

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
Principal Bench, New Delhi
Original Application No. 324/2016
With
Original Application No. 361/2017

In the matter of: -
Shailesh Singh

Applicant (s)

Vs.

State of Uttar Pradesh & Ors.

Respondent(s)

With

Dr. Tanzeen Fatima

Applicant(s)

Vs.

MoEF & CC & Ors.

Respondent(s)

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Ajit Kumar Vidyarthi
(Dr. A.K. Vidyarthi)

Scientist-E
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar,
Delhi- 110032.

Date: 29.09.2020
Place: Delhi

Status Report on behalf of CPCB

in compliance to Hon'ble NGT Order dated 15.01.2020 in the matter of Dr. Tanzeen Fatima vs. Ministry of Environment, Forest & Climate Change & ors., OA no. 361/2017 with Shailesh Singh vs. State of Uttar Pradesh & Ors., OA No. 324/2016

Hon'ble NGT vide its order dated 15.01.2020 in the above said matter has considered the Action taken report dated 27.11.2019 filed by the CPCB in consultation with the Joint Committee and as per the information provided by State Pollution Control Boards and further directed as follows:

" 3. (iii) *There is also response of the CPCB filed 27.11.2019 to the final report of the Monitoring Committee mentioned above to the effect that inspection of GPIs is done annually and action is taken by the State PCB. We are of the view that even though the inspection by the CPCB may continue to be done annually, the State PCB must conduct inspections quarterly.*

6. *The CPCB and the State PCB may ensure recovery of the compensation already assessed by taking appropriate coercive measures including closure of the erring industry till deposit is made, apart from prosecution for violation of law, after following due procedure.*

8. *The CPCB and the State PCB may file further compliance status report as on 30.04.2020, after carrying out detailed inspections and also indicating compliance status with regard to the issues considered in the three reports dated 23.10.2019 and report dated 06.12.2019 (by Ganga Committee) and 27.11.2019 (by the CPCB) considered in para 3 above, before the next date by email at."*

In pursuance to Hon'ble NGT order, CPCB submitted a compliance report on 18th May, 2020. This report is in continuation of the aforementioned report.

CPCB vide letter-dated 03.06.2020 (**Annexure I**), requested UEPPCB to forward their reply/action taken report in response to CPCB letter dated 20.03.2020 wherein UEPPCB was requested to take necessary action to ensure recovery of the Environmental compensation levied on the unit.

In response, UEPPCB vide letter dated 04.06.2020 (**Annexure II**) directed the Unit to comply with Hon'ble NGT orders dated 23.07.2019 and 15.01.2020 regarding submission of already assessed environmental compensation. The Unit sent a reply to UEPPCB vide letter dated 11.06.2020 which in turn was forwarded to CPCB by UEPPCB vide letter dated 18.06.2020 (**Annexure III**).

Upon further communications with the State Board, UEPPCB vide its letter dated 31.07.2020 (**Annexure IV**) to CPCB has submitted the following:

"In view of the above information's, it is clear that, violation of environmental norms has not been reported in any report. However, CPCB vide letter dated 20th March, 2020 has assessed environmental compensation based on 'potential to cause environmental contamination and having potential to pollute both surface and ground water' and requested SPCB to levy EC. In the light of the above SPCB is in agreement with the reply of the unit communicated to CPCB vide letter dated 18.06.2020 and is of the view that levying EC on the basis of potential to pollute seems not justified".

Hence, Hon'ble NGT is requested to consider the view point of the Uttarakhand State Board as compliance to the directions of the Hon'ble Tribunal.

Also, NGT vide its order dated 20.05.2019 (**Annexure V**) has directed:

"The CPCB and the UPPCB may also explain as to why in spite order of closure, the unit continued to function and what action has been taken against such illegal action, including prosecution as per mandate of law. Action taken against the persons who allowed such illegal operation by colluding with the unit or otherwise may also be reported"

In compliance to Hon'ble NGT order, CPCB vide letter dated 21st /24th June, 2019 (**Annexure VI**) to the Chief Secretary, UP while referring to the above mentioned order of the Hon'ble Tribunal has requested to arrange to send the names of officials responsible for continued illegal operation of Radico Khaitan Ltd. inspite of closure directions dated 24.12.2018.

Through further order dated 23rd July, 2019 (**Annexure VII**), Hon'ble Tribunal directed that:

"The Chief Secretary, Uttar Pradesh may also give his response to the letter of the CPCB and identify the persons who interfered with the process of law to benefit the said polluting unit and action taken against such persons by e-mail at judicial-ngt@gov.in."

In response, Chief Secretary, UP vide its letter dated 24th August, 2020 (**Annexure VIII**) to the Chairman, CPCB has informed that in compliance to the aforementioned Hon'ble NGT order, Commissioner, Moradabad has formed a committee dated 13.02.2020 for the inquiry in the matter. The committee has concluded that due to the confusion occurred because of the communications going on between the CPCB, UPPCB, and Excise Department (letters between December, 2018 and June 2019), industry kept operating and as such no person is technically responsible for the same. The report of the committee is enclosed with the letter.

Vide the said letter it is also informed that the State of U.P., took all the steps necessary in the interest of environment and ensured that the provisions of Environment (Protection) Act, 1986, Water (Prevention and Control of Pollution Act, 1974 and Air (Prevention and Control of Pollution Act, 1981 are not violated.

Hence, CPCB, UPPCB and the State of Uttar Pradesh has complied with the above mentioned directions of Hon'ble NGT.

Now, this status report is submitted for consideration by Hon'ble NGT and final compliance status shall be submitted before the next date of hearing 24.11.2020, after carrying out detailed inspections of the units in October-November so that updated status report may be filed.



Annexure - I

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

By Speed Post/Email

B-190198/NGRBA(RG)/CPCB/Distillery/1/2018-19

June 3rd, 2020

To,
Member Secretary,
Uttarakhand Environment Protection & Pollution Control Board (UEPPCB),
Gaura Devi Bhawan, 46 B IT Park Sahastradhara,
Dehradun, Uttarakhand-248001.

Subject: Recovery of Environmental Compensation from M/s India Glycols Ltd., Kashipur, Uttarakhand, in compliance to Hon'ble NGT order dated 15.01.2020 in OA No. 361/2017

Reference: i. CPCB letter dated 20.03.2020 to UEPPCB
ii. UEPPCB letter no. UEPPCB/HO/Gen-183-247(Vol-II)/2020/1962 dated 20.03.2020 received on 05.05.2020

Sir,

This has reference to the CPCB letter dated 20.03.2020 issued in compliance to Hon'ble NGT order dated 15.01.2020 in OA No. 361/2017, wherein it was requested that necessary action be undertaken to ensure recovery of already assessed environmental compensation from the Unit in compliance to Hon'ble NGT order dated 15.01.2020 and forward action taken report to CPCB within 15 days. The response to the letter is still awaited.

Now therefore, you are requested to forward your reply/action taken report to CPCB at the earliest please.

Yours faithfully,
A. K. Vidyarthi
(Dr. A.K. Vidyarthi)
Addl. Director &DH,
WQM-II

HEAD OFFICE

UTTARAKHAND POLLUTION CONTROL BOARD
Gauradevi Parayavaran Bhawan
46-B, SIDCUL, IT Park, Sahashtradhara Road
DEHRADUN (Uttarakhand)



उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड
गौरादेवी पर्यावरण भवन
46-बी, सिडकुल, आई.टी. पार्क, सहस्त्रधारा रोड,
देहरादून (उत्तराखण्ड)

Web: www.ueppcb.uk.gov.in

UKPCB/HO/Gen-183-247(Vol.- II) /2020/ 150

Date: ~~05.2020~~

To,

M/s India Glycols Ltd
A-1 Bazpur Industrial Area
Bazpur Road, Kashipur

04.6.2020

Sub :- Recovery of Environmental Compensation from M/s India Glycols Ltd, Kashipur, Uttarakhand- reg.

Sir,

This has reference to our earlier letter no UEPPCB/HO/Gen-183-247 (II)/6469-1313 dated 18.11.2019, your unit was directed to ensure compliance of the Hon'ble National Green Tribunal (NGT) dated 23.07.2019, regarding Environment Compensation.

We have received the compliance report vide your letter dated 21.11.2019 where in you have mentioned that, there has been not mentioned any damage to environment in any of the inspection report and not any non-compliance is reported in the joint inspection report. Also, you have mentioned that, the company has a right to know the exact facts on the environment damage caused on which environment compensation is calculated.

Subsequently, we are in receipt of the letter from the Central Pollution Control Board (CPCB) dated 20.03.2020 wherein CPCB has mentioned following: -

"Observation of the joint committee regarding storage of spent wash by Unit since 12.01.2017 and potential of this stored spent wash to cause environmental contamination and its subsequent storage during monsoon season which can lead to overflow and runoff of spent wash thereby having potential to pollute both surface and ground water, have been considered as case for levying of Environmental Compensation."

It is also to inform that, CPCB has asked to Uttarakhand Pollution Control Board for providing action taken report on recovery of environmental compensation from the unit already assessed by CPCB.

In this regard, you are once again directed to ensure the compliance of Hon'ble NGT order dated 23.07.2019 and 15.01.2020 regarding subject matter.

Yours faithfully

(S.P. Subudhi)
Member Secretary

Copy to: Dr. A.K. Vidyarthi, Addl. Director & DH WQM-II, Central Pollution Control Board, Parivash Bahwan, East Arjun Nagar, Delhi for information

Member Secretary 04.6.2020

A
30/06/20
SCE

HEAD OFFICE

UTTARAKHAND POLLUTION CONTROL BOARD
Gauradevi Parayavaran Bhawan
46-B, SIDCUL, IT Park, Sahasrtradhara Road
DEHRADUN (Uttarakhand)



उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड
गौरादेवी पर्यावरण भवन
46-बी, सिडकुल, आई.टी. पार्क, सहस्त्रधारा रोड,
देहरादून (उत्तराखण्ड)

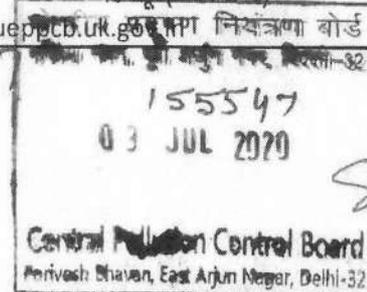
Web: www.ueppcb.org

UEPPCB/HO/Gen-183-247(Vol.- II) /2020/ 21

Date: 18.06.2020

To,

Member Secretary
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar
Delhi



Speed Post

Sub :- Recovery of Environmental Compensation from M/s India Glycols Ltd, Kashipur, Uttarakhand- reg.

Sir,

This has reference to your letter No. B-190198/NGRBA(RG)/CPCB/Distillery/1/2018-19/3304 dated March 20th, 2020, regarding recovery of environment compensation (EC) from M/s India Glycols Ltd., Kashipur.

In this regard, the unit was directed vide our letter of even no dated 04-06-2020 for ensuring the compliance of the order of Hon'ble National Green Tribunal on the subject matter. We have received reply from M/s India Glycols Ltd, dated 11-06-2020 wherein the units has highlighted that :-

- 1) Environmental Compensation is not based on the "Methodologies for assessing environmental compensation and action plan to utilize fund" developed by CPCE. Additionally, the inspection report of the joint committee does not reflect the above observation and the environmental compensation.
- 2) Methodologies for assessing environmental compensation and action plan to utilize the funds does not lay any guidelines to impose EC for "Potential to pollute", which is mentioned in the reason for calculation of EC.
- 3) It is pertinent to mention that CPCB vide their letter dated 14.03.2019 directed the industry to utilize accumulated rain water from the isolated storage lagoon through bio-composting before 30th June 2021 and to dismantle/ level/ fill the lagoon.
- 4) Environmental compensation was might calculated summarily with assumptions based on inadequate factual information available to the concerned authorities, and thus its imposition is an injustice to the company. Particularly, when the industry is fully compliant with the directions of all relevant authorities.

(In this regard, the reason as provided by unit is enclosed at annexure 01 for your ready reference.)

The request of the unit is repeated as follows: - "In view of the above, it is humbly submitted that Environmental compensation was might calculated summarily with assumptions based on inadequate factual information available to the concerned authorities, and thus its imposition is an injustice to the company. Particularly, when the industry is fully compliant with the directions of all relevant authorities. Therefore, we humbly submit that in light of the correct facts made available again by the company the said Environment Compensation Calculation does not have rationale."

You are therefore requested to kindly examine the reply sent by the unit and do the needful.

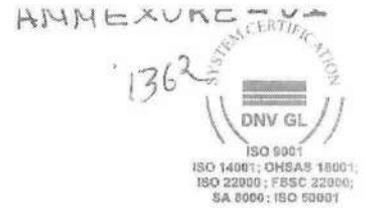
Yours faithfully

(S.P. Subudhi)
Member Secretary

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set
RAC (MC)
MS
Went-11
7/7/20



INDIA GLYCOLS LIMITED



Works & Registered Office : A-1, Industrial Area, Bazpur Road, Kashipur - 244713, Distt. Udham Singh Nagar (Uttarakhand)
Tel. No.: +91 5947 269000 / 269500 / 275320, +91 9411108202, Fax No.: +91 5947 275315, 269535
Website : www.indiaglycols.com

IGL Distillery/Env/2020/06/11-01

Date: 13.06.2020

To

The Member Secretary
Uttarakhand Pollution Control Board
"Gaura Devi Paryavaran Bhawan"
46-B IT Park Sahastradhara Road
Dehradun - 248001

Reference: Your Letter No. UKPCB/HO/Gen-183-247(VOL-2)/2020/150 dtd-04.06.2020

Subject: Recovery of Environmental Compensation – regarding.

Sir,

Please refer to above stated subject matter regarding the Environmental Compensation. We would like to mention that M/s India Glycols Limited has been complying with all the directions issued by UEPPCB & CPCB. Compliance status has already been communicated vide our letter dated 21.11.2019 & 08.02.2020.

Further we would like to mention here that the environmental compensation is calculated as per the "Methodology for assessing environmental compensation and action plan to utilize the fund." (Annexure-I) issued by the CPCB and duly approved by the Hon'ble NCT. The methodology entails following parameters for calculating environmental compensation.

1. Discharges in violation of consent conditions mainly prescribed standards consent limits.
2. Not complying with the directions issued such as direction for closure due to non-installation of OCEMS, non-adherence to action plans submitted etc.
3. Intentional avoidance of data submission or data manipulation by tempering the online continuous emission/effluent monitoring systems.
4. Accidental discharges lasting for short durations resulting into damage to the environment.
5. Intentional discharges to the environment-land, water & air resulting into acute injury or damage to the environment.
6. Injection of treated/partially treated/untreated effluents to ground.



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Whereas, your letter indicates that the reason for calculation of EC is –
“The observations of joint committee regarding the storage of spent wash by unit since 12.01.2017 and potential of this stored spent wash to cause environmental contamination and its subsequent storage during monsoon season which can lead to overflow and runoff spent wash thereby having potential to pollute both surface and ground water, have been considered as cases for levying environmental compensation”. Therefore, it seems that the calculated Environmental Compensation is not based on the Methodology for assessing environmental compensation and action plan to utilize the fund developed by CPCB. Additionally, The Inspection report of the joint committee does not reflect the above observation and the environmental compensation. It was also informed to your office vide our letter dated 21.11.2019. The Joint Inspection report is attached as Annexure – II.

Additionally, we would like to emphasize that all the directions issued by CPCB / UEPPCB in the past were complied with and recent directions are also being complied with. The details of compliances have already been submitted to your office vide our letter dated 08.02.2020.

A brief on the compliance status is given in the following paragraphs.

As per the CPCB direction dated 07.12.2015, the 98 KLPD stream of Ethanol Plants having bio-digesters and bio-composting was allowed to store raw / bio-methanated spent wash in lagoons until 31.03.2016 to achieve ZLD. It may be noted that the CPCB direction dated 07.12.2015 required to instruct India Glycols Limited, Kashipur for biocomposting and to restrict the lagoon capacity to 30 days of storage, and not for dismantling. The lagoons associated with 98 KLPD stream were in use for storage of spent wash till January 2016 thereafter it was discontinued due to low production. Further, in compliance of CPCB direction, UEPPCB issued directions to stop production from 98KLD stream and as a precautionary measure, the inlet of Dabhora lagoons which were attached with 98KLD stream were sealed. Subsequently during the monsoon seasons due to deposition of rain water, the volume of diluted spent wash increased to approx. 70,000 M³ having pH 7.6-8.0, COD 14,000-18,000mg/L and total solids less than 1%. The same was observed and narrated in the Joint inspection report specifically observes on page 7-68 (submitted to NGT). The Joint Inspection report does not find any non-compliance. The accumulation of rain-water in the lagoons is a matter of force majeure, since we had no access to the lagoons after sealing by UEPPCB, for utilizing the same.

In this regard we would like to mention that our production was less than 240 KLPD from January 2015 onwards and there was no ingress of effluent as we were operating our distillery as



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Website : www.indiaglycols.com

per MEE and incineration. The same was also intimated to UEPPCB on September 19, 2016 and CPCB on January 03, 2017 along with the production data from April 2015 – December 2016. The letter is attached as **Annexure – III**.

The alcohol production data duly verified by excise department from January 2016 to December 2016, January 2017 to December 2017, January 2018 - December 2018 and January 2019 – December 2019 was submitted to your office vide our letter dated 08.02.2020. Additionally, data on Alcohol production, spent wash generation fed to evaporator and SLOP generation utilization in Boiler for above period was submitted to your office vide our letter dated 06.03.2020. The same is annexed as **Annexure-IV**. The data showed that during these years average daily alcohol production was not more than 240 KL. Spent wash generated during these years was completely subjected to evaporator and the concentrated spent wash was utilized as a fuel in the slop boiler. It is evident that the spent wash so generated is utilized and no spent wash is discharged in to the lagoon. Therefore, there was no chance of fresh effluent ingress to lagoons. The increase in lagoon water was only due to accumulation of rain water in subsequent years. The same is also supported by the COD of the lagoon water carried out during January 2019. (As COD was 14000.00 – 18000.00 ppm against the 55000 – 60000 ppm of bio-methanated effluent and solids were less than 1.0 % as against 3.0 – 4.0 % of bio-methanated effluent. The same was communicated to CPCB vide our letter dated 25th February 2019 in reference to CPCB letter dated 7th February 2019. This was also endorsed by the Joint Committee in their joint inspection report.

Further, it may be stated that the “**Methodology for assessing environmental compensation and action plan to utilize the fund**” does not lay any guidelines to impose EC for “**potential to pollute**”, which is mentioned in the reason for calculation of EC in your said letter. Nevertheless, we submit that India Glycols Limited cannot be accused of any complacency on this front either. The lagoons are impervious and no instance of contamination overflow or leakage has been found and communicated to us based on any surveillance inspection carried out by UEPPCB or CPCB. It is pertinent to mention here that since the direction of CPCB vide their letter dated 14.03.2019 to utilize the accumulated rain water from isolated storage lagoon through bio-composting before 30 June, 2021 and to dismantle level/fill the lagoon, more than 10 visits have been conducted by UEPPCB/ CPCB and no non-compliance was found / reported. We are in the process of utilization of the stored / accumulated rain water from the lagoon and simulta filling the lagoon with fly ash. The progress report is being submitted to CPCB/ UEPPCB regularly on monthly basis. The copy of the covering letter of all the preceding months and the latest progress report is appended as **Annexure –V**. As per UEPPCB letter dated



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28.01.2020 we are also submitting quarterly compliance to UEPPCB Regional Office, Kashipur for utilization of accumulated rain water from lagoon.

It is evident from the all of the above that M/s India Glycols Ltd. is complying the directions issued by CPCB/ UEPPCB. There has been no mention of any damage to environment in any of the inspection reports till date. It may also be noted that no non-compliance has been reported in the joint inspection reports or earlier reports and therefore India Glycols Limited has not violated any of the parameters mentioned in the **Methodology for assessing environmental compensation and action plan to utilize the fund.**

In view of the above, it is humbly submitted that Environmental Compensation was might calculated summarily with assumptions based on inadequate factual information available to the concerned authorities, and thus its imposition is an injustice to the Company. Particularly, when the industry is fully compliant with the directions of all relevant authorities. Therefore, we humbly submit that in light of the correct facts made available again by the Company the said Environment Compensation calculation does not have rationale.

Thanking you

Yours Faithfully
For India Glycols Limited

Dr. Ashutosh Gautam
Head – Environment

Enls: As per list

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01	Methodology for assessing environmental compensation and action plan to utilize the fund developed by CPCB	Annexure No. I
02	Joint Inspection report CPCB and UEPPCB dated 11-12 June, 2019	Annexure No. II
03	IGL letter Dated September 19, 2016 to UEPPCB and dated January 03, 2017 to CPCB	Annexure No. III
04	IGL letter dated 06.03.2020 to UEPPCB	Annexure No. IV
05	The copy of the covering letters of all the progress reports submitted to CPCB regarding CPCB direction dated	Annexure No. V

Annexure-I

Methodology for assessing
environmental compensation and
action plan to utilize the fund
developed by CPCB

**Report of the CPCB In-house Committee on
Methodology for Assessing Environmental
Compensation and Action Plan to Utilize the Fund**



CENTRAL POLLUTION CONTROL BOARD
"Parivesh Bhawan", East Arjun Nagar,
Delhi-110032

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Abstract

Environmental compensation is a policy instrument for the protection of the environment which works on the Polluter Pay Principal. Environmental compensation has already been implemented in various countries, although limited in scope. Experiences from these implementations are mixed and tend to stress the importance of certain principles in order to achieve the overall objective of protection of the environment.

The Hon'ble National Green Tribunal through its various judgments has empowered the Central Pollution Control Board to lay down the methodology to assess and recover compensation for damage to the environment and utilize such amount in terms of an action plan for protection of the environment.

An attempt has been made by the CPCB in-house Committee to develop a methodology for assessing environmental compensation to be levied on concerned industry, authority, individual etc. for the protection of environment. Expert institutions/ NGOs like The Energy and Resources Institute, Centre for Science and Environment-India, Institute of Economic Growth etc. were also consulted to finalize the report. Overall objective is to develop self-sense of responsibility towards the environment and to make defaulters realize their mistake by imposing compensation, which will be utilized for the protection/restoration of the environment.

Although, this is the first attempt in India towards development of methodology for assessing environmental compensation, however, efforts have been made to simplifying the process so that regulatory institutions can easily adopt the methodology for implementation.

Chapter-I: Environment Compensation to be levied on Industrial Units

1.1 Background

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. Such action plan may be prepared by the CPCB within three months" (Annexure-I).

1.2 Constitution of the Committee

In this context, Chairman, CPCB constituted a Committee under the Chairmanship of Shri A. Sudhakar, I/c WQM-I with Shri A. K. Vidyarthi, I/c WQM-II, Shri P. K. Gupta, I/c IPC-VI, Shri Nazimuddin I/c IPC-II and Dr. S. K. Paliwal, Scientist 'D' as members. The Committee was asked to deliberate on this issue and come up with a draft formulation before 15.9.2018.

1.3 Methodology for Assessing Environmental Compensation

The Committee discussed the issue on 4.9.2018, 13.9.2018, 17.9.2018 and 09.10.2018. A meeting was also held with Senior Officers of CPCB Head Office and Regional Directorates through video conferencing on 28.09.2018 to discuss the draft report and to seek comments/feedbacks. The comments/feedbacks received and deliberations of the Committee on the same are given in Annexure-II.

As per the Hon'ble NGT suggestion, CPCB has invited comments of 3 expert institution, namely, Centre for Science and Environment (CSE), Institute of Economic Growth (IEG) and The Energy Research Institute (TERI). CSE and IEG has provided their comments, however TERI has not provided any response.

A meeting to incorporate the comments of the expert Institutions and to finalize the report, was held on 12/03/2019 under the chairmanship of Shri A. Sudhakar. The CPCB in-house committee on Environmental Compensation has deliberated on the comments and finalized the report accordingly. The Committee's deliberations are attached as Annexure-III.

was deliberated for developing a formula for imposing environmental compensation on industrial units for violation of directions issued by regulatory bodies and this is the first attempt made. The committee discussed that environmental compensation should be based on "Polluter Pay Principle". The Committee decided to list the instances for taking cognizance of cases fit for violation and levy environmental compensation.

Cases considered for levying Environmental Compensation (EC):

- a) Discharges in violation of consent conditions, mainly prescribed standards / consent limits.
- b) 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.
- c) Intentional avoidance of data submission or data manipulation by tampering the Online Continuous Emission / Effluent Monitoring systems.
- d) Accidental discharges lasting for short durations resulting into damage to the environment.
- e) Intentional discharges to the environment -- land, water and air resulting into acute injury or damage to the environment.
- f) Injection of treated/partially treated/ untreated effluents to ground water.

1.3.1 In the instances as mentioned at a, b and c above, Pollution Index may be used as a basis to levy the Environmental Compensation. CPCB has published guidelines for categorization of industries into Red, Orange, Green and White based on concept of Pollution Index (PI). The Pollution Index is arrived after considering quantity & quality of emissions/ effluents generated, types of hazardous wastes generated and consumption of resources. Pollution Index of an industrial sector is a numerical number in the range of 0 to 100 and can be represented as follows:

$$PI = f(\text{Water Pollution Score, Air Pollution Score \& HW Generation Score})$$

Pollution Index is a number from 0 to 100 and increasing value of PI denotes the increasing degree of pollution hazard from the industrial sector.

CPCB has issued directions to all SPCBs/PCCs on 07.03.2016 to adopt the methodology and follow guidelines prepared by CPCB for categorization of industrial sectors into Red, Orange, Green and White.

The concept of Pollution Index, which was deliberated widely with all stakeholders and agreed, shall be used for calculating Environmental Compensation. This may help in implementation of such provision throughout the country, a successful initiative in vital field of industrial pollution control.

After considering various factors including the policy implementation issues, Committee has come up with following formula for levying the Environmental Compensation in instances as

mentioned at a, b and c including non-compliance of the environmental standards / violation of directions.

The Environmental Compensation shall be based on the following formula:

$$EC = PI \times N \times R \times S \times LF$$

Where,

- EC is Environmental Compensation in ₹
- PI = Pollution Index of Industrial sector
- N = Number of days of violation took place
- R = A factor in Rupees (₹) for EC
- S = Factor for scale of operation
- LF = Location factor

The formula incorporates the anticipated severity of environmental pollution in terms of Pollution Index, duration of violation in terms of number of days, scale of operation in terms of micro & small/medium/large industry and location in terms of proximity to the large habitations.

Note:

- a. The industrial sectors have been categorized into Red, Orange and Green, based on their Pollution Index in the range of 60 to 100, 41 to 59 and 21 to 40, respectively. It was suggested that the average pollution index of 80, 50 and 30 may be taken for calculating the Environmental Compensation for Red, Orange and Green categories of industries, respectively.
- b. N, number of days for which violation took place is the period between the day of violation observed/due date of direction's compliance and the day of compliance verified by CPCB/SPCB/PCC.
- c. R is a factor in Rupees, which may be a minimum of 100 and maximum of 500. It is suggested to consider R as 250, as the Environmental Compensation in cases of violation.
- d. S could be based on small/medium/large industry categorization, which may be 0.5 for micro or small, 1.0 for medium and 1.5 for large units.
- e. LF, could be based on population of the city/town and location of the industrial unit. For the industrial unit located within municipal boundary or up to 10 km distance from the municipal boundary of the city/town, following factors (LF) may be used:

Table No. 1.1: Location Factor Values

S. No.	Population* (million)	Location Factor* (LF)
1	1 to <5	1.25
2	5 to <10	1.5
3	10 and above	2.0

* Calculation of the city/town as per the 1991 Census of India
 LF will be 1.0 in case unit is located within municipal boundary
 LF is presumed as 1 for city/town having population less than one million

For notified Ecologically Sensitive areas, for beginning, LF may be assumed as 2.0. However, for critically Polluted Areas, LF may be explored in future.

- f. In any case, minimum Environmental Compensation shall be ₹ 5000/day.
- e. In order to include deterrent effect for repeated violations, EC may be increased on exponential basis, i.e. by 2, 4, 8, 16.... times on each similar violation.

A sample calculation for Environmental Compensation is given at Table No. 1.2. It can be noticed that for all instances, EC for Red, Orange and Green category of Industries varies from 3,750 to 60,000 ₹/day.

Table No. 1.2: A sample calculation for Environmental Compensation

Industrial Category	Red	Orange	Green
Pollution Index (PI)	60-100	41-59	21-40
Average PI	80	50	30
LF Factor	250		
S-Factor	0.5-1.5		
M-Factor	1.00-2.00		
Deterrent Factor	on exponential basis, i.e. by 2, 4, 8, 16.... times		
Environmental Compensation (₹/day)	10,000-50,000	6,250-37,500	5,000-22,500

1.3.2 In other instances i.e. *d, e and f*, the environmental compensation may contain two parts – one requires providing immediate relief and other long-term measures such as remediation. In all these cases, detailed investigations are required from expert institutions/organizations based on which environmental compensation will be decided. CPCB shall list the expert institutions for this purpose.

In such cases, comprehensive plan for remediation of environmental pollution may be prepared and executed under the supervision of a committee with representatives of SPCB, CPCB and expert institutions/organizations.

1.4 Action Plan for Utilization of Environmental Compensation Fund

The Committee discussed about the utilization of funds, which will be received by imposing Environmental Compensation. The following Action Plan is proposed to utilize the fund for protection of the environment.

1.4.1. *When Environmental Compensation is calculated through the Pollution Index:*

The amount received by imposing the Environmental Compensation to the industries / organization non-complying with the environmental standards / violating any CPCB's directions shall be deposited in a separate bank account. The amount accumulated will be utilized for Protection of Environment. The following schemes were identified, which may be considered for utilization of Environmental Compensation Fund:

- a. Industrial Inspections for compliance verification
- b. Installation of Continuous water quality monitoring stations / Continuous ambient air quality monitoring stations for strengthening of existing monitoring network
- c. Preparation of Comprehensive Industry Documents on Industrial Sectors / clean technology
- d. Investigations of environmental damages, preparation of DPRs
- e. Remediation of contaminated sites
- f. Infrastructure augmentation of Urban Local Bodies (ULBs) /capacity building of SPCBs/PCCs

The above proposed list may include other schemes also, depending upon the requirement.

Considering the availability of accumulated funds, CPCB will finalize the scheme, keeping in mind the priority, to utilize the funds of Environmental Compensation.

1.4.2. *When Environmental Compensation is assessed based on actual damage to the environment by Expert Organization/ Agency:*

The amount of Environmental Compensation under this case will be remediation costs, measures requiring immediate and short-term actions, compensation towards loss of ecology, etc., and will be utilized exclusively for the purpose at specific site, based on the detailed investigations by the Expert Organizations/ agencies.

1.5 Recommendations

The Committee made following recommendations:

- 1.5.1 To begin with, Environmental Compensation may be levied by CPCB only when CPCB has issued the directions under the Environment (Protection) Act, 1986. In case of a, b and c, Environmental Compensation may be calculated based on the formula " $EC = PI \times N \times R \times S \times LF$ ", wherein, PI may be taken as 80, 50 and 30 for red, orange and green category of industries, respectively,

and R may be taken as 250. S and LR may be taken as prescribed in the preceding paragraphs.

2.5.2 In case of d, e and f, the Environmental Compensation may be levied based on the detailed investigations by Expert Institutions/Organizations.

Chapter-II: Environmental Compensation to be levied on all violations of Graded Response Action Plan (GRAP) in Delhi-NCR.

2.1 Amount for Environmental Compensation

The CPCB in-house Committee also discussed that the EC shall also be levied on all violations of Graded Response Action Plan (GRAP) in Delhi NCR. The implementing agencies for each activity have been identified and the EC will be levied on these agencies. These violations attract graded amounts of EC depending on the state of ambient air quality, which is given in table below:

Table No. 2.1: Environmental Compensation to be levied on all violations of Graded Response Action Plan (GRAP) in Delhi-NCR.

Activity	State Of Air Quality	Environmental Compensation (₹)
Industrial Emissions	Severe +/Emergency	Rs 1.0 Crore
	Severe	Rs 50 Lakh
	Very Poor	Rs 25 Lakh
	Moderate to Poor	Rs 10 Lakh
Vapour Recovery System (VRS) at Outlets of Oil Companies		
i. Not installed	Target Date	Rs 1.0 Crore
ii. Non-functional	Very poor to Severe +	Rs 50.0 Lakh
	Moderate to Poor	Rs 25.0 Lakh
Construction sites (Offending plot more than 20,000 Sq.m.)	Severe +,Emergency	Rs 1.0 Crore
	Severe	Rs 50 Lakh
	Very Poor	Rs 25 Lakh
	Moderate to Poor	Rs 10 Lakh
Solid waste/ garbage dumping in Industrial Estates	Very poor to Severe +	Rs 25.0 Lakh
	Moderate to Poor	Rs 10.0 Lakh
Failure to water sprinkling on unpaved roads		
a) Hot-spots	Very poor to Severe +	Rs 25.0 Lakh
b) Other than Hot-spots	Very poor to Severe +	Rs 10.0 Lakh

2.2 Action Plan for Utilization of Environmental Compensation Fund

EC levied on all violations of Graded Response Action Plan (GRAP) in Delhi NCR will be deposited in the same fund and will be utilized in the same manner as mentioned in para 1.4.1 of Chapter-I of this report.

Chapter-III: Environmental Compensation to be levied in case of failure of preventing the pollutants being discharged in water bodies and failure to implement waste management rules

3.1 Background

The Hon'ble NGT in its order dated 06.12.2018 (Annexure-III) in the matter of Court of its own motion v/s State of Karnataka (Original Application No. 125/2017 and M.A. No. 1337/2018) has given following directions:

"Since failure of preventing the pollutants being discharged in water bodies (including lakes) and failure to implement solid and other waste management rules are too frequent and widespread, the CPCB must lay down specific guidelines to deal with the same, throughout India, including the scale of compensation to be recovered from different individuals/authorities, in addition to or as alternative to prosecution. The scale may have slabs, depending on extent of pollution caused, economic viability, etc. Deterrent effect for repeated wrongs may also be provided."

3.2 Ideology of Environmental Compensation Formula

In compliance of the directions of the Hon'ble Tribunal, the Committee deliberated on the issue of environmental compensation to be recovered from individuals/authorities in case of failure of preventing the pollutants being discharged in water bodies and failure to implement solid and other waste management rules. The Committee has suggested that environmental compensation in these cases should be comprised of two components i.e.

1. Cost saved/benefits achieved by the concerned individual/authority by not having proper waste/sewage management system; and
2. Cost to the environment (environmental externality) due to untreated/partially treated waste/sewage because of insufficient capacity of waste/sewage management/treatment facility.

Cost saved/benefits achieved by not having proper waste/sewage management system includes the interest on capital cost of the waste/sewage management facility and daily operation and maintenance (O&M) cost associated with the facility.

The Committee suggested that annual interest rate as 10% on loan amount, borrowed by concerned individual/authority for setting-up waste/sewage management facility, may be assumed as Capital Cost Factor for calculation of environment compensation. Further, as whole O&M cost is saved by concerned individual/authority for not managing required waste/sewage management system, 100% of the O&M cost saved may be considered as O&M cost factor.

Therefore, generalized formula for Environmental Compensation may be described as:

$$EC = \text{Capital Cost Factor} \times \text{Marginal Average Capital Cost for Establishment of Waste or Sewage Management or Treatment Facility} \times (\text{Waste or Sewage Management or Treatment Capacity Gap})$$

+ O&M Cost Factor x Marginal Average O&M Cost x (Waste or Sewage Management or Treatment Capacity Gap) x No. of Days for which facility was not available + Environmental Externality

Cost to the environment due to untreated/partially treated waste/sewage discharge by concerned individual/authority may be assumed as recommended by the committee, which is mentioned below:

Table No. 3.1: Environmental externality for untreated/partially treated sewage discharge

Sewage Treatment Capacity Gap (MLD)	Marginal Cost of Environmental Externality (Rs. per MLD/day)	Minimum and Maximum value of Environmental Externality recommended by the Committee (Lacs Rs. Per Day)
Up to 200	75	Min. 0.05 Max. 0.10
201-500	85	Min. 0.25 Max. 0.35
501 and above	90	Min. 0.60 Max. 0.80

Table No. 3.2: Environmental externality for improper municipal solid waste management

Municipal Solid Waste Management Capacity Gap (TPD)	Marginal Cost of Environmental Externality (Rs. per ton per day)	Minimum and Maximum value of Environmental Externality recommended by the Committee (Lacs Rs. Per Day)
Up to 200	15	Min. 0.01 Max. 0.05
201-500	30	Min. 0.10 Max. 0.15
501-1000	35	Min. 0.25 Max. 0.35
1001-2000	40	Min. 0.50 Max. 0.60
Above 2000		Max. 0.80

The Committee further decided to fix a cap for minimum and maximum cost for capital and O&M component for Environmental Compensation, which are given in below tables:

Table No. 3.3: Minimum and Maximum EC to be levied for untreated/partially treated sewage discharge

Class of the City/Town	Mega-City	Million-plus City	Class-I City/Town and others
Minimum and Maximum values of EC (Total Capital Cost Component) recommended by the Committee (Lacs Rs.)	Min. 2000 Max. 20000	Min. 1000 Max. 10000	Min. 100 Max. 1000

Minimum and Maximum values of EC (O&M Cost Component) recommended by the Committee (Lacs Rs./day)	Min. 2 Max. 20	Min. 1 Max. 10	Min. 0.5 Max. 5
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Table No. 3.4: Minimum and Maximum EC to be levied for improper municipal solid waste management

Class of the City/Town	Mega-City	Million-plus City	Class-I City/Town and others
Minimum and Maximum values of EC (Capital Cost Component) recommended by the Committee (Lacs Rs.)	Min. 1000 Max. 10000	Min. 500 Max. 5000	Min. 100 Max. 1000
Minimum and Maximum values of EC (O&M Cost Component) recommended by the Committee (Lacs Rs./day)	Min. 1.0 Max. 10.0	Min. 0.5 Max. 5.0	Min. 0.1 Max. 1.0

The application of formula for calculation of EC may be further understood with the example of two typical cases.

3.3 Environment Compensation for Discharge of Untreated/Partially Treated Sewage by Concerned Individual/Authority:

BIS IS-1172:1993 suggests that for communities with population above 100,000, minimum of 150 to 200 lpcd of water demand is to be supplied. Further, 85% of return rate (CPHEEO Manual on Sewerage and Sewage Treatment Systems, 2013), may be considered for calculation of total sewage generation in a city. CPCB Report on "Performance evaluation of sewage treatment plants under NRCD, 2013", describes that the capital cost for 1 MLD STP ranges from 0.63 Cr. to 3 Cr. and O&M cost is around Rs. 30,000 per month. After detail deliberations, the Committee suggested to assume capital cost for STPs as Rs. 1.75 Cr./MLD (marginal average cost). Further, expected cost for conveyance system is assumed as Rs. 5.55 Cr./MLD (marginal average cost) and annual O&M cost as 10% of the combined capital cost. Population of the city may be taken as per the latest Census of India. Based on these assumptions, Environmental Compensation to be levied on concerned ULB may be calculated with the following formula:

$$EC = \text{Capital Cost Factor} \times (\text{Marginal Average Capital Cost for Treatment Facility} \times (\text{Total Generation} - \text{Installed Capacity}) + \text{Marginal Average Capital Cost for Conveyance Facility} \times (\text{Total Generation} - \text{Operational Capacity})) + \text{O\&M Cost Factor} \times \text{Marginal Average O\&M Cost} \times (\text{Total Generation} - \text{Operational Capacity}) \times \text{No. of Days for which facility was not available} + \text{Environmental Externality} \times \text{No. of Days for which facility was not available}$$

Alternatively:

$$EC \text{ (Lacs Rs.)} = [17.5(\text{Total Sewage Generation} - \text{Installed Treatment Capacity}) + 55.5(\text{Total Sewage Generation} - \text{Operational Capacity})] + 0.2(\text{Sewage Generation} - \text{Operational Capacity})$$

Capacity) x N = Marginal Cost of Environmental Externality x (Total Sewage Generation - Operational Capacity) x N

Where;

N= Number of days from the date of direction of CPCB/SPCB/PCC till the required capacity systems are provided by the concerned authority

Note: In order to include deterrent effect for continuous violations, component of CEM in EC formula may be increased on exponential basis by 2, 4, 8, 16... times on every six-months, beyond the time prescribed by authority for ensuring complete treatment of sewage of the city/town.

Table No. 3.5: Sample calculation for EC to be levied for discharge of untreated/partial treated Sewage

City	Delhi	Agra	Gurugram	Ambala
Population (2011)	1,68,49,831	17,60,285	8,76,969	5,00,774
Class	Mega-City	Million-plus City	Class-I Town	Class-I Town
Sewage Generation (MLD) (as per the latest data available with CPCB)	4195	381	486	37
Installed Treatment Capacity (MLD) (as per the latest data available with CPCB)	2500	220	404	43.5
Operational Capacity (MLD) (as per the latest data available with CPCB)	1900	140	300	24.5
Treatment Capacity Gap (MLD)	2295	241	186	12.5
Calculated EC (capital cost component for STPs) in Lacs Rs.	29662.50	2817.50	1435.00	0.00
Calculated EC (capital cost component for Conveyance System) in Lacs. Rs.	127372.50	13375.50	10323.00	693.75
Calculated EC (Total capital cost component) in Lacs Rs.	157035.00	16193.00	11758.00	693.75
Minimum and Maximum values of EC (Total Capital Cost Component) recommended by the Committee (Lacs Rs.)	Min. 2000 Max. 20000	Min. 1000 Max. 10000	Min. 100 Max. 1000	Min. 100 Max. 1000
Final EC (Total Capital Cost Component) in Lacs Rs.	20000.00	10000.00	1000.00	693.75
Calculated EC (O&M Component in Lacs Rs./day)	459.00	48.20	37.20	2.50
Minimum and Maximum values of EC (O&M Cost Component) recommended by the Committee (Lacs Rs./day)	Min. 2 Max. 20	Min. 1 Max. 10	Min. 0.5 Max. 5	Min. 0.5 Max. 5
Final EC (O&M Component) in Lacs Rs./Day	20.00	10.00	5.00	2.50
Calculated Environmental Externality (Lacs Rs. Per Day)	2.0555	0.2049	0.1395	0.0094
Minimum and Maximum value of Environmental Externality recommended by the Committee (Lacs Rs. Per Day)	Min. 0.60 Max. 0.80	Min. 0.25 Max. 0.35	Min. 0.05 Max. 0.10	Min. 0.05 Max. 0.10
Final Environmental Externality (Lacs Rs. Per day)	0.80	0.25	0.10	0.05

3.4 Environment Compensation to be Levied on Concerned Individual/Authority for Improper Solid Waste Management:

It is known that estimated MSW generation is approximately 1.5 lakh MT/Day in India (MoHUA Report-2016). As per the principles of SWM Rules, 2016 and PWM Rules 2016, as amended in 2016, the total cost of Municipal Solid Waste management in a city/town includes cost for door to door collection, cost of segregation at source, cost for transportation in segregated manner, cost for processing of MSW and disposal through facility like composting, biomethanation, recycling, co-processing in cement kilns etc.

In view of above, it is estimated that the total cost of processing and treatment of MSW for a city having population size of 1 lakh and generating approximately 50 tons/day of MSW is Rs.15.5 Crores, including capital cost (one time) and O & M cost for one year. The expenditure for subsequent years would be only Rs. 3.5 crores/annum.

