

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

(Original Application No.539 of 2019)

IN THE MATTER OF:

Adil Ansari

..... Applicant

Versus

M/s Dhampur Sugar Mills Ltd. & Ors.

..... Respondents

PAPER BOOK

(FOR INDEX PLEASE SEE INSIDE)

**Advocates for the Respondent Nos.1 to 3: Mr. Anubhav Anand Aron & Mr.
Abhinav Anand**

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For Dhampur Sugar Mills Limited


Authorized Signatory

RESPONDENT NOS.1, 2 & 3

THROUGH





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Place: NEW DELHI

Date: 2/8/2021

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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
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(Original Application No.539 of 2019)

IN THE MATTER OF:

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..... Respondents

**WRITTEN SUBMISSIONS FILED ON BEHALF OF THE
RESPONDENT NOS.1 TO 3.**

MOST RESPECTFULLY SHEWETH:

1. That the answering Respondents are the industrial units belonging to M/s Dhampur Sugar Mills Ltd., which is a company registered under the Companies Act, 1956 and now under the Companies Act, 2013 having its Registered Office at: Dhampur, District – Bijnor (U.P.) and Corporate Office at: 241, Okhla Industrial Estate, Phase – III, New Delhi – 110020 and are engaged in the business of manufacturing & sale of sugar and other related products. That the answering Respondents are operating with due compliances with all rules & regulations and various direction issued time & again.
2. That the answering Respondents are filing this present Written Submissions through Sh. Somesh Rattan who is working as D.G.M. (Legal) with the said M/s Dhampur Sugar Mills Ltd. and who has been, vide Board Resolution dated 27.01.2016, duly authorized to sign & verify this present Written Submissions, to file documents, to sign Vakalatnama, to depose before the Hon'ble Tribunal and to do all such other act(s) as may be necessary for this present Written Submissions. Copy of the Board Resolution dated 27.01.2016 is annexed as **Annexure: R1/A.**
3. That at the outset, the answering Respondents denies each & all the statements, averments and allegations contained in the captioned Original

Application filed by the Applicant which are contrary to or inconsistent with what has been stated herein below and the said contents are deemed to be specifically denied and set traversed in seriatim. That the captioned Original Application filed by the Applicant is misconceived, frivolous and devoid of any merit. That the captioned Original Application filed by the Applicant is also bad in law as well as in facts, hence not maintainable and thus, the same is liable to be dismissed outrightly.

4. That the Applicant has filed the present Original Application being O.A. No.539 of 2019 against the four units of the said M/s Dhampur Sugar Mills Ltd., namely, M/s Dhampur Sugar Mills, Asmoli (Sugar Unit), M/s Dhampur Sugar Mills, (Sugar Unit and Distillery Unit), Dhampur and M/s Dhampur Sugar Mills, Meerganj which are arrayed as Respondent No.1, Respondent No.2 and Respondent No.3 respectively in the present Original Application.
5. That the Applicant in the present Original Application has alleged that the answering Respondents are not complying with the environmental norms referring to the final Judgment dated 10-12-2015 passed by this Hon'ble Tribunal in Original Application No.35 of 2015 titled as "*Shailesh Singh vs. M/s D.S.M. Sugar Distillery Division Asmoli & Ors.*" and the directions of the CPCB vide Letter dated 23-04-2019 (Dhampur Sugar Unit), Letter dated 20-05-2019 (Asmoli Sugar Unit) and Show Cause Notice dated 14-06-2019 (Meerganj Sugar Unit).
6. That this Hon'ble Tribunal, vide Order dated 27.06.2019, admitted the present Original Application and further directed to issue notice to the Respondents by registered post /acknowledgement due and dasti as well. That however, no notice was ever served upon the answering Respondents and the answering Respondents came to know about the present Original Application from his counsel. That, moreover, during the whole proceedings

in the present Original Application before this Hon'ble Tribunal no opportunity of hearing was ever provided to the the answering Respondents. Copy of the Order dated 27.06.2019 passed by this Hon'ble Tribunal in the present O.A. No.539 of 2019 is annexed as Annexure: R1/B.

7. That this Hon'ble Tribunal, during the proceedings in the present Original Application being O.A. No.539 of 2019, has directed for the inspection of the answering Respondents through the Joint Inspection Team consisting of the officials of the Respondent No.7 i.e. Central Pollution Control Board (CPCB) and the Respondent No.8 i.e. Uttar Pradesh Pollution Control Board (UPPCB).
8. That the in compliance to the directions issued by this Hon'ble Tribunal, the Joint Inspection Team has conducted several inspections of the answering Respondents and various directions were issued time & again by the Joint Inspection Team during the said inspections of the answering Respondents. That the Respondent No.7 i.e. Central Pollution Control Board (CPCB) has filed several Compliance Reports before this Hon'ble Tribunal and the Respondent No.8 i.e. Uttar Pradesh Pollution Control Board (UPPCB) has filed several Action Taken Reports before this Hon'ble Tribunal.
9. That a perusal of the aforesaid Compliance Reports, filed by the Respondent No.7 i.e. Central Pollution Control Board (CPCB) and the aforesaid Action Taken Reports filed by the Respondent No.8 i.e. Uttar Pradesh Pollution Control Board (UPPCB) once again shows that the answering Respondents are compliant units and are complying with the directions / recommendations issued by the Joint Inspection Team during the said inspections of the answering Respondents. That, moreover, for some discrepancies noticed by the Joint Inspection Team during the said inspections of the answering Respondents, the Respondent No.7 i.e. Central Pollution Control Board

(CPCB) and the Respondent No.8 i.e. Uttar Pradesh Pollution Control Board (UPPCB) have already levied the Environmental Compensation on the answering Respondents.

10. That in compliance with the directions issued by this Hon'ble Tribunal, the latest inspection of the answering Respondents was conducted by the Joint Inspection Team as under:

S.No.	Name of the Unit	Date of Joint Inspection
1.	M/s Dhampur Sugar Mills Ltd. (Sugar Unit), Asmoli, Sambhal, U.P.	13.01.2021
2.	M/s Dhampur Sugar Mills Ltd. (Sugar Unit), Meerganj, Bareilly, U.P.	14.01.2021
3.	M/s Dhampur Sugar Mills Ltd. (Distillery Unit), Dhampur, Bijnor, U.P.	02.02.2021
4.	M/s Dhampur Sugar Mills Ltd. (Sugar Unit), Dhampur, Bijnor, U.P.	03.02.2021

11. That the Respondent No.8 i.e. Uttar Pradesh Pollution Control Board (UPPCB) has filed an Action Taken Report before this Hon'ble Tribunal with respect to the aforesaid Joint Inspections of the answering Respondents. That the Joint Inspection Team has issued several recommendations with respect to the aforesaid latest Joint Inspections of the answering Respondents.

12. That the answering Respondents have already complied with the said recommendations issued by the Joint Inspection Team with respect to the aforesaid latest Joint Inspections of the answering Respondents. That on 22.07.2021, the Respondent No.8 i.e. Uttar Pradesh Pollution Control Board (UPPCB) has filed a Response to I.A. No.376/2020 in O.A. No.539/2019 and the said Response contains the Compliance Status with respect to the said recommendations as verified by the Respondent No.8 i.e. Uttar Pradesh Pollution Control Board (UPPCB). That the relevant contents of the said Response regarding Compliance Status with respect to the said recommendations as verified by the UPPCB and the status as per the answering Respondent are as under:

(i) **Dhampur Sugar Mills Limited (Sugar Unit), Asmoli, Sambhal (the Respondent No.1 herein):**

Recommendations	Compliance verified on Inspection dated 12-07-2021 by UPPCB	Status as per the answering Respondent
<ul style="list-style-type: none"> . The Unit shall provide suitable capacity dosing pump for dosing of chemicals like lime and polyelectrolyte solution for optimum utilization of chemical as per feed flow condition. . The Unit shall safely dispose scrap /metal. 	<ul style="list-style-type: none"> . Complied. 	<ul style="list-style-type: none"> . Complied
<ul style="list-style-type: none"> . The unit shall commission Decanter for better sludge Management . The Unit shall repair partition wall sludge drying bed. 	<ul style="list-style-type: none"> . Unit is disposing the metals scrap through authorized vendor. Complied. . Complied. 	<ul style="list-style-type: none"> . Complied . Complied
<ul style="list-style-type: none"> . The Unit shall install the Condensate Polishing Unit (CPU) . The Unit shall install the Sewage Treatment Plant (STP) for treatment of sewage generated from residential colony as soon as possible. 	<ul style="list-style-type: none"> . Complied. 	<ul style="list-style-type: none"> . After installation of Decanter, sludge bed not required. Damaged sludge bed has been removed . Complied
<ul style="list-style-type: none"> . The Unit shall install the Condensate Polishing Unit (CPU) . The Unit shall install the Sewage Treatment Plant (STP) for treatment of sewage generated from residential colony as soon as possible. 	<ul style="list-style-type: none"> . Unit has installed the Condensate Polishing Unit (CPU). Complied . Unit has installed STP of 60 KLD capacity, which shall be operational very soon. 	<ul style="list-style-type: none"> . Complied, delayed due to COVID. Shall be operational soon
<ul style="list-style-type: none"> . The Unit shall restrict the drainage of domestic sewage into irrigation channel coming from residential area. 	<ul style="list-style-type: none"> . The drainage of domestic sewage shall be restricted after operation of the STP. 	<ul style="list-style-type: none"> . Complied
<ul style="list-style-type: none"> . The Unit shall obtain the NOC from Ground Water Department, Uttar Pradesh as soon as earliest. 	<ul style="list-style-type: none"> . Unit has obtained registration from UP ground water department. 	<ul style="list-style-type: none"> . Complied. Unit has obtained NOC valid till 28-06-2026 for all the three tube-wells from UP Ground Water Authority

Copies of (i) Letter No.B-190198/WQM-II (RG)/CPCB/Sugar /14/2017-18/1403 dated 15-05-2019 issued by CPCB; (ii) Letter No. DSM:Sugar:2018-19:920 dated 16-07-2019 issued by the answering Respondent; (iii) Letter No.H61712/water-59/2021 dated 13-04-2021 issued by the UPPCB and (iv) Letter No. UPPCB/405/R-831 dated 21-04-2021 issued by the answering Respondent are collectively annexed as **Annexure: R1/C (Colly)**. Copies of NOC issued by the Ground Water Department, Ministry of Jal Shakti (U.P.) (valid till 28-06-2026) bearing Registration Nos. 202104000082, 202104000085 & 202104000117 for the Sugar Unit, Asmoli are collectively annexed as **Annexure: R1/D (Colly)**.

(ii) Dhampur Sugar Mills Limited (Sugar & Distillery Unit), Dhampur,Bijnor (the Respondent No.2 herein):Sugar Unit:

Recommendations	Compliance verified on Inspection dated 09-06-2021 by UPPCB	Status as per the answering Respondent
<p>. The Unit shall take measures to stop discharge of spillage /surface runoff containing waste water from industrial premises into drain (Ikra drain and drain coming from city along boundaries of Sugar Unit) and shall maintain water quality of the drain.</p> <p>. The Unit shall install the CPU for high pressure boiler at earliest.</p> <p>. The Unit shall install the Sewage Treatment Plant (STP) for sewage generated from colony at the earliest.</p> <p>. The Unit shall convert the 4000 m3 capacity storage lagoon in to lined impermeable lagoon to avoid any possibility of leakages and must ensure the compliance of stored treated effluent w.r.t. notified discharge standards under EP Rules,1986.</p> <p>. The Unit shall dismantle the sump having capacity of 100KL located in bio-compost yard of 10 acers.</p> <p>. Unnecessary lines of ETP feed near falling structure shall be dismantled immediately.</p> <p>. Abandoned old pumping station along with connecting line shall be dismantled.</p> <p>. Filter back washing tank of suitable design capacity shall be installed for filter backwashing. Existing freshwater line in ETP area shall be dismantled.</p> <p>. Provision shall be made for DM plant CIP reject shall be treated in ETP only.</p>	<p>. Unit has sealed the leakage points for spillage runoff and there was no leakage found during inspection dated 09-06-2021.</p> <p>. Unit has installed CPU for high pressure boiler and RO membrane (72 cubic meter per hour capacity).</p> <p>. Unit has installed STP of 220 KLD capacity for the treatment of sewage generated from sugar & distillery units.</p> <p>. Unit has submitted vide letter dated 19.06.2021 for conversation of storage lagoon of 4000 cubic meter in impermeable lagoon before the next crushing season.</p> <p>. Unit has also submitted vide letter dated 19-06-2021 that the dismantling of unused lines installed earlier, installation of filter back, washing tank and provision of treatment of reject of DM plant and CEP plant shall be done before next crushing season.</p>	<p>. Complied</p> <p>. Complied. Confirmed as per Inspection dated 09-06-2021</p> <p>. Complied. Confirmed as per Inspection dated 09-06-2021</p> <p>. Job to be completed before the start of the next crushing season</p> <p>. Complied</p> <p>. Complied. All unnecessary lines have been dismantled</p> <p>. Complied. Old pumping station and connection lines have been dismantled</p> <p>. Complied. Filter back washing tank to be operational in the next crushing season</p> <p>. DM plant CIP reject arrangement will be operative before the next crushing season</p>

Copies of (i) Letter No.B-190197/WQM-II (RG)/CPCB/Sugar /15/2016-17/714 dated 15-04-2019 issued by CPCB; (ii) Letter dated 10-05-2019 issued by the answering Respondent; (iii) Letter No.B-190197/WQM-II (RG)/CPCB/Sugar/15/2016-17/3506 dated 25-06-2019 issued by CPCB; (iv) Letter dated 17-07-2019 issued by the answering Respondent; (v) Letter No.B-194004/NGRBA/CPCB/2015-16 dated 16-09-2019 issued by the CPCB; (vi) Letter No.B-190197/WQM-II (RG)/CPCB/Sugar/15/2016-17/8496 dated 04-11-2019 issued by CPCB; (vii) Letter dated 28-11-2019 issued by the answering Respondent; (viii) Letter No. H49998/C-7/Water-70/2020 dated 17-06-2020 issued by the UPPCB; (ix) Letter dated 19-06-2020 issued by the answering Respondent; (x) Letter No.H61711/water-70/2021 dated 13-04-2021 issued by the UPPCB and (xi) Letter dated 21-04-2021 issued by the answering Respondent are collectively annexed as **Annexure: R1/E (Colly)**. Copies of CGWA NOC for Ground Water Extraction valid till 26-04-2022 and the Certificates of Registration issued by the Ground Water Department, Ministry of Jal Shakti (U.P.) bearing Registration Nos. 202104000201, 202104000202, 202104000203 & 202104000204 for the Sugar Unit, Dhampur are collectively annexed as **Annexure: R1/F (Colly)**.

Distillery Unit:

Recommendations	Compliance verified at Inspection dated 09-06-2021 by UPPCB	Status as per the answering Respondent
The Unit has total 03 nos. of tube wells against 02nos. of permitted tube wells as per CGWA NOC. The Unit shall dismantle the 3 rd no. of non-operational tube well.	Unit has dismantled 03 rd tube-well. Complied.	Complied
The Unit shall obtain hazardous waste authorisation from the respective State Pollution Control Board.	The unit has obtained authorization for disposal of Hazardous Waste vide letter dated 16-05-2021 of UPPCB valid till 16-05-2026.	Complied
The Unit shall complete the construction work of STP at the earliest and shall treat the sewage generating from the	Unit has installed STP of 200 KLD which was found operational during inspection dated 09-06-2021. Complied	Complied

residential colony as well as industrial plants in STP only. . The Unit shall ensure complete filling of both the lagoons of capacity 6159.60 KL and 10,173 with ash. . If the concerned State Pollution Control Board allows the unit to carry out temporary bio-composting for utilization of bio methanated sludge, in that case the Unit shall comply with the following.	. Unit has completed the work of filling of both the lagoons of capacity 6159.60 KL and 10,173 with ash. Complied	. Complied
. The unit shall ensure to consume the Bio-methanated spent wash in bio- composting before monsoon season.	. Complied	. Complied
. After completion of the temporary bio-composting, the unit shall completely dismantle the pump sump of MEE concentrate, which is located at bio-compost yard of 10 acres.	. Complied	. Complied
. After completion of temporary bio-composting, the unit shall completely dismantle the newly built pipeline.	. Complied	. Complied

Copies of (i) Letter No.H57219/C-7/Water-105/2021 dated 12-01-2021 issued by the UPPCB; (ii) Letter dated 08-02-2021 issued by the answering Respondent; (iii) Letter No.H63682/C-7/Water-105/Distillery/21 dated 20-07-2021 issued by the UPPCB and (iv) Letter No. DSM/UPPCB/2021/203 dated 29-07-2021 issued by the answering Respondent are collectively annexed as **Annexure: R1/G (Colly)**.

Copies of CGWA NOC for Ground Water Extraction valid till 06-04-2022 and the Certificate of Registration issued by the Ground Water Department, Ministry of Jal Shakti (U.P.) bearing Registration Nos. 202104000250 & 202104000251 for the Distillery Unit, Dhampur are collectively annexed as **Annexure: R1/H (Colly)**.

(iii) **Dhampur Sugar Mills Limited (Sugar Unit), Meerganj, Bareilly (the Respondent No.3 herein):**

Recommendations	Compliance verified on Inspection dated 21-01-2021 and 01-07-2021 by UPPCB	Status as per the answering Respondent
<ul style="list-style-type: none"> . ETP inlet flow meter should be installed at the main inlet of ETP. . Periodic removal of sludge shall be ensured. . Flow meter shall be installed at Mill house and boiling house outlet for monitoring of generated effluent. . The Oil Skimmer shall be installed within a tank having approximate retention time of 45 minute. . The treated effluent discharges for irrigation shall comply with MOEF&CC Notification dated 14.01.2016 (G.S.R. (35E)) for land disposal. . The installed STP shall be made operational for treatment of generated sewage. Treated sewage shall be utilised for irrigation and other purposes. . The Unit shall keep only single arrangement to pump the treated effluent from lagoon to irrigation supply. . The Unit shall obtain amended Hazardous waste authorisation from UPPCB to handle and safe disposal of discarded containers, oily rags, cotton waste, O&G and spray pond ETP sludge. 	<ul style="list-style-type: none"> . Unit has installed ETP inlet flow meter. . Complied. . Complied. . Unit has submitted that the compliance shall be made before the next crushing season. . Complied. . The sample collected from the outlet of STP by UPPCB on 21-01-2021 and 01-07-2021 were found to be complying. . Unit has submitted that the compliance shall be made before the next crushing season. . Unit has applied for amended authorisation on 19-07-2021 which is under process. 	<ul style="list-style-type: none"> . Complied . Complied . Complied . Complied. A new Oil Skimmer has been installed . Complied . Complied . Complied. Single arrangement for pumping the treated effluent from the lagoon has already been made Complied. Applied for the amended authorization

Copies of (i) Letter No.B-190198/WQM-II (RG)/CPCB/Sugar/14/2016-17/2458 dated 12-06-2019 issued by CPCB; (ii) Letter No. DSM/MRG /CPCB/19-20/70-71 dated 25-06-2019 issued by the answering Respondent; (iii) Report dated 12.02.2021 titled as "Validation for Utilization of Treated Effluent for Irrigation Purpose" issued by the National Sugar Institute, Government of India, Kanpur (U.P.); (iv) Letter No. DSM/MRG/Pollution/2021/18-19/20 dated 21-04-2021 issued by the answering Respondent; (v) Letter No. DSM/MRG/Pollution/2021 /21-23 dated 28-04-2021 issued by the answering Respondent; (vi) Letter dated 30-06-2021 issued by the answering Respondent and (vii) Letter bearing No. DSM/MRG/Pollution/2021/101-102 dated 20-07-

2021 regarding "Renewal Application Form for Hazardous Waste Authorization" issued by the answering Respondent are collectively annexed as **Annexure: R1/I (Colly)**. Copies of NOC issued by the Ground Water Department, Ministry of Jal Shakti (U.P.) (Valid till 18-05-2026) bearing Application Serial Nos. BRLY0421NIN0027, BRLY0421NIN0028, BRLY0421NIN0029 & BRLY0421NIN0030 for the Sugar Unit, Meerganj are collectively annexed as **Annexure: R1/J (Colly)**.

13. That as far as the 'Sugar Unit' of the answering Respondent situated at Rajpura, District – Sambhal (U.P.) is concerned, it is submitted that the said Unit is operating with due compliances with all rules & regulations and Copies of (i) Letter No.H49590/C-7/Water-647/2020 dated 03-06-2020 issued by UPPCB and (ii) Letter No. DSM/R/2020 dated 22-06-2020 issued by the answering Respondent are collectively annexed as **Annexure: R1/K (Colly)**.
14. That the aforesaid facts shows that the answering Respondents has already complied the recommendations made by the Joint Inspection Team during the aforesaid latest Joint Inspections of the answering Respondents. That some of the recommendations though complied, can become operative only during the cane crushing season.
15. That as far as the subject matter of the Original Application No.35 of 2015 titled as "Shailesh Singh vs. M/s D.S.M. Sugar Distillery Division Asmoli & Ors." is concerned, it is submitted that this Hon'ble Tribunal, vide Order dated 23-04-2015, has provided liberty to the Sugar and Distillery units of the DSM Sugar, Asmoli at Asmoli, District – Sambhal (U.P.) [arrayed as Respondent No.2 in the present Original Application] to take remedial measures and thereafter to apply to the Joint Inspection Team for a fresh inspection of the said Sugar and Distillery units. That this Hon'ble Tribunal,

vide the said Order dated 23-04-2015, has provided further liberty to the said Sugar and Distillery units to move this Hon'ble Tribunal for seeking permission to operate after achievement of the prescribed standards in respect of its effluents as per the prescribed norms and carrying out rectification of the various defects and deficiencies pointed out in the inspection. Copy of the Order dated 23-04-2015 passed by this Hon'ble Tribunal in Original Application No.35 of 2015 titled as "*Shailesh Singh vs. M/s D.S.M. Sugar Distillery Division Asmoli & Ors.*" is annexed as **Annexure: R1/L.**

16. That the said Sugar and Distillery units, after rectification of the various defects and deficiencies pointed out in the inspection and as directed by this Hon'ble Tribunal vide the aforesaid Order dated 23-04-2015, filed a Review Application being Review Application No.13 of 2015 in the said Original Application No.35 of 2015. That this Hon'ble Tribunal, vide a judgment dated 10-12-2015, disposed off the said Review Application No.13 of 2015 filed by the said Sugar and Distillery units.

17. That a perusal of the said Judgment dated 10-12-2015 passed by this Hon'ble Tribunal shows that while allowing the said Sugar and Distillery units to start its operation, this Hon'ble Tribunal has observed that the said Sugar and Distillery units has complied with the major recommendations of the Joint Inspection Team and said Sugar and Distillery units herein becomes a compliant unit. That the relevant part of the Para No.9 of the said Judgment dated 10.12.2015 passed by this Hon'ble Tribunal has been incorporated herein for the ready perusal of this Hon'ble Tribunal:

".....From the above reports, it would appear that the industry is majorly complying with the recommendations made by the Joint Inspection Team. In that sense, the unit has now become compliant and there is a possibility that claim of the industry that it would not discharge its untreated effluents or

store any spent wash or press mud in and around its premises, which would cause ground water or environmental pollution, could be accepted....”

18. That, however, this Hon'ble Tribunal, vide the said Judgment dated 10-12-2015, has imposed an Environmental Compensation of Rs.1 Crore and further directed to furnish a Bank Guarantee of Rs.10 Lakhs. That on 07-01-2016 the said DSM Distillery Division, Asmoli has duly deposited the said Environmental Compensation of Rs.1 Crore as well as furnished the said Bank Guarantee of Rs.10 Lakhs as directed by this Hon'ble Tribunal. Copy of the Judgment dated 10-12-2015 passed by this Hon'ble Tribunal in the Review Application No.13 of 2015 is annexed as **Annexure: R1/M**. Copy of the Letter dated 07-01-2016 along-with a copy of the Demand Draft and Bank Guarantee dated 07-01-2016 is annexed as **Annexure: R1/N (Colly)**.

PRAYER:

In the facts and circumstances as stated above, it is therefore, most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to:

- (i) dismiss the present Original Application being Original Application No.539 of 2019 titled as “Adil Ansari vs. M/s Dhampur Sugar Mills Ltd. & Ors.” filed by the Applicant;
- (ii) Pass such other/further order(s) as this Hon'ble Tribunal may deem fit and proper in the facts & circumstances of the case.

For Dhampur Sugar Mills Limited


Authorised Signatory

RESPONDENT NOS.1, 2 & 3

THROUGH





ANUBHAV ANAND ARON, ABHINAV ANAND
(Advocates for the Respondent Nos.1, 2 & 3)

A-901, Apex Golf Avenue, Sector-1,
Greater Noida (West), U.P. – 201 306
Mob: 9811764256; 9582416270
Email: abhinav.legal@gmail.com

Place: NEW DELHI

Date: 21/8/2021

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

(Original Application No.539 of 2019)

IN THE MATTER OF:

Adil Ansari

..... Applicant

Versus

M/s Dhampur Sugar Mills Ltd. & Ors.

..... Respondents

AFFIDAVIT

I, Somesh Rattan aged about 42 years S/o Sh. C.P. Agnihotri working as D.G.M. (Legal) with *M/s Dhampur Sugar Mills Ltd* having its Corporate Office at: 241, Okhla Industrial Estate, Phase – III, New Delhi – 110020 (the Respondent Nos.1 to 3 herein) do hereby solemnly state and affirm as under:

1. That I am working as D.G.M. (Legal) with *M/s Dhampur Sugar Mills Ltd* (the Respondent Nos.1 to 3 herein) and has been, vide Board Resolution dated 27.01.2016, duly authorized to sign & verify the accompanying Written Submissions, to file the documents, to sign the Vakalatnama and to do all such other act(s) as may be necessary for filling the accompanying Written Submissions.
2. That the accompanying Written Submissions has been drafted by my Counsel under my instruction and the content of the same have not been repeated herewith for the sake of brevity and the same may kindly be read as part and parcel of the present Affidavit.
3. That I have read and understood the content of the accompanying Written Submissions and present Affidavit and the same are true and correct to my knowledge and nothing material has been concealed there from.

For Dhampur Sugar Mills Limited

Somesh Rattan
DEPONENT'S Signatory

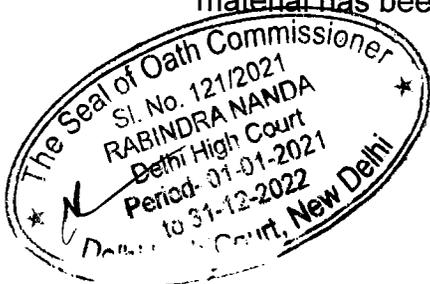
Adil Ansari
I identify the Deponent who has signed in my presence

VERIFICATION

Verified at Delhi on this 02 AUG 2021 day of 2021 that the contents of Para No. 1 to 3 of the above Affidavit are true and correct to my knowledge, and nothing material has been concealed there from.

For Dhampur Sugar Mills Limited

Somesh Rattan
DEPONENT Authorized Signatory



CERTIFIED TO THE DEPONENT
Shri/Smt./Km. *Somesh Rattan*
S/o, W/o, D/o. *Ch. Agnihotri*
R/o. *Anand*
Identified By Sh./Smt. *Anand*
has solemnly affirmed at Delhi
on 02 AUG 2021
that the contents of the
have been read & explained
true and correct to his knowledge

[Signature]
(Oath Commissioner Delhi)

dhampur

Dhampur Sugar Mills Limited
241, Okhla Industrial Estate, Phase III
New Delhi - 110 020, India
Tel: +91-11-3065 9400, 4161 2456
Tele Fax: +91-11-2693 5697
E-mail: corporateoffice@dhampur.com
Website: www.dhampur.com

CERTIFIED TRUE COPY OF THE RESOLUTION PASSED IN THE FINANCE SUB-COMMITTEE MEETING (NO. JANUARY - 01/2016-17) OF THE DIRECTORS OF DHAMPUR SUGAR MILLS LIMITED HELD ON 27TH JANUARY, 2016 AT ITS CORPORATE OFFICE AT 241, OKHLA INDUSTRIAL ESTATE, PHASE -III, NEW DELHI-110020

"RESOLVED THAT Mr. Gaurav Goel, Managing Director, Mr. Gautam Goel, Managing Director, Mr. SK Bhatnagar, President (Corporate), Mr. B.N. Jha, Vice President (Corporate Office), Mr. Nalin K Gupta, Chief General Manager (Finance) or Mr. Somesh Rattan, Senior Manager (Legal) be and are hereby severally authorized to represent the Company before the Department of Company Affairs, Company Law Board, Courts of Law, Tribunal, Forum, Quasi-Judicial Bodies, Arbitrator(s) and / or other Adjudicating Authorities and Statutory Authorities and to appoint Advocate(s), Attorney (ies) at Law, Consultant(s) to represent the Company in connection with matters related thereto including legal cases pending before any of the aforesaid authorities, Board(s), Court(s) and write, sign, execute, Vakalatnama (s), application(s), form(s) and such other paper(s), document(s) and deed(s) for the purpose aforesaid.

RESOLVED FURTHER THAT Mr. Gaurav Goel, Managing Director, Mr. Gautam Goel, Managing Director, Mr. SK Bhatnagar, President (Corporate), Mr. B.N. Jha, Vice President (Corporate Office), Mr. Nalin K Gupta, Chief General Manager (Finance) or Mr. Somesh Rattan, Senior Manager (Legal) be and are hereby severally authorized to sign, execute all types of paper(s), agreement(s), document(s), undertaking(s), deed(s), other document(s) as may be required in the conduct of routine matters of business of the Company."

For Dhampur Sugar Mills Limited



Aparna Goel
Company Secretary
M.No : 22787



Item No. 06

Court No. 2

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

Original Application No. 539/2019

Adil Ansari

Applicant(s)

Versus

M/s Dhampur Sugar Mills Ltd. & Ors.

Respondent(s)

Date of hearing: 27.06.2019

CORAM:

**HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

For Applicant(s):

Mr. Aman Lekhi, ASG

For Respondent (s):

ORDER

Heard the applicant in person. Notice be issued to the respondents by registered post/acknowledgement due and dasti as well.

List this matter on 19th July, 2019.

Raghuvendra S. Rathore, JM

Dr. Satyawan Singh Garbyal, EM

June 27, 2019

PU

Speed Post

B-190198/WQM-II(RG)/CPCB/Sugar/14/2017-18

15.05.2019

To,

M/s Dhampur Sugar Mills Ltd.,
Vill & Post-Asmoli,
Tehsil & Dist-Sambhal,
U.P.-244304

DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986- REG.

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

WHEREAS, the Ministry of Environment & Forests, Govt. of India, vide notification S.O.157(E) of 27.02.1996 has delegated powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board (CPCB), to issue direction to any industry, Municipal Corporation, Municipal Council, Cantonment Board to any local or other Authority for the violation of emission and effluent standards notified under the Environment (Protection) Rules, 1986; and

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

WHEREAS, M/s Dhampur Sugar Mills Ltd., Asmoli, Sambhal, U.P. (hereinafter referred as 'the Unit') is involved in the process of sugar manufacturing from crushing of cane; and

WHEREAS, CPCB through an Expert Committee comprising of experts from National Sugar Institute (NSI), Kanpur, Vasantdada Sugar Institute (VSI), IITs and representatives from sugar mills prepared a Charter for Water Recycling and Pollution Prevention (thereafter referred to as the Charter); and

WHEREAS, a meeting of sugar mills operating in Uttar Pradesh, representatives of UPPCB and CPCB was held on 06.07.2018 under Chairmanship of Principal Secretary, Sugar Industries and Sugarcane Development, Government of Uttar Pradesh and the following decisions are made

1. Sugar Mills shall submit an action plan to CPCB by 20.07.2018 regarding the steps taken by them pertaining to the notices issued to them. Also they shall submit action plan to implement recommendations of their adequacy assessment report.
2. All sugar mills shall ensure implementation of Charter and shall submit action plan to CPCB by 20.08.2018.
3. All sugar mills shall ensure the upgradation of their ETP within August, 2018 so as to ensure no interruption in functioning of the ETP in the following seasons.
4. All sugar mills shall maintain a logbook on ETP operations on a daily basis.
5. ETP shall be operational at all times and all bypass arrangements should be dismantled with immediate effect.
6. MLSS in aeration tanks should be maintained at 2000-2500 mg/l.

M/s Dhampur Sugar Mills Ltd., Asmoli, Sambhal, U.P.

Page 1 of 5

(mm)

pl/c

- 7. All sugar units shall set up environmental laboratories for regular analysis of raw and treated effluent thereby ensuring proper functioning of the ETP.
- 8. All sugar mills shall employ dedicated technicians for operating and regular maintenance of ETP and shall also ensure that the technicians are given proper training on ETP maintenance and lab analysis on regular basis.
- 9. To ensure proper training of the environmental technicians all sugar mills shall facilitate training of 5 employees.
- 10. All sugar mills may establish an Environment Management Cell at their level consisting of concerned officials in order to ensure compliance with environmental standards at industry level itself.

AND WHEREAS, the unit vide letter dated 01.09.2018 submitted their compliance status of the Charter, which was examined and following observations were made:

- 1. The unit has installed necessary flow meters at requisite points as prescribed under the Charter.
- 2. The unit has submitted action plan/ compliance report on upgradation of ETP.
- 3. The unit is maintaining proper logbook for bore-well readings thereby recording their fresh water consumption on regular basis.
- 4. The unit has stated that no untreated/ partially treated effluent is being discharged on land.
- 5. The unit shall employ hydro-jet for cleaning of heat exchanger unit.
- 6. The unit has already set up environmental laboratory with dedicated technical staff.
- 7. The unit has planned to arrange training for its technical staff on ETP Operation and Maintenance.
- 8. The unit has submitted compliance report on BMT for Water Recycling and Pollution Prevention.

AND WHEREAS, CPCB issued direction dt 22.10.2018 under Section 5 of Environment (Protection) Act, 1986 to the Unit to comply with the following directions:

- 1. The unit shall start its operation only after obtaining the valid consent from the Uttar Pradesh Pollution Control Board.
- 2. The unit shall implement the observation & recommendation of the revalidated adequacy assessment of ETP before commencement of crushing season 2018-2019.
- 3. The unit shall install sealed flow meter along with running hours meter on bore wells so as to ascertain usage of fresh water for various uses before commencement of crushing season 2018-2019.
- 4. The unit shall install flow meters at major areas of cold and hot water consumption before commencement of crushing season 2018-2019.
- 5. The unit shall install flow meters for measuring generation of effluent from various prominent areas before commencement of crushing season 2018-2019.
- 6. The unit shall maintain logbook for individual process unit for recording daily water consumption.
- 7. The unit shall carry out colour coding of pipelines carrying recycled process water and fresh process water before commencement of crushing season 2018-2019.
- 8. The unit shall carry out analysis of effluent discharge parameters notified under Environment (Protection) Rules, 1986 and logbook shall be maintained on daily basis.

9. The unit shall submit the implementation status of the Charter in the form of Affidavit and the documentary proof of the completion of the work as committed in the action plan before resumption of crushing season 2018-2019.
10. The unit shall submit implementation status of the Charter and performance audit of ETP duly validated by reputed expert institute namely NSI Kanpur, VSI Pune, IITs during crushing season & submit the report to CPCB within 60 days of resumption of operation.

AND WHEREAS, Unit reply vide letter dated 02.11.2018 was examined and the following observations were made:

1. As per the directions, the Unit has obtained valid consent to operate from UPPCB with a validity upto 31.12.2019.
2. The Unit has implemented the observations and recommendations of the revalidated adequacy assessment of ETP.
3. The Unit has installed sealed flowmeters along with running hours meter on three borewell to ascertain usage of fresh water for various uses.
4. The unit has installed flow meters at pan boiling, sugar melting section, centrifugal machine, B&C M/c cooling, mill fibrizer and bearing cooling, D.M Plant and cooling tower, wet scrubber, final molasses cooling tower, cigar outlet, rotary vacuum filter & ETP recirculation.
5. The unit has installed flowmeters for measuring generation of effluent from various prominent areas like mill house outlet, boiling house outlet & spray pond/cooling tower outlet.
6. The unit has informed that it will maintain logbook for individual process Unit for recording daily water consumption and effluent generation.
7. The unit has done colour coding of pipelines carrying recycled process water and fresh process water.
8. The unit has informed that installation of tube settler for separation of sludge and the same shall be completed by December 2018.
9. The unit will carry out analysis of treated effluent discharge parameters notified under Environment (Protection) Rules, 1986 and logbook will be maintained on daily basis.
10. The unit will submit the implementation status of the Charter in the form of affidavit and the documentary proof of the completion of the work as committed in the action plan.
11. The unit will submit implementation status of the charter and performance adequacy audit of ETP including actual assessment of water consumption and effluent generation duly validated by NSI during crushing season and will submit the report within 60 days of resumption of operation.

AND WHEREAS, The Unit vide letter dated 19.03.2019 and submitted the report on validation of ETP performance prepared by NSI, Kanpur and following major conclusion were drawn:

- i) Necessary flowmeters are not installed at few unit operations e.g. power turbine, process cooling tower make-up etc. which are to be provided.
- ii) The capacity of ETP plant shall be adequate to handle the generated effluent from the plant at the operational & rated capacity of 9000 TCD subject to installation of diffused aeration in equalization tank no.2 and tertiary treatment units requires modification.
- iii) The reported effluent generation as per the validation report is 177.8 litres/ton of cane.
- iv) The Unit may explore possibilities for installation of new CPU for proper treatment of condensate and their re-use.

v) The Unit has maintained the logbook records for most of the installed flowmeters, the Unit must maintain flow meters for rest of the flowmeters as mentioned in the revalidation of adequacy report.

AND WHEREAS, the Unit was inspected by CPCB team on 18.03.2019 in which the unit was found operational and following key observations are made by the inspecting team:

1. The analysis of treated effluent samples showed pH - 7.36 against the norms of 5.5 - 9.0, BOD - 19 mg/ml against the norms of 30 mg/l; TSS - 12 mg/l against the norms of 30 mg/l; COD - 68 mg/l against the norms of 250 mg/l and TDS - 680 mg/l against the norms of 2100 mg/l which indicates compliance with respect to discharge norms of Environment (Protection) Rules, 1986.
2. Analysis of treated effluent samples of lagoon showed pH - 7.58, BOD - 11 mg/l, COD - 60 mg/l, TSS - 26 mg/l and TDS - 836 mg/l.
3. Mill has installed the flowmeters but not maintained the logbook of hot and cold water and effluent generation.
4. The mill should install flowmeter at power turbine and process cooling tower make-up.
5. Logbook should be maintained for freshwater consumption at various points as sugar plant, cogeneration and residential.
6. The Unit is having high pressure boiler and should install the CPU for treatment of condensate to ensure its reuse and recycle within the process.

AND NOW, THEREFORE, in view of above observations and in exercise of the powers delegated to the Chairman, CPCB under section 5 of the Environment (Protection) Act, 1986, the unit (M/s Dhampur Sugar Mills Ltd., Asmoli, Sambhal, U.P.) is directed to comply of the following directions:

1. The unit shall install Condensate polishing Unit for the High pressure boiler.
2. The unit shall maintain logbooks of cold and hot water consumption.
3. The unit shall maintain logbooks for individual process units for recording daily water consumption and effluent generation also.
4. The Unit shall submit the implementation status of charter in the form of Affidavit and documentary proof of the completion of work as committed in the action plan.

In case of default in compliance with the above directions, CPCB will be constrained to initiate action against the Unit (M/s Dhampur Sugar Mills Ltd., Asmoli, Sambhal, U.P.) without giving any further notice in accordance with the provisions of the Environment (Protection) Act, 1986.


 17/03/19
(S. P. SINGH PARIHAR)
 CHAIRMAN

Copy to:

1. **The Chairman**
 Uttar Pradesh Pollution Control Board,
 Building No. TC-12V, Vibhuthi Khand,
 Gomti Nagar, Lucknow - 226 010

With request to ensure compliance of the directions.

SC

Asmoli

2. **Joint Secretary (CP Division)**
Ministry of Environment, Forest & C.C
Prithvi Block, Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi – 110 003
3. **The Regional Director**
Regional Directorate
Central Pollution Control Board, PICUP Bhawan,
Ground Floor, Vibhuti Khand, Gomti Nagar,
Lucknow – 226 010
4. **The District Magistrate**
Sambhal, U.P
- ✓ 5. **The In-charge, IT Division, CPCB**
6. **Master file/Guard file WQM II, CPCB Delhi**

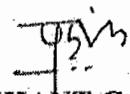
: For kind information, please.

: For follow up and ensuring compliance

: For follow up and ensuring compliance

: For uploading on CPCB website

: For record


(PRASHANT GARGAVA)
MEMBER SECRETARY



Dhampur Sugar Mills Limited

Unit : Asmoli

Village: Asmoli, Tehsil: Sambhal
 Distt. Bheem Nagar, Pin Code: 244 304, U.P.
 Telefax: +91-5923-221566, 221310
 E-mail: dsmasmoli@dhampur.com
 Website: www.dhampur.com

DSM:Sugar:2018-19:920
 Date : 16th July'2019

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

**Sub: Direction under Section 5 of the Environment
 (Protection) Act, 1986**

Dear Sir,

We wish to invite your kind attention to the directions vide letter No. B-190198 /WQM-II(RG) /CPCB/Sugar/14/2017-18/1403 dated 15/20.05.2019 in respect of directions under Section 5 of the EP Act, 1986.

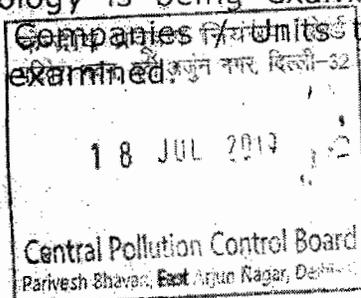
It was a matter of great satisfaction that the Unit has been found to compliant Unit. However the unit has been directed vide letter dated 15/20.05.2019 to comply with the following directions:-

1. The unit shall install Condensate Polishing Unit (CPU) for the High Pressure Boiler.
2. The Unit shall maintain Logbooks of Cold and Hot Water Consumptions.
3. The unit shall maintain Logbooks for Individual Process Units for recording daily water consumption and effluent generation also.
4. The Unit shall submit the implementation status of charter in the form of Affidavit and documentary proof of the completion of work as committed in the action plan.

We would further like to submit that:-

1. With regard to the installation of CPU for treating Condensate from High Pressure Boilers of 105 Kg/cm² the appropriate technology is being examined as also the CPU installed in other Companies / Units to determine the performance are being examined.

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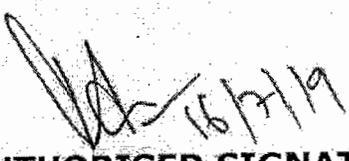
Branch Office : 1/125, Vijay Khand, Gomti Nagar, Lucknow - 226 010; Tel: +9522-239243

2. We would, however, like to submit the matter regarding mandatory installation of CPU with Boilers above 45 Kg.CM2 may be examined as the norms need to be revisited. In any case the Unit is taking all steps for cooling and recycling of surplus condensate water replacing the ground /raw water. It is helping the Unit for reducing the withdrawal of ground water.
3. We are maintaining the Logbooks for the Cold and Hot water consumption. We had already submitted copies of the Logbooks to the Inspecting Team of CPCB. However, we are again submitting the same for your records.
4. We are maintaining the Logbooks for Individual Process Units for recording daily water consumption & effluent generation. Copies of the same are being enclosed for your kind perusal & records.
5. The Implementation status of charter in the form of affidavit and documentary proof of completion of work will be submitted by us before start of the next crushing season 2019-20.

We are confident that the reply being submitted by us would be found in order.

Thanking you,

Yours faithfully,
For DSM SUGAR, ASMOLI
(A unit of Dhampur Sugar Mills Ltd.)


AUTHORISED SIGNATORY

Encl: As above

o/c



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
UTTAR PRADESH POLLUTION CONTROL BOARD

संदर्भ संख्या
सेवा में,

मेसर्स धामपुर शुगर मिल लिमिटेड (शुगर इकाई)
असमौली,
संभल।

दिनांक

13.11.21

विषय:- माननीय राष्ट्रीय हरित अधिकरण द्वारा ओ०ए० संख्या 539/2019 आदिल अंसारी बनाम मेसर्स धामपुर शुगर मिल लिमिटेड एवं अन्य में पारित आदेश दिनांक 09.11.2020 के अनुपालन में के संबंध में।

महोदय,

कृपया उपरोक्त विषयक माननीय राष्ट्रीय हरित अधिकरण द्वारा ओ०ए० संख्या 539/2019 आदिल अंसारी बनाम मेसर्स धामपुर शुगर मिल लिमिटेड एवं अन्य में पारित आदेश दिनांक 09.11.2020 के अनुपालन में मेसर्स धामपुर शुगर मिल लिमिटेड (शुगर इकाई) असमौली संभल का संयुक्त निरीक्षण केन्द्रीय प्रदूषण नियंत्रण बोर्ड, एवं उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड की टीम द्वारा दिनांक 13.01.2021 को किया गया। उक्त संयुक्त निरीक्षण रिपोर्ट में निम्न संस्तुतियाँ की गयी हैं:-

Recommendations / Suggestions:

1. The unit shall provide suitable capacity dosing pump for dosing of chemicals like lime and polyelectrolyte solution for optimum utilization of chemical as per feed flow condition.
2. The unit shall safely dispose scrap/metal.
3. The unit shall commission Decanter for better sludge management.
4. The unit shall repair partition wall sludge drying bed.
5. The unit shall install Condensate Polishing Unit (CPU).
6. The unit shall install Sewage Treatment Plant (STP) for treatment of sewage generated from residential colony as soon as possible.
7. The unit shall restrict the drainage of domestic sewage into irrigation channel coming from residential area.
8. The unit shall obtain the NOC from Ground Water Department, Uttar Pradesh as soon as earliest.

आपको निर्देशित किया जाता है कि संयुक्त निरीक्षण टीम द्वारा की गई उक्त संस्तुतियों का अनुपालन सुनिश्चित करते हुए अनुपालन आख्या 15 दिन के अन्दर बोर्ड मुख्यालय प्रेषित करना सुनिश्चित करे।

भवदीय

(अमित चन्द्रा)

मुख्य पर्यावरण अधिकारी, वृत्त-7

प्रतिलिपि: क्षेत्रीय अधिकारी उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड मुरादाबाद को इस निर्देश के साथ कि उक्त निर्देशों के क्रम उद्योग का निरीक्षण करते हुए ससमय निरीक्षण आख्या स्पष्ट संस्तुति सहित बोर्ड मुख्यालय प्रेषित करना सुनिश्चित करे।

मुख्य पर्यावरण अधिकारी, वृत्त-7



Dhampur Sugar Mills Limited
Unit : Asmoli
Village: Asmoli, Tehsil: Sambhal
Dist. Bheem Nagar, Pin Code: 244 304, U.P.
Telefax: +91-5923-221566, 2213 0
E-mail: dsmasmoli@dhampur.com
Website: www.dhampur.com

DSM:SUG:2021:UPPCB/405/R- 831
Date : 21-4-2021

To,

The Chief Environment Officer, Circle-7,
Uttar Pradesh Pollution Control Board,
T.C.-12 B, Vibhuti Khand, Gomtinagar,
Lucknow- 226010.

Ref-Your letter No. H61712/water-59/2021 Dated 13-04-21 issued to Asmoli Sugar
Unit, District- Sambhal.

Dear Sir,

1. The unit shall provide suitable capacity dosing pump for dosing of chemicals like lime and poly electrolyte solutions for optimum utilization of chemical as per feed flow conditions.
2. The unit shall safely dispose scrap/metal.
3. The unit shall commission Decanter for better sludge management.
4. The unit shall repair partition wall of sludge drying bed.
5. The unit shall install Condensate Polishing Unit (CPU).
6. The unit shall install Sewage Treatment Plant (STP) for treatment of sewage generated from residential colony as soon as possible.
7. The unit shall restrict the drainage of domestic sewage into irrigation channel coming from residential area.
8. The unit shall obtain the NOC from Ground Water Department, Uttar Pradesh as soon as earliest.

In response to the above our pointwise reply is as follows

1. We have provided dosing pump for dosing of chemicals like lime and poly electrolyte solutions for optimum utilization of chemical as per feed flow conditions as suggested by CPCB/UPPCB Team during their visit to our Sugar Unit.
2. We have disposed off the scrap/metal which was lying during the inspection of CPCB/UPPCB.
3. We have commissioned Decanter for disposal of sludge and this is working properly.
4. The partition wall of sludge drying bed has been repaired.
5. The Condensate Polishing Unit (CPU) has been installed and working properly.
6. We have already installed STP for Domestic sewage generation. Due to Pandemic of COVID-19 the Commissioning Team of STP has not reached at site and as soon as the commissioning team will visit the unit the operation of STP will be started.
7. The drainage of domestic sewage into irrigation channel coming from residential area will be controlled as soon as our STP will be commissioned.

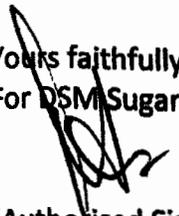
8. We have got Registration from Ground Water Deptt. – U.P. and applied for NOC with GWD – Lucknow.

As such, we have complied the recommendations as suggested by CPCB/UPPCB Team during their visit.

We hope you will find the above in order.

Thanking You,

Yours faithfully,
For DSM Sugar Asmoli


(Authorised Signatory)

**GROUND WATER DEPARTMENT**

(Namami Gange & Rural Water Supply Department)

Ministry of Jal Shakti

Government of Uttar Pradesh

Form 8 (C)

[See Rule 8(1)]

**AUTHORIZATION/ NO-OBJECTION CERTIFICATE FOR SINKING OF NEW WELL
FOR INDUSTRIAL/ COMMERCIAL/ INFRASTRUCTURAL OR BULK USER OF
GROUND WATER**

[Under Section 14 of the Uttar Pradesh Ground Water Management and Regulation Act, 2019.]

AUTHORIZATION/ NO-OBJECTION CERTIFICATE NO: NOC013653

VALID UP TO : 28/06/2026

{UIS10(1) of the Uttar Pradesh Ground Water Management and Regulation Act, 2019}

Registration No.: 20210400082

Name of the Owner	JAGVEER SINGH		
Designation पद	Dy GM Production	Company Name कंपनी का नाम	DSM SUGAR ASMOLI SUGAR UNIT
Company Address कंपनी का पता	DSM Sugar Asmoli , Asmoli, Distt - Sambhal (UP)	Authorization Letter प्राधिकार पत्र	Download
Address of the Applicant	DSM SUGAR ASMOLI ASMOLI SAMBHAL	Application Form Serial No.	SMBL0421NIN0004
Date of Submission	06/04/2021	Specimen Signature	
Location Particulars			
District	Sambhal -	Block	ASMOLI
Plot No./Khasra No.	existing premises details attached	Municipality/Corporation	NA
Card No./Holding No.			NA
Particular of the Existing Well and Pumping Device			
Date of Construction/Sinking of the Well	01/04/2007		
Type of Well	Tube Well/Boring	Depth of the Well (In meter)	60.00
Purpose of well	Industrial	Assembly Size(For Tube Well)	
Strainer Position (For Tube Well)			
Type of Pump Used	Turbine	H.P. of the Pump	40.00
Operational Device	Electric Motor	Rate of Withdrawal (m3/hr.)	100.00

Date of Energization (In Case of Electric Pump)		01/04/2007	
Maximum Allowable Rate of Withdrawal (m3/hr.):	100.00	Maximum Allowable Running Hours Per Day:	4.00
Maximum Allowable Annual Extraction of Ground Water:			60000

This No-Objection certificate authorizes the owner applicant (user) to sink a well in the location specified at Sl. (2) for extraction of ground water at a rate not exceeding that as shown at Sl. (3j), for Running Hours 1 day as shown at Sl. (3k), and for maximum allowable extraction of ground water as shown at Sl. (3k) and is valid subject to the observance of the conditions stated overleaf.

