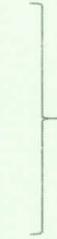


BEFORE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, NEW DELHI****(Through Video Conferencing)****ORIGINAL APPLICATION NO.19 OF 2020**Sayyed Mohmamed
Sabir Usman**APPLICANT**

Versus

Member Secretary,
Central Pollution Control Board
& Ors**RESPONDENT****Action Taken Report in Compliance of
the order dated 2/7/2020 passed by the Hon'ble NGT**

This Hon'ble Tribunal vide order dated 02/07/2020 constituted a Committee consisting of Collector, Palghar & Maharashtra Pollution Control Board and directed to submit factual and action taken report in the above matter.

In compliance of this Hon'ble Tribunal Order dtd.2/07/2020, the Dist Collector has conveyed the meeting of Regional Officer, MPCB- Thane, DISH, Executive Engineer, MIDC, Labour Commissioner, Palghar and Police Inspector, Boisar Police Station on 29/10/2020 During Meeting following documents were taken on record.

- 1) Maharashtra Pollution Control Board has granted Consent to Establish dated 24/3/2008 to M/s ANK Pharma Ltd., Plot no. M-2, at MIDC Tarapur. Further the MPCB has granted Consent to Operate dated 02/01/2020 to the said industry, subject to certain

terms & conditions, which is valid upto 30/11/2024. Copies of the Consent to Establish dated 24/03/2008 and Consent to Operate dated 02/01/2020 are enclosed herewith and marked as **Annexure – “A” & “B’ respectively.**

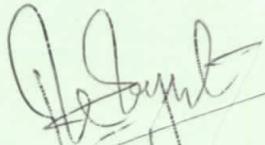
- (i) M/s ANK Pharma Ltd has obtained an Environment Clearance from the Environment Department, Government of Maharashtra vide letter No.SEAC 2010/CR 654/TC.2 dtd. 07/06/2011 for new bulk drug unit (of total capacity 4.3 MT/Per month) and same was re-validated vide letter dtd.20/12/2018 for a period upto 05/06/2023.
- (ii) Dy. Engineer, MIDC, Drainage Sub Division, Tarapur vide letter dated 13/01/2020 and 06/11/2020 specifically informed that there was no specific permission obtained for storage of chemicals in Administrative Building and both the premises should not be used for any hazardous manufacturing activities without restoration and a certificate of stability obtained from the Competent-Authority; (DISH).
- (iii) The Dy. Labour Commissioner-Palghar vide letter dated 22/01/2020 communicated names of 08 no. of workers of the blast, expired in the accident and action taken by their department about compensation to the workers.
- (iv) The Police Department-Boisar made available a copy of Panchanama about the blast incidence causing death of eight workers and damage to nearby property.
- (v) After incidence of blast in M/s ANK Pharma Ltd. a Committee was constituted by the State Government under the Chairmanship of Hon'ble Divisional Commissioner,

Konkan Division. The said Committee had already investigated the incidence of explosion occurred on 11/01/2020 and submitted its report vide letter dated 17/03/2020 to the State Government. In the Committee's report, it has been specifically reported that the factory was not registered under Building & Other Construction Workers' Act, 1986 even though it was under construction without obtaining the NOC from Fire Department & Occupancy Certificate from MIDC. It has been reported that the Occupier was using premises as a factory. MIDC has not taken any further step to stop unauthorized construction of administrative building.

- (vi) The Sub Regional Officer, MPCB, Tarapur has also caused visit and inspection on 12/01/2020 after accident and observed that the building near entry gate was collapsed due to blast in reactor, which was earlier used for administrative building. On the basis of non-compliances observed during the visit, directions of closure was issued to M/s ANK Pharma Ltd vide letter dated 13/01/2020. A copy of the directions of closure dated 13/01/2020 is enclosed and marked as an **Annexure "C"**.
- (vii) The Committee constituted by the Hon'ble NGT caused visit to the site in question on 29/10/2020 and after verification of the record, it has been observed that eight workers have been expired for which compensation under Workmen Compensation Act has been paid. MPCB had issued Directions of Closure on 13/01/2020. The Committee also

suggested that whatever recommendations are made by Divisional Commissioner, Konkan Region in their report submitted to the State Government needs to be implemented. The Committee further recommends that without obtaining necessary statutory compliances, no permission to restart industrial unit shall be granted. At present, the above industry is closed.

Dated this 9th on the day of November ,2020.



(R. A. Rajput)
Regional Officer, MPCB-Thane



(Dr. Manik Gürsal)
Collector-Palghar

Annexure - 'A'

MAHARASHTRA POLLUTION CONTROL BOARD

Tel : 2402 0781 / 2401 0437
 Fax : 2402 4068
 Visit us at :
 Website : <http://mpcb.mah.nic.in>
 E-mail : mpcb@vsnl.net



Kalpataru Point,
 2nd, 3rd & 4th floor,
 Opp. Cineplanet,
 Near Sion Circle, Sion (E),
 Mumbai - 400 022.

