



By Speed-Post

CP-11/114/2022-IPC-III-HO-CPCB-HO 9246

March 01., 2023

To,

The Aska Co-operative Sugar industries Ltd,
Distillery Unit, P.O-Nuagam (Aska),
District-Ganjam, Odisha-761111

Directions under Section 5 of the Environment (Protection) Act, 1986- Revoked thereof.

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, M/s Aska Co-operative Sugar Industry Ltd, Distillery Unit, P.O-Nuagam (Aska), District-Ganjam, Odisha (hereinafter referred to as 'the Unit') is a molasses based distillery having production capacity of rectified spirit of 10 KLD; and

WHEREAS, a team of Central Pollution Control Board (CPCB) visited M/s Aska Co-operative Sugar Industry Ltd. (Distillery), P.O-Nuagam (Aska), District-Ganjam, Odisha on 19.03.2012. Based on the observations made during the inspection, CPCB issued closure direction dated 30.05.2012 under section 5 of E(P) Act, 1986 to the Unit for observed non-compliance's; 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 continuous emission monitoring system (OCEMS) 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 distilleries; and

WHEREAS, it was clarified that flow meter & web camera may be installed in case of units achieving 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

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WHEREAS, in follow up to the directions issued to the SPCBs/PCCs, CPCB had issued show cause notices under section 5 of the Environment (Protection) Act, 1986 dated 24.07.2015 to 347 distilleries, including M/s The Aska Co-operative Sugar industries Ltd, Distillery Unit, P.O-Nuagam(Aska), District-Ganjam, Odisha, as to why the Unit should not be closed down if the Unit has not complied fully with the direction issued w.r.t. installation of OCEMS by June 30, 2015. It was further directed to submit documentary evidence regarding status of installation and connectivity of online emission & effluent monitoring system in the format given; and

WHEREAS, no reply was filed by the said Unit in response to the CPCBs show cause notice dated 24.07.2015. Further, CPCB had included the name of the Unit in the list of defaulter Units, published in the CPCB website and in the advertisement in national & local newspaper dated 07.01.2016. However, no response was received from the Unit w.r.t installation of OCEMS and its connectivity with CPCB server; and

WHEREAS, in view of the non-compliance of the Unit w.r.t installation and connectivity of OCEMS to CPCB server and in exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986; CPCB had issued direction dated 29.04.2016 to close down manufacturing operation of the Unit until required OCEMS are installed and data connectivity to CPCB is established; and

WHEREAS, the Unit vide letter dated 11.04.2022, 27.05.2022, 09.09.2022 & 05.12.2022 informed that the Unit was closed since July 2012 and still not in operation and submitted having adequate ETP for ZLD vetted by NIT-Rourkela report, submitted 'self-certificate' regarding closure of operation, installed online continuous effluent/emission monitoring system i.e. flow-meters and camera 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 19.01.2023 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 conditions; and

WHEREAS, the Ministry of Environment, Forest & Climate Change, 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

or

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, the closure direction issued to the Unit [M/s The Aska Co-operative Sugar industries Ltd, Distillery Unit, P.O-Nuagam (Aska), District-Ganjam, Odisha] is hereby revoked and the Unit is allowed to resume its manufacturing operations subject to the following conditions:

1. The Unit shall communicate date of commencement of plant operation to CPCB and the revocation would be for an initial period of three months after the commencement of operation and in case of compliance of conditions as stipulated below, further revocation would be deemed as having been granted.
2. Before commencement of operations, the Unit shall obtain valid Consents under the Water Act, Air Act, and Authorization under Hazardous & other Wastes Rules, 2016 from SPCB and industry shall not operate under any circumstances without valid consent orders.
3. The Unit shall ensure uninterrupted data connectivity of OCEMS with CPCB server after commencement of operation of the plant.
4. The Unit shall ensure periodic calibration of the analyzers as per Standard Operating Procedure/recommendations of the supplier and submit the calibration results.
5. The Unit shall submit actual performance assessment report of installed ZLD system & ETP, including Mass & Water Balance, Bio-composting yard adequacy & groundwater monitoring report, by the same reputed Govt. Institute within 60 days of resumption of the operations.

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

13/1/23
(TANMAY KUMAR)
CHAIRMAN

o/c

1. **The Chairman,** :With a request to
Odisha Pollution Control Board, ensure compliance of the above
A-118, Nilakanta Nagar, Unit –VIII, conditions please
Bhubaneswar – 751012
2. **The Advisor (CP Division)** : For information please.
Ministry of Environment, Forest and
Climate Change, Prithvi Wing, 2nd
Floor, Room No. 216, Indira
Paryavaran Bhawan, Aliganj, Jor
Bagh Road, New Delhi – 110003

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3. **The Regional Director,**
Central Pollution Control Board
Regional Directorate (Kolkata)
Southern Conclave, Block 502,
5th & 6th Floors, 1582
Rajdanga Main Road
Kolkata, West Bengal-700 107

:For follow-up and ensuring compliance please.

4. **The District Magistrate,**
Ganjam, Odisha

: For information please.

5. **The Head,**
TP Central Odisha Distribution Limited
(TPCODL), Kalyani Complex, Market St,
Unit 8, Gopabandhu Nagar, Bhubaneswar,
Odisha 751008.

:With request to restore the power supply to the Unit, please.

6. ✓ **The Divisional Head, IT , CPCB, Delhi:** For uploading the direction at CPCB website please

Prashant

(PRASHANT GARGAVA)
MEMBER SECRETARY

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