

Speed Post

B-29016/IPC-I/Dye/ 2633

July 15, 2022

To

M/s Nova Dyestuff Industries Pvt. Ltd.
Plot No. 251, GIDC, Pandesara
Surat – 394221, Gujarat

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

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

WHEREAS, it is obligatory on the part of industries to install and operate Effluent Treatment plant (ETP) to comply with the effluent discharge standards as notified under the Environment (Protection) Act, 1986 and the Rules framed the under and also to meet the consent conditions granted by State Pollution Control Boards (SPCB)/ Pollution Control Committees (PCCs); and

WHEREAS, as directed by Hon'ble NGT through order dated 15.12.2021 in the matter of Chakradhar Pandey Versus M/s Nova Dyestuff Industries Pvt. Ltd. (OA No. 350/2021); **M/s. NOVA DYESTUFF INDUSTRIES PVT. LTD., Plot No. 251, GIDC, Pandesara, Surat, Gujarat** (the Unit) was jointly inspected by Central Pollution Control Board (CPCB), Regional Directorate, Vadodara and Gujarat Pollution Control Board (GPCB) on 07.02.2022 to assess the adequacy of the existing pollution control measures; and

WHEREAS, the Joint inspecting team observed the following shortcomings:

1. The Unit has not provided flow meter at ETP inlet and outlet as per the consolidated consent & authorization (CCA) granted by GPCB.
2. The Unit has not maintained any records of the quantity of effluent generation, treated effluent discharged to CETP and quantity of ETP sludge generated.
3. Treated effluent is not meeting the prescribed discharge standard of CETP inlet w.r.t. Chlorides (758 > 600 mg/l).
4. The Unit has not provided online connectivity of web camera and flow meter with CPCB server; as required by the CETP member units.
5. The Unit has not installed alkali scrubber at Sulphonator and drawing vessel (NKS plant) in accordance with CCA granted by GPCB.
6. The Unit has not maintained records of disposal of fly ash and bottom ash of the boiler.
7. There is no separate system for discharge of storm water.

8. Designated port hole at boiler stack was not properly maintained. It was observed inhabited by birds.

WHEREAS, Directions (Show Cause Notice) under Section 5 of the Environment (Protection) Act, 1986 was issued to the Unit on March 11, 2022 based on the above stated observations of the inspecting team; and

WHEREAS, the Unit vide letter dated March 24, 2022 submitted point wise compliance statement w.r.t. Directions (Show Cause Notice) issued by CPCB; and

WHEREAS, Hon'ble NGT through order dated March 29, 2022 directed that remedial action needs to be ensured by the statutory regulators, following due process, including accountability for past violations on Polluter Pays principle and an action taken report may be placed before Chairman, CPCB; and

WHEREAS, CPCB RD Vadodara re-inspected the Unit on May 09, 2022 to verify the compliance status and observed that the Unit has complied with the shortcomings listed in the directions issued by CPCB and treated effluent is meeting the prescribed norms; and

WHEREAS, the aforementioned order passed by Hon'ble NGT on 29.03.2022 stipulates that "Remedial action needs to be ensured by the statutory regulators, following due process, including accountability for past violations on Polluter Pays principle"; 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, from the date of first inspection (07.02.2022) wherein violation of effluent discharge norms amongst others were observed till the date of next inspection (09.05.2022) wherein compliance was observed i.e. a period of 91 days has been considered as the period of violation for the imposition of Environmental Compensation; and

WHEREAS, as per policy for Environmental Compensation of CPCB, the total Environmental Compensation amount has been calculated to be Rs.1365000/- (Rupees Thirteen Lacs Sixty Five Thousand only) for the aforementioned violation period of 91 days; 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 a notice is hereby served to the Unit (**M/s Nova Dyestuff Industries Pvt. Ltd., Plot No. 251, GIDC, Pandesara, Surat, Gujarat**) to show cause as to why Environmental Compensation amount of Rs.1365000/- (Rupees Thirteen Lacs Sixty Five Thousand only) be not imposed on you for the aforementioned violation period of 91 days.

You are hereby given an opportunity of 15 days to file your objections if any to above stated directions failing which necessary action as deemed fit under the provision of the Environment (Protection) Act, 1986 will be taken by CPCB.


(Tanmay Kumar)
Chairman

Copy to:

1. The Chairman
Gujarat State Pollution Control Board
Sector 10-A, Gandhi Nagar- 382 043,
Gujarat
2. The Additional Secretary (CP Division)
Ministry of Environment, Forests and
Climate Change, Prithvi Wing, 2nd Floor,
Indira Paryavaran Bhawan
Aliganj, Jor Bagh Road, New Delhi-
110003
3. The Regional Director
Central Pollution Control Board
Parivesh Bhawan
Opp VMC Ward office no 10
Subhanpura, Vadodara - 390 023
4. ✓ D.H., IT, CPCB
5. D.H. IPC- VI, CPCB
6. D.H. Law Division, CPCB


(Prashant Gargava)
Member Secretary