

**BEFORE THE NATIONAL GREEN TRIBUNAL SITTING AT
Kolkata**

MEMORANDUM OF Appeal

**[Under Section 18(1) read with Section 16 (c) of the
National Green Tribunal Act, 2010]
Appeal No. of 2025**

M/s. Navkiran Enterprises Pvt.
Ltd.

...Appellant

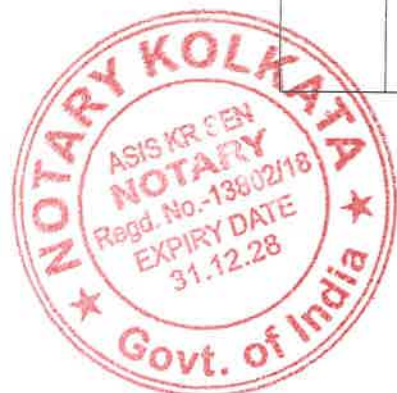
-Vs-

State Pollution Control Board,
Odisha

...Respondent

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LIST OF DATES & EVENTS

DATE	EVENT
05.11.2024	OA No. 234 of 2024 (Kishore Kumar Meher - Vs- State Odisha & Ors.) filed before this Learned Tribunal.
20.09.2024	Show Cause Notice issued under Section 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and Section 21 of Air (Prevention & Control of Pollution) Act, 1981.
07.12.2024	Site inspection by the respondent authority and/or its representatives.
12.12.2024	Analysis report of waste water sample by respondent
02.01.2025	Order passed by this Hon'ble Tribunal in OA No. 234 of 2024 (Kishore Kumar Meher -Vs- State Odisha & Ors.) constituting a fact-finding committee to visit the sit in question and submit report. The said matter was made returnable on 21.02.2025
09.01.2025	Impugned direction of closure under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974
17.01.2025	The present appeal is filed



SYNOPSIS

The present appeal has been filed challenging direction of closure under Section 33A of the Water (Prevention & Control of Pollution) Act 1974 dated 9th January 2025 issued by the Respondent herein, whereby the Respondent has inter alia restrained the appellant from carrying out industrial activities notwithstanding the validity period of Consent To Operate of the whole plan/part of the unit till completion of rectification of Effluent Treatment Plant (ETP) System to meet the standard prescribed by the Board. The said order dated January 9, 2025 has been passed relying on a report which recommends direction to be issued to the appellant to comply with the consent conditions. The appellant has by representations dated 10th January 2025 and 12th January 2025 given detailed justification pointing out that it is operating in compliance with the norms and there is no violation whatsoever of the consent conditions. The appellant has also been perusing the matter with the concerned authorities. Despite the same, the closure notice has not been revoked and in fact even the electricity supply to the appellant's rice mill has been disconnected. The appellants have been advised by the authorities that they are not in a position to do anything on account of an order dated 02.01.2025 passed by this Learned Tribunal in OA No. 234/2024/EZ (Kishore Kumar Meher - Vs- State of Odisha & Ors.). The appellant has since obtained the copy of the order perusal whereof will show that this Hon'ble Tribunal has not passed any direction for closure, on the other hand, this Hon'ble Tribunal has appointed a fact-finding committee to visit the site and submit its report on affidavit. The said original application has been filed at the instance of a local tout and inter-meddlers who has filed the application to extort money. The



respondent authority instead of awaiting the outcome of the site visit and the report of the fact-finding committee and further directions of this Hon'ble Tribunal in the said OA, has chosen to precipitously and arbitrarily pass the said impugned order.

For Navkiran Enterprises Pvt. Ltd.


Director



**BEFORE THE NATIONAL GREEN TRIBUNAL, ESTERN ZONE AT
Kolkata**

MEMORANDUM OF APPEAL

**[Under Section 18(1) r.w.s. 16 (C) of the National Green
Tribunal Act, 2010]**

Appeal No. of 2025

M/s. Navkiran Enterprises Pvt.
Ltd. Padampur, Tukuda, P.O.
Nuapali, Dist. Boudh, Orisha –
762018.

...Appellant

-Vs-

State Pollution Control Board,
Odisha, Department of Forest &
Environment, Government of
Odisha Office of the Regional
Office, Balangir, Koshal Chowk,
Palace Lane, Balangir – 767001
through the Regional Officer
Tel: 9438883908, Email:

rospcb.bolangir@ospcbboard.org

...Respondent

TO,

**THE HON'BLE CHAIRMAN AND HIS COMPANION MEMBER OF
THE NATIONAL GREEN TRIBUNAL,**

**HUMBLE APPEAL SUBMITTED
BY THE APPELLANT ABOVE
NAMED, MOST RESPECTFUL**



SHEWETH:

1. The appellant is a private limited company registered under the Companies Act, 2013. the Director of the company are as follows:

- i. Niraj Kumar Kansal
- ii. Shyam Kansal

The company operates its rice mill at Padampur, Tukuda, P.O. Nuapali, Dist. Boudh, Orisha - 762018 whereat the appellant is running the industry of in production and processing rice and preservation of meat, fish, fruit vegetables, oils and fats. As such the appellant employs as many as 90 number of employees at its factory. Furthermore, 250 number of persons are directly and/or indirectly dependent on the appellant. The copy of the certificate of incorporation of business of the appellant alongwith master data available on the website of Ministry of Corporate Affairs is annexed hereto and marked as **Annexure A1**. A copy of the Board resolution of the Company issued in the name of Niraj Kumar Kansal is annexed hereto and marked as **Annexure A2**.

The address for service of summons, process and notice on the Appellant is that of its Advocate on Record M/s Legal Options, Having Office at 21 Old Court House Street, Centre Point Building, Gate No. 2, 1st floor, Kolkata – 700 001.

2. The respondent is State Pollution Control Board, Odisha, Department of Forest & Environment, Government of Odisha, Office



of the Regional Office, Balangir Koshal Chowk, Palace Lane, Balangir – 767001, Tel: 9438883908, Email: rospcb.bolangir@ospcbboard.org.

The address for service of summons, process and notice on the Respondent is the same as above.

3. The present appeal has been filed challenging direction of closure under Section 33A of the Water (Prevention & Control of Pollution) Act 1974 dated 9th January 2025 issued by the Respondent herein, whereby the Respondent has inter alia restrained the appellant from carrying out industrial activities notwithstanding the validity period of Consent To Operate of the whole plan/part of the unit till completion of rectification of Effluent Treatment Plant (ETP) System to meet the standard prescribed by the Board. The copy of the order dated January 9, 2025 is annexed hereto and marked as **Annexure A3**.

Facts in brief:

4. The appellant was granted all relevant permissions under the various environmental laws including the Environment Protection Act, 1986, Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981. Details of the said permissions are as follows :

- i. Consent to Establish dated 27.01.2022.
- ii. Consent to Operate dated 28.01.2022.
- iii. Certificate of Exemption for Ground Water Withdrawal.



- iv. Registration Certificate issued by the Directorate of Factories and Boilers.
- v. Licence to work at a Factory.

The copy of the aforesaid clearances and/or certificates are annexed hereto and marked as **Annexure A4 (Colly)**.

5. The appellant is registered under the Micro, Small and Medium Enterprises Development (MSMED) Act, 2006 and has been operating its business uninterruptedly for 3 many years.

6. As stated earlier as many as 90 persons are employed at the appellant's mill and the lives and livelihood of 250 number of persons is dependent on the operation of the appellant's mill.

7. The appellant has been peacefully running its industry from the said site and has never encountered any complaints or allegations of violation by the authorities.

8. On or about November, 2023, the appellant started receiving extortionate threats from one Kishore Kumar Meher, who is a local tout, busy body, extortionist and inter-meddler. The said person threatened to cause closure of the appellant's mill in case the appellant did not meet the unreasonable, illegal, extortionate and mala fide demands of the said person.

9. As a law-abiding entity, having full faith in the law enforcement agencies of the country, the appellant refused to buckle or budge under the pressure exerted by the said person.



10. On 20.09.2024, show cause notice was issued under Section 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and Section 21 of Air (Prevention & Control of Pollution) Act, 1981 by the respondent. However, despite such notice being dated 20.09.2024, the same was not served upon the appellant. On 01.11.2024, when the representative of the appellant visited the office of the respondent that the appellant was informed about such show cause notice and handedover a copy of the same i.e. after lapse of more than 60 days thereof. A copy of the said Show Cause Notice dated 20.09.2024 is annexed hereto and marked as **Annexure A5**.

11. Site inspection was carried out and the report dated 07.12.2024 alongwith the analysis report of wastewater sample dated 12.12.2024 which were made available to the appellant only on 15.01.2025 alongwith the closure notice, which are annexed hereto and collectively marked as **Annexure A6 (Colly)**.

12. It is pertinent to note that the ETP installed by the appellant at the said mill of the appellant was always and is still functional. In a rice mill, effluents are discharged, when manufacturing process is on and that to from the parabolic section, boiler section or trial section. It is submitted on the date of inspection i.e. 07.12.2024, the plant was not manufacturing new stock and such the emission of effluents was minimal to none due to which the ETP was not operational at full capacity. It is submitted that without discharge of effluents, a ETP cannot function at its full capacity. Copy of photographs showing that the ETP at the appellant's unit is functional is annexed and marked as **Annexure A7**.



13. The Members of the board inspecting the site, without understanding the functioning and technicalities of an ETP and without giving an opportunity to the appellant to respond to the allegations, proceeded to observe that the unit was in operation and that the ETP was defunct. It is stated that the only finished goods stored at the unit was being cleaned and no new goods were being manufactured at the unit of the appellant during the visit, as such the ETP was not functional at full capacity as discharge of effluents was minimal to none

14. Thereafter, before the appellant could respond to the said show cause notice, the appellant was informed by the Collector and District Magistrate and the Electrical Division, TPSODL, Boudh that they have been directed by the respondent to close the unit of the appellant. Upon enquires being made, the appellant was informed that the respondent, has passed the impugned direction of closure under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974 on 09.01.2025. Upon enquiry, the Collector and District Magistrate, Boudh handed over a copy of a purported closure notice dated 09.01.2025. A copy of the said order has already been annexed and marked as **Annexure A3**.

15. The appellant has by representations dated 10th January 2025 and 12th January 2025 given detailed justification pointing out that it is operating in compliance with the norms and there is no violation whatsoever of the consent conditions. Copies of the said representations are annexed hereto and marked as **Annexure A8** (Colly).



21. It is submitted that the entire action taken by the respondent is mala fide and is besmirched with malice in law and on facts, and further suffers from the vice of arbitrariness.

22. It is submitted that the respondent acted unfairly and has abdicated its role as a neutral agency of the State.

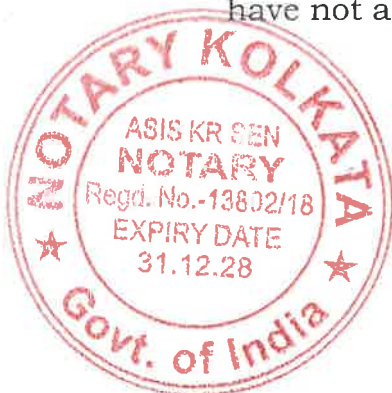
23. It is submitted that the respondent instead of considering the actual situation on ground and the detailed explanations and justifications submitted by the appellant, has chosen to act blindly and with great haste.

24. It is submitted that the respondent has chosen not to await the site visit and inspection report of the fact-finding committee constituted by this Hon'ble Tribunal and has not awaited the orders passed by this Hon'ble Tribunal in OA No. 234 of 2024.

25. It is evident that when confronted with the details of compliances by the appellant, the authority has sought to hide behind a misreading and a complete misinterpretation of this Hon'ble Tribunal's order dated 02.01.2025.

26. It is submitted that the said application being OA No. 234 of 2024 was never served on the appellant until 15.01.2025 although the appellant is impleaded as respondent no. 6 therein.

27. It is submitted that the appellant repeats and reiterates its detailed representations dated 10.01.2025 and 12.01.2025 which have not at all been considered by the respondent.



28. It is submitted that the appellant is fully compliant with the conditions imposed and/or forming part of the Consent To Operate.

29. It is submitted that the appellant fully compliant with the relevant laws including the Water (Prevention & Control of Pollution) Act, 1974 and the decision of the Hon'ble Supreme Court dated 22.02.2017 passed in WP (C) No. 375 of 2012 (Paryavaran Surakha Sammiti & Ors. -Vs- UOI & Ors.).

30. It is submitted that the lives and livelihood of as many as 340 number of people depends on the operation of the appellant's unit.

31. It is submitted that as a result of the impugned order operations in the appellant's unit has come to a standstill.

32. It is submitted that as a result of the disconnection of electricity, the appellant's industry and life and livelihood of its management, employees and workers and the local community is likely to be ruined forever.

