



SPEED POST

B-190198/WQM-II(RG)/CPCB/Sugar/05/2016-17 2032

24th May, 2019
28

To,
M/s Bajaj Hindustan Ltd.,
Maqsoodpur, Shahjahanpur,
U.P.-242042

**DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986
CLOSURE NOTICE 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 Bajaj Hindustan Ltd., Maqsoodpur, Shahjahanpur, U.P. (hereinafter referred as 'the Unit') is involved in the process of sugar manufacturing from crushing of cane; and

WHEREAS, the Unit was inspected on 08.03.2018 by officials from CPCB, Delhi and following observations were made;

1. The Unit and ETP were operational.
2. The Unit has applied for NOC from Central Ground Water Authorisation (CGWA).
3. Effluent Treatment Plant (ETP) comprises of Bar Screen, Oil Grease Separator, Equalisation Tank, Primary Clarifier, Aeration Tank, Secondary Clarifier & Tertiary treatment (Filtration units).
4. The analysis of treated effluent sample shows pH-7.54, against 5.5-9.0, **BOD-162 mg/l** against 30 mg/l, **COD- 456 mg/l** against 250 mg/l, **TSS- 501 mg/l** against 30 mg/l which indicates non-compliance w.r.t. BOD, COD & TSS with effluent surface discharge norms prescribed under Environment (Protection) Rules, 1986.
5. The MLSS in aeration tank was found 1461 mg/l which indicates unstabilised Activated Sludge Process system and poor operation and maintenance of ETP system.

6. The analysis of treated effluent sample from lagoon is also found non-compliance w.r.t. **BOD-151 mg/l** against norms of 100 mg/l, **COD- 507 mg/l** against norms of 250 mg/l, **TSS- 473 mg/l** against norms of 100 mg/l for land discharge.
7. The Unit has installed cooling tower but there is no separate treatment of excess water containing sulphate and it is transferred to inlet of ETP directly.
8. Flow meter was not installed at inlet of ETP and at various location of unit process.
9. Sludge was found floating in secondary clarifier and treated water was found turbid at outlet of ETP.

AND WHEREAS, CPCB issued closure direction dated 23.04.2018 under Section 5 of the Environment (Protection) Act, 1986: and

WHEREAS, the Unit replies vide letters dt. 23.05.2018, 20.7.2018 & 24.9.2018 and submitted revalidated adequacy assessment reports validated by NSI, Kanpur;

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.

WHEREAS, the unit vide letter dated 20.07.2018 submitted their compliance status of the Charter; and

WHEREAS, CPCB issued direction dated 22.10.2018, under section 5 of the Environment (Protection) Act, 1986, to the unit to comply with the following directions;

1. The unit shall start its operation only after obtaining the valid consent from the Uttar Pradesh Pollution Control Board.
2. The unit shall implement the observation & recommendation of the revalidated adequacy assessment of ETP before commencement of crushing season 2018-2019.
3. 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 before commencement of crushing season 2018-2019.
4. The unit shall install flow meters at major areas of cold and hot water consumption before commencement of crushing season 2018-2019.
5. The unit shall install flow meters for measuring generation of effluent from various prominent areas before commencement of crushing season 2018-2019.
6. The unit shall maintain logbook for individual process unit for recording daily water consumption and effluent generation also.
7. The unit shall carry out colour coding of pipelines carrying recycled process water and fresh process water before commencement of crushing season 2018-2019.
8. The Unit shall commission mechanical sludge handling system of adequate capacity
9. The unit shall carry out analysis of effluent discharge parameters notified under Environment (Protection) Rules, 1986 and logbook shall be maintained on daily basis.
10. The unit shall submit the implementation status of the Charter in the form of Affidavit and the documentary proof of the completion of the work as committed in the action plan before resumption of crushing season 2018-2019.
11. 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 & submit the report to CPCB within 60 days of resumption of operation.

AND WHEREAS, the Unit was inspected on 30.03.2019 by officials from CPCB, and following observations are made;

1. The unit and ETP were found operational.
2. Analysis of treated effluent sample from outlet shows pH-7.42 as against norms of 5.5-9.0, BOD-40mg/l against norms of 100 mg/l, COD- 217 mg/l against norms of 250 mg/l, TSS- 44.9 mg/l against norms of 100 mg/l and TDS- 828 mg/l against norms of 2100 mg/l which indicates compliance against land discharge norms prescribed under Environment (Protection) Rules, 1986.
3. Analysis of treated effluent sample from lagoon shows pH-7.78 as against norms of 5.5-9.0, **BOD-211mg/l** against norms of 100 mg/l, **COD- 388 mg/l** against norms of 250 mg/l, TSS- 63.3 mg/l against norms of 100 mg/l and TDS- 927 mg/l against norms of 2100 mg/l which indicates **non-compliance** against land discharge norms prescribed under Environment (Protection) Rules, 1986.
4. MLSS in aeration tank was 1817 mg/l.
5. Waste water generation estimated as 122.34 L/T of cane crushing against the standards 200 L/T.

It is evident that the unit discharges untreated/ partially treated effluent posing potential threat to surface water and ground water pollution.

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/ not complying with the directions issued, 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. 30,00,000/- (Rupees Thirty lakh Rupees only) for the non-compliance period (08.03.2018 to 15.06.2018) for the crushing season 2017- 18; and Rs. 98,40,000/- (Rupees Ninety-eight Lakh forty thousand rupees only) for the non-compliance period (10.11.2018 to 22.04.2019), 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 Bajaj Hindustan Ltd., Maqsoodpur, Shahjahanpur, U.P.) is directed to remain close and deposit **Rs. 1,28,40,000/- (Rupees One Crore Twenty-eight Lakh Forty Thousand only)** within **15 days** in CPCB A/c No. 532702050000164 (Bank name: Union Bank of India, IP Extension Branch, Vikas Marg Extn., Delhi; IFSC: UBIN0553271) towards environmental compensation and shall comply with the following directions;

1. The unit shall remain closed and not operate without seeking permission from CPCB.
2. 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 within 45 days.
3. 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 Bajaj Hindustan Ltd., Maqsoodpur, Shahjahanpur, U.P.) without giving any further notice in accordance with the provisions of the Environment (Protection) Act, 1986.


27/05/19
(S. P. SINGH PARIHAR)
CHAIRMAN

Copy to:

1. **Principal Secretary (Sugar)**
Sugar Industry and Cane Development
Department, "G" Block, 2/3, Mantri Wing, 4th
Floor, Babu Bhawan, Vidhan Sabha Marg
Lucknow - 226 001 : With request to ensure compliance of the
directions
2. **The Chairperson**
Uttar Pradesh Pollution Control Board,
Building No. TC-12V, Vibhuthi Khand,
Gomti Nagar, Lucknow - 226 010 : With request to ensure compliance of the
directions
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**
Sadar Bazar, Shahjahanpur, Uttar Pradesh
242001 : To ensure physical verification, closure, sealing
and disconnection of power supply in
compliance of closure direction.
5. **The Superintending Engineer**
Madhyanchal Vidyut Vitaran Nigam Limited,
Shahjahanpur, U.P. : To disconnect power supply of the unit, please
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** : For uploading direction of CPCB website
8. **Master file/Guard file, WQM II, CPCB Delhi** : For record
9. **The In-charge, F&A, CPCB**


(Prashant Gargava)
MEMBER SECRETARY

o/c