



**SPEED POST**

B-190197/NGRBA (RG)/CPCB/Sugar/69/2016-17

04.11.2019  
07

To,

M/s Tikaula Sugar Mills Ltd.  
Ramraj, Tikaula, Muzaffarnagar-251320

**DIRECTION 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 & Climate Change, 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 there under and also to meet the consent conditions granted by State Pollution Control Board (SPCBs) / Pollution Control Committees (PCCs); and

**WHEREAS**, M/s Tikaula Sugar Mills Ltd., Ramraj, Tikaula, Muzaffarnagar (hereinafter referred as 'the Unit') is involved in the process of sugar manufacturing from crushing of cane; and

**WHEREAS**, the Unit was inspected by the officials of Central Pollution Control Board (CPCB) on 24.01.2018, and observed the following:

1. The unit generates 1050KLD wastewater or 150 liters per tonne.
2. The unit has made the provision for the treatment of the spray pond over flow consisting of mixing tank, 2nos of Reaction tanks for lime, PAC and polymer dosing followed by two nos. of lamella clarifier for clarification of the effluent sludge.
3. The unit has installed the flow meters at the Inlet, outlet of ETP, overflow of the spray pond, pan boiling, filter cake washing, Mill house cooling, wet scrubbers.
4. The unit has not submitted the irrigation management plan.
5. The unit has not submitted the ETP adequacy report within 45 days.

**AND WHEREAS**, CPCB issued letter dated 21.03.2018 to the unit for compliance of the following:

1. The unit shall submit irrigation management plan.
2. The unit shall submit the revalidated ETP adequacy assessment report within 45 days from the date of resumption of operation to CPCB.

**AND WHEREAS**, CPCB through an Expert Committee comprising of experts from National Sugar Institute (NSI), Kanpur, Vasantdada Sugar Institute (VSI), IITs and representatives from sugar mills prepared a Charter for Water Recycling and Pollution Prevention (thereafter referred to as the Charter); and

**WHEREAS**, a meeting of sugar mills operating in Uttar Pradesh, representatives of UPPCB and CPCB was held on 06.07.2018 under Chairmanship of Principal Secretary, Sugar Industries and Sugarcane Development, Government of Uttar Pradesh and the following decisions were made;

1. Sugar Mills shall submit an action plan to CPCB by 20.07.2018 regarding the steps taken by them pertaining to the notices issued to them. Also, they shall submit action plan to implement recommendations of their adequacy assessment report.
2. All sugar mills shall ensure implementation of Charter and shall submit action plan to CPCB by 20.08.2018.
3. All sugar mills shall ensure the upgradation of their ETP within August, 2018 so as to ensure no interruption in functioning of the ETP in the following seasons.
4. All sugar mills shall maintain a logbook on ETP operations on a daily basis.

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

5. ETP shall be operational at all times and all bypass arrangements should be dismantled with immediate effect.
6. MLSS in aeration tanks should be maintained at 2000-2500 mg/l.
7. All sugar units shall set up environmental laboratories for regular analysis of raw and treated effluent thereby ensuring proper functioning of the ETP
8. All sugar mills shall employ dedicated technicians for operating and regular maintenance of ETP and shall also ensure that the technicians are given proper training on ETP maintenance and lab analysis on regular basis.
9. To ensure proper training of the environmental technicians all sugar mills shall facilitate training of 5 employees.
10. All sugar mills may establish an Environment Management Cell at their level consisting of concerned officials in order to ensure compliance with environmental standards at industry level itself.

**AND WHEREAS**, the unit vide letter dated 19.07.2018 submitted their compliance status of the Charter; and

**WHEREAS**, CPCB issued letter dated 11.03.2019 to the unit for compliance with the following:

1. The unit shall implement the observation & recommendation of the revalidated adequacy assessment of ETP.
2. The unit shall install sealed flow meter along with running hours' meter on bore wells so as to ascertain usage of fresh water for various uses.
3. The unit shall install flow meters at major areas of cold and hot water consumption.
4. The unit shall install flow meters for measuring generation of effluent from various prominent areas.
5. The unit shall maintain logbook for individual process unit for recording daily water consumption and effluent generation also.
6. The unit shall carry out colour coding of pipelines carrying recycled process water and fresh process water.
7. The unit shall commission mechanical sludge handling system of adequate capacity
8. The unit shall carry out analysis of effluent discharge parameters notified under Environment (Protection) Rules, 1986 and logbook shall be maintained on daily basis.
9. The unit shall submit implementation status of the Charter and performance adequacy audit of ETP including actual assessment of water consumption and effluent generation duly validated by reputed govt. expert institute namely NSI Kanpur, VSI Pune, IITs during crushing season
10. The unit shall submit the implementation status of the Charter in the form of Affidavit within 15 days