33. It is submitted that the respondent ought to have given a sufficient opportunity to the appellant to respond its show cause notice issued by the respondent.

34. It is submitted that the requirement of hearing prior issuance of directions can be dispensed with only where there is grave likelihood of injury to environment.

35. It is submitted that even the report relied upon by the respondent does not recommend closure of the unit of the appellant.



36. It is submitted that the act of the respondent and/or impugned order is illegal, arbitrary, violative of principal of natural justice, suffers from unreasonableness, malice in law and on facts, malafides and is violative of the Constitutional, Fundamental, Legal Rights of appellant.

37. It is submitted that the impugned order is untenable and deserves to be set aside.

GROUND

- a. For that the said original application has been filed at the instance of a local tout and inter-meddlor who has filed the application to extort money. The respondent authority instead of awaiting the outcome of the site visit and the report of the fact-finding committee and further directions of this Hon'ble Tribunal in the said OA, has chosen to precipitously and arbitrarily pass the said impugned order.
- b. For that the entire action taken by the respondent is mala-fide and is besmirched with malice in law and on facts with arbitrariness.
- c. For that the respondent acted unfairly and has abdicated its role as a neutral agency of the State.
- d. For the respondent instead of considering the actual situation on ground and the detailed explanations and justifications submitted by the appellant, has chosen to act blindly and with great haste.



- e. For that the respondent has chosen not to await the site visit and inspection report of the fact-finding committee constituted by this Hon'ble Tribunal and has not awaited the orders passed by this Hon'ble Tribunal in OA No. 234 of 2024.
- f. For that when confronted with the details of compliances by the appellant, the authority has sought to hide behind a misreading and a complete misinterpretation of this Hon'ble Tribunal's order dated 02.01.2025.
- g. For that the said application being OA No. 234 of 2024 was never served on the appellant until 15.01.2025 although the appellant is impleaded as respondent no. 6 therein.
- h. For that the appellant repeats and reiterates its detailed representations dated 10.01.2025 and 12.01.2025 which have not at all been considered by the respondent.
- i. For that the appellant is fully compliant with the conditions imposed and/or forming part of the Consent To Operate.
- j. For that the appellant is fully compliant with the relevant laws including the Water (Prevention & Control of Pollution) Act, 1974 and the decision of the Hon'ble Supreme Court dated 22.02.2017 passed in WP (C) No. 375 of 2012 (Paryavaran Surakha Sammiti & Ors. -Vs- UOI & Ors.).

k. For that the lives and livelihood of as many as 340 number of people depends on the operation of the appellant's unit.



- l. For that as a result of the impugned order operations in the appellants unit has come to a standstill.
- m. For that as a result of the disconnection of electricity, the appellants industry and life and livelihood of its management, employees and workers and the local community is likely to be ruined forever.
- n. For that the respondent ought to have given a sufficient opportunity to the appellant to respond to show cause notice issued by the respondent.
- o. For that the requirement of hearing prior issuance of directions can be dispensed with only where there is grave likelihood of injury to environment.
- p. For that even the report relied upon by the respondent does not recommend closure of the unit of the appellant.
- q. For that the act of the respondent and/or impugned order is illegal, arbitrary, violative of principal of natural justice, suffers from unreasonableness, malice in law and on facts, malafide and is violative of the Constitutional, Fundamental, Legal Rights of appellant.
- r. For that the impugned order is untenable and deserves to be set aside.



38. It will appear from the aforesaid that the appellant has a good prima facie case. It is submitted that if the impugned order is not stayed and the operations of the appellant's unit are not restored, grave and irreparable prejudice will be caused to the appellant which is suffering huge loss of revenue per day on account of non-operation of the unit. It is further submitted that the lives and livelihood of as many as 340 people are dependent on the appellant's unit, which if not restored, will result in the utter ruin of this persons. The balance of continece is therefore in favour of staying the operation of the impugned order and no harm or prejudice will be caused to the respondents if relief prayed for is granted.

LIMITATION

39. The appellant declares that the impugned order is passed on January 9, 2025 and the present appeal has been filed within the period of 30 days from the date of the impugned order. Hence the present appeal is within limitation.

INTERIM RELIEF:

40. Pending disposal of the present appeal, the appellant prays that this Hon'ble Tribunal be pleased:

- a. issue an order of stay of the impugned order dated January 9, 2025 issued by the respondent, viz. direction closure under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974.



- b. Issue such other order and/or orders as to this Hon'ble court may deem fit and proper in the interest of the case and render justice.

PRAYER:

41. It is therefore prayed that this Hon'ble Tribunal be pleased to:

- A. Quash the impugned order dated January 9, 2025 issued by the respondent, viz. direction closure under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974.
- B. Pass such further order and/or orders as to this Hon'ble court may deem fit and proper in the interest of the case and render justice.

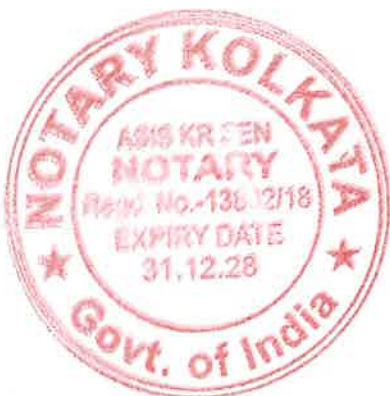
Ramendu Agam

ADVOCATE FOR APPELLANT

APPELLANT

for Navkiran Enterprises Pvt. Ltd.

Navkiran
Director



VERIFICATION

I, Niraj Kumar Kansal, son of Ramawatar Agarwal, aged about 45 years, Director of M/s. Navkiran Enterprises Pvt. Ltd, working for gain at Padampur, Tukuda, P.O. Nuapali, Dist. Boudh, Orisha – 762018, currently camping at 21, Old, Court House Street, Centre Point Building, Kolkata – 700001, do hereby verify and state that the contents of the above appeal are to and correct to the best of my knowledge, belief and information.

Verified on this 17th Day of January, 2024

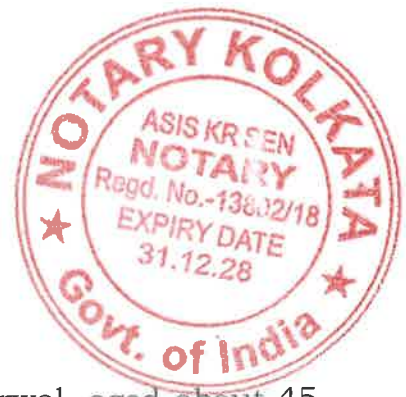
in the Court premises at Kolkata

Niraj

Appellant

Niraj Kumar Kansal.



SL No. 01/25**AFFIDAVIT**

I, Niraj Kumar Kansal, son of Ramawatar Agarwal, aged about 45 years, by occupation Business, Director of M/s. Navkiran Enterprises Pvt. Ltd, working for gain at Padampur, Tukuda, P.O. Nuapali, Dist. Boudh, Orisha – 762018, do hereby solemnly affirm and say as follows:-

1. I am one of the Director of the appellant herein. I am well acquainted with the facts and circumstances of the case. I am duly authorized and competent to affirm this affidavit for and on behalf of, the Petitioners herein.

2. The statements made in paragraphs nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 13, 13, 14, 15, 16, 17, 18, 20 and 21 to 26 are true to my knowledge, those contained in paragraphs 10, 11 and 19 are based on records and the rest are my respectful submissions before this Hon'ble Court.

Prepared in my office

Advocate.

The deponent is known to me.

Niraj
Niraj Kumar Kansal

Identified by me

Solemnly affirmed before me on
this day of January, 2025.

Advocate.

I certify that all annexures are legible

Advocate

Solemnly affirmend and declared
pefor me on Identification

Asis Sen

ASIS KUMAR SEN
City Civil Court, Kolkata
Notary
Reg. No -13802/18



17 JAN 2025

VAKALATNAMA

BEFORE THE LEARNED NATIONAL GREEN TRIBUNAL ESTERN ZONE BENCH
KOLKATA

Appeal No. of 2025

M/s. Navkiran Enterprises Pvt. Ltd

...Appellant

Versus

State Pollution Control Board, Orisha.

...Respondent

KNOW ALL MEN by these presents M/s. Navkiran Enterprises Pvt. Ltd i.e. the appellant abovenamed, do hereby in my name and my behalf constitute and appoint the undersigned Advocates as my true and lawful Pleader/Advocate & Attorneys to appear and act for me/us in the matter noted above to file suit, written statement, conduct suit, appeal from original suit, order etc., And for that purpose to do all acts and things, whatsoever in that connection including compromise of the above matter depositing in or withdrawing money from, filing or taking out of appear, document and payment order from Court referring matters in dispute between the parties here to arbitration, withdrawing the above matters with liberty to file fresh suit, sending properties released from attachment, filing execution or miscellaneous cases and other petitions, bidding at execution sale, obtaining payment from me/us out of Court withdrawing custody and other fees and doing on my/our behalf other acts, in the above matter as are necessary and proper. I hereby agreeing to ratify and confirm all acts so done by the said advocate or attorneys as my/our own acts and as if done by me/our to all intents and purposes.

Dated this day of January, 2025

ADVOCATES

Parmanth Singh
Advocate

Legal Option

1st Floor, Gate No. 2

Central Post, 21,

Old Court House Street

Kolkata 700002

(M) 7980865796

E parmanth @ legaloptions.in

F12339/2722 dt 2019.

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A1



GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS
Central Registration Centre

Certificate of Incorporation

[Pursuant to sub-section (2) of section 7 and sub-section (1) of section 8 of the Companies Act, 2013 (18 of 2013) and rule 18 of the Companies (Incorporation) Rules, 2014]

I hereby certify that NAVKIRAN ENTERPRISES PRIVATE LIMITED is incorporated on this Twenty ninth day of October Two thousand twenty under the Companies Act, 2013 (18 of 2013) and that the company is limited by shares.

The Corporate Identity Number of the company is U15118OR2020PTC034635.

The Permanent Account Number (PAN) of the company is AAHCN2510N *

The Tax Deduction and Collection Account Number (TAN) of the company is BBNN01818F *

Given under my hand at Manesar this Twenty ninth day of October Two thousand twenty .



Digital Signature Certificate

Mr. Pankaj Srivastava

ASST. REGISTRAR OF COMPANIES

For and on behalf of the Jurisdictional Registrar of Companies

Registrar of Companies

Central Registration Centre

Disclaimer: This certificate only evidences incorporation of the company on the basis of documents and declarations of the applicant(s). This certificate is neither a license nor permission to conduct business or solicit deposits or funds from public. Permission of sector regulator is necessary wherever required. Registration status and other details of the company can be verified on www.mca.gov.in

Mailing Address as per record available in Registrar of Companies office:

NAVKIRAN ENTERPRISES PRIVATE LIMITED

AT- NEAR KANSAL FOOD,, OPP. RUKMINI TALKIES, OLD NH-6,

BARGARH, Baragarh, Orissa, India, 768028



* as issued by the Income Tax Department



Ministry Of Corporate Affairs

Date : 17-01-2025 8:25:25 am

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Company Information

CIN	U15118OR2020PTC034635
Company Name	NAVKIRAN ENTERPRISES PRIVATE LIMITED
ROC Name	ROC Cuttack
Registration Number	034635
Date of Incorporation	29/10/2020
Email Id	nirajkansal@gmail.com
Registered Address	AT- NEAR KANSAL FOOD, OPP. RUKMINI TALKIES, OLD NH-6, Baragarh, BARGARH, Orissa, India, 768028
Address at which the books of account are to be maintained	-
Listed in Stock Exchange(s) (Y/N)	No
Category of Company	Company limited by shares
Subcategory of the Company	Non-government company
Class of Company	Private
ACTIVE compliance	-
Authorised Capital (Rs)	4,00,00,000
Paid up Capital (Rs)	3,21,00,000
Date of last AGM	14/08/2024
Date of Balance Sheet	31/03/2024
Company Status	Active



Jurisdiction	
ROC (name and office)	ROC Cuttack
RD (name and Region)	RD, Eastern Region

Index of Charges

Sr. No	SRN	Charge Id	Charge Holder Name	Date of Creation	Date of Modification	Date of Satisfaction	Amount	Address	Whether charge registered by other entity	Asset Holder Name
1	AA2401716	100713900	Punjab National Bank	26/04/2023			36,00,000	Badbazar Main Road, Madan Super Market, Sonapur, Sonapur, Orissa, India, 767017	No	-
2	AA1185943	100461947	Punjab National Bank	28/07/2021	29/11/2022		24,86,96,000	Near Private Bus Stand, Bargarh, Bargarh, Orissa, India, 768028	No	-

Director/Signatory Details

24

Sr. No	DIN/PAN	Name	Designation	Date of Appointment	Cessation Date	Signatory
1	01379955	NIRAJ KUMAR KANSAL	Director	29/10/2020	-	Yes
2	08090485	SHYAM KANSAL	Director	29/10/2020	-	Yes



EXTRACT OF THE MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF M/S NAVKIRAN ENTERPRISES PRIVATE LIMITED HELD AT THE REGISTERED OFFICE OF THE COMPANY SITUATED AT Padampur, Tukuda, P.O. Nuapali, Dist. Boudh, Orisha – 762018 ON 15th day of January, 2025 COMMENCED AT 10:30 A.M. AND CONCLUDED AT 11:00 A.M.

