

Speed Post

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19th Aug, 2019

To,

**M/s Bajaj Hindustan Sugar Ltd.,
Distillery Unit, Gola Gokaranath,
Lakhimpur Kheri, Uttar Pradesh-262802**

DIRECTIONS (SHOW CAUSE NOTICE) UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986

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, the Central Government has notified the standards for discharge/emission of environmental pollutants from various categories of industries under the Environment (Protection) Act, 1986 and the rules framed there under; and

WHEREAS, it is obligatory on the part of industries to install effluent treatment plants (ETPs) and air pollution control devices (APCDs) to comply with the effluent discharge and emission 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, for strengthening the monitoring and compliance through self regulatory mechanism and inculcating the habit of self monitoring within the industries for complying with the prescribed standards, CPCB has mandated installation and operation of online continuous emission and effluent monitoring systems (OCEMS) by the 17 category & Ganga GPI industries on 'polluter pays principle'; 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/online-monitoring-clarification/>; 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, M/s Bajaj Hindustan Sugar Ltd., Distillery Unit, Gola Gokaranath, Lakhimpur Kheri, Uttar Pradesh, hereinafter referred to as 'the unit' was jointly inspected by RO UPPCB & RD, CPCB, Lucknow team on 23.10.2018 based on complaint received regarding discharge of coloured effluent into Sharda Sahayak Canal and based on the observations made during the inspection, CPCB had issued a show cause notice to the unit on 14.01.2019, under section 5 of the Environment (Protection) Act, 1986 as to why the unit should not be closed down; and

WHEREAS, the unit vide letter dated 30.01.2019 had provided its reply to the notice, indicating compliance to the direction and after examining the reply received, a team from RD, CPCB, Lucknow had again carried out an inspection of the unit on 24.04.2019 for verification of the compliance status of the unit to the show cause notice issued by CPCB; and

WHEREAS, as per the observations reported by the inspection team, the operation of the units is in violation of the norms and unit is still non-complying to the ZLD with respect to operation of MEE for achieving the stipulated volume reduction/concentration of spent wash, storage of coloured untreated effluent in Katcha lagoon, posing threat to ground water and not providing any ETP/CPU for the treatment & reuse of condensate/management of other effluent streams. The unit is also not complying with the bio-composting protocol of CPCB, with respect to restriction of storage lagoon capacity to max. 30 days generation of concentrated effluent, providing covered shed storage facility for ready compost and not providing the required ground water monitoring system; and

WHEREAS, based on the observations made by the team, CPCB issued direction under section 5 of the E(P) Act, 1986 on 22.07.2019 for the closure of manufacturing operations of the unit till compliance of directions thereof; and

WHEREAS, it is evident that the unit has continuously violated the environmental norms, and the Hon'ble NGT, Principal Bench vide its order dated 31.08.2018 in the matter of O.A. No. 593/2017 (WP(CIVIL) No. 375/2012), Paryavaran Suraksha Samiti & Anr. Vs Union of India & Ors. had directed "CPCB to take penal action for failure and, if any, against those accountable for setting up and maintaining STPs, CETPs and ETPs and may also assess and recover compensation for damage to the environment and said fund may be kept in a separate account and utilized in term of an action plan for protection of the environment"; and

WHEREAS, as per the formula developed for Environmental Compensation by CPCB, for the continuous operation of the unit violating the environmental norms and terms and conditions of the Consent to Operate, the total environmental compensation amount of **Rs. 1,96,20,000/- (One Crore Ninety Six Lac Twenty Thousand Rupees only)**, is calculated for the non compliance period (23.10.2018-22.07.2019 - 273 days).

NOW, THEREFORE, based on the above observations and in exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986, you are directed to show cause as to why Environmental Compensation of Rs. **1,96,20,000/- (One Crore Ninety Six Lac Twenty Thousand Rupees only)** should not be imposed on the unit, M/s Bajaj Hindustan Sugar Ltd., Distillery Unit, Gola Gokaranath, Lakhimpur Kheri, Uttar Pradesh for 273 days of continuous violations to the environmental norms, based on available records.

You are hereby given an opportunity to file your objections (if any) to the above proposed direction within 15 days from the receipt of this notice, failing which appropriate action shall be taken against the unit without giving any further notice, in accordance with provisions of the Environment (Protection) Act, 1986.

(S. P. Singh Parihar)
CHAIRMAN

Copy to:

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

: For information please

2) **The Regional Director,**
CPCB Regional Directorate,
PICUP Bhawan, Ground Floor,
Vibhuti Khand, Gomti Nagar, Lucknow-10

: For information please

3) **The Joint Secretary, (CP Division),**
Ministry of Environment, Forests & CC,
Prithvi Block, Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi - 110 003

: For information please

4) The Div. Head, IT Division, CPCB Delhi
5) The Div. Head, IPC-III Division, CPCB Delhi

: For uploading in the website please

(Prashant Gargava)
MEMBER SECRETARY