

By Speed Post

F.NO. B-23012/1/IPC-III / 16268

February 05, 2019

To,

M/s Tirupati Starch & Chemicals Ltd,  
Main Road of Village-Sejwaya, Ghatabillod,  
Dist- Dhar, Madhya Pradesh(M.P.)

**DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986**

**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**, M/s Tirupati Starch & Chemicals Ltd, Dist- Dhar, MP (*hereafter referred to as 'the Unit'*) has consented capacity for producing 64800 MT/Year (Starch), 1080 MT/Year (Dextrose monohydrate), 4320 MT/year (Dextrose anhydrous) and 7200 MT/Year (Dextrose Syrup); and

**WHEREAS**, the Unit was inspected by a team of officials from CPCB on 26.02.2018 to verify the compliance status & following observations were made:

1. The Unit manufactures maize starch & Dextrose anhydrous, mono hydrate & syrup. During inspection, the Unit and its ETP were operational.
2. The Unit is not having valid consent under Water & Air Act (expired on 30.09.2017). The Unit has applied for renewal of consent & paid the necessary fee on 18.09.2017.
3. The Unit has not obtained HW Authorization from MPPCB.
4. ETP consist of preliminary treatment, primary treatment, secondary (anaerobic & aerobic) and tertiary treatment. The ETP treated effluent is stored in lagoons and the same is used for farming/irrigation purpose.
5. During the visit, the sludge drying beds were found empty and the entire sludge from the digester & clarifier were spread at the ETP area as well as outside the plant boundary in the agricultural area.
6. The sample collected at the ETP final outlet showed pH-8.19 (*norms-5.5-9.0*), TSS-164 mg/l (*norms-100 mg/l*), BOD-114 mg/l (*norms-30mg/l*); COD-401 mg/l (*norms-250 mg/l*), O&G-3.5 mg/l(*norm-10mg/l*); which indicates non-compliance w.r.t BOD, COD & TSS prescribed consented norms of MPPCB.
7. Stack monitoring of 15 TPH boiler showed Particulate Matter (PM) concentration 175 mg/Nm<sup>3</sup> (*against the MPPCB norm of - 50 mg/Nm<sup>3</sup>*).
8. At the time of visit, the fly-ash were falling from the ESP hopper as conveyor was under repair due to which a lot of fugitive emission occurring, and also a lot of air pollution was observed from the stack attached to the boiler.
9. Housekeeping was not proper at ash handling area and ETP area.

**AND WHEREAS**, CPCB issued closure direction vide letter dated 26.04.2018 under section 5 of the Environment (Protection) Act, 1986, to M/s Tirupati Starch & Chemicals Ltd, Dist-Dhar, MP and directed to immediately close down all the manufacturing operations and report to CPCB regarding closure of manufacturing operations in compliance of the direction immediately on receipt of this direction; and

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**WHEREAS**, the Unit replied vide letter dated 26.06.2018 & informed the status of compliance of closure direction, however did not submitted ETP adequacy assessment report, date of closure of manufacturing operation, etc.; and

**WHEREAS**, CPCB asked the unit vide letter dated 13.07.2018 to submit *self-certificate*, adequacy assessment report of the ETP system, notary attested *affidavit* on stamp paper; and

**WHEREAS**, the Unit replied vide letter dated 04.10.2018 & informed to have closed down the manufacturing operation w.e.f 08.08.2018 & submitted valid '*consent to operate*' under water & air act, '*affidavit*' for compliance with direction, ETP adequacy assessment report of Shri Govindram Seksaria Institute of Technology & Science (SGSITS), Indore, MP & requested for resumption of operation; and

**WHEREAS**, the three-member Committee in its meeting held on 15.11.2018 reviewed the compliance made by the unit & verified the 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**, CPCB issued revocation direction vide letter dated 07.12.2018 under section 5 of the Environment (Protection) Act, 1986, to M/s Tirupati Starch & Chemicals Ltd, Dist-Dhar, MP subject to the conditions; and

**WHEREAS**, it has been noticed that the has not closed down its manufacturing operation immediately on receipt of the closure direction & continued operation till 08.08.2018, and hence a separate clause was inserted in the revocation direction dated 07.12.2018 that levy of environmental compensation & action as per the law shall be initiated separately.

**WHEREAS**, the Hon'ble NGT, Principal Bench order dated 31.08.2018 in the matter of O.A. No. 593/2017 (WP(CIVIL) No. 375/2012), Paryavaran Suraksha Samiti & Anr. Vs Union of India & Ors. directed "CPCB to take penal action for failure and, if any, against those accountable for setting up and maintaining STPs, CETPs and ETPs and may also asses and recover compensation for damage to the environment and said fund may be kept in a separate account and utilised in term of an action plan for protection of the environment"; and

**WHEREAS**, in compliance of the Hon'ble NGT order dated 31.08.2018 (O.A. No. 593/2017), a Committee was constituted by CPCB for developing a formula for imposing penalty and environmental compensation on industrial units. As per the Committee recommendations one of the case to be considered for levying penalty is "non-complying with the direction issued such as closure direction"; and

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**WHEREAS, as per the formula derived for environmental compensation by CPCB, the total environmental compensation (EC) charge is calculated Rs. 27,90,000/- for the non-compliance period (May 01, 2018 to August 08, 2018) and same shall be deposited by the unit at CPCB.**

**WHEREAS, the Ministry of Environment, Forest, & Climate Change, 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 & effluent standards notified under the Environment (Protection) Rules, 1986 and other standards and norms; and**

**NOW, THEREFORE, in exercise of powers vested to Chairman CPCB under Section 5 of the Environment (Protection) Act, 1986, the Unit [M/s Tirupati Starch & Chemicals Ltd, Dist-Dhar, MP] is directed to deposit Rs.27,90,000/- within 15 days from the date of receipt of direction in CPCB account A/C No. 532702050000164 (Bank Name: Union Bank of India, IP Extension Branch, Vikas Marg Extn., Delhi; IFSC: UBIN0553271).**

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

(S.P. SINGH PARIHAR)  
CHAIRMAN

Copy to:

1. **The Member Secretary,** : For information pl.  
Madhya Pradesh Pollution Control Board,  
Paryawaran Parisar, E-5 Arera Colony,  
Bhopal - 462 016.
2. **The Regional Director,** : For information pl.  
Central Pollution Control Board,  
3<sup>rd</sup> Floor, Sahkar Bhawan,  
North T.T. Nagar, **Bhopal - 462 003**
3. **The Advisor (CP Division)** : For information pl.  
Ministry of Environment, Forest & Climate Change,  
IndraParyavaranBhavan, Jor Bagh Road,  
New Delhi - **110 003**
4. **The Divisional Head, IT Division, CPCB, Delhi** : To upload the direction at CPCB  
website
5. **The Divisional Head, IPC-III Division, Delhi** : For record purpose

(PRASHANT GARGAVA)  
MEMBER SECRETARY