

Report of Joint Committee of CPCB and UPPCB in compliance of order dated 03-09-2020 in Appeal No. 23/2020 M/s Kisan Sahkari Chini Mills Ltd. Vs. Member Secretary U.P. Pollution Control Board & Ors., Appeal No. 24/2020 M/s Kisan Sahkari Chini Mills Ltd. Vs. Member Secretary U.P. Pollution Control Board & Ors., Appeal No. 25/2020 M/s Rudra Bilas Kisan Sahkari Chini Mills Ltd. Vs. Member Secretary U.P. Pollution Control Board & Ors.

Hon'ble NGT in Appeal No. 23/2020 M/s Kisan Sahkari Chini Mills Ltd. Vs. Member Secretary U.P. Pollution Control Board & Ors., Appeal No. 24/2020 M/s Kisan Sahkari Chini Mills Ltd. Vs. Member Secretary U.P. Pollution Control Board & Ors., Appeal No. 25/2020 M/s Rudra Bilas Kisan Sahkari Chini Mills Ltd. Vs. Member Secretary U.P. Pollution Control Board & Ors. passed following directions on 03-09-2020:

“We are of the view that without prejudice to the consideration of the above contention after giving opportunity to file response to the State PCB, the issue whether the appellant was compliant during the relevant period may be independently ascertained by the joint Committee of CPCB and State PCB within one month and till then the impugned orders may not be given effect. The State PCB will be nodal agency for compliance. The State PCB may also file response to the appeal before the next date. “

The Joint Committee of CPCB and State PCB examined the issue related to whether the appellant was compliant during the relevant period and the report in compliance of the directions of Hon'ble NGT is being submitted as follows :

1- M/s Kisan Sahkari Chini Mill, Gajraula, Hasanpur, Amroha :

- i. M/s Kisan Sahkari Chini Mill, Gajraula, Hasanpur, Amroha is a Sugar Unit with consented capacity of 2500 TCD cane crushing.
- ii. UPPCB has issued Consent to Operate under Water Act, 1974 and Air Act, 1981 valid till 31-12-2020.
- iii. The Consent to Operate was granted with specific condition that Industrial Effluent Quantity shall be restricted to 250 KLD and Cooling Tower Blow Down shall not exceed 250 KLD. Condition was also imposed that unit shall submit time bound proposal for installation of Sewage Treatment Plant within 06 months for the treatment of 198 KLD sewage. Unit was also directed to identify recipient drain and carry out monthly monitoring at u/s and d/s location and also submit the analysis report of recognized laboratory on monthly basis to UPPCB. Unit has also been directed to obtain registration under Section 10 /Section 11 of Uttar Pradesh Ground Water (Management and Regulation) Act, 2019.
- iv. Unit has applied for renewal of the Consent to Operate.
- v. The said unit was inspected Third Party IIT Roorkee inspected to the unit on 21-01-2020. During the inspection dated 21-01-2020 sample from outlet of ETP was collected and the parameters were found (COD 520 mg/l, BOD 165 mg/l and TSS 105 mg/l) non-complying w.r.t. norms stipulated Environment (Protection) Rules, 1986.

- vi. During the inspection dated 21-01-2020 by IIT Roorkee the values of different parameters at Inlet and Outlet of ETP were found as follows :

S.No.	Parameter	ETP Inlet (mg/l)	ETP Outlet (mg/l)	Performance Efficiency of ETP
1.	TSS	274	105	61.6 %
2.	BOD	740	165	77.7 %
3.	COD	2320	520	77.5%

The above performance indicators indicate operation of ETP below the desired treatment efficiency. Further the results of sample analysis differ from the results as shown in the records indicating that unit is not maintaining the records properly. Likewise the value of MLSS as analysed during inspection was found to be 7000 mg/l whereas the analysis value as recorded in the logbook is 2900 mg/l indicating improper data management as well as ETP operation. The unit was found as Non-compliant during inspection dated 21-01-2020.

- vii. Based on the facts found in the report of Third Party IIT, Roorkee UPPCB vide letter dated 03-06-2020 issued Show Cause under section 33A read with 27(2) of Water (Prevention and Control of Pollution) Act, 1974 as amended, for revocation of Consent to Operate and Closure order, duly communicating the observations and recommendations made in the report. In the Show Cause Notice dated 03-06-2020 unit was given opportunity as per law for imposition of the Environmental Compensation for the default and violation made by the unit.

