

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI  
O.A NO. 1041/2018**

**IN THE MATTER OF:**

**SHAILESH SINGH**

**...APPLICANT (S)**

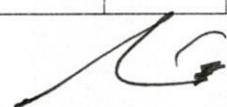
**VERSUS**

**BAJAJ HINDUSTAN SUGAR LTD.  
(DISTILLERY DIVISION) & ORS.**

**...RESPONDENT (S)**

**INDEX**

<b>SI NO.</b>	<b>PARTICULAR</b>	<b>PAGE NO.</b>
1.	COMPLIANCE REPORT FILED BY CENTRAL POLLUTION CONTROL BOARD IN COMPLIANCE OF HON'BLE NGT ORDER 01.08.2019 IN O.A NO. 1041/2018 IN THE MATTER OF SHAILESH SINGH VS. BAJAJ HINDUSTAN SUGAR LTD. (DISTILLERY DIVISION) & ORS.	
2.	ANNEXURE- I DISTILLERY UNIT REPLY DATED 29.07.2019 TO THE DIRECTION ISSUED BY CPCB.	
3.	ANNEXURE- II COPY OF JOINT INSPECTION REPORT.	
4.	ANNEXURE- III COPY OF HON'BLE NGT ORDER DATED 01.08.2019.	



**P.K. MISHRA  
SCIENTIST 'E'  
CENTRAL POLLUTION CONTROL BOARD  
EAST ARJUN NAGAR, DELHI-110032**

**PLACE: - DELHI**

**DATED: - 02-12-2019**



## Central Pollution Control Board

(Ministry of Environment, Forests and Climate Change)  
'Parivesh Bhawan', East Arjun Nagar, Shahadara,

Delhi-110032

\*\*\*\*\*

### COMPLINCE REPORT FILED BY CENTRAL POLLUTION CONTROL BOARD IN COMPLIANCE TO HON'BLE NGT ORDER DATED 01.08.2019 IN O.A. NO- 1041/2018 IN THE MATTER OF 'SHAILESH SINGH VERSUS BAJAJ HINDUSTAN SUGAR LTD. (DISTILLERY DIVISION) & OTHERS'

#### 1.0 BACKGROUND

The Hon'ble NGT, in the matter of 'Shailesh Singh versus Bajaj Hindustan Sugar Ltd. (distillery division) & others' (O.A No. 1041/2018) in its order dated 01.03.2019 had earlier directed a joint Committee of CPCB and State Pollution Control Board oversee further action in the matter to ensure that steps as required are taken in accordance with law. Accordingly, based on the observations and recommendations made in the report of the joint committee, CPCB had issued direction u/s 5 of the E(P) Act, 1986 to the unit and an Action Taken Report in matter was filed by CPCB on 04.07.2019 before the Tribunal.

Further, the Hon'ble NGT, after considering the ATR filed by CPCB, in its order dated 01.08.2019 had further directed as under;

*"The Joint Committee has made the following major observations and recommendations in the report:*

- The distillery unit is yet to fully comply with the directions, especially with the implementation of ZLD action plan and bio composting protocol*
- Environmental Compensation needs to be imposed on the unit according to the formula prepared by CPCB Committee.*
- Direction for closure of the unit may be issued and an EC of Rs. 58,20,000 /- shall be imposed on the unit for the continuing violation.*

*As per the observations and recommendations made in the report of the joint committee, CPCB has issued direction u/ s 5 of the E(P) Act, 1986 to the unit (copy placed at Annexure 11), for closure of operations till complying with the recommendations, especially w.r.t :*

- Installation of required systems for achievement of specified volume reduction and solid cone. of spent wash.
- Providing ETP/CPU for the treatment & reuse of condensate/ management of other effluent streams.
- Improvement in bio composting operations.
- Remitting the EC of Rs. 58,20,000 /- to CPCB."

*Let the compliance be ensured and a further report filed by 30.11.2019 by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in)."*

## **2.0 COMPLIANCE REPORT AS PER THE HON'BLE TRIBUNAL'S ORDER DATED 01.08.2019**

The distillery unit had submitted its reply dated 29.07.2019 to the direction issued by CPCB, indicating only partial compliance to the directions. (Copy placed at **Annexure I**). As per the reply, the unit had completed installation of 05 stage MEE and was under water trials, did not mention the status regarding installation of Condensate Polishing Unit (CPU) and submission of the required adequacy assessment of effluent management systems and required piezo-metric wells for Ground Water Monitoring shall be installed.

