



SPEED POST

File No. PJ-14011(11)/21/2022-WQM-II-HO-CPCB-HO

09 April, 2024

To,

M/s Baghaulti Sugar & Distillery Limited (Sugar Division)
Bikapur baghaulti, Hardoi
Uttar Pradesh-241302

DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986

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 & Climate Change, 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 there under and also to meet the consent conditions granted by State Pollution Control Board (SPCBs) / Pollution Control Committees (PCCs); and

WHEREAS, M/s Baghaulti Sugar & Distillery Limited (Sugar Division) (hereinafter referred as 'the Unit') is involved in the process of sugar manufacturing from crushing of cane; and

WHEREAS, the Unit was inspected by the officials of Central Pollution Control Board (CPCB) on 06.01.2017 and following observations were made:

1. The Unit was found non-operational during the inspection and was not having valid consent to operate from UPPCB under the Water & Air Act.
2. The Unit had not installed and connected the Online Continuous Effluent Monitoring System (OCEMS) to the CPCB server.
3. The Unit had not obtained the permission from the Central Ground Water Authority (CGWA) for abstraction of ground water.
4. The Unit had failed to provide any documentary/logbook evidence for wastewater generation and consumption of previous crushing season.

AND WHEREAS, on the basis of the observations made during the inspection dated 06.01.2017, CPCB issued closure direction dated 29.03.2017 to the Unit under section 5 of the Environment (Protection) Act' 1986; and

WHEREAS, the Unit's reply dated 24.04.2017 was examined and based on reply, CPCB issued direction under section 5 of the Environment (Protection) Act' 1986 dated 23.06.2017 to the Unit as mentioned below:

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

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Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

दूरभाष/Tel: 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

1. The Unit shall remain closed till compliance of the following directions:
 - i. The Unit shall submit the following reports to CPCB duly validated by reputed institutions like National Sugar Institute, Kanpur/Vasandada Sugar Institute, Pune /IITs within 60 days;
 - a. ETP adequacy assessment report;
 - b. Time bound action plan for ETP augmentation & upgradation upto tertiary treatment level; to comply with the standards notified G.S.R. 35 (E), MoEF&CC, January 14, 2016 for effluent disposal, & waste water conservation;
 - c. Water audit and mass balance report to establish waste water generation rate;
 - d. Action Plans to achieve the notified effluent discharge quality and generation standards;
 - e. Irrigation management plan as per the new notified standards on January 14, 2016; and
 - ii. The Unit shall restrict the storage capacity of lined lagoon upto 15 days of effluent generation.
 - iii. The Unit shall meet the BOD-30mg/l standards for discharging any effluent on land /surface water body whereas effluent stored in lined lagoons/tanks of capacity not more than 15 days shall comply with BOD-100 mg/l standards.
2. The Unit shall stabilize the ETP by September 2017 before commencing of the new crushing season. The Unit will not be allowed to resume manufacturing operations till stabilization of ETP system.
3. The Unit shall upgrade process technology, ETP system & adapt the best practice in a time bound manner and submit a report to CPCB before starting the next crushing season.
4. The Unit shall seek permission from CPCB, after compliance with the above-mentioned directions before resumption of manufacturing operations.

AND WHEREAS, the Unit vide letter dated 05.02.2024 requested for revocation of CPCB closure directions and also informed that *"The Unit was under CIRP Process and a Resolution Plan for revival of the Company, which was submitted by "Dalmia Bharat Sugar and Industries Limited" as per provisions of the "Insolvency and Bankruptcy Code, 2016" (IBC), which was approved by the National Company Law Tribunal, Allahabad Bench ("NCLT") vide order dated 24.11.2023 and said approval has also been affirmed by the National Company Law Appellate Tribunal, Delhi ("NCLAT") vide order dated 22.12.2023. Dalmia Bharat Sugar and Industries Limited have taken over the management of the Unit (Sugar and Distillery) effective from 23.12.2023 under section 30/31 of IBC."*

AND WHEREAS, during the verification of Online Continuous Effluent Monitoring System (OCEMS) connectivity by CPCB on 13.02.2024 only emission parameter was found connected and no connectivity of effluent parameter was available; and

WHEREAS, thereafter, CPCB issued a letter dated 01.03.2024 to the Unit to submit the following prerequisite documents for revocation of closure direction dated 23.06.2017 as per CPCB Standard Protocol for Conducting Inspections, Report preparation and Action circulated in March, 2023:

1. Notarized copy w.r.t. the status of compliance to all directions.
2. A self – certificate of closure compliance to CPCB.

