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01.02. 2019
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To,

M/s The Kisan Sahkari Chini Mills,
Puranpur, Pilibhit,
U.P. 262122

**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 The Kisan Sahkari Chini Mills, Puranpur, Pilibhit, U.P. (hereinafter referred as 'the Unit') is involved in the process of sugar manufacturing from crushing of cane; and

WHEREAS, the Unit was inspected on 01.02.2018 by officials from CPCB and following observations were made;

1. The treated effluent from secondary clarifier outlet was found to be discharged directly into the drain.
2. The Unit has bypass arrangement for untreated effluent from spray pond overflow outside the premises and analysis of treated effluent sample showed **BOD-60.5 mg/l** which indicates non-compliance with the effluent discharge norms.
3. The analysis of treated effluent sample showed pH-6.79, as against norms of 5.5-9.0, **BOD-826 mg/l** against norms of 30 mg/l, **COD- 1372 mg/l** against norms of 250 mg/l, **TSS- 200 mg/l** against norms of 30 mg/l at outlet of the ETP which indicated non-compliance w.r.t. BOD, COD & TSS with the effluent discharge norms prescribed under Environment (Protection) Rules, 1986.

4. The MLSS in aeration tank 1 and aeration tank 2 was 278 mg/l and 475 mg/l, respectively, which indicate unstabilised Activated Sludge Process system due to poor operation and maintenance of ETP system.

AND WHEREAS, CPCB issued closure direction dated 19.03.2018 under Section 5 of the Environment (Protection) Act, 1986 to the unit; and

WHEREAS, the Unit's reply dated 20.4.2018 was examined; and

WHEREAS, CPCB through an Expert Committee comprising of experts from National Sugar Institute (NSI), Kanpur, Vasantdada Sugar Institute (VSI), IITs and representatives from sugar mills prepared a Charter for Water Recycling and Pollution Prevention (thereafter referred to as the Charter); and

WHEREAS, a meeting of sugar mills operating in Uttar Pradesh, representatives of UPPCB and CPCB was held on 06.07.2018 under Chairmanship of Principal Secretary, Sugar Industries and Sugarcane Development, Government of Uttar Pradesh and the following decisions are made

1. Sugar Mills shall submit an action plan to CPCB by 20.07.2018 regarding the steps taken by them pertaining to the notices issued to them. Also they shall submit action plan to implement recommendations of their adequacy assessment report.
2. All sugar mills shall ensure implementation of Charter and shall submit action plan to CPCB by 20.08.2018.
3. All sugar mills shall ensure the upgradation of their ETP within August, 2018 so as to ensure no interruption in functioning of the ETP in the following seasons.
4. All sugar mills shall maintain a logbook on ETP operations on a daily basis.
5. ETP shall be operational at all times and all bypass arrangements should be dismantled with immediate effect.
6. MLSS in aeration tanks should be maintained at 2000-2500 mg/l.
7. All sugar units shall set up environmental laboratories for regular analysis of raw and treated effluent thereby ensuring proper functioning of the ETP.
8. All sugar mills shall employ dedicated technicians for operating and regular maintenance of ETP and shall also ensure that the technicians are given proper training on ETP maintenance and lab analysis on regular basis.
9. To ensure proper training of the environmental technicians all sugar mills shall facilitate training of 5 employees.
10. All sugar mills may establish an Environment Management Cell at their level consisting of concerned officials in order to ensure compliance with environmental standards at industry level itself.

AND WHEREAS, the unit vide letters dated 12.07.2018 & 06.08.2018 submitted their compliance status of the Charter; and

WHEREAS, the Unit was inspected on 19.12.2018 by officials from CPCB and following observations are made;

1. The unit was found operational and started the crushing on 25.11.2018.

2. ETP was found non-functional during inspection.
3. The ETP consists of bar screen, O & G trapping system, equalization tank, primary clarifier, anaerobic tank, aeration tank, secondary clarifier, MGF, ACF, sludge drying beds, and lagoon etc.
4. During inspection the primary clarifier, aeration tank-I and secondary clarifier were found empty.
5. Inlet line (open channel) of the ETP was found with provision of bypassing the untreated effluent to outside Nallah and the characteristics of effluent being bypassed showed pH-5.58, as against norms of 5.5-9.0, **BOD-3420 mg/l** against norms of 30 mg/l, **COD- 4943 mg/l** against norms of 250 mg/l, **TSS- 422 mg/l** against norms of 30 mg/l which indicated non-compliance w.r.t. BOD, COD & TSS with the effluent discharge norms prescribed under Environment (Protection) Rules, 1986.
6. From aeration tank-II, partially treated effluent was being by-passed to local drain outside the premises and the characteristics of effluent showed pH-6.61, as against norms of 5.5-9.0, **BOD-76.5 mg/l** against norms of 30 mg/l, **COD- 234 mg/l** against norms of 250 mg/l, **TSS- 289 mg/l** against norms of 30 mg/l which indicated non-compliance w.r.t. BOD, COD & TSS with the effluent discharge norms prescribed under Environment (Protection) Rules, 1986.
7. The spray pond overflow was being directly discharged outside premises of the unit without treatment.
8. The unit has not complied with recommendations made by VSI in adequacy report.
9. OCEMS and flow meter was not installed at final discharge point of ETP.
10. The unit has installed 2 bore wells but has obtained permission from CGWA for the abstraction of ground water for one bore well.
11. Flowmeters at the bore well were found non-functional.
12. No logbook was maintained by the unit for water extraction from bore wells, ETP inlet and outlet flow, spray pond overflow, disposal of ETP sludge, press mud, etc.
13. The MLSS in aeration tank- II was found **326 mg/l** which shows unstabilized condition of ETP.