Further a team comprising of representative from CPCB, Regional Directorate, Lucknow and UPPCB, R.O, Lucknow has carried out a joint inspection of the distillery unit on 29.11.2019. The Committee has verified the status of compliance of the unit to the direction dated 01.07.2019 issued u/s 5 of the E (P) Act, 1986 by CPCB and copy of the Joint inspection report is placed at **Annexure II**.

The Joint inspection team has made the following major observations and recommendations in the report:

- The distillery unit was found not in operation during the visit and reportedly not operated since 29.05.2019 due to rainy season closure and subsequently due to the closure direction dated 01.07.2019 issued by CPCB.
- The unit is yet to fully comply with the directions, especially with the installation of CPU and submission of required adequacy assessment report by reputed institutes.
- The unit has also not complied with the direction for deposition of Environmental Compensation of Rs. 58,20,000/-.

With respect to the imposition of Environmental Compensation, the unit had also made a request for withdrawal/abeyance of EC, citing an ongoing Supreme Court matter with respect to another Sugar Mill of the group, through which the imposition of Environmental Compensation was challenged by the Industrial Group. The Hon'ble Supreme Court in

Appeal No. 18356/2019 had given an interim stay to the demand of penalty imposed by CPCB to **M/s Bajaj Hindustan Sugar Ltd., Barkhera, Pilibhit, U.P** vide its order dated 09.08.2019 and the matter is being heard by the Hon'ble court.

In this circumstance the request from the unit was examined and it was initially decided to seek the opinion from the office of SGI. However, it has been decided afterwards that both the matters need to be dealt separately and that the proceedings/order dated 09.08.2019 of the Hon'ble Supreme Court pertains only to M/s Bajaj Hindustan Sugar Ltd., Barkhera, Pilibhit, U.P and shall not be deemed applicable in the case of M/s Bajaj Hindustan Sugar Ltd., (Distillery unit), Paliakalan, Lakhimpur and necessary follow up is being taken up with the unit for the deposition of the E.C.

\*\*\*\*\*

# bajaj SUGAR

CHAIRMAN OFFICE  
C. P. C. B.  
No. 123758  
Date 1/8  
31 JUL 2019  
केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
परिवेश भवन, पूर्व अर्जुन नगर, दिल्ली-32  
Central Pollution Control Board  
Parivesh Bhawan, East Arjun Nagar, Delhi

July 29, 2019

To,

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

**Sub:** Closure Direction (Show Cause Notice) Under Section 5 of the Environment (Protection) Act, 1986-Reg.

**Ref.:** Letter no. B-75/PCI-III/2K-2K01/3457 Dated 01.07.2019 issued to our Bajaj Hindusthan Sugar Limited, Distillery division, Unit- Palia Kalan, District - Lakhimpur Kheri, UP.

Dear Sir,

We are in receipt of the above stated letter which was received to us on dated 04.07.2019 through email. In reference with the letter our point wise reply regarding the inspection report was as under:-

1. Distillery capacity is 60KLPD and molasses is main raw material.
2. Fresh water requirement are met from bore-well and meter is installed & logbook is maintained.
3. Unit possesses Consent to operate under the water and Air Acts from UPPCB, valid up to 31.12.2019. Unit has obtained NOC from CGWA for ground water abstraction.
4. We have already installed two stage MEE plant where effluent volume reduced to 50% against requirement of minimum 60%. Installation of Five stage MEE plant has already been completed and under water trails.
5. We have 30 days storage capacity of MEE concentrate, which is as per guidelines as we have adopted concentration followed by bio-composting and same has been requested to UPPCB vide our letter dated 12.12.2018.
6. Other process effluent such as floor washing, gland cooling etc are collected and sent to concentrated spent wash storage lagoon.
7. Drain between Sugar and Distillery unit is not connected to any process effluent. It remains closed by concrete wall completely during factory operation. It opened only in rainy season to carry out the storm water.
8. The said pipeline is used for ferti-irrigation from Sugar treated water and no where connected to Distillery effluent.
9. Since there was no ready bio-compost for packing, therefore bags, stitching machine, weighing machine were kept inside in lock and key to avoid any

nos. aerotrillers machines with spray tanks along with one no. JCB were in operation. Also, we would like to submit that our bio-compost yard is surrounded by garland drain and any leachate /overflow is collected in collection pits from where it is either sprayed on press mud or recycled to lagoon.

