

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
APPEAL NO. 30 OF 2025**

IN THE MATTER OF:

M/s. Bajaj Hindusthan Sugar ...Appellant

Vs.

MoEF & CC & Anr. ...Respondents

Index

S. No	Particulars	Page No.
1.	Reply on behalf of CPCB respondent no. 2 in compliance to Hon'ble NGT order dated 13.02.2026 in Appeal No. 30/2025.	
2.	Annexure I- A Copy of Hon'ble NGT order dated 13.02.2026 in Appeal No. 28/2025.	
3.	Annexure II- A copy of official records available with CPCB.	

Atif

**Filed by Advocate Atif Suhrawardy
On behalf of Central Pollution Control Board**

Place: Delhi

Dated: 13.05.2026

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
APPEAL NO. 30 OF 2025**

IN THE MATTER OF:

M/s. Bajaj Hindusthan Sugar ...Appellant

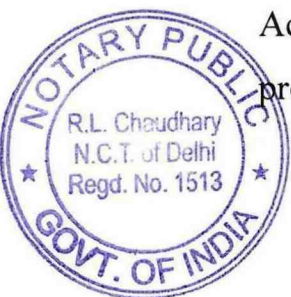
Vs.

MoEF & CC & Anr. ...Respondents

**REPLY ON BEHALF OF RESPONDENT No.02, i.e.,
THE CENTRAL POLLUTION CONTROL BOARD**

MOST RESPECTFULLY SHOWETH:

1. That the Central Pollution Control Board (hereinafter referred to as "CPCB") is constituted under Section 3 of the Water (Prevention and Control of Pollution) Act, 1974. It performs functions under the provisions of the Water (Prevention and Control of Pollution) Act 1974 (hereinafter referred as Water Act, 1974), the Air (Prevention and Control of Pollution) Act 1981 (hereinafter referred as Air Act, 1981) and the Environment (Protection) Act 1986. In the instant Appeal CPCB has been arrayed as Respondent No.2.
2. That the State Pollution Control Boards (hereinafter referred to as "SPCBs") and Pollution Control Committees (hereinafter referred to as "PCCs") have been constituted in States/Union Territories under the Water Act, 1974 and the Air Act, 1981 and are empowered to implement the provisions of these Acts in respect of their Territorial Jurisdictions.



3. That the instant reply affidavit is being filed in compliance with the Hon'ble National Green Tribunal's order dated **13.02.2026**, wherein the following direction was issued:

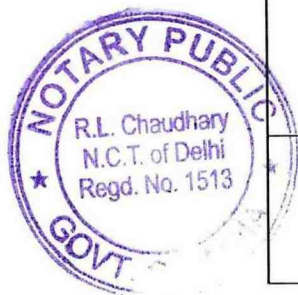
"2. Hence, the CPCB is directed to produce the original record in each of the Appeal leading to the passing of the order impugned in that Appeal....."

A true copy of the order dated 13.02.2026, passed by this Hon'ble National Green Tribunal, is marked and annexed hereto as **Annexure-I**.

4. That in pursuance of the said direction, the Respondent No. 2 (CPCB) has identified, compiled, and arranged the available official records pertaining to the issuance of the impugned directions dated 03.07.2020 (bearing Letter No. B-76/PCI-III/2K-2K01/2190) as well as the show cause notice dated 19.08.2019 (bearing Letter No. B-76/PCI-III/2K-2K01/269) and the subsequent closure direction dated 22.07.2019, all concerning the Appellant's Distillery Unit at Gola Gokaranath, Lakhimpur Kheri, Uttar Pradesh.

The duly scanned copies of official records available with CPCB, are hereby attached as **Annexure-II** for ready reference of Hon'ble Tribunal and includes as below:

Sr. No.	Date	Description of Document	Remarks
1.	31.08.2018	Copy of Hon'ble National Green Tribunal order dated 31.08.2018 in the matter of OA No 593 of 2017.	National Green Tribunal order
2.	22-23.10.2018	Copy of Joint Inspection Report dated 22-23.10.2018	Conducted by team of CPCB & UPPCB.




3.	14.01.2019	Show Cause Notice (SCN) No. B-76/PCI-III/2K-2K01/965 dated 14.01.2019	Issued under Section 5 of the EP Act, 1986 by CPCB to the Appellant Unit.
4.	30.01.2019	Reply received from the Appellant Unit dated 30.01.2019	Point-wise compliance status submitted by the Unit w.r.t. direction issued to the Appellant unit by CPCB.
5.	19.02.2019	Copy of Hon'ble National Green Tribunal order dated 19.02.2019 in the matter of OA No 593 of 2017.	National Green Tribunal order
6.	21.02.2019	Copy of Hon'ble National Green Tribunal order dated 21.02.2019 in the matter of OA No 739 of 2018.	National Green Tribunal order
7.	24.04.2019	Copy of Inspection Report dated 24.04.2019	Conducted by the CPCB team.
8.	22.07.2019	Closure Direction No. B-76/PCI-III/2K-2K01/Nil dated 22.07.2019	Issued under Section 5 of the EP Act, 1986, by CPCB to the Appellant Unit.
9.	19.08.2019	Show Cause Notice (SCN) for Environmental Compensation (EC) dated 19.08.2019.	Issued under Section 5 of the EP Act, 1986, by CPCB to the Appellant Unit.
10.	28.08.2019	Copy of Hon'ble National Green Tribunal order dated 28.08.2019	National Green Tribunal order



		in the matter of OA No 593 of 2017.	
11.	09.08.2019, 04.09.2019 06.09.2019	Replies received from Unit dated 09.08.2019, 04.09.2019 & 06.09.2019.	Responses of Appellant Unit to CPCB w.r.t closure direction & SCN for EC.
12.	27.02.2020	Copy of Letter issued by CPCB to Appellant Unit dated 27.02.2020	Refusing to keep EC proceedings in abeyance
13.	20.04.2020	Revocation of Closure Direction dated 20.04.2020	Issued under Section 5 of the EP Act, 1986
14.	03.07.2020	Impugned Direction for EC dated 03.07.2020	Direction challenged in the present Appeal

5. That, in the light of the above submissions, it is respectfully submitted that the Hon'ble Tribunal may dismiss the present appeal as the same is devoid of merit and with cost, and the CPCB shall abide by any order(s) or direction(s) passed by this Hon'ble Court in the instant appeal.




(Kamlesh Singh)
 Scientist 'E'
 Central Pollution Control Board
 13.05.2026

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
APPEAL NO. 30 OF 2025**

IN THE MATTER OF:

M/s. Bajaj Hindusthan Sugar

...Appellant

Vs.

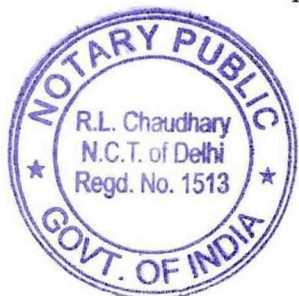
MoEF & CC & Anr.

...Respondents

AFFIDAVIT

I, Kamlesh Singh, working as Scientist 'E' in the Central Pollution Control Board (CPCB), Parivesh Bhawan, East Arjun Nagar, Delhi – 110032, the Respondent No. 2 in the above-mentioned Appeal, do hereby solemnly affirm and state on oath as under:

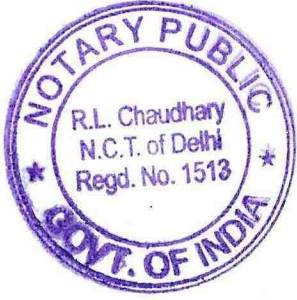
1. That I, the deponent herein, is well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent to verify, sign and swear this affidavit on behalf of the Respondent CPCB.
2. That the accompanying reply may be read part and parcel of the present affidavit.
3. That the accompanying reply has been drafted and filed under my instructions, the contents thereof are true and correct based on the record maintained during the ordinary course of business of CPCB and available records and documents and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.



DEPONENT
कमलेश सिंह / Kamlesh Singh
वैज्ञानिक 'ई' / Scientist 'E'
केंद्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार
M/o Env. Forest & Climate Change, Govt. of India
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

VERIFICATION

Verified at Delhi on this day of 13 MAY 2026 M a y, 2026, that the contents above are correct and true based on the records of the case as mentioned in the day-to-day affairs of the CPCB. Nothing has been concealed therefrom or misstated.



ATTESTED

NOTARY PUBLIC
GOVT. OF INDIA

13 MAY 2026


DEPONENT

कमलेश सिंह / Kamlesh Singh
 वैज्ञानिक 'ई' / Scientist 'E'
केंद्रीय प्रदूषण नियंत्रण बोर्ड
 Central Pollution Control Board
 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार
 M/o Env. Forest & Climate Change, Govt. of India
 परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110 032
 Parivesh Bhawan, East Arjun Nagar, Delhi-110032

Item Nos. 11to13

Court No. 1

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

Appeal No. 27/2025
(IA No 284/2025, IA No 326/2025)
With
Appeal No. 28/2025
(IA No 285/2025, IA No 327/2025)
With
Appeal No. 30/2025
(IA No 288/2025, IA No 302/2025)

M/s Bajaj Hindusthan Sugar Limited

Appellant

Versus

Ministry of Environment Forest
and Climate Change & Ors.

Respondent(s)

Date of hearing: 13.02.2026

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL EXPERT MEMBER**

Appellant: Mr. Sanjeev Kumar Singh & Mr. Bhishm Pratap Singh, Advocates for
Appellant in Appeal No. 27/2025
Mr. Alok Krishna Aggarwal, Mr. Sanjeev Kumar Singh & Mr. Bhishm
Pratap Singh, Advocates for Appellants in Appeal No. 28 & 30/2025

Respondents: Mr. Balendu Shekhar & Ms. Tanisha Samanta, Advs. for CPCB in Appeal
27/2025.
Mr. Atif Suhrawardy & Mr. Pankaj Kumar, Advs. for CPCB in Appeal 28 &
30/2025 (Through VC)

ORDER

1. Learned counsel appearing for the Appellant submits that the original record is necessary to examine the compliance of the various provisions of the Rule while passing the order impugned in these Appeals.

2. Hence, the CPCB is directed to produce the original record in each of the Appeal leading to passing of the order impugned in that Appeal. Let a copy of the same be filed in the respective Appeal within three weeks. It will be open to the counsel for the Appellant to examine the same.

3. List for hearing on 14.05.2026.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

February 13, 2026
Appeal Nos. 27/2025, 28/2025 & 30/2025
A

REVISED ORDER
CORRECTED 31.08.2018

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Original Application No. 593/2017
(W.P. (Civil) No. 375/2012)

In the matter of:

Paryavaran Suraksha Samiti & Anr.
Vs.
Union of India & Ors.

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

Present:

<p>Applicant: Amicus Curiae: Respondent Nos.</p>	<p>Mr. Rohit Prajapati, Applicant in person Mr. Jai A. Dehadrai, Adv. Mr. Nishe Rajan Shonker, Adv. for State of Kerala Mr. Tarunvir Singh Khehar, Ms. Guneet Khehar Mr. Sandeep Mishra Advs. for GNCTD Mr. Anil Shrivastava Mr Rituraj Bswas and Ms. Sujaya Bardhan, Advs. for State of Arunachal Pradesh Mr. Jogy Scaria, Ms. Beena Victor, Advs. for Kerala State Pollution Control Board Mr. Avijit Roy, Adv. for Assam Pollution Control Board Mr. Leishangthem Roshmani Kh, Ms. Maibam Babina, Advs. for State of Manipur Mr. Nikhil Nayyar, Mr. Dhananjay Bajjal, Advs. for APPCB and TSPCB Mr. Mukesh Verma, Adv. Mr. Tarunvir Singh Khehar, Adv., Mr. Sandeep Mishra and Ms. Guneet Khehar, Adv. Mr. Dinesh Jindal, LO for DPCC Ms. Aruna Mathur, Mr. Avneesh Arputham, Ms. Simraj Jeet and Ms. Anuradha Arputham, Advs. for State of Sikkim Mr. Raja Chatterjee, Mr. Piyush Sachdev, Ms. Abhinandini Yadav, Advs. and Advs. for State of WB Mr. Edward Belho, AAG, Mr. K. Luikang Michael and Ms. Hoineithiam, Advs. for State of Nagaland Ms. Enatoli Sema, Adv. for State of Nagaland and Pollution Control Board Mr. M. Paikaray and Mr. A.K. Panda, Advs. for SPCB, Odisha Mr. Dhruv Pal, Adv. for State of Gujarat Mr. V.K. Shukla, Adv. for State of MP Mr. Jayesh Gaurav, Adv. for R-47 Mr. Tayenjam Momo Singh, Adv. for Meghalaya Pollution Control Board Mr. Shlok Chandra and Mr. Ritesh Kumar Sharma, Advs. Mr. Gautam Singh and Mr. Shoeab Alam, Advs. for State of Bihar Ms. Aprajita Mukherjee, Adv. Ms. G. Indira, Adv. for UT of Andaman & Nicobar Mr. Balendu Shekhar, Mr. Sriansh Prakash and Mr. Rajkumar Maurya, Advs. for Ministry of Environment, Forest and Climate Change Ms. Puja Kalra, Adv. for SDMC & NDMC</p>
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Mr. Anil Grover, AAG, Mr. Rahul Khurana and Mr. Mishal Vij, Adv. for State of Haryana and HSPCB

Ms. Yogmaya Agnihotri, Adv. and Ms. Prity, Adv. for CECB

Ms. Sakshi Popli, Adv. for Ministry of Environment, Forest and Climate Change

Mr. Shuvodeep Roy, Adv. and Mr. Rituraj Biswas, Adv. for State of Tripura & Tripura Pollution Control Board

Mr. Shashank Bajpai and Mr. Shakun S. Shukla, Adv. for State of Odisha

Ms. Asha Nayar Basu and Ms. Aradhita Ghosh Mandal, Adv.

Ms. Priyanka Sinha, Adv. for State of Jharkhand Mr. Rajul Shrivastav, Adv. for MPPCB

Mr. Pradeep Misra 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, AAG, Mr. Saurabh Rajpal, Mr. Adhiraj Singh, Ms. Shikha Sandhu and Mr. Vikrmjeet Singh, Adv. for State of Rajasthan and Pollution Control Board

Mr. G. M. Kawoosa, Adv. for State of J & K

Mr. Divya Prakash Pande, Adv. For HPSPCB

Mr. Manish Kumar, Adv.

	Date and Remarks	Orders of the Tribunal
	<p>Item No. 12</p> <p>August 03, 2018</p> <p>A</p>	<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-cum-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 04th July, 2017 stating as follows:</p> <p style="padding-left: 40px;">“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</p>

	<p>Item No. 12</p> <p>August 03, 2018 A</p>	<p>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> <p>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.</p> <p>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 24 non-complying industries; 18 industries were complying; 8 were found closed and inspection reports of 14 industries are under process.</p> <p>7. That the CPCB and NMCG through 11 technical institutions, inspected 751 industries located in the River Ganga main stem 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 issue to 36 industries; 149 industries were found complying and direction issued to 91 self-closed Grossly Polluting Industries (GPI) to remain closed; 93 GPI units were found closed as per directions; 38 GPI units found operational in violation of closure directions and inspection reports of 190 industries are under process”.</p> <p>3. 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.</p> <p>4. 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</p>
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	<p>Item No. 12</p> <p>August 03, 2018</p> <p>A</p>	<p>the State, how many are having their own STPs, ETPs and/or connected to Common Effluent Treatment Plant (CETP), whether any such CETP 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 proceed 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 or 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 atleast once in a</p>
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	<p>Item No. 12</p> <p>August 03, 2018</p> <p>A</p>	<p>month and on the basis of such meeting and the feedback taken further follow up action must be taken and appropriate directions issued. This process may be a continuous process.</p> <p>(iii) It must be ensured that STPs, CETPs and ETPs are functional and meet the requisite standards.</p> <p>(iv) 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>(v) A report of the steps taken may be placed on the website of the Central Pollution Control Board atleast once in three months. Deficiencies if any may also be so displayed.</p> <p>(vi) 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>(vii) A compliance report in terms of the above order may</p>
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	<p>Item No. 12</p> <p>August 03, 2018</p> <p>A</p>	<p>be furnished to this Tribunal within four months from today by e-mail at filing.ngt@gmail.com.</p> <p>(7) Proceedings are disposed of.</p> <p>However, the report received from the Central Pollution Control Board may be placed for consideration before this Tribunal on 3.2.2019.</p> <p>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>03.08.2018</p>
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Report on Colour effluent on Sharda Sahayak Canal Lakhimpur Kheri, (Uttar Pradesh)

1.0 Background

A complaint was received via Whats up message to Member Secretary, CPCB, which was forwarded to Regional Director, CPCB RD (N) on 21.10.2018 regarding discharge of colour effluent into Sharda Sahayak Canal. Subsequently, a team comprising of officials of CPCB, RD(N), Lucknow and UPPCB, Regional Office, Lucknow visited the area during October 22-23, 2018. Monitoring of Sharda Sahayak Canal at different locations were carried out. During the visit, inspection of three industries were also carried out.

2.0 Introduction

Sharda canal system is one of the biggest and oldest irrigation systems of Uttar Pradesh. It was constructed in the year 1928 to provide irrigation in 25.5 lac Hectare and to protect the area lying in Ganga-Ghaghra doab. The Sharda Main Canal takes off from River Sharda at Banbasa, district Champawat in Uttarakhand State. The project covers 15 districts namely Pilibhit, Lakhimpur Kheri, Shahajahanpur, Hardoi, Unnao, Lucknow, Barabanki, Pratapgarh, Sultanpur, Faizabad, Jaunpur, Azamgarh, Ghazipur, Allahabad and Varanasi.

Sharda canal divided into three branches at Madhotaand, Pilibhit. One branch leads to Hardoi, other leads to Lakhimpur Kheri and third is leads to Sharda Sagar Dam. Sharda Sahayak canal leads to Lakhimpur Kheri is further divided into two Brach at Bakeganj. One traverse to Gola Gokarnath and other traverse to Hardoi.

3.0 River Water Quality and Sample Collection

Grab samples of Sharda Sahayak Canal at different locations in district Lakhimpur Kheri and Sitapur (U.P) were collected and analyzed for physio-chemical parameters such as pH, Colour, Conductivity, TDS, BOD, COD, DO, SAR, Boron, Total and Fecal coliforms etc. Following locations/sampling points were identified for monitoring:

1. Sharda Sahayak Canal at Hasnapur Bridge
2. Sharda Sahayak Canal at Penyura Bridge
3. Sharda Sahayak Canal at Umaria Bridge

4. Sharda Sahayak Canal at Umaria kala Bridge

The picture forwarded by the complainant was taken at Umaria Bridge. It was also informed by the local villagers near sharda sahayak canal that discharge of colour effluent is seen every year and discharge of colour effluent is carried out by M/s Bajaj Hindusthan Sugar Ltd., Gola, Lakhimpur Kheri.



Fig.-1



Handwritten signatures and dates:
Puro
Na
Bhawan
01-11-18

Fig.-2

- A- Bakeyganj Bridge
 B- Aliganj Road Bridge
 C- Behzam Road Bridge
 D- Hasnapur Bridge
 E- Penyura Bridge
 F- Umaria Bridge
 G- Umaria kala Bridge

Characteristic of the sample collected from sharda sahayak canal are given below:

Location	Sharda Sahayak Canal at Hasnapur	Sharda Sahayak Canal at Penyura Bridge	Sharda Sahayak Canal at Umaria Bridge	Sharda Sahayak Canal at Umaria Bridge	Sharda Sahayak Canal at Umaria kala Bridge
Date of Monitoring	22.10.2018	22.10.2018	22.10.2018	23.10.2018	23.10.2018
pH	7.52	7.46	7.55	7.28	7.02
Colour (HAZEN)	10	35	125	10	20
Conductivity ($\mu\text{S/cm}^2$)	148	280	324	247	254
TDS (mg/l)	148	162	209	150	161
SAR	0.124	0.120	0.122	0.13	0.00
Boron (mg/l)	0.89	1.01	1.29	1.59	2.17
DO (mg/l)	8.68	8.07	7.58	8.7	9.2
BOD (mg/l)	3.84	4.52	10.5	2.1	2.1
COD (mg/l)	19.1	24.6	52.1	8.4	10.6
T. Coliform MPN/100 ml	1.3×10^3	7.9×10^3	7.8×10^2	7.8×10^2	3.3×10^3
F. Coliform MPN/100 ml	7.8×10^2	1.3×10^3	2.0×10^2	4.5×10^2	7.8×10^2

High colour was observed at Umaria Bridge on inspection dated 22.10.2018, but colour was not observed at same place on inspection dated 23.10.2018 and same is also reflected in the analysis results. Increasing trends of Colour, Conductivity, TDS, BOD, COD, Boron and decrease in DO was observed from Hasnapur to Umrai Bridge. It may be due that colour washed out with the canal water and reflected at the downstream. It was informed by local villagers that colour effluent was discharged 4-5 days before.

4.0 Inspection of Industries:

During the visit, three industries located adjacent to the Sharda Sahayak Canal were inspected on 23.10.2018 to check the possible discharge of coloured effluent and pollution control devices installed and quality of effluent discharged. Reports of inspection carried on for each unit and observations made during the inspection are as below:

4.1 M/s Gupta Cottage Udyog, Ghoomchini, Lakhimpur Kheri (UP)

1. The unit is engaged in the production of Sugar with capacity of 600 TCD using Sugarcane as major raw material. During inspection, the unit was not in operation, however washing, cleaning, preparation for cane crushing were carried out. As per information given by the unit representative, the unit will start crushing within 02-03 days.
2. It was informed that the unit comes under khandsari Udyog.
3. **The unit has not provided the desired documents/informations to the inspecting team.**
4. Sharda sahayak canal is located approx. 04 km from the unit.
5. The unit is meeting its fresh water requirement through two bore wells. No water meter is installed in the bore wells. The unit has not obtained NOC from CGWA for ground water abstraction.
6. The unit has installed Effluent Treatment Plant (ETP). ETP comprising of Collection Tank, Aeration Tank, Secondary Clarifier and Sludge Drying Beds.
7. During inspection, ETP was not in operation. Effluent generated from washing and cleaning is discharged into drain. It was informed by the local villagers that this drain meets to village pond. Sample was collected from the drain. Analysis results are presented below:

Sampling locations	Parameters				
	pH	Colour (Hazen)	TSS (mg/l)	BOD (mg/l)	COD (mg/l)
Bypass drain	6.68	400	71.8	444	667

8. It is evident from the above results that the unit has discharging untreated effluent into drain.
9. The unit has denied to take notice of the sample collected.
10. The unit has not provided any mixing tank in collection tank, which may results anaerobic condition in collection tank. The launder of the clarifier was also damaged.
11. The unit has 02 boilers with capacity 15 TPH and 06 TPH with common stack of height 32 m. Boilers are equipped with Dust Collector and Cyclone Separator as Air Pollution Control Device.
12. The Boiler ash is found disposed off in low lying area on the back side of the unit.
13. The unit is generating Rab as by-product, which is stored in the pits in covered shed. As informed, Rab is packed in small tin box and sold in market. The unit has no information regarding quantity of Rab generation, stored and selling.

4.2 M/s Bajaj Hindusthan Sugar Limited (Sugar Division), Gola Gokarnath, Lakhimpur Kheri (UP)

A: General Information		
1	Name of the unit and Address	Bajaj Hindusthan Sugar Ltd., Gola Gokarnath, Lakhimpur Kheri(U.P.)-262802
2	Name of the Proprietor/ Contact person – Designation Contact No.	Mr. Om Pal Singh, Unit Head 9919001375
3	Year of Commissioning.	1931
4	Sector	Private
5	Cane Crushing capacity	13000 TCD
6	Cane Crushing Last Year	2394331.447 Ton (06.11.2017 to 29.05.2018)
7	Sugar Production	270534 Ton (06.11.2017 to 29.05.2018)
8	Molasses Generation	109171.7 Ton (06.11.2017 to 29.05.2018)
9	Press mud generation	98407.02 Ton (06.11.2017 to 29.05.2018)
B: Water Pollution and its Control:		
1	Water Supply Source Water Consumption (KLD) > Industrial > Domestic	Bore wells (06 nos.) Avg. for march,2018 3194.11 KLD (as reported) 170 KLD (as reported)
2	Waste Water Generation (KLD) > Industrial > Domestic	Avg. for march,2018 2190 KLD (as reported) 136 KLD (as reported)

Raj
Sharma
01-11-18

3	Waste water treated (KLD) ➤ Industrial ➤ Domestic	2190 KLD (as reported) Partially treated through soap pits and remaining is discharged into gola drain.
4	Details of ETP	Collection tank, Primary Clarifier, Polishing Tank, Aeration tank, Secondary Clarifier, Carbon & Sand filter, Sludge Dry Bed, Storage Lagoons.
5	Mode of disposal of treated effluent	As informed, treated effluent is used in horticulture and agriculture
6	Flow measuring device installed at outlet of ETP	Yes
7	Status of Consent under the Water Act- 1974	Valid upto December 31, 2019

B: Information regarding Ferti-irrigation

1	Details of treatment of effluent before ferti-irrigation	ETP
2	Command area for ferti-irrigation (available land area)	As informed, approx. 316.91 Hectare (4.45 for Lawn & green belt + 312.46 for former cultivation) land is available for ferti -irrigation at all around the factory premises.
3	System of transportation of treated effluent up to field	HDPE pipeline
4	Formal agreements with formers for using treated effluent	Yes
5	Storage facility available for treated effluent during low demand period	Yes (treated Effluent Holding Lagoon)
6	Quality of effluent being used for ferti-irrigation	ETP treated effluent

C: Air Pollution and its Control

1	Sources of Air Pollution	Boiler 70 TPH, 50 TPH, 30 TPH, 80 TPH and 100 TPH		
2	➤ Type of Fuel used ➤ Stack details with APCS	Bagasse		
		100 TPH	55 m	ESP
		80 TPH	45 m	Wet Scrubber
		70 TPH, 50 TPH and 30 TPH	65 m	Wet Scrubber
3	Status of Consent under the Air Act- 1981	Valid upto December 31, 2019		

D: Waste Management

1	Type & Quantity of Waste Generated	Press Mud, ETP Sludge, Boiler Ash, Waste Oil
2	Facility of Storage/ Disposal	Press Mud- Used in bio-composting ETP Sludge- used as manure Boiler Ash- dispose off into kacha lagoon

Sharda Canal Complaint

Page 6 of 14

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01-11-18

3	Disposal of waste	Waste Oil-burnt in boiler
4	Status of Grant of authorization	As above
		Authorization valid up to 16.02.2019.