- viii. Officials of Regional Office, UPPCB, Bijnore inspected the unit on 13-05-2020 and during the inspection dated 13-05-2020 the quality of treated effluent was found to be compliant (BOD : 28 mg/l, COD : 240 mg/l & TSS : 27 mg/l) with the norms stipulated E(P) Act, 1986. The crushing season of the unit also ended on 13-05-2020 and the unit remain closed subsequently till the start of next crushing season.

- ix. The unit, vide its letter dated 18-06-2020 submitted reply of Show Cause Notice dated 03-06-2020 along with the analysis report of sample of outlet of ETP which the unit itself got collected and analyzed by laboratory. The perusal of reports submitted by the unit indicated that the procedure adopted was not as per the provisions of Section 21 of the Water (Prevention and Control of Pollution) Act, 1974 and hence not admissible.

- x. Considering the above facts UPPCB vide letter dated 07-07-2020 has revoked the Show Cause Notice dated 03-06-2020 with imposition of Environmental Compensation of Rs. 22.60 Lakhs for the violation done by the unit from 21-01-2020 to 13-05-2020 (113 days). The calculation details are as below :

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

PI : 80

N : 113

R : 250

S : 1 (Medium Unit)

LF : 1

EC : Rs. 22,60,000/- (Rs. Twenty Two Lakh Sixty Thousand Only)

Conclusion :

In view of the above facts the Action taken against the unit has been as per the provisions of law and Show Cause Notice was issued to the unit giving opportunity.

In view of the fact the unit remained Non-compliant till 13-05-2020, UPPCB dispose the Show Cause Notice dated 03-06-2020 by imposing Environmental Compensation of Rs. 22.60 Lakhs for the violation done by the unit from 21-01-2020 to 13-05-2020 (113 days).

Amit Chandra
Chief Environment Officer
UPPCB



CPCB

2- M/s Rudra Bilas Kisan Sahkari Chini Mills Ltd., Bilaspur, Distt-Rampur :

- i. M/s Rudra Bilas Kisan Sahkari Chini Mills Ltd., Bilaspur, Distt-Rampur is a Sugar Unit with consented capacity of 2200 TCD cane crushing.
- ii. UPPCB has issued Consent to Operate under Water Act, 1974 and Air Act, 1981 valid till 31-12-2021.
- iii. The Consent to Operate was granted with specific condition that Industrial Effluent Quantity shall be restricted to 220 KLD and Cooling Tower Blow Down shall not exceed 220 KLD. Condition was also imposed that unit shall submit time bound proposal for installation of Sewage Treatment Plant within 06 months for the treatment of 150 KLD sewage. Unit was also directed to identify recipient drain and carry out monthly monitoring at u/s and d/s location and also submit the analysis report of recognized laboratory on monthly basis to UPPCB. Unit has also been directed to obtain registration under Section 10 /Section 11 of Uttar Pradesh Ground Water (Management and Regulation) Act, 2019.
- iv. The said unit was inspected Third Party IIT Roorkee inspected to the unit on 22-01-2020, the Observations and the Recommendations made by the Third party is reproduced as below

Observations

- a) Implementation status of the recommendations of adequacy report. NA (recommendations may be collected from unit)
- b) Implementation status of charter points (as indicated in above format) -
 - No flow meter installed at the inlet.
 - There was no flow in inlet during Inspection.
 - There was negligible flow in the outlet. Although there was almost no flow in the outlet, the outlet meter was showing a decent flow of 8.28 m3/hr.
 - The ETP seemed to be have started just before the visit.
 - Only Cooling Tower Spray pond excess in the inlet.
- c) Compliance status w.r.t. discharge norms-: Non compliance
ETP Non-Functional

Recommendations:

(Shall specifically indicate compliance w.r.t. observations made in above 3 sections of observations along with additional recommendations if any)

- Effluent standard must be complied.
- All (4) the consents must be procured.
- No Outlet Flow
- ETP Non-Operational

The unit was found as Non-compliant during inspection dated 22-01-2020.

- v. Based on the facts found in the report of Third Party IIT, Roorkee UPPCB vide letter dated 10-06-2020 issued Show Cause under section 33A read with 27(2) of Water (Prevention and Control of Pollution) Act, 1974 as amended, for revocation of Consent to Operate and Closure order, duly communicating the observations and recommendations made in the report. In the Show Cause Notice dated 10-06-2020 unit was given opportunity as per law for imposition of the Environmental Compensation for the default and violation made by the unit.
- vi. Officials of Regional Office, UPPCB, Moradabad inspected the unit on 04-03-2020 and during the inspection dated 04-03-2020 the quality of treated effluent was

found to be compliant (BOD : 26 mg/l, COD : 216 mg/l & TSS : 23 mg/l) with the norms stipulated E(P) Act, 1986.