GENERAL CONDITIONS:

- In case of any change of ownership of the proposed well, fresh authorization has to be obtained.
- No change of location, design, rate of withdrawal and pumping device in respect of the proposed well as indicated at SL (2) and (3) of this certificate shall be made without prior permission of the Competent Authority. Any deviation in this regard shall lead to cancellation of this authorization
- For the purpose of measuring and recording the quantity of ground water extracted, every said user shall affix digital water flow meters (conforming to BIS/ IS standards) having telemetry system in the abstraction structure, which record rate and quantum of extraction, at outlet of pumping devices and it shall be presumed that the quantity recorded by the meter has been extracted by the said user, until the contrary is proved. The rate of extraction of ground water from the well as shown in item 3(k) shall not exceed to the recorded rate from water meters
- The concerned Authority reserves the right to stop extraction of ground water from the well due to quality hazards or any other reasons, if the situation so demands
- In case of any change of ownership of the existing well, fresh registration has to be obtained.
- No change of location, design, rate of withdrawal and pumping device in respect of the existing well as indicated at Sl. (2) and (3) of this certificate shall be made without prior permission of the Competent Authority. Any deviation in this regard shall lead to cancellation of this registration
- In case, any of the particulars / information furnished by the applicant in his application for issuance of this registration is found to be incorrect during verification at any subsequent stage, this registration is liable for cancellation.
- The Certificate of Authorization/ NOC shall be valid for a period of five years from the date of issue. The applicant shall have to apply for renewal through a fresh application, at least ninety days prior to expiry of its validity.
- Construction of piezometers and installation of digital water level recorders with telemetry shall be mandatory for user. Depth and zone tapped of piezometer should be commensurate with that of the pumping well. The data, obtained from digital water level recorders shall be made available to this office on monthly basis
- **Guidelines for Installation of Piezometers and their Monitoring**

Piezometer is a borewell /tubewell used only for measuring the water level by lowering the tape/ sounder or automatic water level measuring equipment. It is also used to take water sample for water quality testing when ever-needed. General guidelines for installation of piezometers are as follows:

- The piezometer is to be installed/constructed at the minimum of 50 m distance from the pumping well through which ground water is being withdrawn. The diameter of the piezometer should be about 4" to 6".
- The depth of the piezometer should be same as is case of the pumping well from which ground water is being abstracted. If, more than one piezometers are installed the second piezometer should monitor the shallow ground water regime. It will facilitate shallow as well as deeper ground water aquifer monitoring.
- No. of piezometers to be constructed & Type of water level monitoring mechanism shall be as per below table:

S.No	Quantum of Ground water withdrawal (cum/day)	No.of piezometers required	Monitoring Mechanism	
			Manual	DWLR with Telemetry
1	< 10	0	0	0
2	11 - 50	1	1	0
3	50- 500	1	0	1
4	> 500	2	0	2

- The measuring frequency should be monthly and accuracy of measurement should be up to cm. the reported measurement should be given in meter upto two decimal.
- For measurement of water level sounder or automatic water level recorder (AWLR)/ Digital Automatic water level recorder (DWLR) with telemetry system should be used for accuracy.
- The measurement of water level in piezometer should be taken, only after the pumping from the surrounding tube wells has been stopped for about four to six hours.
- All the details regarding coordinates, reduced level (with respect to mean level), depth, zone taped and assembly lowered should be provided for bringing the piezometer into the Hydrograph Monitoring System for Ground Water Department, Uttar Pradesh, and for its validation.
- The ground water quality has to be monitored twice in a year during pre-monsoon (May/June) and post-monsoon (October/November)

periods. Quality may be got analyzed from NABL approved lab. Besides, one sample (1 lt capacity bottle) to the concerned Director, Ground Water Department, Uttar Pradesh, for chemical analysis.

- o A Permanent display board should be installed at piezometer/Tube wells site for providing the location, piezometer/ tube well number, depth and zone tapped of piezometer/tube well for standard referencing and identification.
- o Any other site specific requirement regarding safety and access for measurement may be taken care off.
- Any other condition(s) that may be imposed by the concerned Authority.
- In case, any of the particulars I information furnished by the applicant in his application for issuance of this permit is found to be incorrect during verification at any subsequent stage, this permit is liable for cancellation.
- Any other condition imposed by the concerned Authority.
- In case, any of the particulars I information furnished by the applicant in his application for issuance of this permit is found to be incorrect during verification at any subsequent stage, this permit is liable for cancellation.

• **SPECIFIC CONDITIONS:**

- **(A) For Industrial User:** No Objection Certificate for ground water extraction by industries shall be granted subject to the following specific conditions:
 - i) No Objection Certificate shall be granted only in such cases where local government water supply agencies are not able to supply the desired quantity of water.
 - ii) All industries shall be required to adopt latest water efficient technologies so as to reduce dependence on ground water resources.
 - iii) All industries abstracting ground water in excess of 100 m³/d shall be required to undertake annual water audit through Confederation of Indian Industries (CII)/ Federation Indian Chamber of Commerce and Industry (FICCI)/ National Productivity Council (NPC) certified auditors and submit audit reports within three months of completion of the same to CGWA. All such industries shall be required to reduce their ground water use by at least 20% over the next three years through appropriate means.
 - iv) Construction of observation well(s) (piezometer)(s) within the premises and installation of appropriate water level monitoring mechanism as mentioned in General Condition no.10 shall be mandatory for industries drawing/ proposing to draw more than 10 m³ /day of ground water and. Monitoring of water level shall be done by the project proponent. The piezometer (observation well) shall be constructed at a minimum distance of 15 m from the bore well/production well. Depth and aquifer zone tapped in the piezometer shall be the same as that of the pumping well/ wells. Monthly water level data shall be submitted online to the Ground Water Department, UP.
 - v) The proponent shall be required to adopt roof top rain water harvesting/ recharge in the project premises. Industries which are likely to pollute ground water (chemical, pharmaceutical, dyes, pigments, paints, textiles, tannery, pesticides/ insecticides, fertilizers, slaughter house, explosives etc.) shall store the harvested rain water in surface storage tanks for use in the industry.
 - vi) Injection of treated/ untreated waste water into aquifer system is strictly prohibited.
 - vii) Industries which are likely to cause ground water pollution e.g. Tanning, Slaughter Houses, Dye, Chemical/ Petrochemical, Coal washeries, other hazardous units etc. (as per CPCB list) need to undertake necessary well head protection measures to ensure prevention of ground water pollution.
- **(B) Infrastructural User:** The No Objection Certificate for ground water abstraction will be granted subject to the following specific conditions:
 - i) In case of infrastructure projects that require dewatering, proponent shall be required to carry out regular monitoring of dewatering discharge rate (using a digital water flow meter) and submit the data online to Ground Water Department, UP as applicable. Monitoring records and results should be retained by the proponent for two years, for inspection or reporting as required by District Ground Water Management Council.
 - ii) Installation of Sewage Treatment Plants (STP) shall be mandatory for new projects, where ground water requirement is more than 20 m³ /day. The water from STP shall be utilized for toilet flushing, car washing, gardening etc

This certificate is electronically generated and does not require digital signature



GROUND WATER DEPARTMENT

(Namami Gange & Rural Water Supply Department)

Ministry of Jal Shakti

Government of Uttar Pradesh

Form 8 (C)

[See Rule 8(1)]

AUTHORIZATION/ NO-OBJECTION CERTIFICATE FOR SINKING OF NEW WELL FOR INDUSTRIAL/ COMMERCIAL/ INFRASTRUCTURAL OR BULK USER OF GROUND WATER

[Under Section 14 of the Uttar Pradesh Ground Water Management and Regulation Act, 2019.]

AUTHORIZATION/ NO-OBJECTION CERTIFICATE NO: NOC039759

VALID UP TO : 28/06/2026

{UIS10(1) of the Uttar Pradesh Ground Water Management and Regulation Act, 2019}

Registration No.: 202104000085

Name of the Owner	JAGVEER SINGH		
Designation पद	Dy GM Production	Company Name कंपनी का नाम	DSM SUGAR ASMOLI (SUGAR UNIT)
Company Address कंपनी का पता	DSM SUGAR ASMOLI, ASMOLI SAMBHAL UP,	Authorization Letter प्राधिकार पत्र	Download
Address of the Applicant	DSM SUGAR ASMOLI ASMOLI SAMBHAL	Application Form Serial No.	SMBL0421NIN0005
Date of Submission	06/04/2021	Specimen Signature	
Location Particulars			
District	Sambhal	Block	ASMOLI
Plot No./Khasra No.	existing Premises details attached	Municipality/Corporation	NA
Card No./Holding No.			NA
Particular of the Existing Well and Pumping Device			
Date of Construction/Sinking of the Well	01/04/2007		
Type of Well	Tube Well/Boring	Depth of the Well (In meter)	60.00
Purpose of well	Industrial	Assembly Size(For Tube Well)	
Strainer Position (For Tube Well)			
Type of Pump Used	Turbine	H.P. of the Pump	40.00
Operational Device	Electric Motor	Rate of Withdrawal (m ³ /hr.)	100.00

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Date of Energization (In Case of Electric Pump)		01/04/2007	
Maximum Allowable Rate of Withdrawal (m³/hr.):	100.00	Maximum Allowable Running Hours Per Day:	4.00
Maximum Allowable Annual Extraction of Ground Water:			60000

This No-Objection certificate authorizes the owner applicant (user) to sink a well in the location specified at Sl. (2) for extraction of ground water at a rate not exceeding that as shown at Sl. (3j), for Running Hours 1 day as shown at Sl. (3k), and for maximum allowable annual extraction of ground water as shown at Sl. (3k) and is valid subject to the observance of the conditions stated overleaf.

GENERAL CONDITIONS:

- In case of any change of ownership of the proposed well, fresh authorization has to be obtained.
- No change of location, design, rate of withdrawal and pumping device in respect of the proposed well as indicated at SL (2) and (3) of this certificate shall be made without prior permission of the Competent Authority. Any deviation in this regard shall lead to cancellation of this authorization
- For the purpose of measuring and recording the quantity of ground water extracted, every said user shall affix digital water flow meters (conforming to BIS/ IS standards) having telemetry system in the abstraction structure, which record rate and quantum of extraction, at outlet of pumping devices and it shall be presumed that the quantity recorded by the meter has been extracted by the said user, until the contrary is proved. The rate of extraction of ground water from the well as shown in item 3(k) shall not exceed to the recorded rate from water meters
- The concerned Authority reserves the right to stop extraction of ground water from the well due to quality hazards or any other reasons, if the situation so demands
- In case of any change of ownership of the existing well, fresh registration has to be obtained.
- No change of location, design, rate of withdrawal and pumping device in respect of the existing well as indicated at Sl. (2) and (3) of this certificate shall be made without prior permission of the Competent Authority. Any deviation in this regard shall lead to cancellation of this registration
- In case, any of the particulars & information furnished by the applicant in his application for issuance of this registration is found to be incorrect during verification at any subsequent stage, this registration is liable for cancellation.
- The Certificate of Authorization/ NOC shall be valid for a period of five years from the date of issue. The applicant shall have to apply for renewal through a fresh application, at least ninety days prior to expiry of its validity.
- Construction of piezometers and installation of digital water level recorders with telemetry shall be mandatory for user. Depth and zone tapped of piezometer should be commensurate with that of the pumping well. The data, obtained from digital water level recorders shall be made available to this office on monthly basis
- **Guidelines for Installation of Piezometers and their Monitoring**

Piezometer is a borewell /tubewell used only for measuring the water level by lowering the tape/ sounder or automatic water level measuring equipment. It is also used to take water sample for water quality testing when ever needed. General guidelines for installation of piezometers are as follows:

- The piezometer is to be installed/constructed at the minimum of 50 m distance from the pumping well through which ground water is being withdrawn. The diameter of the piezometer should be about 4" to 6".
- The depth of the piezometer should be same as is case of the pumping well from which ground water is being abstracted. If, more than one piezometers are installed the second piezometer should monitor the shallow ground water regime. It will facilitate shallow as well as deeper ground water aquifer monitoring.
- No. of piezometers to be constructed & Type of water level monitoring mechanism shall be as per below table:

S.No	Quantum of Ground water withdrawal (cum/day)	No.of piezometers required	Monitoring Mechanism	
			Manual	DWLR with Telemetry
1	< 10	0	0	0
2	11 - 50	1	1	0
3	50- 500	1	0	1
4	> 500	2	0	2

- The measuring frequency should be monthly and accuracy of measurement should be up to cm. the reported measurement should be given in meter upto two decimal.
- For measurement of water level sounder or automatic water level recorder (AWLR)/ Digital Automatic water level recorder (DWLR) with telemetry system should be used for accuracy.
- The measurement of water level in piezometer should be taken, only after the pumping from the surrounding tube wells has been stopped for about four to six hours.
- All the details regarding coordinates, reduced level (with respect to mean level), depth, zone taped and assembly lowered should be provided for bringing the piezometer into the Hydrograph Monitoring System for Ground Water Department, Uttar Pradesh, and for its validation.
- The ground water quality has to be monitored twice in a year during pre-monsoon (May/June) and post-monsoon (October/November)

periods. Quality may be got analyzed from NABL approved lab. Besides, one sample (1 lt capacity bottle) to the concerned Director, Ground Water Department, Uttar Pradesh, for chemical analysis.

- o A Permanent display board should be installed at piezometer/Tube wells site for providing the location, piezometer/ tube well number, depth and zone tapped of piezometer/tube well for standard referencing and identification.
- o Any other site specific requirement regarding safety and access for measurement may be taken care off.
- Any other condition(s) that may be imposed by the concerned Authority.
- In case, any of the particulars I information furnished by the applicant in his application for issuance of this permit is found to be incorrect during verification at any subsequent stage, this permit is liable for cancellation.
- Any other condition imposed by the concerned Authority.
- In case, any of the particulars I information furnished by the applicant in his application for issuance of this permit is found to be incorrect during verification at any subsequent stage, this permit is liable for cancellation.

• **SPECIFIC CONDITIONS:**

- **(A) For Industrial User:** No Objection Certificate for ground water extraction by industries shall be granted subject to the following specific conditions:
 - i) No Objection Certificate shall be granted only in such cases where local government water supply agencies are not able to supply the desired quantity of water.
 - ii) All industries shall be required to adopt latest water efficient technologies so as to reduce dependence on ground water resources.
 - iii) All industries abstracting ground water in excess of 100 m³/d shall be required to undertake annual water audit through Confederation of Indian Industries (CII)/ Federation Indian Chamber of Commerce and Industry (FICCI)/ National Productivity Council (NPC) certified auditors and submit audit reports within three months of completion of the same to CGWA. All such industries shall be required to reduce their ground water use by at least 20% over the next three years through appropriate means.
 - iv) Construction of observation well(s) (piezometer)(s) within the premises and installation of appropriate water level monitoring mechanism as mentioned in General Condition no.10 shall be mandatory for industries drawing/ proposing to draw more than 10 m³ /day of ground water and. Monitoring of water level shall be done by the project proponent. The piezometer (observation well) shall be constructed at a minimum distance of 15 m from the bore well/production well. Depth and aquifer zone tapped in the piezometer shall be the same as that of the pumping well/ wells. Monthly water level data shall be submitted online to the Ground Water Department, UP.
 - v) The proponent shall be required to adopt roof top rain water harvesting/ recharge in the project premises. Industries which are likely to pollute ground water (chemical, pharmaceutical, dyes, pigments, paints, textiles, tannery, pesticides/ insecticides, fertilizers, slaughter house, explosives etc.) shall store the harvested rain water in surface storage tanks for use in the industry.
 - vi) Injection of treated/ untreated waste water into aquifer system is strictly prohibited.
 - vii) Industries which are likely to cause ground water pollution e.g. Tanning, Slaughter Houses, Dye, Chemical/ Petrochemical, Coal washeries, other hazardous units etc. (as per CPCB list) need to undertake necessary well head protection measures to ensure prevention of ground water pollution.
- **(B) Infrastructural User:** The No Objection Certificate for ground water abstraction will be granted subject to the following specific conditions:
 - i) In case of infrastructure projects that require dewatering, proponent shall be required to carry out regular monitoring of dewatering discharge rate (using a digital water flow meter) and submit the data online to Ground Water Department, UP as applicable. Monitoring records and results should be retained by the proponent for two years, for inspection or reporting as required by District Ground Water Management Council.
 - ii) Installation of Sewage Treatment Plants (STP) shall be mandatory for new projects, where ground water requirement is more than 20 m³ /day. The water from STP shall be utilized for toilet flushing, car washing, gardening etc

This certificate is electronically generated and does not require digital signature



GROUND WATER DEPARTMENT
(Namami Gange & Rural Water Supply Department)
Ministry of Jal Shakti
Government of Uttar Pradesh

Form 8 (C)

[See Rule 8(1)]

**AUTHORIZATION/ NO-OBJECTION CERTIFICATE FOR SINKING OF NEW WELL
FOR INDUSTRIAL/ COMMERCIAL/ INFRASTRUCTURAL OR BULK USER OF
GROUND WATER**

[Under Section 14 of the Uttar Pradesh Ground Water Management and Regulation Act, 2019.]

AUTHORIZATION/ NO-OBJECTION CERTIFICATE NO: NOC034938

VALID UP TO : 28/06/2026

{UIS10(1) of the Uttar Pradesh Ground Water Management and Regulation Act, 2019}

Registration No.: 202104000117

Name of the Owner	JAGVEER SINGH		
Designation पद	Dy GM Production	Company Name कंपनी का नाम	Jagveer Singh
Company Address कंपनी का पता	DSM SUGAR ASMOLI ASMOLI SAMBHAL UP SHAMBHAL,	Authorization Letter प्राधिकार पत्र	Download
Address of the Applicant	DSM SUGAR ASMOLI ASMOLI SAMBHAL	Application Form Serial No.	SMBL0421NIN0006
Date of Submission	08/04/2021	Specimen Signature	
Location Particulars			
District	Sambhal	Block	ASMOLI
Plot No./Khasra No.	existing Premises details attached	Municipality/Corporation	NA
Card No./Holding No.			NA
Particular of the Existing Well and Pumping Device			
Date of Construction/Sinking of the Well	01/04/2007		
Type of Well	Tube Well/Boring	Depth of the Well (In meter)	60.00
Purpose of well	Industrial	Assembly Size(For Tube Well)	
Strainer Position (For Tube Well)			
Type of Pump Used	Submersible	H.P. of the Pump	15.00
Operational Device	Electric Motor	Rate of Withdrawal (m ³ /hr.)	40.00

Date of Energization (In Case of Electric Pump)		01/04/2007	
Maximum Allowable Rate of Withdrawal (m3/hr.):	40.00	Maximum Allowable Running Hours Per Day:	3.00
Maximum Allowable Annual Extraction of Ground Water:		18000	

This No-Objection certificate authorizes the owner applicant (user) to sink a well in the location specified at Sl. (2) for extraction of ground water at a rate not exceeding that as shown at Sl. (3j), for Running Hours 1 day as shown at Sl. (3k), and for maximum allowable annual extraction of ground water as shown at Sl. (3k) and is valid subject to the observance of the conditions stated overleaf.

GENERAL CONDITIONS:

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- The depth of the piezometer should be same as is case of the pumping well from which ground water is being abstracted. If, more than one piezometers are installed the second piezometer should monitor the shallow ground water regime: It will facilitate shallow as well as deeper ground water aquifer monitoring.
- No. of piezometers to be constructed & Type of water level monitoring mechanism shall be as per below table:

S.No	Quantum of Ground water withdrawal (cum/day)	No.of piezometers required	Monitoring Mechanism	
			Manual	DWLR with Telemetry
1	< 10	0	0	0
2	11 - 50	1	1	0
3	50- 500	1	0	1
4	> 500	2	0	2

- The measuring frequency should be monthly and accuracy of measurement should be up to cm. the reported measurement should be given in meter upto two decimal.
- For measurement of water level sounder or automatic water level recorder (AWLR)/ Digital Automatic water level recorder (DWLR) with telemetry system should be used for accuracy.
- The measurement of water level in piezometer should be taken, only after the pumping from the surrounding tube wells has been stopped for about four to six hours.
- All the details regarding coordinates, reduced level (with respect to mean level), depth, zone taped and assembly lowered should be provided for bringing the piezometer into the Hydrograph Monitoring System for Ground Water Department, Uttar Pradesh, and for its validation.
- The ground water quality has to be monitored twice in a year during pre-monsoon (May/June) and post-monsoon (October/November)

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periods. Quality may be got analyzed from NABL approved lab. Besides, one sample (1 lt capacity bottle) to the concerned Director, Ground Water Department, Uttar Pradesh, for chemical analysis.

- o A Permanent display board should be installed at piezometer/Tube wells site for providing the location, piezometer/ tube well number, depth and zone tapped of piezometer/tube well for standard referencing and identification.
- o Any other site specific requirement regarding safety and access for measurement may be taken care off.
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- Any other condition imposed by the concerned Authority.
- In case, any of the particulars I information furnished by the applicant in his application for issuance of this permit is found to be incorrect during verification at any subsequent stage, this permit is liable for cancellation.
-
- **SPECIFIC CONDITIONS:**
- **(A) For Industrial User:** No Objection Certificate for ground water extraction by industries shall be granted subject to the following specific conditions:
 - i) No Objection Certificate shall be granted only in such cases where local government water supply agencies are not able to supply the desired quantity of water.
 - ii) All industries shall be required to adopt latest water efficient technologies so as to reduce dependence on ground water resources.
 - iii) All industries abstracting ground water in excess of 100 m³/d shall be required to undertake annual water audit through Confederation of Indian Industries (CII)/ Federation Indian Chamber of Commerce and Industry (FICCI)/ National Productivity Council (NPC) certified auditors and submit audit reports within three months of completion of the same to CGWA. All such industries shall be required to reduce their ground water use by at least 20% over the next three years through appropriate means.
 - iv) Construction of observation well(s) (piezometer)(s) within the premises and installation of appropriate water level monitoring mechanism as mentioned in General Condition no.10 shall be mandatory for industries drawing/ proposing to draw more than 10 m³ /day of ground water and. Monitoring of water level shall be done by the project proponent. The piezometer (observation well) shall be constructed at a minimum distance of 15 m from the bore well/production well. Depth and aquifer zone tapped in the piezometer shall be the same as that of the pumping well/ wells. Monthly water level data shall be submitted online to the Ground Water Department, UP.
 - v) The proponent shall be required to adopt roof top rain water harvesting/ recharge in the project premises. Industries which are likely to pollute ground water (chemical, pharmaceutical, dyes, pigments, paints, textiles, tannery, pesticides/ insecticides, fertilizers, slaughter house, explosives etc.) shall store the harvested rain water in surface storage tanks for use in the industry.
 - vi) Injection of treated/ untreated waste water into aquifer system is strictly prohibited.
 - vii) Industries which are likely to cause ground water pollution e.g. Tanning, Slaughter Houses, Dye, Chemical/ Petrochemical, Coal washeries, other hazardous units etc. (as per CPCB list) need to undertake necessary well head protection measures to ensure prevention of ground water pollution.
-
- **(B) Infrastructural User:** The No Objection Certificate for ground water abstraction will be granted subject to the following specific conditions:
 - i) In case of infrastructure projects that require dewatering, proponent shall be required to carry out regular monitoring of dewatering discharge rate (using a digital water flow meter) and submit the data online to Ground Water Department, UP as applicable. Monitoring records and results should be retained by the proponent for two years, for inspection or reporting as required by District Ground Water Management Council.
 - ii) Installation of Sewage Treatment Plants (STP) shall be mandatory for new projects, where ground water requirement is more than 20 m³ /day. The water from STP shall be utilized for toilet flushing, car washing, gardening etc

This certificate is electronically generated and does not require digital signature



B-190197/WQM-II(RG)/CPCB/Sugar/15/2016-17

15.04.2019

23.04.19

To,
M/s Dhampur Sugar Mills,
Dhampur, Distt.-Bijnor,
U.P.-246761

**DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986-
CLOSURE NOTICE THEREOF**

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

WHEREAS, the Ministry of Environment & Forests, Govt. of India, vide notification S.O.157(E) of 27.02.1996 has delegated powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board (CPCB), to issue direction to any industry, Municipal Corporation, Municipal Council, Cantonment Board to any local or other Authority for the violation of emission and effluent standards notified under the Environment (Protection) Rules, 1986; and

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

WHEREAS, M/s Dhampur Sugar Mills, Dhampur, Bijnor, U.P. (hereinafter referred as 'the Unit') is involved in the process of sugar manufacturing from crushing of cane; and

WHEREAS, the Unit was inspected on 22.03.2018 by officials from CPCB, Delhi and following observations were made:

1. The Unit and ETP were operational.
2. Analysis of treated effluent sample shows pH-6.70 as against norms of 5.5-9.0, **BOD-53 mg/l** against norms of 30 mg/l, COD- 101 mg/l against norms of 250 mg/l, TSS- 29 mg/l against norms of 30 mg/l which indicates non-compliance w.r.t. BOD against surface water discharge norms prescribed under Environment (Protection) Rules, 1986.
3. The analysis of effluent sample collected from lagoon shows pH-7.13 as against norms of 5.5-9.0, BOD-10 mg/l against norms of 100 mg/l, COD- 36 mg/l against norms of 250 mg/l, TSS- 14 mg/l against norms of 100 mg/l which indicates compliance as per the land discharge norms prescribed under Environment (Protection) Rules, 1986.

AND WHEREAS, CPCB has issued show cause notice dt.07.05.2018 under section 5 of the Environment (Protection) Act, 1986 to the Unit; and

WHEREAS, the Unit submitted the revalidated adequacy assessment reports prepared by NSI, Kanpur vide letter dt. 10.10.2018; and

M/s Dhampur Sugar Mills, 'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032
Dhampur, Bijnor, U.P. Parivesh Bhawan, East Arjun Nagar, Delhi-110032

Page 1 of 5

दूरभाष/Tel : 43102030, 22305702, वेबसाइट/Website : www.cpcb.nic.in

WHEREAS, CPCB through an Expert Committee comprising of experts from National Sugar Institute (NSI), Kanpur, Vasantdada Sugar Institute (VSI), IITs and representatives from sugar mills prepared a Charter for Water Recycling and Pollution Prevention (thereafter referred to as the Charter; and

WHEREAS, a meeting of sugar mills operating in Uttar Pradesh, representatives of UPPCB and CPCB was held on 06.07.2018 under Chairmanship of Principal Secretary, Sugar Industries and Sugarcane Development, Government of Uttar Pradesh and the following decisions are made;

1. Sugar Mills shall submit an action plan to CPCB by 20.07.2018 regarding the steps taken by them pertaining to the notices issued to them. Also they shall submit action plan to implement recommendations of their adequacy assessment report.
2. All sugar mills shall ensure implementation of Charter and shall submit action plan to CPCB by 20.08.2018.
3. All sugar mills shall ensure the upgradation of their ETP within August, 2018 so as to ensure no interruption in functioning of the ETP in the following seasons.
4. All sugar mills shall maintain a logbook on ETP operations on a daily basis.
5. ETP shall be operational at all times and all bypass arrangements should be dismantled with immediate effect.
6. MLSS in aeration tanks should be maintained at 2000-2500 mg/l.
7. All sugar units shall set up environmental laboratories for regular analysis of raw and treated effluent thereby ensuring proper functioning of the ETP.
8. All sugar mills shall employ dedicated technicians for operating and regular maintenance of ETP and shall also ensure that the technicians are given proper training on ETP maintenance and lab analysis on regular basis.
9. To ensure proper training of the environmental technicians all sugar mills shall facilitate training of 5 employees.
10. All sugar mills may establish an Environment Management Cell at their level consisting of concerned officials in order to ensure compliance with environmental standards at industry level itself.

AND WHEREAS, the unit vide letter dated 20.07.2018 submitted their compliance status of the Charter; and

WHEREAS, CPCB issued direction dated 16.11.2018 under section 5 of the Environment (Protection) Act, 1986 to the Unit to comply with the following directions before commencement of crushing season 2018-2019;

1. The unit shall implement the observation & recommendation of the revalidated adequacy assessment of ETP including installation of condensate polishing unit (CPU) for having boilers more than 45 kg/cm² steam pressure.
2. The unit shall install sealed flow meter along with running hours meter on bore wells so as to ascertain usage of fresh water for various uses.
3. The unit shall install flow meters at major areas of cold and hot water consumption.
4. The unit shall install flow meters for measuring generation of effluent from various prominent areas.

5. The unit shall maintain logbook for individual process unit for recording daily water consumption and effluent generation also.
6. The unit shall carry out colour coding of pipelines carrying recycled process water and fresh process.
7. The Unit shall commission mechanical sludge handling system of adequate capacity.
8. The unit shall carry out analysis of effluent discharge parameters notified under Environment (Protection) Rules, 1986 and logbook shall be maintained on daily basis.
9. The unit shall submit the implementation status of the Charter in the form of Affidavit and the documentary proof of the completion of the work as committed in the action plan.
10. The unit shall submit implementation status of the Charter and performance adequacy audit of ETP including actual assessment of water consumption and effluent generation duly validated by reputed government expert institute namely NSI Kanpur, VSI Pune, IITs during crushing season & submit the report to CPCB within 60 days of resumption of operation.

AND WHEREAS, the unit vide letter dated 20.02.2019 submitted their compliance report including actual assessment of water consumption and effluent generation of season 2018-19 validated by NSI Kanpur and following observations were made:

1. Total discharged effluent quantity was observed to be 193.81 l/t of cane with average crush rate 12211 TCD.
2. The unit has not installed flow meters at Mill, fibrizer, power turbine cooling, B and C massecuite cooling, and outlet of R.O. water reject.
3. The unit is having high pressure boilers, 105 kg/cm² and has not installed condensate polishing unit.
4. The capacity of Multi grade filter and Activated carbon filter is not adequate and should be increased to maintain 20-25 minutes contact time.

AND WHEREAS, the unit was inspected on 28.03.2019 by team of CPCB officials and following observations are made;

1. The unit was operational at the time of inspection.
2. The unit has valid consents of under Water Act, 1974 and Air Act, 1981 upto 31.12.2019 for cane crushing capacity of 14000 TCD.
3. ETP comprises of Screen bar, Equalization tank, Primary Clarifier, Aeration tank, Secondary Clarifier, and Tertiary treatment (Multigrade filter and Activated Carbon filter). However Primary Clarifier was found non-functional during the inspection.
4. The unit has installed one more Primary clarifier for the treatment of spray pond overflow that was also found non-functional during the inspection.
5. Untreated effluent was being bypassed through a separate channel into the outside drains adjacent to the premises of the mill.
6. The unit has installed the flow meters at the hot water consumption (Six locations) as well as cold water consumption (Five locations).
7. The unit has installed flow meters on all four borewells. The unit has NOC (till 27/04/2019) for ground water withdrawal from the CGWA and mill may abstract 1500 cu.m/day.

8. The unit discharges the treated /untreated effluent through Ikara Drain to Gagan River which ultimate meet into River Ram Ganga.

It is evident that untreated effluent is being discharged by the Unit, posing potential threat to river water quality.

AND WHEREAS, The Hon'ble National Green Tribunal (NGT), Principal Bench in the matter of OA No. 593/2017 (WP (CIVIL) No. 375/2012), Paryavaran Suraksha Samiti & Anr. Vs. Union of India & Ors. directed Central Pollution Control Board (CPCB) that "*The CPCB may take penal action for failure, if any, against those accountable for setting up and maintaining STPs, CETPs and ETPs. CPCB may also assess and recover compensation for damage to the environment and said fund may be kept in a separate account and utilized in terms of an action plan for protection of the environment*"; and

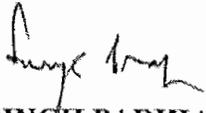
WHEREAS, in compliance of above quoted Hon'ble NGT order, cases to be considered for levying penalty are discharges in violation of consent conditions/ non-compliance with the directions, such as direction for closure due to non-installation of OCEMS/ non-adherence to the action plans submitted/ intentional avoidance of data submission or data manipulation by tampering OCEMS; and

WHEREAS, as per the methodology for assessing penalty and environmental compensation, the environmental compensation to be levied to the unit is calculated as Rs. **46,80,000/-** (Forty-six lakhs eighty thousand Rupees only) for the non-compliance period (11.11.2018 to 15.04.2019), for the crushing season 2018- 19; and

NOW, THEREFORE, in exercise of powers delegated to Chairman CPCB under Section 5 of the Environment (Protection) Act, 1986, the Unit (M/s Dhampur Sugar Mills, Dhampur, Bijnor, U.P.) is directed **close down its manufacturing operations immediately and deposit Rs.46,80,000/- within 15 days** in CPCB A/c No. 532702050000164 (Bank name: Union Bank Of India, IP Extension Branch, Vikas Marg Extn., Delhi; IFSC: UBIN0553271)/ demand draft in favour of EC by CPCB towards environmental compensation and shall comply with the following directions;

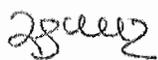
1. The Unit shall close down its Sugar manufacturing operations with immediate effect and shall not resume its operations.
2. The Unit shall dismantle the bypass arrangements and stop discharge of untreated/ partially treated effluent discharge immediately.
3. The unit shall install flow meters at Mill, fibrizer, power turbine cooling, B and C massecuite cooling, and outlet of R.O. water reject.
4. The unit shall install condensate polishing unit for high pressure boilers, 105 kg/cm².
5. The unit shall install adequate Multi grade filter and Activated carbon filter.
6. The Unit shall install mechanical sludge handling system of adequate capacity.
7. The unit shall seek permission from CPCB, after compliance of the above directions, before resumption of operation.

In case of default in compliance with the above directions, CPCB will be constrained to initiate action against the Unit (M/s Dhampur Sugar Mills, Dhampur, Bijnor, U.P.) without giving any further notice in accordance with the provisions of the Environment (Protection) Act, 1986.


(S. P. SINGH PARIHAR)
CHAIRMAN

Copy to:

- | | |
|---|---|
| <p>1. The Chairman
Uttar Pradesh Pollution Control Board,
Building No. TC-12V, Vibhuthi Khand,
Gomti Nagar, Lucknow - 226 010</p> | :With request to ensure compliance of the directions. |
| <p>2. Principal Secretary
Sugar Industry and Cane Development
Department, "G" Block 2/3, Mantri Wing 4th Floor
Bapu Bhawan Vidhan Sabha Marg
Lucknow - 226 001</p> | :For kind information, please. |
| <p>3. Joint Secretary (CP Division)
Ministry of Environment, Forest & C.C
Prithvi Block, Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi - 110 003</p> | :For kind information, please |
| <p>4. The District Magistrate
Bijnor, U.P.-246701</p> | :With request to ensure closure of the unit in compliance of the directions |
| <p>5. The Superintending Engineer
Paschimanchal Vidyut Vitaran Nigam Limited,
Bijnor, U.P.</p> | :With a direction to disconnect power supply |
| <p>6. The Regional Director
Regional Directorate
Central Pollution Control Board, PICUP Bhawan,
Ground Floor, Vibhuti Khand, Gomti Nagar,
Lucknow - 226 010</p> | :For follow up and ensuring compliance |
| <p><input checked="" type="checkbox"/> The In-charge, IT Division, CPCB</p> | :with request to upload on CPCB server. |
| <p>8. Master file/Guard file, WQM II, CPCB Delhi</p> | |


(A. SUDHAKAR)
MEMBER SECRETARY

Dated : 10.05.2019

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

**Sub: Direction under Section 5 of the Environment
(Protection) Act, 1986 - Closure Notice.**

Dear Sir,

We wish to invite your kind attention to the directions vide letter No. B-190197/WQM-II(RG)/CPCB/Sugar/15/2016-17/714 dated 15/23.04.2019, which was received by us on 29.04.2019.

The unit is directed to close down its manufacturing operations immediately and deposit Rs. 46,80,000.00 within 15 days in the CPCB Account towards Environmental Compensation and shall comply with the following directions-

1. The unit shall close down its Sugar manufacturing operations with immediate effect and shall not resume its operations.
2. The unit shall dismantle the bypass arrangements and stop discharge of untreated / partially treated effluent discharge immediately.
3. The unit shall install flow meters at Mill, Fibrizer, Power turbine Cooling, B and C Masecuite cooling, and outlet of R.O. Water reject.
4. The unit shall install condensate polishing unit for high pressure boilers, 105 kg/cm².
5. The unit shall install adequate Multi grade filter and Activated carbon filter.
6. The unit shall install mechanical sludge handling system of adequate capacity.

1 | Page

परिवेश मन्त्र, पूर्व अर्जुन नगर, दिल्ली-32

10 MAY 2019

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

CN : L15249UP1923PLC002511
Regd. Office: Dhampur, Dist. Bijnor, Pin Code: 246 761 (U.P.)
Branch Office: 1/125, Vijay Khand, Gombi Nagar, Lucknow - 226 010 (U.P.); Tel: +91-522-339043
Sugar Units: 1. Dhampur, 2. Mansurpur, 3. Azmoh, 4. Raipura, 5. Meerapur
Distillery: Azmoh & Dhampur

7. The unit shall seek permission from CPCB, after compliance of the above directions, before resumption of operation.

The aforesaid directions have been issued on the basis of inspection carried out on 28.03.2019 by a Team of CPCB Officials and the following observations were made-

1. The Unit was operational at the time of inspection.
2. The unit has valid consent under Water (Prevention and Control of Pollution) Act, 1974 & Air (Prevention and Control of Pollution) Act, 1981 upto 31.12.2009 for cane crushing capacity of 14000 TCD.
3. ETP comprises of Screen bar, Equalization tank, Primary Clarifier, Aeration tank, Secondary Clarifier and Tertiary treatment (Multigrade filter and Activated Carbon filter). However Primary Clarifier was found non-functional during the inspection.
4. The unit has installed one more Primary clarifier for the treatment of spray pond overflow that was also found non-functional during the inspection.
5. Untreated effluent was being bypassed through a separate channel into the outside drains adjacent to the premises of the mill.
6. The unit has installed the flow meters at the hot water consumption (Six locations) as well as cold water consumption (five locations).
7. The unit has installed flow meters on all four bore-wells. The unit has NOC (till 27.04.2019) for ground water withdrawal from CGWA and mill may abstract 1500 cu.m/day.
8. The unit discharges the treated / untreated effluent through Ikara Drain to Ganga River which ultimate meet into River Ram Ganga.

We would like to submit our clarifications on the observations made by the CPCB Teams as follows :-

1. Our unit was operational at the time of inspection on 28.03.2019.

2. Our unit has valid consents under Water Act 1974 and Air Act, 1981 upto 31.12.2019 for a cane crushing capacity of 14000 TCD.
3. Our ETP comprises of screen bar, equalization tank, primary clarifier, aeration tank, secondary clarifier and tertiary treatment (multigrade filters and activated carbon).

It has been observed that the Primary clarifier was not functioning at the time of inspection. We would like to submit that in fact the whole peripheral structure of the primary clarifier sunk / subsided in the ground around 23rd / 24th March 2019. We tried to repair the structure but could not succeed as this structure needed substantial reconstruction.

We are submitting 05 nos. pictures of the Sunken Primary Clarifier for your kind perusal. At the same time, we are also submitting a certificate by inspecting Chartered Engineer verifying the damage to the Primary Clarifier as per Certificate dated 03.04.2019. [Pictures and CE Certificate enclosed]

4. It is submitted that we have an extra Primary Clarifier for treatment of spray pond overflow but the same was not being operated by us as we have already installed a "Reactor" with a specific design which enables the removal of sludge from the bottom.

The second Primary Clarifier serves as a stand by unit which is operated in case the "Reactor" needs some repair or servicing.

5. We would like to emphasize that despite of non-functioning of Primary Clarifier due to above mentioned accident, the final results of treated effluent at the ETP out let in terms of COD, BOD, Ph. & TSS. etc., were within the prescribed norms.

It would be appreciated that our On-line monitoring system was in operation and online data was being transmitted to the Board and as per online data all norms for the treated effluent were being achieved. Besides, our in-house analysis in the ETP lab also confirmed the same.

6. We are also submitting copies of the Test Report dated 18.03.2019 and 22.04.2019 as per the analysis conducted by Sishodia Research Laboratories Pvt. Ltd., Lucknow. [copies enclosed]
7. It is submitted that on the day of inspection the drain valve of our CBD tank, attached to the boiler developed some mechanical fault and became free from its grooves, resulting in overflow of hot water which gradually flowed down into the nearby drain.
8. It would be appreciated that even after due precautions such type of accidents may occur in the industry of such a big scale. Such incidents are non-intentional & are beyond human control. There has not been any allegation of by-pass of treated / untreated the effluent in any of the past inspection.
9. It would be appreciated that the company has been continuously spending huge capital for the effective management of effluent in the unit and as a result of which all prescribed norms are being achieved.
The Company has made total expenditure of Rs. 1,83,40,690.00 within the period from 2017-18 to 2018-19. A copy of the statement of capitalisation of expenses in Sugar ETP is attached for your kind perusal. [copy enclosed]
10. The unit was also inspected earlier on 22.03.2018 and the analysis of effluent being discharged on land was found to be within norms. The unit submitted an Adequacy Assessment Report prepared by NSI, Kanpur vide letter dated 10.10.2018. The unit again submitted a compliance report vide letter dated 20.02.2019 along with Revalidation Report by NSI, Kanpur.

The inspections have also been carried out by the State Pollution Control Board from time to time.

Besides in respect of the other observations, it is submitted that as directed we shall install -

1. Flow meters at mill, Fibrizer, Power Turbine Cooling, B&C Masecuite Cooling and Outlet of RO water reject.
2. The Unit shall also install condensate polishing unit for High Pressure Boilers of 105 Kg/cm² of appropriate technology before

start of the next season and get the same verified by the NSI. The CPU installed in other Units are being examined to determine the performance.

- 3. The Multi Grade Filter and Activated Carbon Filter shall be augmented and made adequate.
- 4. The Sludge Handling System is working satisfactorily and has been found Adequate by NSI in its Report dated 11.01.2019.

It is submitted that the sugar unit is a seasonal unit and lakhs of farmers and workers directly depend on the working of the sugar units. Besides several lakhs of people of the area are indirectly depend on the unit. The current crushing season 2018-19 is almost concluded and the sudden closure of the unit would create serious law and order problem. The State Government of UP and Cane Department have been instructing us to crush the entire available cane in the reserved area of the unit and the crushing should not be stopped without obtaining a certificate that no crush worthy cane remained balance in the reserved area.

It would be appreciated that as is evident from the aforesaid directions dated 15/23.04.2019 there has been no Environmental damage in the area. Therefore, the imposition of penalty of Rs. 46,80,000.00 seems to be very unreasonable and we request your goodself to waive the same.

We reiterate that we are completely compliant unit and have been taking actions to make further improvements in the management of Environment and always feel responsible for the society.

Thanking you,

Yours faithfully,
For Dhampur Sugar Mills Ltd.,



AUTHORISED SIGNATORY

Encl: As above

Er. Abhay K. Rastogi

B.Sc., B.E. (MECH) ROORKEE, F.I.E.
CHARTERED ENGINEER (F/101830/9)
SURVEYOR & LOSS ASSESSOR (SLA 10722)
Ex. DIRECTOR , BAREILLY CORPN. BANK LTD.
PAN No. AAOPR8786J

Mobile : 98370-33513
Email ; cool100_202@hotmail.com
A-53 , LAJPAT NAGAR,
MORADABAD - 244 001.

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Ref. no. 192/CE/2529
Dated 03.04.2019

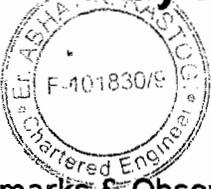


CHARTERED ENGINEER CERTIFICATE

Upon the request of Mr. A.P. Mishra, General Manager (Chemical & Quality Control) of M/s Dhampur Sugar Mills Limited, Dhampur , the undersigned visited the premises of the said unit on 26.03.2019 for the purpose of inspection of Primary Clarifier of the Sugar Effluent Treatment Plant. The said Primary Clarifier of Sugar E.T.P. was carefully examined and it's related information collected for the purpose of extent of damage caused to the Primary Clarifier.. Upon completion of the assignment, the report is issued, without prejudice, as hereunder:

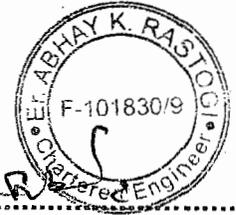
1. Purpose of certification : For submission to Central Pollution Control Board, New Delhi
2. Name & Address of the owner of Plant : M/s Dhampur Sugar Mills Limited, Dhampur, District Bijnor, U.P.- 246761
3. Details of Equipment : Primary Clarified of Sugar Effluent Treatment Plant
Size : 13 Mtr. Dia & 3 Mtr. Length having a capacity of 398 M³ constructed with R.C.C. in the year 1995-96.
4. Working of Plant : The purpose of Primary Clarifier of Sugar E.T.P. is to complete the process of sedimentation. The effluent/ waste water is collected in the Primary Clarifier wherein process of sedimentation of suspended solid particles is carried out in a sedimentation basin / Tank without any mechanical means. The settled solids are removed subsequently by mechanical means.





Remarks & Observations :

01. Upon visual inspection it was found that the R.C.C. structure of the Tank has failed and it has collapsed due to soil bearing capacity failure. Further water seepage was observed probably due to damages in internal pipe lines.
02. For working of the E.T.P. it is recommended that the said Primary Clarifier be completely demolished and re-constructed with new construction material.
03. I have no direct or indirect interest in the business and the machinery under consideration.



Signature Abhay K. Rastogi

Name in Block Letters ER. ABHAY K. RASTOGI

Designation Chartered Engineer

Address A-53, Lajpat Nagar, Moradabad

Name and Address of the institution under which chartered
The Institution Of Engineers (India), 8, Gokhle
Road, Calcutta

Ref. No. & date of Corporate Membership F-101830/9
dt. 26.02.1993

Place : Moradabad

Date : 03.04.2019.



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NABL Certificate
 No. TC 0394

TEST REPORT

Report No SRL/ETPQ/26/19	Sample code SRL/DSM/VVW/01/19	Report issue date 18/03/2019
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SAMPLING DETAIL

1	Name and Address of Customer:	M/s Dhampur Sugar Mills Ltd Unit-Dhampur, Distt - Bijnor - (U.P.)	
2	Type of Industry:	Sugar Factory	
3	Type of Sample :	ETP Unreated Effluent (Inlet)	
4	Date of sampling : 05/03/2019	Sampling Timing:	03:30pm
5	Sample collected by:	SRLPL Team	
6	Method of Sampling :	SRL/QR/SP/01	
7	Packing condition: Sealed	Quantity of sample:	2 Liter, HDPE
8	Laboratory Sample Receiving date:	10/03/2019	
9	Period of Sample analysis:	11/03/2019 - 16/03/2019	
10	Humidity (%) 48%	Ambient Temperature(°C)	24°C

EFFULENT TREATMENT WATER TESTING RESULT

Sr.No.	Parameters	Reference Method	Unit	Results
1	pH	IS 3025 P,11	-	8.74
2	Total Suspended Solid	IS 3025 P,17	mg/l	128
3	Biochemical Oxygen Demand (3 Day 27°C)	IS 3025 P,44	mg/l	626
4	Chemical Oxygen Demand	IS 3025 P,58	mg/l	1752
5	Oil & Grease	IS 3025 P,39	mg/l	2.8
6	Total Dissolve Solid	IS 3025 P,16	mg/l	1274

Note: 1. The results listed refer only to tested sample and applicable parameters.

2. This certificate is not to be reproduced wholly or in parts promotional publicity or legal purpose without permission of authority of SRLPL.

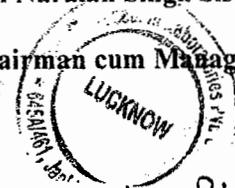
3. The samples will be destroyed after 1 month from the date of issue of test certificate unless otherwise specified.

V.K. Awasthi
 Dr. V.K. Awasthi

(Technical Manager)

Prem Narayan Singh Sisodia

(Chairman cum Managing Director)



Prem Narayan Singh

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NABL Certificate
No FC-6394

TEST REPORT

Report No SRL/ETPQ/27/19	Sample code SRL/DSM/WW/02/19	Report issue date 18/03/2019
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SAMPLING DETAIL

1	Name and Address of Customer:	M/s Dhampur Sugar Mills Ltd Unit-Dhampur . Distt - Bijnor - (U.P).		
2	Type of Industry:	Sugar Factory *		
3	Type of Sample :	ETP Treated Effluent (Outlet)		
4	Date of sampling : 10/03/2019	Sampling Timing:	04:00pm	
5	Sample collected by:	SRLPL Team		
6	Method of Sampling :	SRL/QR/SP/01		
7	Packing condition: Sealed	Container:	2 Liter, HDPE	
8	Laboratory Sample Receiving date:	10/03/2019		
9	Period of Sample analysis:	11/03/2019 - 16/03/2019		
10	Humidity (%) 58%	Ambient Temperature(°C)	20°C	

EFFULENT TREATMENT WATER TESTING RESULT

Sr.No.	Parameters	Reference Method	Unit	Results	Standard*
1	pH	IS 3025 P,11	-	7.90	5.5-8.5
2	Total Suspended Solid	IS 3025 P,17	mg/l	19	30
3	Biochemical Oxygen Demand (3 Day 27°C)	IS 3025 P,44	mg/l	23	30
4	Chemical Oxygen Demand	IS 3025 P,58	mg/l	152	-
5	Oil & Grease	IS 3025 P,39	mg/l	BDL	10
6	Total Dissolve Solid	IS 3025 P,16	mg/l	1032	2100
7	Sulphate as SO ₄	IS 3025 P,24	mg/l	142	-

*GSR35 (E1), New Delhi, th 14th January, 2016 **BDL=Below Detection Limit

Note: 1. The results listed refer only to tested sample and applicable parameters

2. This certificate is not to be reproduced wholly or in parts promotional publicity or legal purpose without permission of authority of SRLPL.

3. The samples will be destroyed after 1 month from the date of issue of test certificate unless otherwise specified.

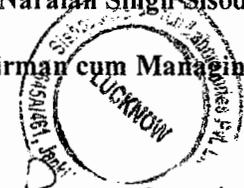
V.K. Awasthi

Dr. V.K. Awasthi .

(Technical Manager)

Prem Narayan Singh Sisodia

(Chairman cum Managing Director)



Prem Narayan Singh



SISHODIA-RESEARCH LABORATORIES PVT. LTD.

(An NABL, ISO 9001:2015, I4001:2015 and I8001:2007 Certified Laboratory)

(Total Environmental Services RWH, Biofertilizer EIA, ETP & STP etc.)

GSTIN : 09AANCS3103L2Z3 | Regd. : U73100UP2009PTC037857



52

TEST REPORT

Report No	Sample code	Report issue date
SRL/ETPQ/33/19	SRL/DSM/WW/04/01/19	22/04/2019

SAMPLING DETAIL

1	Name and Address of Customer:	M/s Dhampur Sugar Mills Ltd Unit-Dhampur , Distt - Bijnor - (U.P.)		
2	Type of Industry:	Sugar Factory		
3	Type of Sample :	ETP Unreated Effluent (Inlet)		
4	Date of sampling :	15/04/2019	Sampling Timing:	11:30am
5	Sample collected by:	SRLPL Team		
6	Method of Sampling :	SRL/QR/SP/01		
7	Packing condition: Sealed	Quantity of sample:	2 Liter, HDPE	
8	Laboratory Sample Receiving date:	16/04/2019		
9	Period of Sample analysis:	16/04/2019 - 20/04/2019		
10	Humidity (%)	48%	Ambient Temperature(°C)	31°C

EFFULENT TREATMENT WATER TESTING RESULT

Sr.No.	Parameters	Reference Method	Unit	Results
1	pH	IS 3025 P,11	-	8.12
2	Total Suspended Solid	IS 3025 P,17	mg/l	112
3	Biochemical Oxygen Demand (3 Day 27°C)	IS 3025 P,44	mg/l	738
4	Chemical Oxygen Demand	IS 3025 P,58	mg/l	1702
5	Oil & Grease	IS 3025 P,39	mg/l	2.6
6	Total Dissolve Solid	IS 3025 P,16	mg/l	1222

Note: 1. The results listed refer only to tested sample and applicable parameters.

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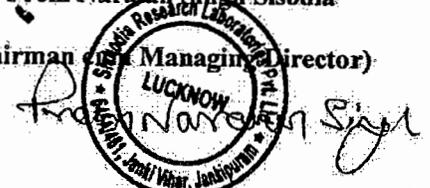
3. The samples will be destroyed after 1 month from the date of issue of test certificate unless otherwise specified.