11. We have yards of adequate size along with all the required equipment /machines and trained manpower for bio-composting. All the activities are being carried out as per guidelines.
12. We have provided two no. of ground water sampling points. Ground water quality is analysed by third party every quarter. More piezo-wells as per protocol will be installed around the bio-compost yard.
13. Two no. PTZ 360<sup>0</sup> rotations with zoom and night vision web camera are installed at lagoon and bio-compost yard and each and every area of the yard can be viewed.

In view of the aforesaid facts & circumstances your good-self is very humbly requested to consider all the relevant inputs as mentioned herein above and kindly withdraw your closure notice dated 01.07.2019 as also set aside and cancel your imposition of penalty of Rs.58,20,000/- and allow us to commence/continue our operational activities.

Thanking You

Yours faithfully,

For Bajaj Hindusthan Sugar Limited,  
Unit - **Palia Distillery**, Lakhimpur Kheri, UP



**Authorized Signatory**

**Copy to:**

- 1. The Member Secretary**  
Uttar Pradesh Pollution Control Board,  
Building No TC-12V, Vibhuti Khand, Gomti Nagar  
Lucknow-226020
- 2. The Advisor (CP Division)**  
Ministry of Environment, Forest & C.C  
Prithvi Block, Indira Paryavaran Bhawan,  
Jorbagh Road, New Delhi - 110003
- 3. The Regional Director,**  
CPCB, Regional Directorate (N)  
PICUP Bhawan, Ground Floor,  
Vibhuti Khand, Gomti Nagar, Lucknow - 226010
- 4. The Divisional Head, IPC-III Division, CPCB, Delhi**



# केन्द्रीय प्रदूषण नियंत्रण बोर्ड

Central Pollution Control Board

क्षेत्रीय निदेशालय, लखनऊ

Regional Directorate, Lucknow

(पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, भारत सरकार)

(Ministry of Environment, Forest and Climate Change, Govt. of India)



F. No. ZOL/Tech/NGT/341

November 29 2019

To,

The Member Secretary,  
Central Pollution Control Board,  
'Parivesh Bhawan', East Arjun Nagar  
Delhi-110 032

(Kind Attn.: Sh. P.K. Mishra, Sc. 'E' and DH IPC-III)

**Sub: Joint inspection report of M/s Bajaj Hindustan Sugar Limited (Distillery Division), Palia Kalan, Lakhimpur Kheri (UP) -reg.**

Sir,

This has reference to HO, Delhi letter no. B-76/PCI-III/2k-2k01, dated 26.11.2019 regarding submission of compliance report as per the Hon'ble NGT order in OA No. 1041/2018(LA. No. 94/2019) Shailesh Singh Vs Bajaj Hindustan Sugar Limited (Distillery Division) & Ors).

The joint inspection report has been given to Regional Officer, UPPCB, Lucknow on 29.11.2019 and also emailed to MS, UPPCB. The original signed joint inspection report is enclosed herewith for your kind perusal and necessary action please.

Yours faithfully

(S.K. Gupta)

Regional Director

**Encl.:** as above

पिकप भवन, विभूति खण्ड, गोमती नगर, लखनऊ-226010 (उ.प्र.)  
PICUP Bhawan, Vibhuti Khand, Gomti Nagar,  
Lucknow-226010 (U.P.)  
EPABX दूरभाष : 0522-4087600, 4087700  
दूरभाष / Tel : 0522-4087601, 2721915  
फैक्स / Fax : 0522-4087602  
ई मेल / e-mail : cpcbLucknow@gmail.com

