

Speed Post

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23.04.2019
26.04.2019

To,

M/s Rana Sugar Ltd.,
Belwara, Manpur
Moradabad-2444925
Uttar Pradesh

**DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986-
CLOSURE THEREOF**

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 Rana Sugar Ltd., Belwara, Manpur, Moradabad, U.P. (hereinafter referred as 'the Unit') is involved in the process of sugar manufacturing from crushing of cane; and

AND WHEREAS, the Unit (M/s Rana Sugar Ltd., Belwara, Manpur, Moradabad, U.P.) was inspected on 10.01.2018 by officials from CPCB, Delhi and following observations were made;

1. The Unit was found operational at the time of inspection and ETP was functional.
2. The lagoon was under construction.
3. The Unit has installed the flow meter at the inlet as well as outlet of ETP.
4. The Unit has installed the OCEMS and provided the connectivity of OCEMS.
5. The unit has mentioned in the implementation status of the adequacy assessment report that a lagoon has been constructed but it was under construction as per the inspection report.
6. The unit has installed the flow meter at overflow of spray pond, hot and cold water & the inlet, outlet of ETP.
7. The Unit has not submitted the irrigation management plan.

WHEREAS, CPCB issued letter dated 21.03.2018 to the unit to ensure compliance of the following directions;

1. The unit is yet to complete the information of lagoon and also the analysis report through E (P)A recognised laboratory.
2. The unit has not submitted the irrigation management plan.
3. The unit not submitted the revalidated ETP adequacy assessment report within 45 days from the date of resumption of operation to CPCB.

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.
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.

WHEREAS, the unit vide letter dated 19.07.2018 submitted their compliance status of the Charter and validation report on water balance and ETP adequacy along with irrigation plan which was examined and following observations were made;

1. Mill has installed the flow meter at fresh water extraction from tube well, spray pond overflow, excess condensate generation, ETP inlet and outlet and record of the same will be maintain.
2. Mill screen chamber is installed and adequate.
3. Mill has installed the Oil & Grease removal.
4. Mill has construct the Primary clarifier, Secondary clarifier with adequate retention time.
5. Mill has constructed lagoon for the storage of treated effluent.

AND WHEREAS, the unit vide letter dated 28.07.2018 submitted their compliance status of the Charter; and

WHEREAS, CPCB issued letter dated 11.03.2019 to comply with the following directions;

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 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 01.04.2019 by team of CPCB officials and following observations are made;

1. The unit and ETP was operational during the inspection.
2. By pass arrangement was identified in ETP inlet line near sugar storage godown that was temporarily blocked by sand bags.
3. It was observed that treated /untreated effluent logged on the open land close to industry premises and trees were dead in appearance due to accumulation of treated /untreated effluent.

4. Temporary pumping arrangement with flexible tube lines were found inside the premises having outlet line in a drain parallel to industrial premises and along the roadside.
5. An opening was provided in the secondary treated water collection chamber from secondary clarifier which can be directly discharged into outlet sump without treating it from sand and activated carbon filter.
6. The unit officials did not cooperate with the CPCB inspecting team.
7. The mill has not provided any information, documents and refused to receive Form -I (notice of intention to have sample analysed).

It is evident that untreated effluent is being discharged by the unit causing grave injury to the environment.

AND WHEREAS, The Hon'ble National Green Tribunal (NGT), Principal Bench in the matter of OA No. 593/2017 (WP (CIVIL) No. 375/2012), Paryavaran Suraksha Samiti & Anr. Vs. Union of India & Ors. directed Central Pollution Control Board (CPCB) 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, in compliance of above quoted Hon'ble NGT order, cases to be considered for levying penalty are discharges in violation of consent conditions/ non-compliance with the directions, such as direction for closure due to non-installation of OCEMS/ non-adherence to the action plans submitted/ intentional avoidance of data submission or data manipulation by tampering OCEMS; and

WHEREAS, as per the methodology for assessing penalty and environmental compensation, the environmental compensation to be levied to the unit is calculated as Rs. **45,90,000/-** (Forty-five lakhs ninety thousand Rupees only) for the non-compliance period (14.11.2018 to 15.04.2019), for the crushing season 2018- 19; and

NOW, THEREFORE, in exercise of powers delegated to Chairman CPCB under Section 5 of the Environment (Protection) Act, 1986, the Unit (M/s Rana Sugar Ltd., Belwara, Manpur, Moradabad, U.P.) is directed **close down its manufacturing operations immediately and deposit Rs. 45,90,000/-** in CPCB A/c No. 532702050000164 (Bank name: Union Bank of India, IP Extension Branch, Vikas Marg Extn., Delhi; IFSC: UBIN0553271)/ demand draft in favour of EC by CPCB towards environmental compensation **within 15 days** from the date of receipt of direction and shall comply with the following directions;

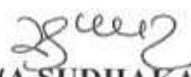
1. The unit shall close down its Sugar manufacturing operations with immediate effect and shall not resume its operations.
2. The unit shall dismantle the bypass arrangements and stop discharge of untreated/ partially treated effluent discharge immediately.
3. The Unit shall comply to CPCB direction dated 11.03.2019 and shall submit response within 15 days.
4. The unit shall seek permission from CPCB, after compliance of the above directions, before resumption of operation.

In case of default in compliance with the above directions, CPCB will be constrained to initiate action against the Unit (M/s Rana Sugar Ltd., Belwara, Manpur, Moradabad, U.P.) without giving any further notice in accordance with the 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 – 226 010
:With request to ensure compliance of the directions.
2. **Principal Secretary**
Sugar Industry and Cane Development
Department, "G" Block 2/3, Mantri Wing 4th Floor
BapuBhawanVidhan Sabha Marg
Lucknow - 226 001
:For kind information, please.
3. **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
4. **The District Magistrate**
Moradabad , U.P.
:With request to ensure closure of the unit in compliance of the directions
5. **The Superintending Engineer**
Paschimanchal Vidyut Vitran Nigam Limited
Moradabad , U.P.
:With a direction to disconnect power supply
6. **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
7. The In-charge, IT Division, CPCB
:with request to upload on CPCB server.
8. Master file/Guard file, WQM II, CPCB Delhi


(A SUDHAKAR)
MEMBER SECRETARY