Observations: -



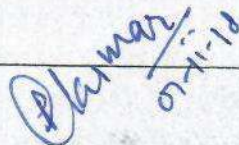
1. The unit is engaged in production of sugar with capacity of 13000 TCD using sugarcane as major raw material. During inspection, the unit was not in operation due to non-crushing season. However, washing, cleaning was carried out. As informed, the unit will start crushing in the first week of November, 2018.
2. The unit is meeting its water requirement through five bore wells. As informed, 04 bore wells are used for industrial purpose and 01 borewell is used for domestic purpose. Electromagnetic flow meter is installed at the borewells. The unit has also not obtained NOC from CGWA for abstraction of ground water.
3. The unit has Effluent Treatment Plant (ETP), which comprises of Bar Screen, Oil and Grease Skimmer, Primary Clarifier, Aeration Tank, Secondary Clarifier, Pressure Sand Filter, Activated Carbon Filter, Sludge Drying Beds and treated effluent storage lagoon.
4. During inspection, only aeration tank of ETP was in operation. Sample was collected from Aeration Tank. Analysis results are presented below:

Sampling location	Parameters	
	MLSS (mg/l)	MLVSS (mg/l)
Aeration Tank	802	507

5. It is evident from the results that Aeration Tank of the ETP is not stabilized.
6. Treated effluent is reported to be used in the irrigation.
7. The unit has granted consent for generation of 1300 KLD of effluent generation, but as per log book the daily generation of waste water by the unit is more than 1300 KLD, which violates the consent condition.
8. The unit has installed Online Continuous Effluent Monitoring System (OCEMS) at the outlet of ETP.
9. During inspection, two bypass drains was observed in the unit and effluent is bypassed from these drains. It was informed that effluent is from washing, cleaning of the unit and domestic sewage. The sample was collected from bypass drain-1 and 2. Analysis results are presented below:

Sampling locations	Parameters				
	pH	Colour (Hazen)	TSS (mg/l)	BOD (mg/l)	COD (mg/l)
Bypass drain-1	7.02	3500	165	1004	2166
Bypass drain-2	7.43	200	43.9	54	181
Standard as per EPA notification GSR 35 (E), dated 14.01.2016	5.5-8.5	--	30	30	--

10. It is evident from the results that the unit has discharged untreated effluent through bypass drains, which shall pollute recipient environment.
11. The effluent discharged by the unit meets to Gola drain, which also carry domestic sewage of the Gola Gokarnath city. Gola drain meets to Saraiyan River, which meets to River Gomti and Ultimately meet River Ganga.
12. It was informed by the local villagers to the UPPCB team that No colour effluent was seen at Sharda Sahayak canal at Bakeyganj, but coloured effluent was seen at Sharda Sahayak canal at Aliganj road. The Sugar and Distillery unit of M/s Bajaj Hindusthan Sugar Ltd. (Sugar and distillery) is located in between Bakeyganj and Aliganj (Fig.-1). Possibility of discharge of colour effluent through tanker to Sharda Sahayak canal by the unit cannot be ruled out.
13. As per consent granted by UPPCB, the unit is not allowed to discharge the effluent into any stream or river. But, the unit is found discharging the effluent, which violates the consent condition.
14. As per consent granted on 22.12.2017, the unit has to install Sewage Treatment Plant (STP) for the treatment of domestic sewage. The unit has still not installed STP, which violates the consent condition.
15. The unit has yet to install spray pond overflow effluent treatment system.
16. It was also observed that Sharda Sahayak Canal is approx. 05 km from the unit.
17. The unit has 09 steel tanks with total capacity 505,338 Quintals (capacities-30,792 Qtls, 30,725 Qtls, 31, 878 Qtls, 32, 217 Qtls, 32,217 Qtls, 65,294 Qtls, 103,421Qtls, 65,160Qtls and 113,634Qtls) for the storage of molasses. It was informed that, six tanks (tank no. 3 to 8) were empty and presently 173, 124 Q molasses is stored in the tanks.
18. Log book was found verified for molasses quantity twice in a month by the Excise inspector. But, log book of molasses is not verified by the excise inspector for the month

of October (till the date of inspection). It was also observed that 3,000 Quintal of molasses lifted by the distillery on 17.10.2018 is not recorded/missing on log book of sugar unit molasses stock.

4.3 M/s Bajaj Hindusthan Sugar Limited (Distillery Division), Gola Gokarnath, Lakhimpur Kheri (UP)

A: General Information		
1	Name of the unit and Address	Bajaj Hindusthan Sugar Ltd, Distillery Unit, Gola Gokarannath, Lakhimpur Kheri U.P, 262802
2	Name of the Proprietor/ Contact person – Designation Contact No.	Mr. M.C. Upreti, G.M, 9919001308
3	Year of Commissioning.	1945
4	Sector	Distillery
5	Production capacity <ul style="list-style-type: none"> • Products • Installed Prod. Cap. • Present Production 	Rectified Spirit & Anhydrous Alcohol 100 KLD Nil
6	Raw materials & their requirement	Molasses- 460 MT/Day
B: Water Pollution and its Control:		
1	Water Supply Source Water Consumption (KLD) <ul style="list-style-type: none"> > Industrial > Domestic 	Bore wells Avg. for March,2018 754 KLD (as reported) 36 KLD (as reported)
2	Waste Water Generation (KLD) <ul style="list-style-type: none"> > Industrial > Domestic 	Avg. for March,2018 Approx.1040 KLD-spent wash (as reported) 30 KLD (as reported)
3	Waste water treated (KLD) <ul style="list-style-type: none"> > Industrial > Domestic 	Approx.1040 KLD- spent wash (as reported) Partially treated Through soak pits and remaining is discharged into gola drain.

Rano *Sh* *Sharma*

4	<p>Details of ETP</p> <p>➤ ETP Description with flow diagram</p> <p>➤ Details of Multi Effect Evaporator, if any</p>	<ul style="list-style-type: none"> • Buffer Tank (400 KL) • Settling Tank (3000 KL) • Digesters (03 nos. with capacity 6300 KL, 6300 KL and 8500 KL) • Lagoon-1(15600 KL) • Multi Effect Evaporator (MEE)- three effect falling film type • Lagoon-2(15600 KL) • Bio-compost Yards (04 places with total area of 34.56 acres) <p>Three stage falling film type evaporator has been installed.</p>										
5	Mode of disposal of treated effluent	Bio-composting										
6	Status of Consent under the Water Act- 1974	Valid upto 31.12.2019										
b (l) Information regarding Bio-composting												
1	Active area for bio compost preparation	22.69 Acre										
2	Area for press mud storage	2.12 Acre										
3	Area for bio compost storage	1.11 Acre										
4	Spent wash storage capacity	31 200 KL										
5	Availability of press mud	Through sister concern sugar unit.										
6	Quantity of compost prepared	67500 MT (2017-18)										
7	Quantity of press mud procured	21156 MT (2017-18)										
8	Details of wind roses (Number, length, height, width of stacking, space between two wind rose)	<table border="1"> <thead> <tr> <th>Number of wind row</th> <th>Length (mtr.)</th> <th>Height (mtr.)</th> <th>Width of staking (mtr.)</th> <th>Space between two wind rows (mtr.)</th> </tr> </thead> <tbody> <tr> <td>2 to 3 per day</td> <td>100-115</td> <td>1.0</td> <td>2.5</td> <td>3.0</td> </tr> </tbody> </table>	Number of wind row	Length (mtr.)	Height (mtr.)	Width of staking (mtr.)	Space between two wind rows (mtr.)	2 to 3 per day	100-115	1.0	2.5	3.0
Number of wind row	Length (mtr.)	Height (mtr.)	Width of staking (mtr.)	Space between two wind rows (mtr.)								
2 to 3 per day	100-115	1.0	2.5	3.0								
9	Quantity of Effluent being used for composting (m ³ /day) :	700 m ³ /day										
10	Quantity of press mud being used for one cycle	16000 MT/cycle										
11	Maturity time in days for one cycle	60 days										
12	Arrangement for rainy season	tarpaulin sheet arrangement										
C: Air Pollution and its Control												
1	Sources of Air Pollution	N.A. (Steam received from its sister concern sugar unit)										
2	<p>➤ Type of Fuel used with consumption</p> <p>➤ Stack details with APCS</p>											
3	Status of Consent under the Air Act-	Valid upto 31.12.2019										

	1981	
D: Waste Management		
1	Type & Quantity of Waste Generated	Fermentation sludge Boiler ash
2	Facility of Storage/ Disposal	Lagoon / Bio-composting
3	Disposal of waste	Bio-composting

Observations:

1. The unit is engaged in production of Rectified Spirit (RS), Absolute Alcohol and Special denatured Spirit with capacity of 100 KLD using molasses as raw material. During inspection, unit was not in operation. As informed by the unit representative, unit is not in operation since 21.10.2018 (morning) due to maintenance.
2. The unit is meeting its fresh water requirement through 02 borewells. Electromagnetic flow meter is provided at borewells. The unit has not obtained NOC from CGWA for ground water abstraction.
3. The unit is generating approx. 10 KL/KL (1040 KLD) of RS production of spent wash. The ETP of the unit comprises of following:
 - Buffer Tank (400 KL)
 - Settling Tank (3000 KL)
 - Digesters (03 nos. with capacity 6300 KL, 6300 KL and 8500 KL)
 - Lagoon-1(15600 KL)
 - Multi Effect Evaporator (MEE)-three effect falling film type
 - Lagoon-2(15600 KL)
 - Bio-compost Yards (04 places with total area of 25.92 acres)
4. The unit representative informed that spent lees, condensate etc. is recycled back in the process, which needs to verify when unit is in operation.
5. Floor washing, fermentor cleaning effluent is sent to spent wash storage lagoon.
6. The unit has presently three effect falling film type evaporator. During inspection, unit is in process of installing five effect Multi Effect Evaporator.
7. During inspection, only bio-digester was in operation. Sample was collected from inlet and outlet of digesters. Analysis results are presently below:

Sampling locations	Parameters			
	pH	SS (mg/l)	BOD (mg/l)	COD (mg/l)
Digester feed	5.43	1005	52250	123226
Digesters outlet	7.96	4960	24250	65272
% reduction	--	--	53.58	47

8. It is evident from the above that % reduction of BOD and COD in digester is 53.58 and 47 respectively. It indicates that the digesters are not operated properly.
9. The unit has several kacha lagoons, which is filled with the coloured effluent. It was informed that the unit previously used these lagoons for storage of spent wash. Presently, they are not used by the unit. The stored coloured effluent may contaminate the ground water. The unit has filled some part of this kacha lagoon with the boiler ash. Sample was collected from the kacha lagoon. Analysis results are presented below:

Sampling location	Parameters				
	pH	Colour (Hazen)	TSS (mg/l)	BOD (mg/l)	COD (mg/l)
Kacha drain	8.87	22500	1063	5433	17506

10. The spent wash storage lagoon was found damaged at some places.
11. The unit has two lagoons, which is completely filled /flooded with the spent wash.
12. It was informed by the local villagers to the UPPCB team that No colour effluent was seen at Sharda Sahayak canal at Bakeyganj, but colour effluent was seen at Sharda Sahayak canal at Aliganj road. The Sugar and Distillery unit of M/s Bajaj Hindusthan Sugar Ltd, (Sugar and distillery) are located in between Bakeyganj and Aliganj. Possibility of discharge of colour effluent through tanker to Sharda Sahayak canal by the unit cannot be ruled out.
13. It was also observed that Sharda Sahayak Canal is approx. 05 km from the unit.
14. During inspection, bio-composting was not carried out by the unit. It was also observed that bio-compost is sold in loose by tractor as against the CPCB direction.
15. The unit has also not provided ground water quality monitoring network in bio compost yard as per protocol of bio-composting.
16. The unit has provided 02 cameras for 04 bio-compost yard. The unit has not installed PTZ camera in the spent wash storage lagoon area.
17. The unit is meeting requirement of steam from boiler installed at its sister concern sugar unit.

Ram *Shuman*

5.0 Recommendation

Unit wise Recommendation

A) M/s Gupta Cottage Udyog, Ghoomchini, Lakhimpur Kheri(UP)

- i. The unit may carry out adequacy assessment of ETP through reputed institution and accordingly upgrade its ETP.
- ii. The unit should immediately stop discharge of untreated effluent.
- iii. The unit should be operated only after stabilization of the ETP.
- iv. The unit should install electromagnetic flow meter at the borewell and maintain proper log book.
- v. The unit should obtain NOC from CGWA for ground water abstraction.

B) M/s Bajaj Hindusthan Sugar Ltd., Gola Gokarnath, Lakhimpur Kheri (UP)

Sugar:

- i. The unit should immediately stop discharge of untreated effluent through bypass drains immediately close the bypass drains, integrate all effluent streams and ensure they are routed through ETP.
- ii. The unit should not discharge effluent into Sharda Sahayak canal.
- iii. The unit should install sewage treatment plant for domestic sewage generated from colony (sugar and distillery).
- iv. The unit should strictly comply with CPCB direction dated February 24, 2015 issued to UPPCB regarding reduction of waste water generation, establishment of cooling tower, use of treated effluent in irrigation plan etc.
- v. The unit should obtain NOC from CGWA for ground water abstraction.
- vi. The unit should strictly comply with the conditions stipulated in the consent order such as quantity of effluent generation, not to discharge effluent in any river or stream, reuse of treated effluent in irrigation etc.
- vii. The unit should install treatment system for spray pond overflow effluent.
- viii. Necessary direction may be issued to Excise Department to ensure strict vigilance of molasses handling and management.

Ravi *Sh* *Okumar*

Distillery Unit:

- i. The unit should not discharge effluent into Sharda Sahayak canal.
- ii. The unit should immediately remove coloured effluent stored in kacha lagoons. The kacha lagoon area should be remediated with the help of expert institution.
- iii. The unit should repair the damaged spent wash storage lagoon.
- iv. The unit should strictly comply in totality with the Bio-composting protocol.
- v. The unit should provide proper catch pits and drain around the bio-compost yard.
- vi. The unit should not sell the bio-compost in loose. The bio-compost should be sold in sealed bags bearing the seam and name of the manufacturer and composition of the bio-compost.
- vii. The unit should expedite installation of new MEE.
- viii. The unit should install PTZ camera as per CPCB guideline/consent condition and camera installed should be linked with CPCB/UPPCB server.
- ix. The unit should restrict the spent wash storage capacity as per CPCB direction. Remaining lagoon should be dismantled.
- x. The unit should install ground water quality monitoring network in the bio-compost yard and lagoon area as per composting protocol and regularly monitor the ground water quality.
- xi. The unit should obtain NOC from CGWA for ground water abstraction.

Inspection Team

1. Sh. Runa Oraon, Sc. 'C', CPCB, RD(N), Lucknow
2. Sh. Ritesh Kumar Tiwari, AEE, UPPCB, RO, Lucknow
3. Sh. Pradeep Kumar, JLA, CPCB, RD(N), Lucknow

Handwritten signature and date: 01/11/2018
Handwritten signature and date: 1.11.2018
Handwritten signature and date: 01-11-18

Concluding Remarks /Action suggested by Regional Director:

Appropriate directions under Section 5 of the E(P) Act, 1986 may be issued to all units in light of observation made by the inspection team.

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 (S.K. Gupta) 01/11/18
 Regional Director

Sarda Sahayak Canal complaint regarding colour effluent



Sarda Sahayak canal at Umaria Bridge (23.10.2018)



Sarda Sahayak canal at Umaria kala Bridge (23.10.2018)



Sarda Sahayak canal at Umaria Bridge (22.10.2018)



Sarda Sahayak canal at Umaria Bridge (22.10.2018)



Sarda Sahayak canal at Penyura Bridge (22.10.2018)



Sarda Sahayak canal at Hasnapur Bridge (22.10.2018)

P. Kumar *K* *P. Kumar*
01-11-18

M/s Gupta Cottage Udyog, Goom chini, Kala Aam, Lakhimpur Kheri



Process area



Rab generation area



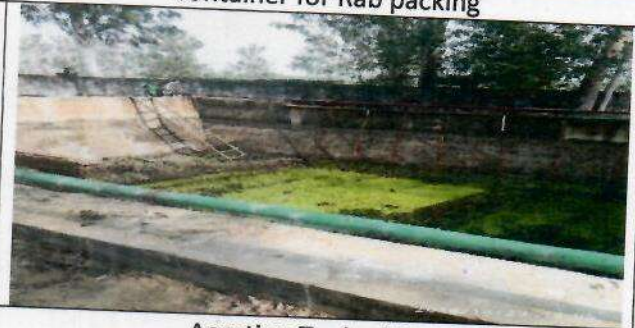
Rab Storage pit



Container for Rab packing



Collection tank of ETP



Aeration Tank of ETP



Bypass drain



Outlet of bypass drain

[Handwritten signatures and dates]
Ks @kumar
01/11/18

M/a Bajaj Hindusthan Sugar Limited



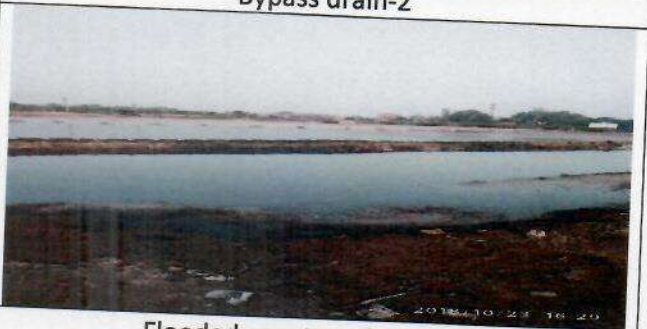
Kacha lagoons



Bypass drain-2



Bypass drain-1



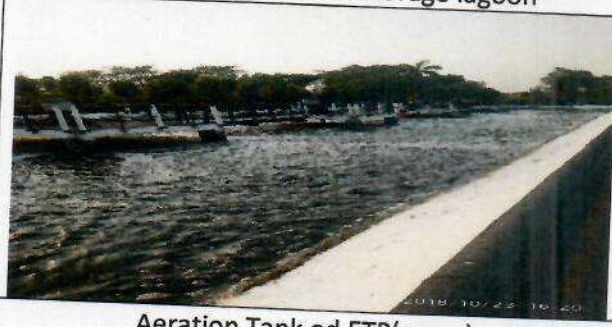
Flooded spent wash lagoons



Damaged spent wash storage lagoon



Under installation MEE



Aeration Tank of ETP(sugar)



Untreated effluent storage lagoon

Signature

Signature
01-11-18

Speed Post

B-76/PCI-III/2K-2K01/ 965

14th January, 2019

To,

**M/s Bajaj Hindustan Sugar Ltd.,
Distillery Unit, Gola Gokarannath,
Lakhimpur Kheri, Uttar Pradesh-262802**

Sub: DIRECTIONS (SHOW CAUSE NOTICE) UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986-Reg.

WHEREAS, Distilleries are identified as one of the 17 categories of highly polluting industries which have been discharging environmental pollutants directly or indirectly into the ambient air and water, having potential threat to cause adverse effect on the water and air quality; and

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

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

WHEREAS, for strengthening the monitoring and compliance through self regulatory mechanism and inculcating the habit of self monitoring within the industries for complying with the prescribed standards, CPCB has mandated installation and operation of online continuous emission and effluent monitoring systems (OCEMS) by the 17 category & Ganga GPI industries on 'polluter pays principle'; and

WHEREAS, the sector specific requirement regarding installation of OCEMS for the 17 categories, including distilleries are already uploaded in the CPCB website and is available at <http://cpcb.nic.in/online-monitoring-clarification/>; and

WHEREAS, the Ministry of Environment & Forests, Government of India, vide Notifications No- S. O. 157 (E) of 27.02.1996 and S. O. 730 (E) dated 10.07.2002, has delegated the powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board, to issue directions to any industry or any local body or any other authority for violations of the standards and rules notified under the Environment (Protection) Rules, 1986 and amendment thereof.

WHEREAS, M/s Bajaj Hindustan Sugar Ltd., Distillery Unit, Gola Gokarannath, Lakhimpur Kheri, Uttar Pradesh, hereinafter referred to as 'the unit' was jointly inspected by RO UPPCB & RD, CPCB, Lucknow teams dated 23.10.2018 regarding

discharge of colour effluent into Sharda Sahayak Canal and following observations were made during the inspection;

1. The unit is engaged in manufacture of Rectified spirit/Anhydrous Alcohol using molasses as raw material with consented capacity of 100 KLD. During inspection the unit was found not in operation. As informed by the unit representative, unit is not in operation since 21.10.2018 due to maintenance work.
2. The unit is meeting its fresh water requirement through 02 bore wells. Electromagnetic flow meter is provided at bore wells. The unit has not obtained NOC from CGWA for ground water abstraction.
3. The ETP of the unit comprises of Buffer Tank-Settling Tank-Digesters (3 nos)-Lagoon-MEE-Lagoon-2-Bio-composting Yards (4 nos).
4. The unit representative informed that spent lees, condensate etc is recycled back in the process, which needs to verify when unit is in operation.
5. Floor washing, fermentor cleaning effluent is sent to spent wash storage lagoon.
6. The unit is presently operating falling film type MEE with three effects and installation of MEE with five effects was under process during the visit.
7. The unit has several katcha lagoons, which are filled with coloured effluent. It was informed that the unit previously used these lagoons for storage of spent wash. Presently, they are not used by the unit. The stored coloured effluent may contaminate the ground water. Sample was collected from the katcha lagoons and analysis results indicate values of various parameters as: **pH-8.87, TSS-1063 mg/l, BOD-5433mg/l, COD-17506mg/l & Colour-22,500 Hazen units.**
8. The spent wash storage lagoon was found damaged at some places.
9. During the inspection bio-composting activity was not being carried out, however it was observed that bio-compost was sold in loose quantities openly and not in packed bags
10. The unit has also not provided ground water quality monitoring network in bio-compost yard as per protocol of bio-composting.
11. The unit has provided 02 cameras for 04 bio-compost yard. The unit has not installed PTZ camera in the spent wash lagoon area.

WHEREAS, it is evident from the above observations that the unit is non-complying to the guidelines & bio-composting protocol of CPCB causing **threat** to the ground water quality, having provision of excess storage capacity for concentrated spent wash and also not provided/installed required ground water monitoring network & PTZ camera at spent wash storage lagoon site as per the requirement for ZLD units.

NOW, THEREFORE, in view of the above observations and in exercise of the powers delegated to the Chairman, CPCB under section 5 of the Environment (Protection) Act, 1986, notice is served herewith to **show cause why the Unit should not be closed down** till it complies with the following directions:

1. The unit should immediately remove coloured effluent stored in katcha lagoons & the same shall be treated in the existing ZLD system. The katcha lagoons shall be dismantled. The unit should restrict the spent wash storage

- capacity as per CPCB direction for 30 days equivalent of concentrated spent wash in impervious storage lagoon. Remaining excess storage capacity should be dismantled. The unit should repair the damaged spent wash storage lagoon.
2. The unit should not sell the bio-compost in loose. The bio-compost should be sold in sealed bags bearing the seal and name of the manufacturer and composition of the bio-compost. The unit should strictly comply with the Bio-composting Protocol. The unit should provide proper catch pits & drain around the bio-composting yard.
 3. The unit shall install/relocate the PTZ cameras as per CPCB guidelines/consent condition & camera installed should be linked with CPCB server.
 4. The unit should install ground water quality monitoring network in the bio-compost yard and lagoon area as per composting protocol & regularly monitor the ground water quality.
 5. The unit shall obtain NOC from CGWA for extraction of the ground water.

You are hereby given an opportunity to file your objections (if any) to the above proposed direction **within 15 days** from the receipt of this notice, failing which appropriate action shall be taken against the unit without giving any further notice, in accordance with provisions of the Environment (Protection) Act, 1986.

/

(S. P. Singh Parihar)
CHAIRMAN

Copy to:

1. **The Member Secretary**
Uttar Pradesh Pollution Control Board,
Building No- TC-12V,
Vibhuthi Khand, Gomti Nagar,
Lucknow - 226 020
2. **The Advisor (CP Division)**
Ministry of Environment, Forest & C.C
Prithvi Block, Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi - 110 003
3. **The Regional Director,**
CPCB, Regional Directorate (N)
PICUP Bhawan, Ground Floor,
Vibhuti Khand, Gomti Nagar,
Lucknow - 226 010
- ✓ 4. The Divisional Head, IPC-III Division, CPCB
5. The In-charge, IT Division, CPCB

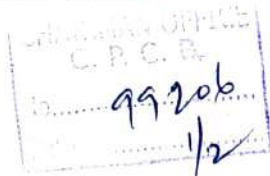
Prashant Gargava

(Prashant Gargava)
MEMBER SECRETARY

370

bajaj hindusthan sugar ltd.

www.bajajhindusthan.com

99206/m
01/02MS-on leave
10/11
4/2

30 January 2019

To,
✓ The Chairman,
Central Pollution Control Board
Parivesh Bhawan East Arjun Nagar
Delhi 110032

Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar.

- SD(VK)

Sub:- Compliance report of the Direction (show cause notice) under section 5 of the Environment (Protection) Act, 1986-Reg.

Ref: Letter B-76/PCI-III/2K-2K01/965 dated 14.01.2019 issued to our Bajaj Hindusthan Sugar Limited, Div: - Distillery, Unit: - Gola Gokarannath, District-Lakhimpur Kheri, UP.

Sir,

We are in receipt of the above stated letter which was received to us on dated 21 January, 2019.

Gola Distillery was installed in 1945 and its production capacity is 100 KL/day. Unit has installed Re-boiler, Biogas digesters, 3 stages Multiple Effect Evaporator for effluent concentration and bio-composting. Concentrated effluent is consumed in bio-compost and zero discharge is maintained.

To further strengthen the effluent treatment system, we are installing a 5 stages Multiple Effect Evaporator, as existing system consumes high steam.

In reference with the letter our point wise reply regarding the inspection report was as under:-

Point 7- Since Distillery was installed in 1945, as per guidelines of that time effluent was to be stored for natural degradation under sun-light. For the same, katccha lagoons for effluent storage were made on leased land of Forest Department. In due course, following the new guidelines, lined & impervious lagoons were made and subsequently old katccha lagoons were emptied and abandoned. Being low lying area, rain water from surroundings accumulates at lowest level of area and pick out the colour from top soil. The same was sampled by the visiting team.

Point No.8 – Spent wash has low pH which erodes the cement applied on bricks. Damaged area is repaired time to time by us. The same was noted in the report and has been repaired properly.

Point No. 9- Biocomposting activity was not being carried out as plant was under shut down due to maintenance work. Bio-compost is sold in packed bag, but nearby farmers refrain to take bio-compost in bags due to associated high cost of bagging. It is assured that only local farmers are given bio-compost in loose and instructs its transportation in covered condition. This helps farmers to get bio-compost at comparatively cheaper rate as well as support us in frequently vacating the bio-compost yard to maximize bio-composting space vis-à-vis effluent consumption.

Point no 10- Water quality monitoring network is already in place and quality is checked time to time and report of the same is send to UPPCB.

Page 1 of 2

Point no 11-Two PTZ cameras are already installed. As further directed, we are in process to procure a new PTZ camera for installation at lagoon area.

Our submission in response to the points mentioned in show cause is as under;

1. All coloured water in katcha lagoon shall be removed within approx one month and accordingly treated, consumed in bio-compost after concentration in MEE.

The Katcha lagoons were emptied and abandoned long back after new direction to store spent wash in lined lagoons. Also we would like to mention that land lease has not been renewed since 2011 and we are not using these lagoons for storage of spent wash / effluent.

At the same time, as per direction, working capacity of the lagoons has been reduced to 30 days equivalent of concentrated spent wash, but divided in 3 parts i.e. raw spent wash , bio-methnated spent wash and concentrate as we have three type of effluent.

Eroded cement of damaged storage lagoon has been repaired properly.
(Annexure-1)

2. Entire out of station sale of bio-compost is in bags only as per bio-compost protocol. Proper catch pits and drains have been provided around bio-compost yard.
3. One more PTZ camera is being installed at lagoon area, as directed.
4. Water quality monitoring network is already installed in bio-compost and lagoon area as per protocol and regularly being monitored.
5. NOC from CGWA for water extraction has already been applied and in process at Regional Directorate, CGWB, Lucknow

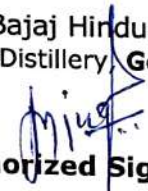
In view of the aforesaid facts & circumstances your good-self is very humbly requested to consider all the relevant inputs as mentioned herein above and kindly withdraw the said direction (show-cause notice), issued under section 5 of the Environment (Protection) Act, 1986, at the earliest.

We once again assure you that, we are sincere to our environment and conscious to our social responsibilities and are committed towards creating a clean and safe environment in and around our manufacturing facility and will always remain so.

Thanking you.

Yours faithfully,

For Bajaj Hindusthan Sugar Limited,
Unit: Distillery, **Gola Gokarannath**, Lakhimpur Kheri, UP.


