



Speed Post

B-190198/NGRBA(RG)/CPCB/Distillery/30/2016-17

10/17

December 17<sup>th</sup>, 2019

Dec 20<sup>th</sup>, 2019

To,  
M/s Kesar Enterprises Ltd.,  
(Distillery Unit),  
Baheri, Dist - Bareilly,  
U.P.- 243201.

**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 directions 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 Kesar Enterprises (Distillery Unit), Bareilly (hereinafter referred as 'the Unit') is involved in the process of extra neutral alcohol and rectified spirit using molasses as raw material; and

**WHEREAS**, the unit was issued a direction dated 24.07.2015, under Section 5 of the Environment (Protection) Act, 1986, regarding installation of online effluent and emission monitoring system; and

**WHEREAS**, the unit submitted representations vide letter dated 30.11.2015 and 28.12.2015, and informed the close down of the distillery unit due to extreme financial constraint; and

**WHEREAS**, the unit was inspected by the officials of Central Pollution Control Board (CPCB), Delhi on 11.01.2017 under crash program and during inspection, the unit was found closed; and

**WHEREAS**, the unit was again inspected by the officials of Central Pollution Control Board (CPCB), Delhi on 31.01.2018, for compliance verification of GPIs in the Ganga Basin and the unit was found closed; and

(Contd..2/-)

**WHEREAS**, the unit submitted representation vide letter dated 10.08.2018, and informed the CPCB and UPPCB, that the unit will resume its manufacturing process of extra neutral alcohol and rectified spirit using molasses as raw material tentatively from February, 2019; and

**WHEREAS**, CPCB issued direction dated 20.11.2018 under Section 5 of the Environment (Protection) Act, 1986 to the unit to remain close and regarding installation of online effluent and emission monitoring system (OCEMS), submission of Adequacy Report duly validated by reputed institutions and to comply with the charter points i.e, installation of mass flow meters, identification of recipient drains/ rivulets and their u/s & d/s locations in consultation with UPPCB for monthly monitoring to ensure ZLD from distilleries, to submit monitoring report to CPCB on monthly basis, to provide documentary support for procurement/ availability of press mud, sell of compost and compost quality on monthly basis (by 10<sup>th</sup> of every month) to CPCB/UPPCB; and

**AND WHEREAS**, the Unit submitted replies vide letter dated 14.03.2019 and 28.03.2019, which were examined and following observations were made:

1. The Unit submitted duly signed Undertaking on notarized stamp paper as well as self-certificate for closure of Unit in compliance of CPCB direction.
2. The Unit has installed required online effluent and emission monitoring devices and established their connectivity with CPCB server.
3. The Unit submitted adequacy assessment report duly validated by NSI, Kanpur.
4. The Unit has installed mass flow meters at inlet and outlet of MEE; it has established connectivity of mass flow meters with CPCB servers.
5. As per adequacy report, the Unit has installed MEE and CPU systems to ensure ZLD norms; however, the efficiency of the ZLD system has to be assessed when Unit is in operation.
6. The Unit has submitted reply dated 30.03.2019, informing that it will identify recipient drain and its upstream and downstream locations in consultation with UPPCB within the next 15 days.

**AND WHEREAS**, the Three Member Committee in its meeting held on 11.04.2019, examined the Unit's replies as well as its compliance status and recommended the Unit to resume operations for a period of 60 days, subject to compliance of CPCB directions.

**WHEREAS**, CPCB issued direction dated 17.05.2019 under Section 5 of the Environment (Protection) Act, 1986 to the Unit to comply with the following conditions:

1. The Unit shall resume its operations for a period of 60 days and intimate CPCB regarding the starting date of its manufacturing operations.
2. The Unit shall provide copy of records of alcohol/rectified spirit production, spent wash generation (namely weak spent, strong spent wash) details of MEE operations, mass flow meter readings connected with CPCB server etc. on monthly basis (by 10<sup>th</sup> of every month) to CPCB/UPPCB in the prescribed format.

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3. The Unit shall identify recipient drains/ rivulets and their u/s & d/s locations in consultation with UPPCB and shall carry out monthly monitoring of the identified recipient drains at u/s & d/s location through lab recognised under Environment (Protection) Act, 1986 and to submit the analysis report on monthly basis (by 10<sup>th</sup> of every month) to CPCB/UPPCB.
4. The Unit shall use concentrated spent wash: press mud ratio of 1:1.6 and to provide documentary support for procurement/ availability of press mud, sale of compost and compost quality on monthly basis (by 10<sup>th</sup> of every month) to CPCB/UPPCB in the prescribed format. (Format enclosed)
5. The Unit shall carry out analysis of raw spent wash, concentrated spent wash as well as untreated and treated condensate for important parameters such as pH, COD, BOD, solid content etc., on a regular basis and shall maintain a log book for the same
6. The Unit shall develop analytical facilities along with trained staff having environmental background.
7. The Unit shall ensure maintenance of proper logbook for fresh water consumption, raw and concentrated spent wash generation, as well as for utilization of press mud and sale of biocompost.
8. The Unit shall submit a revalidated adequacy report/ performance evaluation report prepared by NSI, Kanpur within the 60 days.