Red/SSI

Consent No. BO/RO-Thane/PCI-I/RO(P&P)/ EIC-TN-1514-07/E/CC- 231

Date: 24/03/2008

Consent to **Establish** under Section 25 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization / Renewal of Authorization under Rule 5 of the Hazardous Wastes (Management & Handling) Rules 1989 and Amendment Rules. [To be referred as Water Act, Air Act and HW(M&H) Rules respectively].

CONSENT is hereby granted to,

M/s. Ank Pharma Pvt. Ltd.,
 M-2, MIDC Tarapur, Tal. Paighar, Dist. Thane

located in the area declared under the provisions of the Water Act, Air act and Authorization under the provisions of HW(M&H) Rules and amendments thereto subject to the provisions of the Act and the Rules and the Orders that may be made further and subject to the following terms and conditions:

- The Consent to Establish is granted for a period up to – Commissioning of the Unit.
- The Consent is valid for the manufacture of –

Sr	Products	Max. Qty.
1	Poridone – Iodine	2.0 MT/M
2	Piroxicalm	0.7 MT/M
3	Phenyl Propanol Amine – HCl	0.5 MT/M
4	Nalidixic Acid	0.3 MT/M

3. CONDITIONS UNDER WATER ACT :

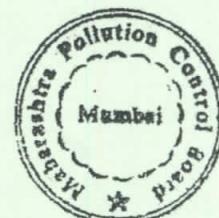
- The daily quantity of trade effluent from the factory shall not exceed 1.05 M^3 .
- The daily quantity of sewage effluent from the factory shall not exceed 1.0 M^3 .

(iii) Trade Effluent :

Treatment : The applicant shall provide comprehensive treatment system consisting of primary/secondary and/or tertiary treatment as is warranted with reference to influent quality and operate and maintain the same continuously so as to achieve the quality of the treated effluent to the following standards :

		Between	
1	pH		5.5 to 9
2	Suspended Solids	Not to exceed	100 mg/l
3	BOD 3 days 27 Deg. C	Not to exceed	100 mg/l
4	COD	Not to exceed	250 mg/l
5	Oil & Grease	Not to exceed	10 mg/l

- Trade Effluent Disposal :** The treated trade effluent shall be recycled/ reused to the maximum extent and remaining shall be disposed into CETP.
- Sewage Effluent Treatment :** The applicant shall provide comprehensive treatment system as is warranted with reference to influent quality and operate and maintain the same continuously so as to achieve the quality of treated effluent to the following standards :
 - Suspended Solids Not to exceed 100 mg/l.
 - BOD 3 days 27 Deg. C. Not to exceed 100 mg/l.



ANNEXURE-II

1. The authorization shall comply with the provisions of the Environment (Protection) Act, 1986 and rule made there under.
2. The authorization or its renewal shall be produced for inspection at the request of an officer authorized by the State Pollution Control Board.
3. The person authorized shall not rent, lend, sell, transfer or otherwise transport the hazardous wastes without obtaining prior permission of the State Pollution Control Board.
4. Any unauthorized change in personnel, equipment as working conditions as mentioned in the application by the person authorized shall constitute a breach of his authorization.
5. It is the duty of the authorization person to take permission of the State Pollution Control Board to close down the facility.
6. An application for the renewal of an authorization shall be made as laid down in rule 5(6) (ii).
7. (a) Category No. by land fill

The hazardous waste to be disposed of through landfill shall not contain following constituents in excess of limits specified below:-

Sulphate	...	1000 mg/kg.
Chloride	...	1000 mg/kg.
Mixture of heavy metals ... (Cu+Ni+Cr+Zn)	25	mg/kg.
Lead	...	1.0 mg/kg.
Hg	...	0.01 mg/kg.

The firm shall take appropriate measures to put a lining to landfill site so as to arrest the passage of leachates to ground water. Leachates generated, if any shall be connected to existing Effluent Treatment Plant facilities for treatment and disposed of as per the consent conditions stipulated under Water (Prevention and Control of Pollution) Act, 197.

7. (b) Category No. by incineration through incinerator.

The firm shall meet the emissions standards as prescribe below for the incineration plant-

Particulate	...	150 mg/Nm ³ .
HCl	...	100 mg/Nm ³ .
Hf	...	2 mg/Nm ³ .
SO ₂	...	300 mg/Nm ³ .
NO _x	...	50 ppm.
Lead	...	10 mg/Nm ³ .
Mixture of As+Cd+Cr+Hg+Ni	...	0.2 mg/Nm ³ .
TOC	...	20 mg/Nm ³ .
CO	...	100 ppm.