“**RESOLVED THAT** Mr. Niraj Kumar Kansal, son of Ramawatar Agarwal, residing at Brahmachari, Ward No. 16, Bargarh, Odisha – 768 028, be and is hereby appointed as the Authorised Signatory to appear and represent the company before any Notary, Registrar of Assurances, District Registrar, Sub-Registrar of Assurances, Metropolitan Magistrate and other Officer or officers or Authority or Authorities, High Court at Calcutta and to sign all relevant Petitions, Applications, Affidavits, Reply, Memos of Appeal, Review, Revision and Verification arising therefrom and to appoint and engage Advocates by signing the Vakalatnama in the name of the Company, in all the Legal matters arising in the due course of business.”

RESOLVED FURTHER THAT certified copy of the foregoing resolution shall be duly signed by the Director of the Company and may be furnished in the National Company Law Tribunal, Hon’ble High Court, Hon’ble National Green Tribunal or any other Competent Court, Competent Authority, Arbitrator or Tribunal on demand.”

“**RESOLVED FURTHER THAT** the above resolution shall remain in force until and unless another resolution to the contrary is passed by the Board of Directors of the Company.”

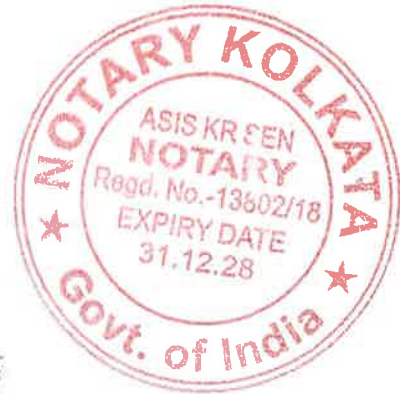
CERTIFIED TRUE COPY

For, Navkiran Enterprises Pvt. Ltd.

For Navkiran Enterprises Pvt. Ltd.


Director

(Niraj kumar Kansal)
Director
DIN: 01379955



A-3

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Tel: 9438883908
 Email: rospcb.bolangir@ospcbboard.org
 Website: www.ospcbboard.org



OFFICE OF THE REGIONAL OFFICE, BALANGIR
STATE POLLUTION CONTROL BOARD, ODISHA
 [DEPARTMENT OF FOREST & ENVIRONMENT, GOVERNMENT OF ODISHA]
 Koshal Chowk, Palace Lane, Balangir -767001

"By Speed Post/E-Mail"

No..... 211)...../III-CON(OPE)193/2021-22

Date 09.01.2025

DIRECTION OF CLOSURE U/S 33A OF THE WATER (PREVENTION & CONTROL OF POLLUTION) ACT, 1974 AND AMENDED THEREAFTER

WHEREAS, you are operating a rice mill, At: Padampur, Tukuda, PO: Nuapali Dist: Boudh in the name and style of **M/s. Navkiran Enterprises** with valid consent to operate granted up to **31.03.2026** for production of Boiled Rice: 21 MT per hour; Broken Rice: 0.3 MT per hour, Rice Bran: 1.2 MT per hour and CPP(Husk Fired): 0.75 MW subject to strict compliance of consent conditions;

And whereas, the Hon'ble Supreme Court of India vide their order dtd 22.02.2017 passed in WP(C) No. 375/2012, in the matter of Paryavaran Surakha Sammiti and others vrs. Union of India and Others, directed that the industry requiring "Consent to Operate" can be permitted to run, only if its primary effluent treatment plant is fully operational and further directed the State Pollution Control Boards (SPCBs) to issue notices to all industrial units, which require "Consent to operate" by way of a common advertisement, requiring them to make their primary effluent treatment plants fully operational within 3 months;

And whereas, in terms of the aforesaid direction, the Board had issued notice in the local dailies English "The New Indian Express" published on 23.03.2017 and The Times of India published on 31.03.2017 & Odia dailies "The Samaj" published on 23.03.2017 and "The Dharitri" published on 31.03.2017 drawing the attention of the industrial units located in the State of Odisha requiring consent to operate under provision of Water (PCP) Act, 1974 with a direction to make their primary effluent treatment plants fully operational within 21.05.2017. It was also indicated in the said notice that the Board will issue direction for disconnection of electricity against the defaulting industry and restrain them from further industrial activities if the primary effluent treatment plants are not fully operational within the stipulated period in terms of order of Hon'ble Apex Court.

AND WHEREAS, on verification of your industry by the officials of Regional Office, Balangir and Sambalpur on dt. **07.12.2024** it was observed that your effluent treatment plant (ETP) was not fully functional, which violates the order of Hon'ble Supreme Court of India (Copy of the inspection and analysis report are enclosed);

AND WHEREAS, Ash generated from the boiler section is thrown here and there outside the factory premises. The said dumps are not reclaimed properly and soil covering is not done as recommended, which results in airborne ash is local atmosphere

AND WHEREAS, the above noncompliance is a gross violation of the order of Hon'ble Supreme Court of India and to the conditions of CTO order;



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AND WHEREAS, you have not responded the Show Cause Notice issued by this office vide letter no.3104 dtd. 20.09.2024. (Copy enclosed)

NOW THEREFORE, by virtue of the power conferred under Section 33A of Water (PCP) Act 1974 as amended thereafter and in terms of order dt. 22.02.2017 of Hon'ble Supreme Court of India, the competent authority in the State Pollution Control Board, Odisha after careful consideration of the situation and all other relevant records available in the office hereby restrains you from any further industrial activities notwithstanding the validity period of consent to operate of the whole plant/ part of the unit forthwith till completion of rectification of ETP system to meet the standard prescribed by the Board. You are also directed to intimate the date of stoppage of operation of the plant forthwith by email/ Speed Post, failing which it will be presumed that you have violated this direction and appropriate legal action shall be initiated against you and your industry without giving further notice.

By order of the Board,

Encl: As above


REGIONAL OFFICER

To

**Sri Niraj Kumar Kansal, Director
M/s. Navkiran Enterprises Pvt. Ltd.
At: Padampur, Tukuda, P.O.: Nuapali
Dist.: Boudh**

Memo No. 212 /Dt. 09.01.2025 / Speed Post/Email

Copy forwarded to the Collector & District Magistrate, Boudh for kind information and necessary action. He is requested under section 33(A) of Water (Prevention & Control of Pollution) Act 1974 to ensure closure of operation of the plant forthwith. This direction is issued in terms of order of Hon'ble Apex Court referred above.


REGIONAL OFFICER

Memo No 213 / Dt 09.01.2025 Speed Post/Email

Copy forwarded to the Superintendent of Police, Boudh for kind information and necessary action. He is directed under section 33(A) of Water (Prevention & Control of Pollution) Act 1974 to implement the closure direction forthwith. This direction is issued in terms of order of Hon'ble Apex Court referred above.


REGIONAL OFFICER



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Memo No. 214 /Dt. 09.01.2025 /Speed Post/Email

Copy forwarded to CEO, TPSODL, Berhampur/ Executive Engineer, Electrical Division, TPSODL, Boudh for information. He/She is directed under section 33(A) of Water (Prevention & Control of Pollution) Act 1974 to disconnect supply of electricity to the industry immediately. This direction is issued in terms of order of Hon'ble Apex Court referred above.



REGIONAL OFFICER

Memo No. 215 /Dt. 09.01.2025 / Speed Post/Email

Copy forwarded to the Member Secretary, State Pollution Control Board, A/118, Nilakantha Nagar, Unit-VIII, Paribesh Bhawan, Bhubaneswar-12 /Sr. Law Officer, SPC Board, Odisha, Bhubaneswar for kind information.



REGIONAL OFFICER





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OFFICE OF THE REGIONAL OFFICE, SAMBALPUR
STATE POLLUTION CONTROL BOARD, ODISHA
[DEPARTMENT OF FOREST & ENVIRONMENT, GOVERNMENT OF ODISHA]
1070, Hospital Road, Modipara, Sambalpur-768002

Tel : 0663-2950151

Email : rospcb.sambalpur@ospcbboard.org

Website : www.ospcbboard.org

No.....443...../ III CON(NOC)255/2021-22

Date: ~~27.01.2022~~

OFFICE MEMORANDUM

In consideration of the online application Id No.: **3985800** dtd. **25.01.2022** and Letter received from Civil Supplies Officer, Boudh vide letter no. 251 dt. 24.01.2022 for obtaining Consent to Establish for **M/s. Navkiran Enterprises Pvt Limited (Expansion)**, the State Pollution control Board is pleased to convey its Consent to establish under Section 25 of Water (Prevention & Control of Pollution) Act, 1974 and section 21 of Air (Prevention & Control of Pollution) Act, 1981 for following plant facilities and production capacities: Boiled Rice: 21 (twenty one) MT Per hour, Broken Rice: 0.3 MT Per hour, Rice Bran: 1.2 MT Per hour and CPP (Husk fired) 0.75 MW (Total Configuration after expansion), At: Padampur Tukuda, P.O: Nuapali (In Plot nos. and Khata nos. mentioned as per application form) in the district of Boudh with the following conditions.

This consent to establish is hereby granted in supersession to earlier order No. 252 dt 17.01.2022

GENERAL CONDITIONS:

1. This consent to establish is valid for the quantity of product, as mentioned above manufacturing process as mentioned in the consent application form & for a period of five years from the date of issue of this letter, provided that commencement of production of the proposed project has not taken place in the meantime.
2. If the proponent fails to start operation of the project, but substantial physical progress has been made then a renewal of this consent shall be sought by the proponent.
3. If the proponent fails to initiate construction of the project and no significant physical progress is made then, the proponent has to apply for consent to establish after expiry of 05 years from the date of issue of this order.
4. Adequate effluent treatment facilities are to be provided such that the quantity of sewage and trade effluent satisfies the standards as prescribed under E.P. Rule,



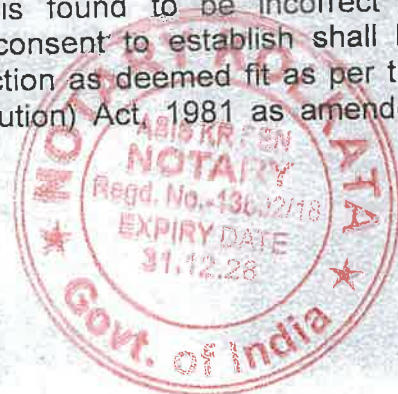
1986 or as prescribed by the Central Pollution Control Board and / or State Pollution Control Board or otherwise stipulated in the special conditions.

5. All emission from the industry as well as the ambient air quality and noise are to conform to the standards as laid down under E.P. Rule 1986, Central Pollution Control Board / State Pollution Control Board or otherwise stipulated in the special conditions.
6. Adequate method of disposal of solid waste is to be adopted to avoid environmental pollution.
7. The industry is to comply to the provisions of Environment Protection Act., 1986 and the Rules made there under with the amendments made from time to time such as the Hazardous Waste (Management & Handling) Rules, 1989, Hazardous Chemical Rules/Manufacturers, Storage and Import of Hazardous Chemicals Rules, 1989 etc. and amendment made there under. The industry is also to comply to the provision of Public Liability Insurance Act, 1991, if applicable.
8. The industry is to apply for grant of consent to operate under Section 25/26 of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 and rules framed there under at least three months before the commercial production and obtain consent to operate from this Board.
9. This consent to establish is granted subject to other statutory clearance as may be applicable from other department of Government of Orissa and Government of India.

SPECIAL CONDITIONS:

A. GENERAL:

1. A green belt shall be provided along the boundary wall of plant towards habitation area and vacant spaces within plant premises. Every year the unit shall submit the return on tree existed to the Board and also to the DFO concerned.
2. Land conversion document for industrial use shall be submitted to the Board along with consent to operate application form.
3. The unit shall abide by all the provisions of E.P. Act, 1986 and the rules framed there under.
4. If any information furnished by the applicant is found to be incorrect or suppressed and detected on later stage, the consent to establish shall be revoked including initiation of appropriate legal action as deemed fit as per the provisions of Air (Prevention and Control of Pollution) Act, 1981 as amended thereof and rules framed thereunder



5. Rain water harvesting practice shall be followed by utilizing the rain water collected from the roof of the buildings for recharging of ground water within the premises and other large structures as per the concept and practices prescribed by CPCB, New Delhi and details of which is available in the web-site.
6. The civil construction shall be done with the fly ash bricks. In case the fly ash bricks are not available locally, then the civil construction may be done with other bricks with prior intimation to the concerned Regional office of SPC Board. A quarterly statement indicating the use of fly ash bricks during civil construction shall be submitted to the Board for record.