**AND WHEREAS**, the Unit submitted reply vide letter dated 03.05.2019 and 09.07.2019, which were examined and following observations were made:

1. Unit has resumed manufacturing operations on 05.06.2019 and obtained Consents under the Water Act, 1974 and the Air Act, 1981. The Consents are valid from 27.05.2019 to 31.12.2019.
2. Unit has submitted details of rectified spirit production, spent wash generation, details of MEE operations and mass flow meter readings for the month of June, 2019.
3. Unit has identified recipient rivulet as Kichha river and has also identified u/s and d/s locations (along with coordinates) of the drain meeting Kichha river. The unit has submitted analysis report of u/s and d/s locations of Kichha drain.
4. Unit is in the process of starting the first cycle of bio-composting. However, it may be noted that Unit's bio-compost yard having an area of 9.5 acres is uncovered hence bio-composting cannot be carried out during monsoon season.
5. Unit has not provided analysis report of raw and concentrated spent wash for parameters such as pH, COD, BOD, solid content etc.
6. Unit has not indicated the frequency of analysis of raw and concentrated spent wash, CPU samples (untreated and treated condensates) and groundwater samples and whether it is maintaining log book for the same. Also, no information is provided on maintenance of logbook for fresh water consumption, raw and concentrated spent wash generation, as well as for utilization of press mud and sale of bio-compost.
7. Unit has not provided any information on development of analytical facilities along with trained staff having environmental background.

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8. Unit has not provided information regarding maintenance of proper logbook for fresh water consumption, raw and concentrated spent wash generation, as well as for utilization of press mud and sale of bio compost.
9. A team from NSI, Kanpur has already inspected and evaluated the ETP plant during operation in June, 2019 and the revalidated adequacy report shall be submitted soon.

**WHEREAS**, CPCB issued a letter dated 14.08.2019 for submission of the following informations to CPCB:

1. Analysis report of raw and concentrated spent wash for important parameters such as pH, COD, BOD, solid content etc.
2. The frequency of analysis of raw spent wash, concentrated spent wash, untreated and treated condensate for important parameters and whether log book is being maintained for the same. If yes, the copies of the same may be provided.
3. Information regarding development of analytical facilities along with trained staff having environmental background.
4. Whether logbook is being maintained for fresh water consumption, raw and concentrated spent wash generation, as well as for utilization of press mud and sale of biocompost. If yes, the copies of the same may be provided.
5. The Unit shall seek permission from CPCB to resume operation post completion of the remaining 34 days of the stipulated 60 days of operation as per CPCB direction dated 17.05.2019.

**AND WHEREAS**, the Unit submitted reply vide letter dated 09.09.2019 along with the ETP Validation Report prepared by NSI, Kanpur, which were examined and following observations were made:

1. The unit is not having adequate compost area for consented production capacity of 45 KLPD. Hence, capacity may be restricted upto 30 KLPD.
2. The unit need to restrict the lagoon capacity upto  $5616 \text{ m}^3 \sim 5650 \text{ m}^3$  equivalent to 30 days of concentrated spent wash generation as per CPCB direction dated 07.12.2015 and excess capacity of lagoon shall be dismantled/levelled/sealed by the unit. The unit may be asked to submit a time bound action plan within 15 days for the same.
3. In case the incinerator is commissioned, the unit would require to restrict the lagoon capacity equivalent to 07 days of concentrated spent wash generation to comply with ZLD norms as per CPCB direction dated 07.12.2015 issued under Section 18(1)(b) of Water (Prevention & Control of Pollution) Act, 1974.


**AND WHEREAS**, the Three Member Committee in its meeting held on 09.12.2019, examined the Unit's replies as well as its compliance status and recommended the Unit to resume operations.

(Contd..5/-)

**NOW THEREFORE**, in view of the above and in exercise of powers delegated under Section 5 of the Environment (Protection) Act, 1986, the unit, M/s Kesar Enterprises Ltd. (Distillery Unit), Bareilly, is **directed to resume its manufacturing operations and to comply with the following directions:**

1. The unit shall operate the plant at restricted production capacity of 30 KLPD, as the unit is not having adequate active bio-compost area.
2. The unit shall restrict its lagoon capacity upto 5650 m<sup>3</sup> equivalent to 30 days of concentrated spent wash generation as per CPCB direction dated 07.12.2015 by dismantling/leveling /filling the excess capacity of the lagoons.
3. The unit shall submit a time bound action plan for dismantling/leveling /filling the excess capacity of the lagoons within 15 days to CPCB.
4. The unit shall intimate CPCB/SPCB after resumption of operation of Incineration Boiler immediately.
5. In case the incinerator is commissioned, then the unit shall restrict it's lagoon capacity upto 1310 m<sup>3</sup> equivalent to 07 days of concentrated spent wash generation as per CPCB direction dated 07.12.2015 by dismantling/leveling /filling the excess capacity of the lagoons.

In case of default in compliance with the above directions or any other exigencies, CPCB will be constrained to initiate further stringent action against the Unit, in accordance with the provisions of the Environment (Protection) Act, 1986, without any further notice.

  
19/12/15  
**(S.P. SINGH PARIHAR)**  
CHAIRMAN

**Copy to:**

1. **Member Secretary**  
Uttar Pradesh Pollution Control Board,  
Building No. TC-12 V, Vibhuti Khand  
Gomti Nagar, Lucknow-226010 : With request to ensure that the unit operates at restricted production capacity, dismantle excess storage capacity and to ensure compliance of the directions.
2. **Joint Secretary (CP Division)**  
Ministry of Environment, Forest & C.C  
Prithvi Block, Indira Paryavaran Bhawan,  
Jorbagh Road, New Delhi – 110 003 : For kind information, please.
3. **The 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
4. **The In-charge, IT Division, CPCB**
5. **Master file/Guard file WQM-II Division**

  
**(PRASHANT GARGAVA)**  
MEMBER SECRETARY