

SPEED POST

B-190197/NGRBA (RG)/CPCB/Sugar/69/2016-17 | 1456

20.05.2019
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To,

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

**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 & 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 generate 1050 KLD wastewater which is 150liter per tonnes.
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.
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 are made;

1. The unit and ETP were operational during the visit.
2. The Unit has installed the spray pond overflow treatment system and found non-operational during inspection.
3. The Unit's Oil & Grease removal system was found not operational and was broken.
4. The Unit has installed flow meters on three borewells out of four borewells.
5. The Unit. has installed flow meter but has not maintained logbook.
6. Estimated ground water extraction through four borewells is 1260 KLD
7. The treated effluent from ETP outlet was found non-compliance 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 against land discharge norms prescribed under Environment (Protection) Rules,1986.
8. MLSS in the aeration tank was found 1153 mg/l which indicated unstabilized aeration tank.
9. Water logging was observed inside the industry premises at multiple place including spray pond area, behind ETP covering large area and near distillery gate.
10. 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 land discharge norms prescribed under Environment (Protection) Rules,1986, indicating discharge of untreated effluent.
11. Stagnant water was present in the sludge drying beds.
12. The Unit has not installed mechanical sludge handling system.
13. The Unit has not installed Flow meter at the outlet pipeline from where the treated effluent is pumped for irrigation.
14. 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

It is evident that untreated/partially treated 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. 14,40,000/-** (Rupees fourteen- lakhs forty thousand only) for the non-compliance period (28.03.2019 to 14.05.2019), 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 Tikaula Sugar Mills Ltd., Ramraj, Tikaula, Muzaffarnagar.**) is directed **close down its manufacturing operations immediately and deposit Rs. 14,40,000/-** in CPCB A/c No. 532702050000164 (Bank name: Union Bank Of India, IP Extension Branch, Vikas Marg Extn., Delhi; IFSC: UBIN0553271) 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 till augmentation and upgradation of ETP system is carried out.
2. No water logging shall take place.
3. 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.
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 Tikaula Sugar Mills Ltd., Ramraj, Tikaula, Muzaffarnagar.**), in accordance with the provisions of the Environment (Protection) Act, 1986, without giving any further notice.


(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
Bapu Bhawan Vidhan 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. **District Magistrate**
Muzaffarnagar,
Uttar Pradesh-242307
:With request to ensure closure of the unit in compliance of the directions
5. **The Superintending Engineer**
Paschimanchal Vidyut Vitaran Nigam Limited
Electricity Distribution Division Yamuna
Vihar, Islam Nagar, NH-58, Meerut Road,
Muzaffarnagar, U.P.
:With a direction to disconnect power supply
6. **The Regional Director**
Regional Directorate
Central Pollution Control Board, PICUP Bhawan,
Ground Floor, Vibhuthi 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


(PRASHANT GARGAVA)
MEMBER SECRETARY