CPCB sponsored a survey to ascertain the status of municipal solid waste disposal in 59 cities/towns of India. The survey was conducted by the Environment Protection Training Research Institute (EPTRI), Hyderabad. As per the survey, it is estimated that solid waste generated in small, medium and large cities and towns is about 0.1 kg (Class-III), 0.3-0.4 kg (Class-II) and 0.5 kg (Class-I) per capita per day respectively. The committee opined that 0.5 kg/day, 0.4 kg/day and 0.3 kg/day per capita waste generation may be assumed for mega-cities, million-plus UAs/towns and Class-I UA/Towns respectively for calculation of environmental compensation purposes. Based on these assumptions, Environmental Compensation to be levied on concerned ULB may be calculated with the following formula:

$$EC = \text{Capital Cost Factor} \times \text{Marginal Average Cost for Waste Management} \times (\text{Per day waste generation} - \text{Per day waste disposed as per the Rules}) + \text{O\&M Cost Factor} \times \text{Marginal Average O\&M Cost} \times (\text{Per day waste generation} - \text{Per day waste disposed as per the Rules}) \times (\text{Number of days violation took place} + \text{Environmental Externality}) \times N$$

Where;

Waste Quantity in tons per day (TPD)

N= Number of days from the date of direction of CPCB/SPCB/PCC till the required capacity systems are provided by the concerned authority

Simplifying;

$$EC \text{ (Lacs Rs.)} = 2.4(\text{Waste Generation} - \text{Waste Disposed as per the Rules}) + 0.02(\text{Waste Generation} - \text{Waste Disposed as per the Rules}) \times N + \text{Marginal Cost of Environmental Externality} \times (\text{Waste Generation} - \text{Waste Disposed as per the Rules}) \times N$$

Table No. 3.6: Sample calculation for EC to be levied for improper management of Municipal Solid Waste

City	Delhi	Agra	Gurgaon	Ambala
Population (2011)	1,63,49,931	17,60,265	8,78,969	5,00,771
Class	Mega-City	Million-plus City	Class-I Town	Class-I Town
Waste Generation (kg. per person per day)	0.6	0.4	0.3	0.3
Waste Generation (TPD)	9809.90	704.11	263.09	150.23
Waste Disposal as per Rules (TPD) (assumed as 25% of waste generation for sample calculation)	2452.47	176.03	65.77	37.56
Waste Management Capacity Gap (TPD)	7357.42	528.09	197.32	112.67
Calculated EC (capital cost component) in Lacs. Rs.	17657.82	1267.41	473.56	270.42
Minimum and Maximum values of EC (Capital Cost Component) recommended by the Committee (Lacs Rs.)	Min. 1000 Max. 10000	Min. 500 Max. 5000	Min. 100 Max. 1000	Min. 100 Max. 1000
Final EC (capital cost component) in Lacs. Rs.	10000.00	1267.41	473.56	270.42
Calculated EC (O&M Component) in Lacs. Rs./Day	147.15	10.56	3.95	2.25
Minimum and Maximum values of EC (O&M Cost Component) recommended by the Committee (Lacs Rs./Day)	Min. 1.0 Max. 10.0	Min. 0.5 Max. 5.0	Min. 0.1 Max. 1.0	Min. 0.1 Max. 1.0
Final EC (O&M Component) in Lacs. Rs./Day	10.00	5.00	1.00	1.00
Calculated Environmental Externality (Lacs Rs. Per Day)	2.58	0.18	0.03	0.02
Minimum and Maximum value of Environmental Externality recommended by the Committee (Lacs Rs. per day)	Max. 0.20	Min. 0.25 Max. 0.35	Min. 0.01 Max. 0.05	Min. 0.01 Max. 0.05
Final Environmental Externality (Lacs Rs. per day)	0.30	0.25	0.03	0.02

3.3 Action Plan for Utilization of Environmental Compensation Fund

levied in case of failure of preventing the pollutants being discharged in water bodies and failure to implement waste management rules will be deposited in the same fund and will be utilized in the same manner as mentioned in para 1.4.1 of Chapter-I of this report.

3.4 Recommendations

1. The Committee recommended that to begin with, Environmental Compensation to be recovered from individuals/authorities in case of failure of preventing the pollutants being discharged in water bodies and failure to implement solid waste management rules may be calculated with the methodology described in the report.
2. If mixing of Bio-medical Waste and Hazardous Waste is found in Municipal Solid Waste than capital cost component of EC may be increased by a multiplication factor of 1.1 in case of Bio-medical Waste and by a multiplication factor of 1.25 in case of Hazardous Waste.
3. In order to include deterrent effect for repeated violations, component of O&M in EC formula may be increased on exponential basis by 2, 4, 8, 16... times on every six-months, beyond the time prescribed by authority for ensuring complete treatment of sewage/waste of the city/town.

Annexure-I

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Original Application No. 898/2017
[W.P. (C) No. 271/2017]

In the matter of

Veryvaten Suiabaha Samiti & Anr.
Vs.
Union of India & Ors.

BEFORE: HONBLE MR. JUSTICE ADAASH KUMAR GOEL, CHAIRPERSON
HONBLE DR. JUSTICE JAWAD RAHIM, JUDICIAL MEMBER
HONBLE MR. JUSTICE S.P. WANGDE, JUDICIAL MEMBER
HONBLE DR. NAGIN HANDA, EXPERT MEMBER

Present: Applicant
Amicus Curiae
Respondent/For

Mr. Rohit Prapopai, Applicant in person
Mr. Anil K. Tandon, A.P.
Mr. Nitish Raju & Company Adv. for State of
Kerala
Mr. Tarunvir Singh Khehar, Mr. Ganesht Khehar
Mr. Sandeep Mishra Adv. for OPCC
Mr. Anil Bhargava & Company, Secy and
Mr. Ananya Bardhan, AGM for State of
Arunachal Pradesh
Mr. Jeay Searis, Mr. Rama Vignia, Adv. for
Kerala State Pollution Control Board
Mr. Ajit Nay, Adv. for Assam Pollution Control
Board
Mr. Lelebangthem Roshanli & Co., Maibam
Kakha, Adv. for State of Manipur
Mr. Nishant Nayyar, Mr. Dharmajyoti Bajaj, Adv.
for APCC and TSPCB
Mr. Sandeep Verma, Adv.
Mr. Tarunvir Singh Khehar, Adv., Mr. Sandeep
Mishra and Mr. Ganesht Khehar, Adv.
Mr. Dinesh Jindal, LO for DPCC
Mr. Aruna Mathur, Mr. Anvesh Anandham, Mr.
Shrawan Jeev and Ms. Anurida Anandham, Adv.
for State of Himachal
Mr. Raja Chatterjee, Mr. Piyush Chatterjee, Mr.
Abhishek Yadav, Adv. and Amicus for State of
WB
Mr. Edward Sether, AAG, Mr. K. Lakshank Mishra
& Mr. Rajesh Chandra, Adv. for State of
Haryana
Mr. Eshwar Bera, Adv. for State of Nagaland
and Pollution Control Board
Mr. H. Palaniyandi and Mr. A.K. Panda, Adv. for
SPCB, Odisha
Mr. Dhruv Pat, Adv. for State of Gujarat
Mr. V.K. Shukla, Adv. for State of MP
Mr. Jayesh Bhatnagar, Adv. for H-7
Mr. Jayaram Momo Singh, Adv. for Meghalaya
Pollution Control Board
Mr. Shikhar Chandra and Mr. Kishore Kumar
Sharma, Adv.
Mr. Goutam Singh and Mr. Shreshth Alam, Adv.
for State of Bihar
Ms. Apurva Mukherjee, Adv.
Ms. G. Jadhav, Adv. for UT of Andaman &
Nicobar
Mr. Balendu Chakkar, Mr. Brianak Prakash and
Mr. Rajkumar Nayyar, Adv. for Ministry of
Environment, Forest and Climate Change
Ms. Rishi Katar, Adv. for SDMC & NDMC
Mr. Anil Grover, AIG, Mr. Rahul Khurana and
Mr. Michael Vaj, Adv. for State of Haryana and
HSTCC

Ms. Yogmaya Agnihotri, Adv. and Ms. Frity, Adv. for CECS
 Ms. Sakshi Pooji, Adv. for Ministry of Environment, Forest and Climate Change
 Mr. Shuvoddeep Nay, Adv. and Mr. Rinaul Dharma, Adv. for State of Tripura and Tripura Pollution Control Board
 Mr. Shashank Bajpai and Mr. Shikun S. Shukla, Adv. for State of Odisha
 Ms. Asha Nayir Basu and Ms. Archita Ghosh Mandal, Adv.
 Ms. Piyankin Sinha, Adv. for State of Jharkhand
 Mr. Rajul Shrivastav, Adv. for MPPCB
 Mr. Pradeep Mishra and Mr. Daleep Dhyani Adv. for UPPCB
 Mr. R. Rakesh Sharma and Mr. V. Mowli, Adv. for State of TN & TNPCB
 Mr. Shubham Bhalla, Adv.
 Mr. Shiv Mangal Sharma, AAO, Mr. Saurabh Rajpal, Mr. Arhish Singh, Mr. Satish Handhu and Mr. Vikramjeet Singh, Adv. for State of Rajasthan and Pollution Control Board
 Mr. G. M. Kawoosa, Adv. for State of J & K
 Ms. Divya Prakash Pandu, Adv. For HPSPCB
 Mr. Manish Kumar, Adv.

Date and Remarks	Orders of the Tribunal
Item No. 12 August 03, 2018	<p>1. This matter was taken by this Tribunal in furtherance to the orders of the Hon'ble Supreme Court dated 22.02.2017 <i>Paryavaran Suraksha Samiti Vs Union of India</i> (2017) 5 SCC 326, establishment and functioning of ETPs/CETP/STPs.</p> <p>2. Vide order dated 25.05.2017, Notice was issued to Central Pollution Control Board and all the States Pollution Control Boards/Committees and the Ministry of Environment, Forest and Climate Change. They were directed to file status-compliance report in terms of the orders of the Hon'ble Supreme Court. Accordingly, various status reports have been filed. An affidavit has been filed by the Ministry of Environment, Forest and Climate Change dated 06th July, 2017 stating as follows:</p> <p>"4. That the answering Respondent is engaged in policy formulation, prescribing standards and its implementation through the Central Pollution Control Board (CPCB), State Pollution Control Boards (SPCBs) and Pollution Control Committees (PCCs) for UTs. This Ministry has written to all SPCBs and PCCs as well as to CPCB to ensure compliance of the judgment of the Hon'ble Supreme Court and to submit detailed compliance report.</p>

Item No.
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5. That the CPCB has also followed up with all SPCBs and PCCs through letters and review meetings to ensure compliance of the aforementioned judgment and that the matter was also discussed in the 62nd Conference of the Chairmen and Member Secretaries of SPCBs and PCCs held on 27.06.2017. That 26 SPCBs/PCCs have submitted the compliance report, which has been summarized at Annexure-I.

6. That the CPCB has also carried out inspections of 17 categories of industries to verify compliance with its directions issued on online effluent/emission monitoring system and to cross-verify online results with manual sampling. During February-June, 2017, 64 industries were inspected and directions under section 5 of the Environment (Protection) Act, 1986 have been issued to 2nd non-complying industries; 18 industries were complying; 8 were found closed and inspection reports of 14 industries are under process.

7. That the CPCB with NMCG through 11 technical institutions, inspected 751 industries located in the River Ganga basin area during March-April, 2017 to verify the status of installation and connectivity of industries discharging effluents as well as their compliance with the standards. Closure directions have been issued to 154 industries; show cause notices issued to 36 industries; 149 industries were found complying and direction issued to 91 self-declared Grossly Polluting Industries (GPI) to remain closed; 23 GPI units were found closed as per directions; 38 GPI units found operational in violation of closure directions and inspection reports of 490 industries are under process.

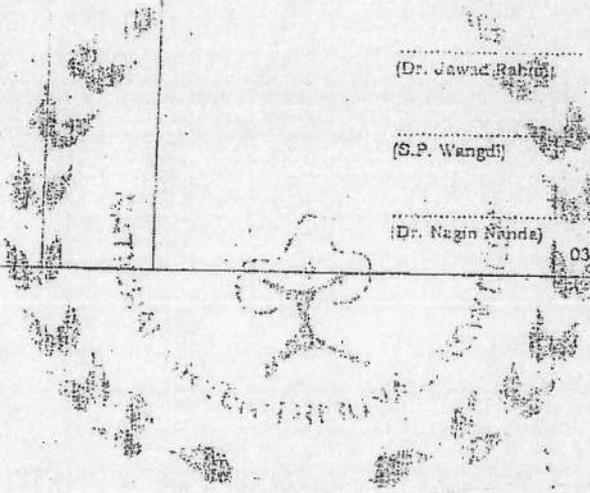
8. We have heard learned Amicus Curiae Sh. Jai A. Dehadrai and the learned counsel for Ministry of Environment, Forest and Climate Change, Central Pollution Control Board, various State Pollution Control Boards and the Pollution Control Committees.

9. Learned Amicus Curiae has drawn our attention to orders dated 04.07.2017, 18.09.2017 and 11.10.2017 of the Tribunal directing the State Pollution Control Boards to file a statement as to how many Industrial Units discharging trade effluents or causing emissions exist in the State, how many are having their own STPs, ETPs and/or connected to Common Effluent Treatment Plant

<p>Item No. 12</p> <p>August 03, 2018 A</p>	<p>(CETP), whether any such CESP or ETP or STP is properly functioning and treating the effluents as per prescribed limits or not.</p> <p>5. Learned Amicus Curiae submitted that contamination of water due to industrial effluents can lead to various diseases and adverse consequences on the aquatic organism due to decreased level of oxygen. The use of technology can help reduction of adverse consequences. However, the best solution is to prevent pollution by soil conservation and proper disposal of toxics and chemicals which may include chemical recycling.</p> <p>6. Having monitored the matter for the last more than one year on several dates, we are of the view that the matter requires continuous monitoring by statutory authorities as per directions which we proceeded to issue today.</p> <p>(i) We direct the Central Pollution Control Board (CPCB) to forthwith prepare an action plan after looking into all the status reports. The action plans must have mechanism to ensure compliance of all the directions in the order of the Hon'ble Supreme Court. To enable this to be done, a Nodal officer must be identified to deal with the issue of CETPs/ETPs/STPs.</p> <p>(ii) A representative of the Ministry of Environment, Forest and Climate Change may be associated with the Nodal Officer of the CETP for monitoring. The Monitoring by the said two officers- the representative of the MoEF and the Nodal Officer of the CPCB must be held at least once in a month and on the basis of such meeting and the feedback taken further follow up action must be taken and</p>
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	<p>Item No. 12 August 03, 2018 A</p>	<p>appropriate directions issued. This process may be a continuous process.</p> <p>(ii) It must be ensured that STPs, CETPs and ETPs are functional and meet the requisite standards.</p> <p>(iii) There is already a direction in the above judgment under which 50% of the funds for the purpose are to be provided by the Central Government, 25% by the States and remaining 25% to be arranged by way of loans which is to be re-paid by the user industries. Local bodies and the States have duties as clearly stipulated in the judgment. There has to be online monitoring system by each State to display emission levels in public domain in terms of paragraph 17 of the order of the Hon'ble Supreme Court.</p> <p>(iv) A report of the steps taken may be placed on the website of the Central Pollution Control Board at least once in three months. Deficiencies if any may also be so displayed.</p> <p>(v) The Central Pollution Control Board may take penal action for failure, if any, against those accountable for setting up and maintaining STPs, CETPs and ETPs. Central Pollution Control Board may also assess and recover compensation for damage to the environment and the said fund be kept in a separate account and utilized in terms of an action plan for protection of the environment. Such action plan may be prepared by the Central Pollution Control Board within three months from today.</p> <p>(vi) A compliance report in terms of the above order may be furnished to this Tribunal within four months from today by e-mail at filing.ngt@gmail.com.</p>
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<p>Item No. 12 August 03, 2018 A</p>	<p>(7) Proceedings are disposed of. However, the report received from the Central Pollution Control Board may be placed for consideration before this Tribunal on 04.09.2018. We place on record our appreciation for the services rendered by the learned Amicus Curiae.</p>
	<p>..... CP (Adarsh Kumar Goel)</p>
	<p>..... JM (Dr. Jawad Rahim)</p>
	<p>..... JM (S.P. Wangdi)</p>
	<p>..... EM (Dr. Nagin Nanda)</p>
	<p>03.03.2018</p>



Comments Received from Various RDs on Draft Report for Environmental Compensation

S. No.	Item	RD Kolkata	RD Vadodra	RD Bangalore	RD Lucknow	Committee Definition
1	Case a, b & c 1.1 1.2 1.3 1.4 1.5 1.6 1.7 1.8 1.9 1.10 1.11 1.12 1.13 1.14 1.15 1.16 1.17 1.18 1.19 1.20 1.21 1.22 1.23 1.24 1.25 1.26 1.27 1.28 1.29 1.30 1.31 1.32 1.33 1.34 1.35 1.36 1.37 1.38 1.39 1.40 1.41 1.42 1.43 1.44 1.45 1.46 1.47 1.48 1.49 1.50 1.51 1.52 1.53 1.54 1.55 1.56 1.57 1.58 1.59 1.60 1.61 1.62 1.63 1.64 1.65 1.66 1.67 1.68 1.69 1.70 1.71 1.72 1.73 1.74 1.75 1.76 1.77 1.78 1.79 1.80 1.81 1.82 1.83 1.84 1.85 1.86 1.87 1.88 1.89 1.90 1.91 1.92 1.93 1.94 1.95 1.96 1.97 1.98 1.99 2.00 2.01 2.02 2.03 2.04 2.05 2.06 2.07 2.08 2.09 2.10 2.11 2.12 2.13 2.14 2.15 2.16 2.17 2.18 2.19 2.20 2.21 2.22 2.23 2.24 2.25 2.26 2.27 2.28 2.29 2.30 2.31 2.32 2.33 2.34 2.35 2.36 2.37 2.38 2.39 2.40 2.41 2.42 2.43 2.44 2.45 2.46 2.47 2.48 2.49 2.50 2.51 2.52 2.53 2.54 2.55 2.56 2.57 2.58 2.59 2.60 2.61 2.62 2.63 2.64 2.65 2.66 2.67 2.68 2.69 2.70 2.71 2.72 2.73 2.74 2.75 2.76 2.77 2.78 2.79 2.80 2.81 2.82 2.83 2.84 2.85 2.86 2.87 2.88 2.89 2.90 2.91 2.92 2.93 2.94 2.95 2.96 2.97 2.98 2.99 3.00 3.01 3.02 3.03 3.04 3.05 3.06 3.07 3.08 3.09 3.10 3.11 3.12 3.13 3.14 3.15 3.16 3.17 3.18 3.19 3.20 3.21 3.22 3.23 3.24 3.25 3.26 3.27 3.28 3.29 3.30 3.31 3.32 3.33 3.34 3.35 3.36 3.37 3.38 3.39 3.40 3.41 3.42 3.43 3.44 3.45 3.46 3.47 3.48 3.49 3.50 3.51 3.52 3.53 3.54 3.55 3.56 3.57 3.58 3.59 3.60 3.61 3.62 3.63 3.64 3.65 3.66 3.67 3.68 3.69 3.70 3.71 3.72 3.73 3.74 3.75 3.76 3.77 3.78 3.79 3.80 3.81 3.82 3.83 3.84 3.85 3.86 3.87 3.88 3.89 3.90 3.91 3.92 3.93 3.94 3.95 3.96 3.97 3.98 3.99 4.00 4.01 4.02 4.03 4.04 4.05 4.06 4.07 4.08 4.09 4.10 4.11 4.12 4.13 4.14 4.15 4.16 4.17 4.18 4.19 4.20 4.21 4.22 4.23 4.24 4.25 4.26 4.27 4.28 4.29 4.30 4.31 4.32 4.33 4.34 4.35 4.36 4.37 4.38 4.39 4.40 4.41 4.42 4.43 4.44 4.45 4.46 4.47 4.48 4.49 4.50 4.51 4.52 4.53 4.54 4.55 4.56 4.57 4.58 4.59 4.60 4.61 4.62 4.63 4.64 4.65 4.66 4.67 4.68 4.69 4.70 4.71 4.72 4.73 4.74 4.75 4.76 4.77 4.78 4.79 4.80 4.81 4.82 4.83 4.84 4.85 4.86 4.87 4.88 4.89 4.90 4.91 4.92 4.93 4.94 4.95 4.96 4.97 4.98 4.99 5.00 5.01 5.02 5.03 5.04 5.05 5.06 5.07 5.08 5.09 5.10 5.11 5.12 5.13 5.14 5.15 5.16 5.17 5.18 5.19 5.20 5.21 5.22 5.23 5.24 5.25 5.26 5.27 5.28 5.29 5.30 5.31 5.32 5.33 5.34 5.35 5.36 5.37 5.38 5.39 5.40 5.41 5.42 5.43 5.44 5.45 5.46 5.47 5.48 5.49 5.50 5.51 5.52 5.53 5.54 5.55 5.56 5.57 5.58 5.59 5.60 5.61 5.62 5.63 5.64 5.65 5.66 5.67 5.68 5.69 5.70 5.71 5.72 5.73 5.74 5.75 5.76 5.77 5.78 5.79 5.80 5.81 5.82 5.83 5.84 5.85 5.86 5.87 5.88 5.89 5.90 5.91 5.92 5.93 5.94 5.95 5.96 5.97 5.98 5.99 6.00 6.01 6.02 6.03 6.04 6.05 6.06 6.07 6.08 6.09 6.10 6.11 6.12 6.13 6.14 6.15 6.16 6.17 6.18 6.19 6.20 6.21 6.22 6.23 6.24 6.25 6.26 6.27 6.28 6.29 6.30 6.31 6.32 6.33 6.34 6.35 6.36 6.37 6.38 6.39 6.40 6.41 6.42 6.43 6.44 6.45 6.46 6.47 6.48 6.49 6.50 6.51 6.52 6.53 6.54 6.55 6.56 6.57 6.58 6.59 6.60 6.61 6.62 6.63 6.64 6.65 6.66 6.67 6.68 6.69 6.70 6.71 6.72 6.73 6.74 6.75 6.76 6.77 6.78 6.79 6.80 6.81 6.82 6.83 6.84 6.85 6.86 6.87 6.88 6.89 6.90 6.91 6.92 6.93 6.94 6.95 6.96 6.97 6.98 6.99 7.00 7.01 7.02 7.03 7.04 7.05 7.06 7.07 7.08 7.09 7.10 7.11 7.12 7.13 7.14 7.15 7.16 7.17 7.18 7.19 7.20 7.21 7.22 7.23 7.24 7.25 7.26 7.27 7.28 7.29 7.30 7.31 7.32 7.33 7.34 7.35 7.36 7.37 7.38 7.39 7.40 7.41 7.42 7.43 7.44 7.45 7.46 7.47 7.48 7.49 7.50 7.51 7.52 7.53 7.54 7.55 7.56 7.57 7.58 7.59 7.60 7.61 7.62 7.63 7.64 7.65 7.66 7.67 7.68 7.69 7.70 7.71 7.72 7.73 7.74 7.75 7.76 7.77 7.78 7.79 7.80 7.81 7.82 7.83 7.84 7.85 7.86 7.87 7.88 7.89 7.90 7.91 7.92 7.93 7.94 7.95 7.96 7.97 7.98 7.99 8.00 8.01 8.02 8.03 8.04 8.05 8.06 8.07 8.08 8.09 8.10 8.11 8.12 8.13 8.14 8.15 8.16 8.17 8.18 8.19 8.20 8.21 8.22 8.23 8.24 8.25 8.26 8.27 8.28 8.29 8.30 8.31 8.32 8.33 8.34 8.35 8.36 8.37 8.38 8.39 8.40 8.41 8.42 8.43 8.44 8.45 8.46 8.47 8.48 8.49 8.50 8.51 8.52 8.53 8.54 8.55 8.56 8.57 8.58 8.59 8.60 8.61 8.62 8.63 8.64 8.65 8.66 8.67 8.68 8.69 8.70 8.71 8.72 8.73 8.74 8.75 8.76 8.77 8.78 8.79 8.80 8.81 8.82 8.83 8.84 8.85 8.86 8.87 8.88 8.89 8.90 8.91 8.92 8.93 8.94 8.95 8.96 8.97 8.98 8.99 9.00 9.01 9.02 9.03 9.04 9.05 9.06 9.07 9.08 9.09 9.10 9.11 9.12 9.13 9.14 9.15 9.16 9.17 9.18 9.19 9.20 9.21 9.22 9.23 9.24 9.25 9.26 9.27 9.28 9.29 9.30 9.31 9.32 9.33 9.34 9.35 9.36 9.37 9.38 9.39 9.40 9.41 9.42 9.43 9.44 9.45 9.46 9.47 9.48 9.49 9.50 9.51 9.52 9.53 9.54 9.55 9.56 9.57 9.58 9.59 9.60 9.61 9.62 9.63 9.64 9.65 9.66 9.67 9.68 9.69 9.70 9.71 9.72 9.73 9.74 9.75 9.76 9.77 9.78 9.79 9.80 9.81 9.82 9.83 9.84 9.85 9.86 9.87 9.88 9.89 9.90 9.91 9.92 9.93 9.94 9.95 9.96 9.97 9.98 9.99 10.00	<p>RD Kolkata</p> <p>Byproduct of effluent/emission should be given special consideration.</p> <p>EC level in ROG categories of industries should be on the basis of inspection by CPCB, compliance verification and routine inspection.</p> <p>Higher rates for irreparable damages crop, soil, health etc.</p> <p>Leakages/spillage should have different compensation value.</p>	<p>RD Vadodra</p> <p>Instead of "Compensation" "Penalty" word should be used.</p> <p>In case common facilities like CETPs, factor may be introduced based on number of industries.</p> <p>Clarify the applicability of penalty in addition to closure directions for pre-located and process non-compliance.</p> <p>It should be mentioned that instances d, e & f shall be dealt for environmental compensation in line with the polluter pays principle, besides of environmental penalty for cases a, b and c.</p>	<p>RD Bangalore</p> <p>Similar to guidelines on Liabilities for Environmental Damages due to Handling & Disposal of Hazardous Waste and Penalty. Guidelines may be prepared.</p>	<p>RD Lucknow</p>	<p>Committee Definition</p> <p>The Committee should state that the words highlighted by RD Kolkata are already the part of environmental compensation. However, as mentioned by RD Vadodra, word "Penalty" may be used for case a, b and c. For CETPs, a factor may be considered in future based on the capacity of the plant.</p> <p>Suggestions made by RD Kolkata and Vadodra has already been taken care. Concept of environmental compensation is based on the principle of "polluter pay" and for grievance redressal, compensation will be charged as per the assessment of remediation cost, on case to case basis.</p> <p>Committee suggested that to make the implementation of EC simple and easy, use of average PI may be considered for calculation of EC.</p> <p>As PI is based on the pollution load, suggestion of PI are already taken care in the formula.</p> <p>L-factor may be carried in future as already decided in the report.</p>
2	Case-d, e & f					
3	Pollution Index (PI)					
4	R-factor					
5	L-factor					

S. No.	Item	RD Kolkata	RD Vadodara	RD Bengaluru	RD Lucknow	Committee Deliberations
6	Defining period of Violations for which EC will be levied		Duration of violations needs more clarity	For industry having OCEMS, no. of days may be counted based on the recorded data. Industry without OCEMS-based on break down of ETP/APCD, disturbance of power supply or any failure of auxiliary machineries w.r.t. control system.	May be clearly defined as the period between the day of violation observed and the day of compliance verified by CPCB/SPCB/PCC.	The committee agreed that period of violation for which EC may be levied will be the period between the day of violation observed and the day of compliance verified by CPCB/SPCB/PCC.
7	Repeated Violations		Some number of days may be specified after which the penalty amount may get a factor of 1.5 or 2.		Multiplying factor for repeated violations may be included. For ex. 1 st Repetition- 25% 2 nd Repetition- 50% 3 rd Repetition- 100%	For habitual offenders, higher amount of penalty/cooperation may be charged in future.
8	Utilization of fund	An environmental damage assessment cell may be created. Expertise in the field may be achieved by involving scientist/engineers and providing them training in country/abroad.	Amount should not be utilized for a) Industrial inspections for compliance verification, b) Installation of Continuous water quality monitoring stations / Continuous ambient air quality monitoring stations for strengthening of existing monitoring network, c) Preparation of Comprehensive Industry Documents on Industrial Sectors / clean technology d) Funding to financially weaker municipalities for installation of STPs The amount should be utilized solely for damage assessment, remediation of affected sites, orphan contaminated sites and creating awareness. The purpose should not get inclined towards revenue generation.			RD Vadodara suggested that amount should be utilized only for remediation purpose. However, committee discussed that the proposal for utilization of fund is prepared considering the other aspects (i.e. direct and indirect) for protection of environment, which include research, monitoring etc. Suggestion of RD Kolkata may be considered in future.

9	Others	<p>higher EC for non-installation of pollution control measures.</p> <p>Expected numbers should have different scoring methodology based on their weightage.</p>	<p>Thus, the functional fabric of CPEC still remains intact.</p>	<p>The committee discussed that CPEC is already taking appropriate action including closure direction against the industries found to be in violation of pollution control measures.</p>
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Comments Received from Various Expert Institutions on the Report on Environmental Compensation

As per the Hon'ble NGT suggestion, CPCB has invited comments of 3 expert Institution, namely, Centre for Science and Environment (CSE), Institute of Economic Growth (IEG) and The Energy Research Institute (TERI). CSE and IEG has provided their comments, however, TERI has not provided any response. The CPCB in-house committee on Environmental Compensation has deliberated on the comments and finalized the report accordingly. The Committee's deliberations are summarized in table below:

S. No.	Item	Comments of CSE	Comments of IEG	Committee's Deliberations
1	Cases 'e' and 'f'		Why cases 'e' and 'f' are left for later remediation and study?	There may be a varied damage to the environment as considered in cases 'e' and 'f'. Such damage assessment requires detailed case specific study and remediation measures. Therefore, whenever such case comes into the notice, Environmental Compensation may be levied based on the detailed investigation made by Expert Institutions/Organizations.
2	R-factor	R-factor should be Rs. 1,000/day.	Why R-factor is kept as 250, although the value ranges between 100 to 500?	In the Environmental Compensation policy, average value of the R-factor as 250 is recommended, keeping in view both its practicability as well as to make it significantly deterrent, which may be further revised in future.
3	L-factor	L-factor should be based on the population density of surroundings, instead of population of the nearby city/town. For critically polluted areas/ ecologically fragile areas LF should be considered as 2.	For nearby city, having population less than 1 million, the LF is 1. This implies that we care only for populated regions only. Industries located in critically polluted and ecologically fragile area should be closed down.	Population density for surrounding of industrial units will be complex because it will vary depending on area used in calculation of population density as industrial units are generally away from population. More weightage is given to the higher population exposure to the risk. In case the industry is located in the city or population less than one million then the LF Factor will be 1. Depending on the local environmental conditions, the restrictions on expansion and modernization of industries in critically polluted areas are imposed as per the prevailing policy of the Government of India. Similarly, industries in ecologically fragile areas are permitted after careful examination, as per prevailing policy of MoEFCC/CPCB. The Committee agree that for notified ecologically fragile areas, LF may be considered as 2. However, LF for critically polluted areas may be explored in future.

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Annexure-III

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S. No.	Item	Comments of CSF	Comments of IEG	Committee's Deliberations
4	S-factor	S-factor should be based on the turnover of the industrial unit.		Presently industrial units are classified into small, medium and large category (MISAF Act, 1986) based on the date of assets/infrastructure available with them. The data for turnover of industrial units are not available with SPCB/PCCs and S-factor based on turnover will complicate the procedure for calculation of EC. This may be considered in future when SPCB/PCCs will have such type of data.
5	Level of non-compliance	For different level of non-compliance such as gross, moderate and low, a factor for 'intensity of violation', IV-factor should be incorporated in the formula.		Pollution Index (PI) itself covers the potential of environmental pollution as its calculation considers variation in pollution load. To keep the formula simple for better implementation, the IV factor may not be considered as there are different environmental parameters such as environmental standards and for each standard calculation of level of violation and its weightage will be a tedious task, which may bring difficulty in implementation of EC concept.
6	Utilization of fund		Incentives to regulators where no violations are observed and incentives to public for reporting violations may be provided.	Such schemes may be considered separately.
7	GAAP		Size of the construction sites more than 20,000 sqm. area are considered for EC. Although, small sites cumulatively impact significantly. Illegal dumping of municipal solid waste regardless of the place should be penalized.	As per the EIA Notification, 2006, building construction projects more than 20,000 sqm. area are required to have environmental clearance, therefore, the same cut-off is maintained here. Issue of illegal dumping of municipal solid waste is being covered in separate report of EC.

Annexure-IV

Item Nos. 01 & 02

Court No. 1

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Original Application No. 125/2017
(M.A. No. 1337/2018)

With

Original Application No. 217/2017
(M.A. Nos. 761/2017, 1073/2017,
1098/2017 & 1471/2017)

Court on its own Motion	Versus	Applicant(s)
State of Karnataka		Respondent(s)
With		
D. Kupendra Reddy	Versus	Applicant(s)
State of Karnataka		Respondent(s)

Date of hearing: 06.12.2018

CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHIEF PERSON
HON'BLE MR. JUSTICE S.P. WANDI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NAIDU, EXPERT MEMBER

Original Application No. 125/2017
(M.A. No. 1337/2018)

For Applicant(s): Mr. Rajan Prasad, Sr. Advocate and Mr. Prakash Jain,
Advocate for Implored applicant - Nandini Bengaluru
Foundation
Mr. Vikram Hegde, Advocate for Implored applicant

For Respondent(s): Mr. Dewaj Ashok, Advocate
Mr. Rajkumar, Advocate and Mr. Srinan, LA
Ms. Nidhi Mehrotra, Advocate

Original Application No. 217/2017
(M.A. Nos. 761/2017, 1073/2017,
1098/2017 & 1471/2017)

For Applicant(s): Ms. Gunjet Khar, Mr. Tejovir Singh Khar, Mr.
P. Ramprakash and Mr. Sandeep Mishra, Advocates
For Respondent(s): Dr. Abhishek Aray, Advocate
Mr. Rajkumar, Advocate and Ms. Sonia, LA

ORDER

1. The issue for consideration in the two matters, one initiated by the Tribunal on its own motion and the other filed by an individual relates to contamination of water bodies at Bengaluru - Bellandur lake, Agara lake and Varthur lake in-spite, on account of discharge of untreated sewage and other effluents from

their performance should be recorded and considered necessarily or otherwise for their career progression.

xv. Similar exercise as (xiv) may be undertaken to identify officers responsible for failure in the past. Such exercise may be completed within three months from today.

xvi. Since failure of preventing the pollutants being discharged in water bodies (including lakes) and failure to implement solid and other waste management rules are too frequent and widespread, the CPCB must lay down specific guidelines to deal with the same, throughout India, including the scale of compensation to be recovered from different individuals/authorities, in addition to or as alternative to prosecution. The scale may have slabs, depending on extent of pollution caused, economic viability, etc. Deterrent effect for repeated wrongs may also be provided.

xvii. MoEF&CC may specify limit for phosphorus in soaps and detergents to prevent damage to the environment and public health.

27. The above amount in the present case has been determined having regard to the estimated cost of setting up of STPs based on the data available, which has been assessed with the assistance of the learned Counsel for the parties.

28. We have nominated Justice Santosh Hegde on information being provided during the hearing that he is agreeable to undertake the above job.

29. Justice Hegde will be entitled to a token honorarium of Rs. 2.5 Lakh per month from the date he assumes the charge. Justice Hegde will be entitled to assistance of persons of his choice for which remuneration will be paid by the SPCB, Karnataka as may be determined by Justice Hegde.

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Annexure-II

Joint Inspection report CPCB and
UEPPCB dated 11-12 June, 2019

**JOINT INSPECTION REPORT OF M/S INDIA GLYCOL LTD
(DISTILLERY AND MEG PLANT)**

M/s India Glycol Ltd. has two plants: Distillery Unit and Chemical Unit. Committee visited M/s India Glycol Ltd plants on dated 11.06.19 and 12.06.19. Distillery plant initially had two streams of treatment facility to achieve ZLD, namely (a) 240 KLD stream having MEE and incineration boiler to achieve ZLD and (b) 98 KLD stream having biogas and biocomposting to achieve ZLD. Since the Unit failed to install MEE before biocomposting therefore production from 98 KLPD stream was stopped since January 2017 by UEPPCB. On 11.06.19, Committee members visited lagoon area of the distillery plant. The existing lagoon was used to store biomethanated spent wash prior to biocomposting from 98 KLPD stream. The lagoon was disconnected and sealed by UEPPCB on 28.01.2017. Presently, the Unit is only operating its 240 KLD stream and achieving ZLD through MEE followed by incineration. The total spent wash generated from the 240 KLPD stream is 1480 KLPD having solid content of 13.7% w/w. Around 240 KLPD of the generated spent wash is biomethanated to generate biogas which is utilized in downstream production. The biomethanated spent wash having solid content of 4% is combined with the remaining raw spent wash and this mixed spent wash is subjected to evaporation in standalone MEE to concentrate the spent wash to 45% w/w solid content which is then incinerated in incineration boiler. The Unit has two SLOP Boilers each of 50 MT/Hr capacity. The captive power generated from the boilers is 15 MW, which along with balance required power of 17-20 MW purchased from UPCL, is utilized to meet the power requirement of the whole IGL complex.

At the time of inspection, sealed lagoon associated with 98 KLPD stream was filled with diluted spent wash (approximately 70,000 m³ with solid content less than 1%). The industry has been directed by CPCB on 14.03.2019 to dismantle the lagoon by utilizing diluted effluent through bio-composting by June 2021 as per action plan submitted by the Unit.

The 240 KLPD distillery unit has been issued Consent under Water Act, 1974 and Air Act, 1981, valid under Consolidated Consent & authorization upto 31.03.2023.

The Committee also visited Chemical plant. A presentation was made by industry representative regarding the process of Chemical (MEG) plant, water requirements in different processes, water balance, consent status and ETP plant. On 12.06.19, a joint team of CPCB & UEPPCB officials also visited the M/s IGL (Distillery).

[Handwritten signatures]

IGL (MEG) plant and collected samples from ETP inlet, ETP outlet and aeration tank for evaluation of ETP performance. ETP of the MEG plant was found operational. analysis of results show unit found complying with notified discharge norms. The consent under Water Act, 1974, Air Act, 1981 and Authorization under Hazardous and Other Waste (M & TM) Rules, 2016 are valid under Consolidated Consent & authorization upto 31.03.2023.

Detailed inspection report is attached below.

M/S IGL (Distillery)

Joint Inspection Report Of M/s India Glycols Ltd., A-1, Industrial Area, Bazpur Road, Kashipur-244713, Udham Singh Nagar

1.	Name and address of the factory	M/s India Glycols Ltd., (Distillery Unit) A-1, Industrial Area, Bazpur Road Kashipur-244713, Uttarakhand						
	Coordinates (Latitude & Longitude) in Decimal	Latitude - 29.102923°N Longitude - 79.001403°E						
2.	Period of visit	11 th and 12 th June 2019.						
5.	Type of Industry Sector	Distillery						
6.	Operational Status	Operational						
7.	Name of main Raw Material	Molasses						
8.	Name of Final Product (s)	Rectified spirit (RS) Extra-Neutral Alcohol (ENA)						
9.	Consented Production Capacity	240 KLPD						
10.	Production during inspection	199.7 KLPD						
11.	Status of Consents & Authorization	<table border="0"> <tr> <td>a. Consent under Water Act, 1974</td> <td rowspan="3">Valid under Consolidated Consent & authorization upto 31.03.2023.</td> </tr> <tr> <td>b. Consent under Air Act, 1986</td> </tr> <tr> <td>c. Authorization under Hazardous and Other Waste (M. & TM) Rules, 2016</td> </tr> </table> <p>Not applicable, as mentioned in CCA (dt: 20.04.2018) issued by UERPGI.</p>	a. Consent under Water Act, 1974	Valid under Consolidated Consent & authorization upto 31.03.2023.	b. Consent under Air Act, 1986	c. Authorization under Hazardous and Other Waste (M. & TM) Rules, 2016		
a. Consent under Water Act, 1974	Valid under Consolidated Consent & authorization upto 31.03.2023.							
b. Consent under Air Act, 1986								
c. Authorization under Hazardous and Other Waste (M. & TM) Rules, 2016								
12.	Permission from CGWA for abstraction of Ground Water	Obtained on 26.02.2009 & Expired on 25.02.2014. Renewal awaited. Regional Officer CGWA referred application to HO on 27.04.2018.						
13.	Water supply source	Borewell						
14.	No. of Borewells with Capacity	<ul style="list-style-type: none"> * No. of borewells - 3 * Capacity - 150 m³/hr * HP - 50 						
15.	Water consumption (including Cooling Tower)	<ul style="list-style-type: none"> * Actual fresh water consumption as reported at the time of inspection - 1876 KLPD * Detailed water balance represented below: <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Sl. No.</th> <th>Particulars</th> <th>Quantity</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Total Water consumption</td> <td>3832 KLD 64</td> </tr> </tbody> </table>	Sl. No.	Particulars	Quantity	1.	Total Water consumption	3832 KLD 64
Sl. No.	Particulars	Quantity						
1.	Total Water consumption	3832 KLD 64						

M/IGL (Distillery)

3

		Water consumption KL/KL of alcohol production (including bottling)	15.97 KL	
	2.	Water recycled for process & non process application	1959 KLD	
	3.	Water recycled KL/KL of alcohol production	8.16 KL	
	4.	Actual fresh water consumption	1876 KLD	
	5.	Water consumption KL/KL of alcohol production	7.8KL	
Source: Adequacy report prepared by VSI, Pune, 2017.				
Waste water generation.				
16.	Sl. No.	Stream/Action	Quantity (m ³ /day)	Disposal/Utilization
	1.	Spent wash generation (avg of last 3 months)	1480 with 13.07% solid	MEE
		Average spent wash generation (lit/lit of alcohol production)	7.73	
	2.	Spent lees (avg of last 3 months)	290-300	Treated & Recycled
	3.	Fermenter washing	35	Recycled
	4.	Evaporation process condensate	1073	Treated & used in CT and fermentation process.
	5.	Cooling tower & boiler blowdown	-	Ash quenching
	6.	Ash generation	66 MT/day from super heater furnace	Disposed off to cement plant
			62 MT/day from SLOP furnace	Land filling/soil conditioning
17.	Process Details:	<ul style="list-style-type: none"> • Fermentation technology - Fed batch • Distillation technology - atmospheric distillation with reboilers and advanced MPR distillation to produce RS & ENA. • Fermentation efficiency (%) - 89.74 (in 2016-17) • Distillation efficiency (%) - 98.61 (in 2016-17) • Steam is supplied for distillation & evaporation plant from the distillery incineration boilers (2 in no.) each of capacity of 50 TPH @ 45 kg/cm² 		

M/S IGE (Distillery)

[Handwritten signature] 16/11/17

		pressure. Fuel used for boiler is conc. spent wash with supplementary coal.	
18.	Description of ZLD system		
Primary effluent treatment system	Biomethanation plant Type of technology- UASB Total no. of digesters - 12 No. of operational digesters - 02 Hydraulic retention time - 32.18 days Raw spent wash feed to digester - 240 M3/day Biomethanated spent wash outlet from digester - 240 M3/day		
	Sl.No.	Parameter	Biomethanated spent wash characteristics
	1.	Solid content (%)	11-12
	2.	Colour	Dark brown
	3.	pH	3-4
	4.	COD (mg/L)	140,000-150,000
	5.	COD reduction	65-70%
	6.	BOD (mg/L)	75000-80000
		BOD reduction	85%
	7.	Volatile acids (mg/L)	2500
	8.	Biogas generation (NM3/kg of COD consumed)	0.5
9.	Biogas generation (M3/day)	9000-11,000	
19.	Secondary Effluent Treatment System	MEE technology: Standalone spent wash evaporation plant based on falling film (3+2 standby effects) and forced circulation type (2 effects) Designed feed capacity - 2160 M3/day MEE performance of May, 2019	
	Sl.No.	Parameters	Details
	1.	Feed rate	1903.8 KLPD
	2.	Solid content in feed	12.13%
	3.	Concentrate generation	458.94 KLPD
		Solid content in concentrate	45.1%

M/s GED Distillery

		Power consumption for evaporation	8395 KWH			
		Operation hour	16-19 hrs/day			
		MEE Efficiency				
		Sl. No.	Parameters	MEE feed	Conc. SW	Process condensate
		1.	pH	4.00-4.5	3.2-3.5	3.3-3.6
		2.	Colour	Dark brown	Dark brown	Colourless
		3.	Temperature		52-58°C	42-48°C
		4.	TS	11.7-13.07%	44-78-47%	0.03-0.05%
		5.	COD			2800-3000 ppm
		<ul style="list-style-type: none"> ☐ Mass flow meter installed at inlet and outlet of MEE ☐ MEE condensate utilized in GT and Fermentation ☐ MEE concentrate burnt in Incineration boiler 				
20.	Final Effluent Treatment System	Incineration of conc. spent wash in Incineration boiler. No. of Incineration boilers: 2 each of capacity 50MT/hr and 42 Kg/cm ² working pressure. Design basis: SLOP and subsidiary fuel (coal) ratio of 70:30.				
		Sl. No.	Description	Details		
		1.	Spent wash quantity	461 TPD		
		2.	Solid content %	45%		
		3.	Type of fuel used with consumption/day	Coal: 280-320 MT/day SLOP: 394-400 MT/day		
		4.	Captive power generation	15 MW		
		5.	Average ash generation	125-128 MT/day		
		6.	Height & Diameter of Chimney	Stop boiler: 100m; dia-2.23m Stop boiler: 100m; dia-4.2m		
	Bio-compost	Practice of bio-composting was stopped by the Unit when UEP/CB issued closure direction dated 12.01.2017, to the Unit to stop its 98 KLPD stream comprising of biogas followed by bio-composting. However, currently bio-composting is in operation for utilization of stored diluted effluent in isolated lagoons in compliance to CPCB direction dated 14.03.2019.				
		Details of bio-composting				
		Total area for bio-composting	20 acres			
		Active area for bio-composting	08 acres		67	

M75/GC (Distillery)

	Area for storage of pressmud and compost	12 acres
	Total spent wash to be utilized	96,000 m ³ (70,000 m ³ effluent + 26,000 m ³ rain water)
	Total solids in stored SW	300-340 mg/L
	Press mud: SW ratio	1:2
	Press mud required per cycle	6000 MT
	No. of cycles	4 cycles/year
21.	Condensate Treatment System	<ul style="list-style-type: none"> • Aeration treatment of condensate and lees. • No discharge of condensate & lees was observed during visit.
<p>Observations:</p> <p>1. The Unit, M/s Indla Glycols Ltd., Kasripur, initially had two streams:</p> <p>a. 240 KLD stream having MEE and Incineration boiler to achieve ZLD.</p> <p>b. 98 KLD stream having biogasifiers and biocomposting to achieve ZLD.</p> <p>However, since the Unit failed to install MEE before biocomposting, therefore CPCB directed UEPPCB vide direction dated 22.12.2016 under Section 18(1)(b) to ensure the stoppage of the 98 KLD stream of the Unit until the installation of MEE. Subsequently, UEPPCB issued direction under Section 33(A) dated 12.01.2017 to the Unit to stop operation of 98 KLD stream having biocomposting to achieve ZLD until the installation of MEE is completed. Lagoons associated with the 98 KLD stream which were used to store biogasified spent wash prior to biocomposting were disconnected and sealed by UEPPCB officials on 28.01.2017.</p> <p>2. The Unit's biocomposting facility comprising of 14 acres of biocompost yard is not in operation now, in compliance to UEPPCB direction dated 12.01.2017 issued direction under Section 33(A) of Water (Prevention & Control of Pollution) Act, 1974.</p> <p>3. As per CPCB direction dated 07.12.2015, the 98 KLD stream having biogasifiers and biocomposting to achieve ZLD was allowed to store raw/biogasified spent wash in lagoons until 31.03.2016. The lagoons associated with the 98 KLD stream were in use for storage of spent wash until the issue of Closure Direction on 12.01.2017 and subsequent disconnection and sealing of the lagoons on 28.01.2017. Hence, the spent wash previously stored from the 98 KLD stream remained un-utilized in the sealed lagoons. As per photographic evidence, the volume of spent wash stored at the time of sealing was low. However, due to deposition of rain water during</p>		

M/s [G. Distillery]

subsequent monsoon seasons, the volume of diluted spent wash increased to 96000 M3 having pH 7.6-8.0, COD 14000-18000mg/L and total solids less than 1%.