B. WATER POLLUTION:

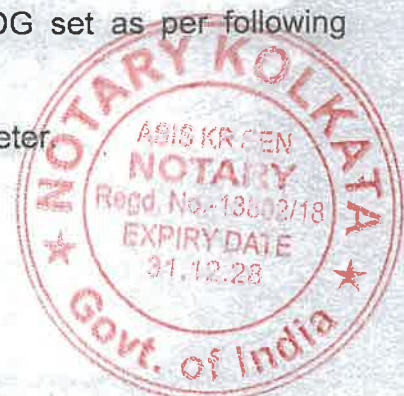
1. Domestic effluent shall be treated and disposed off in septic tank followed by soak pit to be constructed as per BIS specification. Under no circumstances, any waste water shall be discharged to outside the plant premises.
2. The effluent generated from the boiler blow down and DM plant and washings etc. shall be adequately treated in the Effluent Treatment plant to meet the prescribed standard of the Board for discharge to inland surface water. pH-5.5 – 8.5, SS – 100 mg/l, BOD – 30 mg/l and oil & grease – 10 mg/l. The industry shall acquire more land adjacent to factory premises for utilization of treated effluent for plantation inside the factory premises. Under no circumstances, wastewater shall be discharged to outside of unit.

C. AIR POLLUTION:

1. The industry shall install cyclone/multi cyclone as air pollution control device to control particulate matter emission in the flue gases emitted through the stack attached to the boiler well before operation of the plant so that particulate matter emission from the stack shall not exceed 800 mg/Nm³.
2. Portholes and suitable platforms shall be provided in the stack for facilitating stack gas analysis.
3. The stack height of chimney attached to the boiler shall be raised and should not be less than 30 meters.
4. Ambient Air Quality shall be maintained inside the factory premises so as to conform the National Ambient Air Quality Standard prescribed under E (P) Rule, 1986 as prescribed by the MOEF, Govt. of India vide notification No. G.S.R. 826 (E) dt.16.11.2009 as amended thereof from due to time.
5. The industry shall maintain the ambient noise standard as prescribed in the **Noise Pollution (Regulation and Control) Rules, 2000** as amended thereof.
6. The unit shall provide adequate stack height to the DG set as per following formula

$$H = h + 0.2 \sqrt{\text{KVA}} \text{ where}$$

h = Height of the building where it is installed in meter



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KVA = Capacity of the D.G.Set

H = Height of the stack in meter above ground level.

7. The unit shall provide acoustic enclosure in the DG set to control noise level as per E(P) Rule, 1986.

D. SOLID & HAZARDOUS WASTE:

1. Husk ash generated from the boiler shall be kept in the low lying area inside the factory premises preferably covered with earth to prevent it from being wind borne.

To

Sri Niraj Kumar Kansal, Director
M/s. Navkiran Enterprises Pvt Limited
At: Padampur Tukuda, P.O: Nuapali, Dist. Boudh.

Pw

REGIONAL OFFICER
Regional Officer
State Pollution Control Board
Regional Office, Sambalpur

STATE POLLUTION CONTROL BOARD, ODISHA, SAMBALPUR

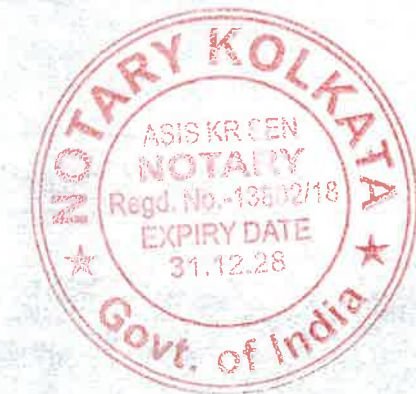
Memo No.....444...../Dt...27.01.2022

Copy forwarded to the:

- i) **Collector & District Magistrate, Boudh**
- ii) **D.F.O., Territorial, Boudh**
- iii) **Addl. Chief Env. Engineer , S.P.C. Board, Odisha, Bhubaneswar**
- iv) **G.M., DIC, Boudh**
- v) **Asst. Director of Factories & Boiler, Balangir**
- vi) **Guard file, Regional Office, Sambalpur**

Pw

REGIONAL OFFICER
Regional Officer
State Pollution Control Board
Regional Office, Sambalpur



stc

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Tel : 0663-2950151
Email : rospcb.sambalpur@ospcbboard.org
Website : www.ospcbboard.org



OFFICE OF THE REGIONAL OFFICE, SAMBALPUR
STATE POLLUTION CONTROL BOARD, ODISHA
[DEPARTMENT OF FOREST & ENVIRONMENT, GOVERNMENT OF ODISHA]
1070, Hospital Road, Modipara, Sambalpur-768002

"By Regd. Post"

No.....447...../III-CON (Operate)/193/2021-22

Date 28.01.2022

CONSENT ORDER

CONSENT ORDER NO. 1922/

Sub: Consent for discharge of sewage and trade effluent under section 25/26 of Water (PCP) Act, 1974 and for existing/new operation of the plant under section 21 of Air (PCP) Act, 1981.

Ref: Your online application received on dt.17.01.2022 vide login ID:3968859 and Letter received from Civil Supply Officer, Boudh vide letter no. 251 dt. 24.01.2022

Consent to operate is hereby granted in supersession to earlier order No. 6495 dt 15.12.2021 to under section 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and under section 21 of Air (Prevention & Control of Pollution) Act, 1981 and rules framed thereunder to

Name of the industry: M/s. Navkiran Enterprises Pvt Limited

Name of the Occupier & Designation: Sri Niraj Kumar Kansal, Director

Factory Address : At: Padampur, Tukuda, P.O: Nuapali, Dist: Boudh

This consent order is valid for the period up to 31.03.2026.

This consent order is valid for the product quantity, specified outlets, discharge quantity and quality, specified chimney/stack, emission quantity and quality of emissions as specified below. This consent is granted subject to the general and special conditions stipulated therein.

A. Details of products manufactured:

Sl. No.	Product	Quantity
1.	Boiled Rice	21 MT per hour
2.	Broken rice	0.3 MT per hour
3.	Rice bran	1.2 MT per hour
4.	CPP (Husk fired)	0.75 MW



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The applicant shall
installation &
monitoring

11.

B. Discharge permitted through the following outlet subject to the standard

Outlet No.	Description of outlet	Point of discharge	Quantity of discharge KLD or KL/hr.	Prescribed standard			
				pH	TSS (mg/l)	O & G(mg/l)	BOD (mg/l)
1.	Domestic waste water	To soak pit via septic tank					
2.	Outlet of ETP	To Land inside the premises		5.5 to 9.0	100.0	10.0	30.0

C. Emission permitted through the following stack subject to the prescribed standard.

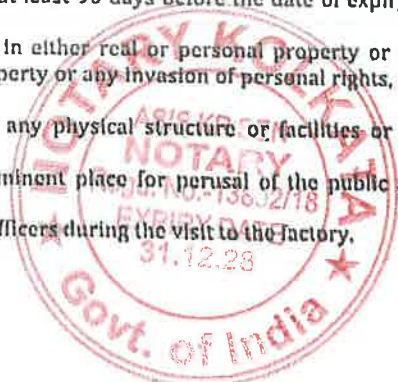
Chimney Stack No.	Description of stack	Stack height (m)	Quantity of emission	Prescribed standard				
1.	Stack attached to Boiler.	90' from G.L.	-	800 mg/Nm ³				

D. Disposal of solid waste permitted in the following manner

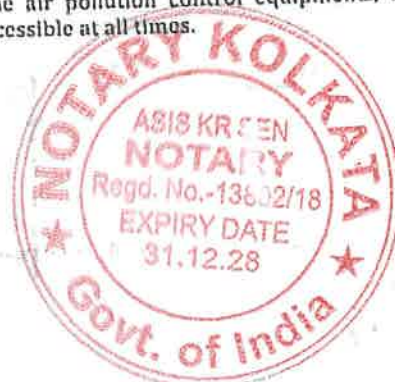
Sl. No.	Type of Solid waste	Quantity generated (TPD)	Quantity to be reused on site (TPD)	Quantity to be reused off site (TPD)	Quantity disposed off (TPD)	Description of disposal site.
1	Husk ash	6.0			6.0	Inside factory premises

E. GENERAL CONDITIONS FOR ALL UNITS

- The consent is given by the Board in consideration of the particulars given in the application. Any change of alternation or deviation made in actual practice from the particulars furnished in the application will also be the ground liable for review/variation/revocation of the consent order under section 27 f the Act of Water (Prevention & Control of Pollution) Act, 1974 and section 21 of Air (Prevention & Control of Pollution) Act, 1981 and to make such variations deemed fit for the purpose of the Acts.
- The industry would immediately submit revised application or consent to operate to the Board in the event of any change in the quantity and quality of raw material/and products/manufacturing process or quantity / quality of the effluent rate of emission/air pollution control equipment/system etc.
- The applicant shall not change or alter either the quality or quantity of the rate of discharge or temperature or the route of discharge without the previous written permission of the Board.
- The application shall comply with and carry out the directives/orders issued by the Board in this consent order and at all subsequent times without any negligence on his part. In case of non-compliance of any order/directives issued at any time and/or violation of the terms and conditions of this consent order, the applicant shall be liable for legal action as per the provisions of the Law/Act.
- The applicant shall make an application for grant of fresh consent at least 90 days before the date of expiry of this consent order.
- The issuance of this consent does not convey any property right in either real or personal property or any exclusive privileges nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Central, State laws or regulation.
- This consent does not authorize or approve the construction of any physical structure or facilities or the undertaking of any work in any natural water course.
- The applicant shall display this consent granted to him in a prominent place for perusal of the public and inspecting officers of this Board.
- An inspection book shall be opened and made available to Board's Officers during the visit to the factory.



10. The applicant shall furnish to the visiting officer of the Board any information regarding the construction, installation or operation of the plant or of effluent treatment system/air pollution control system/stack monitoring system any other particulars as may be pertinent to preventing and controlling pollution of Water/Air.
11. Meters must be affixed at the entrance of the water supply connection so that such meters are easily accessible for inspection and maintenance and for other purposes of the Act provided that the place where it is affixed shall in no case be at a point before which water has been tapped by the consumer for utilization for any purposes whatsoever.
12. Separate meters with necessary pipe-line for assessing the quantity of water used for each of the purposes mentioned below:
 - a) Industrial cooling, spraying in mine pits or boiler feed.
 - b) Domestic purpose
 - c) Process
13. The applicant shall display suitable caution board at the place where the effluent is entering into any water-body or any other place to be indicated by the Board, indicating therein that the area into which the effluents are being discharged is not fit for the domestic use/ bathing.
14. Storm water shall not be allowed to mix with the trade and/or domestic effluent on the upstream of the terminal manholes where the flow measuring devices will be installed.
15. The applicant shall maintain good house-keeping both within the factory and the premises. All pipes, valves, sewers and drains shall be leak-proof. Floor washing shall be admitted into the effluent collection system only and shall not be allowed to find their way in storm drains or open areas.
16. The applicant shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems install or used by him to achieve with the term(s) and conditions of the consent.
17. Care should be taken to keep the anaerobic lagoons, if any, biologically active and not utilized as mere stagnation ponds. The anaerobic lagoons should be fed with the required nutrients for effective digestion. Lagoons should be constructed with sides and bottom made impervious.
18. The utilization of treated effluent on factory's own land, if any, should be completed and there should be no possibility of the effluent gaining access into any drainage channel or other water courses either directly or by overflow.
19. The effluent disposal on land, if any, should be done without creating any nuisance to the surroundings or inundation of the lands at any time.
20. If at any time the disposal of treated effluent on land becomes incomplete or unsatisfactory or create any problem or becomes a matter of dispute, the industry must adopt alternate satisfactory treatment and disposal measures.
21. The sludge from treatment units shall be dried in sludge drying beds and the drained liquid shall be taken to equalization tank.
22. The effluent treatment units and disposal measures shall become operative at the time of commencement of production.
23. The applicant shall provide port holes for sampling the emissions and access platform for carrying out stack sampling and provide electrical outlet points and other arrangements for chimneys/stacks and other sources of emissions so as to collect samples of emission by the Board or the applicant at any time in accordance with the provision of the Act or Rules made therein.
24. The applicant shall provide all facilities and render required assistance to the Board staff for collection of samples/stack monitoring/inspection.
25. The applicant shall not change or alter either the quality or quantity or rate of emission or install, replace or alter the air pollution control equipment or change the raw material or manufacturing process resulting in any change in quality and/or quantity of emissions, without the previous written permission of the Board.
26. No control equipments or chimney shall be altered or replaced or as the case may be erected or re-erected except with the previous approval of the Board.
27. The satisfaction the liquid effluent arising out of the operation of the air pollution control equipment shall be treated in the manner and to ion of standards prescribed by the Board in accordance with the provisions of Water (Prevention and Control of Pollution) Act, 1974 (as amended).
28. The stack monitoring system employed by the applicant shall be opened for inspection to this Board at any time.
29. There shall not be any fugitive or episodal discharge from the premises.
30. In case of such episodal discharge/emissions the industry shall take immediate action to bring down the emission within the limits prescribed by the Board in conditions/stop the operation of the plant. Report of such accidental discharge/emission shall be brought to the notice of the Board within 24 hours of occurrence.
31. The applicant shall keep the premises of the industrial plant and air pollution control equipments clean and make all hoods, pipes, valves, stacks/chimneys leak proof. The air pollution control equipments, location, inspection chambers, sampling port holes shall be made easily accessible at all times.



