



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

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13th May, 2020

14

To,
Member Secretary,
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 program 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 pollutants from various categories of industries under the Environment (Protection) Act, 1986 and the rule 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, M/s Jubilant Industries Ltd., Gajraula, Amroha (hereinafter referred as 'the Unit') have following six manufacturing units in their premises at Gajraula, Dist. Amroha.

- Coal based Captive Co-Generation Power Plant (48 MW capacity-as per consent to operate)
- M/s Jubilant Life Sciences Ltd. (Distillery Unit), Bharatigram, Gajraula, Amroha, UP (Ethyl Alcohol)
- M/s. Jubilant Life Sciences Ltd. (Chemical Unit I), Bharatigram, Gajraula, Amroha, UP (Formaldehyde, Acetaldehyde, Ethyl Acetate, Acetic Acid, Acetic Anhydride, etc..) and
- M/s. Jubilant Life Sciences Ltd. (Chemical Unit II). Bharatigram, Gajraula, Amroha, UP (Pyridine & Fine Chemicals)
- M/s. Jubilant Agri & Consumer Products Ltd. (Fertilizer Unit), Bharatigram, Gajraula, Amroha, UP (Single Super Phosphate, Granulated SSP, Sulphuric Acid)
- M/s. Jubilant Agri & Consumer Products Ltd. (Polymer unit), Bharatigram, Gajraula, Amroha, UP (Solid PVA & derivatives, Polyurethane derivatives, Wood Finish, Estergum); and

WHEREAS, this industrial complex has common utility services catering to the auxiliary and process support requirement such as:

- i. Water Management System (DM Water, Process steam, Spent Solvent Recovery systems)
- ii. Common Cooling Water blowdown effluent management system (CTRO) – 1200 KLD
- iii. Chemical Effluent Treatment Plant (CETP) – 700 KLD
- iv. Sewage Treatment Plant (STP) – 400 KLD
- v. Incinerators - 3 nos. for Liquid – 288 KLD &
2 nos. for Gaseous/Thermo Oxidizer – 1500 kg/hr.
- vi. Secured landfill – 11000 MT
- vii. Hazardous waste management; and

WHEREAS, M/s Jubilant Group of Industries at Gajraula, Amroha including common utility services were jointly inspected on 17.07.2019 & 18.07.2019 by officials from UPPCB, SDM Amroha, Additional CMO, Professor & Head (Official In-charge) of Krishi Vigyan Kendra, Gajraula and CPCB, Delhi in compliance to the NGT order dated 03.07.2019 in the matter of Shah Alam Vs. State of Uttar Pradesh; and

WHEREAS, the joint inspection report was submitted in Hon'ble NGT dated 13.09.2019 by the joint committee; and

WHEREAS, Hon'ble NGT accepted the joint inspection report and passed order dated 01.11.2019 (corrected order dated 20.11.2019) to take actions against M/s Jubilant Group of Industries against violation of Environment norms and to submit further action taken report within two months by the joint committee of the CPCB and UPPCB; and

WHEREAS, CPCB convened a meeting on 04.12.2019 to discuss compliance of the NGT order dated 01.11.2019 and to discuss the action taken status in respect of the observations and recommendations made in the joint inspection report with officials of UPPCB so that the joint action taken report could be filed by the joint committee to NGT by 01.01.2020; and

WHEREAS, based on the detailed deliberations held in the meeting, minutes of the meeting was issued and UPPCB was asked to comply with the following:

1. The UPPCB shall issue the following directions to the units of M/s Jubilant group of industries to adhere with the recommendations of the joint inspection committee report as accepted & referred by NGT in its order dated 01.11.2019 including closure of the Distillery unit within 15 days.

M/s Jubilant Life Sciences Ltd., Distillery unit

- i. The unit shall stop its distillery manufacturing process till compliance of the directions issued.
- ii. The unit shall consume the already stored spent wash through further concentration for use in the incinerator.
- iii. The unit shall recycle the stored spent wash from the old ash pond to ensure that no traces of spent wash remain in ash pond.

