

Speed Post

F. No. B-172/PCI-III/2K04-2K05/

October 05, 2017

To,

M/s. Saraya Distillery,  
Sardar nagar,  
Gorakhpur,  
Uttar Pradesh - 273 202

**DIRECION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986**

**WHEREAS**, the Central Government has notified the standards for discharge of environmental pollutants from various categories of industries under the Environment (Protection) Act, 1986 and the rules framed there under; and

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

**WHEREAS**, it is obligatory on the part of industries to install effluent treatment plants (ETPs) to comply with the effluent discharge standards as notified under the Environment (Protection) Act, 1986 and the Rules framed thereunder and also to meet the consent conditions granted by State Pollution Control Board (SPCBs) / Pollution Control Committees (PCCs); and

**WHEREAS**, M/s Saraya Distillery, Sardar Nagar, Gorakhpur, Uttar Pradesh (hereinafter referred as 'the Unit') was inspected by the officials of Central Pollution Control Board (CPCB) earlier on 14.07.2014 and based on the observations, CPCB had issued a notice u/s 5 of the E(P)A, 1986 for the non compliances noticed during the inspection.

**WHEREAS**, the Unit's reply to the S/c notice was examined. Subsequently, the unit was jointly inspected under the directives of the Hon'ble National Green Tribunal in O.A No. 208/2014 and 133 of 2016 and the Hon'ble Tribunal had disposed off the matter on 07.04.2016; and

**WHEREAS**, CPCB received public complaint against the operation of the unit and the Unit was inspected by the officials of CPCB, RD, Lucknow on 16.09.2017 and the following major observations were made during the visit;



1. The unit is engaged in the production of Rectified Spirit (RS) & Extra Neutral Alcohol (ENA) having installed capacity of 110 KLD (02 distillation unit capacity 55 KLD each) using molasses as main raw material. The distillation and fermentation unit was not in operation on the day of inspection, for want of raw materials and only bottling plant was operation.
2. Spent wash generated from the process is used for bio-composting after anaerobic digestion and reverse osmosis (R.O). Effluent generated from floor washing, spent lees, bottling section effluent etc. are sent to Effluent Treatment Plant (ETP). Treated effluent from ETP is used for in-house irrigation. R.O Permeate is being used as make up water in cooling tower and as boiler feed water after treatment through DM plant.
3. Analysis results of the sample collected from the ETP outlet indicates **BOD** and **COD** values of **1225 mg/l** and **1539 mg/l** respectively, not conforming to the notified standards under the E(P)A, 1986. The treated effluent from ETP, not meeting the prescribed norms, was found to be discharged unscientifically on the land in the name of in-house irrigation. Effluent logging was observed at several locations near the bio-compost area and hence overflowing of this effluent into the adjacent areas cannot be ruled out. Further the **MLSS & MLVSS** concentrations at the aeration tank were found to be **49.8 mg/l & 38.0 mg/l** respectively, indicating absence of biological activity in the treatment system.
4. A bypass drain was observed on the back side of unit, which travels along the bio-compost yard & ultimately meets to 'Vaisi nallah'. At the time of inspection, the flow was observed at the drain and samples were collected & analysis results indicates **BOD** and **COD** values of **175 mg/l** and **522 mg/l** respectively, not conforming to the notified standards under E(P)A, 1986. The higher level of BOD & COD in the drain confirms the contamination with the distillery effluent. The said drain was trapped by soil near bio-compost yard on the day of visit. However, the arrangement is made temporary keeping the scope for direct discharge.
5. The RO reject is being conveyed to the storage lagoon through open drain (more than one KM in length), constructed by the bricks. The percolation of RO reject into the groundwater during the conveyance time cannot be ruled out. Similarly, mixing of runoff water into the drain or over flowing of the RO reject on the nearby land in case of damage to the conveyance drain cannot be ruled out.
6. The unit has provided covered shed in 03 acre for bio-composting during the rainy season and 16 windrows were found operational under the shed. The corner of the shed was broken at several points. In addition to this, 26 windrows were found operational in the open area, which is violation of consent condition and CPCBs guidelines.
7. The unit has not yet obtained required certificate from the Department of Agriculture for producing bio-compost. The distillery unit has not installed web camera in the bio-compost area.
8. The unit has provided storage lagoon of 78,000 KL which is equivalent to the 142 days storage capacity of RO reject (550 KLD) generation. Additionally, the unit is also storing the fermentor wash in the Old ETP tanks.
9. The Consent to operate under Water Act, 1976 and Air Act, 1981 for production of 110 KLD ENA/Rectified spirit is valid up to 31.12.2017, with condition to install re-boiler for 55 KLD by 31.12.2016. The unit has not yet installed the re-boiler.

