

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

Original Application No. 242/2019

(With report dated 17.06.2019)

Dr. Anil Kumar Pandey, Prakritik Sampada
Sanrakshan Samiti, Gorakhpur

Applicant(s)

Versus

State of Uttar Pradesh

Respondent(s)

Date of hearing: 06.01.2020

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

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

ORDER

1. A report was sought from the UP State PCB with reference to the allegation that *Saraya* distillery was being operated in Sardarnagar, Gorakhpur, U.P., causing pollution in violation of order of this Tribunal dated 19.01.2015 in O. A No. 208 of 2014, *Krishan Kant Singh v. M/s Sariya Distillery Sardar Nagar, Gorakhpur*.
2. Accordingly, report dated 17.06.2019 has been filed by the State PCB pointing out deficiencies and directions issued for remedying the same as follows :-

“Specific observations

- xxx xxx xxx
- *The stack of the boiler is monitored by the team and the Particulate Matter was found as 136 mg/Nm³ against the consented limit of 150 mg/Nm³.*

- The stack of the boiler is equipped with Cyclone and wet scrubber. The boiler ash was unscientifically disposed in several packets for low lying landfilling. The ash was seen spreaded in the open space near Bio-digesting area.
- Though the unit has registered brand name for manufacturing and selling of bio-compost, no bio-compost is being sold under their own brand name. It is informed that the bio-compost is sold to the third parties without branding.
- The stop of the bio composting yard is not proper, which leads to logging of spent wash in the compost yard.
- The bio-methanation spent wash lagoon does not have sludge removal mechanism, Therefore, during the pumping to MEE, the sludge may also go with the feed which will result in choking of MEE tubes.
- The unit has installed an ETP for the treatment of Spent Lees effluent of capacity 25 KLD. The ETP comprises of Collection tank, FAB-I and FAB-II, Tube Settler, clear water tank; PSF and ACF.
- The quality of the treated effluent of ETP is as; pH-7.67, TSS- 20 mg/L, BOD-62 mg/L and COD-161 mg/L. As reported the treated effluent from ETP is being used in cooling tower.
- The unit has not installed flow meter at inlet/outlet of the ETP.
- A ground water sample was collected from the compost yard. The analysis' report is tabulated as:

S. No.	Parameters	Results	IS-10500 (2012)	
			Drinking Standards	Water
			Acceptable Limit	Permissible Limit
1.	pH	7.63	6.5-8.5	No relaxation
2.	Colour (Hazen)	BDL	5	15
3.	TDS (mg/L)	199	500	2000
4.	Total hardness (mg/L)	140	200	600
5.	Alkalinity (mg/L)	140	200	600
6.	COD (mg/L)	BDL	----	----

- The surface of compost yard was not uniform. There were up & downs in its surface, which may led damage of lining and results in leaching.

- The unit has 02 DG sets (1000 KVA & 750 KVA), which are not equipped with acoustic enclosure.
- **The unit does not have permission from CGWA for the abstraction of ground water. The unit has applied for the same.**
- The unit has not provided the piezometric wells for ground water monitoring.
- The unit is not complying with the, protocol of bio-composting with reference to following:
- Down corners for rain water is not provided in shaded area of bio-compost.
- Protection against cross wind rain is not provided in shaded area of bio-compost.
- Piezometer is not provided in the area of compost yard.
- The poly sheet of one of the shed was found damaged during visit. The total covered area provided for bio-composting in rainy season is not adequate.
- On the basis of satellite imaginary mapped by Remote Sensing Application Centre, the inspecting team monitored the Vaisi Nalla nearby the compost yard of the unit to Pharenda Nalla (26° 40' 58.09" N 83° 32' 12.445" E) to verify the industrial discharge into Pharenda Nalla, if any.
- An open channel for storm water was found exist, start from industry boundary and meeting to Vaisi Nalla, No industrial discharge was observed during visit.
- The unit has installed a web camera at the discharge point of this storm water drain to Vaisi Nalla and connected, to CPCB/UPPCB server.
- The team also interacted with the local people of the area and recorded the statement of the complainants. They informed that Unit was discharging the effluent in Vaisi Nail till 2017.

Recommendations

- The electromagnetic flow meter should be installed to measure quantity of other process effluent treated through ETP.
- The distillery unit should immediately remove huge quantity of sludge stored in the lagoon.
- The unit should sell the bio-compost only under the brand name register by them.
- The unit must ensure that the bio compost yard should be properly lined to prevent the leaching in the ground, so as the ground water could not get contaminated.
- The sprinkling of MEE concentrate should be done in a way, so that the logging of spent wash could not happen.

- *The unit shall provide adequate nos. of piezometric well for the monitoring of ground water.”*

3. The report does not mention action taken for extraction of ground water without requisite permission. Mere application does not amount to permission.

Let further action taken report be furnished before the next date by e-mail at judicial-ngt@gov.in.

List again on 10.02.2020.

Adarsh Kumar Goel, CP

S.P Wangdi, JM

Dr. Nagin Nanda, EM

Siddhanta Das, EM

January 06, 2020
Original Application No. 242/2019
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