

**Speed Post**

B-190198/WQM-II(RG)/CPCB/Sugar/55/2016-17

April 24<sup>th</sup>, 2018  
27

To,

M/s New Swadeshi Sugar Mills  
Narkatiyaganj, West Champaran,  
Bihar-845455

**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 thereunder and also to meet the consent conditions granted by State Pollution Control Board (SPCBs) / Pollution Control Committees (PCCs); and

**WHEREAS**, M/s New Swadeshi Sugar Mills, Narkatiyaganj, West Champaran, Bihar (hereinafter referred as 'the Unit') is involved in the process of sugar manufacturing from crushing of cane; and

**WHEREAS**, CPCB issued direction dated 05.06.2017 to the Unit under section 5 of Environment Protection Act, 1986 to remain closed till compliance with the following directions:

1. i. The Unit shall submit the following reports to CPCB duly validated by reputed institutions like National Sugar Institute, Kanpur/Vasandada Sugar Institute, Pune /IITs within 60 days;
  - a) ETP adequacy assessment reports;
  - b) time bound action plan for ETP augmentation & upgradation upto tertiary treatment level; to comply with the standards notified G.S.R. 35 (E), MoEF&CC, January 14, 2016 for effluent disposal, & waste water conservation.

**(Contd..2/-)**

- c) water audit and mass balance report to establish waste water generation rate;
  - d) action Plans to achieve the notified effluent discharge quality and generation standards.
  - e) irrigation management plan as per the new notified standards on January 14, 2016; and
- ii. The Unit shall restrict the storage capacity of lined lagoon upto 15 days of effluent generation.
  - iii. The Unit shall meet the BOD-30mg/l standards for discharging any effluent on land /surface water body whereas effluent stored in lined lagoons/tanks of capacity not more than 15 days shall comply with BOD-100 mg/l standards.
2. The Unit shall stabilize the ETP by September 2017 before commencing of the new crushing season. The unit will not be allowed to resume manufacturing operations till stabilization of ETP system.
  3. The Unit shall upgrade of process technology, ETP system & adapt the best practice in a time bound manner and submit a report to CPCB before starting the next crushing season.
  4. The Unit shall seek permission from CPCB, after compliance with the above mentioned directions before resumption of manufacturing operations.

**AND WHEREAS**, CPCB received adequacy assessment report vide letter dated 25.09.2017 from the Unit prepared by VSI, Pune; and

**WHEREAS**, CPCB issued direction dated 06.11.2017 under section 5 of Environment (Protection) Act, 1986 to the Unit to comply with the following directions;

1. The Unit shall start its operation only after obtaining valid consent from the concerned State Pollution Control Board.
2. The Unit shall submit action plan within 15 days to implement the recommendations (including general observation) of adequacy report within 45 days.
3. The Unit shall install & Commission ETP system upto tertiary treatment level including adequate treatment system for spray pond overflow effluent in case of double sulphitation process (Brine recovery system to be installed in case of sugar refinery having Ion Exchange Process for sugar melt de-colorization).
4. The Unit having high pressure boiler (>45 Kg/cm<sup>2</sup>) shall install & Commission Condensate Polishing Unit (CPU) within 45 days for treatment of condensate water to ensure its reuse & recycle within the process.
5. The Unit shall restrict the effluent storage capacity to 15 days.
6. The Unit shall utilise treated effluent meeting the prescribed norms for irrigation as per the irrigation management plan validated by expert institutions namely, NSI, Kanpur/ VSI, Pune/ Agricultural Institutions.
7. The Unit shall get the verification of implement status of the recommendation of adequacy report including ETP performance assessment & effluent generation assessment done by the same institute which carried out adequacy assessment and submit the report to CPCB within 45 days from date of resumption of manufacturing operations.

**(Contd..3/-)**

8. The Unit shall implement the observation and recommendation of the adequacy report within 45 days.
9. The analysis result of the treated effluent shall also be submitted within 45 days through EPA recognised laboratories.
10. If the Unit fails to provide the verification report duly validated by the expert institutions, the Unit shall automatically stop all its manufacturing operations after 45 days from date of resumption of manufacturing operations.

