

SPEED POST

B-519/IPC-III/Dist/2k19-20 1266

10th September, 2020

To

M/s Atharva Intertrade Pvt Ltd
(Leased unit: Daulat Shetkari
Sahakari Sakhar Karkhana Ltd)
Halkarni, Tal: Chandgad
Dist. Kolhapur
Maharstra - 416552

Directions Under Section 5 of the Environment (Protection) Act, 1986

WHEREAS, Distilleries are identified as part 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 to cause adverse effect on the water and air quality; and

WHEREAS, a direction under section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 was issued on February 05, 2014 to all the State Pollution Control Boards (SPCBs)/ Pollution Control Committees (PCCs) for installation of online emission monitoring system and online effluent monitoring system w.r.t. pH, COD, BOD, TSS and Flow parameters in Distillery; and

WHEREAS, it was clarified that flow meter & web camera may be installed in case of Units with Zero liquid discharge (ZLD) by March 31, 2015 vide guidelines uploaded on website of CPCB dated November 7, 2014; and

WHEREAS, considering the requests/ representations received from industries/ industrial associations/ SPCBs / PCCs, an extension of time up to June 30, 2015 for installation of online monitoring systems was granted vide direction dated March 02, 2015 under section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981; and

WHEREAS, a letter dated May 29, 2015 was issued by the Chairman CPCB to all the SPCBs/ PCCs informing that no further extension of time will be given after June 30, 2015 and withdrawal of consent to operate along with forfeiture of bank guarantee of non-complying Units will be the only option; and

WHEREAS, concerned SPCB/ PCC have issued directions under section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and section 31A of the Air (Prevention & Control of Pollution) Act, 1981 to install the online monitoring system by June 30, 2015 and to submit bank guarantee of 100% of the cost of online emission & effluent monitoring system; and

WHEREAS, in follow up to the directions issued to the SPCBs/PCCs, CPCB had issued show cause notices under section 5 of the Environment (Protection) Act, 1986 dated 24.07.2015 to 347 distilleries, including M/s Atharv Intertrade Pvt Ltd (Leased Unit: Daulat Shetkari Sahakari Sakhâr Karkahan Ltd) Halkarni, Tal. Chandgad, Dist. Kolhapur, Maharashtra, hereinafter referred to as 'the unit', as to why the Unit should not be closed down if the Unit has not complied fully with the direction issued w.r.t. installation of online emission & effluent monitoring system by June 30, 2015. It was further directed to submit documentary evidence regarding status of installation and connectivity of online emission & effluent monitoring system in the format given in annexure; and

WHEREAS, the show cause notice issued to the unit was undelivered and returned back to CPCB and CPCB had listed the name of the unit in the list of defaulter units published on the CPCB website and in the advertisement in the national and local newspaper dated 07.01.2016; and

WHEREAS, in view of the failure of the unit w.r.t installation of online monitoring devices and providing its connectivity to CPCB in exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986, CPCB issued closure direction to the unit vide letter dated 18.03.2016 and not to restart its operations until the unit provides connectivity of the required online monitoring devices to the CPCB/SPCB server; and

WHEREAS, the unit vide email dated 28.02.2020 has provided self certificate and has informed that the unit has stopped its manufacturing operations from 2010-11 to till date and also intimated the same to State Pollution Control Board; and

WHEREAS, the unit vide letter dated 06.01.2020 and email dated 28.02.2020 has informed that the unit has installed flow meters and cameras required for ZLD units and has provided connectivity of these systems to CPCB, and the same has been verified by the IT Division of CPCB; and

WHEREAS, CPCB constituted a three-member Committee vide office order dated 03.10.2017 having representative(s) from CPCB and MoEF&CC for examination and recommendation for revocation of closure direction issued by CPCB; and

WHEREAS, the said Committee in its meeting held on 11.08.2020 reviewed the compliance made by the unit and verified the submitted supporting documents in line with the agreed criteria and recommended that the unit may be allowed to resume its manufacturing operation with certain conditions; 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; and

NOW THEREFORE, in view of the compliance made by the unit to the direction issued by CPCB and in exercise of powers vested under Section 5 of the

Environment (Protection) Act, 1986, M/s Atharva Intertrade Pvt Ltd, Distillery Unit (Leased unit: Daulat Shetkari Sahakari Shakhar Karkhana Ltd) Halkarni, Tal: Chandgad Dist. Kolhapur Maharashtra is allowed to resume its manufacturing operations subject to the following conditions;

- a) It shall be ensured that the installed OCEMS devices are functioning properly & continuously and that data from that device are uninterruptedly transferred to CPCB.
- b) Unit shall ensure periodic calibration of the analyzers as per Standard Operating Procedure/recommendations of the supplier and submit the calibration results.

In case of default in compliance with the above conditions, CPCB will be constrained to initiate appropriate actions against the Unit, without giving any further notice, in accordance with provisions of the Environment (Protection) Act, 1986.

(Shiv Das Meena)
CHAIRMAN

Copy to:

1. The Member Secretary,
Kalpataru Point, 3rd & 4th floor,
Sion Matunga Scheme Road No.8,
Opp.Cine Planet Cinema, Near Sion Circle,
Sion (E), Mumbai:400 022

: For information & ensuring compliance of directions. The self-certificate provided by the unit may also be verified, please (copy attached)

2 The Advisor (CP Division)
Ministry of Environment, Forest and Climate Change, Prithvi Wing, 2nd Floor, Room No. 216, Indira Paryavaran Bhawan, Aliganj, Jor Bagh Road, New Delhi - 110003

: For information, pl

3 The Regional Director
CPCB, The Regional Directorate(West)
Parivesh Bhawan
Opposite VMC ward office No. 10,Subhanpura,
Vadodara - 390023

: For follow up and ensuring compliance, pl,

4 The District Magistrate,
Kolhapur District, Maharashtra

: For information regarding revoking of closure direction, pl.

5. The Chief Engineer,
Maharashtra State Electricity Distribution Company Ltd
Adm. Bldg. Tarabai Park, Kolhapur - 416003
Dist: Kolhapur, Maharashtra

: With request to restore the power supply to the unit, pl

6. The Div. Head, I.P.C-III, CPCB

7. The Div. Head, IT Division, CPCB

(Prashant Gargava)
MEMBER SECRETARY