- 4. At present the lagoon containing stored spent wash is being filled with fly ash generated from SLOP furnace.
- 5. Regarding utilization of the diluted stored spent wash, it may be noted that MEE system of 240 KLD stream is designed for concentration of spent wash with 10-12% solid content feed and 45-50% solid output. Thus, the stored effluent having solid content less than 1% shall require about 4-5 cycles of evaporation to achieve 30% solid content.
- 6. Direct incineration of the diluted spent wash will not be possible due to the low concentration of solids/low calorific value in the stored spent wash which comprises mostly of inorganic material. Also, boilers are designed for incineration of 45% solid concentration.
- 7. Again, if 240 KLD stream of the Unit having MEE and incineration boiler to achieve ZLD is utilized to concentrate and incinerate the stored diluted spent wash with total volume of 96000 M3 (70,000 M3 stored effluent + 26000 M3 rain water), then the Unit's manufacturing operation has to remain closed for about 4 months and process condensate of about 80,000 m3 needs to be discharged in violation of ZLD condition.
- 8. Therefore, CPCB issued direction dated 14.03.2019 under Section 5 of Environment (Protection) Act, 1986 whereby the Unit has been directed to utilize the spent wash stored in isolated lagoons in bio-composting before June 30, 2021 as per standard operating process and the action plan as well as dismantle the lagoons.
- 9. In compliance to CPCB direction dated 14.03.2019, Unit is undertaking biocomposting in 8 acres of active biocompost area while maintaining spent wash to press mud ratio of 1:2. The industry had provided details of Biocomposting for April-May, 2019.

M/S IGL Distillery

Annexure-III

IGL letter Dated September 19, 2016
to UEPPCB and dated January 03, 2017
to CPCB



INDIA GLYCOLS LIMITED

ISO 9001
ISO 14001
OHSAS 18001
ISO 22000
FSSAI 22000
SA 8000
ISO 50001



Works & Registered Office : A-1, Industrial Area, Bazpur Road, Kashipur - 244713, Distt. Udham Singh Nagar (Uttarakhand)
Phone : +91 5947 269000 / 269500 / 275320, +91 9411108202, Fax : +91 5947 275315, 269535

Website: www.indiaglycols.com

Ref: UEPPCB/Direction/Compliance/ZLD/2016/ 562

September 19, 2016

To,
Regional Officer,
Uttarakhand Environment Protection & Pollution Control Board
Chamunda Complex, Ramnagar Road,
KASHIPUR (U.S. NAGAR)
PIN-244713

Subject: Compliance Status of Directions issued to achieve ZLD by M/s India Glycols Limited.

Sir,

This is in reference to above mentioned subject we had already submitted point-wise compliance of the directions given by the honorable board vide letter No. UEPPCB/ Direction/ Compliance/ZLD/2016/335, dated 05.04.2016.

We are once again sending point-wise compliance of the directions as Annexure-I.

We are complying with all the directions issued by UEPPCB.

Hope that the above clarification would meet your requirement.

With best regards,

Sincerely yours,
for M/s India Glycols Limited


(Dr. Ashtosh Gautam)
General Manager (Environment & QC)



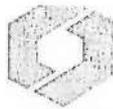
FORMAT

Annexure-I

Compliance Status of Directions issued to achieve ZLD by M/s India Glycols Limited

S.No.	Direction	Compliance Status
01.	Installation of RO + MEE or only MEE to reduce the volume of spent wash to 40% with solid concentration of 30% by 31.12.2015. <i>(applicable for those who opt for bio-composting)</i>	Order for MEE for biomethanated effluent to reduce the volume for bio-composting has already been placed. As soon as we receive the equipment will install the same. Capacity of our evaporator and incineration boiler is equivalent to 240 KLD distillery load. At present distillery is being operated well below 240 KLD and in future will also be operated as per our evaporator and incineration capacity.
OR		
	Installation of MEE & incineration boiler for disposal of spent wash by 31.03.2016. <i>(applicable for those who opt for incineration system)</i>	Presently, we are following below mentioned routes for treatment of Spent wash & achieving zero liquid discharge. (i) Evaporation (MEE) and incineration boiler (equivalent to 240 KLPD distillery capacity) (ii) Biomethanation, Membrane filtration (RO) followed by bio composting equivalent to 98 KLPD
OR		
	Installing advance process technologies (continuous fermentation, multi pressure distillation, integrated evaporation etc.) for reduction of spent wash generation to 6-8 KL/KL of alcohol produced by 31.03.2016, followed by installation of MEE & incineration boiler by 30.09.2016. <i>(applicable for those who opt for conversion to advance process, and then evaporation concentration & incineration system)</i>	Recycling of Spent wash as a dilution source in Fermenters is being practiced which leads to reduction of water consumption eventually and spent wash generation. Presently we are achieving spent wash generation in the tune of 7.5-8.0 m ³ /KL of alcohol.
02.	Reutilization of the RO permeate and / MEE condensate in the process / utility (if required after treatment) by 31.03.2016.	We are utilizing in fermenters as molasses dilution water and cooling towers as make up water
03.	Treatment of the other effluent such as spent lees, plant washings, leakages, bottle washing, boiler blow down etc. in a separate ETP of mix with the feed for RO/MEE and reuse in the process/utilities by 31.03.2016.	Spent lees is being recycled in the fermenters in place of raw water for molasses dilution

04.	Installation of flow meters at raw water consumption, RO feed, RO permeate, RO reject, MEE feed, MEE concentrate, MEE condensate, water recycling point, concentrate utilized in the incineration point.	Flow meters installed at all the locations
05.	Installation of web camera at bio-compost yard/ incineration system, spent wash storage lagoon and share the images with CPCB & SPCB server.	We have installed web camera at Evaporator, SLOP Boiler and Bio-composting area, link has already been sent to SPCB/ CPCB
06.	<p>Reducing the capacity of lagoon to---- KL i.e. 7 days equivalent of MEE concentrate by 31.03.2016. <i>(applicable if incineration facility is/ will be available)</i></p> <p style="text-align: center;">OR</p> <p>Reducing the capacity of lagoon to---- KL i.e. 30 days equivalent of Raw Spent Wash by 31.03.2016. <i>(applicable if bio-composting facility is/ will be available)</i></p>	One lagoon is under cleaning and appropriate marking will be done in two other lagoons as per the requirements of Bio-composting (30 days) and incineration (07 days)
07	Packing the bio-compost in properly sealed bag, bearing the name of distillery and composition of bio-compost. Further, no use of open tractor/ trolleys for the selling bio-compost (or even giving free of cost)	Bio-compost is being packed in sealed HDPE bags bearing the name of Distillery. No bio-compost is sold without packing.
08	Providing covered shed for bio-composting area by 31.03.2016.	Bio-composting will be done only during non-rainy season. Therefore, requesting to exempt from the covered shade. Presently it is being carried out from the stored effluent as average distillery production is well below 240.00 KLPD. The covered shed will be made, if composting will be done during rainy season.
09.	Obtaining valid registration / certification for the production and quality of bio-enriched organic manure (bio-compost) as per Gazette Notification S.O. 2776(E) dated 10.10.2015 under the Fertilizer (control) Fourth Amendment order, 2015 issued by Ministry of Agriculture and Farmers Welfare (Deptt. of Agriculture, Cooperation and Farmers Welfare) from the Ministry of Agriculture / concerned agency by 15 .07.2016.	Applied for registration. Copy of the same is enclosed as Annexure-



1314

INDIA GLYCOLS LIMITED

Plot No. 2-B, Sector- 126, NOIDA- 201304, Distt. Gautam Budh Nagar, Uttar Pradesh. Tel : +91 120 3090100, 3090200
Fax : +91 120 3090111, 3090211, E-mail : iglho@indiaglycols.com, Website: www.indiaglycols.com

Ref: IGL/DIST/ZLD/2017/

January 3, 2017

The Chairman
Central Pollution Control Board
Parivesh Bhavan
East Arjun Nagar
Shahdra, Delhi 110 032

Reference: CPCB Letter No. F.No. B-410/CPI-III/DIST/NGRBA/2K14-2K15-20729 Dated
December 22, 2016.

Dear Sir,

We have gone through above mentioned letter posted at CPCB site indicating the non-compliance as per the action plan submitted for ZLD. We would like to draw your kind attention on the subject matter that M/s India Glycols Limited is complying the conditions through MEE and Incineration for 240 KLPD distillery capacity and also mentioned in various compliances submitted to CPCB & UEPPCB. We are the pioneer in the installation of MEE & Incineration technology and operation of evaporator started in 2007. We are every time mentioning in our compliances that M/s India Glycols Ltd. is achieving ZLD for 240 KLD through MEE and incineration since 2013 and through biomethanation followed by RO and Biocomposting for rest of the stream.

In the month of September, 2016 vide our letter No. UEPPCB/ Direction/Compliance/ ZLD/2016/562 dated September 19, 2016 we have clearly mentioned that the operation of distillery will be restricted to 240 KLPD as per the MEE & Incineration facility and beyond this the distillery will be operated only after making proper arrangement of MEE before bio-composting after due approval from CPCB/UEPPCB.

Presently, distillery is being operated well below 240 KLPD, excise verified data are attached from October, 2015 to 15th December, 2016 in support. We once again assure you that we will not operate our distillery above 240 KLPD. The operation above 240 KLPD will be done only after making the proper arrangement of MEE by modification in the existing MEE as we have 7 Calendrias, 5 working & 2 standby (the combination of 7 Calendrias makes MEE to take care of spent wash equivalent to 300 to 310 KLPD). The operation above 240 KLPD will be continued only after taking due permission from CPCB.

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
परिवेश भवन, पूर्व अर्जुन नगर, शाहदरा, दिल्ली - 110 032

105 JAN 2017

Central Pollution Control Board
Parivesh Bhavan, East Arjun Nagar, Shahdara, Delhi - 110 032

Corporate Office : 3A, Shakespeare Sarani, Kolkata - 700071, Phone : +91 33 22823586, Fax : +91 33 22823585
Works & Registered Office : A-1, Industrial Area, Bazpur Road, Kashipur - 244713, Distt. Udham Singh Nagar (Uttarakhand)
Phone : +91 5947 269000 / 269500 / 275320, +91 9411108202, Fax : +91 9547 275315, 269535
CIN : L24111UR1983PLC009097



1313

INDIA GLYCOLS LIMITED

Plot No. 2-B, Sector- 126, NOIDA- 201304, Distt. Gautam Budh Nagar, Uttar Pradesh, Tel : +91 120 3090100, 3090200
Fax : +91 120 3090111, 3090211, E-mail : iglho@indiaglycols.com, Website: www.indiaglycols.com

We once again assure you that the distillery capacity shall be kept at 240 KLPD maximum as per the guide lines of ZLD with MEE & Incineration.

In view of the above we emphasize that the ZLD guide lines through MEE & Incineration are complied and request your goodself to kindly grant us you consent to operate on the same and modify the above directions.

Sincerely yours,

For India Glycols Limited

(Dr. Ashutosh Gautam)
General Manager (Environment & QC)

cc: Member Secretary CPCB

The in-Charge, PCI-III Division

ANNEXURE-I

INDIA GLYCOLS LTD KASHIPURETHANOL PLANT ALCOHOL PRODUCTION/WORKING DAYS
FROM OCTOBER, 2015 TO DECEMBER, 2016

S.NO	MONTH	ALCOHOL PRODUCTION(KBL)/MONTH	ALCOHOL PRODUCTION(KBL)/ DAY	WORKING DAYS
1	October, 15	7427.5869	239.5996	31
2	November, 15	7657.0432	255.2348	30
3	December, 15	7584.2112	244.6520	31
4	January, 16	4643.4107	171.9782	27
5	February, 16	4445.4243	153.2905	29
6	March, 16	4425.2001	142.7484	31
7	April, 16	5452.3448	181.7448	30
8	May, 16	6569.9728	211.9346	31
9	June, 16	5954.3087	198.4770	30
10	July, 16	5987.4421	193.1433	31
11	August, 16	5192.8629	167.5117	31
12	September, 16	4277.3718	142.5791	30
13	October, 16	5084.1911	164.0062	31
14	November, 16	5115.8762	170.5292	30
15	December, 16	5014.3954	161.7547	31

Annexure-IV

IGL letter dated 06.03.2020 to UEPPCB

Works & Registered Office : A-1, Industrial Area, Bazpur Road, Kashipur - 244713, Distt. Udham Singh Nagar (Uttarakhand)
Tel. No.: +91 5947 269000 / 269500 / 275320, +91 9411108202, Fax No.: +91 5947 275315, 269535
Website : www.indiaglycols.com

Ref: UEPPCB/Compliance/2020/

Date: 06.03.2020

To,

The Member Secretary,
Uttarakhand Environment Protection & Pollution Control Board
29/20, Nemi Road, Dalanwala
DEHRADUN - 248001

Subject: NGT order dated 15.01.2020 and your letter No. UEPPCB/ H.O./SA/183-
247/2020/0402-1708 Dated 28.01.2020

Reference: Our reply dated 08.02.2020

Sir,

Please refer to your above mentioned letter, and our reply. In continuation to the said communication we are submitting the additional information regarding alcohol production, spent wash generation and utilization through MEE and Incineration boiler from January 2016 to December 2019. The said data is sufficient to justify the compliance of various directions issued by CPCB/ UEPCB regarding the ZLD and restriction of lagoon capacity..

We hope that the above clarification would meet your requirement.

With best regards,

Yours faithfully,
for M/s INDIA GLYCOLS LIMITED


Dr. Ashutosh Gautam
Head - Environment

CC: Regional Officer (UEPPCB), Chamunda Complex, Ram Nagar Road, Kashipur,
District U.S. Nagar, Uttarakhand

M/s India Glycols Ltd. Kashipur (Ethanol Plant)
Alcohol Production, Spentwash Generation and Utilization Data
January, 2016 – December, 2016

S.No.	Month	Alcohol Production in KBL	Average Per day Production in KBL	Spent Wash Generation/ Fed to Evaporator (m ³)	SLOP Generation/ Utilized in SLOP Boilers (MT)
1	Jan-16	4643.41	149.79	36024	7811
2	Feb-16	4445.42	158.77	35036	7704
3	Mar-16	4425.20	142.75	33185	7250
4	Apr-16	5452.34	181.74	43580	9607
5	May-16	6569.97	211.93	52828	11619
6	Jun-16	5954.31	198.48	46506	10270
7	Jul-16	5987.44	193.14	43516	9574
8	Aug-16	5192.86	167.51	39309	8522
9	Sep-16	4277.37	142.58	33220	7087
10	Oct-16	5084.19	164.01	37897	8281
11	Nov-16	5115.88	170.53	39633	8522
12	Dec-16	5014.40	161.75	37323	8207
	Total	62162.80		478057	104456



M/s India Glycols Ltd. Kashipur (Ethanol Plant)
 Alcohol Production, Spentwash Generation and Utilization Data
 January, 2017 – December, 2017

S.No.	Month	Alcohol Production in KBL	Average Per day Production KBL	Spent Wash Generation/ Fed to Evaporator (m3)	SLOP Generation/ Utilized in SLOP Boilers (MT)
1	Jan-17	2168.38/20	120.47	28266.0	6255.0
2	Feb-17	3345.98000	119.50	26305.0	6356.0
3	Mar-17	3733.47360	120.43	28299.0	7022.0
4	Apr-17	2766.51130	92.22	21007.0	5241.0
5	May-17	3492.78350	112.67	26738.0	6242.0
6	Jun-17	3414.84140	113.83	26000.0	5958.0
7	Jul-17	4746.33600	153.11	36417.0	7801.0
8	Aug-17	4659.59550	150.31	35491.0	7712.0
9	Sep-17	4719.22540	157.31	35914.0	7665.0
10	Oct-17	4232.65610	136.54	31686.0	7084.0
11	Nov-17	6000.17520	200.01	33304.0	8476.0
12	Dec-17	3905.94250	126.00	30865.0	7446.0
	Total	47185.91		360292	83258



M/s India Glycols Ltd. Kashipur (Ethanol Plant)
 Alcohol Production, Spentwash Generation and Utilization Data
 January, 2018 – December, 2018

Month	Alcohol Production in (KBL)	Average Per day (KBL)	Spent Wash Generation/ Fed to Evaporator (m3)	SLOP Generation/ Utilized in SLOP Boilers (MT)
Jan-18	4740.2432	152.91	38727	9297
Feb-18	4390.1581	156.79	35457	8524
Mar-18	4689.1100	151.26	37902	9141
Apr-18	3152.2965	121.24	25780	6207
May-18	4500.5218	145.18	35799	8813
Jun-18	4580.2269	152.67	36059	9018
Jul-18	4561.4224	157.29	37022	8854
Aug-18	3527.0669	141.08	26974	6891
Sep-18	3981.7886	159.27	32566	7847
Oct-18	5091.9226	164.26	41378	10001
Nov-18	5137.1452	171.24	40109	10015
Dec-18	5369.1938	173.20	43598	10473
Total	53721.096		431371	105081



1306

M/s India Glycols Ltd. Kashipur (Ethanol Plant)
Alcohol Production, Spentwash Generation and Utilization Data
January, 2019 – December, 2019

S.No.	Month	Alcohol Production in (KBL)	Average Per day Production (KBL)	Spent Wash Generation/ Fed to Evaporator (m3)	SLOP Generation/ Utilized in SLOP Boilers (MT)
1	Jan-19	4735.3786	152.75	36901	9280
2	Feb-19	4128.4477	165.14	33491	8314
3	Mar-19	4712.8927	152.03	35933	9559
4	Apr-19	3533.0214	130.85	26997	6952
5	May-19	6004.7110	193.70	44656	12228
6	Jun-19	5432.5827	181.09	41432	10941
7	Jul-19	4898.9370	158.03	39713	9949
8	Aug-19	5090.6108	164.21	38907	10136
9	Sep-19	4135.5994	147.70	31623	8366
10	Oct-19	4705.6746	151.80	37711	9504
11	Nov-19	4752.3474	158.41	36225	9675
12	Dec-19	3834.5774	123.70	29262	7729
	Total	55964.7807		432851	112633



M/s India Glycols Ltd. Kashipur (Ethanol Plant)
Alcohol Production, Spentwash Generation and Utilization Data
January, 2016 – December, 2019

S.No.	Year	Alcohol Production in (KBL)	Spent Wash Generation/ Fed to Evaporator (m3)	SLOP Generation/ Utilized in SLOP Boilers (MT)
1	January 2016 – December - 2016	62162.8013	478057	104456
2	January 2017 – December - 2017	47185.9134	360292	83258
3	January 2018 – December - 2018	53721.0960	431371	105081
4	January 2019 – December - 2019	55964.7867	432851	112633
	Total	219034.6	1702571	405428



Annexure-V

The copy of the covering letters of all
the progress reports submitted to
CPCB regarding CPCB direction

INDIA GLYCOLS LIMITED

Works & Registered Office : A-1, Industrial Area, Bazpur Road, Kashipur - 244713 Distt. Udham Singh Nagar (Uttarakhand)
Tel. No.: +91 5947 269000 / 269500 / 275320, +91 9411108202, Fax No.: +91 5947 275315, 269535
Website : www.Indiaglycols.com

Reference: CPCB Reply/ IGL-Disti./2019/

May 10th, 2019

To,
The Chairman
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar,
Shahdra Delhi

Reference: Your Letter No. B-190198/NGRBA(RG)/CPCB/Distillery/1/2018-19 of dated March 12, 2019 received on dated March 26th, 2019, reg. Directions issued under Section 5 of E(P) Act, 1986 issued to M/s India Glycols Ltd. (Distillery Unit).

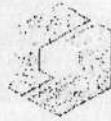
Dear Sir,

In reference of above said direction, we have submitted reply/action plan vide our Letter No. CPCB Reply/IGL-Dist./2019/901, Date April 2, 2019.
Point wise progress is as -

S. No.	Points	Progress
1.	The unit shall utilize the spent wash stored in isolated lagoons in bio-composting before June 30, 2021 as per standard operating procedure and the action plan.	7500 MT press mud has been purchased / procured. As per action plan, 6000 MT press mud used to made 20 Nos windrows of size 200.0 x 3.0 x 1.5 m and on these 6000 m3 lagoon water (@ 1:2) utilized from isolated lagoon during month of April, 2019.
2.	The unit shall dismantle the lagoon after utilization of accumulated spent wash and shall submit the documentary evidence when the lagoon gets emptied.	We have already communicated through our letter No. CPCB Reply /IGL - Disti./2019/901, dated April 2, 2019 regarding filling of lagoons with fly ash and other bio-degradable solid wastes, latest status of filling with fly-ash is shown photographs annexed as Annexure -1. Till date i.e. 12.05.2019, approximately 20000 MT of fly ash has been filled in lagoon.

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-32
17 MAY 2019
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar, Delhi

CORPORATE OFFICE : 3A, Shakespeare Sarani, Kolkata - 700071, Phone : +91 33 22823586 Fax : +91 33 22823585
HEAD OFFICE : Plot No. 2-B, Sector-126, NOIDA - 201304, Distt. Gautam Budh Nagar, Uttar Pradesh, Tel : +91 120 3090100, 3090200
Fax : +91 120 3090111, 3090211, E-mail : iglho@indiaglycols.com



INDIA GLYCOLS LIMITED



Head. & Registered Office : A-1, Industrial Area, Bazpur Road, Kashipur - 244713 Distt. Udham Singh Nagar (Uttarakhand)
Tel. No.: +91 5947 269000 / 269500 / 275320, +91 9411108202, Fax No.: +91 5947 275315, 269535
Website : www.indiaglycols.com

3.	The unit shall submit the documentary support for procurement of press mud, sell of compost, compost quality on monthly basis to CPCB.	: Documentary evidence of press mud procurement is annexed as Annexure - 2 . However compost quality report to be get analyzed by approved lab & details of compost sale will be submitted after completion of cycle in the month of June, 2019.
4.	The unit shall continue to achieve ZLD and shall restrict the impermeable storage of lagoon of spent wash to 07 days equivalent as per the direction dated 7/12/2015 issued under section 18 (1) (b) of Water (Prevention & Control of pollution)Act, 1974.	: One lagoon within the plant premises is kept for storage of concentrated spent wash equivalent to 7 days (3920 m3).

We would like to emphasize that, India Glycols Ltd. is an environmental conscious organization and always keen to adopt guidelines / direction for improvement of environment.

Thanking you
Yours faithfully
for India Glycols Ltd

(Dr. Ashutosh Gautam)
Head of Department (Environment)

Enclosure: as above

CORPORATE OFFICE : 3A, Shakespeare Sarani, Kolkata - 700071, Phone : +91 33 22823586 Fax : +91 33 22823585
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INDIA GLYCOLS LIMITED



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 Website : www.indiaglycols.com

Reference: CPCB Reply / IGL – Disti. / 2019

June 10th, 2019

To,

The Chairman
 Central Pollution Control Board
 Parivesh Bhawan, East Arjun Nagar
 Shahdra, Delhi

Reference: Your Letter No: B – 190198 / NGRBA (RG) / CPCB / Distillery / 1 / 2018 – 19 of dated March 12, 2019 received on dated March 26th, 2019 reg. directions issued under Section 5 of Environment Protection Act, 1986 to M/s India Glycols Ltd.

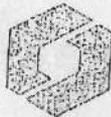
Dear Sir,

In reference of above said direction, we are submitting Monthly Progress for Month of May, 2019 however Monthly Progress for Month of April, 2019 has already been submitted vide our Letter No: CPCB Reply / IGL – Disti. / 2019 of dated May 10, 2019 received on dated 17 May, 2019.

Point wise Progress for Month of May, 2019 is as –

S. No	Points	Progress
1.	The unit shall utilize the spent wash stored in isolated lagoons in bio-composting before June 30, 2021 as per Standard Operating Procedure and the action plan.	7500 MT press mud has been purchased / procured. As per action plan, 6000 MT press mud has been used for made 20 numbers windrows of size 200 x 3 x 1.5 m and on these 12000 m3 lagoon water (@ 1:2) utilized from isolated lagoon during cycle started from 1-4-2019 & completed on 4-6-2019, onwards 5-6-2019 windrows are being collected / stored for maturation & stabilization of nutrients naturally. Details of cycle report annexed as Annexure – 1.

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
 परियेश भवन, पूर्वी अर्जुन नगर, दिल्ली-32
 17 JUN 2019
 Central Pollution Control Board
 Parivesh Bhawan, East Arjun Nagar, Delhi-32



INDIA GLYCOLS LIMITED



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 Website : www.indiaglycols.com

S. No	Points	Progress
2.	The unit shall dismantle the lagoon after utilization of accumulated spent wash and shall submit the documentary evidence when lagoon gets emptied.	Already communicated vide our earlier letters reg. filling of lagoons with fly ash and other bio-degradable solid wastes, latest status of filling as annexed as Annexure - 2.
3.	The unit shall submit the documentary support for procurement of press mud, sell of compost, compost quality on monthly basis to CPCB.	Documentary evidence of following annexed as - <ul style="list-style-type: none"> • Press mud procurement Annexure - 3. • Compost Quality Annexure - 4. • Hand Pump water quality Annexure - 5.
4.	The unit shall continue to achieve ZLD and shall restrict the impermeable storage of lagoon of spent wash to 07 days equivalent as per the direction dated 7/12/2015 issued under Section 18 (1) (b) of Water (Prevention & Control of Pollution) Act, 1974.	One lagoon within the plant premises is kept for storage of concentrated spent wash equivalent to 7 days (3920 m3).

We would like to emphasize that, M/s India Glycols Ltd. is an environmental conscious organization and always keen to adopt guidelines / direction for improvement of environment.

Thanking you

Yours faithfully
for India Glycols Ltd.

Dr. Ashutosh Gautam
Head - Environment.

Enclosure: as above



INDIA GLYCOLS LIMITED

Works & Registered Office : A-1, Industrial Area, Bazpur Road, Kashipur - 244713 Distt: Udham Singh Nagar (Uttarakhand)
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 Website : www.indiaglycols.com

Reference: CPCB Reply / IGL – Disti. / 2019

July 6th, 2019

To
 The Chairman
 Central Pollution Control Board
 Parivesh Bhawan, East Arjun Nagar
 Shahdra, Delhi

Reference: Your letter No. B – 190198 / NGRBA (RG) / CPCB / Distillery / 1 / 2018 – 19 of dated March 12th, 2019 received on-dated March 26th, 2019 reg. directions issued under Section 5 of Environment Protection Act, 1986 to M/s India Glycols Ltd.

Dear Sir,

In reference of above said direction, we are submitting Monthly Progress and point wise reply is as -

S. No.	Points	Progress
1	The unit shall utilize the spent wash stored in isolated lagoons in bio-composting before June 30, 2021 as per Standard Operating Procedure and the action plan.	<p>Total 7500.00 MT press-mud was procured, evidence for purchase were submitted with our earlier progress reports submitted in May and June 2019.</p> <p>In 1st cycle approximately 6000.00 Mt press-mud was used to consume approximately 12000 m3 of lagoon water from isolated storage lagoons remaining 1500 MT Press mud stored in press mud storage area will be utilized in next compost cycle after rainy season</p> <p>1st composting cycle has been completed on 4th June 2019. Ready compost / press mud has been stored at specified area under polythene cover.</p> <p>Next cycle for composting will be started after rainy Season i.e. after September 2019.</p>
2	The unit shall dismantle the lagoon after utilization of accumulated spent wash and shall submit the documentary evidence when lagoon gets emptied.	Filling of lagoons in under progress with fly ash, 35250 MT fly ash has been dumped in lagoon till 30 th June 2019.

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
 परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-32
 10 JUL 2019
 Central Pollution Control Board
 Parivesh Bhawan, East Arjun Nagar, Delhi-32

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INDIA GLYCOLS LIMITED



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Website : www.indiaglycols.com

3.	The unit shall submit the documentary support for procurement of press mud, sell of compost, compost quality on monthly basis to CPCB.	: Already Submitted with earlier replies. Copy attached as <u>Annexure - 1</u> .
4.	The unit shall continue to achieve ZLD and shall restrict the impermeable storage of lagoon of spent wash to 07 days equivalent as per the direction dated 7/12/2015 issued under Section 18 (1) (b) of Water (Prevention & Control of Pollution) Act, 1974.	: ZLD is being achieved through Evaporation and Incineration.

We would like to emphasize that, M/s India Glycols Ltd. is an environmental conscious organization and always keen to adopt guidelines / directions for improvement of environment.

Thanking you

Yours faithfully

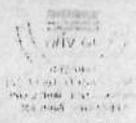
for India Glycols Ltd.


Dr. Ashutosh Gautam
Head - Environment

Enclosure: As above



INDIA GLYCOLS LIMITED



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Website : www.indiaglycols.com

Reference: CPCB Reply / IGL - Distt. / 2019

August 8th, 2019

To,

The Chairman
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar
Shahdra, Delhi

Reference: Your Letter No: B - 190198 / NGRBA (RG) / CPCB / Distillery / 1 / 2018 - 19 dated March 12, 2019 received on March 26th, 2019 reg. directions issued under Section 5 of Environment Protection Act, 1986 to M/s India Glycols Ltd.

Dear Sir,

In reference to the above said direction, we are submitting Monthly Progress & point wise reply is as -

S. No	Points	Progress
1.	The unit shall utilize the spent wash stored in isolated lagoons in bio-composting before June 30, 2021 as per Standard Operating Procedure and the action plan.	<p>7500 MT press mud was procured, evidence for purchase were submitted with our earlier progress reports during May, June & July 2019.</p> <p>In 1st cycle approximately 6000.00 MT Press Mud was used to consume approximately 12000 m³ of lagoon water from isolated storage lagoons remaining 1500 MT press mud stored in press mud storage area will be utilized in next compost cycle after rainy season.</p> <p>Details of Press mud procurement/Effluent utilization and ready compost have already been submitted with our reply dated 04.07.2019. 1st composting cycle has completed on 4th June 2019. Ready compost / press mud has been stored at specified area under LDPE sheet, photographs of the same is as Annexure 3 & 4.</p>



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CIN : L24111UR1983PLC009097



INDIA GLYCOLS LIMITED



Works & Registered Office : A-1, Industrial Area, Bazpur Road, Kashipur - 244713 Distt. Udham Singh Nagar (Uttarakhand)
Tel. No.: +91 5947 269000 / 269500 / 275320, +91 9411108202, Fax No.: +91 5947 275315, 269535
Website : www.indiaglycols.com

S. No	Points	Progress
2.	The unit shall dismantle the lagoon after utilization of accumulated spent wash and shall submit the documentary evidence when lagoon gets emptied.	Filling of lagoons in under progress with 47905 MT fly ash which has been dumped in lagoon till 31.07.2019. Photograph of ash filling status is as per Annexure - 2.
3.	The unit shall submit the documentary support for procurement of press mud, sell of compost, compost quality on monthly basis to CPCB.	Already submitted with earlier compliance letter dated 04.07.2019.
4.	The unit shall continue to achieve ZLD and shall restrict the Impermeable storage of lagoon of spent wash to 07 days equivalent as per the direction dated 7/12/2015 issued under Section 18 (1) (b) of Water (Prevention & Control of Pollution) Act, 1974.	ZLD is being achieved through Evaporation and Incineration.

We would like to emphasize that, M/s India Glycols Ltd. is an environmental conscious organization and always keen to adopt guidelines / direction for improvement of environment.

Thanking you

Yours faithfully
for India Glycols Ltd.

(Dr. Ashutosh Gautam)
Head - Environment

Enclosure: as above

CC:

- The Member Secretary, Uttarakhand Environment Protection Pollution Control Board, Goura Devi Bhawan, 46 B, IT Park, Sahasthradhara Road, Dehradun -248001, Uttarakhnad
- Regional Officer, Uttarakhand Environment Protection Pollution Control Board, Regional Office, Kashipur- 244713

CORPORATE OFFICE : 3A, Shakespeare Sarani, Kolkata - 700071, Phone : +91 33 22823586 Fax : +91 33 22823585
HEAD OFFICE : Plot No. 2-B, Sector -126, NOIDA-201304, Distt. Gautam Budh Nagar, Uttar Pradesh. Tel. : +91 120 3090100, 3090200, 6860000
Fax : +91 120 3090111, 3090211 E-mail : iglho@indiaglycols.com
CIN : L24111UR1983PLC009097



INDIA GLYCOLS LIMITED



Works & Registered Office : A-1, Industrial Area, Bazpur Road, Kashipur - 244713, Distt. Udham Singh Nagar (Uttarakhand)
 Tel. No.: +91 5947 269000 / 269500 / 275320, +91 9411108202, Fax No.: +91 5947 275315, 269535
 Website : www.indlaglycols.com

Reference: CPCB Reply / IGL - Distt. / 2019

Date: September 4th, 2019

To,
 The Chairman
 Central Pollution Control Board
 Parivesh Bahwan, East Arjun Nagar
 Shahdra, Delhi

Reference: Your letter No: B - 190198 / NGRBA (RG) / CPCB / Distillery / 1 / 2018 - 19 dated March 12, 2019 received on March 26th, 2019 reg. directions issued under Section 5 of Environment Protection Act, 1986 to M/s India Glycols Ltd.

Dear Sir,

In reference to the above said direction, we are submitting Monthly Progress & point wise reply is -

Sl. No.	Points	Progress
1.	The unit shall utilize the spent wash stored in isolated lagoons in bio-composting before June 30, 2021 as per Standards Operating Procedure and the action plan.	In 1st cycle which has completed in June, 2019 approximately 6000.0 MT Press Mud was used to consume approximately 12000 m3 of lagoon water from isolated lagoon from 1.4.2019 to 15.6.2019. Details were already submitted with our earlier progress reports. No bio-composting onwards 16-6-2019 to till Sept. 2019 due to rains.
2.	The unit shall dismantle the lagoon after utilization of accumulated spent wash and shall submit the documentary evidence when lagoon gets emptied.	Filling of lagoons in under progress & 54,300 MT fly ash has been dumped in lagoon till 31.08.2019.
3.	The unit shall submit the documentary support for procurement of press mud, sell of compost, compost quality on monthly basis to CPCB,	Already submitted with earlier compliances.
4.	The unit shall continue to achieve ZLD and shall restrict the impermeable storage of lagoon of spent wash to 07 days equivalent as per the direction dated 7/12/2015 issued under Section 18 (1) (b) of Water (Prevention & Control of Pollution) Act, 1974.	ZLD is being achieved through Evaporation & Incineration.

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
 परिवेश कक्ष, पूरबी अर्जुन नगर, दिल्ली-32

11 SEP 2019

Central Pollution Control Board

CORPORATE OFFICE : 3A, Shakespeare Sarani, Kolkata - 700071, Phone : +91 33 22823586 Fax : +91 33 22823585
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 Fax : +91 120 3090111, 3090211 E-mail : iglho@indlaglycols.com
 CIN : L24114UP1982PLC000007

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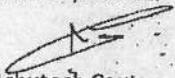
INDIA GLYCOLS LIMITED

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Tel. No.: +91 5947 269000 / 269500 / 275320, +91 9411108202, Fax No.: +91 5947 275315, 269535
Website : www.Indiaglycols.com

We would like to emphasize that, M/s India Glycols Ltd. is an environmental conscious organization and always keen to adopt guidelines / direction for improvement of environment.

Thanking you

Yours faithfully
for India Glycols Ltd.


Dr. Ashutosh Gautam
HOD - Environment



CC:

- The Member Secretary, Uttarakhand Environment Protection & Pollution Control Board, Gaura Devi Paryavaran Bhawan, 46 B, IT Park, Sahastradhara Road, Dehradun - 248001, Uttarakhand
- Regional Officer, Uttarakhand Environment Protection & Pollution Control Board, Regional Office, Kashipur - 244713

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Website : www.indiaglycols.com

Reference: CPCB Reply / IGL - Distt. / 2019

Date: October 09th, 2019

To,
The Chairman
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar
Shahdra, Delhi

Reference: Your letter No: B - 190198 / NGRBA (RG) / CPCB / Distillery / 1 / 2018 - 19 dated March 12, 2019 received on March 26th, 2019 reg. directions issued under Section 5 of Environment Protection Act, 1986 to M/s India Glycols Ltd.

Dear Sir,

In reference to the above said direction, we are submitting Monthly Progress & point wise reply is as -

Sl. No.	Points	Progress
1.	The unit shall utilize the spent wash stored in isolated lagoons in 'bio-composting' before June. 30, 2021 as per Standards Operating Procedure and the action plan.	No composting in month of September, 2019 due to rains. As per plan 2nd cycle of composting will start from 1 st October, 2019.
2.	The unit shall dismantle the lagoon after utilization of accumulated spent wash and shall submit the documentary evidence when lagoon gets emptied.	Filling of lagoons is in under progress about 60,133 MT fly ash has been dumped in lagoon till 30.09.2019.
3.	The unit shall submit the documentary support for procurement of press mud, sell of compost, compost quality on monthly basis to CPCB.	Already submitted with earlier compliances.
4.	The unit shall continue to achieve ZLD and shall restrict the impermeable storage of lagoon of spent wash to 07 days equivalent as per the direction dated 7/12/2015 issued under Section 18 (1) (b) of Water (Prevention & Control of Pollution) Act, 1974.	ZLD is being achieved through Evaporation & Incineration.

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-32

10 OCT 2019

Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar, Delhi-32

CORPORATE OFFICE : 3A, Shakespeare Sarani, Kolkata - 700071, Phone : +91 33 22823586 Fax : +91 33 22823585
HEAD OFFICE : Plot No. 2-B, Sector -126, NOIDA-201304, Distt. Gautam Budh Nagar, Uttar Pradesh, Tel. : +91 120 6860000, 3090100, 3090200
Fax : +91 120 3090111, 3090211 E-mail : iglho@indiaglycols.com

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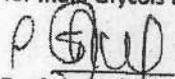
INDIA GLYCOLS LIMITED

Works & Registered Office : A-1, Industrial Area, Bazpur Road, Kashipur - 244713, Distt. Udham Singh Nagar (Uttarakhand)
Tel. No.: +91 5947 269000 / 269500 / 275320, +91 9411108202, Fax No.: +91 5947 275315, 269535
Website : www.indiaglycols.com

We would like to emphasize that, M/s India Glycols Ltd. is an environmental conscious organization and always keen to adopt guidelines / direction for improvement of environment.

Thanking you

Yours faithfully
for India Glycols Ltd.


Dr. Ashutosh Gautam
HOD - Environment

CC:

- The Member Secretary, Uttarakhand Environment Protection & Pollution Control Board, Gaura
Devi Paryavaran Bhawan, 46 B, IT Park, Sahastradhara Road, Dehradun - 248001, Uttarakhand
- Regional Officer, Uttarakhand Environment Protection & Pollution Control Board, Regional
Office, Kashipur - 244713

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Fax : +91 120 3090111, 3090211 E-mail : iglho@indiaglycols.com
CIN : L24111UR1983PLC009097



O/C



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Website : www.indiaglycols.com

Reference: CPCB Reply/ IGL-Disti./2019/

November 05, 2019

To,
The Chairman
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar,
Shahdara, Delhi

Reference: Your Letter No. B-190198/NGRBA(RG)/CPCB/Distillery/1/2018-19 of dated March 12, 2019 received on dated March 26th, 2019, reg. Directions issued under Section 5 of Environment Protection Act, 1986 to M/s India Glycols Ltd.

Sir,

In reference to the above said direction, we are submitting monthly progress & Point wise reply as given below -

S. No.	Points	Progress
1.	The unit shall utilize the spent wash stored in isolated lagoons in bio-composting before June 30, 2021 as per standard operating procedure and the action plan.	2 nd Cycle of composting has been started in the month of October, 2019. As per action plan, 20 No. windrows are formed with 6000 MT Press Mud by which 6000m ³ lagoon water has been utilized up to 31.10.2019. Photocopy of Logbook containing windrows details is annexed herewith as Annexure-1. In total 18000m ³ of lagoon water was utilized through bio-composting as per the directions.
2.	The unit shall dismantle the lagoon after accumulated spent wash and shall submit the documentary evidence when the lagoon gets emptied.	Filling of lagoons is under progress with fly ash. Photograph showing the progress of lagoon filling is attached as Annexure-2
3.	The unit shall submit the documentary support for procurement of press mud, sell of compost, compost quality on monthly basis to CPCB.	Photocopy of logbook containing details of press-mud procurement/utilization, windrows and lagoon water utilization with compost sale are annexed as Annexure 1 & 3.
4.	The unit shall continue to achieve ZLD and shall restrict the impermeable storage of lagoon of spent wash to 07 days equivalent as per the direction dated 7/12/2015 Issued under section 18 (1) (b) of Water (Prevention & Control of pollution) Act, 1974.	ZLD is being achieved through Evaporation & Incineration. The construction of MS Tank equivalent to 07 Days storage capacity i.e. 3920m ³ for Concentrated Spent Wash is under progress, expected Completion date by 15 th November, 2019.

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-32
07 NOV 2019

Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar

1290



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Dr. Ashutosh Gautam
HOD - Environment



CC:

- The Member Secretary, Uttarakhand Environment Protection & Pollution Control Board, Gaura Devi Paryavaran Bhawan, 46 B, IT Park, Sahastradhara Road, Dehradun - 248001, Uttarakhand
- Regional Officer, Uttarakhand Environment Protection & Pollution Control Board, Regional Office, Kashipur - 244713

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 Website : www.indiaglycols.com

Reference: CPCB Reply / IGL – Distt. / 2019

Date: December 07, 2019

To,
 The Chairman
 Central Pollution Control Board
 Parivesh Bahwan, East Arjun Nagar
Shahdra, Delhi

Reference: Your letter No: B – 190198 / NGRBA (RG) / CPCB / Distillery / 1 / 2018 – 19 dated March 12, 2019 received on March 26th, 2019 reg. directions issued under Section 5 of Environment Protection Act, 1986 to M/s India Glycols Ltd.

Dear Sir,

In reference to the above said direction, we are submitting Monthly Progress & point wise reply is as –

Sl. No.	Points	Progress
1.	The unit shall utilize the spent wash stored in isolated lagoons in bio-composting before June 30, 2021 as per Standards Operating Procedure and the action plan.	2 nd cycle of composting has started in the month of October, 2019. As per action plan 20 No. windrows formed with 6000 MT Press Mud which consumed 12000 m3 lagoon water up to 30 - 11- 2019, Photocopy of logbook containing windrows details is annexed herewith as Annexure – 1.
2.	The unit shall dismantle the lagoon after utilization of accumulated spent wash and shall submit the documentary evidence when lagoon gets emptied.	Filling of lagoons is in under progress.
3.	The unit shall submit the documentary support for procurement of press mud, sell of compost, compost quality on monthly basis to CPCB.	Photocopy of logbook containing details of press mud, windrows & date wise lagoon water utilization is annexed as Annexure – 1. Compost quality report is as per Annexure -2.
4.	The unit shall continue to achieve ZLD and shall restrict the impermeable storage of lagoon of spent wash to 07 days equivalent as per the direction dated 7/12/2015 issued under Section 18 (1) (b) of Water (Prevention & Control of Pollution) Act, 1974.	ZLD is being achieved through Evaporation & Incineration.