10. As per the consent condition under the Water Act and the submitted Zero Liquid Discharge action plan, the unit is required to install Multiple Effect Evaporator (MEE) and incinerator by 30.09.2016 (ZLD action plan & direction by CPCB for Ganga Basin Industries). The unit has yet not complied with consent condition and the Zero Liquid Discharge action plan.

**WHEREAS**, It is evident from the above observations that the Unit is not complying with the direction & consent order issued for ensuring ZLD in Ganga Basin Distilleries, not following the bio-composting protocol w.r.t restriction of storage lagoon capacity and operation in rainy season, and **discharging effluent not conforming to discharge standards notified under the Environment (Protection) Act, 1986** on land within the premises and also to nearby 'Vaisi' Nalla through the **bypass drain**, ultimately leading to 'Rapti' River and that these activities pose constant threat to water/ soil/ ground water quality of the region.

**WHEREAS**, CPCB had issued S/c notice to the unit for similar violation in earlier instances and **as per the sub rule (5) of the Rule 4 of the Environment (Protection) Rules, 1986**, it is not expedient to provide opportunity to file objection against the proposed direction in view of the likelihood of a grave injury to the environment and CPCB considers that the act of the unit, as described in above paragraphs, causes grave injury to the environment.

**NOW THEREFORE**, in view of the events, as described above and exercising the powers delegated to the Chairman, Central Pollution Control Board (CPCB) under section 5 of the Environment (Protection) Act, 1986, the distillery unit is hereby directed to **"close down all its manufacturing operations and not to restart manufacturing"** till it complies with the following directions;

1. The unit should immediately discontinue discharge of effluent not conforming to the notified standards to the ground/drain and dismantle the bypass drain.
2. Unit shall comply with the direction and consent order condition in respect of ZLD and install Multi Effect evaporator for concentrating the spent wash.
3. The ETP provided for other effluents than spent wash shall be augmented so as to achieve the notified standards & shall make adequate arrangements for reuse of treated waste water for achieving ZLD.
4. The unit shall provide leak proof concrete/closed pipe system for transportation of MEE concentrate to the storage lagoon.
5. The unit should strictly comply with bio-composting protocol of CPCB and shall restrict the storage capacity of lagoons to 30 days equivalent of concentrated effluent (MEE concentrate), obtain the registration for bio compost production from Ministry of Agriculture and other guidelines for bio composting, as specified in ZLD directions of CPCB.
6. The unit shall fully comply with the direction for OCEMS installation with respect to installation of online flow meters and cameras, as per CPCB guidelines.
7. The unit shall seek permission from CPCB before resuming its manufacturing operations.





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.

(S. P. Singh Parihar)  
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 of the directions, pl.
- 2) The Regional Director,  
CPCB Regional Directorate,  
PICUP Bhawan, Ground Floor, Vibhuti Khand,  
Gomti Nagar, Lucknow-226010  
: For follow up and ensuring compliance of the directions, Pl.
- 3) The District Magistrate,  
District Gorakhpur, Uttar Pradesh  
: For information and ensuring compliance of the direction
- 4) The Chief Engineer (Gorakhpur Zone),  
Purvanchal Vidyut Vitran Nigam limited,  
DLW Bhikharipur, Varanasi - 221004, U.P  
: With a direction to disconnect power supply to the manufacturing operations of Distillery unit, pl
- 5) The In-charge, (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
- 7) The Div. Head, IPC-III Division, CPCB Delhi

(A. Sudhakar)  
MEMBER SECRETARY

