



केन्द्रीय प्रदूषण नियंत्रण बोर्ड

CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार

MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

(Speed Post)

F.No.CP-11/17/2021-IPC-III-HO-CPCB-HO/ 2395

16.06.2021

To,

M/s Lahag Spirits Pvt. Ltd. (Distillery)  
(Formerly Esveegee Breweries Pvt. Limited)  
Vill- Manpur, Namchi, South Sikkim - 737128

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

**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**, there is need to inculcate habit of self-monitoring within the industries for complying with the prescribed standards and this can be achieved by the methods like installing online effluent and emission monitoring devices; and

**WHEREAS**, for strengthening the monitoring and compliance through self-regulatory mechanism, online source emission and effluent monitoring systems need to be installed and operated by the industries on 'polluter pays principle'; and

**WHEREAS**, a direction under section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 was issued on February 05, 2014 to all the State Pollution Control Boards (SPCBs)/ Pollution Control Committees (PCCs) for installation of online emission monitoring system w.r.t. Particulate Matter parameter & online effluent monitoring system w.r.t. pH, BOD, COD, TSS, Flow parameters in Distilleries; and

**WHEREAS**, it was clarified that flow meter & web camera may be installed in case of Units with zero liquid discharge (ZLD) by March 31, 2015 vide guidelines uploaded on website of CPCB dated November 7, 2014; and

**WHEREAS**, considering the requests/ representations received from industries/ industrial associations/ SPCBs / PCCs, an extension of time up to June 30, 2015 for installation of online monitoring systems was granted vide direction dated March 02, 2015 under section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981; and

**WHEREAS**, a letter vide dated May 29, 2015 was issued by the Chairman CPCB to all the SPCBs/ PCCs informing that no further extension of time will be given after June 30, 2015 and withdrawal of consent to operate along with forfeiture of bank guarantee of non-complying Units will be the only option; and

**WHEREAS**, concerned SPCB/ PCC have issued directions under section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and section 31A of the Air (Prevention & Control of Pollution) Act, 1981 to install the online monitoring system by June 30, 2015 and to submit bank guarantee of 100% of the cost of online emission & effluent monitoring system; and

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'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

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

**WHEREAS**, CPCB had explored installation of Online Monitoring device in the other countries and has come to conclusion that the online monitoring devices are essential for improving compliance as the conventional monitoring systems not able to capture violations on regular basis; and

**WHEREAS**, CPCB had held stakeholder consultations with industrial associations and SPCBs/PCCs on 06.08.2014, 19.09.2014, 29.09.2014, 08.10.2014, 16.10.2014, 09.01.2015, 08.04.2015 and 16.06.2015 regarding time bound implementation of installation of these devices; 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/Distillery\\_29.12.16.pdf](http://cpcb.nic.in/Distillery_29.12.16.pdf).

**WHEREAS**, Unit was inspected by the CPCB Regional Directorate, Shillong, on 05-06.08.2018 based on SMS Alert/Offline Monitoring System and CPCB had issued a Show cause Notice (SCN) to **M/s Lahag Spirits Pvt. Limited, Sikkim** u/s 5 of the E (P) A, 1986 for the non-compliances noticed during the inspection vide letter no.B-507/IPC-III/Dist/2k18-19 dated 15.10.2018; and

**WHEREAS**, the Unit's reply to the SCN received on 01.11.2018, was examined and it is evident that the unit has not complied with the directions issued by CPCB in the notice dated 15.10.2018 w.r.t reinstating the data connectivity of OCEMS to the CPCB server, installation of PTZ camera at storage lagoon/tank and Dryer Section and additional flow meters at raw spent wash and MEE concentrate as per CPCB guidelines and providing connectivity to CPCB server & obtaining valid consent orders under Air and Water Acts from State pollution Control Board; and

**WHEREAS**, in view of the events, as described above, CPCB issued closure direction vide letter dated **12.12.2018** to the said Unit u/s 5 of the E(P)Act, 1986 and directed to "close down all its manufacturing operations and not to restart manufacturing" till it complies with the following directions and obtains permission from CPCB:

1. The unit shall reinstate the data connectivity of OCEMS to the CPCB server immediately.
2. The unit shall operate with valid consent orders under Air and Water Acts from State Pollution Control Board.
3. The unit shall install PTZ camera at storage lagoon/tank and Dryer Section and additional flow meters at raw spent wash and MEE concentrate as per CPCB guidelines and provide its connectivity to CPCB server.
4. As per Hazardous and Other Wastes (Management and Trans-boundary Movement) Rules, 2016, the unit shall make an inventory of all the hazardous waste it generates including empty chemical drums, ETP sludge etc.
5. The unit shall install digital pH meter at the DM plant neutralization Tank. Neutralized DM plant wastewater shall be used for dust suppression measures in the coal crusher area and in the coal conveyor belt and also in the fly ash handling areas.