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
 परिसर, पूर्व अर्जुन नगर, दिल्ली-32

10 DEC 2019

CORPORATE OFFICE : 3A, Shakespeare Sarani, Kolkata - 700071, Phone : +91 33 22822000 Pa. Office : 322323585
 HEAD OFFICE : Plot No. 2-B, Sector -126, NOIDA-201304, Distt. Gautam Budh Nagar, Uttar Pradesh, India. Phone : +91 120 6860000, 3090100, 3090200
 Fax : +91 120 3090111, 3090211. E-mail : iglho@indiaglycols.com
 CIN : L241111JR19R3PI C000097



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Thanking you

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Dr. Ashutosh Gautam
HOD - Environment

CC:

- The Member Secretary, Uttarakhand Environment Protection & Pollution Control Board, Goura Devi, Paryavaran Bhawan, 46 B, IT Park, Sahastradhara Road, Dehradun - 248001, Uttarakhand
- Regional Officer, Uttarakhand Environment Protection & Pollution Control Board, Regional Office, Kashipur - 244713

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Fax : +91 120 3090111, 3090211 E-mail : iglho@indiaglycols.com
CIN : L24111UR19R3PI C009997

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INDIA GLYCOLS LIMITED

ISO 9001
 ISO 14001
 OHSAS 18001
 ISO 22000
 FSSC 22000



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 Website: www.indlaglycols.com

Reference: CPCB Reply / IGL - Distt. / 2020

Date: January 7th, 2020

To,
 The Chairman
 Central Pollution Control Board
 Parivesh Bahwan, East Arjun Nagar
Shahdra, Delhi

Reference: Your letter No: B - 190198 / NGRBA (RG) / CPCB / Distillery / 1 / 2018 - 19 dated March 12, 2019 received on March 26th, 2019 reg. directions issued under Section 5 of Environment Protection Act, 1986 to M/s India Glycols Ltd.

Dear Sir,

In reference to the above said direction, we are submitting Monthly Progress & point wise reply is as -

Sl. No.	Points	Progress
1.	The unit shall utilize the spent wash stored in isolated lagoons in bio-composting before June 30, 2021 as per Standards Operating Procedure and the action plan.	3 rd cycle of composting has started in the month of December, 2019. As per action plan 20 No. windrows formed with 6000 MT Press Mud which consumed 6000 m3 lagoon water up to 31 - 12 - 2019, Photocopy of logbook containing windrows details is annexed herewith as Annexure - 1.
2.	The unit shall dismantle the lagoon after utilization of accumulated spent wash and shall submit the documentary evidence when lagoon gets emptied.	Filling of lagoons is in under progress.
3.	The unit shall submit the documentary support for procurement of press mud, sell of compost, compost quality on monthly basis to CPCB.	Photocopy of logbook containing details of press mud, windrows & date wise lagoon water utilization is annexed as Annexure - 1.
4.	The unit shall continue to achieve ZLD and shall restrict the impermeable storage of lagoon of spent wash to 07 days equivalent as per the direction dated 7/12/2015 issued under Section 18 (1) (b) of Water (Prevention & Control of Pollution) Act, 1974.	ZLD is being achieved through Evaporation & Incineration.

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
 परिसर कक्षा, पूरबी अर्जुन नगर, दिल्ली-32

09 JAN 2020

Central Pollution Control Board
 Parivesh Bahwan, East Arjun Nagar, Delhi



INDIA GLYCOLS LIMITED

ISO 9001
ISO 14001
OHSAS 18001
ISO 22000
FSSC 22000

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Thanking you

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Dr. Ashutosh Gautam
HOD - Environment

CC:

- The Member Secretary, Uttarakhand Environment Protection & Pollution Control Board,
Gour Devi Paryavaran Bhawan, 46 B, IT Park, Sahasradhara Road, Dehradun -
248001, Uttarakhand
- Regional Officer, Uttarakhand Environment Protection & Pollution Control Board,
Regional Office, Kashipur - 244713

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etc



INDIA GLYCOLS LIMITED

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Website : www.indiaglycols.com

Reference: CPCB Reply / IGL – Distt. / 2020

Date: February 4th, 2020

To,
The Chairman
Central Pollution Control Board
Parivesh Bahwan, East Arjun Nagar
Shahdra, Delhi

Reference: Your letter No: B – 190198 / NGRBA (RG) / CPCB / Distillery / 1 / 2018 – 19 dated March 12, 2019 received on March 26th, 2019 reg. directions issued under Section 5 of Environment Protection Act, 1986 to M/s India Glycols Ltd.

Dear Sir,

In reference to the above said direction, we are submitting Monthly Progress & point wise reply is as –

Sl. No.	Points	Progress
1.	The unit shall utilize the spent wash stored in isolated lagoons in bio-composting before June 30, 2021 as per Standards Operating Procedure and the action plan. प्रदूषण नियंत्रण योजना परिष्कार कार्य, पूर्ण रूप से समाप्त किया-02 07 FEB 2020	3 rd cycle of composting has been completed in the month of January, 2020. As per action plan 20 No. windrows formed with 6000 MT Press Mud which consumed 12000 m3 lagoon water up to 31/01/ 2020, utilization of accumulated lagoon water is as per Action Plan submitted vide our Letter-No. CPCB Reply / IGL – Distt. / 2019 dated February 25 th , 2019. Photocopy of logbook containing windrows details is annexed herewith as Annexure – 1.
2.	The unit shall dismantle the lagoon after utilization of accumulated spent wash and shall submit the documentary evidence when lagoon gets emptied.	Filling of lagoons is in under progress.
3.	The unit shall submit the documentary support for procurement of press mud, sell of compost, compost quality on monthly basis to CPCB.	Details of Press mud procurement is as per Annexure – 2. Compost Quality report by approved lab is as per Annexure – 3.
4.	The unit shall continue to achieve ZLD and shall restrict the impermeable storage of lagoon of spent wash to 07 days equivalent as per the direction dated 7/12/2015 issued under Section 18 (1) (b) of Water (Prevention & Control of Pollution) Act, 1974.	ZLD is being achieved through Evaporation & Incineration. The storage lagoon has been dismantled and MS. Storage Tank constructed equivalent to 7 days storage capacity.

CORPORATE OFFICE : 3A, Shakespeare Sarani, Kolkata - 700071, Phone : +91 33 22823586 Fax : +91 33 22823585
HEAD OFFICE : Plot No. 2-B, Sector -126, NOIDA-201304, Distt. Gautam Budh Nagar, Uttar Pradesh, Tel. : +91 120 6860000, 3090100, 3090200
Fax : +91 120 3090111, 3090211 E-mail : iglho@indiaglycols.com
CIN : L24111UP1992PLC000007


INDIA GLYCOLS LIMITED


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 Website : www.indiaglycols.com

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Thanking you

Yours faithfully
 for India Glycols Ltd.



Dr. Ashutosh Gautam
 Head – Environment

CC:

- The Member Secretary, Uttarakhand Environment Protection & Pollution Control Board,
 Goura Devi Paryavaran Bhawan, 46 B, IT Park, Sahastradhara Road, Dehradun –
 248001, Uttarakhand
- Regional Officer, Uttarakhand Environment Protection & Pollution Control Board,
 Regional Office, Kashipur - 244713

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 Website : www.indiaglycols.com

Reference: CPCB Reply / IGL - Distt. / 2020

March 5th, 2020

To,
 The Chairman
 Central Pollution Control Board
 Parivesh Bahwan, East Arjun Nagar
 Shahdra, Delhi

Reference: Your letter No: B - 190198 / NGRBA (RG) / CPCB / Distillery / 1 / 2018 - 19 dated March 12, 2019 received on March 26th, 2019 reg. directions issued under Section 5 of Environment Protection Act, 1986 to M/s India Glycols Ltd.

Dear Sir,

In reference to the above said direction, we are submitting Monthly Progress & point wise reply is as -

Sl. No.	Points	Progress
1.	The unit shall utilize the spent wash stored in isolated lagoons in bio-composting before June 30, 2021 as per Standards Operating Procedure and the action plan.	4 th Cycle of composting has started on 02-02-2020 with 6000 MT Press Mud on which 6000 m3 lagoon water consumed up to 29-02-2020 on 20 numbers Windrows. About 42000. m3 lagoon water has utilized up to 29-02-2020 through composting as per Action Plan submitted by us to Central Pollution Control Board for utilization of lagoon water.
2.	The unit shall dismantle the lagoon after utilization of accumulated spent wash and shall submit the documentary evidence when lagoon gets emptied.	At Dabhora one lagoon is under filling with fly ash & we are utilizing accumulated contaminated rainwater in bio-composting. We have taken permission for second part of this lagoon for conversion in rain water harvesting / aqua culture / wetland development from UEPPCB.
3.	The unit shall submit the documentary support for procurement of press mud, sell of compost, compost quality on monthly basis to CPCB.	Details of Press mud procurement is as per Annexure - 1. Compost Quality report by approved lab has already been submitted.
4.	The unit shall continue to achieve ZLD and shall restrict the impermeable storage of lagoon of spent wash to 07 days equivalent as per the direction dated 7/12/2015 issued under Section 18 (1) (b) of Water (Prevention & Control of Pollution) Act, 1974.	ZLD is being achieved through Evaporation & Incineration. The storage lagoon has been dismantled and MS Storage Tank constructed equivalent to 7 days storage.

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
 पारिवेश बहान, पूर्वी अर्जुन नगर दिल्ली-110032
 10 9 MAR 2020
 Central Pollution Control Board
 Parivesh Bahwan, East Arjun Nagar, Kashipur, Uttarakhand

CORPORATE OFFICE : 3A, Shakespeare Sarani, Kolkata - 700071, Phone : +91 33 22823586 Fax : +91 33 22823589
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 Fax : +91 120 3090111, 3090211 E-mail : iglho@indiaglycols.com
 CIN : L24111UR1983PLC009097

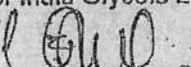
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Dr. Ashutosh Gautam
Head - Environment

CC:

- The Member Secretary, Uttarakhand Environment Protection & Pollution Control Board,
Goura Devi Paryavaran Bhawan, 46 B, IT Park, Sahasthradara Road, Dehradun -
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- Regional Officer, Uttarakhand Environment Protection & Pollution Control Board,
Regional Office, Kashipur - 244713

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Website : www.indiaglycols.com

Reference: CPCB Reply./ IGL - Distt. / 2020

April 6th, 2020

TO,
THE CHAIRMAN
CENTRAL POLLUTION CONTROL BOARD
PARIVESH BAHWAN, EAST ARJUN NAGAR
SHAHDRRA, DELHI

Reference: Your letter No: B - 190198 / NGRBA (RG) / CPCB / Distillery / 1 / 2018 - 19 dated March 12, 2019 received on March 26th, 2019 reg. directions issued under Section 5 of Environment Protection Act, 1986 to M/s India Glycols Ltd.

Dear Sir,

In reference to the above said direction, we are submitting Monthly Progress & point wise reply is as -

Sl. No.	Points	Progress
1.	The unit shall utilize the spent wash stored in isolated lagoons in bio-composting before June 30, 2021 as per Standards Operating Procedure and the action plan.	4 th Cycle of composting has been started on 02-02-2020 with 6000 MT Press Mud on which 9800 m3 lagoon water consumed up to 21-03-2020 on 20 numbers Windrows, onwards 22.3.2020 bio-composting is discontinued due to "COVID - 19 Lockdown", again started after clearance of COVID-19 Lockdown. Copy of logbook is annexed as Annexure - 1.
2.	The unit shall dismantle the lagoon after utilization of accumulated spent wash and shall submit the documentary evidence when lagoon gets emptied.	As per proposal at Dabhora one lagoon is under filling with fly ash & utilizing accumulated contaminated rainwater in bio-composting. We have taken permission for second part of this lagoon for conversion in rain water harvesting / aqua culture / wetland development from UEPPCB.
3.	The unit shall submit the documentary support for procurement of press mud, sell of compost, compost quality on monthly basis to CPCB.	Press mud procurement detail has been submitted however compost quality report by approved lab. to be submitted after completion of cycle.

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CIN : L24111UR1983PLC009097

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Website : www.indiaglycols.com

<p>4. The unit shall continue to achieve ZLD and shall restrict the impermeable storage of lagoon of spent wash to 07 days equivalent as per the direction dated 7/12/2015 issued under Section 18 (1) (b) of Water (Prevention & Control of Pollution) Act, 1974.</p>	<p>ZLD is being achieved through Evaporation & Incineration. The storage lagoon has been dismantled and MS Storage Tank constructed equivalent to 7 days storage capacity.</p>
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We would like to emphasize that, M/s India Glycols Ltd. is an environmental conscious organization and always keen to adopt guidelines / direction for improvement of environment.

Thanking you

Yours faithfully
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Dr. Ashutosh Gautam
Head - Environment

CC:

- The Member Secretary, Uttarakhand Environment Protection & Pollution Control Board,
Gaura Devi Paryavaran Bhawan, 46 B, IT Park, Sahastradhara Road, Dehradun -
248001, Uttarakhand
- Regional Officer, Uttarakhand Environment Protection & Pollution Control Board,
Regional Office, Kashipur - 244713

Note: Delay in submission due to covid-19 Pandemic Lockdown



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 Website : www.indiaglycols.com

Reference: CPCB Reply / IGL – Distl. / 2020

May 5th, 2020

TO,
 THE CHAIRMAN
 CENTRAL POLLUTION CONTROL BOARD
 PARIVESH BAHWAN, EAST ARJUN NAGAR
 SHAHDRA, DELHI

Reference: Your letter No: B – 190198 / NGRBA (RG) / CPCB / Distillery / 1 / 2018 – 19 dated March 12, 2019 received on March 26th, 2019 reg. directions issued under Section 5 of Environment Protection Act, 1986 to M/s India Glycols Ltd.

Dear Sir,

In reference to the above said direction, we are submitting Monthly Progress & point wise reply as as –

Sl. No.	Points	Progress
1.	The unit shall utilize the spent wash stored in isolated lagoons in bio-composting before June 30, 2021 as per Standards Operating Procedure and the action plan.	No Bio-composting In April, 2020 due to "COVID - 19 Lockdown", restarted after clearance of COVID-19 Lockdown. Cycle detail as per Annexure – 1.
2.	The unit shall dismantle the lagoon after utilization of accumulated spent wash and shall submit the documentary evidence when lagoon gets emptied.	At DABHORA one lagoon is under filling with fly ash & utilization of accumulated contaminated rainwater in bio-composting is under progress as per action plan submitted to CPCB. Bio-composting is closed during COVID-19 Lockdown. UEPPCB granted permission vide letter No: UEPPCB / HO / Con. I – 8 – DOI – III / 1612 of dated 03-01-2020 to convert second part of this lagoon (Lagoon 2) in rain water harvesting / aqua culture / wetland development from UEPPCB.
3.	The unit shall submit the documentary support for procurement of press mud, sell of compost, compost quality on monthly basis to CPCB.	Press mud procurement detail has been submitted however compost quality report by approved lab will be submitted after clearance COVID-19 Lockdown.

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 HEAD OFFICE : Plot No. 2-B, Sector -126, NOIDA-201304; Distt. Gautam Budh Nagar, Uttar Pradesh, Tel. : +91 120 3090100, 3090200, 6860000
 Fax : +91 120 3090111, 3090211 E-mail : iglho@indiaglycols.com
 CIN : L24111UR1983PLC009097

1278

Works & Registered Office : A-1, Industrial Area, Bazpur Road, Kashipur - 244713, Distt. Udham Singh Nagar (Uttarakhand)
Tel. No.: +91 5947 269000 / 269500 / 275320, +91 9411108202, Fax No.: +91 5947 275315, 269535
Website : www.indiaglycols.com

<p>4. The unit shall continue to achieve ZLD and shall restrict the impermeable storage of lagoon of spent wash to 07 days equivalent as per the direction dated 7/12/2015 issued under Section 18 (1) (b) of Water (Prevention & Control of Pollution) Act, 1974.</p>	<p>ZLD is being achieved through Evaporation & Incineration. The storage lagoon has been dismantled and MS Storage Tank constructed equivalent to 7 days storage capacity.</p>
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We would like to emphasize that, M/s India Glycols Ltd. is an environmental conscious organization and always keen to adopt guidelines / direction for improvement of environment.

Thanking you

Yours faithfully
for India Glycols Ltd.


Dr. Ashutosh Gautam
Head - Environment

CC:

- The Member Secretary, Uttarakhand Environment Protection & Pollution Control Board,
Gour Devi Paryavaran Bhawan, 46 B, IT Park, Sahasthradhar Road, Dehradun -
248001, Uttarakhand
- ✓ Regional Officer, Uttarakhand Environment Protection & Pollution Control Board,
Regional Office, Kashipur - 244713

Note: Delay in Submission due to covid-19 pandemic lockdown.



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CIN : L24111UR1983PLC009097

Annexure - IV

05 AUG 2020
157937
Central Pollution Control Board
Parivesh Bhavan, East Arjun Nagar, Delhi

HEAD OFFICE
गौरा देवी पर्यावरण भवन



Uttarakhand Pollution Control Board
46-B, SIDCUL IT Park, Sahastradhara
Road, Dehradun(Uttarakhand)

उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड
46-बी, सिडकुल, आईटीओ पार्क,
सहस्रधारा रोड, देहरादून

157937/DA/2020
06/08/20

UKPCB/HO/Gen-183-247 (Vol-3)/20/506

Dated 31-7-2020

To

The Member Secretary
Central Pollution Control Board
Parivesh Bhavan, East Arjun Nagar
Delhi-32

**Sub: Recovery of Environment Compensation from M/s India Glycols Ltd.
Kashipur, Uttarakhand, in compliance of the Hon'ble NGT order dated
15.01.2020 in OA 361/2017**

Sir,

This has reference to NGRBA Email dated 24.07.2020 on the above-mentioned subject. In this connection, it is to inform that the following observation was made by Justice (Retd.) Arun Tandon in the inspection report of dated 05.07.2019: - *"the existence of such huge capacity of lagoon is in clear violation of CPCB directions dated 24.02.2015, 23.04.2015 and 04.12.2015"*. Copy of such observations is placed at **Annexure-1**. Brief of the date wise directions issued by CPCB and compliance of such direction made by the State PCB is enclosed at **Annexure-02**.

In this regard, this is to inform that CPCB has issued direction under section 18(1)(b) to SPCB on dated 07.12.2015 and subsequently SPCB has issued directions under section 33 A of Water Act vide letter No. UEPPCB/HO/Gen.-360/ 2016/ 9918 -1922 dated 18/03/2016 to M/s India Glycols Ltd, directing that the *"the storage capacity of concentrated spent wash after RO & MEE or only MEE shall be strictly restricted to thirty days equivalent of concentrated spent wash (40 % volume by volume of spent wash) generated by 31.03.2016 not for disentrailing*. A copy of the UEPPCB directions and CPCB directions is enclosed at **Annexure - 03**. The compliance report of the CPCB directions dated 07/12/2015 was also forwarded to CPCB by the SPCB on dated 19-11-2016. Copy of the compliance report is enclosed at **Annexure - 04**.

Further CPCB has issued direction under section 18(1)(b) of the Water Act to SPCB on dated 22.12.2016 directing Chairman, SPCB to *"discontinue all manufacturing operations of the unit (M/s India Glycols Ltd) and shall not be permitted to restart operations until unit comply with the action plan for achieving ZLD"*. Subsequently CPCB has clarified vide letter No. B-410/PC I - III/ Dist/ 2K

Forwarded for info, pls.

SH (WASH-II)

AD (MKB)

Signature
06/08/20

Signature
5/8

RA(MC)

Signature

14 – 15/ 21561 dated 10-01-2017 that "The present direction (22-12-2016) has been issued for second stream (98 KLPD) where bio-composting production was done and MEE has not been installed so far to achieve ZLD". Further in the same letter dated 10.01.2017 CPCB has issued direction to UEPPCB to "stop operation of 98 KLD stream till MEE installation is not completed". Copy of the letter of CPCB dated 10.01.2017 is enclosed at **Annexure –05**. In compliance of the CPCB directions, UEPPCB has issued directions to the industry vide letter No. UEPPCB/HO/ Gen.- 360/ 2017/ 2032 dated 12/ 01/ 2017, "to stop the operation of 98 KLD stream having bio-composting to achieve ZLD until MEE installation is completed". Copy of the direction is enclosed at **Annexure – 06**. UEPPCB has also disconnected and sealed the pipeline inlet to lagoon on dated 28/01/2017 (**Annexure-07**).

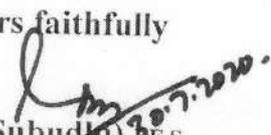
This is further to mention that the unit in tis reply dated 19.09.2016 has mentioned that the unit is operating with 240 KLD capacity. Further UEPPCB has reduced the consented capacity of the M/s India Glycols Ltd from 325 KLD to 240 KLD on dated 25.05.2017. Copy of such Consent letter is enclosed at **Annexure-09**. It is pertinent to that CPCB has taken reference of the compliance report, as submitted by industry to CPCB on 03-01-2017 (enclosing letter dated 19.09.2016), in its letter dated 10-01-2017 which is for stoppage of 98 KLD stream.

Further, CPCB on dated 14 March 2019 issued direction to M/s India Glycols Ltd "to utilized the spent wash stored in the isolated lagoons in bio-composting before 30.06.2021 and shall dismantle the lagoon after utilization of accumulated spent wash". Copy of the letter is enclosed at **Annexure – 10**.

In view of the above informations, it is clear that, violation of environmental norms has not been reported in any report. However, CPCB vide letter No. B-190198/NGRBA (RG/CPCB/Distillery/1/2018-19/3304 dated March 20th 2020 has assessed Environmental Compensation based on "**potential to cause environmental contamination and having potential to pollute both surface and ground water,**" and requested SPCB to levy Environmental Compensation. In the light of above, SPCB is in agreement with the reply of the unit communicated to CPCB vide letter no. UEPPCB/HO/Gen-183-247 (vol-2)/2020/217 dated 18.06.2020 and is of the view that levying Environmental Compensation on the basis of **potential to pollute seems not justified**.

Encls: as above

Yours faithfully


(S.P. Subudhi) P.F.S.
Member Secretary

Page 2 of 2

ANNEXURE - 01

ANNEXURE - 01

COMPILATION I

Inspection Report


(Justice Shri Arun Tandon)
(Retd.)

Inspection Report

In compliance of the order of the Hon'ble National Green Tribunal dated 20.05.2019 passed in O.A.No.361 of 2017, I along with Mr. D.P. Mathuria, Executive Director, NMCG, Member Secretary, Uttar Pradesh Pollution Control Board and Member Secretary, Central Pollution Control Board carried out inspection of Radico Khaitan Ltd. (Distillery Distillery), Rampur, UP and other places at Rampur 1000 meters upstream of the industry as well as 1000 metres downstream of the industry on 10th and forenoon of 11th June 2019.

On 11th and 12th June 2019, inspection of the 6 industries of Kashipur which were mentioned in the order of the NGT dated 20.05.2019 as well as other places 1000 meters upstream of the industrial area and 1000 metres downstream of the industrial area, was undertaken.

Since, certain orders and documents from various authorities including Central Pollution Control Board, Central Ground Water Authority and State Pollution Control Board were required, meetings were held at Delhi with the officers of the said departments on 26th and 28th of June 2019.

The Inspection Report with reference to said visits and salient observations of 09 nos. of industries including 02 from Ajeetpur and Roshanbag industrial area of Rampur is filed herewith for kind consideration of the Hon'ble Tribunal.

After meeting the officers of the district Rampur, I along with officers visited the premises of Radico Khaitan Ltd. (Distillery Unit), Rampur, UP, wherein initially a presentation was made by Mr. K.P.Singh Director (Operation), Radico Khaitan Ltd. It was informed that the distillery has installed capacity of 200 KLD for manufacture of alcohol from molasses and 100 KLD for manufacture of alcohol from Grain. It has complied with the direction of CPCB dated 07.12.2015 and 17.05.2019 for volume reduction of spent wash with solid concentration of 30% by installation of integrated evaporation, biomethanation, RO and SMEE. It had 56 acres of land for Bio composting, out of which 14 acres was covered. It now has Zero Liquid Discharge. It has installed CPU in March 2019. Use of fresh water has also been reduced by about 70% to ²⁶⁰⁰___KLD or L/litre of alcohol. The steps taken for efficient generation of power and rain water harvesting were also explained. Radico Khaitan Ltd. had 03 lagoons for storage of

the spent wash, one lagoon at Hitachi and two lagoons at Ajeetpur. The capacity of the lagoons is as follows:

1. Hitachi	-	12,000 m ³
2. Ajeetpur I	-	58,000 m ³
3. Ajeetpur II	-	20,000 m ³
Total	-	90,000 m³

There is a red mark in each of the lagoon at nearly 50% of its total capacity which represents the permissible limit upto which the spent wash can be stored.

Out of diluted, 25,000 m³ of spent wash referred to in the order of CPCB dated 17.05.2019, unit has utilized 21,000 m³ as per directions of CPCB. Only about 3500 m³ remained to be disposed of.

After the presentation, inspection of the distillery units was undertaken. The officers of the Central Pollution Control Board were asked to draw samples from various places with a direction to submit the analysis report at the earliest. The details of the places from where the samples have been drawn are separately provided in the report of Central Pollution Control Board. Thereafter we visited the lagoon at Hitachi with capacity of 12,000 m³, spent wash was found stored. The exact quantity of spent wash was informed to be about 3500 m³ with solid concentration of >30%. At Hitachi, out of total 33.688 acres of land covered area is 8 acres and remaining uncovered area is 25.688 acres.

We visited two lagoons at village Ajeetpur. Lagoon Ajeetpur-I has a capacity of 58,000 m³ and Lagoon Ajeetpur-2 has a capacity of 20,000 m³. In the lagoons, red marks have been placed by State Pollution Control Board at 29,000 m³ and 10,000 m³ capacity respectively. In lagoon Ajeetpur-1 spent wash with low solid content referred to in CPCB direction dated 17.05.2019 was stored. About 21,500 m³ of the spent wash has been utilized through bio-compost after concentration through SMME. Only spent wash to the tune of 3500m³ was found to be stored in this lagoon with thick sludge at the bottom. This is to be disposed of by bio-composting. In lagoon Ajeetpur-2, 7000 m³ spent wash with solid content >30% was reported to be stored. At Ajeetpur, out of total 23.2 acres of land covered area is 6.5 acres and remaining uncovered area is 16.7 acres.

A few villagers of the adjoining area approached the inspection team and stated that because of gaseous emission from the lagoons and the composting area, the air quality in the locality has deteriorated severely. It was stated by the villagers that,

- (i) Burning sensation in the eyes is caused specially in the evening/night.
- (ii) Underground water has become unfit for drinking purposes.
- (iii) Smell from the area make the area uninhabitable.
- (iv) Every house in the surrounding area has a patient suffering from tuberculosis.

The Additional District Magistrate who was present during the visit was instructed to get the particulars of the villagers who had made the complaint recorded and a report be submitted after verification of the correctness of the complaint.

It may be recorded that I and other officers present also felt irritation in the eyes while inspecting the site. Samples were directed to be drawn from the lagoons, the analysis report whereof is provided in the report of the CPCB.

On way back we again assembled in the conference hall of Radico Khaitan Ltd. and during the discussion it was specifically enquired:-

- (a) As to how the distillery could continue to produce Alcohol despite closure order of the CPCB dated 24.12.2018 read with order dated 17.02.2019.
- (b) The officers of Radico Khaitan Ltd. present in the meeting specifically stated that they had been instructed by the high officials of the Uttar Pradesh State Government, including those of the Excise department to maintain status quo, meaning thereby to continue with the production as the State of UP was approaching the Central Pollution Control Board by way of representation against the closure order.

It was stated that such directions had been issued orally. Member Secretary CPCB was asked to bring the said statement of the officers of Radico Khaitan to the notice of the Chief Secretary of State of Uttar Pradesh and to request him to identify the officers who had issued such decision, i.e., to ask the distillery to continue to manufacture alcohol despite the closure order of CPCB. A letter dated 24.06.2019 has been sent by Member Secretary, CPCB to Chief Secretary of U.P. for the purpose and copy of the same has also been provided to me.

(c) The officers of the industry were also asked to provide the information with regard to the extraction of ground water and compliance of the conditions of no objection granted by the Central Ground Water Authority.

A hard copy of the representation was also made available to me by the representative of the unit. It reflects that renewal of no objection certificate granted by Central Ground Water Authority which had expired on 17.10.2018 was pending consideration with the Governing body of CGWA since 14.05.2019.

Although, it was informed that the conditions contained in the 'No Objection Certificate' granted by the CGWA were being complied with the details of such compliance, including installation of Piezometers in the required quantity, actual amount of water re-charged could not be shown.

The details of the sale of compost generated have been furnished by unit. Similarly the details of disposal waste, including packaging material etc, have also been provided by the industry.

It was informed that the compost was earlier being sold to the extent of 50% to M/s Tata Rallies and the remaining was being sold to the farmers. Purchase of the compost by M/s Tata Rallies has stopped since last few months. The industry was stated to be working at the reduced capacity of 77 KLPD only since 24th May, 2019 in compliance of CPCB direction dated 17.05.2019.

The total amount of underground water withdrawn by the industry was stated to be within the permissible limit, i.e., 2600 m³ /day with reference to the flow meter installed by the industry itself. No cess had been paid by the industry for withdrawal of the underground water since 01.12.2016. The videography of the area both inside and outside of the boundary wall of the Radico Khaitan Ltd. was done with the help of drone. No outlet could be identified except the one for storm water.

However, while travelling on the road running parallel to the distillery, at one place loosely connected pump was noticed just above the public drain and at another place a black coloured pipe (of around 10 inches diameter) was observed running into the industry premises from over the drain. Photographs of both places were taken.

The representative of the unit informed that pipe were being used for transfer of concentrated spent wash from the factory to the lagoon situated across the road, and the pump was being used to drain out stagnant waste water away from boundary wall. The following directions were given:

- (i) If the pump is required for transfer of the waste water of the drain it must be permanently installed within the factory premises.
- (ii) The PE pipe running across the drain should be replaced by a underground permanent pipe of required dimensions.
- (iii) State PCB shall take note of these structures and keep a check that they are used for rightful purpose only.

As per CPCB direction dated 24.02.2015, 23.04.2015 and dated 07.12.2015 issued under Section 18(1)(b) of the Water (Prevention & Control of Pollution) Act, 1974 to the State Pollution Control Boards in Ganga Basin for ensuring ZLD distillery units had to reduce the volume of effluent by 40% and resort to Bio-composting or incineration after concentration of the spent wash. If the distillery unit optioned for Bio-composting then maximum allowable storage capacity was fixed as equivalent to 30 days concentrated spent wash generation, with at least 30% solid content. With regard to the installed capacity of M/s Radico Khaitan, the storage capacity permissible in light of direction would be 25,824 m³ only while the industry had storage capacity of spent wash in the three lagoons of about 45,000 m³ that is up to the red mark put by the State Pollution Control Board, while the actual total capacity of three lagoons is 90,000 m³.

The industry should not have lagoons of the capacity in excess of the capacity actually required for storage of 25,824 m³ spent wash, and the remaining capacity of lagoons has to be demolished. As a matter of fact, lagoon Ajeetpur-1 would suffice the requirement and the lagoon at Hitachi and the lagoon Ajeetpur-2, must be completely removed.

Radico Khaitan must develop thick forestry in the area around the lagoons and the composting yard in the coming rainy season so as to improve the air quality as well as to provide a buffer for the gases generated.

On 11th June 2019 forenoon, we visited the Rampur drain in Rampur 1000 meters upstream of M/s Radico Khaitan. Samples have been drawn from Rampur drain. Analysis report is given in the Inspection Report of CPCB.

We then inspected the place where drain from Radico Khaitan Distillery meets the Rampur drain at Ajeetpur and samples of discharge were drawn. Analysis report is provided in the inspection report of the CPCB. During inspection, we noticed a saw mill at the site. A man from the saw mill told us about an underground outlet of distillery waste water into the drain. The identified place was filled with sand bags, but on removal of the same no outlet could be noticed. The area has been photographed.

Some other residents of the surrounding area approached and informed about another outlet near the lagoons of Radico Khaitan. The identified place was dug in the presence of SDM Rampur for two days. Pucca constructions were found but no outlet for spent wash being released in the drain could be noticed. Photographs of the area have been taken and form part of the report submitted by CPCB.

The villagers complained about foul smell in the atmosphere as well as irritation in eyes in the evening. It was also informed that the water from hand pumps is yellow in colour and not drinkable. Samples of hand pump water have been drawn. Analysis done by CPCB is detailed in their inspection report.

We travelled along the Rampur drain for nearly around 3000 meter downstream to reach the point where V-notch was installed to measure the flow rate of the drain. Samples have been drawn from the point. Analysis carried out by CPCB is given in their inspection report.

Samples were also drawn from the Rampur drain at a place which is nearly 1000 meters downstream of the point of confluence of Radico Khaitan drain with Rampur drain at Ajeetpur. Analysis report is provided in CPCB report.

We also travelled to the point of confluence of Rampur drain with River Kosi. Upstream of the point of confluence, River Kosi was dry. Samples have been drawn from the point. Analysis report is given in the inspection report of CPCB.

During inspection of effluent generating industries in industrial area of Ajeetpur and Roshanbag, effluent saamples were taken and analysis results are

shown in CPCB report. Two industries namely Damya (PJ) Foods and M/s Varun Steel have been found non-complying. State PCB has been asked to take necessary action.

In the after noon of 11th June 2019 we reached Kashipur. After brief meeting with the district authorities we went to the Bio-composting site of India Glycols Ltd. A big size lagoon of capacity 1,29,000 m³ filled with spent wash was observed. The officers of the India Glycols Ltd. who were present at the site informed that at present the lagoon contained approximately 90,000 m³ of spent wash with solid content less than 1%. It was further informed that the distillery unit of India Glycols Ltd. is not using the lagoon now because of the installation of Incinerator (SLOP furnace). The total composting area available with India Glycols Ltd was disclosed as 8 acres which was uncovered. Some activity of Bio-composting was observed to be carried out. The details of the compost generation and its disposal could not be furnished to us. Only a vague reply was given that the compost was earlier being purchased by M/s Tata Rallies and some farmers. M/s Tata Rallies has stopped purchasing the compost since last six months. The details of the quantity of the compost which had been sold to the farmers could not be disclosed by the officers of the industry. Similarly, disposal of the other waste, including the solid waste, could not be provided despite of specific query. It was informed by industry representative that, the CPCB has issued order for dismantling of the lagoon and disposal of the spent wash collected in the said lagoon on or before June 2021. The industry is filling the ash which is generated due to the use of the incinerator, in the lagoon to the level it is emptied by disposal of spent wash. The existence of such huge capacity lagoon is in clear violation of CPCB's direction dated 24.02.2015, 23.04.2015 and 07.12.2015.

We, thereafter, visited the production unit of the India Glycols Ltd. and samples from ETP of the chemical unit have been drawn. Analysis report is given in the inspection report of CPCB. During the meeting with the officers of the unit it was informed that their application for 'no objection certificate' from the CGWA for withdrawal of underground water has been pending for last more than 5 years, i.e., since 2014. The amount of underground water extracted by the industry for its plant was reported to be around 5500 KLD which means 55 lac litres per day. On being enquired about the measures being taken by the industry for recharging the underground water, it was informed that no such condition had

been imposed upon them by any of the authorities. It was further informed that not a single penny had been deposited as water cess by the industry for last two years.

On simple calculation the industry has withdrawn 86,25,000 KL of underground water in last 5 years without any effective effort to recharge the underground water. Cess has also not been paid for such huge extraction of underground water for years together. Absolutely no satisfactory reasons could be informed as to how the industry could continue to withdraw underground water on the pretext of pendency of its renewal application for no objection certificate for years. It could not be explained by the industry officers as to how 90,000 m³ of spent wash with solid content less than 1% could be disposed of when industry has bio-composting area of 8 acres only and how many years it will take to dispose of the same. It was enquired from the industry as to what conditions have been imposed by CPCB or State board in the matter of disposal of ash which is generated because of the use of the Incinerator, as the total quantity of ash generated was reported to be around 128 metric tons per day. Absolutely no plan could be shown to have been worked out by the industry or approved by CPCB or State board in the matter of disposal of ash, which in a few months would in itself become a serious environmental hazard. As a matter of fact, the decision to resort to incinerator appears to have been taken both by the distillery and the CPCB/SPCB without appreciating the enormous amount of ash which would be generated through the Incinerator and the manner in which it would be required to be disposed of.

We visited Naktia drain 1000 meter upstream, also known as river Behla, downstream of IGL. Samples have been drawn and analysis done CPCB is provided in their inspection report.

Thereafter, we visited the following 6 industries at Kashipur on 12.06.2019, namely:

1. M/s Kashi Vishwanath Textile Mill (P) Ltd., Ramnagar Road, Kashipur.
2. M/s Vishwakarma Paper and Boards Ltd. Ramnagar Road, Kashipur.
3. M/s Banwari Paper Mills Ltd. Ramnagar Road, Kashipur.
4. M/s Multiwal Duplex Pvt Ltd. Kundeshwari Road, Kashipur.
5. M/s Cheema Paper Ltd. Bazpur Road, Kashipur.

6. M/s Multiwal Paper and Pulp Pvt. Ltd. Kundeshwari Road, Kashipur (found closed during inspection).

Inspection reports including samples analysis results are enclosed in the CPCB Report.

Place 1000 meters downstream of IGL was visited by the team before reaching India Glycols on 11.06.2019 and waste water sample was collected from Lohia bridge. Analysis results of the same are mentioned in CPCB report.

After the meeting with the officials of the CPCB, UPPCB, UEPPCB and CGWA and examination of various orders at Delhi on 26th and 28th of June, 2019, following discrepancies have been found. The same are listed industry wise:

Radico Khaitan Ltd. (Distillery Unit), Rampur, UP

- a) The industry had continued with the production despite the closure order of CPCB between 07.02.2019 to 11.05.2019.
- b) The industry had neither filled nor dismantled the excess capacity in the lagoons despite the directions of CPCB dated 24.02.2015, 23.04.2015 and dated 07.12.2015. CPCB's order dated 18.02.2019 mentions non-compliance of the conditions as per the order of CPCB dated 07.12.2015 as one of the grounds for revoking the order keeping the closure order in abeyance. Yet the order of CPCB/UPPCB permitting the partial operation of distillery dated 17.05.2019 makes no mention of said violation.
- c) No objection Certificate granted by CGWA has expired on 02.10.2018.

Not even a single penny is being paid towards withdrawal of underground water since 30.11.2016.

INDIA GLYCOLS LTD.:

- a) Under the order dated 24.06.2004 permitting capacity expansion of the industry to increase its capacity from 205 KLD to 425 KLD it was specifically provided that the production of alcohol from molasses shall be restricted to working for 330 days in a year. This condition has been violated by the India Glycols Ltd. for years together as the industry had been working for 365 days in a year.

- b) In the No objection certificate granted by CGWA dated 26.02.2009 for the ethanol unit, it is specifically mentioned that the same is valid till the area remains under the safe category or five years whichever is earlier. The category of Kashipur area was changed from safe to semi critical in 2013, and the term of the five year expired on 25.01.2014. Therefore the NOC of CGWA at the first instance expired in 2013 and in any case on 25.02.2014. There is no valid NOC in favour of ethanol unit since thereafter for more than five years. The industry has been extracting underground water to the tune of 55 (fifty five) lac litres per day without no objection from CGWA for its Ethanol unit.
- c) In respect of the chemical unit, NOC was granted by CGWA dated 14.01.2016 under the expansion programme by permitting additional withdrawal of 459 m³ of water per day in addition to the existing NOC for 2596 m³ per day. This permission was valid for two years only, which expired on 14.01.2018. For the chemical unit also there is no NOC from CGWA subsequent to 15.01.2018. The NOC was granted on 14.01.2016 without clarifying that the unit has no valid permission for ground water extraction for the original withdrawal itself. There has been extraction of underground water for chemical unit without any NOC from CGWA since 15.01.2018. No water charges are being levied upon the unit since 30.06.2017 on the ground that Water Cess Act, 1977 has been repealed by Act No. 18 of 2017.
- d) Since M/s IGL had resorted to incineration instead of Bio-composting, under the CPCB direction dated 24.02.2015, 23.04.2015 and dated 07.12.2015, it can have a storage capacity of 7 days in the lagoon only at all stages. The excess storage capacity had either to be filled or dismantled. State Pollution Control Board vide order dated 13.03.2015 had instructed the M/s IGL to either fill or dismantle the excess storage capacity on or before September 2016. In fact neither the filling of the lagoon nor the dismantling have been done by IGL till date.

- e) As per CPCB direction dated 22.12.2016 IGL was asked to close its 98 KLD Plant, yet no direction was issued for dismantling or filling of lagoon while permitting the continuous operation of 240 KLD Plant. As per CPCB direction dated 24.02.2015, 23.04.2018 and dated 07.12.2015 IGL could use the lagoons only till 31st March, 2016. Contrary to the said direction, IGL continued to operate its plant and stored spent wash in lagoon till 28.01.2017 when it was sealed by SPCB. No explanation has been provided by industry as to how it continued to use the lagoons between April, 2016 to January, 2017.
- f) Consent to operate was granted by SPCB on 06.07.2017 with specific condition to dispose of the generated spent wash through Multi Effect Evaporator (MEE) and to use concentrate in the boiler. The industry while acting on said consent to operate deliberately did not comply with the said condition and spent wash with low solid content continued to be stored in lagoon outside the factory premises.
- g) A joint inspection of industry was carried out on 19th April 2018 under orders of N.G.T. dated 13.07.2017 passed in O.A. No.200/2004 by joint team comprising of experts of 3rd party technical institutes PCRI, Haridwar (on behalf of CPCB) and SPCB. The report submitted does not mention of either compliance with the condition of the consent to operate dated 06.07.2017 or of availability of the spent wash in lagoon. Joint inspection done by the State Pollution Control Board and the Central Pollution Control Board (through third party) in terms of the order of the National Green Tribunal dated 13.07.2017 passed in O.A. No. 200 of 2014 does not reflect upon any of the infirmity and illegality noted in this report. It appears that the joint inspection report has been prepared without actual spot inspection and verification of the records. On 20th April 2018, a fresh consent to operate was again granted by SPCB to IGL Ltd. without mentioning non-compliance of the earlier consent order, non-availability of NOC from the CGWA or availability of spent wash in the lagoon.
- h) CPCB on 07.02.2019 issued show cause notice under section 5 of E(PO) Act, 1986 based on joint inspection dated 19.01.2019 with regard to

availability of the spent wash diluted with rain water to the tune of 70,000 m³ in the lagoon and finally under order dated 14.03.2019 issued direction for dismantling of lagoon on or before June 2021, without taking any action for breach of direction issued earlier.

- i) It is for the first time in the order dated 14.03.2019, CPCB refers to another lagoon used for storing concentrated spent wash before incineration, as informed by the industry inside the industry premises. SPCB informed in the meeting that the capacity of this lagoon is about 1,00,000 m³ which is filled by accumulated sludge. This storage capacity is also in violation of CPCB's Circulars dated 24.02.2015, 23.04.2015 and 07.12.2015.
- j) On 28.06.2019, CGWA has informed in the meeting that Kashipur is now semi critical area it shall not be granted any NOC. Renewal is also a new grant. Even otherwise in case of IGL because of the change of the status of the area no renewal application would be maintainable and the industry has to apply afresh under the conditions applicable to semi critical area.
- k) Despite all this SPCB granted permission to operate in the month 2018 both for the alcohol industry and the chemical unit in the said factual scenario.
- l) The company has been permitted to resort to incineration since January 2017 in place of Bio-composting. The total ash generated due to incineration by the super heater is around 62 metric ton per day while that generated by the slop is 66 metric ton per day. In all the total ash generated by the unit is 128 metric ton per day. There is no proposal on record by M/s IGL in respect of disposal of such huge quantity of ash generated on per day basis. Similarly, it is found that neither the SPCB nor CPCB have till date provided any direction/guidelines in matter of disposal of the ash generated by the unit. The present scenario at IGL, if reflected in other words, would be that a STP has been installed to treat the sewage but there is no plan for disposal of the sludge generated therein.
- m) While returning from Kashipur on 12.06.2019 near the border of the district Rampur, industries were found emitting large volume of gas from large chimney. Heaps of fly ash were found collected near the roadside. The

industries identified are (i) Pashupati Acrolyn and Nani Papers situate on left bank of Dhandi Drain Kashtipur Road, Moradabad. CPCB/UPPCB shall conduct detailed inspection of the units and take immediate actions.

My suggestions and observations for the effective prevention of all kind in background of inspection are separately recorded in Compilation No.2.


Justice Arun Tandon (Retd.)

Dated: 05 July 2019.

