejuvenation (MoWR, RD & GR). Therefore, requires clarification from CGWA with regard to the grant of NOC to the afore-said Unit vide letters dated 09.08.2017 and 19.09.2017.*
- (iv) M/s. PAPL is having raw water (ground water) treatment plant having capacity of about 45 KL/hour which comprises provision of raw water collection tank, pre-chlorination, pressure sand filter, activated carbon

filter and Reverse Osmosis (with capacity of 45 KL/hour), treated water storage tank with a provision of chlorination, post pressure sand filter, activated carbon filter, Norit carbon filter (for removal of pesticides), followed by 5 and 3 μ filter cartridges, UV treatment and finally the treated water is passed through 1 micron filter for using in the manufacturing process. With the existing provisions in raw water treatment plant within the Unit, it may remove the toxic contaminants which include mercury. *However, the performance of raw water treatment plant could not be assessed as the unit is not operating the raw water treatment plant during the visit.*

- (v) As informed by the Unit representatives, the Unit is having captive effluent treatment plant (ETP) (**Annexure-VI**) of capacity 380 KLD (but receives and treats about 150 KLD of industrial effluent when the Unit was in Operation). As observed during the visit, ETP of the Unit is comprising of unit operations such as bar screen chamber, O & G control provision including additional O & G Oil Skimming Unit (**Annexure-VII**), Equalization tank with diffused aeration with a provision of emergency water holding tank, primary clarifier (tube settler), Moving Bed Bio-film reactor (MBBR), aeration tank followed by secondary clarifier, dual media filter, chlorine dosing, activated carbon filter. Finally, the treated effluent is discharged into industrial drain. During the visit, the visited team observed that only MBBR and aeration tanks were in operation (all other ETP unit operations are idle) in order to maintain the stability of ETP when becomes operational. *However, the performance of the effluent treatment plant (ETP) could not be assessed as the unit is not operating the ETP completely during the visit. Further, the visited team also observed that ETP outlet is not connected with flow meter to maintain record relating to total treated effluent discharge into drain and also total treated water reused or recycled within the Unit premises.*

3. Recommendations:-

Considering the Unit closed its operation in compliance to the UPPCB directions dated 03.08.2018 & 10.08.2018 and the performance assessment of the raw water treatment plant and effluent treatment plant is possible only when the Unit becomes operational, it is recommended that

- (i) CPCB shall issue directions under Section 18 (1) (b) of the Water Act, 1974 directing UPPCB to consider to grant Consent under Water (Prevention and Control of Pollution) Act, 1974 with its validity only for a period of sixty days from the date of issue, to M/s. Parle Agro Pvt. Limited located at A-7, Sector-22, Meerut Road Industrial Area, Ghaziabad for assessment of compliance to the norms.

Within forty five days of issuance of Consent under Water Act, 1974 to M/s. PAPL by UPPCB, the Two Member Team of Hon'ble NGT shall carryout performance assessment of ETP, raw ground water treatment plant as well as raw water from 3 tube wells located within the industry premises. If required, parallel samples also be get analyzed through NABL accredited laboratory or any laboratory approved under the Environment (P) Act, 1986, at the cost and expenses of the Unit.

Based on the assessment of ETP effluent characteristics with respect to effluent discharge norms as well as assessment of water quality of raw ground water treatment plant outlet as well as ground water quality of 3 tube wells located within the Unit premises with respect to the BIS Drinking Water Specification (i.e., IS: 10500-2012), UPPCB shall take further necessary appropriate action (i.e. either for closure of the Unit with immediate effect or for extension of validity of the Consent under Water Act, 1974).

- (ii) As the CGWA granted NOC vide letter of NOC dated NOC No. CGWA/NOC/IND/ORIG/2017/2691 dated 09.08.2017 and vide NOC dated 19.09.2017 (amendment) to M/s. PAPL, for abstraction of ground water although afore-said Unit is located in the critical area i.e., Municipal Corporation, Ghaziabad notified vide dated 04.04.1998 by CGWA. *Therefore, it is recommended that UPPCB may request CGWA to submit the following:-*
- (a) *a report on compliance to the NOC conditions granted to the Unit Viz., M/s. Parle Agro Pvt. Ltd., located at A-7, Sector -22, Industrial Area, Meerut Road, Ghaziabad, UP-201203, for abstraction of ground water resources for commercial activity, vide letters dated 09.08.2017 and 19.09.2017;*
 - (b) *circumstances and justification to modify the conditions (vide NOC dated 19.09.2017) in the NOC granted to M/s. PAPL, vide NOC No. CGWA/NOC/IND/ORIG/2017/2691 dated 09.08.2017.*
 - (c) *Report on whether 'Critical area' permits for abstraction of ground water resources for commercial activity as permitted in case of M/s. PAPL (to be examined in light of the Hon'ble NGT order dated 29th August, 2018 in case of Original Application No. 176/2015 (titled Shailesh Singh V/s. Hotel Holiday Regency, Moradabad & Ors) and NGT order dated 28th August, 2018 in the matter of Original Application No. 411/2018 (Titled M/s. A-One Mineral Water Industry Vs. Central Ground Water Authority & Ors).*

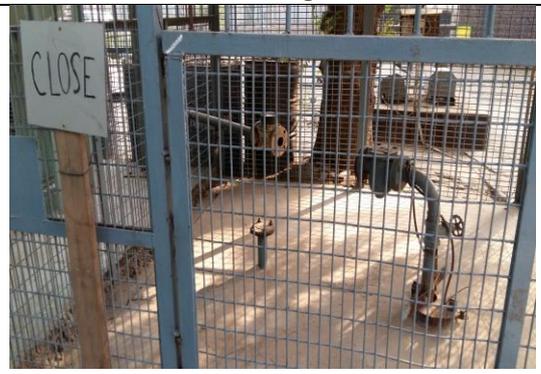
- (iii) When the Unit was in Operation, it appears that the Unit used to discharge treated effluent of about 150 KLD in a drain located outside the industry premises. *The Unit should explore measures for maximum reuse and recycling of treated effluent, for which action plan may be submitted by the Unit.*
- (iv) ETP out let of the Unit should be connected with flow meter for recording total treated waste water discharged into drain and total treated water recycled or reused in the plant premises.
- (v) The Unit also maintain proper records/log books with regard to the total ground water abstraction, total waste water generation, total treated waste water discharged into drain, characteristics of treated effluent being discharged into drain, total treated water recycled or reused within the plant apart from other requirement and a copy of the such records also be submitted to CPCB and UPPCB once in fifteen days.

(J.Chandra Babu)
Sc 'D', WQM-I and
Member of the Committee

(A.K.Tiwari)
EE & RO, UPPCB, Ghaziabad and
Member of the Committee

Annexure –II

Photographs taken during the Visit to M/s. Parle Agro Pvt. Ltd., located at A-7, Sector -22, Industrial Area, Meerut Road, Ghaziabad, UP–201203on 17.09.2018

	
Additional O & G Skimming Provision	Equalization Tank of ETP in Operation
	
Primary Clarifier of ETP in Stand still	MBBR in Operation with DG Set Support
	
ETP Treated Water Discharge Point	Rain Water Harvesting within the Unit
	
RO System of Raw Water Treatment Plant	Tube Well Sealed and Disconnected