

**Speed Post**

B-75/PCI-III/2K-2K01/ 3437

01<sup>st</sup> July, 2019

To,

**M/s. Bajaj Hindustan Sugar Ltd. (Distillery Div),  
PaliaKalan,  
Lakhimpur Kheri,  
Uttar Pradesh-262802**

**Sub: CLOSURE DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT  
(PROTECTION) ACT, 1986 - Reg.**

**WHEREAS**, Distilleries are identified as one of the 17 categories of highly polluting industries which have been discharging environmental pollutants directly or indirectly into the ambient air and water, having potential threat to cause adverse effect on the water and air quality; and

**WHEREAS**, the Central Government has notified the standards for discharge/emission of environmental pollutants from various categories of industries under the Environment (Protection) Act, 1986 and the rules framed there under; and

**WHEREAS**, it is obligatory on the part of industries to install effluent treatment plants (ETPs) and air pollution control devices (APCDs) to comply with the effluent discharge and emission standards as notified under the Environment (Protection) Act, 1986 and the Rules framed there under and also to meet the consent conditions granted by State Pollution Control Board (SPCBs) / Pollution Control Committees (PCCs); and

**WHEREAS**, for strengthening the monitoring and compliance through self regulatory mechanism and inculcating the habit of self monitoring within the industries for complying with the prescribed standards, Central Pollution Control Board (CPCB) has mandated installation and operation of online continuous emission and effluent monitoring systems (OCEMS) by the 17 category & Ganga GPI industries on 'polluter pays principle'; and

**WHEREAS**, the sector specific requirement regarding installation of OCEMS for the 17 categories, including distilleries are already uploaded in the CPCB website and is available at <http://cpcb.nic.in/online-monitoring-clarification/>; and

**WHEREAS**, the Ministry of Environment & Forests, Government of India, vide Notifications No- S. O. 157 (E) of 27.02.1996 and S. O. 730 (E) dated 10.07.2002, has delegated the powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board, to issue directions to any industry or any local body or any other authority for violations of the standards and rules notified under the Environment (Protection) Rules, 1986 and amendment thereof.

**WHEREAS**, the Hon'ble NGT in its order dated 13.12.2018 in O.A No. 1041 of 2018 related to the alleged environment pollution caused by **M/s. Bajaj Hindustan Sugar Ltd., (Distillery)**, PaliaKalan, Lakhimpur Khiri, Uttar Pradesh-262802, (hereinafter referred to as 'the unit'), had directed CPCB for furnishing a report about the factual aspects and the action taken; and

**WHEREAS**, the unit was inspected by CPCB, Regional Directorate, Lucknow team on 03.01.2019, in compliance to Hon'ble NGT order and based on the observations made during the inspection, CPCB issued a show cause notice on 14.01.2019, under section 5 of the Environment (Protection) Act, 1986 that why the unit should not be closed down. A factual status report based on the inspection report and actions taken was also filed before the Hon'ble NGT; and

**WHEREAS**, the Hon'ble NGT in its order dated 01.03.2019 had directed that a joint Committee of CPCB and State Pollution Control Board oversee further action in the matter to ensure that steps as required are taken in accordance with law within three months. The Hon'ble Tribunal had also recorded that *"a case is made out for appropriate preventive and remedial action being taken by the concerned Regulatory Authorities by way of preventing the pollution, prosecuting the polluter and recovering compensation for the damage to the environment. The compensation has to be deterrent so as to ensure that pollution does not remain profitable activity and the cost of restoring the environment is recovered from the polluters"*; and

**WHEREAS**, in compliance to the directions of the Tribunal, a joint Committee of CPCB and UPPCB was constituted for overseeing further actions in the matter. The joint Committee had inspected the unit on 24.05.2019 for verification of the compliance status, including the reply dated 28.01.2019 received from the unit to the show cause notice issued by CPCB and has made the following major observations:

1. The unit is engaged in the production of Rectified Spirit (RS), Extra Neutral Alcohol (ENA) and Absolute Alcohol (AA) with consented capacity of 60 KLD using molasses, Yeast etc. as major raw material. During inspection, the unit was in operation with reported production of 60 KLD of Absolute Alcohol.
2. The unit is meeting its fresh water requirement from ground water through one bore well which is situated in the premises of sugar unit. Water meter is installed to measure the water consumption and readings are maintained in the logbook.
3. The unit possesses 'Consent to Operate' under the Water & Air Acts from UPPCB, having validity up to 31.12.2019. The unit has obtained NOC from Central Ground Water Authority for ground water abstraction, which is valid up to 04.03.2021.
4. It was informed that spent wash volume is reduced by 50% after MEE i.e. 216 KLD as against the minimum requirement of 60 %, as per the ZLD action plan of CPCB. The claimed achievement of 50% volume reduction in 02 effect MEE is doubtful. It was also informed by the unit representative that total solid at the outlet of MEE is 22% as against the norms of min. 30% for utilization in bio-composting as per ZLD action plan. It also was observed that installation of 05 effect MEE was under progress and as informed, the same will be commissioned by June, 2019.
5. The specific condition No 8 in the consent issued by UPPCB states that, 'the storage capacity at any stage shall not exceed 07 days equivalent of production.' Thus, the unit is violating prescribed consent condition. However, the unit has requested UPPCB on 12.12.2018 for increase the storage capacity of spent wash to 30 days. Regional Officer, UPPCB, Lucknow has sent report to the Head Office at Lucknow for consideration.

6. Other process effluent such as floor washing, Gland cooling, blow down etc. is found collected in pit. It was informed that it is sent to the conc. Spent wash storage lagoon. The team had collected a sample from the pit and the analysis results are reported as below:

Sampling location	Parameters				
	pH	Colour (Hazen)	SS (mg/l)	BOD (mg/l)	COD (mg/l)
Other process effluent sample from pit	6.92	50	16.2	43.6	110

7. The unit has provided a closed bypass drain to discharge other process effluent through drain passing between sugar and distillery unit. During inspection, bypass drain was found closed by the unit.
8. The unit is also provided a close drain for discharge of treated effluent of Sugar unit ETP through drain passing between sugar and distillery unit. During inspection, no effluent is found discharged through this drain.
9. The machine & bags for packing of compost produced was found kept inside the room. During inspection, neither packaging of ready bio-compost nor packed bio-compost was observed. The weighing machine was also found non-functional.
10. The unit is not properly following the bio-composting protocol. The bio-composting operations were observed carrying out in crude manner. Heaps of press mud was observed and spraying of spent wash through flexible pipes was being carried out. Excess spent wash was seen spread all along the compost yard area.
11. The proper scientific approach was missing in the handling & utilization of spent wash in bio-composting.
12. The unit has not provided proper ground water quality monitoring network like piezometer as per bio-composting protocol. The unit has provided only 02 hand pump at the bio-compost yard.
13. The distillery unit has installed 02 web cameras, one at storage lagoon area and one at Bio-compost area. However, considering the different locations of bio-compost yard, only one camera installed is not adequate to cover the entire bio composting area.

**WHEREAS**, as evident from the above observations and conclusion made by the joint inspection team, the unit is still non-complying to the ZLD action plan of CPCB with respect to achieving specified volume reduction and solid conc. of spent wash, and still violating Consent to Operate condition regarding management of other effluent streams apart from spent wash. The unit has not provided any ETP/CPU for the treatment & reuse of condensate/management of other effluent streams. The unit is also not complying with the bio-composting protocol of CPCB, with respect to improper bio composting operations causing spreading of excess spent wash in the composting yard and not providing the required ground water monitoring system; and

**WHEREAS**, in compliance to the Hon'ble Tribunal's directions in the instant matter, the joint inspection team has calculated an environmental compensation amount of **Rs. 58,20,000/- (Fifty Eight Lac Twenty Thousand Rupees Only)** to be imposed on the unit, considering the continuing violations of the unit for the non compliance period.