- iv. The unit shall restrict its storage capacity of concentrated spent wash upto 17800 m³ including 07 days for incinerator and 30 days for bio-composting separately by dismantling /filling /levelling the additional storage capacity of the lagoon within 30 days.
- v. The unit has made partition in the lagoon by filling it with soil and made two lagoons i.e., Lagoon 'A' and Lagoon 'B'. The unit shall line up the area by using concrete.
- vi. To maintain the quality of the concentrated spent wash for efficient use in bio composting as well as in incineration the unit shall operate its MEE uniformly.
- vii. To avoid the situation of generation of diluted spent, the unit shall restrict the use of excess spent wash in bio-composting.
- viii. The unit shall stop storage of the lagoon sludge in open area and shall use the sludge directly in bio-composting.
- ix. After recycling the stored spent wash from the ash pond, the unit shall dismantle the pipelines for carrying the spent wash to the ash ponds.
- x. The unit shall implement the requisite facility as per suggestion of the water audit report so that detailed study may be carried out to reduce the withdrawal of the ground water.
- xi. To avoid contamination of the ground water with colored effluent the unit shall close down the rain water harvesting system at bio-composting site.
- xii. The unit shall stop bio-composting during rainy season as the covered bio-compost yard was damaged.
- xiii. The unit shall take measures to reduce the spent wash generation from 10.69 to 6-8 KL/KL alcohol production.
- xiv. The unit shall install additional system to improve the quality of CPU permeate. As per the analysis result, CPU RO Permeate have pH-9.48, COD-2083 mg/l and BOD-1078 mg/l is being utilized in cooling tower, which may not be appropriate at such high pH.
- xv. The unit shall set up proper and separate systems for concentration of spent wash upto 45 % solids and upto 30 % solids for incineration and for bio-composting respectively.

Captive Power Plant

- i. The unit shall maintain and operate Air Pollution Control Systems (ESP) on the boilers regularly and ensure that emissions of all the stacks are within the prescribed norms.
- ii. The unit shall submit time bound action plan for augmentation/retrofitting of ESP.
- iii. The unit shall submit the ambient air quality report and stack report of all the air pollution sources from MOEF&CC authorized laboratory on quarterly basis.
- iv. To avoid additional ash disposal on ash pond, the unit shall ensure and increase the disposal of fly ash as per the agreement.
- v. The unit shall keep and maintain Ash generation as well as disposal record.

Water and Waste-water Management

- i. The unit shall install meter on all fresh water consumption and effluent recycling points.
- ii. The unit shall calibrate and maintain records of all existing meters periodically.
- iii. The unit shall replace the existing turbine type water flow meters on bore wells with digital magnetic flow meters.

- iv. The unit shall send all domestic waste water generated from plant and colony to STP and metering at STP inlet shall be done.
- v. The unit shall obtain NOCs for withdrawal of groundwater from CGWA at earliest as NOCs already expired on 04.04.2019.
- vi. The unit shall take measures for reduction of fresh water consumption in Cooling Tower through increase in recycling of waste water/condensate after proper treatment.
- vii. The unit may reduce the quantity of makeup water used in each Cooling Tower by increasing Cycle of Concentration (COC).
- viii. The unit may make efforts for reduction in steam consumption and effluent generation thereby reducing fresh water consumption.
- ix. The unit shall provide Rain Water Harvesting system in non-process areas for water conservation.

Chemical unit-I

- i. The unit shall immediately stop the spray of RO reject on ash for dust suppression.
- ii. The unit shall set up the incinerator facility to achieve ZLD.

Chemical Effluent Treatment Plant (CETP)

- i. The unit shall stop discharge of effluent for horticulture purposes and the entire effluent shall be recycle/reuse in process or cooling tower.

Common Cooling Tower Reverse Osmosis Plant (CTRO)

- i. The unit shall install a dedicated pipeline along with metering arrangement for carrying CTRO reject upto coal yard and make spray arrangement exclusively for using this effluent.

Stack Emission Monitoring Results

- i. The unit shall maintain the wet scrubber periodically to restrict SO₂ emission within the prescribed norms. To evaluate the performance of the wet scrubber, the unit shall carry out monitoring of the relevant stack(s) through EPA recognized laboratory quarterly.
- ii. To restrict the NO_x emission proper bed height & proper fuel to air ratio should be maintained, and shall carry out monitoring of the relevant stack(s) through EPA recognized laboratory quarterly.