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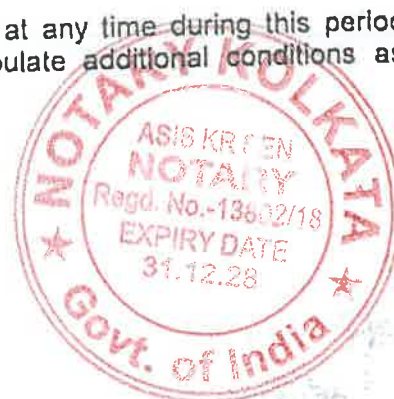
32. Any upset condition in any of the plant/plants of the factory which is likely to result in increased effluent discharge/emission of air pollutants and/or result in violation of the standards mentioned above shall be reported to the Headquarters and Regional Office of the Board by fax/speed post within 24 hours of its occurrence.
33. The industry has to ensure that minimum three varieties of trees are planted at the density of not less than 1000 trees per acre. The trees may be planted along boundaries of the industries of industrial premises. This plantation is stipulated over and above the bulk plantation of trees in that area.
34. The solid waste such as sweeping, wastage packages, empty containers residues, sludge including that from air pollution control equipments collected within the premises of the industrial plants shall be disposed off scientifically to the satisfaction of the Board, so as not to cause fugitive emission, dust problems through leaching etc, of any kind.
35. All solid wastes arising in the premises shall be properly classified and disposed off to the satisfaction of the Board by:
 - i) Land fill in case of inert material, care being taken to ensure that the material does not give rise to leachate which may percolate into ground water or carried away with storm run-off.
 - ii) Controlled incineration, wherever possible in case of combustible organic material.
 - iii) Composting, in case of bio-degradable material.
36. Any toxic material shall be detoxicated if possible, otherwise be sealed in steel drums and buried in protected areas after obtaining approval of this Board in writing. The detoxication or sealing and burying shall be carried out in the presence of Board's authorized persons only. Letter of authorization shall be obtained for handling and disposal of hazardous waste.
37. If due to any technological improvement or otherwise this Board is of opinion that all or any of the conditions referred to above requires variation (including the change of any control equipment either in whole or in part) this Board shall after giving the applicant an opportunity of being heard, vary all or any of such condition and thereupon the applicant shall be bound to comply with the conditions so varied.
38. The applicant, his/heirs/legal representatives or assignees shall have no claim whatsoever to the condition or renewal of this consent after the expiry period of this consent.
39. The Board reserves the right to review, impose additional conditions or condition, revoke change or alter the terms and conditions of this consent.
40. Notwithstanding anything contained in this conditional letter of consent, the Board hereby reserves to it the right and power under section 27(2) of the Water (Prevention & Control of Pollution) Act, 1974 to review any and/or all the conditions imposed herein above and to make such variations as deemed fit for the purpose of the Act by the Board.
41. The conditions imposed as above shall continue to be in force until revoked under section 27(2) of the Water (Prevention & Control of Pollution) Act, 1974 and section 21 of Air (Prevention & Control of Pollution) Act, 1981.
42. In case the consent fee is revised upward during this period, the industry shall pay the differential fees to the Board (for the remaining years) to keep the consent order in force. If they fail to pay the amount within the period stipulated by the Board the consent order will be revoked without prior notice.
43. The Board reserves the right to revoke/refuse consent to operate at any time during period for which consent is granted in case any violation is observed and to modify/stipulate additional conditions as deemed appropriate.

F. SPECIAL CONDITIONS:

1. Domestic effluent shall be discharged to septic tank followed by soak pit as per BIS specification.
2. The effluent generated from the parboiling section, washings etc. shall be adequately treated in the Effluent Treatment plant constructed as per approved design to meet the prescribed standard of the Board for discharge to inland surface water.
3. The unit shall utilize the entire treated waste water for plantation inside the factory premises. Minimum land requirement will be 1 acre per TPH of paddy processing. Under no circumstances, wastewater shall be discharged to outside of unit. If required the unit shall acquire additional land for plantation and utilization of entire waste water.
4. A holding pool of 15 days retention period shall be provided inside the premises to store the treated effluent which remains unutilized for irrigation, particularly during monsoon.



5. The industry shall maintain and operate the cyclone/multi cyclone as air pollution control device effectively and continuously to control particulate matter emission in the flue gases emitted through the stack attached to the boiler well before operation of the plant so that particulate matter emission from the stack shall not exceed 800 mg/Nm³.
6. Portholes, suitable platforms and safe staircase shall be provided in the stack for facilitating stack monitoring and analysis.
7. Husk ash generated from the boiler shall be stored in the low lying area inside the factory premises, covered with earth to prevent it from being wind borne.
8. Ambient Air Quality shall be maintained inside the factory premises so as to conform the National Ambient Air Quality Standard prescribed under E (P) Rule, 1986 as prescribed by the MOEF, Govt. of India vide notification No. G.S.R. 826 (E) dt. 16.11.2009.
9. The industry shall maintain the ambient noise standard as prescribed in the Noise Pollution (Regulation and Control) Rules, 2000 as amended thereof.
10. A green belt shall be provided along the boundary wall of plant towards habitational area and vacant spaces within plant premises. The record of the trees planted and survived shall be furnished to the Board and to the DFO concerned.
11. The Board may impose further condition or modify the conditions as stipulated in this order and may revoke this order in case the stipulated conditions are not implemented and / or information is found to have been suppressed / wrongly furnished in the application form. If it is found that the industry is operated without adequate pollution control measures and without consent to operate from the Board direction for closure shall be issued under section 31(A) of Air (PCP) Act. 1981 and / or under section 33(A) of Water (PCP) Act, 1974 as the case may be without any further notice.
12. The unit shall abide by the provisions of Environment (Protection) Act, 1986 and rules framed thereunder.
13. The stack height of chimney attached to the boiler should not be less than 30 meters.
14. Rain water harvesting practice shall be followed by utilizing the rain water collected from the roof of the buildings for recharging of ground water within the premises and other large structures as per the concept and practices prescribed by CPCB, New Delhi and details of which is available in the web-site.
15. The unit shall submit point wise compliances to the consent conditions by the end of March positively at the time of renewal of consent.
16. In case the consent fee is revised upwards during this period of consent, the unit shall pay the differential amount to the Board to keep the consent order in force. If the industry fails to pay the amount within the period stipulated by the Board the consent order will be revoked without giving prior notice.
17. The Board reserves the right to revoke/refuse consent at any time during this period incase any violation is observed and to modify / stipulate additional conditions as deemed appropriate.



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Jr. of Industrial
© Environmental
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18. If any information furnished by the applicant is found to be incorrect or suppressed and detected on later stage, the consent to operate shall be revoked including initiation of appropriate legal action as deemed fit as per the provisions of Air (Prevention and Control of Pollution) Act, 1981 as amended thereof and rules framed thereunder.
19. In case the proprietor/partner sells/transfers the unit to any other person, he shall intimate the same in advance and submit the audited balance sheet showing capital cost of investment including land & building, plant & machinery without depreciated cost.

The occupier must comply with the conditions stipulated in section A,B,C,D, E & F to keep this consent order valid.

To,

Sri Niraj Kumar Kansal, Director
M/s. Navkiran Enterprises Pvt Limited
At: Padampur, Tukuda, P.O: Nuapali, Dist: Boudh .

REGIONAL OFFICER
STATE POLLUTION CONTROL BOARD, ODISHA, SAMBALPUR

Dw

Regional Officer
State Pollution Control Board
Regional Office, Sambalpur

Memo No.....448...../Dt. 28.01.2022/
Copy forwarded to the

- i) Collector & District Magistrate, Boudh.
- ii) Addl Chief Env. Engineer, State Pollution Control Board, Odisha, Bhubaneswar for kind information.
- iii) D.F.O., Boudh.
- iv) The Asst. Director, Factories & Boiler, Balangir.
- v) The General Manager, DIC, Boudh
- vi) Guard file, Regional Office, SPC Board, Sambalpur.

REGIONAL OFFICER
STATE POLLUTION CONTROL BOARD, ODISHA, SAMBALPUR

Dw

Regional Officer
State Pollution Control Board
Regional Office, Sambalpur





सत्यमेव जयते

39

भारत सरकार
जल शक्ति मंत्रालय
जल संसाधन, नदी विकास
और गंगा संरक्षण विभाग
केन्द्रीय भूमि जल प्राधिकरण
Government of India
Ministry of Jal Shakti
Department of Water Resources,
River Development & Ganga Rejuvenation
Central Ground Water Authority

(भूजल निकासी हेतु छूट प्रमाण पत्र)
Certificate of Exemption for Ground Water Withdrawal

Project Name:	M/s Navkiran Enterprises Private Limited		
Project Address:	M/s Navkiran Enterprises Private Limited, Padampur Tukuda, Nuappali, Manamunda		
Village:	Nuapali	Block:	Boudh
District:	Boudh	State:	Odisha
Communication Address:	M/s Navkiran Enterprises Private Limited, Padampur, Tukuda, Nuappali, Manamunda, Boudh, Boudh, Odisha - 762016		
Address of CGWB Regional Office :	Central Ground Water Board South Eastern Region, Bhujal Bhawan, Khandagiri Square, Nh-5, Bhubaneshwar, Khordha, Odisha - 751030		

1. Application No.:	21-4/5979/OR/IND/2024	2. Category: (GWRE 2023)	Safe
3. Project Status:	New Project	4. Valid From	13/08/2024
5. Valid up to	Till adherence to provision(s) under which this exemption has been obtained (subject to compliance to related conditions) or till any further orders issued by this authority, whichever is earlier.		

6. Ground Water Abstraction Permitted:							
	Fresh Water		Saline Water		Dewatering		Total
	m ³ /day	m ³ /year	m ³ /day	m ³ /year	m ³ /day	m ³ /year	m ³ /day m ³ /year
	9.90						

7. Exemption under Para 1.0 (v) of guidelines
This exemption letter is being issued under relevant provision(s) of extant guidelines. The firm shall install digital water flow meter on all common outlet points and maintain the logbook. This certificate is system generated and based on information provided by the applicant. CGWA has not verified the claim made by applicant. Any false information furnished/ violation by the applicant, shall invite legal action against him/her as per S.O. 3289(E) dated 24/09/2020. If, at any stage, it is established that this exemption letter has been obtained on the basis of false/ fake document(s), the exemption letter shall be deemed cancelled and extant penal provisions shall be applied on the firm. यह इन्फ़ोर्मेशन (छूट) पत्र वर्तमान दिशानिर्देशों के प्रासंगिक प्रावधानों के तहत जारी किया जा रहा है। फर्म समस्त कॉमन निर्गम बिंदुओं पर डिजिटल जल प्रवाह मीटर स्थापित करेगी और लॉगबुक बनाए रखेगी। यह प्रमाण पत्र सिस्टम जनरेटेड है और आवेदक द्वारा प्रदान की गई जानकारी पर आधारित है। CGWA ने आवेदक द्वारा किए गए दावे का सत्यापन नहीं किया है। आवेदक द्वारा दी गई कोई भी गलत सूचना/उल्लंघन, एसओ 3289(ई) दिनांक 24/09/2020 के अनुसार उसके खिलाफ कानूनी कार्रवाई को आमंत्रित करेगा। यदि, किसी भी स्तर पर यह स्थापित हो जाता है कि यह इन्फ़ोर्मेशन (छूट) पत्र गलत/ नकली दस्तावेज़ के आधार पर प्राप्त किया गया है, तो इन्फ़ोर्मेशन (छूट) पत्र निरस्त माना जाएगा और फर्म पर मौजूदा दंडात्मक प्रावधान लागू किए जाएंगे।

This is an auto generated document & need not to be signed.