V.K. Awasthi
Dr. V.K. Awasthi

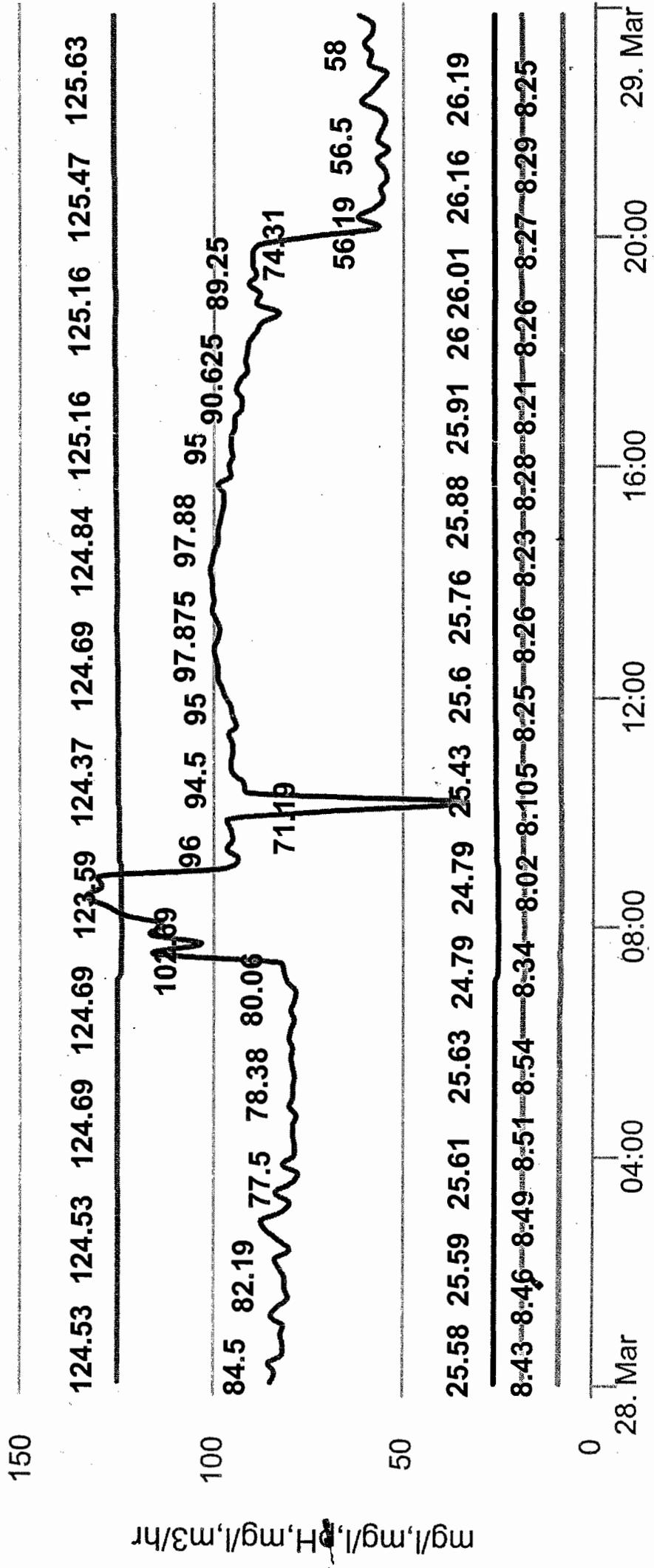
(Technical Manager)

Prem Narain Singh Sisodia

(Chairman & Managing Director)



Regd. Office : 645A/461, Jankivihar, Jankipuram, Lucknow. Pin Code- 226021 Uttar Pradesh. (INDIA)
Mob.No. : 0995899476, 9415329658 Email: viveksinghsishodia@sishodialabs.com, cmd@sishodialabs.com
Website: www.sishodialabs.com



150

mg/l, mg/l, pH, mg/l, m3/hr

124.53 124.53 124.69 124.69 123.59 124.37 124.69 124.84 125.16 125.16 125.47 125.63
 84.5 82.19 77.5 78.38 80.06
 107.69
 96 94.5 95 97.875 97.88 95 90.625 89.25
 71.19
 74.31
 56.19 56.5 58
 25.58 25.59 25.61 25.63 24.79 24.79 25.43 25.6 25.76 25.88 25.91 26 26.01 26.16 26.19
 8.43 8.46 8.49 8.51 8.54 8.34 8.02 8.105 8.25 8.26 8.28 8.21 8.26 8.27 8.29 8.25

0 28. Mar 04:00 08:00 12:00 16:00 20:00 29. Mar

— COD — BOD — pH — TSS — Flow

53

54

Speed Post

B-190197/WQM-II(RG)/CPCB/Sugar/15/2016-17
3506

25.06.2019
01.07.2019

To,
M/s Dhampur Sugar Mills,
Dhampur, Distt.-Bijnor,
U.P.-246761

**DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986-
CLOSURE THEREOF**

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

WHEREAS, the Ministry of Environment & Forests, Govt. of India, vide notification S.O.157(E) of 27.02.1996 has delegated powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board (CPCB), to issue direction to any industry, Municipal Corporation, Municipal Council, Cantonment Board to any local or other Authority for the violation of emission and effluent standards notified under the Environment (Protection) Rules, 1986; and

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

WHEREAS, M/s Dhampur Sugar Mills, Dhampur, Bijnor, U.P. (hereinafter referred as 'the Unit') is involved in the process of sugar manufacturing from crushing of cane; and

WHEREAS, the Unit was inspected on 22.03.2018 by officials from CPCB, Delhi and following observations were made:

1. The Unit and ETP were operational.
2. Analysis of treated effluent sample shows pH-6.70 as against norms of 5.5-9.0, BOD- 53 mg/l against norms of 30 mg/l, COD- 101 mg/l against norms of 250 mg/l, TSS- 29 mg/l against norms of 30 mg/l which indicates non-compliance w.r.t. BOD against surface water discharge norms prescribed under Environment (Protection) Rules, 1986.
3. The analysis of effluent sample collected from lagoon shows pH-7.13 as against norms of 5.5-9.0, BOD-10 mg/l against norms of 100 mg/l, COD- 36 mg/l against norms of 250 mg/l, TSS- 14 mg/l against norms of 100 mg/l which indicates compliance as per the land discharge norms prescribed under Environment (Protection) Rules, 1986.

AND WHEREAS, CPCB has issued show cause notice dt.07.05.2018 under section 5 of the Environment (Protection) Act, 1986 to the Unit; and

WHEREAS, the Unit submitted the revalidated adequacy assessment reports prepared by NSI, Kanpur vide letter dt. 10.10.2018; and

WHEREAS, CPCB through an Expert Committee comprising of experts from National Sugar Institute (NSI), Kanpur, Vasantdada Sugar Institute (VSI), IITs and representatives from sugar mills prepared a Charter for Water Recycling and Pollution Prevention (thereafter referred to as the Charter; and

WHEREAS, a meeting of sugar mills operating in Uttar Pradesh, representatives of UPPCB and CPCB was held on 06.07.2018 under Chairmanship of Principal Secretary, Sugar Industries and Sugarcane Development, Government of Uttar Pradesh and the following decisions are made;

1. Sugar Mills shall submit an action plan to CPCB by 20.07.2018 regarding the steps taken by them pertaining to the notices issued to them. Also they shall submit action plan to implement recommendations of their adequacy assessment report.
2. All sugar mills shall ensure implementation of Charter and shall submit action plan to CPCB by 20.08.2018.
3. All sugar mills shall ensure the upgradation of their ETP within August, 2018 so as to ensure no interruption in functioning of the ETP in the following seasons.
4. All sugar mills shall maintain a logbook on ETP operations on a daily basis.
5. ETP shall be operational at all times and all bypass arrangements should be dismantled with immediate effect.
6. MLSS in aeration tanks should be maintained at 2000-2500 mg/l.
7. All sugar units shall set up environmental laboratories for regular analysis of raw and treated effluent thereby ensuring proper functioning of the ETP.
8. All sugar mills shall employ dedicated technicians for operating and regular maintenance of ETP and shall also ensure that the technicians are given proper training on ETP maintenance and lab analysis on regular basis.
9. To ensure proper training of the environmental technicians all sugar mills shall facilitate training of 5 employees.
10. All sugar mills may establish an Environment Management Cell at their level consisting of concerned officials in order to ensure compliance with environmental standards at industry level itself.

AND WHEREAS, the unit vide letter dated 20.07.2018 submitted their compliance status of the Charter; and

WHEREAS, CPCB issued direction dated 16.11.2018 under section 5 of the Environment (Protection) Act, 1986 to the Unit to comply with the following directions before commencement of crushing season 2018-2019;

1. The unit shall implement the observation & recommendation of the revalidated adequacy assessment of ETP including installation of condensate polishing unit (CPU) for having boilers more than 45 kg/cm² steam pressure.
2. The unit shall install sealed flow meter along with running hours meter on bore wells so as to ascertain usage of fresh water for various uses.
3. The unit shall install flow meters at major areas of cold and hot water consumption.
4. The unit shall install flow meters for measuring generation of effluent from various prominent areas.
5. The unit shall maintain logbook for individual process unit for recording daily water consumption and effluent generation also.
6. The unit shall carry out colour coding of pipelines carrying recycled process water and fresh process.
7. The Unit shall commission mechanical sludge handling system of adequate capacity.

8. The unit shall carry out analysis of effluent discharge parameters notified under Environment (Protection) Rules, 1986 and logbook shall be maintained on daily basis.
9. The unit shall submit the implementation status of the Charter in the form of Affidavit and the documentary proof of the completion of the work as committed in the action plan.
10. The unit shall submit implementation status of the Charter and performance adequacy audit of ETP including actual assessment of water consumption and effluent generation duly validated by reputed government expert institute namely NSI Kanpur, VSI Pune, IITs during crushing season & submit the report to CPCB within 60 days of resumption of operation.

AND WHEREAS, the unit vide letter dated 20.02.2019 submitted their compliance report including actual assessment of water consumption and effluent generation of season 2018-19 validated by NSI Kanpur and following observations were made:

1. Total discharged effluent quantity was observed to be 193.81 l/t of cane with average crush rate 12211 TCD.
2. The unit has not installed flow meters at Mill, fibrizer, power turbine cooling, B and C massecuite cooling, and outlet of R.O. water reject.
3. The unit is having high pressure boilers, 105 kg/cm² and has not installed condensate polishing unit.
4. The capacity of Multi grade filter and Activated carbon filter is not adequate and should be increased to maintain 20-25 minutes contact time.

AND WHEREAS, the unit was inspected on 28.03.2019 by team of CPCB officials and following observations are made:

1. The unit was operational at the time of inspection.
2. The unit has valid consents of under Water Act, 1974 and Air Act, 1981 upto 31.12.2019 for cane crushing capacity of 14000 TCD.
3. ETP comprises of Screen bar, Equalization tank, Primary Clarifier, Aeration tank, Secondary Clarifier, and Tertiary treatment (Multigrade filter and Activated Carbon filter). However Primary Clarifier was found non-functional during the inspection.
4. The unit has installed one more Primary clarifier for the treatment of spray pond overflow that was also found non-functional during the inspection.
5. Untreated effluent was being bypassed through a separate channel into the outside drains adjacent to the premises of the mill.
6. The unit has installed the flow meters at the hot water consumption (Six locations) as well as cold water consumption (Five locations).
7. The unit has installed flow meters on all four borewells. The unit has NOC (till 27/04/2019) for ground water withdrawal from the CGWA and mill may abstract 1500 cu.m/day.
8. The unit discharges the treated /untreated effluent through Ikara Drain to Gagan River which ultimate meet into River Ram Ganga.

It is evident that untreated effluent is being discharged by the Unit, posing potential threat to river water quality.

AND WHEREAS, The Hon'ble National Green Tribunal (NGT), Principal Bench in the matter of OA No. 593/2017 (WP (CIVIL) No. 375/2012), Paryavaran Suraksha Samiti & Anr. Vs. Union of India & Ors. directed Central Pollution Control Board (CPCB) that "*The CPCB may take penal action for failure, if any, against those accountable for setting up and maintaining STPs, CETPs and ETPs. CPCB may also assess and recover compensation for damage to the environment and said fund may be kept in a separate account and utilized in terms of an action plan for protection of the environment*"; and

WHEREAS, in compliance of above quoted Hon'ble NGT order, cases to be considered for levying penalty are discharges in violation of consent conditions/ non-compliance with the directions, such as direction for closure due to non-installation of OCEMS/ non-adherence to the action plans submitted/ intentional avoidance of data submission or data manipulation by tampering OCEMS; and

WHEREAS, as per the methodology for assessing penalty and environmental compensation, the environmental compensation to be levied to the unit is calculated as Rs. **46,80,000/-** (Forty-six lakhs eighty thousand Rupees only) for the non-compliance period (11.11.2018 to 15.04.2019), for the crushing season 2018- 19; and

WHEREAS, CPCB issued direction dated 23.04.2019 under section 5 of the Environment (Protection) Act, 1986 to the unit to close down its manufacturing operations immediately and deposit **Rs. 46,80,000/- within 15 days** in CPCB A/c No. 532702050000164 (Bank name: Union Bank of India, IP Extension Branch, Vikas Marg Extn., Delhi; IFSC: UBIN0553271)/ demand draft in favour of EC by CPCB towards environmental compensation and shall comply with the following directions;

1. The Unit shall close down its Sugar manufacturing operations with immediate effect and shall not resume its operations.
2. The Unit shall dismantle the bypass arrangements and stop discharge of untreated/ partially treated effluent discharge immediately.
3. The unit shall install flow meters at Mill, fibrizer, power turbine cooling, B and C massecuite cooling, and outlet of R.O. water reject.
4. The unit shall install condensate polishing unit for high pressure boilers, 105 kg/cm².
5. The unit shall install adequate Multi grade filter and Activated carbon filter.
6. The Unit shall install mechanical sludge handling system of adequate capacity.
7. The unit shall seek permission from CPCB, after compliance of the above directions, before resumption of operation.

AND WHEREAS, the unit was inspected on 28.03.2019 and following additional observations are made:

1. Analysis of sample of effluent being by passed showed pH-7.43 against the norms of 5.5-8.5, **BOD-56 mg/l** against the norms of 30mg/l, COD-108 mg/l against the norms of 250mg/l, **TSS-35 mg/l** against the norms of 30mg/l, TDS -504 mg/l against the norms of 2100mg/l which indicates non-compliance w.r.t BOD and TSS as per surface effluent discharge norms of Environment (Protection) Rules, 1986. Photographs of the bypasses observed by the inspection team are enclosed as **Annexure I**.
2. MLSS in the aeration tank was 2520 mg/l.

3. Analysis of effluent sample collected from ETP outlet showed pH-7.68 against the norms of 5.5-8.5, BOD-18 mg/l against the norms of 30mg/l, COD-60 mg/l against the norms of 250mg/l, TSS-BDL (<10) mg/l against the norms of 30mg/l, TDS -1328mg/l against the norms of 2100mg/l. However, primary clarifier of ETP system was not functional and therefore, dilution of ETP system could not be ruled out.
4. Analysis of effluent sample collected from lagoon showed pH-7.46 against the norms of 5.5-8.5, BOD-22 mg/l against the norms of 100mg/l, COD-73 mg/l against the norms of 250mg/l, TSS-23mg/l against the norms of 100mg/l, TDS -748mg/l against the norms of 2100mg/l which indicates compliance as per on land effluent discharge norms of Environment (Protection) Rules, 1986.

AND WHEREAS, the unit's reply vide letter dated 10.05.2019 was examined and following observations are made;

1. The unit was operational at the time of inspection on 28.03.2019.
2. Primary clarifier was not functional at the time of inspection and the whole peripheral structure of the primary clarifier sunk/ subsided in the ground on 23rd/ 24th March, 2019.
3. Extra primary clarifier for treatment of spray pond over flow was not in operation and unit installed a reactor which enables the removal of sludge from the bottom.
4. Drain valve of CBD tank, attached to the boiler developed some mechanical fault and became free from its grooves, resulting in overflow of hot water into the nearby drain. Untreated effluent bypassed through the drain to Ikara Drain to Gagan river which ultimately meet into River Ram Ganga.
5. The unit has closed its manufacturing operation on 20.05.2019.

AND WHEREAS, the unit has stopped its crushing season 2018-19 on 20.05.2019. The environmental compensation to be levied to the unit for full crushing season 2018- 19 is revised and calculated as **Rs. 57,30,000/-** (Rupees Fifty- seven lakhs thirty thousand only) for the non-compliance period (11.11.2018 to 20.05.2019); and

WHEREAS, in case of delay in receipt of Environmental Compensation simple interest shall be charged @12% for delay period.

NOW, THEREFORE, in exercise of powers delegated to Chairman CPCB under Section 5 of the Environment (Protection) Act, 1986, the Unit (M/s Dhampur Sugar Mills, Dhampur, Bijnor, U.P.) is directed to **remain closed, immediately deposit Rs. 57,30,000/- within 15 days** from the date of receipt of direction in CPCB A/c No. 532702050000164 (Bank name: Union Bank of India, IP Extension Branch, Vikas Marg Extn., Delhi; IFSC: UBIN0553271) towards environmental compensation and shall comply with following directions:

1. The Unit shall dismantle the bypass arrangements and stop discharge of untreated/ partially treated effluent discharge immediately.
2. The unit shall install flow meters at Mill, fibrizer, power turbine cooling, B and C massecuite cooling, and outlet of R.O. water reject.
3. The unit shall install condensate polishing unit for high pressure boilers, 105 kg/cm².
4. The unit shall install adequate Multi grade filter and Activated carbon filter.
5. The Unit shall install mechanical sludge handling system of adequate capacity.

59

6. The unit shall seek permission from CPCB, after compliance of the above directions, before resumption of operation.

In case of default in compliance with the above directions, CPCB will be constrained to initiate action against the Unit (M/s Dhampur Sugar Mills, Dhampur, Bijnor, U.P.) without giving any further notice in accordance with the provisions of the Environment (Protection) Act, 1986.

(S. P. SINGH PARIHAR)
CHAIRMAN

27/6/19

Copy to:

- 1. **Member Secretary**
Uttar Pradesh Pollution Control Board,
Building No. TC-12V, Vibhuthi Khand,
Gomti Nagar, Lucknow - 226 010
- 2. **Principal Secretary**
Sugar Industry and Cane Development
Department, "G" Block 2/3, Mantri Wing 4th Floor
Bapu Bhawan Vidhan Sabha Marg
Lucknow - 226 001
- 3. **Joint Secretary (CP Division)**
Ministry of Environment, Forest & C.C
Prithvi Block, Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi - 110 003
- 4. **The District Magistrate**
Bijnor, U.P.-246701
- 5. **The Superintending Engineer**
Paschimanchal Vidyut Vitaran Nigam Limited,
Bijnor, U.P.
- 6. **The Regional Director**
Regional Directorate
Central Pollution Control Board, PICUP Bhawan,
Ground Floor, Vibhuthi Khand, Gomti Nagar,
Lucknow - 226 010
- 7. **The In-charge, IT Division, CPCB**
- 8. **Master file/Guard file, WQM II, CPCB Delhi**

: With request to ensure compliance of the directions.

: For kind information, please.

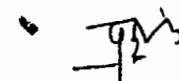
: For kind information, please

: To ensure physical verification, closure, sealing and disconnection of power supply in compliance of closure direction.

: With a direction to disconnect power supply

: For follow up and ensuring compliance

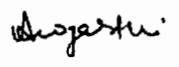
: with request to upload on CPCB server.


(PRASHANT GARGAVA)
MEMBER SECRETARY

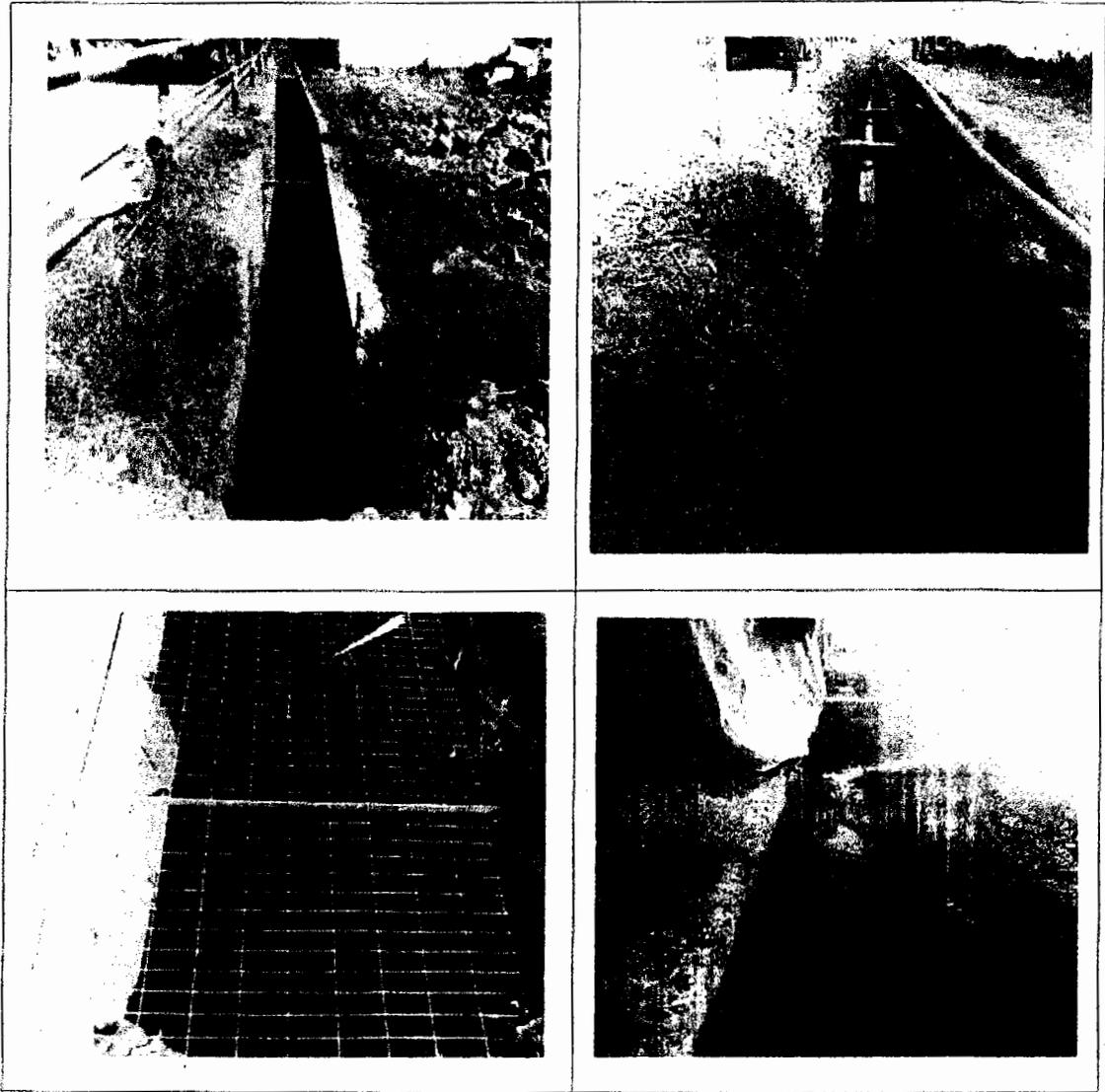
CMM)

M/s Dhampur Sugar Mills., Dhampur, Bijnor, U.P.

d/c



Annexure I.



Pictures: Drain which carries the untreated effluent

Sr GM (Chem) / 12792

Dated : 17/07/2019

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

**Sub: Direction under Section 5 of the Environment
(Protection) Act, 1986 - Closure Notice.**

Dear Sir,

We wish to invite your kind attention to the directions vide letter No. B-190197/WQM-II (RG)/CPCB/Sugar/15/2016-17/3506 dated 25.06.2019/01.07.2019 in respect of directions under Section 5 of the EP Act, 1986.

We had submitted our explanation vide letter dated 10.05.2019 to the earlier directions received vide letter No. B-190197/WQM-II (RG)/CPCB/Sugar/15/2016-17/714 dated 15/23.04.2019. A copy of the said letter dated 10.05.2019 is again submitted for your kind perusal and ready reference.

The unit has been directed vide letter dated 01.07.2019 to comply with the following directions -

1. The unit shall dismantle the by-pass arrangements and stop discharge of untreated / partially treated effluent discharge immediately.
2. The unit shall install flow meters at Mill, Fibrizer, Power turbine Cooling, B and C Masecuite cooling, and outlet of R.O. Water reject.
3. The unit shall install condensate polishing unit for high pressure boilers, 105 kg/cm².
4. The unit shall install adequate Multi grade filter and Activated carbon filter.

1 | Page

18 JUL 2019

Central Pollution Control Board
Parivesh Bhawan, East Arjun Nagar

CIN : L15249UP1933PLC000511
Corporate Office: 241, Okhla Industrial Estate, Phase-III, New Delhi-110 020
Tel: +91 11 30659400, Fax: 91 11 26935697
Branch Office: 1/125, Vijay Khand, Gomti Nagar, Lucknow - 226 010, Tel: +91-522-339243
Sugar Units - 1. Dhampur, 2. Mansurpur, 3. Asmoli, 4. Rajpura, 5. Meerghat
Distillery: Asmoli & Dhampur

5. The unit shall install mechanical sludge handling system of adequate capacity.

6. The unit shall seek permission from CPCB, after compliance of the above directions, before resumption of operation.

We would like to submit that:-

- i. The environmental compensation has been enhanced from Rs.46,80,000.00 to Rs. 57,30,000.00 with additional condition of Interest @ 12% in case of delay in the payment of the said Environmental Compensation without communicating any basis of calculation. The amount of penalty continues to be arbitrary.
- ii. It appears that our explanation has been totally ignored for the accidental temporary reason of over flow of Hot water due to mechanical fault beyond the human control. It was submitted that such type of incidents does occur in a big plant and are totally unintentional.
- iii. More over the final discharge of treated Effluent has always been within the prescribed norms for discharge on land as also admitted in the directions letter referred to above.
- iv. We would like to submit there has not been any by-pass arrangement and it was only due to the accident in the Primary Clarifier and Drain Valve of the CBD Tank before the inspection carried out on 28.03.2019. It might be that the quantity of discharge may have crossed the norm of 200 litres / ton of Cane crushed but it did not violet the analytical norms prescribed by the Board.
- v. The 2nd Primary Clarifier which works as Stand-by unit and usually was not in operation as the treatment is done through the Main Primary Clarifier. The Stand by Primary Clarifier was taken in the treatment line w.e.f. 02.04.2019
- vi. It is reiterated that despite the non-functioning of the Main Primary Clarifier, due to accident, the Final results of treated effluent at the ETP Outlet in terms of COD, BOD, Ph and TSS etc. were within the norms as also reproduced in the Board letter under reference.
- vii. The directions were received by us on 29.04.2019, a date which was very close to the conclusion of Crushing season. It would be appreciated that in the overall interest of the

farmers it was incumbent upon the Unit to finish cane in the reserved area and seek mandatory permission from the Cane Commissioner before closing down the Unit for the season. The Sugar Units are not allowed to abruptly close the crushing season as in that case the Farmers would have suffered heavy losses creating a serious law and order position.

- viii. However, being the terminal part of the crushing season the supplies of cane were depleted and the daily average crush, after 30.04.2019 to the final date of closure i.e 20.05.2019 was only 95000 quintals as against the usual daily crush of about 120000 to 130000 quintals per day. Therefore, the overall quantity of effluent also got reduced which we were able to treat through the Standby Clarifier. The drain which accidentally carried treated / partially treated effluent as on the date of inspection was already blocked / dismantled.
- ix. We submit that we will install the Flow meters at mill, Fibrizer, Power Turbine Cooling, B&C Masecuite Cooling and Outlet of RO water rejects as may be essential.
- x. As regards the installation of CPU for treating Condensate from High Pressure Boilers of 105 Kg/cm² the appropriate technology is being examined as also the CPU installed in other Companies / Units to determine the performance are being examined.
- xi. We would, however, like to submit the matter regarding mandatory installation of CPU with Boilers above 45 Kg.CM² may be examined as the norms need to be revisited. In any case the Unit is taking all steps for cooling and recycling of surplus condensate water replacing the ground /raw water. It is helping the Unit for reducing the withdrawal of ground water.
- xii. Our Multi Grade Filter and Activated Carbon Filter are working satisfactorily and as and when required we shall augment the same.
- xiii. The Sludge Handling System is working satisfactorily and has been found to be adequate by NSI in its Report dated 11.01.2019.

Dr.

iv. We do not discharge treated effluent in any water stream instead we utilize it for the irrigation of the nearby fields as per the Irrigation plan approved / verified by National Sugar Institute, Kanpur. Admittedly our treated effluent meets all norms for discharging treated Effluent on Land.

We would like to reiterate that as per the analysis of the treated effluent at the outlet of ETP, there has not been any environmental damage and therefore imposition of Penalty is arbitrary and without any basis.

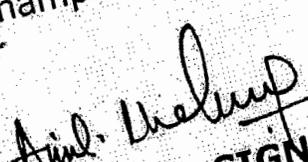
However we may undertake that the amount of penalty of Rs. 57,30,000.00 shall be earmarked for any required augmentation of ETP and other Environmental control measures like Recharging of Ponds, development of Green Belt, Rain Water Harvesting etc.

Under the circumstances we would like to request the Board to waive off the penalty of Rs. 57,30,000.00 as it would be very unreasonable in respect of a unit which has been taking all measures to ensure compliance of Environmental norms.

We also solicit an opportunity for personal hearing in the matter.

Thanking you,

Yours faithfully,
For Dhampur Sugar Mills Ltd.,


AUTHORISED SIGNATORY

C.C :- Regional officer U.P. Pollution Control Board Bijnor



SPEED POST/E-MAIL

F. No.: B-194004/NGRBA/CPCB/ 2015-16

Date: 16/09/2019

To,

M/s Dhampur Sugar Mills Ltd.
Dhampur, Distt. Bijnor, UP-246761

**Subject: Invitation to attain personal hearing to M/s Dhampur Sugar Mills Ltd.,
Dhampur, Distt. Bijnor, UP- reg.**

Sir,

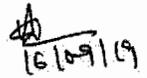
This has reference to CPCB direction dated 23/04/2019 and 01/07/2019, issued under section 5 of the Environment (Protection) Act, 1986, to M/s Dhampur Sugar Mills Ltd., Dhampur, Distt. Bijnor, UP.

As per Hon'ble NGT order dated 22/05/2019 in Appeal No. 27/2019 with Appeal No. 35/2019 and order dated 29/07/2019 in Appeal no. 22/2019, *CPCB may treat the impugned order as tentative and pass further appropriate order after permitting the affected parties to furnish their viewpoint.*

Accordingly, Competent Authority has granted personal hearing. You are requested to attend the personal hearing and furnish your viewpoints on 24/09/2019, at 02.30 pm in the chamber of Member Secretary, Central Pollution Control Board, "Parivesh Bhawan", East Arjun Nagar, Delhi-110032.

A line of confirmation through e-mail to ngrba.cpcb@gmail.com will be highly solicited.

Your's faithfully,


16/09/19

(Dr. A.K. Vidyarthi)

Additional Director & Head, WQM-II



SPEED POST

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B-190197/WQM-II(RG)/CPCB/Sugar/15/2016-17/8496

04.11.2019
06

To:
M/s Dhampur Sugar Mills,
Dhampur, Distt.-Bijnor,
U.P.-246761

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

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

WHEREAS, the Ministry of Environment & Forests, Govt. of India, vide notification S.O.157(E) of 27.02.1996 has delegated powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board (CPCB), to issue direction to any industry, Municipal Corporation, Municipal Council, Cantonment Board to any local or other Authority for the violation of emission and effluent standards notified under the Environment (Protection) Rules, 1986; and

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

WHEREAS, M/s Dhampur Sugar Mills, Dhampur, Bijnor, U.P. (hereinafter referred as 'the Unit') is involved in the process of sugar manufacturing from crushing of cane; and

WHEREAS, the Unit was inspected on 22.03.2018 by officials from CPCB, Delhi and following observations were made:

1. The Unit and ETP were operational.
2. Analysis of treated effluent sample showed pH-6.70 as against norms of 5.5-9.0, BOD-53 mg/l against norms of 30 mg/l, COD- 101 mg/l against norms of 250 mg/l, TSS- 29 mg/l against norms of 30 mg/l which indicates non-compliance w.r.t. BOD against surface water discharge norms prescribed under Environment (Protection) Rules, 1986.
3. The analysis of effluent sample collected from lagoon showed pH-7.13 as against norms of 5.5-9.0, BOD-10 mg/l against norms of 100 mg/l, COD- 36 mg/l against norms of 250 mg/l, TSS- 14 mg/l against norms of 100 mg/l which indicates compliance as per the land discharge norms prescribed under Environment (Protection) Rules, 1986.

AND WHEREAS, CPCB has issued show cause notice dt.07.05.2018 under section 5 of the Environment (Protection) Act, 1986 to the Unit; and

WHEREAS, the Unit submitted the revalidated adequacy assessment reports prepared by NSI, Kanpur vide letter dt. 10.10.2018; and

WHEREAS, CPCB through an Expert Committee comprising of experts from National Sugar Institute (NSI), Kanpur, Vasantdada Sugar Institute (VSI), IITs and representatives from sugar mills prepared a Charter for Water Recycling and Pollution Prevention (thereafter referred to as the Charter); and

WHEREAS, a meeting of sugar mills operating in Uttar Pradesh, representatives of UP PCB and CPCB was held on 06.07.2018 under the Chairmanship of Principal Secretary, Sugar Industries and Sugarcane Development, Government of Uttar Pradesh and the following decisions are made;

1. Sugar Mills shall submit an action plan to CPCB by 20.07.2018 regarding the steps taken by them pertaining to the notices issued to them. Also they shall submit action plan to implement recommendations of their adequacy assessment report.
2. All sugar mills shall ensure implementation of Charter and shall submit action plan to CPCB by 20.08.2018.

'परिवेश भवन' पूर्वी अजुन नगर, दिल्ली-110032
Parivesh Bhawan, East Anjun Nagar, Delhi-110032

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

3. All sugar mills shall ensure the upgradation of their ETP within August, 2018 so as to ensure no interruption in functioning of the ETP in the following seasons.
4. All sugar mills shall maintain a logbook on ETP operations on a daily basis.
5. ETP shall be operational at all times and all bypass arrangements should be dismantled with immediate effect.
6. MLSS in aeration tanks should be maintained at 2000-2500 mg/l.
7. All sugar units shall set up environmental laboratories for regular analysis of raw and treated effluent thereby ensuring proper functioning of the ETP.
8. All sugar mills shall employ dedicated technicians for operating and regular maintenance of ETP and shall also ensure that the technicians are given proper training on ETP maintenance and lab analysis on regular basis.
9. To ensure proper training of the environmental technicians all sugar mills shall facilitate training of 5 employees.
10. All sugar mills may establish an Environment Management Cell at their level consisting of concerned officials in order to ensure compliance with environmental standards at industry level itself.

AND WHEREAS, the unit vide letter dated 20.07.2018 submitted their compliance status of the Charter; and

WHEREAS, CPCB issued directions dated 16.11.2018 under section 5 of the Environment (Protection) Act, 1986 to the Unit to comply with the following directions before commencement of crushing season 2018-2019;

1. The unit shall implement the observation & recommendation of the revalidated adequacy assessment of ETP including installation of condensate polishing unit (CPU) for having boilers more than 45 kg/cm² steam pressure.
2. The unit shall install sealed flow meter along with running hours meter on bore wells so as to ascertain usage of fresh water for various uses.
3. The unit shall install flow meters at major areas of cold and hot water consumption.
4. The unit shall install flow meters for measuring generation of effluent from various prominent areas.
5. The unit shall maintain logbook for individual process unit for recording daily water consumption and effluent generation also.
6. The unit shall carry out colour coding of pipelines carrying recycled process water and fresh process.
7. The Unit shall commission mechanical sludge handling system of adequate capacity.
8. The unit shall carry out analysis of effluent discharge parameters notified under Environment (Protection) Rules, 1986 and logbook shall be maintained on daily basis.
9. The unit shall submit the implementation status of the Charter in the form of Affidavit and the documentary proof of the completion of the work as committed in the action plan.
10. The unit shall submit implementation status of the Charter and performance adequacy audit of ETP including actual assessment of water consumption and effluent generation duly validated by reputed government expert institute namely NSI Kanpur, VSI Pune, IITs during crushing season & submit the report to CPCB within 60 days of resumption of operation.

AND WHEREAS, the unit vide letter dated 20.02.2019 submitted their performance adequacy audit of ETP including assessment of actual water consumption and effluent generation for the crushing season 2018-19 validated by NSI Kanpur and following observations were made:

1. Total discharged effluent quantity was observed to be 193.81 l/t of cane with average crush rate 12211 TCD.
2. The unit has not installed flow meters at Mill, fibrizer, power turbine cooling, B and C massecuite cooling, and outlet of R.O. water reject.
3. The unit is having high pressure boilers, 105 kg/cm² and has not installed condensate polishing unit.
4. The capacity of Multi grade filter and Activated carbon filter is not adequate and should be increased to maintain 20-25 minutes contact time.

AND WHEREAS, the unit was inspected on 28.03.2019 by a team of CPCB officials and following observations were made:

1. The unit was operational at the time of inspection.
2. The unit has consents valid upto 31.12.2019 under the Water Act, 1974 and the Air Act, 1981 for cane crushing capacity of 14000 TCD.

3. ETP comprises of Screen bar, Equalization tank, Primary Clarifier, Aeration tank, Secondary Clarifier, and Tertiary treatment (Multigrade filter and Activated Carbon filter). However Primary Clarifier was found non-functional during the inspection.
4. The unit has installed one more Primary clarifier for the treatment of spray pond overflow that was also found non-functional during the inspection.
5. Untreated effluent was being bypassed through a separate channel into the outside drains adjacent to the premises of the mill.
6. The unit has installed the flow meters at the hot water consumption (Six locations) as well as cold water consumption (Five locations).
7. The unit has installed flow meters on all four borewells. The unit has NOC (till 27/04/2019) for ground water withdrawal from the CGWA and mill may abstract 1500 cu.m/day.
8. The unit discharges the treated /untreated effluent through Ikara Drain to Gagan River which ultimate meet into River Ram Ganga.
9. Analysis of sample of effluent being bypassed showed pH-7.43 against the norms of 5.5-8.5, BOD-56 mg/l against the norms of 30mg/l, COD-108 mg/l against the norms of 250mg/l, TSS-35 mg/l against the norms of 30mg/l, TDS -504 mg/l against the norms of 2100mg/l which indicates non-compliance w.r.t BOD and TSS as per surface effluent discharge norms of the Environment (Protection) Rules,1986.
10. MLSS in the aeration tank was 2520 mg/l.
11. Analysis of effluent sample collected from ETP outlet showed pH-7.68 against the norms of 5.5-8.5, BOD-18 mg/l against the norms of 30mg/l, COD-60 mg/l against the norms of 250mg/l, TSS-BDL (<10) mg/l against the norms of 30mg/l, TDS-1328mg/l against the norms of 2100mg/l. However, primary clarifier of ETP system was not functional and therefore, dilution of ETP system could not be ruled out.
12. Analysis of effluent sample collected from lagoon showed pH-7.46 against the norms of 5.5-8.5, BOD-22 mg/l against the norms of 100mg/l, COD-73 mg/l against the norms of 250mg/l, TSS-23mg/l against the norms of 100mg/l, TDS -748mg/l against the norms of 2100mg/l which indicates compliance as per land effluent discharge norms of the Environment (Protection) Rules,1986.

AND WHEREAS, Hon'ble NGT vide its orders dated 03.08.2018 and 19.02.2019 in Original Application No. 593/2017 (W.P. (Civil) No. 375/2012), Paryavaran Suraksha Samiti & Anr. Vs. Union of India & Ors. directed that "The CPCB may take penal action for failure, if any, against those accountable for setting up and maintaining STPs, CETPs and ETPs. CPCB may also assess and recover compensation for damage to the environment and said fund may be kept in a separate account and utilized in terms of an action plan for protection of the environment"; and

WHEREAS, CPCB has been levying Environmental Compensation in compliance of Hon'ble NGT order and as per the methodology for imposing Environment Compensation issued vide CPCB circular dated 24/05/2019, the Environmental Compensation to be levied to the unit is calculated as Rs. 46,80,000/- (Forty-six lakhs eighty thousand Rupees only) for the non-compliance period (11.11.2018 to 15.04.2019); and

WHEREAS, CPCB issued directions dated 23.04.2019 under section 5 of the Environment (Protection) Act, 1986 to the unit to comply with the following directions:

1. The Unit shall close down its Sugar manufacturing operations with immediate effect and shall not resume its operations.
2. The Unit shall dismantle the bypass arrangements and stop discharge of untreated/ partially treated effluent immediately.
3. The unit shall deposit Rs 46,80,000/- within 15 days in CPCB account towards environmental compensation.
4. The unit shall install flow meters at Mill, fibrizer, power turbine cooling, B and C massecuite cooling, and outlet of R.O. water reject.
5. The unit shall install condensate polishing unit for high pressure boilers, 105 kg/cm².
6. The unit shall install Multi grade filter and Activated carbon filter of adequate capacity.
7. The unit shall install mechanical sludge handling system of adequate capacity.
8. The unit shall seek permission from CPCB for resumption of operations, after compliance of the above directions.

AND WHEREAS, the unit's reply vide letter dated 10.05.2019 was examined and following observations were made;

1. The unit was operational at the time of inspection on 28.03.2019.

- 2. Primary clarifier was not functional at the time of inspection and the whole peripheral structure of the primary clarifier sunk/ subsided in the ground on 23rd/ 24th March, 2019.
- 3. Extra primary clarifier for treatment of spray pond over flow was not in operation and unit installed a reactor which enables the removal of sludge from the bottom.
- 4. Drain valve of CBD tank attached to the boiler developed some mechanical fault and became free from its grooves, resulting in overflow of hot water into the nearby drain. Untreated effluent bypassed through the drain to Ikara Drain to Gagan river which ultimately meet into River Ram Ganga.
- 5. The unit has closed its manufacturing operation on 20.05.2019.

AND WHEREAS, the unit has stopped its crushing season 2018-19 on 20.05.2019. The revised environmental compensation to be levied to the unit for full crushing season 2018- 19 is calculated as Rs. 57,30,000/- (Rupees Fifty- seven lakhs thirty thousand only) for the non-compliance period (11.11.2018 to 20.05.2019); and

WHEREAS, CPCB issued directions dated 01.07.2019 under section 5 of the Environment (Protection) Act, 1986 to the unit to comply with the following directions before commencement of crushing season 2019-2020:

- 1. The unit shall dismantle the bypass arrangements and stop discharge of untreated/ partially treated effluent immediately.
- 2. The unit shall deposit Rs 57,30,000/- within 15 days in CPCB account towards environmental compensation.
- 3. The unit shall install flow meters at Mill, fibrizer, power turbine cooling, B and C masscuite cooling, and outlet of R.O. water reject.
- 4. The unit shall install condensate polishing unit for high pressure boilers, 105 kg/cm².
- 5. The unit shall install Multi grade filter and Activated carbon filter of adequate capacity.
- 6. The unit shall install mechanical sludge handling system of adequate capacity.
- 7. The unit shall seek permission from CPCB for resumption of operations, after compliance of the above directions.

AND WHEREAS, Hon'ble NGT vide order dated 22/05/2019 in Appeal No. 27/2019 with Appeal No. 35/2019 and order dated 29/07/2019 in Appeal no. 22/2019 directed that, "CPCB may treat the impugned order as tentative and pass further appropriate order after permitting the affected parties to furnish their viewpoint"; and

WHEREAS, Principal Secretary, Sugar Industry and Cane Development, UP Government vide DO no. 1934/46-2-19-38/2018 dated 17/09/2019 requested CPCB to waive off the environmental compensation considering the financial constraint of sugar mills to enable them to use the same money for upgradation of pollution control measures in order to ensure compliance to environmental norms and also to allow the sugar mills to function efficiently; and

WHEREAS, personal hearing was held on 24.09.2019 in CPCB, Delhi and the unit represented viewpoints regarding financial constraints of the mills, delinking of EC with compliance, deposition of EC in ESCROW account, review of EC calculation from date of inspection to the end of closing of manufacturing operations, consideration of OCEMS data for compliance, characteristics of lagoon samples considered for EC, in addition to the following specific viewpoints:

- 1. Due to the high temperature of condensate water, instead of treating it into ETP, mill discharged it through the bypass channel.
- 2. Considering financial constraint, levied EC should be waived off so that the fund could be used for environmental management.
- 3. Non-compliance should be considered from the date of inspection to the date of end of crushing season and past events should not be considered.

AND WHEREAS, during personal hearing CPCB officials considered the viewpoints of the unit and provided clarifications for the same including the following:

- 1. Primary clarifier was not functional.
- 2. Spray pond over flow treatment system was also not functional.
- 3. Photographic evidence of bypass was shown to unit's representative.
- 4. Effluent being bypassed was not meeting the discharge norms.

AND WHEREAS, CPCB vide office order dated 04.09.2019 issued a policy for levying environmental compensation (EC) for industries which prescribes that

1. EC for the closure directions issued on the ground of non-compliance of prescribed discharge/ emission norms shall be levied for the period between the date of inspection and monitoring to the date of closing of manufacturing operation.
2. Direction for closure or revocation and direction for imposition of the EC to be dealt separately.

WHEREAS, CPCB has examined the view points of the unit made during the public hearing. EC has been recalculated as Rs. 16,20,000/- (Rupees Sixteen lakh twenty thousand only) for the period from the date of inspection (28.03.2019) to date of end of crushing season (20.05.2019) as per office order 04.09.2019; and

WHEREAS, CPCB constituted a Three-member committee vide office order dated 27.09.2017 having a representative from CPCB, MoEF & CC and NMCG for examination and recommendation for revocation of the closure directions issued by CPCB; and

WHEREAS, the Three Member Committee in its meeting held on 25.09.2019 examined the unit's replies and recommended that the unit may be allowed to resume operation; and

NOW, THEREFORE, in view of the above observations and in the exercise of the powers delegated to the Chairman, CPCB under section 5 of the Environment (Protection) Act, 1986, the unit (M/s. Dhampur Sugar Mills, Dhampur, Bijnor, U.P.) is directed to comply with the following directions before commencement of crushing season 2019-2020;

1. The unit may resume its operation after obtaining the valid consent from Uttar Pradesh Pollution Control Board.
2. The unit shall deposit Environmental Compensation amount of Rs. 16,20,000/- (Rupees Sixteen lakh twenty thousand only) either in CPCB A/c No. 532702050000164 [Bank name: Union Bank Of India, IP Extension Branch, Vikas Marg Extn., Delhi; IFSC: UBIN0553271] or in ESCROW account to be operated by Department of Sugar Industries in State Government within 15 days from date of issuance of the direction. In case of delay in deposition of EC, simple interest @ 12% shall be levied for delay period. The unit shall provide detail of EC amount deposited and ESCROW account to CPCB within 15 days.
3. EC deposited in CPCB account will be spent by CPCB as per the EC utilization policy as approved by Hon'ble NGT. In case of deposition of the aforementioned EC amount in ESCROW account, the unit shall submit a time bound action plan within 15 days and get it approved from CPCB for utilization of the EC amount for environmental management including augmentation/upgradation of ETP, implementation of charter, training programs etc. Approved plan shall be made available by Industry to Department of Sugar Industries, State Government for releasing funds for which appropriate methodology shall be worked out by the State Government. Utilization of the funds shall be monitored by the State Government and reported to CPCB on monthly basis.
4. The unit shall submit performance assessment of effluent treatment plant, including analysis of treated effluent by a reputed government institute within 60 days of resumption of operations.
5. The unit shall inform CPCB about resumption of manufacturing operations.

In case of default in compliance with the above directions, CPCB will be constrained to initiate action against the Unit (M/s Dhampur Sugar Mills, Dhampur, Bijnor, U.P.) without giving any further notice in accordance with the provisions of the Environment (Protection) Act, 1986.

S. P. Singh Parihar
 (S. P. SINGH PARIHAR)
 CHAIRMAN
S. P. Singh

Sr. Cm (Comm)./18295

Ref. No. :
Dated :28/11/2019

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

 **dhampur** 71

Dhampur Sugar Mills Limited
Unit: Dhampur
Dhampur, N. Rly. Dist. Bijnor (U.P.)
Pin Code: 246 761
Tel: 01344-220009
E-mail: dsmdhampur@dhampur.com
Website: www.dhampur.com

Sub: Direction under Section 5 of the Environment (Protection) Act, 1986.

Dear Sir,

We wish to invite your kind attention to the directions issued vide letter No. B-190197/WQM-II (RG)/CPCB/Sugar/15/2016-17/8496 dated 04./06.11.2019 under Section 5 of the EP Act, 1986.

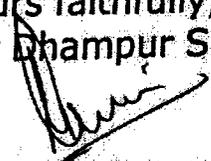
In this regard we would like to submit that we have opened an ESCROW account jointly with District Cane Officer Bijnor at Punjab National Bank Dhampur Distt Bijnor on dated 26.11.2019. In this ESCROW account we have deposited an amount of Rs. 16,20,000.00.

The details of ESCROW account are as under.

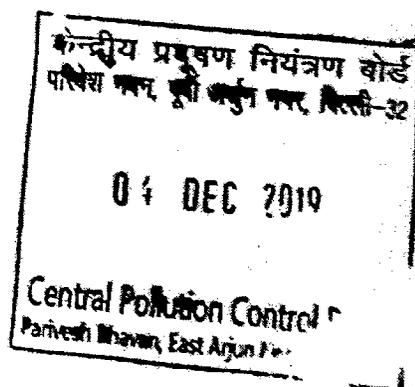
Bank	Punjab National Bank
Account Number	4969002100001587
Branch -	Allahapur
IFSC Code	PUNB 0496900.

This is for your kind information please.

Thanking you,
Yours faithfully,
For Dhampur Sugar Mills Ltd.,


AUTHORISED SIGNATORY

✓ E.C R.O U.P. Pollution Control Board Bijnor



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Account Statement for Account Number 4969002100001587

Branch Details

Branch Name: ALLAHPUR (DISTT-BIJNOR)
Bank Address: ALLAHPUR (DISTT-BIJNO
UP
City:
Pin : 246761
SC Code: PUNB0496900

Customer Details

Customer Name: DHAMPUR SUGAR MILLS LTD
Customer Address: REGD.OFF.DHAMPUR(DIST.BIJNORE) UP
DHAMPUR
City:
Pin : 246761

Nominee :

Statement Period : 06-11-2019 to 06-12-2019

Txn No.	Txn Date	Description	Branch Name	Cheque No.	Dr Amount	Cr Amount	Balance
M154026	28-11-2019	BY TRF 87 7863 -013500	BIJNOR, DHAMPUR			16,50,000.00	16,60,000.00 Cr.
S1336582	26-11-2019	BO ACCT	-			10,000.00	10,000.00 Cr.

Unless constituent notifies the bank immediately of any discrepancy found by him in his statement of Account, it will be taken that he has found the account correct.

*COMPUTER GENERATED ENTERIES SHOWN IN THE STATEMENT OF ACCOUNT DO NOT REQUIRE ANY AUTHENTICATION / INITIAL FROM THE BANK OFFICIAL.PLEASE DO NOT ACCEPT ANY MANUAL ENTRY IN YOUR COMPUTER GENERATED STATEMENT OF ACCOUNT

* PLEASE ENSURE THAT ALL THE CHEQUE LEAVES IN YOUR CUSTODY ARE DULY BRANDED WITH YOUR 3 DIGITS ACCOUNT NUMBER

* CUSTOMERS ARE REQUESTED IN THEIR OWN INTEREST NOT TO ISSUE CHEQUES WITHOUT ADEQUATE CLEAR FUNDS /ARRANGEMENTS. SUCH CHEQUES CAN BE RETURNED WITHOUT MAKING ANY FURTHER REFERENCE TO THEM.

* PLEASE MAINTAIN MINIMUM AVERAGE BALANCE,TO AVOID LEVY OF CHARGES.

*Pls note Penal interest may be charged in loan accounts due to financial reasons such as over drawings, non receipt of install on the rates prescribed by bank from time to time and for non financial reasons like non submission of , QMS forms, non adherence to terms and conditions etc.