Hazardous Waste

- i. The unit shall install automatic water sprinkling arrangements, fire alarming systems, flame arresters, smoke /heat detectors, fire extinguishers and other necessary provisions as stipulated under the Guidelines for storage of incinerable hazardous wastes
 - ii. The unit shall sell caustic lye along with other hazardous waste generated by the unit only to the authorized utilizer/recycler; and shall maintain records and manifest document as required under Rule 19 of the HOWM Rules, 2016.
 - iii. The unit shall install display board outside the factory gate displaying details of hazardous wastes being handled by the unit
 - iv. The unit shall maintain date wise record of leachate generated from captive SLF.
2. UPPCB shall ask the CGWA to calculate or estimate the EC to be levied on the Jubilant industrial complex, Amroha, UP for illegal withdrawal of ground water and issuance of notice to the unit in compliance of Hon'ble NGT order dated 01.11.2019.
 3. The Joint committee has also calculated the EC to be levied on the unit for non-compliance with the ZLD norms as well as for violation of Hazardous waste and other

Uttar Pradesh Pollution Control Board for M/s Jubilant Group of Industries, Gajraula, Amroha

Waste (Management and Transboundary Movement) Rules, 2016. The determination of EC, committee has also considered the past violation of the unit. The total amount has been calculated as Rs. 6,19,00,000/- except EC for illegal withdrawal of ground water.

4. To levy the EC & penalty, UPPCB shall issue suitable directions to the unit within 15 days.
5. Committee also recommended that UPPCB shall initiate procedure for prosecution of the unit as per the NGT order within 15 days.

AND WHEREAS, CPCB vide a reminder letter dated 26.12.2019 asked the Member Secretary, UPPCB to take necessary actions as per the decisions held in the minutes of the meeting dt. 04.12.2019 and to ensure filing of the action taken report/compliance report in NGT by 01.01.2020; and

WHEREAS, CPCB received a letter from MS, UPPCB dated 17.01.2020 with request to provide suitable date for carrying out joint inspection of M/s Jubilant Industries Ltd, Gajraula, Amroha; and

WHEREAS, CPCB vide letter dated 23.01.2020 asked Member Secretary, UPPCB that, "Hon'ble NGT in its order dated 01.11.2019 in OA No. 107/2019 has accepted the observations and recommendations of the joint inspection report and directed that action has to be taken for the past violation by way of prosecution and EC. Activities of the unit need to be suitably regulated/stopped/restricted. The Hon'ble NGT has not directed for any joint inspection. Further, last date of filing compliance report was 01.01.2020, which was already lapsed and carrying out inspection at that stage was not be appropriate."; and

WHEREAS, CPCB filed compliance report of Hon'ble NGT order dated 01.11.2019 on 28.01.2020 to Hon'ble NGT; and

WHEREAS, the Hon'ble NGT again directed to furnish the further report jointly by CPCB and UPPCB vide it's order dated 05.02.2020; and

WHEREAS, the Hon'ble NGT in it's order dated 05.02.2020 in O.A. No. 107/2019 in the matter of Shah Alam Vs. State of Uttar Pradesh made following observations:

1. The observations and recommendations of the report dated 13.09.2019 furnished by a joint committee of the CPCB, UPPCB, Health Department, District Admin, U.P. Jal Nigam, Horticulture Department and the Krishi Vigyan Kendra, Amroha established violations of environmental norms which can be summed up as follows:
 - i. None of the units of Jubilant group of Industries in Gajraula Industrial Complex has requisite permission for ground water extraction but such extraction is continuing in violation of law.
 - ii. Captive power plant is not complying with respect to NO₂ standards.
 - iii. The distillery plant as per the adequacy report of the Joint Committee indicates that the RO and MEE plants are not installed as per the requirements. Further, the compost yard is not maintained as per the guidelines of CPCB and also the compost quality is not ascertained before providing to the farmers.
 - iv. The effluents of chemical unit 1 and the polymer unit are collectively treated in a chemical effluent treatment plant and both the units have been consented as Zero Liquid Discharge. The treated effluents from the chemical effluent treatment plant should

operate on ZLD system and this effluent may not be consented for utilization for horticulture purpose.

- v. The 400 KLD of sewage after treatment is utilized for horticulture/agriculture. The treated sewage is not meeting with respect to faecal coliform. After treatment, it can be better utilized for industrial use so to reduce consumption of ground water.
2. There have been several inspections carried out in the past with regard to all the industries and the actions required to be taken are well known. UPPCB has not taken any action to ensure compliance nor imposed environment compensation so far. As regulatory body, entrusted with statutory functions, has thus failed in its duty so far.

