Item No. 03

BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL
(Through Video Conferencing)

Original Application No. 12/2021
(I.A. No. 05/2021)

Balram Raghuvanshi — Applicant (s)

Versus

Union of India & Ors — Respondent(s)

Date of hearing: **08.10.2021**

CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER

For Applicant(s): Ms. Nimisha Nayak, Adv

For Respondent(s): Mr. Anurag Shrivastava, Adv
Mr. Gaurvanit Jain, Adv
Mr. Yadvendra Yadav, Adv

ORDER

1. The applicant has raised the issue of discharge of untreated effluents by Pharmaceutical Formulation unit situated in Sector-2, Pithampur, 'IPCA Laboratories Limited' where multiple kind of medicines are formulated and prayed to issue direction to the authorities to stop the untreated effluents discharging from the factory of IPCA Laboratories Limited to Nallahs which are flowing into Angred River of Sagore Village carries large amount of effluents from adjacent Industries which in turn spoil the water quality of River Angared which is tributary to River Chambal and River Chambal is tributary of River Yamuna which in turn is tributary of Ganga and joins Ganga at Prayagraj, U.P.), causing unfavorable changes in physiochemical Parameters. Despite protest by people and representation/Complaint made by the Applicant neither the State Government and State Pollution Control Board nor the Central Government have taken any action and the polluting industry has been

continuously violating the environmental norms by discharging toxic effluents. The print and electronic media also highlighted the issue of discharge of untreated effluent by reporting and bring it to public domain but not action has been taken by the authorities.

2. The matter was taken up by this Tribunal on 20th May, 2021 and a Joint Committee was constituted in the following manner :

(i) District Collector, District Dhar (M.P.)

(ii) Central Pollution Control Board, E-5, Link Road No. 3, Ekant Park, Arera Colony, Bhopal

(iii) Madhya Pradesh Pollution Control Board

3. In response thereof, the Joint Committee had submitted the report which is as follows:

> *"2. The committee visited the above factory M/s IPCA Laboratories Ltd. which is located in plot No. 1, SEZ, Phase- 2, Sector-3, Industrial area Pithampur, District-Dhar. The industry is involved formulation of medicine only quoted and unquoted tablet. The technical details related to products, production capacity, water consumption, waste water quantity and treatment plant installed by the industry are submitted here in below:*

S. No.	***Particulars***	***Information***	
1	*Name of industry /unit and location*	*M/s IPCA Laboratories Ltd., SEZ Plot no. 1, Phase- 2, Industrial Area Pithampur, District Dhar (M.P.)*	
2	*Date of Inspection/ Monitoring*	*11.06.2021*	
3	*Name of Representative of Industry*	• *Mr. Manoj Kumar Mittal (Vice president – EHS Corporate*	
4	*Details of Consent & HWA issued by MPPCB*	*Consent No. AW 53447, Validity- 31.01.2022* *Consent No. H 47465, Validity 31.10.2022*	
5	*Product Name and*	***Product Name***	***Capacity***

	Quantity (As per consent issued by MPPCB)	*Tablets & Capsules*	*600 Cr. Nos. / Annum*
6	*Water Consumption*	***As per Consent***	***Actual***
	Boiler Feed Cooling Water Domestic Purpose Manufacturing Process	*20 KLD* *10 KLD* *80 KLD* *150 KLD*	*10 KLD* *08 KLD* *55 KLD* *108 KLD*
7	*Wastewater generation*	***As per Consent***	***Actual***
	Industrial domestic	*104 KLD* *41 KLD*	*100 KLD* *41 KLD*
8	*Pollution Control Measures*		
a)	*Details of ETP for treatment of effluent*	*Industry has installed ETP (Capacity: 140 KLD) and the ETP consist of Inlet cum screen chamber, Oil and grease trap, equalization tank, flash mixture, Flocculation, Primary setting tank, Aeration tank, Secondary setting tank pressure sand filter, activated carbon filter, final treated water tank, filter press.*	
b)	*Detail of STP for treatment of domestic waste water*	*Industry has installed STP (Capacity 50 KLD) and the STP consist of Inlet screen chamber, Oil chamber, Aeration tank, settler, carbon filter, sand filter, sludge dewatering unit, treated water collection tank.*	
c)	*Source of Air Pollution and arrangements for control of air pollution*	***Boiler (02 Nos.)***	
		03 ton/Hr. (FO Fired)	*Stack of height 38 meter dumper*
		02Hr. (FO Fired)	
		DG Set (03 No.)	
		1510 KVA x 2 Nos.	*Acoustic Enclosure with stack of adequate height as per norms*
		Scrubber (02 No.)	*Alkaline media*