**AND WHEREAS**, the Unit was inspected on 28.03.2019 by officials from CPCB, Delhi and following observations were made;

1. The unit has installed the spray pond overflow treatment system which was found non-operational during inspection.
2. The unit's Oil & Grease removal system was found not operational and broken.
3. The unit has installed flow meters on three borewells out of four borewells.
4. The unit has installed flow meter but has not maintained logbook.
5. Estimated ground water extraction through four borewells is 1260 KLD
6. The treated effluent from ETP outlet was found non-compliant w.r.t **BOD-272mg/l** against the norms of 100mg/l, **COD-572 mg/l** against the norms of 250mg/l and **TSS- 266mg/l** against the norms of 100mg/l as per the on-land discharge norms prescribed under Environment (Protection) Rules, 1986.
7. MLSS in aeration tank was found 1153 mg/l which indicated unstabilized aeration tank.
8. Water logging was observed inside the industry premises at multiple place including spray pond area, behind ETP covering large area and near distillery gate.
9. Analysis of sample collected from water logged behind ETP within ash storage area showed non-compliance w.r.t **BOD-3681mg/l** against the norms of 100mg/l, **COD-6248 mg/l** against the norms of 250mg/l and **TSS- 765mg/l** against the norms of 100mg/l, **TDS- 9400mg/l** against the norms of 2100mg/l against on-land discharge norms prescribed under Environment (Protection) Rules, 1986, indicating discharge of untreated effluent.
10. Stagnant water was present in the sludge drying beds.
11. The unit has not installed mechanical sludge handling system.
12. The unit has not installed Flow meter at the outlet pipeline from where the treated effluent is pumped for irrigation.
13. The unit has not submitted implementation status of the Charter and performance adequacy audit of ETP validated by reputed govt. expert institute.

**AND WHEREAS**, the unit's letter dated 29.03.2019 was examined; and

**AND WHEREAS**, Hon'ble NGT vide its orders dated 03.08.2018 and 19.02.2019 in Original Application No. 593/2017 (W.P. (Civil) No. 375/2012), Paryavaran Suraksha Samiti & Anr. Vs. Union of India & Ors. directed that "*The CPCB may take penal action for failure, if any, against those accountable for setting up and maintaining STPs, CETPs and ETPs. CPCB may also assess and recover compensation for damage to the environment and said fund may be kept in a separate account and utilized in terms of an action plan for protection of the environment*"; and

**WHEREAS**, CPCB has been levying Environmental Compensation in compliance of Hon'ble NGT order and as per the methodology for imposing Environment Compensation issued vide CPCB circular dated 23/05/2019, the Environmental Compensation to be levied on the unit was calculated as **Rs. 14,40,000/-** (Rupees Fourteen lakhs forty thousand only) during the non-compliance period of (28.03.2019 to 14.05.2019); and

**WHEREAS**, CPCB issued direction dated 23.05.2019 under section 5 of the Environment (Protection) Act, 1986 to the unit to comply with the following directions:

1. The unit shall deposit Rs 14,40,000/- within 15 days in CPCB account towards environmental compensation.
2. The unit shall remain closed and shall not operate without seeking permission from CPCB.
3. No water logging shall take place.
4. The unit shall submit adequacy assessment of treatment facility by reputed govt. institute; including work completion report regarding implementation of the recommendations of the adequacy report within 45 days.
5. The unit shall seek permission from CPCB, after compliance of the above directions, before resumption of operation.

**AND WHEREAS**, the unit's reply vide letter dated 07.06.2019, was examined and following observations are made:

1. The unit has submitted R.T.8 (C), according to which unit has closed its manufacturing operations on 29.04.2019.
2. The unit requested for the personal hearing and waiver of the levied EC amount.