It is evident that ETP is not properly stabilised due to poor operation and maintenance of ETP system and untreated/ partially treated effluent is being discharged by the Unit, posing potential threat to surface water/ground water quality.

AND WHEREAS, The Hon'ble National Green Tribunal (NGT), Principal Bench in the matter of OA No. 593/2017 (WP (CIVIL) No. 375/2012), Paryavaran Suraksha Samiti & Anr. Vs. Union of India & Ors. directed Central Pollution Control Board (CPCB) that "*The CPCB may take penal action for failure, if any, against those accountable for setting up and maintaining STPs, CETPs and ETPs. CPCB may also assess and recover compensation for damage to the environment and said fund may be kept in a separate account and utilized in terms of an action plan for protection of the environment*"; and

WHEREAS, in compliance of above quoted Hon'ble NGT order, cases to be considered for levying penalty are discharges in violation of consent conditions/ not complying with the

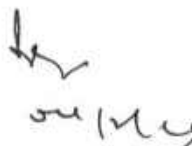
directions issued, such as direction for closure due to non-installation of OCEMS/ non-adherence to the action plans submitted/ intentional avoidance of data submission or data manipulation by tampering OCEMS; and

WHEREAS, as per the methodology for assessing penalty and environmental compensation, the environmental compensation to be levied to the unit is calculated as Rs. **12,60,000/-** (Twelve lakhs sixty thousand Rupees only) for the non-compliance period (19.3.2018 to 30.4.2018) for the crushing season 2017- 18; and Rs. **19,80,000/-** (Nineteen lakhs eighty thousand Rupees only) for the non-compliance period (25.11.2018 to 31.01.2019), for the crushing season 2018- 19; and

NOW, THEREFORE, in exercise of powers delegated to Chairman CPCB under Section 5 of the Environment (Protection) Act, 1986, the Unit (M/s The Kisan Sahkari Chini Mills, Puranpur, Pilibhit, U.P. 262122)) is directed **close down its manufacturing operations immediately and deposit Rs.32,40,000/- within 15 days** in CPCB A/c No. 532702050000164 (Bank name: Union Bank Of India, IP Extension Branch, Vikas Marg Extn., Delhi; IFSC: UBIN0553271)/ demand draft in favour of EC by CPCB towards environmental compensation and shall comply with the following directions;

1. The Unit shall close down its Sugar manufacturing operations with immediate effect and shall not resume its operations.
2. The Unit shall dismantle the bypass arrangements and stop discharge of untreated/ partially treated effluent discharge immediately.
3. The unit shall commission and stabilize the ETP system properly.
4. The unit shall seek permission from CPCB, after compliance of the above directions, before resumption of operation.

In case of default in compliance with the above directions, CPCB will be constrained to initiate action against the Unit (**M/s The Kisan Sahkari Chini Mills, Puranpur, Pilibhit, U.P. 262122**) without giving any further notice in accordance with the provisions of the Environment (Protection) Act, 1986.


(S. P. SINGH PARIHAR)
CHAIRMAN

Copy to:

1. **The Chairman**
Uttar Pradesh Pollution Control Board,
Building No. TC-12V, Vibhuthi Khand,
Gomti Nagar, Lucknow – 226 010

:With request to ensure compliance of the directions.

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| <p>2. Principal Secretary (Sugar)
Sugar Industry and Cane Development
Department,"G" Block 2/3, Mantri Wing 4th Floor
BapuBhawanVidhan Sabha Marg
Lucknow - 226 001</p> | <p>:For kind information, please.</p> |
| <p>3. Managing Director
Uttar Pradesh Cooperative Sugar
Factories federation Ltd.
9-A, Rana Pratap Marg, Lucknow, U.P-226024</p> | <p>:For kind information, please.</p> |
| <p>4. Joint Secretary (CP Division)
Ministry of Environment, Forest & C.C
Prithvi Block, Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi – 110 003</p> | <p>:For kind information, please</p> |
| <p>5. The District Magistrate
Pilibhit-26212, U.P.</p> | <p>:With request to ensure closure of the
unit in compliance of the directions</p> |
| <p>6. The Superintending Engineer
Madhyanchal Vidyut Vitran Nigam Ltd.
Pilibhit, U.P.</p> | <p>:With a direction to disconnect power
supply</p> |
| <p>7. The Regional Director
Regional Directorate
Central Pollution Control Board, PICUP Bhawan,
Ground Floor, Vibhuti Khand, Gomti Nagar,
Lucknow – 226 010</p> | <p>:For follow up and ensuring
compliance</p> |
| <p>8. The In-charge, IT Division, CPCB</p> | |
| <p>9. Master file/Guard file, WQM II, CPCB Delhi</p> | |


(Prashant Gargava)
MEMBER SECRETARY