- vii. The unit, vide its letter dated 08-07-2020 received in Board on 15-07-2020 submitted reply of Show Cause Notice dated 10-06-2020 along with the analysis report of sample of outlet of ETP which the unit itself got collected and analyzed by laboratory. The perusal of reports submitted by the unit indicated that the procedure adopted was not as per the provisions of Section 21 of the Water (Prevention and Control of Pollution) Act, 1974 and hence not admissible. Moreover the reply of the unit was received in UPPCB after disposal of the Show Cause Notice dated 10-06-2020 by way of speaking order dated 07-07-2020 after giving opportunity to the unit.
- viii. Considering the above facts UPPCB vide letter dated 07-07-2020 has revoked the Show Cause Notice dated 10-06-2020 with imposition of Environmental Compensation of Rs. 8.40 Lakhs for the violation done by the unit from 22-01-2020 to 04-03-2020 (42 days). The calculation details are as below :
- EC : PI X N X R X S X LF
PI : 80
N : 42
R : 250
S : 1 (Medium Unit)
LF : 1
EC : Rs. 8,40,000/- (Rs. Eight Lakh Forty Thousand Only)

Conclusion :

In view of the above facts the Action taken against the unit has been as per the provisions of law and Show Cause Notice was issued to the unit giving opportunity. In view of the fact the unit remained Non-compliant till 04-03-2020, UPPCB dispose the Show Cause Notice dated 10-06-2020 by imposing Environmental Compensation of Rs. 8.40 Lakhs for the violation done by the unit from 22-01-2020 to 04-03-2020 (42 days).

However, the Unit M/s Rudra-Bilas Kisan Sahkari Chini Mills Ltd., Bilaspur, District-Rampur, U.P. was jointly inspected by officials of Central Pollution Control Board, Delhi and Regional Office, Moradabad, Uttar Pradesh Pollution Control Board (UPPCB) on 22/12/2020. The joint inspection report duly signed by the officials of CPCB Delhi and RO, Moradabad was forwarded to UPPCB vide CPCB letter no. B-190197/WQM-II (RG)/CPCB/Sugar/63/16-17 – 5589 Dated – 11 Feb' 2021 for taking necessary action against the unit including levying environmental compensation (EC). The inspection report of joint team is annexed (**Annexure – I**).

Salient Observations of the joint inspection team are mentioned below:

1. At the time of inspection, the unit's officials informed that the ETP was not in operation before the joint team arrived because of some mechanical fault but was made operational after the team's arrival. However, following components of the ETP were found non-operational during inspection:
 - Oil & Grease trap
 - spray pond overflow
 - Tertiary treatment units i.e. ACF & MGF (they were in corroded condition)

- Primary and secondary clarifier
- Aeration Tank
- Empty/dry storage lagoon

Thus, only the lime dosing, equalization tank and surge tank were operational at the time of inspection.

2. At the time of inspection, the spray pond overflow treatment system was also not in operation and flow meters were not installed at inlet and outlet of spray pond over flow.
3. The inspection team observed that the raw effluent generated in the process was reaching the ETP inlet from where it was diverted through a bypass channel which was extended beyond the spray pond such that spray pond overflow could also be discharged into the same channel. The channel appears to be reaching all the way till the boundary wall however the immediate vicinity of the boundary wall inside Unit premise was not approachable due to thick over growth of vegetation. A similar channel/drain was observed outside the boundary wall and flowing along it till the agriculture fields and beyond.
4. The analysis results of bypass effluent collected from **the drain outside the unit (flowing along its boundary wall)** shows non-compliance w.r.t. **pH-3.9** (against 5.5-8.5), **COD- 4335 mg/l** (against 250 mg/l), **BOD- 2535 mg/l** (against 30 mg/l), **TSS- 248 mg/l** (against 30 mg/l) for surface water discharge.
5. The analysis results of **effluent collected from bypass channel after spray pond** shows non-compliance w.r.t. **pH-4.1** (against 5.5-8.5, **COD- 614 mg/l** (against 250 mg/l), **BOD- 333 mg/l** (against 30 mg/l), **TSS- 87 mg/l** (against 30 mg/l) for surface water discharge.
6. As per the analysis report, the characteristics of sample collected from ETP inlet (**pH-3.5, colour-36 Hz**) was comparable to the sample collected from the drain outside Unit's boundary wall (**pH-3.9, colour-34 Hz**). The sample collected from the bypass channel after the spray pond indicates comparatively lower COD- 614 mg/l, BOD-333 mg/l, TSS- 87 mg/l, TDS- 1068 mg/l, Color- 8 Hz while pH was 4.1.
7. As discussed with mill representatives, around 120 people are residing in the mill premises, however no Sewage Treatment Plant (STP) was installed for the treatment of domestic sewage generated from the residential area.
8. The unit shall install OCEMS sensor at final outlet of ETP and shall maintain the calibration record for the same.
9. The unit needs to make a proper management of bagasse and arrangements shall be made to feed the bagasse via closed chute into boiler.

