

Speed Post

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

820

03<sup>th</sup> October, 2018

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 thereunder 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.

**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

**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 is hereby allowed to resume its manufacturing operations subject to following conditions:

1. The unit shall be permitted to operate at **55 KLD capacity for 03 months** from the date of receipt of the directions.
2. The unit shall comply with all the conditions of the closure direction issued by CPCB on **05.07.2018**.
3. The unit shall fully comply with the direction for OCEMS installation with respect to installation and connectivity of online flow meters, mass flow meters and cameras, as per CPCB guidelines before commencement of operations and the same shall be informed to CPCB.
4. The unit shall inform the commencement of operations to CPCB and shall be subjected to physical verification by CPCB for ensuring compliance to directions.
5. The unit shall not continue operations after 03 months without obtaining modified directions from CPCB based on the physical verification report.

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.

  
**(Arun Kumar Mehta)**  
**CHAIRMAN**

Copy to:

- 1) The Chairman,  
Uttar Pradesh Pollution Control Board  
Building No. TC-12V, Vibhuthi Khand,  
Gomti Nagar, Lucknow - 226 020

: For ensuring compliance of the  
directions please.

- 2) The Regional Director,  
CPCB Regional Directorate,  
PICUP Bhawan, Ground Floor, Vibhuti Khand,  
Gomti Nagar, Lucknow-226010 : For follow up and carrying out the  
physical verification of the unit  
within 03 months please.
- 3) The District Magistrate,  
Gorakhpur, Uttar Pradesh : For information please
- 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),  
Ministry of Environment, Forests & CC,  
Prithvi Block, Indira Paryavaran Bhawan,  
Jorbagh Road, New Delhi - 110 003 :For information, pl.
- 
- ✓ 6) The Div. Head, IT Division, CPCB Delhi
- 7) The Div. Head, IPC-III Division, CPCB Delhi

  
(Prashant Gargava)  
MEMBER SECRETARY