Abbreviations are as under:

BR: Branch Name , Csh: Cash , Clg: Clearing , ISO: Inter Sol(##)

QAB:Quarterly Average Balances , LF Chg: Ledger Folio Charges , Intt: Interest , Chrg: Charges

Ret:Returning , Chq: Cheque , SI: Standing Instruction , Stk Stmt: Stock Statement , Trf: Transfer , POSP:POINT OF SALE

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उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
UTTAR PRADESH POLLUTION CONTROL BOARD

संदर्भ संख्या: H49998/सी-2/जल-70/2020

दिनांक: 17-6-2020

सेवा में,
मै0 धामपुर शुगर मिल्स लि0 (शुगर इकाई),
धामपुर,
जिला-बिजनौर।

Sr. G. M. (Comm.)
DAMPUR SUGAR MILLS,
RECORDED
* DATE 24-06-2020
DAMPUR (UP)

विषय:-माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ0ए0 सं0-539/2019 आदिल अंसारी बनाम मै0 धामपुर शुगर मिल्स लि0 एवं अन्य में पारित आदेश दिनांक 04.02.2020 के अनुपालन में पर्यावरणीय क्षतिपूर्ति धनराशि उ0प्र0 प्रदूषण नियंत्रण बोर्ड में तत्काल जमा कराये जाने के संबंध में।

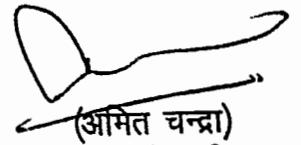
महोदय,
कृपया उपरोक्त विषयक माननीय अधिकरण द्वारा ओ0ए0 सं0 सं0-539/2019 आदिल अंसारी बनाम मै0 धामपुर शुगर मिल्स लि0 एवं अन्य में पारित आदेश दिनांक 04.02.2020 के निम्नवत् अंश का अवलोकन करें :-

4. When confronted with the observation in para 4.10 (6) above that the EC amount has been credited to ESCROW account by the unit itself in respect of the past violations to cover the cost of future remediation. The learned counsel for the CPCB fairly conceded that EC amount cannot be credited to ESCROW account and that unit has to undertake compliance and remediation from its own resources and stated that this direction needs to be revised. Let this be done by the Uttar Pradesh State Pollution Control Board.

उद्योग मै0 धामपुर शुगर मिल्स लि0 (शुगर इकाई), धामपुर, बिजनौर के विरुद्ध केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा-5 के अन्तर्गत दिनांक 06.11.2019 द्वारा निर्देश जारी किये गये तथा उद्योग के विरुद्ध रू0 16,20,000/- (रू0 सोलह लाख बीस हजार मात्र) की पर्यावरणीय क्षतिपूर्ति धनराशि अधिरोपित की गयी। उद्योग द्वारा उक्त धनराशि ESCROW खाते में जमा किये जाने की सूचना दी गयी।

आपको निर्देशित किया जाता है कि केन्द्रीय बोर्ड द्वारा अधिरोपित रू0 16,20,000/- (रू0 सोलह लाख बीस हजार मात्र) की पर्यावरणीय क्षतिपूर्ति धनराशि अविलम्ब उ0प्र0 प्रदूषण नियंत्रण बोर्ड के यूनियन बैंक आफ इण्डिया, विभूतिखण्ड, गोमतीनगर, लखनऊ स्थित बैंक के खाता सं0-701502010002104 आई0एफ0एस0कोड-UBIN0570150 में जमा कराते हुए सूचना राज्य बोर्ड एवं केन्द्रीय बोर्ड को प्रेषित करें।

भवदीय


(अमित चन्द्रा)

मुख्य पर्यावरण अधिकारी वृत्त-7

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Dhampur Sugar Mills Limited

Unit: Dhampur
Dhampur, N. Rly. Dist. Bijnor (U.P.)
Pin Code: 246 761
Tel: 01344-220009
E-mail: dsmdhampur@dhampur.com
Website: www.dhampur.com

S&GM(c) 118626

Dated 19.06.2020

To,
The CEO -7,
U.P. Pollution Control Board,
Building. No. TC-12V, Vibhuti Khand,
Gomti Nagar,
Lucknow-226010,
Uttar Pradesh.

Dera Sir,

Please take the reference of your letter No.H49998 / C-7/Jal / 70 /2020 dated 17.06.2020,.In this regard we would like to submit that we have deposited Rs 1620000.00 In A/C No. 701502010002104 (IFSC No. UBIN0570150) of Union Bank Of India, Vibhuti Khand, Gomti Nagar. Lucknow as Environmental compensation in the account of U.P.Pollution Control Board lucknow.

The Detail of Account are as Below

Amount Rs. - 1620000.00

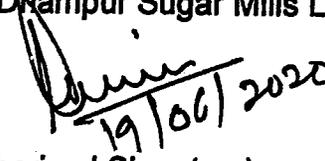
UTR NO - 52020061913604480

Dated - 19.06.2020

Thanking you,

Yours Faithfully,

For Dhampur Sugar Mills Limited,


19/06/2020
(Authorized Signatory)

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Account Statement for Account Number 4969002100001587

Branch Details

Branch Name: ALLAHPUR (DISTT-BIJNOR)
Bank Address: ALLAHPUR (DISTT-BIJNO) UP
City:
Pin : 246761
IFSC Code: PUNB0496900

Customer Details

Customer Name: DHAMPUR SUGAR MILLS LTD
Customer Address: REGD.OFF.DHAMPUR(DIST.BIJNORE) UP DHAMPUR
City:
Pin : 246761

Nominee :

Statement Period : to 20-11-2020

Table with 8 columns: Txn No., Txn Date, Description, Branch Name, Cheque No., Dr Amount, Cr Amount, Balance. It lists transactions including SMS charges, TRF entries, and DSM A/C payments.

Unless constituent notifies the bank immediately of any discrepancy found by him in his statement of Account, it will be taken that he has found the account correct.

*COMPUTER GENERATED ENTERIES SHOWN IN THE STATEMENT OF ACCOUNT DO NOT REQUIRE ANY AUTHENTICATION / INITIAL FROM THE BANK OFFICIAL.PLEASE DO NOT ACCEPT ANY MANUAL ENTRY IN YOUR COMPUTER GENERATED STATEMENT OF ACCOUNT

* PLEASE ENSURE THAT ALL THE CHEQUE LEAVES IN YOUR CUSTODY ARE DULY BRANDED WITH YOUR 16 DIGITS ACCOUNT NUMBER

* CUSTOMERS ARE REQUESTED IN THEIR OWN INTEREST NOT TO ISSUE CHEQUES WITHOUT ADEQUATE CLEAR FUNDS /ARRANGEMENTS. SUCH CHEQUES CAN BE RETURNED WITHOUT MAKING ANY FURTHER REFERENCE TO THEM.

* PLEASE MAINTAIN MINIMUM AVERAGE BALANCE,TO AVOID LEVY OF CHARGES.

*Pls note Penal interest may be charged in loan accounts due to financial reasons such as over drawings, non receipt of install on the rates prescribed by bank from time to time and for non financial reasons like non submission of , QMS forms, non adherence to terms and condillons etc.

Abbreviations are as under:



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
UTTAR PRADESH POLLUTION CONTROL BOARD

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संदर्भ संख्या 1347/1 दिनांक - 30/2021

दिनांक 13/4/21
पंजीकृत

सेवा में,

मेसर्स धामपुर शुगर मिल्स लिमिटेड (शुगर यूनिट),
धामपुर,
बिजनौर।

यह कि उद्योग मेसर्स धामपुर शुगर मिल्स लिमिटेड (शुगर यूनिट), धामपुर, बिजनौर द्वारा गन्ने का प्रयोग कर 14000 टी0सी0डी0 क्षमता पर चीनी का उत्पादन किये जाने हेतु उपरोक्त वर्णित स्थल पर कार्यरत है, जो कि जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 यथासंशोधित की धारा-47 के अन्तर्गत एक कम्पनी है।

यह कि माननीय राष्ट्रीय हरित अधिकरण नई दिल्ली द्वारा ओ0ए0 संख्या 539/2019 आदिल अंसारी बनाम मेसर्स धामपुर शुगर मिल्स लिमिटेड एवं अन्य में पारित आदेश दिनांक 09.11.2020 के सुसंगत अश-निम्नवत् है-

"...13. Accordingly, we direct the State PCB to take further appropriate action by way of prohibiting any activity in violation of law, initiating prosecution and recovering compensation as per applicable norms, following due process of law. The State PCB may also respond to the LA filed by the applicant with particulars in the table annexed to the application, reproduced above and file an action taken report before the next date by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF. The CPCB and State PCB may undertake necessary inspection for the purpose...."

यह कि माननीय अधिकरण द्वारा उक्त आदेशों के क्रम में केन्द्रीय प्रदूषण नियंत्रण बोर्ड एवं उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड के अधिकारियों द्वारा उद्योग मेसर्स धामपुर शुगर मिल्स लिमिटेड (शुगर यूनिट), धामपुर, बिजनौर का संयुक्त निरीक्षण दिनांक 02.02.2021 को किया गया। उक्त निरीक्षण के दौरान संयुक्त निरीक्षण टीम द्वारा निम्नानुसार ऑब्जरवेशन एवं संस्तुतियाँ की गई-

1) M/s Dhampur Sugar Mills Ltd (Sugar Unit), Dhampur, Bijnore, UP

Observations

1. The analysis result of sample collected from drain coming from colony along front boundary wall of sugar unit shows pH- 4.6, COD-2448 mg/l, BOD-1604 mg/l, which are on higher side of typical sewage characteristics i.e. pH in range of 6.5 to 8.5, BOD in range of 200 mg/l -300 mg/l, COD in range of 400 mg/l -550 mg/l which indicates that the Sugar effluent got mixed with the domestic sewage drain, however no bypass of effluent/waste water was observed from the boundary wall into the drain as the drain was covered.
2. The unit has not installed Sewage Treatment Plant (STP) for sewage generated from colony located inside the unit premises; however, the unit provided purchase order of STP (P.O. No.-4100007977) dated 16.10.2020 with capacity of 220 KLD, which was under installation.
3. The unit had two lagoons for storage of treated effluent. One with impermeable base having capacity of 10000 m³ and second having PVC sheets with 4000 m³ capacity and retention time of 15 days. The second lagoon was a Kachcha lagoon with improper lining of PVC sheets also mentioned in previous finding. Treated effluent is being used for irrigation purpose.

Observations with previous findings:

1. Primary clarifier was found operational during the inspection.
2. The unit has installed seven hazardous tanks for storing the effluent generated during hydrojet tube cleaning/ chemical cleaning by caustic and sulfamic acid (2- caustic solution storage tank and 2-sulfamic acid solution storage tank and 3- wash storage tank) in the boiling house.

...2/-

(2)

3. The unit has provided purchase order (P.O. - No.-410007975, dated 16.10.2020) for the installation of Condensate Polishing Unit (CPU) with RO membrane for high pressure boilers (105 kg/cm²).
4. The unit has installed decanter for better management of sludge handling system.
5. The unit has maintained proper logbook for the generation and disposal of ETP sludge, boiler ash, and other solids.
6. No bypass arrangement in the unit premises was observed during the inspection.

Recommendations

The unit shall take measures to stop discharge of spillage/surface runoff containing wastewater from industrial premises into drain (Ikra drain and drain coming from city along boundaries of sugar unit) and shall maintain water quality of the drain.

1. The unit shall maintain and calibrate the flow meter installed at Spray pond overflow.
2. The unit shall install the CPU for high-pressure boiler at earliest.
3. The unit shall install the Sewage Treatment Plant (STP) for sewage generated from colony at the earliest.
4. The unit shall convert the 4000 m³ capacity storage lagoon in to lined impermeable lagoon to avoid any possibility of leakages and must ensure the compliance of stored treated effluent w.r.t. notified discharge standards under E(P) Rules, 1986.
5. The unit shall dismantle the sump having capacity of 100 KL located in bio-compost yard of 10 acres.
6. Unnecessary lines for ETP feed near falling structure shall be dismantled immediately.
7. Abandoned old pumping station along with connecting line shall be dismantled.
8. Filter backwashing tank of suitable design capacity shall be installed for filter backwashing. Existing fresh water line in ETP area shall be dismantled.
9. Provision shall be made for DM plant CIP reject shall be treated in ETP only.
10. Unit shall ensure the proper marking of electromechanical items and connected pipeline. Proper color-coding shall be adopted.

यह कि निरीक्षण के दौरान उद्योग के ई0टी0पी से एकत्र किये गये नमूने में प्रचालकों का मान निर्धारित मानकों के अनुरूप पाया गया परन्तु उद्योग में स्थापित 02 लैगून में प्रचालकों का मान निर्धारित मानकों के अनुरूप नहीं पाया गया, विवरण निम्नवत् है-

लैगून संख्या	विवरण	प्रचालक
01	नया लैगून (क्षमता-10,000 क्यूबिक मीटर)	सी0ओ0डी0 370 मि0ग्रा0 प्रति लीटर बी0ओ0डी0 187 मि0ग्रा0 प्रति लीटर
02	पुराना लैगून (क्षमता-4,000 क्यूबिक मीटर)	बी0ओ0डी0 117 मि0ग्रा0 प्रति लीटर

यह कि संयुक्त निरीक्षण में पाये गये तथ्यों में उद्योग द्वारा निम्न Non-Compliance पाये गये-

1. उद्योग में स्थापित 10,000 क्यूबिक मीटर के नये लैगून में बी0ओ0डी0 187 मि0ग्रा0 प्रति लीटर एवं सी0ओ0डी0 370 मि0ग्रा0 प्रति लीटर पाये गये।
2. उद्योग में स्थापित 4,000 क्यूबिक मीटर के पुराने लैगून में बी0ओ0डी0 117 मि0ग्रा0 प्रति लीटर पाई गई।
3. उद्योग में स्थापित 4,000 क्यूबिक मीटर का पुराना लैगून कच्चा है तथा अनुपयुक्त पी0वी0सी0 शीट की लाईनिंग की गई है, जिसे पूर्व के संयुक्त निरीक्षण में भी इंगित किया गया है परन्तु उद्योग द्वारा सुधार नहीं किया गया है।
4. उद्योग के मेनगेट की बाउन्ड्रीवॉल के समीप लोकल नाला में पी0एच0 4.6, सी0ओ0डी0 1604 मि0ग्रा0 प्रति लीटर, टी0एस0एस0 28 मि0ग्रा0 प्रति लीटर, टी0डी0एस0 508 मि0ग्रा0 प्रति लीटर और कैल्स 21 हैजन पाया गया जिससे स्पष्ट है कि उद्योग द्वारा औद्योगिक उत्प्रवाह का निस्तारण नाले में किया गया है।

5. लोकल नाला (स्रे पॉन्ड के समीप) से एकत्र नमूने से पी0एच0 5.8, सी0ओ0डी0 606 मि0ग्रा0 प्रति लीटर, बी0ओ0डी0 342 मि0ग्रा0 प्रति लीटर एवं टी0एस0एस0 194 मि0ग्रा0 प्रति लीटर पाये गये।
6. इकरा नाला के अपस्ट्रीम में प्रचालक सी0ओ0डी0 296 मि0ग्रा0 प्रति लीटर, बी0ओ0डी0 125 मि0ग्रा0 प्रति लीटर एवं टी0एस0एस0 146 मि0ग्रा0 प्रति लीटर पाये गये जोकि घरेलु सीवेज के अनुरूप है।
7. इकरा नाला के डाउनस्ट्रीम में प्रचालक सी0ओ0डी0 536 मि0ग्रा0 प्रति लीटर, बी0ओ0डी0 296 मि0ग्रा0 प्रति लीटर एवं टी0एस0एस0 74 मि0ग्रा0 प्रति लीटर पाये गये।
8. उपरोक्त अनुश्रवण से स्पष्ट है कि उद्योग के बाउन्ड्रीवॉल के समीप दोनों नालों का Impact इकरा नाला के डाउनस्ट्रीम में प्रतिकूल रूप से पड़ रहा है।
9. उद्योग द्वारा हाई प्रेशर ब्यॉलर हेतु वर्तमान तक Condensate Polishing Unit with RO Membrane की स्थापना पूर्ण नहीं की गई है।
10. घरेलु सीवेज के शोधन हेतु एस0टी0पी0 का निर्माण कार्य वर्तमान तक पूर्ण नहीं किया गया है।

यह कि उद्योग के पक्ष में बोर्ड पत्र संख्या 69304/UPPCB/Bijnore(UPPCBRO)/CTO/ water/ BIJNORE/2019 दिनांक 27.03.2020 द्वारा जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1974 की धारा 25/26 के अन्तर्गत सशर्त सहमति जल निर्गत की गई है जिसकी वैधता 31.12.2024 है।

यह कि उपरोक्त तथ्यों से स्पष्ट है कि उद्योग मेसर्स धामपुर शुगर मिल्स लिमिटेड (शुगर यूनिट), धामपुर, बिजनौर द्वारा पर्यावरणीय अधिनियमों एवं बोर्ड द्वारा निर्गत सशर्त सहमति जल में अधिरोपित शर्तों का अनुपालन नहीं किया जा रहा है तथा उद्योग में स्थापित ई0टी0पी0 का संचालन एवं रख रखाव मानकों के अनुरूप नहीं किया जा रहा है।

यह कि निरीक्षण दिनांक 02.02.2021 में पाये गये उल्लंघन के दृष्टिगत उद्योग मेसर्स धामपुर शुगर मिल्स लिमिटेड (शुगर यूनिट), धामपुर, बिजनौर पर केन्द्रीय प्रदूषण नियंत्रण बोर्ड नई दिल्ली द्वारा जारी गाईड लाइन "Levy of Environmental Compensation against Defaulting Industries" के अनुसार दैनिक पर्यावरणीय क्षतिपूर्ति निम्नानुसार आंकलित की जाती है-

EC=PIxNxRxSxLF

PI= 80

N= 1

R=250

S=1.5 (Large Unit)

LF=1

EC= Rs. 30,000/- (Rs. Thirty Thousand Per Day)

अतः उपरोक्त तथ्यों के दृष्टिगत उद्योग मेसर्स धामपुर शुगर मिल्स लिमिटेड (शुगर यूनिट), धामपुर, बिजनौर के विरुद्ध सक्षम अधिकारी के अनुमोदनोपरान्त निम्नानुसार निर्देश जारी किये जाते हैं-

1. जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा-33ए संपठित 27(2) के अन्तर्गत बोर्ड के पत्र दिनांक 27.03.2020 द्वारा निर्गत सहमति जल खण्डित करते हुए बन्दी आदेश जारी किये जाने हेतु निम्नानुसार कारण बताओ नोटिस -

- I. यह कि क्यों न उद्योग मेसर्स धामपुर शुगर मिल्स लिमिटेड (शुगर यूनिट), धामपुर, बिजनौर के पक्ष में बोर्ड के पत्र संख्या 69304/UPPCB/Bijnore(UPPCBRO)/CTO/ water/ BIJNORE/2019 दिनांक 27.03.2020 द्वारा निर्गत सशर्त सहमति जल को तत्काल प्रभाव से खण्डित कर दिया जाये।
- II. यह कि क्यों न उद्योग मेसर्स धामपुर शुगर मिल्स लिमिटेड (शुगर यूनिट), धामपुर, बिजनौर के संचालन को रोके जाने हेतु बन्दी आदेश जारी कर दिये जाये।
- III. यह कि क्यों न सक्षम अधिकारियों से यह अपेक्षा की जाये कि उद्योग मेसर्स धामपुर शुगर मिल्स लिमिटेड (शुगर यूनिट), धामपुर, बिजनौर के संचालन से सम्बद्ध समस्त विद्युत कनेक्शनों एवं जल आपूर्ति कनेक्शन को तत्काल प्रभाव से रोक दिया जाये।

- IV. यह कि उद्योग मेसर्स धामपुर शुगर मिल्स लिमिटेड (शुगर यूनिट), धामपुर, बिजनौर के संयुक्त निरीक्षण दिनांक 02.02.2021 में पायी गयी कमियों का निराकरण की गयी संस्तुति के अनुसार कार्यवाही करते हुए अनुपालन आख्या बोर्ड को 15 दिन में प्रेषित करना सुनिश्चित करें।
2. माननीय राष्ट्रीय हरित अधिकरण नई दिल्ली द्वारा ओ०ए० संख्या 539/2019 आदिल अंसारी बनाम मेसर्स धामपुर शुगर मिल्स लिमिटेड एवं अन्य में पारित आदेश दिनांक 09.11.2020 द्वारा जारी निर्देशों के अनुपालन में केन्द्रीय प्रदूषण नियंत्रण बोर्ड एवं उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड के अधिकारियों द्वारा किये गये संयुक्त निरीक्षण दिनांक 02.02.2021 में पाये गये उल्लंघन के दृष्टिगत उद्योग मेसर्स धामपुर शुगर मिल्स लिमिटेड (शुगर यूनिट), धामपुर, बिजनौर पर केन्द्रीय प्रदूषण नियंत्रण बोर्ड नई दिल्ली द्वारा जारी गाईड लाइन के अनुसार उक्त उल्लंघन का समाधान किये जाने की तिथि तक रूपये 30,000/- प्रति दिन की दर से पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने के संबंध बोर्ड द्वारा कार्यवाही प्रारम्भ कर दी जाये।

आपको निर्देशित किया जाता है कि उक्त निर्देशों के सम्बन्ध में अपना स्पष्टीकरण 15 दिन के अन्दर बोर्ड मुख्यालय प्रेषित करना सुनिश्चित करें। निर्धारित समयावधि में स्पष्टीकरण प्राप्त न होने अथवा संतोषजनक उत्तर प्राप्त न होने की दशा में उक्त निर्देशों की पुष्टी करते हुए उद्योग के विरुद्ध पर्यावरणीय अधिनियमों के अन्तर्गत कार्यवाही प्रारम्भ कर दी जायेगी, जिसका सम्पूर्ण उत्तरदायित्व स्वयं उद्योग एवं उद्योग स्वामी का होगा।

(अमित चन्द्रा)

मुख्य पर्यावरण अधिकारी, वृत्त-7

प्रतिलिपि:

1. श्री ए०के० विद्यार्थी, एडिशनल डायरेक्टर- डी०एच० डब्लूक्यूएम-II, केन्द्रीय प्रदूषण नियंत्रण बोर्ड, परिवेश भवन, पूर्वी अर्जुन नगर, नई दिल्ली को सूचनार्थ प्रेषित।
2. क्षेत्रीय अधिकारी उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड बिजनौर को इस निर्देश के साथ की उक्त निर्देशों के क्रम उद्योग का निरीक्षण करते हुए ससमय निरीक्षण आख्या स्पष्ट संस्तुति सहित बोर्ड मुख्यालय प्रेषित करना सुनिश्चित करें।

मुख्य पर्यावरण अधिकारी, वृत्त-7

80



Dhampur Sugar Mills Limited
Unit: Dhampur
Dhampur, N. Rly. Dist. Bijnor (U.P.)
Pin Code: 246 761
Tel: 01344-220009
E-mail: dsmdhampur@dhampur.com
Website: www.dhampur.com

Date : 21-4-2021 / 19252

To,

The Chief Environment Officer, Circle-7,
Uttar Pradesh Pollution Control Board,
T.C.-12 B, Vibhuti Khand, Gomti Nagar,
Lucknow- 226010.

Ref- Show Cause Notice issued vide letter No. H61711/water-70/2021 Dated 13-04-21 issued to Dhampur Sugar Mills Ltd. - Dhampur, District- Bijnor.

Dear Sir,

This has reference to the abovementioned Show Cause Notice issued by your good self and received by us on 20-04-21. Through this S.C.N. it has been brought to our notice that certain observations and recommendations have been made by the joint team of CPCB/UPPCB during their visit on 02-02-2021. The following observations have been made by the team:

1. That the B.O.D. 187 mg/ltr., and COD 370 mg/ltr., was found in the newly constructed lagoon, having 10,000 cubic mtr. storage capacity.
2. That B.O.D. 117 mg/ltr was found in old lagoon having storage capacity of 4,000 cubic mtr.
3. That the old lagoon having capacity of 4,000 cubic mtr. is a Kachcha Lagoon and lined with PVC Sheet. It is not fit for storage of effluent. During earlier inspection it was also brought to the notice of unit but no improvement was found for storage of effluent in this lagoon.
4. The analysis result of sample collected from the drain (local Nala) pH 4.6, COD 1604 mg/ltr, TCS 28 mg/ltr, TDS 508 mg/ltr and colour 21 indicates that industrial effluent has been discharged in drain (local nala).
5. The analysis result of samples collected from local nala (near spray pond) was pH 5.8, COD 608 mg/ltr, BOD 342 mg/ltr and TCS 194 mg/ltr.
6. The analysis result of samples collected from Ikra Nala (Upstream) was COD 296 mg/ltr, BOD 125 mg/ltr and TCS 146 mg/ltr which is according to domestic sewage.
7. The analysis result of samples collected from Ikra Nala (Down Stream) was COD 536 mg/ltr, BOD 296 mg/ltr and TCS 74 mg/ltr.
8. The analysis mentioned above shows that both the local nala are affecting the quality of Ikra nala.
9. The unit has not installed CPU with RO Membrane for High Pressure Boiler of Sugar Unit.
10. Sewage Treatment Plant installation has not been completed.

That UPPCB has issued Water Consent to the unit vide letter no.69304/UPPCB/BIJNOR (UPPCBRO)/CTO/Water/Bijnore/2019 dated 27-3-20 which is valid upto 31-12-2024.

From the above, it is clear that the Unit has not complied the conditions of Water Consent and the E.T.P. of Sugar Unit is not working as per the prescribed norms.

CIN : L15249UP1933PLC000511
Corporate Office: 241, Okhla Industrial Estate, Phase-III, New Delhi-110 020
Tel: +91-11-30659400, Fax: +91-11-26935697
Branch Office: 1/125, Vijay Khand, Gomti Nagar, Lucknow - 226 010; Tel: +91-522-239243
Sugar Units : 1. Dhampur, 2. Mansurpur, 3. Asmol, 4. Rajpura, 5. Meerganj
Distillery : Asmol & Dhampur

That, keeping in view the recommendations of the Joint Inspection Team dated 2-2-21, the unit has to submit the reply of Show Cause Notice on the following points:

1. Why the Water Consent Issued to Sugar unit vide letter no.69304/UPPCB/BIJNOR (UPPCBRO)/CTO/Water/Bijnore/2019 dated 27-3-20 should not be cancelled with immediate effect.
2. Why the Closure Orders should not be issued to M/s Dhampur Sugar Mills Ltd., Unit Dhampur, Distt. Bijnor.
3. Why the competent officials should not be asked to disconnect the electrical connections of M/s Dhampur Sugar Mills Ltd., Unit Dhampur.
4. That M/s Dhampur Sugar Mills Ltd., Unit – Dhampur will ensure to submit a written submission in compliance of short comings find during the visit of Joint Inspection Team within 15 days.

In response to the above allegations our point-wise reply is as under:

1. Regarding B.O.D. 187 mg/ltr., and COD 370 mg/ltr., found in the newly constructed lagoon having 10,000 cubic mtr. storage capacity, we would like to bring to your kind notice that the BOD and COD of the treated water was found to be on higher side due to below performance of our Aeration System which was disturbed on 30th Jan'21 i.e. two days before the inspection because the fine bubble diffusers of Aeration Tank no.3 somehow got damaged but we got the same repaired at the earliest after stopping operation of Aeration Tank No.3. However, due to malfunctioning of aeration system in tank No.3, some untreated water might have mixed with the drain. This is purely an incidental fault which can occur at any point of time.
2. With regard to the B.O.D. 117 mg/ltr which was found in old lagoon having storage capacity of 4,000 cubic mtr., we would reiterate that the reason for excess BOD in the old lagoon has already been mentioned at point no.1, above.
3. Regarding the old Kachcha lagoon of 4,000 cubic mtr. Capacity, having impervious layer after laying of HDPE sheet of 1000 micron thickness, it is submitted that this sheet has been properly welded by laser machine. However, in compliance of the recommendation we will modify / renovate this lagoon by laying the bricks.
4. That the analysis result of sample collected from the drain (local Nala) near boundary wall may be due to sewage water of Dhampur city domestic drain.
5. The analysis result of samples collected from local nala (near spray pond) is on higher side. This might be due to waste water/sewage of Dhampur City which also flow through this channel and the chances of excess BOD/COD due to sewage of Dhampur City.
6. The analysis result of samples collected from Ikra Nala (Upstream) was COD 296 mg/ltr, BOD 125 mg/ltr and TCS 146 mg/ltr which is according to domestic sewage.

7. The analysis result of samples collected from Ikra Nala (Down Stream) is on higher side. The rise in BOD/COD of down stream might be due to mixing of water from domestic drain of colony.
8. The analysis mentioned above shows that both the local nala are affecting the quality of Ikra nala. The reason for affecting the quality of Ikra nala has been mentioned at Point No.4 and 5.
9. We have installed CPU of 72 mtr. Cube/hr for High Pressure Boiler of Sugar Unit. Due to COVID-19 Pandemic the supply of equipment got delayed and now the CPU has been commissioned and is working properly.
10. We have installed 220 KLD Sewage Treatment Plant, The installation and commissioning was delayed on account of adverse impact in supplies and availability of man power due to restrictions imposed on account of Pandemic Covid 19. s However, the STP, after the aforesaid inspection by the Joint Inspection team, has been completed and the same is now running successfully.

It is humbly submitted that in view of the aforesaid explanations and compliances in respect of installation and commissioning of CPU and STP the proceedings proposed in the said Show Cause Notice dated 13-04-2021 may kindly be dropped and the proposal of imposing any environmental compensation may please also be dropped.

We on our part reiterate and assure you that we will take all possible necessary actions as may be under our control to ensure the quality of Ikra Nala.

Thanking You,

Yours faithfully,
For Dhampur Sugar Mills Ltd.

(Authorized Signatory)



Copy to:

1. Additional Director, CPCB, New Delhi.
2. Regional Officer, Uttar Pradesh Pollution Control Board, Bijnor.

(Authorized Signatory)





सत्यमेव जयते

भारत सरकार
जल शक्ति मंत्रालय
जल संसाधन, नदी विकास
और गंगा संरक्षण विभाग
केन्द्रीय भूमि जल प्राधिकरण
Government of India
Ministry of Jal Shakti
Department of Water Resources,
River Development & Ganga Rejuvenation
Central Ground Water Authority

(भूजल निकासी हेतु अनापत्ति प्रमाण पत्र)

NO OBJECTION CERTIFICATE (NOC) FOR GROUND WATER ABSTRACTION

Project Name:	M/s Dhampur Sugar Mills Ltd. (Dhampur Unit) *		
Project Address:	Dhampur, District - Bijnor, Uttar Pradesh		
Town:	Dhampur (NPP)	Block:	Dhampur
District:	Bijnor	State:	Uttar Pradesh
Pin Code:	246761		
Communication Address:	M/s Dhampur Sugar Mills Ltd.(Dhampur Unit), Dhampur, District - Bijnor, Uttar Pradesh - 246761		
Address of CGWB Regional Office :	Central Ground Water Board Northern Region, Bhujal Bhavan, Sector-B Sitapur Road Yojna, Ram Bank Chauraha, Lucknow, Uttar Pradesh - 226021		

1. NOC No.:	CGWA/NOC/IND/REN/1/2020/5636									
2. Application No.:	21-4/1256/UP/IND/2016			3. Category:	Industry					
4. Project Status:	Existing Project			5. NOC Type:	1st Renewal					
6. Valid from:	28/04/2019			7. Valid up to:	26/04/2022					
8. Ground Water Abstraction Permitted:										
	Fresh Water		Saline Water		Dewatering		Total			
	m ³ /day	m ³ /year	m ³ /day	m ³ /year	m ³ /day	m ³ /year	m ³ /day m ³ /year			
	1500.00	333000.00					1500.00 333000.00			
9. Details of ground water abstraction /Dewatering structures										
	Total Existing No.:4					Total Proposed No.:0				
	DW	DCB	BW	TW	MP	DW	DCB	BW	TW	MP
Abstraction Structure*	0	0	0	4	0	0	0	0	0	0
*DW- Dug Well; DCB-Dug-cum-Bore Well; BW-Bore Well; TW-Tube Well; MP-Mine Pit										
10. Quantum of ground water recharge/harvesting(m ³ /year):	194630.00									
11. Number of Piezometers (Observation wells) to be constructed/ monitored & Monitoring mechanism.	No. of Piezometers				Monitoring Mechanism					
					Manual	DWLR**	DWLR With Telemetry			
**DWLR - Digital Water Level Recorder	2				0	1	1			

(Compliance Conditions given overleaf)

Digitally signed by
NANDAKUMARAN P
Date: 2020.01.27 18:35:34 +05'30'

सदस्य (केन्द्रीय भूमि जल प्राधिकरण)
Member (CGWA)

18/11, जामनगर हाउस, मानसिंह रोड, नई दिल्ली - 110011 / 18/11, Jamnagar House, Mansingh Road, New Delhi-110011

Phone: (011) 23383561 Fax: 23382051, 23386743

Website: cgwa-noc.gov.in

पानी बचाये - जीवन बचाये
SAVE WATER - SAVE LIFE

Validity of this NOC shall be subject to compliance of the following mandatory conditions:

1. No additional ground water abstraction and/or de-watering structures shall be constructed for this purpose without prior approval of the Central Ground Water Authority (CGWA).
2. The proponent shall seek prior permission from CGWA for any increase in quantum of groundwater abstraction (more than that permitted in NOC for specific period).
3. All new as well as existing ground water abstraction/ de-watering structures shall be fitted with digital water flow meters by the firm at its own cost immediately on completion of their construction or grant of NOC as the case may be. In case of renewal of NOCs, all existing ground water abstraction structures shall continue to be fitted with digital water flow meters. Intimation of installation of flow meters shall be sent by the proponent to the Regional Director of CGWB within 6 months of grant of NOC. Daily ground water abstraction data shall be monitored / continue to be monitored (in case of renewal) by the firm and recorded in a log book. Details of month-wise ground water abstraction shall be submitted to the Regional Director, CGWB, once every year.
4. In case the ground water abstraction is more than 10 m³/day, monthly water level monitoring data shall be maintained and submitted annually to the Regional Office of CGWB. Wherever groundwater withdrawal is more than 500 m³/day, the firm shall install telemetry system in one of the piezometers and share USER ID and password of the telemetry system with the Regional Director, CGWB.
5. In case ground water abstraction is more than 10 m³/day, ground water quality shall be monitored once in a year (during pre- monsoon period) and the report submitted to the Regional Office, CGWB. Wherever the extraction is less than 10 m³/day, ground water quality report shall be submitted by the proponent at the time of submission of self-compliance report.
6. Ground water augmentation/harvesting measures, as stipulated in the NOC, shall be implemented (in new cases) / continue to be maintained (in case of renewal) in consultation with the concerned Regional Director, CGWB.
7. Proof of recharge/water harvesting structures constructed (photographs of structures) shall be submitted to the concerned Regional Director, CGWB within 6 months from the date of issue of NOC. The firm shall also undertake periodic maintenance of recharge/water harvesting structures at its own cost.
8. The project proponent shall take all necessary measures to prevent contamination of ground water in the premises falling which the firm shall be responsible for any consequences arising thereupon.
9. In case of industries that are likely to contaminate the ground water, no recharge measures shall be taken up by the firm inside the plant premises. The runoff generated from the rooftop shall be stored and put to beneficial use by the firm.
10. The firm shall optimize water use through recycling/ reuse of waste water after proper treatment.
11. Wherever the NOC is for abstraction of saline water and the existing wells (s) is /are yielding fresh water, the same shall be sealed and new tubewell(s) tapping saline water zone shall be constructed within 3 months of the issuance of NOC. The firm shall also ensure safe disposal of saline residue, if any.
12. In case of mining projects, additional key wells shall be established in consultation with the Regional Director, CGWB for ground water level monitoring four (4) times a year (January, May, August and November) in core as well as buffer zones of the mine.
13. Unexpected variations in inflow of ground water into the mine pit, if any, shall be reported to the concerned Regional Director, Central Ground Water Board.
14. The firm shall report compliance of the NOC conditions online in the website (www.cgwa-noc.gov.in) within one year from the date of issue of this NOC.
15. This NOC is subject to prevailing Central/State Government rules/laws/norms or Court orders related to construction of tube well/ground water abstraction structure / recharge or conservation structure/discharge of effluents or any such matter as applicable.
16. This NOC does not absolve the proponents of their obligation / requirement to obtain other statutory and administrative clearances from appropriate authorities.
17. The issue of this NOC does not imply that other statutory / administrative clearances shall be granted to the project by the concerned authorities. Such authorities would consider the project on merits and take decisions independently of the NOC.
18. This NOC is being issued without any prejudice to the directions of the Hon'ble NGT/court orders in cases related to ground water or any other related matters.
19. Application for renewal can be submitted online from 90 days before the expiry of NOC. Ground water withdrawal, if any, after expiry of NOC shall be illegal & liable for legal action as per provisions of Environment(Protection)Act,1986.
20. **In case of any violation of NOC conditions or illegal extraction of Ground water the firm shall be liable to pay "Environmental Compensation"/ "Penalty", if any under Sec 15 of EPA 1986 as and when decided by statutory authorities.**

(Non-compliance of the conditions mentioned above is likely to result in the cancellation of NOC and legal action against the proponent.)



GROUND WATER DEPARTMENT

(Namami Gange & Rural Water Supply Department)

Ministry of Jal Shakti

Government of Uttar Pradesh



Form 3 (B)

(Commercial or Industrial or Infrastructural or Bulk user having N.O.C. issued by Central Ground Water Authority or by Ground Water Department)

[See Rule 8(2)]

Certificate of Registration of Existing/New Well

{UIS10(1) of the Uttar Pradesh Ground Water Management and Regulation Act, 2019}

Registration No.: 202104000201

Name of the Owner	ARUN KUMAR		
Designation पद	Deputy Manager	Company Name कंपनी का नाम	DHAMPUR SUGAR MILLS LTD SUGAR UNIT
Company Address कंपनी का पता	DHAMPUR DISTRICT - BIJNOR, UTTAR PRADESH	Authorization Letter प्राधिकार पत्र	Download
Address of the Applicant	Dhampur Sugar Mills Ltd Dhampur Bijnor	Application Form Serial No.	BJNR0421RIN0021
Date of Submission	15/04/2021	Specimen Signature	
Location Particulars			
District	Bijnor	Block	ALHEPUR
Plot No./Khasra No.	Existing premises khasra detail attached	Municipality/Corporation	NA
Ward No./Holding No.			NA

Particular of the Existing Well and Pumping Device

Date of Construction/Sinking of the well	01/04/1966		
Type of Well	Tube Well/Boring	Depth of the Well (In meter)	105.00
Purpose of well	Industrial	Assembly Size(For Tube Well)	
Strainer Position (For Tube Well)			
Type of Pump Used	Submersible	H.P. of the Pump	50.00
Operational Device	Electric Motor	Rate of Withdrawal (m3/hr.)	100.00
Date of Energization (In Case of Electric Pump)		01/04/1966	

This certificate of registration is issued on the basis of the information furnished by the applicant subject to the conditions stated overleaf.

Place:

Date:

Yours Faithfully,
Signature of the Issuing Authority
and Designation

Conditions

1. For the purpose of measuring and recording the quantity of ground water extracted, every said user shall affix water meters, which record rate and quantum of extraction, at outlet of pumping devices and it shall be presumed that the quantity recorded by the meter has been extracted by the said user, until the contrary is proved. The rate of extraction of ground water from the well as shown in item 3(k) shall not exceed to the recorded rate from water meters.
2. The District Ground Water Management Council reserves the right to stop extraction of ground water from the well due to quality hazards or any other reasons, if the situation so demands.
3. In case of any change of ownership of the existing well, fresh registration has to be obtained.
4. No change of location, design, rate of withdrawal and pumping device in respect of the existing well as indicated at Sl. (2) and (3) of this certificate shall be made without prior permission of the District Ground Water Management Council. Any deviation in this regard shall lead to cancellation of this registration.
5. In case, any of the particulars / information furnished by the applicant in his application for issuance of this registration is found to be incorrect during verification at any subsequent stage, this registration is liable for cancellation.
6. Construction of piezometers and installation of digital water level recorders with telemetry shall be mandatory for user. Depth and zone tapped of piezometer should be commensurate with that of the pumping well. The data, obtained from digital water level recorders shall be made available to this office on monthly basis.
7. **Guidelines for Installation of Piezometers and their Monitoring**

Piezometer is a borewell / tubewell used only for measuring the water level by lowering the tape/ sounder or automatic water level measuring equipment. It is also used to take water sample for water quality testing whenever needed. General guidelines for installation of piezometers are as follows:

- The piezometer is to be installed/constructed at the minimum of 50 m distance from the pumping well through which ground water is being withdrawn. The diameter of the piezometer should be about 4" to 6".
 - The depth of the piezometer should be same as is case of the pumping well from which ground water is being abstracted. If, more than one piezometers are installed the second piezometer should monitor the shallow ground water regime. It will facilitate shallow as well as deeper ground water aquifer monitoring.
 - The measuring frequency should be monthly and accuracy of measurement should be up to cm. the reported measurement should be given in meter upto two decimal.
 - For measurement of water level sounder or automatic water level recorder (AWLR)/ Digital Automatic water level recorder (DWLR) with telemetry system should be used for accuracy.
 - The measurement of water level in piezometer should be taken, only after the pumping from the surrounding tube wells has been stopped for about four to six hours.
 - All the details regarding coordinates, reduced level (with respect to mean level), depth, zone taped and assembly lowered should be provided for bringing the piezometer into the Hydrograph Monitoring System for Ground Water Department, Uttar Pradesh, and for its validation.
 - The ground water quality has to be monitored twice in a year during pre-monsoon (May/June) and post-monsoon (October/November) periods. Quality may be got analyzed from NABL approved lab. Besides, one sample (1 lt capacity bottle) to the concerned Director, Ground Water Department, Uttar Pradesh, for chemical analysis.
 - A Permanent display board should be installed at piezometer/Tube wells site for providing the location, piezometer/ tube well number, depth and zone tapped of piezometer/tube well for standard referencing and identification.
 - Any other site specific requirement regarding safety and access for measurement may be taken care off.
8. Any other condition(s) that may be imposed by the District Ground Water Management Council.



GROUND WATER DEPARTMENT
(Namami Gange & Rural Water Supply Department)
Ministry of Jal Shakti
Government of Uttar Pradesh



Form 3 (B)
(Commercial or Industrial or Infrastructural or Bulk user having N.O.C. issued by Central Ground Water Authority or by Ground Water Department)

[See Rule 8(2)]

Certificate of Registration of Existing/New Well

{UIS10(1) of the Uttar Pradesh Ground Water Management and Regulation Act, 2019}

Registration No.: 202104000202

Name of the Owner	ARUN KUMAR		
Designation पद	Deputy Manager	Company Name कंपनी का नाम	DHAMPUR SUGAR MILLS LTD SUGAR UNIT
Company Address कंपनी का पता	DHAMPUR DISTRICT - BIJNOR, UTTAR PRADESH	Authorization Letter प्राधिकार पत्र	Download
Address of the Applicant	Dhampur Sugar Mills Ltd Dhampur Bijnor	Application Form Serial No.	BJNR0421RIN0022
Date of Submission	15/04/2021	Specimen Signature	
Location Particulars			
District	Bijnor	Block	ALHEPUR
Plot No./Khasra No.	Existing premises khasra detail attached	Municipality/Corporation	NA
Ward No./Holding No.			NA
Particular of the Existing Well and Pumping Device			
Date of Construction/Sinking of Well	01/04/2003		
Type of Well	Tube Well/Boring	Depth of the Well (In meter)	128.00
Purpose of well	Industrial	Assembly Size(For Tube Well)	
Strainer Position (For Tube Well)			
Type of Pump Used	Submersible	H.P. of the Pump	50.00
Operational Device	Electric Motor	Rate of Withdrawal (m ³ /hr.)	100.00
Date of Energization (In Case of Electric Pump)	01/04/2003		

This certificate of registration is issued on the basis of the information furnished by the applicant subject to the conditions stated overleaf.

Place:

Date:

Yours Faithfully,
Signature of the Issuing Authority
and Designation

Conditions

1. For the purpose of measuring and recording the quantity of ground water extracted every said user shall affix water meters, which record rate and quantum of extraction, at outlet of pumping devices and it shall be presumed that the quantity recorded by the meter has been extracted by the said user, until the contrary is proved. The rate of extraction of ground water from the well as shown in item 3(k) shall not exceed to the recorded rate from water meters.
2. The District Ground Water Management Council reserves the right to stop extraction of ground water from the well due to quality hazards or any other reasons, if the situation so demands.
3. In case of any change of ownership of the existing well, fresh registration has to be obtained.
4. No change of location, design, rate of withdrawal and pumping device in respect of the existing well as indicated at Sl. (2) and (3) of this certificate shall be made without prior permission of the District Ground Water Management Council. Any deviation in this regard shall lead to cancellation of this registration.
5. In case, any of the particulars / information furnished by the applicant in his application for issuance of this registration is found to be incorrect during verification at any subsequent stage, this registration is liable for cancellation.
6. Construction of piezometers and installation of digital water level recorders with telemetry shall be mandatory for user. Depth and zone tapped of piezometer should be commensurate with that of the pumping well. The data, obtained from digital water level recorders shall be made available to this office on monthly basis.
7. **Guidelines for Installation of Piezometers and their Monitoring**

Piezometer is a borewell / tubewell used only for measuring the water level by lowering the tape / sounder or automatic water level measuring equipment. It is also used to take water sample for water quality testing whenever needed. General guidelines for installation of piezometers are as follows:

- o The piezometer is to be installed/constructed at the minimum of 50 m distance from the pumping well through which ground water is being withdrawn. The diameter of the piezometer should be about 4" to 6".
 - o The depth of the piezometer should be same as is case of the pumping well from which ground water is being abstracted. If, more than one piezometers are installed thesecond piezometer should monitor the shallow ground water regime. It will facilitate shallow as well as deeper ground water aquifer monitoring.
 - o The measuring frequency should be monthly and accuracy of measurement should be upto cm. the reported measurement should be given in meter upto two decimal.
 - o For measurement of water level sounder or automatic water level recorder (AWLR) Digital Automatic water level recorder (DWLR) with telemetry system should be used for accuracy.
 - o The measurement of water level in piezometer should be taken, only after the pumping from the surrounding tube wells has been stopped for about four to six hours.
 - o All the details regarding coordinates, reduced level (with respect to mean level), depth, zone tapped and assembly lowered should be provided for bringing the piezometer into the Hydrograph Monitoring System for Ground Water Department, Uttar Pradesh, and for its validation.
 - o The ground water quality has to be monitored twice in a year during pre-monsoon (May/June) and post-monsoon (October/November) periods. Quality may be got analyzed from NABL approved lab. Besides, one sample (1 lt capacity bottle) to the concerned Director, Ground Water Department, Uttar Pradesh, for chemical analysis.
 - o A Permanent display board should be installed at piezometer/Tube wells site for providing the location, piezometer/ tube well number, depth and zone tapped of piezometer/tube well for standard referencing and identification.
 - o Any other site specific requirement regarding safety and access for measurement may be taken care off.
8. Any other condition(s) that may be imposed by the District Ground Water Management Council.



GROUND WATER DEPARTMENT

(Namami Gange & Rural Water Supply Department)

Ministry of Jal Shakti

Government of Uttar Pradesh



Form 3 (B)

(Commercial or Industrial or Infrastructural or Bulk user having N.O.C. issued by Central Ground Water Authority or by Ground Water Department)

[See Rule 8(2)]

Certificate of Registration of Existing/New Well

{UIS10(1) of the Uttar Pradesh Ground Water Management and Regulation Act, 2019}

Registration No.: 202104000203

Name of the Owner	ARUN KUMAR		
Designation पद	Deputy Manager	Company Name कंपनी का नाम	DHAMPUR SUGAR MILLS LTD SUGAR UNIT
Company Address कंपनी का पता	DHAMPUR DISTRICT - BIJNOR, UTTAR PRADESH	Authorization Letter प्राधिकार पत्र	Download
Address of the Applicant	Dhampur Sugar Mills Ltd Dhampur Bijnor	Application Form Serial No.	BJNR0421RIN0023
Date of Submission	15/04/2021	Specimen Signature	
Location Particulars			
District	Bijnor	Block	ALHEPUR
Plot No./Khasra No.	Existing premises khasra detail attached	Municipality/Corporation	NA
Ward No./Holding No.			NA
Particular of the Existing Well and Pumping Device			
Date of Construction/Sinking of the Well	01/04/2003		
Type of Well	Tube Well/Boring	Depth of the Well (In meter)	114.00
Purpose of well	Industrial	Assembly Size(For Tube Well)	
Strainer Position (For Tube Well)			
Type of Pump Used	Submersible	H.P. of the Pump	80.00
Operational Device	Electric Motor	Rate of Withdrawal (m ³ /hr.)	150.00
Date of Energization (In Case of Electric Pump)	01/04/2003		

This certificate of registration is issued on the basis of the information furnished by the applicant subject to the conditions stated overleaf.

Place:

Date:

Yours Faithfully,
Signature of the Issuing Authority
and Designation

Conditions

1. For the purpose of measuring and recording the quantity of ground water extracted every said user shall affix water meters, which record rate and quantum of extraction, at outlet of pumping devices and it shall be presumed that the quantity recorded by the meter has been extracted by the said user, until the contrary is proved. The rate of extraction of ground water from the well as shown in item 3(k) shall not exceed to the recorded rate from water meters.
2. The District Ground Water Management Council reserves the right to stop extraction of ground water from the well due to quality hazards or any other reasons, if the situation so demands.
3. In case of any change of ownership of the existing well, fresh registration has to be obtained.
4. No change of location, design, rate of withdrawal and pumping device in respect of the existing well as indicated at Sl. (2) and (3) of this certificate shall be made without prior permission of the District Ground Water Management Council. Any deviation in this regard shall lead to cancellation of this registration.
5. In case, any of the particulars / information furnished by the applicant in his application for issuance of this registration is found to be incorrect during verification at any subsequent stage, this registration is liable for cancellation.
6. Construction of piezometers and installation of digital water level recorders with telemetry shall be mandatory for user. Depth and zone tapped of piezometer should be commensurate with that of the pumping well. The data, obtained from digital water level recorders shall be made available to this office on monthly basis.
7. **Guidelines for Installation of Piezometers and their Monitoring**

Piezometer is a borewell / tubewell used only for measuring the water level by lowering the tape / sounder or automatic water level measuring equipment. It is also used to take water sample for water quality testing whenever needed. General guidelines for installation of piezometers are as follows:

- o The piezometer is to be installed/constructed at the minimum of 50 m distance from the pumping well through which ground water is being withdrawn. The diameter of the piezometer should be about 4" to 6".
 - o The depth of the piezometer should be same as in case of the pumping well from which ground water is being abstracted. If, more than one piezometers are installed the second piezometer should monitor the shallow ground water regime. It will facilitate shallow as well as deeper ground water aquifer monitoring.
 - o The measuring frequency should be monthly and accuracy of measurement should be up to cm. the reported measurement should be given in meter up to two decimal.
 - o For measurement of water level sounder or automatic water level recorder (AWLR) Digital Automatic water level recorder (DWLR) with telemetry system should be used for accuracy.
 - o The measurement of water level in piezometer should be taken, only after the pumping from the surrounding tube wells has been stopped for about four to six hours.
 - o All the details regarding coordinates, reduced level (with respect to mean level), depth, zone tapped and assembly lowered should be provided for bringing the piezometer into the Hydrograph Monitoring System for Ground Water Department, Uttar Pradesh, and for its validation.
 - o The ground water quality has to be monitored twice in a year during pre-monsoon (May/June) and post-monsoon (October/November) periods. Quality may be got analyzed from NABL approved lab. Besides, one sample (1 lt capacity bottle) to be taken and submitted to the concerned Director, Ground Water Department, Uttar Pradesh, for chemical analysis.
 - o A Permanent display board should be installed at piezometer/Tube wells site for providing the location, piezometer/ tube well number, depth and zone tapped of piezometer/tube well for standard referencing and identification.
 - o Any other site specific requirement regarding safety and access for measurement may be taken care of.
8. Any other condition(s) that may be imposed by the District Ground Water Management Council.



GROUND WATER DEPARTMENT
(Namami Gange & Rural Water Supply Department)
Ministry of Jal Shakti
Government of Uttar Pradesh



Form 3 (B)

(Commercial or Industrial or Infrastructural or Bulk user having N.O.C. issued by Central Ground Water Authority or by Ground Water Department)

[See Rule 8(2)]

Certificate of Registration of Existing/New Well

{UIS10(1) of the Uttar Pradesh Ground Water Management and Regulation Act, 2019}

Registration No.: 202104000204

Name of the Owner	ARUN KUMAR		
Designation पद	Deputy Manager	Company Name कंपनी का नाम	DHAMPUR SUGAR MILLS LTD SUGAR UNIT
Company Address कंपनी का पता	DHAMPUR DISTRICT - BIJNOR, UTTAR PRADESH	Authorization Letter प्राधिकार पत्र	Download
Address of the Applicant	Dhampur Sugar Mills Ltd Dhampur Bijnor	Application Form Serial No.	BJNR0421RIN0024
Date of Submission	15/04/2021	Specimen Signature	
Location Particulars			
District	Bijnor	Block	ALHEPUR
Plot No./Khasra No.	Existing premises khasra detail attached	Municipality/Corporation	NA
Ward No./Holding No.			NA
Particular of the Existing Well and Pumping Device			
Date of Construction/Sinking of the Well	01/04/1966		
Type of Well	Tube Well/Boring	Depth of the Well (In meter)	114.00
Purpose of well	Industrial	Assembly Size(For Tube Well)	
Strainer Position (For Tube Well)			
Type of Pump Used	Submersible	H.P. of the Pump	50.00
Operational Device	Electric Motor	Rate of Withdrawal (m3/hr.)	100.00
Date of Energization (In Case of Electric Pump)	01/04/1966		

This certificate of registration is issued on the basis of the information furnished by the applicant subject to the conditions stated overleaf.

