

Speed Post

B-507/IPC-III/Dist/2k18-19 932

12<sup>th</sup> December, 2018

To,

M/s Lahag Spirits Pvt. Limited  
(Formerly Esveegee Breweries Pvt. Limited)  
Vill- Manpur, Namchi, South Sikkim - 737128

**Sub.: DIRECTIONS UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986-  
Reg.**

**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**, there is need to inculcate habit of self monitoring within the industries for complying with the prescribed standards and this can be achieved by the methods like installing online effluent and emission monitoring devices; and

**WHEREAS**, for strengthening the monitoring and compliance through self regulatory mechanism, online source emission and effluent monitoring systems need to be installed and operated by the industries on 'polluter pays principle'; and

**WHEREAS**, 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 Distilleries;

**WHEREAS**, it was clarified that flow meter & web camera may be installed in case of Units with 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**, a letter vide dated May 29, 2015 was issued by the Chairman CPCB to all the SPCBs/ PCCs informing that no further extension of time will be given after June 30, 2015 and withdrawal of consent to operate along with forfeiture of bank guarantee of non-complying Units will be the only option; and

**WHEREAS**, concerned SPCB/ PCC have issued directions under section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and section 31A of the Air (Prevention & Control of Pollution) Act, 1981 to install the online monitoring system by June 30, 2015 and to submit bank guarantee of 100% of the cost of online emission & effluent monitoring system; and

**WHEREAS**, CPCB had explored installation of Online Monitoring device in the other countries and has come to conclusion that the online monitoring devices are essential for improving compliance as the conventional monitoring systems not able to capture violations on regular basis; and

**WHEREAS**, CPCB had held stakeholder consultations with industrial associations and SPCBs/PCCs on 06.08.2014, 19.09.2014, 29.09.2014, 08.10.2014, 16.10.2014, 09.01.2015, 08.04.2015 and 16.06.2015 regarding time bound implementation of installation of these devices; and

**WHEREAS**, the sector specific requirement regarding installation of OCEMS for the 17 categories, including distilleries are already uploaded in the CPCB website and is available at [http://cpcb.nic.in/Distillery\\_29.12.16.pdf](http://cpcb.nic.in/Distillery_29.12.16.pdf).

**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; and

**WHEREAS**, M/s Lahag Spirits Pvt. Limited (Formerly Esveegee Breweries Pvt. Limited), Village- Manpur, Namchi, South Sikkim - 737128, (hereinafter referred to as 'the unit') was inspected by the CPCB Regional Directorate, Shillong, on 05-06.08.2018 based on SMS Alert/Offline Monitoring System and following observations were made during the inspection;

1. The unit has installed OCEMS in the ETP for pH, TSS, BOD and COD monitoring and subsequently connected the OCEMS generated data to the CPCB Server. It is observed that the OCEMS has been off-line for a long time. The unit has been contacting with M/s Forbes Marshall, who was the supplier of the systems for necessary correction. The unit is reporting very poor response from M/s Forbes Marshall. Recently the unit has also signed an AMC contract with M/s Forbes Marshall for regular maintenance of the systems.
2. During the monitoring period, the unit was under shutdown. It is reported that the unit was under shutdown w.e.f 1st April 2017 to 1st Feb 2018. The unit was in operation w.e.f February 02, 2018 till July 03, 2018 and after that the unit has been under shutdown again.
3. Spent wash generated in the unit is treated through decanter and concentrated in multi-effect evaporator (MEE) to form DWGS. DWGS is being sent to rotary dryer to form DDGS (about 25 MT/day), which are sold to various agencies.
4. The unit has never applied for hazardous authorization from Sikkim Pollution Control Board. Though the unit has installed flow meter at the outlet of the ETP, flow data record is not maintained.
5. The unit has reported complete recycling of treated water. However, no camera been installed showing the ETP outlet.
6. The unit operates a DM plant of 20 KLD. The effluent generated in the DM plant during resin regeneration is treated in a Neutralization tank of 10 KL capacity.
7. The unit generates at about 5.8 MT of fly ash in the coal fired boiler. The fly ash is collected from the bottom hopper of bag houses and dumped in the nearby areas within the plant premises. The unit has signed a MOU with some agencies for disposal and utilization of fly ash by the Agencies, has been verified from records.

**WHEREAS**, CPCB had issued a notice to the unit u/s 5 of the E (P) A, 1986 for the non compliances noticed during the inspection vide letter no.B-507/IPC-III/Dist/2k18-19 dated 15.10.2018; and


**WHEREAS**, the Unit's reply to the S/c notice received on 01.11.2018, was examined and it is evident that the unit has not complied with the directions issued by CPCB in the notice dated 15.10.2018 w.r.t reinstating the data connectivity of OCEMS to the CPCB server, installation of PTZ camera at storage lagoon/tank and Dryer Section and additional flow meters at raw spent wash and MEE concentrate as per CPCB guidelines and providing connectivity to CPCB server &

obtaining valid consent orders under Air and Water Acts from State pollution Control Board; and

**NOW THEREFORE**, in view of the events, as described above and exercising the powers delegated to the Chairman, Central Pollution Control Board (CPCB) under section 5 of the Environment (Protection) Act, 1986, the distillery unit is hereby directed to "**close down all its manufacturing operations and not to restart manufacturing**" till it complies with the following directions and obtains permission from CPCB:

1. The unit shall reinstate the data connectivity of OCEMS to the CPCB server immediately.
2. The unit shall operate with valid consent orders under Air and Water Acts from State pollution Control Board.
3. The unit shall install PTZ camera at storage lagoon/tank and Dryer Section and additional flow meters at raw spent wash and MEE concentrate as per CPCB guidelines and provide its connectivity to CPCB server.
4. As per Hazardous and Other Wastes (Management and Trans-boundary Movement) Rules, 2016, the unit shall make an inventory of all the hazardous waste it generates including empty chemical drums, ETP sludge etc.
5. The unit shall install digital pH meter at the DM plant neutralization Tank. Neutralized DM plant wastewater shall be used for dust suppression measures in the coal crusher area and in the coal conveyor belt and also in the fly ash handling areas

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

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

Copy to:

- 1.The Member Secretary** : For information & ensuring compliance of directions.  
State Pollution Control Board Forest,  
Environment Wildlife Management  
Department,Government of Sikkim Forest  
Secretariat Annex I,  
Ground Floor, Deorali, East Sikkim  
Gangtok -737102
- 2.The Advisor (CP Division)** : For information, pl  
Ministry of Environment, Forest & C.C  
Prithvi Block, Indira Paryavaran Bhawan,  
Jorbagh Road, New Delhi – 110 003
- 3.The Regional Director, (NE)** : For follow up and ensuring compliance.  
CPCB Regional Directorate  
'TUMSIR', Lower Motinagar,  
Near Fire Brigade H.Q,  
Shillong – 793 014

4. **The District Magistrate,** : With request to ensure compliance of  
Namchi, South Sikkim - 737128 closure direction, pl.
5. **The Superintending Engineer (South),** : With request to dis-connect the power  
Energy & Power Department, Govt. of supply for industrial operations.  
Sikkim, Jorethang.
6. The Divisional Head, IPC-III Division, CPCB :
- ✓ 7. The In-charge, IT Division, CPCB :

  
(PRASHANT GARGAVA)  
MEMBER SECRETARY