Term and conditions:

- All disputes are subject to Delhi Jurisdiction.
- Any complaint in regard to the rates will not be entertained.



18/11, जामनगर हाउस, मानसिंह रोड, नई दिल्ली - 110011 / 18/11, Jamnagar House, Mansingh Road, New Delhi-110011

Phone: (011) 23383561 Fax: 23382051, 23386743

Website: cgwa-noc.gov.in

पानी बचाये - जीवन बचाये
SAVE WATER SAVE LIFE



DIRECTORATE OF FACTORIES AND BOILERS, ODISHA
CERTIFICATE OF REGISTRATION OF FACTORY

REGISTRATION NO: **BD-23**

IT IS HEREBY CERTIFIED THAT M/S **NAVKIRAN ENTERPRISES PVT. LTD..** SITUATED AT **AT.:-PADAMPUR TUKUDA, P.O.- NUAPALLI, P.O NUAPALLI** DISTRICT **BOUDH** HAS BEEN REGISTERED UNDER THE FACTORIES ACT, 1948 UNDER **Other** CATEGORY

This at Bhubaneswar **29th** day of January **2022**

Digitally signed by **Thirumala Naik**
Date: 2022.01.29 18:05:41 IST

Chief Inspector of Factories,
Odisha

NOTE :

- (i) This is a digitally signed electronically generated certificate and therefore needs no ink-signed signature.
- (ii) This certificate is issued as per section 4, 5 & 6 of IT Act 2000 and its subsequent amendments in 2008.
- (iii) For verification, visit <https://pareshram-labour.odisha.gov.in>
- (iv) Tampering of this certificate will attract penal action.





Form 4A

[See Rule 5 (1)(a)]

**DIRECTORATE OF FACTORIES AND BOILERS, ODISHA
REGISTRATION AND GRANT / LICENCE TO WORK A FACTORY**

Registration No: **BD-23**
Serial No : **6983**

Fees : **Rs. 11250.00/-** per annum

Licence is hereby granted to Sri. **Niraj Kumar Kansal** valid only for the licensed premises shown on approved plan no **BOU/FAC/2021/000303** Dt **06/09/2021** are situated at **Nuapalli** Dist **Boudh** for use as a Factory manufacturing **Rice Milling** under the name **M/s. Navkiran Enterprises Pvt. Ltd.** employing not more than **95** persons on any one day during the period and using motive power not exceeding **759.75 K.W.** subject to the provisions of the Factories Act.,1948 and Rules made thereunder for a period of **ten years**.

This licence shall remain in force from **29th January 2022** till **31st December 2031**

The **29th January 2022**

Digitally signed by **Thirumala Naik**
Date: 2022.01.29 18:05:44 IST

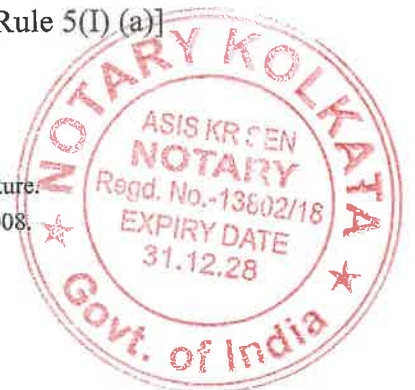
Chief Inspector of Factories,
Odisha

N.B.- Any change in manpower / motive power / manufacturing process /occupier be promptly notified in the prescribed manner to the Chief Inspector.

[In the said rules in rule 7, the form 4A in sub-rules 4 shall be substituted as in Rule 5(I) (a)]

NOTE :

- This is a digitally signed electronically generated certificate and therefore needs no ink-signed signature.
- This certificate is issued as per section 4, 5 & 6 of IT Act 2000 and its subsequent amendments in 2008.
- For verification, visit <https://pareshram-labour.odisha.gov.in>
- Tampering of this certificate will attract penal action.





Tel: 9438883908
 Email: rospcb.bolangir@ospboard.org
 Website: www.ospboard.org

OFFICE OF THE REGIONAL OFFICE, BALANGIR
STATE POLLUTION CONTROL BOARD, ODISHA
 [DEPARTMENT OF FOREST, ENVIRONMENT & CLIMATE CHANGE GOVERNMENT OF ODISHA]
 Koshal Chowk, Palace Lane, Balangir -767001

"By E-Mail/Speed Post"

No.....3104...../III-CON(OPE)193/2021-22

Date 20.09.2024/

SHOW CAUSE NOTICE U/S. 25/26 OF WATER (PCP) ACT, 1974 & U/S. 21 OF AIR (PCP) ACT, 1981 AS AMENDED THEREOF AND RULES FRAMED THEREUNDER.

WHEREAS, you are operating a rice mill unit in the name and style of M/s. Navkiran Enterprises Pvt. Ltd., At: Padampur, Tukuda, PO: Nuapali in the district of Boudh for production of Boiled Rice: 21 MT/hr, Broken Rice: 0.3 MT/hr and Rice Bran 1.2 MT/hr & granted consent to operate (CTO) up to 31.03.2026 vide Regional Office. SPCB, Sambalour letter no. 477, dtd. 28.01.2022 subject to strict compliance of consent conditions:

AND WHEREAS, as per the direction of Hon'ble Supreme Court of India dtd.22.02.2017 passed in WP(C) No. 375/2012, in the matter of Paryavaran Surakha Sammiti and Others vrs. Union of India and Others, you are required to operate your industry with a fully operational primary effluent treatment plant (ETP). Such mandate of a fully operational ETP has been intimated to you earlier vide the CTO order granted and through a public notice published in local dailies;

AND WHEREAS, your unit was inspected on dtd 28.08.2024 by Board Officials. the following non-compliance of CTO conditions was observed (copy of the inspection and analysis report are enclosed): -

1. The unit has installed an Effluent Treatment Plant (ETP) of 500 KLD but the ETP was found to be in defunct condition. Untreated wastewater was directly discharged to holding pond bypassing the ETP. An effluent sample was collected from the final discharge point and analysis report is enclosed. It is revealed from the analysis report that the BOD, TSS and Oil & Grease levels exceeds the prescribed standards of the Board.

AND WHEREAS, the above non-compliance is a gross violation of the order of Hon'ble Supreme Court of India and the conditions of the Consent to Operate order.



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Now, therefore, you are directed to show cause within 15 days from the issue of this notice as to why the Consent to Operate order shall not be revoked and direction of closure shall not be issued to your plant for such violations. If no reply is received within 15 (fifteen) days from the date of issue of this notice or the reply is found to be unsatisfactory necessary legal action as per law shall be initiated against you without further notice.

By order of the Board


Encl: Inspection & analysis report.


Regional Officer

To

Sri Niraj Kumar Kansal, Director
M/s. Navkiran Enterprises Pvt. Ltd.,
At: Padampur, Tukuda, PO: Nuapali, Dist: Boudh

Memo No. 3105 /Dt. 20.09.2024 / Speed Post/Email
Copy forwarded to the Collector & District Magistrate, Boudh/ Civil Supply Officer,
Boudh for kind information.


Regional Officer

Memo No. 3106 /Dt. 20.09.2024 / Email
Copy forwarded to the Chief Env Engineer/ Sr. Law Officer, State Pollution Control
Board, Bhubaneswar for kind information.


Regional Officer

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OFFICE OF THE REGIONAL OFFICER, BALANGIR
STATE POLLUTION CONTROL BOARD, ODISHA
Inspection Report

1.	Name of the Industry & Address	M/s. Navkiran Enterprises Pvt. Ltd., At: Padampur, Tukuda, PO: Nuapali, Dist: Boudh
2.	Date of inspection	28.08.2024
3.	Name of the inspecting Officer and Designation	Er. (Mrs) Babita Singh, RO
4.	Operational Status of Process Plant	Operational
5.	Validity of Consent to operate (CTO)	Granted upto 31.03.2026 vide Regional Office, SPCB, Sambalpur letter no. 447 dtd. 28.01.2022
6.	Production capacity as per CTO	Boiled Rice: 21 MT/hr, Broken Rice: 0.3 MT/hr and Rice Bran: 1.2 MT/hr
7.	Detail of ETP installed (Process Unit Wise)	ETP Defunct during the day of inspection.
8.	Whether ETP is fully functional or not	Not functional
9.	Location of sampling and final discharge point	Untreated effluent discharged to land bypassing ETP.
10.	Findings of analysis report w.r.t discharge standard prescribed in CTO	Not complying standards
11.	Specific information and remarks if any	The unit may be given a suitable direction for the above non- compliances.

Encl: Analysis Report

B.Singh
Regional Officer
S.P.C. Board, Balangir



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Tel : 0663-2950151
Email : rospcb.sambalpur@ospcbboard.org
Website : www.ospcbboard.odisha.gov.in

OFFICE OF THE REGIONAL OFFICE, SAMBALPUR
STATE POLLUTION CONTROL BOARD, ODISHA
[DEPARTMENT OF FOREST, ENVIRONMENT & CLIMATE CHANGE, GOVERNMENT OF ODISHA]
1070, Hospital Road, Modipara, Sambalpur-768002

Lab. Ref. No. WW/BLGR/69/08/2024-25

Date: 02.09.2024

ANALYSIS REPORT OF WASTE WATER SAMPLE

Name & Address of the Industry / Source : M/s. Navkiran Enterprises (P) Ltd.,
At: Padampur, Tukuda, PO: Nuapali,
Dist.: Boudh

Date of Sample Collection/ : 28.08.2024

Submitted on : 28.08.2024

Sample Collected by/ Submitted by : Er. (Mrs.) Babita Singh, RO, SPCB, Balangir

Sl. No.	Location of sampling point	pH	TSS (mg/l)	BOD (mg/l)	Oil and Grease (mg/l)
1	Outlet of ETP	6.5	132	120	8
	Board's Prescribed Standard	5.5-9.0	100.0	30.0	10.0

ANALYSED BY:
Asst. Environmental Scientist
Regional Office of State Pollution
Control Board, Sambalpur.

DY. ENV. SCIENTIST
Deputy Environmental Scientist
Regional Office of State Pollution
Control Board, Sambalpur



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A6

Inspection Report on alleged complaint against M/s. Navkiran Enterprises Pvt. Ltd., At: Padampur, Tukuda, PO: Nuapalli, Dist: Boudh

A complaint petition was received from Head Office, State Pollution Control Board, Bhubaneswar vide letter no. 17440 dtd.30.10.2024 regarding alleged disposal of untreated effluent by M/s. Navkiran Enterprises Pvt. Ltd., At: Padampur, Tukuda, PO: Nuapalli, Dist: Boudh as per the grievance petition filed by Sri Kishore Kumar Meher, At: Khairmal, PO: Raxa, Dist: Boudh.

In this connection, a joint field visit was conducted on dt.07.12.2024 consisting of the following officials of the Regional Office, SPCB, Sambalpur, and Regional Office, SPCB, Balangir to address the grievance petition.

1. Sri Manoranjan Pradhan, Asst. Env. Scientist, RO, SPCB, Sambalpur
2. Sri Swagat Anand Patel, Asst. Env. Scientist, RO, SPCB, Balangir

Sri Pratap Ojha, the Manager, was present and accompanied during the day of inspection.

The allegations in the grievance petition are as follows: -

1. The unit is illegally extracting groundwater by installing a deep borewell without obtaining permission from the Central Groundwater Authority (CGWA).
2. Waste Water from the unit is being discharged outside into Bandhamunda Nallaha and ultimately to the Mahanadi River.
3. The ash and solid waste generated from the unit are being dumped outside the unit premises.
4. The unit has encroached on Gochar Land within its plant premises and land *kisam* has not been changed to industrial use.

Consent Status of the unit: -

- The unit is a parboiled rice mill and has obtained Consent to Operate from the RO, SPCB, Smablapur vide letter no. 447 dtd. 28.01.2022 for the production of Boiled Rice – 21 MT per hour, Broken Rice- 0.3 MT per hour, Rice Bran – 1.2MT per hour, CPP(Husk Fired) – 0.75MW. The Consent to Operate the unit is valid up to 31.03.2026.
- The unit has been issued a Show Cause Notice by RO, SPCB, Balangir vide letter no. 3104 dtd. 20.09.2024 for non-compliance of Consent to Operate



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conditions and non-functional ETP. The unit has not yet submitted any reply to the Show Cause Notice issued.

