

Item No.11

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No.744/2022

Moharram Ali

Applicant

Versus

State of Uttar Pradesh

Respondent

WITH

Original Application No.277/2022

Liyakat Ali & Ors.

Applicant(s)

Versus

State of Uttar Pradesh

Respondent

Date of hearing: 22.05.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Rahul Khurana & Mr. Hasil Jain, Advs. for Applicant in OA
744/2022

Respondent: Mr. Vinay Navare, Senior Advocate with Mr. Utkarsh Sharma, Adv. for
Project Proponents in OA 744/2022 & OA 277/2022
Mr. Vikrant Pachnanda, Adv. for CPCB
Mr. Pradeep Misra & Mr. Daleep Dhyani, Advs. for UPPCB

ORDER

1. In this original application the issue of dumping of hazardous waste, industrial waste and coal ash by the paper mills in question in the village area and agricultural field is involved.

2. The on 12.03.2024 Tribunal had considered the report of the Joint Committee dated 11.01.2024 and also the report dated 07.03.2024 filed by the UPPCB and thereafter observed on the basis of the report that

some of the industrial units were violating the norms, hence required the UPPCB to examine the extent and period of violation and take appropriate steps for imposition of environmental compensation. Further direction was issued to UPPCB to take the sample at the inlet of the ETP and outlet of industrial discharge to ensure that it is not diluted and submit the sample analysis report. Option was also given to the industrial units to file the response with further direction to the paper and pulp units to disclose in their response generation of fly ash by them in the last three years and manner of its disposal and the quantity of undisposed fly ash and manner of its storage.

3. A Compliance Report has been filed by the UPPCB on 17.05.2024. In the Compliance Report though in the chart form the results from sample taken from the inlet and outlet of ETP have been mentioned but no test reports have been enclosed. The report on page 1022 states that the report related to adequacy/efficiency of ETP is yet to be prepared and same will be prepared by July, 2024.

4. Learned counsel appearing for the applicant has sought time to examine the report and file response thereto by submitting that the report has only been uploaded yesterday.

5. Learned Sr. Counsel appearing for the respondent pulp and paper units has also submitted that though that additional affidavit on behalf of these units have been filed disclosing the compliance but a further affidavit with full and complete particulars will be filed within six weeks.

6. We also find that entry 53 of Schedule 1 of Environment Protection Rules 1986 lays down the parameters for large pulp and paper industries as under:

"53 LARGE PULP & PAPER NEWS PRINT/ RAYON GRADE PLANTS OF 1 [CAPACITY ABOVE 24000 MT PER ANNUM]	EFFLUENTS	Concentration in mg/l except pH and TOCL
	pH	7.0 – 8.5
	BOD ² [3 days at 27°C]	30
	COD	350
	Suspended Solids	500
	[Absorbable Organic Halogens (AOX) in effluent discharge.	1.5 kg/ton of product with effect from the date of publication of this notification.1.0 kg/ton of product with effect from the 1st day of March,2008.]
	Flow (Total Waste Water Discharge)	
	(i)Large Pulp & Paper	200 Cum/Ton of Paper produced
	(ii)Large Rayon Grade Newsprint	150 Cum/Ton of Paper produced. ”

7. Hence, the UPPCB in the next report will duly consider the compliance by these units in terms of the above parameters.

8. List on 10.09.2024

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

May 22, 2024
O.A. No.744/2022
HB