

**SPEED POST**

B-190198/WQM-II(RG)/CPCB/Sugar/33/2016-17

22.05.2019  
24

To,  
M/s Bisalpur Kisan Sahkari Chini Mills Ltd.,  
Bisalpur, Pilibhit,  
Uttar Pradesh

**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 Bisalpur Kisan Sahkari Chini Mills Ltd., Bisalpur, Pilibhit, 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 01.02.2018 by officials from CPCB, Delhi and following observations were made;

1. During the inspection, the ETP was found operational.
2. The treated effluent from secondary clarifier outlet was found to be discharged directly into the drain.
3. Inlet channel of the ETP was found broken and untreated effluent was bypassed to outside nallah.
4. Spray pond tank was also found broken and spray pond overflow was bypassed without any treatment to outside nallah.
5. The analysis of treated effluent sample showed pH-6.71, as against norms of 5.5-9.0, **BOD-965 mg/l** against norms of 30 mg/l, **COD- 3240 mg/l** against norms of 250 mg/l, **TSS- 290 mg/l** against norms of 30 mg/l at outlet of the ETP which indicates non-

compliance w.r.t. BOD, COD & TSS with surface effluent discharge norms prescribed under Environment (Protection) Rules, 1986.

6. The analysis of treated effluent sample from lagoon is also found non-compliant w.r.t. **BOD-275 mg/l** against norms of 100 mg/l, **COD- 564 mg/l** against norms of 250 mg/l, **TSS- 143 mg/l** against norms of 100 mg/l for land discharge.
7. The MLSS in aeration tank is found 457 mg/l which indicates unstabilised Activated Sludge Process system due to poor operation and maintenance of ETP system.

**AND WHEREAS**, CPCB issued closure direction dated 28.03.2018 under Section 5 of the Environment (Protection) Act, 1986 to the unit for compliance; and

**WHEREAS**, the Unit replied along with the revalidated adequacy assessment reports and irrigation management plan prepared by VSI, Pune vide letters dt. 06.04.2018 and 02.05.2018; 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 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.

**AND WHEREAS**, the unit vide letter dated 03.08.2018 submitted their compliance status of the Charter, which was examined and following observations are made:

1. The unit is in the process of installing necessary flow meters at requisite points as prescribed under the Charter and has assured completion of the same by 30.08.2018.
2. The unit has submitted action plan/ compliance report on upgradation of ETP.
3. The unit is maintaining proper logbook for bore-well readings thereby recording their fresh water consumption on regular basis.
4. The unit has stated that no untreated/ partially treated effluent is being discharged on land.
5. The unit shall employ hydro-jet for cleaning of heat exchanger unit.
6. The unit has ensured to set up environmental laboratory with dedicated technical staff.
7. The unit has planned to arrange training for its technical staff on ETP Operation and Maintenance.
8. The unit has submitted compliance report on BMT for Water Recycling and Pollution Prevention.

**AND WHEREAS**, the Three Member Committee in its meeting held on 04.10.2018 examined the revalidated adequacy assessment report, & implementation status of the Charter and recommended that the unit may be allowed to resume operation; 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 before commencement of crushing season 2018-2019;

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 observations & recommendations of the revalidated adequacy assessment of ETP.
3. The unit shall install sealed flow meters along with running hours meters on bore wells so as to ascertain usage of fresh water for various uses
4. The unit shall install flow meters at major areas of cold and hot water consumption.
5. The unit shall install flow meters for measuring generation of effluent from various prominent areas.
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.
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.
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 26.03.2019 by officials from CPCB and following observations were made;

1. During the inspection, the unit and ETP was found operational.
2. Flow meters are not installed at effluent generation locations i.e. boiling house, DM/RO plant, boilers, cleaning process, spray pond over flow etc. to quantify the waste water generation.
3. Log books for fresh water consumption are not maintained.
4. Flow meters at ETP inlet and outlet found non-functional during inspection.
5. The unit has multiple outlets for the discharge of treated/untreated effluents.
6. MLSS in aeration tank was 2502 mg/l.
7. Waste water generation is estimated as **425.6 L/T** of cane crushing and it exceeds the standards 200 L/T.
8. Analysis of ETP outlet shows pH 7.93 against norms 5.5-8.5, BOD 16.7 mg/L against norms 100 mg/L, COD 96.6 mg/L against norms 250 mg/L, TDS 924 mg/L against norms 2100 mg/L and **TSS 119 mg/L** against norms 100 mg/L which indicates non-compliance w.r.t. TSS as per on land discharge norms.
9. The spray pond overflow is being directly discharged outside the unit's premises without any treatment. Analysis of effluent sample which was being bypassed showed **pH 5.04** against norms 5.5-8.5, **BOD 1995 mg/L** against norms 30 mg/L, **COD 3519 mg/L** against norms 250 mg/L and **TSS 333 mg/L** against norms 30 mg/L as per surface effluent discharge norms.
10. The unit discharges into local drain which meets Garra river and finally meets with Ganga river.

**It is evident that the unit discharges untreated/partially treated effluents 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. 36,30,000/- (Rupees Thirty-six lakh thirty thousand only) for the non-compliance period (01.02.2018 to 01.06.2018) for the crushing season 2017- 18; and Rs. 1,01,40,000/- (Rupees One Crore One Lakh Forty Thousand only) for the non-compliance period (27.11.2018 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 Bisalpur Kisan Sahkari Chini Mills Ltd., Bisalpur, Pilibhit, U.P.) is directed to **deposit Rs. 1,37,70,000/- (Rupees One Crore Thirty-Seven Lakh Seventy 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 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. The unit shall dismantle all by-pass arrangements immediately and shall submit photographic evidence to CPCB within 45 days.
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 within 45 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 Bisalpur Kisan Sahkari Chini Mills Ltd., Bisalpur, Pilibhit, 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. 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
- 2. Member Secretary**  
Uttar Pradesh Pollution Control Board,  
Building No. TC-12V, Vibhuthi Khand,  
Gomti Nagar, Lucknow – 226 010
- 3. Joint Secretary (CP Division)**  
Ministry of Environment, Forest & C.C  
Prithvi Block, Indira Paryavaran Bhawan,  
Jorbagh Road, New Delhi – 110 003
- 4. District Magistrate**  
Pilibhit, U.P.
- 5. Superintending Engineer**  
Madhyanchal Vidyut Vitran Nigam Ltd.  
Pilibhit, U.P.
- 6. Regional Director**  
Regional Directorate  
Central Pollution Control Board, PICUP Bhawan,  
Ground Floor, Vibhuthi Khand, Gomti Nagar,  
Lucknow – 226 010
- 7. In-charge, IT Division, CPCB**
- 8. Master file/Guard file, WQM II, CPCB Delhi**
- 9. In-charge, F&A, CPCB**

:With request to ensure compliance of the directions.

:With request to ensure compliance of the directions.

:For kind information, please.

:With request to compliance of the directions

: To connect the power supply of the unit, Please

:For follow up and ensuring compliance

  
(Prashant Gargava)  
MEMBER SECRETARY