**AND WHEREAS**, the Unit has submitted implementation status of recommendations of adequacy report vide letters dt. 30.09.2017 to CPCB; and

**WHEREAS**, the Unit (M/s New Swadeshi Sugar Mills, Narkatiyaganj, West Champaran, Bihar) was inspected on 11.01.2018 by officials from CPCB, and following observations are made;

1. The Unit and the ETP were operational.
2. The Unit has valid consent under Water (Prevention and Control of Pollution) Act, 1974 & Air (Prevention and Control of Pollution) Act, 1981 upto 31.12.2018.
3. The Unit has installed Effluent Treatment Plant (ETP) which is comprised of Oil and Grease trap, Equalisation tank, Primary Clarifier, Aeration Tank, Secondary Clarifier, Sand and Activated Carbon Filter.
4. The analysis of treated effluent sample shows **pH-4.32** as against norms of 5.5-9.0, **BOD-175 mg/l** against norms of 30 mg/l, **COD-280 mg/l** against norms of 250 mg/l and **TSS-143 mg/l** against norms of 30 mg/l. which indicates non-compliance w.r.t. pH, BOD, COD and TSS with the effluent discharge norms prescribed under Environment (Protection) Rules, 1986.
5. Flow meter was not installed at the inlet of ETP.
6. The Unit has not submitted irrigation management plan.
7. The Unit has not submitted analysis result of treated effluent within 45 days from the date of resumption of operation through EPA recognised laboratories.
8. The Unit has not submitted revalidated ETP adequacy assessment report within 45 days from the date of resumption of operation to CPCB.

**It is evident that untreated/ partially treated effluent is being discharged by the Unit, posing potential threat to surface water/ground water quality.**

**AND NOW, THEREFORE**, in view of above observations and in exercise of the powers delegated to the Chairman, CPCB under section 5 of the Environment (Protection) Act, 1986, the unit (M/s New Swadeshi Sugar Mills, Narkatiyaganj, West Champaran, Bihar) is directed to **close down its manufacturing operations immediately** and shall comply with the following directions;

1. The Unit is directed to close down its Sugar manufacturing operations with immediate effect and shall not resume its operations.

**(Contd..4/-)**

2. The Unit shall install & Commission ETP system upto tertiary treatment level including adequate treatment system for spray pond overflow effluent in case of double sulphitation process.
3. The Unit having high-pressure boiler ( $>45 \text{ Kg/cm}^2$ ) shall install & Commission Condensate Polishing Unit (CPU) for treatment of condensate water to ensure its reuse & recycle within the process and shall meet the notified standard.
4. The Unit shall restrict the effluent storage capacity to 15 days.
5. The Unit shall submit irrigation management plan and utilise treated effluent meeting the prescribed norms for irrigation as per the irrigation management plan validated by expert institutions namely, NSI, Kanpur/ VSI, Pune/ Agricultural Institutions.
6. The Unit shall get the verification of implement status of the recommendation of adequacy report including ETP performance assessment & effluent generation assessment done by the same institute which carried out adequacy assessment and submit the report to CPCB.
7. The Unit shall submit revalidated ETP adequacy assessment report to CPCB immediately.
8. The Unit shall inform to CPCB about the Closure of operation immediately.
9. The Unit shall seek permission from CPCB before resumption of manufacturing operations.

In case of default in compliance with the above directions, CPCB will be constrained to initiate action against the Unit (**M/s New Swadeshi Sugar Mills, Narkatiyaganj, West Champaran, Bihar**) without giving any further notice in accordance with the provisions of the Environment (Protection) Act, 1986.

/

**(S. P. SINGH PARIHAR)**  
CHAIRMAN

**Copy to:**

1. **Member Secretary**  
Bihar Pollution Control Board,  
Parivesh, Bhawan, Plot No., Ns-B/2,  
Patliputra Industrial Area,  
**Patliputra, Patna (Bihar)-800 023**
2. **Joint Secretary (CP Division)**  
Ministry of Environment, Forest & C.C  
Prithvi Block, Indira Paryavaran Bhawan,  
**Jorbagh Road, New Delhi – 110 003**

:With request to ensure compliance of the directions.

:For kind information, please.

**(Contd..5/-)**

**3. District Magistrate**

West Champaran, Bihar

:With request to ensure closure of the unit in compliance of the directions.

**4. Superintending Engineer**

Bihar State Power Holding Company Ltd. (BSPHCL),  
West Champaran, Bihar

:With a direction to disconnect power supply


**5. Regional Director**

Regional Directorate  
Central Pollution Control Board,  
southern Conclave, Block-502,  
5<sup>th</sup> & 6<sup>th</sup> Floor, 1582, Rajdanga Main Road,  
Kolkata – 700 107 (W.B.)

:For follow up and ensuring compliance

**6.** In-charge, IT Division, CPCB

7. Master file/Guard file, WQM II, CPCB Delhi



(A SUDHAKAR)

MEMBER SECRETARY