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To

M/s. Vivid Global Industries Ltd.
Plot No. D-21/1, MIDC Tarapur,
Taluk & District Palghar,
Maharashtra - 401506

June 30, 2020

July 01, 2020

Sub: Directions under Section 5 of the Environment (Protection) Act, 1986 - reg.

WHEREAS, Dye & Dye Intermediate units are identified as one of the 17 categories of highly polluting industries which have been discharging environmental pollutants directly or indirectly into the ambient air and water, having potential threat to cause adverse effect on the water and air quality; and

WHEREAS, a direction under section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 was issued on February 05, 2014 to all the State Pollution Control Boards (SPCBs)/ Pollution Control Committees (PCCs) for installation of online effluent monitoring system w.r.t. pH, TSS, BOD, COD, Cr, & Flow parameters in Dye & Dye Intermediate industries; and

WHEREAS, it was clarified that flow meter & web camera may be installed in case of Units with zero liquid discharge (ZLD) by March 31, 2015 vide guidelines uploaded on website of CPCB dated November 7, 2014; and

WHEREAS, on the basis of violations observed made by inspecting team on 14.03.2018 CPCB issued closure direction u/s 5 of E(P) Act, 1986 to the unit vide letter dated May 07, 2018; and

WHEREAS, the unit (M/s. Vivid Global Industries Ltd.) challenged the said closure direction in Hon'ble National Green Tribunal (NGT) and Hon'ble NGT vide order dated May 31, 2018 directed the Central Pollution Control Board and State Pollution Control Board to jointly inspect the unit for verification of compliance of CPCB direction; and

WHEREAS, CPCB conducted the joint inspection with Maharashtra Pollution Control Board on June 12, 2018 and it was observed that the unit is partially complying with the CPCB directions dated May 07, 2018; and

WHEREAS, Hon'ble National Green Tribunal (NGT) vide order dated August 01, 2018 disposed off the application and ordered that CPCB & Maharashtra Pollution Control Board are at liberty to take action in accordance with law; and

WHEREAS, a letter from the CPCB dated August 07, 2018 was issued to the unit that the unit shall remain closed till full compliance is achieved w.r.t CPCB closure direction dated May 07, 2018; and

WHEREAS, the unit submitted a letter dated January 02, 2019 and compliance report along with the copy of consent valid up to December 31, 2021 and a duly notarized undertaking wherein it is mentioned that the unit has complied with all the directions issued by CPCB and that in case any noncompliance is found during verification by CPCB officials, the unit will suspend all operations; and

WHEREAS, the unit has submitted a letter dated January 29, 2019 wherein it was mentioned the unit has received the CPCB direction on May 15, 2018 and the unit has closed plant operation w.e.f May 16, 2018 w.r.t CPCB direction dated May 07, 2018; and; and

WHEREAS, to verify the compliance of directions issued by CPCB, inspection of the unit was carried out on March 13, 2019 by CPCB, Regional Directorate, Vadodara; and

WHEREAS, the unit was found operational during said inspection and analysis result of the grab sample collected from condensate water of evaporator which is used in gardening purpose reveals that treated effluent is not complying with the MPCB prescribed norms (w.r.t. pH 10.31 > 5.5-9.0); and

WHEREAS, during inspection conducted by CPCB Regional Directorate, Vadodara on March 13, 2019 it was found that the unit was in operation, which is non-compliance of the closure direction u/s 5 of Environment (Protection) Act, 1986 issued by CPCB on May 07, 2018; and

WHEREAS, a closure direction vide letter dated May 15, 2019 was issued to the unit and CPCB imposed environmental compensation of Rs. 3,600, 000/- on the unit for remaining operational despite issuance of closure directions by CPCB; and

WHEREAS, the unit (M/s. Vivid Global Industries Ltd.) has submitted the environmental compensation of Rs. 36,00, 000/- to CPCB as per the receipt dated June 03, 2019; and

WHEREAS, the closure direction dated 15.05.2019 was revoked vide letter dated July 26, 2019 with a condition that the unit shall submit performance assessment of the treatment system by analysis of treated effluent from Institute of Chemical Technology, Mumbai within 60 days of start of its operation; and

WHEREAS, as per the condition of revocation direction, inspection of the unit carried out by CPCB RD, Vadodara on September 11, 2019 to verify Zero Liquid Discharge (ZLD) compliance and the following was observed:

1. Acidic Wastewater was flowing openly on ground within the premises near entrance area and backside of the unit and out of the boundaries of the unit.

2. The inspecting team collected sample from condensate storage tank and analysis results shows

that the condensate which is used in process & gardening exceeds the Maharashtra Pollution

Control Board (MPCB) prescribed norms w.r.t. parameters viz TSS: 480 > 100 mg/l, BOD: 311 >

100 mg/l, COD: 5136 > 250 mg/l and TDS: 2142 > 2100 mg/l and not fit for gardening also.