3. *The industry is located in Special Economic Zone (SEZ) Pithampur. The area of SEZ is surrounded with the boundary wall from all the sides and controlled by department of Custom.* The plant was found operational during the visit.

4. *The industry has obtained Consent to Operate (CTO) and Hazardous waste authorization (HWA)*

from MPPCB which is valid up to 31.01.2022 and 31.10 2022 respectively.

5. *The water is required mainly in the manufacturing of various products, Boiler feed, Cooling, vessel & floor washing, DM Plant and softner regeneration, scrubber of tablet section and domestic purpose. The main source of water to the unit is the water supply from MPIDC, Pithampur. The industry is having any borewell within the premises for fresh water use.*

6. *The effluent is generated mainly from manufacturing process, vessel washing, floor washing & softener regeneration etc. The Water Balance Sheet submitted by the unit.*

7. *The industry has installed Effluent treatment Plant (Capacity- 140 KLD) for treatment of industrial effluent and seweag treatment plant (STP Capacity 50 KLD) for treatment of domestic waste water. As stated here in above the ETP include Inlet cum screen chamber Oil chamber, Oil and grease trap, equalization tank, flash mixture, Flocculation, Primary setting tank, Aeration tank, Secondary setting tank pressure sand filter, activated carbon filter, final treated water tank, filter press unit for generated sludge.*

8. *The unit has not installed any RO unit for tertiary treatment and the final treated water is being stored in 02 Nos. of cemented storage tanks each of capacity l9 KL. The stored water is used for horticulture and plantation in the premises*

   However, the capacity of final treated water storage tank is found very less i,e. 38 KL only as compared to the volume of wastewater generated daily.

9. *Both ETP and STP were found running properly during the visit with flow observed to be 0.7 m3/ Hr and the unit is maintaining ZLD status. The MLSS in the aeration tanks was observed*

appropriate. The log books related to ETP and STP were found maintained during the visit of the committee dated I1.06.2021.

10. *The Unit has installed flow meter at the outlet of ETP (Make: Chem-Tech Associates) and outlet of STP (Make: Accumax); but no connectivity of flow meters to MPPCB and CPCB servers was observed during the visit. Also, the unit has not installed any PTZ Web Camera with night vision near ETP area to ensure ZLD status by the industry.*

11. *The industry has also provided in-house laboratory facility for the analysis of operating parameters of ETP.*

12. *The daily sludge generation of the industry is around 90 Kg and the generated sludge is sent to TSDF, Pithampur for final disposal. The housekeeping was found proper near the sludge handling area.*

13. *The industry has lard the pipe network system to re-use the above treated wastewater for plantation of gardening. There is about 7.3 hectares of land available for plantation/gardening. Industry has maintained green lawns and also plantation of around 3029 plants have been done.*

14. *Whereas the team observed that there is a cemented storm water drain of AKVN passing through the premise of the industry coming from North and leaves its premise from the South boundary of the factory near ETP area. This storm water drain joins one of the nallah of the area named "Kumar Bhata Nallah' & finally joins the River Angred near Sagore Village.*

Whereas the above storm water drain was found completely dry during the lnspection dated 11.06.202l. No water flow was observed in this drain even after about 0.5 km away from the boundary of the above industry.

