

By Speed Post

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Date: 28.05.2018
04.06.2018

To,

Chairman,
Uttar Pradesh Pollution Control Board
Building No. TC-12v, Vibhuti Khand,
Gomti Nagar, Lucknow-226010

DIRECTIONS UNDER SECTION 18 (1) (b) OF WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974

WHEREAS, among others, under section 17 of the Water (Prevention and Control of Pollution) Act, 1974, one of the functions of the State Pollution Control Board (SPCB)/Pollution Control Committee (PCC), constituted under the water (Prevention & Control of Pollution) Act, 1974 is to plan a comprehensive programme for prevention, control and abatement of pollution of streams and wells located in the State /UT and to secure the execution thereof; and

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

WHEREAS, the CPCB and SPCBs have been pursuing the polluting industries to install effluent treatment plants (ETPs) to comply with the effluent discharge standards as notified under the Environmental (Protection) Act, 1986 and Rules framed there under; and

WHEREAS, SPCBs/PCCs can stipulate stringent standards for discharge of environmental pollution from various categories of industries than those notified by the Central Government, under the environment (Protection) Act, 1986 and Rules framed there under; and

WHEREAS, fish mortality was reported by the media on May 13-14, 2018 in River Ganga at Mehandi Ghat Kannauj, UP; and

WHEREAS, a team of officials from CPCB carried out survey and monitoring of locations in upstream Mehandi ghat at Kannauj to Shahjahanpur of River Garra, and River Ganga during May 16-17, 2018; and following observations are made;

1. Floating of dead fishes on River Ganga at Mehandi Ghat, Kannauj reported during morning of May 14th, 2018.

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2. Dead fishes were first seen on May 05th, 2018 in river Garra and appearance of dead fishes was continued till night of May 13th, 2018. The dead fish were coming from the upstream locations.
3. The effluent of 05 units namely; M/s K R Pulp and Papers (unit -1 and unit -II), M/s Awadh Sugar & Energy Ltd, unit Rosa Sugar works, M/s Roza Thermal Power, M/s United Spirit Ltd.(bottling unit) and M/s Kribhco Fertilizer Ltd. in this area may reach to Garra river, a tributary of river Ganga.
4. M/s United Spirit Ltd. is not doing distillation process. The unit is doing bottling only since the last six months.
5. M/s Kribhco Fertilizer Ltd. is utilizing their treated effluent for irrigation/ horticulture purposes. Garai Nalla was found dry.
6. M/s K R Pulp and Papers (unit -1 and unit -II) is discharging their treated effluent in Garai Nalla.
7. Effluent from M/s Awadh Sugar & Energy Ltd, unit Rosa Sugar works is discharged into a local drain, Kallah Nalla which falls into River Garra. The molasses management in this unit is very poor. The unit was in operation on May 14-15, 2018 in violation of closure direction dated 16/04/2018 issued by CPCB, under section 5 of Environment (Protection) Act, 1986.
8. M/s Awadh Sugar & Energy Ltd unit Rosa Sugar Works was also inspected on May, 16, 2018. Red colour effluent containing molasses were found discharged in drain which falls in river Garra.
9. M/s Awadh Sugar & Energy Ltd unit Rosa Sugar Works has stored their molasses in a permeable unlined lagoon made for the storage of treated effluent. The lagoon was full of molasses and overflow of molasses being discharged into a drain near cane yard.
10. As informed by the unit's representative the wall of the lagoon containing the molasses were blown through the drain to river Garra by breaking the backside wall of the unit.
11. It appears that the incident was made intentionally as, marking of molasses were observed on the back side boundary wall upto height of 2.5 feet, which reveals that the molasses were stored there for many days.
12. Molasses were found discharged over the land within and outside the premises near backside boundary wall. Bagasse and boiler ash were used to cover the molasses.
13. Sample was collected from the untreated effluent bypassed by M/s Awadh Sugar & Energy Ltd. unit Rosa Sugar Works.
14. Analysis of River water sample collected from River Garra b/c to Kalaha Nalla, Daniyapur village, Shahjahanpur shows Dissolved Oxygen (DO) to be 4.0 mg/l.
15. Analysis of River water sample was collected from River Garra a/c to Kalaha Nalla, Daniyapur village, Shahjahanpur and Dissolved Oxygen (DO) shows 3.5 mg/l.
16. Dissolve oxygen near river Garra before confluence to river Ganga, Jaraila Katri Biluhi, was 10.8 and 11 mg/l.
17. Dissolve oxygen near river Garra after confluence to river Ganga, Jaraila Katri Biluhi, was 10.5 mg/l.
18. Sample was collected from the River Kali before confluence to river Ganga, Kannauj and dissolved oxygen was found to be 1.6 mg/l.

