

Item No. 03

(Court No. 1)

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

(By Video Conferencing)

Original Application No. 279/2021

(With report dated 09.02.2022)

Nagendra Singh

Applicant

Versus

State of Uttar Pradesh

Respondent

Date of hearing: 18.02.2022

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Respondent: Mr. Pradeep Misra & Mr. Daleep Dhyani, Advocates for UPPCB

**ORDER**

1. Grievance in this application is against failure to take action to remedy the air pollution caused by fly ash and *bagasse* generated in the course of operation of Triveni Raninangal Sugar Mill in District Moradabad, Uttar Pradesh. The air pollution is adversely affecting the public health and the environment.

2. The matter was considered on 08.11.2021 and UP State PCB and District Magistrate, Moradabad were directed to look into the matter and furnish a factual and action taken report.

3. In view of above, report has been filed by the State PCB dated 09.02.2022, after inspection of the site on 28.12.2021. The relevant extract from the report is reproduced below:-

1. *M/S Triveni Engineering & Industries Ltd. located at Village Rani Nangal, Teshil Thakurdwara and District Moradabad was established in the year 2007.*
2. *The unit is a sugar mill having installed capacity of 5000 TCD. The crushing for the year 2021-22 was started on dated 08-11-2021.*
3. *The unit has two boilers of 80 TPH and 12 TPH followed by Electro Static Precipitator (ESP) with 60M stack as Air Pollution Control System. A Wet Scrubber is also separately installed at 12 TPH boiler in addition to common ESP. APCS were found operational. Bagasse is used as fuel for the boilers. Ash from boiler and ESP is collected and sent to filling yard within unit's premises.*
4. *The unit has three D.G. sets of 500 KVA x 2 & 180 KVA x 1Nos. With acoustic enclosure & proper stack height.*
5. *The unit has installed Online Continuous Emission Monitoring System (OCEMS) for monitoring of air quality. This system is linked to server of UPPCB and CPCB.*
6. *Stack monitoring was carried out by Regional Laboratory, UPPCB, Moradabad on dated 24-12-2021. As per stack monitoring report parameter of emission is complying as per the prescribed Emission Standard. Copy of stack monitoring report is annexed as **Annex - 2**.*
7. *In regard to complaint of residents of village Udairawala received in this office on dated 07-04-2021, a notice was issued to Unit vide this office letter no. 509/T-22/Moradabad dated 12-04-2021. In compliance to the notice, the Unit has submitted reply vide its letter no. Triveni/RNG/325/11-05-2021 dated 11-05-2021 & 05-01-2022, stating that Air Pollution Control device is working efficiently and the bagasse handling system is also working efficiently. Copy of reply is annexed as **Annex. 3**.*
8. *During visit it was also observed that the unit has further strengthened the bagasse handling and transportations system. Covering of bagasse yard with vertical Tin sheets, covering of bagasse loading chutes, covering of all the transfer points of bagasse carriers has been adopted.*
9. *The team interacted with the residents of nearby village Udairawala about complaint regarding fly ash/bagasse particles. During visit no adverse impact was virtually observed.”*

**Recommendations:**

- 1- *The Unit should ensure the operation of Air Pollution Control System (APCS) in such manner that the air emission confirms with the standard prescribed under EP Act 1986 as amended.*

- 2- *The Unit should ensure the Continuous and uninterrupted data supply from the OCEMS to the CPCB and SPCB.*
- 3- *Fly ash shall be stored as per CPCB guidelines, so that it should not adversely affect the air quality.”*

4. We have heard learned Counsel for the State PCB. The report doesn't show the extent of ash generated from the boiler which is reportedly being sent to the filling yard within the unit premises. Thus, the report is incomplete.

5. Let a joint Committee of CPCB and Regional Officer of the State PCB furnish a fresh report in the matter within one month by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

List for further consideration on 20.04.2022.

A copy of this order be forwarded to CPCB and State PCB by e-mail for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Dr. Nagin Nanda, EM

February 18, 2022  
Original Application No. 279/2021  
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