3. The Unit shall ensure connectivity of OCEMS to the CPCB/SPCB server.

AND WHEREAS, the Unit vide its letter dated 01.03.2024 has submitted the requisite documents as per the March,2023 protocol viz. notarized copy of status of compliance to all the directions of CPCB, self-certificate on the compliance of closure direction, supporting document regarding OCEMS connectivity with CPCB server, water balance & ETP adequacy report, application for consolidated consent & authorization, NOC for ground water abstraction from ground water department, report for utilization of treated effluent for irrigation purpose etc.; and

WHEREAS, as per verification done by CPCB on 06.03.2024 the OCEMS was found connected with CPCB server for effluent and emission parameters; and

WHEREAS, as per office order dated 24.02.2020, a 4-member committee has been constituted to examine the representations for revocation of closure directions/show-cause notices issued to GPI's by CPCB under section 5 of the Environment (Protection) Act, 1986; and

WHEREAS, the 4-member revocation committee meeting was convened on 21.03.2024 to examine and deliberate upon Unit's request for revocation of closure direction issued by CPCB dated 23.06.2017. After due deliberation, the committee recommended for conditional revocation of the closure direction; and

NOW, THEREFORE, in view of the above observations, reply and exercising powers delegated to the Chairman, Central Pollution Control Board, the closure directions dated 29.03.2017 and 23.06.2017 under section 5 of the Environment (Protection) Act, 1986, issued to the Unit "M/s Baghauli Sugar & Distillery Limited (Sugar Division)" is hereby revoked with following conditions:

1. The Unit shall resume operation after obtaining valid consent from UPPCB.
2. The Unit shall inform to CPCB and UPPCB immediately on resumption of operations.
3. The Unit shall submit RT 8(C) certificate duly verified from the Sugarcane Department of the State Government for period 2017 to 2024, within 90 days.
4. The Unit shall restrict the total lagoon capacity for storage of treated effluent meeting the prescribed norms not exceeding 15 days of total effluent generation by restricting the existing lagoon capacity up to 7500 m³ (with additional 1.0 mtr. Free board) by marking/dismantling/levelling the excess capacity. The Unit shall submit the photographic/video-graphic evidence for the same.

In case of default in compliance with the above directions, CPCB will be constrained to initiate action against the Unit (M/s Baghauli Sugar & Distillery Limited (Sugar Division), Hardoi), in accordance with the provisions of the Environment (Protection) Act,1986, without giving any further notice.

H3 9/4/24
(TANMAY KUMAR)
CHAIRMAN

Copy to:

1. Member Secretary

Uttar Pradesh Pollution Control Board,
Building No. TC-12V, Vibhuti Khand,
Gomti Nagar, Lucknow – 226 010

: for information please

**2. Additional Secretary (CP
Division)**

Ministry of Environment, Forest & CC
Prithvi Block, Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi – 110 003

: for information please

3. Director General

National Mission for Clean Ganga
Ministry of Jal Shakti
(Department of Water Resources, River Development
& Ganga Rejuvenation) Government of India, 1st
Floor, Major Dhyan Chand National Stadium India
Gate, New Delhi – 110002

: for information please

4. Regional Director

Central Pollution Control Board PICUP Bhawan,
Ground Floor, Vibhuti Khand, Gomti Nagar,
Lucknow – 226 010,

: for verification of the
compliance status within
90 days of their operations
by CPCB, RD, Lucknow
officials

5. The In-charge IT Division, CPCB Delhi

: with request to upload on
CPCB server

6. Master/Guard file, WQM-II, CPCB Delhi


(BHARAT KUMAR SHARMA)
MEMBER SECRETARY