



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)

CM-13011/16/2021-LAW-HO-CPCB-HO/IPC-III/493

July 06, 2022

To,

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

Revocation 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, 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, 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

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.
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, in view of the compliance made by the Unit w.r.t the CPCBs direction, the Unit was issued conditional revocation direction on 04.02.2022 under section 5 of the E(P) Act, 1986 to operate for 03 months, to comply with the direction issued earlier on 01.07.2019 & subject to physical verification within three months; and

WHEREAS, the Unit was jointly inspected by the team of CPCB and UPPCB on 12.04.2022 and submitted its inspection report comprising observations, recommendations & point-wise compliance status of the Unit & reported compliance by the Unit; 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 08.06.2022 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

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:

- i. The Unit shall be permitted to operate for 03 months from the date of commencement of operation.
- ii. The Unit shall submit the valid Consents under the Water Act & Air Act, and Authorization under Hazardous & other Wastes Rules, 2016 issued by UPPCB and shall not operate without valid Consents.
- iii. The Unit shall ensure proper capping & safeguards in remaining lagoons reportedly being closed & submit the record/statement of treatment/utilization of the effluent stored in such lagoon.
- iv. The Unit shall restrict the concentrated spent-wash storage capacity to seven days equivalent of its generation for incineration purpose.
- v. The Unit should ensure proper operation & maintenance of ETP/CPU systems including RO Plant etc & regularly monitor the performance of these systems including maintenance of details in logbook.
- vi. The Unit shall ensure proper treatment & disposal of its domestic wastewater as per consent order.
- vii. The Unit shall be inspected jointly by the officials of CPCB and UPPCB to verify compliance of the conditions stipulated above within 90 days.
- viii. Ground Water quality of hand pump located at composting yard/in vicinity of lagoon shall be monitored quarterly for the next one year.
- ix. The Unit shall intimate the date of resumption of manufacturing operation to CPCB.
- x. In case of compliance of the above conditions during permitted three months from the date of resumption of operation, the revocation direction shall be deemed to be continuing on stipulated conditions.

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

M3 n.c 6/7/22
(TANMAY KUMAR)
o/c CHAIRMAN

Copy to:

- 1 The Member Secretary,
Uttar Pradesh Pollution Control Board,
Building No. TC-12V, Vibhuthi Khand,
Gomti Nagar, Lucknow - 226 020 : For ensuring compliance of the
directions and necessary action
please.
- 2 The Director, (CP Division) : For information, please.
Ministry of Environment, Forest & Climate
Change, Prithvi Block, Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi - 110 003
- 3 The Regional Director, : For information and follow-up
CPCB Regional Directorate, action as required
PICUP Bhawan, Ground Floor, Vibhuthi
Khand, Gomti Nagar, Lucknow-226010
- 4 The District Magistrate, : For information, please.
DM Office, Lakhimpur Kheri, UP
- 5 The Chief Engineer (Lucknow Zone), : With a direction to connect the
Madhyanchal Vidyut Vitran Nigam Ltd. power supply to the industrial
H.O, Gokhale Marg, Lucknow - 226001 operations of the unit please.
- 6 The Div. Head, IT Division, CPCB, Delhi : For uploading the revocation
direction in CPCB website,
please.
- 7 The Div. Head, IPC-III Division, CPCB, Delhi : For necessary action, please.

Prashant
(PRASHANT GARGAVA)
o/c MEMBER SECRETARY