



केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

By Registered A.D.

B-29016/04/IPC-I/

May 15, 2019

To

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

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, Central Pollution Control Board, Regional Directorate, Vadodara inspected M/s Vivid Global Industries Ltd., Plot No. D-21/1, MIDC Tarapur, Taluk & District Palghar, Maharashtra - 401506 on March 14, 2018 on the basis of offline status of Online Continuous Effluent Monitoring System and made the following observations:

1. The unit was operational during the visit. The unit failed to provide the data regarding raw material consumption and product manufactured.
2. The unit generates 40 KLPD of trade effluent which is treated in Effluent Treatment Plant of 50 KLD. The unit has not installed web camera (PTZ) which is requisite as per condition of Consent to Operate.
3. Effluent is collected in open channels as well as in pits at several locations. From the pit, effluent is conveyed to main collection tank manually using bucket.
4. The unit has 12 reactors for various steps of manufacturing. Leakages from reactors and obnoxious fumes from nutche filter were observed.
5. Large amount of liquid was found in pits and PVC drums without any identification mark. The effluent was found overflowing in low lying areas near pits due to improper and unlined drainage for effluent which has potential for water and soil pollution.
6. Leakage from effluent pumps was abandoned in nearby soil.
7. Large amount of solid waste was observed within the premises as well as outside at several locations.
8. The unit has two vents, but the approach to stacks for monitoring has not been provided.
9. The stack of DG set was situated within the shed of DG set.

WHEREAS, it has been verified by the IT division of the CPCB on 23.04.2018 that the unit has not installed the web camera and has not provided its connectivity to the Central Pollution Control Board; and

WHEREAS, it is observed that the overflow of the effluent to low lying areas near effluent storage pits. may cause ground water and soil pollution and also the leakage from effluent pumps which was observed abandoned in nearby soil may cause a grave injury to the environment; and

WHEREAS, as per Section 4, Sub section (5) of The Environment (Protection) Rules, 1986; In case where the Central Government is of the opinion that in view of the likelihood of a grave injury to the environment it is not expedient to provide an opportunity to file objections against the proposed direction, it may, for reasons to be recorded in writing, issue directions without providing such an opportunity; and

WHEREAS, CPCB issued closure direction u/s 5 of E(P) Act, 1986 to the Unit vide letter dated May 07, 2018 in view of the above stated observed shortcomings; and

WHEREAS, the Unit 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 the Unit was observed 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 reply vide letter dated December 11, 2018 that the unit is in process of achieving full compliance 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, Vadodra; 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, the Unit was inspected by CPCB Regional Directorate, Vadodara on March 13, 2019 and 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 separate action as per law shall be initiated for non-compliance of CPCB direction by submitting false

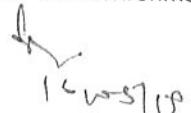
information through self-certificate dated January 29, 2019 regarding close down of plant operations; and

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) to take penal action for failure, if any, against those accountable for setting up and maintaining STPs, CETPs and ETPs and 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, as per formula derived for Environmental Compensation by CPCB, the total environmental compensation amount has been calculated Rs. 3, 600, 000/- (thirty-six lacs only) and same shall be deposited by the unit in CPCB A/c No. 532702050000164 (Bank name: Union Bank Of India, IP Extension Branch, Vikas Marg Extn., Delhi; IFSC: UBIN0553271) within 15 days for the non-compliance period (May 15, 2018 to May 09, 2019); and

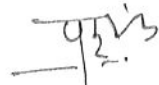
WHEREAS, the Ministry of Environment & Forests, Government of India, vide Notifications No. S. O. 157 (E) of 27.02.1996 and S. O. 730 (E) dated 10.07.2002, has delegated the powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control 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, based on all facts and observations, in exercise of powers vested 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** is hereby directed to close all manufacturing / production activities till it complies with the CPCB closure direction dated May 07, 2018 and the Unit shall submit the environmental compensation charge of Rs. 3,600,000/- (thirty-six lacs only) for non-compliance period within 15 days of receipt of these directions. In case of failure to comply with the said directions necessary action as deemed fit under the provision of the Environment (Protection) Act 1986 will be taken.


(S.P. Singh Parihar)
Chairman

Copy to:

1. The Chairman
Maharashtra State Pollution Control Board
Kalpataru Point, 3rd & 4th floors
Sion Matunga Scheme, Road No. 8
Opp. Cine Planet, Sion Circle, Sion (E)
Mumbai – 400 022
: With request to ensure closure of the Unit.
2. The Chairman
Maharashtra Electricity Board
Hongkong Bank Building,
M.G. Road, Fort, Mumbai-400001
: With request to ensure disconnection of industrial electricity supply of the Unit, allowing supply only for domestic & security purpose.
3. The District Magistrate
Collector Office, 2nd Floor,
Parshwnath 9, Bidco Naka, Palghar-401404
Maharashtra
: With request to ensure immediate closure of the Unit.
4. The Advisor (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
Parivesh Bhawan, Opp. VMC Ward Office No. 10
Subhanpura, Vadodra-390 023
6. The Incharge, IT, CPCB
7. IPC-VI, CPCB
8. LO (Mrs. Urmila Thakur), CPCB


(Prashant Gargava)
Member Secretary