**AND WHEREAS**, CPCB issued letter dated 16.07.2019 to the unit; and

**WHEREAS**, Unit's replies dated 17.07.2019, 23.09.2019 and 21.10.2019 were examined and following observations are made:

1. The unit vide letter dated 23.09.2019, submitted adequacy report validated by NSI, Kanpur along with action plan on implementation of the recommendations of NSI, Kanpur.
2. The unit's ETP system comprises of bar screen chamber, oil & grease trap, equalization tank with aeration, primary clarifier, aeration tank, secondary clarifier, multi grade filter and activated carbon filter.
3. To enhance ETP performance, capacity of oil & grease trap will be increased before 30.10.2019.
4. Total fresh water consumption in sugar unit, cogeneration, milling and in domestic consumption is 1610 KLD.
5. Gross effluent generation at ETP inlet is 1273 KLD at average cane crushing rate of 8012 TCD.
6. As per the action plan on implementation of adequacy report recommendations, the installation of requisite flow meters is underway and will be completed before 30.10.2019.
7. Ceramic tiles are being arranged to line the pits used to collect gland cooling water for recirculation.
8. The unit is utilizing two existing cooling towers to cool and recycle excess process condensate.
9. To make primary clarifier adequate, the existing secondary clarifier shall be converted into primary clarifier and a new secondary clarifier shall be constructed by end of October 2019.
10. The unit will upgrade MGF and ACF by October 2019.

**AND WHEREAS**, Hon'ble NGT vide order dated 22/05/2019 in Appeal No. 27/2019 with Appeal No. 35/2019 and order dated 29/07/2019 in Appeal no. 22/2019 directed that, *CPCB may treat the impugned order as tentative and pass further appropriate order after permitting the affected parties to furnish their viewpoint*; and

**WHEREAS**, Principal Secretary, Sugar Industry and Cane Development, UP Government vide DO no. 1934/46-2-19-38/2018 dated 17/09/2019 requested CPCB to waive off the environmental compensation

considering the financial constraint of sugar mills to enable them to use the same money for upgradation of pollution control measures in order to ensure compliance to environmental norms and also to allow the sugar mills to function efficiently; and

**WHEREAS**, personal hearing was held on 24.09.2019 in CPCB, Delhi and the unit represented viewpoints regarding financial constraints of the mills, delinking of EC with compliance, deposition of EC in ESCROW account, review of EC calculation from date of inspection to the end of closing of manufacturing operations, consideration of OCEMS data for compliance, characteristics of lagoon samples considered for EC, in addition to the following specific viewpoints:

- a. Mill is treating effluent in ETP and treated effluent is provided to farmers for use in agricultural activity.
- b. Analysis result given by CPCB lab is very different from UPPCB lab and OCEMS results.
- c. Mill is improving their Environment Management System and infrastructure year after year to reduce its pollution load.
- d. Considering financial constraint of the unit, the EC levied on it should be waived off so that the fund could be used for environmental management.
- e. Non-compliance should be considered from date of inspection to date of end of crushing season and past events should not be considered.

**AND WHEREAS**, during personal hearing CPCB officials considered the viewpoints of the unit and provided clarifications for the same including the following:

In the future, unit may analyse samples through NABL accredited laboratory. In addition, unit may setup their own laboratory and analyse sample using standard methods to monitor the performance of ETP.

- a. OCEMS has been installed for self-regulatory purpose and for the monitoring compliance by SPCB/ CPCB. The OCEMS data is not used for regulatory purpose.

**AND WHEREAS**, CPCB vide office order dated 04.09.2019 issued policy for levying environmental compensation (EC) for industries which prescribes that

- a. EC for the closure direction issued on the ground of non-compliance of prescribed discharge/ emission norms shall be applied for the period between date of inspection and date of closing of manufacturing operation.
- b. Direction for closure or revocation and direction for imposition of EC are to be dealt separately.

**AND WHEREAS**, considering the viewpoints of the unit made during personal hearing held on 24.09.2019, the Environmental Compensation has been recalculated as Rs. 9,90,000/- for the period from date of inspection (28.03.2019) to date of closing of manufacturing operations (29.04.2019) as per CPCB office order dated 04/09/2019; and

**WHEREAS**, CPCB constituted a Three-member committee vide office order dated 27.09.2017 having representatives from CPCB, MoEF- & CC and NMCG for examination and recommendations on revocation of the closure direction issued by CPCB; and

**WHEREAS**, the Three Member Committee in its meeting held on 04.10.2019 examined the unit's replies and recommended that the unit may be allowed to resume operation; and

**NOW, THEREFORE**, in view of above observations and in exercise of the powers delegated to the Chairman, CPCB under section 5 of the Environment (Protection) Act, 1986, the unit (**M/s Tikaula Sugar Mills Ltd., Ramraj, Tikaula, Muzaffarnagar**) is directed comply with the following directions before commencement of crushing season 2019-2020.

