

To,

The Chairman
Uttar Pradesh Pollution Control Board,
Building No-TC-12V,
Vibhuthi Khand, Gomti Nagar,
Lucknow - 226 020

Direction under section 18(1) (b) of the Water (Prevention & 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 of 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 Environment (Protection) act, 1986 and the Rules framed there under; and

WHEREAS, the 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 K.M. Sugar Mills Limited (Distillery Division), Moti Nagar, Faizabad, Uttar Pradesh was jointly inspected by a team of CPCB, RD, Lucknow and RO, UP PCB, Lucknow on 19.01.2019 as per the decision taken by Eastern UP Rivers & Water Reservoir Monitoring Committee, Lucknow constituted by Hon'ble NGT, Delhi vide order dated 23.08.2018 in the matter of 116/2014 (Meera Shukla Vs Municipal Corporation, Gorakhpur). The joint team has made the following observations during the inspection:

1. The unit is engaged in production of Rectified spirit and Absolute Alcohol using molasses as raw material with consented capacity of 45 KLD. During inspection unit was in operation with reported production capacity of 45 KLD of RS.
2. The unit has concentrated spent wash storage capacity approx. 48 days as against 30 days as per consent condition. The lagoon was found almost filled with the spent wash. The unit has not provided 0.3m free board in lagoon as per consent condition.
3. It was also observed that the unit has additional one lagoon with capacity 1650 KL, which is filled with coloured effluent. It was informed by the unit representative that the lagoon is not in use by the unit.
4. During inspection, it was observed that one lagoon with capacity 3766KL is used for storage of molasses by its sugar industry, which is located adjacent to spent wash storage lagoon. It was observed that HDPE lining and brick lining of molasses storage lagoon was damaged.
5. It is informed that the unit has placed order for installation of Condensate Polishing Unit (CPU). Presently, the unit has no treatment system for other process effluent such as MEE condensate, spent lees, cooling tower blow down, gland leakages etc.

6. The analysis results of sample collected from the other effluent storage pit, which is reportedly discharged into nearby 'Masoda Drain', indicated non-compliance to waste water discharge standards w.r.t pH, BOD and COD parameters.
7. During inspection coloured effluent was found disposed off near railway line and bio-compost yard. Analysis results of the sample indicated higher value of BOD, COD TSS and Colour conforming that the unit has discharged coloured and untreated effluent into land.
8. The ground water samples were collected from 08 locations near Sugar and Distillery unit. The analysis results shows that value of Colour, Total hardness Turbidity , TDS, Total Alkalinity, Cadmium, Arsenic and Iron parameters were higher than drinking water quality standards but less than permissible limits.
9. The unit is not following the protocol for bio-composting such as not provided proper catch pits and catch drain around bio-compost yard. The unit has not provided ground water quality monitoring network around the bio-compost yard.
10. During inspection, it was found that sugar mill has bypasses untreated effluent into Masoda drain. Sample was collected from industry drain at Ayodhya -Sultanpur Highway. The analysis results show that values of pH, BOD, COD & Suspended Solids were not meeting than waste water discharge standards.
11. Drain samples were collected from Masoda Drain which mainly carries domestic sewage. The analysis results show that values of TDS, Potassium, Sulphate, BOD, COD Conductivity, Total Hardness and Chloride were higher than waste water discharge standard. It is evident from the results that Sugar and Distillery unit have discharged highly polluted effluent into Masoda drain.

WHEREAS, UPPCB had issued closure direction dated 31.01.2019 u/s 32 (1) (c) of the Water Act, 1974 to M/s K.M. Sugar Mills Limited (Distillery Division), Moti Nagar, Faizabad, Uttar Pradesh, based on the observations and recommendations made by the joint inspection team i.e. non-compliance with respect to storage of untreated effluent at many locations by the distillery unit, unauthorized discharge into the 'Masoda' drain, non-compliance of bio-composting protocol, including ground water quality monitoring network. Environmental compensation of Rs. 36.5 lakhs was also imposed by UPPCB on the distillery unit; and

WHEREAS, UPPCB had issued show cause notice to M/s K.M. Sugar Mills Limited (Sugar Division), Moti Nagar, Faizabad, Uttar Pradesh dated 07.02.2019 based on the observations and recommendations made by the joint inspection team i.e. unauthorized discharge into the 'Masoda' drain etc and environmental compensation of Rs. 22.5 lakhs was also imposed on the Sugar Mill; and

WHEREAS, UPPCB has revoked the closure direction issued to M/s K.M. Sugar Mills Limited (Distillery Division), Moti Nagar, Faizabad, Uttar Pradesh on 22.03.2019 based on the inspection of UPPCB officials with certain conditions such as preparation of environmental restoration plan of Masoda Drain to Tamsa River Confluence, installation of Condensate Polishing Unit, discontinuing of bio-composting operations & shifting completely to MEE & Incineration operation for spent wash management; and

NOW THEREFORE, in view of the above and in exercise of powers delegated to the Chairman, Central Pollution Control Board under section 18 (1) (b) of Water (Prevention & Control of Pollution) Act, 1974, you are directed to comply with the following directions:

With respect to M/s. K.M. Sugar Mills (Distillery division):

1. To review progress of implementation of revocation directions issued to distillery unit on 22.03.2019 for its timely compliance.
- 1.1 To engage expert institute for preparation of restoration plan of Masoda Drain and for carrying out the restoration of the drain as per the plan in time bound manner.

The cost incurred for the restoration should also be additionally borne by both units as environmental compensation.

- 1.2 To levy adequate environmental compensation on Distillery unit.
- 1.3 To complete the committed up-gradation works such as installation of CPU & STP within the timeline & shall ensure that the distillery unit achieve ZLD as per the action plan submitted in compliance to CPCB directions. The distillery may be directed to close down operations in the event of not achieving ZLD as per the action plan implemented by CPCB.

With respect to M/s K.M. Sugar Mills:

2. The sugar mill shall be directed to ensure compliance on following direction issued by UPPCB in its SCN dated 07.02.2019 & submit compliance statement before next crushing season.
 - 2.1 The unit shall be directed to submit Irrigation Management Plan.
 - 2.2 To carry out adequacy assessment of the ETP from reputed government institute & to comply with the recommendations of the adequacy assessment report before the commencement of next crushing season.
 - 2.3 To levy adequate compensation on the Sugar mill.

Necessary actions, as above may therefore be taken and an action taken report shall be submitted to CPCB within 30 days of receipt of directions.

(S P Singh Parihar)
CHAIRMAN

Copy to:

1. **The Joint Secretary (CP Division)**
Ministry of Environment, Forest & C.C
Prithvi Block, Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi - 110 003 : For information please.
2. **The Regional Director,**
CPCB Regional Directorate (North)
PICUP Bhawan, Ground Floor,
Vibhuti Khand, Gomti Nagar,
Lucknow - 226 010 : For information please.
3. The In-charge, IPC-III Division, CPCB :
- ✓ 4. The In-charge, IT Division, CPCB :

(Prashant Gargava)
MEMBER SECRETARY