



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

Speed Post

B-190198/WQM-II(RG)/CPCB/Sugar/57/2016-17

04.11.2019

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To,

M/s Triveni Engineering and industries Limited,
Sugar Unit, Milak Narayanpur, Post Office: Dadiyal,
Tehsil: Tanda, District Rampur, Uttar Pradesh-244925

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, 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 Triveni Engineering and industries Limited, Sugar Unit Milak Narayanpur, Post Office Dadiyal, Tehsil Tanda, Block Sugar, District Rampur, (UP) (hereinafter referred as 'the Unit') is involved in the process of sugar manufacturing from crushing of cane; and

WHEREAS, the Unit was inspected on 06.03.2018 by officials from CPCB, and following observations were made;

1. The unit meets its fresh water requirement though two bore well. The unit has installed the flow meters at both the bore well.
2. The unit has installed the OCEMS at the outlet of ETP and connected with the CPCB server.
3. The unit was found compliance w.r.t. to the discharge standards.
4. The unit has not installed the flow meter at the unit operation.
5. The unit has not submitted the revalidated ETP adequacy assessment report.
6. The unit has submitted the irrigation management plan.
7. The unit has no provision for the treatment of the spray pond overflow.

AND WHEREAS, CPCB issued a letter dated 27.04.2018 for ensuring compliance of direction dated 08.11.2017 issued under section 5 of the Environment (Protection) Act, 1986, to the unit; and

WHEREAS, the unit submitted the adequacy assessment report prepared by NSI Kanpur on 07.06.2018 which was examined; and

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 are 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.
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 was inspected on 02.04.2019 by CPCB officials, and following observations are made:

1. Flow meters are not installed at power turbine cooling, boiler, wet scrubber, cooling tower of co-generation, SO₂ gas cooling, final molasses cooling at the inlet and reject of RO plant and to make water for shortfall at spray pond/process cooling tower.
2. Log books for some of the installed flow meters are not maintained.
3. No log books for fresh water consumption are maintained by the unit.
4. Reuse of treated effluent in sugar plant is made for irrigation and washing purposes.
5. Analysis of treated effluent sample collected from ETP outlet showed pH: 8.09 (norms: 5.5-8.5), COD: 25 mg/l (norms: 250 mg/l), BOD: 05 mg/l (norms: 100 mg/l), TSS: 49 mg/l (norms: 100 mg/l), TDS: 1692 mg/l (norms: 2100 mg/l) and oil & grease: BDL (norms 10 mg/l) complying w.r.t. discharge norms.
6. Sample were collected from water logged inside the premises at two sites. Analysis of effluent samples showed non-compliance w.r.t. discharge norms for **site 01** i.e., **TSS-148 mg/L** (norms 100 mg/L), **BOD- 476 mg/L** (norms 100 mg/L), **COD-924 mg/L** (norms 2100 mg/L), **TDS- 2852 mg/L** (norms 2100 mg/L) and **Site 02** i.e., **TSS-362 mg/L** (norms 100 mg/L), **BOD- 751 mg/L** (norms 100 mg/L), and **COD-1818 mg/L**(norms 2100 mg/L).
7. Analysis of ground water sample collected from industrial premises and showed Color-13 (norms of Indian standards for drinking water-specification IS 10500: 2012: 5 Hazen units), Total alkalinity -266 mg/L (norms of Indian standards for drinking water-specification IS 10500: 2012: 200 m/l) and Total hardness- 304 mg/L (norms of Indian standards for drinking water-specification IS 10500: 2012: 200 mg/l).
8. Untreated wastewater found logged inside the premises at various places which have potential to contaminate the ground water.