The compensation amount is calculated based on the formula for imposing penalty and environmental compensation on industrial units, developed by the Committee constituted by CPCB as per the directions of the Hon'ble NGT in its order dated 31.08.2018 in O.A. No. 593/2017; and

**NOW, THEREFORE**, in view of the above and based on the recommendations made in the joint Committee and exercising powers delegated to the Chairman, Central Pollution Control Board (CPCB) under section 5 of the Environment (Protection) Act, 1986, the unit is herewith **directed to close down all its manufacturing operations and not to restart its manufacturing operations** till the compliance of following directions and obtaining permission from CPCB:

1. The unit shall **deposit the EC amount of Rs. 58,20,000/-** within 15 days from the date of receipt of direction in CPCB account A/C No. 532702050000164 (Bank Name: Union Bank of India, IP Extension Branch, Vikas Marg Extn., Delhi; IFSC: UBIN0553271).
2. The unit shall complete the ongoing installation and commissioning of the 05 stage MEE for achieving the desired volume reduction and solid concentration of spent wash, as per the ZLD action plan implemented by CPCB.
3. The unit shall install ETP/Condensate Polishing Unit (CPU) for treatment of MEE condensate and other process effluent management and its resourceful reuse as per the ZLD condition specified in the Consent to Operate.
4. The unit should dismantle the bypass drain used for discharge of other process effluent.
5. The unit should strictly comply with the bio-composting protocol and adhere to safe and scientific practises in the bio-composting operations. The unit shall ensure sale of prepared bio-compost in poly bags as per guidelines.
6. The unit shall install required additional PTZ cameras at the bio-composting yards as per the CPCB guidelines/Consent conditions, with connectivity to CPCB/UPPCB server so as to cover the entire Bio Compost yards.
7. The unit should provide proper ground water monitoring net work with required number of piezo-meters/hand pumps at upstream & downstream locations as per bio-composting protocol and shall carry out regular monitoring of ground water quality.
8. The unit shall carry out an adequacy assessment study of the pollution control measures by reputed institution like NSI, Kanpur, VSI Nagpur or IITs, as directed by CPCB for Ganga Basin distillery units. The adequacy assessment study with implementation report on the recommendations shall be submitted to CPCB. The adequacy assessment study shall cover;
  1. Assessment of the manufacturing technology for spent wash generation and adequacy assessment of ZLD systems comprising of bio-methanation, MEE, Composting system and stream availability etc.

- II. Water audit and mass balance reports to establish spent wash generation rate.
- III. Action plan to achieve Zero Liquid Discharge (ZLD).
- IV. Assessment of the spent wash storage capacity as per CPCB guidelines/UPPCB consent.
- V. Assessments of availability of press mud, compost yard, composting process, sell compost and compost quality.

In case of default in compliance with the above directions by the Unit, CPCB will be constrained to initiate appropriate action against the Unit, in accordance with the provisions of the Environment (Protection) Act, 1986.

  
**(S. P. Singh Parihar)**  
**CHAIRMAN**

Copy to:

- 1) **The Chairman,** : *For ensuring compliance of the directions please.*  
Uttar Pradesh Pollution Control Board  
Building No. TC-12V, Vibhuthi Khand,  
Gomti Nagar, Lucknow - 226 020
- 2) **The Regional Director,** : *For follow up and ensuring compliance please.*  
CPCB Regional Directorate,  
PICUP Bhawan, Ground Floor,  
Vibhuti Khand, Gomti Nagar, Lucknow-10
- 3) **The District Magistrate,** : *For information and n.a please*  
Lakhimpur Kheri, Uttar Pradesh
- 4) **The Chief Engineer (Lucknow Zone),** : *With a direction to disconnect the power supply to the industrial operations of the unit and provide ATR to CPCB please.*  
Madhyanchal Vidyut Vitran Nigam limited,  
H.O, Gokhale Marg, Lucknow - 226001, U.P
- 5) **The Joint Secretary, (CP Division),** : *For information, pl.*  
Ministry of Environment, Forests & CC,  
Prithvi Block, Indira Paryavaran Bhawan,  
Jorbagh Road, New Delhi - 110 003
- 6) **The Div. Head, IT Division, CPCB Delhi**
- 7) **The Div. Head, IPC-III Division, CPCB Delhi**

  
**(B. Vinod Babu)**  
**MEMBER SECRETARY**