

Speed Post

B-146/PCI-III/2K03-2K04 1039

27<sup>th</sup> February, 2019

To,

M/s Agrawal Distilleries Pvt. Ltd.  
Sabalpura, Barwah, Dist. Khargone  
Madhya Pradesh-452010

**REVOCATION 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 directions 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**, 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**, 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**, 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**, 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 Agrawal Distilleries Pvt. Ltd. Sabalpura, Barwah, Dist., Khargone, Madhya 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 has installed online monitoring system and I.T division of CPCB had identified the unit in the list of industries which has installed online monitoring systems; 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/upload/thrust-area/Distillery\\_29.12.16.pdf](http://cpcb.nic.in/upload/thrust-area/Distillery_29.12.16.pdf); 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.

**WHEREAS**, the unit was inspected by the officials of Central Pollution Control Board (CPCB) earlier on 03.06.2018 regarding SMS alert/Offline monitoring system 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.

**WHEREAS**, the unit has provided reply to the s/c notice dated 13.07.2018 and after examining the reply, it was observed that the unit has not yet complied with the directions of CPCB and has not provided connectivity of required OCEMS to CPCB; and

**WHEREAS**, 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 CPCB issued closure direction on 09.08.2018 to the unit till it complies with the following directions and obtains permission from CPCB:

1. The unit shall provide the connectivity of the required OCEMS (Flow meters, PTZ camera and emission monitoring system) to CPCB as per the guidelines.
2. The unit shall update the details of OCEMS installed and connected with all relevant details on CPCB server, as per requirement.
3. The unit shall submit an adequacy assessment report of the ZLD system comprising of Bio-methanation followed by MEE with dryer by a reputed institute and shall also provide its emergency preparedness plan in case of non operation of MEE/Dryer systems, as observed during the visit by CPCB team.
4. The unit shall ensure proper calibration and periodic maintenance of all installed OCEMS.
5. The unit shall follow the operational guidelines of OCEMS issued by CPCB.

**WHEREAS**, the unit has provided reply to the directions issued by CPCB vide letters dated 29.08.2018, 17.12.2018 & 17.01.2019, 30.01.2019 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 that the unit may be allowed to resume its manufacturing operation with certain conditions; and

**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 M/s Agrawal Distilleries Pvt. Ltd. Sabalpura, Barwah, Dist., Khargone, Madhya Pradesh is allowed to resume its manufacturing operations subject to the following condition;

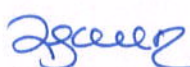
1. The unit shall ensure uninterrupted connectivity of OCEMS with CPCB server.
2. The unit shall carry out actual performance evaluation of ETP/ ZLD systems by same reputed Govt. Institute and shall submit the report to CPCB within 60 days of commencement of operation.
3. The revocation direction shall stand cancelled automatically in the event that the unit fails to comply with any of the above condition 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,**  
Madhya Pradesh Pollution Control Board,  
Paryawaran Parisar,  
E-5 Arera Colony,  
Bhopal - 462 016 : For information & ensuring compliance of directions. The self-certificate provided by the unit may also be verified, please (copy attached)
2. **The Advisor (CP Division)**  
Ministry of Env., Forest and C.C,  
Prithvi Wing, Indira Paryavaran Bhawan,  
Aliganj, Jor Bagh Road,  
New Delhi - 110003 : For information please.
3. **The District Magistrate,**  
Khargone, Madhya Pradesh : For information regarding revoking of closure direction, pl.
4. **The Superintending Engineer,**  
M.P.P.K.V.V. Co. Ltd. O&M Circle, Khargone  
Madhya Pradesh : With request to restore the power supply to the unit, pl
5. **The Regional Directorate**  
Central Pollution Control Board  
3rd Floor, Sahkar Bhawan,  
North T.T. Nagar, Bhopal - 462 003 : For follow up and ensuring compliance please
6. The Div. Head, IT Division, CPCB : For information please
7. The Div. Head, I.P.C-III, CPCB : For information please

  
**(A.Sudhakar)**  
**MEMBER SECRETARY**