Annexure-02

Direction	Date wise Directions of CPCB		
	24.02.2015	23.04.2015	07.12.2015
CPCB to UEPPCB	<p>1. All molasses based distilleries including yeast manufacturing units in the state of Uttarakhand are directed to achieve ZLD by following of the two routes as specified below</p> <p>a. Installing system for solid separation for reduction in volume of spent wash and water conservation using appropriate technology such as RO, by September 30 2015 followed by evaporation- concentration and incineration, using appropriate technology such as MEE and incineration boiler by March31, 2016.</p> <p>b. Adopting advance process technologies (continuous fermentation, multi pressure distillation, integrated evaporation, etc) by March 31, 2016, followed by evaporation-concentration and incineration using appropriate technology such as MEE and incineration boiler by September 30, 2016</p> <p>2. Industries which have already adopted advance process technologies (Continuous fermentation, multi pressure distillation, integrated evaporation, etc) are directed to set up evaporation-concentration and incineration</p>	<p>Follow up directions</p> <p>CPCB directed UEPPCB to issue necessary directions to the molasses based distilleries and yeast manufacturing units in the state of Uttarakhand to submit the individual action plan for achieving ZLD by complying CPCBs directions latest by April 30th 2015.</p> <p>In case of failure of any industry in submission of the action plan within due date, the Consent to Operate issued by UEPPCB to the unit shall be withdrawn</p>	<p>Allowed bio-composting with following</p> <p>Industries opting for bio-composting shall be directed with the following within the given time frame.</p> <p>a. Obtain valid registration/ certificate for the production and Quality of bio-enriched organic manure (bio-compost) as per Gazette Notification S. O. 2776 (E) dated 10.10.2015</p> <p>b. The final storage capacity of concentrated spent wash after RO & MEE of only MEE utilized in bio-composting shall be properly lined and made impermeable and shall be strictly restricted to thirty days equivalent of concentrated spent wash (40 % volume of spent wash generated) – by 31.03.2016.</p> <p>c. The finished bio-compost shall be packed in sealed poly bags super scribed with quality and composition of bio-compost along with the name of manufacturer industry. Industries shall not be allowed</p>

	<p>system by March 31, 2016</p> <p>3. Till such time the industries comply with the installation of incineration system (but not later than 31.03.2016 or 30.09.2016 as the case may be, indicated in point No. 1 & 2 above) they are allowed to utilize the spent wash for manufacturing bio-compost within their premises, with proper labeling and marketing of the finished compost, in sealed bags, bearing the name and seal of the manufacturer industry and the composition of the bio-compost. Industries are not allowed to sale compost in open tractor/ trolleys.</p> <p>4. The storage facility provided for spent wash shall be properly lined and made impermeable and the storage capacity at any stage shall not exceed 07 days equivalent of production and excess storage facility beyond this shall be leveled or dismantled by 31.03.2016 or 30.09.2016, as the case may be, indicated in point 1 & 2.</p>		<p>to sale compost in open tractor/ trolleys.</p> <p>d. The bio-compost activity shall only be carried out under covered premises by 31.03.2016.</p>
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Direction	Date wise direction UEPPCB to industries	
	13.03.2015	18.03.2016
UEPPCB to Industry	<p>1. All molasses based distilleries including yeast manufacturing units in the state of Uttarakhand are directed to achieve ZLD by following of the two routes as specified below</p> <p>a. Installing system for solid separation for reduction in volume of spent wash and water conservation using appropriate technology</p>	<p>Allowed bio-composting with following as per CPCB directions dated 07.12.2015</p> <p>Industries opting for bio-composting shall be directed with the following within the given time frame.</p> <p>a. Obtain valid registration/ certificate for the production</p>

<p>such as RO, by September 30 2015 followed by evaporation-concentration and incineration, using appropriate technology such as MEE and incineration boiler by March31, 2016.</p> <p>b. Adopting advance process technologies (continuous fermentation, multi pressure distillation, integrated evaporation, etc) by March 31, 2016, followed by evaporation-concentration and incineration using appropriate technology such as MEE and incineration boiler by September 30, 2016</p> <p>2. Industries which have already adopted advance process technologies (Continuous fermentation, multi pressure distillation, integrated evaporation, etc) are directed to set up evaporation-concentration and incineration system by March 31, 2016</p> <p>3. Till such time the industries comply with the installation of incineration system (but not later than 31.03.2016 or 30.09.2016 as the case may be, indicated in point No. 1 & 2 above) they are allowed to utilize the spent wash for manufacturing bio-compost within their premises, with proper labeling and marketing of the finished compost, in sealed bags, bearing the name and seal of the manufacturer industry and the composition of the bio-compost. Industries are not allowed to sale compost in open tractor/ trolleys.</p> <p>4. The storage facility provided for spent wash shall be properly lined and made impermeable and the storage capacity at any stage shall not exceed 07 days equivalent of production and excess storage facility beyond this shall be leveled or dismantled by 31.03.2016 or 30.09.2016, as the case may be, indicated in point 1 & 2.</p>	<p>and Quality of bio-enriched organic manure (bio-compost) as per Gazette Notification S.O. 2776 (E) dated 10.10.2015</p> <p>b. The final storage capacity of concentrated spent wash after RO & MEE of only MEE utilized in bio-composting shall be properly lined and made impermeable and shall be strictly restricted to thirty days equivalent of concentrated spent wash (40 % volume of spent wash generated) – by 31.03.2016.</p> <p>c. The finished bio-compost shall be packed in sealed poly bags super scribed with quality and composition of bio-compost along with the name of manufacturer industry. Industries shall not be allowed to sale compost in open tractor/ trolleys.</p> <p>The bio-compost activity shall only be carried out under covered premises by 31.03.2016.</p>
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ANNEXURE -03
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

7836

26/12/2015

December 7, 2015

F. No. B-110/PCJ III/DIST/NGRBA/2K14-2K15

To,

The Chairman
Uttarakhand Environment Protection
and Pollution Control Board, (UEPPCB)
29/20, Nemi Road,
Dehradun - 248001, Uttarakhand

1070 / प्र.स. - नि.व.क.प्र. / 20...
दिनांक 31/12/15

Sub: Revised Direction under section 18(1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 to ensure zero liquid discharge from distilleries

WHEREAS, CPCB had issued direction on 24.02.2015 and a follow up direction on 23.04.2015, under section 18 (1) (b) of the Water Act, 1974 to SPCB for ensuring that the molasses based distilleries including yeast manufacturing units, in your State shall achieve zero liquid discharge of effluent, as per the options specified in the direction; and

WHEREAS, as per the request of All India Distillers Association (AIDA), CPCB had convened two meetings with AIDA, to review the options specified for achieving ZLD and after discussions and deliberations, it was decided to consider the option of Bio- Composting as an alternate method for achieving ZLD; and,

WHEREAS, CPCB had already communicated the minutes of the meeting held on 25.05.2015 with AIDA to the State Pollution Control Boards on 03.06.2015; and

Now therefore, in view of the above and in exercise of the powers conferred under section 18 (1) (b) of the Water (Prevention and Control of Pollution) Act, 1974 and in partial modification at S. No. 1, 2, 3, 8 & 10 of the earlier direction dated 24.02.2015, you are hereby directed to take adequate steps to implement the following revised directions in the distilleries in your State to ensure achievement of Zero Liquid Discharge;

1. All the molasses based distilleries including yeast manufacturing units in your state shall be directed to achieve zero liquid discharge of effluent by following either of the two routes as specified below;

a. Installing systems for Solid separation for reduction in volume of spent wash and Evaporation - concentration or only Evaporation - concentration so as to reduce the volume to min. 40% with 30% solid conc. and water conservation by using appropriate technology such as R.O & M.E.E or only M.E.E, by **December 31, 2015**, followed by bio composting with press mud from sugar industry by complying with conditioned specified below at S. No. 2; or

Installing system for Evaporation - concentration by using appropriate technology such as M.E.E and Incineration boiler (Slope fired / mixed with aux. fuel, etc.), using appropriate technology by **March 31, 2016**.

24/12/15

PCB

Jm

31/12/15
निदेशिका
केन्द्रीय प्रदूषण नियंत्रण बोर्ड
नया दिल्ली
उत्तराखण्ड

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

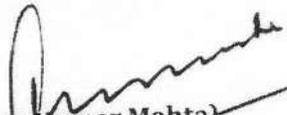
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

- b. Installing advance process technologies (continuous fermentation, multi pressure distillation, integrated evaporation, etc) for reduction of spent wash generation to 6-8 KL/KL of alcohol produced, by **March 31, 2016**, followed by evaporation-concentration and incineration, using appropriate technology such as MEE and incineration boiler by **September 30, 2016**.
2. Industries opting for bio composting shall be directed to comply with the following within the given time frame;
- Obtaining valid registration/certification for the production and quality of bio-enriched Organic manure (bio compost) as per Gazette Notification S.O.2776(E) dated 10.10.2015 under the Fertilizer (Control) Fourth Amendment Order, 2015 issued by Ministry of Agriculture and Farmers Welfare (Deptt. Of Agriculture, Cooperation and Farmers Welfare) (copy enclosed) from the Ministry of Agriculture/concerned agency - within a time period of four months.
 - The final storage capacity of concentrated spent wash after R.O & M.E.E or only M.E.E, utilized in bio composting shall be properly lined and made impermeable and shall be strictly restricted to thirty days equivalent of concentrated spent wash (40% by volume of spent wash generated) - by **31.03.2016**.
 - The finished bio-compost shall be packed in sealed poly bags super scribed with quality and composition of bio compost along with the name of the manufacturer industry. Industries shall not be allowed to sale compost in open tractors/trolleys.
 - The bio composting activity shall only be carried out under covered premises - by **31.03.2016**
3. Industries opting for concentration incineration system shall restrict the impermeable storage of spent wash at any stage, to 07 days equivalent of production and excess storage facilities beyond this shall be levelled / dismantled by 31.03.2016 or 30.9.2016, as applicable.
4. The 'Consent to operate' issued/to be issued to all the distilleries in the State shall be suitably modified within 15 days, incorporating the above conditions, and linking the validity of the 'Consent to Operate' with the compliance of the directions. The Consent to operate issued to the distilleries shall **stand automatically withdrawn** by the deadline as specified below;
- Such of those industries which opt for bio-composting system:
 - December 31, 2015** - failure to complete the installation of solid separation system (such as R.O) and evaporation - concentration (such as MEE) or only evaporation - concentration (such as MEE).
 - Such of those industries which opt for incineration system:
 - March 31, 2016**-failure to install evaporation-concentration and incineration, using appropriate technology such as MEE and incineration boiler.
 - Such of those industries which opt for adoption of advanced process technologies:
 - March 31, 2016** - failure to adopt advanced process technologies (continuous fermentation, multi pressure distillation, integrated evaporation, etc). to reduce spent wash generation to 6-8KL/KL.

- ii. *September 30, 2016*-failure to install evaporation-concentration and incineration, using appropriate technology such as MEE and incineration boiler.

Timely compliance of above directions, as per the Action Plan obtained / to be obtained from the individual industries in your state shall be ensured. Further, the progress in the implementation of directions may be communicated to CPCB on a regular basis through e-mail (adaba.cpcb@nic.in and pkg64us@yahoo.com).


(Arun Kumar Mehta)
CHAIRMAN

AM



Ref: UEPPCB/HO/Gen-360/2016/ 9019 1432 Dehradun, March 18, 2016
Speed Post

To,

- | | |
|--|--|
| 1. Managing Director/Director
M/S RBNS Sugar Ltd. (Distillery Unit),
Laksar, Distt. Haridwar
(Uttarakhand) | 2. Managing Director/Director
M/S Doon Valley Distillers
Kuanwala, P.O. - Harrawala,
Dehradun (Uttarakhand) |
| 3. Managing Director/Director
M/S India Glycol Ltd. (Distillery Unit),
Bazpur Road, Kashipur, Distt. US Nagar
(Uttarakhand) | 4. Managing Director/Director
M/S The Bazpur Co-operative Sugar Factory
Ltd. (Distillery Unit), Bazpur, Distt. US
Nagar (Uttarakhand) |

Revised Directions under section 33(A) of the Water (Prevention & Control of Pollution) Act, 1974 to ensure Zero Liquid Discharge from distilleries.

WHEREAS, the Uttarakhand Environment Protection and Pollution Control Board (UEPPCB) had issued directions on 13.03.2015 and linking directions on 10.07.2015 under section 33(A) of the Water (Prevention and Control of Pollution) Act, 1974 to the industry for ensuring that the molasses based distilleries including yeast manufacturing Units in the state of Uttarakhand shall achieve Zero Liquid Discharge (ZLD) of effluent, as per the options specified in the directions; and

WHEREAS, as per the request of All India Distillers Association (AIDA), the Central Pollution Control Board (CPCB) had convened two meetings with All India Distiller's Association (AIDA), to review the options specified for achieving ZLD and after discussions and deliberations, it was decided to consider the option of Bio-Composting as an alternate method for achieving ZLD; and,

WHEREAS, the CPCB has issued directions under section-18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 to the Chairman, Uttarakhand Environment Protection and Pollution Control Board for implementation of revised directions to the distillery units operating the State of Uttarakhand to achieve Zero Liquid Discharge.

NOW THEREFORE, in view of the above and in exercise of the powers conferred under section 33(A) of the Water (Prevention and Control of Pollution) Act, 1974 and in partial modification at S. No. 1,2,3 & 8 of the earlier directions dated 13.03.2015, you are hereby directed to take adequate steps to implement the following revised directions in the distillery Unit to ensure achievement of Zero Liquid Discharge;

1. All the molasses based distilleries including yeast manufacturing Units shall be directed to achieve zero liquid discharge of effluent by following either of the two routes as specified below;
 - a. Installing systems for Solid separation for reduction in volume of spent wash and Evaporation-concentration or Only Evaporation-concentration so as to reduce the volume to min. 40% with 30% solid conc. and water conservation by using appropriate technology such as R.O & M.E.E or only M.E.E, by December 31, 2015, followed by bio composting with press mud from sugar industry by complying with conditioned specified below at S. No. 2; or
Installing system for Evaporation - concentration by using appropriate technology such as M.E.E and Incineration boiler (Slope fired/mixed with aux. fuel etc.), using appropriate technology by March 31, 2016.

- b. Installing advance process technologies(continuous fermentation, multi distillation, integrated evaporation, etc) for reduction of spent wash generation to KL/KL of alcohol produced, by March 31, 2016, followed by evaporative concentration and incineration, using appropriate technology such as MEE and incineration boiler by September 30, 2016.
2. Industries opting for bio composting shall be directed to comply with the following within the given time frame;
- Obtaining valid registration/certification for the production and quality of bio-enriched Organic manure (bio compost) as per Gazette Notification S.O. 2776(E) dated 10.10.2015 under the Fertilizer (Control) Fourth Amendment Order, 2015 issued by Ministry of Agriculture and Farmers Welfare (Deptt. of Agriculture, Cooperation and Farmers Welfare) (Copy enclosed) from the Ministry Agriculture/concerned agency-within a time period of four months.
 - The final storage capacity of concentrated spent wash after R.O & M.EE or only M.E.E, utilized in bio composting shall be properly lined and made impermeable and shall be strictly restricted to thirty days equivalent of concentrated spent wash (40% by volume of spent wash generated)-by 31.03.2016.
 - The finished bio-compost shall be packed in sealed poly bags super scribed with quality and composition of bio compost along with the name of the manufacturer industry. Industries shall not be allowed to sale compost in open tractors/trolleys.
 - The bio composting activity shall only be carried out under covered premises-by 31.03.2016.
3. Industries opting for concentration incineration system shall restrict the impermeable storage of spent wash at any stage, to 07 days equivalent of production and excess storage facilities beyond this shall be levelled / dismantled by 31.03.2016 or 30.09.2016, as applicable.

The action taken report shall be submitted to the UEPPCB within 10 days from the date of receipt to these directions along with a time bound action plan for compliance of the directions.

This issues with the approval of the Competent Authority of the Board.

End.: As above.

Vinod
(Vinod Singhal)
Member Secretary

Copy to:-

- OFFICE COPY
- Chairman, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Sahadara, Delhi for kind information please.
 - Chairman, UEPPCB, Dehradun for kind information please.
 - Scientific Officer / Environment Officer, UEPPCB, Head Office, Dehradun for information and compliance of the same. Copy of the CPCB's directions is also enclosed for perusal.
 - Regional Officer (I/c), Uttarakhand Environment Protection & Pollution Control Board, Haldwani/Roorkee/Kashipur/Dehradun for kind information and strict compliance of above directions. Copy of the CPCB's directions is also enclosed for perusal.
 - Consent File of the all 4-Distillery Unit.

Vinod
Member Secretary
18/7/16

HEAD OFFICE

UTTARAKHAND ENVIRONMENT PROTECTION &
POLLUTION CONTROL BOARD
29/20, Nemi Road, Dalanwala, Dehradun (Uttarakhand)



उत्तराखण्ड पर्यावरण संरक्षण एवं प्रदूषण नियंत्रण बोर्ड
29/20, नेमी रोड, डालनवाला, देहरादून (उत्तराखण्ड)

Phone: (0135) 2658036; Fax: (0135) 2718093; E-mail: msukpcb@yahoo.com; Web: www.ueppcb.uk.gov.in

Ref: UEPPCB/HO/Gen-360/2016/7976-1590 Dehradun, November 19, 2016

Speed Post

E-mail: ptkg64us@yahoo.com

To:

Member Secretary,
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar,
Shahdara, Delhi - 110032

Sub.: Compliance status of directions issued u/s 18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 to ensure zero liquid discharge from distilleries - reg.

Sir,

Kindly refer your letter dated 17.10.2016 on above mentioned subject matter. In continuation of directions issued by the UEPPCB to the distillery Units of the State under section 33(A) of the Water (Prevention and Control of Pollution) Act, 1974 compliance status is attached herewith as Annexure-1 for kind perusal and necessary action please.

With warmth regard,

Yours Sincere

Encl.: Annexure-1.

(Vinod Singhal) 1/16
Member Secretary

Copy to:

In-Charge, Zonal Office, Central Pollution Control Board, PICUP Bhawan,
Ground Floor, Vibhuti Khand, Gomti Nagar, Lucknow - 226010 (UP) for kind
information please.

Environment Engineer

Compliance of Directions issued to distillery units for ZLD.
(November, 2016)

Name of Industry	Compliance status
<p>1. M/S India Glycol Ltd. (Distillery Unit), Bazpur Road, Kashipur, Distt. - US Nagar (Uttarakhand)</p>	<ol style="list-style-type: none"> 1. Order placed for MEE to meet production of installed capacity. Presently using MEE and incineration (for 240 KLD production), biomethanation; membrane filtration and biocomposting. 2. Condensate is being used in fermenters as molasses dilution water and cooling tower. 3. Spent lees is recycling in the fermenters in place of raw water for molasses dilution. 4. Flow meters installed. 5. Web cameras are provided at evaporator, SLOP boiler and bio-composting yard. 6. Appropriate marking is being done in lagoons as per requirement of bio-composting (30 days) and incineration (7days). 7. Bio-composting is being packed and sealed HDPE bags. 8. Composting in being done only in non-rainy seasons. Covered shed will be made if done in rainy season. 9. Applied for registration.
<p>2. M/S Doon Valley Distillers Kuanwala, P.O. – Harrawala, Dehradun (Uttarakhand)</p>	<ol style="list-style-type: none"> 1. Installed RO and MEE. Spent wash concentration reduce through MEE upto 45%. 2. RO permeate is being used in process. MEE condensate reuse in boiler as feed water. 3. Plant washing, leakage, bottle washing & boiler blow down are mixed with the feed for RO & MEE. Spent lees is reuse in fermentation or taken in boiler. Bioler blow down in recycled in wet scrubber. 4. Flow meter installed at raw water, RO feed, RO permeate, RO reject, MEE feed, MEE concentrate, condensate. 5. Web camera is provided in composting yard / RP plant. 6. Capacity of lagoon will be maintained equivalent to 30 days MEE. 7. Bio-composting is being packed and sealed bags. 8. Covered shed is being provided. 9. Applied for Registration.
<p>3. M/S RBNS Sugar Ltd. (Distillery Unit), Laksar, Distt. Haridwar (Uttarakhand)</p>	<ol style="list-style-type: none"> 1. MEE installed. Installed advance process technology with continuous fermentation, multi-pressure distillation and MEE for reduction of spent wash generation to 6-SKL KL of alcohol produced. 2. MEE condensate is being treated through

	<p>condensate polishing unit (capacity 1050M³/day) and using in cooling tower/process.</p> <ol style="list-style-type: none"> 3. Spent lees and plant washing water is being treated through CPU (Condensate Polishing Unit) and recycled in process / cooling tower. 4. Flow meter provided at raw spent wash MEE feed, MEE concentrate with online connectivity. 5. Web camera is provided in composting yard and lagoon with online connectivity. 6. Lagoon capacity is 14500 KL. 7. Being done as per directions. 8. Covered shed not required as unit will operate 270 days in a year. 9. Applied for registration.
<p>4. M/S The Bazpur Co-operative Sugar Factory Ltd., (Distillery Unit), Bazpur, Distt. US Nagar (Uttarakhand)</p>	<p>The Unit is not complying with the directions issued by the Board.</p> <ol style="list-style-type: none"> 1. Web camera provided in composting yard with online connectivity. 2. The UEPPCB has refused the CCA (Consolidated Consent and Authorization) of the Unit for the year 2016-17 due to non-compliances of directions issued by the Board. Bank of Rs. 5.0 Lakh also forfeited in favour of the Board.

१३३

12/01/17

केन्द्र.

राज्य बोर्ड

CENTRAL POLLUTION

CONTROL BOARD

(पर्यावरण एवं वन मंत्रालय, भारत सरकार)

MINISTRY OF ENVIRONMENT & FORESTS, GOVT OF INDIA

Speed Post

B-410/PCI-III/DISI/2k14-15/21561

January 10, 2017

To,

The Member Secretary,
Uttarakhand Environment Protection & Pollution Control Board
29/20, Nemi Road, Dehradun
Uttarakhand
Pin-248001

Sub: Clarification regarding Direction under section 18(1) (b) issued to M/s India Glycol Ltd., (Distillery Unit), Bazpur road, Kashipur, Distt. US Nagar (U.K.)

Ref: IGL/DIST/ZLD/2017 dated January 03, 2017

Sir,

CPCB has issued direction U/s 18(1) (b) of water (Prevention & Control of Pollution) Act, 1974 to UEPPCB vide letter no. B-410/PCI-III/Dist/NGRBA/2k14-2k15 dated December 22, 2016. With reference to letter no. IGL/DIST/ZLD/2017 dated January 03, 2017, M/s India Glycol Ltd., (Distillery Unit), Bazpur road, Kashipur, Distt. US Nagar (U.K) has two streams of treatment facilities (ZLD).

1. 240 KLD stream having MEE and Incineration boiler to achieve ZLD.
2. 98 KLD stream having Bio-digester & Bio-composting to achieve ZLD.

The present direction has been issued for second stream where Bio-composting is done and MEE has not been installed so far to achieve ZLD.

In view of above, you are requested to direct M/s India Glycol Ltd to stop operations for 98 KLD only until MEE installation is not completed.

Yours faithfully,

Handwritten signature
12/1/17

Handwritten signature
12/01/17

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12-01-2017

(A.B. Akolkar)
Member Secretary

परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032

'Parivesh Bhawan', East Arjun Nagar, Delhi - 110032

दूरभाष Tel : 43102030, फ़ैक्स/Fax : 22305793, 22307078, 22307079, 22301932, 22304948

ई-मेल/e-mail : cpcb@nic.in वेबसाइट/Website : www.cpcb.nic.in

HEAD OFFICE

UTTARAKHAND ENVIRONMENT PROTECTION &
POLLUTION CONTROL BOARD
29/20 NEMI ROAD, DALANWALA, DEHRADUN (Uttarakhand)

उत्तराखण्ड पर्यावरण संरक्षण एवं प्रदूषण
29/20 नेमी रोड, डालनवाला, देहरादून (उत्तराखण्ड)

Phone: 0135-266171 Fax: 0135-266172 E-mail: ueppcb@ueppcb.org

Ref.: UEPPCB/HO/Gen-360/2017/ 203 2 Dehradun, January 12, 2017

SPEED POST

To,

India Glycol Ltd. (Ethanol Plant),
Plot No. A-1, Industrial Area, Bazpur Road,
Kashipur, Distt. US Nagar (Uttarakhand)

Modified Directions under section 33(A) of the Water (Prevention & Control of Pollution) Act, 1974 to ensure Zero Liquid Discharge from distilleries.

WHEREAS, among others, under Section 17 of the **Water (Prevention and Control of Pollution) Act, 1974**, one of the functions of the State Pollution Control Board (SPCB), constituted under the **Water (Prevention & Control of Pollution) Act, 1974** is to plan a comprehensive program for prevention, control of abatement of pollution of streams and wells located in the State and to secure the execution there; and

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

WHEREAS, the **Uttarakhand Environment Protection and Pollution Control Board (UEPPCB)** and the **Central Pollution Control Board (CPCB)** have been pursuing the polluting 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

WHEREAS, the SPCB can stipulate stringent standards for discharge of environmental pollution from various categories of industries than those notified by the Central Government, under the **Environment (Protection) Act, 1986** and Rules framed thereunder; and

WHEREAS, various industrial units including distilleries located in the state of Uttarakhand discharge effluent in the rivers Ramganga, Kali and other tributaries and drains of the State, in the catchment area of Ganga basin, which adversely affect the water quality of river Ganga; and

WHEREAS, under the National Ganga River Basin Authority (NGRBA) it has been decided to address the issue of pollution of river Ganga in a comprehensive and time bound manner; and

WHEREAS, the Hon'ble Prime Minister's Office reviewed the progress made in the activities of the NGRBA on 06th January, 2015 and has identified thrust areas, including ensuring zero liquid discharge from feasible industrial sectors; and

Whereas, the **Central Pollution Control Board** has issued directions under **Section 18(1)(b)** of the **Water (Prevention and Control of Pollution) Act, 1974**, to the Chairman, **Uttarakhand Environment Protection and Pollution Control Board** to ensure Zero Liquid Discharge from distilleries; and

WHEREAS, the **Uttarakhand Environment Protection and Pollution Control Board** issued directions vide ref. no UEPPCB/HO/Gen/360/2015/8767-2220 dated 13.03.2015 and follow up directions vide ref. no UEPPCB/HO/Gen/360/2015/3702-538 dated 10.07.2016, under **section 33(A)** of the **Water (Prevention and Control of Pollution) Act, 1974** to Zero Liquid Discharge (ZLD) in time bound manner; and

WHEREAS, it was also decided that the 'Consent to Operate' issued/to be issued to all the distilleries in the State shall be linked with compliance of achieving ZLD and linking the validity of the 'Consent to Operate' with the compliance of the directions and that the Consent to operate issued to the distilleries shall stand automatically withdrawn in the event of non compliance by any distillery Units, after the specified timeline; and

WHEREAS, Consolidated Consent Authorization (CCA) to the **M/S India Glycol Ltd. (Ethanol Plant), Bazpur Road, Kashipur (US Nagar)** was granted with conditions that the Unit shall strictly comply with the directions issued regarding Zero Liquid Discharge and CCA is linked with

implementation of activities/action points; and incase of non-compliance CCA issued to the Unit shall stand withdrawn; and

WHEREAS, CPCB had conducted visits to the GPI's units in the Ganga Basin including distiller in Uttarakhand under the crash program and it was observed that M/S India Glycol Ltd., (Ethanol Plant), Bazpur Road, Kashipur, Distt. US Nagar is yet to comply with the directions given for achieving ZLD & in the implementation of the action plan, especially w.r.t. installation of MEE before bio composting or MEE & incineration boiler; and

WHEREAS, it is evident from the above observations that you have not made progress for the compliance of the directions for achieving ZLD, as per the action plan submitted, even after the specified timeline; and

WHEREAS, the Central Pollution Control Board issued directions to the Chairman, Uttarakhand Environment Protection and Pollution Control Board under section-18(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974, vide its letter ref. no. B-410/PCI-III/DIST/NGRBA/2K14-2K15/20329 dated 22.12.2016, to discontinue all manufacturing operations of the Unit and shall not be permitted to restart operations until the Unit comply with the action plan for achieving ZLD as per the directions issued.

WHEREAS, the UEPPCB has issued closure direction to the Unit under section-33(A) of the Water (Prevention and Control of Pollution) Act, 1974 vide its letter ref. no. UEPPCB/HO/Gen-364/2017/9098-1869 dated 10.01.2017 and also directed concerned authority to discontinue power supply of the Unit; and

WHEREAS, in continuation of directions issued by the Central Pollution Control Board on dated 22.12.2016 in above said matter, further clarification has been received from the Central Pollution Control Board vide its letter ref. no. B-410/PCI-III/DIST/2K14-15/21561 dated 10.01.2017, indicated that M/S India Glycol Ltd. (Distillery Unit), Bazpur Road, Kashipur, Distt. US Nagar has two streams of treatment facilities (ZLD):

1. 240 KLD stream having MEE and Incineration boiler to achieve ZLD.
2. 98 KLD stream having bio-digester & Bio-composting to achieve ZLD.

The Central Pollution Control Board further clarified that directions issued on 22.12.2016 has been issued for second stream where bio-composting is done and MEE has not been installed so far to achieve ZLD; and directed to stop operation of 98 KLD only until MEE installation is not completed.

AND NOW THEREFORE, in compliance of the directions issued by the Central Pollution Control Board on dated 22.12.2016 and further clarification of dated 10.01.2017; and in exercise of the powers conferred under section 33(A) of the Water (Prevention and Control of Pollution) Act, 1974, the closure directions issued by this Board vide letter ref. No. UEPPCB/HO/Gen-364/2017/9098-1869 dated 10.01.2017 is hereby modified as given below:

1. The Unit shall stop operation of 98 KLD stream having Bio-composting to achieve ZLD until MEE installation is not completed.

This issue with approval of the competent authority of the Board.


(Member Secretary)

Copy to:

- 1) Chairman, Central Pollution Control Board, Delhi for kind information please.
- 2) Chairman, UEPPCB, Dehradun for kind information please
- 3) District Magistrate, US Nagar, Uttarakhand for kind information please.
- 4) Managing Director, Uttarakhand Power Corporation Ltd., Urja Bhasan, Kanwali Road, Dehradun (Uttarakhand) for kind information please.
- 5) Executive Engineer, Uttarakhand Power Corporation Ltd., Electricity Distribution Division, Kashipur (US Nagar) for kind information please.
- 6) Regional Officer (I/e), UEPPCB, Regional Office, Kashipur (US Nagar) for strict compliance of directions. Drain pipelines connected to the bio-composting of 98 KLD stream shall be stopped and sealed to ensure non-operation of 98 KLD stream.
- 7) Consent file of the Unit.
- 8) Guard file.


Member Secretary

Page 2 of 2

मैरठ इंडिया ग्लास इन्डिया लिमिटेड (रिजिस्ट्रार ऑफ कंपनियों)
वाडापुर रोड, काशीपुर इलाहाबाद

उक्त उद्योग को बोर मुलापालय से जारी आईडी
नं. U&PPCB/MD-पेसा-388/2017/2032 दिनांक
12/01/17 के अनुपालन में उद्योग को दूध से लिफ्ट
कम्योनिंग पाइप में स्पैरवाथ के इनलेट पाइप
को बंद कर ली जाया गया।

दिनांक - 28/01/2017.

28/01/17
(नरेश गोस्वामी)
सब पंचायत अधिकारी

28/01/17
(रमेश पी. सिंह)
मौलीय अधिकारी

28/01/17
(अमरजीत सिंह)
मुख्य पर्यावरण अधिकारी

28/01/17
(डा. अशुतोष गोहिल)
जी.एस.



INDIA GLYCOLS LIMITED

Plot No. 2-B, Sector- 126, NOIDA- 201304, Distt. Gautam Budh Nagar, Uttar Pradesh, Tel : +91 120 3090100, 3090200
 Fax : +91 120 3090111, 3090211, E-mail : iglho@indiaglycols.com, Website: www.indiaglycols.com

Ref: IGL/DIST/ZLD/2017/

January 3, 2017

The Chairman
 Central Pollution Control Board
 Parivesh Bhavan
 East Arjun Nagar
 Shahdra, Delhi 110 032

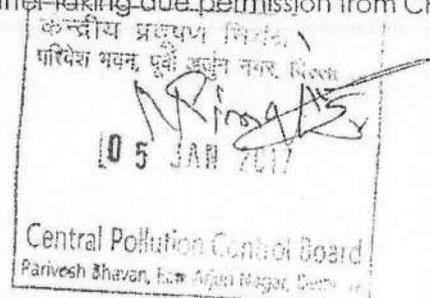
Reference: CPCB Letter No. F.No. B-410/CPI-III/DIST/NGRBA/2K14-2K15-20729 Dated
 December 22, 2016.

Dear Sir,

We have gone through above mentioned letter posted at CPCB site indicating the non-compliance as per the action plan submitted for ZLD. We would like to draw your kind attention on the subject matter that M/s India Glycols Limited is complying the conditions through MEE and Incineration for 240 KLPD distillery capacity and also mentioned in various compliances submitted to CPCB & UEPPCB. We are the pioneer in the installation of MEE & Incineration technology and operation of evaporator started in 2007. We are every time mentioning in our compliances that M/s India Glycols Ltd. is achieving ZLD for 240 KLD through MEE and incineration since 2013 and through biomethanation followed by RO and Biocomposting for rest of the stream.

In the month of September, 2016 vide our letter No. UEPPCB/ Direction/Compliance/ ZLD/2016/562 dated September 19, 2016 we have clearly mentioned that the operation of distillery will be restricted to 240 KLPD as per the MEE & Incineration facility and beyond this the distillery will be operated only after making proper arrangement of MEE before bio-composting after due approval from CPCB/UEPPCB.

Presently, distillery is being operated well below 240 KLPD, excise verified data are attached from October, 2015 to 15th December, 2016 in support. We once again assure you that we will not operate our distillery above 240 KLPD. The operation above 240 KLPD will be done only after making the proper arrangement of MEE by modification in the existing MEE as we have 7 Calendrias, 5 working & 2 standby (the combination of 7 Calendrias makes MEE to take care of spent wash equivalent to 300 to 310 KLPD). The operation above 240 KLPD will be continued only after taking due permission from CPCB.





INDIA GLYCOLS LIMITED

Plot No. 2-B, Sector- 126, NOIDA- 201304, Distt. Gautam Budh Nagar, Uttar Pradesh, Tel : +91 120 3090100, 3090200
Fax : +91 120 3090111, 3090211, E-mail : iglho@indiaglycols.com, Website: www.indiaglycols.com

We once again assure you that the distillery capacity shall be kept at 240 KLPD maximum as per the guide lines of ZLD with MEE & Incineration.

In view of the above we emphasize that the ZLD guide lines through MEE & Incineration are complied and request your goodself to kindly grant us you consent to operate on the same and modify the above directions.

Sincerely yours,

For India Glycols Limited

(Dr. Ashutosh Gautam)
General Manager (Environment & QC)

cc: Member Secretary CPCB

The in-Charge, PCI-III Division

ANNEXURE-IINDIA GLYCOLS LTD KASHIPURETHANOL PLANT ALCOHOL PRODUCTION/WORKING DAYS
FROM OCTOBER, 2015 TO DECEMBER, 2016

S.NO	MONTH	ALCOHOL PRODUCTION(KBL)/MONTH	ALCOHOL PRODUCTION(KBL)/ DAY	WORKING DAYS
1	October, 15	7427.5869	239.5996	31
2	November, 15	7657.0432	255.2348	30
3	December, 15	7584.2112	244.6520	31
4	January, 16	4643.4107	171.9782	27
5	February, 16	4445.4243	153.2905	29
6	March, 16	4425.2001	142.7484	31
7	April, 16	5452.3448	181.7448	30
8	May, 16	6569.9728	211.9346	31
9	June, 16	5954.3087	198.4770	30
10	July, 16	5987.4421	193.1433	31
11	August, 16	5192.8629	167.5117	31
12	September, 16	4277.3718	142.5791	30
13	October, 16	5084.1911	164.0062	31
14	November, 16	5115.8762	170.5292	30
15	December, 16	5014.3954	161.7547	31



INDIA GLYCOLS LIMITED

ISO 9001
ISO 14001
OHSAS 18001
ISO 22000
FSSC 22000
SA 8000
ISO 50001



Works & Registered Office : A-1, Industrial Area, Bazpur Road, Kashipur - 244713, Distt. Udham Singh Nagar (Uttarakhand)
Phone : +91 5947 269000 / 269500 / 275320, +91 9411108202, Fax : +91 5947 275315, 269535

Website: www.indiaglycols.com

Ref: UEPPCB/Direction/Compliance/ZLD/2016/ 562

September 19, 2016

To,
Regional Officer,
Uttarakhand Environment Protection & Pollution Control Board
Chamunda Complex, Ramnagar Road,
KASHIPUR (U.S. NAGAR)
PIN-244713

Subject: Compliance Status of Directions issued to achieve ZLD by M/s India Glycols Limited.

Sir,

This is in reference to above mentioned subject we had already submitted point-wise compliance of the directions given by the honorable board vide letter No. UEPPCB/ Direction/ Compliance/ZLD/2016/335, dated 05.04.2016.

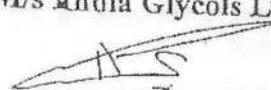
We are once again sending point-wise compliance of the directions as Annexure-I.

We are complying with all the directions issued by UEPPCB.

Hope that the above clarification would meet your requirement.

With best regards,

Sincerely yours,
for M/s India Glycols Limited


(Dr. Ashutosh Gautam)
General Manager (Environment & QC)



FORMAT

Annexure-I

Compliance Status of Directions issued to achieve ZLD by M/s India Glycols Limited

S.No.	Direction	Compliance Status
01.	Installation of RO + MEE or only MEE to reduce the volume of spent wash to 40% with solid concentration of 30% by 31.12.2015. <i>(applicable for those who opt for bio-composting)</i>	Order for MEE for biomethanated effluent to reduce the volume for bio-composting has already been placed. As soon as we receive the equipment will install the same. Capacity of our evaporator and incineration boiler is equivalent to 240 KLD distillery load. At present distillery is being operated well below 240 KLD and in future will also be operated as per our evaporator and incineration capacity.
OR		
	Installation of MEE & incineration boiler for disposal of spent wash by 31.03.2016. <i>(applicable for those who opt for incineration system)</i>	Presently, we are following below mentioned routes for treatment of Spent wash & achieving zero liquid discharge. (i) Evaporation (MEE) and incineration boiler (equivalent to 240 KLPD distillery capacity) (ii) Biomethanation, Membrane filtration (RO) followed by bio composting equivalent to 98 KLPD
OR		
	Installing advance process technologies (continuous fermentation, multi pressure distillation, integrated evaporation etc.) for reduction of spent wash generation to 6-8 KL/KL of alcohol produced by 31.03.2016, followed by installation of MEE & incineration boiler by 30.09.2016. <i>(applicable for those who opt for conversion to advance process, and then evaporation concentration & incineration system)</i>	Recycling of Spent wash as a dilution source in Fermenters is being practiced which leads to reduction of water consumption eventually and spentwash generation. Presently we are achieving spentwash generation in the tune of 7.5 - 8.0 m ³ / KL of alcohol.
02.	Reutilization of the RO permeate and / MEE condensate in the process / utility (if required after treatment) by 31.03.2016.	We are utilizing in fermenters as molasses dilution water and cooling towers as make up water
03.	Treatment of the other effluent such as spent lees, plant washings, leakages, bottle washing, boiler blow down etc. in a separate ETP of mix with the feed for RO/MEE and reuse in the process/utilities by 31.03.2016.	Spent lees is being recycled in the fermenters in place of raw water for molasses dilution

04.	Installation of flow meters at raw water consumption, RO feed, RO permeate, RO reject, MEE feed, MEE concentrate, MEE condensate, water recycling point, concentrate utilized in the incineration point.	Flow meters installed at all the locations
05.	Installation of web camera at bio-compost yard/ incineration system, spent wash storage lagoon and share the images with CPCB & SPCB server.	We have installed web camera at Evaporator, SLOP Boiler and Bio-composting area, link has already been sent to SPCB/ CPCB
06.	Reducing the capacity of lagoon to---- KL i.e. 7 days equivalent of MEE concentrate by 31.03.2016. <i>(applicable if incineration facility is/ will be available)</i> OR Reducing the capacity of lagoon to---- KL i.e. 30 days equivalent of Raw Spent Wash by 31.03.2016. <i>(applicable if bio-composting facility is/ will be available)</i>	One lagoon is under cleaning and appropriate marking will be done in two other lagoons as per the requirements of Bio-composting (30 days) and incineration (07 days)
07	Packing the bio-compost in properly sealed bag, bearing the name of distillery and composition of bio-compost. Further, no use of open tractor/ trolleys for the selling bio-compost (or even giving free of cost)	Bio-compost is being packed in sealed HDPE bags bearing the name of Distillery. No bio-compost is sold without packing.
08	Providing covered shed for bio-composting area by 31.03.2016.	Bio-composting will be done only during non-rainy season. Therefore, requesting to exempt from the covered shade. Presently it is being carried out from the stored effluent as average distillery production is well below 240.00 KLPD. The covered shed will be made, if composting will be done during rainy season.
09.	Obtaining valid registration / certification for the production and quality of bio-enriched organic manure (bio-compost) as per Gazette Notification S.O. 2776(E) dated 10.10.2015 under the Fertilizer (control) Fourth Amendment order, 2015 issued by Ministry of Agriculture and Farmers Welfare (Deptt. of Agriculture, Cooperation and Farmers Welfare) from the Ministry of Agriculture / concerned agency by 15.07.2016.	Applied for registration. Copy of the same is enclosed as Annexure-

UETPCB

HEAD OFFICE

Uttarakhand Environment Protection and Pollution Control Board
29/20, Nemi Road, Dalanwala, Dehra Dun (Uttarakhand)

Phone: 0135-262806, Fax: 271899, Web: www.uetpcb.org.in, E-mail: uetpcb@yahoo.com

UETPCB/HO/Con-14/2017/ 284

Date: 23-5-2017
REGD. POST

To,

M/s India Glycols Ltd-Ethanol Plant,
 Plot No. A-1, Industrial Area, Bazpur Road,
 Kashipur, Distt- U.S.Nagar.

Consolidated Consent to Operate and Authorization hereinafter referred to as the CCA (Consolidated Consent & authorization) (Renewal) under Section-25 of the "Water (Prevention & Control of Pollution) Act, 1974" and under Section-21 of the "Air (Prevention & Control of Pollution) Act, 1981" and Authorization under "Rule-6(2)" of the "Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016" notified under "Environment (Protection) Act, 1986" as applicable (to be referred hereinafter as Water Act, Air Act and Hazardous & Other Wastes Rules, 2016 respectively).

PCB ID - 10069

Inward ID - 64998

CCA (Renewal)

Consent No. 36984/ 789

Date :- 01.04.2017

CCA is hereby granted to M/s India Glycols Ltd-Ethanol Plant located at Plot No. A-1, Industrial Area, Bazpur Road, Kashipur, Distt- U.S.Nagar subject to the provisions of the Water Act, Air Act and Hazardous & Other Wastes Rules, 2016 and the orders that may be made further and subject to following terms and conditions :-

1. This CCA is granted for a period from 01.04.2017 to 31.03.2018 and valid for manufacturing of following products with Capital Investment/Net Assets Values ₹ 14.63Cr :-

S. No.	Last CCA		Present CCA (Renewal)	
	Product	Quantity (Per Month)	Product	Quantity (Per Month)
1	Alcohol	9150 KLT	Alcohol	7200KLT

2. Specific Conditions under Water Act :-

- (i) The daily quantity of effluent discharge (KLD) :-

	Last CCA		Present CCA (Renewal)	
	Trade Effluent	Nil	Trade Effluent	Nil
Sewage	Nil	Nil	Sewage	Nil

- (ii) Trade Effluent Treatment and Disposal : Nil

- (iii) Sewage Treatment and Disposal: The applicant shall provide comprehensive Septic Tank as is required with reference to influent quantity and quality.

In case of stoppage of functioning of STP, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately.

- (v) The treated sewage shall be sent to reuse. Quality of the treated effluent shall meet to the following standards as applicable under Environment (Protection) Rules, 1986 from time-to-time:-

S.No.	Parameters	Standard for STPs
1.	pH	6.5 to 9.0
2.	BOD (mg/L)	10

3.	CO (mg/L)	50
4.	TSS (mg/L)	10
5.	NH ₄ -N(mg/L)	5
6.	N-Total(mg/L)	10
7.	Fecal Coliform (MPN/100ml)	<230
8.	PO ₄ -P(mg/L)	2

3. Conditions under Air Act :-

- (i) The applicant shall use following fuel and install a comprehensive control system consisting of control equipment as is required with reference to generation of emissions and operate and maintain the same continuously so as to achieve the level of pollutants to the following standards :

S. No	Stack attached with	Stack height (Mt)	Type of Fuel	Fuel Quantity	Emission Control Equipment	Emission standards not to exceed
Not Applicable						

In case of stoppage of functioning of air pollution control equipment, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately

- (ii) Noise from the D.G. Set and other sources should be controlled by providing an acoustic enclosure as is required for meeting the ambient noise standards for night and day time as prescribed for respective areas/zones (Industrial, Commercial, Residential, Silence) which are as follows :-

Standards for Noise level in db(A) Leq	Industrial Area		Commercial Area		Residential Area		Silence Zone	
	Day time	Night time	Day time	Night time	Day time	Night time	Day time	Night time
	75	70	65	55	55	45	50	40

Day time : from 6.00 a.m. to 10.00 p.m., Night time : from 10.00 p.m. to 6.00 a.m.

