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CP-11/108/2021-IPC-III-HO-CPCB-HO / 2421

July 06, 2022

To,

The Chairman  
Gujarat Pollution Control Board  
Paryavaran Bhavan, Sector-10A,  
Gandhinagar-382010

Direction under section 18 (1)(b) of the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 in the Hon'ble NGT matter of Aditya Singh Chauhan Vs CPCB & Ors. In OA no. 233 of 2021.

**WHEREAS**, among others, under Section 17 of the Water (Prevention and Control of Pollution) Act, 1974, one of the functions of the State Pollution Control Board (SPCB)/ Pollution Control Committee (PCC), constituted under the Water (Prevention and Control of Pollution) Act, 1974 is to plan a comprehensive programme for prevention, control of abatement of pollution streams and wells located in the State/UT and to secure the execution there; and

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

**WHEREAS**, the CPCB and SPCBs have been pursuing the polluting industries to install effluent treatment plants (ETPs) to comply with the effluent discharge standards as notified under the Environment (Protection) Act, 1986 and the rule framed there under; and

**WHEREAS**, the SPCBs/PCCs can stipulate stringent standards for discharge of environmental pollution from various categories of industries than those notified by the Central Government, under the Environment (Protection) Act, 1986 and rules framed there under; 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 there under and also to meet the consent conditions granted by State Pollution Control Board (SPCBs) / Pollution Control Committees (PCCs); and

**WHEREAS**, an application was filed in Hon'ble NGT Principal Bench by Sh. Aditya Singh Chauhan regarding use of pet coke and ceramic tiles dust for heating of the boilers by the textile industries at Ahmedabad and Narol in Gujarat and Pali in Rajasthan. Further, it was also complained that hot boiler waste is improperly discharged on barren land leading to heaps of mounds of ash, which in turn generate air pollution; and

**WHEREAS**, Hon'ble NGT (PB) in OA no. 233 of 2021, Aditya Singh Chauhan Vs Central Pollution Control Board & Ors. vide order dated 25.11.2021 directed that the applicant should raise the issue first before the CPCB so that CPCB may, in coordination with the State PCBs and after interaction with the stakeholders, take a call in the matter; and

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**WHEREAS**, CPCB issued direction dated 22.09.2017 under section 18 (1)(b) to Chairman Gujarat Pollution Control Board and directed (i) to inspect 140 textile units for verification of compliance of prescribed environmental standards, (ii) to take suitable action against defaulter units, (iii) to organize special cleaning drive in Piplej-Narol area and (iv) to hold interaction meeting with all concerned stake holders and develop an action plan for effective implementation of Waste Management Rules, 2016 in compliant area before November 10, 2017; and

**WHEREAS**, a reply letter dated 15.06.2018 was received from GPCB wherein point wise action taken report was submitted. The GPCB has also submitted the detailed time bound action plan for addressing the environmental issues prevailing in the region; and

**WHEREAS**, the completion report of the submitted action plan by GPCB is still not received in CPCB; and

**WHEREAS**, a meeting was held in the Hon'ble NGT matter OA No. 233 of 2021, Aditya Singh Chauhan Vs CPCB & Ors. on 21.01.2022, through Video Conferencing. Officials from Head Office, CPCB, Regional Directorate, Vadodara, CPCB, Regional Office, Ahmedabad (east), GPCB, and the applicant attended the meeting to discuss the issues. It was decided in the meeting that a joint inspection will be carried out by CPCB, GPCB along with the applicant to address the complaint; and

**WHEREAS**, a joint inspection was carried out by team of CPCB Regional Directorate Vadodara and Regional Office, GPCB, Ahmedabad (East), along with the applicant to the locations where unauthorized dumping of Ash and Fly Ash was reported. The joint team also carried out inspection of eight industries (list attached) randomly selected in the area.