Authorized Signatory

Encl.:- as above

Copy to:

1. The Member Secretary, UPPCB, Lucknow
2. The Advisor (CP Division), MoEF&CC, New Delhi
3. The Regional Director, CPCB, Regional Directorate (N), Lucknow
4. The Divisional Head, IPC-III Division, CPCB, Delhi

Annexure 1



Item No. 04

Court No. 1

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

Original Application No. 593/2017
(W.P.)(Civil) No. 375/2012)

Paryavaran Suraksha Samiti & Anr.

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 19.02.2019

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):

For Respondent (s): Mr. Shlok Chandra, Advocate for CPCB

ORDER

1. The issue for consideration is establishment and functioning of ETPs/CETPs/STPs. The Hon'ble Supreme Court vide order dated 22.02.2017 in *Paryavaran Suraksha Samiti Vs. Union of India*¹ directed that the said matter be monitored by this Tribunal.
2. Accordingly, on 25.05.2017, notice was issued to the Central Pollution Control Board (CPCB), all the State Pollution Control Boards (SPCBs)/ Pollution Control Committees(PCCs) and the Ministry of Environment, Forest and Climate Change (MoEF&CC). They filed their status reports

¹ (2017) 5 SCC 326

and found serious deficiencies. Actions were initiated to remedy the situation. After considering the status report, the Tribunal, vide orders dated 04.07.2017, 18.09.2017 and 11.10.2017, sought information about the steps taken by the SPCBs/PCCs.

3. Vide order dated 03.08.2018, the matter was reviewed and it was noted that having regard to the fact that in absence of functional ETPs/CETPs/STPs, untreated effluents are discharged in water bodies leading to contamination of water. Such contamination is cause of various diseases and also adverse consequence on aquatic organism due to decreased level of oxygen.
4. The Tribunal directed the CPCB to prepare an action plan. Direction was also given for monitoring by a Committee of two officers – one each representing MoEF&CC and CPCB at least once in every month. CPCB was required to place the progress report every three months on the website and take penal action for failure by way of recovery of compensation for damage to the environment, apart from other steps.
5. CPCB has filed its reports dated 04.09.2018, 28.11.2018 and 12.12.2018. In the report dated 04.09.2018, an action plan has been proposed which includes monitoring by the SPCBs/PCCs and a mechanism for penal action. In the report dated 28.11.2018, the compliance status of different States has been summed up as follows:

“5.0 Compliance Status of ETPs/CETPs/STPs reported by SPCBs/PCCs

As on 26.11.2018, the compliance status reports for ETPs/CETPs/STPs were received from 25 SPCBs/PCCs namely- Andhra Pradesh, Chandigarh, Meghalaya, Puducherry, Tamil Nadu, Jammu and Kashmir, Tripura,

Telangana, Punjab, Bihar, Nagaland, Sikkim, Chhattisgarh, Daman & Diu, Dadra Nagar Haveli, Goa, Arunachal Pradesh, West Bengal Madhya Pradesh, Kerala, Odisha, Himachal Pradesh, Mizoram, Karnataka and Maharashtra. However, no such compliance status reports were received from 11 SPCBs/PCCs, namely, Andaman and Nicobar Islands, Assam, Delhi, Gujarat, Haryana, Jharkhand, Lakshadweep, Manipur, Rajasthan, Uttar Pradesh and Uttarakhand. The information received from the 25 SPCBs/PCCs were analysed and the shortcomings observed were communicated to concerned SPCBs/PCCs for rectification. Subsequently, updated/corrected information, after rectifying the shortcomings, were received from 8 SPCBs/PCCs, namely- Tamil Nadu, Jammu and Kashmir, Meghalaya, Tripura, Puducherry, Maharashtra, Goa and Daman Diu.

The State-wise summary of the compliance status, including the updated status based on the information received from SPCBs/PCCs is given at Annexure-IX.

- i. As per the data received from 25 SPCBs/PCCs, out of total 44838 number of industries requiring ETPs, 44100 industries are operating with functional ETPs and 439 industries are operating without ETPs. Show-cause notices and closure directions have been issued to 164 and 284 industries respectively for operating without ETPs. Legal cases have been filed against 5 industries and action is under process for 259 industries. Out of 44100 operational industries, 42035 industries are complying with environmental standards and 701 industries are non-complying. Show-cause notices and closure directions have been issued to 388 and 138 industries respectively for non-compliance. Legal cases have been filed against 4 industries and action is under process for 179 industries.
- ii. As per the data received from 25 SPCBs/PCCs, there are total 97 CETPs, out of which 84 CETPs are complying with environmental standards and 11 CETPs are non-complying. Show-cause notices and closure directions have been issued to 7 and 4 CETPs respectively for noncompliance. Legal cases have been filed against 6 CETPs and action is under process for 2 CETPs.
- iii. As per the data received from 25 SPCBs/PCCs, there are total 3956 STPs, out of which, 3713

STPs are complying with environmental standards and 243 STPs are non-complying. Show cause notices and closure directions have been issued to 101 and 11 STPs respectively for noncompliance. Legal cases have been filed against 9 STPs and action is under process for 75 STPs.

iv. As per the data received from 25 SPCBs/PCCs, there are 20 CETPs in construction stage and 12 CETPs is in proposal stage. Whereas, for STPs, 139 projects are under construction stage and 177 projects are under proposal stage.

v. As per the data received from 25 SPCBs/PCCs, 5 SPCBs/PCCs namely- Andhra Pradesh, Goa, Himachal Pradesh, Meghalaya and Telangana are displaying OCEMS data in public domain. The links provided by Bihar, Kerala and Maharashtra are password protected and not available in public domain. Jammu and Kashmir, Madhya Pradesh, Punjab and Tamil Nadu have not provided appropriate web links. Daman and Diu, Dadra and Nagar Haveli and Karnataka have clarified that they are in the process of providing the web-links in this regard.”

6. The report dated 12.12.2018 annexes an amended Annexure 7 which relates to methodology for assessing environmental compensation and action plan to utilize the fund.

“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 (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:

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

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 PCB/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:

Sl. No.	Population* (million)	Location Factor# (LF)
1.	Less than 1	1.0
2.	1 to <5	1.25
3.	5 to <10	1.5
4.	10 and above	2.0

*Population of the city/town as per the latest Census of India
 #LF will be 1.0 in case unit is located >10km from municipal boundary

For critically polluted areas / Ecologically Sensitive areas, the scope of LF may be examined further.

- f. In any case, minimum Environmental Compensation shall be R 5000/day.

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.

3.3 As 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 are given in Annexure-III.”

7. The recommendations in this regard are as follows:-

“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 x N x R x 5 x 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 LF may be taken as prescribed in the preceding paragraphs.

- 5.2 In case of d, e and f, the Environmental Compensation may be levied based on the detailed investigations by Expert Institutions/Organizations.
- 5.3 In case of violations of GRAP, as enforced in Delhi-NCR, Environmental Compensation commended in Annexure-III may be levied to defaulting agencies.

8. Annexure 3 is as Follows:-

“Annexure-III

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
<i>Vapour Recovery Systems (VRS) at Outlets of Oil Companies</i>		
a) Not installed	Target Date	Rs. 1.0 Crore
b) 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
<i>Failure to water sprinkling on unpaved roads</i>		
a) Hot-spots	Very poor to Severe +	Rs. 25.0 Lakh
b) Other than Hot-spots	Very poor to Severe +	Rs. 10.0 Lakh

9. We are informed that a separate report is being prepared for municipal solid waste and sewage. The CPCB may also include the subject of loss

to ecological services due to illegal mining, due to deforestation or any other damage to the environment, even though the same may not be directly on account of discharge of effluents or sewage. The CPCB may also take inputs from other expert bodies such as Institute of Economic Growth, Centre for Science and Environment (CSE), The Energy and Resources Institute (TERI) and Indian Institute of Forest Management, Bhopal.

10. We may also note that directly linked to the subject of contamination of water by discharge of untreated effluents and sewage is the issue of remedial action to be taken for 351 critically polluted river stretches identified by the CPCB which is subject matter of consideration before this Tribunal in *Original Application No. 673/2018, News item published in "The Hindu" authored by Shri Jacob Koshy titled "More river stretches are now critically polluted: CPCB.*
11. Vide orders dated 20.09.2018 and 19.12.2018, the Tribunal directed the concerned States to prepare action plans to bring the water quality as per prescribed standards. This direction implies taking of steps to set up STPs/ETPs/CEPTs and to monitor their proper functioning. Thereafter, on 16.01.2019, in *Original Application No. 606 of 2018 Compliance of Municipal Solid Waste Management Rules, 2016*, the Tribunal directed presence of Chief Secretaries of all the States on different dates with a view to review the progress in different States on vital issues affecting environment. Such vital issues specifically include:

- a. Status of compliance of SWM Rule, 2016, Plastic Waste Management Rules, 2016 and Bio-Medical Waste Management Rules, 2016 in their respective areas.
 - c. Status of the Action Plan in compliance vide order dated 20.09.2018 in the News Item published in "The Hindu" authored by Shri Jacob Koshy Titled "More river stretches are now critically polluted: CPCB (Original Application No. 673/2018).
 - d. Status of functioning of Committees constituted in News Item Published in "The Times of India" Authored by Shri Vishwa Mohan Titled "NCAP with Multiple timelines to Clear Air in 102 Cities to be released around August 15" dated 08.10.2018
 - e. Status of Action Plan with regard to identification of polluted industrial clusters in O.A. No. 1038/2018, News item published in "The Asian Age" Authored by Sanjay Kaw Titled "CPCB to rank industrial units on pollution levels" dated 13.12.2018.
 - f. Status of the work in compliance of the directions passed in O.A. No. 173 of 2018, Sudarsan Das v. State of West Bengal & Ors. Order dated 04.09.2018.
 - g. Total amount collected from erring industries on the basis of 'Polluter Pays' principle, 'Precautionary principle' and details of utilization of funds collected.
 - h. Status of the identification and development of Model Cities and Towns in the State in the first phase which can be replicated later for other cities and towns of the State.
12. In view of above, we consider it appropriate to clarify that the Chief Secretaries may specifically look into the subject of setting up and proper functioning of STPs/CETPs/ETPs in their respective jurisdiction. The directions of CPCB in the present case may have a bearing on the said proceedings. Accordingly, we direct the CPCB to forward a copy of its report to all the Chief Secretaries so that the same

can be looked into before the Chief Secretaries appear before this Tribunal with the progress report in the matter.

13. The CPCB may also compile its monitoring report with reference to 97 CETPs installed in different States after undertaking study about status of their efficient functioning and remedial steps required in the matter. This matter is directly linked to the remedial steps for 100 critically polluted industrial clusters being dealt with by this Tribunal in *Original Application No. 1038 of 2018*, News item published in "The Asian Age" Authored by Sanjay Kaw Titled "Central Pollution Control Board to rank industrial units on pollution levels" wherein certain directions have already been issued to the CPCB for coordination of the steps to be taken. The issue is also being considered in *Original Application No. 95/2018, Aryavrat Foundation Vs. M/s Vapi Green Enviro Ltd. & Ors.* and has been dealt with vide order dated 11.01.2019. The same is now listed on 19.03.2019. The CPCB may furnish its report in the matter in the said case. A copy of this order be placed in the files of *Original Application No. 606/2018*, *Original Application No. 673/2018* and *Original Application No. 1038/2018*.

14. We note the statement made by the learned Counsel for the CPCB that the following States have not furnished the relevant data to the CPCB:

- a) Assam
- b) Delhi
- c) Haryana
- d) Jharkhand
- e) Lakshadweep
- f) Manipur

g) Uttar Pradesh

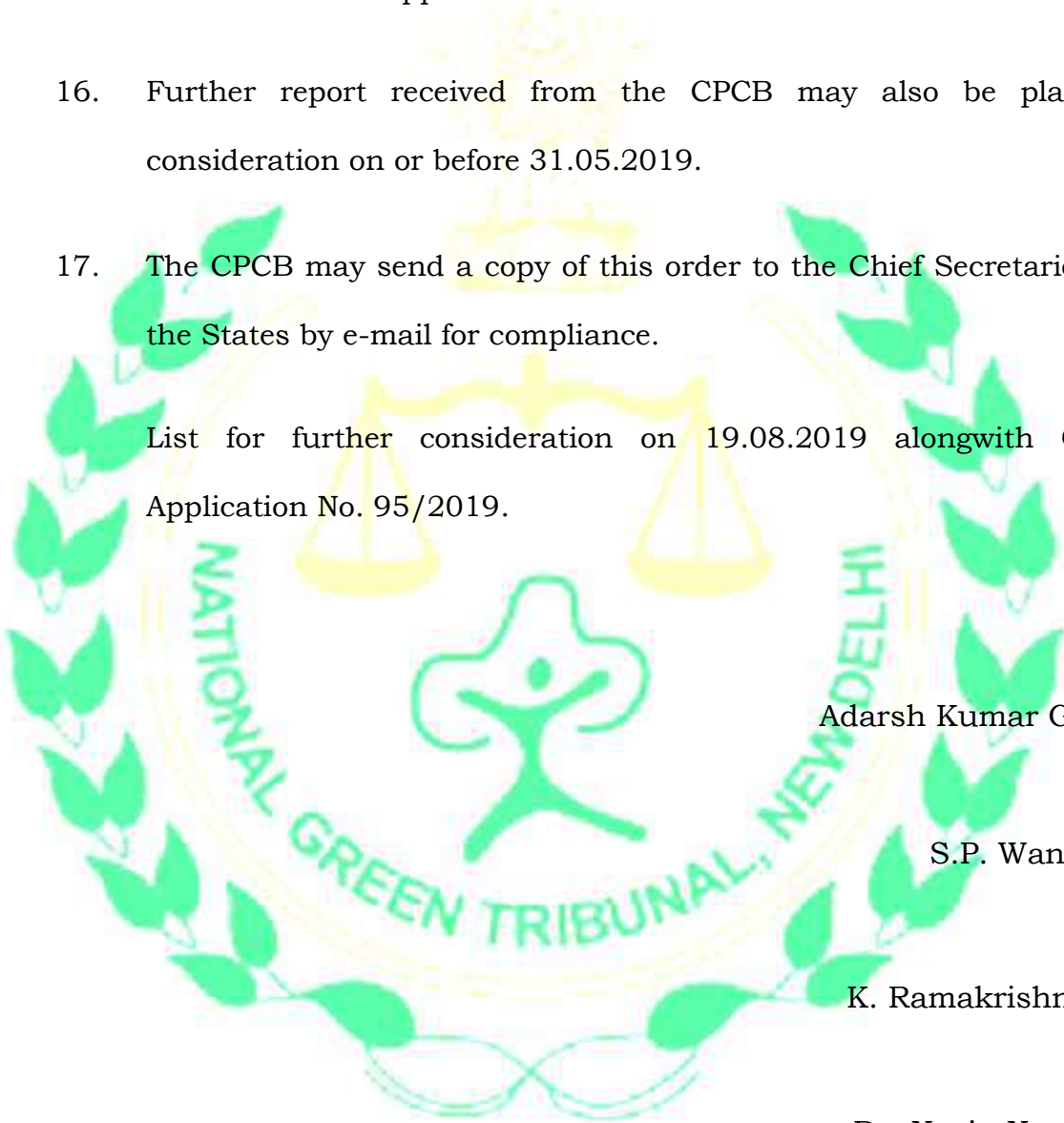
h) Uttarakhand

15. This aspect may be looked into by the Chief Secretaries and progress on the subject may be furnished by the concerned Chief Secretaries at the time of their appearance before this Tribunal.

16. Further report received from the CPCB may also be placed for consideration on or before 31.05.2019.

17. The CPCB may send a copy of this order to the Chief Secretaries of all the States by e-mail for compliance.

List for further consideration on 19.08.2019 alongwith Original Application No. 95/2019.



Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

February 19, 2019
Original Application No. 593/2017
(W.P.)(Civil) No. 375/2012)
P & DV

Item No. 05

Court No. 1

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

Original Application No. 739/2018

Residents of Gram Panchayat Varahiya

Applicant(s)

Versus

State of M.P.

Respondent(s)

Date of hearing: 21.02.2019

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):

For Respondent (s):

ORDER

1. The issue for consideration is the dust pollution by stone crusher in District Satna, Madhya Pradesh. It is alleged that the stone crushers are operating illegally within the distance of 5 to 10 meters from National Highway which is against the siting policy.
2. Vide order dated 19.11.2018, a Joint Committee of representatives of Central Pollution Control Board (CPCB), State Pollution Control Board (SPCB) and the District Magistrate, Satna was directed to furnish a report in the matter. SPCB is the nodal agency for coordination.
3. Accordingly, report dated 02.01.2019 has been received to the effect that a joint inspection was carried out on 19.12.2018 and five stone crushers were found to be in the prohibited distance, as shown in the following table:

<i>Sl. No.</i>	<i>Unit</i>	<i>Aerial distance from NH-7</i>	<i>First Consent to Operate granted by MMPCB on</i>
1.	<i>M/s S N S Minerals Ltd, Vill. Reusa, (SNS-1)</i>	<i>50 meters</i>	<i>22.08.2009</i>
2.	<i>M/s K C Aggregate, Village Reusa</i>	<i>70 meters</i>	<i>16.06.2003</i>
3.	<i>M/s Subhash Construction. Village Reusa</i>	<i>63 meters</i>	<i>17.10.1998</i>
4.	<i>M/s Taaran Taran Stone Crusher, Vill. Reusa</i>	<i>75 meters</i>	<i>17.10.2000</i>
5.	<i>M/s Star Minerals, Village Reusa</i>	<i>21 meters</i>	<i>21.12.2004</i>

The prohibited distance is 100 meters from the highway.

4. The status of pollution control measures was also examined. Recommendations were made to close the stone crushers, including their captive mines in violation of siting criteria. Show cause notices have been recommended against 14 stone crushers for not implementing pollution control measures which have been set up, including their captive mines. The stone crushers to be closed are:

- “1. *M/s S N S Minerals Ltd, Vill. Reusa, (SNS-1)*
2. *M/s K C Aggregate, Village Reusa*
3. *M/s Subhash Construction. Village Reusa*
4. *M/s Taaran Taran Stone Crusher, Vill. Reusa*
5. *M/s Star Minerals, Village Reusa”*

5. The stone crushers to whom notices have been recommended are:

- “1. *M/s S N S Minerals Ltd, Vill. Reusa, Satna (SNS-2)*
2. *M/s Balaji Minerals & Stone Crusher, Village Reusa (SNS-3)*
3. *M/s S N S Minerals Ltd, Village Reusa, Satna (SNS-4)*
4. *M/s Piyush & Company, Village Reusa, Satna*
5. *M/s Navin Stone Crusher. Village Reusa, Satna*
6. *M/s Neelam Stone Crusher, Village Reusa*
7. *M/s Jai Bajrang Stone Crusher, Tilaura, Satna*
8. *M/s Neha Stone Crusher, Village Bheda*
9. *M/s Vindh Vahani Stone Crusher, Bathida Village*
10. *M/s Sai Stone Crusher, Bathida Village*
11. *M/s Swami Neelkanth Crusher (1), Bathida Village*

12. *M/s Swami Neelkanth Crusher (2), Bathida Village*
13. *M/s Mahadev Infra (Modernized stone crusher), Satna*
14. *M/s L&T Crusher, Sirmili Village”*

6. An action taken report has also been filed stating that closure order dated 26.12.2018 has been passed against the five stone crushers operating in violation of siting criteria and show cause notices have been issued against the stone crushers for not implementing pollution control measures.

7. From the above, it is clear that inspite of fact that the stone crushers have been found to be operating illegally, no compensation has been assessed and recovered for causing damage to the environment by illegally activities. As laid down by this Tribunal repeatedly¹, the Regulatory Authorities are not only required to prohibit illegal polluting activities but they are also required to recover compensation for the damage caused apart from prosecution or other steps so as to render polluting activities to be unprofitable. Failure to do so may call for action against the regulatory authorities themselves.

8. In view of above, before we consider any action, we expect the SPCB to furnish a further report in the matter within one month by e-mail at negt.filing@gmail.com.

9. The assessment of damages may be made by the same Joint Committee and further action may be taken by the SPCB, in exercise of its

¹ Order dated 04.01.2019 in Threat to life arising out of coal mining in south garo hills district v. State of Meghalaya & Ors., OA No. 110(THC)/2012, Order dated 11.01.2019 in Aryavrat Foundation Vs. M/s Vapi Green Enviro Ltd. & Ors., O.A. No. 95/2018, Order dated 16.01.2019 in Compliance of Municipal Solid Waste Management Rules, 2016, OA No. 606/2018, Order dated 24.01.2019 in Mayank Manohar & Paras Singh, Reporter Times of India v. Govt. of NCT of Delhi & Ors., OA No. 601/2018.

statutory powers, after following due procedure. The Joint Committee will be at liberty to co-opt a mining expert.

10. The Joint Committee may verify whether the polluting activities have been now stopped in terms of the recommendations.

List for consideration of the report on 03.05.2019.





64

CENTRAL POLLUTION CONTROL BOARD
Regional Directorate (North), Lucknow

INSPECTION REPORT

M/s Bajaj Hindusthan Sugar Ltd., Distillery Unit, Gola Gokarannath, Lakhimpur Kheri, U.P

In compliance of HO letter No. B-76/PCI-III/2K19-2K20/274 dated 04.04.2019, M/s Bajaj Hindusthan Sugar Ltd., Distillery Unit, Gola Gokarannath, Lakhimpur Kheri, Uttar Pradesh was inspected on **24th April, 2019** for compliance verification of the unit and to provide overall compliance status of the unit, with respect to the SCN issued on 14th Jan, 2019. The observations and recommendations regarding the unit are as below:

1. GENERAL INFORMATION

1	Name and address of the factory	M/s Bajaj Hindusthan Sugar Ltd., Distillery Unit, Gola Gokarannath, Distt. Lakhimpur Kheri Uttar Pradesh	
2	Period of visit	24-04-2019	
3	CPCB officials visited	Designation	Contact No & e-mail
	1. Sanjay Kumar	Scientist C	7017699093
	2. Prateek Srivastava	JRF	8318568529
	Factory officials interacted	Designation	Contact No & e-mail
	1. M.C. Upreti	GM (D)	9919001308 mcupreti.gola@bajajhindusthan.com
	2. Manoj Dwivedi	Manager	9918006904 manojdwivedi@bajajhindusthan.com
4	Year of Commissioning	1945	
5	Manufacturing Process	Fermentation & Distillation	
6	Licensed capacity of Distillery (KLPD)	100 KLD (25003 KL/Anum)	
	Present Production in KLPD	60 KLD	
	Products Manufacture KLPD		
	RS	-	
	ENA	-	
	Absolute Alcohol/Ethanol	60 KLPD	
7	Raw Material requirement per day		
	Molasses (in Qtls)	2800 Qtls	
9	Status of consents and authorization (Validity/applied)	Air	Yes, valid upto 31-12-2019
		Water	Yes, valid upto 31-12-2019
10	Estimated no. of operating days during the season	270 days	
11	Process Details (attach mass balance, water balance & process flow diagram)	Annexure -1 enclosed.	

Sanjay Kumar

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(Based on 1-month observation)
2. Water Pollution and its Control

1.	Water Supply Source	Borewells	
2.	No. of Bore wells	2	Cap-90 & 150 m ³ /hr HP- 25 & 60
3.	Water consumption (KLD)	942	(Taken average value during 1-4-19 to 23-4-19)
4.	Log Book Maintained Yes/No	Yes	
5.	One day reading Initial	B1: 15550 B2: 250608	
	Final	B1: 15557 B2: 251326	
6.	CGWA Permission	Applied	

- If more than one water source take reading separately

(Based on 1-month observation)
3. Waste Water Generation (KLD)

1.	Stream/section	Quantity, m ³ /day	Disposal/utilization
2.	Spent wash generation	861	Utilized
3.	Fermenter dilution process	-	-
4.	Spent lees	93	Utilized
5.	Fermenter washing	75	do
6.	Process condensate	372	do
7.	Floor washing	10	do
8.	Cooling tower blow down	45	do
9.	Boiler blow down	-	-
10.	DM plant reject	-	-
11.	Others	-	-

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(Based on 1-month observation)
4. Bio-Methanation Plant Performance

Setting cum cooling tank capacity = 75 M³ (if any)
Setting cum cooling tank RT = --days (Not provided)

Digester design basis= Hydraulic Retention Time = 24 days (15-24 days)
= Organic Loading Rate = 10 kg/M³ /Day
= Volume = 20945 M³

Type of Technology = CSTR/UASB/ Thermophilic/ Hybrid

Date of observation-	Minimum Performance parameters	Actual Values
Feed rate, M ³ /Day		681
0Brix, (Inlet/Outlet)		12 / 10
pH, (Inlet/Outlet)		4.5 / 7.5
COD, mg/L (Inlet/Outlet)		120000 / 45000
BOD, mg/L (Inlet/Outlet)		50000 / 5000
COD reduction %		60-62
BOD reduction %		85-90
Biogas generation, NM ³ /Kg of COD consumed		0.5
Biogas generation, M ³ /Day		25000

Other observations related to Bio-digester

No. of days of operation of digesters (days/annum)	270
Re-stabilization method and period required.	Adding cow dung & nutrients once in a month.
How digester is maintained during ideal days?	Details not provided.
Year of establishment of the digester.	UASB 1993, SMAT 1998 & MESO 2003
How temp of digester is maintained?	Details not provided.
Total biogas generated(M ³ /annum) and bagasse/coal saved.	6000000 M ³ & 12000 MT
Whether digester has been revamped? If yes, how many times &for what purpose?	N.A.
Sludge generation from digester and how the sludge is disposed off?	In Bio-Composting
Log Book records supporting biogas plant performance.	Yes
Present Bottle-necks/problems-	During visit no problem reported.

