



BY REGISTERED AD

CP-11/99/2022-IPC-III-HO-CPCB-HO

February 08, 2023

To,

M/s Samrudhi Sugars Ltd,
G. NO-122,123 and 173,
Devi Dahegaon, Tal. -
Ghansawangi Dist -Jalna,
Maharashtra - 431209

Sub: Directions 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, 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, 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 602 Sugar industries, including M/s Samrudhi Sugars Ltd, G. NO-122,123 and 173, Devi Dahegaon, Tal.-Ghansawangi Dist - Jalna, Maharashtra - 431209, hereinafter referred to as 'the Unit', 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 online emission & effluent monitoring system by June 30, 2015. It was further directed to submit documentary evidence regarding status of installation and connectivity of online emission & effluent monitoring system; and

'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, no reply as recorded was filed by the said Unit in response of the same; and

WHEREAS, in view of the above and in exercise of the powers delegated to the Chairman, Central Pollution Control Board under section 5 of the Environment (Protection) Act, 1986, the Unit was directed vide letter no. B-400(S)IPC-III/2015 -16/529 dated 22.03.2016 to close down the sugar mill and not to resume manufacturing operation till installation and commissioning of continuous online monitoring system and providing connectivity of data with SPCB and CPCB server, and to submit compliance to CPCB within 15 days on the receipt of the Closure Direction; and

WHEREAS, the Unit has responded to the above said Closure Direction along with all the required documents vide email dated 31.05.2022 & 02.06.2022 and informed to have complied with the directions regarding installation and commissioning of online continuous effluent monitoring system (OCEMS) and the same was verified by IT Division of CPCB on 21.06.2022; and

WHEREAS, after verification of compliance submitted by the Unit and subsequent verification of the connectivity status of OCEMS by IT Division of CPCB, closure direction of the Unit has been revoked vide direction dated 07.09.2022 and the Unit has been allowed to resume its manufacturing operations; and

WHEREAS, it has been observed that the Unit has not closed its manufacturing operations in the crushing season 2016-17 to 2021-22 which is non-compliance of the closure direction issued by CPCB vide letter no No. B-400(S) PCI-III/2015-16/529 dated 22.03.2016 under section 5 of E (P) Act, 1986 and a separate clause has been mentioned in revocation direction that action for which shall be initiated separately; and

WHEREAS, it has been noticed that the Unit has operated for 166 days during crushing season 2017-18, 158 days during crushing season 2018-19 and 100 days during crushing season 2019-20 as per submitted RT-8(c) form, without installing and connecting OCEMS devices with CPCB server; and

WHEREAS, *The Hon'ble National Green Tribunal (NGT), Principal Bench in the matter of OA No. 593/2017 (WP (CIVIL) No. 375/2012, Paryavaran Suraksha Samiti & Anr. Vs. Union of India & Ors. Directed Central Pollution Control Board (CPCB) that "The CPCB may take penal action for failure, if any, against those accountable for setting up and maintaining STPs, CETPs and ETPs. CPCB may also assess and recover compensation for damage to the environment and said fund may be kept in a separate account and utilized in terms of an action plan for protection of the environment."* ; and



WHEREAS, in compliance of above quoted Hon'ble NGT order, a Committee was constituted by CPCB for reviewing the cases of Environmental Compensation. As per the Committee recommendations one of the cases to be considered for levying environmental compensation is 'not complying with the directions issued, such as direction for closure due to non-installation of OCEMS, non-adherence to the action plans submitted etc. '; and

WHEREAS, as per formula derived for levying environmental compensation by CPCB, the total environmental compensation amount was calculated to be Rs. 1,27,20,000/- (Rupees One crore twenty-seven Lacs and twenty thousand rupees only) for the total non-compliance period of 424 days during crushing season 2017-18, Crushing season 2018-19, and crushing season 2019-20; 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 of Rs. 1,27,20,000/- (Rupees One crore twenty-seven Lacs and twenty thousand only) should not be imposed** on M/s Samrudhi Sugars Ltd, G. NO-122,123 and 173, Devi Dahegaon, Tal.-Ghansawangi Dist -Jalna, Maharashtra - 431209 for 424 days of violation based on available record i.e. for running their manufacturing operation during crushing season 2017-18, 2018-19, and 2019-20 without installation and connectivity of OCEMS devices with CPCB server and notwithstanding CPCBs closure direction dated 22.03.2016.

You are hereby given an opportunity to file your objections (if any) to the above 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.


(TANMAY KUMAR) o/c
CHAIRMAN

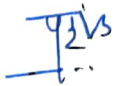
Copy to:

1. **The Member Secretary,** : For information please.
Maharashtra Pollution Control Board
2nd, 3rd & 4th Floor,
Opp. Cine Planet, Near Sion Circle,
Sion (E), Mumbai- 400022
2. **The Regional Director,** : For information please.
Regional Directorate
Central Pollution Control Board,
ROW House No. 1, Sanjivani Nisarg
Balewadi Pune - 411045





3. **The Director (CP Division)** : For information please.
MoEF&CC
Prithvi Block, Indira Paryavaran
Bhawan, Jorbagh Road,
New Delhi – 110 003
4. **The District Magistrate,** : For information please.
Collectorate Office,
District. Jalna, Maharashtra-431203
5. **The Divisional Head, IT, CPCB** : For uploading the direction
on CPCB website.
6. **The Div. Head, IPC-VI, CPCB** : For information please


(PRASHANT GARGAVA) o/c
MEMBER SECRETARY

o/c

o/c