

**BEFORE THE NATIONAL GREEN TRIBUNAL  
AT PRINCIPAL BENCH, NEW DELHI  
(Under Section 18 read with Section 14 and 15 of the  
National Green Tribunal Act 2010)**

**ORIGINAL APPLICATION NO: 141 OF 2022**

IN THE MATTER OF:

**MANISH JAIN**

... APPLICANT

VERSUS

**UNION OF INDIA & Others**

...Respondents

**REPORT CUM SUGGESTIONS**

In compliance of order of this Hon'ble Tribunal dated 02.12.2022 UPPCB qua Respondent No. 3 vide letter No. 1311/OA 141/Manish Jain/2023 dated 03.01.2023 requested to Applicant in the above titled case to join inspection of the Respondent No.5 & 6 on 06.01.2023 at 11 AM. (Copy of letter issued by Respondent No. 3 is annexed herewith).

On the given date & time fixed for the Applicant joined inspection with two officers namely Mr. Imran (AE) and Mr. Vipul (JE) from UPPCB, Muzaffer Nagar and Mr. Vinay Sharma, AGM (Environment etc.) from Respondent 5 & 6 were also present.

As the applicant has inspected various areas of the Sugar Mill (only relevant areas). This sugar factory is one of the oldest structure and having huge crushing capacity per annum till date.

**Last Crushing Season:**

08<sup>th</sup> November 2021 to 17<sup>th</sup> of May 2022

**Current Crushing Season started from:**

31<sup>st</sup> October 2022 till date .....

**Observations by undersigned**

- That the first sight visited by the team was **Boiler Section** where the Chhaai/Flying Ash generally generated. Respondent No. 5 using “**Water Scrubber**” technology to stop pollutants. However, this technology is insufficient to curb emission of air pollutants i.e. Fly Ash (Chhaai) which affects health of the habitants of the Shamli City very adversely.
- During inspection **boundary walls** of sugar mill and distillery, which must be at least 3 meters high, as per joint committee report dated 31.03.2022. However actual position of the wall at the time of inspection was not found three meters high and as such not satisfactory at bagasse storage yard/area. Wall is made by lower part in bricks and upper part in tin sheets which are also depilated in conditions. (Annexure - Copy of the Video).
- No **Bio-gas plant** is found within the premises while the joint Committee report dated 31.03.2022 says that the Distillery Unit has an anaerobic reactor in its CPU (Condensate Polishing Unit) and the same will generate

biogas (Methane, H<sub>2</sub>S etc.) and therefore, the biogas produced required to be properly stored and utilized.

- During inspection the applicant was shown **STP (Sewrage Treatment Plant)** for the treatment of sewage generated daily from the residential Colony and Sugar Mill but no use is seen of treated water.
- During the visit applicant **pointed out** to the officials of the Respondent 4 & 5 the presence of micro **particles of fly-ash** within the premises as well as macro-micro particles of fly-ash in the range of 200-300 meters outside the sugar mill during random visit to a household, furthermore not only this but fly-ash can be found 1000 meters far from the Respondent No. 5 however on 31.03.2022 joint Committee didn't found any fly ash outside the industry premises.
- Fly-ash landfill yard is covered with wall however **no dense plantation seen with suitable species** hence this is not sufficient to prevent or mitigate fugitive of fly-ash to go out from the yard with wind.
- During the visit Industry **didn't develop green belt** near/around the most dust prone areas in the premises i.e truck/tractor-trolley movement areas, bagasse yard towards the road side and minimum 33% of land not covered with dense plantation on which industry is established.

- Official of Respondent No. 5 & 6 informed Applicant and Respondent No. 4 during visit that no BITREX substance was being released by the industry and once in a year deafening sound burst-out from the industry at the time of starting of crushing season however no proof for the same is available.

### **SUGGESTIONS:**

Applicant is pleased to state that the working style and the management of Respondent 5 & 6 was found in line with the standards of any sugar mill, however, the issue related to curb the **air pollution so far as the fly ash (RAAKH) is concerned**, the same was not sorted out properly. It is pertinent to mention here that the Respondent 5 & 6 have made good arrangements for curbing the fly ash, however, such solutions, in considered opinion of **the Applicant is insufficient and need more sufficient and Honest & Responsible action toward the society but not by the fear of law on the parts of Respondent 5 & 6.**

- Advanced and Modern Technology came into operation now-a-days namely “**ESP (Electrostatic precipitators)**” – A dry ESP electrically charges the ash particles and imparts a strong electric field in the flue gas to collect and remove them. ESP is the only mechanism which can stop fly-ash emission. It was informed by the officials of Respondent No. 5 & 6 that ESP is a very costly mechanism however Government can help in any manner

to the Respondent No. 5 & 6 for interest of the public at large and no mechanism is costly so far as public health and environment is concerned.

- Respondent No. 5 & 6 should use treated water for Plants, water sprinkler or pour empty pounds created by the sugar mill itself near land-fill area and other activity in proper manner.
- Respondent No. 5 & 6 should plants suitable plants near boundary walls of factory and land-fill area i.e **peepal, sisam, saptaparni and jamun etc. and other local plantations.**
- AQI (Air quality index) monitor device should also be installed in the area.

**ESP is one of the solutions to stop/crub fly Ash**

1.	Fly Ash Emission Through Chimney In Open Air	<b>Fly Ash found Emitting</b>
2.	Boundary Wall	<b>Not found as per specification.</b>
3.	Plantation	<b>No Dense Plantations (as per the suggestions).</b>
4.	Noise Pollution by turbine	<b>Once in a year at the time of crushing session start - oral information given.</b>
5.	Bitrex	<b>Not Released - oral information given.</b>
6.	Sewage Treatment Plant	<b>Installed however no use of treated water seen.</b>
7.	Air Quality Monitor Machine	<b>Not Installed.</b>

**Manish Jain  
Applicant**



**Fly ash and small particles of Baggage on Plants**



**Boundary wall of sugar mill**



**Rooftop corner of a resident 600 mtrs. far from sugar mill**



**Roof Top full with fly ash of a resident nearby**



**Fly Ash emission from Chimney evening time**



**Landfill Area with Plantations**



**Landfill Area with Plantations**



**Landfill Area with Plantations**



**Boundary Wall of Sugar Mill**



**fly ash emission day time**