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(Based on one-month observation)
5. Waste Management

Date-	Quantity		
	KLD		Disposal/utilization
1. Sludge (Slurry fermentation)	10 KL		Use in Bio-compost
2. Boiler Ash	NA	Distillery unit has no separate boiler, however boiler in sugar unit is used to fill the requirement.	Presently dumped in old lagoons which are not in use.
3. Disposal/utilization	-		
4. Log book maintained Yes /No	Yes		

(Based on one-month observation)
5. Information regarding MEE

Setting tank capacity before MEE =	1270 M3
Year of installation/establishment & commissioning of MEE plant -	2009
Type of technology of MEE. -	Multiple Effect Evaporation System.
Number of Effects with their HTA and MOC. Number of stand-by bodies and degasser provided -	02 nos of evaporator, HTA 767 M ² , MOC-Tubes SS 304 & 316
Designed feed capacity and evaporation duty of MEE (M3/day) -	1040 M ³ /Day & evaporation duty- 520 m3/day
Acceptable level of suspended solids, dissolved solids etc in the feed -	6000000 M ³ & 12000 MT
Whether digester has been revamped? If yes, how many times & for what purpose?	8-14 %
No of days of operations -	270
What is the frequency and duration of cleaning?	15 Days followed by 8 hrs CIP.
Log Book supporting MEE plant performance -	Yes

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(Based on 1-month observation)

6. Further treatment/disposal of Condensate/Concentrate

6.	Type-			
7.	Capacity			
8.	No. of Effects			
9.	MEE feed rate	Kg/hr	46.4	Sp. Gr.-
10.	Feed rate @ Sp.Gr.(Approximate)	Kg/hr	46400	
11.	Solid content in feed/brix	%/ degree	8 – 14	
12.	Water evaporation rate(Minimum)	Kg/hr	23200	
13.	Concentrate Generation	Kg/hr	23200	
14.	Solid content in concentrate Generation /brix	%/degree	24	
15.	Steam required for water evaporation	Kg/hr	8000 – 10000	
16.	Cooling water circulation rate	M ³ /hr	100	
17.	Power consumption for Evaporation	KWH	255	
18.	Feed temperature	°C	34	
19.	Steam pressure/temperature	Kg/cm ² /0C	3.5/ 180 Deg.C	
20.	Steam Economy, (Kg water/kg steam)	Kg	2	
21.	Operation hour	Hr / day-or week or month	24	
22.	Frequency of CIP	Hr/ day or week or month	8 hrs/15 Days	
23.	Quantity of CIP effluent	M ³ /hr	20	
24.	Quantity of process condensate	M ³ /hr	23.2	
25.	MEE Feed pH TSS TDS		7.75-7.90 1% 10-12%	
26.	Concentrate Colour Temp pH TSS TDS		Dark Brown 50° C 7.5-7.6 - 18-20%	
27.	Condensate Colour Temp pH TSS TDS COD		Colour Less 50 6.8 - - 3000	
28.	Whether MEE achieving design efficiency		Yes	

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29.	Whether MEE operated continuously		Yes	Not in operation during visit
30.	Details of online flow measuring device installed for MEE inlet		Make Endress+Hauser Model - Promass 40	Whether Operating Satisfactorily- Not working during visit
31.	Details of online flow measuring device installed for MEE outlet		-Do-	Whether Operating Satisfactorily- Not working during visit
32.	Utilisation of MEE condensate	Use in C. Tower Makeup		
33.	Utilisation of MEE concentrate	Use in Bio composting		

(Based on 1-month observation)

7. MEE output Characteristics

Particulars	Conc. spent wash	Process Condensate
Quantity, M3/day	520	520
PH	7.5-7.6	6.8
Temperature, degree C	50	50
BOD,ppm	12000-15000	1000
COD,ppm	110000-120000	3000
Total solids,%	20-24	-
Total dissolved solids,%	18-20	-
Total suspended solids,%	NA	NA
Ammonical Nitrogen (asN),ppm	2-3	1-2

(Based on 1-month observation)

8. Details of RO Plant

NOT APPLICABLE

- a) Setting tank capacity before RO = M3 (if any): NA
- b) Year of installation/establishment & commissioning of RO plant: NA
- c) Type of technology of membrane filtration: NA
- d) Number of membranes per module & number of modules: NA

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- e) Designed feed capacity of R.O. (M3/day): NA
 f) Acceptable level of suspended solids, dissolved solids & other membrane affecting components in the feed: NA
 g) No of days of operations: NA
 h) Log Book supporting RO plant performance: NA
 i) Further treatment/disposal of Permeate/Reject: NA

RO plant Performance (NOT APPLICABLE)

Particulars	Inlet (Feed)		Reject		Permeate		Rinsing back wash		Chemical Cleaning	
	Initial reading M ³ /day	Final reading M ³ /day	Initial reading M ³ /day	Final reading M ³ /day	Initial reading M ³ /day	Final reading M ³ /day	Initial reading M ³ /day	Final reading M ³ /day	Initial reading M ³ /day	Final reading M ³ /day
Quantity, M ³ /day										
	Inlet (Feed)		Reject		Permeate					
Recovery, %										
Colour										
pH										
Conductivity, ms										
BOD, ppm										
COD, ppm										
Total solids, %										
Total dissolved solids, %										
Total suspended solids, %										

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Information regarding RO (NOT APPLICABLE)

Details of pre-treatment	NA	
Whether RO achieving designed parameters	NA	
Whether RO operated continuously	NA	
Utilization of RO permeate	NA	
Utilization of RO reject	NA	

(Based on 1-month observation)

9. Information regarding CPU
(NOT APPLICABLE)

1	Capacity	NA	
2	sources of effluent coming into CPU	NA	
3	Quantity coming /day	NA	
4	Inlet characteristics	NA	
5	Out let characteristics	NA	
6.	Quantity Utilized per day	NA	

Date of installation of CPU unit: NA

Name of plant/technology supplier: NA

Type of technology of CPU plant: Conventional /RO/Striper/Photo-oxidation/In house technology etc): NA

Design capacity of CPU unit (M3/day) and feed characteristics considered: NA

Low strength effluents treated though CPU& their quantities (Process condensate, permeate, spentlees, etc): NA

Recovery(%)and characteristics of treated water and its further utilization details: NA

Is there any reject generated and how it is disposed? NA

Total fresh water consumption after reuse of treated low strength effluents. NA

L. Jay Kumar.

D. Srinivasulu

CPU Performance (NOT APPLICABLE)

Particulars	Mixed Influent	Treated effluent
Quantity,M3/day	NA	NA
Colour	NA	NA
PH	NA	NA
Temperature,degreeC	NA	NA
BOD,ppm	NA	NA
COD,ppm	NA	NA
Total solids,%	NA	NA
Total dissolved solids,%	NA	NA
Total suspended solids,%	NA	NA
Volatile acids	NA	NA
Total Alkalinity	NA	NA

Log Book records supporting CPU performance.

10. Information regarding Bio-composting

- **30 days holding tank capacity with dimensions and construction details.-**
4 Large Lagoons exist at the unit, reported that lagoons were made of brick soling after compact sand filling & LDPE lining.
- **Bio-compost yard details Impervious bio-compost yard (PCC-1:3:6 or RCC-1:2:4 or brick on edge) with construction details.-**
Brick soling after compact sand filling & LDPE lining.
- **Area of impervious bio-compost yard (uncovered and covered) with bio-compost storage area.**
Bio compost storage area = 1.1 Acre
Active area of Bio-compost = 22.69 Acre
- **Number & type of turning & mixing machine – Aero-tillers 2 nos**
- **Number of Bore well around compost yard - 03 (Hand Pump)**
- **Number of Pizo meters around the compost - Nil**
- **Spent wash available for bio-composting(M3/Annum) and spent wash characteristics.**

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Approx 158220 M3/Annum

- **Log Book supporting bio-compost plant operations - No**
- **Bio-compost filler material availability (Press mud/Yeast sludge/Boiler ash) (MT/day or MT/annum). – Press-mud 95000 MT/Annum Appox.**
- **Record of Press mud produced or purchased from outside.**

Press-mud is provided by sugar factory of the unit, record maintained.

- **Average Press mud to spent wash mixing ratio.- 1:1.6 (with concentrate)**
- **Windrows size (Length x width x height) – 100-115 m X 2.5 m X 1.0m (Approx.)**
- **Bio-compost cycle (45 days or 60 days) and number of cycle per annum.**

Approx. 45-60 Days & 4 Cycle

- **Bio-compost analysis report. - Yes**
- **Material balance for bio-compost. – Yes**
- **Record of bio-compost produced and sold with selling price of bio-compost (Rs./MT).**

Rs. 525/MT, record maintained.

- **Bio-compost sold in loose or bag packing. Bag only (as reported)**

1	Active Area for Bio-composting	22.69 Acre	
2	Area for press mud Storage	2.12 Acre	
	Area for Ready Bio-compost storage	1.11 Acre	
3	Finished compost packing facility	Available	
4	Maturity time in days for one cycle & total cycle in year	45-60 4cycle	
5	Spent wash storage capacity: Raw SW BMSW MEE	Very large lagoons were found	
6	Availability of press mud (own) Quantity required	95000 MT	
7	Utilization of S.W/ Conc SW in bio-composting	Average No of days of spraying SW in cycle: 45-60 days Avg. SW quantity sprayed in a Day : 400-500 KL	
8	Ratio of press mud to spent wash	1:1.64	
	Details of windrows	100-115 m X 2.5 m X 1.0m	
	Number	45	
	length	110-115 M	

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	Height	1.0 M	
	Width of stacking	2.5 M	
	Space between the two windrows	3.0 M	
10	Equipment's Aero-tillers JCB Tractor Loaders	2 1 4 1	
11	Details of registration required from agriculture department, as per new notification of Compost	Licence taken by the unit (Licence No. 93795)	
12	Arrangement for rainy season and details regarding closure of operations for 03 months during monsoon	Pumps are attached on leachate drain to transfer the leachate / rain water to lagoon	
13	Details of PTZ cameras provided and connectivity.	PTZ Camera installed. 1. Lagoon area - Yes 2. Bio-compost area-Yes 3. Operating satisfactorily-Yes	
14	Quantity of Compost prepared	Oct18 to March19-252372.27 Qtls	
15	Quantity of press mud procured.	Oct18 to March19-749749.00 Qtls	

11. Information regarding Air pollution /Incineration Boiler (NOT APPLICABLE)

- Date of installation: NA
- Design basis: Slop and subsidiary fuel ratio, calorific values and feed rates considered to finalize capacity and other details: NA
- Boiler/Technology Supplier details and type of boiler: NA
- Boiler capacity, pressure, temperature and other details: NA
- Boiler performance details: Including slop and subsidiary fuel actual ratio achieved, no of working days, shut down days-cleaning period required, steam generation (MT/hr), steam pressure & temperature etc.: NA
- Emission control system installed, its details, analysis report.: NA
- Problems faced in operation and maintenance of Boiler.: NA
- Quantity of ash generated (MT/day), its characteristics and method of disposal etc.: NA
- Log Book records supporting incineration boiler performance.: NA

1	Capacity	NA	
2	Type of fuel used with consumption/day	NA	
3	Stack details Height	NA	
4	ESP	NA	
5	Stack monitored	NA	

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Observations of Inspecting Team:

1. At the time of inspection, the unit was found operational, engaged in production of Absolute Alcohol/Ethanol.
2. The unit has licensed capacity of distillery for 100 KLD, however only 60 KLD was produced during visit as reported by the representative of the unit.
3. The unit has valid consent under Water and Air Acts valid upto 31.12.2019.
4. The unit has installed two (02) borewells for their freshwater requirement. Flowmeters on borewells were found installed along with logbooks.
5. The unit has applied for the NOC of CGWA on 29-03-2018. NOC is still pending from CGWA.
6. During visit, it is reported that the unit is operational on Zero Liquid Discharge (ZLD) by installing MEE of 02 effect with large storage lagoons and bio composting yards.
7. During visit, the MEE of the unit was found non-operational. It is reported that MEE is not working due to fault in power cable.
8. The flowmeter installed at MEE feed, MEE Concentrate, MEE condensate were not showing any reading. Unit representatives reported again; flowmeters have no power supply due to fault in power cable.
9. After 24 hrs of the visit, the fault in power cable of MEE could not be removed by the unit. No condensate water in condensate storage tank. Therefore, the regular operation of existing MEE is doubtful.
10. Samples of MEE condensate and concentrate could not be collected by visiting team as non-operation of MEE.
11. The unit has 4 large lagoons (made of brick & lined) spread over in an area of approximately 39000 square meter which was filled with spent wash, bio-methanated spent wash and concentrate. Out of 4 lagoons, one was found under dismantling process by filling of fly-ash from sugar factory of the unit. The gauge installed in these lagoons for measurement of depth were not found calibrated. It is reported that half of the lagoons are containing settled sludge. As per large area of lagoons, unit is violating the direction regarding the capacity of lagoon reduced to 30 days equivalent of concentrated spent wash generation. It is reported that unit is generating concentrated spent wash 520 m³/day at full capacity of production which is high. Therefore, unit should reduce the existing capacity of impermeable lagoons to 15600 m³ in totality (i.e. combined capacity of all lagoons should not more than 15600 m³).
12. Beside this, a large katcha lagoon was also containing coloured effluents which was under process of dismantling by filling fly-ash from its sugar factory of the unit. The process of dismantling of katcha lagoon was very slow which may take several months to dismantle it completely.
13. Unit representatives reported that, all MEE condensate approx. (454 kl/day) are totally consumed in cooling towers which is doubtful in case of non-functional of MEE.
14. The installation of new 5 stage MEE was found under progress to reduce the generation/volume of concentrated spent wash.
15. During visit, the inspecting team collected the samples from various location/lagoons of the unit, analysis result is represented below.

Sample Code/Location	pH	Colour (Hz)	SS (mg/l)	TDS (mg/l)	BOD (mg/l)	COD (mg/l)
Spent Wash in Lagoon (SP-02)	4.23	--	27130	88273	69000	127749
Bio Gas Digester Overflow/ MEE Inlet (SP-01)	8.22	80000	7520	28804	19100	42234
MEE Concentrate	Samples could not be collected by visiting team as non-operation of MEE.					
MEE Condensate						
Katcha Lagoon under dismantling process (SP-03)	9.25	80000	2251	28799	9300	19028

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16. As per logbooks of the unit, total fresh water consumption at the unit is around 942 KLD.
17. The unit has not installed STP for the treatment of domestic waste water generated at the unit.
18. The unit has 22.69 acre active area for bio composting, which is divided into three parts. Only three handpumps were found installed in bio-compost area for monitoring purpose. Piezometer wells were not found in bio composting area. As per SOP of bio-composting dated 10-08-2018, unit should require to install at least 7 to 8 piezometric well as per standard procedure and specifications.
19. During visit, the covered shed storage facility for ready compost was unsatisfactory. No sample bags of bio-compost were found stored for sale purpose. Therefore, bagging of bio-compost is still doubtful.
20. Three samples of groundwater from handpumps installed in bio-composting area were also collected to record the groundwater quality, analysis result is represented below.

Sample Code/ Location	pH	Colour (Hz)	Alkalinity (mg/l)	COD (mg/l)
Handpump-1 (SP-04)	6.69	50	522	32
Handpump2 (SP-05)	6.75	100	478	10.1
Handpump3 (SP-06)	6.79	150	424	35.7
DWS as per IS-10500 (2012) Acceptable Limit	6.5 to 8.5	5	200	--

21. The analysis results of the groundwater samples reveal that the concentration of Colour & Alkalinity in all three handpumps are higher than the acceptable limits of drinking water standards. Presence of high colour and COD in groundwater are showing the impact of leaching of effluent into groundwater. The existing bio compost yards and lagoons are may not be impermeable.
22. Two PTZ cameras were found installed at unit, one at Lagoon and another on bio-composting area.
23. During visit, bagging and sealing of bio-compost were not found. It is reported that bagging and sealing of bio-compost shall be done when demand arrives.

Conclusion:

1. As the unit was found operational without functioning of MEE during the visit. Therefore, regular operation of existing MEE is doubtful. The possibility of non-functioning of existing MEE cannot be ruled out.
2. Katcha lagoon was found filled with colour effluent, not dismantled completely. It has still large area to be dismantled. Therefore, unit is not complying.
3. The unit has still very large lagoons for storage of concentrated spent wash (i.e. more than 30 days equivalent of concentrated spent wash generation). Therefore, unit is not complying.
4. Unit has large bio composting area, which is divided into three parts. Only three handpumps were found installed in bio-compost area for monitoring purpose. As per SOP of bio-composting dated 10-08-2018, Piezometer wells were not found installed in bio composting area and lagoons. Therefore, unit is not complying.
5. As analysis result of groundwater samples of handpumps in bio-composting area shows presence of high colour & COD in groundwater. Hence unit is not complying.
6. The unit has proper catch pits & drains around the bio-composting yard. Therefore, unit is complying.
7. The unit has installed PTZ Cameras as per CPCB guidelines which is connected to CPCB server. Therefore, unit is complying.
8. Unit has applied to obtain NOC from CGWA for extraction of groundwater. Therefore, unit is complying.
9. The unit should reduce the generation/volume of concentrated spent wash by commissioning of new 5 (five) effect MEE which is still under the process of erection.

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10. The unit should reduce the existing capacity of impermeable lagoons to 30 days equivalent of concentrated spent wash generation.
11. As per SOP of bio-composting dated 10-08-2018, unit should require to install at least 7 to 8 piezometric well as per standard procedure and specifications.
12. As the unit is not complying w.r.t. sl no. 2 to 5 mentioned above, suitable directions under Section 05 of Environment (Protection) Act, 1986 may be issued.

Name of Inspecting Officials and Signature:

- Sh. Sanjay Kumar, Scientist 'C',
CPCB, RD Lucknow
- Sh. Prateek Srivastava, JRF
CPCB, RD Lucknow

Sanjay Kumar
17/06/19

Prateek Srivastava
17/06/19

Concluding Remarks by Regional Director:

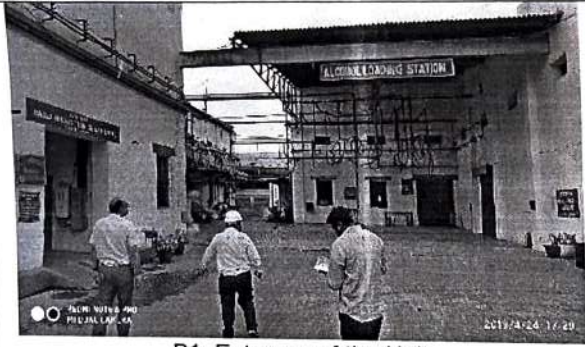
As per observations & findings of inspecting team, the unit is found non-complying w.r.t. non operation of MEE, Katcha lagoons, large lagoons for concentrated spent wash, groundwater contamination and lack of proper groundwater quality monitoring network. Therefore, appropriate direction may be issued with laying of suitable environmental compensation on the unit.

(S. K. Gupta)
17/06/19
(S. K. Gupta)
Regional Director

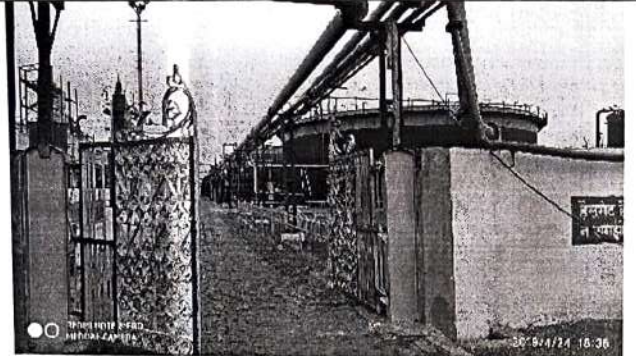
ANNEXURES:

Annexure	Description
1	ETP analysis report carried out as per sample taken during the visit. (Enclosed)
2	ETP performance report, if any analysis is carried out by external laboratory. (Enclosed)
3	ETP details with flow diagram. (Enclosed)
4	Process flow diagram (Enclosed)
5	Water Balance Flow diagram (Enclosed)
6	Logbook of flowmeters installed at tube wells, Spent wash, MEE Feed, MEE Concentrate & MEE Condensate (Enclosed)
7	Status of consents & authorization from CPCB/ SPCB (Enclosed)
8	Alcohol production statement for F.Y. 2018-2019 (Enclosed)

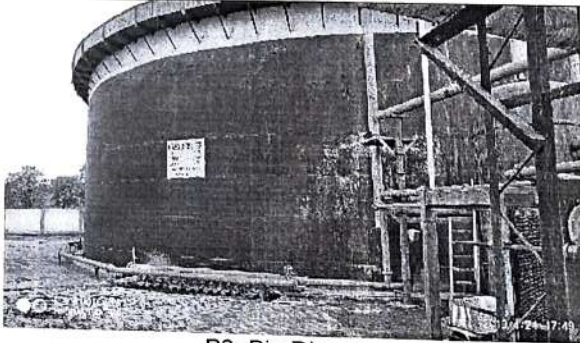
Photo Gallery of M/s Bajaj Hindustan Sugar Ltd. (Distillery Unit), Gola Gokarnath, Lakimpur Kheri, Uttar Pradesh



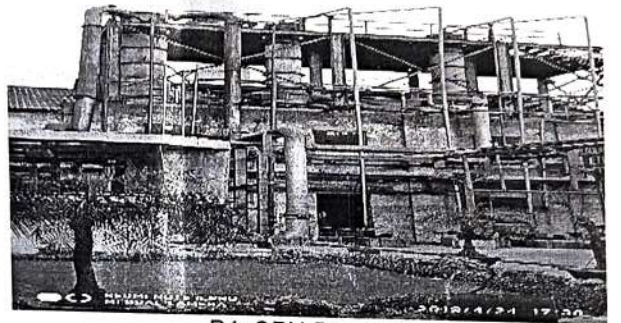
P1: Entrance of the Unit



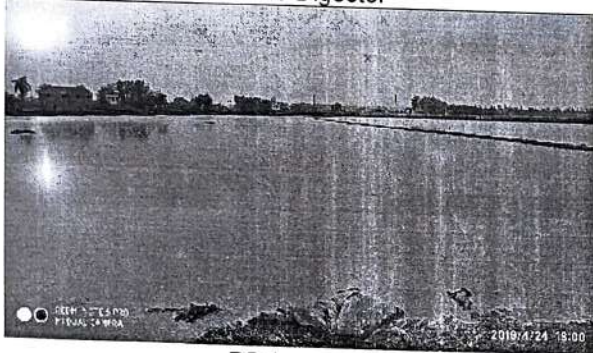
P2: ETP of the Unit



P3: Bio Digester



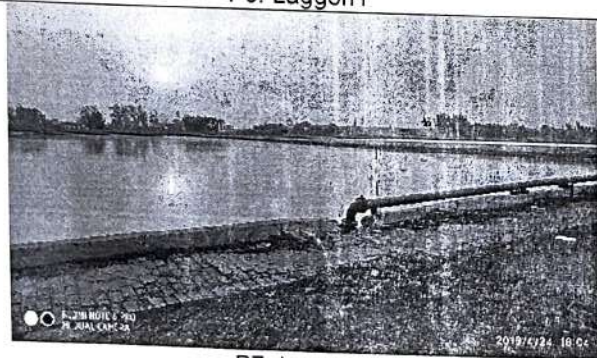
P4: CPU Digester



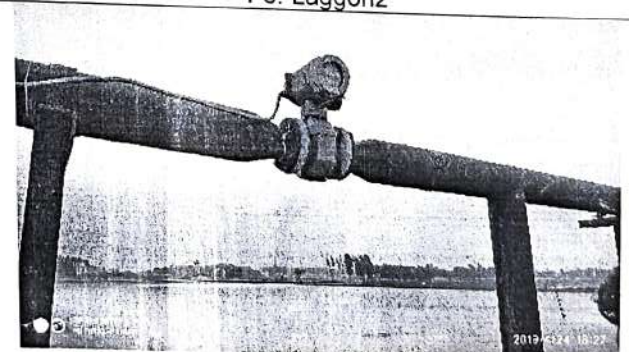
P5: Lagoon1



P6: Lagoon2



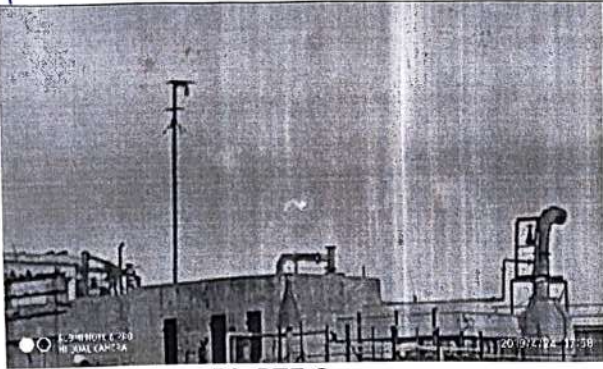
P7: Lagoon3



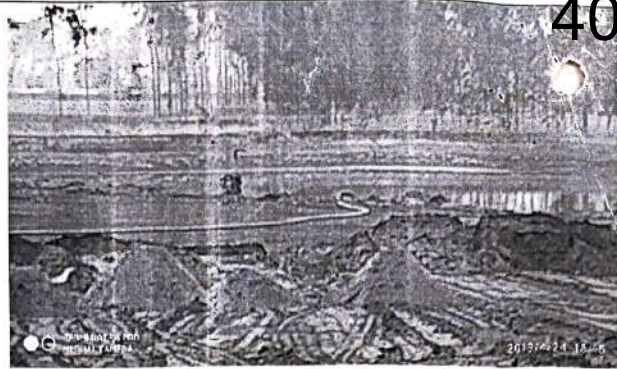
P8: Flowmeter Installed near to Lagoon

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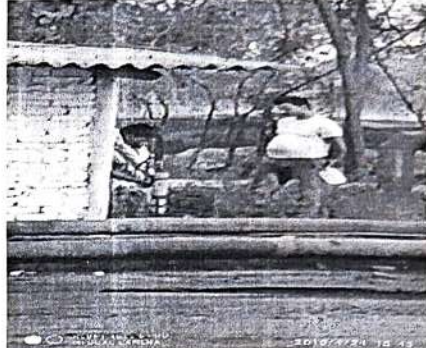
P9: PTZ Camera



P10: Katcha Lagoon under dismantling Process



P11: Katcha Lagoon under dismantling Process



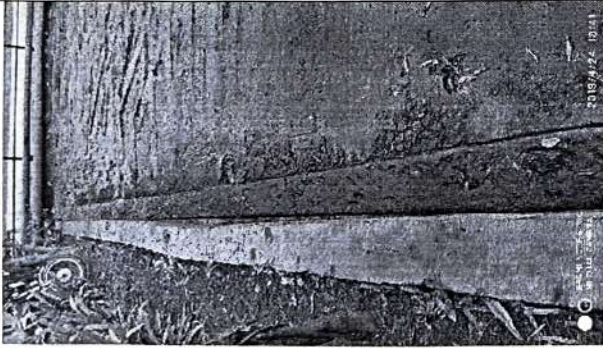
P12: Handpumps near to Bio-compost Yard



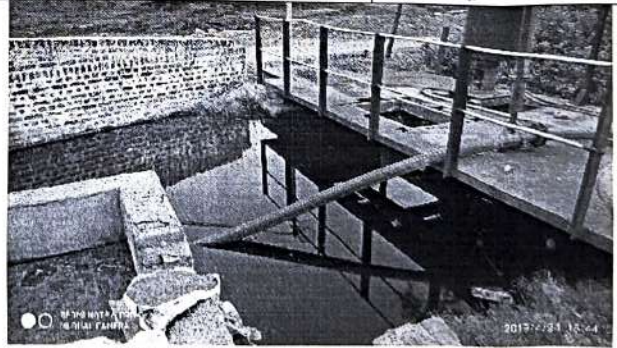
P13: Bio-Compost Yard



P14: JCB in Bio-compost Yard



P15: Drain around the Bio-Compost Yard



P16: Catch Pit of Bio-compost Yard

Speed Post

B-76/PCI-III/2K-2K01/ 215

22nd
18th July, 2019

To,

**M/s Bajaj Hindustan Sugar Ltd.,
Distillery Unit, Gola Gokaranath,
Lakhimpur Kheri, Uttar Pradesh-262802**

**Sub: CLOSURE DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT
(PROTECTION) ACT, 1986 - Reg.**

WHEREAS, Distilleries are identified as one of the 17 categories of highly polluting industries which have been discharging environmental pollutants directly or indirectly into the ambient air and water, having potential threat to cause adverse effect on the water and air quality; and

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

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

WHEREAS, for strengthening the monitoring and compliance through self regulatory mechanism and inculcating the habit of self monitoring within the industries for complying with the prescribed standards, CPCB has mandated installation and operation of online continuous emission and effluent monitoring systems (OCEMS) by the 17 category & Ganga GPI industries on 'polluter pays principle'; and

WHEREAS, the sector specific requirement regarding installation of OCEMS for the 17 categories, including distilleries are already uploaded in the CPCB website and is available at <http://cpcb.nic.in/online-monitoring-clarification/>; and

WHEREAS, the Ministry of Environment & Forests, Government of India, vide Notifications No- S. O. 157 (E) of 27.02.1996 and S. O. 730 (E) dated 10.07.2002, has delegated the powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board, to issue directions to any industry or any local body or any other authority for violations of the standards and rules notified under the Environment (Protection) Rules, 1986 and amendment thereof.

