

Speed Post

B-190198/WQM-II(RG)/CPCB/Sugar/35/2016-17

21.05.2019  
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To

M/S THE KISAN SAHKARI CHINI MILLS LTD.  
ANOOPSHAHAR, CHINI MILL  
BULANDSHAHAR-203391, U.P.

**DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986-  
CLOSURE NOTICE THEREOF**

**WHEREAS**, the Central Government has notified the standards for discharge of environmental pollutants from various categories of industries under the Environment (Protection) Act, 1986 and the rules framed there under; and

**WHEREAS**, the Ministry of Environment & Forests, Govt. of India, vide notification S.O.157(E) of 27.02.1996 has delegated powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board (CPCB), to issue direction to any industry, Municipal Corporation, Municipal Council, Cantonment Board to any local or other Authority for the violation of emission and effluent standards notified under the Environment (Protection) Rules, 1986; and

**WHEREAS**, it is obligatory on the part of industries to install effluent treatment plants (ETPs) to comply with the effluent discharge standards as notified under the Environment (Protection) Act, 1986 and the Rules framed there under and also to meet the consent conditions granted by State Pollution Control Board (SPCBs) / Pollution Control Committees (PCCs); and

**WHEREAS**, M/s The Kisan Sahkari Chini Mills Ltd., Bulandshahar, U.P. (hereinafter referred as 'the Unit') is involved in the process of sugar manufacturing from crushing of cane; and

**WHEREAS**, the Unit was inspected on 23.01.2018 by officials from CPCB, Delhi and following observations were made;

1. The analysis of treated effluent sample shows pH-7.69 as against norms of 5.5-9.0, **BOD-117 mg/l** against norms of 30 mg/l, COD-234 mg/l against norms of 250 mg/l and **TSS-59 mg/l** against norms of 30 mg/l which indicates non-compliance w.r.t. BOD & TSS with the effluent discharge standards norms prescribed under Environment (Protection) Rules, 1986.
2. The unit has not submitted the analysis report of treated effluent within 45 days from the date of resumption of operation to CPCB.
3. The Unit has not submitted the irrigation management plan.
4. The Unit has not submitted revalidated ETP adequacy assessment report to CPCB within 45 days from the date of resumption of operation.

**AND WHEREAS** CPCB issued show cause notice dated 04.04.2018 under Section 5 of the Environment (Protection) Act, 1986; and

**WHEREAS**, the unit has submitted the compliance status of the show cause notice dated 04.04.2018 vide letter dated 17.04.2018; and

**WHEREAS**, the unit submitted the revalidated adequacy assessment reports and irrigation management plan validated by NSI, Kanpur vide letter dt. 01.05.2018; and

**AND WHEREAS**, CPCB through an Expert Committee comprising of experts from National Sugar Institute (NSI), Kanpur, Vasantdada Sugar Institute (VSI), IITs and representatives from sugar mills prepared a Charter for Water Recycling and Pollution Prevention (thereafter referred to as the Charter); and

**WHEREAS**, a meeting of sugar mills operating in Uttar Pradesh, representatives of UPPCB and CPCB was held on 06.07.2018 under Chairmanship of Principal Secretary, Sugar Industries and Sugarcane Development, Government of Uttar Pradesh and the following decisions are made:

1. Sugar Mills shall submit an action plan to CPCB by 20.07.2018 regarding the steps taken by them pertaining to the notices issued to them. Also they shall submit action plan to implement recommendations of their adequacy assessment report.
2. All sugar mills shall ensure implementation of Charter and shall submit action plan to CPCB by 20.08.2018.
3. All sugar mills shall ensure the upgradation of their ETP within August, 2018 so as to ensure no interruption in functioning of the ETP in the following seasons.
4. All sugar mills shall maintain a logbook on ETP operations on a daily basis.
5. ETP shall be operational at all times and all bypass arrangements should be dismantled with immediate effect.
6. MLSS in aeration tanks should be maintained at 2000-2500 mg/l.
7. All sugar units shall set up environmental laboratories for regular analysis of raw and treated effluent thereby ensuring proper functioning of the ETP.
8. All sugar mills shall employ dedicated technicians for operating and regular maintenance of ETP and shall also ensure that the technicians are given proper training on ETP maintenance and lab analysis on regular basis.
9. To ensure proper training of the environmental technicians all sugar mills shall facilitate training of 5 employees.
10. All sugar mills may establish an Environment Management Cell at their level consisting of concerned officials in order to ensure compliance with environmental standards at industry level itself.