Place:

Date:

Yours Faithfully,
Signature of the Issuing Authority
and Designation

Conditions

1. For the purpose of measuring and recording the quantity of ground water extracted every said user shall affix water meters, which record rate and quantum of extraction, at outlet of pumping devices and it shall be presumed that the quantity recorded by the meter has been extracted by the said user, until the contrary is proved. The rate of extraction of ground water from the well as shown in item 3(k) shall not exceed to the recorded rate from water meters.
2. The District Ground Water Management Council reserves the right to stop extraction of ground water from the well due to quality hazards or any other reasons, if the situation so demands.
3. In case of any change of ownership of the existing well, fresh registration has to be obtained.
4. No change of location, design, rate of withdrawal and pumping device in respect of the existing well as indicated at Sl. (2) and (3) of this certificate shall be made without prior permission of the District Ground Water Management Council. Any deviation in this regard shall lead to cancellation of this registration.
5. In case, any of the particulars / information furnished by the applicant in his application for issuance of this registration is found to be incorrect during verification at any subsequent stage, this registration is liable for cancellation.
6. Construction of piezometers and installation of digital water level recorders with telemetry shall be mandatory for user. Depth and zone tapped of piezometer should be commensurate with that of the pumping well. The data, obtained from digital water level recorders shall be made available to this office on monthly basis.
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 - o All the details regarding coordinates, reduced level (with respect to mean level), depth zone tapped and assembly lowered should be provided for bringing the piezometer into the Hydrograph Monitoring System for Ground Water Department, Uttar Pradesh, and for its validation.
 - o The ground water quality has to be monitored twice in a year during pre-monsoon (May/June) and post-monsoon (October/November) periods. Quality may be got analyzed from NABL approved lab. Besides, one sample (1 lt capacity bottle) to the concerned Director, Ground Water Department, Uttar Pradesh, for chemical analysis.
 - o A Permanent display board should be installed at piezometer/Tube wells site for providing the location, piezometer/ tube well number, depth and zone tapped of piezometer/tube well for standard referencing and identification.
 - o Any other site specific requirement regarding safety and access for measurement may be taken care off.
8. Any other condition(s) that may be imposed by the District Ground Water Management Council.



संदर्भ संख्या

1C-7/21/11-105/2021

दिनांक 12/7/21

सेवा में

मेसर्स धामपुर शुगर मिल्स लिमिटेड (आसवनी इकाई),
धामपुर,
बिजनौर।

यह कि मेसर्स धामपुर शुगर मिल्स लिमिटेड (आसवनी इकाई), धामपुर, बिजनौर द्वारा आरओएस/ईओएस/एसीएस/एलओएस 200 मेगालीटर का उत्पादन किया जाने हेतु संपरीक्षा दर्शित स्थल पर कार्यरत है, जो कि जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 यथासंशोधित की धारा-27 के अन्तर्गत एक कंपनी है।

यह कि केन्द्रीय प्रदूषण नियंत्रण बोर्ड नई दिल्ली द्वारा जारी निर्देशों के क्रम में मेसर्स धामपुर शुगर मिल्स लिमिटेड (आसवनी इकाई), धामपुर, बिजनौर के क्षेत्रांतर्गत आरओएस प्रकारा नाला का सर्वेक्षण आईआईटीओ रुड़की द्वारा दिनांक 02.11.2020 को किया गया।

यह कि उक्त सर्वेक्षण में एकरा नाले के अपस्ट्रीम में कलर 313 हेजल, टीएसएस 100 मिग्रा/लीटर, सीओडी 400 मिग्रा/लीटर, बीओडी 130 मिग्रा/लीटर एवं डालनस्ट्रीम में कलर 286 हेजल, टीएसएस 40 मिग्रा/लीटर, सीओडी 1135 मिग्रा/लीटर, बीओडी 450 मिग्रा/लीटर पाये गये। जिससे स्पष्ट है कि एकरा नाले की जल गुणवत्ता प्रभावित हो रही है तथा उद्योग द्वारा पर्यावरणीय अधिनियमों का अनुपालन नहीं किया जा रहा है तथा उद्योग में स्थापित उद्योग शुद्धिकरण तंत्र का संचालन एवं रख-रखाव मानकों के अनुरूप नहीं किया जा रहा है।

यह कि उद्योग के पक्ष में बोर्ड पत्र संख्या 68854/UPPCB/Bijnore(UPPCBRO) DTC dated BIJNOR/2019 दिनांक 17.07.2020 द्वारा जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1974 की धारा 25/26 के अन्तर्गत सशर्त सहमति जल निर्गत की गई है जिसकी वैधता 31.12.2021 है।

यह कि केन्द्रीय प्रदूषण नियंत्रण बोर्ड के पत्र संख्या F.No.: 190189/WQM-II/CPCB/TPA/2020-21 दिनांक 30.12.2020 द्वारा उक्त को दृष्टिगत रखते हुए उद्योग मेसर्स धामपुर शुगर मिल्स लिमिटेड (आसवनी इकाई), धामपुर, बिजनौर के विरुद्ध कार्यवाही किये जाने के संबंध में निर्देश दिये गये हैं।

केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा गाईडलाइन "Laying of Environmental Compensation against Defaulting Industries" के अनुसार उद्योग मेसर्स धामपुर शुगर मिल्स लिमिटेड (आसवनी इकाई), धामपुर, बिजनौर के विरुद्ध दैनिक पर्यावरणीय क्षतिपूर्ति निम्नानुसार अंशजित की जाती है-

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

$$PI=80$$

$$N=1$$

$$R=250$$

$$S=1.5 \text{ (Large Unit)}$$

$$LF=1$$

$$EC=Rs. 30,000/- \text{ (Rs. Thirty Thousand Per Day)}$$

अतः उपरोक्त तथ्यों के दृष्टिगत उद्योग मेसर्स धामपुर शुगर मिल्स लिमिटेड (आसवनी इकाई), धामपुर, बिजनौर के विरुद्ध सक्षम अधिकारी के अनुमोदनोपशान्त निम्नानुसार निर्देश जारी किये जाते हैं-

- (2)
1. जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम, 1974 की धारा-33ए संपठित 27(2) के अन्तर्गत बंद के पत्र दिनांक 17.07.2020 द्वारा निर्गत सहमति जल खण्डित किये जाने एवं बन्दी आदेश जारी किये जाने हेतु निम्नानुसार कारण बताओ नोटिस जारी किये जाते हैं - :
 - I. यह कि क्यों न उद्योग मेसर्स धामपुर शुगर मिल्स लिमिटेड (आसवनी इकाई), धामपुर, बिजनौर के पक्ष में बोर्ड के पत्र संख्या 68854/UPPCB/Bijnore(UPPCBROY CTO/ water/ BIJNOR/2019 दिनांक 17.07.2020 द्वारा निर्गत सहमति जल को तत्काल प्रभाव से खण्डित कर दिया जाये।
 - II. यह कि क्यों न उद्योग मेसर्स धामपुर शुगर मिल्स लिमिटेड (आसवनी इकाई), धामपुर, बिजनौर के संचालन को रोके जाने हेतु बन्दी आदेश जारी कर दिये जाये।
 - III. यह कि क्यों न सक्षम अधिकारियों से यह अपेक्षा की जाये कि उद्योग मेसर्स धामपुर शुगर मिल्स लिमिटेड (आसवनी इकाई), धामपुर, बिजनौर के संचालन से सम्बद्ध समस्त विद्युत कनेक्शनों एवं जल आपूर्ति कनेक्शन को तत्काल प्रभाव से रोक दिया जाये।
 2. थर्ड पार्टी आई0आई0टी0 रुढ़की द्वारा किये गये निरीक्षण दिनांक 02.11.2020 में पाये गये उल्लंघन के दृष्टिगत उद्योग मेसर्स धामपुर शुगर मिल्स लिमिटेड (आसवनी इकाई), धामपुर, बिजनौर पर केंद्रीय प्रदूषण नियंत्रण बोर्ड नई दिल्ली द्वारा जारी गाईड लाइन के अनुसार उक्त उल्लंघन का समाधान किये जाने की तिथि तक रूपये 30,000/- प्रति दिन की दर से पर्यावरणीय क्षतिपूर्ति अधिरूपित किये जाने के संबंध बोर्ड द्वारा कार्यवाही प्रारम्भ कर दी जाये।

आपको निर्देशित किया जाता है कि उक्त निर्देशों के सम्बन्ध में अपना स्पष्टीकरण 15 दिन के अन्दर बोर्ड मुख्यालय प्रेषित करना सुनिश्चित करे। निर्धारित समयावधि में स्पष्टीकरण प्राप्त न होने अथवा संतोषजनक उत्तर प्राप्त न होने की दशा में उक्त निर्देशों की पुष्टी करते हुए उद्योग के विरुद्ध पर्यावरणीय अधिनियमों के अन्तर्गत कार्यवाही प्रारम्भ कर दी जायेगी, जिसका सम्पूर्ण उत्तरदायित्व स्वयं उद्योग एवं उद्योग स्वामी का होगा।

(अमिता चन्दा)
मुख्य पर्यावरण अधिकारी, वृत्त-7
D.C.

प्रतिलिपि:

1. श्री ए0के0 विद्यार्थी, एडिशनल डायरेक्टर- डी0एच0 उब्बूषण-II, केंद्रीय प्रदूषण नियंत्रण बोर्ड, परिवेश भवन, पूर्वी अर्जुन नगर, नई दिल्ली को सूचनार्थ प्रेषित।
2. क्षेत्रीय अधिकारी उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड बिजनौर को इस निर्देश के साथ की उक्त निर्देशों के क्रम उद्योग का निरीक्षण करते हुए सहाय निरीक्षण आख्या स्पष्ट संस्तुति सहित बोर्ड मुख्यालय प्रेषित करना सुनिश्चित करे।

मुख्य पर्यावरण अधिकारी, वृत्त-7
D.C.

Dated 08.02.2021/19/20

To,
The Chief Environment Officer, Circle-7,
Uttar Pradesh Pollution Control Board,
T.C.-12 B, Vibhuti Khand, Gomtinagar,
Lucknow- 226010.

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95
dhampur

Dhampur Sugar Mills Limited
Chemical Division
Dhampur, N. Rly., Dist. Bijnor (U.P.)
Pin Code - 246761
Tel: +91-1344-220009
E-mail: dsmdhampur@dhampur.com
Website: www.dhampur.com

Reference:- Show Cause Notice No. H57219/C-7/water-105/2021: Dated 12-01-21.

Dear Sir,

This has reference to the abovementioned Show Cause Notice dated:12-01-21 issued by your good self and received by us on 27-01-21. Through this Show Cause Notice it has been brought to our notice that water samples were drawn from the up-stream and down-stream of adjacent Ikra drain by I.I.T. Roorkee (third party) on 02-11-20 in which the parameters of colour, TCS, COD and BOD etc. were found to be above the prescribed parameters as per Lab report. On the basis of these reports it has been alleged that the distillery is not maintaining the ZLD norms properly.

It is also mentioned that the C.P.C.B, New Delhi vide it's letter F.NO:190189/WQM-II/CPCB/TPA/2020-21, dated:30-12-20 has recommended for initiating action against the distillery. Consequently, Environmental Compensation of Rs.30,000/- per day has been proposed to be levied on us as per the guidelines of CPCB under the norms of "Levying Environmental Compensation against defaulting Industries".

As such, Dhampur Sugar Mills Ltd. (Distillery Division) is now required to address the following points of Show Cause Notice and submit reply of the same within 15 days:

- 1.(i) Why should the water Consent No.68854/UPPCB/Bijnor(UPPCBRO)/CTO/water/Bijnor/2019, dated:17-07-20 issued to Dhampur Distillery, Dhampur may not be discontinued with immediate effect ?
- (ii) Why should not the order for stopping operations of Dhampur Distillery, Dhampur issued ?
- (iii) Why should it not be expected from the concerned Officials that they disconnect the power and water connections of Dhampur Distillery, Dhampur with immediate effect ?
2. Why should Board not initiate the proceedings for levying 'Environmental Compensation' @ Rs.30,000/- per day on Dhampur Distillery, Dhampur as per the guidelines of CPCB, in response to the violations found in the inspection dated 02-11-2020, conducted by the third party (ie; IIT, Roorkee) till the period these violations are made good ?

In response to the above allegations, our pointwise reply are as follows -

1. That Dhampur Distillery, Dhampur is a ZLD compliant unit which adheres to all the rules and regulations as promulgated from time to time by UPPCB, CPCB and MOEFCC.
2. That the total waste / residual water of Dhampur City and other small industries situated further in the up-stream flows through the Ikra Nala and merge near the sugar mill / distillery with the down-stream, resulting in degradation of the total volume of water on several occasions.

CIN: L15249UP1933PLC000511
Corporate Office: 241, Okhla Industrial Estate, Phase-II, New Delhi-110 029
Tel: +91-11-30659400, Fax: 91-11-26935697
Branch Office: 1/125, Vijay Khand, Gomti Nagar, Lucknow - 226 010, Tel: +91-522-239243
Sugar Units: 1. Dhampur, 2. Mansurpur, 3. Asmoli, 4. Rajpura, 5. Meeraganj
Distillery: Asmoli & Dhampur

- 3. That the crushing season of our sugar mill started on 31st October 2020 and due to heavy movement of sugarcane transport such as tractor trolley & trucks of cane growers, frequent water logging occurs in cane yard area and at the road leading to the cane yard because of which the mud containing extract of sugarcane seeps and flows in the adjacent Ikra nala resulting in higher BOD, COD etc. from time to time.
- 4. After the third party inspection carried out on 2nd November 2020 we sent the water samples of Ikra nala to the certified lab for testing and the report dated 04-11-2020 along with other test report dated 08-12-2020 were found to be appropriate, having the COD, BOD, and TSS within the prescribed range. These reports confirm that the adverse results of the report of the samples drawn on 02-11-2020 were due to incidental flow of the water containing mud and sugar cane extract of cane yard and nearby area and the said report cannot be construed to be a permanent feature of the water quality of the drain.

In view of the above facts we humbly submit as follows:

- a) That the water Consent No.68854/UPPCB/Bijnor(UPPCBRO)/CTO/water/Bijnor/2019, dated:17-07-20, issued to Dhampur Distillery, Dhampur may not be discontinued.
- b) That the operations of Dhampur Distillery, Dhampur may not be stopped.
- c) That the electricity and water connections of Dhampur Distillery, Dhampur may not be disconnected.
- d) That in view of the lab reports dated 04-11-2020 and 08-12-2020 (copies enclosed) in which the COD, BOD and TSS were found within the prescribed limits, it is requested that the proposed 'Environment Compensation' of Rs. 30,000/- per day may kindly be dispensed with.
- e) That alternatively, it is also evident that subsequent to the third party inspection conducted by IIT, Roorkee on 02-11-2020, the test reports of lab dated 04-11-2020 and 08-12-2020 confirms that all the parameters of water in Ikra drain were within norms and as such, there is no occasion to levy 'Environmental Compensation' as proposed.

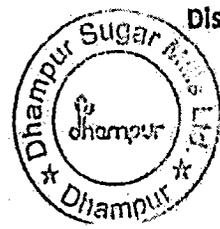
In view of the above facts, it is submitted that the proceedings proposed in the said Show cause Notice dated 12-01-21 may kindly be dropped.

We on our part reiterate and assure you that we will take all possible necessary actions as ever to ensure ZLD in our unit.

Thanking You,

Encl:- As Above

Yours faithfully,
for Dhampur Sugar Mills Ltd.,
Distillery Division



[Signature]
Authorized Signatory



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड
UTTAR PRADESH POLLUTION CONTROL BOARD

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संदर्भ संख्या- 3622/सी-7/जल-105/2021 दिनांक 20/7/21

सेवा में,

मेसर्स धामपुर शुगर मिल्स लिमिटेड (डिस्टलरी यूनिट),
धामपुर, बिजनौर।

विषय: मेसर्स धामपुर शुगर मिल्स लिमिटेड, (डिस्टलरी यूनिट), धामपुर, जिला-बिजनौर को बोर्ड के पत्र दिनांक 12.01.2021 द्वारा जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1974 यथासंशोधित की धारा 33ए संपाठित 27 (2) के अन्तर्गत जारी कारण बताओ नोटिस के क्रम में पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने के संबंध में।

महोदय,

कृपया उपरोक्त विषयक बोर्ड के पत्र संख्या एच57268/सी-7/जल-105/2021 दिनांक 12.01.2021 द्वारा जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1974 की धारा 33-ए संपाठित 27 (2) के अन्तर्गत उद्योग के विरुद्ध जारी कारण बताओ नोटिस जारी का संज्ञान ले, जिसके द्वारा दिनांक 02.11.2020 में पाये गये उल्लंघन के दृष्टिगत उक्त उल्लंघन का समाधान किये जाने की तिथि तक रुपये 30,000/- प्रति दिन की दर से पर्यावरणीय क्षतिपूर्ति अधिरोपित किये जाने हेतु नोटिस प्रेषित किया गया।

केन्द्रीय प्रदूषण नियंत्रण बोर्ड नई दिल्ली द्वारा जारी निर्देशों के क्रम से थर्ड पार्टी द्वारा दिनांक 24.02.2021 को मेसर्स धामपुर शुगर मिल्स लिमिटेड (डिस्टलरी यूनिट), धामपुर, बिजनौर के क्षेत्रान्त आच्छादित एकरा नाला का सर्वेक्षण किया गया। उक्त सर्वेक्षण में नाले के अपस्ट्रीम में कलर 37 हैजन, टी0एस0एस0 124 मि0ग्रा0/लीटर, सी0ओ0डी0 272 मि0ग्रा0/लीटर, बी0ओ0डी0 65 मि0ग्रा0/लीटर एवं डाउनस्ट्रीम में कलर 272 हैजन, टी0एस0एस0 208 मि0ग्रा0/लीटर, सी0ओ0डी0 800 मि0ग्रा0/लीटर, बी0ओ0डी0 280 मि0ग्रा0/लीटर पाये गये।

उद्योग के अद्यतन निरीक्षण दिनांक 09.06.2021 के दौरान एकरा नाला के अपस्ट्रीम एवं डाउनस्ट्रीम का अनुश्रवण किया गया। अपस्ट्रीम में बी0ओ0डी0 120 मि0ग्रा0 प्रति लीटर, सी0ओ0डी0 288 मि0ग्रा0 प्रति लीटर, टी0एस0एस0 126 मि0ग्रा0 प्रति लीटर तथा डाउनस्ट्रीम में बी0ओ0डी0 130 मि0ग्रा0 प्रति लीटर, सी0ओ0डी0 296 मि0ग्रा0 प्रति लीटर, टी0एस0एस0 132 मि0ग्रा0 प्रति लीटर पाये गये।

उपरोक्त तथ्यों को दृष्टिगत रखते हुए सक्षम अधिकारी के अनुमति से बोर्ड के पत्र संख्या एच57268/सी-7/जल-105/2021 दिनांक 12.01.2021 द्वारा जल (प्रदूषण निवारण तथा नियंत्रण) अधिनियम 1974 की धारा 33ए संपाठित 27 (2) के अन्तर्गत जारी कारण बताओ नोटिस के क्रम में दिनांक 02.11.2020 से दिनांक 09.06.2021 तक कुल दिवस 219 हेतु रुपये 30,000/- प्रति दिन की दर से रुपये 65,70,000/- की पर्यावरणीय क्षतिपूर्ति अधिरोपित की जाती है तथा निर्देशित किया जाता है कि पर्यावरणीय क्षतिपूर्ति धनराशि को उ0प्र0 प्रदूषण नियंत्रण बोर्ड के यूनियन बैंक आफ इण्डिया, विभूतिखण्ड, गोमतीनगर, लखनऊ स्थित बैंक के खाता सं0-701502010002104 आई0एफ0एस0 कोड-UBIN0570150 में 15 दिन के अन्दर जमा कर, जमा की गयी धनराशि का साक्ष्य क्षेत्रीय कार्यालय एवं बोर्ड मुख्यालय में प्रस्तुत करना सुनिश्चित करें।

आपको निर्देशित किया जाता है कि उक्त पर्यावरणीय क्षतिपूर्ति रुपये 65,70,000/- बोर्ड में जमा किये जाने उपरान्त उक्त कारण बताओ नोटिस दिनांक 12.01.2021 पर गुणदोष के आधार पर निर्णय लिया जायेगा।

भवदीय

मुख्य पर्यावरण अधिकारी,

वृत्त-7

प्रतिलिपि: क्षेत्रीय अधिकारी उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड बिजनौर को इस निर्देश के साथ की उक्त निर्देशों के क्रम उद्योग का निरीक्षण करते हुए ससमय निरीक्षण आख्या स्पष्ट संस्तुति सहित बोर्ड मुख्यालय प्रेषित करना सुनिश्चित करें।

मुख्य पर्यावरण अधिकारी,

वृत्त-7

टी. वी. - 12 वी, विभूति खण्ड
गोमतीनगर, लखनऊ-226010
दूरभाष-2720831, 2720828, 2720691, 2720681
फैक्स 0522-2720764 Fax: 0522-2720764 ई-मेल- info@uppcb.com
Web Site: www.uppcb.com

12 - V, Vibhuti Khand
Gomti Nagar, Lucknow - 226010
Phone: 2720831, 2720828, 2720691, 2720681
Email: info@uppcb.com वेबसाइट: www.uppcb.com

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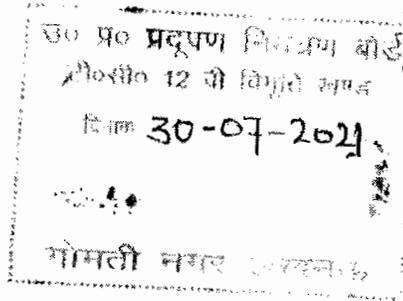
 **dhampur**

98

Ref. No. DSM/UPPCB/2021/203
Dated: 29/7/21

Dhampur Sugar Mills Limited
Unit: Dhampur
Dhampur, N. Rly. Dist. Bijnor (U.P.)
Pin Code: 246 761, GRAM: SUGARMILLS
Tel: 01344-220662, 220009, Fax: 220006
E-mail: corporateoffice@dhampur.com
Website: www.dhampur.com

The Chief Environment Officer,
Circle -7,
UP Pollution Control Board,
TC-12/B, Vibhuti Khand,
Gomti Nagar,
Lucknow



- Ref.1) Show Cause Notice H57219/C-7/water-105/2021 dated 12.01.2021
2) Our reply vide letter No. 19120 dated 08.02.2021.
3) UPPCB letter No. H63682/C-7/Water-105/Distillery/21 dated 20.07.2021

Dear Sir,

Kindly refer to the aforesaid Show Cause Notice dated 12.01.2021, our reply dated 08.02.2021 and to your letter dated 20.07.2021. It is submitted that vide letter dated 20.07.2021 the Board has imposed an Environmental Compensation of Rs. 65,70,000/- (Rupees Sixty five lakhs Seventy thousand only) and further directed us to deposit the same within 15 days. It is further stipulated in the letter dated 20.07.2021 that the decision on Show Cause Notice dated 12.01.2021 shall be taken after deposit of the aforesaid Environmental Compensation of Rs. 65,70,000.00 (Rupees Sixty five lakhs Seventy thousand only).

You would kindly appreciate that the deposit of Environmental Compensation before adjudication of the Show Cause Notice tentamounts to pre-deposit of the Environmental Compensation, which appears to be unreasonable and against the equity.

It is further submitted that the Environmental Compensation imposed vide your letter dated 20.07.2021 is for the period from 02.11.2020 to 09.06.2021 for a total of 219 days @ Rs. 30,000/-per day. The Environmental Compensation has been imposed on our Distillery Unit in respect of alleged pollution in Ikra Nala, whereas for the same allegation an Environmental Compensation of Rs. 35,40,000/- has been imposed on our Sugar Unit for the period from 02.02.2021 to 31.05.2021 for a total 118 days @ Rs. 30,000/- per day. The amount of Rs. 35,40,000/- has already been deposited by us vide UTR No. PUNBR52021072013052722 dated 20.07.2021.



CIN: L15249UP1933PLC000511
Corporate Office: 241, Okhla Industrial Estate, Phase-III, New Delhi-110 020
Tel.: +91-11-30659400, Fax: +91-11-26935697
Branch Office: 1/125, Vijay Khand, Gomti Nagar, Lucknow - 226 010, Tel.: +91-522-239243
Units: 1. Mansurpur, 2. Asmoli, 3. Rajpura, 4. Meerganj

It may kindly be observed that the period from 02.02.2021 to 31.05.2021 (118 days) stands included in the period from 02.11.2020 to 09.06.2021 (219 days). Therefore, for 118 days the Environmental Compensation has been imposed two times.

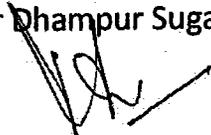
We would be grateful if we are provided an opportunity for personal hearing and to explain that our Distillery, the subject matter of SCN dated 12.01.2021 and your letter dated 20.07.2021, is ZLD compliant unit. The ZLD compliant status is confirmed and verified by the UPPCB and CPCB in their Joint Inspection Report submitted before Hon'ble NGT.

We would therefore request you to kindly reconsider proposed Environmental Compensation of Rs. 65,70,000/- (Rupees Sixty Five lakhs Seventy thousand only) and grant us an opportunity for personal hearing before taking the final decision in the matter.

We would be extremely grateful for your equitable order.

Thanking you,

Yours faithfully,
For Dhampur Sugar Mills Ltd.,


AUTHORISED SIGNATORY



भारत सरकार
जल शक्ति मंत्रालय
जल संसाधन, नदी विकास
और गंगा संरक्षण विभाग
केन्द्रीय भूमि जल प्राधिकरण
Government of India
Ministry of Jal Shakti
Department of Water Resources,
River Development & Ganga Rejuvenation
Central Ground Water Authority

(भूजल निकासी हेतु अनापत्ति प्रमाण पत्र)

NO OBJECTION CERTIFICATE (NOC) FOR GROUND WATER ABSTRACTION

Project Name:	M/s Dhampur Sugar Mills Ltd.		
Project Address:	M/s Dhampur Sugar Mills Ltd.		
Town:	Alhaipur (CT)	Block:	Dhampur
District:	Bijno	State:	Uttar Pradesh
Pin Code:	246761		
Communication Address:	M/s Dhampur Sugar Mills Ltd.(Distillery Division), Dhampur, Bijnor, Uttar Pradesh - 246761		
Address of CGWB Regional Office :	Central Ground Water Board Northern Region, Bhujal Bhavan, Sector-B Sitapur Road Yojna, Ram Bank Chauraha, Lucknow, Uttar Pradesh - 226021		

1. NOC No.:	CGWA/NOC/IND/REN/2/2020/5654									
2. Application No.:	21-4/87/UP/IND/2007			3. Category:	Industry					
4. Project Status:	Existing Project			5. NOC Type:	2nd Renewal					
6. Valid from:	08/04/2019			7. Valid up to:	06/04/2024					
8. Ground Water Abstraction Permitted:										
	Fresh Water		Saline Water		Dewatering		Total			
	m ³ /day	m ³ /year	m ³ /day	m ³ /year	m ³ /day	m ³ /year	m ³ /day m ³ /year			
	2400.00	648000.00					2400.00 648000.00			
9. Details of ground water abstraction /Dewatering structures										
	Total Existing No.:2					Total Proposed No.:0				
	DW	DCB	BW	TW	MP	DW	DCB	BW	TW	MP
Abstraction Structure*	0	0	0	2	0	0	0	0	0	0
*DW- Dug Well; DCB-Dug-cum-Bore Well; BW-Bore Well; TW-Tube Well; MP-Mine Pit										
10. Quantum of ground water recharge/harvesting(m ³ /year):	268584.00									
11. Number of Piezometers (Observation wells) to be constructed/ monitored & Monitoring mechanism.	No. of Piezometers		Monitoring Mechanism							
			Manual		DWLR**		DWLR With Telemetry			
**DWLR - Digital Water Level Recorder	2		0		1		1			

(Compliance Conditions given overleaf)

Digitally signed by
NANDAKUMARAN P
Date: 2020.03.23 11:51:00 +05'30'

सदस्य (केन्द्रीय भूमि जल प्राधिकरण)
Member (CGWA)

18/11, जामनगर हाउस, मानसिंह रोड, नई दिल्ली - 110011 / 18/11, Jamnagar House, Mansingh Road, New Delhi-110011

Phone: (011) 23383561 Fax: 23382051, 23386743
Website: cgwa-noc.gov.in

पानी बचाये - जीवन बचाये
SAVE WATER - SAVE LIFE

Validity of this NOC shall be subject to compliance of the following mandatory conditions:

1. No additional ground water abstraction and/or de-watering structures shall be constructed for this purpose without prior approval of the Central Ground Water Authority (CGWA).
2. The proponent shall seek prior permission from CGWA for any increase in quantum of groundwater abstraction (more than that permitted in NOC for specific period).
3. All new as well as existing ground water abstraction/ de-watering structures shall be fitted with digital water flow meters by the firm at its own cost immediately on completion of their construction or grant of NOC as the case may be. In case of renewal of NOCs, all existing ground water abstraction structures shall continue to be fitted with digital water flow meters. Intimation of installation of flow meters shall be sent by the proponent to the Regional Director of CGWB within 6 months of grant of NOC. Daily ground water abstraction data shall be monitored / continue to be monitored (in case of renewal) by the firm and recorded in a log book. Details of month-wise ground water abstraction shall be submitted to the Regional Director, CGWB, once every year.
4. In case the ground water abstraction is more than 10 m³/day, monthly water level monitoring data shall be maintained and submitted annually to the Regional Office of CGWB. Wherever groundwater withdrawal is more than 500 m³/day, the firm shall install telemetry system in one of the piezometers and share USER ID and password of the telemetry system with the Regional Director, CGWB.
5. In case ground water abstraction is more than 10 m³/day, ground water quality shall be monitored once in a year (during pre- monsoon period) and the report submitted to the Regional Office, CGWB. Wherever the extraction is less than 10 m³/day, ground water quality report shall be submitted by the proponent at the time of submission of self-compliance report.
6. Ground water augmentation/harvesting measures, as stipulated in the NOC, shall be implemented (in new cases) / continue to be maintained (in case of renewal) in consultation with the concerned Regional Director, CGWB.
7. Proof of recharge/water harvesting structures constructed (photographs of structures) shall be submitted to the concerned Regional Director, CGWB within 6 months from the date of issue of NOC. The firm shall also undertake periodic maintenance of recharge/water harvesting structures at its own cost.
8. The project proponent shall take all necessary measures to prevent contamination of ground water in the premises failing which the firm shall be responsible for any consequences arising thereupon.
9. In case of industries that are likely to contaminate the ground water, no recharge measures shall be taken up by the firm inside the plant premises. The runoff generated from the rooftop shall be stored and put to beneficial use by the firm.
10. The firm shall optimize water use through recycling/ reuse of waste water after proper treatment.
11. Wherever the NOC is for abstraction of saline water and the existing wells (s) is /are yielding fresh water, the same shall be sealed and new tubewell(s) tapping saline water zone shall be constructed within 3 months of the issuance of NOC. The firm shall also ensure safe disposal of saline residue, if any.
12. In case of mining projects, additional key wells shall be established in consultation with the Regional Director, CGWB for ground water level monitoring four (4) times a year (January, May, August and November) in core as well as buffer zones of the mine.
13. Unexpected variations in inflow of ground water into the mine pit, if any, shall be reported to the concerned Regional Director, Central Ground Water Board.
14. The firm shall report compliance of the NOC conditions online in the website (www.cgwa-noc.gov.in) within one year from the date of issue of this NOC.
15. This NOC is subject to prevailing Central/State Government rules/laws/norms or Court orders related to construction of tube well/ground water abstraction structure / recharge or conservation structure/discharge of effluents or any such matter as applicable.
16. This NOC does not absolve the proponents of their obligation / requirement to obtain other statutory and administrative clearances from appropriate authorities.
17. The issue of this NOC does not imply that other statutory / administrative clearances shall be granted to the project by the concerned authorities. Such authorities would consider the project on merits and take decisions independently of the NOC.
18. This NOC is being issued without any prejudice to the directions of the Hon'ble NGT/court orders in cases related to ground water or any other related matters.
19. Application for renewal can be submitted online from 90 days before the expiry of NOC. Ground water withdrawal, if any, after expiry of NOC shall be illegal & liable for legal action as per provisions of Environment(Protection)Act, 1986.
20. **In case of any violation of NOC conditions or illegal extraction of Ground water the firm shall be liable to pay "Environmental Compensation"/ "Penalty", if any under Sec 15 of EPA 1986 as and when decided by statutory authorities.**

(Non-compliance of the conditions mentioned above is likely to result in the cancellation of NOC and legal action against the proponent.)



GROUND WATER DEPARTMENT
(Namami Gange & Rural Water Supply Department)
Ministry of Jal Shakti
Government of Uttar Pradesh



Form 3 (B)
(Commercial or Industrial or Infrastructural or Bulk user having N.O.C. issued by Central Ground Water Authority or by Ground Water Department)

[See Rule 8(2)]

Certificate of Registration of Existing/New Well

{UIS10(1) of the Uttar Pradesh Ground Water Management and Regulation Act, 2019}

Registration No.: 202104000250

Name of the Owner	ARUN KUMAR		
Designation पद	MANAGER	Company Name कंपनी का नाम	DHAMPUR SUGAR MILLS LTD DISTILLERY DIVISION
Company Address कंपनी का पता	Dhampur Sugar Mills Ltd Dhampur Distt Bijnor, 2467	Authorization Letter प्राधिकार पत्र	Download
Address of the Applicant	Dhampur Sugar Mills Ltd Dhampur Bijnor	Application Form Serial No.	BJNR0421RIN0028
Date of Submission	22/04/2021	Specimen Signature	
Location Particulars			
District	Bijnor	Block	ALHEPUR
Plot No./Khasra No.	Existing premises khasra detail attached	Municipality/Corporation	NA
Ward No./Holding No.			NA
Particular of the Existing Well and Pumping Device			
Date of Construction/Sinking of the Well	01/04/2007		
Type of Well	Tube Well/Boring	Depth of the Well (In meter)	130.62
Purpose of well	Industrial	Assembly Size (For Tube Well)	
Strainer Position (For Tube Well)			
Type of Pump Used	Submersible	H.P. of the Pump	50.00
Operational Device	Electric Motor	Rate of Withdrawal (m3/hr.)	120.00
Date of Energization (In Case of Electric Pump)			01/04/2007

This certificate of registration is issued on the basis of the information furnished by the applicant subject to the conditions stated overleaf.

Place:

Date:

Yours Faithfully,
Signature of the Issuing Authority
and Designation

Conditions

103

5/3/2021

NOC Application Form

1. For the purpose of measuring and recording the quantity of ground water extracted, every said user shall affix water meters, which record rate and quantum of extraction, at outlet of pumping devices and it shall be presumed that the quantity recorded by the meter has been extracted by the said user, until the contrary is proved. The rate of extraction of ground water from the well as shown in item 3(k) shall not exceed to the recorded rate from water meters.
2. The District Ground Water Management Council reserves the right to stop extraction of ground water from the well due to quality hazards or any other reasons, if the situation so demands.
3. In case of any change of ownership of the existing well, fresh registration has to be obtained.
4. No change of location, design, rate of withdrawal and pumping device in respect of the existing well as indicated at SI. (2) and (3) of this certificate shall be made without prior permission of the District Ground Water Management Council. Any deviation in this regard shall lead to cancellation of this registration.
5. In case, any of the particulars / information furnished by the applicant in his application for issuance of this registration is found to be incorrect during verification at any subsequent stage, this registration is liable for cancellation.
6. Construction of piezometers and installation of digital water level recorders with telemetry shall be mandatory for user. Depth and zone tapped of piezometer should be commensurate with that of the pumping well. The data, obtained from digital water level recorders shall be made available to this office on monthly basis.
7. **Guidelines for Installation of Piezometers and their Monitoring**

Piezometer is a borewell / tubewell used only for measuring the water level by lowering the tape/ sounder or automatic water level measuring equipment. It is also used to take water sample for water quality testing whenever needed. General guidelines for installation of piezometers are as follows:

- o The piezometer is to be installed/constructed at the minimum of 50 m distance from the pumping well through which ground water is being withdrawn. The diameter of the piezometer should be about 4" to 6".
 - o The depth of the piezometer should be same as is case of the pumping well from which ground water is being abstracted. If, more than one piezometers are installed the second piezometer should monitor the shallow ground water regime. It will facilitate shallow as well as deeper ground water aquifer monitoring.
 - o The measuring frequency should be monthly and accuracy of measurement should be up to cm. the reported measurement should be given in meter upto two decimal.
 - o For measurement of water level sounder or automatic water level recorder (AWLR)/ Digital Automatic water level recorder (DWLR) with telemetry system should be used for accuracy.
 - o The measurement of water level in piezometer should be taken, only after the pumping from the surrounding tube wells has been stopped for about four to six hours.
 - o All the details regarding coordinates, reduced level (with respect to mean level), depth, zone taped and assembly lowered should be provided for bringing the piezometer into the Hydrograph Monitoring System for Ground Water Department, Uttar Pradesh, and for its validation.
 - o The ground water quality has to be monitored twice in a year during pre-monsoon (May/June) and post-monsoon (October/November) periods. Quality may be got analyzed from NABL approved lab. Besides, one sample (1 lt capacity bottle) to the concerned Director, Ground Water Department, Uttar Pradesh, for chemical analysis.
 - o A Permanent display board should be installed at piezometer/Tube wells site for providing the location, piezometer/ tube well number, depth and zone tapped of piezometer/tube well for standard referencing and identification.
 - o Any other site specific requirement regarding safety and access for measurement may be taken care off.
8. Any other condition(s) that may be imposed by the District Ground Water Management Council.



GROUND WATER DEPARTMENT
(Namami Gange & Rural Water Supply Department)
Ministry of Jal Shakti
Government of Uttar Pradesh



Form 3 (B)
(Commercial or Industrial or Infrastructural or Bulk user having N.O.C. issued by Central Ground Water Authority or by Ground Water Department)

[See Rule 8(2)]

Certificate of Registration of Existing/New Well

{UIS10(1) of the Uttar Pradesh Ground Water Management and Regulation Act, 2019}

Registration No.: 202104000251

Name of the Owner	ARUN KUMAR		
Designation पद	MANAGER	Company Name कंपनी का नाम	DHAMPUR SUGAR MILLS LTD DISTILLERY DIVISION
Company Address कंपनी का पता	Dhampur Sugar Mills Ltd Dhampur Distt Bijnor, 2467	Authorization Letter प्राधिकार पत्र	Download
Address of the Applicant	Dhampur Sugar Mills Ltd Dhampur Bijnor	Application Form Serial No.	BJNR0421RIN0029
Date of Submission	22/04/2021	Specimen Signature	
Location Particulars			
District	Bijnor	Block	ALHEPUR
Plot No./Khasra No.	Existing premises khasra detail attached	Municipality/Corporation	NA
Ward No./Holding No.			NA
Particular of the Existing Well and Pumping Device			
Date of Construction/Sinking of the Well	01/04/2007		
Type of Well	Tube Well/Boring	Depth of the Well (In meter)	103.62
Purpose of well	Industrial	Assembly Size(For Tube Well)	
Strainer Position (For Tube Well)			
Type of Pump Used	Submersible	H.P. of the Pump	50.00
Operational Device	Electric Motor	Rate of Withdrawal (m ³ /hr.)	20.00
Date of Energization (In Case of Electric Pump)	01/04/2007		

This certificate of registration is issued on the basis of the information furnished by the applicant subject to the conditions stated overleaf.

Place:

Date:

Yours Faithfully,
Signature of the Issuing Authority
and Designation

Conditions

1. For the purpose of measuring and recording the quantity of ground water extracted every said user shall affix water meters, which record rate and quantum of extraction, at outlet of pumping devices and it shall be presumed that the quantity recorded by the meter has been extracted by the said user, until the contrary is proved. The rate of extraction of ground water from the well as shown in item 3(k) shall not exceed to the recorded rate from water meters.
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3. In case of any change of ownership of the existing well, fresh registration has to be obtained.
4. No change of location, design, rate of withdrawal and pumping device in respect of the existing well as indicated at Sl. (2) and (3) of this certificate shall be made without prior permission of the District Ground Water Management Council. Any deviation in this regard shall lead to cancellation of this registration.
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 - All the details regarding coordinates, reduced level (with respect to mean level), depth, zone tapped and assembly lowered should be provided for bringing the piezometer into the Hydrograph Monitoring System for Ground Water Department, Uttar Pradesh, and for its validation.
 - The ground water quality has to be monitored twice in a year during pre-monsoon (May/June) and post-monsoon (October/November) periods. Quality may be got analyzed from NABL approved lab. Besides, one sample (1 lt capacity bottle) to the concerned Director, Ground Water Department, Uttar Pradesh, for chemical analysis.
 - A Permanent display board should be installed at piezometer/Tube wells site for providing the location, piezometer/ tube well number, depth and zone tapped of piezometer/tube well for standard referencing and identification.
 - Any other site specific requirement regarding safety and access for measurement may be taken care off.
8. Any other condition(s) that may be imposed by the District Ground Water Management Council.

Speed Post

B-190198/WQM-II(RG)/CPCB/Sugar/14/2016-17 2458

12.06.2019
14

To,

M/s Dhampur Sugar Mills (DSM) Ltd.,
(Formerly J.K. Sugar Limited),
Sindhauli Road, Meerganj,
Bareilly, U.P.-243504

**DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986-
NOTICE THEREOF**

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

WHEREAS, the Ministry of Environment & Forests, Govt. of India, vide notification S.O.157(E) of 27.02.1996 has delegated powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board (CPCB), to issue direction to any industry, Municipal Corporation, Municipal Council, Cantonment Board to any local or other Authority for the violation of emission and effluent standards notified under the Environment (Protection) Rules, 1986; and

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

WHEREAS, M/s Dhampur Sugar Mills (DSM) Ltd., (Formerly J.K. Sugar Limited), Sindhauli Road, Meerganj, Bareilly, U.P. (hereinafter referred as 'the Unit') is involved in the process of sugar manufacturing from crushing of cane; and

WHEREAS, the unit (M/s Dhampur Sugar Mills Ltd., (Formerly J.K. Sugar Limited), Sindhauli Road, Meerganj, Bareilly, U.P.) was inspected on 25.01.2018 by officials from CPCB, Delhi and following observations were made;

1. During the inspection, ETP was operational.
2. The Unit has applied for valid consent of Water Act & Air Act.
3. The analysis of treated effluent sample showed pH-7.06 as against norms of 5.5-9.0, **BOD-31.2 mg/l** against norms of 30 mg/l, COD- 112 mg/l against norms of 250 mg/l and **TSS-111 mg/l**, against norms of 30 mg/l at the outlet of ETP which indicates non-compliance w.r.t. BOD & TSS norms prescribed under Environment (Protection) Rules, 1986.
4. The MLSS concentration in the aeration tank was very low i.e. **684 mg/l**.
5. The Unit has submitted the irrigation management plan.
6. Leakage was observed from syrup pumps, sulphide used pumps, magma pumps, condensate pumps etc.

(MM)

o/c

7. The Unit has not submitted the revalidated ETP adequacy assessment report within 45 days to CPCB.

WHEREAS, CPCB issued Show Cause Notice under Section 5 of the Environment (Protection) Act, 1986 dated 15.03.2018 for non-compliance of stipulated standards; and

WHEREAS, the unit submitted the revalidated adequacy assessment reports and irrigation management plan validated by NSI, Kanpur vide letter dt. 15.06.2018; and

WHEREAS, CPCB through an Expert Committee comprising of experts from National Sugar Institute (NSI), Kanpur, Vasantdada Sugar Institute (VSI), IITs and representatives from sugar mills prepared a Charter for Water Recycling and Pollution Prevention (thereafter referred to as the Charter); and

WHEREAS, a meeting of sugar mills operating in Uttar Pradesh, representatives of UPPCB and CPCB was held on 06.07.2018 under Chairmanship of Principal Secretary, Sugar Industries and Sugarcane Development, Government of Uttar Pradesh and the following decisions were made:

1. Sugar Mills shall submit an action plan to CPCB by 20.07.2018 regarding the steps taken by them pertaining to the notices issued to them. Also they shall submit action plan to implement recommendations of their adequacy assessment report.
2. All sugar mills shall ensure implementation of Charter and shall submit action plan to CPCB by 20.08.2018.
3. All sugar mills shall ensure the upgradation of their ETP within August, 2018 so as to ensure no interruption in functioning of the ETP in the following seasons.
4. All sugar mills shall maintain a logbook on ETP operations on a daily basis.
5. ETP shall be operational at all times and all bypass arrangements should be dismantled with immediate effect.
6. MLSS in aeration tanks should be maintained at 2000-2500 mg/l.
7. All sugar units shall set up environmental laboratories for regular analysis of raw and treated effluent thereby ensuring proper functioning of the ETP.
8. All sugar mills shall employ dedicated technicians for operating and regular maintenance of ETP and shall also ensure that the technicians are given proper training on ETP maintenance and lab analysis on regular basis.
9. To ensure proper training of the environmental technicians all sugar mills shall facilitate training of 5 employees.
10. All sugar mills may establish an Environment Management Cell at their level consisting of concerned officials in order to ensure compliance with environmental standards at industry level itself.

WHEREAS, the unit vide letter dated 09.04.2018 submitted their compliance status of the Charter; and

WHEREAS, CPCB issued direction dated 26.10.2018 under section 5 of the Environment (Protection) Act, 1986 to the unit to comply with the following directions before commencement of crushing season 2018-2019;

1. The unit shall implement the observation & recommendation of the revalidated adequacy assessment of ETP.

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It is evident that the aeration tank of ETP system is not properly stabilised due to poor operation and maintenance of ETP system and there is possibility of dilution of ETP system.

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 hereby served to the unit (M/s Dhampur Sugar Mills (DSM) Ltd., U.P) to Show cause, why the unit should not be closed down until all the necessary pollution control measures are planned and implemented so as to comply with the prescribed effluent discharge standards notified under Environment (Protection) Act, 1986 to satisfaction of CPCB.

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

(S.P. SINGH PARIHAR)
CHAIRMAN
13/6/19

Copy to:

1. **Principal Secretary**
Sugar Industry and Cane Development Department, "G"
Block 2/3, Mantri Wing 4th Floor Bapu Bhawan Vidhan
Sabha Marg Lucknow - 226 001
2. **Member Secretary**
Uttar Pradesh Pollution Control Board,
Building No. TC-12V, Vibhuthi Khand,
Gomti Nagar, Lucknow - 226 010
3. **Joint Secretary (CP Division)**
Ministry of Environment, Forest & C.C
Prithvi Block, Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi - 110 003
4. **District Magistrate**
Bareilly, U.P.
5. **Regional Directorate**
Regional Director
Central Pollution Control Board, PICUP Bhawan, Ground
Floor, Vibhuthi Khand, Gomti Nagar,
Lucknow - 226 010
6. In-charge, IT Division, CPCB
7. Master file/Guard file WQM II, CPCB Delhi

: With request to ensure compliance of the directions.

: For kind information, please.

: For kind information, please.

: For kind information, please.

: For follow up and ensuring compliance

(PRASHANT GARGAVA)
MEMBER SECRETARY

Prashant

CM)

M/s Dhampur Sugar Mills, Meerut, U.P.

o/c

Ref. No- DSM/MRG/CPCB/19-20/ 70-71
Dated: 25.06.2019

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dhampur
DSM SUGAR MEERGANJ
(A unit of Dhampur Sugar Mills Limited)
Sindhauri Road, MeerGANj,
Bareilly, U.P., 243 504
Tel. : +91-9897099847
E-mail: dsmmeerganj@dhampur.com
Website: www.dhampur.com

The Chairman,
Central Pollution Control Board,
Parivesh Bhawan,
CBD-cum-Office Complex,
East Arjun Nagar,
DELHI - 110 032

Sub: Directions under Section 5 of the Environment (Protection) Act, 1986 – Notice thereof.

Dear Sir,

Kindly refer to your letter no. B-190198/WQM-II (RG)/CPCB/Sugar/14/2016-17/2458 dated 12/14-06-2019 received by us on 24.06.2019.

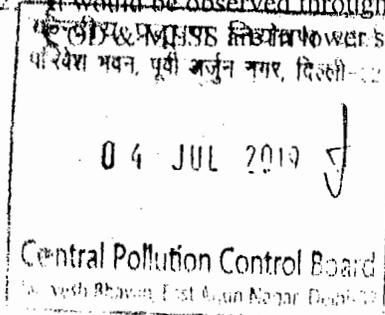
The Unit was inspected on 28.03.2019 by the Officials of CPCB and following observations were made as mentioned in the notice under reference:

- 1) "During the inspection, ETP was operational.
- 2) Analysis of treated effluent sample from ETP outlet showed pH-7.40 against the norms of 5.5-8.5, BOD - BDL mg/l against norms of 100 mg/l, COD-10.9 mg/l against norms of 250 mg/l. TDS-452 mg/l against norms of 2100 mg/l and TSS-27.4 mg/l against norms of 100mg/l. However, MLSS in aeration tank was 1291 mg/l which indicates that the aeration tank was un stabilized. Further, significant reduction of BOD (100 %), COD (99.93%), TSS (98.1 %) along with low MLSS level indicate that the ETP system was diluted.
- 3) Analysis of treated effluent sample from lagoon showed pH-7.52 against the norms of 5.5-8.5, BOD-BDL mg/l against norms of 100 mg/l, COD-8 mg/l against norms of 250 mg/l, TDS-465 mg/l against norms of 2100 mg/l and TSS-54.4 mg/l against norms of 100mg/l.
- 4) BOD level is below detection limit at different treatment operations. It seems that unit has diluted ETP system at different stages.
- 5) As reported by unit representative, the boiler ash and press mud are provided to local farmers for blending in their agricultural field/ land filling. But the unit was unable to provide any documentary evidence for the same.
- 6) The flow observed at the ETP outlet is equal to that at the ETP inlet even though the spray pond treated effluent is also being discharged into the ETP.

It is evident that the aeration tank of ETP system is not properly stabilized due to poor operation and maintenance of ETP system and there is possibility of dilution of ETP system.

We would like to submit that we have complied all the directions issued time to time by CPCB and our effluent treatment plant is adequate (duly validated by NSI, Kanpur in December, 2018) to handle effluent generated and we wish to submit our point wise explanation as appended:-

1. The ETP was operational on the date of inspection i.e. 28.03.2019.
2. It would be observed through analysis report that pH, TDS, TSS are within norms however, BOD, COD & MLSS is above the norms. We are unable to understand reason behind the same.



Contd....2

CIN : L15249UP1934PL000511
Corporate Office: 241, Okhla Industrial Estate, Phase-III, New Delhi-110 020
Tel.: +91-11-30659400, Fax: 91-11-26935697
E-mail : corporateoffice@dhampur.com, investordesk@dhampur.com
Regd. Office : Dhampur, Distt. Bijnor, U.P. 246 761
Branch Office: 1/125, Vijay Khand, Gomti Nagar, Lucknow-226 010, Tel.: +91 522 239243
Sugar Units : 1. Dhampur, 2. Mansurpur, 3. Asmoli, 4. Rajpura, 5. MeerGANj
Distillery : Asmoli & Dhampur

During the season 2018-19 the plant was inspected several times by UPPCB, National Sugar Institute. The details of results are as under:

TEST LAB	DATE	PARAMETERS			
		pH	BOD (mg/l)	COD (mg/l)	TSS (mg/l)
National Sugar Institute Kanpur	27.12.2018 TO 29.12.2018	7.55	24	100	86
Newcon Consultants & Laboratories NABL ISO/IEC Recognised with MOEFCC & UPPCB	24.01.2019	7.32	26	147	27
U.P. Pollution Control Board	30.01.2019	7.50	22	112	24
U.P. Pollution Control Board	07.02.2019	7.68	20	160	19
U.P. Pollution Control Board	15.02.2019	7.69	20	184	22
U.P. Pollution Control Board	20.02.2019	7.22	21	176	22
U.P. Pollution Control Board	27.02.2019	7.25	19	120	23
U.P. Pollution Control Board	04.03.2019	7.40	23	112	27

The team of JAMIA UNIVERSITY DELHI has also visited three times (27.12.2018, 23.01.2019 & 09.02.2019) on behalf of your good office and collected the samples. Till date, we have not received any adverse report from them.

