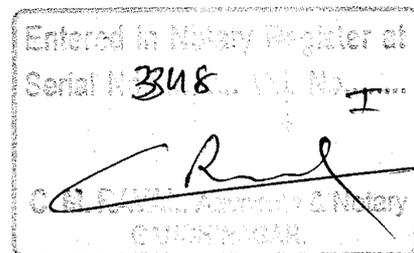


BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

APPEAL NO. 40 OF 2019 (WZ)



IN THE MATTER OF:

MARVADA AMRUTLAL BECHARLAL & ANR.

...APPLICANTS 28/7/20

VERSUS

GUJARAT STATE ENVIRONMENT IMPACT
ASSESSMENT & ORS.

...RESPONDENTS

ADDITIONAL AFFIDAVIT ON BEHALF OF GUJARAT STATE
ENVIRONMENT IMPACT ASSESSMENT- RESPONDENT NO. 1

I, Shri. S.M. SAIYAD (IFS), adult, having my office at Paryavaran Bhavan, Sector 10A, Gandhinagar 382 010 in the State of Gujarat, do hereby solemnly affirm and state on oath as under:

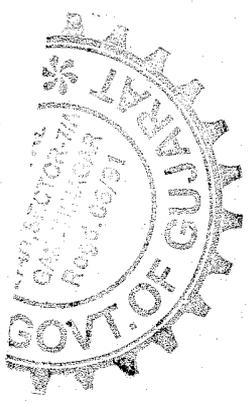
1. I am presently serving as Member Secretary, Gujarat State Environment Impact Assessment Authority – respondent no. 1 in the present application. I am conversant with the facts of the case having perused the record pertaining to the case available in my office. I am authorised to swear the present affidavit on behalf of the Gujarat State Environment Impact Assessment Authority and am otherwise competent to make the present affidavit.

2. The appeal has been filed challenging the Environmental Clearance (EC) granted to M/s Ashapura Perfoclay Limited for expansion of production capacity of bleaching clay at the existing unit located at Survey No. 167, Village Ler, near Bhujodi Anjar- Bhuj Highway, District Kutch, in category 2(b) of the Schedule annexed to EIA Notification dated 14.09.2006.

18/7/20

3. I submit that the Authority had granted two Environment Clearances to the project proponent being- Environment Clearance No. SEIAA/GUJ/EC/2(b)/497/2019 dated 30.07.2016 and Environment Clearance No. SEIAA/GUJ/EC/2(b)/355/2019 dated 26.02.2019.
4. I say that Environment Clearance No. SEIAA/GUJ/EC/2(b)/355/2019 dated 26.02.2019 granted to the project proponent appeared to have been obtained by the project proponent by not fully disclosing all the material and relevant facts to the Authority at the time of making an application for grant of Environment Clearance. The Authority therefore issued a notice dated 29.11.2019 to the project proponent calling upon the project proponent to show cause as to why the said Environment Clearance be not cancelled. The project proponent submitted its reply accepting that information given by it at the time of making the application was not complete and accurate. The project proponent was given a personal hearing before State Level Expert Appraisal Committee, Gujarat ('SEAC') on 16.01.2020. After hearing the project proponent and perusing the record, the Committee found that misleading information was in fact provided by the project proponent during appraisal of project for obtaining Environment Clearance, and recommended SEIAA to take appropriate action in accordance with law. Considering the fact that the project proponent had fraudulently obtained the Environment Clearance by furnishing incorrect information and misleading the Authority, the Authority has taken a decision to cancel the Environment Clearance No. SEIAA/GUJ/EC/2(b)/355/2019 dated 26.02.2019. The cancellation of the clearance has been duly intimated to the project proponent. A copy of the communication dated SEIAA/GUJ/EC/2(b)/226/2020 dated 03.03.2020 is annexed herewith and marked as **Annexure R-1**.
5. In so far as Environment Clearance No. SEIAA/GUJ/EC/2(b)/497/2016 dated 30.07.2016 is concerned, it was found that the project proponent had not been strictly complying with the conditions of the clearance. A notice dated 03.03.2020 was issued to the project proponent calling upon it to