प्रधान कार्यालय/Head Office  
परिवेश भवन, ई.ए.एन. नगर, दिल्ली-110032  
Parivesh Bhawan, East Arjun Nagar, Delhi-110032  
EPABX दूरभाष / Tel : 011-23307030, 23307117  
फैक्स / Fax : 011-23307079, 23306795, 23304944  
ई मेल / e-mail : cpcb@nic.in  
वेबसाइट / website : http://www.cpcb.nic.in

**JOINT INSPECTION REPORT OF M/S BAJAJ HINDUSTHAN SUGAR  
LIMITED (DISTILLERY DIVISION), PALIA KALAN, LAKHIMPUR  
KHERI, U.P**

**IN THE MATTER OF  
Shailesh Singh Vs Bajaj Hindustan Sugar Ltd. (Distillery Division) & Ors.  
(O.A. No. 1041 of 2018)**

**Background:**

Bajaj Hindustan Sugar Ltd., (Distillery Division), Palia Kalan, Lakhimpur Kheri, Uttar Pradesh was inspected jointly by officials of CPCB, Regional Directorate (North), Lucknow and UPPCB, Regional Office, Lucknow on 27.11.2019 in compliance of Hon'ble NGT, Principal Bench, New Delhi vide its order dated 01.08.2019 in the matter of Shailesh Singh Vs Bajaj Hindustan Sugar Ltd. (Distillery Division) and Ors. (Original Application no. 1041 of 2018).

During inspection, the unit was not in operation. The salient details, observations and recommendations based on inspection are as below:

<b>A: General Information</b>		
1.	Name of the unit and Address	Bajaj Hindustan Sugar Ltd., (Distillery Division), Palia Kalan, Lakhimpur Kheri, Uttar Pradesh-262902
2.	Name of the Proprietor/ Contact person – Designation Contact No.	Mr. C.K. Dubey (General Manager) Mob.No.9919001419
3.	Year of Commissioning.	2004
4.	Sector	Distillery
5.	Production capacity <ul style="list-style-type: none"><li>• Products</li><li>• Installed Prod. Cap.</li><li>• Present Production</li></ul>	Rectified Spirit (RS), Extra Neutral Alcohol (ENA) & Absolute Alcohol (AA) 60 KL/day, 20 KL/day, 60 KL/day respectively  NIL
6.	Raw materials & their requirement	Molasses- 2570 Qts./Day

B (I): Water Pollution and its Control		
1.	Water Supply Source Water Consumption (KLD)  • Industrial  • Domestic	Bore wells (01 no.) (Avg. for April 2019)  1051.87 KLD  5 KLD
2.	Waste Water Generation (KLD)  • Industrial       • Domestic	(Avg. for April 2019)  • Spent Wash-433 KLD, • Spent Leese-63 KLD, • Vacuum water+ Air Blower-98 KLD, • Blow down water-80 KLD, • Gland cooling & floor washing water-6 KLD • Process condensate-241 KLD • 03 KLD
3.	Waste water treated (KLD)  Industrial       Domestic	(Avg. for April 2019)  • Spent Wash-433 KLD, • Vacuum water+ Air Blower-98 KLD, • Blow down water-80 KLD, • Gland cooling & floor washing water-6 KLD • Spent lees-recirculated and reuse in molasses dilution • 3 KLD
4.	Details of ETP ETP Description with flow diagram       Details of Multi Effect Evaporator, if any	<ul style="list-style-type: none"> <li>• Spent Wash Receiving Pit (650 KL)</li> <li>• Lagoon-1(1000 KL)</li> <li>• Digesters (02 no. with capacity 8620 KL each)</li> <li>• Gas Holder (350 KL)</li> <li>• Lamella Clarifier (02 nos.)</li> <li>• Lagoon-2(1000 KL)</li> <li>• 02 stage falling Film Type Multi Effect Evaporator (MEE)</li> <li>• Lagoon-3(7200 KL)</li> <li>• Bio-compost Yards (32 Acres)</li> </ul> <p>Installation of Five Effect Multi Effect Evaporator (MEE) was under progress. Major Civil work has been completed.</p>

5.	Mode of disposal of treated effluent	Concentrated spent wash is used for bio-composting
6.	Status of Consent under the Water Act- 1974	Valid upto 31.12.2019.