We are also analysing the treated water in our site lab, the date of sampling our lab results are within range with MLSS 3500 mg/l.

We are also attaching herewith copy of our log book sheets of date closure to the date of inspection and copy of the Analysis Reports by UPPCB, NABL Lab for your kind perusal please as **Annexure 01**.

3. We have stored treated water in lagoon having capacity of 5000 m³ at the time of sampling the level of lagoon was around 60-65%.

The same analytical variance was found in lagoon water as found in treated effluent water. Our replies are same as per S.No.2 (given above).

4. We have cross checked our ETP and not found anywhere the possibility of dilution of effluent. However, we will thoroughly recheck the system during repair and maintenance in off-season.
5. We are mixing boiler ash with press mud and distributing to the farmer to use as Manure in their field after being drenched in water in rains free of cost as part of our Cane development plan. From December, 2018 to June, 2019 we have distributed about 187572 qtl. of the said Manure to about 2743 farmers. Some of the sample reports are attached herewith for your ready reference please as **Annexure 02**.

Contd...3

CIN : L15249UP1933PL000511

Corporate Office: 241, Okhla Industrial Estate, Phase-III, New Delhi-110 020

Tel.: +91-11-30659400, Fax: 91-11-26935697

E-mail : corporateoffice@dhampur.com, investordesk@dhampur.com

Regd. Office : Dhampur, Distt. Bijnor, U.P. 246 761

Branch Office: 1/125, Vijay Khand, Gomti Nagar, Lucknow-226 010, Tel.: +91-522-239243

Sugar Units : 1. Dhampur, 2. Mansurpur, 3. Asmoli, 4. Rajpura, 5. Meeraganj

Distillery : Asmoli & Dhampur



DSM SUGAR MEERGANJ

(A unit of Dhampur Sugar Mills Limited)

Sindhauri Road, MeerGANJ,
Bareilly, U.P., 243 504

Tel. : +91-9897099847

E-mail: dsmmeerganj@dhampur.com

Website: www.dhampur.com

-3-

6. We agree with your observation that the ETP outlet flow is equal to ETP inlet flow, even though the spray pond treated effluent is also discharged into the ETP. We would like to draw your kind attention that our treated spray water is discharged in equalization tank and ETP inlet flow meter installed in between equalization tank & primary clarifier so ETP inlet flow includes spray treated water.

We are confident that your goodself will be satisfied with our explanation. It would be appreciated that we have invested about Rs.170 lac in last two years to augment the ETP including Online Continuous Operating System.

We would also like to assure the Board that we are committed to maintain a clean environment and to operate our ETP efficiently. We have been taking all possible steps to ensure compliance of various directions issued either by CPCB or UPPCB.

It is humbly submitted that in view of the aforesaid facts and our explanation the instant Show Cause Notice may kindly be withdrawn and the reply be taken on record.

Thanking you.

Yours faithfully,

FOR DSM SUGAR MEERGANJ
(A Unit of Dhampur Sugar Mills Ltd.)

(Authorized Signatory)

Encl: As above

Copy to-

1. **The Principal Secretary :**
Sugar Industry and Cane Development Department, "G" 2/3, Mantri Wing 4th Floor Babu Bhawan Vidhan Sabha Marg Lucknow - 226 001.
2. **The Member Secretary :**
Uttar Pradesh Pollution Control Board, Building No. TC-12V, Vibhuthi Khand, Gomti Nagar, Lucknow — 226 010.
3. **The Joint Secretary (CP Division) :** Ministry of Environment, Forest & C.C Prithvi Block, Indira Paryavaran Bhawan, Jorbagh Road, New Delhi — 110 003
4. **The District Magistrate:** Bareilly, U.P.
5. **The Regional Directorate:** Regional Director Central Pollution Control Board, PICUP Bhawan, Ground Floor, Vibhuthi khand, Gomti Nagar Lucknow- 226010.
6. **In-Charge, IT Divison , CPCB**
7. **The Regional Officer:** Uttar Pradesh Pollution Control Board, Rajendra Nagar, Bareilly, U.P..

CIN : L15249UP1933PLC000511

Corporate Office: 241, Okhla Industrial Estate, Phase-III, New Delhi 110 020

Tel.: +91-11-30659400, Fax: 91-11-26935697

E-mail : corporateoffice@dhampur.com, investordesks@dhampur.com

Regd. Office : Dhampur, Distt. Bijnor, U.P. 246 761

Branch Office: 1/125, Vijay Khand, Gomti Nagar, Lucknow-226 010, Tel.: +91-522 239243

Sugar Units : 1. Dhampur, 2. Mansurpur, 3. Asmoli, 4. Rajpura, 5. MeerGANJ

Distillery : Asmoli & Dhampur

13	ETP Analysis (performance parameters), average value	As per record	As per sample taken during the visit
A	ETP Inlet		
	a. Effluent flow rate (m ³ /hr)	36.82 (177.27 liter/ton of cane)	--
	b. Sulphur (mg/L)	--	495
	c. pH	6.50	4.85
	d. COD (mg/L)	1950	1750
	e. BOD (mg/L)	--	700
	f. TSS (mg/L)	80	635
	g. TDS (mg/L)	1150	925
B	ETP Outlet		
	a. Treated effluent flow rate(m ³ /hr)	36.55 (175.97 liter /ton of cane)	Details of OCEMS data attached as Annexure-8(A).
	b. Sulphur (mg/L)	--	125

National Sugar Institute, Kanpur.

Page 6

ETP validation , Season 2018-19 | 2018

c. pH	7.50	7.55
d. COD (mg/L)	114	100
e. BOD (mg/L)	19.50	24
f. TSS (mg/L)	18.5	86
g. TDS (mg/L)	590	414



Newcon Consultants & Laboratories

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Reg. No. R191/7381

TEST CERTIFICATE

WASTE WATER SAMPLE ANALYSIS REPORT

Page 1 Of 1

TEST REPORT NO : NCL/DSMM/012/28/01/2019

DATE OF REPORT : 31/01/2019

Name And Address Of Customer

DSM SUGAR MEERGANJ

UNIT :- MEERGANJ, SINDHAULI ROAD, MEERGANJ, ,DISTT
BAREILLY,(UP), INDIA

SAMPLING DETAILS

Analysis Start Date	28/01/2019	Analysis End Date	31/01/2019
Date of Sampling	24/01/2019	Sampling ID No.	012/28/01/2019
Time of Sampling	11:50		
Sampling Done By	NCL		
Sampling Location	ETP OUTLET		
Sampling Description	EFFLUENT WATER AFTER TREATMENT		
Sampling Protocol	IS:3025(Part-I)	Sampling Quantity	TWO LI
Packing Condition	Sealed	Packed In	Glass Bottle

TEST RESULT

S.No.	Parameter	Unit	Protocol	Result	Standards:(CPCB) (Max)	
					Inland Surface Water	Public Sewer
1	pH	--	APHA-4500(H+B)	7.32	5.5-9.0	5.5-9.0
2	Bio Chemical Oxygen Demand (3 days at 27°C)	mg/L	APHA-5210 (B)	26	30	350
3	Chemical Oxygen Demand (COD)	mg/L	APHA-5220 (B)	147	250	Not Specified
4	Oil & Grease	mg/L	APHA-5520	2.5	10	20
5	S.S (Total Suspended Solids)	mg/L	APHA-2540 (H+B)	27	30 (For Sugar Mills)	600

STANDARD LIMIT FOR TSS IN TREATED WATER IS 30 mg/L.

**** End Of Report****



FOR NEWCON CONSULTANTS & LABORATORIES

INTEKHAB KHAN
CHECKED BY

PREPARED BY

AUTHORIZED SIGNATORY

NOTE: 1. This report is valid only for the test parameters only. Endorsement of the same is neither inferred nor implied. 2. All disputes subject to GHAZIABAD JURISDICTION. 3. The Report shall not be reproduced except in full without the permission of CHIEF ANALYST. 4. Our liability is limited to invoiced value only

Laboratory : 8th K.M. Stone, NH-58, Delhi Meerut Road, Merta (Opp. Manan Dham Mandir) GHAZIABAD - 201 003 (U.P.)

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उप प्रदूषण नियन्त्रण बोर्ड

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क्षेत्रीय कार्यालय: 1219/1, ई-ब्लॉक राजेन्द्र नगर
बरेली-243122

U. P. POLLUTION CONTROL BOARD

Regional Office: 1219/1 E-Block, Rajendra Nagar, Bareilly-243 122

ANALYSIS REPORT OF EFFLUENT SAMPLE

1.	Name & Address of Industry / Drain	M/S D.S.M. Sugar Meerganj, Bareilly	
2.	Date of Sample Collection	30/01/2019	
3.	Details of Sampling Point	Final Outlet of ETP	
4.	Sample Collected By	Mr. Bipin Kandpal (S.A.)	
5.	Date of Analysis Completion	06/02/2019	
PARAMETER ANALYSED		ANALYSIS RESULT	STANDARDS
A. PHYSICAL PARAMETER			
1.	Colour	Colourless	Colourless
2.	Odour	Odourless	Odourless
B. CHEMICAL PARAMETER			
1.	pH	7.50	6.5-8.5
2.	Suspended Solids(mg/L)	24.0	30.0
3.	Total Dissolved Solid(mg/L)	518.0	--
4.	BOD (mg/L)	22.0	30.0
5.	COD (mg/L)	112.0	250.0
6.	Oil and Grease (mg/L)	6.0	10.0

Note: All values are in mg/l except pH or stated otherwise.


Scientific Asstt.


Regional Officer

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बरेली-243122

U. P. POLLUTION CONTROL BOARD

Regional Office: 1219/1 E-Block, Rajendra Nagar, Bareilly-243 122

ANALYSIS REPORT OF EFFLUENT SAMPLE

1.	Name & Address of Industry / Drain	M/S D.S.M. Sugar Meerganj, Bareilly	
2.	Date of Sample Collection	07/02/2019	
3.	Details of Sampling Point	Final Outlet of ETP	
4.	Sample Collected By	Mr. Bipin Kandpal (S.A.)	
5.	Sample Code	-	
6.	Date of Analysis Completion	12/02/2019	
PARAMETER ANALYSED			
	A. PHYSICAL PARAMETER	ANALYSIS RESULT	STANDARDS
	1. Colour	Colourless	Colourless
	2. Odour	Odourless	Odourless
B. CHEMICAL PARAMETER			
	1. pH	7.68	
	2. Suspended Solids(mg/L)	19.0	6.5-8.5
	3. Total Dissolved Solid(mg/L)	502.0	30.0
	4. BOD (mg/L)	20.0	--
	5. COD (mg/L)	160.0	30.0
	6. Oil and Grease (mg/L)	4.0	250.0
			10.0

Note: All values are in mg/l except pH or stated otherwise.

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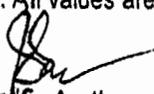
U. P. POLLUTION CONTROL BOARD

Regional Office: 1219/1 E-Block, Rajendra Nagar, Bareilly-243 122

ANALYSIS REPORT OF EFFLUENT SAMPLE

1.	Name & Address of Industry / Drain	M/S D.S.M. Sugar Meerganj, Bareilly	
2.	Date of Sample Collection	15/02/2019	
3.	Details of Sampling Point	Final Outlet of ETP	
4.	Sample Collected By	Mr. Bipin Kandpal (S.A.)	
5.	Sample Code		
6.	Date of Analysis Completion	20/02/2019	
PARAMETER ANALYSED		ANALYSIS RESULT	STANDARDS
A. PHYSICAL PARAMETER			
1.	Colour	Colourless	Colourless
2.	Odour	Odourless	Odourless
B. CHEMICAL PARAMETER			
1.	pH	7.69	6.5-8.5
2.	Suspended Solids(mg/L)	22.0	30.0
3.	Total Dissolved Solid(mg/L)	634.0	--
4.	BOD (mg/L)	20.0	30.0
5.	COD (mg/L)	184.0	250.0
6.	Oil and Grease (mg/L)	8.0	10.0

Note: All values are in mg/l except pH or stated otherwise.


Scientific Asstt.


Regional Officer



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बरेली-243122

U. P. POLLUTION CONTROL BOARD

Regional Office: 1219/1 E-Block, Rajendra Nagar, Bareilly-243 122

ANALYSIS REPORT OF EFFLUENT SAMPLE

1.	Name & Address of Industry / Drain	M/S D.S.M. Sugar Meerganj, Bareilly	
2.	Date of Sample Collection	20/02/2019	
3.	Details of Sampling Point	Final Outlet of ETP	
4.	Sample Collected By	Mr. Shashi Vindkar (AEE), Mr. Bipin Kandpal (S.A.)	
5.	Sample Code	---	
6.	Date of Analysis Completion	25/02/2019	
	PARAMETER ANALYSED	ANALYSIS RESULT	STANDARDS
	A. PHYSICAL PARAMETER		
	1. Colour	Colourless	Colourless
	2. Odour	Odourless	Odourless
	B. CHEMICAL PARAMETER		
	1. pH	7.22	6.5-8.5
	2. Suspended Solids(mg/L)	22.0	30.0
	3. Total Dissolved Solid(mg/L)	422.0	--
	4. BOD (mg/L)	21.0	30.0
	5. COD (mg/L)	176.0	250.0
	6. Oil and Grease (mg/L)	4.0	10.0

Note: All values are in mg/l except pH or stated otherwise.

Scientific Asstt.

Regional Officer



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बरेली-243122

U. P. POLLUTION CONTROL BOARD

Regional Office: 1219/1 E-Block, Rajendra Nagar, Bareilly-243 122

ANALYSIS REPORT OF EFFLUENT SAMPLE

1.	Name & Address of Industry / Drain	M/S D.S.M. Sugar Meerganj, Bareilly	
2.	Date of Sample Collection	27/02/2019	
3.	Details of Sampling Point	Final Outlet of ETP	
4.	Sample Collected By	Mr. Shashi Vindkar (AEE), Mr. Bipin Kandpal (S.A.)	
5.	Sample Code	---	
6.	Date of Analysis Completion	05/03/2019	
	PARAMETER ANALYSED	ANALYSIS RESULT	STANDARDS
	A. PHYSICAL PARAMETER		
	1. Colour	Colourless	Absent
	2. Odour	Odourless	Odourless
	B. CHEMICAL PARAMETER		
	1. pH	7.25	6.5-8.5
	2. Suspended Solids(mg/L)	23.0	30.0
	3. Total Dissolved Solid(mg/L)	367.0	--
	4. BOD (mg/L)	19.0	30.0
	5. COD (mg/L)	120.0	250.0
	6. Oil and Grease (mg/L)	5.0	10.0

Note: All values are in mg/l except pH or stated otherwise.

Scientific Asstt.

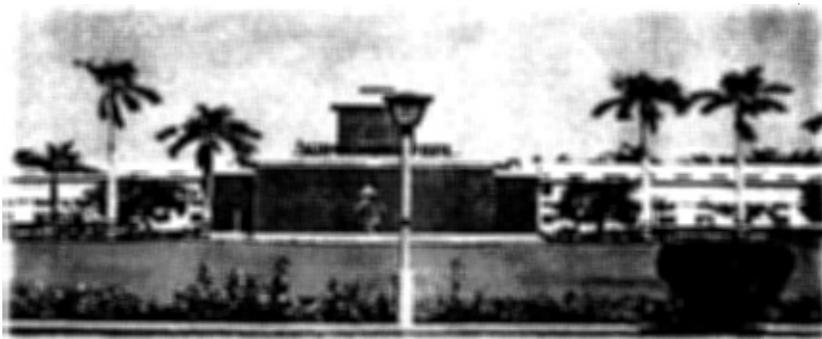
Regional Officer

VALIDATION FOR UTILIZATION OF TREATED EFFLUENT FOR IRRIGATION PURPOSE

FOR

DSM SUGAR MEERGANJ
(A unit of Dhampur Sugar Mills Ltd.)
District-Bareilly, Uttar Pradesh

PREPARED BY:



NATIONAL SUGAR INSTITUTE

Government of India
Ministry of Consumer Affairs, Food & Public Distribution
Department of Food & Public Distribution
Kanpur- 208 017 (U.P.) India
Ph. +91-512-2570730, 2570273
Fax. +91-512-2570247

1. Introduction of factory:

1.1 Name :M/s DSMSugar Meerganj(A unit of Dhampur Sugar Mills Ltd.)U.P.

1.2 Installed capacity :5000 TCD

Factory Performance:

S. No.	Particulars	2016-17	2017-18	2018-2019	2019-2020
1.	Duration of season (days)	117	174	157	177
2.	Average sugarcane crushed per day (TCD)	4545.63	4741.86	4489.97	4505.84
3.	Total sugarcane crushed (Qtls)	5318387.63	8250846.80	7049263.78	7975340.17

1. Visit Undertaken:-

The Factory was visited on 23 and 24th January, 2021 by Dr. Lokesh Babar, Junior Scientific Officer (Agriculture Chemistry). Factory officials, ShriAshish Sharma, Unit Head, ShriSarabjeet Singh Saini, Dy. G.M (Process), ShriAlok Kumar Pandey, Manager (Process), ShriAtul Kumar Shukla, Manager (Environment & ETP) and ShriDeependraTripathi, Senior Chemist (Process) were present during the visit.

2. Observation & Discussions:-

To assess the validation of the ETP Performance, a separate visit was paid by the NSI officials on 5- 6th March, 2020. The present visit was undertaken during the crushing season of the factory. Inspection of ETP along with interactions with farmers at their cane fields also carried out during the visit.



Lokesh Babar
12/02/21

3. **Effluent Generation:** Copies of analysis reports of treated effluent and data communicated to CPCB server are attached as Annexure-I.

Existing arrangement of treatment: Details of different units of ETP (till date) with capacity & dimensions are attached as Annexure-II.

4. **Storage lagoon:** Capacity 5000M³ attached as Annexure-III.

5. **Cropping pattern of the area:** Sugar cane is grown as main cash crop at command area of M/s DSM Sugar Meerganj (A unit of Dhampur Sugar Mills Ltd.) U.P. The cropping pattern is as follows:-

A. Wheat -Sugarcane (Plant)- Sugarcane(Ratoon) - 2 Years

B. Sugarcane (Plant) - Sugarcane (Ratoon)- 2 Years

6. **Quantity of effluent available for land application (KL/day):***

a. Installed capacity of factory is 5000 TCD,

b. Estimated average Effluent generation per day @200 liters/ton of cane crushed - 1000 KL/day

c. Net effluent generation left for irrigation- 1000 KL/day

d. Total treated effluent generated for highest crushing for 180 days = 1000 X 180 = 1,80,000KL/Crushing Season

6. **Characteristics of treated effluent:**

S. No.	Particular	Average values (2020-2021) till 23.01.2021
1.	pH	7.26
2.	BOD (mg/liter)	17.74
3.	COD (mg/liter)	133.54
4.	TSS (mg/liter)	16.77

Yogesh Babar
12/02/21

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The above average values are as per data transmitted from M/s DSM Sugar Meerganj (A unit of Dhampur Sugar Mills Ltd.) U.P. to CPCB server through real time monitoring system during crushing season 3rd November, 2020 to 23th January, 2021. It was also observed that all the paramameters were under control as per norms of CPCB. The copies are enclosed as Annexure-I.

8. Command area:

S. No.	Soil texture	Effluent loading rate(KL/hectare/day)
1	Sandy loam	170-225(average 197m ³ /hectare/day or say 200m ³ / hectare /day)

On the basis of soil test report, the Soil of the command area of factory is sandy loam.

9. Command area identified:

S.No.	Total available area (hectare)	Area available at 70% land efficiency(Hectare)	Distance from unit(km)	Mode of Effluent Transport
1.	28.90 (Factory farm, lawn and green belt)	20.24	Within- Inside Factory	Through PVC Pipe
2.	108.89 (Farmers' Land)	76.22	Within to 1 K.M.	Through MS Pipe up to factory outlet and later by PVC Pipes by farmers
Total = 137.80		96.46		

Details list of treated effluent used for irrigation purposr by cane farmers with farmer's name, area, village and crops cultivated are attached as Annexure-IV.

10. Details of crop area:

S. No.	Location/ Village	Total available area (hectare)	Crop area under effluent application (hectare)		
			Kharif	Rabi	Annual
1.	Factory farm, lawn and green belt	28.90	-	28.90	-

Forest Babar
12/02/21

2	Farmers' Land	137.51	-	20.60 (Wheat)	116.91 (Sugarcane)
	Total	166.41	-	49.50	116.91

11. Yearly total treated water balance with respect to land available for irrigation for different crops keeping in view of the loading rates for different soil textures:

S. No.	Land Particular	Area (Hect.)	Area available at 70 % land efficiency (Hect.)	Water Loading	Irrigation interval (days)	Average Crushing days	Water Requirement KL/annum
1.	Factory farm, lawn and green belt	28.90	20.23	200	10	180	72,828
2.	Farmers' land (Sugarcane)	116.91	81.84	200	15	180	1,96,416
3.	Farmers' land (Wheat)	20.60	14.42	200	25	180	20,764.80
		166.41	116.49			Total	2,90,008.80

As discussed in the previous paragraphs even after considering effluent generation @200 liter/ton of cane, the estimated total effluent generation shall be about 1,80,000KL/crushing season. Thus, the generated effluent from the factory is expected to completely utilized in irrigation as per the plan submitted by the factory.

12. Effluent application scheme:

- A. **Storage and transportation:** M/s DSM Sugar Meerganj (A unit of Dhampur Sugar Mills Ltd.) U.P. has Lagoon with a capacity of 5000 cubic meters from where treated effluent is transmitted through MS/PVC pipeline up to the boundary of the factory. From PVC/MS pipeline, treated effluent is transported to the farmers field. With the help of flexible pipe connected to discharge point nearby farmer's field irrigation is carried out at the desired field. The schematic diagram of supply of treated effluent to farmers is attached as Annexure-V.

James Babar
12/02/21

- B. **Irrigation schedule & plan of the command area:** The treated effluent is available from November to April depending upon the duration of crushing season which is generally below 180 days. The irrigation plan and schedule of M/s. DSMSugar Meerganj (A unit of Dhampur Sugar Mills Ltd.) U.P. is attached as Annexure-VI. In command Area of Meerganj (A unit of Dhampur Sugar Mills Ltd.) U.P., intensive sugarcane cultivation is practiced by farmers. Sugarcane is a crop which requires water in abundant through its life span. The intensive cane cultivation requires continuous use of water. The treated effluent provided to the farmers is a great help to them as it is available on weekly rotation schedule of the farmers. According to the weather condition of area, the farmers provide irrigation to cane field at 12-15 days intervals, while wheat farmers provide irrigation to wheat field at 22-25 days intervals.
- C. **Agreement with farmers:** The details are attached as Annexure-VII.
- D. **Demonstration farm and trials:-** The Cane department of the factory undertakes demonstration of Farm trials at farmers' field quarterly basis to motivate the farmers of the area (Photo Attached). In each of the demonstration, large no. of the farmers of the command area participate who are imparted the knowledge about such techniques by the staff of the factory.



James Robert
12/02/21

- E. **KishanGosthi:** Gosthis are regularly organized on cane production by Factory's cane department. Frequency of such Gosthis was reported as follows:

S. No.	Activity	Schedule
1	KisanGosthis	Fornightly
2	Field trials	Quarterly

Kisangosthi organized during crushing season 2020-2021 on 16th November, 1st December and 16th December 2020, 2th January and 16th January, 2021.



13. **Basic requirement and monitoring schedule:** M/s DSMSugar Meerganj (A unit of Dhampur Sugar Mills Ltd.) U.P. has deputed team of four Cane staff persons under the supervision of Shri Anuj Sharma, General Manager (Cane) for regularly visits at farmer's field. Team members maintain the irrigation plan and schedule by proper monitoring round the clock during crushing season. Members of team regularly visits at farmer's field and solve the irrigation related the problems of cane farmers.
14. **Technical backup and man power deployed:** M/s DSMSugar Meerganj (A unit of Dhampur Sugar Mills Ltd.) U.P. has a backup of technical team with an Environment Manager in general shift along with one ETP Chemist, one ETP supervisor and one helper per shift for round the clock for proper ETP operations. One fitter and one electrician take care of ETP maintenance round the clock.
- An Environment Manager and three ETP Chemists are employees of the factory while three ETP supervisors and three helper along with One fitter and one electrician are

Amesh Baban
12/02/21

contractual staff. ETP Chemists had done training for ETP operation and maintenance conducted by NSI, Kanpur.

15. **Physico-chemical properties of soil: M/s DSM Sugar Meerganj (A unit of Dhampur Sugar Mills Ltd.) U.P.** reported following details with respect to analysis of the soil of the envisaged area where treated effluent is proposed to be used for irrigation purposes. Analysis report of soil is attached as **Annexure-VIII**. The analytical details are as given below:

S. No.	Particular	Average
1	pH	6.85
2	Bulk density (gm/Cc)	1.45
3	Particle density (gm/Cc)	2.85
4	Conductivity (mS/cm)	0.15
5	Porosity %	51.23
6	Soil Texture	Sandy loam
7	Sand %	69.8
8	Clay %	12
9	Silt %	18.2
10	Sodium (mg/kg)	132.50
11	Potassium (mg/kg)	107.50
12	Calcium (mg/kg)	580.5
13	P ₂ O ₅ (mg/kg)	35.5
14	Chloride as Cl (mg/kg)	191
15	CaCO ₃ (mg/kg)	145
16	Magnesium as Mg (mg/kg)	4.06
17	Sulfate as SO ₄ (mg/kg)	166.42

CONCLUSION:

On the basis of the data provided by the factory and observations made during crushing season, it is concluded that:

1. The irrigation management plan by **M/s DSM Sugar Meerganj (A unit of Dhampur Sugar Mills Ltd.) U.P.** is considered to be in order to use treated effluent for irrigation for the sugarcane, wheat and factory farm and green belt of factory premises. The irrigation performance of treated effluent for irrigation purpose shall be largely dependent upon the utilization of treated effluent by the farmers as per the list provided.

J. K. Shrivastava
12/02/21

2. Reports regarding compliance of effluent quality standards and status of soil and ground water quality shall have to be submitted to SPCBs/PCCs twice in a year, in first week of January and July as recommended by CPCB as guidelines for utilization of treated effluent in irrigation on dated 04.10.2019.
3. The treated effluent should meet the norms prescribed for irrigation under Environment (Protection) Rules, 1986/Consent.
4. Meeting the prescribed norms shall not be the only criteria for use of treated waste water in irrigation, the requirement of water for irrigation will also be a limiting condition and this depends upon various factors like Climate, Irrigation type, Soil Condition and total salt concentration etc.
5. The physico-chemical characteristics of the soil under irrigation with treated effluent, should be monitored twice in a year to assess conditions in summer and post monsoon seasons, in order to determine the deterioration of soil quality.
6. The groundwater quality should also be monitored twice in a year. Samples should be collected from the first water bearing strata from existing hand pumps or by installing the same for sampling purpose only. The sampling points should be uniformly spread in the command area and near effluent storage area.
7. The Factory should carry out the analysis of various prescribed effluent/soil/ground water quality parameters from the NABL/EPA/ SPCBs/PCCs recognised/accredited laboratories.
8. The factory may strengthen the monitoring irrigation pipeline facility to control leakage or mixing of undesirable materials (due to brekage of pipeline or other reasons) in treated effluent which may lead to undesirable colour development in treated effluent at different discharge points at farmers field. The factory may extend the irrigation facilities further by providing pipes/channels for effective and extensive use of treated effluent.
9. The factory should make sure that treated effluent shall meet all the paramerters as per CPCB norms before discharge the treated effluent for irrigation purpose in command area.

James Babar
12/02/21

- 10. Farmers using treated effluent for irrigation as per CPCB norms may be motivated to dilute the treated effluent before irrigation. Treated effluent at 20-40 percent can be used as soil fertilizers for better plant growth, which leads to maintain the soil health and safer environment in long run.
- 11. The factory should also maintain proper records/log book of the quality of the untreated and treated effluent for inspection purpose.
- 12. The revalidation required to be done after needful (one year).

Lokesh Babar
12/02/21

(Dr. Lokesh Babar)
Junior Scientific officer (Agril. Chemistry)

NATIONAL SUGAR INSTITUTE
Government of India
Ministry of Consumer Affairs, Food & Public Distribution
Department of Food & Public Distribution
Kanpur- 208 017 (U.P.) India

Ref. No. DSM/MRG/Pollution/2021/18-19/20
Date: 21-4-2021

To,

The Chief Environment Officer, Circle-7,
Uttar Pradesh Pollution Control Board,
T.C.-12 B, Vibhuti Khand, Gomtinagar,
Lucknow- 226010.

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DSM SUGAR MEERGANJ
(A unit of Dhampur Sugar Mills Limited)
Sindhali Road, MeerGANJ,
Bareilly, U.P., 243 504
Tel. : +91-9897099847
E-mail: dsmmeerganj@dhampur.com
Website: www.dhampur.com

Ref- Show Cause Notice issued vide letter No. H61710 / Jal - 773 /
2021 dated 13-04-21 issued to MeerGANJ Sugar Mill, District - Bareilly.

Dear Sir,

This has reference to the above mentioned Show Cause Notice issued by your good self and received by us on 19.04.2021. Through this S.C.N. it has been brought to our notice that some discrepancies have been pointed out by the joint team of CPCB/UPPCB during their visit on 14-01-2021.

At the outset the letter mentions the recommendations made during the previous inspection dated 29-11-21 which are reproduced below along with the compliance made by the industry:

1. ETP inlet flow meter should be installed at the main inlet of ETP.

Compliance Status – Presently, the whole effluent of the plant is being measured immediately after equalization tank through electro-magnetic flow meter which amounts to the measurement of the total inlet of water in the ETP. However, we are in the process of installing additional flow meter in the inlet of ETP. This flow meter will be installed within two months.

2. Periodic removal of sludge shall be ensured.

Compliance Status – We make periodic removal of sludge. We have already installed filter press for sludge handling. Further, the required modification is also being made in the sludge drying bed for more efficient removal of sludge.

CIN : L15249UP1933PLC000511
Corporate Office: 241, Okhla Industrial Estate, Phase-III, New Delhi-110 020
Tel.: +91-11-30659400, Fax: 91-11-26935697
E-mail: corporateoffice@dhampur.com, investordesk@dhampur.com
Regional Office: Dhampur, Dist: Bareilly, U.P. 246 761
District Office: G. Z. D. Vibhuti Khand, Gomtinagar, Lucknow-226 010, Tel.: +91-522-239243
Sugar Units: 1. Dhampur, 2. Mansurpur, 3. Asmoli, 4. Rajpura, 5. MeerGANJ
Distillery: Asmoli & Dhampur

Scanned By Scanner

3. Flow meter shall be installed at mill house and boiling house outlet for monitoring of generated effluent.

Compliance Status -We have installed flow meter at mill house. However, advanced flow meter are being installed at mill house and boiling house as per directions.

4. The oil skimmer shall be installed within a tank having approximate retention time of 45 minutes.

Compliance Status - A new oil skimmer has been installed on 25-1-21 at the place where the team had suggested.

5. The treated effluent discharges for irrigation shall comply with MOEF &CC Notification dated 14-01-2016.

Compliance Status - We are fully complying with MOEF&CC Notification dated 14-01-2016 regarding discharge of treated effluent for irrigation.

6. Installed STP shall be made operational for treatment of generated sewage. Treated sewage shall be utilized for irrigation and other purposes.

Compliance Status - STP is fully operational since 20-01-21 and treated effluent is being used to irrigate our farm land. In this regard the relevant pictures were already sent to CPCB/UPPCB at the official e-mail ID on 17-01-21.

7. The unit shall keep only single arrangement to pump the treated effluent from the lagoon to irrigation supply.

Compliance Status - Single arrangement for pumping the treated effluent from the lagoon had been made on 15-01-21 itself. The relevant pictures have already been sent to the official email ID of CPCB/UPPCB on 17-01-21.

8. Unit shall obtain amended Hazardous waste authorization from UPPCB to handle and safe disposal of discarded containers, oily rags, cotton waste, O&G and spray pond ETP sludge.

Compliance Status – We have a valid Hazardous waste authorization from UPPCB for schedule-I category 5.1, 5.2, Oil and grease, the authorized mode of disposal of which is to mix it with bagasse and burn the same in own boiler. (Quantity 2 MT / Annum). This authorization is valid up to 20-06-22.

- 9. All possible efforts shall be made to ensure consistent compliance of the standards referred.

Compliance Status – We are making all possible efforts to ensure consistent compliance of standard referred by the Officials. We shall also submit the completion report of all the concerned compliance work which are under process.

During the subsequent joint inspection dated 14-01-2021, the following alleged discrepancies were found:

1. There is no TDS reduction unit installed at the ETP of the unit. TDS of 1028 milligram per liter was found at the inlet of ETP. At the primary clarifier outlet TDS of 404 Milligram per liter was found, whereas TDS of 732 milligram per liter was found at secondary clarifier outlet. This shows the possibility of dilution in the primary clarifier by the industry.

2. In the aeration tank 01 and 02, the ratio of M.L.V.S.S / M.S.S.S. was found to be 0.6 and 0.56 which is less than the optimum value (0.7 – 0.8). This shows that the tank is full of sludge.

3. The samples drawn from the lagoon of the industry shows COD of 196 milligram / liter and BOD of 63 milligram / liter whereas the water which is released on land surface for irrigation through pipeline shows COD of 260 milligram / liter and BOD of 122 milligram / liter. The diversion of water through pipeline for irrigation was done after 3-4 hours of the inspection which shows that the treated water supply for irrigation is not done on regular basis by the industry.

It is also mentioned that the industry has been issued conditional water consent No. 71145 / UPPCB / Bareilly (UPPCBRO) / CTO / water / Bareilly / 2019 dated: 20-03-21 under section 25/26 of Water (Environment protection and control) Act 1974 and the consent is valid up to 31.12.2021.

On the basis of the recommendations and observations of Joint Inspection on 14-01-2021, the unit has to submit the reply of Show Cause Notice on the following points:

1. Why the Water Consent issued to sugar unit vide letter No. 71145 / UPPCB / Bareilly (UPPCBRO) / CTO / water / Bareilly / 2019 dated: 20-03-21 should not be cancelled with immediate effect.
2. Why the closure orders should not be issued to Meerganj Sugar Mill. (A unit of Dhampur Sugar Mills Ltd.)
3. Why the competent officials should not be asked to disconnect the electrical connections of Meerganj Sugar Mill.
4. Initiation of the process of levy of Environment Compensation @ Rs. 30000/- per day (as proposed in the guidelines issued by the CPCB) is also proposed on Meerganj sugar mill from the date of start of the violation in compliance of the order dated 09-11-2020 of Hon'ble NGT in O.A No. 539/2019, Adil Ansari Vs M/S Dhampur Sugar mills Ltd. & Others.
5. That M/s Meerganj Sugar Mill (A unit of Dhampur sugar mills Ltd.) will ensure to submit a written submission regarding compliance of short comings found during the visit of Joint Inspection Team within 15 days.

In response to the above allegations our point-wise reply is as under:

1. The characteristics of effluent in terms of COD, BOD, TDS varies during cleaning process. As the excess condensate comes in the same drain, the parameters of effluent are likely to fluctuate considerably. When the effluent comes in the secondary clarifier through aeration tank, the TDS tend to increase due to nutrients (urea & DAP) which are required to maintain desired MLSS level in aeration tank. However, we assure that there is no dilution done by us. We are taking all possible steps to maintain and control the parameters of the effluent so as to keep it within the norms,

2. It is submitted that the dead sludge is now removed at regular intervals from aeration tanks at the drying beds. This procedure is being performed at regular intervals stringently and in no case the sludge is allowed to accumulate in the tank.

3. As already mentioned at point no. 7 above, single arrangement for pumping the treated effluent from the lagoon was installed on 15-01-21 itself. The relevant pictures have already been sent to the official email ID of CPCB/UPPCB on 17-01-21. The main source of irrigation is our own farm. However, the treated effluent is being released for agriculture use to both, our farm land and other nearby irrigation fields at regular interval.

It is submitted that the alleged discrepancies found during the course of joint inspection on 14-01-21 have been removed and some minor renovation / modification work are already under process. These will be completed as soon the present adverse circumstances of Covid 19 pandemic gets sorted out because the supply of equipment and work force has been badly effected.

In view of the above facts and in view of the grave situation because of spread of covid pandemic wherein the working of industry is imminent for generate of employment and enhancement of economic growth, it is requested that –

1. The water consent of Meerganj sugar unit may not be discontinued.
2. The operations of Meerganj sugar mill may not be closed.
3. The electricity and water connections of Meerganj sugar mill may not be ordered to be disconnected.

4. The proceeding for levying Environmental Compensation @ Rs. 30000/- per day from the assumed date of start of violation may be dispensed with as the industry is already running under immense pressure and adverse condition because of the unprecedented spread of covid pandemic.

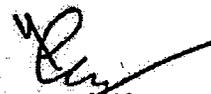


In view of the above facts, it is submitted that the proceedings proposed in the said Show Cause Notice dated 14-01-21 may kindly be dropped.

We on our part reiterate and assure you that we will take all possible necessary actions as ever to ensure total compliance as directed.

Thanking You,

Yours faithfully,
For Dhampur Sugar Mills Ltd.


For (Authorised Signatory)

Copy To:

- 1- Shri A. K. Vidyarthi, Additional Director – DH WQAM- II Central Pollution Control Board, Parivesh Bhawan, Purvi Arjun Nagar , New Delhi – For Kind Information.
- 2 - Regional Officer U. P. Pollution Control Board , 1219/1, E- Block, Rajendra Nagar Bareilly

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DSM SUGAR MEERGANJ
(A unit of Dhampur Sugar Mills Limited)
Sindhali Road, MeerGANj,
Bareilly, U.P., 243 504
Tel.: +91-9897099847
Fax: +918881992001
E-mail: dsmmeerganj@dhampur.com
Website: www.dhampur.com

Ref: DSM/MRG/Pollution/2021/101+102

Dated: 20.07.2021

Regional Officer,
U. P. Pollution Control Board ,
1219/1, E- Block, Rajendra Nagar
Bareilly.

Subject: Renewal Application Form for Hazardous Waste Authorization

Dear Sir,

We are enclosing herewith renewal application form and copy of deposited Fee challan for obtaining authorization for disposal of hazardous waste in prescribed format (Form-1).

You are requested kindly grant us authorization for disposal of hazardous waste for the period of five years. We will be very grateful to you.

Thanking You,

Yours faithfully

For DSM Sugar Meerganj, Bareilly

etc

(Authorized Signatory)

Enclosure : As stated above.

Copy To: Chief Environment Officer (Circle- 7), U.P. Pollution Control Board, TC 12 V,
Vibhuti Khand, Gomati Nagar, Lucknow - 226010.

CIN : L15249UP1933PLC000511
Corporate Office: 241, Okhla Industrial Estate, Phase-III, New Delhi-110 020
Tel.: +91-11-30659400, Fax: 91-11-26935697
E-mail : corporateoffice@dhampur.com, investordes@dhampur.com
Regd. Office : Dhampur, Distt. Bijnor, U.P. 246 761
Branch Office: 1/125, Vijay Khand, Gomti Nagar, Lucknow-226 010, Tel.: +91-522-239243
Sugar Units : 1. Dhampur, 2. Mansurpur, 3. Asmoli, 4. Rajpura, 5. MeerGANj
Distillery : Asmoli & Dhampur



Single Window Portal, Govt. of Uttar Pradesh



Date and Time	: 19/07/2021 05:53:32 PM
Beneficiary's Name	: UDYOG BANDHU NIVESH MITRA
Account No	: UBNDHU21071917531222
IFSC Code	: HDFC0000240
Bank	: HDFC Bank
Branch	: Sandoz Branch, Mumbai
Reference No	: UP01521071917531222
Entrepreneur's Name	: SARABJIT SAINI
Contact No	: 997663636
Amount (In INR)	: ₹0000 /-

Disclaimer: 1. It is the remitters responsibility to ensure that RTGS/NEFT payment are made to the exact details as mentioned in challan.
 2. In the event of any discrepancy, payment wouldn't be considered and would be refunded to the account for which payment is made.
 3. Entrepreneur is required to generate Challan for every payment since the account number in challan is unique to the payment.
 4. Above account number is valid for One transaction only.

PUNBH 21201542759 ₹ 50,000/-
 DTD. 20-07-2021

[Signature]
 Signature of Depositor



IT Solution Powered by National Informatics Centre, Uttar Pradesh State Unit



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UTTAR PRADESH POLLUTION CONTROL BOARD

FORM 1
[See Rules 6(1)]

Application required for grant/renewal of authorisation for generation or collection or storage or transport or reception or recycling or reuse or recovery or pre-processing or co-processing or utilisation or treatment or disposal of hazardous and other waste

Part A: General (to be filled by all)

1. (a)	Name and address of the unit and location of facility:	DSM SUGAR MEERGANJ Sidhauri Road, Meeraganj, Bareilly BAREILLY, 243504
(b)	Name of the Occupier of the facility or operator of disposal facility with designation, Tel, Fax and e-mail:	SARABJIT SAINI//9997663636/jagveersingh@dhampur.com
(c)	Authorisation required for (Please tick mark appropriate activity or activities:)	Generation, Collection, Storage, Disposal, Incineration
(d)	In case of renewal of authorization previous authorization numbers and dates and provide copies of annual returns of last three including the compliance reports with respect to the conditions of Prior Environmental Clearance, wherever applicable:)	
2.	Nature and quantity of Hazardous waste handled in T/Annum (or) KL/Annum	

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<https://upocmns.nic.in/> - (UPPCB)

Name of Process	Name of Hazardous Waste (Category No)	Quantity	Waste Type	Waste Storage	Waste Disposal	Source of generation of waste	Physical status	Quantity stored at any time	Quantity accumulated as on 31st March
Industrial operations using mineral or synthetic oil as lubricant in hydraulic systems or other applications	Used or spent oil	0.2 T/Annun	Incinerable	MS Drums	Incineration-Captive	Plant and machinery	Oily	0.2 T	0.2 T
Handling of hazardous chemicals and wastes	Contaminated cotton rags or other cleaning materials	0.2 T/Annun	Incinerable	Bags	Mixed with bagasse and burn in Boiler	Plant and machinery and servicing	Solid	0.05 T	0.2 T
Handling of hazardous chemicals and wastes	Empty barrels/containers/liners contaminated with hazardous chemicals/wastes	2.0 T/Annun	Recyclable	Concrete Area	Authorized Recyclers	Plant	Solid	1.0 T	1.0 T
3.(a)	Year of commissioning and commencement of Production?				2019				
(b)	Whether the industry works 1 shift/2 shifts/round the clock?				Round the clock				

<p>4. Provide copy of the Emergency Response Plan (ERP) which should address procedures for dealing with emergency situations (viz. Spillage or release or fire) as specified in the guidelines of Central Pollution Control Board. Such ERP shall comprise the following, but not limited to:</p> <ul style="list-style-type: none"> • Containing and controlling incidents so as to minimise the effects and to limit danger to the persons, environment and property; • Implementing the measures necessary to protect persons and the environment; • Description of the actions which should be taken to control the conditions at events and to limit their consequences, including a description of the safety equipment and resources available; • Arrangements for training staff in the duties which they are expected to perform; • Arrangements for informing concerned authorities and emergency services; and • Arrangements for providing assistance with off-site mitigatory action. <p>(To be attached separately)</p>	<p>Attached</p>
<p>5. Provide undertaking or declaration to comply with all provisions including the scope of submitting bank guarantee in the event of spillage, leakage or fire while handling the hazardous and other waste</p> <p>(To be attached separately)</p>	<p>Not Attached</p>

Part B: To be filled by hazardous waste generators

(a) Products Details								
Product Name			Quantity			Unit		
Sugar			15500.0			Metric Tonnes/Day /M		
(b) By Products Details								
Raw-Material Name			Raw-Material Quantity			Unit		
(c) Process description including process flow sheet indicating Inputs and Outputs (raw materials, chemicals, products, by-products, wastes, emissions, wastewater etc.) Please attach separate sheets:)						Not Attached		
(d) Characteristics(waste-wise) and Quantic of waste generation per annum:								
Schedule	Name of Process	Name of Hazardous Waste (Category No)	Quantity	Characteristics of each waste	The details of utilization with in the plants such as Reuse/ Recycling/ Recovery/R eprocessing etc	If not utilised within the plant, provide details of what is done with this waste	Details of arrangements for transportation to actual users/ TSDF	Details of the environmental safeguards and environmental facilities provided for safe handling

(e)	Hazardous and other wastes generated from storage of hazardous chemicals as defined under the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989.	Sidhauri Road, Meerganj, Bareilly BAREILLY,243504,Sidhauri Road, Meerganj, Bareilly ,BAREILLY,243504
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Part C: To be filled by Treatment, storage and disposal facility operators

1.	Provide details of the facility including:	
(i)	Location of site with layout map:	Sidhauri Road, Meerganj, Bareilly BAREILLY,243504
(ii)	Safe storage of the waste and storage capacity	
(iii)	The treatment processes and their capacities	
(iv)	Secured Landfills	
(v)	Incineration, if any	
(vi)	Leachate Collection and Treatment System	
(vii)	Fire Fighting Systems	
(viii)	Environmental management plan including monitoring	
(ix)	Arrangement for transportation of waste from generators	
2.	Provide details of Any other activities undertaken at the Treatment, storage and disposal facility site.	
3.	Attach a Copy of prior Environmental Clearance	Not Attached

Part D: To be filled by recyclers or pre-processors or co-processors or users of hazardous or other wastes

1.	Nature and quantity of different wastes received per annum from domestic sources or imported or both:		
	Hazardous Wastes Type	Quantity	Source (Domestic/Imported)
2.	Installed capacity as per registration issued by the District Industries Centre or any other authorised Government agency. Provide copy:	Not Attached	
3.	Provide details of secured storage of wastes including the storage capacity		
4.	Process description including process flow sheet indicating equipment details, inputs and outputs (input wastes, chemicals, products, by-products, waste generated, emissions, waste water, etc.) Attach separate sheets:	Not Attached	
5.	Provide details of end users of products or by-products		

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6.	Provide details of pollution control systems such as Effluent Treatment Plant, scrubbers, etc. including mode of disposal of waste	
7.	Provide details of occupational health and safety measures	
8.	Has the facility been set up as per Central Pollution Control Board guidelines? If yes, provide a report on the compliance with the guidelines:	
9.	Arrangements for transportation of waste to the facility	

Place:

Date:

Signature of the Applicant
Name and Designation

[Handwritten Signature]

Enclosures :

1. Air Consent (Attached)
2. Water Consent (Attached)
3. Emergency Response Plan (Attached)
4. Certificate Hazarduse Waste (Attached)
5. Copy of the Emergency Response Plan (Attached)

----This is computer generated application ----
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Registered

UTTAR PRADESH POLLUTION CONTROL BOARD
T.C. 12 V, VIBHUTI KHAND, GOMTI NAGAR, LUCKNOW

Ref: *406/11*

IC-7/Haz./12/2017

Dated: *27/11/17*

1. Number of authorisation and date of issue *27/11/17 Dt. As above*
2. Reference of application (No. and date) : DSM/PROD/UPPCB/45, Dt. Nil.
- 3 **M/s. D.S.M. Sugar, Sindhauli Raod, Meerganj, Distt-Bareilly** is hereby granted an authorisation based on the signed inspection report dated 13-04-2017 for generation, storage & disposal of hazardous wastes as per following details.

Details of Authorisation

Sl. No.	Category of Hazardous waste as per Schedule I,II and III of these rules	Authorised mode of disposal or Recycle or utilization or co-processing, etc.	Quantity
1.	Schedule-I, Category 5.1, 5.2 Oil & Grease	Mix with baggase & burn into own boiler.	02 M.T./Annum

1. The authorisation shall be valid for a period of **Five Year** from the date of issue, if not suspended or cancelled earlier.
2. The authorisation is subject to the following general and specific conditions (Please specify any conditions that need to be imposed over and above general conditions, if any):

A. General conditions of authorisation:

1. The wastes must be safely collected in leak proof containers and shall be duly marked in a manner suitable for handling, storage and transport and the packaging shall be easily visible and be able to withstand physical conditions and climatic factors. All hazardous waste containers / bags shall be provided with a general label. The storage area should be at an isolated spot in the premises and must be fenced, covered and duly marked.
2. The authorized person/agency shall ensure that no adverse impact on the air, soil and water including groundwater takes place due to activities for which authorization has been requested. Comprehensive safety measures must be followed in handling of wastes and the staff must be properly trained.
3. The authorisation shall comply with the provisions of Environment (Protection) Act 1986 and rules made thereunder.
4. The authorisation or its renewal shall be produced for inspection at the request of an officer of the U.P. Pollution Control Board.
5. The person authorised shall implement Emergency Response Procedure (ERP) for which this authorisation is being granted considering all site specific possible scenarios such as spillages, leakages, fire etc. and their possible impacts and also carry out mock drill in this regard at regular interval of time;
6. The person authorised shall comply with the provisions outlined in the Central Pollution Control Board guidelines on "Implementing Liabilities for Environmental Damages due to Handling and Disposal of Hazardous Waste and Penalty"
7. The person authorised shall not rent lend, sell, transfer or otherwise transport the hazardous waste s without obtaining prior permission of the U.P. Pollution Control Board.
8. Any unauthorised change in personnel, equipment or working conditions as mentioned in the application by the person authorised shall constitute a breach of this authorisation.
9. It is the duty of the authorised person to take prior permission of the U.P. Pollution Control Board to close down the facility.
10. An application for the renewal of an authorisation shall be made in form 1, before its expiry as laid down in rule. It is further brought to your notice that as per the order dated 14-11-2003 passed by the Hon'ble Supreme Court in W.P. (c) No. 657 of 1995, no industry covered under Hazardous and other Wastes (Management and Transboundary Movement) Rules, 2016 shall be allowed to operate without valid authorisation. It is also provided in the same orders that industries which are not complying with the conditions of authorisation shall not be allowed to operate. Hence in case you fail to apply for authorisation, before its expiry or fail to comply with conditions of the earlier authorisation issued to you, closure order shall be issued against your industry without any further notice.
11. The applicant must file returns on prescribed Form 4 along with a compliance report of this letter and should also maintain records on Form 3 and present it to Board's inspecting officials.
12. In case of occurrence of an accident, complete details on form must be sent to U.P. Pollution Control Board at the earliest along with details of mitigative and remedial measures taken.

[Handwritten mark]



GROUND WATER DEPARTMENT

(Namami Gange & Rural Water Supply Department)

Ministry of Jal Shakti

Government of Uttar Pradesh

Form 8 (C)

AUTHORIZATION/ NO-OBJECTION CERTIFICATE FOR SINKING OF NEW WELL FOR INDUSTRIAL/ COMMERCIAL/ INFRASTRUCTURAL OR BULK USER OF GROUND WATER

[Under Section 14 of the Uttar Pradesh Ground Water Management and Regulation Act, 2019.]

AUTHORIZATION/ NO-OBJECTION CERTIFICATE NO:

VALID UP TO : 18/05/2026

Name of the Applicant	SARABJIT SAINI		
Address of the Applicant:	DSM SUGAR MEERGANJ, A UNIT OF DHAMPUR SUGAR MILLS LIMITED, SINDHAULI ROAD, MEERGANJ, BAREILLY, UP		
Company Name:	DSM SUGAR MEERGANJ (A Unit of Dhampur Sugar Mills)	Company Address	Nagaria Sadat, Block - Meerganj, Distt- Bareilly
Serial No. of Application Form	BRLY0421NIN0027	Date of Submission	09/04/2021
Specimen Signature of the User:			
Location particulars:			
District	Bareilly	Block	MEERGANJ
Plot No.	existing premises details attached		
Municipality/Corporation	NA	Ward No.	NA
Holding No.			NA
Rate of Withdrawal (m ³ /hr.)	155.00	Date of Energization (In Case of Electric Pump)	01/04/1995
Particulars of the Proposed Well and Pumping Device:			
Type of the Well	Tube Well/Boring	Purpose of the Well	Industrial
Assembly Size (For Tube Well)	60.00	Approx. Strainer Length (For Tube Well)	0.00
Diameter (For Dug Well)	0.00	Type of Pump to be Used:	Submersible
H.P. of the Pump:	50.00	Operational Device	Electric Motor
Maximum Allowable Rate of Withdrawal (m ³ /hr.):	155.00	Maximum Allowable Running Hours Per Day:	2.00
Maximum Allowable Annual Extraction of Ground Water:			55800

This No-Objection certificate authorizes the owner applicant (user) to sink a well in the location specified at Sl. (2) for extraction of ground water at a rate not exceeding that as shown at Sl. (3j), for Running Hours 1 day as shown at Sl. (3k), and for maximum allowable annual extraction of ground water as shown at Sl. (3k) and is valid subject to the observance of the conditions stated overleaf.