remedy the deficiencies. A copy of show cause notice dated 03.03.2020 is annexed herewith and marked as **Annexure R-2**. The project proponent informed the Authority that all the conditions have been complied with at the site. The Authority decided to have the site inspected and compliance confirmed by the Gujarat Pollution Control Board ('GPCB'). The Pollution Control Board submitted a report to the Authority informing that the project proponent has remedied all the points raised in the notice, and that all conditions of the clearance stand complied. A copy of the report submitted by Gujarat Pollution Control Board is annexed herewith and marked as **Annexure R-3**. The report of the Pollution Control Board was examined by SEAC at its meeting held on 21.07.2020. The Committee found satisfactory compliance of all the conditions, and recommended closure of show cause notice. A copy of the recommendation letter of State Level Expert Appraisal Committee dated 21.07.2020 is annexed herewith and marked as **Annexure R-4**. The factual verification report of the Pollution Control Board and the recommendation of the SEAC was then placed before the Authority at its meeting held on 28.07.2020. The Committee has accepted the report of the Pollution Control Board and the recommendation of the Committee, and finding sufficient compliance of the conditions of Environment Clearance No. SEIAA/GUJ/EC/2(b)/497/2016 dated 30.07.2016 decided to close the non-compliance proceedings.

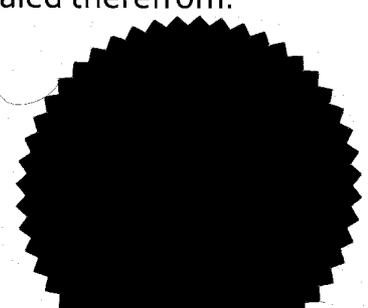
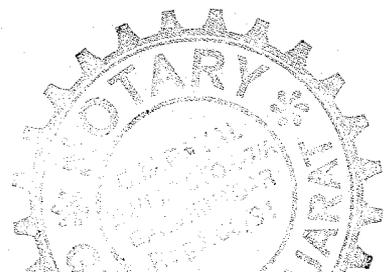


6. I submit that the Authority assures to abide by any and all reasonable directions as may be issued by the Hon'ble Tribunal.

Di
DEPONENT

VERIFICATION

Verified at Gandhinagar on this 28th day of July, 2020 that the contents of the above affidavit are true and correct, nothing stated therein is false and nothing material has been concealed therefrom.



Di
DEPONENT
Solemnly Affirmed
Refer to
R...

S. M. SAIYAD, IFS
MEMBER SECRETARY
SEIAA (GUJARAT)



सत्यमेव जयते
Government of Gujarat

STATE LEVEL ENVIRONMENT
IMPACT ASSESSMENT
AUTHORITY
GUJARAT

No. SEIAA/GUJ/EC/2(b)/226/2020

Date: 3 MAR 2020

BY R.P.A.D.
Time Limit

Sub: Cancellation of Environment Clearance accorded to M/s: Ashapura Perfoclay Limited located at Survey no. 167, Village: Ler, Nr. Bhujodi, Anjar- Bhuj Highway, Ta.: Bhuj, District: Kutch.

Ref: Environment Clearance accorded vide No. SEIAA/GUJ/EC/2(b)/355/2019 dated 26/02/2019.

Whereas Environment Clearance for the expansion was accorded vide No. SEIAA/GUJ/EC/2(b)/355/2019 dated 26/02/2019 to M/s: Ashapura Perfoclay Limited located at Survey no. 167, Village: Ler, Nr. Bhujodi, Anjar- Bhuj Highway, Ta.: Bhuj, District: Kutch under the provisions of Environment Impact Assessment Notification 2006.

AND Whereas a joint inspection was carried out by representative of SEIAA & GPCB on 09/10/2019 and report was sent to Honorable National Green Tribunal (NGT).

AND Whereas a show cause notice (SCN) vide No. SEIAA/GUJ/SCN/1684/2019 dated 29/11/2019 was issued for the reasons mentioned therein.

AND Whereas the Project Proponent (PP) submitted its reply *inter alia* accepting the fact that information mentioned by it in EIA report is not completely accurate and offering explanation for the inaccurate mentioning of the information.

AND Whereas a personal hearing was carried out by the SEAC in meeting dated 16/01/2020 wherein PP was personally present and accepted to furnishing inaccurate and incorrect information and after discussion and deliberation SEAC observed that misleading information was provided by PP during appraisal of the project for obtaining Environmental Clearance..