Following are the major observations reported by the team:

- i. Out of eight inspected units, seven units were found operational and **only six** units were having valid CC&A of GPCB. M/s Mayank Processors Pvt Ltd. was found operational **without** valid consent from GPCB and M/s Chamariya Fashion Pvt. Ltd was found non-operational due to Closure direction.
- ii. All the inspected industries were discharging its effluent in CETP of NTIEM **but only two** have consent for discharging their effluent into the CETP of NTIEM.
- iii. Most of the inspected units were using Hazardous Chemicals like spent sulphuric acid and spent Aluminium chloride solution in ETP **without** having valid authorization in this regard from GPCB.
- iv. All the inspected units were having contract with vendors for disposal of their sludge and Hazardous Waste, however the submitted record for handing over of the sludge to the vendors was very old and stored sludge with the industry was also very small in quantity. It reflects the **unauthorized dumping** of sludge by the industries.
- v. **None** of the inspected industries was having record of actual quantity of the fly ash generated and disposed.
- vi. **Fugitive emission** from coal crusher and transfer points was observed **in all** the inspected industries.

- vii. It was also reported that none of the industries have installed required pollution control measures in Coal Crushing area & Coal handling areas for controlling the fugitive emissions.
- viii. It is also reported that there is **huge Discrepancy** in the records provided by most of the industry w.r.t. quantity of treated wastewater disposed to CETP provide by the unit and provided by the CETP.
- ix. The joint team has identified four major locations where large amount of **unauthorized dumping** of Fly Ash and bottom Ash was found.
- x. The progress reported in the implementation of the earlier action plan submitted by ATPA (now NTIEM) to GPPCB regarding scientific disposal of dumped ash/fly ash from the identified locations is not satisfactory enough.

**NOW THEREFORE**, in view of the above and in exercise of the powers conferred under section 18 (1) (b) of the Water (Prevention and Control of Pollution) Act, 1974, and Air (Prevention and Control of Pollution) Act, 1981 Gujarat Pollution Control Board is directed to comply following directions:

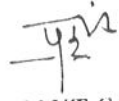
- i. To take necessary action w.r.t observed variation and accordingly issue required amendment to the consent granted to industrial units w.r.t effluent disposal system discharging their effluent into CETP, or ensure necessary action.
- ii. To ensure that no industry shall use any unauthorized/hazardous chemicals as raw materials without obtaining required authorization in this regard under Rule 9 of Hazardous and Other Waste Rules 2016 from GPCB.
- iii. To ensure that none of the industries operate without valid consent of GPCB and take immediate necessary action against defaulter units.
- iv. To carry out inspection and monitoring of all the textile units in the area for verification of compliance of the prescribed standards before 31.07.2022 and if the required inspections are completed as per our office letters dated, 07.02.2022 and 30.05.2022 then forward the compliance status along with action taken report before 15.07.2022.
- v. To take necessary action to ensure proper measures for controlling the fugitive emissions in the industries operating in the Narol area.
- vi. To check / verify the actual quantity of wastewater being discharged into CETP in view of observed variation in the records submitted by the industries and by the CETP in this regard.
- vii. To organize a special cleaning drive in the Narol area and ensure necessary action for lifting of observed unauthorized dumping of Fly Ash/ Bottom Ash.
- viii. To hold regular meetings with all the stakeholders to review progress of earlier agreed action plan and its modification, if required, for effective implementation of Waste Management Rules, 2016 in the compliant area including action for observed non-compliances.

The action taken report shall be submitted to CPCB within 15 days from the date of receipt of this direction.

M<sup>3</sup> x T C 6/7/22  
(TANMAY KUMAR)  
CHAIRMAN

Copy to:

1. **The Member Secretary**  
Gujarat Pollution Control Board  
Paryavaran Bhawan  
Sector 10 A, Gandhinagar  
Gujarat - 382043 : To ensure compliance of the conditions of direction.
2. **The Regional Director,**  
Regional Directorate,  
Central Pollution Control Board,  
Parivesh Bhawan,  
Opp. Ward No. 10 VMC Office  
Subhanpura, Vadodara - 390 023 : For information please.
3. **The Director (CP Division),**  
Ministry of Environment, Forest &  
Climate Change,  
Indra Paryavaran Bhavan, Jor Bagh  
Road, New Delhi - 110 003 : For information please.
4. ✓ The Divisional Head, IT Division,  
CPCB, Delhi : To upload the direction at CPCB website.
5. The Divisional Head, IPC- VI:  
Division, CPCB : For information and record please.
6. The Divisional Head, IPC-III:  
Division, CPCB : For information please.

  
(PRASHANT GARGAVA)  
MEMBER SECRETARY