4. Conditions under Hazardous & Other Wastes Rules-2016 :-

- (i) Number of authorization and date of issue : _____
 (ii) The Factory Manager ofNil..... is hereby granted an authorization to operate a facility for collection and storage of Hazardous wastes.
 (iii) The authorization is granted to operate a facility for generation, collection and storage of hazardous wastes within factory premises for following category of wastes :-

S.No.	Category (Schedule-I & Schedule-II)	Quantity of Waste for which authorization is being issued (MTA)	Mode of Disposal
Not Applicable			

- (iv) The authorization shall be in force for a period fromNil.....
 (v) The authorization is subject to the conditions stated below and such conditions as may be specified in the rules for the time being in force under Environment (Protection) Act, 1986.

Terms and conditions of authorization :-

- (i) The authorization shall comply with the provisions of the Environment (Protection) Act, 1986, and the rules made there under.
 (ii) The authorization and its renewal shall be produced for inspection at the request of an officer authorized by the SPCB/PCC.
 (iii) The person authorized shall not rent, lend, sell, transfer or otherwise transport the hazardous wastes without obtaining prior permission of the SPCB/PCC.
 (iv) Any unauthorized changes in personnel, equipment as working conditions as mentioned in the application by the person authorized shall constitute a breach of his authorization.

- (v) It is the duty of the authorized person to take prior permission of the SPCB/PCC to close down the facility.
 - (vi) An application for the renewal of an authorization shall be made as laid down under these rules.
 - (vii) The unit shall comply with any other conditions specified in the guidelines issued by the MoEF or CPCB/SPCB from time to time.
5. This CCA is valid for Fermentation & Distillation Processes only.
 6. **Compulsory documents to be submitted by the Industry/Unit :-**
 - (i) Annual return in Form-4 and Waste Disposal Manifest in Form-10 under Hazardous & Other Wastes Rules-2016 and Third Party Audit Report.
 - (ii) Environment Statement in Form-V of Environment (Protection) Rules, 1986.
 - (iii) Quarterly compliance report of the CCA, photograph of ETP/APCs/Waste Storage Area.
 7. Unit has to apply for renewal of CCA well in advance of 60 days of expiry of this CCA.
 8. Competent Authority reserves the right to change/modify/add any time any condition of this CCA.
 9. Unit has to comply with the other general conditions as annexed herewith. Non compliance of any provision of this CCA and provisions of the Water Act, Air Act and Hazardous & Other Wastes Rules-2016 will result in legal action under the aforesaid Acts and Rules.


 Member Secretary

Copy to: Regional Officer, Uttarakhand Environment Protection and Pollution Control Board,
 Kashipur, Dist- U.S.Nagar for information and compliance of the same.


 Chief Environment Officer

Specific Conditions:

Annexure

1. The applicant shall provide ISI mark water meter to each water supply source and shall regularly submit returns of water consumption in the prescribed form and pay the cess as specified under Section-3 of Cess Act.
2. The applicant shall submit audited balance sheet of the unit at the end of each financial year so that fee submitted by the applicant could be assessed.
3. The applicant shall provide ports in the chimney/stack and facilities such as ladder, platform etc. as per requirement for monitoring the air emissions and the same shall be open for inspection and use at all times by the Board's staff. The chimney/stack attached to various sources of emission shall be designated by numbers such as S-1, S-2 etc. and these shall be painted/ displayed to facilitate identification.
4. The industry shall ensure interlocking of air pollution control devices and production processes.
5. A solid waste generated from the industry has to be disposed in manner so that contamination of surface water bodies/ground water/soil etc. does not take place.
6. The industry shall take adequate measures to control of noise from its own source so as to comply with the standards as may be applicable.
7. The applicant shall develop three rows of green belt on the premises with plant species as suggested by the Central Pollution Control Board.
8. The industry shall strictly adhere with the specific and general conditions issued with CCA order. Any violation of stipulated conditions may attract legal action under the provisions of Water Act, Air Act and Environment (Protection) Act and Rules made thereunder.
9. The industry shall ensure all safety measures and shall undertake periodical assessment by the competent authority.

10. Unit shall ensure manifest system in Form-10 of Hazardous & Other Wastes Rules-2016 while disposing hazardous waste.
11. Hazardous waste should not be stored beyond a period of 90 days.
12. The industry situated nearby the River Canal and its tributaries shall ensure the treatment facilities and disposal arrangement in such a way so that no waste water is discharged in water stream or water bodies.
13. The generated effluent shall be disposal through Reverse Osmosis, Multi effect evaporator & Bio-composting. No case waste water shall be discharged in land & water bodies.
14. The unit shall strictly comply with the directions issued under Section-33(A) of the Water (Prevention & Control of Pollution) Act, 1974 regarding Zero Liquid Discharge (ZLD). This CCA is linked with timely compliance of directions issued time to time. In case of non-compliance the CCA issued to the unit shall stand withdrawn.
15. The Unit shall strictly comply with the directions issued under section-33(A) of the Water Act, 1974 regarding installation of Real Time Monitoring System & Data Transmission to CPCB & UEPPCB.
16. In case of non compliance of this CCA, the bank guarantee no. 502201GI.0008417 ₹5.0Lacs (Union Bank of India) shall be forfeited in favour of this Board.
17. The spent wash generated from manufacturing process shall be disposed as per directions issued by the Board time to time.
18. The unit shall strictly comply with the provisions of Water, Air & E. (P) Acts and Rules/Notifications made hereunder.

General Conditions :-

1. The applicant shall get analyse the samples of effluent/emission/hazardous wastes at least once in a three month from the laboratory recognized by the MoEF and shall report to the UEPPCB.
2. The applicant shall however, not without the prior consent of the Board bring into use any new or altered outlet for the discharge of effluent or gases emission or sewage waste from the unit.
3. Treated waste water and domestic waste water shall be disposed jointly at one disposal point. The applicant shall provide discharge measurement equipment at final disposal point.
4. The applicant shall strictly comply with conditions of this CCA and submit compliance report of stipulated conditions within 30 days of receipt of this CCA. If, at any point of time, it is found that the industry is not complying with stipulated conditions or any further direction/instruction issued by the Board, legal action shall be initiated against the applicant.
5. The applicant shall maintain good house keeping. All valves/pipes/sewer/drains etc. must be leak proof.
6. The industry shall provide uninterrupted entry to the STP's/ETP's inlet and outlet points, Air Pollution Control equipment and stack for smooth sampling/monitoring of efficiency of pollution control measures.
7. The industry shall provide "Inspection Book" at the time of inspection to the Board's officials.
8. Whenever due to any accident or other unforeseen act or event, such emission occurs or is apprehended to occur in excess of standards laid down, such information shall be reported to the Board's offices and all other concerned offices. In case of failure of pollution control equipment, the production process connected to it shall be stopped with immediate effect.
9. The industry shall operate in a manner so that all emissions be emitted through designated chimney/stack only.
10. In case of any damage to the agriculture productivity, human habitation etc. by the operation of industry, it shall be imperative to stop production in the industry with immediate effect and such information shall be reported to Board's offices. The industry shall be liable to pay compensation also in such cases as decided by the Competent Authority.
11. The applicant shall apply before the 60 days of expiry of CCA or any change in production types/ production capacity/manufacturing process/capacity enhancement etc. or any change in effluent discharge point or emission point.
12. The Board reserves the right to revoke/add/modify any stipulated condition issued along with CCA, as may be necessary.
13. The person authorized shall not rent, lend, sell, transfer or otherwise transport the hazardous waste without obtaining prior permission of the Board.
14. Any unauthorized change in personnel, equipment as working condition as mentioned in the application by the person authorized shall constitute a breach of his authorization.
15. It is the duty of the authorized person to take prior permission of the Board to close down the facility.
16. The authorization is valid for temporary storage of Hazardous Waste within premises only.
17. The authorized agency shall ensure that on-line data with regard to quantity and nature of hazardous chemicals being used in the plant as well as air emission and waste generated within premises is displayed on Display Board of size 6x4 feet out side the main factory gate within premises.

18. It is duty of the authorized person to take prior permission of this Board to close and cleanup the facility for treatment, storage and disposal of hazardous waste.
19. The applicant shall maintain record of hazardous waste in Form-3 and shall submit annual return in Form-4 on or before the 30th day of June following to the financial year to which that return relates.
20. In no case any hazardous waste shall be disposed off on land, in any drain, or into any water stream. All spillage must also be safely collected and stored.
21. Before the hazardous waste is stored or dumped in the facility, applicant must conduct a detailed **physical and chemical analysis of hazardous waste sample** and report to the Board.
22. Dried hazardous sludge from the process in the plant shall be stored in double lined HDPE pit constructed with R.C.C., or such material which does not react with the waste contained in it.
23. The storage area should be fenced properly, and Sign Notice Board indicating 'Danger' and 'Hazardous' shall be displayed at appropriate position both in Hindi and English.
24. The industry shall store non-ferrous metal waste, used solvent oil waste in sealed drums placed on impervious floor under covered shed. Hazardous waste if required shall be sold only to Registered Recyclers/Re-processors.
25. In case of any transportation of hazardous waste, the details in Form-10 of Hazardous & Other Wastes Rules-2016 shall be submitted to the Board.

Chief Environment Officer





Ref: UEPPCB/HO/Con-1-8/2017/570

Date: 6/7/2017

Speed Post

To,

M/S India Glycol Ltd.-Ethanol Plant,
Plot No. A-1, Industrial Area,
Bazpur Road, Kashipur (US Nagar)

Consolidated Consent to Operate and Authorisation hereinafter referred to as the CCA (Consolidated Consent & authorization) (Renewal) under Section-25 of the "Water (Prevention & Control of Pollution) Act, 1974" and under Section-21 of the "Air (Prevention & Control of Pollution) Act, 1981" and Authorization under "Rule-6(2)" of the "Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016" notified under "Environment (Protection) Act, 1986" as applicable (to be referred hereinafter as Water Act, Air Act and Hazardous & Other Wastes Rules respectively) - Amendment in Consent order No. 36984/789, Inward No. 64998.

PCB ID - 10069	Inward ID - 6-4998
CCA (Renewal)	Date 01.04.2015
Consent No. 36984/789	

Kindly refer to this office letter ref no. UEPPCB/HO/Con-1-8/2017/264 Dated 25.05.2017 and your subsequent letter dated 29.05.2017 (received on 31.05.2017) regarding amendment in CCA order. The Point No. 3 of Page No. 2; and Point No. 13 (Specific Conditions) of Page No. 4 of above said CCA order are hereby amended as given below:

3. Conditions under Air Act:-

- (i) The applicant shall use following fuel and install a comprehensive control system consisting of control equipment as is required with reference to generation of emissions and operate and maintain the same continuously so as to achieve the level of pollutants to the following standards:

S. No	Stack attached with	Stack height (Mt)	Type of Fuel	Fuel Quantity	Emission Control Equipment	Emission standards not to exceed
1.	Boiler x 1 no. (50 IPII)	100	Slope & Coal	425-450 MT Slop	ESP	PM-150mg/NM ³

In case of stoppage of functioning of air pollution control equipment, production has to be stopped immediately and this Board has to be intimated by fax/phone/email with a report in this regard to be dispatched immediately.

- (ii) Noise from the D.G. Set and other source(s) should be controlled by providing an acoustic enclosure as is required for meeting the ambient noise standards for night and day time as prescribed for respective areas/zones (Industrial, Commercial, Residential, Silence) which are as follows:-

Standards for Noise level in db(A) Leq	Industrial Area		Commercial Area		Residential Area		Silence Zone	
	Day time	Night time	Day time	Night time	Day time	Night time	Day time	Night time
	75	70	65	55	55	45	50	40

Day time : from 6.00 a.m. to 10.00 p.m., Night time: from 10.00 p.m. to 6.00 a.m.

Specific Conditions:

13. The generated spent wash shall be disposal through Multi Effect Evaporator and concentrate (slop) shall be used in boiler, while condensate shall be utilize in process. No case spent wash/condensate shall be discharged in land & water bodies.

Rest of the conditions shall remain unchanged.

Member Secretary

Copy to:- Regional Officer, Uttarakhand Environment Protection and Pollution Control Board, Kashipur, U.S.Nagar for information.

Chief Environment Engineer



17

ANNEXURE - 10

केन्द्रीय प्रदूषण नियंत्रण बोर्ड

CENTRAL POLLUTION CONTROL BOARD

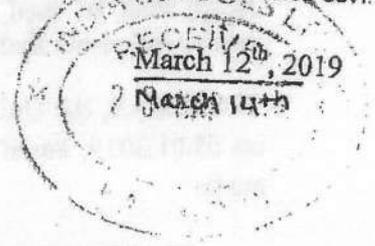
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

Speed Post

B-190198/NGRBA(RG)/CPCB/Distillery/1/2018-19

To,

M/s India Glycol Ltd., (Distillery Unit),
A-1, Industrial area, Bazpur Road,
Kashipur, Distt. U.S. Nagar,
Uttarakhand



DIRECTION 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. India Glycol Ltd., (Distillery Unit) (hereinafter referred as 'the Unit') is involved in the manufacturing of extra-neutral alcohol and rectified spirit using molasses as raw material; and

WHEREAS, CPCB issued direction dated 07.12.2015 under Section 18 (1)(b) of Water (Prevention & Control of Pollution) Act, 1974, to Uttarakhand Environment Protection and Pollution Control Board (UEPPCB) that industries opting for concentration incineration system shall restrict impermeable storage of spent wash at any stage, to seven days equivalent of production; and

WHEREAS, UEPPCB issued Consolidated Consent to Operate and Authorization (CCA) vide letter ref.no. UEPPCB/HO/Con-1-8/2017/510 dated 06.07.2017, to the Unit that the generated spent wash shall be disposed through Multi Effect-Evaporator and concentrate

(Contd..2/-)

1

M/s India Glycol Ltd., (Distillery Unit), Uttarakhand

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032
दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

(slop) shall be used in boiler, while condensate shall be utilized in process. No case spent wash/condensate shall be discharged in land and water bodies; and

WHEREAS, the Unit was jointly inspected by officials of CPCB, and officials of UEPPCB, on 09.01.2019, based on SMS Alert Monitoring System and the following observations are made:

1. The Unit's installed production capacity is 425 KLPD while its restricted production capacity is 240 KLPD and present production is 170-180 KLPD.
2. The Unit has valid consents under Water Act, 1974 and Air Act, 1981 with validity upto 31.03.2023.
3. The effluent treatment facility of the Unit consists of bio-methanation, MEE followed by incineration.
4. The Unit is efficiently controlling air pollution and in the period between 01.01.2018 and 31.12.2018, there has been only 5 SMS alerts observed in the Online System at the stack of boiler (50 TPH) and satisfactory corrective action have been taken by the Unit in all five cases.
5. As per analysis report of monitoring carried at stack attached to 50 TPH boiler, particulate matter emission is 69.3 mg/Nm^3 which is within the prescribed standard limit of 150 mg/Nm^3 .
6. Spent wash generation per KL of alcohol production is 7.5 to 7.9 KL/KL of alcohol.
7. Huge quantity of spent wash (approx. $70,000 \text{ M}^3$) was found stored in the lagoons.
8. The Unit has ensured disconnection of wastewater conveyance network to and fro the lagoons so as to isolate them.
9. To manage the spent wash stored in the lagoons, the Unit is undertaking bio-composting over an area of 20 acres. However, as per the monthly data submitted by the Unit to the CPCB, no data on bio-composting of the stored spent wash has been provided.

AND WHEREAS, CPCB issued show cause notice dated 7th Feb, 2019 under section 5 of Environment Protection (Act), 1986 to the unit dated to implement the following suggestive measures besides other pollution control measures:

1. To submit a time bound action plan for complete safe disposal of approximately $70,000 \text{ m}^3$ of spent wash stored in the lagoons as per SOP/Consent Conditions.
2. To ensure that no runoff or overflow occurs from the lagoons.
3. To restrict lagoon capacity to seven days' equivalent of concentrated spent wash generation.
4. To ensure availability of calibration protocol for Online Continuous Emission Monitoring System and to ensure strict adherence to the same.
5. To continue to submit the monthly data and analysis report in compliance with CPCB Direction dated 05.06.2018.

(Contd..3/-)

AND WHEREAS, the unit's reply vide letter dated 25th February, 2019 is examined and following observations are made;

1. The unit is a ZLD unit utilising spent wash through concentration in incineration. The spent wash is used as fuel in the slop fired boiler after concentration through MEE.
2. The effluent stored in lagoon is old spent wash along with rain water as these lagoon have been isolated and sealed by UEPPCB on 12.01.2017 and these lagoons are not being used for any new storage currently.
3. The effluent accumulated in lagoons are utilized through bio-composting process by mixing with press mud.
4. The unit has compost yard of 8 acres, along with additional land required for storage of press mud and finished product of 12 acres. The total area available is 20.0 acres.
5. The unit has submitted a time bound action plan to consume 96000.00 m³ (70000 m³ (Stored effluent) + 26000 m³ rain water) of diluted spent wash within two years i.e. 2019 to 2021.
6. As validated by Department of Health, Safety, Environment & Civil Engineering University of Petroleum and Energy Studies, Dehradun, the unit can utilize press mud to spent wash in the ratio of 1:2 in bio-composting.
7. The utilization of effluent will be done through bio-composting during non-monsoon season only. During monsoon season bio-composting activity will be closed down as per CPCB protocol.
8. The unit has assured that level of the lagoon will be below the top of the lagoons and will keep it confined within the said lagoon and utilize in bio-composting as per action plan.
9. The unit has kept one lagoon within the premises for storage of concentrated spent wash equivalent to 7 days (3920 m³). The unit has informed that the lagoon is already filled with sludge and the top level of the lagoon is kept for storage purpose.
10. The unit has provided the last calibrated date of OCEMS i.e. 29.03.2019 and has assured that calibration will be done as per CPCB guidelines.
11. The unit is regularly submitting the monthly data as per CPCB direction issued dated 05.06.2018.

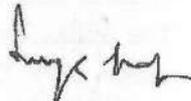
It appears that the unit has stopped bio-composting of conc. spent wash and concentrated spent wash is incinerated through slope fired boiler to achieve ZLD. The concentrated spent wash is stored in a lagoon with storing capacity of 07 days before incineration, however, the old accumulated spent wash and rain water is stored in an isolated and sealed lagoon.

(Contd..4/-)

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, the Show Cause Notice dated February 7th, 2019 is hereby withdrawn and the unit is directed comply with the following:

1. The unit shall utilize the spent wash stored in isolated lagoons in bio-composting before June 30, 2021 as per standard operating process and the action plan.
2. The unit shall dismantle the lagoon after utilization of accumulated spent wash and shall submit the documentary evidence when the lagoon gets emptied.
3. The unit shall submit the documentary support for procurement of press mud, sell of compost, compost quality on monthly basis to CPCB.
4. The unit shall continue to achieve ZLD and shall restrict the impermeable storage of lagoon of spent wash to 07 days equivalent as per the direction dated 7/12/2015 issued under section 18(1) (b) of Water (Prevention & Control of pollution) Act, 1974.

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


(S. P. SINGH PARIHAR)
CHAIRMAN

Item No.02

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 361/2017
(I.A. No. 89/2019)

Dr. Tanzeen Fatima

Applicant(s)

Versus

Ministry of Environment and Forests &
Climate Change & Ors.

Respondent(s)

Date of hearing: 20.05.2019

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant(s):

For Respondent(s):

Mr. Mukesh Verma, Advocate for UEPPCB
Mr. Rajkumar, Advocate for CPCB
Mr. Pradeep Misra and Mr. Daleep Dhyani,
Advocates for UPPCB

ORDER

1. The issue for consideration is pollution being caused in *Kosi* river in Rampur District by industrial activities. It has also transpired that river *Bhella* in Muradabad is a tributary of *Kosi* river in Rampur which is a tributary of *Rampur* drain which in turn is a tributary of river Ganga.
2. Proceedings were initiated on the basis of a letters dated 09.05.2017 received from Dr. Tanzeen Fatima, a former Member of Parliament and Mohd. Abdula Azam Khan, Member

of Legislative Assembly (MLA) alleging pollution of the rivers by the industries.

3. The matter was taken up on several hearings. Vide order dated 11.03.2019, the Tribunal comprehensively reviewed the proceedings in the light of the report of the CPCB dated 23.07.2018 that river *Bhella* in Muradabad was polluted by industrial effluents at the point it meets Rampur drain at Rampur. List of polluting industries identified has been given in Tabel – I of the report as follows :-

S.No	Industrial areas/Units
1.	M/s Vishwakarma Paper and Boards Mills Ltd., Ramnagar Road, Kashipur, U.K
2.	M/s Banwari Papers Mills Ltd., Ramnagar Road, Kashipur, U.K
3.	M/s India Glycols Ltd (MEG Plant), Bazpur Road, Kashipur, U.K
4.	M/s Multiwl Duplex Pvt. Ltd., Kundeshwar Road, Kashipur, U.K
5.	M/s Cheema Paper Ltd., Bazpur Road, Kashipur, U.K
6.	M/s Multiwal Pulp and Board Mill Ltd., Bazpur Road, Kashipur, U.K
7.	M/s Radico Khaitan Ltd. (Distillery unit), Rampur

4. First six are in Uttarakhand and No. 11 is in Uttar Pradesh. The CPCB filed I.A. No. 89/2019 on 06.02.2019 to implead M/s Radico Kaitan Limited, Rampur stating that notice has been issued to the said Unit under Section 5 of the Environment (Protection) Act, 1986 on 24.12.2018 for closure. The CPCB referred to several deficiencies noticed at the time of further inspection on 10-11 January, 2019. The Tribunal dealt with the matter on 11.03.2019 and did not find it necessary to implead M/s Radico Kaitan Limited as statutory power could be exercised by the State PCB and the CPCB not only against M/s Radico Kaitan Limited but also other polluting industries and compensation could be recovered on 'Polluter Pays' principle for restoration of the environment. The aggrieved party could challenge any such order, if necessary. The Tribunal noted the allegation that in spite of closure order, polluting industry was being operated, which was directed to be looked into by the CPCB. It was also observed that no action was reported in respect of polluting industries other than M/s Radico Khaitan Ltd. This aspect was required to be gone into by CPCB and State PCB.
5. Further report has been furnished by the CPCB vide e-mail dated 17.05.2019 stating that closure order in respect of M/s Radico Khaitan Ltd. has been revoked on 17.05.2019 subject to certain conditions and compensation of Rs.1,45,80,000/- has been levied. The conditions are as follows:-

"1. The Unit shall resume operations of manufacturing units namely grain based distillery, malt spirit plant and bottling plant as per consent conditions. The Unit shall restrict production capacity of its molasses based plant nor more than 77 LKD till the stored spent wash in lagoons having solid content of 7.9-11.3% is treated through Evaporation -Concentration to achieve 30% solid concentration by using appropriate technology such as MEE or RO & MEE. Only concentrated spent wash with solid concentration of 30% shall be used for bio-composting with press mud. Complying with the conditions specified in the CPCB direction dated 07.12.2015.

2. The entire stored spent wash (approx. 25000 m³) shall be utilized by 30th June, 2019 under the supervision of UPPCB and the industry shall submit its report to CPCB on weekly basis along with supporting documents.

3. As per Environmental Compensation Policy framed in compliance of NGG order dated 31.08.2018 in OA 593/2017, the Unit shall deposit, within 15 days from the date of receipt of this direction, an additional amount of Rs. 1, 15,80,000/- (Rupees one crore eighteen lakhs and eight thousand) as Environmental Compensation in favour of CPCB, A/c No/ 532702050000164 (Bank name Union Bank of India, IP Extension Branch, Vikash Marg Extn., Delhi IFSC:UBIN0553271).

4. The Unit shall operate its molasses based plant at restricted production capacity of not more than 77KLD till above directions as complied with and written permission from CPCB is obtained to restore its installed capacity of 200 KLD.

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

6. The UPPCB has also furnished a report vide e-mail dated 05.05.2019 to the effect that there was an improvement in the water quality but the pollution in the drain was still there. The report refers to the recommendations of the Committee

that STPs should be commissioned immediately to avoid discharge of untreated sewage. The Committee noted that M/s Radico Kaitan Limited was operating in violation of the CPCB directions. The Principal Secretary, Excise Department of the State of UP made a reference that closure of the distillery will create a market for illicit liquor trade. In joint inspection report dated 10-11 January, 2019, the Committee recommended as follows:-

“1. Rampur has three STPs of cumulative capacity 34 MLD. All the STPs should be commissioned immediately and no discharge of untreated sewage shall be allowed in Rampur drain. Performance evaluation of all the STPs in Rampur, shall be carried out by UPPCB.

2. Moradabad has one STP of 58 MLD capacity. The STP should be commissioned immediately and no discharge of untreated sewage shall be allowed in Ramganga river. Performance evaluation of the 58 MLD STP in Moradabad, shall be carried out by UPPCB.

3. Keeping in view the lean flow in the drains and rivers in the upcoming summer season, the daily monitoring of the Rampur drain, river Kosi and river Ramganga by UPPCB shall be continued for another three months.

4. All the GPIs located in catchment area of Rampur drain, river Kosi and river Ramganga shall be monitored on regular basis for compliance verification of effluent discharge norms and ZLD and in case of any violation, UPPCB shall take necessary action.

5. The unit, M/s Radico Khaitan Ltd., Rampur, U.P., must ensure Zero Liquid Discharge through proper concentration of spent wash before it is

utilized in bio-composting as per CPCB direction dated 07.12.2015. Again, the stored spent wash having solid content of 7.92-11.3% shall be treated through Evaporation –Concentration to achieve 30% solid concentration by using appropriate technology such as RO & MEE or only MEE followed by bio-composting with press mud complying with the conditions specified in the CPCB direction dated 07.12.2015. CPCB has levied environmental compensation of Rs. 27 lakhs which has been deposited by the unit however, since the unit is yet to comply with CPCB closure directions dated 24.12.2018, additional compensation would be levied as per the “Methodology for Assessing Environmental Compensation and action plan to utilize”.

7. No report has been furnished in respect of polluting industries falling in the State of Uttarakhand in terms of order dated 11.03.2019 either by CPCB or by the State PCB.
8. We have heard the learned counsel for the parties present and duly considered the matter.
9. From the reports referred to above, we find that there being acknowledged pollution of river *Bhella* in Muradabad particularly at the point where it meets Rampur drain, M/s Radico Kaitan Limited was directed to be closed but it has now been allowed to operate subject to conditions and has been required to pay compensation. No action is reported against other polluting industries.
10. We are of the view that having regard to the fact that Rampur drain is meeting the Ganges, stringent measures are

necessary to be taken in the matter of pollution by the polluting industries.

11. Accordingly, we direct the joint Committee of Member Secretary, CPCB and Member Secretaries of concerned State PCBs to undertake further inspection of the alleged polluting industries in the area and furnish a factual report and remedial action plan by e-mail at ngt.filing@gmail.com. Inspection may be carried out for the stretch of 1000 meters upstream and 1000 meters downstream in the area of the polluting industries to ascertain if there is any by pass. The Committee may also undertake energy and environment audit of M/s Radico Kaitan Limited. Inspection may be carried out before 15.06.2019. We request Justice Arun Tandon, former Judge of Allahabad High Court to oversee the inspection. The CPCB will be the nodal agency for compliance and coordination and will provide requisite facilities to Justice Arun Tandon and to furnish the report to this Tribunal.

12. We find that compensation assessed does not take into account the fact that the unit continued to function illegally in spite of orders of closure and has not taken into account the cost of restoration of the damage caused and the financial capacity of unit. The compensation to be assessed is to include not only the current pollution but pollution for the last

five years. Further report in this regard be furnished in this matter by the Committee.

13. The CPCB and the UPPCB may also explain as to why in spite of order of closure, the unit continued to function and what action has been taken against such illegal action, including prosecution as per mandate of law. Action taken against the persons who allowed such illegal operation by colluding with the unit or otherwise may also be reported.

List for further consideration on 09.07.2019.

Adarsh Kumar Goel, CP

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

May 20, 2019
Original Application No. 361/2017
(I.A. No. 89/2019 & I.A. No. 314/2019)
A



Annexure - VI

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

By Speed Post/Email

F.No. B-190198/NGRBA(RG)/CPCB/Distillery/21/2017-18

Dated 21st June, 2019

To,

24th June

Dr. Anup Chandra Pandey, IAS,
Chief Secretary,
Government of Uttar Pradesh,
First Floor, Room no.-110,
Lal Bahadur Shastri Bhawan,
U.P. Secretariat, Lucknow-226001

Sub: Compliance to Hon'ble NGT order dated 20/05/2019 in the matter of O.A. No.361/2017 Dr.Tanzeen Fatima Vs MoEF & CC-reg.

- Ref:1. Hon'ble NGT order dated 20/05/2019 in the matter of O.A. No.361/2017 Dr. Tanzeen Fatima Vs MoEF & CC
2. CPCB Closure direction dated 24.12.2018 issued under Section 5 of Environment (Protection) Act, 1986 and CPCB letter dated 18.02.2019 to M/s Radico Khaitan Ltd.

Sir,

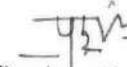
This is in reference to directions dated 24.12.2018 issued by CPCB under Section 5 of Environment(Protection) Act,1986 to M/s Radico Khaitan Ltd., Rampur, U.P.. to close down its manufacturing operations due to violation of norms causing pollution of river Kosi & Ramganga. Copies of directions were endorsed to Member Secretary, UPPCB, District Magistrate of Rampur, and Superintending Engineer, Paschimanchal Vidyut Vitran Nigam, Rampur, to ensure compliance of the direction and arrange physical verification including closure/sealing and disconnection of power supply to the Unit. Subsequent follow up made with DM, Rampur vide e-mails dated 19.02.2019 and 22.03.2019, to ensure closure. However, the Unit continued to be in operation in spite of the Closure Directions.

A Joint Committee of Member Secretary, CPCB and Member Secretary of UPPCB under the supervision of Justice (Retd.) Arun Tandon inspected the Unit on 10th-11th June, 2019. During the visit, representatives of the Unit informed the Committee that they have been given verbal instructions by State Government officials to maintain the status quo.

Hon. NGT vide above referred order dated 20.05.2019 asked CPCB to take action against the persons who allowed such illegal operation.

It is requested to arrange to send names of concerned State Government officials responsible for continued illegal operation of the unit within a week to CPCB, so that necessary action can be initiated.

Yours faithfully,


(Prashant Gargava)
MEMBER SECRETARY

Item No. 01

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No.361/2017
(I.A. No. 89/2019, I.A. No. 431/2019 &
I.A. No. 432/2019)

Dr. Tanzeen Fatima

Versus

Applicant(s)

Ministry of Environment and Forests &
Climate Change & Ors.

Respondent(s)

Date of hearing: 23.07.2019

(Compliance Report in O.A. No. 361/2017 with I.A. No. 89/2019 for
impleadment, I.A. No. 431/2019 for impleadment & I.A. No.
432/2019 for direction)

CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER

For Applicant(s): None

For Respondent (s): Mr. Rajkumar, Advocate for CPCB
Mr. Rahul Verma, AAG for State of Uttarakhand
Mr. Pradeep Misra and Mr. Daleep Dhyani,
Advocates for UPPCB
Mr. Mukesh Verma, Advocate for UEPPCB
Mr. Pinaki Misra, Senior Advocate and Ms.
Vanita Bhargava, Mr. Ajay Bhargava and Ms.
Trishala Trivedi, Advocates for M/s Radico
Khaitan Ltd.
Mr. Varun Thakur, Advocate
Mr. Sanjay Upadhyay and Mr. Salik Shafique,
Advocates for India Glycol Limited
Mr. Sanjeev Ralli and Mr. Atul Verma, Advocates
for Radico Khaitan Ltd.

ORDER

1. The issue for consideration is pollution being caused in Kosi river in Rampur District by the polluting industrial activities.

River *Bhella* in Muradabad is a tributary of *Kosi* river in Rampur which is a tributary of *Ramganga* which in turn is a tributary of river Ganga. In light of the proceedings before this Tribunal, the matter was further reviewed vide order dated 20.05.2019. The Tribunal noted the acknowledged pollution of river *Bhella* in Muradabad particularly at the point where it meets Rampur drain. Though M/s Radico Khaitan Limited (Distillery Unit), Rampur was directed to be closed by the CPCB but it continued to operate during the currency of closure order. No action was reported against other polluting industries. The Tribunal directed a joint Committee of Member Secretary, CPCB and Member Secretaries of Uttar Pradesh PCB and Uttarakhand PCB to undertake further inspections of the polluting industries which was to be overseen by Justice Arun Tandon, former Judge of Allahabad High Court. The Tribunal also required the CPCB and the UPPCB to explain as to how in spite of closure order, the unit of M/s Radico Khaitan Limited continued to function and what action was taken against such illegal operation as well as the persons who allowed such illegal operations by colluding with the said unit or otherwise.

2. Accordingly, report dated 05.07.2019 has been filed by the CPCB which was the nodal agency of the joint Committee.
3. The report is to the effect that closure direction was issued by the CPCB on 24.12.2018 against M/s Radico Khaitan Limited (Distillery Unit), Rampur under Section 5 of the Environment

(Protection) Act, 1986 but the said unit continued to operate illegally in collusion with the concerned authorities. On 05.06.2019, the joint Committee carried out an inspection which was overseen by Justice Arun Tandon, former Judge of Allahabad High Court. An inspection was also carried out in respect of the said unit and other industries in the catchment area of river *Bhella* and river *Kosi* from 10.06.2019-12.06.2019. Based on the said report, the CPCB, vide letter dated 03.07.2019, required M/s Radico Khaitan Limited to submit time bound action plan to restrict the capacity of lagoon by filling/levelling/dismantling the excess capacity of the lagoons. CPCB re-calculated the environmental compensation and assessed the same at Rs. 7,29,00,000/- out of which amount Rs. 1,45,80,000/- was deposited and the remaining amount of Rs. 5,83,20,000/- is yet to be deposited.

4. Explaining the reason how in spite of the closure order, the unit continue to function, it is submitted that the Principal Secretary, Excise Department, U.P. requested CPCB to review the order. The Unit made prayer for revoking the closure direction on 20.02.2019 and 01.03.2019. Recommendation for revocation of closure was made. The Member Secretary, UPPCB vide letter dated 01.04.2019 asked CPCB to review the closure direction. Principal Secretary, Excise Department also repeated such request on 02.04.2019. Conditional revocation was allowed on 17.05.2019 but the unit continued to operate

thereafter. The Unit representative informed during inspection from June 10-12, 2019 that the 'highest Officers of the State' had orally instructed the Officers and Managers of M/s Radico Khaitan Limited to continue the production even after the closure order passed by the CPCB. A letter has been written by the CPCB to the Chief Secretary, Uttar Pradesh on 24.06.2019 to identify and provide names of Officers who allowed illegal operation of the unit in spite of the closure direction. No reply has been received.

5. The report also annexes an inspection report, which is in two parts, signed by Justice Arun Tandon. Compilation – I records the proceedings during the inspection and Compilation – II records the suggestions and observations. It will be appropriate to reproduce the said suggestions and observations:-

"M/s Radico Khaitan Limited

- I. *Manufacturing of alcohol by the unit even after the closure order of the CPCB, i.e., between 17.02.2019 to 11.05.2019 is totally unjustified and virtually amounts to negation of rule of law.*
- II. *Officers of the State of Uttar Pradesh who had orally instructed the officers and managers of Radico Khaitan Ltd. to continue the production even after the closure order of the CPCB, and those who failed to ensure the closure must be identified by the Chief Secretary of the State of Uttar Pradesh and suitable action shall be taken.*
- III *Open lagoons must be replaced by covered storage Steel tanks for receiving*

the spent wash of molasses with provision for controlled discharge of gases therefrom. This is necessary, as large open surface area of existing lagoons leads to more amount of air being polluted after coming into contact with spent wash. All suitable amendments may be carried by CPCB in guidelines.

- IV. The primitive method of marking with red at a particular height in the lagoons be eliminated and if necessary, then, only required capacity lagoon duly calibrated, be permitted. Excess capacity must be filled or dismantled scientifically.
- V. Withdrawal of underground water must be restricted to the minimum required quantity with a condition of payment of water charges on the principle 'more the consumption higher the rate'. This will act as a deterrent for withdrawal of underground water beyond what is necessarily required by the unit.
- VI. Strict monitoring on readable parameters be done in respect of recharging the underground water through rain water harvesting by the unit etc.
- VII. Calibration of water flow meters be ensured by government agencies with verification at least once in a year.
- VIII. The unit must utilize the land which will become available after removal of the lagoons, or otherwise for thick forestry in the ensuing rainy season.
- IX. The industry must be asked to control its production so as to ensure that in no case spent wash collected in the lagoons exceeds its fixed capacity on monthly basis.
- X. The land area necessarily required for bio-composting in respect of disposal of spent wash must be calculated and the industry must keep that land area fully covered with provision of leachate

collection drains. No composting be permitted on uncovered land.

XI. The unit must maintain specific verifiable records, which can be examined at any given point of time in respect of total quantity of bio-compost generated and sold to the known purchasers. The distillery must maintain similar records in respect of solid waste and disposal thereof to known vendors.

XII. CPCB has calculated the Environmental compensation amount (as per the methodology of EC) in compliance of the NGT order dated 20.05.2019 which is Rs.7.29 Crores including the EC imposed earlier.

XIII. In addition the entire price money received in respect of alcohol/products generated by the industry during the period of the CPCB closure order, i.e., between 17.02.2019 to 11.05.2019 be recovered as Environmental Compensation (EC).

XIV. Separate electricity meter exclusively for ETP shall be installed and it's bill must be kept on site for verification.

INDIA GLYCOLS LTD.

I. Reasons for availability of 90000 m3 of spent wash with solid contents of less than 1 % only in the lagoons of the industry must be ascertained and suitable action should be taken for violating the norms of the CPCB.

II. Distillery unit of the company should be permitted to function at half of the licensed/consented capacity till it disposes off the huge volume of spent wash available in the lagoon as on 11.06.2019. SPCB should ensure that this spent wash with low solid concentration is not discharged in the drains by the unit during the forthcoming rainy season and strict vigilance should be kept by SPCB. A quarterly report must be submitted by

SPCB citing progress in compliance made.

- III. The industry must be asked to come up with a concrete proposal for disposal of ash generated in the industry as well as for the ash lying in the open. The industry must provide a time bound action plan for disposal of already generated ash within 15 days.
- IV. In absence of 'No Objection Certificate' from Central Underground Water Authority no extraction of underground water be permitted.
- V. The industry has drawn nearly 55 lakhs litres of underground water every day with no obligation of recharge/rain water harvesting etc. This must be stopped immediately and the industry must be asked to take additional measures for re-charge of the underground water/rain water harvesting with due regard to the amount of underground water drawn by it in last 5 years.
- VI. The industry must be asked to pay compensation for illegal withdrawal of underground water for last so many years in garb of pendency of their renewal applications for 'no objection' before CGWA.
- VII. The amount payable by the Company for withdrawal of underground water must be fixed on the principle 'more the withdrawal, higher the rates'. The charge which has not been paid for years must be recovered with interest at the rate of 18% per annum.
- VIII. The land which will become available because of the dismantling of the lagoons and even otherwise the surrounding area of lagoons must be utilized for dense forestry in the coming monsoon season.
- IX. CPCB has calculated the Environmental compensation amount (as per the

methodology of EC) In compliance of the NGT order dated 20.05.2019 which is Rs.13,54,50,000/-, to be paid by the unit.

- X. CPCB must direct the unit to dismantle all excess storage capacity of lagoons in terms of the direction of CPCB dated 07.12.2015 forthwith. CPCB/SPCB shall submit a quarterly report on compliance of its own order.

All Industries

- I. Applications for 'no objection certificate' should be considered and decided within a month by CGWA and if the applications are not found satisfactory then the same must be rejected with a further direction to stop water extraction.
- II. The charges payable by the company for withdrawal of underground water must be fixed on the principle 'more the withdrawal, higher the rates'. The water charges which has not been paid for years must be recovered together with the interest at the rate of 18% per annum.
- III. The norms for recharge of underground water and rain water harvesting etc. must be fixed. Flow meters must be calibrated by Government-agencies and verified at least once in a year.
- IV. The industries encroaching upon the drains must be asked to clear the encroachments and drains must be left free to flow in their natural course.
- V. Actual requirement of underground water by the industry must be verified through independent Government agencies.
- VI. All industries must be asked to maintain verifiable records of ETP waste and other solid waste generated

as well as its disposal to the known buyers.

VII. No additional pump with loose connection be permitted as stand by at ETP of any of the industry.

VIII. CPCB/SPCB shall take necessary actions against the non-complying industries namely:

- a) M/s Multiwal Duplex Pvt. Ltd. Kundeshwari Road, Kashipur,
- b) M/s Damya PJ Foods Pvt. Ltd., &
- c) M/s Varun Steel.

Others

I. De-silting of drains must be completed at the earliest with a direction to transport the removed silt to a safe identified place.

II. Joint inspection of all 86 GPI industries be undertaken a fresh in light of issues considered in the report.

III. All Inspection/analysis reports have been placed before me during the meetings at Delhi which I have examined.

IV. Wherever timelines have been fixed for works to be undertaken by industries-, performance bank guarantee must be insisted upon as a condition of revocation.

V. Many of suggestions and observations made under para A, B and C are generic and applicable/ per-se for all industries. These may require revision of Guidelines and Charter being followed by Central and State PCBs which regulating and monitoring the operations of these industries. Necessary and suitable review and revision of these Guidelines and Charters may be carried out by Central and State PCBs in fixed time frame of four months.”

6. Compilation – I records *inter-alia* as follows:-

“After the meeting with the officials of the CPCB, UPPCB, UEPPCB and CGWA and examination of various orders at Delhi on 26th and 28th of June, 2019, the following discrepancies have been found. The same are listed industry wise:

Radico Khaitan Ltd. (Distillery Unit), Rampur, UP

- a) *The industry had continued with the production despite the closure order of CPCB between 07.02.2019 to 11.05.2019.*
- b) *The industry had neither filled nor dismantled the excess capacity in the lagoons despite the directions of CPCB dated 24.02.2015, 23.04.2015 and 07.12.2015. The CPCB's order dated 18.02.2019 mentions non-compliance of the conditions as per the order of CPCB dated 07.12.2015 as one of the grounds for revoking the order keeping the closure order in abeyance. Yet the order of CPCB/UPPCB permitting the partial operation of distillery dated 17.05.2019 makes no mention of said violation.*
- c) *No objection certificate granted by CGWA has expired on 02.10.2018.*

Not even a single penny is being paid towards withdrawal of underground water since 30.11.2016.

India Glycols Ltd.

- a) *Under the order dated 24.06.2004 permitting capacity expansion of the industry to increase its capacity from 205 KLD to 425 KLD it was specifically provided that the production of alcohol from molasses shall be restricted to working for 330 days in a year. This condition has been violated by the India Glycols Ltd. for years together as the industry had been working for 365 days in a year.*

- b) In the no objection certificate granted by CGWA dated 26.02.2009 for the ethanol unit, it is specifically mentioned that the same is valid till the area remains under the safe category five years whichever is earlier. The category of Kashipur area was changed from safe to semi critical in 2013, and the term of the five year expired on 25.01.2014. Therefore the NOC of CGWA at the first instance expired in 2013 and in any case on 25.02.2014. There is no valid NOC in favour of ethanol unit since thereafter for more than five years. The industry has been extracting underground water to the tune of 55 (fifty five) lac litres per day without NOC from CGWA for its Ethanol unit.
- c) In respect of the chemical unit, NOC was granted by CGWA dated 14.01.2016, the expansion programme by permitting additional withdrawal of 459m³ of water per day in addition to the existing NOC for 2596 m³ per day. This permission was valid for two years only, which expired on 14.01.2018. For the chemical unit also there is no NOC from CGWA subsequent to 15.01.2018. The NOC was granted on 14.01.2016 without clarifying that the unit has no valid permission for ground water extraction for the original withdrawal itself. There has been extraction of underground water for chemical unit without any NOC from CGWA since 15.01.2018. No water charges are being levied upon the unit since 30.06.2017 on the ground that Water Cess Act, 1977 has been repealed by Act. No. 18 of 2017.
- d) Since M/s IGL had resorted to incineration instead of Bio-composting the CPCB directed on 24.02.2015, 23.04.2015 and 07.12.2015, that it can have a storage capacity of 7 days in the lagoon only at all stages. The excess storage capacity has either to be filled or dismantled. State Pollution Control Board vide order dated 13.03.2015 had instructed the M/s IGL to either fill or dismantle the excess storage capacity on or before September 2016. In

fact neither the filling of the lagoon nor the dismantling have been done by IGL till date.