AND Whereas SEAC vide letter dated 13/02/2020 has recommended to take the suitable action under clause 8(vi) of EIA Notification, 2006 for the Environment Clearance accorded vide No. SEIAA/GUJ/EC/2(b)/355/2019 dated 26/02/2019 based on the decision taken during the SEAC meeting held on 16/01/2020.

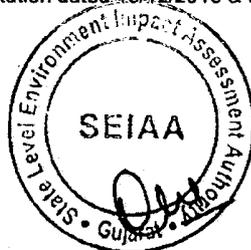
Under the circumstances, in exercise of power conferred under section 8(vi) of Environment Impact Assessment Notification 2006 vide notification No. S.O. 1533 dtd. 14.09.2006 issued under the Gazette of India, Extraordinary, Part-II, and section 3, sub section (ii) published by Ministry of Environment & Forest the Government of India, the Environment Clearance accorded vide No. SEIAA/GUJ/EC/2(b)/355/2019 dated 26/02/2019 stands cancelled for the following reasons as decided in the SEIAA meeting dated 17/02/2020.

1. PP has submitted misleading information by hiding the facts in the EIA report at the time of appraisal presentation dated 18/12/2018 & 07/01/2019 regarding proposed location of expansion.

With regards,

Yours sincerely,

(S. M. SAIYAD)
Member Secretary



Issued to:

M/s: Ashapura Perfoclay Limited
Survey no. 167, Village: Ler,
Nr. Bhujodi, Anjar- Bhuj Highway,
Ta.: Bhuj, District: Kutch

S. M. SAIYAD, IFS
MEMBER SECRETARY
SEIAA (GUJARAT)



STATE LEVEL ENVIRONMENT
IMPACT ASSESSMENT
AUTHORITY
GUJARAT

Government of Gujarat

No. SEIAA/GUJ/GEN/227/2020

Date: 3 MAR 2020

BY R.P.A.D.

To,
M/s: Ashapura Perfoclay Limited
Survey no. 167, Village: Ler,
Nr. Bhujodi, Anjar- Bhuj Highway,
Ta.: Bhuj, District: Kutch

Sub: Environment Clearance granted to M/s: Ashapura Perfoclay Limited located at Survey no. 167, Village: Ler, Nr. Bhujodi, Anjar- Bhuj Highway, Ta.: Bhuj, District: Kutch— regarding.

Ref: Environment Clearance granted vide No. SEIAA/GUJ/EC/2(b)/497/2016 dated 30/07/2016.

Sir,

In context to above subject matter an Environment Clearance was granted to your project vide No. SEIAA/GUJ/EC/2(b)/497/2016 dated 30/07/2016. The joint inspection of your project was carried out by representative of SEIAA & GPCB on 09/10/2019 and the report of the same was submitted to Honorable National Green Tribunal (NGT). Apropos the details of joint committee report, a show cause notice vide No. SEIAA/GUJ/SCN/1685/2019 dated 29/11/2019 was issued for the non/partial compliances observed. SEAC has given you personal hearing on 16/01/2020 for the clarification & discussion in this regard and has sent a recommendation to this authority mentioning several non/partial compliance of the EC conditions as mentioned below.

1. PP has failed to comply with the condition of environment clearance with respect to "Unit shall discontinue production activities strictly during the high rainy days".
2. PP has failed to comply with the condition of environment clearance with respect to "Online monitoring system shall be installed on the flue gas and process stack to monitor the pollutant concentration. An arrangement shall also be made for reflection of the online monitoring results on the company's server, which can be accessed by the GPCB on real time basis".
3. PP has failed to comply with the condition of environment clearance with respect to "Third party performance evaluation of the air pollution control systems shall be carried out at least once in a year to check its performance and efficiency through a reputed institute / organization like NPC, L.D. College of Engineering -Ahmedabad or such other institutes of similar repute, and its records shall be maintained".

You are hereby given the time of 21 days to comply with all the EC condition specially mentioned above in true letter & spirit and submit the report, failing to which your EC will be cancelled.

For app on behalf of SEIAA

(S. M. SAIYAD)
Member Secretary

Copy to:-

The Secretary, SEAC, C/O. G.P. C.B. Gandhinagar - 382010





GUJARAT POLLUTION CONTROL BOARD

PARYAVARAN BHAVAN

Sector-10-A, Gandhinagar-382 010

Phone : (079) 23226295

Fax : (079) 23232156

Website : www.gpcb.gov.in

No. GPCB/CCA-KUTCH-27(21)/ ID 17774/564/84

By R.P.A.D.

