



केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD

(Speed Post)  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

CM-13011/16/2021-LAW-HO-CPCB-HO/ 916

04.02.2022

To,

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

**Revoking of Closure Directions 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**, 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 8& 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), Palia Kalan, Lakhimpur Khiri, Uttar Pradesh-262802, (herein after referred to as 'the unit'), had directed CPCB for furnishing a report about the factual aspects and the action taken; and

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**WHEREAS**, the unit was inspected by CPCB, Regional Directorate, Lucknow team on 5.01.2019, in compliance to Hon'ble NGT order and based on the observations made during the inspection, CPCB issued a show cause notice (SCN) 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 (SPCB) 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 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 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 view of the above and based on the recommendations made in the joint Committee, CPCB had issued a closure direction dated 01.07.2019 to the unit under section 5 of the Environment (Protection) Act, 1986 and directed 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.

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5. The unit should strictly comply with the bio-composting protocol and adhere to safe and scientific practices 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 network 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;
  - 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.
  - Water audit and mass balance reports to establish spent wash generation rate.
  - Action plan to achieve Zero Liquid Discharge (ZLD).
  - Assessment of the spent wash storage capacity as per CPCB guidelines/UPPCB consent.
  - Assessments of availability of press mud, compost yard, Composting process, sell compost and compost quality.

**WHEREAS**, the said unit had provided its reply to the said closure direction issued by CPCB vide its letters dated 29.07.2019, 11.12.2019, 01.01.2020, 15.01.2020, 04.02.2020 (e-mail), 28.09.2020, 09.02.2021, 19.01.2022. The said unit was jointly inspected by CPCB & UPPCB on 29.11.2019, 23.06.2020 and 08.12.2020 in compliance of Hon'ble NGT orders dated 01.08.2019, 24.02.2020, 24.09.2020 in the said NGT matter (O.A. No. 1041/2018) respectively and submitted the inspection report before the Hon'ble NGT; and

**WHEREAS**, Hon'ble NGT vide its order dated 03.06.2021 disposed off the application & directed that the unit may be allowed to function only after compliance is ensured based on physical inspection by CPCB in the light of available data. CPCB in coordination with the State PCB may ensure adequacy of systems installed and regular monitoring of compliance of norms; and

**WHEREAS**, CPCB team made inspection of the said unit on 27.12.2021 and submitted its inspection report along with recommendation that the Unit may be allowed to operate for four months to check the adequacy of the system installed; 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 for revocation of Closure Direction issued by CPCB; and

**WHEREAS**, the Committee in its meeting held on 20.01.2022 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

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Revocation Direction u/s 5 of Environment (Protection) Act, 1986 to M/s Bajaj Hindustan Sugar Ltd., (Distillery), Palia Kalan, Ikhimpur Khiri, Uttar Pradesh.

**NOW THEREFORE**, in view of the compliance made by the Unit to the direction issued by CPCB and in exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986, M/s. Bajaj Hindustan Sugar Ltd. (Distillery Division), Palia Kalan, Lakhimpur Kheri, Uttar Pradesh is allowed to resume its manufacturing operations subject to following conditions:

1. The unit shall be permitted to operate for three months from the date of commencement of operations to carry out the adequacy assessment of the ZLD system installed by CPCB and UPPCB.
2. The unit shall not continue operations after three months without obtaining modified directions from CPCB.
3. The unit shall comply with all the conditions of the closure direction issued by CPCB on 01.07.2019.
4. The unit shall intimate the date of resumption of manufacturing operation to CPCB.
5. The unit shall submit the valid consents to operate under the Water Act, Air Act & Authorization under Hazardous & other Waste Rules, 2016 issued by UPPCB & shall not operate under any circumstances without valid consent orders.
6. The unit shall restrict the concentrated spent-wash storage capacity to seven days equivalent of its generation for incineration purpose. Remaining lagoons shall be dismantled and the effluent stored in lagoons shall be treated before dismantling the lagoons.
7. The unit shall provide proper assess system/ladder in CPU.
8. The unit shall properly level launder in HRSCC tank.
9. The unit shall provide pucca assess road inside plant & slope fired boiler.
10. The unit shall maintain log book of all the flow meters.

In case of default in compliance with the above directions, 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.

13<sup>th</sup> 7/2/22  
(TANMAY KUMAR)  
CHAIRMAN

Copy to:

1. The Chairman,  
Uttar Pradesh Pollution Control Board,  
Building No. TC-12V, Vibhuthi Khand,  
Gomti Nagar, Lucknow - 226 020  
: For ensuring compliance  
the directions and necessary action  
please.
2. The Regional Director,  
CPCB Regional Directorate,  
PICUP Bhawan, Ground Floor, Vibhuthi  
Khand, Gomti Nagar, Lucknow-226010  
: For follow-up and ensuring  
compliance of the directions, please.
3. The District Magistrate,  
Lakhimpur Kheri, Uttar Pradesh  
: For information and necessary action  
please.
4. The Chief Engineer (Lucknow Zone),  
Madhyanchal Vidyut Vitran Nigam  
limited H.O, Gokhale Marg, Lucknow -  
226001, U.P  
: With a direction to connect the power  
supply to the industrial operations of  
the unit please.

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Revocation Direction u/s 5 of Environment (Protection) Act, 1986 to M/s Bajaj Hindustan Sugar Ltd.,  
(Distillery), Palia Kalan, Lakhimpur Khiri, Uttar Pradesh.



5. The Director, (CP Division),  
Ministry of Environment, Forests & CC,  
Prithvi Block, Indira Paryavaran  
Bhawan, Jorbagh Road,  
New Delhi – 110 003 For information, pl.
6. The Div. Head, IT Division, CPCB Delhi : For uploading the revocation direction  
in CPCB website.
7. The Div. Head, IPC-III Division, CPCB  
Delhi : For information, pl.

  
(PRASHANT GARGAVA)  
MEMBER SECRETARY