



By Speed Post

CP-11/108/2021-IPC-III-HO-CPCB-HO/ 9821 March 20, 2023

To,

M/s Mahak Synthetics Mills Pvt. Ltd.,
Plot No. - 140/1, Piplej Pirana Road,
Piplej, GIDC - Narol,
Ahmedabad - 382405

Show Cause Notice under Section 5 of the Environment (Protection) Act, 1986

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 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

WHEREAS, a meeting was held on 21.01.2022, through Video Conferencing between CPCB, GPCB, and the applicant. It was decided in the meeting that a joint inspection will be carried out by CPCB and GPCB to address the issue raised by the applicant; and

WHEREAS, M/s Mahak Synthetics Mills Pvt. Ltd., Plot No.140/1, Piplej Pirana Road, Piplej, GIDC-Narol, Ahmedabad (hereinafter referred as 'the Unit') was inspected by the joint team of CPCB and GPCB on 02.03.2022. CPCB issued closure direction dated 06.07.2022 under

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section 5 of the E(P)Act, 1986 to the Unit based on the observed non-compliances in the inspection report; and

WHEREAS, the Unit responded to CPCB closure direction vide its letter dated 25.07.2022, 10.08.2022, 20.10.2022 and has submitted the required compliance's including Adequacy Assessment Report (AAR) of ETP & APCD, however, the Unit did not closed their manufacturing operation. The Unit submitted 'self-certificate' vide its letter dated 15.02.2023 and it was found that the Unit did not closed its operation immediately despite CPCBs closure direction; and

WHEREAS, the Hon'ble NGT, Principal Bench order dated 31.08.2018 in the matter of O.A. No. 593/2017 (WP(CIVIL) No. 375/2012), Paryavaran Suraksha Samiti & Anr. Vs Union of India & Ors. directed "CPCB to take penal action for failure and, if any, against those accountable for setting up and maintaining STPs, CETPs and ETPs and may also asses and recover compensation for damage to the environment and said fund may be kept in a separate account and utilised in term of an action plan for protection of the environment"; and

WHEREAS, in compliance of the Hon'ble NGT order dated 31.08.2018 (O.A. No. 593/2017), a Committee was constituted by CPCB for developing a formula for imposing Environmental Compensation (EC) on industrial Units. As per the Committee recommendations, one of the case to be considered for levying EC is "non-complying with the directions issued such as closure direction"; and

WHEREAS, as per the formula derived for EC by CPCB, the total EC amount is calculated to be Rs.81,30,000 (Eighty-one lakh and thirty thousand only) for the total non-compliance period of 271 days, based on the number of days of the violation by the Unit (Date of inspection to till date of compliance of closure direction); and

WHEREAS, the Ministry of Environment, Forest, & Climate Change, Govt. of India, vide notification S.O.157(E) of 27.02.1996 has delegated powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board (CPCB), to issue direction to any industry, Municipal Corporation, Municipal Council, Cantonment Board, to any local or other Authority for the violation of emission & effluent standards notified under the Environment (Protection) Rules,1986 and other standards and norms; and

NOW, THEREFORE, in view of the above observations and in exercise of the powers delegated to the Chairman, CPCB under section 5 of the Environment (Protection) Act, 1986, notice is served herewith to show cause why environmental compensation of Rs. 81,30,000 (Eighty-one lakh and thirty thousand only) should not be imposed on M/s Mahak Synthetics Mills Pvt. Ltd., Plot No.140/1, Piplej

Dir. u/s 5 of E(P) Act, 1986 to M/s Mahak Synthetics Mills Pvt. Ltd, Ahmedabd

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Pirana Road, Piplej, GIDC-Narol, Ahmedabad for 271 days of violation based on available record i.e. from date of violation observed till the date of closure of manufacturing operations.

You are hereby given an opportunity to file your objections (if any) to the above proposed direction within 15 days from the receipt of this notice, failing which it will be presumed that you have nothing to say and appropriate action, in accordance with the provisions of the Environment (Protection) Act, 1986, will be taken against the Unit without giving any further notice.

14/3/23
(TANMAY KUMAR)
CHAIRMAN

Copy to:

1. **The Member Secretary** : For information and necessary action please.
Gujarat Pollution Control Board
Paryavaran Bhawan
Sector 10 A, Gandhinagar
Gujarat - 382043
2. **The Regional Director,** : For information please.
Regional Directorate,
Central Pollution Control Board,
Parivesh Bhawan,
Opp. Ward No. 10 VMC Office
Subhanpura, Vadodara- 390 023
3. **The Director (CP Division),** : For information please.
Ministry of Environment, Forest
& Climate Change,
Indra Paryavaran Bhavan, Jor
Bagh Road,
New Delhi - 110 003
4. The Divisional Head, IT Division, : With a request to upload the
CPCB, Delhi notice at CPCB website.

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
निर्गत...
दिनांक... 21/3/2023

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(PRASHANT GARGAVA)
MEMBER SECRETARY

Dir. u/s 5 of E(P) Act, 1986 to M/s Mahak Synthetics Mills Pvt. Ltd,
Ahmedabd

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