Date : 09 JUL 2020

To,
State Level Expert Appraisal Committee,
Paryavaran Bhavan,
Ground Floor,
Sector 10-A,
Gandhinagar - 382010

Subject : Regarding verification of the compliance report submitted by M/s. Ashapura Perfoclay Ltd. Kutch

Reference : Your letter vide no. EIA-10/2020/GEN-IND2-7872/1496, dated 26/07/2020.

Sir,

With respect to above captioned subject and mentioned reference, the verification report received from Regional Office, Kutch (West) in respect to your letter dated 26/07/2020 is enclosed herewith, for your information and further necessary action.

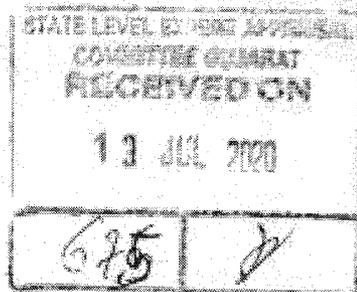
Thanking you.

Your's faithfully,

(A. V. Shah)

Member Secretary

Encl. As above



AEC P1
put up w/you
@
13/07/2020

Clean Gujarat Green Gujarat

ISO - 9001 - 2008 & ISO - 14001 - 2004 Certified Organisation

Verification of the compliance report submitted by M/s. Ashapura Perfoeloy Ltd.

Sr. No.	Points	Status as on 27/06/2020
1.	<p>PP has failed to comply with the condition of environment clearance with respect to "Unit shall discontinue production activities strictly during the high rainy days"</p>	<p>Unit has not discontinued production activities in monsoon season in last four year. Unit had submitted; "In future if there would be any high rainy days than we will stop our production activities", which is attached herewith.</p> <p>In view of the information furnished by the unit, the stipulated condition is considered complied subject to details provided.</p> <p>Complied Subject to Condition.</p> <p>Unit has provided online line monitoring system on the flue gas and process stack to monitor the pollutant concentration as:</p>
2.	<p>PP has failed to comply with the condition of environment clearance with respect to "Online monitoring system shall be installed on the flue gas and process stack to monitor the pollutant concentration. An arrangement shall also be made for reflection of the online monitoring results on the company's server, which can be accessed by the GPCB on real time basis"</p>	<p>Unit has provided online line monitoring system on the flue gas and process stack to monitor the pollutant concentration as:</p>

Details of Continues Emission Monitoring System (CEMS)					
Sr. No.	Location of CEMS	Parameter	CEMS in working	Plant Machinery in operation	Result shown
1.	Common Stack attached to coal fired 6-TPH Boiler.	PM SO ₂ NOx	Yes*	Yes	90.8 mg/Nm ³ 40.0 ppm 05.0 ppm
2.	Stack attached to dryer No. 3	PM	Yes	Not in operation	---
3.	Stack attached to dryer No. 4	PM	Yes	Not in operation	---
4.	Stack attached to dryer No. 5	PM	Yes	Yes	31.4 mg/Nm ³
5.	Stack attached to dryer No. 6	PM	Yes	Not in operation	---
6.	Stack attached to dryer No. 7	PM	Yes	Yes	21.4 mg/Nm ³

* Calibration of CEMS not done.
 > Connectivity of all provided CEMS with CPCB/GPCB server not done.

<p>3.</p>	<p>PP has failed to comply with the condition of environment clearance with respect to "Third party performance evaluation of the air pollution control systems shall be carried out at least once in a year to check its performance and efficiency through a reputed institute / organization like NPC, I.D. College of Engineering - Ahmedabad or such other institutes of similar repute, and its records shall be maintained".</p>
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In view of the information furnished by the unit, the stipulated condition is considered complied subject to details provided by unit & observation during inspection.

Complied Subject to Condition.

Unit has assigned third party performance evaluation of the air pollution control systems to M/s. Gujarat Institute of Desert Ecology- GUIDE (GPCB approved Schedule-I auditor) GUIDE has certified that, the Air Pollution Control System provided in the premises of M/s Ashapura Perfoslay Ltd is adequate and efficient to achieve the prescribed norms stipulated by Gujarat Pollution Control Board.