AND WHEREAS, the Hon'ble NGT in it's order dated 05.02.2020 in O.A. No. 107/2019 in the matter of Shah Alam Vs. State of Uttar Pradesh has observed that State PCB has calculated the environmental compensation of Rs. 9.84 crores for illegal withdrawal of ground water (from 04.04.2019 to 25.10.2019) and a show cause notice has been issued to the industry on 30.10.2019 for which opportunity of hearing has been given to the unit; and

WHEREAS, a video conference was held with officials of UPPCB & CPCB on 15.04.2020 to discuss the execution of the NGT order dated 05.02.2020 and status of actions taken by UPPCB in the matter and following observations are made:

- i. Regional Officer, Bijnor, UPPCB and concerned officials of WQM-II Division, CPCB participated in the meeting.
- ii. Regional Officer, Bijnor, UPPCB informed that UPPCB has not issued any statutory direction or passed any order till date in response to the show cause notice dated 30.10.2019 issued by UPPCB to the unit (which is also referred in Hon'ble NGT order dated 05.02.2020).
- iii. Since the inspection report dated 13.09.2019 filed by the joint committee of CPCB, UPPCB, Health Department, District Admin, U.P. Jal Nigam, Horticulture Department and the Krishi Vigyan Kendra, Amroha based on inspection carried out, actions required to be taken are well known and Hon'ble NGT in it's order dated 01.11.2019 and 05.02.2020 has directed to take actions against the unit and has not ordered for any further inspection, hence any further inspection is not appropriate at this stage.
- iv. UPPCB shall take further statutory actions including issuance of appropriate directions in response to observations and recommendations made in the report dated 13.09.2019 by the joint committee, show cause notice dated 30.10.2019 along with environmental compensation amount of Rs. 9.84 crores (for illegal withdrawal of ground water) issued by UPPCB within 15 days; and

WHEREAS, based on the detailed deliberations held in the meeting, minutes of the meeting was issued to UPPCB vide email dated 26.04.2020.

It is evident that UPPCB has neither taken any decision in respect of their show cause notice dated 30.10.2019 along with environmental compensation of Rs. 9.84 crores nor taken any further statutory actions to ensure compliance and recovery of Environmental Compensation (EC) so far and inordinate delay has already been made by UPPCB in compliance of Hon'ble NGT order dated 05.02.2020 in O.A. No. 107/2019 in the matter of Shah Alam Vs. State of Uttar Pradesh.

NOW, THEREFORE, in view of above observations and in exercise of the power conferred under section 18(1) (b) of the Water (Prevention and Control of Pollution) Act, 1974, you are here by directed to comply with the following directions:

1. UPPCB shall issue appropriate directions to ensure compliance of observations and recommendations made in the joint inspection report dated 13.09.2019 furnished by the joint committee and decisions of the meeting held on 04.12.2019 & 15.04.2020 in a time bound manner including recovery of Rs. 6.19 crores calculated as EC by the joint committee.
2. UPPCB shall take further statutory actions in response of their issued show cause notice dated 30.10.2019 along with levying EC amount of Rs. 9.84 crores (Calculated by UPPCB in issued SCN) within 15 days.
3. UPPCB shall take appropriate legal actions which may include closure and prosecution in respect of Distillery unit which was found non-complying with respect to ZLD norms.

The action taken report by Uttar Pradesh Pollution Control Board shall be furnished to CPCB within 15 days of recipient of this direction.


(RAVIS PRASAD)
CHAIRMAN

Copy to:

1. **Chairman,** : for kind information please
Uttar Pradesh Pollution Control Board
Building No. TC-12v, Vibhuti Khand,
Gomti Nagar, Lucknow-226010
2. **Joint Secretary (CP Division),** : for kind information please
Ministry of Environment, Forests, &
Climate Change
Indira Paryavaran Bhawan, Jorbagh Road,
New Delhi – 110013
3. **District Magistrate** : for kind information please
Amroha , U.P.
4. **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
- ✓ 5. **Incharge, IT Division, CPCB** : with request to upload on CPCB
website
6. **Guard file/Master file**
WQM, CPCB Delhi


(PRASHANT GARGAVA)
MEMBER SECRETARY

Uttar Pradesh Pollution Control Board for M/s Jubilant Group of Industries, Gajraula, Amroha