The observations made during the day of inspection are as follows: -

1. The unit was in operation during the day of inspection. The Effluent Treatment Plant was defunct during the day of inspection. Untreated wastewater was directly discharged to outside the factory premises by-passing the ETP. An effluent sample was collected from the final discharged point and analysis report is enclosed
2. The unit has provided a gravity dust settling chamber followed by a cyclone connected to the stack attached to the boiler as air pollution control devices.
3. The unit has not provided porthole and platform on the stack for stack monitoring. So, stack monitoring could not be done one the day of inspection
4. It was observed that the unit has made a provision for a holding pond within the plant premises for the storage of treated water after treated in ETP.
5. The ash generated from the husk-fired boiler was found to be dumped near the chimney area in a haphazard manner. The unit has no designated ash disposal area.
6. It may be apprehended that, the unit may dispose of some husk ash outside the plant premises as the existing disposal site inside the plant premises was exhausted and the unit has no other ash disposal area.
7. The housekeeping of the unit was not satisfactory.
8. The unit has planted a few numbers of trees within the plant premises.
9. The workers of the rice mill reside close to the rice mill. The domestic wastewater generated from their residences is being discharged to outside premises of the rice mill without any treatment.
10. Approximately 1.5 liters of water is required for the parboiling of 1 kilogram of rice. This rice mill has a capacity of 21 MT/hour capacity. This unit operates in two shifts of 8 hours each (Total 16 hours). In this scenario, the water requirement of the unit per day during operation is $(21000 \times 16 \times 1.5 = 5,04,000$ liters). So the total water requirement is 504000 litres or 504 Cubic Meters approximately.

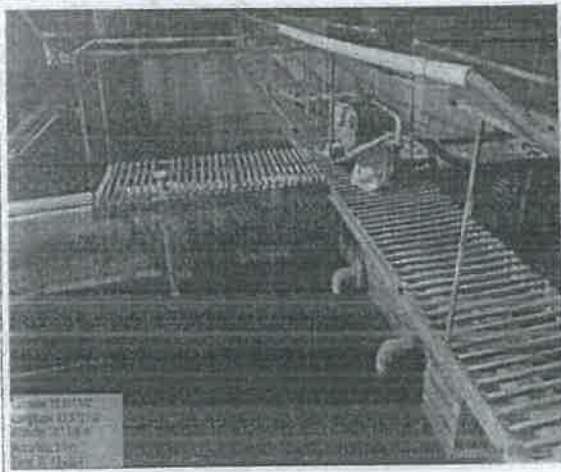

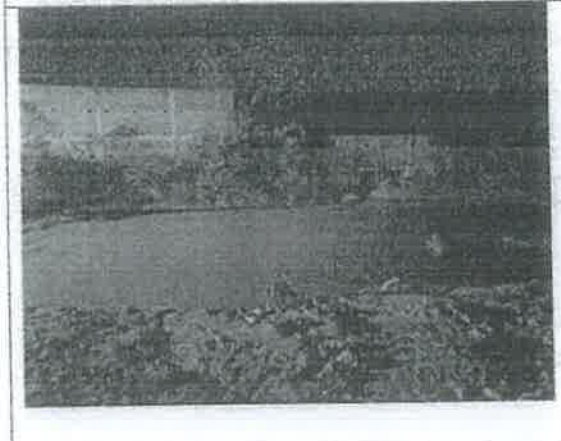



11. Further, the unit has set up a 10 TPH boiler and the boiler requires about 10 KLD of raw water as reported by the unit representative.

12. It was observed that the unit has dug 8 nos. of bore well and is drawing ground water for industrial use and the unit representative was unable to show the clearance of CGWA authority.

13. As per the unit representative, some Gochar land is kept inside the plant premises while surrounding lands are acquired by the unit. However, it may be verified by the revenue authority.

Photographs taken during inspection:

	
<p>500 KLD Effluent Treatment Plant was not in operation</p>	<p>Husk ash was disposed of in a haphazard manner near chimney area</p>
	
<p>Treated water holding pond inside the plant premises</p>	<p>Domestic wastewater discharged outside without any treatment</p>



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Recommendation: As the unit failed to comply with the SCN issued earlier to the unit and further violated the consent conditions as observed above, a suitable direction may be issued to the rice mill for immediate compliance.

**Asst. Env. Scientist
RO, SPCB, Sambalpur**

~~Asst.~~ Environmental Scientist
Regional Office of State Pollution
Control Board ~~Sambalpur~~

**Asst. Env. Scientist
RO, SPCB, Balangir**

Asst. Env. Scientist
State Pollution Control Board
Regional Office, Balangir



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Tel : 0663-2950151
Email : rospcb.sambalpur@ospcbboard.org
Website : www.ospcbboard.odisha.gov.in

OFFICE OF THE REGIONAL OFFICE, SAMBALPUR
STATE POLLUTION CONTROL BOARD, ODISHA
[DEPARTMENT OF FOREST, ENVIRONMENT & CLIMATE CHANGE, GOVERNMENT OF ODISHA]
1070, Hospital Road, Modipara, Sambalpur-768002

Lab. Ref. No. WW/BLGR/96/12/2024-25

Date: 12.12.2024

ANALYSIS REPORT OF WASTE WATER SAMPLE

Name & Address of the Industry / Source : M/s. Navkiran Enterprises (P) Ltd.,
At: Padampur, P.O: Nuapali,
Dist.: Boudh

Date of Sample Collection/ : 07.12.2024

Submitted on : 07.12.2024

Sample Collected by/ Submitted by : Sri Swagat Anand Patel, AES,(RO,SPCB, Balangir) &
Sri Manoranjan Pradhan, AES,(RO,SPCB, Sambalpur)

Sl. No.	Location of sampling point	pH	TSS (mg/l)	BOD (mg/l)	Oil and Grease (mg/l)
1	Outlet of ETP discharged to holding pond	5.8	126	160	5
Board's Prescribed Standard		5.5-9.0	100.0	30.0	10.0

ANALYSED BY:

Asst. Environmental Scientist
Regional Office of State Pollution
Control Board, Sambalpur.

DY. ENV. SCIENTIST

Deputy Environmental Scientist
Regional Office of State Pollution
Control Board, Sambalpur



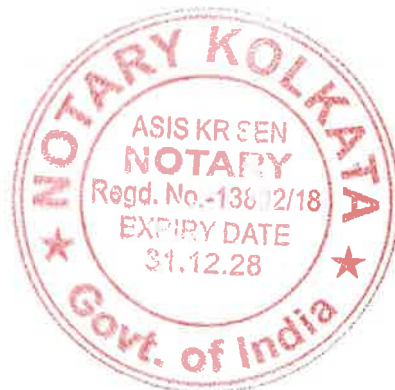
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To
The Regional Officer,
Odisha State Pollution Control Board,
Bolangir

To:
The Collector and District Magistrate,
Boudh

Dt-10.01.2025



Subject: Response to Closure Notice Dated 09/01/2025

Respected Sir/Madam,

This is to bring to your kind attention our submission in response to the notice dated 09/01/2025, instructing us to cease operations with immediate effect. We humbly request you to review the following clarifications, which we believe address the concerns raised in the notice:

1. ETP (Effluent Treatment Plant) Status:

Our rice mill completed the delivery of the final lot of rice under the KMS 2023-24 on 27/11/2024. Post-delivery, only maintenance and equipment trial activities have been undertaken within the premises. Since no active production has been carried out during this period, our ETP was not operating at full capacity. However, it was fully functional and remains in operational mode. We would like to highlight that our ETP is among the best-performing plants in the region, and we are a Zero Liquid Discharge System (ZLDS) in actuality.

2. Ash Disposal Measures:

To ensure the safe handling and disposal of ash generated from our boiler furnace, we have acquired a 15-acre plot in the vicinity. The rice husk ash is in high demand among local brick kilns and also finds buyers in Andhra Pradesh. Therefore, there is no question of ash being a nuisance or creating environmental concerns.

3. Groundwater Usage Compliance:

Our rice mill is located on land with peculiar topography, which yields negligible groundwater. Most of the deep borewells on our premises are non-functional and are used primarily to supply drinking water to our residential staff colony. We have developed large surface ponds to collect and store rainwater, which serves our needs throughout the year. Therefore, there has been no violation of the Central Ground Water Board (CGWB) directives.

4. Air Quality Compliance:

Our boiler is fitted with a state-of-the-art chimney, which includes an adequate ladder for sample collection, in compliance with regulatory requirements. We assure you that the air discharged meets all statutory norms, and we are committed to maintaining the highest standards of environmental compliance.

NAVKIRAN ENTERPRISES PVT LTD

CE: U15110R2020PTC034635

+91 72057 48201 | navkiran.boudh@gmail.com

A: Padampur Tukuda, P.O. Nuapalli- 762 018, Dist Boudh, Odisha

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We respectfully invite you to visit our mill at your earliest convenience to verify the veracity of our claims.

Additionally, we would like to emphasize that this is a peak paddy procurement season, and any disruption in our operations would have a detrimental impact on farmers and their livelihoods, apart from affecting our business. The livelihoods of hundreds of workers and families depend on the smooth functioning of our mill. We are not just a private business entity but a significant contributor to the local economy and community welfare.

Therefore, we earnestly request your kind consideration of our submission and a favorable review of the closure notice.

We remain fully committed to complying with all statutory and regulatory requirements and are willing to cooperate in any manner necessary to resolve this matter amicably.

Thanking you,

Yours sincerely,

FOR NAVKIRAN ENTERPRISES PVT. LTD.


DIRECTOR



NAVKIRAN ENTERPRISES PVT. LTD.

CIN : U15118OR2020PTC034635

+91 72057 46201 navkiran.boudh@gmail.com

At. Padampur Tukuda, P O. Nuapalli - 762 016, Dist. Boudh. Odisha.



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To,
The Member Secretary,
Odisha State Pollution Control Board,
Bhubaneswar.



12th January, 2025.

Subject: Request for Revocation of Closure Notice and Prevention of Power Disconnection

Respected Sir,

We write to you in reference to the closure notice issued by the Regional Office, Bolangir, concerning the operations of our rice mill. Following the receipt of this notice, we promptly submitted a detailed representation to the Regional Office, requesting an immediate visit to verify the functionality and compliance of our Effluent Treatment Plant (ETP).

We respectfully submit that our rice mill operates in a highly seasonal industry, with the paddy procurement window in Mandis limited to just 30 to 40 days per year. Our operations for the entire ensuing year depend heavily on this brief and critical period. A suspension of operations at this juncture would result in serious and long-term repercussions, affecting not just our business but also the livelihoods of hundreds of farmers, workers, and their families who are directly or indirectly associated with us.

It would be unfortunate to suffer a halt in operations due to a misunderstanding, especially given that we have a fully functional and efficient ETP at our premises. We take pride in our environmental compliance and are committed to further enhancing our systems, including working towards Zero Liquid Discharge (ZLD) standards.

In addition to the closure notice, we have been informed that disconnection of electricity supply to our rice mill is being considered. We would like to highlight that uninterrupted power supply is crucial for the proper functioning of our ETP. The colony of bacteria in the ETP requires a continuous power supply to remain alive and sustain the treatment process. Any power disconnection would eliminate months of effort spent in establishing and stabilizing this system, rendering it ineffective and causing significant environmental risks.

Moreover, around 60 people reside within our premises, including workers and their families, who depend on basic cooking, sanitation, and hygiene facilities that are entirely dependent on electricity. A power cut would severely affect their health, well-being, and safety, creating a humanitarian crisis in a remote location with limited alternative access to basic amenities.

NAVKIRAN ENTERPRISES PVT. LTD.

CIN: U15118OR2020PTC034635

+91 72057 46201 | navkiran.boudh@gmail.com

At: Padampur Tukuda, P.O. Nuapalli- 762 015, Dist. Boudh, Odisha.

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Given that we have already ceased production activities and are fully committed to complying with all statutory and regulatory requirements, we humbly request the following:

1. Revocation of the closure notice issued to us, in light of our compliance measures and ongoing efforts to address concerns.
2. Avoidance of power disconnection at our premises, which would have irreversible impacts on our ETP and create severe hardships for the residents and staff at our mill.

We reiterate our willingness to cooperate fully with the Odisha State Pollution Control Board and undertake any corrective actions required to address the concerns raised.

We sincerely hope that you will consider our submission with kindness and urgency, as your favorable intervention would not only protect our business but also safeguard the livelihoods and well-being of many in the region who are reliant on our continued operations.

Thanking you in anticipation of your thoughtful consideration.

Yours sincerely,

FOR NAVKIRAN ENTERPRISES PVT. LTD.


DIRECTOR

CC to:

1. The District Magistrate & Collector, Boudh
2. The Regional Officer, OSPCB, Bolangir



NAVKIRAN ENTERPRISES PVT. LTD.