In view of the information furnished by the unit, the stipulated condition is considered complied subject to details provided.

Complied Subject to Condition.



A V SHAH
SECRETARY
State Level Expert Appraisal Committee

**STATE LEVEL EXPERT APPRAISAL
COMMITTEE, GUJARAT.**
Office : Gujarat Pollution Control Board,
"Paryavaran Bhavan", Sector 10-A,
Gandhinagar-382010, GUJARAT
Phone : 079 -23232152.
Fax : 079 -23222784.
email : sec.seacgujarat@gmail.com

Ref. No. : GEN-67-IND2/ 1598

127 JUL 2020

To,
✓ **The Member Secretary,**
State Level Environmental Impact Assessment Authority,
Gujarat Pollution Control Board,
Sector-10-A, Gandhinagar.

Subject: Compliance Report submitted by M/s. Ashapura Perfoclay Limited, Survey No. 167, Village: Ler, Nr. Bhujodi, Anjar-Bhuj Highway, Ta. Bhuj, District: Kutch vide their e-mail received through SEIAA on 22/06/2020

Reference: 1. Notice issued to M/s. Ashapura Perfoclay Limited by State Level Environment Impact assessment authority, Gujarat (SEIAA) vide Letter no. SEIAA/GUJ/GEN/227/2020 on dated 03/03/2020.
2. Minutes of SEAC Meetings dated 17/07/2020 & 21/07/2020

Dear Sir,

- With reference to the Notice issued to M/s. Ashapura Perfoclay Limited by State Level Environment Impact assessment authority, Gujarat (SEIAA) vide Letter no. SEIAA/GUJ/GEN/227/2020 dated 03/03/2020, Project proponent submitted their reply through SEIAA, Gujarat and SEAC received reply through e-mail on 22/06/2020.
- Earlier, Project proponent (PP) vide email dated 30th March 2020 had requested time extension for the compliance to be made considering the COVID-19 epidemic and lockdown situation.
- With reference to the reply submitted by M/s. Ashapura Perfoclay Limited regarding notice issued by SEIAA-Gujarat concerning Environmental Clearance granted vide letter no. SEIAA/GUJ/EC/2(b)/497/2016 dated 30/07/2016, this matter was considered in the SEAC Video Conference meeting dated 25/06/2020.
- Committee deliberated that submission of the project proponent (PP) in context to the notice issued by SEIAA, Gujarat is required to be verified by the Gujarat Pollution Control Board (GPCB) and upon submission of the factual report from GPCB, a personal hearing to be given to the Project proponent in context of issues raised in the notice for further necessary action. Committee

decided to get a factual report on the verification of the Compliance Report submitted by M/s. Ashapura Perfoclay Limited.

- SEAC received a letter no. GPCB/CCA-Kutch-27 (21)/ID 17774/564184 dated 09/07/2020 regarding verification of the Compliance Report submitted by M/s. Ashapura Perfoclay Limited by GPCB- Regional Office, Kutch (West).
- M/s: Ashapura Perfoclay Ltd. was invited for presentation before SEAC on dated 17/07/2020 as a part of opportunity of being heard to be provided.
- Project proponent (PP) as well as their Consultant presented the point wise reply before SEAC through Video Conference (VC).
- Following are the issues of the Notice, reply given by M/s: Ashapura Perfoclay Ltd. (M/s.: APL) and Comments received in factual verification report of GPCB.

Sr. No.	Condition	Compliance status submitted by PP as on 19/06/2002
1.0	PP has failed to comply with the condition of environment clearance with respect to "Unit shall discontinue production activities strictly during the high rainy days"	<p>The Indian meteorological department, defines very heavy rain as; "Rainfall amount realized in a day between 124.5 to 244.4 mm"</p> <p>PP submitted that in the last 4 years, in the area, in and around the unit, the rainfall has not exceeded the aforementioned prescribed limit. Except the high rainy days unit shall continue production and maintain records of the same to verify by the authority.</p> <p>Furthermore, even though the condition only requires that production shall be discontinued during high rainy days, the unit has, generally, reduced the production capacity during just normal rainy days as well. Year wise comparative production data since year 2016 to 2019, is presented below;</p> <ul style="list-style-type: none"> ➤ In year 2016, the average production rate of 5588 MT during monsoon which is lower to 3.29% as compared to the annual average production of 5778 MT. ➤ In year 2017, the average production rate of 8791 MT during monsoon which is lower to 0.71% as compared to the annual average production of 8854 MT. ➤ In year 2018, the average production rate of 6963 MT during monsoon which is lower to 11.35% as compared to the annual average production of 7854 MT. ➤ In year 2019, the average production rate of 4292 MT during monsoon which is lower to 46.58% as compared to the annual average production of 8035MT.