- e) As per CPCB direction dated 22.12.2016 IGL was asked to close its 98 KLD Plant, yet no direction was issued for dismantling or filling of lagoon while permitting the continuous operation of 240 KLD Plant. As per CPCB direction dated 24.02.2015, 23.04.2018 and dated 07.12.2015 IGL could use the lagoons only till 31st March 2016. Contrary to the said direction, IGL continued to operate its plant and stored spent wash in lagoon till 28.01.2017 when it was sealed by SPCB. No explanation has been provided by industry as to how it continued to use the lagoons between April, 2016 to January 2017.*
- f) Consent to operate was granted by SPCB on 06.07.2017 with specific condition to dispose of the generated spent wash through Multi Effect Evaporator (MEE) and to use concentrate in the boiler. The industry while acting on said consent to operate deliberately did not comply with the said condition and spent wash with low solid content continued to be stored in lagoon outside the factory premises.*
- g) A joint inspection of industry was carried out on 19th April 2018 under orders of NGT dated 13.07.2017 passed in O.A. No. 200/2014 by joint team comprising of experts of 3rd party technical institutes PCRI, Haridwar (on behalf of CPCB) and SPCB. The report submitted does not mention of either compliance with the condition of the consent to operate dated 06.07.2017 or of availability of the spent wash in lagoon. Joint inspection done by the State Pollution Control Board and the Central Pollution Control Board (through third party) in terms of the order of the National Green Tribunal dated 13.07.2017 passed in O.A. No. 200 of 2014 does not reflect upon any of the infirmity and*

illegality noted in this report. It appears that the joint inspection report has been prepared without actual spot inspection and verification of the records. On 20th April 2018, a fresh consent to operate was again granted by SPCB to IGL Ltd. without mentioning non-compliance of the earlier consent, non-availability of NOC from the CGWA or availability of spent wash in the lagoon.

- 
- h) CPCB on 07.02.2019 issued show cause notice under section 5 of E(PO) Act, 1986 based on joint inspection dated 19.01.2019 with regard to availability of the spent wash diluted with rain water to the tune of 70,000 m³ in the lagoon and finally under order dated 14.03.2019 issued direction for dismantling of lagoon on or before June 2021, without taking any action for breach of direction issued earlier.
- i) It is for the first time in the order dated 14.03.2019, CPCB refers to another lagoon used for storing concentrated spent wash before incineration, as informed by the industry inside the industry premises. SPCB informed in the meeting that the capacity of this lagoon is about 1,00,000 m³ which is filled by accumulated sludge. This storage capacity is also in violation of CPCB's circulars dated 24.02.2015, 23.04.2015 and 07.12.2015.
- j) On 28.06.2019, CGWA has informed in the meeting that Kashipur is now semi critical area it shall not be granted any NOC. Renewal is also a new grant. Even otherwise in case of IGL because of the change of the status of the area no renewal application would be maintainable and the industry has to apply afresh under the conditions applicable to semi critical area.

k) despite all this SPCB granted permission to operate in the month 2018 both for the alcohol industry and the chemical unit in the said factual scenario.

l) The company has been permitted to resort to incineration since January 2017 in place of Bio-composting. The total ash generated due to incineration by the super heater is around 62 metric ton per day while that generated by the slop is 66 metric ton per day. In all the total ash generated by the unit is 128 metric ton per day. There is no proposal on record by M/s IGL in respect of disposal of such huge quantity of ash generated on per day basis. Similarly, it is found that neither the SPCB nor CPCB have till date provided any direction/guidelines in matter of disposal of the ash generated by the unit. The present scenario at IGL, if reflected in other words, would be that a STP has been installed to treat the sewage but there is no plan for disposal of the sludge generated therein.

m) While returning from Kashipur on 12.06.2019 near the border of the district Rampur, industries were found emitting large volume of gas from large chimney. Heaps of fly ash were found collected near the roadside. The industries identified are (i) Pashupati Acrylyn and Nani Papers situate on left bank of Dhandi Drain Kashipur Road, Moradabad. CPCB/UPPCB shall conduct detailed inspection of the units and take immediate actions.”

7. Learned counsel for the CPCB, Uttar Pradesh State PCB and Uttarakhand State PCB have suggested that the inspection report may be accepted and further action be taken. Learned

counsel appearing for M/s Radico Khaitan Limited states that the said unit will comply with the observations in the report. There could be no basis for questioning the report furnished by the joint Committee of senior Government functionaries which has been overseen by the former Judge of the High Court.

8. Learned counsel appearing for M/s India Glycols Limited, however, tried to justify the illegal drawal of ground water without sanction even though the area is semi critical, on the ground that application for sanction was 'pending'. We do not find any merit in this submission. Delay in deciding renewal application could not be treated as a licence to draw the ground water. The unit could take remedy against such inaction. While regulatory authorities are required to act promptly but any inaction is not a ground for a citizen to take the law in his hands instead of approaching the concerned higher authority or the Court.

9. We, thus, do not find any ground not to accept the report of the joint Committee, including the amount of compensation to be recovered. The same may be acted upon forthwith. The Chief Secretary, Uttar Pradesh may give response to the observations and suggestions of Justice Tandon indicating why the higher amount of compensation and interest be not recovered in view of illegal operation of the said unit in collusion with the authorities of the state. The decision on the issue of recommendations of Justice Tandon on the subject of interest

and higher compensation will be taken later. The Chief Secretary, Uttar Pradesh may also give his response to the letter of the CPCB and identify the persons who interfered with the process of law to benefit the said polluting unit and action taken against such persons by e-mail at judicial-ngt@gov.in. The joint Committee may furnish further action taken report within three months by e-mail at judicial-ngt@gov.in.

List for further consideration on 28.11.2019.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

July 23, 2019
Original Application No.361/2017
(I.A. No. 89/2019, I.A. No. 431/2019 &
I.A. No. 432/2019)
A

159972
28/8

From, **Rajendra Kumar Tiwari,**
Chief Secretary,
Government Of Uttar Pradesh.

To, **Chairman,**
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar,
Delhi-110032

No.-1495 E-2/Thirteen-2020-69/2010

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
परिवेश भवन, पूर्व अर्जुन नगर, दिल्ली-110032

159972
28 AUG 2020

Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

JH-WQM-II

31/08/2020

Excise Section-2

Lucknow:: Dated: August 24, 2020

**Sub: Compliance to Hon'ble NGT order dated 20-05-2019 in the matter of OA. no. 361/2017
Dr. Tanzeen Fatima Vs MoEF & CC reg.**

Sir,

Kindly refer to the letter of Member Secretary, CPCB bearing no. B-190198/NGRBA(RG)/CPCB/Distillery/21/2017-18, dated 21/24.06.2019 addressed to Chief Secretary, Uttar Pradesh as regards the subject matter mentioned above. In the said letter, it is mentioned that M/s Radico Khaitan Ltd. Rampur, Uttar Pradesh was issued directions dated 24.12.2018 to close down the manufacturing operations but the unit continued its operation. The State Government has been requested to send the names of officials responsible for continued illegal operation of the unit.

2. In the above reference you may refer to letter no. 843/PSE/2019, dated 23.02.2019 as well as, letter no. 754 E-2-2019-69/2010, dated 02.04.2019 of Principal Secretary, Excise Department, State of Uttar Pradesh sent earlier, wherein it was informed that M/s Radico Khaitan Ltd. Rampur, Uttar Pradesh has adequate infrastructure for achieving Zero Liquid Discharge norms and also the fact that in the joint inspection report of CPCB and UPPCB dated 10th and 11th January, 2019, no odour and colour of spent wash was observed in the downstream of Rampur drain before confluence with River Kosi and the report also concluded absence of any industrial discharge into the monitored stretch of River Ramganga. CPCB vide its letter dated 02-01-2019 kept in abeyance the closure order dated 24-12-2018 and allowed the operation of the said unit. CPCB further, vide its letter dated 18-02-2019, reimposed the closure order dated 24-12-2018. The closure order of CPCB dated 18-02-2019 relied upon the findings of inspection dated 10th and 11th January, 2019, in which no such default by M/s Radico Khaitan Ltd. Rampur was observed. The joint inspection committee in its report also made specific recommendations for treatment of spent wash generated from operation of the unit and achieving Zero Liquid Discharge.

3. Besides the above fact, the letter dated 23.02.2019 and 02.04.2019 of Principal Secretary, Excise also highlighted the fact that sudden closure order against M/s Radico Khaitan Ltd. Rampur is bound to disrupt the production of potable alcohol in the State of U.P. since the unit under question contributes to 30% of country liquor supply in the State and any scarcity of genuine liquor products may lead to consumption of illicit liquor leading to avoidable social problems and even mortality.

.....P.T.O

(2)

4. The State requested CPCB to review directions dated 18.02.2019 reimposing the closure order dated 24.12.2018, in the light of above facts, at the earliest and allow the industry to operate with an undertaking to further bring improvements. CPCB did not inform Govt. of U.P. about the disposal status of the above letters dated 23.02.2019 and 02.04.2019 inspite of the fact that the State through its various administrative authorities contacted CPCB telephonically and requested for expeditious disposal of the State's representations. CPCB finally revoked the closure order after 82 days vide its letter dated 16.05.2019 relying on the representation letter dated 23.02.2019 and 02.04.2019 of Department of Excise, U.P Govt..

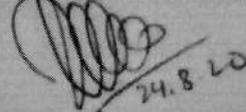
5. This is to mention here that Commissioner, Moradabad Division formed a committee vide UO no-230 E-2/Thirteen-2020-69/2010, dt. 13-02-2020 for inquiry into the above issue. The report of the said committee and letter of Commissioner, Moradabad Division dated 26.06.2020 are enclosed herewith.

6. Keeping the above facts in view, it is evident that State of U.P., took all the steps necessary in the interest of environment and ensured that the provisions of Environment (Protection) Act, 1986 Water (Prevention and Control of Pollution) Act, 1974 & Air (Prevention and Control of Pollution) Act, 1981 are not violated.

It is requested that the issue be disposed accordingly

Encl : As above.

Yours faithfully.



(Rajendra Kumar Tiwari)
Chief Secretary,
Government Of Uttar Pradesh.

प्रेषक :

आयुक्त,
मुरादाबाद मण्डल,
मुरादाबाद।

सेवा में,

संयुक्त सचिव,
आबकारी अनुभाग-2,
उ०प्र० शासन। लखनऊ

पत्रांक 857/N-13/361/2017

दिनांक 26-06-2020

विषय: ओ०ए० नं०-361/2017 डा० तन्जीन फातिमा बनाम पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार विषयक वाद में मा० राष्ट्रीय हरित अधिकरण द्वारा आदेश दिनांक 20.05.2019 का अनुपालन सुनिश्चित किये जाने के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक अपने पत्र सं० 1271/ई-2/तेरह-2020-69/2010 दिनांक 18.06.2020 का सन्दर्भ ग्रहण करें, जिसके माध्यम से मै० रेडिको खैतान लि०, रामपुर के संचालन हेतु उत्तरदायी व्यक्तियों के विषय में स्पष्ट अभिमत शासन को उपलब्ध कराने की अपेक्षा की गयी है। तत्कम में अधोहस्ताक्षरी द्वारा गठित जांच समिति द्वारा जिलाधिकारी रामपुर, अधीक्षण अभियन्ता, पश्चिमांचल विद्युत वितरण निगम लि०, रामपुर द्वारा प्रेषित आख्या एवं मै० रेडिको खैतान लि०, रामपुर द्वारा प्रेषित स्पष्टीकरण का पुनः परिशीलन कर संलग्न आख्या प्रस्तुत की गयी है।

जांच समिति की आख्या से स्पष्ट है कि उक्त प्रकरण के दौरान सहायक आबकारी आयुक्त, रेडिको खैतान लि०, रामपुर के पद पर श्री धर्मेन्द्र नारायण तथा अधिशारी अभियन्ता, पश्चिमांचल विद्युत वितरण निगम लि०, रामपुर के पद पर श्री सचिन कुमार जिम्मेदार अधिकारी के रूप में तैनात थे तथा केन्द्रीय प्रदूषण नियंत्रण बोर्ड के आदेश दिनांक 24-12-2018 के अनुपालन का प्राथमिक दायित्व इन्हीं का था। केन्द्रीय प्रदूषण नियंत्रण बोर्ड एवं माननीय एन.जी.टी. के विभिन्न आदेशों, पश्चिमांचल विद्युत वितरण निगम लि० तथा आबकारी विभाग द्वारा प्रस्तुत आख्याओं के परिशीलन से यह निष्कर्ष निकलता है कि संदर्भित आसवनी को केन्द्रीय प्रदूषण नियंत्रण बोर्ड के आदेशानुसार इकाई को बन्द कराने की जिम्मेदारी तो पश्चिमांचल विद्युत वितरण निगम लि० तथा आबकारी विभाग के ही उक्त अधिकारियों की थी, परन्तु माह दिसम्बर 2018 से जून 2019 के मध्य केन्द्रीय प्रदूषण नियंत्रण बोर्ड/उ०प्र० प्रदूषण नियंत्रण बोर्ड/ आबकारी विभाग के केन्द्र सरकार से पत्र व्यवहार (जिसमें आसवनी के बन्द होने की दशा में प्रदेश में विपरीत परिस्थितियां उत्पन्न होने की आशंका व्यक्त की गयी है) एवं केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा दिनांक 24.12.2018 को बन्दी आदेश जारी करने के मात्र 8 दिनों के पश्चात दिनांक 02.01.2019 को पूर्व में जारी बन्दी आदेश को स्थगित (abeyance) करने सम्बन्धी आदेश जारी करने के कारण उत्पन्न हुये परिस्थितिजन्य भ्रम के चलते संदर्भित आसवनी द्वारा इकाई का संचालन किया जाता रहा और इसके लिए तकनीकी रूप से उत्तरदायी आबकारी और विद्युत विभाग के उक्त अधिकारियों को सीधे तौर पर दोषी ठहराया जाना उचित नहीं प्रतीत होता है।

संलग्नक: यथोपरि।

आज प्राप्त

RO (ST)

02/07/2020

भवदीय

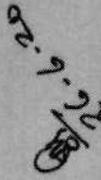
(वीरेन्द्र कुमार सिंह)
आयुक्त

विभाग द्वारा कोई कार्यवाही नहीं की गयी। यहाँ यह भी उल्लेखनीय है कि केन्द्रीय प्रदूषण नियंत्रण बोर्ड के आदेश दिनांक 18.02.2019 व 22.03.2019 की प्रति आबकारी विभाग को पृष्ठांकित नहीं की गयी है।

(2) मै0 रेडिको खेतान लि0 (रामपुर डिस्ट्रिक्टरी) रामपुर द्वारा 2 नग कमरा 2.5 मेगावाट एव 2.0 मेगावाट के स्टीम जनरेशन एव 2 मेगावाट का बायोगैस जैनसेट के द्वारा विद्युत का उत्पादन किया जाता है, जोकि इनकी कुल विद्युत खपत का लगभग 85 प्रतिशत है। उपरोक्त प्रतिष्ठान में विद्युत विभाग द्वारा स्वीकृत भार 2100 क्वीए के विरुद्ध लगभग 1700-1800 क्वीए विद्युत भार का प्रयोग किया जाता है, जिसमें 15 से 20 प्रतिशत विद्युत खपत विद्युत विभाग से प्राप्त ऊर्जा के द्वारा की जाती है। अतिरिक्त निदेशक एव खण्ड प्रमुख-डब्ल्यू.क्यू. एम.-11 परिवेश भवन पूर्वी अर्जुन नगर नई दिल्ली 90198/एनजीआरवीए(आरजी)/सीपीसीबी / डिस्ट्रिक्टरी/ 21/2017-18 दिनांक 18.02.2019 के द्वारा पृष्ठांकित पत्र में उपरोक्त प्रतिष्ठान में उपस्थित घरेलू संयोजनों की विद्युत आपूर्ति की निरन्तरता बनाये रखने के निर्देश दिये थे। उपरोक्त प्रतिष्ठान में लगभग 25-30 उपलब्ध आवास एव मै0 रेडिको खेतान लि0 (रामपुर डिस्ट्रिक्टरी) रामपुर की विद्युत आपूर्ति हेतु विद्युत विभाग का मात्र एक संयोजन होने के कारण तत्कालीन अधिकारियों द्वारा विद्युत आपूर्ति विच्छेदित नहीं की जा सकी।

उक्त प्रकरण के दौरान सहायक आबकारी आयुक्त, रेडिको खेतान लि0, रामपुर के पद पर श्री धर्मनन्द नारायण तथा अधिशासी अभियन्ता, पश्चिमांचल विद्युत वितरण निगम लि0, रामपुर के पद पर श्री सचिन कुमार जिमेदार आबकारी के रूप में तैनात थे तथा केन्द्रीय प्रदूषण नियंत्रण बोर्ड के आदेश दिनांक 24-12-2018 के अनुपालन का प्राथमिक दायित्व इन्हीं का था। केन्द्रीय प्रदूषण नियंत्रण बोर्ड एवं माननीय एन.जी.टी. के विभिन्न आदेशों, पश्चिमांचल विद्युत वितरण निगम लि0 तथा आबकारी विभाग द्वारा प्रस्तुत आख्याओं के परिशीलन से यह निष्कर्ष निकलता है कि संदर्भित आसवनी को केन्द्रीय प्रदूषण नियंत्रण बोर्ड के आदेशानुसार इकाई को बन्द करने की जिम्मेदारी तो पश्चिमांचल विद्युत वितरण निगम लि0 तथा आबकारी विभाग के ही उक्त अधिकारियों की थी, परन्तु माह दिसम्बर 2018 से जून 2019 के मध्य केन्द्रीय प्रदूषण नियंत्रण बोर्ड/उ0प्र0 प्रदूषण नियंत्रण बोर्ड/ आबकारी विभाग के केन्द्र सरकार से पत्र व्यवहार (जिसमें आसवनी के बन्द होने की दशा में प्रदेश में विपरीत परिस्थितियाँ उत्पन्न होने की आशंका व्यक्त की गयी है) एवं केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा दिनांक 24.12.2018 को बन्दी आदेश जारी करने के मात्र 8 दिनों के पश्चात दिनांक 02.01.2019 को पूर्व में जारी बन्दी आदेश को स्थगित (abeyance) करने सम्बन्धी आदेश जारी करने के कारण उत्पन्न हुये परिस्थितिजन्य भ्रम के चलते संदर्भित आसवनी द्वारा इकाई का संचालन किया जाता रहा और इसके लिए तकनीकी रूप से उत्तरदायी आबकारी और विद्युत विभाग के उक्त अधिकारियों को सीधे तौर पर दोषी ठहराया जाना उचित नहीं प्रतीत होता है।


 26.6.2020
 (अजय शर्मा)
 क्षेत्रीय अधिकारी,
 उ0प्र0 प्रदूषण नियंत्रण बोर्ड
 मुरादाबाद


 26.6.2020
 (बी0एन0 यादव)
 अपर आयुक्त,
 मुरादाबाद मण्डल,
 मुरादाबाद

Item No.02& 03

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 324/2016
(M.A. No. 113/2017, M.A. No. 816/2017,
I.A. No. 408/2019 & I.A. No. 16/2020)

With

Original Application No. 361/2017
(I.A. No. 89/2019, I.A. No. 431/2019 & I.A. No. 432/2019)

Shailesh Singh

Applicant(s)

Versus

State of UP& Ors.

Respondent(s)

With

Dr. Tanzeen Fatima

Applicant(s)

Versus

Ministry of Environment and Forests
& Climate Change & Ors.

Respondent(s)

Date of hearing: 15.01.2020

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER
HON'BLE MR. SIDDHANTA DAS, EXPERT MEMBER**

For Applicant(s):

For Respondent(s):

Dr. Sandeep Singh, Advocate for State of U.P
Mr. Rajkumar, Advocate for CPCB
Mr. Pradeep Misra, Mr. Daleep Dhyani, Advocates for
UPPCB
Mr. Pinaki Mishra, Sr. Advocate with Ms. Vanita
Bhargava, Mr. Ajay Bhargava, Mr. Sanjeev Ralli,
Advocates for RADICO Khaitan
Mr. Rahul Verma, AAG for State of Uttarakhand
Mr. Mukesh Verma, Advocate for UKPCB
Ms. Sakshi Popli, Advocate for MoEF&CC

ORDER

1. This order may be read in continuation of order dated 23.07.2019. The issue for consideration is pollution being caused in Kosi river in Rampur District by the polluting industrial activities. River Bhella in Muradabad is a tributary of Kosi river in Rampur

which is a tributary of Ramganga which in turn is a tributary of river Ganga. In light of the proceedings before this Tribunal, the matter was further reviewed vide order dated 20.05.2019. The Tribunal noted the acknowledged pollution of river Bhella in Muradabad particularly at the point where it meets Rampur drain. Though M/s Radico Khaitan Limited (Distillery Unit), Rampur was directed to be closed by the CPCB but it continued to operate during the currency of closure order. No action was reported against other polluting industries. The Tribunal directed a joint Committee of Member Secretary, CPCB and Member Secretaries of Uttar Pradesh PCB and Uttarakhand PCB to undertake further inspections of the polluting industries which was to be overseen by Justice Arun Tandon, former Judge of Allahabad High Court. The Tribunal also required the CPCB and the UPPCB to explain as to how in spite of closure order, the unit of M/s Radico Khaitan Limited continued to function and what action was taken against such illegal operation as well as the persons who allowed such illegal operations by colluding with the said unit or otherwise.

2. The matter was further considered on 27.03.2019 in the light of report of the CPCB dated 05.07.2019 and joint committee report dated 05.06.2016. The Tribunal observed:

“2. Accordingly, report dated 05.07.2019 has been filed by the CPCB which was the nodal agency of the joint Committee.

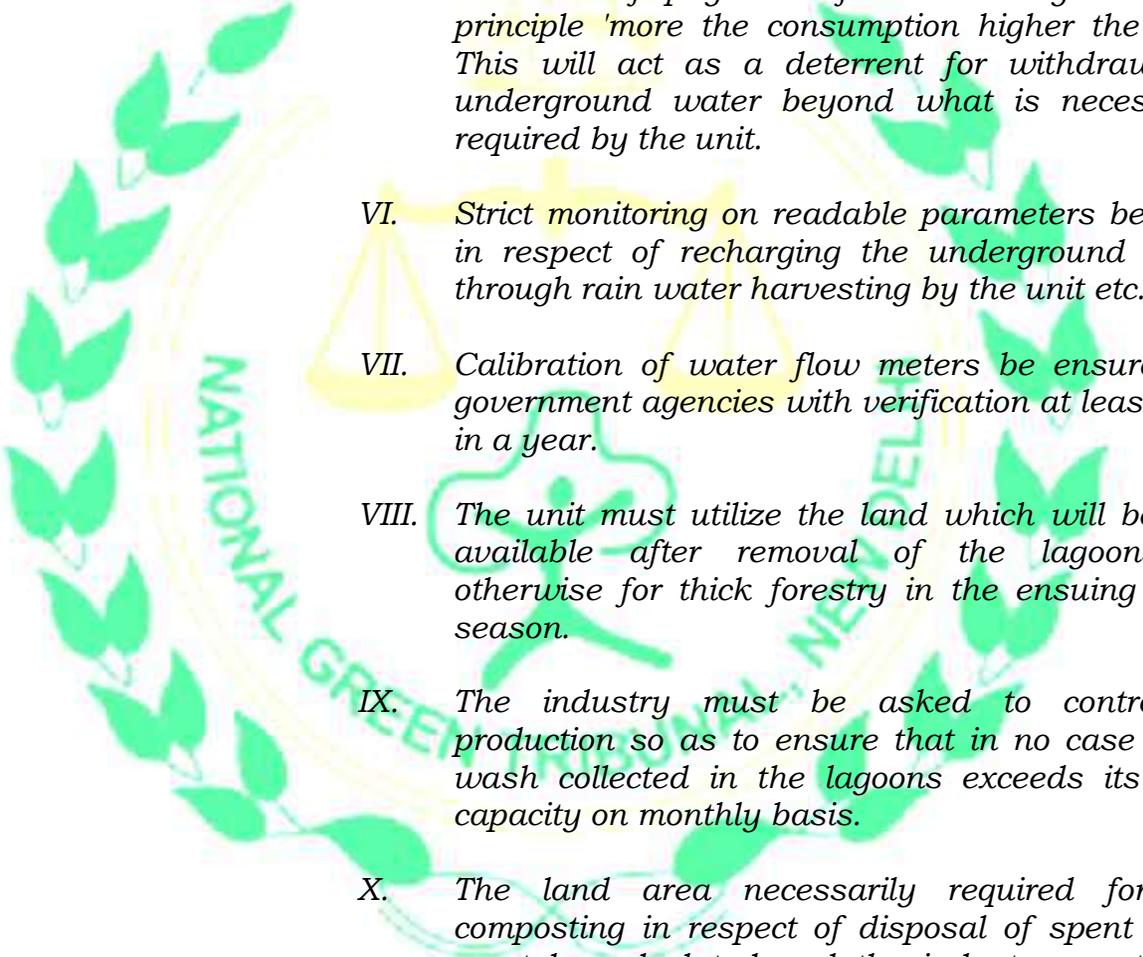
3. The report is to the effect that closure direction was issued by the CPCB on 24.12.2018 against M/s Radico Khaitan Limited (Distillery Unit), Rampur under Section 5 of the Environment (Protection) Act, 1986 but the said unit continued to operate illegally in collusion with the concerned authorities. On 05.06.2019, the joint Committee carried out an inspection which was overseen by Justice Arun Tandon, former Judge of Allahabad High Court. An

inspection was also carried out in respect of the said unit and other industries in the catchment area of river Bhella and river Kosi from 10.06.2019-12.06.2019. Based on the said report, the CPCB, vide letter dated 03.07.2019, required M/s Radico Khaitan Limited to submit time bound action plan to restrict the capacity of lagoon by filling/levelling/dismantling the excess capacity of the lagoons. CPCB re-calculated the environmental compensation and assessed the same at Rs. 7,29,00,000/- out of which amount Rs. 1,45,80,000/- was deposited and the remaining amount of Rs. 5,83,20,000/- is yet to be deposited.

4. Explaining the reason how in spite of the closure order, the unit continue to function, it is submitted that the Principal Secretary, Excise Department, U.P. requested CPCB to review the order. The Unit made prayer for revoking the closure direction on 20.02.2019 and 01.03.2019. Recommendation for revocation of closure was made. The Member Secretary, UPPCB vide letter dated 01.04.2019 asked CPCB to review the closure direction. Principal Secretary, Excise Department also repeated such request on 02.04.2019. Conditional revocation was allowed on 17.05.2019 but the unit continued to operate thereafter. The Unit representative informed during inspection from June 10-12, 2019 that the 'highest Officers of the State' had orally instructed the Officers and Managers of M/s Radico Khaitan Limited to continue the production even after the closure order passed by the CPCB. A letter has been written by the CPCB to the Chief Secretary, Uttar Pradesh on 24.06.2019 to identify and provide names of Officers who allowed illegal operation of the unit in spite of the closure direction. No reply has been received.
5. The report also annexes an inspection report, which is in two parts, signed by Justice Arun Tandon. Compilation – I records the proceedings during the inspection and Compilation – II records the suggestions and observations. It will be appropriate to reproduce the said suggestions and observations:-

“M/s Radico Khaitan Limited

- I. Manufacturing of alcohol by the unit even after the closure order of the CPCB, i.e., between 17.02.2019 to 11.05.2019 is totally unjustified and virtually amounts to negation of rule of law.
- II. Officers of the State of Uttar Pradesh who had orally instructed the officers and managers of Radico Khaitan Ltd. to continue the production even after the closure order of the CPCB, and those who failed to ensure the closure must be identified by the Chief Secretary of the State of Uttar Pradesh and suitable action shall be taken.

- 
- III. *Open lagoons must be replaced by covered storage Steel tanks for receiving the spent wash of molasses with provision for controlled discharge of gases therefrom. This is necessary, as large open surface area of existing lagoons leads to more amount of air being polluted after coming into contact with spent wash. All suitable amendments may be carried by CPCB in guidelines.*
- IV. *The primitive method of marking with red at a particular height in the lagoons be eliminated and if necessary, then, only required capacity lagoon duly calibrated, be permitted. Excess capacity must be filled or dismantled scientifically.*
- V. *Withdrawal of underground water must be restricted to the minimum required quantity with a condition of payment of water charges on the principle 'more the consumption higher the rate'. This will act as a deterrent for withdrawal of underground water beyond what is necessarily required by the unit.*
- VI. *Strict monitoring on readable parameters be done in respect of recharging the underground water through rain water harvesting by the unit etc.*
- VII. *Calibration of water flow meters be ensured by government agencies with verification at least once in a year.*
- VIII. *The unit must utilize the land which will become available after removal of the lagoons, or otherwise for thick forestry in the ensuing rainy season.*
- IX. *The industry must be asked to control its production so as to ensure that in no case spent wash collected in the lagoons exceeds its fixed capacity on monthly basis.*
- X. *The land area necessarily required for bio-composting in respect of disposal of spent wash must be calculated and the industry must keep that land area fully covered with provision of leachate collection drains. No composting be permitted on uncovered land.*
- XI. *The unit must maintain specific verifiable records, which can be examined at any given point of time in respect of total quantity of bio-compost generated and sold to the known purchasers. The distillery must maintain similar records in respect of solid waste and disposal thereof to known vendors.*

- XII. CPCB has calculated the Environmental compensation amount (as per the methodology of EC) in compliance of the NGT order dated 20.05.2019 which is Rs.7.29 Crores including the EC imposed earlier.
- XIII. In addition the entire price money received in respect of alcohol/products generated by the industry during the period of the CPCB closure order, i.e., between 17.02.2019 to 11.05.2019 be recovered as Environmental Compensation (EC).
- XIV. Separate electricity meter exclusively for ETP shall be installed and its bill must be kept on site for verification.

INDIA GLYCOLS LTD.

- I. Reasons for availability of 90000 m³ of spent wash with solid contents of less than 1 % only in the lagoons of the industry must be ascertained and suitable action should be taken for violating the norms of the CPCB.
- II. Distillery unit of the company should be permitted to function at half of the licensed/consented capacity till it disposes off the huge volume of spent wash available in the lagoon as on 11.06.2019. SPCB should ensure that this spent wash with low solid concentration is not discharged in the drains by the unit during the forthcoming rainy season and strict vigilance should be kept by SPCB. A quarterly report must be submitted by SPCB citing progress in compliance made.
- III. The industry must be asked to come up with a concrete proposal for disposal of ash generated in the industry as well as for the ash lying in the open. The industry must provide a time bound action plan for disposal of already generated ash within 15 days.
- IV. In absence of 'No Objection Certificate' from Central Underground Water Authority no extraction of underground water be permitted.
- V. The industry has drawn nearly 55 lakhs litres of underground water every day with no obligation of recharge/rain water harvesting etc. This must be stopped immediately and the industry must be asked to take additional measures for re-charge of the underground water/rain water harvesting with due regard to the amount of underground water drawn by it in last 5 years.

- VI. *The industry must be asked to pay compensation for illegal withdrawal of underground water for last so many years in garb of pendency of their renewal applications for 'no objection' before CGWA.*
- VII. *The amount payable by the Company for withdrawal of underground water must be fixed on the principle 'more the withdrawal, higher the rates'. The charge which has not been paid for years must be recovered with interest at the rate of 18% per annum.*
- VIII. *The land which will become available because of the dismantling of the lagoons and even otherwise the surrounding area of lagoons must be utilized for dense forestry in the coming monsoon season.*
- IX. *CPCB has calculated the Environmental compensation amount (as per the methodology of EC) in compliance of the NGT order dated 20.05.2019 which is Rs.13,54,50,000/-, to be paid by the unit.*
- X. *CPCB must direct the unit to dismantle all excess storage capacity of lagoons in terms of the direction of CPCB dated 07.12.2015 forthwith. CPCB/SPCB shall submit a quarterly report on compliance of its own order.*

All Industries

- I. *Applications for 'no objection certificate' should be considered and decided within a month by CGWA and if the applications are not found satisfactory then the same must be rejected with a further direction to stop water extraction.*
- II. *The charges payable by the company for withdrawal of underground water must be fixed on the principle 'more the withdrawal, higher the rates'. The water charges which has not been paid for years must be recovered together with the interest at the rate of 18% per annum.*
- III. *The norms for recharge of underground water and rain water harvesting etc. must be fixed. Flow meters must be calibrated by Government-agencies and verified at least once in a year.*
- IV. *The industries encroaching upon the drains must be asked to clear the encroachments and drains must be left free to flow in their natural course.*

- V. *Actual requirement of underground water by the industry must be verified through independent Government agencies.*
- VI. *All industries must be asked to maintain verifiable records of ETP waste and other solid waste generated as well as its disposal to the known buyers.*
- VII. *No additional pump with loose connection be permitted as stand by at ETP of any of the industry.*
- VIII. *CPCB/SPCB shall take necessary actions against the non-complying industries namely:*
- a) *M/s Multiwal Duplex Pvt. Ltd. Kundeshwari Road, Kashipur*
 - b) *M/s Damya PJ Foods Pvt. Ltd., &*
 - c) *M/s Varun Steel.*

Others

- I. *De-silting of drains must be completed at the earliest with a direction to transport the removed silt to a safe identified place.*
- II. *Joint inspection of all 86 GPI industries be undertaken a fresh in light of issues considered in the report.*
- III. *All Inspection/analysis reports have been placed before me during the meetings at Delhi which I have examined.*
- IV. *Wherever timelines have been fixed for works to be undertaken by industries-, performance bank guarantee must be insisted upon as a condition of revocation.*
- V. *Many of suggestions and observations made under para A, B and C are generic and applicable/ per-se for all industries. These may require revision of Guidelines and Charter being followed by Central and State PCBs which regulating and monitoring the operations of these industries. Necessary and suitable review and revision of these Guidelines and Charters may be carried out by Central and State PCBs in fixed time frame of four months.”*

6. *Compilation – I records inter-alia as follows:-*

“After the meeting with the officials of the CPCB, UPPCB, UEPPCB and CGWA and examination of various orders at

Delhi on 26th and 28th of June, 2019, the following discrepancies have been found. The same are listed industry wise:

Radico Khaitan Ltd. (Distillery Unit), Rampur, UP

- a) The industry had continued with the production despite the closure order of CPCB between 07.02.2019 to 11.05.2019.
- b) The industry had neither filled nor dismantled the excess capacity in the lagoons despite the directions of CPCB dated 24.02.2015, 23.04.2015 and 07.12.2015. The CPCB's order dated 18.02.2019 mentions non-compliance of the conditions as per the order of CPCB dated 07.12.2015 as one of the grounds for revoking the order keeping the closure order in abeyance. Yet the order of CPCB/UPPCB permitting the partial operation of distillery dated 17.05.2019 makes no mention of said violation.
- c) No objection certificate granted by CGWA has expired on 02.10.2018.

Not even a single penny is being paid towards withdrawal of underground water since 30.11.2016.

India Glycols Ltd.

- a) Under the order dated 24.06.2004 permitting capacity expansion of the industry to increase its capacity from 205 KLD to 425 KLD it was specifically provided that the production of alcohol from molasses shall be restricted to working for 330 days in a year. This condition has been violated by the India Glycols Ltd. for years together as the industry had been working for 365 days in a year.
- b) In the no objection certificate granted by CGWA dated 26.02.2009 for the ethanol unit, it is specifically mentioned that the same is valid till the area remains under the safe category five years whichever is earlier. The category of Kashipur area was changed from safe to semi critical in 2013, and the term of the five year expired on 25.01.2014. Therefore the NOC of CGWA at the first instance expired in 2013 and in any case on 25.02.2014. There is no valid NOC in favour of ethanol unit since thereafter for more than five years. The industry has been extracting underground

water to the tune of 55 (fifty five) lac litres per day without NOC from CGWA for its Ethanol unit.

- c) In respect of the chemical unit, NOC was granted by CGWA dated 14.01.2016, the expansion programme by permitting additional withdrawal of 459m³ of water per day in addition to the existing NOC for 2596 m³ per day. This permission was valid for two years only, which expired on 14.01.2018. For the chemical unit also there is no NOC from CGWA subsequent to 15.01.2018. The NOC was granted on 14.01.2016 without clarifying that the unit has no valid permission for ground water extraction for the original withdrawal itself. There has been extraction of underground water for chemical unit without any NOC from CGWA since 15.01.2018. No water charges are being levied upon the unit since 30.06.2017 on the ground that Water Cess Act, 1977 has been repealed by Act. No. 18 of 2017.
- d) Since M/s IGL had resorted to incineration instead of Bio-composting the CPCB directed on 24.02.2015, 23.04.2015 and 07.12.2015, that it can have a storage capacity of 7 days in the lagoon only at all stages. The excess storage capacity has either to be filled or dismantled. State Pollution Control Board vide order dated 13.03.2015 had instructed the M/s IGL to either fill or dismantle the excess storage capacity on or before September 2016. In fact neither the filling of the lagoon nor the dismantling have been done by IGL till date.
- e) As per CPCB direction dated 22.12.2016 IGL was asked to close its 98 KLD Plant, yet no direction was issued for dismantling or filling of lagoon while permitting the continuous operation of 240 KLD Plant. As per CPCB direction dated 24.02.2015, 23.04.2018 and dated 07.12.2015 IGL could use the lagoons only till 31st March 2016. Contrary to the said direction, IGL continued to operate its plant and stored spent wash in lagoon till 28.01.2017 when it was sealed by SPCB. No explanation has been provided by industry as to how it continued to use the lagoons between April, 2016 to January 2017.
- f) Consent to operate was granted by SPCB on 06.07.2017 with specific condition to dispose of the generated spent wash through Multi

Effect Evaporator (MEE) and to use concentrate in the boiler. The industry while acting on said consent to operate deliberately did not comply with the said condition and spent wash with low solid content continued to be stored in lagoon outside the factory premises.

- g) A joint inspection of industry was carried out on 19th April 2018 under orders of NGT dated 13.07.2017 passed in O.A. No. 200/2014 by joint team comprising of experts of 3rd party technical institutes PCRI, Haridwar (on behalf of CPCB) and SPCB. The report submitted does not mention of either compliance with the condition of the consent to operate dated 06.07.2017 or of availability of the spent wash in lagoon. Joint inspection done by the State Pollution Control Board and the Central Pollution Control Board (through third party) in terms of the order of the National Green Tribunal dated 13.07.2017 passed in O.A. No. 200 of 2014 does not reflect upon any of the infirmity and illegality noted in this report. It appears that the joint inspection report has been prepared without actual spot inspection and verification of the records. On 20th April 2018, a fresh consent to operate was again granted by SPCB to IGL Ltd. without mentioning non-compliance of the earlier consent, non-availability of NOC from the CGWA or availability of spent wash in the lagoon.*
- h) CPCB on 07.02.2019 issued show cause notice under section 5 of E(PO) Act, 1986 based on joint inspection dated 19.01.2019 with regard to availability of the spent wash diluted with rain water to the tune of 70,000 m³ in the lagoon and finally under order dated 14.03.2019 issued direction for dismantling of lagoon on or before June 2021, without taking any action for breach of direction issued earlier.*
- i) It is for the first time in the order dated 14.03.2019, CPCB refers to another lagoon used for storing concentrated spent wash before incineration, as informed by the industry inside the industry premises. SPCB informed in the meeting that the capacity of this lagoon is about 1,00,000 m³ which is filled by accumulated sludge. This storage capacity is also in violation of CPCB's circulars dated 24.02.2015, 23.04.2015 and 07.12.2015.*

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- j) On 28.06.2019, CGWA has informed in the meeting that Kashipur is now semi critical area it shall not be granted any NOC. Renewal is also a new grant. Even otherwise in case of IGL because of the change of the status of the area no renewal application would be maintainable and the industry has to apply afresh under the conditions applicable to semi critical area.
- k) despite all this SPCB granted permission to operate in the month 2018 both for the alcohol industry and the chemical unit in the said factual scenario.
- l) The company has been permitted to resort to incineration since January 2017 in place of Bio-composting. The total ash generated due to incineration by the super heater is around 62 metric ton per day while that generated by the slop is 66 metric ton per day. In all the total ash generated by the unit is 128 metric ton per day. There is no proposal on record by M/s IGL in respect of disposal of such huge quantity of ash generated on per day basis. Similarly, it is found that neither the SPCB nor CPCB have till date provided any direction/guidelines in matter of disposal of the ash generated by the unit. The present scenario at IGL, if reflected in other words, would be that a STP has been installed to treat the sewage but there is no plan for disposal of the sludge generated therein.
- m) While returning from Kashipur on 12.06.2019 near the border of the district Rampur, industries were found emitting large volume of gas from large chimney. Heaps of fly ash were found collected near the roadside. The industries identified are (i) Pashupati Acrylyn and Nani Papers situate on left bank of Dhandi Drain Kashipur Road, Moradabad. CPCB/UPPCB shall conduct detailed inspection of the units and take immediate actions.”

7. Learned counsel for the CPCB, Uttar Pradesh State PCB and Uttarakhand State PCB have suggested that the inspection report may be accepted and further action be taken. Learned counsel appearing for M/s Radico Khaitan Limited states that the said unit will comply with the observations in the report. There could be no basis for questioning the report furnished by the joint Committee of senior Government functionaries which has been overseen by the former Judge of the High Court.

8. *Learned counsel appearing for M/s India Glycols Limited, however, tried to justify the illegal drawal of ground water without sanction even though the area is semi critical, on the ground that application for sanction was 'pending'. We do not find any merit in this submission. Delay in deciding renewal application could not be treated as a licence to draw the ground water. The unit could take remedy against such inaction. While regulatory authorities are required to act promptly but any inaction is not a ground for a citizen to take the law in his hands instead of approaching the concerned higher authority or the Court.*
9. *We, thus, do not find any ground not to accept the report of the joint Committee, including the amount of compensation to be recovered. The same may be acted upon forthwith. The Chief Secretary, Uttar Pradesh may give response to the observations and suggestions of Justice Tandon indicating why the higher amount of compensation and interest be not recovered in view of illegal operation of the said unit in collusion with the authorities of the state. The decision on the issue of recommendations of Justice Tandon on the subject of interest and higher compensation will be taken later. The Chief Secretary, Uttar Pradesh may also give his response to the letter of the CPCB and identify the persons who interfered with the process of law to benefit the said polluting unit and action taken against such persons by e-mail at judicial-ngt@gov.in. The joint Committee may furnish further action taken report within three months by e-mail at judicial-ngt@gov.in.”*

3. Even though no response has been filed by the Chief Secretary in the above terms, three reports have been placed for consideration. First report has been filed by the Monitoring Committee constituted by this Tribunal making certain recommendations. Second report is by CPCB based on information furnished by State PCB with regard to status of compliance of earlier recommendations. Third report is dated 06.12.2019 by same Monitoring Committee. Details are as follows:

i. Report dated 23.10.2019 by the Monitoring Committee, Ganga Phase-II headed by Justice Arun Tandon.

The report recommends that ground water extraction must be taken before consent to establish and consent to operate

granted by the State PCB. The CGWA must frame SOP on the subject of regulating and protecting ground water. Permission of disposal of waste by incineration must be accompanied by safeguards to ensure that one waste is not converted to other kind of waste. Joint inspection must be done at regular intervals in respect of GPIs. Extraction of ground water must be minimised with complete recovery and reuse measures for recycling and replenishment of ground water must be mandatory.

ii. Further action taken report dated 27.11.2019 has been filed by the CPCB based on information furnished by the State PCB as well as discussion with the joint Committee.

The status of the directions and action taken are mentioned as follows:

Para No./Sr.No.	Description of orders	Action taken/Compliance Status
M/s Radico Khaitan Ltd.		
Para5/Sr.No.II	<i>Officers of the State of Uttar Pradesh who had orally instructed the officers and managers of Radico Khaitan Ltd., to continue the production even after the closure order of the CPCB, and those who failed to ensure the closure must be identified by the Chief Secretary of the State of Utter Pradesh and suitable action shall be taken.</i>	As per the discussion held in the meeting dated 14.11.2019 at CPCB, the unit was pursuing the matter with CPCB regarding revocation of the closure direction dated 24.12.2018 issued to the Unit, in the meantime an abeyance letter dated 02.01.2019 issued by CPCB to the Unit for carrying out joint inspection, which was misunderstood by the unit and considered as permission to continue operation since the joint inspection by CPCB & UPPCB was to be carried out vide Hon'ble NGT order dated 21.12.2018 in OA No. 324/2016, in matter of Shailesh Singh Vs State of UP & Ors. Hon. NGT may examine the explanation.
Para 5/Sr.No.III	<i>Open lagoons must be replaced by covered storage Steel tanks for III receiving</i>	• CPCB issued letter to Member Secretary, UPPCB for implementation of the Hon'ble NGT

	<p><i>the spent wash of molasses with provision for controlled discharge of gases there from. This is necessary, as large open surface area of existing lagoons leads to more amount of air being polluted after coming into contact with spent wash. All suitable amendments may be carried by CPCB in guidelines.</i></p>	<p>order dated 23.07.2019 in O.A. No. 361/2017 vide letter no.B-</p> <ul style="list-style-type: none"> • UPPCB issued letter No. H43550/C-7/Jal-40/2019 to the unit dated 11.11.2019 to submit the Progress Report regarding replacement of open lagoons with steel tank within 15 days to UPPCB. Copy placed at Annexure-2. • A consultation meeting of the Experts from distillery sector comprising of representatives from technical institutions namely, VSI, Pune, NSI, Kanpur as well as All India Distillers Association (AIDA) and Indian Sugar Mills Association (ISMA) was convened by CPCB on 14.11.2019 to discuss feasibility of replacement of open lagoons with closed steel tanks. • It has been observed that, closed steel tank for storage of concentrated spent Wash has several technical constraints such as generation of anaerobic gases, accident hazard, corrosion and sludge cleaning. • During the joint committee meeting dated 14.11.2019; Justice (Retd.) Arun Tandon was also apprised about the non-feasibility of replacement of lagoons with closed steel tanks for storage of concentrated spent wash.
IV	<p>The primitive method of marking with red at a particular height in the lagoons be eliminated and if necessary then only required capacity lagoon duly calibrated, be permitted. Excess capacity must be filled or dismantled scientifically.</p>	<ul style="list-style-type: none"> • CPCB issued letter to the unit dated 03.07.2019 to submit time bound action plan to restrict capacity of lagoon by filling/levelling/dismantling excess storage capacity of lagoons. Copy placed at Annexure-3. • CPCB issued direction u/s 5 of E (P) Act, 1986 to the unit dated 06.08.2019 to restrict capacity of lagoon. Copy placed at Annexure-4.

