



BY REGISTERED AD

CP-11/18/2021-IPC-III-HO-CPCB-HO 14081

February 23, 2022

To,

M/s Athani Sugars Ltd., Shahuwadi Unit  
(Lease of Udaysingrao Gaikwad S.S.K. Ltd.,  
Sonawade), 229, Sonawade,  
Shahuwadi, Kolhapur,  
Maharashtra - 416210

**Directions (Show Cause Notice) under Section 5 of the Environment  
(Protection) Act, 1986**

**WHEREAS**, Sugar industries 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**, for strengthening the monitoring and compliance through self-regulatory mechanism, 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 17 categories of industries including Sugar; and

**WHEREAS**, M/s Athani Sugars Ltd., Shahuwadi Unit (Lease of Udaysingrao Gaikwad S.S.K. Ltd., Sonawade), 229, Sonawade, Shahuwadi, Kolhapur, Maharashtra - 416210 (*hereafter referred to as 'the Unit'*) is a sugar manufacturing unit engaged in the production of sugar with a consented capacity of 2500 TCD; and

**WHEREAS**, the unit was inspected by a team of CPCB on 17.02.2021 as a surprise inspection of about 50 randomly selected industries, among 17 categories of highly polluting industries, as a special drive; and

**WHEREAS**, closure direction dated 19.04.2021 under section 5 of E(P) Act, 1986 was issued to the unit for observed non-compliances including illegal by-pass arrangement system found at the time of inspection; and

**WHEREAS**, the unit submitted the required compliances against closure direction dated 19.04.2021 progressively till 17.11.2021 and as per provisions of revocation rules, CPCB RD Pune was requested to carry out the inspection of the unit to verify the submitted compliances; and

**WHEREAS**, team of CPCB RD Pune visited the unit on 24.12.2021 for verification of the submitted compliances and following is reported by the inspection team,

- i. The industry was found operational and also, the various unit operations & processes of ETP were found operational.
- ii. The industry has dismantled illegal bypass pipeline arrangement which was made at the inlet distribution chamber of the ETP.
- iii. The industry has installed separate flow meter for sugar and distillery units at the water abstraction point of River Kasari.
- iv. The industry has installed total eight no. of electromagnetic flow meters at various process conveyance pipelines viz. power turbine cooling water, mill turbine cooling water, air compressor & ancillary cooling, common hot water consumption at the juice section, common hot water consumption at centrifugal section, cooling water overflow, excess condensate and hot water consumption at pan section.
- v. The industry has installed new electromagnetic flow meter at the inlet of the ETP and at the final treated effluent conveyance pipeline of ETP.
- vi. The industry has carried out ETP adequacy assessment report and water balance through M/s Vasantdada Sugar Institute (VSI), Pune during July, 2021 and has complied all the recommendations of AAR except the installation of chlorine dosing system at the final outlet of the ETP.
- vii. The industry has installed separate energy meter for ETP and it was found operational.
- viii. The industry has augmented the existing effluent treatment plant (ETP) by commissioning of new buffer storage tank, oil & grease skimmer, neutralization tank, anaerobic filter, aeration tank (ASP based), primary clarifier, multigrade filter. Leachate from sludge drying beds is channelized into equalization tank of ETP.
- ix. The industry has installed OCEM emission analyser for monitoring of PM parameter at the stack attached to captive co-gen boiler.
- x. The industry has not yet stopped the illegal discharge of distillery effluent (reportedly floor washing from process area) into the 15 days lined lagoon meant for storage of treated effluent of sugar industry.
- xi. The inspecting team collected grab effluent samples from the final outlet and inlet of ETP and analysis results of treated effluent samples indicates that the concentration of SS (154 > 100 mg/L), BOD (550 > 100 mg/L) and COD (1,696 > 250 mg/L) are found be exceeding the MPCB prescribed discharge standards for irrigation.

It is evident that, the unit was operational without seeking revocation direction from CPCB and the analysis results of treated effluent are also not meeting the MPCB prescribed discharge standards for irrigation; and



**WHEREAS**, the Hon'ble NGT, Principal Bench order dated 31.08.2018 in the matter of O.A. No. 593/2017 (WP(CIVIL) No. 375/2012), Paryavaran Suraksha Samiti & Anr. Vs Union of India & Ors. directed "CPCB to take penal action for failure and, if any, against those accountable for setting up and maintaining STPs, CETPs and ETPs and may also assess and recover compensation for damage to the environment and said fund may be kept in a separate account and utilised in term of an action plan for protection of the environment"; and

**WHEREAS**, in compliance of the Hon'ble NGT order dated 31.08.2018 (O.A. No. 593/2017), a Committee was constituted by CPCB for developing a formula for imposing penalty and environmental compensation (EC) on industrial units. As per the Committee recommendations one of the case to be considered for levying penalty is "non-complying with the direction issued such as closure direction"; and

**WHEREAS**, as per the formula derived for EC by CPCB, the total EC amount shall be calculated for the non-compliance period. Number of days of violation (non-compliance period) for imposing EC shall be calculated based on actual number of days of your operation during crushing seasons till date of compliance of direction i.e. closing of manufacturing operation.

**WHEREAS**, the Ministry of Environment, Forest, & 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 & effluent standards notified under the Environment (Protection) Rules, 1986 and other standards and norms; and

**NOW, THEREFORE**, in view of the above observations and in exercise of the powers delegated to the Chairman, CPCB under section 5 of the Environment (Protection) Act, 1986, **notice is served herewith to show cause** why environmental compensation should not be imposed on **M/s Athani Sugars Ltd.**, Shahuwadi Unit (Lease of Udaysingrao Gaikwad S.S.K. Ltd., Sonawade), 229, Sonawade, Shahuwadi, Kolhapur, Maharashtra - 416210 for observed violation of notwithstanding CPCBs closure direction dated 19.04.2021.

You are hereby given an opportunity to file your objections (if any) to the above proposed direction within 15 days from the receipt of this notice, failing which it will be presumed that you have nothing to say and appropriate action, in accordance with the provisions of the Environment (Protection) Act, 1986, will be taken against the Unit without giving any further notice.

13/24/21  
(TANMAY KUMAR)  
CHAIRMAN  
ec

Copy to:

1. **The Member Secretary** : For information please  
Maharashtra Pollution Control Board (MPCB)  
2nd, 3rd & 4th floor, Opp. Cine planet,  
Near Sion Circle, Sion (E),  
**Mumbai- 400 022**
2. **The Regional Director,** : For information please  
Regional Directorate Pune,  
Central Pollution Control Board,  
ROW House. 1, Sanjivani Nisarg  
Balewadi Puni -411045
3. **The Director** (CPDivision), : For information please  
Ministry of Environment, Forest & Climate  
Change, Indra Paryavaran Bhavan, Jor Bagh  
Road, New Delhi - 110 003
- ✓ 4. The In-charge, IT Division, CPCB, Delhi : To upload the direction at  
CPCB website
5. The Divisional Head, IPC-III Division, CPCB : For record purpose.

  
(PRASHANT GARGAVA)  
MEMBER SECRETARY

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