

Speed Post

F. No. B-172/PCI-III/2K04-2K05/1038

27th February, 2019

To,

M/s. Saraya Distillery,
Sardar Nagar, Gorakhpur,
Uttar Pradesh - 273 202

DIRECION 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, 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 there under and also to meet the consent conditions granted by State Pollution Control Board (SPCBs) / Pollution Control Committees (PCCs); and

WHEREAS, M/s Saraya Distillery, Sardar Nagar, Gorakhpur, Uttar Pradesh (hereinafter referred as 'the Unit') was inspected by the officials of Central Pollution Control Board (CPCB) earlier on 14.07.2014 and based on the observations, CPCB had issued a notice u/s 5 of the E(P)A, 1986 for the non compliances noticed during the inspection; and

WHEREAS, the Unit's reply to the s/c notice was examined and subsequently, the unit was jointly inspected under the directives of the Hon'ble National Green Tribunal in O.A No. 208/2014 and 133 of 2016 and the Hon'ble Tribunal had disposed off the matter on 07.04.2016; and

WHEREAS, CPCB received public complaint against the operation of the unit and the Unit was inspected by the officials of CPCB, RD, Lucknow on 16.09.2017 and based on the observations made during the visit, CPCB had issued direction u/s 5 of the Environment (Protection) Act, 1986 to the unit on 05.10.2017 for closing down the manufacturing operations and not to restart operation until complying with the directions; and

WHEREAS, the unit had provided reply to the direction issued by CPCB vide letters dated 25.10.2017 and 23.11.2017 along with supporting documents and the Three Member Committee constituted for examination and recommendation of the revocation of closure directions issued by CPCB, had recommended revocation of closure subject to certain conditions; and

WHEREAS, based on the recommendation of the Three Member Committee, CPCB had revoked the closure direction issued to the unit on 07.12.2017 and allowed resumption of manufacturing operations at restricted capacity of 55 KLD and subject to other conditions; and

WHEREAS, the unit was again inspected by the officials of CPCB, RD, Lucknow on 07.06.2018 for verifying the compliance to the directions and based on the observations made during the visit, CPCB had issued direction u/s 5 of the Environment (Protection) Act, 1986 to the unit on 05.07.2018 for closing down the manufacturing operations and not to restart operation until complying with the directions; and

WHEREAS, the unit has provided reply to the direction issued by CPCB vide letters dated 07.08.2018 and 16.08.2018 along with supporting documents and the Three Member Committee constituted for examination and recommendation of the revocation of closure directions issued by CPCB in its meeting dated 29.08.2018 has recommended revocation of closure direction subject to certain conditions; and

WHEREAS, the unit was issued conditional revocation on 03.10.2018 to operate for 03 months, to comply with the direction issued earlier on dated 05.07.2018 and subject to physical verification within three months; and

WHEREAS, the unit was again inspected by the officials of CPCB, RD, Lucknow on 07.01.2019 to verify the compliance to direction issued by CPCB. The unit has further informed that manufacturing operations has been discontinued after the three month period. As per the latest report, the unit has complied with majority of directions issued by CPCB dated 05.07.2018; and

WHEREAS, the unit has provided reply to the directions issued by CPCB vide letter dated 08.02.2019 along with supporting documents; 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 14.02.2019 reviewed the compliance made by the unit & verified the submitted supporting documents in line with the agreed criteria and recommended issuance of modified directions for continuing operations of the unit subject to certain conditions.

NOW, THEREFORE, in view of the compliance reported by the unit and its review by the aforesaid committee and exercising the powers delegated to the Chairman Central Pollution Control Board (CPCB) under section 5 of the Environment (Protection) Act, 1986, the unit M/s Saraya Distillery, Sardar Nagar, Gorakhpur, Uttar Pradesh is hereby allowed to resume its manufacturing operations subject to following conditions:


1. The unit shall restrict the production capacity at 55 KLD.
2. The maximum operating days of the unit shall be limited to 270 days, excluding rainy season, considering the inadequate covered area provided for bio-composting.
3. The unit shall ensure complete compliance of bio-composting protocol & shall provide the required piezometric wells required for ground water monitoring within 60 days of commencement of the operations.
4. The unit shall intimate the date of commencement of operations to CPCB.
5. The revocation direction shall stand cancelled automatically in the event that the unit fails to comply with any of the above conditions and closure direction shall come in force.

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 ensuring compliance of the directions
Uttar Pradesh Pollution Control Board Building No. TC-12V, Vibhuthi Khand, Gomti Nagar, Lucknow - 226 020 please
- 2.The Regional Director,** : For carrying out physical verification of
CPCB Regional Directorate(North), PICUP Bhawan, Ground Floor, Vibhuti Khand, Gomti Nagar, Lucknow-226010 the unit including effluent and emission monitoring within 60 days of commencement of operations, please
- 3.The District Magistrate,** :For information please
Gorakhpur, Uttar Pradesh
- 4.The Chief Engineer** (Gorakhpur Zone),Purvanchal Vidyut Vitran Nigam limited, DLW Bhikharipur, Varanasi - 221004, U.P : With a direction to restore the power supply to the industrial operations of the unit please
- 5.The In-charge, (CP Division),** : For information, please
Ministry of Environment, Forests & CC, Prithvi Block, Indira Paryavaran Bhawan, Jorbagh Road, New Delhi - 110 003
- 6.The Div. Head, IT Division, CPCB Delhi**
- 7.The Div. Head, IPC-III Division, CPCB Delhi**


(A. Sudhakar)
MEMBER SECRETARY