		<ul style="list-style-type: none"> • UPPCB issued letter No. H-43240/C-7/Jal-40/2019 to the unit dated 02.11.2019 to dismantle the excess capacity of lagoons, to develop thick forestry on the boundary of lagoons as well as on the land which will be available after dismantling of lagoons, to install separate energy meter for ETP, to keep and maintain record of generated and selling of prepared bio-compost, to dispose solid waste as per the rules, to not have any loose connections of piping with installed ETP and to submit the details of disposal of generated ETP sludge and other solid waste as per the rules. Copy placed at Annexure-5. • Joint team of CPCB, UPPCB headed by Justice (Retd.) Arun Tandon carried out inspection of the unit dated 17.11.2019 and observed the following: <ul style="list-style-type: none"> • Lagoon-1 (20000 m³) at Ajeetpur site has been dismantled and being levelled. • Lagoon-2 (earlier capacity 58000 m³) at Ajeetpur site has been truncated 1.0 m from top to maintain volume of 21000 m³ keeping 2.0 m as free board. • Capacity of lagoon at Hitachi site has been reduced by providing a partition bund and excess capacity has been dismantled. • System of marking on vertical scale, like water level in the rivers, should be implemented and the UPPCB to ensure the installation compliance.
V	Withdrawal of underground water must be restricted to the minimum required quantity with a condition of payment of water charges on the principle 'more the	<ul style="list-style-type: none"> • CPCB issued letter No. 190198/NGRBA/CPCB/2018-19(Part file)/4442 to Member Secretary, CGWA dated 24.07.2019 to take actions according to NGT

	<p>consumption higher the rate'. This will act as a deterrent for withdrawal of underground water beyond what is necessarily required by the unit.</p>	<p>order dated 23.07.2019. Copy placed at Annexure-6.</p> <ul style="list-style-type: none"> • UPPCB has issued letter No. H-43241/c-7/Jal-40/2019 to the unit dated 02.11.2019 to submit clarification regarding illegal withdrawal of ground water in spite of the fact that CGWA NOC was expired on 03.10.2018. Copy placed at Annexure-7. • As per the discussion carried out in the meeting dated 14.11.2019 representative of CGWA informed that, the withdrawal of ground water by M/s Radico Khaitan Ltd. in the period October-2016 to May-2019 was within the CGWA NOC limit. • It was informed by CGWA representatives, during the meeting of the joint committee dated 14.11.2019 that, CGWA has prepared and submitted a draft guideline to Hon'ble NGT on water abstraction charges, which is under consideration. • Unit has submitted reply of the UPPCB letter No. H-43241/c-7/Jal-40/2019 vide letter dated 21.11.2019, which is placed at Annexure-8. • CGWA should calculate charges for extraction of ground water subsequent to expiry of the NOC as in the case of other industries.
VI	<p>Strict monitoring on readable parameters be done in respect of recharging the underground water through rain water harvesting by the unit etc.</p>	<ul style="list-style-type: none"> • CGWA informed in the Joint committee meeting dated 14.11.2019 that ground water recharge points are checked as per mandate. As per the thumb rule, 50 % recharge for each submergence is achieved in every recharge locations.

		<ul style="list-style-type: none"> • CGWA has carried out verification of ponds and recharge shafts on 04.11.2019 of recharging sites maintained by M/S Radico Khaitan Ltd including status of recharging and condition of pond base. • The Unit's representative has presented, during the visit of joint committee on 17.11.2019 that CGWA officials have visited the ponds created for 200% recharge of fresh water withdrawal and found to be in order (Report awaited).
VII	Calibration of water flow meters be ensured by government agencies with verification at least once in a year.	CGWA informed during the Joint committee meeting dated 14.11.2019 that, flow meters are monitored and calibrated by individual units through NABL recognized laboratory on an annual basis.
VIII	The unit must utilize the land which will become available after removal of the lagoons, or otherwise for thick forestry in the ensuing rainy season.	<ul style="list-style-type: none"> • CPCB had issued direction dated 06.08.2019 u/s 5 of E (P) Act, 1986 to the unit for development of thick plantation (Refer Annexure-4). • Unit has informed that the land available after removal of lagoons shall be utilised suitably either for bio composting or the green belt development during next rainy season. • UPPCB issued letter No. H-43240/C-7/Jal-40/2019 to the unit dated 02.11.2019 to dismantle the excess capacity of lagoons, to develop thick forestry on the boundary of lagoons as well as on the land which will be available after dismantling of lagoons, to install separate energy meter for ETP, to keep and maintain record of generated and selling of prepared bio-compost, to dispose solid waste as per the rules, to not have any loose connections of piping with installed ETP and to submit the details of disposal of

		<p>generated ETP sludge and other solid waste as per the rules. (Refer Annexure-5).</p> <ul style="list-style-type: none"> • Unit has submitted reply of the CPCB direction which was issued dated 06.08.2019, vide letter No. RKL/SR VP(P)/1044 dated 21.10.2019, which is placed at Annexure-9. • Unit has submitted latest reply of the CPCB direction which was issued dated 06.08.2019, vide letter No. RKL/Sr.APP/1181 dated 20.11.2019, which is placed at Annexure-10.
IX	The industry must be asked to control its production so as to ensure that in no case spent wash collected in the lagoons exceeds its fixed capacity on monthly basis.	As per the discussion during meeting held on dated 14.11.2019, UP Excise Department informed that at present production of the unit is strictly adhered to the capacity as per consent to operate issued by UPPCB.
X	The land area necessarily required for bio-composting in respect of disposal of spent wash must be calculated and the industry must keep that land area fully covered with provision of leachate collection drains. No composting be permitted on uncovered land.	<ul style="list-style-type: none"> • The Unit is presently having 14 acres of covered composting area, hence the unit shall increase its covered bio-compost yard area in order to operate at consented capacity (200 KLD) of molasses based distillery plant during monsoon season or restrict its production as per the existing covered area. • No composting has been carried out during rainy season, on uncovered land. • UPPCB has issued notice dated 26.11.2019 to the unit for covering total 28.2 Acres of bio-compost yard before next monsoon, in order to continue with the consented 200 KLD production of the molasses based distillery unit during

		rainy season or otherwise production has to be restricted based on covered area of bio-compost yard
XI	The unit Must maintain specific verifiable records, which can be examined at any given point of time in respect of total quantity of bio-compost generated and sold to the known purchasers. The distillery must maintain similar records in respect of solid waste and disposal thereof to known vendors.	<ul style="list-style-type: none"> • CPCB issued direction dated 06.08.2019 u/s 5 of E(P)Act, 1986 to the unit, to maintain specific verifiable records, which can be examined at any given point of time in respect of total quantity of bio-compost generated and sold to the known purchasers. The distillery shall maintain similar records in respect of solid waste and disposal thereof to known vendors. • The Unit is submitting the details to CPCB, of the bio-compost produced and sold on monthly basis. Solid waste data is submitted to UPPCB on yearly basis. • UPPCB issued letter No. H-43240/C-7/Jal-40/2019 to the unit dated 02.11.2019 to dismantle the excess capacity of lagoons, to develop thick forestry on the boundary of lagoons as well as on the land which will be available after dismantling of lagoons, to install separate energy meter for ETP, to keep and maintain record of generated and selling of prepared bio-compost, to dispose solid waste as per the rules, to not have any loose connections of piping with installed ETP and to submit the details of disposal of generated ETP sludge and other solid waste as per the rules. (Refer Annexure-5). • Unit has submitted reply of the CPCB direction which was issued dated 06.08.2019, vide letter No. RM. /SR VP(P)/1044 dated 21.10.2019 (Refer Annexure-9).

XII	CPCB has calculated the Environmental compensation amount (as per the methodology of EC) in compliance of the NGT order dated 20.05.2019 which is Rs.7.29 crores including the EC imposed earlier.	<ul style="list-style-type: none"> • CPCB issued direction dated 06.08.2019 u/s 5 of E(P)Act, 1986, levying additional EC of Rs. 5,83,20,000/- and the Unit deposited the EC amount vide DD dated 02.09.2019. • In compliance to the direction, the Unit has deposited the entire EC amount of Rs 7.29 crores vide letter dated 02.09.2019 & through Demand Draft No. 361792.
XIV	Separate electricity meter exclusively for ETP shall be installed and its bill must be kept on site for verification.	<ul style="list-style-type: none"> • UPPCB issued letter No. H-43240/C-7/Jal-40/2019 to the unit dated 02.11.2019 to dismantle the excess capacity of lagoons, to develop thick forestry on the boundary of lagoons as well as on the land which will be available after dismantling of lagoons, to install separate energy meter for ETP, to keep and maintain record of generated and selling of prepared bio-compost, to dispose solid waste as per the rules, to not have any loose connections of piping with installed ETP and to submit the details of disposal of generated ETP sludge and other solid waste as per the rules. (Refer Annexure-5). • Unit has installed separate electricity meter exclusively for treatment and management of Bio-methanated Spent Wash plant, TSS plant, RO Plant-I, RO Plant-II, RO Plant-III, Evaporation Plant, Bio-Compost, CPU (Condensate Polishing Unit) etc.
M/s Indian Glycols Ltd		
Para 5 Sr.I	Reasons for availability of 90000 m3 of spent wash with solid contents of less than 1% only in the lagoons of the industry must be ascertained and suitable action should be taken for violating the norms of the	<ul style="list-style-type: none"> • Lagoon site visit was undertaken on 15.11.2019 by the joint team of UEPPCB and CPCB officials under supervision of Justice (Retd.) Arun Tandon for physical verification of utilization of stored spent wash.

	<p>CPCB.</p>	<ul style="list-style-type: none"> • As per the visit of the Joint team on 15.11.2019, it was informed by the representative of the unit that; <ol style="list-style-type: none"> i. Bio-methanated spent wash with solid content of 3-5 % from 98 KLD effluent stream was stored in the lagoon for further composting. Production of 98 KLD stream was closed by UEPPCB and the connected lagoon was disconnected and sealed by UEPPCB on 28.01.2017. The stored bio-methanated spent wash mixed with rain water over the years (Even before Jan-2017) resulted in accumulation of diluted bio-methanated spent wash of about 1 % solids with volume of about 90,000 m³. ii. The unit has utilized 18000 KL of stored spent wash in Bio-composting as on 31.10.2019. Next batch of bio-composting is under process. iii. Lagoon containing bio-methanated spent wash is being used for filling with incinerator fly ash, which absorbs spent wash and a levelled surface has been created by filling a part of the lagoon. • The Unit could not provide documentary evidence regarding the quantity and quality of stored spent wash in the lagoon at the time of sealing. • CPCB had already issued a direction dated 14.03.2019 to the unit u/s 5 of E(P) Act, 1986, to utilize the stored spent wash and dismantle the lagoon. • CPCB issued letter to Member Secretary, UEPPCB for
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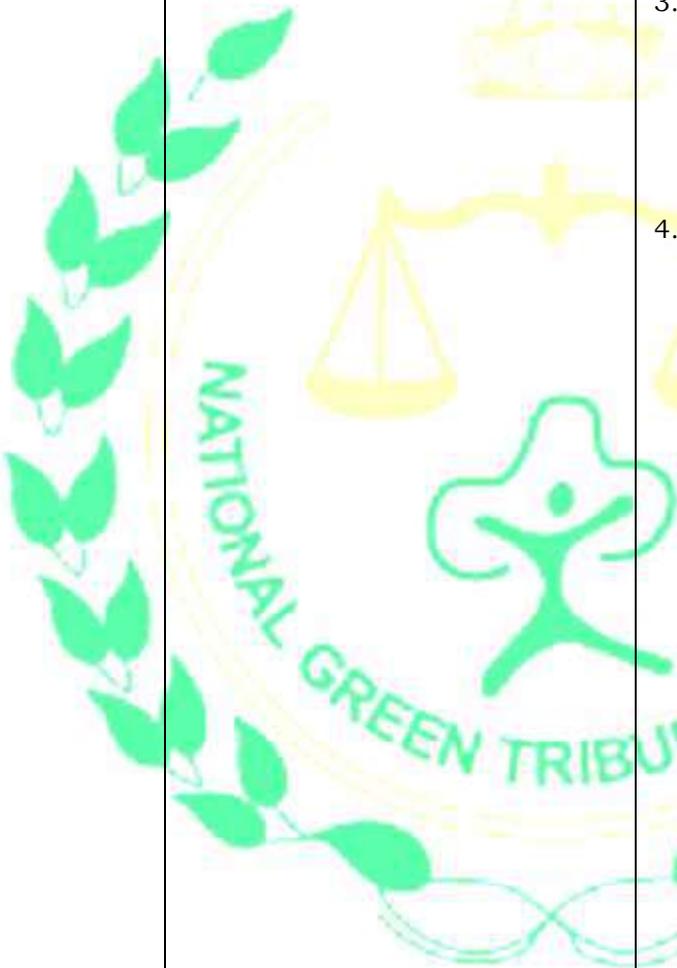
		<p>implementation of the Hon'ble NGT order dated 23.07.2019 in O. A. No. 361/2017 vide letter no.B-190198/NGRBA(RG)/CPCB/Distillery/1/20 18-19/6878 dated 24.09.2019. Copy placed at Annexure-11.</p> <ul style="list-style-type: none"> The explanation about stored spent wash submitted by the industry vide letter dated 21.11.2019 is not supported by relevant supporting document about the quantities of stored spent wash at different times in the past. Unit's submitted reply dated 21.11.2019 is placed at Annexure-12. The industry to adhere time line 30.06.2021, fixed for utilization of stored spent wash as per CPCB direction dated 14.03.2019. UEPPCB should carry out on quarterly basis upto June 2021, regarding quantity of spent wash utilized and balance in the lagoon.
<p>II.</p>	<p>Distillery unit of the company should be permitted to function at half of the licensed/consented capacity till it disposes off the huge volume of spent wash available in the lagoon as on 11.06.2019. SPCB should ensure that this spent wash with low solid concentration is not discharged in the drains by the unit during the forthcoming rainy season and strict vigilance should be kept by SPCB. A quarterly report must be submitted by SPCB citing progress in compliance made.</p>	<ul style="list-style-type: none"> UEPPCB has issued letter No. UEPPCB/HO/Gen-183-247(II)/2019/6469-1313 to the unit dated 18.11.2019 to comply with directions of Hon'ble NGT order dated 23.07.2019 in a time bound manner. Copy is placed at Annexure-13. The unit has replied vide letter dated 21.11.2019 wherein it has been submitted that the stream from 98 KLD plant which now not functional, which was associated with the lagoons (outside of the premises). In the absence of the in-flow to the lagoons, restriction of production of other unit i.e, 240 KLD plant may not be justified and relevant.

		<ul style="list-style-type: none"> • During inspection of joint committee which was carried out on 15.11.2019 it was observed that the unit have two lagoons of capacity 3,50,000 m³ and 1,00,000 m³, However the lagoon having 1,00,000 m³ capacity was unnoticed till date. But during inspection the same lagoon was found with sludge. • The statement may be provided by the unit for the quantity of spent wash to be used and actually used. UEPPCB shall issue notice to the unit for the same. • The joint committee has visited the plant on 15.11.2019 and verified the sealing of the pipeline connected to the lagoons. • The unit's reply dated 21.11.2019 shall be examined by the UEPPCB for taking necessary action w.r.t. production capacity, utilization of spent wash to be monitored on quarterly basis and shall also obtain action plan to dismantle/level the 2nd lagoon at Dabhora site from the unit.
<p>III</p>	<p>The industry must be asked to come up with a concrete proposal for disposal of ash generated in the industry as well as for the ash lying in the open. The industry must provide a time bound action plan for disposal of already generated ash within 15 days.</p>	<ul style="list-style-type: none"> • The unit has submitted an action plan for utilization of SLOP (Incinerator) Ash vide letter dated 25.06.2019. • As per the action plan, the unit will utilize the SLOP Ash as a substitute for Potash. Fly ash shall be disposed off to cement industries. In this regard the following actions have been taken by the unit. • Unit is evaluating the process of granulating the SLOP ash for utilization in agriculture as Potash fertilizer. • Unit has contacted CSIR-CSMCRI, Bhavnagar, Gujrat for recovery of Potash and utilization of the remaining ash in land filling or brick.

		<p>The unit has also contacted CPPRI, Saharanpur, Uttar Pradesh for the same.</p> <ul style="list-style-type: none"> At present the unit is using fly ash in filling the lagoon (3.5 lac m³) containing diluted spent wash. As reported by the industry, ash generation from SLOP (incinerator boiler) and from 80 T/hr Boiler shall be 128 MT/day and 200 MT/day, respectively. Entire ash quantity (328 MT/day) can't be used as fertilizer and further landfilling can only be permitted provided it is done safely subject to approval from the competent authority/state. Industry to submit concrete proposal for long term utilisation/handling of fly ash within 15 days to UEPPCB.
IV	In absence of 'No objection Certificate from Central Underground Water Authority, no extraction of underground water be permitted.	<ul style="list-style-type: none"> CPCB issued letter No. 190198/NGRBA/CPCB/2018-19(Pa rt file)/4442 to Member Secretary, CGWA dated 24.07.2019 to take actions according to NGT order dated 23.07.2019 (Refer Annexure-6). CGWA has issued Notice to the unit dated 08.11.2019 to direct to Why not Environmental Compensation (EC) should be levied for illegal abstraction of ground water for the period after the expiry of valid NOC. Copy placed at Annexure-14. CGWA has issued Show Cause Notice to the unit vide letter no. (100)/CGWB/UR/Tech-19-530da t 18.11.2019 for illegal borewell sealing in addition to fixing EC for unauthorized extraction of ground water and launching prosecution for violations in accordance with the provision of law. Copy is placed at Annexure-15. CGWA has also issued order for stopping of ground water
V	The Industry has drawn nearly 55 lakhs litres of underground water everyday with no obligation of recharge/rain water harvesting etc. This must be stopped immediately and the industry must be asked to take additional measures for re-charge of the underground water/rain water harvesting with due regard to the amount of underground water drawn by it in last 5 years.	
VI	The industry must be asked to pay compensation for illegal withdrawal of underground water for last so many years in garb of pendency of their renewal applications for 'no objection' before CGWA	
VII	The amount payable by the	

	<p>Company for withdrawal of underground water must be fixed on the principle 'more the withdrawal, higher the rates.' The charge which has not been paid for years must be recovered with interest at the rate of 18% per annum.</p>	<p>withdrawal vide letter No. 4(100)/CGWB/UR/Tech-19-537 u/s 5 of the E(P) Act, 1986 dated 18.11.2019. Copy is placed at Annexure-16.</p> <ul style="list-style-type: none"> • It was informed by CGWA representatives during joint committee meeting held on 14.11.2019, that CGWA has prepared and submitted draft guidelines on water abstraction charges, which is due for approval from the competent authority. • In view of the notice of CGWA, all consequent actions in the matter of illegal withdrawal of groundwater shall be taken by concerned State Pollution Control Board, as per conditions in consent to operate. • Extraction of ground water without NOC from CGWA, is not only illegal but, is a violation of Hon'ble NGT order dated 13.07.2017. UEPPCB to take appropriate action against the industry. <ul style="list-style-type: none"> • Central Ground Water Board Uttarkhand has worked out charges 95,30,13,600/- for illegal extraction of ground water. The matter is awaited for approval of the Chairman CGWA, decision is likely to be taken within 15 days.
<p>VIII</p>	<p>The land which will become available because of the dismantling of the lagoons and even otherwise the surrounding area of lagoons must be utilized for dense forestry in the coming monsoon season.</p>	<ul style="list-style-type: none"> • The joint team of UEPPCB and CPCB officials headed by Justice (Retd.) Arun Tandon during physical verification on 15.11.2019, observed that plantation has been started over the filled lagoon located inside the premises. • During inspection of joint committee, carried out on 15.11.2019 it was observed that the unit have two lagoons of capacity 3,50,000 m³ and 1,00,000 m³ at Dabhora site. In earlier documents submitted by the industry, lagoon having

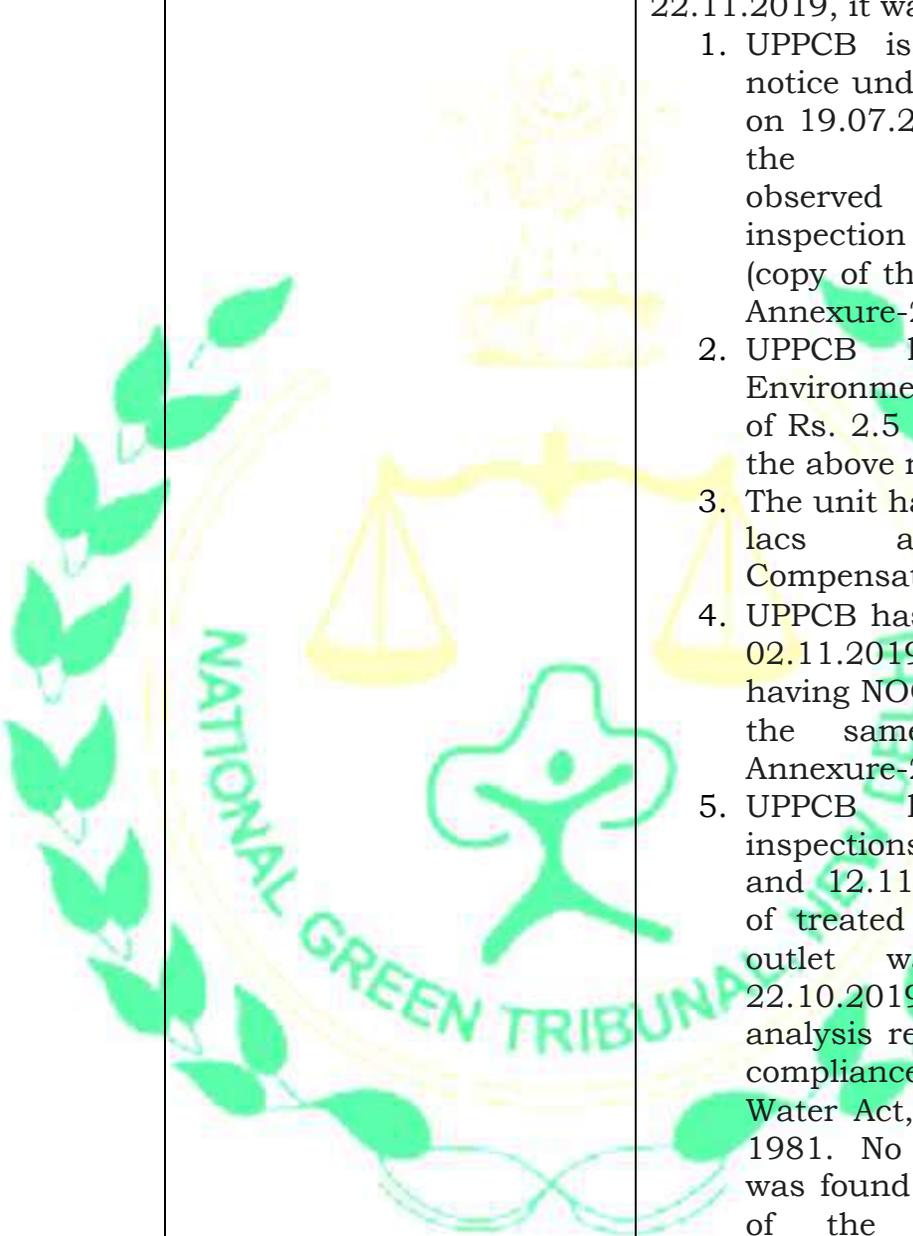
		<p>capacity 1.0 lac cubic meter was not reported and it was un-noticed in the previous reports. Thick sludge (0.25 m depth) at bottom was observed.</p> <ul style="list-style-type: none"> • UEPPCB to seek explanation from the industry for non-disclosure of 1,00,000 rn-3 capacity spent wash storage lagoon and the time bound action plan for dismantling and levelling of the lagoon.
IX	<p>CPCB has calculated the Environmental compensation amount (as per the methodology of EC) in compliance of the NGT order dated 20.05.2019 which is Rs.13,54,50,0001-, to be paid by the unit.</p>	<p>CPCB issued letter to Member Secretary, UEPPCB for implementation of the Hon'ble NGT order dated 23.07.2019 in O.A. No. 361/2017 including levying of EC vide letter no. 190198/NGRBA(RG)/CPCB/Distillery/1/2018-19/6878 dated 24.09.2019 (Refer Annexure-11).</p> <ul style="list-style-type: none"> • UEPPCB vide letter dated 18.11.2019 directed the unit to comply to the Hon'ble NGT order dated 23.07.2019 in OA No. 361/2017 in a time bound manner. • The industry submitted reply dated 21.11.2019. However, did not deposit any amount towards Environment Compensation (refer Annexure-12).
X	<p>CPCB must direct the unit to dismantle all excess storage capacity of lagoons in terms of the direction of CPCB dated 07.12.2015 forthwith. CPCB/SPCB shall submit a quarterly report on compliance of its own order.</p>	<p>CPCB has issued direction u/s 5 of E (P) Act, 1986 to the unit dated 16.09.2019, to</p> <ol style="list-style-type: none"> 1. Dismantle/level/fill all excess storage capacity of the lagoon 2. Dismantle/level/fill all excess storage capacity of active lagoon located in it's premises used for storage of concen. Spent Wash from 240 KLD stream production and shall have only storage capacity equivalent to seven days production. 3. To comply with the conditions mentioned in the issued direction dated 14.03.2019. <p>Copy of CPCB direction dated 16.09.2019 is placed at</p>

		<p>Annexure-17.</p> <ul style="list-style-type: none"> • UEPPCB carried out inspection on 06.11.2019 and submitted the report to CPCB and observed during visit that, <ol style="list-style-type: none"> 1. The filling up of the lagoon located inside the unit's premises and plantation activity was found under progress. 2. The unit was using the stored spent wash of the lagoon located at Dabhora site in bio-composting and the lagoon was being filled up by using ash and soil. 3. The steel tank for storage of concentrated spent wash was under construction and 80-90 % work was found completed. The work will be completed by 15.11.2019. 4. As per CPCB direction dated 14.03.2019, the unit is using the stored spent wash in bio-composting. During inspection, the unit representative informed that they have started the 2nd cycle of bio-composting after completion of rainy season that is October-2019. The unit has consumed approx. 6000 m3 spent wash. Till now total 18000 m3 spent wash has been consumed. Apart from this, unit representative informed that, from 1st cycle of bio-composting, 1800 ton of capacity lagoon in a time bound manner. Bio-compost is generated. Out of this 31650 Quantal bio-compost has been sold. During inspection filling of lagoon with ash and soil was found under progress. The unit is purchasing press mud from Rathi Traders. The quality of bio-compost is being checked by Eco Pro Engineer Pvt. Ltd. The unit is also under process of constructing steel tank for storage of spent wash, whose storage capacity will be for 07 days. Presently, the unit is
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		<p>operating the plant on 150 KLD in place of 240 KLD.</p> <ul style="list-style-type: none"> • The joint team of UEPPCB and CPCB officials headed by Justice (Retd.) Arun Tandon during physical verification on 15.11.2019, and observed that; <ul style="list-style-type: none"> a) The unit was having 3 lagoons, one lagoon is attached with 240 KLD production and has been closed/levelled. The other two are located at Dabhora site outside the premises and attached with 98 KLD stream which is now non-functional. b) The unit has yet to dismantled/fill-up the both lagoons at Dabhora site, which was observed with presence of spent wash sludge and rain water. • As per the directions of CPCB, all excess capacity of spent wash storage lagoons has to be dismantled / filled & levelled. • UEPPCB to direct the industry to dismantle / fill & level 1,00,000 m³ capacity lagoon in a time bound manner.
All Industries		
I	<p>Applications for 'No objection Certificate' should be considered and decided within a month by CGWA and if the applications are not found satisfactory then the same must be rejected with a further direction to stop water extraction.</p>	<p>CPCB has issued a letter to CGWA dated 02.09.2019 to comply with the directions of NGT order dated 23.07.2019 pertaining to all Industries. Copy is placed at Annexure-18. CGWA has issued Show Cause Notice dated 18.11.2019 to the following industries located at Uttarakhand as listed in the Hon'ble NGT order dated 20.05.2019:</p> <ol style="list-style-type: none"> (1) M/s Banwari Paper Mills Ltd., Kashipur, (2) M/s Cheema Paper Ltd., Kashipur, (3) M/s Multiwal Pulp and Board Mills Pvt. Ltd., Kashipur, (4) M/s Multiwal Duplex Pvt. Ltd., Kashipur and (5) M/s Kashi Vishwanath Textiles Mills (P)Ltd., Kashipur

		<p>(6) M/s India Glycols Ltd., Kashipur (Refer Annexure-15) Copy of SCNs issued to Industry No. 1 to 5 are placed at Annexure-19. Reply submitted by Industries to CGWA are not satisfactory. In view of the paragraph-8 of the Hon'ble NGT order dated 23.07.2019 compensation charges for illegal withdrawal of underground water must be calculated and to be levied on the industries.</p>
II	The charges payable by the company for withdrawal of underground water must be fixed on the principle 'more the withdrawal, higher the rates'. The water charges which has not been paid for years must be recovered together with the interest at the rate of 18% per annum.	<ul style="list-style-type: none"> • CPCB has issued a letter to CGWA dated 02.09.2019 to comply with the directions of NGT order dated 23.07.2019 pertaining to all Industries (Refer Annexure-18). • It was informed by CGWA representatives, during the meeting of the joint committee dated 14.11.2019 that, CGWA has prepared and submitted a draft guideline to Hon'ble NGT on water abstraction charges, which is under consideration.
III	The norms for recharge of underground water and rain water, harvesting etc. must be fixed. Flow meters must be calibrated by Government-agencies and verified at least once in a year.	<ul style="list-style-type: none"> • CPCB has issued a letter to CGWA dated 02.09.2019 to comply with the directions of NGT order dated 23.07.2019 pertaining to all Industries (Refer Annexure-18). • As informed by CGWA representative in the joint committee meeting dated 14.11.2019, groundwater recharging of 50% is assumed for every submerged recharge shaft. • CGWA also informed that flow meters are monitored and calibrated by individual units through NABL recognized laboratory on annual basis.
V	Actual requirement of underground water by the industry must be verified through independent Government agencies.	<ul style="list-style-type: none"> • CPCB has issued a letter to CGWA dated 02.09.2019 to comply with the directions of NGT order dated 23.07.2019 pertaining to all Industries (Refer Annexure -18)
VI	All industries must be asked to maintain verified records of ETP sludge and other solid wastes generated as well as its	<ul style="list-style-type: none"> • As per UPPCB email dated 30.10.2019 there are mainly 9 industries which are generating hazardous/solid wastes in

	disposal to the known buyers/receivers ultimate.	Rampur. The hazardous waste generated from the industries are being disposed through TSDF namely M/s Ramky Environ Engineers Ltd., Khumbi, Kanpur Dehat (TSDF) <ul style="list-style-type: none"> • UPPCB has issued show cause notice under hazardous & other waste management rules, 2016 to M/s Varun Steel, Ajitpur Industrial area, Rampur.
VII	Portable pumps with flexible pipes, pumps with loose/open end Tee pipe on delivery lines shall not be permitted as stand-by at ETP of any industry.	<ul style="list-style-type: none"> • UPPCB issued letter No. H-43240/C-7/Jal-40/2019 to M/s. Radico Khaitan Ltd., Rampur, UP dated 02.11.2019 to dismantle the excess capacity of lagoons, to develop thick forestry on the boundary of lagoons as well as on the land which will be available after dismantling of lagoons, to install separate energy meter for ETP, to keep and maintain record of generated and selling of prepared bio-compost, to dispose solid waste as per the rules, to not have any loose connections of piping with installed ETP and to submit the details of disposal of generated ETP sludge and other solid waste as per the rules. (Refer Annexure-6). • SPCB shall issue letter to all industries to dismantle portable stand-by pumps with flexible pipes, pumps with loose / open end Tee pipe on delivery lines.
VIII	CPCB/SPCB shall take necessary actions against the non-complying industries namely: <ol style="list-style-type: none"> (1) M/s Multiwal Duplex Pvt Ltd. Kundeshwari Road, Kashipur, Uttarakhand (2) M/s Damya PJ Foods Pvt. Ltd., Rampur, U.P. & (3) M/s Varun Steel, Rampur, U.P 	M/s Multiwal Duplex Pvt Ltd. Kundeshwari Road, Kashipur, Uttarakhand <ol style="list-style-type: none"> 1. UEPPCB issued letter to the unit on 13.06.2019 to submit the Clarification within 24 hours regarding the closing of 03 bypasses, which were observed during the drone survey of joint committee dated 12.06.2019 in compliance of NGT order dated 20.05.2019. Copy of the letter is Placed at Annexure-23

		<p>2. UEPPCB is in process of issuing show cause notice to the unit and imposing environment compensation. However, the By-passes which were found earlier was stopped.</p> <p>2. M/s Damya PJ Foods Pvt. Ltd., Rampur, UP As per UPPCB letter dated 22.11.2019, it was informed that:</p> <ol style="list-style-type: none"> 1. UPPCB issued show cause notice under Water Act, 1974 on 19.07.2019 to the unit for the non-compliances observed during the joint inspection dated 12.06.2019. (copy of the SCN is placed at Annexure-21 2. UPPCB has also levied Environment compensation of Rs. 2.5 lacs on the unit in the above mentioned SCN. 3. The unit has deposited Rs. 2.5 lacs as Environment Compensation to UPPCB. 4. UPPCB has issued SCN dated 02.11.2019 to the unit for not having NOC of CGWA. Copy of the same is placed at Annexure-22. 5. UPPCB has carried out inspections on 22.10.2019 and 12.11.2019. The sample of treated effluent from ETP outlet was collected on 22.10.2019 and as per UPPCB analysis report, the unit is in compliance of provisions of Water Act, 1974 and Air Act, 1981. No untreated effluent was found discharged outside of the premises during inspection dated 12.11.2019 6. The unit has installed separate energy meter and flow meters at inlet and outlet of the ETP. <p>3. M/S Varun Steel, Rampur, U.P. As per UPPCB letter dated 22.11.2019, it was informed that-</p> <ol style="list-style-type: none"> 1. UPPCB issued Show Cause Notice under Water Act, 1974 on 19.07.2019 for the non-
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		<p>compliances observed during the joint inspection dated 12.06.19. Copy of the same is placed at Annexure-23.</p> <ol style="list-style-type: none"> 2. UPPCB has also levied Environment Compensation of Rs. 2.5 I on the unit in the above mentioned SCN. 3. The unit has deposited Rs. 2.5 lacs as Environment Compensation to UPPCB. 4. UPPCB issued Show Cause Notice under Air Act, 1981 on 29.07.2019 for the non-compliances observed during the joint inspection dated 12.06.19. Copy of the same is placed at Annexure-24. 5. UPPCB issued Show Cause Notice under Hazardous Waste Management Rules, 2016 on 09.11.2019 to unit for not having Hazardous waste authorization. Copy of the same is placed at Annexure-25. 6. UPPCB has issued SCN dated 02.11.2019 for not having NOC of CGWA. Copy of the same is placed at Annexure-26. 7. UPPCB has carried out inspections on 22.10.2019 and 12.11.2019. The sample of treated effluent from ETP outlet was collected by UPPCB on 22.10.2019 and as per UPPCB analysis report, the unit is in compliance of provisions of Water Act, 1974 and Air Act, 1981. No untreated effluent was found discharged outside of the premises during inspection dated 12.11.2019. <ul style="list-style-type: none"> • CGWB Northern Regions should re are extracting underground water without valid CGWA NOC.
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(iii) **Report dated 06.12.2019 by the Ganga Monitoring Committee, Phase I-B in respect of inspection carried out at Kashipur.**

There is also response of the CPCB filed 27.11.2019 to the final report of the Monitoring Committee mentioned above to the effect that inspection of GPIs are done annually and action is taken by the State PCB. We are of the view that even though the inspection by the CPCB may continue to be done annually, the State PCB must conduct inspections quarterly. The report mentions as follows:

“From the details which are being recorded hereinafter out of 8 industries situate in Kashipur except for one namely M/s Vishwakarma Paper and Board Ltd. no other industry has any valid subsisting 'no objection certificate' from the CGWA. These industries in Kashipur are drawing nearly 22000 cubic metres approx. of underground water every day. The details of the industries situate in Kashipur area which have been inspected are disclosed in the form of a chart as follows:

S.No.	Name of the Industry & address	Status of NOC	Quantum Of gw/m3day	Letters Issued	Response received from firms
1	M/s IGL (Ethanol Plant) Bazpur Road, Kashipur, US Nagar, Application No.	Renewal Pending with CGWA, New Delhi	5096	01/08/19 for compliance of NOC	Compliance of NOC on 19/08/19
2	M/s IGL (Chemical Plant) Bazpur Road, Kashipur, US Nagar, Application No	Renewal Pending with CGWA New Delhi	3056	01/08/19 for compliance of NOC	Compliance of NOC on 19/08/19
3	2M/s Vishwakarma Papers & Boards Pvt.Ltd Application No.214/882/UR/IND/2017-669 dated 17/04/19	NOC granted On 17/04/2018	4638.32	-	Compliance received on 02/07/2019
4	M/s Banwari Paper Mills Ltd Application No.21-4/1072/UR/IND/2018	Applied for NOC which is under scrutiny	900	01/10/18, 04/06/19, 13/06/19 01/07/19	24/06/2019 No response to queries dated 01/07/2019
5	M/s	Applied	3440	Email sent	25/06/2019

	Cheema Papers Limited, Application No.21-4/528/UR/IND/2017 dated 24/05/2017	for Fresh NOC which is under scrutiny		on 13/06/19 as directed by NGT committee on 12/06/10	22/07/2019
6	M/s KashiViS hwanath Textiles Mills Pvt. Ltd. Application No.	Applied for Fresh NOC which is under scrutiny	406	10/01/18 24/05/19 13/06/19 03/07/19	22/07/2019 & 06/08/2019
7	M/s Multiwal Pulp & Board Mills Pvt. Ltd., Application No.	Applied for NOC	3633.42	13/06/19 23/09/19	Hard copy not yet received.
8	M/s Multiwal Duplex Pvt. Ltd., Application No.	Applied for NOC	448.91	09/06/19, 13/06/19 23/09/19 & Notice on 08/11/2019	Hard copy not yet received. 22/07/2019 on document received

It is worthwhile to point out that industries at Item Nos.4,5,6,7 and 8 have only made applications for grant of 'no objection certificate' and are awaiting disposal of their applications. They have been issued 'consent to operate' by the Pollution department and are also extracting underground water. Similarly, M/s I.G.L. Distillery Unit and Chemical Plant are continuing to draw underground water on the pretext that their applications for renewal of no objection certificate is still pending disposal before CGWA.

I may highlight that in para 8 of the order dated 23.07.2019 the Hon'ble Tribunal has already declared such extraction of underground water by the industrial units as illegal. For ready reference para 8 of the order dated 23.07.2019 is quoted hereinbelow:

"Learned counsel appearing for M/s India Glycols Limited, however, tried to justify the illegal drawal of ground water without sanction even though the area is semi critical, on the ground that application for sanction was 'pending'. We do not find any merit in this submission. Delay in deciding renewal application could not be treated as a licence to draw the ground water. The unit could take remedy against such inaction. While regulatory authorities are required to act promptly but any inaction is not a ground for a citizen to take the law in his hands

instead of approaching the concerned higher authority of the Court."

So far as the industries situate in Uttar Pradesh are concerned, 3 industries were inspected namely:

- i) M/s Radico Khaitan Ltd.*
- ii) M/s Rana Sugar Ltd.*
- iii) M/s Swati Menthol & Allied Chemicals Ltd.*

RADICO Khaitan unit had a 'no objection certificate' in its favour for drawal of 2600 cubic metres per day of underground water which expired on 2nd October 2018. They have continued to extract underground water even thereafter on the plea that their application for renewal dated 15.09.2018 is still pending with the CGWA.

M/s Rana Sugar Ltd. was granted 'no objection certificate' on 14.10.2016. An inspection was made by the CGWA on 30.04.2018 when the sugar plant of the unit was found to be non-operational and the distillery had not been set up. An order for cancellation of the 'no objection certificate' was issued by the CGWA on 10 December 2018.

However, on 17.04.2019 permission was granted to run the distillery by the various departments of State of Uttar Pradesh. Similarly, permission to operate has also been granted by U.P. Pollution Control Board.

The unit is drawing underground water both in respect of the sugar unit as well as its distillery unit despite the order of cancellation of 'no objection certificate' by CGWA dated 10.12.2018 on the pretext that their application for reconsideration of the cancellation of 'no objection certificate' was pending before the CGWA.

M/s Swati Menthol & Allied Chemicals Ltd. was admittedly extracting underground water to the tune of 15 cubic metres per day for its unit despite having neither applied for nor having been granted any permission or 'no objection certificate' by the CGWA.

It is surprising to note that large number of industries are said to be operating both in Kashipur and Rampur area which have been declared to be critical/semi-critical zone by the CGWA without any valid subsisting 'no objection certificate' from the CGWA. It is also surprising

that the underground water authority and pollution department both in the State of Uttarakhand and State of Uttar Pradesh are aware of the situation and yet for years together there has been complete inaction on their part to enforce rule of law in the matter of extraction of underground water.

The situation is seriously alarming and needs immediate intervention by the Hon'ble National Green Tribunal so as to ensure that underground water is not extracted without a valid subsisting 'no objection certificate' from CGWA.

I was informed by the officers that the situation as in Rampur and Kashipur prevails throughout the State of Uttar Pradesh and State of Uttarakhand and more than thousands of industries are extracting underground water without any valid subsisting 'no objection certificate' from the CGWA as on date.”

4. We have considered the above reports. Apart from taking actions in terms of recommendations in the report of the CPCB, further action needs to be taken in respect of recommendations in the report of Ganga Pollution Monitoring Committee to the effect that underground water is being extracted illegally at large scale in 'critical' and 'semi-critical' zones. There is complete inaction on the part of States of Uttarakhand and Uttar Pradesh in this regard.
5. Let the States of Uttarakhand and Uttar Pradesh take remedial action in respect of individual industries as well as general measures to ensure that there is no extraction of ground water without prior permission of the CGWA. Before any such permission is granted, CGWA may ensure actual compliance of conditions of replenishment of the ground water having regard to the water table in the area so that there is no further deterioration of 'critical', 'semi-critical' and 'over exploited' areas in terms of ground water availability. Any permission

should be given based on study of availability of ground water and periodical report that replenishment had resulted in improvement in ground situation.

6. The CPCB and the State PCB may ensure recovery of the compensation already assessed by taking appropriate coercive measures including closure of the erring industry till deposit is made, apart from prosecution for violation of law, after following due procedure.

7. The Chief Secretary, UP may file response to para 9 of the order of this Tribunal dated 23.07.2019 by e-mail at judicial-ngt@gov.in.

8. The CPCB and the State PCB may file further compliance status report as on 30.04.2020, after carrying out detailed inspections and also indicating compliance status with regard to the issues considered in the three reports dated 23.10.2019 and report dated 06.12.2019 (by Ganga Committee) and 27.11.2019 (by the CPCB) considered in para 3 above, before the next date by email at judicial-ngt@gov.in.

9. An application being I.A No. 16/2020 has been filed to place on record some documents particularly the fact that a writ petition has been filed. This Tribunal can offer no comments on taking of any proceedings before any forum unless there is any order having relevance to these proceedings.

I.A No. 16/2020 is disposed of.

List for further consideration on 19.05.2020.

A copy of this order be sent by e-mail to the Chief Secretary,
UP, CPCB, State PCB and Monitoring Committee headed by
Justice S.D. Singh, former Judge of Allahabad High Court.

Adarsh Kumar Goel, CP

S.P Wangdi, JM

Dr. Nagin Nanda, EM

Siddhanta Das, EM

January 15, 2020
Original Application No. 324/2016
(M.A. No. 113/2017, M.A. No. 816/2017,
I.A. No. 408/2019 & I.A. No. 16/2020)
With Original Application No. 361/2017
(I.A. No. 89/2019, I.A. No. 431/2019 & I.A. No. 432/2019)
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