1. The unit may resume its operation only after obtaining the valid consent from Uttar Pradesh Pollution Control Board.
2. The unit shall deposit Environmental Compensation amount of Rs. 9,90,000/- (Rupees Nine Lakhs Ninety Thousands Only) either in CPCB A/c No. 532702050000164 (Bank name: Union Bank Of India, IP Extension Branch, Vikas Marg Extn., Delhi; IFSC: UBIN0553271) or in ESCROW account to be operated by Department of Sugar Industries in State Government within 15 days from date of issuance of the direction. In case of delay in deposition of EC, simple interest @ 12% shall be levied for delay period. The unit shall provide detail of EC amount deposited and ESCROW account to CPCB within 15 days.
3. EC deposited in CPCB account will be spent by CPCB as per the EC utilization policy as approved by Hon'ble NGT. In case of deposition of the aforementioned EC amount in ESCROW account, the unit shall submit a time bound action plan within 15 days and get it approved from CPCB for utilization of the EC amount for environmental management including augmentation/

upgradation of ETP, implementation of charter, training programs etc. Approved plan shall be made available by industry to Department of Sugar Industries, State Government for releasing funds for which appropriate methodology shall be worked out by the State Government. Utilization of the funds shall be monitored by the State Government and reported to CPCB on monthly basis.

4. The unit shall complete measures as per the action plan before resumption of crushing season.
5. The unit shall submit performance assessment of effluent treatment plant including analysis of treated effluents by the reputed government institute within 60 days of resumption of operation.
6. The unit shall inform CPCB about resumption of manufacturing operations.

In case of default in compliance with the above directions, CPCB will be constrained to initiate action against the Unit (**M/s Tikaula Sugar Mills Ltd., Ramraj, Tikaula, Muzaffarnagar**) without giving any further notice in accordance with the provisions of the Environment (Protection) Act, 1986.

(S.P. SINGH PARIHAR)  
CHAIRMAN

06/11/19

**Copy to:**

- 1) **Joint Secretary (CP Division)**  
Ministry of Environment, Forest & C.C  
Prithvi Block, Indira Paryavaran Bhawan,  
Jorbagh Road, New Delhi - 110 003
- 2) **Principal Secretary**  
Sugar Industry and Cane Development  
Department, "G" Block, 2/3, Mantri Wing, 4<sup>th</sup>  
Floor, Babu Bhawan, Vidhan Sabha Marg  
Lucknow - 226 001
- 3) **Member Secretary**  
Uttar Pradesh Pollution Control Board,  
Building No. TC-12V, Vibhuthi Khand,  
Gomti Nagar, Lucknow - 226 010
- 4) **District Magistrate**  
Muzaffarnagar, U.P.-242307

: For kind information, please.

: With directions to ensure following actions:

- a) To ensure compliance of these directions.
- b) To open ESCROW account within 10 days to ensure deposition of Environmental Compensation (EC) in ESCROW account within 15 days of issuance of these directions.
- c) The ESCROW account shall be operated by Department of Sugar Industries, State Government.
- d) Action plan for utilization of EC fund as approved by CPCB shall be made available by the industry to the Department of Sugar Industries, State Govt. for releasing funds for which appropriate methodologies shall be worked out by the State Government.
- e) Utilization of funds shall be monitored by State Government and reported to CPCB on monthly basis (before 10th of every month).
- f) To constitute surveillance teams for monitoring sugar mills to stop any non-compliance including bypass/ discharge of untreated effluent.
- g) To organize surprise inspection of the unit on monthly basis to ensure that ETP is properly operated and treated effluent complies with environmental norms.
- h) To obtain undertaking from sugar mills that they will not indulge in bypass of effluent and will maintain functional ETP.

5) **Superintending Engineer**

Paschimanchal Vidyut Vitaran Nigam Limited  
Electricity Distribution Division Yamuna Vihar,  
Islam Nagar, NH-58, Meerut Road,  
Muzaffarnagar, U.P.

: To reconnect the power supply of the unit.

6) **Regional Director**

Regional Directorate  
Central Pollution Control Board, PICUP Bhawan,  
Ground Floor, Vibhuti Khand, Gomti Nagar,  
Lucknow - 226 010

: For follow up and ensuring compliance.

7) In-charge, IT Division, CPCB

:With request to upload on CPCB server.

8) Master file/Guard file, WQM II, CPCB Delhi

9) In-charge, F&A, CPCB

  
(Prashant Gargava)  
MEMBER SECRETARY