**B (II): Information regarding Bio-composting**

1.	Active area for bio compost preparation	23.73 Acre				
2.	Area for press mud storage	4.18 Acre				
3.	Area for bio compost storage	3.15 Acre				
4.	Spent wash storage capacity	7200 KL				
5.	Availability of press mud	Through sister concern sugar unit.				
6.	Quantity of compost prepared	12503.90 MT (2017-18)				
7.	Quantity of press mud procured	48376.40 MT (2017-18)				
8.	Details of wind roses (Number, length, height, width of stacking, space between two wind rose)	Number of wind row	Length (mtr.)	Height (mtr.)	Width of staking (mtr.)	Space between two wind rows (mtr.).
		80-90	60-150	1.2	3	3
9.	Quantity of Effluent (spent wash) being used for composting (m <sup>3</sup> /day):	182.5 m <sup>3</sup> /day				
10.	Quantity of press mud being used for one cycle	18524.72 MT				
11.	Maturity time in days for one cycle	60 days				
12.	Arrangement for rainy season	As informed, Bio-composting is discontinued during rainy season.				

**C: Air Pollution and its Control**

1.	Sources of Air Pollution	As such, there is no Boiler. Steam is received from boiler installed at Sugar unit.
2.	Type of Fuel used with consumption Stack details with APCS	N.A.
3.	Status of Consent under the Air Act- 1981	Valid upto 31.12.2019

D: Waste Management		
1.	Type & Quantity of Waste Generated	Fermentation sludge
2.	Facility of Storage Disposal	Bio-composting
3.	Disposal of waste	Bio-composting

**Observations:**

1. The unit is engaged in the production of Rectified Spirit (RS), Extra Neutral Alcohol (ENA) and Absolute Alcohol (AA) with consented capacity of 60 KLD Rectified Spirit (RS), Extra Neutral Alcohol (ENA) and Absolute Alcohol (AA) using molasses, Yeast etc. as major raw material. During inspection that the unit was not in operational. It was informed by the unit representative; the unit is not in operation since 29.05.2019 due to rainy season and subsequently CPCB closure direction issued on 01.07.2019.
2. The unit is meeting its fresh water requirement through one borewell. Electromagnetic flow meter is installed at the borewell.
3. The unit has obtained NOC from Central Ground Water Authority for ground water abstraction, which is valid upto 04.03.2021.
4. The unit has valid consent under the Water (P& CP) Act,1974 and the Air (P& CP) Act,1981, which is valid upto 31.12.2019.
5. The unit generate spent wash @ 433 KLD (although presently closed), which is treated through its Effluent Treatment Plant (ETP). The ETP of the unit comprises of following:
  - a. Spent Wash Receiving Pit (650 KL)
  - b. Lagoon-1 & 2 of 1000 KL each) and Lagoon -3 of 7200 KL
  - c. Digesters (02 no. with capacity 8620 KL each)
  - d. Gas Holder (350 KL)
  - e. Lamella Clarifier (02 nos.)
  - f. 02 stage falling Film Type Multi Effect Evaporator (MEE)
  - g. Bio-compost Yards (32 Acres)

6. During inspection, it was observed that installation of five effect MEE was completed. It was informed by the representative that vacuum trial, steam trial and water trial has been completed.
7. The unit has installed flow meter for the measurement of spent wash generation and log book of same is maintained. As per log book, the avg. spent wash generation for the month of April,2019 was 433 KLD.
8. It was informed that Lagoon-1(capacity: 1000 KL) is used as raw spent wash storage. Lagoon-2(capacity:1000 KL) is used for storage of bio-methanated spent wash storage.
9. During inspection, it was observed that the unit has provided lagoon for intermediate storage of concentrated spent wash after MEE. The lagoon had storage capacity of 18,000 KL in origin, which was reduced to 7,200 KL by constructing wall structure. During inspection, approx. 3017 KL of conc. Spent wash was stored in lagoon-3.
10. The filling of fly ash on remaining area of the lagoon was carried out.
11. Th unit is in the process to install Condensate Polishing Unit (CPU), which comprises of Ammonia Stripping unit (450 KLD) and Reverse Osmosis (RO) Plant (750 KLD). Installation of Ammonia Stripping Unit is under progress. It was informed that purchase order of RO plant has been given, which is expected to be delivered on 26.12.2019 as per purchase order.
12. It was informed that MEE condensate and spent lees will be treated through CPU.RO permeate will be reused in the process, while RO reject will be mixed with MEE concentrate for used in bio-composting.
13. Earlier, the unit has provided a bypass drain to discharge other process effluent through drain passing between sugar and distillery unit. During inspection, this bypass drain was found closed by the unit.
14. The concentrated spent wash (after MEE) is utilize for bio composting. The pumping system with underground pipeline is provided for transportation of concentrated spent wash to the compost yard from storage lagoon.
15. The bio-compost yards are located adjacent to state highway & village road. The unit has three bio-compost yards. Two bio-compost yard are adjacent and remaining one bio-compost yard is located approx. 100 m away.