15. *The industry had written letters to MD, MPIDC- Pithampur and SDM, Pithampur Industrial area, Pithampur, Dist. Dhar, dated 04.09.2020 regarding the improper drainage system and common storm water drain of AKVI' passing through their premises and requested to be closed at the earliest. Action needs to be taken yet in this regard by the concerned authorities.*

16. *To verify the operational status of the installed ETP, the inspection team had collected the grab samples of untreated and .treated wastewater from the Inlet & outlet of ETP respectively. The samples were analysed as per the standard methods by Regional Laboratory, MPPCB Indore.*

The analysis reports of the samples collected revealed that all the parameters were found within the prescribed limits as per Consent as pH= 7.62, TSS. 32 mg/L, TDS= 2002 mg/L, COD= 107.8 mg/L and BOD= 24 mg/L.

17. *The team also visited River Angred near village- Sagore to verify the discharge of pollutants into the river. However, the river was found completely dry and in fact the above river is non-perennial and flow is only observed mainly during rainy season.*

18. *During the visit to check the quality of ground water and verify any pollution in ground water, grub Samples of ground water were collected from 03 nos. of tube wells in the vicinity of the industrial area.*

S. No.	Sample details	Location	Depth (in ft.)	Co ordinates
1	Tube well near Sitla mata Mandt Village- Chhoti I Sagore, Pithampur	Near Angred river	250	Lat. 22˚36' 14.98"N Lon.75˚36' 08.28"E

2	Tube well in front of M/s Dabur lndia Ltd., Pidrampur	Near kheda, Pithampur	180	Lat22˚3'39.87"N Lon. 75˚37'20.77'E
3	Hand pump water near Primary School, Bardari, Pithampur	Village - Bardari	200	Lat. 22˚36' 52.81"N Lon. 75˚39' 08.79"E

The analysis results of the above tube wells are enclosed as Annexure- 12. The results are conforming to the permissible limits notified in BIS I 0550: 2012.

19. On the basis of inspection and above observations it has been found that the said industry M/s IPCA Laboratories Ltd. has provided proper arrangements for treatment of wastewater. The industry is maintaining Zero Discharge. During inspection no discharge of untreated wastewater was observed due to the above industry.

20. It is pertinent to note here that previously, a complaint regarding the matter was received to MPPCB, Ro-Pithampur oflice via MPPCB, HO-Bhopal vide letter no 271 datcd 06.02.2021 .In this regard, M/s IPCA Laboratories Ltd,, Plot No l , SEZ. Phase-2, Pithampur, Disstrict-Dhar was visited by MPPCB official in the presence of complainant Mr. Balram Raghuvanshi, During that inspection also, no discharge was observed from the unit.

21. The site location map and Google map of sampling locations is enclosed and site photographs taken during inspection are enclose.

Recommendations of the Committee

The inspection team recommends following arrangements to strengthen the pollution control system in the visited industry:

(i) *Industry shall make a standby storage tank having at least 07 days storage capacity for storing finally treated wastewater (during monsoon season) since the treated wastewater is not used for gardening during monsoon season.*

(ii) *As per ZLD norms, the industry shall be directed to install flow meter at the inlet of ETP also and to provide connectivity of flow meters installed at the ETP and STP to CPCB and MPPCB servers.*

(iii) *The industry shall install a PTZ 360 degree web camera with night vision focusing ETP area and the storm water drain passing through the premises providing connectivity CPCB & MPPCB servers to ensure Zero Liquid Discharge status by the unit.*

(iv) *As a common storm water drain of AKVN is passing through premises of the industry, the probability of discharge of wastewater in rainy season may not be ruled out. So, the concerned authorities may be directed to close/divert &e storm water drain passing through the premises of M/ss IPCA Laboratories Ltd, and shall provide a proper drainage system in the industrial area for storm water during rainy season.*

4. We have heard the learned counsel for the parties. We are of the view that the recommendations submitted by the Joint Committee must be complied with by the respondents. Accordingly, we accept the report and direct the respondents to comply the recommendation within a time frame to be fixed by the State Pollution Control Board. State Pollution Control Board is directed to monitor the compliance of the order and in

case of non compliance necessary action must be initiated in according with law.

5. **The Original Application No. 12 of 2021 is finally disposed of**.

Sheo Kumar Singh, JM

Arun Kumar Verma, EM

October, 08th 2021
O.A. No. 12/2021(CZ)
(I.A. No. 05/2021)
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