



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

CP-11/106/2022-IPC-III-HO-CPCB-HO

1649

June 02, 2023

To,

M/s Komal Tex Fab Pvt. Ltd. (Unit-1),
Plot N. 167-168. Opp. Ranipura,
Patia, Narol, GIDC- Narol,
Ahmedabad Gujarat - 382405

Revocation Direction 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 Komal Tex Fab Pvt. Ltd. (Unit-1), Plot N. 167-168. Opp. Ranipura, Patia, Narol, GIDC- Narol, Ahmedabad Gujarat (*hereinafter referred as 'the Unit'*) was inspected by the joint team of CPCB and GPCB on 07.03.2022. CPCB issued closure direction dated 06.07.2022 under section 5 of the E(P)Act, 1986 to the Unit based on the observed non-compliance as per inspection report; and

‘परिवेश भवन’ पर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

WHEREAS, the Unit responded to closure direction vide its letter dated 20.07.2022, 10.08.2022 & 20.10.2022 and has submitted the required compliance's including Adequacy Assessment Report (AAR) of ETP & APCD and requested for revocation of the closure direction, however the Unit did not closed their manufacturing operations. Further, the Unit submitted 'self-certificate' vide email dated 26.03.2023 regarding closure of their manufacturing operation and also informed GPCB regarding closure of their manufacturing operations. It was found that the Unit did not closed its operation immediately despite CPCBs closure direction; and

WHEREAS, CPCB has 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 Closure Direction issued by CPCB; and

WHEREAS, the Committee in its meeting held on 04.05.2023 reviewed the compliance made by the Unit & verified the supporting documents in line with the agreed criteria and recommended for revocation of closure direction with conditions including levying of Environmental Compensation for observed past non-compliance of CPCBs closure direction; 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 developed for imposition of Environmental Compensation by CPCB, the total EC amount is calculated to be ₹53,40,000/- (i.e. Fifty-three Lakhs Forty Thousand only) for the total non-compliance period of 267 days, based on the number of days of the violation by the unit (i.e. from the date of inspection 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 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 compliance made by the Unit to the direction issued by CPCB and in exercise of powers vested under Section 5 of the Environment (Protection) Act, 1986, the Unit [**M/s Komal Tex Fab Pvt. Ltd. (Unit-1)**, Plot N. 167-168. Opp. Ranipura, Patia, Narol, GIDC- Narol, Ahmedabad Gujarat] is hereby

allowed to resume its manufacturing operations subject to following conditions:

1. The Unit shall submit the Environmental Compensation of ₹53,40,000/- (i.e. Fifty-three Lakhs Forty Thousand only) to CPCB account No.532702050000164 (Bank Name: Union Bank of India, IP Extension, Branch, Vikas Marg Extn., Delhi; IFSC: UBIN0553271) for observed past non-compliance/violation before start of manufacturing operations.
2. The Unit shall obtain valid Consents under the Water Act, 1974 & Air Act, 1981 and Authorization under Hazardous & other Wastes Rules, 2016 from GPCB before start of manufacturing operations.
3. The Unit shall submit performance assessment report of the EIP and APCD including analysis of treated effluent and emission by the same reputed Government institute within 60 days from the date of resumption of manufacturing operation.
4. The Unit shall properly operate & maintain its ETP so as to meet the prescribed inlet standards of CETP.
5. The Unit shall discharge entire effluent into CETP and should maintain the logbook for the same.

In case of default in compliance with the above conditions, CPCB will be constrained to initiate further action against the Unit including withdrawal of the revocation direction, in accordance with the provisions of the Environment (Protection) Act, 1986, without giving any further notice.

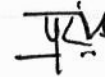

(TANMAY KUMAR)
CHAIRMAN

Copy to:

1. **The Member Secretary** : For information and to ensure compliance of the direction 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 District Magistrate,** : For information please.
Collectorate Office, Dist. Narol,
Ahmedabad
4. **The Executive Engineer,** : With a request to restore
Gujarat Energy Transmission electric power supply to the
Corporation Limited (GETCO) Unit.
Transmission Division Office,
132KV Narol Substation
Compound,
Narol-Aslali Highway,
Nr. Shivam Park, NH No. 8, Narol
- 382 405, Dist. Ahmedabad
5. **The Director (CP Division),** : For information please.
Ministry of Environment, Forest &
Climate Change,
Indra Paryavaran Bhavan, Jor
Bagh Road, New Delhi- 110 003
- ✓ 6. **The Divisional Head, IT Division,** : With a request to upload the
CPCB, Delhi notice at CPCB website.



(PRASHANT GARGAVA)
MEMBER SECRETARY