**AND WHEREAS**, the unit vide letter dated 13.08.2018 submitted their compliance status of the Charter; and

**WHEREAS**, a compliance direction under Section 5 of Environment (Protection) Act, 1986, was issued to the unit on 26.10.2018 and unit was directed to comply before commencement of crushing season 2018-2019 with the following directions:

1. The unit shall implement the observation & recommendation of the revalidated adequacy assessment of ETP.
2. The unit shall install sealed flow meter along with running hours meter on bore wells so as to ascertain usage of fresh water for various uses.
3. The unit shall install flow meters at major areas of cold and hot water consumption.
4. The unit shall carry out colour coding of pipelines carrying recycled process water and fresh process water.
5. The unit shall maintain logbook for individual process unit for recording daily water consumption and effluent generation also.
6. The unit shall carry out analysis of effluent discharge parameters notified under Environment Protection Rules, 1986 and log book shall be maintained on daily basis.
7. The unit shall maintain logbook for individual process unit for recording daily water consumption and effluent generation also.
8. The unit shall submit the implementation status of the Charter in the form of Affidavit and the documentary proof of the completion of the work as committed in the action plan.
9. The unit shall commission mechanical sludge handling system of adequate capacity.
10. The unit shall submit implementation status of the Charter and performance audit of ETP duly validated by reputed expert institute namely NSI Kanpur, VSI Pune, IITs during crushing season & submit the report to CPCB within 60 days of resumption period.

**AND WHEREAS**, the unit was inspected on 28.03.2019 by officials from CPCB, Delhi and following observations are made:

1. The unit was operational during the visit.
2. The unit has valid consents of under Water Act, 1974 and Air Act, 1981 upto 31.12.2019 for the production capacity of cane crushing 2500 TCD.
3. The ETP comprises of Oil and grease, Equalization tank, Primary Clarifier, Aeration tank, Secondary Clarifier, Chlorination and Tertiary treatment (Sand filter and Activated Carbon filter).
4. Flow meters were not installed on Boiler make-up, Vacuum filter, Lime preparation, movement water at pans, cleaning water used for juice heaters, super heater at batch type centrifugal and continuous machines to monitor excess condensate, wash out line of evaporators, Pans, Spray ponds over flow, ETP inlet, Lagoon.
5. Drain carrying wastewater from mill to ETP is in **open** condition.
6. In aeration unit Diffused aeration is installed along with fixed type aerators. These fixed type aerators were found non-operational during visit.
7. Equalization tank is not equipped with the mixing system so as to enhance the flocculation reaction.
8. No separate treatment system for spray pond over flow implemented.
9. There is no defined regularly scheduled of backwash of Additional Treatment unit-MGF & ACF.
10. No Hazardous Waste Authorization was obtained filters of ACF & MGF are not delivered to any authorized recycler.
11. Treated wastewater was found to be leaked in unit premise.
12. Analysis of treated effluent samples from outlet showed pH 7.30 against the norms of 5.5-8.5, **BOD 581 mg/l** against the norms of 100 mg/l, **TSS 197 mg/l** against the norms of 100 mg/l, **COD-1115 mg/l** against the norms of 250 mg/l and TDS 1944 mg/l against the norms of 2100 mg/l which indicates non-compliance against effluent discharge norms on land prescribed under Environment (Protection) Rules, 1986.

