

Speed Post

B-146/FCI-III/2K03-2K04 732

09th August, 2018

To,

M/s Agrawal Distilleries Pvt. Ltd.
Sablpura, Barwah, Dist. Khargone
Madhya Pradesh

Sub.: NOTICE 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. Sablpura, 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; 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 CPCB Regional Directorate, Bhopal, on 03.06.2018 and based on the observations made during the visit to the unit, CPCB issued a notice under section 5 of the Environment (Protection) Act, 1986, , on 26.06.2018, to show cause why the Unit should not be closed down till it complies with the directions of CPCB; and

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

NOW, THEREFORE, in view of the above and exercising powers delegated to the Chairman, Central Pollution Control Board (CPCB) under section 5 of the Environment (Protection) Act, 1986, **the unit is here by directed to close down all its manufacturing operations** and not to restart its operations till the compliance of following directions and obtaining 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.

In case of default in compliance with the above directions by the Unit, CPCB will be constrained to initiate appropriate action against the Unit, in accordance with the provisions of the Environment (Protection) Act, 1986.


(S P Singh Parihar)
CHAIRMAN

Copy to:

1. **The Member Secretary,** : For information and
Madhya Pradesh Pollution Control Board, ensuring compliance please.
Paryawaran Parisar,
E-5 Arera Colony,
Bhopal - 462 016
2. **The Advisor (CP Division)** : For information please.
Ministry of Env., Forest and C.C,
Prithvi Wing, Indira Paryavaran Bhawan,
Aliganj, Jor Bagh Road,
New Delhi - 110003
3. **The District Magistrate,** : With request to ensure compliance
Khargone, Madhya Pradesh of closure direction please.
4. **The Superintending Engineer,** : With request to dis-connect the
M.P.P.K.V.V.Co.Ltd. O&M Circle, Khargone power supply for industrial
operations please.
For information please.
5. **The Regional Directorate**
Central Pollution Control Board
3rd Floor, Sahkar Bhawan,
North T.T. Nagar, Bhopal - 462 003
- ✓ 6. The Div. Head, IT Division, CPCB : For uploading at CPCB
website please.
7. The Div. Head, I.P.C-III, CPCB : For information please.



(Prashant Gargava)
MEMBER SECRETARY