WHEREAS, M/s Bajaj Hindustan Sugar Ltd., Distillery Unit, Gola Gokaranath, Lakhimpur Kheri, Uttar Pradesh, hereinafter referred to as 'the unit' was jointly inspected by RO UPPCB & RD, CPCB, Lucknow team on 23.10.2018 based on complaint received regarding discharge of coloured effluent into Sharda Sahayak Canal and based on the observations made during the inspection, CPCB had issued a show cause notice to the unit on 14.01.2019, under section 5 of the Environment (Protection) Act, 1986 as to why the unit should not be closed down; and



WHEREAS, the unit vide letter dated 30.01.2019 had provided its reply to the notice, indicating compliance to the direction and after examining the reply received, a team from RD, CPCB, Lucknow had again carried out an inspection of the unit on 24.04.2019 for verification of the compliance status of the unit to the show cause notice issued by CPCB and has made the following major observations:

1. At the time of inspection, the unit engaged in production of Absolute Alcohol/Ethanol was found operational. The unit has licensed capacity of distillery for 100 KLD; however it was reported operating only at 60 KLD.
2. The unit has valid consents under the Water and Air Acts, valid up to 31.12.2019.
3. It is reported that the unit is operational on Zero Liquid Discharge (ZLD) with systems available such as MEE of 02 effects, large storage lagoons and bio composting yards. During visit, the MEE of the unit was found non-operational, reportedly due to fault in power cable. The flow meters installed at MEE feed, MEE Concentrate, MEE condensate were not showing any reading. After 24 hrs of the visit by the team, the fault in power cable of MEE could not be rectified this makes the regular operation of existing MEE doubtful. Samples of MEE condensate and concentrate could not be collected by visiting team due to non-operation of MEE.
4. The unit has 4 large lagoons (made of brick lined) spread over in an area of approximately 39000 square meter which was filled with spent wash, bio-methanated spent wash and concentrate. Out of 4 lagoons, one was found under dismantling process by filling of fly-ash from sugar factory of the unit. The gauges installed in these lagoons for measurement of depth were not found calibrated. It is reported that half of the lagoons are containing settled sludge. As per large area of lagoons, unit is violating the direction regarding the capacity lagoon reduced to 30 days equivalent of concentrated spent wash generation. It is reported that unit is generating concentrated spent wash 520 m³/day at full capacity of production which itself is high.
5. Apart from these lagoons, a large katcha lagoon was also observed, containing a coloured effluent which was under the process of dismantling by filling fly-ash from its sugar factory of the unit. The process of dismantling of katcha lagoon was very slow which may take several months to dismantle completely.
6. Unit representatives reported that, the whole MEE condensate (approx. 454 kl/day) is totally consumed in cooling towers which is doubtful in case of non-functional of MEE.
7. The installation of new 05 stage MEE was found under progress to reduce the generation/ volume of concentrated spent wash.
8. During visit, the inspecting team collected the samples from various location/lagoons of the unit and analysis results are presented below.

Sample Code/Location	pH	Colour (Hz)	SS (mg/l)	TDS (mg/l)	BOD (mg/l)	COD (mg/l)
Spent Wash in Lagoon (SP-02)	4.23	--	27130	88273	69000	127749

Bio Gas Digester Overflow/MEE Inlet (SP-01)	8.22	80000	7520	28804	19100	42234
Katcha Lagoon under dismantling process (SP-03)	9.25	80000	2251	28799	9300	19028

9. The unit has 22.69 acre active area for bio composting, which is divided into three parts. Only three hand pumps were found installed in bio-compost area for monitoring purpose. Piezometer wells were not found in bio composting area. As per SOP of bio-composting dated 10-08-2018. Unit is required to install at least 7 to 8 piezometric well as per standard procedure and specifications.
10. During visit, the covered shed storage facility for ready compost was unsatisfactory. No sample bags of bio-compost were found stored for sale purpose. Therefore, bagging of bio-compost is still doubtful.
11. Three samples of groundwater from hand pumps installed in bio-composting area were also collected to assess the groundwater quality; the analysis result is presented below;

Sample Code/Location	pH	Colour (Hz)	Alkalinity (mg/l)	COD (mg/l)
Handpump-1 (SP-04)	6.69	50	522	32
Handpump-2 (SP-05)	6.75	100	478	10.1
Handpump-3 (SP-06)	6.79	150	424	35.7
DWS as per IS-10500 (2012) - Acceptable Limit	6.5 to 8.5	5	200	--

The analysis results of the groundwater samples reveal that the concentrations of Colour & Alkalinity in all three hand pumps are higher than the acceptable limits of drinking water standards. Presence of high colour and COD in groundwater is showing the impact of leaching of effluent into groundwater. The existing bio compost yards and lagoons may not be impermeable.

WHEREAS, it is evident from the above observations made by the inspection team, that the unit is still non-complying to the ZLD action plan of CPCB with respect to operation of MEE for achieving the stipulated volume reduction/concentration of spent wash, storage of coloured untreated effluent in Katcha lagoon, posing threat to ground water and not providing any ETP/CPU for the treatment & reuse of condensate/management of other effluent streams. The unit is also not complying with the bio-composting protocol of CPCB, with respect to restriction of storage lagoon capacity to max. 30 days generation of concentrated effluent, providing covered shed storage facility for ready compost and not providing the required ground water monitoring system. The contamination of colour, COD & alkalinity at all three locations of ground water samples collected from the bio composting yard premises indicates that the bio composting yard and storage lagoons might not be impermeable as per requirements; and

NOW, THEREFORE, in view of the above and exercising powers delegated to the Chairman, Central Pollution Control Board (CPCB) under section 5 of the Environment

(Protection) Act, 1986, the unit is herewith **directed to close down all its manufacturing operations and not to restart its manufacturing operations** till the compliance of following directions and obtaining permission from CPCB:

1. The unit shall complete the ongoing installation and commissioning of the proposed 05 stage MEE for achieving the desired volume reduction and solid concentration of spent wash, as per the ZLD action plan implemented by CPCB.
2. 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.
3. The unit should immediately transfer the coloured untreated effluent stored in the katcha lagoon to lined lagoons and dispose the same in an environmentally safe manner by giving proper treatment. The katcha lagoon containing colored effluent shall be dismantled in scientific manner, ensuring that it does not lead to soil and ground water contamination.
4. The unit should restrict the available lined storage lagoon capacity to max. 30 days equivalent of concentrated spent wash generation and excess storage capacity shall be dismantled/properly demarcated.
5. The unit shall carry out an adequacy assessment study of the pollution control measures by reputed Government institution like NSI, Kanpur, VSI Nagpur, NEERI or IITs. The adequacy assessment study with implementation completion report on the recommendations to ensure compliance of stipulated consented notified norms.
6. The unit should provide proper ground water monitoring net work with required number of piezo-meters/hand pumps at upstream & downstream locations as per bio-composting protocol and shall carry out regular monitoring of ground water quality.

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 the provisions of the Environment (Protection) Act, 1986.


(S. P. Singh Parihar)
CHAIRMAN

Copy to:

- 1) **The Chairman,**
Uttar Pradesh Pollution Control Board
Building No. TC-12V, Vibhuthi Khand,
Gomti Nagar, Lucknow – 226 020

o/k
: For ensuring compliance of the
directions please and provide action
taken report to CPCB

- 2) **The Regional Director,** : *For follow up and ensuring compliance please.*
 CPCB Regional Directorate,
 PICUP Bhawan, Ground Floor,
 Vibhuti Khand, Gomti Nagar, Lucknow-10
- 3) **The District Magistrate,** : *For information and n.a please*
 Lakhimpur Kheri, Uttar Pradesh
- 4) **The Chief Engineer (Lucknow Zone),** : *With a direction to disconnect the power supply to the industrial operations of the unit and provide Action Taken Report to CPCB please.*
 Madhyanchal Vidyut Vitran Nigam limited,
 H.O, Gokhale Marg, Lucknow - 226001, U.P
- 5) **The Joint Secretary, (CP Division),** : *For information, pl.*
 Ministry of Environment, Forests & CC,
 Prithvi Block, Indira Paryavaran Bhawan,
 Jorbagh Road, New Delhi - 110 003
- 6) The Div. Head, IT Division, CPCB Delhi
- 7) The Div. Head, IPC-III Division, CPCB Delhi


 (B. Vinod Babu)
 MEMBER SECRETARY

o/e

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
 निर्गत...
 दिनांक... 23/11/19

Speed Post

B-76/PCI-III/2K-2K01/ 269

19th Aug, 2019

To,

**M/s Bajaj Hindustan Sugar Ltd.,
Distillery Unit, Gola Gokaranath,
Lakhimpur Kheri, Uttar Pradesh-262802**

DIRECTIONS (SHOW CAUSE NOTICE) UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986

WHEREAS, Distilleries are identified as one of the 17 categories of highly polluting industries which have been discharging environmental pollutants directly or indirectly into the ambient air and water, having potential threat to cause adverse effect on the water and air quality; and

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

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

WHEREAS, for strengthening the monitoring and compliance through self regulatory mechanism and inculcating the habit of self monitoring within the industries for complying with the prescribed standards, CPCB has mandated installation and operation of online continuous emission and effluent monitoring systems (OCEMS) by the 17 category & Ganga GPI industries on 'polluter pays principle'; and

WHEREAS, the sector specific requirement regarding installation of OCEMS for the 17 categories, including distilleries are already uploaded in the CPCB website and is available at <http://cpcb.nic.in/online-monitoring-clarification/>; and

WHEREAS, the Ministry of Environment & Forests, Government of India, vide Notifications No-S. O. 157 (E) of 27.02.1996 and S. O. 730 (E) dated 10.07.2002, has delegated the powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board, to issue directions to any industry or any local body or any other authority for violations of the standards and rules notified under the Environment (Protection) Rules, 1986 and amendment thereof.

WHEREAS, M/s Bajaj Hindustan Sugar Ltd., Distillery Unit, Gola Gokaranath, Lakhimpur Kheri, Uttar Pradesh, hereinafter referred to as 'the unit' was jointly inspected by RO UPPCB & RD, CPCB, Lucknow team on 23.10.2018 based on complaint received regarding discharge of coloured effluent into Sharda Sahayak Canal and based on the observations made during the inspection, CPCB had issued a show cause notice to the unit on 14.01.2019, under section 5 of the Environment (Protection) Act, 1986 as to why the unit should not be closed down; and

WHEREAS, the unit vide letter dated 30.01.2019 had provided its reply to the notice, indicating compliance to the direction and after examining the reply received, a team from RD, CPCB, Lucknow had again carried out an inspection of the unit on 24.04.2019 for verification of the compliance status of the unit to the show cause notice issued by CPCB; and

WHEREAS, as per the observations reported by the inspection team, the operation of the units is in violation of the norms and unit is still non-complying to the ZLD with respect to operation of MEE for achieving the stipulated volume reduction/concentration of spent wash, storage of coloured untreated effluent in Katcha lagoon, posing threat to ground water and not providing any ETP/CPU for the treatment & reuse of condensate/management of other effluent streams. The unit is also not complying with the bio-composting protocol of CPCB, with respect to restriction of storage lagoon capacity to max. 30 days generation of concentrated effluent, providing covered shed storage facility for ready compost and not providing the required ground water monitoring system; and

WHEREAS, based on the observations made by the team, CPCB issued direction under section 5 of the E(P) Act, 1986 on 22.07.2019 for the closure of manufacturing operations of the unit till compliance of directions thereof; and

WHEREAS, it is evident that the unit has continuously violated the environmental norms, and the Hon'ble NGT, Principal Bench vide its order dated 31.08.2018 in the matter of O.A. No. 593/2017 (WP(CIVIL) No. 375/2012), Paryavaran Suraksha Samiti & Anr. Vs Union of India & Ors. had directed "CPCB to take penal action for failure and, if any, against those accountable for setting up and maintaining STPs, CETPs and ETps and may also assess and recover compensation for damage to the environment and said fund may be kept in a separate account and utilized in term of an action plan for protection of the environment"; and

WHEREAS, as per the formula developed for Environmental Compensation by CPCB, for the continuous operation of the unit violating the environmental norms and terms and conditions of the Consent to Operate, the total environmental compensation amount of **Rs. 1,96,20,000/- (One Crore Ninety Six Lac Twenty Thousand Rupees only)**, is calculated for the non compliance period (23.10.2018-22.07.2019 - 273 days).

NOW, THEREFORE, based on the above observations and in exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986, you are directed to show cause as to why Environmental Compensation of Rs. **1,96,20,000/- (One Crore Ninety Six Lac Twenty Thousand Rupees only)** should not be imposed on the unit, M/s Bajaj Hindustan Sugar Ltd., Distillery Unit, Gola Gokaranath, Lakhimpur Kheri, Uttar Pradesh for 273 days of continuous violations to the environmental norms, based on available records.

You are hereby given an opportunity to file your objections (if any) to the above proposed direction within 15 days from the receipt of this notice, failing which appropriate action shall be taken against the unit without giving any further notice, in accordance with provisions of the Environment (Protection) Act, 1986.

o/c

20/08/19
(S. P. Singh Parihar)
CHAIRMAN

Copy to:

- 1) **The Chairman,**
Uttar Pradesh Pollution Control Board
Building No. TC-12V, Vibhuthi Khand,
Gomti Nagar, Lucknow - 226 020

: For information please

- 2) **The Regional Director,** : *For information please*
CPCB Regional Directorate,
PICUP Bhawan, Ground Floor,
Vibhuti Khand, Gomti Nagar, Lucknow-10
- 3) **The Joint Secretary, (CP Division),** : *For information please*
Ministry of Environment, Forests & CC,
Prithvi Block, Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi - 110 003
- 4) The Div. Head, IT Division, CPCB Delhi : *For uploading in the website please*
- 5) The Div. Head, IPC-III Division, CPCB Delhi


(Prashant Gargava)
MEMBER SECRETARY

o/c

Item No. 02

Court No. 1

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

Original Application No. 593/2017
(arising from W.P. (Civil) No. 375/2012 on the file of the Hon'ble
Supreme Court)

Paryavaran Suraksha Samiti & Anr. Applicant(s)

Versus

Union of India & Ors. Respondent(s)

Date of hearing: 28.08.2019

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 Respondent (s): Mr. Shlok Chandra, Advocate for CPCB

ORDER

**Issue for consideration- Remedial action against water
pollution in absence of ETPs/CETPs/STPs**

1. The issue for consideration is establishment and functioning of ETPs/CETPs/STPs to prevent untreated sewage/effluents being discharged in water bodies, including rivers and canals meeting such rivers or otherwise. The magnitude of the problem is well acknowledged. In the year 1962 GoI set up a Committee for prevention of water pollution. The recommendations led to enactment of the Water (Prevention and Control of Pollution) Act, 1974 ("Water Act") in pursuance of Article 252 of the Constitution. The Water Act provides for the constitution of a Central Board and

State Boards/Committees. No polluted matter can be discharged into a stream or well or on land, and no industry, operation or process can be established and no out-let for discharge of sewage used without consent of the State Board. The Water Act provides powers to give directions for closing any such activity as well as for prosecution. Power to give directions implicitly includes recovery of compensation on 'Polluter Pays' principle.

2. In spite of above statutory regime we are faced with serious problem of water pollution. The Hon'ble Supreme Court noted¹ that the water pollution caused serious diseases, including Cholera and Typhoid. Water pollution could not be ignored and adequate measures for prevention and control are necessary. Polluting industries were directed to be shifted on 'Precautionary' principle. It is not necessary to refer to all the judgments of the Hon'ble Supreme Court dealing with the significance of water and need to prevent pollution of water. We may only refer to the observations that everyone has right to have access to drinking water in quantum and equality equal to the basic needs. This is fundamental to life and part of Article 21.²
3. As per CPCB's report 2016³, it has been estimated that 61,948 million liters per day (mld) sewage is generated from the urban areas of which treatment capacity of 23,277 mld is currently

¹ (1988) 1 SCC 471

² APPCB vs. Prof. M.V Nayudu (2001) 2 SCC 62 at para 3, 4, State of Orissa Vs. Government of India (2009) 5 SCC 492, at para 58 "Rivers in India are drying up, groundwater is being rapidly depleted, and canals are polluted. Yamuna in Delhi looks like a black drain. Several perennial rivers like Ganga and Brahmaputra are rapidly becoming seasonal. Rivers are dying or declining, and aquifers are getting overpumped. Industries, hotels, etc. are pumping out groundwater at an alarming rate, causing sharp decline in the groundwater levels."

³ http://www.sulabhenviis.nic.in/Database/STST_wastewater_2090.aspx July 16, updated on December 6, 2016

existent in India. Thereby the deficit in capacity of waste treatment is of 62%. There is no data available with regard to generation of sewage in the rural areas.

4. We may note that discharge of untreated effluents and sewage is the principal cause of water pollution in the country as noted in cases relating to pollution of rivers.⁴ Similarly, in the case of 100 polluted industrial clusters being dealt with by this Tribunal⁵, water pollution is one of the factors polluting the said industrial clusters. As already noted, official data of CPCB is to the effect that 351 river stretches in the Country are polluted. The Tribunal held that remedial action for restoration of the said river stretches is necessary.⁶ In the said order, it was observed:

“As already noted, well known causes of pollution of rivers are dumping of untreated sewage and industrial waste, garbage, plastic waste, e-waste, bio-medical waste, municipal solid waste, diversion of river waters, encroachments of catchment areas and floodplains, over drawl of groundwater, river bank erosion on account of illegal sand mining. In spite of directions to install Effluent Treatment Plants (ETPs), Common Effluent Treatment Plants (CETPs), Sewage Treatment Plants (STPs), and adopting other anti-pollution measures, satisfactory situation has not been achieved. Tough governance is the need of the hour. If pollution does not stop, the industry has to be stopped. If sewage dumping does not stop, local bodies have to be made accountable and their heads are to be prosecuted. Steps have to be taken for awareness and public involvement.”

⁴ O.A No. 673 of 2018 this Tribunal is considering remedial action to rejuvenate 351 polluted river stretches. Therein, other cases of river pollution are mentioned thus “This Tribunal also considered the issue of pollution of river Yamuna, in Manoj Mishra Vs. Union of India, river Ganga in M.C. Mehta Vs. Union of India, river Ramganga which is a tributary of river Ganga in Mahendra Pandey Vs. Union of India & Ors., rivers Sutlej and Beas in the case of Sobha Singh & Ors. Vs. State of Punjab & Ors., river Son in Nityanand Mishra Vs. State of M.P. & Ors., river Ghaggar in Stench Grips Mansa’s Sacred Ghaggar River (Suo-Moto Case)”, river Hindon in Doaba Paryavaran Samiti Vs. State of U.P. & Ors., river Kasardi in Arvind Pundalik Mhatre Vs. Ministry of Environment, Forest and Climate Change & Ors., River Ami, Tapti, Rohani and Ramgarh lake in Meera Shukla Vs. Municipal Corporation, Gorakhpur & Ors., rivers Chenab and Tawi in the case of Amresh Singh Vs. Union of India & Ors. and Subarnarekha in Sudarsan Das Vs. State of West Bengal & Ors. and issued directions from time to time”

⁵ O.A No. 1038/2018

⁶ O. A No.673/2018, order dated 08.04.2019

5. All the States and UTs where polluted river stretches exist are required to constitute River Rejuvenation Committees to prepare actions plans for restoration (which are to be reviewed by the highest authority in the States, i.e Chief Secretary) to be monitored by CPCB and thereafter to be further monitored by this Tribunal. Accordingly, the action plans have been prepared which broadly envisage action to prevent discharge of untreated effluent/sewage. The same are being monitored by the CPCB and by this Tribunal and the matter is now listed for hearing on 29.11.2019. In O.A 606/2018 while dealing with the compliance of Solid Waste Management Rules, 2016, this Tribunal vide order dated 16.01.2019 directed personal appearance of all the Chief Secretaries with their monitoring reports on major environment issues including the rejuvenation of polluted river stretches. The Chief Secretaries of all States/UTs have accordingly appeared and furnished their reports which envisages steps for setting up of ETPs/CETPs/STPs to prevent water pollution. The Chief Secretaries have to appear before this Tribunal with further progress reports on the subjects.

6. Further, control of pollution of river Ganga is being monitored by this Tribunal in O. A No. 200/2014 after transfer from the Hon'ble Supreme Court. Therein timelines have been prescribed to the effect that STPs be set up in time bound manner and no a drop of pollution be discharged in the river. The Tribunal observed

“Bioremediation and/or phytoremediation or any other remediation measures may start as an interim measure positively from 01.11.2019, failing which the State may be liable to pay compensation of Rs. 5 Lakhs per month per drain to be deposited with the CPCB. This however, is not to be taken as an excuse to

delay the installation of STPs. For delay of the work, the Chief Secretary must identify the officers responsible and assign specific responsibilities. Wherever there are violations, adverse entries in the ACRs must be made in respect of such identified officers. For delay in setting up of STPs and sewerage network beyond prescribed timelines, State may be liable to pay Rs. 10 Lakhs per month per STP and its network. It will be open to the State to recover the said amount from the erring officers/contractors.

With regard to works under construction, after 01.07.2020, direction for payment of environmental compensation of Rs. 10 lakhs per month to CPCB for discharging untreated sewage in any drain connected to river Ganga or its tributaries and Rs. 10 lakhs per month to CPCB per incomplete STP and its sewerage network will apply. Further with regard to the sectors where STP and sewerage network works have not yet started, the State has to pay an Environmental Compensation of Rs. 10 lakhs per month after 31.12.2020. The NMCG will also be equally liable for its failure to the extent of 50% of the amount to be paid. Till such compliance, bioremediation or any other appropriate interim measure may start from 01.11.2019.”


Background of the present case before this Tribunal

7. The Hon'ble Supreme Court vide order dated 22.02.2017 in *Paryavaran Suraksha Samiti Vs. Union of India*⁷ transferred the matter for monitoring by this Tribunal in the light of the directions of the Hon'ble Supreme Court requiring establishment and functioning of requisite ETPs/CETPs/STPs and in default to close industrial activities discharging effluents without treatment and to take action against local bodies for failing to install STPs and discharging sewage without treatment. Some of the observations in the judgment of the Hon'ble Supreme Court are:

“ 7. Having effectuated the directions recorded in the foregoing paragraphs, the next step would be, to set up common effluent treatment plants. We are informed, that for the aforesaid purpose, the financial contribution of the Central Government is to the extent of 50%, that of the State Government concerned (including the Union Territory concerned) is 25%. The balance 25%, is to be arranged by way of loans from banks. The above loans, are to be repaid, by the industrial areas, and/or

⁷ (2017) 5 SCC 326

industrial clusters. We are also informed that the setting up of a common effluent treatment plant, would ordinarily take approximately two years (in cases where the process has yet to be commenced). The reason for the above prolonged period, for setting up “common effluent treatment plants”, according to the learned counsel, is not only financial, but also, the requirement of land acquisition, for the same.

- 
- 10.** Given the responsibility vested in municipalities under Article 243-W of the Constitution, as also, in Item 6 of Schedule XII, wherein the aforesaid obligation, pointedly extends to “public health, sanitation conservancy and solid waste management”, we are of the view that the onus to operate the existing common effluent treatment plants, rests on municipalities (and/or local bodies). Given the aforesaid responsibility, the municipalities (and/or local bodies) concerned, cannot be permitted to shy away from discharging this onerous duty. In case there are further financial constraints, the remedy lies in Articles 243-X and 243-Y of the Constitution. It will be open to the municipalities (and/or local bodies) concerned, to evolve norms to recover funds, for the purpose of generating finances to install and run all the “common effluent treatment plants”, within the purview of the provisions referred to hereinabove. Needless to mention that such norms as may be evolved for generating financial resources, may include all or any of the commercial, industrial and domestic beneficiaries, of the facility. The process of evolving the above norms, shall be supervised by the State Government (Union Territory) concerned, through the Secretaries, Urban Development and Local Bodies, respectively (depending on the location of the respective common effluent treatment plant). **The norms for generating funds for setting up and/or operating the “common effluent treatment plant” shall be finalised, on or before 31-3-2017, so as to be implemented with effect from the next financial year. In case, such norms are not in place, before the commencement of the next financial year, the State Governments (or the Union Territories) concerned, shall cater to the financial requirements, of running the “common effluent treatment plants”, which are presently dysfunctional, from their own financial resources.**
- 11.** Just in the manner suggested hereinabove, for the purpose of setting up of “common effluent treatment plants”, the State Governments concerned (including, the Union Territories concerned) will prioritise such cities, towns and villages, which discharge **industrial pollutants and sewer, directly into rivers and water bodies.**

12. *We are of the view that in the manner suggested above, **the malady of sewer treatment, should also be dealt with simultaneously.** We, therefore, hereby direct that “sewage treatment plants” shall also be set up and made functional, within the timelines and the format, expressed hereinabove.*

13. *We are of the view that mere directions are inconsequential, unless a rigid implementation mechanism is laid down. We, therefore, hereby provide that the directions pertaining to continuation of industrial activity only when there is in place a functional “primary effluent treatment plants”, and the setting up of functional “common effluent treatment plants” within the timelines, expressed above, shall be of the Member Secretaries of the Pollution Control Boards concerned. **The Secretary of the Department of Environment, of the State Government concerned (and the Union Territory concerned), shall be answerable in case of default.** The Secretaries to the Government concerned shall be responsible for monitoring the progress and issuing necessary directions to the Pollution Control Board concerned, as may be required, for the implementation of the above directions. They shall be also responsible for collecting and maintaining records of data, in respect of the directions contained in this order. The said data shall be furnished to the Central Ground Water Authority, which shall evaluate the data and shall furnish the same to the Bench of the jurisdictional National Green Tribunal.*

14. *To supervise complaints of non-implementation of the instant directions, the Benches concerned of the National Green Tribunal, will maintain running and numbered case files, by dividing the jurisdictional area into units. The abovementioned case files will be listed periodically. **The Pollution Control Board concerned is also hereby directed to initiate such civil or criminal action, as may be permissible in law, against all or any of the defaulters.**”*

8. Accordingly, on 25.05.2017, notice was issued to the Central Pollution Control Board (CPCB), the State Pollution Control Boards (SPCBs)/ Pollution Control Committees (PCCs) and the Ministry of Environment, Forest and Climate Change (MoEF&CC). They filed their status reports showing gaps in waste generated and treatment capacity. It was further stated that action had been initiated to remedy the situation. After considering the status

report, the Tribunal, vide orders dated 04.07.2017, 18.09.2017 and 11.10.2017, sought information about the steps taken by the SPCBs/PCCs.

9. Vide order dated 03.08.2018, the matter was reviewed and after noting that in absence of functional ETPs/CETPs/STPs, untreated effluents were being discharged in water bodies leading to contamination of surface and ground water which causes various diseases and also has adverse consequence on aquatic organism due to decreased level of oxygen. The Tribunal directed the CPCB to prepare an action plan. Direction was also given for monitoring by a Committee of two officers – one each representing MoEF&CC and CPCB at least once in every month. CPCB was required to place the progress report every three months on the website and take penal action for failure by way of recovery of compensation for damage to the environment, apart from other steps.
10. Vide order dated 19.02.2019, after considering the status report furnished by the CPCB, based on the reports furnished by the States/UTs, this Tribunal after referring to orders passed in O.A NO. 673/2018 for remedial action in respect of 351 polluted river stretches, which had direct nexus with the steps for ETPs/CETPs/STPs and order passed in O.A No. 606/2018 requiring Chief Secretaries to monitor progress *inter alia* on the subject of control of pollution on the river stretches, directed that the Chief Secretaries may look into the subject of setting up and proper functioning of ETPs/CETPs/STPs in their respective States/UTs. Further direction issued was to prepare a report on

assessment of compensation on account of discharge of untreated sewage and dumping of solid waste, loss to ecological services due to illegal mining, deforestation, after taking inputs from expert bodies. The Tribunal also directed the CPCB to compile its monitoring report with regard to 97 CETPs (assuming the total number of CETPs in the country to be 97) installed in different States. CPCB was also directed to furnish its report in *O.A. No. 95/2018, Aryavart Foundation Vs. M/s Vapi Green Enviro Ltd. & Ors.* which concerned the issue of inadequate functioning CETP leading to water pollution.

Reports filed by the CPCB

11. Accordingly, two reports filed by CPCB, have been put up for consideration today :-
 - (i) Report dated 30.05.2019, updated on 19.07.2019, giving status of setting up of ETPs/CETPs/STPs and methodology for assessing environment compensation for discharge of pollutants in water bodies.
 - (ii) Report dated 14.08.2019 with regard to monitoring of CETPs.
12. We proceed to consider the above reports.