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19. D.O River Kali after confluence to river Ganga of was found to be 9 mg/l.
20. At the time of inspection on May 17, 2018 discharge of colored molasses mix effluent was being by-passed by the unit. The unit is operating its process which is non compliance of CPCB closure direction issued dated April 16, 2018.
21. The analysis result of the samples collected from River Garra before and after the confluence point to Kalla Nalla depicts DO-4.0 & 3.5 mg/l indication the presence of untreated industrial effluent in the drain. Colored water of the drain also confirms the observation.

It is evident that fish killing incidence took place in the downstream of Daniyapur, Rausar Kothi village in Shahajahanpur, where Kalaha Nalla carrying the effluent from Rosa sugar falls into river Garra. In prima facie, it appears that due to discharge of huge quantity of molasses (about 1400 quintal) from M/s Awadh Sugar & Energy Ltd. unit Rosa Sugar Works, level of dissolved oxygen get depleted, which is the main reason for the mortality of fish in river Garra River.

AND WHEREAS, the mortality of fishes was observed in River Garra only. The dead fish from river Garra reached to Kannauj by flowing through river Garra. This act was happened due to discharge of huge quantity of molasses from M/s Awadh Sugar & Energy Ltd. unit Rosa Sugar Works into river Garra through Kalaha Drain; and

WHEREAS, the mortality of fishes happened due to gross negligence of authority of M/s Awadh Sugar & Energy Ltd. unit Rosa Sugar Works towards the Environment Protection. The unit is unable to manage the molasses generated during this crushing season. The incident of mortality of fishes occurred in whole stretch from Shahjahanpur to Kannauj. The unit has not taken any initiative to ensure the non occurrence of such incident again in future.

NOW, THEREFORE, in view of above and in exercise of the power conferred under section 18(1) (b) of the Water (Prevention and Control of Pollution) Act, 1974, you are hereby directed to take the following steps immediately to resolve the issues of discharging the molasses and untreated effluent into the river.

1. UPPCB shall lodge FIR against M/s Awadh Sugar & Energy Ltd. unit Rosa Sugar Works regarding intentional negligence act of storing of molasses in permeable lagoon and discharge of molasses into river Garra causing river water pollution and fish mortality.
2. UPPCB shall ensure closure & sealing of M/s Awadh Sugar & Energy Ltd. unit Rosa Sugar Works in compliance of CPCB direction dated April 16, 2018 before June 10, 2018.
3. Sugar mills in the state shall not store any molasses in earthen pits/ lagoons or in an unsafe storage facility.
4. Sugar mills shall immediately transfer molasses stored in earthen pits/ lagoon into safe facility such as pucca closed storage tanks, either made up of M.S. or concrete eliminating chances of seepage. M.S./concrete tanks to eliminate chance of the seepage/ leakage.

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5. Sugar mills shall not be allowed to discharge any effluent/ molasses even in rainy season and shall take necessary measures to stop leakage/ seepage.

The action taken by Uttar Pradesh Pollution Control board shall be intimated to CPCB within 15 days of receipt of this direction.

(S. P. SINGH PARIHAR)
CHAIRMAN

Copy to

1. Joint Secretary (CP Division), : for kind information please
Ministry of Environment, Forests, &
Climate Change
Indira Paryavaran Bhawan, Jorbagh Road,
New Delhi – 110013
2. Regional Director : For follow up and ensuring
Regional Directorate compliance
Central Pollution Control Board,
1st Floor, PICUP Bhawan,
Vibhuti Khand, Gomti Nagar,
Lucknow – 226 010
3. Managing Director, : For kind information please.
Uttar Pradesh Cooperative Sugar Factories
Federation Ltd.,
9 A Rana Pratap Marg,
Lucknow, Uttar Pradesh
4. Principal Secretary, : For kind information please.
Sugarcane Development and Sugar Industry,
Sugarcane and Sugar commissioner, UP
D-3. Sector H, Aliganj, Lucknow, Uttar
Pradesh-226024
5. Incharge, IT Division, CPCB : For uploading on CPCB website
6. Guard file/Master file WQM CPCB Delhi

(A. SUDHAKAR)
MEMBER SECRETARY