

BY REGISTERED AD

No.B-875(S)/IPC-III/2018-19/ 800

September 17, 2018

To

**M/s Bhimashankar Sugar Mills Ltd;
A/p Pargaon, Tq.Washi,
Dist.Osmanabad,
Maharashtra-413526**

Sub: Closure Directions under Section 5 of the Environment (Protection) Act, 1986 regarding installation of on-line effluent monitoring system-Revoked thereof.

WHEREAS, Sugar industries 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, for strengthening the monitoring and compliance through self-regulatory mechanism, 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 17 categories of industries including Sugar; and

WHEREAS, considering the requests/ representations received from industries/ industrial associations/ SPCBs / PCCs, an extension of time up to June 30, 2015 for installation of online monitoring systems was granted vide direction dated March 02, 2015 under section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981; 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 602 Sugar industries, including M/s Bhimashankar Sugar Mills Ltd; A/p Pargaon, Tq.Washi,Dist.Osmanabad, Maharashtra-413526 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, no reply as recorded was filed by the said unit in response of the same; and

WHEREAS, in view of the above and in exercise of the powers delegated to the Chairman, Central Pollution Control Board under section 5 of the Environment (Protection) Act, 1986, **the unit vide letter no. B-400(S)/2016-17/4289/ dated 22.08.2016 was directed to close down their sugar mill and not to resume their manufacturing operation till installation and commissioning of online 24x7 monitoring system and networking of data with SPCB and CPCB**, and to submit compliance to CPCB within 15 days on the receipt of the Closure Direction; and

WHEREAS, the unit has responded to the above said Closure Direction vide its email dated 08-08-2018 and informed to have complied with the directions regarding installation and commissioning of online continuous effluent monitoring system (OCEMS) and the same was verified by IT Division of CPCB; and

However, it has been observed that the unit has closed its manufacturing operations on 11-11-2017, only after operating it during crushing season 2016-17, which is non-compliance of the closure direction issued by CPCB vide letter dated 22-08-2016 under Section 5 of the E(P) Act, 1986 and for which action as per law shall be initiated separately.

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 for revocation of Closure Direction issued by CPCB; and

WHEREAS, the committee in its meeting held on 23.08.2018 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 unit **M/s Bhimashankar Sugar Mills Ltd; A/p Pargaon, Tq.Washi,Dist.Osmanabad,Maharashtra-413526** is allowed to resume its manufacturing operations subject to following conditions:

1. Before commencement of operations, industry shall obtain valid Consent to Operate under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, with authorisation under The Hazardous and Other Wastes

Dir. u/s 5 of E (P) Act, 1986 to M/s Bhimashankar Sugar Mills Ltd, Maharashtra

(Management and Transboundary Movement) Rules, 2016 from Maharashtra Pollution Control Board and industry shall not operate under any circumstances without valid consent orders.

2. It shall be ensured that the installed OCEMS devices are functioning properly & continuously and that data from that device are uninterruptedly transferred to CPCB. Any failure in his regard shall be rectified at the earliest.
3. Ensure periodic calibration of the analyzers as per Standard Operating Procedure/recommendations of the supplier and submit the calibration results.
4. Submission of treated effluent sample analysis result from EPA approved laboratory within one month of commencement of manufacturing operations and once per month during the entire crushing period.

In case of failure of the unit to comply with the above directions action as deemed appropriate will be taken with the provisions under Environment (Protection) Act, 1986.

(ARUN KUMAR MEHTA)
CHAIRMAN

Copy to:

1. **The Member Secretary,**
Maharashtra Pollution Control Board, 2nd,
3rd & 4th floor, Opp. Cine planet, Near Sion
Circle, Sion (E)
Mumbai- 400 022
: **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 Environment, Forest & C.C
Prithvi Block, Indira Paryavaran Bhawan,
Jorbagh Road,
New Delhi - 110 003
: **For information please**
3. **The District Magistrate,**
Collectorate, Dist. Osmanabad,
Maharashtra-413501
: **For information please**
4. **The Superintendent Engineer,**
Maharashtra State Electricity Distribution,
Beed-Salapur Road, Nehru Chowk,
Osmanabad,
Maharashtra-413501
: **With direction to re-connect
power supply to the unit**

**Dir. u/s 5 of E (P) Act, 1986 to M/s Bhimashankar Sugar Mills Ltd,
Maharashtra**

5. **The Regional Directorate, (West)**
Central Pollution Control Board
PariveshBhawan,
Opp. VMC Ward Office No.10,
Subhanpura,
Vadodara - 390 023

: For information please

6 ✓ The In-charge, IT Division, CPCB

: For uploading on CPCB website

(PRASHANT GARGAVA)
MEMBER SECRETARY