I. Report dated 30.05.2019 updated on 19.07.2019

13. According to updated report dated 19.07.2019, out of 62,897 number of industries requiring ETPs, 60,944 industries are operating with functional ETPs and 1949 industries are operating without ETPs. 59,258 industries are complying with environmental standards and 1,524 industries are noncomplying. There are total 192 CETPs, out of which 133 CETPs are complying with

environmental standards and 59 CETPs are non-complying. There are total 13,709 STPs (Municipal and other than municipal), out of which, 13,113 STPs are complying with environmental standards and 637 STPs are non-complying. 73 CETPs in construction/proposal stage, whereas, for STPs, 1164 projects (municipal and non-municipal) are under construction/proposal stage.

14. A report has also been prepared on the scale of environmental compensation to be recovered from individual/authorities for causing pollution or failure for preventing causing pollution, apart from illegal extraction of ground water, failure to implement Solid waste Management Rules, damage to environment by mining and steps taken to explore preparation of an annual environmental plan for the country. Extracts from the report which are considered significant for this order are:

“I. Environment Compensation to be levied on Industrial Units

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, band c, Environmental Compensation may be calculated based on the formula "EC= Pl x N x Rx S x LF", wherein, Pl may be taken as 80, 50 and 30 for red, orange and green category of industries, respectively, and R may be taken as 250. Sand LF may be taken as prescribed in the preceding paragraphs

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

1.5.3 The Hon'ble Supreme Court in its order dated 22.02.2017 in the matter of Paryavaran Suraksha Samiti and another v/s Union of India and others {Writ Petition (Civil) No. 375 of 2012}, directed that all running industrial units which require "consent to operate" from concerned State Pollution Control Board, have a primary effluent

treatment plant in place. Therefore, no industry requiring ETP, shall be allowed to operate without ETP.

1.5.4 EC is not a substitute for taking actions under EP Act, Water Act or Air Act. In fact, units found polluting should be closed/prosecuted as per the Acts and Rules.

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

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

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:

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)	Min. 2000	Min. 1000	Min. 100

recommended by the Committee (Lacs Rs.)	Max. 20000	Max. 10000	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

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

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

BIS 15-1172:1993 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= Capital Cost Factor x [Marginal Average Capital Cost for Treatment Facility x (Total

Generation-Installed Capacity) + Marginal Average Capital Cost for Conveyance Facility x (Total Generation -Operational Capacity)]+ O&M Cost Factor x Marginal Average O&M Cost x (Total Generation- Operational Capacity) x No. of Days for which facility was not available + Environmental Externality x No. of Days for which facility was not available

Alternatively;

EC (Lacs Rs.)= [17.S{Total Sewage Generation - Installed Treatment Capacity)+ 55.S{Total Sewage Generation-Operational Capacity}] + 0.2(Sewage Generation-Operational 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

Quantity of Sewage is in MLD

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)	1,63,49,831	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	45.5
Operational Capacity (MLD) (as per the latest data available with CPCB)	1900	140	300	24.5
Treatment Capacity Gap (MID)	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)	2.0655	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:

Environmental Compensation to be levied on concerned ULB may be calculated with the following formula:

EC = Capital Cost Factor x Marginal Average Cost for Waste Management x (Per day waste generation-Per

day waste disposed as per the Rules) + O&M Cost Factor x Marginal Average O&M Cost x (Per day waste generation-Per day waste disposed as per the Rules) x Number of days violation took place + Environmental Externality x 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 (Lacs Rs.) = 2.4(Waste Generation - Waste Disposed as per the Rules) +0.02 (Waste Generation Waste Disposed as per the Rules) x N + Marginal Cost of Environmental Externality x (Waste Generation - Waste Disposed as per the Rules) x N

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

City	Delhi	Agra	Gurugram	Ambala
Population (2011)	1,63,49,831	17,60,285	8,76,969	5,00,774
Class	Mega-City	Million-plus City	Class-I Town	Class-I Town
Waste Generation (kg. per person per day)	0.6	0.5	0.4	0.4
Waste Generation (TPD)	9809.90	880.14	350.79	200.31
Waste Disposal as per Rules (TPD) (assumed as 25% of waste generation for sample calculation)	2452.47	220.04	87.70	50.08
Waste Management Capacity Gap (TPD)	7357.42	660.11	263.09	150.23
Calculated EC (capital cost component) in Lacs. Rs.	17657.82	1584.26	631.42	360.56
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	1584.26	631.42	360.56
Calculated EC (O&M Component) in Lacs. Rs./Day	147.15	13.20	5.26	3.00
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. 0.80	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)	0.80	0.25	0.03	0.02

Compensation in Case of Illegal Extraction of Ground Water

4.5 Formula for Environmental Compensation for illegal extraction of ground water

The committee decided that the formula should be based on water consumption (Pump Yield & Time duration) and rates for imposing Environmental Compensation for violation of illegal abstraction of ground water. The committee has proposed following formula for calculation of Environmental Compensation (EC_{GW}):

$$EC_{GW} = \text{Water Consumption per Day} \times \text{No. of Days} \times \text{Environmental Compensation Rate for illegal extraction of ground water } (ECR_{GW})$$

Where water Consumption is in m^3/day and ECR_{GW} in $\text{Rs.}/m^3$

Yield of the pump varies based on the capacity/power of pump, water head etc. For reference purpose, yield of the pump may be assumed as given in **Annexure-VI**.

Time duration will be the period from which pump is operated illegally.

In case of illegal extraction of ground water, quantity of discharge as per the meter reading or as calculated with assumptions of yield and time may be used for calculation of EC_{Gw} .

4.6 Environmental Compensation Rate (ECR_{Gw}) for illegal use of Ground Water:

The committee decided that the Environmental Compensation Rate (ECR_{Gw}) for illegal extraction of ground water should increase with increase in water consumption as well as water scarcity in the area. Further, ECR_{Gw} are kept relaxed for drinking and domestic use as compared to other uses, considering the basic need of human being.

As per CGWB, safe, semi-critical, critical and over-exploited areas are categorized from the ground water resources point of view (CGWB, 2017). List of safe, semi-critical, critical and over-exploited areas are available on the website of CGWB and can be accessed from- <http://cgwa-noc.gov.in/LandingPage/NotifiedAreas/CategorizationOfAssessmentUnits.pdf#ZOOM=150>.

Environmental Compensation Rates (ECR_{Gw}) for illegal use of ground water (ECR_{Gw}) for various purposes such as drinking/domestic use, packaging units, mining and industrial sectors as finalized by the committee are given in tables below:

4.6.1 ECR_{Gw} for Drinking and Domestic use:

Drinking and Domestic use means uses of ground water in households, institutional activity, hospitals, commercial complexes, townships etc.

SI. No.	Area Category	Water Consumption (m^3/day)			
		<2	2 to <5	5 to <25	25 & above
		Environmental Compensation Rate (ECR_{Gw}) in Rs./m^3			
1	Safe	4	6	8	10
2	Semi Critical	12	14	16	20
3	Critical	22	24	26	30
4	Over-Exploited	32	34	36	40
Minimum EC_{Gw}=Rs 10,000/- (for households) and Rs. 50,000 (for institutional activity, commercial complexes, townships etc.)					

4.6.2 ECR_{Gw} for Packaged drinking water units:

SI. No.	Area Category	Water Consumption (m^3/day)			
		<200	200 to <1000	1000 to <5000	5000 &
		Environmental Compensation Rate (ECR_{Gw}) in Rs./m^3			
1	Safe	12	18	24	30
2	Semi critical	24	36	48	60
3	Critical	36	48	66	90
4	Over-exploited	48	72	96	120

Minimum EC_{Gw} =Rs 1,00,000/-

4.6.3 ECR_{Gw} for Mining, Infrastructure and Dewatering Projects

SI. No.	Area Category	Water Consumption (m^3/day)			
		<200	200 to <1000	1000 to <5000	5000 &
		Environmental Compensation Rate (ECR_{Gw}) in Rs./ m^3			
1	Safe	15	21	30	40
2	Semi critical	30	45	60	75
3	Critical	45	60	85	115
4	Over-exploited	60	90	120	150

Minimum EC_{Gw} =Rs 1,00,000/-

4.6.4 ECR_{Gw} for Industrial Units:

SI. No.	Area Category	Water Consumption (m^3/day)			
		<200	200 to <1000	1000 to <5000	5000 &
		Environmental Compensation Rate (ECR_{Gw}) in			
1	Safe	20	30	40	50
2	Semi critical	40	60	80	100
3	Critical	60	80	110	150
4	Over-exploited	80	120	160	200

Minimum EC_{Gw} = Rs 1,00,000/-

4.8 Recommendations

The committee has given following recommendations:

- The minimum Environmental Compensation for illegal extraction of ground water for domestic purpose will be Rs. 10,000, for institutional/commercial use will be 50,000 and for other uses will be 1,00,000.
- In case of fixation of liability, it always lies with current owner of the premises where illegal extraction is taking place.
- Time duration may be assumed to be one year in case where no evidence for period of installation of bore well could be established.
- For Drinking and Domestic use, where metering is not present but storage tank facility is available, minimum water consumption per day may be assumed as similar to the storage capacity of the tank.
- For industrial ground water use, where metering is not available, water consumption may be assumed as per the consent conditions. Further, where in case industry is operating without consent, water consumption may be calculated based on the plant capacity (on the

recommendation of SPCB/PCC, if required). SPCB/PCC may bring the issue of illegal extraction of ground water in industries in to the notice of CGWA for appropriate action by CGWA.

- *Authorities assigned for levy EC and taking penal action are listed below:*

S. No.	Actions	Authority
1.	<i>To seal the illegal bore-well/tube-well to stop extraction of water and further closure of project</i>	<i>District Collector</i>
2.	<i>To levy EC_{Gw} as per prescribed method</i>	<i>District Collector,</i>
3.	<i>To levy EC on water pollution, as per the method prescribed in report of CPCB- "EC on industrial pollution"</i>	<i>CPCB/SPCB/PCC</i>
4.	<i>Prosecution of violator</i>	<i>CGWA under EP Act</i> <i>SPCB/PCC under</i> <i>Air and Water Act</i>

- *CGWA may maintain a separate account for collection and utilization of fund, collected through the prescribed methodology in this report."*

Discussion on the report dated 30.05.2019 updated on 19.07.2019

15. It is clear from the order of the Hon'ble Supreme Court⁸ that the responsibility of operating STPs under Article 243W and item 6 of Schedule XII to the Constitution is of local bodies who have to evolve norms to recover funds for the purpose which is to be supervised by the States/UTs. The norms were to be finalized upto 31.03.2017 to be implemented from the next year, i.e 01.04.2018. In absence thereof, the States/UTs have to cater to the financial requirement from its own resources. The States/UTs are to prioritize the cities, towns, villages discharging effluents/sewage directly into the water bodies. Industrial activity without proper treatment plants (ETPs and CETPs) is not to be allowed by the State PCBs and the Secretaries, Environment of the States/UTs are

⁸ Para 10-13 in *Paryavaran Suraksha Samiti Vs. Union of India, Supra*

to be answerable. Thus, the source for financial resources for the STPs, stands finalized under the binding judgment of the Hon'ble Supreme Court. Authorities and persons accountable are identified. Rigid implementation has been laid down. This Tribunal has been required to monitor compliance of the directions and timelines.

16. It is in this background that the present report needs to be appraised and further directions given. As regards the Environmental compensation regime fixed for industrial units, GRAP, solid waste, sewage and ground water is accepted as an interim measure. With regard to setting up of STPs, while we appreciate the extensive work of the CPCB based on information furnished by States/UTs, the challenge remains about verification of the said data on the one hand and analysis of the steps taken and required on the other. There is already a database available with the CPCB with regard to ETPs, CETPs, STPs, MSW facilities, Legacy Waste sites. This needs to be collated and river basinwise macro picture needs to be prepared by the CPCB in terms of need for interventions, existing infrastructure and gaps therein. The States have given timelines which need to be effectively monitored both by the CPCB and the Chief Secretaries in terms of its execution.

17. As already noted, prevention of pollution of water is directly linked to access to potable water as well as food safety. Restoration of pristine glory of rivers is also of cultural and ecological significance. This necessitates effective steps to ensure that no pollution is

discharged in water bodies. Doing so is a criminal offence under the Water Act and is harmful to the environment and public health. 'Precautionary' principle of environmental law is to be enforced. Thus, the mandate of law is that there must be 100% treatment of sewage as well as trade effluents. This Tribunal has already directed in the case of river Ganga that timelines laid down therein be adhered to for setting up of STPs and till then, interim measures be taken for treatment of sewage. There is no reason why this direction be not followed, so as to control pollution of all the river stretches in the country. The issue of ETPs/CETPs is being dealt with by an appropriate action against polluting industries. Setting up of STPs and MSW facilities is the responsibility of Local Bodies and in case of their default, of the States. Their failure on the subject has to be adequately monitored. Recovery of compensation on 'Polluter Pays' principle is a part of enforcement strategy but not a substitute for compliance. It is thus necessary to issue directions to all the States/UTs to enforce the compensation regime, latest with effect from 01.04.2020. We may not be taken to be condoning any past violations. The States/UTs have to enforce recovery of compensation from 01.04.2020 from the defaulting local bodies. On failure of the States/UTs, the States/UTs themselves have to pay the requisite amount of compensation to be deposited with the CPCB for restoration of environment. The Chief Secretaries of all the States may furnish their respective compliance reports as per directions already issued in *O.A. No. 606/2018*.

II. Report dated 14.08.2019 with regard to monitoring of CETPs

18. The Committee inspected 127 CETPs in 14 States. Figure of CETP assumed to be 97 was not correct. 66 CETPs were found to be non-compliant. CPCB directed SPCBs to take following steps:

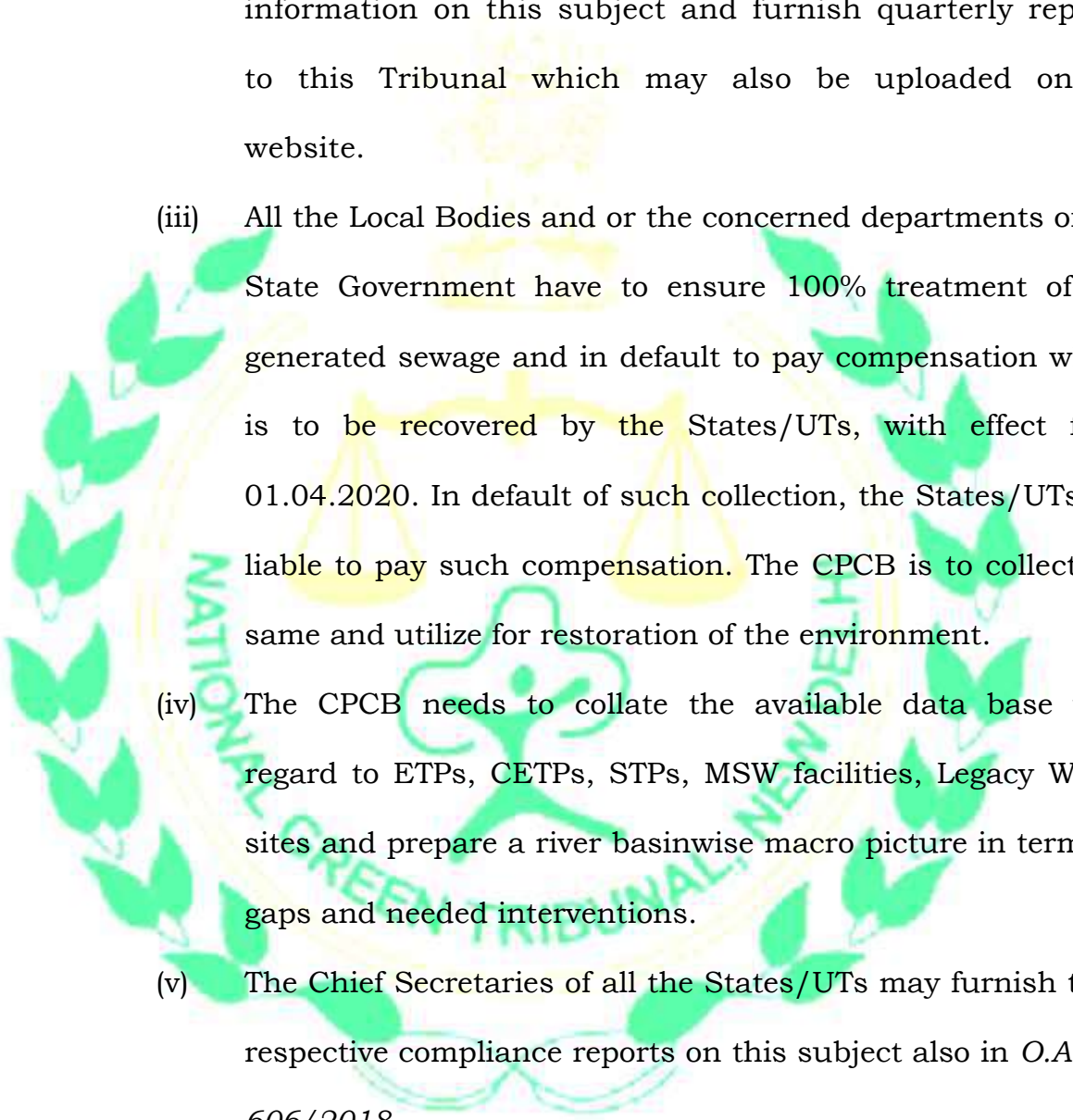
- “1. SPCBs shall direct non-complying CETPs to take immediate corrective actions to comply with the environmental standards.
2. CETP should be directed to take action as per the recommendations provided at Annexure A-N within a time frame.
3. In case of non-complying CETPs, action as deemed fit including levying of environmental compensation may be taken.
4. In case, OCEMS are not connected with CPCB & SPCB servers, ensure a robust system of physical inspections to verify compliance by drawing samples.”

Discussion on the report dated 14.08.2019

19. We accept the recommendation of the CPCB and direct the Chief Secretaries, State Governments, Union Territories and the SPCBs/PCCs to take further action accordingly and furnish an action taken report accordingly. The CPCB to meanwhile compile and collate information with regard to ETPs, CETPs, STPs, MSW Facilities, Legacy Waste dump sites and complete the pending task on the subject before the next date and furnish a report.
20. The environmental compensation regime for CETP not meeting the prescribed norms need to be evolved by the CPCB.

Directions

21. We may now sum up our directions:
- (i) The Environmental compensation regime fixed for industrial units, GRAP, solid waste, sewage and ground water in the report dated 30.05.2019 is accepted and the same may be acted upon as an interim measure.

- 
- (ii) SPCBs/PCCs may ensure remedial action against non-compliant CETPs or individual industries in terms of not having ETPs/fully compliant ETPs or operating without consent or in violation of consent conditions. This may be overseen by the CPCB. CPCB may continue to compile information on this subject and furnish quarterly reports to this Tribunal which may also be uploaded on its website.
- (iii) All the Local Bodies and or the concerned departments of the State Government have to ensure 100% treatment of the generated sewage and in default to pay compensation which is to be recovered by the States/UTs, with effect from 01.04.2020. In default of such collection, the States/UTs are liable to pay such compensation. The CPCB is to collect the same and utilize for restoration of the environment.
- (iv) The CPCB needs to collate the available data base with regard to ETPs, CETPs, STPs, MSW facilities, Legacy Waste sites and prepare a river basinwise macro picture in terms of gaps and needed interventions.
- (v) The Chief Secretaries of all the States/UTs may furnish their respective compliance reports on this subject also in *O.A. No. 606/2018*.

List for further consideration on 21.05.2020, unless required earlier. A copy of this order be placed on the file of O.A. No. 606/2018 relating to all States/UTs and be sent to Chief Secretaries of all States/UTs, Secretary MoEF&CC, Secretary Jal Shakti and Secretary, MoHUA.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

August 28, 2019
Original Application No. 593/2017
(W.P.(Civil) No. 375/2012)
DV



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CHAIRMAN C. P. C. B.	केन्द्रीय प्रदूषण नियंत्रण बोर्ड परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-32
No. 125172	125172
Date 14/8	13 AUG 2019
	Central Pollution Control Board Parivesh Bhavan, East Arjun Nagar, Delhi-32

09 August 2019

To,

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

for 14/8/19
ME
13/8/19
pl
14/8
pl examine & put up
16/8
-SD(RVK)

Sub: Closure Direction under Section 5 Of Environment (Protection) Act, 1986- Reg. to our Bajaj Hindusthan Sugar Limited, Distillery Division, Unit-GolaGokarannath, District- LakhimpurKheri.

Dear Sir,

We are in receipt of your letter No.B-76/PCI-III/2K-2K01/ dated July 22, 2019 where the CPCB has directed us to "Close down all its manufacturing operations and not to restart its manufacturing operations" with some directions to be followed. Our point wise reply is as under:-

1. The distillery is operated by taking care of all the aspects affecting the Zero Liquid Discharge. Since, in the winters the Spent Wash consumption remains low in the press mud, therefore, to maintain the level of Spent Wash in the lagoons we operate the distillery in a proportionate manner i.e. in case the effluent consumption is low we either close or reduce our production capacity so as to maintain the level in lagoons. The same also been informed to the Pollution Control Board regarding the reduction/closure of the plant. Please find attached herewith the information provided by us to UPPCB and State Excise as well as **Annexure-1**.
2. The Consent order was provided during the inspection.
3. The Unit has 3 stage evaporator followed by the bio-composting as a ways and means of ZLD. The condensate of MEE is gainfully used in various streams like molasses dilution, cooling tower make up water etc. During the visit there was an electric fault in main cable of MEE which led to break down of the MEE operation and it most unfortunate that the boiler in sugar factory also went under break down due to which MEE as well as plant was also got closed as distillery's utilities are supplied by sugar mill. Subsequently, the meters were not also showing any reading.

Here, this is also pertinent to mention that for the reduction of effluent volume we have installed the re-boilers by investing and involving a huge capex in the plant for the proxy heating to reduce the effluent volume.

4&5. The Bajaj Hindusthan Sugar Limited, Unit-Gola, Division-Sugar was established in the year 1931 and thereafter, Distillery Division was put in 1945. As mentioned above, our Industry was established in 1945 and that time there was neither any rules nor any regulations regarding the treatment of Effluent.

[Signature]

Bajaj Hindusthan Sugar Ltd.
Unit/Regd. Office : Golagokarannath, Lakhimpur- Kheri, District Kheri, Uttar Pradesh - 262 802
Tel: + 91-5876-233754/5/7/8, 233403 | Fax: +91-5876-233401 | E-mail : investors@bajajhindusthan.com
CIN: L15420UP1931PLC065243

bajaj GROUP
THINK TOMORROW 01

Initially, the effluent was to be stored on land and because of biological reaction, it would have degraded in natural way and get evaporate due to Solar Evaporation. However, we were not having sufficient Land for the storage of the process effluent, accordingly, we requested the Forest Department for grant of certain piece of land on lease as was permissible. On such request, the forest department granted a piece of land to our Unit at Gola which has no potential of any afforestation. It may be mentioned that as per requirement a low-lying land was given to the Unit which always got converted in to swamp during rainy season and accordingly there was no vegetation on the said land ever. The Forest department agreed and signed an agreement for 29.574 acres of land attached herewith as **Annexure-2**, which was used for the storage of effluent/spent wash.

After the passage of time, technology for the effluent treatment developed in manifold, which duly got implemented by our factory/Unit. Under such circumstances, the lagooning technology also got developed and approved by the concerned monitoring authority in the State. Afterward, we also adopted the same and utilized this land for construction of Lagoons.

In the Lagoon Technology, the effluent used to store in Kuchha Pits in multiple stages after pH correction by using the lime and stored in the pit for a considerable period in order to get it evaporated naturally in sun-light (solar drying).

Thereafter, in due course, the agencies have observed that the storage of effluent in Lagoons for a long period may affect the ground water through percolation and colour of effluent may get absorbed by the upper layer of the earth which resultantly may leached out during rain and gives a false impression of effluent discharge/storage.

Looking into above drawback of the Lagooning and in order to prevent the seepage of effluent colour to ground water, the monitoring agencies proposed a HDPE lining in the Lagoons for making it impervious. In the next step, the monitoring agencies further proposed for constructing the Pakka Lagoon with HDPE and brick lining with an object to fully prevent any percolation of Effluent into Sub Soil water and further to avoid any possible leaching due to accidental damages of HDPE lining.

In this way after passage of time, the technology for the Effluent Treatment was developed up to Bio-gas, Bio-composting, MEE, Ferti-Irrigation, ASP, RO and incineration and Katccha lagoons are now in no use since decades, but the impact of erstwhile Katccha Lagoons are still visible in form of colour in the upper layer of soil wherever the distilleries are installed.

In our case, we have adopted and complied with all the contemporaneous directions, rules & regulations and are also in compliance with all the directions relating to the up gradation of the Effluent Treatment System. Thus in such circumstances, the impact of Spent Wash if any on Land showing colour is of old residue and not because of any discharge of effluent as alleged.



6. We have used the condensate water to make up all cooling towers and molasses dilution also.
7. The 5 stage MEE which was installed for the further up-gradation of Effluent Treatment System in view of energy efficiency (with less power and steam) has been installed and is ready for the operation. Since, due to rainy season distillery system cannot be operated; therefore, trial will be conducted in September, 2019.
8. As per your direction we will install the desired nos. of piezometric well as per the standard procedure and specification.
9. We always try to sell most of the bio-compost before the rainy season and a few quantities are left during the rainy season.
10. We also get analyzed the ground water sample time to time from the authorized lab please find attached herewith the report of the same as **Annexure-3**.

Further, we would like to state that we are in strict compliance of zero liquid discharge (ZLD); no any treated/untreated effluent is being discharged from our Unit and also in strict compliance of the Bio-composting protocol.

Compliance of the points mentioned in closure direction is as under-

1. **Installation of MEE (5 Stage):**-Installation work is under progress, all the civil work has been completed, piping and electricals under progress which will be completed within a month. The photographs are enclosed as **Annexure-4**.
We assure your-self that the commissioning work of the same will complete before the upcoming production season.
2. **Condensate Polishing Unit:** -We already installing the CPU (Ammonia Stripper & Reverse Osmosis) at our unit for the treatment of MEE condensate and other process effluent for its resourceful reuse as per ZLD condition specified in the consent to operate.
The civil work of the same is under progress at plant site and the fabrication work is also on the verge of completion at M/s Praj Industries workshop. The said work will be completed before the upcoming production season.
3. We have already transferred all the coloured effluent to our lined/pucca lagoon and the filling work of kachha lagoon work is under progress.
4. We are in process to restrict the capacity of our lagoon to 30 days equivalent of concentrated spent wash generated.
5. We have already discussed with National Sugar Institute, Kanpur for the adequacy of our Unit. Once it has been done, we will submit the report to you.
6. We already have installed the proper ground water monitoring network with required no. of piezometers/hand pumps at upstream and downstream locations as per bio-composting protocol and regular monitoring of ground water being carried out. The recent report is enclosed as **Annexure-5**.



We assure you that we are in strict compliance of ZLD & other directions issued from Central Pollution Control Board, Delhi, Uttar Pradesh Pollution Control Board, MOEF & CC and Hon'ble NGT time to time. We are also in strict compliance to the CREP guidelines issued for Distilleries.

In the light of above facts your good self is humbly requested to kindly withdraw direction issued under section-5 of Environment (Protection) Act-1986.

We once again assure you that we regularly analyze our system and accordingly upgrade our Pollution Control devices. We are very much conscious to the environment and sincere about our responsibilities for the protection of environment. We are committed towards creating a clean and safe environment in and around our manufacturing facility and assure for future too.

Thanking you.

Yours faithfully,
for Bajaj Hindusthan Sugar Limited,
Unit: Distillery, GolaGokarannath, LakhimpurKheri, U.P.