However, the joint Committee has not verified the compliance of the other two units namely, M/s Kisan Sahkari Chini Mill, Gajraula, Hasanpur, Amroha and M/s Bisalpur Kisan Sahkari Chini Mills Ltd. Pilibhit.

Amit Chandra
Chief Environment Officer
UPPCB


CPCB

3. M/s Bisalpur Kisan Sahkari Chini Mills Ltd. Pilibhit :

- i. M/s Bisalpur Kisan Sahkari Chini Mills Ltd. Pilibhit is a Sugar Unit with consented capacity of 2500 TCD cane crushing.
- ii. UPPCB has issued Consent to Operate under Water Act, 1974 and Air Act, 1981 valid till 31-12-2020.
- iii. The Consent to Operate was granted with specific condition that Industrial Effluent Quantity shall be restricted to 250 KLD and Cooling Tower Blow Down shall not exceed 250 KLD. Condition was also imposed that unit shall submit time bound proposal for installation of Sewage Treatment Plant within 06 months for the treatment of 160 KLD sewage. Unit was also directed to identify recipient drain and carry out monthly monitoring at u/s and d/s location and also submit the analysis report of recognized laboratory on monthly basis to UPPCB. Unit has also been directed to obtain permission for Ground Water abstraction.
- iv. Unit has applied for renewal of the Consent to Operate.
- v. The said unit was inspected Third Party IIT Roorkee inspected to the unit on 12-12-2019. During the inspection dated 12-12-2019 sample from outlet of ETP was collected and the parameters were found (TSS 143 mg/l) non-complying w.r.t. norms stipulated Environment (Protection) Rules, 1986.
Further the unit did not provide any log book data during the inspection indicating that no record was maintained in the unit w.r.t. operation of the ETP. The unit was found as Non-compliant during inspection dated 12-12-2019.
- vi. Based on the facts found in the report of Third Party IIT, Roorkee UPPCB vide letter dated 03-06-2020 issued Show Cause under section 33A read with 27(2) of Water (Prevention and Control of Pollution) Act, 1974 as amended, for revocation of Consent to Operate and Closure order, duly communicating the observations and recommendations made in the report. In the Show Cause Notice dated 03-06-2020 unit was given opportunity as per law for imposition of the Environmental Compensation for the default and violation made by the unit.
- vii. Officials of Regional Office, UPPCB, Bareilly inspected the unit on 26-02-2020 and during the inspection dated 26-02-2020 the quality of treated effluent was found to be compliant (BOD : 23 mg/l, COD : 196 mg/l & TSS : 26 mg/l) with the norms stipulated E(P) Act, 1986.
- viii. The unit, vide its letter dated 19-06-2020 submitted reply of Show Cause Notice dated 03-06-2020 along with the analysis report of sample of outlet of ETP which the unit itself got collected and analyzed by laboratory. The perusal of reports submitted by the unit indicated that the procedure adopted was not as per the provisions of Section 21 of the Water (Prevention and Control of Pollution) Act, 1974 and hence not admissible.
- ix. Considering the above facts UPPCB vide letter dated 03-07-2020 has revoked the Show Cause Notice dated 03-06-2020 with imposition of Environmental Compensation of Rs. 15.20 Lakhs for the violation done by the unit from 12-12-2019 to 26-02-2020 (76 days). The calculation details are as below :
EC : $PI \times N \times R \times S \times LF$
PI : 80
N : 76
R : 250

S : 1 (Medium Unit)

LF : 1

EC : Rs. 15,20,000/- (Rs. Fifteen Lakh Twenty Thousand Only)

Conclusion :

In view of the above facts the Action taken against the unit has been as per the provisions of law and Show Cause Notice was issued to the unit giving opportunity. In view of the fact the unit remained Non-compliant till 26-02-2020, UPPCB dispose the Show Cause Notice dated 03-06-2020 by imposing Environmental Compensation of Rs. 15.20 Lakhs for the violation done by the unit from 12-12-2019 to 26-02-2020 (76 days).

Amit Chandra
Chief Environment Officer
UPPCB


CPCB