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Place:

Date:

Yours Faithfully,
Signature of the Issuing Authority
and Designation

GENERAL CONDITIONS:

- In case of any change of ownership of the proposed well, fresh authorization has to be obtained.
- No change of location, design, rate of withdrawal and pumping device in respect of the proposed well as indicated at SL (2) and (3) of this certificate shall be made without prior permission of the Competent Authority. Any deviation in this regard shall lead to cancellation of this authorization
- For the purpose of measuring and recording the quantity of ground water extracted, every said user shall affix digital water flow meters (conforming to BIS/ IS standards) having telemetry system in the abstraction structure, which record rate and quantum of extraction, at outlet of pumping devices and it shall be presumed that the quantity recorded by the meter has been extracted by the said user, until the contrary is proved. The rate of extraction of ground water from the well as shown in item 3(k) shall not exceed to the recorded rate from water meters
- The concerned Authority reserves the right to stop extraction of ground water from the well due to quality hazards or any other reasons, if the situation so demands
- In case of any change of ownership of the existing well, fresh registration has to be obtained.
- No change of location, design, rate of withdrawal and pumping device in respect of the existing well as indicated at Sl. (2) and (3) of this certificate shall be made without prior permission of the Competent Authority. Any deviation in this regard shall lead to cancellation of this registration
- In case, any of the particulars / information furnished by the applicant in his application for issuance of this registration is found to be incorrect during verification at any subsequent stage, this registration is liable for cancellation.
- The Certificate of Authorization/ NOC shall be valid for a period of five years from the date of issue. The applicant shall have to apply for renewal through a fresh application, at least ninety days prior to expiry of its validity.
- Construction of piezometers and installation of digital water level recorders with telemetry shall be mandatory for user. Depth and zone tapped of piezometer should be commensurate with that of the pumping well. The data, obtained from digital water level recorders shall be made available to this office on monthly basis
- **Guidelines for Installation of Piezometers and their Monitoring**

Piezometer is a borewell /tubewell used only for measuring the water level by lowering the tape/ sounder or automatic water level measuring equipment. It is also used to take water sample for water quality testing when ever needed. General guidelines for installation of piezometers are as follows:

- The piezometer is to be installed/constructed at the minimum of 50 m distance from the pumping well through which ground water is being withdrawn. The diameter of the piezometer should be about 4" to 6".
- The depth of the piezometer should be same as is case of the pumping well from which ground water is being abstracted. If, more than one piezometers are installed the second piezometer should monitor the shallow ground water regime. It will facilitate shallow as well as deeper ground water aquifer monitoring.
- No. of piezometers to be constructed & Type of water level monitoring mechanism shall be as per below table:

S.No	Quantum of Ground water withdrawal (cum/day)	No. of piezometers required	Monitoring Mechanism	
			Manual	DWLR with Telemetry
1	< 10	0	0	0
2	11 - 50	1	1	0
3	50- 500	1	0	1
4	> 500	2	0	2

- The measuring frequency should be monthly and accuracy of measurement should be up to cm. the reported measurement should be given in meter upto two decimal.
- For measurement of water level sounder or automatic water level recorder (AWLR)/ Digital Automatic water level recorder (DWLR) with telemetry system should be used for accuracy.
- The measurement of water level in piezometer should be taken, only after the pumping from the surrounding tube wells has been stopped for about four to six hours.
- All the details regarding coordinates, reduced level (with respect to mean level), depth, zone taped and assembly lowered should be provided for bringing the piezometer into the Hydrograph Monitoring System for Ground Water Department, Uttar Pradesh, and for its validation.
- The ground water quality has to be monitored twice in a year during pre-monsoon (May/June) and post-monsoon (October/November) periods. Quality may be got analyzed from NABL approved lab. Besides, one sample (1 lt capacity bottle) to the concerned Director,

Ground Water Department, Uttar Pradesh, for chemical analysis.

- o A Permanent display board should be installed at piezometer/Tube wells site for providing the location, piezometer/ tube well number, depth and zone tapped of piezometer/tube well for standard referencing and identification.
- o Any other site specific requirement regarding safety and access for measurement may be taken care off.
- Any other condition(s) that may be imposed by the concerned Authority.
- In case, any of the particulars I information furnished by the applicant in his application for issuance of this permit is found to be incorrect during verification at any subsequent stage, this permit is liable for cancellation.
- Any other condition imposed by the concerned Authority.
- In case, any of the particulars I information furnished by the applicant in his application for issuance of this permit is found to be incorrect during verification at any subsequent stage, this permit is liable for cancellation.
-
- **SPECIFIC CONDITIONS:**
- **(A) For Industrial User:** No Objection Certificate for ground water extraction by industries shall be granted subject to the following specific conditions:
 - i) No Objection Certificate shall be granted only in such cases where local government water supply agencies are not able to supply the desired quantity of water.
 - ii) All industries shall be required to adopt latest water efficient technologies so as to reduce dependence on ground water resources.
 - iii) All industries abstracting ground water in excess of 100 m³/d shall be required to undertake annual water audit through Confederation of Indian Industries (CII)/ Federation Indian Chamber of Commerce and Industry (FICCI)/ National Productivity Council (NPC) certified auditors and submit audit reports within three months of completion of the same to CGWA. All such industries shall be required to reduce their ground water use by at least 20% over the next three years through appropriate means.
 - iv) Construction of observation well(s) (piezometer)(s) within the premises and installation of appropriate water level monitoring mechanism as mentioned in General Condition no.10 shall be mandatory for industries drawing/ proposing to draw more than 10 m³ /day of ground water and. Monitoring of water level shall be done by the project proponent. The piezometer (observation well) shall be constructed at a minimum distance of 15 m from the bore well/production well. Depth and aquifer zone tapped in the piezometer shall be the same as that of the pumping well/ wells. Monthly water level data shall be submitted online to the Ground Water Department, UP.
 - v) The proponent shall be required to adopt roof top rain water harvesting/ recharge in the project premises. Industries which are likely to pollute ground water (chemical, pharmaceutical, dyes, pigments, paints, textiles, tannery, pesticides/ insecticides, fertilizers, slaughter house, explosives etc.) shall store the harvested rain water in surface storage tanks for use in the industry.
 - vi) Injection of treated/ untreated waste water into aquifer system is strictly prohibited.
 - vii) Industries which are likely to cause ground water pollution e.g. Tanning, Slaughter Houses, Dye, Chemical/ Petrochemical, Coal washeries, other hazardous units etc. (as per CPCB list) need to undertake necessary well head protection measures to ensure prevention of ground water pollution.
-
- **(B) Infrastructural User:** The No Objection Certificate for ground water abstraction will be granted subject to the following specific conditions:
 - i) In case of infrastructure projects that require dewatering, proponent shall be required to carry out regular monitoring of dewatering discharge rate (using a digital water flow meter) and submit the data online to Ground Water Department, UP as applicable. Monitoring records and results should be retained by the proponent for two years, for inspection or reporting as required by District Ground Water Management Council.
 - ii) Installation of Sewage Treatment Plants (STP) shall be mandatory for new projects, where ground water requirement is more than 20 m³ /day. The water from STP shall be utilized for toilet flushing, car washing, gardening etc

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यह अनापत्ति प्रमाणपत्र किसी प्राधिकारी द्वारा प्रमाणित नहीं है। इसे मात्र पूर्ववलोकन के उद्देश्य से प्रयोग किया जाना चाहिए।



GROUND WATER DEPARTMENT

(Namami Gange & Rural Water Supply Department)

Ministry of Jal Shakti

Government of Uttar Pradesh

Form 8 (C)

AUTHORIZATION/ NO-OBJECTION CERTIFICATE FOR SINKING OF NEW WELL FOR INDUSTRIAL/ COMMERCIAL/ INFRASTRUCTURAL OR BULK USER OF GROUND WATER

[Under Section 14 of the Uttar Pradesh Ground Water Management and Regulation Act, 2019.]

AUTHORIZATION/ NO-OBJECTION CERTIFICATE NO:

VALID UP TO : 18/05/2026

Name of the Applicant	SARABJIT SAINI		
Address of the Applicant:	DSM SUGAR MEERGANJ, A UNIT OF DHAMPUR SUGAR MILLS LIMITED, SINDHAULI ROAD, MEERGANJ, BAREILLY, UP		
Company Name:	DSM SUGAR MEERGANJ (A Unit of Dhampur Sugar Mills)	Company Address	Nagaria Sadat, Block - Meerganj, Distt- Bareilly
Serial No. of Application Form	BRLY0421NIN0028	Date of Submission	09/04/2021
Specimen Signature of the User:			
Location particulars:			
District	Bareilly	Block	MEERGANJ
Plot No.	existing premises details attached		
Municipality/Corporation	NA	Ward No.	NA
Holding No.	NA		
Rate of Withdrawal (m ³ /hr.)	155.00	Date of Energization (In Case of Electric Pump)	01/04/1995
Particulars of the Proposed Well and Pumping Device:			
Type of the Well	Tube Well/Boring	Purpose of the Well	Industrial
Assembly Size (For Tube Well)	60.00	Approx. Strainer Length (For Tube Well)	0.00
Diameter (For Dug Well)	0.00	Type of Pump to be Used:	Submersible
H.P. of the Pump:	50.00	Operational Device	Electric Motor
Maximum Allowable Rate of Withdrawal (m ³ /hr.):	155.00	Maximum Allowable Running Hours Per Day:	2.00
Maximum Allowable Annual Extraction of Ground Water:			55800

This No-Objection certificate authorizes the owner applicant (user) to sink a well in the location specified at Sl. (2) for extraction of ground water at a rate not exceeding that as shown at Sl. (3j), for Running Hours 1 day as shown at Sl. (3k), and for maximum allowable annual extraction of ground water as shown at Sl. (3k) and is valid subject to the observance of the conditions stated overleaf.

Place:

Date:

Yours Faithfully,
Signature of the Issuing Authority
and Designation

GENERAL CONDITIONS:

- In case of any change of ownership of the proposed well, fresh authorization has to be obtained.
- No change of location, design, rate of withdrawal and pumping device in respect of the proposed well as indicated at SL (2) and (3) of this certificate shall be made without prior permission of the Competent Authority. Any deviation in this regard shall lead to cancellation of this authorization
- For the purpose of measuring and recording the quantity of ground water extracted, every said user shall affix digital water flow meters (conforming to BIS/ IS standards) having telemetry system in the abstraction structure, which record rate and quantum of extraction, at outlet of pumping devices and it shall be presumed that the quantity recorded by the meter has been extracted by the said user, until the contrary is proved. The rate of extraction of ground water from the well as shown in item 3(k) shall not exceed to the recorded rate from water meters
- The concerned Authority reserves the right to stop extraction of ground water from the well due to quality hazards or any other reasons, if the situation so demands
- In case of any change of ownership of the existing well, fresh registration has to be obtained.
- No change of location, design, rate of withdrawal and pumping device in respect of the existing well as indicated at SL (2) and (3) of this certificate shall be made without prior permission of the Competent Authority. Any deviation in this regard shall lead to cancellation of this registration
- In case, any of the particulars / information furnished by the applicant in his application for issuance of this registration is found to be incorrect during verification at any subsequent stage, this registration is liable for cancellation.
- The Certificate of Authorization/ NOC shall be valid for a period of five years from the date of issue. The applicant shall have to apply for renewal through a fresh application, at least ninety days prior to expiry of its validity.
- Construction of piezometers and installation of digital water level recorders with telemetry shall be mandatory for user. Depth and zone tapped of piezometer should be commensurate with that of the pumping well. The data, obtained from digital water level recorders shall be made available to this office on monthly basis
- Guidelines for Installation of Piezometers and their Monitoring**

Piezometer is a borewell /tubewell used only for measuring the water level by lowering the tape/ sounder or automatic water level measuring equipment. It is also used to take water sample for water quality testing when ever needed. General guidelines for installation of piezometers are as follows:

- The piezometer is to be installed/constructed at the minimum of 50 m distance from the pumping well through which ground water is being withdrawn. The diameter of the piezometer should be about 4" to 6".
- The depth of the piezometer should be same as is case of the pumping well from which ground water is being abstracted. If, more than one piezometers are installed the second piezometer should monitor the shallow ground water regime. It will facilitate shallow as well as deeper ground water aquifer monitoring.
- No. of piezometers to be constructed & Type of water level monitoring mechanism shall be as per below table:

S.No	Quantum of Ground water withdrawal (cum/day)	No. of piezometers required	Monitoring Mechanism	
			Manual	DWLR with Telemetry
1	< 10	0	0	0
2	11 - 50	1	1	0
3	50- 500	1	0	1
4	> 500	2	0	2

- The measuring frequency should be monthly and accuracy of measurement should be up to cm. the reported measurement should be given in meter upto two decimal.
- For measurement of water level sounder or automatic water level recorder (AWLR)/ Digital Automatic water level recorder (DWLR) with telemetry system should be used for accuracy.
- The measurement of water level in piezometer should be taken, only after the pumping from the surrounding tube wells has been stopped for about four to six hours.
- All the details regarding coordinates, reduced level (with respect to mean level), depth, zone taped and assembly lowered should be provided for bringing the piezometer into the Hydrograph Monitoring System for Ground Water Department, Uttar Pradesh, and for its validation.
- The ground water quality has to be monitored twice in a year during pre-monsoon (May/June) and post-monsoon (October/November) periods. Quality may be got analyzed from NABL approved lab. Besides, one sample (1 lt capacity bottle) to the concerned Director,

Ground Water Department, Uttar Pradesh, for chemical analysis.

- A Permanent display board should be installed at piezometer/Tube wells site for providing the location, piezometer/ tube well number, depth and zone tapped of piezometer/tube well for standard referencing and identification.
- Any other site specific requirement regarding safety and access for measurement may be taken care off.
- Any other condition(s) that may be imposed by the concerned Authority.
- In case, any of the particulars I information furnished by the applicant in his application for issuance of this permit is found to be incorrect during verification at any subsequent stage, this permit is liable for cancellation.
- Any other condition imposed by the concerned Authority.
- In case, any of the particulars I information furnished by the applicant in his application for issuance of this permit is found to be incorrect during verification at any subsequent stage, this permit is liable for cancellation.

• **SPECIFIC CONDITIONS:**

- **(A) For Industrial User:** No Objection Certificate for ground water extraction by industries shall be granted subject to the following specific conditions:
 - i) No Objection Certificate shall be granted only in such cases where local government water supply agencies are not able to supply the desired quantity of water.
 - ii) All industries shall be required to adopt latest water efficient technologies so as to reduce dependence on ground water resources.
 - iii) All industries abstracting ground water in excess of 100 m³/d shall be required to undertake annual water audit through Confederation of Indian Industries (CII)/ Federation Indian Chamber of Commerce and Industry (FICCI)/ National Productivity Council (NPC) certified auditors and submit audit reports within three months of completion of the same to CGWA. All such industries shall be required to reduce their ground water use by at least 20% over the next three years through appropriate means.
 - iv) Construction of observation well(s) (piezometer)(s) within the premises and installation of appropriate water level monitoring mechanism as mentioned in General Condition no.10 shall be mandatory for industries drawing/ proposing to draw more than 10 m³ /day of ground water and. Monitoring of water level shall be done by the project proponent. The piezometer (observation well) shall be constructed at a minimum distance of 15 m from the bore well/production well. Depth and aquifer zone tapped in the piezometer shall be the same as that of the pumping well/ wells. Monthly water level data shall be submitted online to the Ground Water Department, UP.
 - v) The proponent shall be required to adopt roof top rain water harvesting/ recharge in the project premises. Industries which are likely to pollute ground water (chemical, pharmaceutical, dyes, pigments, paints, textiles, tannery, pesticides/ insecticides, fertilizers, slaughter house, explosives etc.) shall store the harvested rain water in surface storage tanks for use in the industry.
 - vi) Injection of treated/ untreated waste water into aquifer system is strictly prohibited.
 - vii) Industries which are likely to cause ground water pollution e.g. Tanning, Slaughter Houses, Dye, Chemical/ Petrochemical, Coal washeries, other hazardous units etc. (as per CPCB list) need to undertake necessary well head protection measures to ensure prevention of ground water pollution.
- **(B) Infrastructural User:** The No Objection Certificate for ground water abstraction will be granted subject to the following specific conditions:
 - i) In case of infrastructure projects that require dewatering, proponent shall be required to carry out regular monitoring of dewatering discharge rate (using a digital water flow meter) and submit the data online to Ground Water Department, UP as applicable. Monitoring records and results should be retained by the proponent for two years, for inspection or reporting as required by District Ground Water Management Council.
 - ii) Installation of Sewage Treatment Plants (STP) shall be mandatory for new projects, where ground water requirement is more than 20 m³ /day. The water from STP shall be utilized for toilet flushing, car washing, gardening etc

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यह अनापत्ति प्रमाणपत्र किसी प्राधिकारी द्वारा प्रमाणित नहीं है। इसे मात्र पूर्वावलोकन के उद्देश्य से प्रयोग किया जाना चाहिए।



GROUND WATER DEPARTMENT

(Namami Gange & Rural Water Supply Department)

Ministry of Jal Shakti

Government of Uttar Pradesh

Form 8 (C)

AUTHORIZATION/ NO-OBJECTION CERTIFICATE FOR SINKING OF NEW WELL FOR INDUSTRIAL/ COMMERCIAL/ INFRASTRUCTURAL OR BULK USER OF GROUND WATER

[Under Section 14 of the Uttar Pradesh Ground Water Management and Regulation Act, 2019.]

AUTHORIZATION/ NO-OBJECTION CERTIFICATE NO:

VALID UP TO : 18/05/2026

Name of the Applicant	SARABJIT SAINI		
Address of the Applicant:	DSM SUGAR MEERGANJ, A UNIT OF DHAMPUR SUGAR MILLS LIMITED, SINDHAULI ROAD, MEERGANJ, BAREILLY, UP		
Company Name:	DSM SUGAR MEERGANJ (A Unit of Dhampur Sugar Mills)	Company Address	Nagaria Sadat, Block - Meerganj, Distt- Bareilly
Serial No. of Application Form	BRLY0421NIN0029	Date of Submission	09/04/2021
Specimen Signature of the User:			
Location particulars:			
District	Bareilly	Block	MEERGANJ
Plot No.	existing premises details attached		
Municipality/Corporation	NA	Ward No.	NA
Holding No.	NA		
Rate of Withdrawal (m ³ /hr.)	50.00	Date of Energization (In Case of Electric Pump)	01/04/1995
Particulars of the Proposed Well and Pumping Device:			
Type of the Well	Tube Well/Boring	Purpose of the Well	Industrial
Assembly Size (For Tube Well)	60.00	Approx. Strainer Length (For Tube Well)	0.00
Diameter (For Dug Well)	0.00	Type of Pump to be Used:	Submersible
H.P. of the Pump:	10.00	Operational Device	Electric Motor
Maximum Allowable Rate of Withdrawal (m ³ /hr.):	50.00	Maximum Allowable Running Hours Per Day:	2.00
Maximum Allowable Annual Extraction of Ground Water:			18000

This No-Objection certificate authorizes the owner applicant (user) to sink a well in the location specified at Sl. (2) for extraction of ground water at a rate not exceeding that as shown at Sl. (3j), for Running Hours 1 day as shown at Sl. (3k), and for maximum allowable annual extraction of ground water as shown at Sl. (3k) and is valid subject to the observance of the conditions stated overleaf.

Place:

Date:

Yours Faithfully,
Signature of the Issuing Authority
and Designation

GENERAL CONDITIONS:

- In case of any change of ownership of the proposed well, fresh authorization has to be obtained.
- No change of location, design, rate of withdrawal and pumping device in respect of the proposed well as indicated at SL (2) and (3) of this certificate shall be made without prior permission of the Competent Authority. Any deviation in this regard shall lead to cancellation of this authorization
- For the purpose of measuring and recording the quantity of ground water extracted, every said user shall affix digital water flow meters (conforming to BIS/ IS standards) having telemetry system in the abstraction structure, which record rate and quantum of extraction, at outlet of pumping devices and it shall be presumed that the quantity recorded by the meter has been extracted by the said user, until the contrary is proved. The rate of extraction of ground water from the well as shown in item 3(k) shall not exceed to the recorded rate from water meters
- The concerned Authority reserves the right to stop extraction of ground water from the well due to quality hazards or any other reasons, if the situation so demands
- In case of any change of ownership of the existing well, fresh registration has to be obtained.
- No change of location, design, rate of withdrawal and pumping device in respect of the existing well as indicated at Sl. (2) and (3) of this certificate shall be made without prior permission of the Competent Authority. Any deviation in this regard shall lead to cancellation of this registration
- In case, any of the particulars / information furnished by the applicant in his application for issuance of this registration is found to be incorrect during verification at any subsequent stage, this registration is liable for cancellation.
- The Certificate of Authorization/ NOC shall be valid for a period of five years from the date of issue. The applicant shall have to apply for renewal through a fresh application, at least ninety days prior to expiry of its validity.
- Construction of piezometers and installation of digital water level recorders with telemetry shall be mandatory for user. Depth and zone tapped of piezometer should be commensurate with that of the pumping well. The data, obtained from digital water level recorders shall be made available to this office on monthly basis
- Guidelines for Installation of Piezometers and their Monitoring**

Piezometer is a borewell /tubewell used only for measuring the water level by lowering the tape/ sounder or automatic water level measuring equipment. It is also used to take water sample for water quality testing when ever needed. General guidelines for installation of piezometers are as follows:

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- No. of piezometers to be constructed & Type of water level monitoring mechanism shall be as per below table:

S.No	Quantum of Ground water withdrawal (cum/day)	No.of piezometers required	Monitoring Mechanism	
			Manual	DWLR with Telemetry
1	< 10	0	0	0
2	11 - 50	1	1	0
3	50- 500	1	0	1
4	> 500	2	0	2

- The measuring frequency should be monthly and accuracy of measurement should be up to cm. the reported measurement should be given in meter upto two decimal.
- For measurement of water level sounder or automatic water level recorder (AWLR)/ Digital Automatic water level recorder (DWLR) with telemetry system should be used for accuracy.
- The measurement of water level in piezometer should be taken, only after the pumping from the surrounding tube wells has been stopped for about four to six hours.
- All the details regarding coordinates, reduced level (with respect to mean level), depth, zone taped and assembly lowered should be provided for bringing the piezometer into the Hydrograph Monitoring System for Ground Water Department, Uttar Pradesh, and for its validation.
- The ground water quality has to be monitored twice in a year during pre-monsoon (May/June) and post-monsoon (October/November) periods. Quality may be got analyzed from NABL approved lab. Besides, one sample (1 lt capacity bottle) to the concerned Director,

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Ground Water Department, Uttar Pradesh, for chemical analysis.

- A Permanent display board should be installed at piezometer/Tube wells site for providing the location, piezometer/ tube well number, depth and zone tapped of piezometer/tube well for standard referencing and identification.
- Any other site specific requirement regarding safety and access for measurement may be taken care off.
- Any other condition(s) that may be imposed by the concerned Authority.
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- **SPECIFIC CONDITIONS:**
- **(A) For Industrial User:** No Objection Certificate for ground water extraction by industries shall be granted subject to the following specific conditions:
 - i) No Objection Certificate shall be granted only in such cases where local government water supply agencies are not able to supply the desired quantity of water.
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 - iv) Construction of observation well(s) (piezometer)(s) within the premises and installation of appropriate water level monitoring mechanism as mentioned in General Condition no.10 shall be mandatory for industries drawing/ proposing to draw more than 10 m³ /day of ground water and. Monitoring of water level shall be done by the project proponent. The piezometer (observation well) shall be constructed at a minimum distance of 15 m from the bore well/production well. Depth and aquifer zone tapped in the piezometer shall be the same as that of the pumping well/ wells. Monthly water level data shall be submitted online to the Ground Water Department, UP.
 - v) The proponent shall be required to adopt roof top rain water harvesting/ recharge in the project premises. Industries which are likely to pollute ground water (chemical, pharmaceutical, dyes, pigments, paints, textiles, tannery, pesticides/ insecticides, fertilizers, slaughter house, explosives etc.) shall store the harvested rain water in surface storage tanks for use in the industry.
 - vi) Injection of treated/ untreated waste water into aquifer system is strictly prohibited.
 - vii) Industries which are likely to cause ground water pollution e.g. Tanning, Slaughter Houses, Dye, Chemical/ Petrochemical, Coal washeries, other hazardous units etc. (as per CPCB list) need to undertake necessary well head protection measures to ensure prevention of ground water pollution.
- **(B) Infrastructural User:** The No Objection Certificate for ground water abstraction will be granted subject to the following specific conditions:
 - i) In case of infrastructure projects that require dewatering, proponent shall be required to carry out regular monitoring of dewatering discharge rate (using a digital water flow meter) and submit the data online to Ground Water Department, UP as applicable. Monitoring records and results should be retained by the proponent for two years, for inspection or reporting as required by District Ground Water Management Council.
 - ii) Installation of Sewage Treatment Plants (STP) shall be mandatory for new projects, where ground water requirement is more than 20 m³ /day. The water from STP shall be utilized for toilet flushing, car washing, gardening etc

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यह अनापत्ति प्रमाणपत्र किसी प्राधिकारी द्वारा प्रमाणित नहीं है। इसे मात्र पूर्वावलोकन के उद्देश्य से प्रयोग किया जाना चाहिए।



GROUND WATER DEPARTMENT

(Namami Gange & Rural Water Supply Department)

Ministry of Jal Shakti

Government of Uttar Pradesh

Form 8 (C)

AUTHORIZATION/ NO-OBJECTION CERTIFICATE FOR SINKING OF NEW WELL FOR INDUSTRIAL/ COMMERCIAL/ INFRASTRUCTURAL OR BULK USER OF GROUND WATER

[Under Section 14 of the Uttar Pradesh Ground Water Management and Regulation Act, 2019.]

AUTHORIZATION/ NO-OBJECTION CERTIFICATE NO:

VALID UP TO : 18/05/2026

Name of the Applicant	SARABJIT SAINI		
Address of the Applicant:	DSM SUGAR MEERGANJ, A UNIT OF DHAMPUR SUGAR MILLS LIMITED, SINDHAULI ROAD, MEERGANJ, BAREILLY, UP		
Company Name:	DSM SUGAR MEERGANJ (A Unit of Dhampur Sugar Mills)	Company Address	Nagaria Sadat, Block - Meeraganj, Distt- Bareilly
Serial No. of Application Form	BRLY0421NIN0030	Date of Submission	09/04/2021
Specimen Signature of the User:			
Location particulars:			
District	Bareilly	Block	MEERGANJ
Plot No.	existing premises details attached		
Municipality/Corporation	NA	Ward No.	NA
Holding No.	NA		
Rate of Withdrawal (m ³ /hr.)	5.00	Date of Energization (In Case of Electric Pump)	01/04/2012
Particulars of the Proposed Well and Pumping Device:			
Type of the Well	Tube Well/Boring	Purpose of the Well	Industrial
Assembly Size (For Tube Well)	60.00	Approx. Strainer Length (For Tube Well)	0.00
Diameter (For Dug Well)	0.00	Type of Pump to be Used:	Submersible
H.P. of the Pump:	2.00	Operational Device	Electric Motor
Maximum Allowable Rate of Withdrawal (m ³ /hr.):	5.00	Maximum Allowable Running Hours Per Day:	2.00
Maximum Allowable Annual Extraction of Ground Water:			3650

This No-Objection certificate authorizes the owner applicant (user) to sink a well in the location specified at Sl. (2) for extraction of ground water at a rate not exceeding that as shown at Sl. (3j), for Running Hours 1 day as shown at Sl. (3k), and for maximum allowable annual extraction of ground water as shown at Sl. (3k) and is valid subject to the observance of the conditions stated overleaf.

Place:

Date:

Yours Faithfully,
Signature of the Issuing Authority
and Designation

GENERAL CONDITIONS:

- In case of any change of ownership of the proposed well, fresh authorization has to be obtained.
- No change of location, design, rate of withdrawal and pumping device in respect of the proposed well as indicated at SL (2) and (3) of this certificate shall be made without prior permission of the Competent Authority. Any deviation in this regard shall lead to cancellation of this authorization
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1	< 10	0	0	0
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- The measuring frequency should be monthly and accuracy of measurement should be up to cm. the reported measurement should be given in meter upto two decimal.
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- All the details regarding coordinates, reduced level (with respect to mean level), depth, zone taped and assembly lowered should be provided for bringing the piezometer into the Hydrograph Monitoring System for Ground Water Department, Uttar Pradesh, and for its validation.
- The ground water quality has to be monitored twice in a year during pre-monsoon (May/June) and post-monsoon (October/November) periods. Quality may be got analyzed from NABL approved lab. Besides, one sample (1 lt capacity bottle) to the concerned Director,

Ground Water Department, Uttar Pradesh, for chemical analysis.

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- **SPECIFIC CONDITIONS:**
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 - iii) All industries abstracting ground water in excess of 100 m³/d shall be required to undertake annual water audit through Confederation of Indian Industries (CII)/ Federation Indian Chamber of Commerce and Industry (FICCI)/ National Productivity Council (NPC) certified auditors and submit audit reports within three months of completion of the same to CGWA. All such industries shall be required to reduce their ground water use by at least 20% over the next three years through appropriate means.
 - iv) Construction of observation well(s) (piezometer)(s) within the premises and installation of appropriate water level monitoring mechanism as mentioned in General Condition no.10 shall be mandatory for industries drawing/ proposing to draw more than 10 m³ /day of ground water and. Monitoring of water level shall be done by the project proponent. The piezometer (observation well) shall be constructed at a minimum distance of 15 m from the bore well/production well. Depth and aquifer zone tapped in the piezometer shall be the same as that of the pumping well/ wells. Monthly water level data shall be submitted online to the Ground Water Department, UP.
 - v) The proponent shall be required to adopt roof top rain water harvesting/ recharge in the project premises. Industries which are likely to pollute ground water (chemical, pharmaceutical, dyes, pigments, paints, textiles, tannery, pesticides/ insecticides, fertilizers, slaughter house, explosives etc.) shall store the harvested rain water in surface storage tanks for use in the industry.
 - vi) Injection of treated/ untreated waste water into aquifer system is strictly prohibited.
 - vii) Industries which are likely to cause ground water pollution e.g. Tanning, Slaughter Houses, Dye, Chemical/ Petrochemical, Coal washeries, other hazardous units etc. (as per CPCB list) need to undertake necessary well head protection measures to ensure prevention of ground water pollution.
-
- **(B) Infrastructural User:** The No Objection Certificate for ground water abstraction will be granted subject to the following specific conditions:
 - i) In case of infrastructure projects that require dewatering, proponent shall be required to carry out regular monitoring of dewatering discharge rate (using a digital water flow meter) and submit the data online to Ground Water Department, UP as applicable. Monitoring records and results should be retained by the proponent for two years, for inspection or reporting as required by District Ground Water Management Council.
 - ii) Installation of Sewage Treatment Plants (STP) shall be mandatory for new projects, where ground water requirement is more than 20 m³ /day. The water from STP shall be utilized for toilet flushing, car washing, gardening etc

This NOC is not authorized by any Official. This should only be used for Preview purpose.
यह अनापत्ति प्रमाणपत्र किसी प्राधिकारी द्वारा प्रमाणित नहीं है। इसे मात्र पूर्वावलोकन के उद्देश्य से प्रयोग किया जाना चाहिए।



संदर्भ संख्या: M49590 सी-7/जल-647/2020

दिनांक: 03-06-2020

सेवा में,

मै0 धामपुर शुगर मिल्स लि0,
रजपुरा, गुन्नौर, सम्भल

विषय: केन्द्रीय प्रदूषण नियंत्रण बोर्ड नई दिल्ली द्वारा जारी निर्देशों के कम में एन0एस0आई0 कानपुर के अधिकारियों द्वारा दिनांक 12.12.2019 को किये गये निरीक्षण में की गयी संस्तुतियों के अनुपालन के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक केन्द्रीय प्रदूषण नियंत्रण बोर्ड नई दिल्ली द्वारा जारी निर्देशों के कम में मै0 धामपुर शुगर मिल्स लि0, रजपुरा, गुन्नौर, सम्भल का निरीक्षण एन0एस0आई0, कानपुर के अधिकारियों द्वारा दिनांक 12.12.2019 को किया गया। उद्योग को संचालन हेतु बोर्ड से सहमति जल निर्गत है उक्त निरीक्षण दिनांक 12.12.2019 की रिपोर्ट में उद्योग से निस्तारित उत्प्रवाह में प्रचालकों का मान निर्धारित मानको के अनुरूप पाया गया तथा पायी गयी संस्तुतियों निम्नानुसार हैं:-

OBSERVATIONS:

**a) Implementation status of the recommendations of adequacy report.
(recommendations may be collected from unit)**

- I. Flowmeters are installed at major consumption & discharge points. But for better management of usage of fresh water and generation of effluent more flowmeters as mentioned in adequacy/validation report are to be installed.
- II. Some water from cooling tower blow down (after treatment of the blowdown) found to be taken directly to horticulture without measurement. Rest majority of the water found to be taken to ETP. The complete effluent is to be accounted for.
- III. The factory has installed additional MGF and ACF to meet the retention time as per norms.
- IV. The capacity of aeration tank is still falling marginally short for the licensed capacity as mentioned in the report. However, it was reported that 100 nos. of additional diffuser units are installed to increase aeration efficiency.

b) Implementation status of charter points (as indicated in above format) -

- I. The Sulphate Removal System (SRS) is of very elementary type without any microsettler/ anaerobic filters or aerobic treatment.
- II. The factory is installed with two boilers of 68.5 kg/cm² pressure. Condensate Polishing Unit (CPU) is not installed.

c) Compliance status w.r.t. discharge norms

The effluent generation is 197.2 lt/ton of cane with quality parameters is within the limits as per CPCB norms. The quantity of discharge is very close to the prescribed limit. Though factory is complying with the discharge norms but factory needs to improve keeping in the view the points mentioned in a) & b) above and avoid discharge of cooling tower blow down for horticulture purpose.

RECOMMENDATIONS:

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

1. The effluent generation is 197.2 lt/ton of cane with quality parameters is within the limits as per CPCB norms but the quantity of discharge is very close to the prescribed limit. The factory should explore the means to minimize the same.
2. The SRS should be standardized.

--2

3. Since factory is installed with boilers of 68.5 kg/cm² pressure and treated effluent discharge is also on higher side, the factory may install CPU for recycling of condensate to boiler for better water usage management and reduction in the quantity of effluent generation.
4. The complete effluent of all the routes is to come to ETP and then only to be discharged for irrigation purpose for proper accounting of the discharge.

उपरोक्त तथ्यों के दृष्टिगत आपको निर्देशित किया जाता है कि एन0एस0आई0 कानपुर के अधिकारियों द्वारा दिनांक 12.12.2019 को किये गये निरीक्षण की रिपोर्ट में की गयी सस्तुति के अनुसार कार्यवाही करते हुए अनुपालन आख्या बोर्ड को 15 दिन में प्रेषित करना सुनिश्चित करें।

भवदीय,



(अमित चन्द्रा)

मुख्य पर्यावरण अधिकारी-वृत्त-7

प्रतिलिपि- क्षेत्रीय अधिकारी, उ0प्र0 प्रदूषण नियंत्रण बोर्ड, मुरादाबाद को इस निर्देश के साथ कि उक्त निर्देशों का अनुपालन सुनिश्चित कराये जाने हेतु आवश्यक कार्यवाही सुनिश्चित करें।

मुख्य पर्यावरण अधिकारी-वृत्त-7

Received on 18/6/2020



**Dhampur Sugar Mills Limited
Unit : Rajpura**

Vill. & P.O. : Rajpura, Distt. Sambhal
Pin Code : 243 727 (U.P.)
Tel. : + 91-5836-239055, Fax : 239054
E-mail : dsrajpura@dhampur.com
CIN No. : L15249UP1933PLC000511

पत्रांक: डीएसएम/आर/2020
दिनांक: 22.06.2020

सेवा में,

श्रीमान अमित चन्द्रा,
मुख्य पर्यावरण अधिकारी-वृत्त-7,
टी0सी0 12 वीं, विभूति खण्ड,
गोमती नगर, लखनऊ-226010

विषय :- केन्द्रीय प्रदूषण नियंत्रण बोर्ड नई दिल्ली जारी निर्देशों के क्रम में एन0एस0आई0 कानपुर के अधिकारियों द्वारा दिनांक 12.12.2019 को किये गये निरीक्षण में की गई संस्तुतियों के अनुपालन के सम्बन्ध में।

महोदय,

कृपया अपने कार्यालय पत्रांक संख्या H49590 सी-7/जल-047/2020 दिनांक 03.06.2020 का संदर्भ ग्रहण करने का कष्ट करें, जिसके द्वारा दी गई संस्तुतियों पर संस्थान द्वारा निम्नलिखित कार्य किये गये हैं :-

Regarding Observations-

- (a) I. WE HAVE INSTALLED FLOW METERS AT RECOMMENDED PLACES, AS PER NSI TEAM ADVICE TO REDUCE MORE FRESH WATER, WE WILL FOLLOW THEIR SUGGESTION.
II. WE DO HORTICULTURE IRRIGATION BY TREATED MEASURED WATER ALWAYS AND FOR FUTURE WE ASSURE YOU TO FOLLOW IT.
III. OUR MGF AND ACF ARE WORKING WELL AND ARE OF ADEQUATE CAPACITY.
IV. WE ARE INCREASING CAPACITY OF EXISTING AERATION TANK FROM 1584 M3 TO 2500 M3 TO MEET CAPACITY.
(b) I. WE HAVE INSTALLED LAMELLA CLARIFIER OF 1000 M3/DAY FOR SULPHATE REMOVING OF COOLING TOWER WATER AFTER NSI TEAM VISIT. MM ENVIRO HAS SUPPLIED ITS DRAWINGS AND MATERIAL.
II. OUR HIGHER MANAGEMENT IS SERIOUSLY DISCUSSING TO INSTALL C.P.U.
(c) TO MAINTAIN EFFLUENT WATER NORMS WELL IN LIMIT WE ARE INCREASING AERATION TANK CAPACITY AS SAID ABOVE. FRESH WATER CONSUMPTION WILL BE REDUCED BY INSTALLING CPU AND SOME FLOW METERS WHERE NECESSARY.

Regarding Recommendations-

1. INCREASE OF AERATION TANK CAPACITY AND CPU INSTALLATION WILL HELP TO MAINTAIN OUR DISCHARGE WATER NORMS WELL AND IN LIMITS.
2. WE HAVE INSTALLED LAMELLA CLARIFIER AND IT IS WORKING WELL FOR S.R.S.
3. FOR MAX. USE OF CONDENSATE WATER AND REDUCING FRESH WATER CONSUMPTION, PLANNING TO INSTALL CPU IS IN PROGRESS.
4. WE ASSURE YOU THAT ALL EFFLUENT WILL BE ROUTED THROUGH ETP AND DISCHARGE WILL BE USED FOR IRRIGATION AND HORTICULTURE BY MEASURING THROUGH FLOWMETERS. SAME THING WE ARE PRESENTLY DOING SIR.

Hope you will satisfy with our explanation.

Thanks and with all regards,

(Randhir Singh)
Unit Head

डाक प्राप्ति रसीद

प्राप्ति दिनांक: 30.6.20
प्राप्तकर्ता के हस्ताक्षर: [Signature]
एनएन प्रदूषण नियंत्रण बोर्ड, लखनऊ

Copy to : Regional Officer, U.P.P.C.B, Moradabad.

Regd. Office :- Dhampur Sugar Mills Ltd., Near Rly Station, Dhampur (Bijnor) U.P. 246761
E-mail id :- corporateoffice@dhampur.com
Website :- www.dhampur.com

ANNEXURE: R1/L

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BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

Original Application No. 35 of 2015
(M.A. No. 348 of 2015 & M.A. No. 349 of 2015)

IN THE MATTER OF:-

Shailesh Singh Vs. M/s D.S.M. Sugar Distillery Division & Ors.

CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER

Present: Applicant: Mr. Mahesh Shrivastava, Adv.
Respondent No. 1: Mr. Yash Pal, Adv.
Respondent No.2&3: Mr. Pradeep Misra & Mr. Daleep Kr Dhyani
Respondent No.4: Mr. Raj Kumar, Adv & Mr. S.L Gundli, SLO
Respondent No.5&6: Ms. Savitri Pandey, Adv.

Date and Remarks	Orders of the Tribunal
<p>Item No. 12 April 23, 2015 SS</p>	<p>We have heard the Learned Counsel appearing for parties. The report of the Joint Inspection Team has been filed on record. In terms of this report the DSM Sugar Distillery Division unit is not adhering to the prescribed norms. The sample collected and analysed by the Joint Inspection Team is beyond the prescribed limits for different parameters. It is further stated that treated effluent from ETP is not meeting the criteria for the BOD and TSS for disposal on land. The treated effluent storage tank with capacity of 24000 KL was damaged.</p> <p>Further more, there was short circuiting at the primary clarifier Unit. DG set was not equipped with acoustic enclosure.</p> <p>The Learned Counsel appearing for the industries submits that they will be conducting effective steps in terms of the recommendation made.</p> <p>Further the Applicant contended that the Groundwater has been polluted to the extent that the population of the nearby localities is suffering from Cancer and some other diseases. It is their contention that there</p>

is serious air pollution. Allegations made by the Applicant are of course denied by the industry respondents. In the circumstances afore-stated we direct that this industry shall be closed forthwith. However, industry has liberty to take remedial measures and apply to the Joint Inspection Team for a fresh inspection. The inspection would be conducted by the Joint Inspection Team only in furtherance to the order of the Tribunal. Recommendation of the Joint Inspection Team then would be placed before the Tribunal. Liberty to the Respondent industry to move the Tribunal for seeking permission to operate after achievement of the prescribed standards in respect of its effluent as per the prescribed norms and carrying out rectification of various defects and deficiencies pointed out in the inspection. Both Sugar and Distillery units will remain closed.

With the above directions the Original Application No. 35 of 2014 as well as all other M.A. No. 348 of 2015 and M.A. No. 349 of 2015 are disposed of.

Liberty to Applicant to move as prayed.

.....,CP
(Swatanter Kumar)

.....,EM
(Prof. A.R. Yousuf)

.....,EM
(B.S. Sajwan)

		<p>is serious air pollution. Allegations made by the Applicant are of course denied by the industry respondents. In the circumstances afore-stated we direct that this industry shall be closed forthwith. However, industry has liberty to take remedial measures and apply to the Joint Inspection Team for a fresh inspection. The inspection would be conducted by the Joint Inspection Team only in furtherance to the order of the Tribunal. Recommendation of the Joint Inspection Team then would be placed before the Tribunal. Liberty to the Respondent industry to move the Tribunal for seeking permission to operate after achievement of the prescribed standards in respect of its effluent as per the prescribed norms and carrying out rectification of various defects and deficiencies pointed out in the inspection. Both Sugar and Distillery units will remain closed.</p> <p>With the above directions the Original Application No. 35 of 2014 as well as all other M.A. No. 348 of 2015 and M.A. No. 349 of 2015 are disposed of.</p> <p>Liberty to Applicant to move as prayed.</p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,EM (Prof. A.R. Yousuf)</p> <p>.....,EM (B.S. Sajwan)</p>
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**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH
NEW DELHI**

.....

REVIEW APPLICATION NO. 13 OF 2015

IN

ORIGINAL APPLICATION NO. 35 OF 2015

IN THE MATTER OF:

M/s. DSM Sugar Distillery Division,
Asmoli, District Sambhal,
Uttar Pradesh.

.....Applicant

Versus

1. Shailesh Singh
S/o Sh. Babu Singh,
H.No. 1601, Mahagun Mascot,
Crossing Republic, Dist. Ghaziabad,
Uttar Pradesh.
2. District Pollution Control Officer
(DPCO), Sambhal (Uttar Pradesh)
3. Chairman/Secretary, Uttar Pradesh Pollution Control Board,
(UPPCB), Pick-up Bhawan, 3rd Floor,
Gomti Nagar, Lucknow,
Uttar Pradesh-226010.
4. Chairman/Secretary, Central Pollution Control Board,
(CPCB), "Parivesh Bhawan", East Arjun Nagar,
Near Karkardooma Court, Shahdara,
Delhi.
5. Commissioner, Moradabad Division,
Moradabad, Uttar Pradesh-243003.
6. District Magistrate, Dist. Sambhal,
Uttar Pradesh-224201.

.....Respondents

COUNSEL FOR APPELLANTS:

Mr. Chetan Sharma, Sr. Adv., with Mr. A.A. Aron, Advocate for
the DSM.

COUNSEL FOR RESPONDENTS:

Mr. Sudeep Dey, Advocate, along with Mr. Shailesh Singh, Advocate, for Respondent No. 1.

Mr. Pradeep Misra & Mr. Daleep Kr. Dhyani, Advocate, for Respondent No. 2

Mr. Raj Kumar and Mr. S.L. Gundli, SLO, for Respondent No. 3.

Ms. Savitri Pandey and Ms. Azma Parveen, Advocates, for Respondent No. 5 and 6.

JUDGMENT**PRESENT:**

Hon'ble Mr. Justice Swatanter Kumar (Chairperson)

Hon'ble Mr. Justice M.S. Nambiar (Judicial Member)

Hon'ble Dr. D.K. Agrawal (Expert Member)

Hon'ble Prof. A.R. Yousuf (Expert Member)

Hon'ble Mr. Ranjan Chatterjee (Expert Member)

Reserved on: 22nd September, 2015

Pronounced on: 10th December, 2015

1. Whether the judgment is allowed to be published on the net?
2. Whether the judgment is allowed to be published in the NGT Reporter?

JUSTICE SWATANTER KUMAR, (CHAIRPERSON)

One Mr. Shailesh Singh had invoked the jurisdiction of this Tribunal in O.A. No. 35 of 2015 under Section 18(1) read with Sections 14, 15, 16 and 17 of the National Green Tribunal Act, 2010 (for short 'NGT Act') praying that M/s. DSM Sugar Distillery Division, Asmoli in Sambhal District of Uttar Pradesh (for short 'the Review Applicant') was a seriously polluting industry. It was operating contrary to the terms and conditions of its consent order. For a long period of time, it had been discharging the poisonous smoke in the atmosphere, untreated effluents on the land, both inside and outside of its premises. The Unit had polluted the surrounding area as well as the ground water, besides adversely affecting the top layer of soil of the earth. It was extracting ground

water through tube well, illegally and in a completely unauthorized manner. Officers of the Central Pollution Control Board (for short 'CPCB') had conducted inspection on 20th May, 2014 and found that the Unit was violating the prescribed norms. In these circumstances, the applicant had prayed for a deterrent action to be taken against the sugar distillery division of the Review Applicant.

2. Replies by all the respondents were filed to the main application and the review applicant vehemently contested the contentions filed by the respondents in their replies. Certain additional documents were also filed by the applicant showing that various persons had suffered different diseases as a result of the polluted water.

3. During the pendency of the application, vide order dated 26th February, 2015, the Tribunal had constituted an Expert Team (the 'Joint Inspection Team') consisting of the officers of the CPCB and the Uttar Pradesh Pollution Control Board (for short 'UPPCB') to conduct an inspection of the premises of the sugar and distillery unit. On 24th March, 2015, the Joint Inspection Team conducted the inspection, on which day, the sugar unit was in operation while the distillery unit was closed. The Joint Inspection Team submitted its report to the Tribunal on 16th April, 2015. In this report, various deficiencies were pointed out. Inter alia, it was stated that the ETP was not meeting the prescribed standards of TSS for disposal on land. The Treated Effluents Storage Tank was also not meeting the stipulated norms of effluent disposal on land with respect to TSS

and BOD parameters. Short circuiting at Primary Clarifier was observed. The unit was to install pressure sand filter before starting of the cane crushing season which had not been done. The ETP was operational for 23 days as against one month before commencement of the cane crushing season as per records. Excess fugitive emissions were observed at the bagasse handling and storage area. The DG Set with capacity of 650 KVA was not equipped with acoustic enclosures and stack height was not proper. As many as ten recommendations were made by the Joint Inspection Team. Under the observation head, certain deficiencies were pointed out and the Unit was required to comply with them in relation to the distillery unit which was not operative at that time.

4. On the basis of the report of the Joint Inspection Team dated 24th March, 2015, the Tribunal on 23rd April, 2015 directed closure of the Unit and passed the following order:

“We have heard the Learned Counsel appearing for parties. The report of the Joint Inspection Team has been filed on record. In terms of this report the DSM Sugar Distillery Division unit is not adhering to the prescribed norms. The sample collected and analyzed by the Joint Inspection Team is beyond the prescribed limits for different parameters. It is further stated that treated effluent from ETP is not meeting the criteria for the BOD and TSS for disposal on land. The treated effluent storage tank with capacity of 24000 KL was damaged.

Furthermore, there was short circuiting at the primary clarifier Unit. DG set was not equipped with acoustic enclosure.

The Learned Counsel appearing for the industries submits that they will be conducting effective steps in terms of the recommendation made.

Further the Applicant contended that the Groundwater has been polluted to the extent that the population of the nearby localities is suffering from Cancer and some other diseases. It is their contention that there is serious air pollution. Allegations made by the Applicant are of course

denied by the industry respondents. In the circumstances afore-stated we direct that this industry shall be closed forthwith. However, industry has liberty to take remedial measures and apply to the Joint Inspection Team for a fresh inspection. The inspection would be conducted by the Joint Inspection Team only in furtherance to the order of the Tribunal. Recommendation of the Joint Inspection Team then would be placed before the Tribunal. Liberty to the Respondent industry to move the Tribunal for seeking permission to operate after achievement of the prescribed standards in respect of its effluent as per the prescribed norms and carrying out rectification of various defects and deficiencies pointed out in the inspection. Both Sugar and Distillery units will remain closed.

With the above directions the Original Application No. 35 of 2014 as well as all other M.A. No. 348 of 2015 and M.A. No. 349 of 2015 are disposed of. Liberty to Applicant to move as prayed."

5. After disposal of the Main Application No. 35/2015 by the above order, the distillery unit filed a Review Application No. 13/2015 seeking review of the order dated 23rd April, 2015 and praying that the distillery unit be permitted to operate as the Review Applicant had complied with all the directions issued by the Joint Inspection Team as well as the UPPCB.
6. Notice of the Review Application were issued to the non-applicants, who filed their replies to the review application and contested that the unit should not be permitted to recommence its production.
7. In the Review Application, it was submitted that the Review Applicant undertakes to remove all the deficiencies as pointed out in the order of the Tribunal dated 23rd April, 2015 and the Unit would take prior approval before operating its sugar unit in the next cane crushing season. According to the Review Applicant, it had

complied with all the recommendations made in the report of the Joint Inspection Team. It is stated that the press mud lying in the unlined area at the time of inspection was observed in the Sugar unit which is actually the production point of press mud from where it is regularly shifted to Bio Composting Yard of the Distillery unit which is duly lined consisting of a layer of Sand Bend, HDPE Sheet, PCC and Brick lining. The treated effluent from the sugar unit is fully utilized for irrigation by the nearby farmers and there is no discharge by the industry. There are two RO Units of 500 m³/day capacity and one of such RO is sufficient and adequate to handle the Bio-methanated spent wash. As such, there was no deficiency and the unit should be permitted to operate. The Ethanol Blending Programme (EBP) ensures compliance to the policy of the Government of India and ensures proper benefits.