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 and as per the methodology for imposing Environment Compensation issued vide CPCB circular dated 24/05/2019, the Environmental Compensation to be levied to the unit is calculated as **Rs. 12,90,000/-** (Rupees twelve lakhs ninty thousands only) for the non-compliance period (02.04.2019 to 14.05.2019); and

WHEREAS, CPCB issued direction dated 24.05.2019 under section 5 of the Environment (Protection) Act, 1986 to the unit to comply with the following directions:

1. The Unit shall close down all its all manufacturing operations with immediate effect and inform CPCB.
2. The unit shall deposit **Rs 12,90,000/-** within 15 days in CPCB account towards environmental compensation.
3. The unit shall submit adequacy assessment of treatment facility by reputed government institute; including work completion report regarding implementation of the recommendations of the adequacy report within 45 days.
4. The unit shall stop spread/water logging of effluent on unlined lagoon/land immediately and submit photographic evidence.
5. The unit shall not start its operation without complying with the above directions and written permission from CPCB.

AND WHEREAS, the unit's reply vide letter dated 17.06.2019 were 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 26.04.2019.
2. The unit has submitted adequacy assessment of treatment facility by NSI, Kanpur; dated 17.06.2019 including work completion report regarding implementation of the recommendations of the adequacy report.
 - a. Adequacy reports indicate that ETP system comprise of secondary biological system followed by tertiary treatment. ETP system comprises of bar screen chamber, O&G trap, equalization tank with aeration, pH correction tank, primary clarifier, aeration tank, secondary clarifier, MGF and ACF and ETP system is adequate for treating effluent generating for 5,000 TCD production.
3. Unit requested for the personal hearing and to wave off the levied EC amount

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. During inspection some amount of storm water was accumulated in the mills premises and sample was collected by CPCB officials which showed non-compliance against discharge norms. However, the mill immediately pumped that water and treated in to ETP
- b. Considering financial constraint levied EC should be waived off so that the fund could be used for environmental management.
- c. 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:

- a. The unit shall submit the documentary/photographic evidence of recycling and treatment of accumulated water into ETP.
- b. Analysis of effluent samples collected from water logging sites indicates discharge of untreated effluent with high BOD, COD and TSS levels.

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 applied for the period between date of inspection and monitoring of date of closing of manufacturing operation.
- b. Direction for closure or revocation and direction for imposition of EC to be dealt separately.

AND WHEREAS, considering the viewpoints of the unit made during personal hearing held on 24.09.2019, Environmental Compensation has been recalculated as Rs. 7,50,000/- for the period from date of inspection (02.04.2019) to date of end of crushing season (26.04.2019) as per CPCB office order dated 04/09/2019; and


WHEREAS, CPCB constituted a Three Member Committee vide office order dated 25.09.2017 having representative from CPCB, MoEF&CC and NMCG for examination and recommendation for revocation of the closure direction issued by CPCB; and

WHEREAS, the Three Member Committee in its meeting held on 25.09.2019 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 Triveni Engineering & Industries Ltd., Milak Narayanpur, Rampur, U.P.) is directed to comply with the following directions before commencement of crushing season 2019-2020:

1. The unit may resume its operation after obtaining the valid consent from Uttar Pradesh Pollution Control Board.
2. The unit shall deposit Environmental Compensation amount of Rs. 7,50,000/- (Rupees Seven Lakhs Fifty 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 submit performance assessment of effluent treatment plant including analysis of treated effluents by the reputed government institute within 60 days of resumption of operation.
5. 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.
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 Triveni Engineering & Industries Ltd., Milak Narayanpur, Rampur, U.P.) without giving any further notice in accordance with the provisions of the Environment (Protection) Act, 1986.


06/11/19
(S. P. SINGH PARIHAR)
CHAIRMAN

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, 4th
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**
District Collectorate, District - Rampur
Pin Code - 244901, UP
- 5) **Managing Director**
Urja Bhawan
Pashchimanchal Vidyut Vitran Nigam Ltd.,
Victoria Park, Meerut 250001
- 6) **Regional Director**
Regional Directorate
Central Pollution Control Board, PICUP Bhawan,
Ground Floor, Vibhuthi Khand, Gomti Nagar,
Lucknow - 226 010
- 7) In-charge, IT Division, CPCB
- 8) Master file/Guard file, WQM II, CPCB Delhi
- 9) In-charge, F&A, CPCB

: 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.

: To reconnect the power supply of the unit.

: For follow up and ensuring compliance.

: with request to upload on CPCB server.


(PRASHANT GARGAVA)
MEMBER SECRETARY