**It is evident from the above observations that untreated effluents discharged by the unit has potential to cause grave injury to the water bodies and environment.**

**AND WHEREAS**, The Hon'ble National Green Tribunal (NGT), Principal Bench in the matter of OA No. 593/2017 (WP (CIVIL) No. 375/2012), Paryavaran Suraksha Samiti & Anr. Vs. Union of India & Ors. directed Central Pollution Control Board (CPCB) that "*The CPCB may take penal action for failure, if any, against those accountable for setting up and maintaining STPs, CETPs and ETPs. CPCB may also assess and recover compensation for damage to the environment and said fund may be kept in a separate account and utilized in terms of an action plan for protection of the environment*"; and

**WHEREAS**, in compliance of above quoted Hon'ble NGT order, cases to be considered for levying penalty are discharges in violation of consent conditions/ non-compliance with the directions, such as direction for closure due to non-installation of OCEMS/ non-adherence to the action plans submitted/ intentional avoidance of data submission or data manipulation by tampering OCEMS; and

**WHEREAS**, as per the methodology for assessing penalty and environmental compensation, the environmental compensation to be levied to the unit is calculated as **Rs. 12,00,000/-** (Rupees Twelve lakhs only) for the non-compliance period (28.03.2019 to 06.05.2019), for the crushing season 2018- 19; and

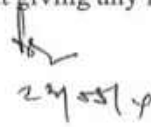
**NOW, THEREFORE**, in exercise of powers delegated to Chairman CPCB under Section 5 of the Environment (Protection) Act, 1986, the Unit (The Kisan Sakhari Chini Mills Ltd., Anoopshahar, Chini Mill, Bulandshahar, U.P.) is directed to **close down its manufacturing operations immediately and deposit Rs. 12,00,000/-** in CPCB A/c No. 532702050000164 (Bank name: Union Bank of India, IP Extension Branch,



Vikas Marg Extn., Delhi; IFSC: UBIN0553271) towards environmental compensation **within 15 days** from the date of receipt of direction and shall comply with the following directions;

1. Unit shall close down its Sugar manufacturing operations with immediate effect and shall not resume its operations.
2. The unit shall comply with the direction dated 26.10.2018.
3. The unit shall submit adequacy assessment of treatment facility by reputed govt. institute; including work completion report regarding implementation of the recommendations of the adequacy report within 45 days.
4. The unit shall obtain hazardous waste authorization from UPPCB.
5. Unit shall seek permission from CPCB, after compliance of the above directions, before resumption of operation.

In case of default in compliance with the above directions, CPCB will be constrained to initiate action against the Unit (**M/s The Kisan Sahkari Chini Mills Ltd., Anoopshahar, U.P.**) without giving any further notice in accordance with the provisions of the Environment (Protection) Act, 1986.



(S.P SINGH PARIHAR)  
CHAIRMAN

**Copy to:**

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|---|---|
| 1. <b>Member Secretary</b><br>Uttar Pradesh Pollution Control Board,<br>Building No. TC-12V, Vibhuthi Khand,<br>Gomti Nagar, Lucknow – 226 010                              | :With request to ensure compliance of the directions.                       |
| 2. <b>Principal Secretary</b><br>Sugar Industry and Cane Development Department, "G"<br>Block 2/3, Mantri Wing 4th Floor BapuBhawanVidhan<br>Sabha Marg Lucknow - 226 001   | :For kind information, please.  |
| 3. <b>Joint Secretary (CP Division)</b><br>Ministry of Environment, Forest & C.C<br>Prithvi Block, Indira Paryavaran Bhawan,<br>Jorbagh Road, New Delhi – 110 003           | :For kind information, please   |
| 4. <b>The District Magistrate</b><br>Bulandshahar, U.P.   | :With request to ensure closure of the unit in compliance of the directions |
| 5. <b>Managing Director</b><br>Paschimanchal Vidyut Vitran Nigam Ltd.,<br>Urja Bhawan,<br>Victoria Park, Meerut 250001, Uttar Pradesh                                       | :With a direction to disconnect power supply                                |
| 6. <b>The Regional Director</b><br>Regional Directorate<br>Central Pollution Control Board, PICUP Bhawan, Ground<br>Floor, Vibhuti Khand, Gomti Nagar,<br>Lucknow – 226 010 | :For follow up and ensuring compliance                                      |
| 7. <b>The In-charge, IT Division, CPCB</b>  | :with request to upload on CPCB server.                                     |
| 8. Master file/Guard file, WQM II, CPCB Delhi   |   |

  
(PRASHANT GARGAVA)  
MEMBER SECRETARY

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