8. After filing of the review application, the Joint Inspection Team conducted inspection twice, once on 14th May, 2015 and other on 20th August, 2015. In those inspections, the Joint Inspection Team made the following observations, recommendations and compliance thereof:

Observations, Recommendations & Compliances as per Joint Inspection conducted on 14.05.2015 & Report submitted on 28.05.2015		
Observations	Recommendations	Complied/ Not Complied
- The Unit was utilising flexible piping for connecting the flow meter to the storage lagoon for carrying raw spent wash.	- Flexible piping system needs to be discontinued and permanent arrangements to be made.	- Fully Complied
- The Unit has got aero tillers (02 Nos.) and JCB for carrying out bio- composting	- Manual Spraying of spent wash over the windrows is	- Fully Complied

<p>operations, however manual spraying of spent wash over the windrows were observed.</p> <p>- The PH of MEE concentrate was observed to be taken to Bio composting process and the same is to be taken care of.</p> <p>- Analysis results indicate that BOD removal efficiency of the bio digester is 89% while COD removal efficiency of the bio digester is 65%. However, the Unit can assess the performance of the bio digester while in normal stabilized operation.</p> <p>- Ground water parameters are generally within the limit, however slight COD contamination is observed in 2 sites and the nitrate value at the hand pump is also on the higher side (Drinking water standard – 45mg/l). It is not possible to reach to a conclusion regarding the source of contaminations the Piezometers are recently drilled and further studies needs to be taken.</p>	<p>required to be discontinued.</p> <p>- The PH of MEE concentrate taken to bio compost needs to be taken care of.</p> <p>- The BOD removal efficiency of the bio digester is 89% which is acceptable while COD removal efficiency is 65% which needs to be improved.</p> <p>- Unit needs to regularly monitor the ground water quality and more number of piezometric wells shall be installed.</p>	<p>- Fully Complied</p> <p>- Fully Complied</p> <p>- Fully Complied</p>
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Observations & Recommendations as per Joint Inspection conducted on 20.08.2015 & Report submitted on 21.09.2015

Observations	Recommendations
<p>- During the visit, the distillery unit was not in operation since 13.07.2015, in compliance to the CPCB protocol for monsoon closure.</p> <p>- The unit was having main 2 lagoons of 10,000 m³ capacity, each for the storage of bio-methanated spent wash & RO reject and MEE concentrate respectively. The lagoons for</p>	<p>- Distillery unit to take necessary measures to reduce the volume of spent wash stored in two lagoons as per the consent order.</p>

storage of spent wash were found filled almost to the brim with spent wash, though the consent condition specified the storage limit up to 5000 m³ capacity.

- It was observed that a soil mined pit which is a part of a barren private land, around 100 m from road is filled to some part with dark brown coloured effluent with organic smell and resembling distillery spent wash.

- Regarding this spent wash found lying outside the premises of the industry, the industry representative informed that they have not discharged any spent wash outside the premises and are not aware of the effluent stored in the soil-mined pit.

- After another inspection on 22.08.2015, it was found that a drain is passing behind the sugar mill. The drain finally meets the Saut river. However, no by-pass arrangement or spent-wash discharge from distillery unit into the drain was observed. Samples were collected from the drain and as per the analysis, the pH of the sample is neutral and the level of COD, BOD, TDS and Chlorides indicates that there is no contamination of the Drain with spent wash.

- The fly-ash in the sugar mill was not stored properly and it was also observed at low lying area near primary school Asmoli.

- The joint inspection could not observe disposal of spent wash or black spot at any of the place visited.

- The soil samples collected from the mined pit and the control site nearby indicate contamination of soil by storage of spent wash. Two soil samples from the agricultural field shows higher values of potassium, calcium and

- Urgent measures are required to be taken to collect and treat the spent wash dumped in mined pits to prevent ground water pollution.

- The exact source of illegally dumped spent wash in the soil mined pits needs to be identified by further investigation.

- The Fly ash needs to be stored properly and storage arrangement needs improved by better house-keeping.

- Urgent measures are required to be taken to collect and treat the spent wash dumped in mined pits to prevent ground water pollution.

<p>conductivity but it cannot be ascertained whether the increase in it is due to the spent wash.</p> <p>- Two samples (one from piezometer installed near bio compost area and the other from bio-digester area) both show COD contamination and 1 sample (piezometer near bio-digester in distillery unit) shows marginal phosphate contamination.</p> <p>- Soil analysis shows that distillery spent wash has been stored at the soil mined pit at 'Ahrola Mafi' and has impacted the soil of the mined pits. The analysis results of the soil samples from other locations do not ascertain contamination from spent wash and storage/ discharge of spent wash was not observed in these locations during the visits.</p>	<p>- Unit needs to regularly monitor the ground water quality and more number of piezometric wells shall be installed.</p> <p>- Urgent measures are required to be taken to collect and treat the spent wash dumped in mined pits to prevent ground water pollution.</p>
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9. The observation of the Joint Inspection Team that further investigation could be done to find out the exact source of illegally dumped spent wash would be of no help to the industry inasmuch as the other documents, the Local Commissioner's Report and lack of proper inspection by the industry which unquestionably would discharge such kind of effluents.

From the above reports, it would appear that the industry is majorly complying with the recommendations made by the Joint Inspection Team. In that sense, the unit has now become compliant and there is a possibility that claim of the industry that it would not discharge untreated effluents or store any spent wash or press mud in and around its premises, which would cause ground water or environmental pollution, could be accepted. But in spite of this, it cannot be disputed that the Review Applicant was a polluting industry for all this past period. It is the only distillery unit situated in that district within 15 kilometers circumference.

The sugar and/or distillery unit has discharge of a trade effluent that contains abnormal values for specific parameters like pH, SS, BOD, COD, TSS, MLSS, MLVSS and oil and grease on the one hand while on the other the release /storage of semi-solid substances, including, spent wash etc. would contain organic matters, organic carbon, Na, K, Ca and Mg with values beyond set limits. The applicant had placed in its main petition as well as in this application, documents to show that the Review Applicant industry was storing spent wash, sludge in the open field areas inside its premises as well as outside for years altogether and that had polluted the ground water, surface water bodies and the soil of the area in question. The applicant in the main application has also stated that on 4th June, 2015 at about 3.30 p.m., 3 kms away from the mill in Asmoli, Sambhal District, U.P., the dry ponds were filled with dark thick substances which was filled in by the industry through tankers. They captured videos, pictures, photographs of the black liquid thrown by the mill. They have annexed photographs of the back side of the mill showing deposit of such substances. It is also stated that fly ash from the mill has been stored in huge quantities inside and outside the boundary walls. This was disputed by the Review Applicant. According to them they had not thrown the spent wash. This spent wash was stated to be stored at Ahlora Mafi and other places. Further, according to the Review Applicant, these wastes could be thrown by even other industries.

10. In the report of the Joint Inspection Team dated 20th August, 2015 it was noticed that a soil mined pit, part of a barren private land around 100 meters from the road was filled to some part with dark brown colour effluent with organic smell and resembling distillery spent wash. The lagoons for storage of spent wash was found filled almost to the brim with spent wash while as per the consent conditions, the spent wash should not be stored more than the red mark in the lagoon. On 22nd August, 2015, the Joint Inspection Team noticed that the drain is passing behind sugar mill which also carries domestic waste water generated from the residential colony of sugar factory. However, no bypass arrangement for spent wash discharge from distillery unit into the drain was observed. This drain finally met the Saut River. It was also observed that the fly ash in Sugar mill was not stored properly. The fly ash was observed at low lying areas near primary school, Asmoli. The soil in the mined pit showed very high parameters in regard to the TSS-6310, COD-64,275, BOD-29,005, TSD-69,200, CL-3875, CA-891, Na-626, K-2151 and Po₄P-103. The Joint Inspection Team noticed that the colour of the effluents was dark brown, and its other characteristics and parameters formed are typical of the fact that the stored effluent is distillery spent wash diluted with rain. The Inspection Team has also noticed that the ground water samples collected from and around the industry upon analysis were found to be within parameters except two:

- (1) Near the Bio-compost yard, which showed COD contamination;

- (2) Near the Bio-digester in distillery Unit showing phosphate contamination.

In its findings, the Joint Inspection Team recorded that it could be inferred that distillery spent wash has been illegally dumped through tankers at the soil mine pit. It is quite away, nearly 15 kms away from the mill of the Review Applicant. Immediate measures were required to be taken to prevent ground water contamination. Other places discharge of spent wash was not noticed. Water of pond and drain were not contaminated. No by-pass arrangement was noticed. The sugar mill was not in operation at the time of inspection. Even the distillery was not in operation. It was directed that the distillery unit should take necessary measures to reduce the volume of spent wash stored from 10,000 metric cube each in two lagoons to 5000 metric cube each as per consent orders.

11. At this stage we may also notice that the Local Commissioner appointed by the Tribunal had visited the areas shown in the photographs on 12th June, 2015. The Commissioner could identify some of the photographs while others he could not. The places behind the sugar mill were found to be identical to the photographs placed on record. The Photograph 'B' at page 45 was also found to be correct inasmuch as the liquid in the channel was coming from the hole in the wall of the unit. This was kitchen wash next to the quarters of the mill. At Photograph 'B' at page 46 found to be correct. The fly ash as well as baggage stock was found as depicted in the photograph. It was claimed that it was part of the Unit's

land. Photographs A, B and C at page 51 were found to be correct by the Local Commissioner. However, black spots were visible on the ground though there was no water or liquid found there. The fly ash was found to have been stored on the land of the company as well as outside. The Commissioner did not notice any other discharge.

Upon proper analysis of the above documents filed by the parties, the inspection report and the analysis report, it is clear that the Review Applicant's industry had been causing serious pollution particularly of the ground water and soil itself. The soil analysis shows contamination. The fly ash even of now has not been stored in accordance with rules. The industry had been polluting for years. It is only after the CPCB issued directions to the industry to improve and provide appropriate anti-pollution devices and bring within parameters its effluents that the industry became compliant. It was even storing the spent wash, sludge and fly ash anywhere and everywhere including its own premises. It is an industry generating sludge effluent and waste and is termed 'highly polluting industry' or 'an industry in Red category'. There lies onerous responsibility upon an industry to carry on its business activities of sugar manufacturing and distillery in a manner which is strictly in consonance with the terms and conditions of the consent order and the parameters of its effluents are strictly within the prescribed limits. The unit now claims to have become a zero discharge unit by recycling its effluents. The correction process has started only after institution of the petition No. 35/2015 and the Joint

Inspection Team on 20th August, 2015 and 22nd August, 2015 has found the unit to be complying. There are certain minor, deficiencies which the industry has undertaken to complete at the earliest and in any case before it starts its operations. In this view of the matter we would accept the prayer of the unit to permit them to operate strictly in accordance with the conditions of the consent order, compliance to the directions given by the Joint Inspection Team and in accordance with the law but the industry cannot be permitted to carry on its activities without paying for the pollution that it caused over the years to the ground water, soil and indiscriminate dumping of fly ash, spent wash, sludge and its effluents. The plea raised by the industry is that there are other industries around the place where incriminating materials have been found and pollutants noticed. In support of its contentions, it has also filed a map on record. This contention is without any substance. Firstly, there is no sugar and distillery unit together anywhere near the Review Applicant's industry. Secondly, the other distillery and the paper mills located are falling in the revenue estates of the different districts and are much beyond 15 kms from the spots from where the pollutants have been noticed. There is sufficient material before the Tribunal to come to the conclusion that these incriminating materials have been dumped by this industry. Admittedly, it had no proper anti-pollution devices in place prior to the directions issued by the CPCB and thus, the onus to show as to where was it storing its spent wash, fly ash, sludge and other pollutants admittedly generated during its process, was

upon it. Even when it is indiscriminately throwing these materials on its own land, still such material are bound to affect the quality of the ground water and cause environmental pollution.

12. The Review Applicant is a distillery unit. In normal course of business such industry is termed as a highly polluting industry. On one hand, there is a statutory obligation upon this industry to carry on its activity strictly in accordance with prescribed standards, while on the other hand, in the interest of environment, strict vigil is to be maintained over such industry by the regulatory authorities. Like any other case, contention in this case has also been raised in regard to burden of proof in relation to pollution or environmental degradation resulting from carrying on of the distillery manufacturing activity by the Review Applicant. Certainly, there is no specific provision in the NGT Act which provides for discharge of onus between the parties to the *lis*. The provisions of the Indian Evidence Act, 1872 are *stricto sensu* not applicable to the proceedings before this Tribunal. Section 20 of the NGT Act requires the Tribunal to decide cases with reference to three settled principles of environmental jurisprudence i.e. Sustainable Development, Precautionary Principle and Polluter Pays Principle. In our considered view, the substantive onus would be upon the industry to show that it is operating its business in accordance with the prescribed norms, conditions of the consent order and/or not causing pollution to the environment. This aspect of the matter need not detain us any further as a Bench of the Tribunal has discussed the entire law relating to onus and application of the

'Strict Liability Principle' to environmental cases at some length in the case of *Krishan Kant Singh v. M/s. Triveni Engg. Industries Ltd.*, Original Application No. 317 of 2014 pronounced on the same day, wherein the court held as under:

"8. One of the main contentions raised before the Tribunal, more often than not, is 'on whom lies the burden of proof in environmental cases'? This question to some extent even arises in the present case as well. Thus, we shall first proceed to examine the application and extent of the 'principle of onus of proof' in environmental cases. The Environment (Protection) Act, 1986 (for short the 'Act of 1986') was enacted to provide for the protection and improvement of the environment and for matters connected therewith. The purpose was to implement the decisions that were taken at the United Nations Conference on the Human Environment held at Stockholm in June, 1972 in relation to steps for the protection and improvement of human environment. Similarly, the Water (Prevention and Control of Pollution) Act, 1974 (for short the 'Water Act'), in its preamble states that it is an Act to provide for prevention and control of water pollution and the maintaining or restoring of wholesomeness of water while noticing that it was expedient to provide prevention and control of water pollution. Similarly, the preamble to the provisions of the Air (Prevention and Control of Pollution) Act, 1981 (for short the 'Air Act') also states that it is an Act to provide for the prevention, control and abatement of air pollution and for establishment of Boards with powers and functions relating thereto and for matters connected therewith.

9. Under the Act of 1986, in terms of Section 3, Central Government is required to take such measures as may be necessary or expedient for the purpose of protecting and improving the quality of the environment as well as preventing, controlling and abating environmental pollution. Section 5 vests the Central Government with very wide powers of rigorous consequences, enabling it to issue directions in exercise of these powers and performance of its functions under the Act and such directions could relate to closure, prohibition or regulation of any industry, operation or process, or even stoppage or regulation of supply of electricity or water or any other service to such industry. Under the provisions of this Act and the Environmental Clearance Regulations, 2006, project or activities specified in the Schedule thereto can be commenced and

or completed only with prior Environmental Clearance granted by the competent authority.

10. Both Air Act and Water Act contain prohibitory, regulatory and punitive provisions. Section 25 of the Water Act mandates that no person shall, without the previous consent of the State Board establish or take any steps to establish any industry, operation or process or any treatment and disposal system or any extension or addition thereto, which is likely to discharge sewage or trade effluent into the stream or well or sewer or on land. It further even prohibits any person from bringing into use any new or altered outlet for the discharge of sewage or to make any new discharge of sewage except with the consent of the Board and subject to provisions of the Act. The Board constituted under this Act has to perform various functions as stipulated under Sections 16 & 17 of the Act and to prescribe and lay down standards of discharge of sewage or trade effluent is one of its primary functions. The Boards have to ensure adherence of such prescribed standards as well as to ensure prevention and control of pollution and in fact that there is no pollution of river, water bodies, ground water or any other water bodies etc. The Water Act was amended by the amending Act 53 of 1988, to provide the Board with proper functioning abilities as well as to enable it to issue directions of very serious nature, including closure of an industry and disconnection of essential supplies to it as envisaged under Section 5 of the Act of 1986.

Similarly, the Air Act provides power to the Boards to issue directions for a complete restriction of an activity in the notified air pollution control area. Section 21 of the Act prohibits any person from establishing and operating any industrial plant in an air pollution control area, without the previous consent of the State Board and subject to provisions of Section 21. Sections 16 and 17 of the Air Act enumerates the functions of the Central Board and the State Board respectively, of which one of the paramount function is to lay down standards for the quality of air and standards for emission of air pollutants. The consent to be granted by the Boards necessarily has to require any person to release only that much emission which would be within the prescribed limits, thus, preventing air pollution and consequently various health hazards. Like Section 33A of the Water Act, Section 31A of the Air Act was introduced by the amendment Act 47 of 1987 which vested the Board with power to issue directions of closure, prohibition or regulation of any industry, operation or process or disconnection of essential supplies to an industry or a plant.

11. All the above Acts and their provisions clearly demonstrate the legislative intent to prohibit establishment or carrying on of any activity like industrial, manufacturing or any other activity, carrying of which would result in toxic emissions in the air, discharge of sewage or trade effluent on the land or water or if it falls within the air controlled area.

The purpose is two-fold; one to completely regulate such activity and the other to ensure prevention and control of pollution and restoration of environment. A person could carry on or establish any industry or other activities only with the previous consent of the respective Boards. The consent is contemplated at both stages i.e. at the stage of establishing such industry, plant, etc. as well as at the time of operationalization of the plant. The industry so established would carry on such activity only by adhering to the conditions of the order of the consent and its emission and discharge of effluent or sewage has to be strictly within the prescribed parameters. Thus, the law imposes dual obligation upon the person or industry. Firstly, it has to take the consent of the Board and secondly, it must ensure adherence to the prescribed parameters and the law in force while carrying on its activity. In either event, the responsibility is exclusively that of the person or industry to comply with the law and to demonstrate at all relevant times that it continues to comply with those directions and laws in force.

12. The above statutory scheme and the environmental laws have to be seen and examined in the background of the Fundamental Duty imposed under Article 51(A) (g) of the Constitution of India, which imposes a constitutional duty upon every citizen of India to protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures. For a citizen to claim enforcement of the Fundamental Right to a decent and clean environment granted under Article 21 of the Constitution and to expect the State to discharge its constitutional responsibility within the ambit of Article 48A, the citizen has to keep in mind that the expectation of framers of the Constitution was also that the citizens would perform their constitutional duty for the protection of the environment.

13. The cumulative effect of the above Constitutional and statutory provisions is that there would be definite liability upon the person who intends to alter the environmental conditions by his activity or a project, to maintain the requisite parameters and ensure that there are no adverse impacts upon the environment and ecology, particularly as defined under the Act of 1986.

This in a way is sufficiently indicative of the application of Rule of Strict Liability.

14. The Rule of 'No Fault' or 'Strict Liability' was enunciated by the House of Lords in the case of *Rylands v. Fletcher*, (1868) L.R. 3 H.L. 330, wherein it was stated that if the defendant was not negligent or rather, even if the defendant did not intentionally cause the harm, he could still be held liable under this Rule for the damage or adverse impact of his activity. To succeed in such an action in tort, the claimant was expected to show:

1. That the defendant brought something onto his land;
2. That the defendant made a "non-natural use" of his land (per Lord Cairns, LC);
3. The thing was something likely to do mischief if it escaped;
4. The thing did escape and cause damage.

The rationale behind the rule of Strict Liability is that the activity going within its fold are those entailing extraordinary risk to others, either in seriousness or the frequency of the harm threatened. Extending the basis of such liability, Blackburn, J. held as under:

"We think that the rule of law is, that the person who for his own purposes brings on his lands and keeps there anything likely to do mischief if it escapes, must keep it in at his peril, and if he does not do so, is prima facie answerable for all the damage which is the natural consequence of its escape. He can excuse himself by showing that the escape was owing to the plaintiff's default; or perhaps that the consequence was of vis major, or the act of god; but as nothing of this sort exists here, it is unnecessary to inquire what excuse would be sufficient."

In the recent past, there has been a basic shift in the approach to environment protection. Earlier, the concept was based on the 'Assimilative Capacity' Rule as is evident from Principle 6 of the Stockholm Declaration of United Nations Conference on Human Environment in 1972. This principle assumed that science could provide policy makers with the information and means necessary to avoid encroaching upon the capacity of the environment to assimilative impacts and it also presumes that relevant technical expertise would be available when environmental harm was predicted and there would be sufficient time to avoid such harm. Under the 11th Principle of the United Nations General Assembly Resolution on World Charter for Nature, 1982, the emphasis shifted to the 'Precautionary Principle', which was then reiterated in the Rio Conference of 1992 in its Principle No. 15. The inadequacy of science is the real basis that has lead to the 'Precautionary Principle'. It is

based on the theory that it is better to err on the side of caution and prevent environmental harm which may indeed become irreversible.

The Precautionary Principle suggests that where there is identifiable risk of serious or irreversible harm, including, for example, extinction of species, widespread toxic pollution, in major threats to essential ecological processes, it may be appropriate to place the burden of proof on the person or the entity proposing the activity that is potentially harmful to the environment. In the event of uncertainty, presumption should operate in favour of environmental protection and primary onus would shift in light of the presumption in favour of the environment and statutory obligation of the industry as afore referred. The test to be applied is that of a 'reasonable person'.

The 'Precautionary Principle' thus, demonstrates that an activity which poses danger and threat to the environment is to be prevented. Under this Principle, the State Government and the Local Authorities are supposed to first anticipate and then prevent the cause of environmental degradation by checking the activity. Lack of scientific knowledge as to whether particular activity is causing degradation should not stand in the way of government in analysing such harm. 'Onus of Proof' under this Principle is on the actor or the developer to show that the action is environmentally friendly. We must notice here that the provisions of the Act of 2010 under Section 20 mandates that the Tribunal has to apply the 'Precautionary Principle' while adjudicating the cases under the environmental jurisprudence.

15. The law in relation to burden of proof in environmental cases has developed in India very fast and has added new dimensions to this concept. In the case of *M.C Mehta v. Union of India*, AIR 1987 SC 1086, Hon'ble Supreme Court was dealing with the issue as to what is the measure of liability of an enterprise, which is engaged in a hazardous or inherently dangerous industry, if by any reason of an accident occurring in such industry, it causes damage to environment and human health. Hon'ble Apex Court considered the Rule of Strict Liability as laid down under the English Law in the case of *Rylands v Fletcher* (supra) and formed a view that the Rule had lost its potentiality in the context of current environmental jurisprudence. Hon'ble Supreme Court of India thus provided new dimensions for determining such a liability and its extent, including application of rule of burden of proof. The Court held as under:

"Considerable case law has developed in England as to what is natural and what is non-natural use of

land and what are precisely the circumstances in which this rule may be displaced. But it is not necessary for us to consider these decisions laying down the parameters of this rule because in a modern industrial society with highly developed scientific knowledge and technology where hazardous or inherently dangerous industries are necessary to carry out part of the developmental programme. This rule evolved in the 19th Century at a time when all these developments of science and technology had not taken place cannot afford any guidance in evolving any standard of liability consistent with the constitutional norms and the needs of the present day economy and social structure. We need not feel inhibited by this rule which was evolved in this context of a totally different kind of economy. Law has to grow in order to satisfy the needs of the fast changing society and keep abreast with the economic developments taking place in the country. As new situations arise the law has to be evolved in order to meet the challenge of such new situations. Law cannot afford to remain static. We have to evolve new principles and lay down new norms which would adequately deal with the new problems which arise in a highly industrialised economy. We cannot allow our judicial thinking to be constricted by reference to the law as it prevails in England or for the matter of that in any other foreign country. We no longer need the crutches of a foreign legal order. We are certainly prepared to receive light from whatever source it comes but we have to build up our own jurisprudence and we cannot countenance an argument that merely because the new law does not recognise the rule of strict and absolute liability in cases of hazardous or dangerous liability or the rule as laid down in Rylands v. Fletcher as is developed in England recognises certain limitations and responsibilities. We in India cannot hold our hands back and I venture to evolve a new principle of liability which English courts have not done. We have to develop our own law and if we find that it is necessary to construct a new principle of liability to deal with an unusual situation which has arisen and which is likely to arise in future on account of hazardous or inherently dangerous industries which are concomitant to an industrial economy, there is no reason why we should hesitate to evolve such principle of liability merely because it has not been so done in England. We are of the view that an enterprise which is engaged in a hazardous or inherently dangerous industry which poses a

potential threat to the health and safety of the persons working in the factory and residing in the surrounding areas owes an absolute and non-delegable duty to the community to ensure that no harm results to anyone on account of hazardous or inherently dangerous nature of the activity which it has undertaken. The enterprise must be held to be under an obligation to provide that the hazardous or inherently dangerous activity in which it is engaged must be conducted with the highest standards of safety and if any harm results on account of such activity, the enterprise must be absolutely liable to compensate for such harm and it should be no answer to the enterprise to say that it had taken all reasonable care and that the harm occurred without any negligence on its part. Since the persons harmed on account of the hazardous or inherently dangerous activity carried on by the enterprise would not be in a position to isolate the process of operation from the hazardous preparation of substance or any other related element that caused the harm must be held strictly liable for causing such harm as a part of the social cost for carrying on the hazardous or inherently dangerous activity. If the enterprise is permitted to carry on an hazardous or inherently dangerous activity for its profit, the law must presume that such permission is conditional on the enterprise absorbing the cost of any accident arising on account of such hazardous or inherently dangerous activity as an appropriate item of its over-heads. Such hazardous or inherently dangerous activity for private profit can be tolerated only on condition that the enterprise engaged in such hazardous or inherently dangerous activity indemnifies all those who suffer on account of the carrying on of such hazardous or inherently dangerous activity regardless of whether it is carried on carefully or not. This principle is also sustainable on the ground that the enterprise alone has the resource to discover and guard against hazards or dangers and to provide warning against potential hazards. We would therefore hold that where an enterprise is engaged in a hazardous or inherently dangerous activity and harm results to anyone on account of an accident in the operation of such hazardous or inherently dangerous activity resulting, for example, in escape of toxic gas the enterprise is strictly and absolutely liable to compensate all those who are affected by the accident and such liability is not subject to any of the exceptions which operate *vis-a-*

vis the tortious principle of strict liability under the rule in *Rylands v. Fletcher* (supra)".
(emphasis supplied)

16. Development as well as industrialisation in a society project new challenges in the field of environmental justice. Sustainable development is an appropriate answer, but it has to be applied in its correct perspective, while ensuring that there is no irreversible damage to the nature, environment and ecology. As already discussed the Precautionary Principle is one of the most significant tools with the Courts and Tribunals to protect the environment, right at the initial stage rather than look for remedies post environmental damage and then to find most of times, that the damage is irreversible. This would lead to serious and adverse impacts upon environment and human health. Onus of proof is one of the important aspects of the Precautionary Principle. This was dwelled upon by Hon'ble Supreme Court of India in the case of *Vellore Citizens Welfare Forum v. Union of India and others*, (1996) 5 SCC 647, where the Court after noticing the dimensions of the Precautionary Principle as afore-stated, not only opined that onus of proof is on the actor or the developer/industrialist to show that his action is environmentally benign, but also that the Polluter Pays Principle is a sound principle of law to be applied by Courts, of course, while observing that the principle enunciated should be simple, practical and suited to the conditions obtaining in this country. These principles were also the subject matter of discussion by the Hon'ble Supreme Court of India in the case of *A.P. Pollution Control Board v. Prof. M.V. Nayadu (Retd.) & Ors.*, (1999) 2 SCC 718, but in that case greater emphasis was given by the Hon'ble Supreme Court of India on the special nature of onus of proof in cases involving violations relating to environment. The Court held as under:

"36. It is to be noticed that while the inadequacies of science have led to the 'precautionary principle', the said 'precautionary principle' in its turn, has led to the special principle of burden of proof in environmental cases where burden as to the absence of injurious effect of the actions proposed, is placed on those who want to change the status quo (Wynne, *Uncertainty and Environmental Learning*, 2 *Global Env'tl. Change* 111 (1992) at p. 123). This is often termed as a reversal of the burden of proof, because otherwise in environmental cases, those opposing the changes would be compelled to shoulder the evidentiary burden, a procedure which is not fair. Therefore, it is necessary that the party attempting

to preserve the status quo by maintaining a less-polluted state should not carry the burden of proof and the party who wants to alter it, must bear this burden. (See James M. Olson, *Shifting the Burden of Proof*, 20 *Envtl. Law* p.891 at 898 (1990). (Quoted in Vol. 22 (1998) *Harv. Env. Law Review* p. 509 at 519, 550).

37. The precautionary principle suggests that where there is an identifiable risk of serious or irreversible harm, including, for example, extinction of species, widespread toxic pollution in major threats to essential ecological processes, it may be appropriate to place the burden of proof on the person or entity proposing the activity that is potentially harmful to the environment. (See Report of Dr. Sreenivasa Rao Pemmaraju, Special Rapporteur, International Law Commission, dated 3.4,1998, para 61).

38. It is also explained that if the environmental risks being run by regulatory inaction are in some way "ascertain but non-negligible", then regulatory action is justified. This will lead to the question as to what is the non-negligible risk'. In such a situation, the burden of proof is to be placed on those attempting to alter the status quo. They are to discharge this burden by showing the absence of a reasonable ecological or medical concern. That is the required standard of proof. The result would be that if insufficient evidence is presented by them to alleviate concern about the level of uncertainty, then the presumption should operate in favour of environmental protection. Such a presumption has been applied in *Ashburton Acclimatization Society v. Federated Fanners of New Zealand* [1988] 1 NZLR 78. The required standard now is that the risk of harm to the environment or to human health is to be decided in public interest, according to a 'reasonable persons' test. (See *Precautionary Principle in Australia* by Chairman Barton) (Vol. 22) (1988) *Harv. Env. L. Rev.* 509 at 549".

(Emphasis supplied)

17. Another aspect which requires our attention is that in terms of Section 19 of the Act of 2010, this Tribunal is not bound by the procedure laid down by the Code of Civil Procedure, 1908 as well as by the rules of evidence contained in Indian Evidence Act, 1872 and it has to evolve its own procedure in consonance with the Principles of Natural Justice. These provisions are suggestive of an approach which the Tribunal should adopt in order to protect the environment, while keeping in mind the principles stated under Section 20 of the Act

of 2010. This Tribunal had an occasion to deal with the concept of burden of proof in environmental cases in the case of *M/s. Sterlite Industries (India) Ltd. v. Tamil Nadu Pollution Control Board*, 2013 ALL (I) NGT REPORTER (DELHI) 368, where the Tribunal held as under:-

130. The normal rule of evidence is that one who pleads must prove before the Court or the Tribunal i.e. the onus of proving, while claiming relief, is on the person who approaches the Court/Tribunal. However, this rule may not be applicable to this Tribunal *stricto sensu*.

131. This Tribunal has been established both with original and appellate jurisdiction relating to environmental laws. The NGT Act, 2010 was enacted for effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources including enforcement of any legal rights relating to environment. In relation to NGT, the legislature, in its wisdom, has specifically excluded the application of the procedure under the Code of Civil Procedure, 1908 and the Indian Evidence Act, 1872 (for short 'the Evidence Act') in terms of Section 19(1) and 19(3) of the NGT Act. On the contrary, Section 19(2) of the NGT Act empowers the Tribunal to have the power to regulate its own procedure. In terms of its Section 19(5), NGT is a judicial Tribunal.

132. Section 20 of the NGT Act further recognises the application of the principles of sustainable development, precautionary principle and polluter pays principle by the Tribunal while adjudicating upon disputes on environment.

133. Once the applicability of specific rules of evidence, as prescribed under the Evidence Act, is excluded, the Tribunal has to state its own procedure, including recording of evidence, but the same essentially has to be in consonance with the principles of natural justice. It will have to be examined on a case to case basis as to when the onus will shift from the applicant to non-applicant. In environmental cases, normally the damage to environment or public health is evident by itself, *res ipsa loquitur*. The cases of environmental degradation, damage and health hazards are obvious by themselves as a result of some industrial activity or development. In that event and keeping in view the very object of the NGT Act, it will be unacceptable to require the applicant to discharge his primary onus by strict number of events and their details.

134. In *Ravi Kapur v. State of Rajasthan* (2012) 9 SCC 284, it was held that the doctrine of *res ipsa loquitur* serves two purposes. Firstly, that an accident may by its nature be more consistent with being caused by negligence for which the opposite party is responsible than by any other cause and that in such a case, the mere fact of the accident is *prima facie* evidence of such negligence. Secondly, it is to avoid hardship in cases where the claimant is able to prove the accident but cannot prove how the accident occurred. Recourse to this principle is also permissible where there is no direct evidence brought on record. These stated principles apply more often than not to motor accident cases and can squarely be applied to cases of environmental pollution resulting from industrial activities or development.

135. Under the provisions of the NGT Act, any aggrieved person can approach the Tribunal for redressal of his grievances in relation to environment within the ambit and scope of Sections 14, 16 and 18 of the NGT Act. The legislative object appears to be to catalyse the access to environmental justice, which need not be circumscribed by strict rule of *locus standi* in legal prescriptions.

136. Once an applicant approaches the Tribunal with a complaint of environmental injury or environmental degradation or health hazards resulting from negligence, or incidental occurrence of emission or discharge of gases or effluents in violation of the prescribed standards, then such an applicant discharges the primary onus by instituting a petition in the prescribed form, supported by an affidavit, which then shifts upon the industrial unit, developer or the person carrying out the activity complained of, to establish by cogent and reliable evidence that it has not caused pollution or health hazards by carrying out its activities; all the expected norms of discharge have been strictly adhered to by that unit; and any harm, if caused, was neither the result of any negligence nor violation of prescribed standards. Upon discharge of such onus, which is certainly much heavier, by the developer/industrial unit, it will then again be for the applicant to establish to the contrary. In other words, heavy onus lies upon the industrial unit or the developer to show by cogent and reliable evidence that it is non-polluting and non-hazardous or is not likely to have caused the accident complained of.

137. The view we are taking finds strength from the observations stated by the Supreme Court in its

judgment in the case of *Narmada Bachao Andolan v. Union of India* (supra) where the Court, while referring to the case of *Vellore Citizens' Welfare Forum* supra and the report of the International Law Commission, held as under:

"119. It is this decision which was the subject-matter of challenge in this Court. After referring to the different concepts in relation to environmental cases like the 'precautionary principle' and the 'polluter pays principle', this Court relied upon the earlier decision of this Court in *Vellore Citizens' Welfare Forum v. Union of India* (AIR1996SC2715) and observed that there was a new concept which places the burden of proof on the developer or industrialist who is proposing to alter the status quo and has become part of our environmental law. It was noticed that inadequacies of science had led to the precautionary principle and the said 'precautionary principle' in its turn had led to the special principle of burden of proof in environmental cases where burden as to the absence of injurious effect of the actions proposed is placed on those who want to change the status quo. At page 735, this Court, while relying upon a report of the International Law Commission, observed as follows:

'The precautionary principle suggests that where there is an identifiable risk of serious or irreversible harm, including, for example, extinction of species, widespread toxic pollution is major threats to essential ecological processes, it may be appropriate to place the burden of proof on the person or entity proposing the activity that is potentially harmful to the environment.'

120. It appears to us that the 'precautionary principle' and the corresponding burden of proof on the person who wants to change the status quo will ordinarily apply in a case of polluting or other project or industry where the extent of damage likely to be inflicted is not known. When there is a state of uncertainty due to lack of data or material about the extent of damage or pollution likely to be caused then, in order to maintain the ecology balance, the burden of proof that the said balance will be maintained, must necessarily be on the industry or the unit which is likely to cause pollution. On the other hand where the effect on ecology or environment of setting up of an industry is known, what has to be seen is that if the environment is likely to suffer, then what imitative steps can be taken to offset the same. Merely

because there will be a change is no reason to presume that there will be ecological disaster. It is when the effect of the project is known then the principle of sustainable development would come into play which will ensure that imitative steps are and can be taken to preserve the ecological balance. Sustainable development means what type or extent of development can take place which can be sustained by nature/ ecology with or without mitigation.”

138. Therefore, the stated principle could be a valid dictum for environmental adjudicatory process.”

18. Besides the fact that substantive onus would fall upon the industry to show that it has complied with the statutory requirements and is operating within the prescribed norms, the industry has to be aware of the fact that compensation for causing environmental degradation and its restoration could be imposed upon it in terms of Sections 15 & 17 of the Act of 2010. This shows and supports the application of Principle of ‘Strict Liability’. Even prior to coming into force of the Act of 2010, the Courts in India, particularly the Hon’ble Supreme Court of India, had taken a view that the Courts and even the Government bodies, Pollution Control Boards have the power to impose fines on the violators of environmental laws and demand monetary damages from them for aesthetic harms to public assets such as rivers, etc. [Ref: *M.C. Mehta* (supra) and *Municipal Council of Ratlam v. Vardhichand*, AIR 1980 SC 1622].

19. In view of the above analysis, it may be possible to state the general rules that may be applied in cases falling under Environmental justice but even these cannot be stated without exception. To provide a strait-jacket formula is not possible by the Tribunal; still in order to add clarity, it would be useful to state unambiguously the scope of the rule of burden of proof in environmental cases in our country. The Principle of ‘No Fault’ or ‘Strict Liability’ is applicable in cases before the Tribunal wherever it relates to a person or an industry dealing with hazardous or inherently dangerous substance or activity. The concept of ‘no fault’ liability has been included in the statutory scheme of the Act of 2010. Section 17(3) of the Act of 2010 requires that the Tribunal in cases of accident would apply the principle of no fault liability. These terms have been used in complete contradistinction to the language of Section 15 of the Act of 2010, which also deals with grant of relief, compensation and restitution of environmental damage to the property and victims of pollution.

20. As we have already noticed, that the statutory provisions/environmental laws in India place an unequivocal obligation upon the person or industry not to carry out any activity which is hazardous or otherwise polluting, except with the consent of the Board. Therefore, the onus to show that the activity is being carrying on with the consent of the Board or the competent authority and that such activity is being continued strictly in terms of the consent order within the prescribed parameters of emissions or discharge, is upon the industry/unit. In such cases, the primary burden of proof, as distinguished from the substantive burden of proof, would lie upon the applicant who approaches the Tribunal. The primary burden would be with reference to preponderance of probabilities, while the substantive burden to prove to the contrary would shift and lie upon the industry. The industry would have to discharge its burden on both these aspects afore-stated."

13. The scheme of Section 15 and 17 read with Section 14 of the NGT Act clearly places the onus upon a polluter to show that it is not causing pollution. It is for the reason that every industry is expected to take the consent of the Board and operate only within the prescribed parameters and the conditions of the consent order. In both these respects, apparently, the unit had failed for all these years.

14. In order to examine what environmental compensation should be directed to be paid for restoration as well as for preventive measures that are required to be taken now, we have to apply some kind of guess work as the pollution has been caused over the years.

The Tribunal in the case of *Krishan Kant Singh v. M/s. Triveni Engg. Industries Ltd.*, Original Application No. 317 OF 2014 pronounced on the same day, held as follows :-

“21. Undisputedly, the industry has polluted the ground water and air, has operated without consent of the Board, has breached the conditions of the consent order and has failed to discharge its legal obligations. For this reason, the industry would be liable to pay Environmental Compensation. At this stage it is not possible to determine with certainty the extent of pollution caused and consequences of the violations committed by the industry and therefore some kind of guesswork has to be applied by the Tribunal to direct payment of Environmental Compensation in terms of Sections 15 and 17 of the Act of 2010. In this regard we may refer to the judgment of the Tribunal in *Krishan Kant Singh v. National Ganga River Basin Authority*, 2014 ALL (I) NGT REPORTER (3) (DELHI) 1:

“51. It is not possible to assess exact environmental damage and the cost of restoration thereof in view of the long period involved in the present case and the fact that the statutory Boards empowered to prevent and control pollution have not performed their statutory duties in accordance with the spirit and object of the environmental Acts and jurisprudence. This unit is responsible for causing great environmental pollution of different water bodies including Phuldera drain, the Syana Escape canal, the River Ganga and even the groundwater in and around the area of this industrial unit. Besides scientific data of inspection by the Expert teams, officers of the Pollution Control Board, analysis report and the fact that the water in the Phuldera drain had turned brown, even to the naked eye, demonstrates the extent of pollution caused by this unit. Considering the magnitude of the pollution caused by the unit, its capacity and prosperity, responsibility of the unit to pay compensation cannot be disputed on any plausible cause or ground. The Supreme Court in the case of *Sterlite Industries (India) Ltd. v. Union of India & Ors.* (2013) 4 SCC 575, enunciated the principle that a company which has caused the damaged to the environment and for operating the plant without ballet renewal of consent for a fairly long period would obviously be liable to compensate by paying damages. While relying upon the judgment of the Constitution Bench of the Supreme Court in the case of *M.C. Mehta v. union of India* (1987) 1 SCC 395, the Court further stated that the plea of reasonable care and that the damage to environment occurred without specific negligence on the part of the unit is not a sustainable defence to a direction of payment of compensation for causing environmental damage. The court further held that magnitude, capacity and prosperity of the unit are the relevant

considerations for determining the extent of the liability in such case. Applying these principles to the facts of the present case, there can hardly be any dispute that it is a polluting unit. It is also beyond controversy that this unit has operated without consent of the Boards from 1974 till the year 1991, thereafter, it committed default in compliance of the conditions of the consent right up to the year 2000. Even thereafter, it did not strictly comply with the conditions and directions issued by the respective Boards. This unit is a direct source of polluting River Ganga.

The unit is a profit making unit. No record has been produced before the Tribunal to establish anything to the contrary. Though, it may not be possible to determine with exactitude the exact amount of compensation payable on account of damage to environment because of the long period involved and also for the reason that even scientifically the extent of damage and amounts required for restoration and restitution thereof cannot be determined at this stage now. Cleaning and removal of sludge from Phuldera drain, treatment of other pollutants flowing in the said drain, preventing any discharge into the Syana Escape Canal and making River Ganga pollution free are the basic needs which require attention of the Expert bodies particularly, in the facts and circumstances of this case. We fix a compensation of Rs 5 crores which shall be deposited with the UPPCB and shall be spent for that purpose alone by and joint team of CPCB and UPPCB, including for removal of sludge and all pollutants in the Syana Escape Canal till it joins river Ganga. This amount shall also be used for preventing ground water pollution.

The unit has caused serious pollution persistently. There is sufficient material before the Tribunal to establish both direct and indirect pollution being caused by this unit. The unit has even intentionally failed to comply with the directions and conditions of the consent order passed by the respective Boards. Not even submitting an application to the Board for obtaining consent to operate shows complete disregard towards law and its statutory obligations by the unit. It is not a only case where it is a threat to cause environmental pollution but is a case of causing environmental pollution, in fact. Right to carry on business cannot be permitted to be misused or to pollute the environment so as to reduce the quality of life of others. Risk to harm to environment or to human health is to be decided in the public interest according to 'a reasonable person's test'. The man's perception with reference to the facts of this

case cannot return a finding any different than the one recorded by us.”

15. Thus, we have to apply the above principles while directing the industry to pay environmental compensation in terms of Section 15 and 17 of the NGT, Act, 2010.

16. In view of our discussion above, we pass the following order:-

- (1) The Industry is permitted to start its manufacturing activity.
- (2) Before commencing its sugar manufacturing and distillery it must comply with the discrepancies pointed out by the Joint Inspection Team.
- (3) The Unit will be inspected by the Joint Inspection Team immediately upon commencement gets operative.
- (4) The industry is held to be liable pay the Environmental Compensation of Rs. 1 Crore within one month to UPPCB and furnish a bank guarantee as well to the extent of Rs. 10 lakh.
- (5) The amount of Rupees One Crore paid to the UPPCB shall be spent upon taking preventive measures, removing of the various materials, pollutants lying in the area, as well as steps for restoring of the environment and ecology as per the records of this file and ensure that no sludge spent wash, fly ash or other pollutants generated by this industry is permitted to remain in the soil, ground water and even on the land of the industry.
- (6) If the unit performs strictly within the prescribed parameters and as per the conditions imposed and is

found to be compliant and non-polluting industry, the bank guarantee could be released after a period of two years, failing which the bank guarantee shall be encashed and the amount utilized for prevention and control of pollution in that area.

17. The above Review Application stands disposed of in the above terms. All the pending M.As bearing nos. 613/2015, 626/2015, 915/2015 and 927/2015 also stand disposed of.

**Justice Swatanter Kumar
Chairperson**

**Justice M.S. Nambiar
Judicial Member**

**Dr. D.K. Agrawal
Expert Member**

**Prof. A.R. Yousuf
Expert Member**

**Mr. Ranjan Chatterjee
Expert Member**

New Delhi
10th December, 2015

ANNEXURE: R1/N (Colly)

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DSM:ASMOLI:NGT:2016:129
Date: 7-1-2016

dhampur

Dhampur Sugar Mills Limited
Unit: Asmoli
Village: Asmoli, Tehsil: Sambhal
Dist. Sambhal, Pin Code: 244 304, U.P.
Telefax: +91-5923-221566, 221310
E-mail: dsmasmoli@dhampur.com
Website: www.dhampur.com

To,

The Member Secretary
U.P. Pollution Control Board
Pick-up Bhawan, Gomti Nagar,
3- Floor Block, Vibhuti Khand,
Gomti Nagar
Lucknow - 226010

Sub: Hon'ble N.G.T. Review Application No.13 of 2015 in Original Application
No.35 of 2015

Dear Sir,

In compliance to point no.16 of Hon'ble National Green Tribunal - Delhi Review
Application No.13 of 2015 in Original Application No.35 of 2015 dated 10-12-2015
kindly find herewith a Demand Draft bearing no. 806480 for Rs.1,00,00,000/-
(rupees one crore only) dated 7-1-16 and also a Bank Guarantee for Rs.10.00 Lacs
(rupees ten lac only) in favour of "Member Secretary" - U.P. Pollution Control Board
payable at Lucknow.

Kindly acknowledge the receipt.

Thanking you,

Yours faithfully,
For DSM SUGAR ASMOLI

(PRESIDENT)

Encl: Demand Draft Rs.1.0 Crore/ Bank Guarantee of Rs.10.00 Lac only

Copy to: Regional Officer - U.P. Pollution Control Board - Moradabad

पंजाब नेशनल बैंक
punjab national bank
जयपुरी, सम्भल (भीमनगर) उ.प्र.
ASMOJI, Sambhal (Bhim Nagar) U.P. - 244304

चि.सं.
D.No. 7324

दिनांक
Date 07-01-2016

भारी जाने पर ON DEMAND PAY

MEMBER SECRETARY - U.P. POLLUTION CONTROL BOARD LUCKNOW

या उनके आदेश पर OR ORDER

रुपये RUPEES

₹ One Crore only

प्राप्त मूल्य के बबले अदा करें
FOR VALUE RECEIVED

एच.एस.डी. (H.S.D.)
एच.एस.डी. (H.S.D.)
एच.एस.डी. (H.S.D.)

UGR 806480

ब्रंच का संख्या Branch Serial No.
0003/2016

₹ ₹1,00,00,000.00**

पंजाब नेशनल बैंक
punjab national bank

(NOT OVER Rs.10000000/-)

अदा करने वाले पर Photo Deeds Branch with D.No.
D.No. 1986 - FINACLE -
RCC LUCKNOW FINACLE

प्राधिकृत हस्ताक्षरकर्ता जी.पी.एस.
AUTHORISED SIGNATORY WITH GBPA No.

प्राधिकृत हस्ताक्षरकर्ता जी.पी.एस.
AUTHORISED SIGNATORY WITH GBPA No.

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806480 0000240001

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पंजाब नैशनल बैंक

punjab national bank

...the name you can BANK upon!



Appendix-VI

FOR LETTER OF GUARANTEE

PUNJAB NATIONAL BANK
Asmoli Branch

Printed Serial No. L

To,
M/s Uttar Pradesh Pollution Control Board
PICUP Bhawan, Gomti Nagar 3rd Floor Block
Vibhuti Khand, Gomti Nagar,
Lucknow - 226010

Dear Sir,

Please find enclosed our letter of guarantee no. 732411600116 dated 07.01.2016 for an amount of Rs. 10,00,000/- (Rupees Ten Lac Only) and issued at the request of DSM Sugar Asmoli (Distillery Division) by this office under the joint signatures of (1) Sh./Ms. ROSHAN LAL, Designation BRANCH MANAGER and (2) Sh./Ms. AKHILESH KUMAR, Designation OFFICER.

It is advised that you, in your own interest, may verify the genuineness of guarantee form from our Controlling Office, which is Moradabad (address of the Controlling Office), to whom a copy of this letter is being endorsed.

Yours faithfully,

Signature _____

Name :- Roshan Lal
Designation :- Branch Manager

Date :- 07.01.2016

CC: The Regional Manager/Zonal Manager Circle Office Moradabad (address) along with a copy of the above said guarantee issued by us for his information and record.

Signature

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उत्तर प्रदेश UTTAR PRADESH

CL 474413

To,

M/s Uttar Pradesh Pollution Control Board
PICUP Bhawan, Gomti Nagar 3rd Floor Block,
Vibhuti Khand, Gomti Nagar,
Lucknow - 226010

B.G.No. 7324 TLG 000116

Dated: 07-01-2016

INRRs. 10,00,000/-

Expiry: 06.01.2018

1- We Punjab National Bank- Asmoli Distt. Sambhal (here in after referred as "bank") stand guarantee to the extent of Rs. 10,00,000/- (Rs.Ten lac only) on behalf of our customer & client M/S Dhampur Sugar Mills Ltd, (Distillery Division) Distt. Sambhal U.P. (here in after called said industrial unit) under the terms & conditions of this guarantee for up to 06.01.2018 for the due fulfillment of the terms & conditions mentioned below, imposed by U.P.Pollution control board, by the said industrial unit on production of Bank Guarantee of Rs. 10,00,000/- (Rs. Ten lac only). We the bank do hereby undertake to pay the U.P. Pollution control board an amount not exceeding Rs. 10,00,000/- (Rs.Ten lac only) against any violation of terms & conditions mentioned below imposed by U.P.Pollution control board-

(i) - The Unit performs strictly within the prescribed parameters.

(ii) - The unit shall remain non-polluting industry.

(iii) - उद्योग द्वारा जनित होने वाले शुद्धिकृत उत्प्लावक को पुनः ज्यादा से ज्यादा सिंचाई तथा रिसाईकिल हेतु प्रयोग किया जायेगा।

पंजाब नेशनल बैंक
Punjab National Bank

प्रबन्धक/MANAGER
शाखा-अस्मोली जिला-सम्भल
B.O.ASMOLI Distt.BHIMNAGAR

पंजाब नेशनल बैंक
Punjab National Bank

प्रबन्धक/MANAGER
शाखा-अस्मोली जिला-सम्भल
B.O.ASMOLI Distt.BHIMNAGAR



7324 2LG 000 116

2. We the bank do here by undertake to pay the amounts due & payable under this guarantee without any demur merely on a demand from the U.P. Pollution control board stating that the amount claimed is due by way of violation of any of the conditions imposed by the U.P. Pollution Control Board mentioned above by the said industrial unit. Any such demand made on the bank shall be conclusive as regards the amount due & payable by the bank under this guarantee. How ever our liability under this guarantee shall be restricted to an amount not exceeding Rs. 10,00,000/- (Rs. Ten lac only).
3. We the bank undertake to pay to the U.P. Pollution Control Board the amount referred in the guarantee above so demanded notwithstanding any disputes raised by the industrial unit in any suit or proceeding pending before any court or tribunal relating thereto our liability under this present being absolute and unequivocal.
4. We the bank further agree that the guarantee herein contained shall remain in full force and effect during the period that has been specified for the performance of the above conditions & that it shall continue to be enforceable till the U.P. Pollution control board certifies that the terms & conditions imposed by U.P. Pollution Control Board have been fully & properly carried out by the said industrial unit & accordingly discharges guarantee and unless a demand or claim under this guarantee is made on us in writing on or before the we shall be discharge from all liability under this guarantee there after 06-01-2018.
5. This bank guarantee will not be discharged due to the change in the constitution of bank or the industry.
6. We the bank lastly undertake not to revoke this guarantee during its currency except with the previous consent of the U.P. Pollution control board in writing notwith standing anything contained here in :
 - A. Our liability under this bank guarantee shall not exceed Rs. 10,00,000/- (Rs. Ten lacs only).
 - B. This bank guarantee shall be valid up to 06.01.2018 and.
 - C. We are liable to pay the guaranteed amount under this bank guarantee only and only if you serve upon us a written claim or demand on or Before 06.01.2018

Dated :- 07.01.2016

Yours faithfully,

ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
for punjab national bank

MANAGER
ਸ਼ਾਖਾ-ਅਸਮੋਲੀ ਜ਼ਿਲਾ ਬਿਮਨਗਰ
B.O.ASMOLI Dist. BHIMNAGAR

ਪੰਜਾਬ ਨੈਸ਼ਨਲ ਬੈਂਕ
for punjab national bank

ਪ੍ਰਬੰਧਕ/MANAGER
ਸ਼ਾਖਾ-ਅਸਮੋਲੀ ਜ਼ਿਲਾ ਬਿਮਨਗਰ
B.O.ASMOLI Dist. BHIMNAGAR

(Signature)

NAME & DESIGNATION :- ROZHAN LAL (BRANCH MANAGAR)

NAME OF THE BANK :- Punjab National Bank

BRANCH :- Asmoli