16. During inspection, it was observed that a drain is passing between bio-compost yard, During inspection it was observed that drain was found dry.
17. The unit has provided total 32-acre land for bio-composting in which 23.73 acres is active bio-compost area which is constructed with lining and bricks. The bio-compost yard is located at three locations. The 60-day bio-compost cycle is adopted by the unit with maximum 4 cycles in a year. The press mud to spent wash mixing ratio is 1:1.6. During inspection, bio-composting work was carried out. It was informed that the unit has started bio-composting work on 17.10.2019 with existing stored spent wash in lagoon.
18. The unit has provided 10 ground water monitoring borewell networks around the bio-compost yard.
19. The unit has provided 02 acrotillers with side churning machine & mixing tank & 01 JCB for management of bio-compost. During inspection, 35 windrows was found operational.
20. The unit has obtained certificate from District Agriculture officer for selling bio-compost.
21. The machine & bags for packing of compost produced was found kept inside in room.
22. The unit has installed 03 web cameras, one is spent wash storage lagoon area and two are Bio-compost area.
23. A municipal drain carrying domestic waste water of palia kalan city is divided into two parts. One is passing between sugar and distillery unit and another is passing with the boundary of sugar mill. These two drains meet near railway line of Lakhimpur Kheri-Gonda after industry (sugar and distillery).
24. The unit has been issued closure direction under Section 5 of the Environment (Protection) Act,1986 on 01.07.2019. The present compliance status of the CPCB direction is as below:

Sl. No.	CPCB Direction	Present compliance status
1.	The unit shall deposit the EC amount of Rs. 58,20,000/- within 15 days from the date of receipt of direction in CPCB account A/C No. 532702050000164 (Bank Name: Union Bank of India, IP	<b>Not complied.</b>

	Extension Branch, Vikas Marg Extn., Delhi; IFSC: UBIN0553271).	
2.	The unit shall complete the ongoing installation and commissioning of the 05 stage MEE for achieving the desired volume reduction and solid concentration of spent wash as per ZLD action plan implemented by CPCB.	Installation completed. But, not yet commissioned.
3.	The unit shall install ETP/Condensate Polishing Unit (CPU) for treatment of MEE condensate and other process effluent management and its resourceful reuse as per the ZLD condition specified in the Consent to Operate.	<b>Not complied.</b> The unit is in the process to install ETP/Condensate Polishing Unit (CPU) for treatment, which comprises of Ammonia Stripping Unit and RO plant. Installation of Ammonia Stripping Unit was found under progress.
4.	The unit dismantle the bypass drain used for discharge of other process effluent.	<b>Complied.</b> During inspection, bypass drain was found closed by the unit.
5.	The unit should strictly comply with the bio-composting protocol and adhere to safe and scientific practices in the bio-composting operations. The unit shall ensure sale of prepared bio-compost in poly bags as per guidelines.	<b>Complied.</b> The unit was found carrying out bio-composting, which was found satisfactory. The unit has presently, 02 aerotreller and 01 JCB machine.
6.	The unit shall install required additional PTZ cameras at the bio-composting yards as per the CPCB guidelines/Consent conditions, with connectivity to	<b>Partial complied.</b> The unit has provided 02 PTZ camera at bio-compost yard. However, both are installed at one location with facing 02 sides of

