

Speed Post

B-190198/WQM-II(RG)/CPCB/Sugar/65/2016-17

17.06.2019
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To,

M/s Lakshmi Ji (Shree Ajudhia) Sugar Mills Ltd.
Raja-Ka-Sahaspur, Bilari,
Moradabad-202415
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 Lakshmi Ji (Shree Ajudhia) Sugar Mills Ltd., Raja-Ka-Sahaspur, Bilari, Moradabad, 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 Lakshmi Ji (Shree Ajudhia) Sugar Mills Ltd., Raja-Ka-Sahaspur, Bilari, Moradabad, U.P.) was inspected on 09.01.2018 by officials from CPCB, Delhi and following observations are made:

1. The Unit does not have valid authorization of Hazardous Waste Management.
2. The analysis of treated effluent sample shows pH-7.89 as against norms of 5.5-9.0, BOD-12 mg/l against norms of 30 mg/l, COD-50 mg/l against norms of 250 mg/l and **TSS-33 mg/l** against norms of 30 mg/l.
3. Waste water generation is **257.28 Litre/ tonne** (83.68 L/t from ETP outlet + 173.6 L/t from Spray pond overflow) which is higher than the permissible limit.
4. The treated effluent is being discharged through the pipeline which opens outside the industrial premises into nearby drain.
5. At the time of visit, the drain was found carrying the hot effluent being discharged from industrial premises. The drain shortly opens into the Sot River which is a tributary of river Ganga.
6. The Unit is abstracting water through bore well which is provided with flow meter. The final reading as recorded from bore well at the time of visit was 4356.1 m³. The minimum consumption of water is approximately 96-100 KLD.
7. The Unit has not submitted the irrigation management plan.
8. The Unit has not submitted the revalidated ETP adequacy assessment report within 45 days to CPCB.

AND WHEREAS, a show cause notice was served to the Unit on 11.04.2018 under Section 5 of Environment (Protection) Act, 1986; 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 has submitted its reply and supporting documents including implementation status of charter, validation report on Water balance & ETP, irrigation management plan adequacy claiming compliance to show cause notice issued to the Unit vide letters dated 04.05.2018, 04.06.2018, 06.06.2018, 19.07.2018, 28.07.2018 and 31.08.2018; and

WHEREAS, CPCB issued letter dated 12.11.2018 to comply with the following directions;

1. The Unit shall operate within the ETP capacity available.
2. The Unit shall operate the effluent treatment plant properly as to achieve the notified treated effluent discharge standards as per Standard G.S.R. 35 (E), MoEF & CC, January 14, 2016.
3. The unit shall implement the observation & recommendation of the revalidated adequacy assessment of ETP.
4. The unit shall install sealed flow meter along with running hours meter on bore wells to ascertain usage of fresh water for various uses.
5. The unit shall install flow meters at major areas of cold and hot water consumption.
6. The unit shall install flow meters for measuring generation of effluent from various prominent areas.
7. The unit shall maintain logbook for individual process unit for recording daily water consumption and effluent generation also.

8. The unit shall carry out colour coding of pipelines carrying recycled process water and fresh process water.
9. The Unit shall commission mechanical sludge handling system of adequate capacity.
10. The Unit will carry out analysis of parameters of treated effluent notified under Environment (Protection) Rules, 1986 on daily basis and maintain its logbook.
11. 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.
12. 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 Government institutes 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 02.04.2019 by team of CPCB officials and following observations are made;

1. The unit and ETP was operational during the inspection.
2. Secondary clarifier of the ETP requires improvement/upgradation.
3. No flowmeter was found installed at all recommended points in process, except for imbibition water.
4. No logbook was maintained for flowmeter installed in process.
5. No mechanical sludge handling system was found installed.
6. No logbook was found maintained for flowmeter installed on the final outlet of ETP.
7. Lagoon made for storing treated effluent was found filled with molasses.
8. The unit discharges treated effluent in a drain (near railway track) outside the premises, sample was collected from the drain at a distance approximately 1.5km downstream from the unit's location and sample analysis value show pH-7.32 against norms of 5.5-9.0, **BOD-536mg/l** against norms of 30 mg/l, **COD-1045 mg/l** against norms of 250 mg/l, **TSS- 195 mg/l** against norms of 30 mg/l and **TDS- 2048 mg/l** against norms of 2100 mg/l which indicate non-compliance with effluent discharge norms on surface.
9. Unlined/permeable lagoon also observed within unit's premises near the main gate containing diluted molasses. Analysis of sample from lagoon shows **pH-4.70** against norms of 5.5-9.0, **BOD- 26861mg/l** against norms of 100 mg/l, **COD-90960 mg/l** against norms of 250 mg/l, **TSS- 6710 mg/l** against norms of 100 mg/l and **TDS- 63610 mg/l** against norms of 2100 mg/l which indicate storage of molasses in unlined lagoon posing potential threat to ground water pollution.
10. Analysis of treated effluent sample from ETP outlet shows pH-6.85 as against norms of 5.5-9.0, **BOD-1020 mg/l** against norms of 30 mg/l, **COD- 3264 mg/l** against norms of 250 mg/l, **TSS- 354 mg/l** against norms of 30 mg/l and **TDS- 3900 mg/l** against norms of 2100 mg/l which indicates non-compliance as per the effluent surface discharge norms prescribed under Environment (Protection) Rules,1986 with surface discharge norms applicable as the unit is discharging the treated effluent in drain outside industry premises.

It is evident that untreated 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. 41,70,000/-** (Rupees forty-one lakhs seventy thousand only) for the non-compliance period (01.12.2018 to 18.04.2019) for the crushing season 2018- 2019; and

NOW, THEREFORE, in exercise of powers delegated to Chairman CPCB under Section 5 of the Environment (Protection) Act, 1986, the Unit (M/s Lakshmi Ji (Shree Ajudhia) Sugar Mills Ltd. Raja-Ka-Sahaspur, Bilari, Moradabad, UP) is directed **to remain closed and deposit Rs. 41,70,000/-** 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 remain closed and not operate without seeking permission from CPCB.
2. The unit shall empty the molasses stored in unlined lagoon immediately and molasses should be stored in RCC tank.
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 Unit (M/s Lakshmi Ji (Shree Ajudhia) Sugar Mills Ltd. Raja-Ka-Sahaspur, Bilari, Moradabad, UP) without giving any further notice in accordance with the provisions of the Environment (Protection) Act, 1986.


19/06/19
(S. P. SINGH PARIHAR)
CHAIRMAN

Copy to:

1. Member Secretary
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. **The District Magistrate**
Moradabad, U.P.
: To ensure physical verification, closure,
sealing and disconnection of power supply
in compliance of closure direction.
5. **The Superintending Engineer**
Paschimanchal Vidyut Vitran Nigam Limited
Moradabad, U.P.
: With a direction to disconnect power
supply
6. **The Regional Director**
Regional Directorate
Central Pollution Control Board, PICUP Bhawan,
Ground Floor, Vibhuti 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