

**Speed Post**

B-190197/WQM-II(RG)/CPCB/Sugar/60/2016-17 2143

27.05.2019  
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To,

M/s Rana Sugars Ltd.  
Karimganj, Shahbad,  
Rampur, U.P.-244901

**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 Rana Sugars Ltd., Karimganj, Shahbad, Rampur, U.P. (hereinafter referred as 'the Unit') is involved in the process of sugar manufacturing from crushing of cane; and

**WHEREAS**, the unit (M/s Rana Sugars Ltd., Karimganj, Shahbad, Rampur, U.P.) was inspected on 07.03.2018 by officials from CPCB, and following observations were made;

1. The unit was in operation. However, ETP was non-operational at the time of inspection.
2. The Unit has applied for NOC to Central Ground Water Authorisation (CGWA) for extraction of ground water.
3. The analysis of treated effluent sample showed pH-7.59 as against norms of 5.5-9.0, BOD-50 mg/l against norms of 30 mg/l, COD-148 mg/l against norms of 250 mg/l and TDS-26.9 mg/l against norms of 2100 mg/l which indicates non-compliance w.r.t. BOD with the effluent surface discharge norms prescribed under Environment (Protection) Rules, 1986.
4. MLSS in aeration tank was 3572 mg/l.
5. The Unit does not have provision for treatment of spray pond overflow.
6. The Unit has installed flowmeters at both borewells. However, it has not installed flowmeters and 'V' notch at inlet of ETP.
7. The Unit has constructed an impermeable lagoon with capacity of 2552 m<sup>3</sup>.
8. The Unit has not submitted irrigation management plan.

9. The Unit has not submitted revalidated ETP adequacy assessment report within 45 days from the date of resumption of operation to CPCB.

**AND WHEREAS** CPCB issued show cause notice dated 07.05.2018 under Section 5 of the Environment (Protection) Act, 1986; and

**WHEREAS**, the unit replied vide letter dated 22.05.2018 and following observations were made;

1. The unit has applied for NOC to CGWA.
2. The unit has constructed an impermeable lagoon of 13219 m<sup>3</sup>.
3. The unit is treating its spray pond overflow in ETP.
4. The unit has installed flow meters at ETP inlet, spray pond overflow, tube wells and at surplus condensate.
5. The unit has submitted irrigation management plan prepared by VSI, Pune and validation report on water balance and ETP adequacy.

**AND WHEREAS**, the unit submitted the revalidated adequacy assessment reports and irrigation management plan validated by VSI, Pune vide letter dt.19.07.2018; 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 20.07.2018 submitted their compliance status of the Charter, which was examined; and

**WHEREAS**, CPCB issued compliance direction dated 05.11.2018 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 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 carry out colour coding of pipelines carrying recycled process water and fresh process water.
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 analysis of effluent discharge parameters notified under Environment (Protection) Rules, 1986 and log book shall be maintained on daily basis.
8. The unit shall commission mechanical sludge handling system of adequate capacity.
9. 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.
10. The unit shall submit implementation status of the Charter and performance audit of ETP including actual assessment of water consumption & 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 period.

**AND WHEREAS**, the unit was inspected on 03.04.2019 by officials from CPCB, and following observations are made;

1. The analysis result of ETP outlet showed pH-7.86 against the norms of 5.5-8.5, **BOD-108 mg/l** against norms of 100 mg/l, **COD-327 mg/l** against the norms of 250 mg/l, **TSS-173 mg/l** against norms of 100 mg/l and **TDS-4404 mg/l** against norms of 2100 mg/l and, which indicates non-compliance against effluent discharge norms on land prescribed under Environment (Protection) Rules, 1986.
2. Untreated water was found logged at various places inside the premises of the unit and two samples were collected.
3. Analysis report of the sample-1 collected from water logging site showed pH-6.35 against the norms of 5.5-8.5, **BOD-543 mg/l** against norms of 100 mg/l, **COD-945 mg/l** against the norms of 250 mg/l, **TSS-291 mg/l** against norms of 100 mg/l, TDS-1384 mg/l against norms of 2100 mg/l which indicates non-compliance against effluent discharge norms on land prescribed under Environment (Protection) Rules, 1986.
4. Analysis report of the sample-2 collected from water logging site showed **pH-4.68** against the norms of 5.5-8.5, **BOD-391 mg/l** against norms of 100 mg/l, **COD-717 mg/l** against the norms of 250 mg/l, **TSS-118 mg/l** against norms of 100 mg/l, TDS-352 mg/l against norms of 2100 mg/l which indicates non-compliance against effluent discharge norms on land prescribed under Environment (Protection) Rules, 1986.
5. Equalization tank was found without aeration and oil skimmer was found non-operational.

6. Inlet channel was found full and overflowing at the time of inspection.
7. Spray pond overflow was found mixing with the treated effluent which is directly connected to lagoon.
8. Treated water stored in lagoon was also found non-complying w.r.t to **BOD-509 mg/l** (against norms of 100 mg/l), **COD-947 mg/l** (against the norms of 250 mg/l), **TSS-305 mg/l** (against norms of 100 mg/l) against the stipulated discharge norms.

**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. 43,80,000/-** (Rupees Forty-Three Lakhs Eighty Thousands Only) for the non-compliance period (15.11.2018 to 09.04.2019), 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 Sugars Ltd., Karimganj, Shahbad, Rampur,U.P.) is directed to **remain close and deposit Rs. 43,80,000/- 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 stop discharge/ water logging of untreated effluent immediately.
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 Rana Sugars Ltd., Karimganj, Shahbad, Rampur, 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 Industry and Cane Development  
Department, "G" Block 2/3, Mantri Wing, 4th  
Floor Bapu 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**  
Rampur, U.P.
5. **The Superintending Engineer**  
Rampur circle, P.W.D., Rampur
6. **Regional Directorate**  
Regional Director  
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

With request to ensure compliance of the directions.

: With request to ensure compliance of the directions.

: For kind information, please.

: To ensure physical verification, closure, sealing and disconnection of power supply in compliance of closure direction.

: With a direction to disconnect power supply

: For follow up and ensuring compliance

: with request to upload on CPCB server.

(PRASHANT GARGAVA)  
MEMBER SECRETARY