CIN : U15118OR2020PTC034635

+91 72057 46201 navkiran.boudh@gmail.com

At. Padampur Tukuda, P.O. Nuapalli- 762 015, Dist. Boudh, Odisha

To,
The Member Secretary,
Odisha State Pollution Control Board,
Bhubaneswar.

12th January, 2025.

Subject: Request for Revocation of Closure Notice No. 211 dated 09-01-2025 issued by RO, Bolangir and Prevention of Power Disconnection to our unit.

Respected Sir,

We write to you in reference to the closure notice issued by the Regional Office, Bolangir, concerning the operations of our rice mill. Following the receipt of this notice, we promptly submitted a detailed representation to the Regional Office, requesting an immediate visit to verify the functionality and compliance of our Effluent Treatment Plant (ETP).

We respectfully submit that our rice mill operates in a highly seasonal industry, with the paddy procurement window in Mandis limited to just 30 to 40 days per year. Our operations for the entire ensuing year depend heavily on this brief and critical period. A suspension of operations at this juncture would result in serious and long-term repercussions, affecting not just our business but also the livelihoods of hundreds of farmers, workers, and their families who are directly or indirectly associated with us.

It would be unfortunate to suffer a halt in operations due to a misunderstanding, especially given that we have a fully functional and efficient ETP at our premises. Not just the ETP we also have created three ponds to harvest rain water and supply water to our plant for throughout the year; we are also in process of creating a few ground water recharge pits. We take pride in our environmental compliance and are committed to further enhancing our systems, including working towards Zero Liquid Discharge (ZLD) standards. Our ETP consultant has recently collected effluent sample from the final discharge point to evaluate the efficiency of the ETP and the analysis report is given below:

1. PH : 7.1
2. SS : 98.0 mg/l
3. DO : 5.1 mg/l

The values are well within the norms. We have trained personnel constantly monitoring the plant, and are confident that all other parameters also would be within the limits. For your kind reference I am attaching a few pictures of our ETP.



In addition to the closure notice, we have been informed that disconnection of electricity supply to our rice mill is being considered. We would like to highlight that uninterrupted power supply is crucial for the proper functioning of our ETP. The colony of bacteria in the ETP requires a continuous power supply to remain alive and sustain the treatment process. Any power disconnection would eliminate months of effort spent in establishing and stabilizing this system, rendering it ineffective and causing significant environmental risks.

Moreover, around 60 people reside within our premises, including workers and their families, who depend on basic cooking, sanitation, and hygiene facilities that are entirely dependent on electricity. A power cut would severely affect their health, well-being, and safety, creating a humanitarian crisis in a remote location with limited alternative access to basic amenities.

Given that we have already ceased production activities and are fully committed to complying with all statutory and regulatory requirements, we humbly request the following:

1. Revocation of the closure notice issued to us, in light of our compliance measures and ongoing efforts to address concerns.
2. Avoidance of power disconnection at our premises, which would have irreversible impacts on our ETP and create severe hardships for the residents and staff at our mill.

We reiterate our willingness to cooperate fully with the Odisha State Pollution Control Board and undertake any corrective actions required to address the concerns raised.

We sincerely hope that you will consider our submission with kindness and urgency, as your favorable intervention would not only protect our business but also safeguard the livelihoods and well-being of many in the region who are reliant on our continued operations.

Thanking you in anticipation of your thoughtful consideration.

Yours sincerely,

FOR NAVKIRAN ENTERPRISES PVT. LTD.


DIRECTOR



CC to:

1. The District Magistrate & Collector, Boudh
2. The Regional Officer, OSPCCB, Bolangir

To,

1. The Hon'ble Minister of Forest, Environment & Climate Change,
Government of Odisha
2. The Additional Chief Secretary,
Department of Forest, Environment & Climate Change,
Government of Odisha
3. The Member Secretary,
State Pollution Control Board, Odisha
4. The Hon'ble MLA, Boudh-and- Chief Whip,
Government of Odisha.

12th January, 2025.

Subject: Urgent Request for Intervention Regarding Sudden Closure Notice Issued to Our Rice Mill

Respected Sir,

We write to bring to your attention the sudden closure notice served to our rice mill by the Odisha State Pollution Control Board (OSPCB) and to highlight the serious repercussions it has caused for our business and the community, particularly during the peak paddy procurement season.

We have been entrusted with a target to procure 2,75,500 quintals of paddy from the Primary Agricultural Cooperative Societies (PACS) in Boudh district through OSCSC Ltd. To achieve this, we have engaged 37 large trucks and organized the necessary logistical arrangements to complete the procurement on a war footing. So far, we have procured approximately 78,503 quintals of paddy.

However, due to the closure notice, our operations have come to a complete halt for the last three days, leaving workers, vehicles, and other resources idle. This disruption has already started to cause angst and confusion among farmers, who have begun voicing complaints and creating unrest in the market yards.

The pressure in the Mandis is building, and any delay in procurement could lead to an unpleasant situation, especially in Kantamal block, which has historically been an underserved area with limited rice mills and storage facilities. There are only four rice mills in the block, making these mills a beacon of hope and prosperity for farmers. A halt in operations at this critical time would severely impact the livelihoods of hundreds of farmers and their families.

We would also like to highlight that our Effluent Treatment Plant (ETP) is fully functional and efficient. We have invested substantial resources and effort in streamlining and commissioning the ETP, and it is operating smoothly. We have already submitted a detailed representation to the Regional Office and Member Secretary of OSPCB on the day following the notice, requesting an immediate visit to verify the functioning of the ETP.

As you are aware, the paddy procurement window is limited to 30 to 40 days per year, and our operations for the entire ensuing year depend heavily on this critical period. A suspension of operations at this juncture would have serious, long-term repercussions, not just for our business but also for the entire agricultural ecosystem in the region.

NAVKIRAN ENTERPRISES PVT. LTD.

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At. Padampur Tukuda, P.O. Nuapalli- 762 015, Dist. Boudh. Odisha.



We are deeply concerned about reports of a possible power disconnection at our premises. We would like to respectfully submit the following points for your kind consideration:

1. Continuous power supply is essential for the proper functioning of our ETP.

The colony of bacteria in the ETP requires an uninterrupted power supply to remain alive and sustain the treatment process. Any power disconnection would render the ETP ineffective, causing months of effort to go to waste and posing a significant environmental risk.

2. Our premises house around 60 residents, including workers and their families.

These individuals depend on basic cooking, sanitation, and hygiene facilities, all of which require electricity. A power cut would create severe hardships for them, especially in a remote location with limited access to alternative resources.

In light of the above, we earnestly request your kind intervention to:

1. Advise the Board to revoke the closure notice and allow us to resume operations immediately, ensuring that we can complete the ongoing paddy procurement.

2. Prevent any disconnection of electricity at our rice mill, as it would disrupt essential services and negatively impact our ETP operations.

We reiterate our commitment to complying with all statutory and regulatory requirements and remain more than willing to cooperate fully with the Board to address any concerns they may have.

We sincerely hope for your favorable and considerate intervention to resolve this matter at the earliest. Your thoughtful action would not only safeguard our business operations but also protect the livelihoods of many farmers and workers who are directly impacted by this situation.

We remain grateful for your support and look forward to your kind assistance in ensuring that normalcy is restored at the earliest.

Thanking you in anticipation of your understanding and action.

Yours sincerely

FOR NAVKIRAN ENTERPRISES PVT. LTD.



DIRECTOR



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Item No.04

Court No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.234/2024/EZ

Kishore Kumar Meher

Applicant(s)

Versus

State of Odisha & Ors.

Respondent(s)

Date of hearing: 02.01.2025

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s) : Mr. Sankar Prasad Pani, Adv. (in Virtual Mode)

ORDER

1. Heard Mr. Sankar Prasad Pani, learned Counsel appearing (in Virtual Mode) on behalf of the Applicant.
2. The Applicant has filed the present Original Application seeking a direction to the Odisha State Pollution Control Board to revoke the Consent to Operate (CTO) granted to the Unit, Respondent No.6, till the unit is fully compliant of the Consent to Operate (CTO) conditions as well as environment pollution control measures. It is alleged that the Respondent No.6, M/s Navkiran Enterprises Pvt. Limited is a Rice Mill operating with production capacity such as Boiled Rice – 21 MT per hour; Broken Rice – 0.3 MT per hour; Rice Bran – 1.2 MT per hour and CPP (Husk fired) – 0.75 MW at Padampur Tukuda, P.O. – Nuapali in the district of Boudh. It is stated that the Unit was granted the Consent to Establish (CTE) by the State Pollution Control Board, Sambalpur on 27.01.2022 and Consent to Operate (CTO) was granted on 28.01.2022. It is further stated that in the Consent to Establish, Condition No.2 specifically mentions that the Unit shall provide the land conversion documents for the industrial use when applying for the Consent to Operate to the State Pollution Control Board but the Consent to Operate has been granted to the Respondent No.6 Unit on



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the very next day of the issuance of the Consent to Establish without the land conversion documents.

3. It is stated that the Consent to Operate mentions that the husk ash will be generated at the rate of 6 tons per day which is to be preserved inside the plant and waste water will not be discharged outside but it is alleged that the Consent to Operate (CTO) does not have any assessment of quantity of waste water generated and to be treated; it is also alleged that the Column for Waste Water quantity has been left vacant and it is alleged that the Consent to Operate has been issued in a purely mechanical manner.
4. It is further stated that on 18.01.2022, the District Manager, Odisha State Civil Supply Corporation Ltd., Boudh has signed Agreement with the miller, the Respondent No.6 to participate in the procurement, i.e. to lift the paddy from the purchase centre of the Civil Supply Corporation and for delivery of resultant CMR (Custom Milled Rice) at the Food Corporation of India godowns as per the food procurement policy of the Government of Odisha. The Agreement mentions that the capacity of the unit to process Boiled Rice is 168 tons per 8 hour. It is stated that the Corporation should stop procuring rice from the Respondent No.6 Unit since it is causing pollution and is operating in violation of the Consent to Operate Conditions.
5. It is also alleged that the boiled rice production capacity of the Respondent No.6 is around 21 MT per hour in two shifts of 8 hours each which means that the per day capacity of the plant will be 336 MT and the water requirement for parboiling of paddy will be 544 cubic meters per day considering that the waste water generation of the Unit is 1.3 cubic meters per ton. It is alleged that the Unit is extracting ground water at 9.9 cubic meters per day for which no permission is required and, in that regard, it has obtained a certificate



from the Central Ground Water Authority on 13.08.2024. The allegation is that the figure is misleading and false considering that the per day requirement of water of the plant is more than 544 cubic metre.

6. It is further alleged that there are 2 Bore wells in the premises and ground water is being extracted without any permission from the Central Ground Water Authority. Allegation further is that the waste water is being discharged to the outside into the Bandhamunda Nalla which finally joins with Mahanadi river at Nuapali about 2 km from the plant site.
7. Matter requires consideration.
8. Issue notice to the Respondents, returnable within four weeks.
9. Mr. Partha Sarathi Nayak, learned Additional Government Advocate who is present (in Virtual Mode), accepts notice on behalf of the Respondent Nos. 1 and 2, State Respondents, Government of Odisha.
10. Ms. Papiya Banerjee Bihani, learned Counsel who is present (in Virtual Mode), accepts notice on behalf of the Respondent No. 3, Odisha State Pollution Control Board.
11. Mr. Ashok Prasad, learned Counsel who is present in Court, accepts notice on behalf of the Respondent No. 4, Central Ground Water Board.
12. Issue notice to the Respondent No.5, Odisha State Civil Supply Corporation, Boudh as well as the Respondent No.6, the Project Proponent, returnable within four weeks.
13. All the Respondents shall file their counter-affidavits within four weeks.
14. Considering the allegations made in the Original Application, we deem it appropriate to constitute a Fact Finding Committee comprising of the following members:-



- i) District Collector, District - Boudh or his representative not below the rank of Additional District Magistrate (ADM);
 - ii) Senior Scientist, Odisha State Pollution Control Board; and
 - iii) Central Ground Water Authority
15. The Committee shall visit the site in question and submit its Report on affidavit within four weeks with regard to the allegations made in the Original Application.
 16. The District Collector, District-Boudh shall be the Nodal office for all logistic purposes and for filing the Fact finding Report on affidavit.
 17. If environmental violations are found, the Committee shall also suggest remedial measures and action proposed to be taken.
 18. The Counsel for the Applicant shall serve e-copy/soft copy of the Original Application along with all its annexures upon Mr. Partha Sarathi Nayak, Ms. Papiya Banerjee Bihani and Mr. Ashok Prasad, learned Counsel for the Respondents, within 24 hours.
 19. **List on 21.02.2025.**

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B. Amit Sthalekar, JM

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Dr. Arun Kumar Verma, EM

January 02, 2025,
Original Application No.234/2024/EZ
SKB