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Revocation direction u/s 5 of Environment (Protection) Act,1986 to M/s Lahag Spirits Pvt. Limited (Formerly Esveegee Breweries Pvt. Ltd., Namchi, South Sikkim.

**WHEREAS**, the unit has provided reply to the directions issued by CPCB vide letters dated 19.12.2020 and 04.03.2021 along with supporting documents and informed that they have installed real-time continuous effluent monitoring system and cameras required for ZLD units and provided connectivity of these systems to CPCB, and the same has been verified by the IT Division of CPCB; and

**WHEREAS**, CPCB constituted a three-member Committee vide office order dated 03.10.2017 having representative(s) from CPCB and MOEF&CC for examination and recommendation of the revocation of closure directions issued by CPCB; and

**WHEREAS**, the Committee in its meeting held on 28.05.2021 reviewed the compliance made by the unit & verified the submitted supporting documents in line with the agreed criteria and recommended that the unit may be allowed to resume its manufacturing operation with certain conditions; 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; and

**NOW THEREFORE**, in view of the compliance made by the unit and in exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986, the aforesaid **closure direction issued to the Unit [M/s Lahag Spirits Pvt. Ltd. (Formerly Esveegee Breweries Pvt. Ltd.), Village-Manpur, Namchi, South Sikkim] vide letter dated 12.12.2018 is hereby revoked** subject to the following conditions:

1. Before commencement of operations, industry shall obtain valid Consent to Operate under the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 and Authorization under Hazardous and Other Wastes (Management and Trans-boundary Movement) Rules, 2016 from respective State Pollution Control Board and industry shall not operate under any circumstances without valid consent orders.
2. It shall be ensured that the installed OCEMS devices are functioning properly & continuously and that data from that device are uninterruptedly transferred to CPCB. Any failure in his regard shall be rectified at the earliest.
3. Unit shall ensure periodic calibration of the analyzers as per Standard Operating Procedure/recommendations of the supplier and submit the calibration results.

In case of default in compliance with the above conditions or any other exigencies, CPCB will be constrained to initiate action against the unit, in accordance with the provisions of the Environment (Protection) Act, 1986, without giving any further notice.

  
(NARESH PAL GANGWAR)  
CHAIRMAN

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Revocation direction u/s 5 of Environment (Protection) Act, 1986 to M/s Lahag Spirits Pvt. Limited (Formerly Esveegee Breweries Pvt. Ltd., Namchi, South Sikkim).

Copy to:

1. **The Member Secretary** : For information &  
State Pollution Control Board Sikkim, ensuring compliance of  
Environment Wildlife Management directions.  
Department, Government of Sikkim, Forest  
Secretariat Annex I, Ground Floor, Deorali,  
East Sikkim, Gangtok -737102
2. **The Director (CP Division)** : For information please.  
Ministry of Environment, Forest & C.C  
Prithvi Block, "Indira Paryavaran Bhawan",  
Jorbagh Road, New Delhi - 110 003
3. **The Regional Director, (NE)** : For information please.  
CPCB Regional Directorate  
'TUMSIR', Lower Motinagar,  
Near Fire Brigade H.Q,  
Shillong - 793 014
4. **The District Magistrate,** : For information please.  
Namchi, South Sikkim - 737128
5. **The Superintending Engineer (South),**: With a request to restore  
Energy & Power Department, Govt. of Sikkim, the electric power supply of  
Jorethang, Sikkim the unit please.
- ✓ 6. **The In-charge, IT Division, CPCB** : For uploading this direction  
at CPCB website please
7. **The Divisional Head, IPC-III Division, CPCB** : For information please.

  
(PRASHANT GARGAVA)  
MEMBER SECRETARY

o/c