> The above stated data establishes that the average production during monsoon season is in general substantially slower than the annual average production rate.
 > Further, as there has been no very heavy rainy day during the period 2016-2019.
 > Thus, the condition shall be treated as complied.
PP submitted month wise Production data and day wise rain fall, mm data since year 2016 to 2019.

Comments received as per the Verification report by GPCB
 Unit has not discontinued production activities in monsoon days in last four years. Unit had submitted: "In future if there would be any high rainy days than we will stop our production activities".

In view of the information furnished by the unit, the stipulated condition is considered complied subject to details provided.
Complied Subject to Condition

2.0 PP has failed to comply with the condition of environment clearance with respect to "Online monitoring system shall be installed on the flue gas and process stack to monitor the pollutant concentration. An arrangement shall also be made for reflection of the online monitoring results on the company's server, which can be accessed by the GPCB on real time basis".

The Continuous Emission Monitoring System (CEMS) are installed in all Process stacks and Flue gas, to monitor the pollutant concentration. Below mentioned are the details pertaining to the same;
Installation of CEMS:

- > The unit had installed online dust monitoring system in process stack of Dryer no. 7 and now NEVCO Company have installed online dust monitoring system in another 4 stacks i.e. Dryer-3, Dryer-4, Dryer-5 and Dryer-6.
- > PP submitted detailed report including Photographs of installation, completion certificate from the suppliers.
- > Production Line 1 & 2 is presently inoperative, and has been shut down due to repetitive breakdowns, therefore, as it is not in use, CEMS has not been installed there.
- > Installation of data logger with GPCB & CPCB server are working in progress. NEVCO and PRIMA officials are in communication with the IT team of GPCB & CPCB already. They will inform to authority accordingly as completed.

Sr. No.	Stack attached to	CEMS Installation date	Identification code
1.	Boiler	11-06-2020	CEMS B-4
2.	Dryer-3	14-06-2020	SPM D-3
3.	Dryer-4	13-06-2020	SPM D-4
4.	Dryer-5	12-06-2020	SPM D-5

	5.	Dryer-6	12-06-2020	SPM D-6
	6.	Dryer-7	28-12-2019	SPM D-7

Comments received as per the Verification report by GPCB

Unit has provided online monitoring system on the flue gas and process stack to monitor the pollutant concentration on 6 no.s of Stacks as mentioned in above table. However, Calibration of CEMS on common stack attached to Coal fired 6 TPH Boiler (Old & New) not done and connectivity of all provided CEMS with CPCB/GPCB server not done.

In view of the information furnished by the unit, the stipulated condition is considered complied subject to details provided by unit & observation during inspection.

Complied Subject to Condition

3.0	<p>PP has failed to comply with the condition of environment clearance with respect to "Third party performance evaluation of the air pollution control systems shall be carried out at least once in a year to check its performance and efficiency through a reputed institute / organization like NPC, L.D. College of Engineering - Ahmedabad or such other institutes of similar repute, and its records shall be maintained".</p>	<p>➤ The unit has approached Gujarat Institute of Desert Ecology-GUIDE (Schedule I auditor) based at Bhuj, for the study of performance evaluation of APCM operation in APL premises.</p> <p>➤ PP submitted study report on performance evaluation of APCM by GUIDE.</p>
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Comments received as per the Verification report by GPCB

Unit has assigned third party performance evaluation of the Air Pollution Control System to M/s: Gujarat Institute of Desert Ecology – GUIDE (GPCB approved Schedule-I auditor). GUIDE has certified that, the Air Pollution Control System provided in the premises of M/s: Ashapura Perfoclay Ltd. is adequate and efficient to achieve the prescribed norms stipulated by Gujarat Pollution Control Board.

