

BY REGISTERED AD

B-182/IPC-III/2K18-2K19 12548

13<sup>th</sup> November, 2018

To

M/s Pilkhani Distillery & Chemical Works,  
Pilkhani, Post Box No-69, Saharanpur,  
Uttar Pradesh-247001

**Revoking of directions under Section 5 of the Environment (Protection) Act, 1986**

**WHEREAS**, Distilleries are identified as one of the 17 categories of highly polluting industries which have been discharging environmental pollutants directly or indirectly into the ambient air and water, having potential threat to cause adverse effect on the water and air quality; and

**WHEREAS**, for strengthening the monitoring and compliance through self-regulatory mechanism, a direction under section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 was issued on February 05, 2014 to all the State Pollution Control Boards (SPCBs)/ Pollution Control Committees (PCCs) for installation of online emission monitoring system w.r.t. Particulate Matter parameter & online effluent monitoring system w.r.t. pH, BOD, COD, TSS, Flow parameters in 17 categories of industries including distilleries; and

**WHEREAS**, it was clarified that flow meter & web camera may be installed in case of units achieving zero liquid discharge (ZLD) by March 31, 2015 vide guidelines uploaded on website of CPCB dated November 7, 2014; and

**WHEREAS**, considering the requests/ representations received from industries/ industrial associations/ SPCBs / PCCs, an extension of time up to June 30, 2015 for installation of online monitoring systems was granted vide direction dated March 02, 2015 under section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981; and

**WHEREAS**, in follow up to the directions issued to the SPCBs/PCCs, CPCB had issued show cause notices under section 5 of the Environment (Protection) Act, 1986 dated 24.07.2015 to 347 distilleries, including M/s Pilkhani Distillery & Chemical Works, Pilkhani, Post Box No-69, Saharanpur, Uttar Pradesh, hereinafter referred to as 'the unit', as to why the Unit should not be closed down if the Unit has not complied fully with the direction issued w.r.t. installation of online emission & effluent monitoring system by June 30, 2015. It was further directed to submit documentary evidence regarding status of installation and connectivity of online emission & effluent monitoring system in the format given in annexure; and

**WHEREAS**, in reply to the notice, it was informed that the unit is in the process of installing online monitoring system; and

**WHEREAS**, in view of the non compliance of the unit w.r.t installation of online monitoring devices and in exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986, CPCB had issued directions dated 06.04.2017 to close down the unit until installing required online monitoring devices and providing the required connectivity to CPCB; and

**WHEREAS**, the unit vide letters dated 24.08.2018 & email dated 01.10.2018, has informed that the unit is not in operation since 04.03.2017 (Self certificate) and has installed required flow meters and cameras required for ZLD units and has provided connectivity of these systems to CPCB and the same has been verified by IT division; and

**WHEREAS**, CPCB constituted a three member Committee vide office order dated 03.10.2017 having representative(s) from CPCB and MOEF&CC for examination and recommendation of the revocation of closure directions issued by CPCB; and

**WHEREAS**, the Committee in its meeting held on 17.10.2018 reviewed the compliance made by the unit & verified the submitted supporting documents in line with the agreed criteria and recommended that the unit may be allowed to resume its manufacturing operation with certain conditions; and

**WHEREAS**, the Ministry of Environment & Forests, Government of India, vide notifications No-S.O. 157 (E) of 27.02.1996 and S.O. 730(E) dated 10.07.2002, has delegated the powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board, to issue directions to any industry or any local body or any other authority for violations of the standards and rules notified under the Environment (Protection) Rules, 1986 and amendment thereof;

**NOW THEREFORE**, in view of the compliance made by the unit to the direction issued by CPCB and in exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986, the unit **M/s Pilkhani Distillery & Chemical Works, Pilkhani, Post Box No-69, Saharanpur, Uttar Pradesh, is permitted to resume its manufacturing operations** subject to the following condition;

- a) Before commencement of operations, industry shall obtain valid Consent to Operate under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 and Authorization under Hazardous and Other Wastes (Management and Trans-boundary Movement) Rules, 2016 from respective State Pollution Control Board with remittance of penalty under rule 23/(2), if applicable. The industry shall not operate under any circumstances without valid consent orders and authorization & submit a copy of the same along with date of resumption of operations.
- b) The unit shall commence operation only after the implementation of ZLD action plan submitted to UPPCB as per the direction issued by CPCB to 07 Ganga Basin SPCB's including UPPCB. The unit shall submit a compliance report endorsed from UPPCB & a copy of valid CTO & date of commencement of operation.
- c) It shall be ensured that the installed OCEMS devices are functioning properly & continuously and that data from that device are uninterruptedly transferred to CPCB. Any failure in his regard shall be rectified at the earliest.
- d) Unit shall ensure periodic calibration of the analyzers as per Standard Operating Procedure/recommendations of the supplier and submit the calibration results.
- e) In the event of failure to comply with above mentioned conditions, revocation order will automatically stand withdrawn & that closure order will again become operative and the unit shall report the closure of its manufacturing operation to CPCB immediately.

In case of default in compliance with the above directions or any other exigencies, CPCB will be constrained to initiate further stringent action against the Unit, in accordance with the provisions of the Environment (Protection) Act, 1986, without any further notice.

**(S. P. Singh Parihar)**  
CHAIRMAN

Copy to:

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

**:With a request to ensure compliance of direction & considering issuance of consent orders to operate only after implementation of the ZLD action plan as already directed by CPCB u/s 18(1)(b) Water/Air Act, dated 23.02.2017, please**

2 The Advisor (CP Division)  
Ministry of Environment, Forest & C.C  
Prithvi Block, Indira Paryavaran Bhawan,  
Jorbagh Road, New Delhi - 110 003

: For information, please

3 The Regional Director,  
CPCB Regional Directorate(North),  
PICUP Bhawan, Ground Floor,  
Vibhuti Khand, Gomti Nagar,  
Lucknow - 226 010.

:For follow up and ensuring compliance, please

4 The District Magistrate,  
Saharanpur, Uttar Pradesh

**:For information regarding revoking of closure direction, please**

5. The Executive Engineer,  
Urja Bhawan  
Pashchimanchal Vidyut Vitran Nigam Ltd.,  
Victoria Park, Meerut-250001

**:With request to restore the power supply to the unit, please**

6. The Div. Head, I.P.C-III, CPCB

✓ 7. The Div. Head, IT Division, CPCB

**:For uploading on CPCB website**

**(Prashant Gargava)**  
MEMBER SECRETARY