

Speed Post

B-190198/WQM-II(RG)/CPCB/Sugar/41/2016-17

28.05.2019

To,

2348

06.06

M/s The Kisan Sahkari Chini Mill Ltd.
Tilhar, Shahjahanpur,
Uttar Pradesh-242307

**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 Kisan Sahkari Chini Mill Ltd., Tilhar, 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 29.01.2018 by officials from CPCB, and following observations were made-

1. During the inspection, the Unit and ETP were operational.
2. Effluent Treatment Plant (ETP) comprises of Equalisation Tank, Primary Clarifier, Aeration Tank, Secondary Clarifier & Tertiary treatment (Filtration units).
3. Analysis of treated effluent sample showed pH-6.59 (norm 5.5-9.0), **BOD-186mg/l** (norm of 30 mg/l), **COD-301 mg/l** (norms 250 mg/l) and TSS-77.2 mg/l (norm 100 mg/l) which indicated non-compliance w.r.t. BOD, COD with the effluent surface discharge norms prescribed under Environment (Protection) Rules, 1986.
4. MLSS in aeration tank was **440 mg/l** which indicated unstabilised Activated Sludge Process system due to poor operation and maintenance of ETP system and there is possibility of dilution of ETP system.
5. The analysis of underground water sample showed **Total Hardness-270 mg/l** as against norms of 200 mg/l, **Ca²⁺- 75.2 mg/l** against norms of 75 mg/l and **Alkalinity-357 mg/l** against limit of 200 mg/l which is higher than the permissible limit of Bureau of Indian Standards (BIS).

6. Total waste water generation is **421.84 Litre/ tonne** which is higher than the permissible limit.
7. The Unit has installed 03 low pressure boilers (02 of 20 TPH & 01 of 30 TPH capacity) for power generation. Wet scrubbers are installed as APCDs for these boilers. The flue gases are finally emitted through stack of more than 30 m height.

AND WHEREAS, CPCB issued direction dated 16.04.2018 under Section 5 of the Environment (Protection) Act, 1986 to the unit to close down its operations; and

WHEREAS, the compliance status of the direction 16.04.2018 submitted by the unit vide letter dated 30.4.2018 was examined; and

WHEREAS, the Unit submitted the revalidated adequacy assessment report prepared by VSI, Pune vide letter dated 09.06.2018; 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 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 letters dated 17.7.2018, 30.7.2018, and 24.08.2018 submitted their compliance status of the Charter; and

WHEREAS, CPCB issued directions dated 22.10.2018 under Section 5 of Environment (Protection) Act, 1986 to permit the unit to resume operations; and

WHEREAS, the unit vide letters dated 23.10.2018, 24.10.2018 and 19.03.2019 submitted information regarding Molasses management, Water balance and ETP Adequacy verification report; and

WHEREAS, the unit was inspected on 30.03.2019 by team of CPCB officials and following observations are made;

1. The unit and ETP were operational at the time of inspection.
2. Water meter at intake and distribution points of UGR is not installed by the unit.
3. Level sensor is not uninstalled at boiler feed water to avoid hot effluent generation by overflow.
4. The unit has not installed flow meters at locations such as boiling house, D.M/ R.O plant, boilers, cleaning process, spray pond overflow to quantify the waste water generation and at Hot and Cold water utilization sections, thus section wise details of waste water generation are not maintained.
5. Waste water generation is 192.49 l/ton of cane crushing against the 200 l/ton of cane crushing.
6. Analysis of ETP outlet sample showed pH 6.38 (against norm 5.5-8.5), BOD 88.4 mg/l (against norm 100 mg/l), **TSS 473 mg/l** (against norm 100 mg/l) and **COD 354 mg/l** (against norm 250 mg/l), which indicate non-compliance in terms of TSS, COD of on land effluent discharge norms prescribed under Environment (Protection) Rules,1986. MLSS in aeration tank was 2174 mg/l.
7. Spray pond overflow was discharged directly without any treatment, outside the premises and the characteristics of effluent discharge was pH 6.68 (norm 5.5 to 8.5), **TSS 246 mg/l** (norm 100 mg/l), BOD 58.4 mg/l (norm 100 mg/l), **COD 310 mg/l** (norm 250 mg/l) and TDS 743 mg/l (norm 2100 mg/l), which indicates non-compliance.
8. Analysis of effluent sample collected from lagoon showed pH 7.32 (norm 5.5-8.5), COD 292 mg/l (norm 250 mg/l), BOD 75.6 mg/l (norm 100 mg/l), TSS 110 mg/l (norm 100 mg/l) and TDS 684 mg/l (norm 2100 mg/l) which indicate non-compliance in terms of COD, TSS of on land effluent discharge norms prescribed under Environment (Protection) Rules,1986.
9. The unit has multiple outlets for discharge of effluents.
10. The unit has permission for one bore-well from CGWAs for ground water abstraction but has two functional bore-wells.
11. Boiler ash is dumped indiscriminately within the premises.
12. The mill has not installed the mechanical sludge handling system as well as the colour coding of the process pipelines is not done.

It is evident that untreated effluent is being discharged and bye-passed 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.34,50,000/-** (Rupees Thirty-four lakhs fifty thousand only) for the non-compliance period (29.01.2018 to 23.05.2018), for the crushing season 2017- 18; **and Rs. 1,05,60,000/-** (Rupees One crore five lakhs and sixty thousand only) for the non-compliance period (18.11.2018 to 12.05.2019) for the crushing season 2018- 19; and

AND NOW, THEREFORE, in view of above observations and in exercise of the powers delegated to the Chairman, CPCB under section 5 of the Environment (Protection) Act, 1986, the unit **M/s Kisan Sahkari Chini Mill Ltd., Tilhar, Shahjahanpur (U.P.)** is directed to **remain closed and deposit 1,40,10,000** 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 the unit shall comply with the following directions:

1. The unit shall remain closed and not operate without seeking permission from CPCB.
2. The unit shall dismantle the structures of by-pass arrangement immediately and submit the photographic evidence.
3. The unit shall submit the adequacy assessment of the treatment facility by reputed government 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 above directions, before resumption of manufacturing operations.

In case of default in compliance with the above directions, CPCB will be constrained to initiate action against the Unit (**M/s Kisan Sahkari Chini Mill Ltd., Tilhar, Shahjahanpur U.P.**) without giving any further notice in accordance with the provisions of the Environment (Protection) Act,1986.


03.06.2019
(S. P. SINGH PARIHAR)
CHAIRMAN

Copy to:

1. **Principal Secretary**
Sugar Industry and Cane Development
Department, "G" Block, 2/3, Mantri Wing, 4th
Floor, Babu Bhawan, Vidhan Sabha Marg
Lucknow - 226 001 (UP)
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**
Shahjahanpur-242307, U.P.
5. **Superintending Engineer**
Madhyanchal Vidyut Vitaran Nigam Limited,
Shahjahanpur, U.P.
6. **Regional Director**
Regional Directorate
Central Pollution Control Board, PICUP Bhawan,
Ground Floor, Vibhuti Khand, Gomti Nagar,
Lucknow – 226 010 (UP)
7. In-charge, IT Division, CPCB
8. Master file/Guard file, WQM II, CPCB Delhi

For kind information, please.

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.

For record.

(Prashant Gargava)
MEMBER SECRETARY

(MM)

g/c