In view of the information furnished by the unit, the stipulated condition is considered complied subject to details provided.

Complied Subject to Condition

➤ Committee's Observation:

Committee perused the documents, explanation given by M/s. APL during presentation and Comments received from Regional Office, GPCB. Committee noted the following:

- There is no high rainy day during monsoon season in last 4 years i.e. Year 2016, 2017, 2018 and 2019. However, Committee observed that detailed explanation needs to be submitted regarding storm water management and waste water management during the monsoon season in line with the production carried out. Committee also felt that PP shall commit that they will comply the condition in future in any circumstances in case of high rainy days.

- The CEMS are installed in all Process stacks and Flue gas to monitor the pollutant concentration except stack attached to production Line 1 & 2. Committee noted that these two production lines are presently inoperative and has been shut down due to repetitive breakdowns, therefore, as it is not in use, CEMS has not been installed there. However, as ensured by PP, Committee asked to install CEMS prior to operation of line 1 & 2 to which PP agreed upon. Committee also noted that Installation of data logger with GPCB & CPCB server is in progress.
- Third party performance evaluation of the Air Pollution Control System to M/s: Gujarat Institute of Desert Ecology – GUIDE is submitted. As per the said report Air Pollution Control system provided by M/s Ashapura Perfoclay Ltd. as stated in this report is adequate and efficacious to achieve the quality of air as specified / required consent by GPCB.
- In view of the above, Committee asked PP to give further justification regarding compliance of Point no.1 i.e. "Unit shall discontinue production activities strictly during the high rainy days".
- PP submitted additional details through e-mail dated 21.07.2020.
- PP was invited for presentation in the SEAC VC meeting dated 21.07.2020.
- PP presented as below:
 - ✓ The unit has adequate facilities to treat the wastewater generated on daily basis as well as during the rainy days also. There was no incidence happened of runoff outside the premises.
 - ✓ The unit follow and comply the SOP as a part of Monsoon action plan which given by the GPCB
 - ✓ The unit has adequate facilities to treat the wastewater generated on daily basis as well as during the rainy days also. There was no incidence happened of runoff outside the premises.
 - ✓ The unit has Solar Evaporation Pond of capacity 100 x 90 x 2 m which is fair enough to store the RO reject water up to 18000 m³.
 - ✓ Year wise rainy days with relevant details like rainfall, Production, effluent generation, RO reject sent to Solar evaporation Pond, Solar evaporation rate, Solar evaporation during that particular day and Water level in Solar Pond.
- PP informed that there was no any abnormal or adverse condition (rainwater/effluent runoff from the plant) observed during monsoon season in premises of M/s: APL plant by District Collector office, GPCB Bhuj office and local Gram Panchayat etc.
- PP also ensured that the Effluent Treatment Plant (ETP) and Solar Evaporation Pond are adequate and functioning properly and there was no incidence of overflow (effluent runoff/storm water runoff) happened since last 4 monsoon season.

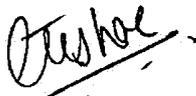
- 358
- Committee deliberated on the details presented by PP and found complied subject to condition. However, Committee asked about their Commitments in this regard. PP informed that they will never wait for heavy rain (64.5 – 124.4 mm) but they will stop their production activities if rainfall touches 60 mm in the area.
 - Project proponent submitted an undertaking and committed as below:
 - ✓ In case of 60 mm rainfall, they will discontinue their manufacturing which generate waste water stream.
 - ✓ Further due to rain or other natural calamity they Committed to protect environment and due care shall be taken by closing down industrial activities.

In view of the details submitted by PP, factual report received from GPCB, presentation made by PP and discussion held on 17/07/2020 and 21/07/2020 through video conference, Committee found that 3 points raised in the notice issued to M/s. Ashapura Perfoclay Limited by SEIAA vide Letter no. SEIAA/GUJ/GEN/227/2020 dated 03/03/2020 found in compliance.

In view of the above stated facts, Committee unanimously decided to forward the above mentioned facts to SEIAA, Gujarat with recommendation to file the notice issued to M/s. Ashapura Perfoclay Limited by SEIAA vide Letter no. SEIAA/GUJ/GEN/227/2020 dated 03/03/2020.

With regards,

Yours sincerely,



(A. V. Shah)

Secretary, State Level Expert Appraisal Committee