	CPCB/UPPCB server so as to cover the entire bio-compost yards.	bio-compost yard. It was informed that it may cover all three yards, which seems to be doubtful.
7.	The unit should provide proper ground water monitoring network with required number of piezometers/hand pumps at upstream & downstream locations as per bio-composting protocol and shall carry out regular monitoring of ground water quality.	<b>Complied.</b> The unit has provided 10 (ten) ground water quality monitoring borewell system. It was informed that ground water quality is monitored on quarterly basis.
8.	The unit should carry out an adequacy assessment study of the pollution control measures by reputed institution like NSI, Kanpur. VSI Nagpur or IITs as directed by CPCB for Ganga Basin distillery units. The adequacy assessment study with implementation report on the recommendations shall be submitted to CPCB. The adequacy assessment study shall cover: <ul style="list-style-type: none"> <li>i. Assessment of the manufacturing technology for spent wash generation and adequacy assessment of ZLD system comprising of Bio-methanation, MEE, composting system and steam availability etc.</li> <li>ii. Water Audit and mass balance reports to establish spent wash generation rate.</li> </ul>	It was informed that team of NSI, Kanpur has visited the unit during November 21-22,2019 for adequacy assessment. The report is pending.

	iii. Action plan to achieve Zero Liquid Discharge (ZLD) iv. Assessment of the spent wash storage capacity as per CPCB guideline/UPPCB consent v. Assessment of availability of press mud, compost yard, composting process, sell compost and compost quality.	
--	---	--

**Recommendations:**

It is evident from the results that the unit is still **not complying** in totality with the CPCB direction dated 01.07.2019. The unit may not be allowed to operate till comply with the CPCB directions in totality.

**Inspection Team:**

1. Dr. Ram Karan, Regional Officer, UPPCB, RO, Lucknow
2. Sh. Runa Oraon, Sc. 'D', CPCB, RD(N), Lucknow

*[Handwritten signatures and dates]*  
 29/11/19  
 29/11/19

Item No. 05

Court No. 1

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

Original Application No. 1041/2018

Shailesh Singh

Applicant(s)

Versus

Bajaj Hindustan Sugar Ltd. (Distillery Division) &amp; Ors. Respondent(s)

(Report filed in O.A. No. 1041/2018)

Date of hearing: 01.08.2019

**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): Mr. Shivam Jaiswal, Advocate

For Respondent (s): Mr. Rajkumar, Advocate for CPCB  
Mr. Daleep Dhyani, Advocate for UPPCB

**ORDER**

1. The issue for consideration is alleged pollution by M/s Bajaj Hindustan Sugar Ltd. (distillery division), village – Paliakalan, District Lakhimpur Kheri, Uttar Pradesh.
2. Vide order dated 01.03.2019, the Tribunal noted the report received from the Central Pollution Control Board (CPCB) that unit was non-compliant and a show cause notice was given for closure till pollution

Committee of CPCB and State Pollution Control Board (SPCB) to oversee further action and furnish an action taken report.

3. Accordingly, an action taken report has been filed on 04.07.2019 by CPCB based on joint inspection conducted on 24.05.2019 observing as follows:

*"The Joint Committee has made the following major observations and recommendations in the report:*

- *The distillery unit is yet to fully comply with the directions, especially with the implementation of ZLD action plan and bio composting protocol*
- *Environmental Compensation needs to be imposed on the unit according to the formula prepared by CPCB Committee.*
- *Direction for closure of the unit may be issued and an EC of Rs. 58,20,000 /- shall be imposed on the unit for the continuing violation.*

*As per the observations and recommendations made in the report of the joint committee, CPCB has issued direction u/ s 5 of the E(P) Act, 1986 to the unit (copy placed at Annexure 11), for closure of operations till complying with the recommendations, especially w.r.t :*

- *Installation of required systems for achievement of specified volume reduction and solid cone. of spent wash.*
- *Providing ETP/CPU for the treatment & reuse of condensate/ management of other effluent streams.*
- *Improvement in bio composting operations.*
- *Remitting the EC of Rs. 58,20,000 /- to CPCB."*

4. Let the compliance be ensured and a further report filed by 30.11.2019 by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in).

List for further consideration on 10.12.2019.

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

August 1, 2019  
Original Application No. 1041/2018  
DV