3. The provisions for transfer of effluent from one Unit to another unit of ETP were found defunct.

Transfer lines from filtrate storage sump to evaporator feed tank and collection sump of evaporator

concentrate to evaporator feed tank were found disconnected and pumps were not in working

condition.

4. The unit has not installed web camera in the ETP area.

WHEREAS, on the basis of above stated observations directions under Section 5 of Environment (Protection) Act 1986, were issued by Central Pollution Control Board on October 21, 2019 to the unit to close down all operational activities with immediate effect; and

WHEREAS, the unit vide letter dated October 25, 2019 submitted the point wise reply and compliance of direction under section 5 of Environment Protection Act, 1986 and requested to revoke the closure direction; and

WHEREAS, the unit vide self-certificate dated November 01, 2019 stated it has stopped all its manufacturing operations in compliance to the closure direction; and

WHEREAS, the unit vide letter dated February 29, 2020 submitted ETP adequacy report dated February 27, 2020 from Veermata Jijabai Technological Institute, Mumbai which concludes that the ETP of the unit is theoretically adequate; and

WHEREAS, it has been verified by the IT division on 01.11.2019 that the unit has provided online connectivity of web camera to CPCB; and

WHEREAS, on request CPCB, Maharashtra Pollution Control Board inspected the unit on May 20, 2020 to verify compliance of CPCB direction Dated Oct. 21, 2019; and


WHEREAS, during the said inspection Maharashtra Pollution Control Board observed that the unit is closed and does not have any arrangement for effluent bypassing/unauthorised discharge of effluent.

WHEREAS, CPCB constituted a Three-member committee vide office order dated 03.10.2017 having representative(s) from CPCB and MoEF&CC for examination and recommendation for revocation of the closure direction issued by CPCB; and

WHEREAS, the Three-member committee in its meeting held on 12.06.2020 examined the compliance report submitted by the unit and the report of inspection dated 20.05.2020 conducted by Maharashtra Pollution Control Board and recommended revocation with the condition that the unit shall submit performance assessment report of the ZLD system by same Government Institution (Veermata Jijabai Technological Institute, Mumbai) within 60 days of start of operation; and

WHEREAS, the Ministry of Environment & Forests, Government of India, vide notifications No. S. O. 157 (E) of 27.02.1996 and S. O. 730 (E) dated 10.07.2002, has delegated the powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board, to issue directions to any industry or any local body or any other authority for violations of the standards and rules notified under the Environment (Protection) Rules, 1986 and amendment thereof; and

NOW, THEREFORE, in exercise of powers vested to the Chairman, Central Pollution Control Board under Section 5 of the Environment (Protection) Act, 1986, and in view of the recommendation of revocation committee, the directions issued under Section 5 of the Environment (Protection) Act, 1986, M/s Vivid Global Industries Ltd., Plot No. D-21/1, MIDC Tarapur, Taluk & District Palghar, Maharashtra - 401506 vide letter dated October 21, 2019 is hereby revoked with condition that the unit shall submit performance assessment report of the Zero Liquid Discharge system by reputed Government Institution (Veer mata Jijabai Technological Institute, Mumbai) within 60 days of start of operation. In case of failure to comply with the above stated directions necessary action as deemed fit under the provision of the Environment (Protection) Act, 1986 will be taken by Central Pollution Control Board.


(Shiv Das Meena)
Chairman

Copy to:

1. The Chairman
Maharashtra State Pollution Control Board
Sion Matunga Scheme, Road No. 8
Opp. Cine Planet, Sion Circle, Sion (E)
Mumbai - 400 022 : With request to ensure regular surprise inspections of the unit by MPCB officials to verify the performance of ZLD system.
2. The Superintending Engineer
Maharashtra State Electricity Distribution Co. Ltd.
Office of the Superintending Engineer
Vidyut Bhavan, 1st Floor, Manor Road,
Palghar (West)-401404 : With request to restore industrial electricity supply of the unit.
3. The District Magistrate
Collector Office, 2nd Floor,
Parshwnath 9, Bidco Naka, Palghar-401404
Maharashtra
4. The Joint Secretary (CP Division)
Ministry of Environment, Forests and Climate Change
Prithvi Wing, 2nd Floor, Room No. 216, Indira
Paryavaran Bhawan Aliganj, Jor Bagh Road,
New Delhi - 110003
5. The Regional Director
Central Pollution Control Board
Pune, Maharashtra
- ✓ 6. DH- IT, CPCB
7. DH- IPC-VI, CPCB


(Prashant Gargava)
Member Secretary

o/c