Authorized Signatory

Encl.:- as above

Copy to:

- 1) **The Chairman**
Uttar Pradesh Pollution Control Board
Building No.TC-12V, VibhutiKhand,
Gomti Nagar, Lucknow – 226020
- 2) **The Regional Director,**
CPCB Regional Directorate,
PICUP Bhawan, Ground Floor,
VibhutiKhand, Gomti Nagar, Lucknow-10
- 3) **The District Magistrate,**
LakhimpurKheri, Uttar Pradesh
- 4) **The Chief Engineer (Lucknow Zone)**
MadhyanchalVidyutVitran Nigam Limited,
H.O., GokhaleMarg,Lucknow –226001, U.P.
- 5) **The Joint Secretary, (CP Division)**
Ministry of Environment, Forest & C.C,
Prithvi Block, Indira ParyavaranBhawan,
Jorbagh Road, New Delhi – 110003
- 6) **The Div.Head, IPC-III Division, CPCB Delhi.**



BHSL/GOL/D/2018-19/Memo

To,
The Asst. Excise Commissioner
Bajaj Hindusthan Sugar Ltd.
Distillery-Gola

Date :- 18.04.2019

Subject :- Plant operation at low capacity approx @60 kl/day

Dear Sir

This is for your kind information please that due to effluent storage in lagoons having low space, so that to maintain the space in lagoon, we are operating our plant in low capacity approx 60 kl/day from dated 18.04.2019 to till space availability in lagoons.

This is for your kind information please.

Thanking you

For Bajaj Hindusthan Sugar Ltd., Gola


(Authorized Signatory)


29/4/19
समस्त
दस्तावेज
अनुमोदित
गोला
गोला आसवनी
कंपन सहायक-गोला

Alcohol Production Month of April-2019

Date	Production in BL(A. ALCOHOL)
18/04/19	0
20/04/19	138570
22/04/19	142277.5
24/04/19	129730
27/04/19	127383.5
30/04/19	199815.3
Total	737776.3

NOTE:-24.04.19 को बायलर बंद होने के कारण 18 घंटे उत्पादन नहीं हो पाया।


महाप्रबन्धक
आसवनी गौला खीरी


आदिकारी निरीक्षक
आसवनी गौला खीरी
गोला आसवनी, खीरी

कार्यालय मुख्य वन संरक्षक/नोडल अधिकारी, उत्तर प्रदेश, लखनऊ।

पत्रांक- 111-सी-27, दिनांक, लखनऊ, तारीख 07/10/2016

सेवा में,

प्रमुख सचिव (वन)
30प्र0, शासन,
वन एवं वन्य जीव, अनुभाग-2,
30प्र0, लखनऊ।

विषय- जनपद-लखीमपुर खीरी में स्थित मै. बजाज हिन्दुस्तान शुगर मिल लि. गोला-गोकरननाथ लखीमपुर खीरी के द्वारा लीज पर ली गई 11.9734 है. वनभूमि के लीज नवीनीकरण के सम्बन्धित प्रस्ताव के सम्बन्ध में।

सन्दर्भ- उ.प्र. शासन का पत्रांक-1124/14-2-2014, दिनांक 07.10.2014

महोदय,

कृपया उपरोक्त सन्दर्भित पत्र का सन्दर्भ ग्रहण करने का कष्ट करें। जिसके द्वारा उ.प्र. शासन ने अपेक्षा की है कि विषयवस्तु प्रकरण में प्रयोक्ता द्वारा लीज पर ली गई 11.9734 है. का वनभूमि के नवीनीकरण हेतु लीज की शर्तों का पालन किया गया है? इस सम्बन्ध में मुख्य वन संरक्षक, लखनऊ मण्डल, लखनऊ द्वारा अपने पत्रांक-865/14-10-4, दिनांक 27.07.2015 से अवगत कराया है कि मै. बजाज हिन्दुस्तान शुगर मिल लि. द्वारा दिनांक 31.12.2014 तक लीज रेंट-की धनराशि रू०- 1,58,27,613.00 (एक करोड़ अठ्ठावन लाख सत्तर हजार रू० साँ तेरह मात्र) जमा कर दी गई है। इसी प्रकार मुख्य वन संरक्षक, लखनऊ मण्डल, लखनऊ ने अपने पत्रांक- 8117/14-10-4 (लीज) दिनांक 31.05.2016 से इस कार्यालय को अवगत कराया है कि प्रभागीय वनाधिकारी, दक्षिणी खीरी द्वारा निरीक्षण के दौरान मै. बजाज हिन्दुस्तान शुगर मिल लि. गोला-गोकरननाथ द्वारा लीज की शर्तों का उल्लंघन नहीं पाया गया है। उपरोक्त मुख्य वन संरक्षक, लखनऊ मण्डल, लखनऊ के पत्रों की छायाप्रति इस अनुसंध के साथ संलग्न कर प्रेषित की जाती है कि उक्त प्रकरण में लीज नवीनीकरण हेतु आवश्यक अतिरिक्त कार्यवाही करने की कृपा करें।

संलग्नक-गोचरित।

भवदीय

(अरविन्द गुप्ता)

मुख्य वन संरक्षक/नोडल अधिकारी,
30प्र0, लखनऊ।

संख्या 2618/111-सी-27, दिनांकित।

प्रतिनिधि- निम्न अधिकारियों को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित :-

1. मुख्य वन संरक्षक, लखनऊ मण्डल, लखनऊ।
2. प्रभागीय वनाधिकारी, उर्वर वन प्रभाग, लखनऊ।
3. भवदीय भेजेजर, बजाज हिन्दुस्तान, लि. गोला गोकरननाथ, लखीमपुर खीरी।

(अरविन्द गुप्ता)

मुख्य वन संरक्षक/नोडल अधिकारी,
30प्र0, लखनऊ।

ENVIRONMENT MANAGEMENT CENTRE

Environmental Testing & Appraisal Laboratories
(House of Pollution Monitoring, Analysis & Consultancy Services)



T-3617

Work Place : Khasra No. 1102,
Industrial Area, Salempur Rajputan,
Roorkee - 247 667(Uttarakhand)

Mailing Address : 13-A, Ram Nagar,
Roorkee - 247 667(Uttarakhand)

ACCREDITED BY NABL, DEPARTMENT OF SCIENCE & TECHNOLOGY, GOVT. APPROVED TESTING LABORATORY

GROUND WATER SAMPLES ANALYSIS REPORT

SAMPLING DETAILS

Test Report No: ET&A/WS/17603/19		Laboratory Sample Code : EMC/WS/17667/19		Date: 15.03.2019
Work Order No.& Date : 17603/19 & 09.03.2019				
Name and Address of Customer	M/s Bajaj Hindusthan Sugar Ltd. Sugar Unit Gola Gokarannath District – Lakhimpur (U.P.)			Order Reference : Through e-mail
Sample Description/Type	<u>Ground Water</u>	Sample Collected by		Laboratory Representative
Sampling Location	Borewell No.3 Industrial premises	Sample quantity / packing		2 L x 1 No.PVC can (Sealed) 500 ml Sterilized Glass Container
Date of Sampling	09.03.2019	Date of receipt of sample		11.03.2019
Sampling Procedure:	As per IS: 3025 (Part 1) 1987 Reaff. 2003; IS :10500,2012 Recent Amendment			
Date of start of analysis	11.03.2019	Date of completion of analysis		15.03.2019

TEST REPORT

S.No.	Test(s) conducted	Unit	Test Result	Requirement/ Desirable limit	Permissible Limit	Test Method
1.	Colour	Hazen	Colourless	5	15	IS:3025 (Part 4) 1983
2.	Odour	-	Odourless	Unobjectionable	Agreeable	IS:3025 (Part 5) 1983
3.	Taste	-	Tasteless	Agreeable	Agreeable	IS:3025 (Part 7&8) 1984
4.	pH	-	7.96	6.5-8.5	6.5-8.5	IS:3025 (Part 11) 1983
5.	Turbidity	NTU	0.78	1	5	IS:3025 (Part 10) 1984
6.	Total Dissolved Solids	mg/L	421.65	500	2000	IS:3025 (Part 16) 1984
7.	Total Hardness	mg/L	231.65	300	600	IS:3025 (Part 21) 1983
8.	Chloride (as Cl)	mg/L	46.21	250	1000	IS:3025 (Part 32) 1983
9.	Calcium (as Ca)	mg/L	76.59	75	200	IS:3025 (Part 40) 1994
10.	Magnesium (as Mg)	mg/L	10.23	30	100	IS:3025 (Part 46) 1994
11.	Sulphate (as SO ₄)	mg/L	43.51	200	400	IS:3025 (Part 24) 1983
12.	Iron (as Fe),	mg/L	0.41	0.3	1	IS:3025 (Part 53) 1994
13.	Flouride (as F)	mg/L	0.82	1	1.5	IS: 3025 (Part 60) 1964
14.	Nitrate (as NO ₃)	mg/L	11.76	45	No relaxation	IS :3025 (Part34) 1988
15.	Lead (as Pb)	mg/L	N.D.	0.01	0.001	IS:3025(Part 47) 2004
16.	Zinc (as Zn)	mg/l	0.21	5	15	IS:3025(Part 49) 2004
17.	Chromium (as Cr ³⁺)	mg/L	N.D.	0.05	No relaxation	IS:3025 (Part52) 2004
18.	Pesticide	mg/L	Nil	Nil	Nil	AOAC
19.	MPN (Coliform count /100 ml)	mg/L	Nil	Absent	10(E .Coli=Absent)	IS : 1622 - 1981

N.D. -Not Detected

Checked by
Amr



A.K. Gallow
Authorized Signatory
Director

Environment Management Centre
Khasra No. 1102, Ind. Area
Salempur Rajputan, Roorkee

Remarks:

- The above results are related only to tests performed on the sample. Endorsement of product is neither intended nor implied.
- This report is not to be reproduced wholly or in part & cannot be used as evidence in the court of law & should not be used in any advertising media without our special permission in writing.
- Sample will be destroyed after 15 days of reporting unless otherwise specified.
- Report refers to the sample submitted to us and not drawn by ET&A Lab., unless mentioned otherwise.
- Result in parentheses is from subcontractor.

कार्यालय, मुख्य वन संरक्षक/नोडल अधिकारी, उत्तर प्रदेश, लखनऊ।
पत्रांक-1686/11-सी-144 दिनांक, लखनऊ, अप्रैल 08 /2013

सेवा में,

प्रमुख सचिव, (वन)
उ०प्र०शासन,
वन अनुभाग-2,
लखनऊ।

विषय- जनपद-लखीमपुर-खीरी में स्थित मैसर्स बजाज हिन्दुस्तान शुगर मिल लिमिटेड, गोला-गोकरननाथ, लखीमपुर-खीरी के द्वारा लीज पर ली गई वनभूमि 2.45 एकड़ (0.9919 हे०), 7.766 एकड़ (3.143 हे०) व 19.3586 एकड़ (7.8385 हे०) कुल 29.5746 एकड़ या 11.9734 हे० के लीज नवीनीकरण के सम्बन्ध में।
संदर्भ:- पर्यावरण एवं वन मंत्रालय, मध्य क्षेत्र, भारत सरकार का पत्रांक 8बी/यू०पी/०९/२९/२०११/एफ०सी०/९७२, दिनांक 14.11.12

महोदय,

उपरोक्त संदर्भित पत्र द्वारा विषयांकित प्रकरण में दिनांक 07.11.12 को अपर प्रमुख मुख्य वन संरक्षक (केन्द्रीय), पर्यावरण एवं वन मंत्रालय, क्षेत्रीय कार्यालय, लखनऊ की अध्यक्षता में स्थित मैसर्स बजाज हिन्दुस्तान शुगर मिल लिमिटेड, गोला-गोकरननाथ, लखीमपुर-खीरी में दी गई 0.9919 हे०, 3.143 हे० एवं 7.8385 हे० कुल 11.9734 हे० लीज नवीनीकरण का समेकित प्रस्ताव निम्न प्रकार निम्न अभिलेखों सहित अग्रेत्तर कार्यवाही हेतु संलग्न कर मूल दो प्रतियों में आवश्यक अग्रेत्तर कार्यवाही हेतु प्रेषित किया जा रहा है:-

क्रम सं०	प्रस्ताव का विवरण	लीज पर दी गई वनभूमि का क्षेत्रफल हे० में	लीज समाप्ति की तिथि
1	मै० बजाज हिन्दुस्तान लि०, गोला-गोकरननाथ, लखीमपुर-खीरी	0.9919	31.12.2011
2	मै० बजाज हिन्दुस्तान लि०, गोला-गोकरननाथ, लखीमपुर-खीरी	3.1430	31.12.2002
3	मै० बजाज हिन्दुस्तान लि०, गोला-गोकरननाथ, लखीमपुर-खीरी	7.8385	31.12.2005
	योग	11.9734	

- 1- वियरिंग चार्ट संलग्न है।
- 2- 7.8385 हे०, 3.143 हे० एवं 0.9919 हे० लीज स्वीकृति के स्वीकृत आदेश संलग्न है।
- 3- लीज डीड की फोटो प्रति संलग्न है।

L.I. No.3- 372

- 4- क्षतिपूरक वृक्षारोपण व रखरखाव एवं दण्डात्मक वृक्षारोपण पर व्यय वहन की वचनबद्धता संलग्न है।
 5- क्षतिपूरक वृक्षारोपण एवं 10 वर्षों तक रख-रखाव का प्राक्कलन संलग्न है।

संलग्नक:- यथोक्त प्रस्ताव मूल 2 प्रतियों में।

भवदीय

(ए०के०द्विवेदी)

मुख्य वन संरक्षक/नोडल अधिकारी
 उ०प्र०, लखनऊ।

संख्या- 1686,

दिनांकित।

- प्रतिलिपि:- निम्नलिखित अधिकारियों को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-
 1- मुख्य वन संरक्षक, लखनऊ मण्डल, लखनऊ।
 2- प्रभागीय वनाधिकारी, लखनऊ वन प्रभाग, लखनऊ।
 3- फैक्ट्री मैनेजर, बजाज हिन्दुस्तान लि०, गोला-गोकरननाथ, लखीमपुर-खीरी।

(ए०के०द्विवेदी)

मुख्य वन संरक्षक/नोडल अधिकारी
 उ०प्र०, लखनऊ।

पत्रांक: का0प्र0/1270.

दिनांक: 20.12.2012

श्रीमान प्रभागीय वनाधिकारी,
 दक्षिण खीरी वन प्रभाग,
लखीमपुर-खीरी

विषय: मे0 बजाज हिन्दुस्थान लि0, गोला गोकर्णनाथ, (खीरी) को वन विभाग द्वारा पट्टे पर दी गयी वन भूमि क्रमशः 19.358, 7.766 व 2.45 एकड़ के समेकित प्रस्ताव के सम्बन्ध में।

महोदय,

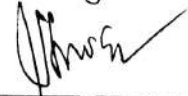
कृपया मुख्य वन संरक्षक (केन्द्रीय), पर्यावरण एवं वन मन्त्रालय, क्षेत्रीय कार्यालय, लखनऊ की अध्यक्षता में दिनांक 07.11.2012 को हुई बैठक एवं मुख्य वन संरक्षक, लखनऊ मण्डल, लखनऊ के पत्रांक 14-10-4 लखनऊ, दिनांक 03.12.2012 का सन्दर्भ ग्रहण करने का कष्ट करें।

उपरोक्त के सन्दर्भ में हम उक्त तीनों भूखण्डों का समेकित प्रस्ताव पट्टे के नवीनीकरण के लिए आवश्यक कार्यवाही हेतु संलग्नकर 5 प्रतियों में प्रस्तुत कर रहे हैं।

अतः श्रीमान जी से निवेदन है कि उक्त समेकित प्रस्ताव का नवीनीकरण 99 वर्षों के लिए कराने की कृपा करें।

धन्यवाद,

भवदीय
 कृते बजाज हिन्दुस्थान लि0.


 कारखाना प्रबन्धक

संलग्नक:- उपरोक्तानुसार

ENVIRONMENT MANAGEMENT CENTRE

Environmental Testing & Appraisal Laboratories
(House of Pollution Monitoring, Analysis & Consultancy Services)



T-3617

Work Place : Khasra No. 1102,
Industrial Area, Salempur Rajputan,
Roorkee - 247 667(Uttarakhand)

Mailing Address : 13-A, Ram Nagar,
Roorkee - 247 667(Uttarakhand)

ACCREDITED BY NABL, DEPARTMENT OF SCIENCE & TECHNOLOGY, GOVT. APPROVED TESTING LABORATORY

GROUND WATER SAMPLES ANALYSIS REPORT

SAMPLING DETAILS

Test Report No: ET&A/SS/17057/19		Laboratory Sample Code : EMC/ SS/17121/19		Date: 18.02.2019
Work Order No.& Date : 17057/19 & 12.02.2019				
Name and Address of Customer	M/s Bajaj Hindusthan Sugar Ltd. Sugar Unit Gola Gokarannath District – Lakhimpur (U.P.)		Order Reference : Through e-mail	
Sample Description/Type	<u>Ground Water</u>	Sample Collected by	Laboratory Representative	
Sampling Location	Borewell No.1 Industrial premises	Sample quantity / packing	2 L x 1 No.PVC can(Sealed) 500 ml Sterilized Glass Container	
Date of Sampling	12.02.2019	Date of receipt of sample	13.02.2019	
Sampling Procedure:	As per IS: 3025 (Part 1) 1987 Reaff. 2003; IS :10500 ,2012 Recent Amendment			
Date of start of analysis	13.02.2019	Date of completion of analysis	18.02.2019	

TEST REPORT

S.No.	Test(s) conducted	Unit	Test Result	Requirement/ Desirable limit	Permissible Limit	Test Method
1.	Colour	Hazen	Colourless	5	15	IS:3025 (Part 4) 1983
2.	Odour	-	Odourless	Unobjectionable	Agreeable	IS:3025 (Part 5) 1983
3.	Taste	-	Tasteless	Agreeable	Agreeable	IS:3025 (Part 7&8) 1984
4.	pH	-	7.30	6.5-8.5	6.5-8.5	IS:3025 (Part 11) 1983
5.	Turbidity	NTU	1.28	1	5	IS:3025 (Part 10) 1984
6.	Total Dissolved Solids	mg/L	446.80	500	2000	IS:3025 (Part 16) 1984
7.	Total Hardness	mg/L	277.197	300	600	IS:3025 (Part 21) 1983
8.	Chloride (as Cl)	mg/L	48.18	250	1000	IS:3025 (Part 32) 1983
9.	Calcium (as Ca)	mg/L	74.08	75	200	IS:3025 (Part 40) 1994
10.	Magnesium (as Mg),	mg/L	22.40	30	100	IS:3025 (Part 46) 1994
11.	Sulphate (as SO ₄)	mg/L	40.02	200	400	IS:3025 (Part 24) 1983
12.	Iron (as Fe),	mg/L	0.76	0.3	1	IS:3025 (Part 53) 1994
13.	Flouride (as F)	mg/L	1.4	1	1.5	IS: 3025 (Part 60) 1964
14.	Nitrate (as NO ₃)	mg/L	16.60	45	No relaxation	IS :3025 (Part34) 1988
15.	Lead (as Pb)	mg/L	N.D.	0.01	0.001	IS:3025(Part 47) 2004
16.	Zinc (as Zn)	mg/l	0.76	5	15	IS:3025(Part 49) 2004
17.	Chromium (as Cr ³⁺)	mg/L	B.D.L.	0.05	No relaxation	IS:3025 (Part52) 2004
18.	Pesticide	mg/L	Nil	Nil	Nil	AOAC
19.	MPN (Coliform count /100 ml)	mg/L	Nil	Absent	10(E .Coli=Absent)	IS : 1622 - 1981

N.D.: Not Dctected ; B.D.L. : Below Detection Limit

Checked by
Amit



Authorized Signatory
A.C. G. Law

Remarks:

- The above results are related only to tests performed on the sample and endorsement of product is neither inferred nor implied.
- This report is not to be reproduced wholly or in part & cannot be used as evidence in the court of law without our special permission in writing.
- Sample will be destroyed after 15 days of reporting unless otherwise specified.
- Report refers to the sample submitted to us and not drawn by ET&A Lab., unless mentioned otherwise.
- Result in parentheses is from subcontractor.

Director
Environment Management Centre
Khasra No: 1102, Indl. Area
Salempur Rajputan, Roorkee

ENVIRONMENT MANAGEMENT CENTREEnvironmental Testing & Appraisal Laboratories
(House of Pollution Monitoring, Analysis & Consultancy Services)

T-3617

Mailing Address : 13-A, Ram Nagar,
Roorkee - 247 667(Uttarakhand)Work Place : Khasra No. 1102,
Industrial Area, Salempur Rajputan,
Roorkee - 247 667(Uttarakhand)

ACCREDITED BY NABL, DEPARTMENT OF SCIENCE & TECHNOLOGY, GOVT. APPROVED TESTING LABORATORY

HAND PUMP WATER SAMPLE ANALYSIS REPORT**SAMPLING DETAILS**

Test Report No: ET&A/WS/17065/19		Laboratory Sample Code : EMC/ WS/17146/19		Date: 26.04.19
Work Order No.& Date : 17065/19 & 23.04.19				
Name and Address of Customer	M/s Bajaj Hindusthan Sugar Ltd. Sugar Unit Gola Gokarannath District – Lakhimpur (U.P.)		Order Reference : Through e-mail	
Sample Description/Type	<u>Hand pump Water Sample</u>	Sample Collected by	Laboratory Representative	
Sampling Location	Industrial premises	Sample quantity / packing	5 L x 1 No.PVC can	
Date of Sampling	23.04.19	Date of receipt of sample	24.04.19	
Sampling Procedure:	As per IS:3025 (Part 1) 1987 Reaff. 2003; IS :10500 ,2012 Recent Amendment			
Date of start of analysis	24.04.19	Date of completion of analysis	26.04.19	

TEST REPORT

S.No.	Test(s) conducted	Unit	Test Result	Requirement/ Desirable limit	Test Method
1.	Colour	Hazen	less than 1	5	IS:3025 (Part 4) 1983
2.	Odour	-	unobjectionable	unobjectionable	IS:3025 (Part 5) 1983
3.	Taste	-	Agreeable	Agreeable	IS:3025 (Part 7&8) 1984
4.	pH	-	7.50	6.5-8.5	IS:3025 (Part 11) 1983
5.	Conductivity	µS/cm	376	-	IS:3025 (Part 14) 1984
6.	Turbidity	NTU	0.65	1.0	IS:3025 (Part 10) 1984
7.	Total Dissolved Solids	mg/l	406.40	500	IS:3025 (Part 16) 1984
8.	Total Hardness	mg/l	254.68	300	IS:3025 (Part 21) 1983
9.	Total Alkalinity	mg/l	224	200	IS:3025 (Part 23) 1986
10.	Chloride (as Cl)	mg/l	52.16	250	IS:3025 (Part 32) 1983
11.	Free residual chlorine	mg/l	N.D.	0.2	IS:3025 (Part 26) 1994
12.	Calcium (as Ca)	mg/l	58.8	75	IS:3025 (Part 40) 1994
13.	Magnesium (as Mg),	mg/l	26.2	30	IS:3025 (Part 46) 1994
14.	Sulphate (as SO ₄)	mg/l	60.50	200	IS:3025 (Part 24) 1983
15.	Sodium (as Na)	ppm	28.16	-	IS:3025 (Part 45) 1994
16.	Potassium (as K)	ppm	9.8	-	IS:3025 (Part 45) 1994
17.	Iron (as Fe)	mg/l	0.28	0.3	IS:3025 (Part 53) 1994
18.	Flouride (as F)	mg/l	0.78	1.0	IS : 3025 (Part 60) 1964
19.	Nitrate (as NO ₃)	mg/l	8.60	45	IS :3025 (Part34) 1988
20.	Copper (as Cu)	mg/l	0.001	0.05	IS :3025 (Part42) 2004
21.	Manganese (as Mn)	mg/l	0.0007	0.1	IS :3025 (Part59) 2004
22.	Phenolic compounds (as C ₆ H ₅ OH)	mg/l	N.D.	0.001	IS :3025 (Part 43)1992
23.	Mercury (as Hg)	mg/l	N.D.	0.001	IS : 3025 (Part 48) 2004

Page 1 of 3









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S.No.	Test(s) conducted	Unit	Test Result	Requirement/ Desirable limit	Test Method
24.	Cadmium (as Cd)	mg/l	0.002	0.01	IS : 3025 (Part 41) 2004
25.	Selenium (as Se)	mg/l	N.D.	0.01	IS :3025 (Part 56) 2004
26.	Arsenic (as As)	mg/l	N.D.	0.05	IS :3025 (Part 37) 2004
27.	Cyanide (as CN)	mg/l	N.D.	0.05	IS:3025 (Part 27) 1986
28.	Lead (as Pb)	mg/l	< 0.001	0.01	IS:3025(Part 47) 2004
29.	Zinc (as Zn)	mg/l	0.174	5	IS:3025(Part 49) 2004
30.	Anionic Detergent (as MBAS)	mg/l	< 0.1	0.2	IS:13428 Annex K-2005
31.	Chromium (as Cr 3+)	mg/l	< 0.003	0.05	IS:3025 (Part52) 2004
32.	Barium (as Ba)	mg/l	N.D.	0.7	Annex F of IS:13428/IS15302
33.	Boron (as B), mg/l	mg/l	N.D.	0.5	IS:3025 (Part57) 2004
34.	Aluminium (as Al)	mg/l	N.D.	0.03	IS:3025 (Part 55) 2004
35.	Ammonia (as total ammonia-N)	mg/l	0.004	0.5	IS:3025 (Part 34)
36.	Silver (as Ag))	mg/l	N.D.	0.1	Annex J of IS:13428
37.	Mineral oil	mg/l	N.D.	0.01	IS:3025 (Part 39) 1991
38.	Poly nuclear aromatic hydrocarbon (as PAH)	mg/l	N.D.	0.0001	GCLPL/QS/RAD/5.4/11 (GCMS)
39.	Molybdenum (as Mo)	mg/l	N.D.	0.07	IS:3025 (Part 2)
40.	Nickel (as Ni)	mg/l	N.D.	0.02	IS:3025 (Part 54) 2004
41.	Chloramine (as Cl ₂)	mg/l	N.D.	4.0	IS:3025 (Part 26) 2004
42.	Sulphide (as H ₂ S)	mg/l	N.D.	0.05	IS:3025 (Part 29) 2004
43.	Pesticide	mg/l	N.D.	0.001	AOAC
i)	Alachlor	µg/l	N.D.	20	USEPA 525.2, 507
ii)	Atrazine	µg/l	N.D.	2	USEPA 525.2,8141 A
iii)	Aldrin/ Dieldrin	µg/l	N.D.	0.03	USEPA 508
iv)	Alpha HCH	µg/l	N.D.	0.01	USEPA 508
v)	Beta HCH	µg/l	N.D.	0.04	USEPA 508
vi)	Butachlor	µg/l	N.D.	125	USEPA 525.2, 8141 A
vii)	Chlorpyrifos	µg/l	N.D.	30	USEPA 525.2, 8141 A
viii)	Delta HCH	µg/l	N.D.	0.04	USEPA 508
ix)	2,4Dichlorophenoxyacetic acid	µg/l	N.D.	30	USEPA 515.1
x)	DDT (o, p and p, p - Isomers of DDT, DDE and DDD)	µg/l	N.D.	1	USEPA 508 AOAC 990.06
xi)	Endosulfan (alpha, beta, and sulphate)	µg/l	N.D.	0.4	USEPA 508 AOAC 990.06
xii)	Ethion	µg/l	N.D.	3	USEPA 1657 A

Page 2 of 3



ENVIRONMENT MANAGEMENT CENTREEnvironmental Testing & Appraisal Laboratories
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Roorkee - 247 667(Uttarakhand)Mailing Address : 13-A, Ram Nagar,
Roorkee - 247 667(Uttarakhand)

ACCREDITED BY NABL, DEPARTMENT OF SCIENCE & TECHNOLOGY, GOVT. APPROVED TESTING LABORATORY

S.No.	Test(s) conducted	Unit	Test Result	Requirement/ Desirable limit	Test Method
xiii)	Gamma — HCH (Lindane)	µg/l	N.D.	2	USEPA 508 AOAC 990.06
xiv)	Isoproturon	µg/l	N.D.	9	USEPA 532
xv)	Malathion	µg/l	N.D.	190	USEPA 8141 A
xvi)	Methyl parathion	µg/l	N.D.	0.3	USEPA 8141A;ISO10695
xvii)	Monocrotophos	µg/l	N.D.	1	USEPA 8141 A
xviii)	Phorate	µg/l	N.D.	2	USEPA 8141 A

Microbiological Parameters

44.	Coliform Bacteria	-	absent	< 10	IS:1622-1981
45.	Faecal Coliform	-	absent	absent	IS:1622-1981
46.	E.Coli	MPN/100ml.	absent	absent	IS:1622-1981

N.D. – Not detected

The above tested parameters meet the requirements of IS:10500 as per the amendment of 2012.

Anit
Checked by



Authorized Signatory

Director
Environment Management Centre
Khasra No: 1102, Indl. Area
Salempur Rajputan, Roorkee

Page 3 of 3

Remarks:

- The above results are related only to tests performed on the sample. Endorsement of product is neither inferred nor implied.
- This report is not to be reproduced wholly or in part & can not be used as evidence in the court of law & should not be used in any advertising media without our special permission in writing.
- Sample will be destroyed after 15 days of reporting unless otherwise specified.
- Report refers to the sample submitted to us and not drawn by ET&A Lab., unless mentioned otherwise.
- Result in parentheses is from subcontractor.



September 04, 2019

To,
The Chairman
Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar,
Delhi-110 032

[Signature]
9/9/19
- SD (RK)

Sub: Closure direction under Sec-5 OF ENVIRONMENT (PROTECTION) ACT, 1986 to our Bajaj Hindusthan Sugar Limited, Distillery Division, Unit-Gola Gokarannath, District- Lakhimpur Kheri.

Dear Sir,

It is with reference to the closure direction letter ref. B-76/PCI-III/2K-2K01/ dated 22.07.2019 & our subsequent reply dated 09.08.2019 whereby we have submitted the compliance of all the directions mentioned in above said closure letter.

In continuation of above further we are submitting herewith the compliance status. The point wise details are as under-

Sl.	Direction	Compliance
1	The unit shall complete the on-going installation and commissioning of the proposed 05 stage MEE for achieving the desired volume reduction and solid concentration of spent wash, as per the ZLD action plan implemented by CPCB.	The new MEE with 5 Stages has been completed; water trial and commissioning will be done in October, 2019. The Photographs are enclosed as annexure-1 .
2	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.	At present we are using all the MEE condensate in molasses dilution and cooling tower make up water. The condensate of Bio-methanated spent wash carries Ammonia in entrapped form, which sometimes has a chance to inhibit the process, for which we are installing the Ammonia stripper. The erection job is under progress. The photographs are enclosed as annexure-2
3	The unit should immediately transfer the coloured untreated effluent stored in the katcha lagoon to lined lagoons and dispose the same in an environmentally safe manner by giving proper treatment. The katcha lagoon containing coloured effluent shall be dismantled in scientific manner, ensuring that it does not lead to soil and ground water contamination.	As your good-self has already been appraised that the said land was low lying area of the forest, which we taken on lease for the lagooning. At that time lagooning of the spent wash was compulsory. Thereafter, as per the PCB directions we have dismantled those katcha lagoons and constructed pucca lagoons for usages. Since it is a low lying area therefore all the storm water of the forest land collected here. We have evacuated all the water and started refilling/reclaiming the land but forest department has stopped the work as

1PC-111

Page 1 of 3

		the land lease has been expired in the year -2011 and the land is in the possession of them.
4	The unit should restrict the available lined storage lagoon capacity to max. 30 days equivalent of concentrated spent wash generation and excess storage capacity shall be dismantled/properly demarcated.	As directed by you, we have reduced the storage capacity of the lagoons i.e. equal to 30 days, generation of concentrated effluent.
5	The unit shall carry out an adequacy assessment study of the pollution control measures by reputed Government institution like NSI, Kanpur, VSI Nagpur, NEERI or IITs. The adequacy assessment study with implementation completion report on the recommendations to ensure compliance of stipulated consented notified norms.	We have already discussed with the National Sugar Institute, Kanpur for the adequacy of our Unit. Once it has been done, we will submit the report to you.
6	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.	So far other conditions of the bio-compost are concerned we are working over the ground water monitoring network. We have installed the hand pumps in the desired places and nos. i.e. 3 nos. The 6 Nos. of new piezo wells will be installed in next month when the rains will be over. The photographs are enclosed as annexure-3 .

We assure you that we are in strict compliance of ZLD & other directions issued from Central Pollution Control Board, Delhi, Uttar Pradesh Pollution Control Board, MoEF&CC and Hon'ble NGT time to time. We are also in strict compliance to the CREP guidelines issued for the Distilleries.

We hope that you might have found everything in order up to your satisfaction and in light of above you will consider our humble request to revoke the closure order issued to us vide subjected letter. We hope for a favorable response.

We once again assure you that we regularly analyze our system and accordingly upgrade our Pollution Control devices. We are very much conscious to the environment and sincere about our responsibilities for the protection of environment. We are committed towards creating a clean and safe environment in and around our manufacturing facility and assure for future too.

Thanking you.

Yours faithfully,

For Bajaj Hindusthan Sugar Limited,
Unit: Distillery, Gola Gokarannath, Lakhimpur Kheri, UP


Authorized Signatory

Encl.:- as above

Copy to:

- 1) The Chairman**
Uttar Pradesh Pollution Control Board
Building No.TC-12V, Vibhuti Khand,
Gomti Nagar, Lucknow - 226020

- 2) The Regional Director,**
CPCB Regional Directorate,
PICUP Bhawan, Ground Floor,
Vibhuti Khand, Gomti Nagar, Lucknow-10

- 3) The Joint Secretary, (CP Division)**
Ministry of Environment, Forest & C.C,
Prithvi Block, Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi - 110003

- 4) The Div. Head, IPC-III Division, CPCB Delhi.**

Annexure 1



Annexure 2



Annexure 3



पारिवेश भवन, पूरबी अरजुन नगर, दिल्ली

128536

09 SEP 2019

September 06, 2019

To,
The Chairman
 Central Pollution Control Board
 Parivesh Bhawan, East Arjun Nagar,
 Delhi-110 032

Central Pollution Control Board
 Parivesh Bhawan, East Arjun Nagar

Sub: Direction (Show Cause Notice) under Section 5 OF ENVIRONMENT (PROTECTION) ACT, 1986 - Bajaj Hindusthan Sugar Limited, Distillery Division, Unit-Gola Gokarannath, District- Lakhimpur Kheri.

Dear Sir,

It is with reference to the letter ref. B-76/PCI-III/2K-2K01/269 dated 19th August, 2019 & replies dated 09.08.2019 and 04.09.2019 whereby we have submitted the compliance of all the directions mentioned in closure order B-76/PCI-III/2K-2K01/ issued by your good office on 22nd July, 2019

It is respectfully submitted that the factory at Gola is one of the oldest factory (1931) in the country and is a fully compliant Unit. However, the irregularity, if any, does not warrant such a huge imposition of damages, which may affect the viability of the Unit itself.

Accordingly, in absence of correct facts, certain remarks have been crept in which otherwise is unwanted. In this view of the matter and in order to explain the correct facts in its right perspectives and to assist the office of your good-self, certain important facts related to our Unit are stated as under:

As mentioned above, our Industry was established in 1931 and that time there was neither any rules nor any regulations regarding the treatment of Effluent.

Initially, the effluent was to be stored on land and because of biological reaction, it would have degraded in natural way and get evaporate due to Solar Evaporation. However, we were not having sufficient Land for the storage of the sullage, accordingly, we requested the Forest Department for grant of certain piece of land on lease as was permissible. On such request, the forest department granted a piece of land to our Unit at Gola which has no potential of any afforestation. It may be mentioned that as per requirement a low-lying land was given to the Unit which always got converted in to swamp during rainy season and accordingly there was no vegetation on the said land ever. The Forest department agreed and signed an agreement for 29.574 acres of land, which was used for the storage of effluent/spent wash.

After the passage of time, technology for the effluent treatment developed in manifold, which duly got implemented by our factory/Unit. Under such circumstances, the lagooning technology also got developed and approved by the concerned monitoring authority in the State. Afterward, we also adopted the same and utilized this land for construction of Lagoons.

In the Lagoon Technology, the effluent used to store in Kuchha Pits in multiple stages after pH correction by using the lime and stored in the pit for a

Page 1 of 3

IPC-111

SD(VK)

considerable period in order to get it evaporated naturally in sun-light (solar drying).

Thereafter, in due course, the agencies have observed that the storage of effluent in Lagoons for a long period may affect the ground water through percolation and colour of effluent may get absorbed by the upper layer of the earth which resultantly may leach out during rain and gives a false impression of effluent discharge/storage.

Looking into above drawback of the Lagooning and in order to prevent the seepage of effluent colour to ground water, the agencies proposed a HDPE lining in the Lagoons for making it impervious. In the next step, the agencies further proposed for constructing the Pakka Lagoon with HDPE and brick lining with an object to fully prevent any percolation of Effluent into Sub Soil water and further to avoid any possible leaching due to accidental damages of HDPE lining.

In this way after passage of time, the technology for the Effluent Treatment was developed up to Bio-gas, Bio-composting, MEE, Ferti-Irrigation, ASP, RO and incineration and Katccha lagoons are now in no use since decades, but the impact of erstwhile Katccha Lagoons are still visible in form of colour in the upper layer of soil wherever the distilleries are installed.

In our case, we have adopted and complied with all the contemporaneous directions, rules & regulations and are also in compliance with all the directions relating to the up gradation of the Effluent Treatment System. Extension of MEE by adding more 5 stage is under water trial and on the verge on commissioning. Though, at present we are using all the MEE condensate in molasses dilution and cooling tower make up water, but is due time we observed that the condensate of Bio-methanated spent wash carries Ammonia in entrapped form, which sometimes has a chance to inhibit the process, for which we are installing the Ammonia stripper. The erection job of the same is also under progress. BHSL have full-fledged effluent treatment system to take care of all spent wash generation and achieving Zero liquid Discharge.

This is also pertinent to mention that we are obtaining consent to operate on regular basis by the State Pollution Control Board and thus the allegations are without any cogent reason or material on record.

In view of the above, it is established that there is no violation of any norm which has any adverse effect on environment. Therefore, *prima facie* the closure & the proposed penalty are unwarranted.

Accordingly, we call upon your good-self to kindly recall and withdraw your Show cause notice dated 19.08.2019 and set aside the proposal of imposing penalty of Rs.1,96,20,000/- and allow us to commence/continue our operational activities.

As far as the present notice regarding the imposition of penalty is concerned, it is humbly submitted that there is no such violation, as alleged, is continuing which may attract the proposed penalty. Further, you may please note that the Penalty under section 5 of the Environment Act as exercised by your good-self imposing penalty is under challenge before the Hon'ble Supreme Court vide SLP (c) no.

18356/2019 of 2019, in which the Hon'ble Supreme Court has granted stay of the operation of your order passed under Section 5. Therefore, it is humbly requested that in view of the pendency of this issue before the Hon'ble Supreme Court the present Show cause notice may be withdrawn or kept in abeyance till the disposal of the Special Leave Petition in the interest of Justice.

BHSL further states that it has never caused any loss to environment. BHSL uses natural resources in the quantum as are permitted by the relevant authorities and BHSL has always endeavored to pay back to the environment what it has taken therefrom, thus fulfilling the objective of "sustainable development".

We assure you that we are in strict compliance of ZLD & other directions issued from Central Pollution Control Board, Delhi, UP Pollution Control Board, MoEF&CC & Hon'ble NGT time to time and also in strict compliance to the CREP guidelines issued for the Distilleries.

We hope that you might have found everything in order up to your satisfaction and in light of above you will consider our humble request to revoke the closure order issued to us on dated 22.07.2019.

We hope for a favorable response and once again assure you that, we are sincere to our environment and conscious to our social responsibilities and committed towards creating a clean & safe environment in and around our manufacturing facility and will always remain so.

Thanking you.

Yours faithfully,

For Bajaj Hindusthan Sugar Limited,
Unit: Distillery, **Gola Gokarannath**, Lakhimpur Kheri, UP


Authorized Signatory

Copy to:

- 1) **The Chairman**
Uttar Pradesh Pollution Control Board
Building No.TC-12V, Vibhuti Khand,
Gomti Nagar, Lucknow - 226020
- 2) **The Regional Director,**
CPCB Regional Directorate,
PICUP Bhawan, Ground Floor,
Vibhuti Khand, Gomti Nagar, Lucknow-10
- 3) **The Joint Secretary, (CP Division)**
Ministry of Environment, Forest & C.C,
Prithvi Block, Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi - 110003
- 4) **The Div. Head, IPC-III Division, CPCB Delhi.**

SPEED POST

B-76/PC1-III/2K19-2K20/ 12534

Dated: 27.02.2020

To,

M/s Bajaj Hindustan Sugar Ltd.,
Distillery Unit, Gola Gokarannath,
Lakhimpur Kheri, Uttar Pradesh-262802

Sub: Show Cause Notice under Section 5 of E (P) Act, 1986 to M/s Bajaj Hindustan Sugar Ltd.,
(Distillery Unit) Gola Gokarannath, Lakhimpur Kheri, Uttar Pradesh-Directions
thereof

Sir,

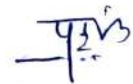
This has reference to the show cause notice-directions thereof issued by CPCB u/s 5 of E (P) Act, 1986, dated 19.08.2019 for levying environmental compensation & your reply letter dated 06.09.2019 requesting for its withdrawal or keeping it in abeyance till the disposal of Special Leave Petition (Civil) No. 18356/2019 filed by M/s Bajaj Hindustan Sugar Ltd., against CPCB.

In this context, it is to inform you that the Hon'ble Supreme Court order, dated 09.08.2019 passed in the aforesaid matter referred by you pertains to the Special Leave Petition filed against the final judgement vide order, dated 05.07.2019 in WP(C) No. 7167 of 2019 by the Hon'ble High Court, Delhi. This writ petition is filed in the High Court of Delhi against the directions issued by CPCB to M/s Bajaj Hindustan Sugar Ltd.,(Sugar Mill) Berkhera, Pilibhit, UP

The Order of the Hon'ble Supreme Court dated 09.08.2019 does not apply on the Show Cause Notice issued by CPCB on 19.08.2019 to the distillery unit of M/s Bajaj Hindustan Sugar Ltd., located at Gola Gokarannath, Lakhimpur Kheri, Uttar Pradesh for levying Environmental Compensation, as both the matters are to be dealt separately. Hence, your request for withdrawal of show cause notice for deposition of Environment Compensation may not be acceded to.

Yours faithfully

ofc



(Prashant Gargava)
Member Secretary

कन्द्रीय प्रदूषण नियंत्रण बोर्ड
निर्गत.....
दिनांक..... 27/02/20

Speed Post

B-76/PCI-III/2K-2K01/20

20.04.2020

To,

M/s. Bajaj Hindustan Sugar Ltd.,
Distillery Unit, Gola Gokarananath
Lakhimpur Kheri, Uttar Pradesh-262802

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

WHEREAS, Distilleries are identified as one of the 17 categories of highly polluting industries which have been discharging environmental pollutants directly or indirectly into the ambient air and water, having potential threat to cause adverse effect on the water and air quality; and

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

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

WHEREAS, for strengthening the monitoring and compliance through self regulatory mechanism and inculcating the habit of self monitoring within the industries for complying with the prescribed standards, CPCB has mandated installation and operation of online continuous emission and effluent monitoring systems (OCEMS) by the 17 category & Ganga GPI industries on 'polluter pays principle'; and

WHEREAS, the sector specific requirement regarding installation of OCEMS for the 17 categories, including distilleries are already uploaded in the CPCB website and is available at <http://cpcb.nic.in/online-monitoring-clarification>; and

WHEREAS, the Ministry of Environment & Forests, Government of India, vide Notifications No- S. O. 157 (E) of 27.02.1996 and S. O. 730 (E) dated 10.07.2002, has delegated the powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board, to issue directions to any industry or any local body or any other authority for violations of the standards and rules notified under the Environment (Protection) Rules, 1986 and amendment thereof.

WHEREAS, M/s Bajaj Hindustan Sugar Ltd., Distillery Unit, Gola Gokarananath, Lakhimpur Kheri, Uttar Pradesh, hereinafter referred to as 'the unit' was jointly inspected by RO UPPCB & RD, CPCB, Lucknow team on 23.10.2018, based on complaint received regarding discharge of coloured effluent into 'Sharda Sahayak' Canal and based on the observations

made during the inspection, CPCB had issued a show cause notice to the unit on 14.01.2019, under section 5 of the Environment (Protection) Act, 1986 as to why the unit should not be closed down; and

WHEREAS, the unit vide letter dated 30.01.2019 had provided its reply to the notice, indicating compliance to the direction and after examining the reply received, a team from RD, CPCB, Lucknow had again carried out an inspection of the unit on 24.04.2019 for verification of the compliance status of the unit based on the observations and conclusions made by the inspection team, CPCB issued a confirmed closure direction under section 5 of the Environment (Protection) Act, 1986 to the unit on 22.07.2019; and

WHEREAS, the unit has provided reply to the directions issued by CPCB vide letters dated 10.12.2019, 01.01.2020 & 03.02.2020 along with supporting documents and photographic evidences, indicating compliance to the directions of CPCB; and

WHEREAS, CPCB constituted a three member Committee vide office order dated 03.10.2017 having representative(s) from CPCB and MOEF&CC for examination and recommendation of the revocation of closure directions issued by CPCB; and

WHEREAS, the Committee in its meeting held on 11.02.2020 reviewed the compliance made by the unit & verified the submitted supporting documents in line with the agreed criteria and recommended that the unit may be allowed to resume its manufacturing operation with certain conditions.

NOW THEREFORE, in view of the compliance made by the unit to the direction issued by CPCB and in exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986, the M/s. Bajaj Hindustan Sugar Ltd., Distillery Unit, Gola Gokarannath, Lakhimpur Kheri, Uttar Pradesh is allowed to resume its manufacturing operations subject to the following condition;

1. The unit shall submit performance audit report of the ETP & ZLD systems from reputed Govt. Institute within 60 days of commencement of operations.
2. The unit shall obtain valid Consent & Authorization from UPPCB under the Water & Air Acts and the H&OW (M&TM) Rules, 2016, before commencement of operation.
3. Unit shall comply with the requirement of providing updated display Board at the entrance to display the generation of HW, Hazardous chemicals, etc. as per Hon'ble Supreme Court directive in WP(C) No. 657/1995.
4. The unit shall intimate the date of resumption of operations to CPCB and shall be inspected by CPCB randomly to check the performance of ZLD within 90 days of resumption of operation.
5. The revocation of closure direction shall not have any bearing on the proceedings related to the notice issued to the unit on 19.08.2019 for remittance of environmental compensation.

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

o/c

(Ravi S. Prasad)
CHAIRMAN

Copy to:

- 1) The Chairman,
Uttar Pradesh Pollution Control Board
Building No. TC-12V, Vibhuthi Khand,
Gomti Nagar, Lucknow - 226 020
: For ensuring compliance of the
directions please.
- 2) The Regional Director,
CPCB Regional Directorate,
PICUP Bhawan, Ground Floor, Vibhuthi Khand,
Gomti Nagar, Lucknow-226010
: For follow up and carrying out the
physical verification of the unit
within 90 days please.
- 3) The District Magistrate,
Gorakhpur, Uttar Pradesh
: For information please
- 4) The Chief Engineer (Gorakhpur Zone),
Purvanchal Vidyut Vitran Nigam limited,
DLW Bhikharipur, Varanasi - 221004, U.P
: With a direction to restore the
power supply to the industrial
operations of the unit please.
- 5) The Joint Secretary (CP Division),
Ministry of Environment, Forests & CC,
Prithvi Block, Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi - 110 003
: For information please.
- 6) The Div. Head, IT Division, CPCB Delhi
: For uploading in the website please
- 7) The Div. Head, IPC-III Division, CPCB Delhi

निर्गत.....
दिनांक..... 05/05/2020

o/c

(Prashant Gargava)
MEMBER SECRETARY

Speed Post

B-76/PCI-III/2K-2K01/ 2190

01st July, 2020

To,

M/s Bajaj Hindustan Sugar Ltd.,
Distillery Unit, Gola Gokaranath,
Lakhimpur Kheri, Uttar Pradesh-262802



03 July, 2020

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

WHEREAS, Distilleries are identified as one of the 17 categories of highly polluting industries which have been discharging environmental pollutants directly or indirectly into the ambient air and water, having potential threat to cause adverse effect on the water and air quality; and

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

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

WHEREAS, for strengthening the monitoring and compliance through self regulatory mechanism and inculcating the habit of self monitoring within the industries for complying with the prescribed standards, CPCB has mandated installation and operation of online continuous emission and effluent monitoring systems (OCEMS) by the 17 category & Ganga GPI industries on 'polluter pays principle'; and

WHEREAS, the sector specific requirement regarding installation of OCEMS for the 17 categories, including distilleries are already uploaded in the CPCB website and is available at <http://cpcb.nic.in/online-monitoring-clarification/>; and

WHEREAS, the Ministry of Environment & Forests, Government of India, vide Notifications No-S. O. 157 (E) of 27.02.1996 and S. O. 730 (E) dated 10.07.2002, has delegated the powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board, to issue directions to any industry or any local body or any other authority for violations of the standards and rules notified under the Environment (Protection) Rules, 1986 and amendment thereof.

WHEREAS, M/s Bajaj Hindustan Sugar Ltd., Distillery Unit, Gola Gokaranath, Lakhimpur Kheri, Uttar Pradesh, hereinafter referred to as 'the unit' was jointly inspected by RO UPPCB & RD, CPCB, Lucknow team on 23.10.2018 based on complaint received regarding discharge of coloured effluent into Sharda Sahayak Canal and based on the observations made during the inspection, CPCB had issued a show cause notice to the unit on 14.01.2019, under section 5 of the Environment (Protection) Act, 1986 as to why the unit should not be closed down; and

WHEREAS, the unit vide letter dated 30.01.2019 had provided its reply to the notice, indicating compliance to the direction and after examining the reply received, a team from RD, CPCB, Lucknow had again carried out an inspection of the unit on 24.04.2019 for verification of the compliance status of the unit to the show cause notice issued by CPCB; and




WHEREAS, as per the observations reported by the inspection team, the operation of the units is in violation of the norms and unit is still non-complying to the ZLD with respect to operation of MEE for achieving the stipulated volume reduction/concentration of spent wash, storage of coloured untreated effluent in Katcha lagoon, posing threat to ground water and not providing any ETP/CPU for the treatment & reuse of condensate/management of other effluent streams. The unit is also not complying with the bio-composting protocol of CPCB, with respect to restriction of storage lagoon capacity to max. 30 days generation of concentrated effluent, providing covered shed storage facility for ready compost and not providing the required ground water monitoring system; and

WHEREAS, based on the observations made by the team, CPCB had issued direction under section 5 of the E(P) Act, 1986 on 22.07.2019 for the closure of manufacturing operations of the unit till compliance of directions thereof; and

WHEREAS, it is evident that the unit has continuously violated the environmental norms, and the Hon'ble NGT, Principal Bench vide its order dated 31.08.2018 in the matter of O.A. No. 593/2017 (WP(CIVIL) No. 375/2012), Paryavaran Suraksha Samiti & Anr. Vs Union of India & Ors. had directed "CPCB to take penal action for failure and, if any, against those accountable for setting up and maintaining STPs, CETPs and ETPs and may also assess and recover compensation for damage to the environment and said fund may be kept in a separate account and utilized in term of an action plan for protection of the environment"; and

WHEREAS, as per the formula developed for Environmental Compensation by CPCB, for the continuous operation of the unit violating the environmental norms and terms and conditions of the Consent to Operate, the total environmental compensation amount of **Rs. 1,96,20,000/- (One Crore Ninety Six Lac Twenty Thousand Rupees only)**, is calculated for the non compliance period (23.10.2018-22.07.2019 - 273 days) "; and

WHEREAS, CPCB had issued a show cause notice to the unit on 19.08.2019 under section 5 of the Environment (Protection) Act, 1986 as to why Environmental Compensation of Rs. **1,96,20,000/- (One Crore Ninety Six Lac Twenty Thousand Rupees only)** should not be imposed on the unit, M/s Bajaj Hindustan Sugar Ltd., Distillery Unit, Gola Gokaranath, Lakhimpur Kheri, Uttar Pradesh for 273 days of continuous violations to the environmental norms, based on available records; and

WHEREAS, the unit vide its letter dated 06.09.2019 had requested for the withdrawal or keeping in abeyance of the show cause notice till the disposal of Special Leave Petition (Civil) No. 18356/2019 filed by M/s Bajaj Hindustan Sugar Ltd., against CPCB in another matter related to levying environmental compensation against its sugar mill located at Berkhera, Pilibhit, UP; and

WHEREAS, CPCB had examined the request from the unit and after obtaining legal opinion in the matter had informed the unit vide letter dated 27.02.2020 that the ongoing matter in the Hon'ble Supreme Court and related orders does not apply on the Notice issued by CPCB on 19.08.2019 to the unit for levying Environmental Compensation, as both the matters are to be dealt separately. It was also informed the request from the unit for withdrawal of show cause notice for deposition of Environment Compensation may not be acceded to; and

WHEREAS, based on the compliance status reported by the unit with supporting documents including adequacy assessment report of ETP & ZLD systems and recommendation of the Three Member Committee, CPCB had revoked the closure direction issued to the unit on 05.03.2020, specifying that "The revocation of closure direction shall not have any bearing on the proceedings related to the notice issued to the unit on 19.08.2019 for remittance of environmental compensation"; and

WHEREAS, CPCB did not receive any communication from the unit in reply to the letter issued by CPCB on 27.02.2020 regarding deposition of Environmental Compensation.

NOW, THEREFORE, in view of the above and exercising powers delegated to the Chairman, Central Pollution Control Board (CPCB) under section 5 of the Environment (Protection) Act, 1986, the unit, **M/s Bajaj Hindustan Sugar Ltd., Distillery Unit, Gola Gokaranath, Lakhimpur Kheri, Uttar Pradesh**, is herewith directed to deposit the EC amount of **Rs. 1,96,20,000/- (One Crore Ninety Six Lac Twenty Thousand Rupees only)** within **15 days** from the date of receipt of direction in CPCB account A/C No. 532702050000164 (Bank Name: Union Bank of India, IP Extension Branch, Vikas Marg Extn., Delhi; IFSC: UBIN0553271).

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 the provisions of the Environment (Protection) Act, 1986.

Shiv Das Meena
(Shiv Das Meena)
CHAIRMAN

o/c

Copy to:

- 1) **The Chairman,** : For information please
Uttar Pradesh Pollution Control Board
Building No. TC-12V, Vibhuthi Khand,
Gomti Nagar, Lucknow - 226 020
- 2) **The Regional Director,** : For information please
CPCB Regional Directorate,
PICUP Bhawan, Ground Floor,
Vibhuthi Khand, Gomti Nagar, Lucknow-10
- 3) **The Joint Secretary, (CP Division),** : For information please
Ministry of Environment, Forests & CC,
Prithvi Block, Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi - 110 003
- 4) The Div. Head, IT Division, CPCB Delhi : For uploading in the website please
- 5) The Div. Head, IPC-III Division, CPCB Delhi

Prashant Gargava
(Prashant Gargava)
MEMBER SECRETARY

o/c

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
दिनांक...
विभाग...
09-07-20