The firm shall make efforts to reduce emission by adopting--

- (i) Improved burning technology.
- (ii) Optimized technology for flue gas cleaning and shall create facilities for monitoring the gaseous emissions.

The ash generated in incinerator plant shall be disposed of through landfill at a designated site.

=o0o=



: 3 :

(vi) **Other Conditions :**

- 1) The industry should not cause any nuisance in surrounding area.
- 2) The industry should monitor stack emissions and ambient air quality regularly from MoEF approved laboratory.

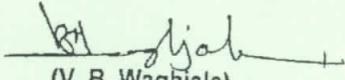
6. CONDITIONS UNDER HW (M&H) RULES, 1989 & AMENDMENT RULES :

The applicant shall handle hazardous wastes as specified below:

Sl.	Item No (Sch-I)	Type of Waste	Quantity	Disposal
1	34.3	ETP sludge	70 Kg/M	CHWTSDF-Taloja

7. Whenever due to any accident or other unforeseen act or even, such emissions occur or is apprehended to occur in excess of standards laid down, such information shall be forthwith Reported to Board, concerned Police Station, office of Directorate of Health Services, Department of Explosives, Inspectorate of Factories and Local Body. In case of failure of pollution control equipments, the production process connected to it shall be stopped.
8. The applicant shall obtain Consent to Operate before actual commencement of the production activity.
9. The applicant should not take any effective steps for implementation of the project before obtaining Environment Clearance from Environment Department as per EIA Notification, 2006 and amendments thereto.
10. The applicant shall comply with the conditions as stipulated under Annexure - I & II enclosed.
11. The capital investment of the project is Rs. 96 lakhs.

Sd/-
(Sanjay Khandare)
Member Secretary


(V. B. Waghjale)
Regional Officer (P & P)

To
M/s. Ank Pharma Pvt. Ltd.,
M-2, MIDC Tarapur,
Tal. Paigar, Dist. Thane

Copy to: RO, MPCB, Thane / SRO, MPCB, Tarapur-I / CAO / HWM Wing - HQ

Received	Amount	D.D. No.	Date	Bank Name
Consent fee (in Rs.) vide:	3000/-	983586	22.10.06	HDFC



Annexure - " B "

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010706/24010437
Fax: 24023516
Website: <http://mpcb.gov.in>
Email: ast@mpcb.gov.in



Kalpataru Point, 2nd and 4th floor, Opp. Cine Planet Cinema, Near Sion Circle, Sion (E), Mumbai-400022

RED/S.S.I

Date: 02/11/2020

No:- Format1.0/AS(T)/UAN No.0000059010/CO - 2001000093

To,
M/s. ANK PHARMA PVT. LTD.
PLOT NO. M-2, MIDC., TARAPUR INDL AREA, BOISAR (W), M.I.D.C., TARAPUR
PALGHAR, Palghar-Palghar

Sub: Grant of 1st Consent to Operate under Red/SSI category

- Ref:
1. Consent to Establish granted vide No. BO/RO-Thane/PCI-I/RO(P&P)/EIC-TN-1514-07/E/CC-231 dated 24/3/2008
 2. Environmental Clearance granted vide No. SEAC-20104/CR.654/TC.2 dated 07/6/2011
 3. Revalidation of Environmental Clearance vide No. SEIAA Cell/CR-155/Est dated 20/12/2018

Your application No.MPCB-CONSENT-0000059010 Dated 21.10.2018

For: grant of Consent to Operate under Section 26 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization under Rule 6 of the Hazardous & Other Wastes (Management & Transboundary Movement) Rules 2016 is considered and the consent is hereby granted subject to the following terms and conditions and as detailed in the schedule I, II, III & IV annexed to this order:

1. The consent to operate is granted for a period up to 30/11/2024
2. The capital investment of the project is Rs.2.17 Crs. (As per C.A Certificate submitted by industry Existing-Rs.0.96 Crs + Increase in C.i. - Rs. 1.21 Crs)
3. Consent is valid for the manufacture of:

Sr No	Product/Co-Product Name	Maximum Quantity	UOM
1	POVIDONE IODINE	2.00	MT/M
2	PIROXICALM	0.70	MT/M
3	PHENYL PROPANOL AMINE - HCL	0.50	MT/M
4	NALIDIXIN ACID	0.30	MT/M
5	CHLOROXYLOXAZONE	0.70	MT/M
6	PHENYL EPHRINE HCL	0.10	MT/M

4. Conditions under Water (P&CP), 1974 Act for discharge of effluent:

Sr No	Description	Permitted (in CMD)	Standards to	Disposal Path
1.	Trade effluent	1.05	As per Schedule - I	Recycle 100% to achieve ZLD

Sr No	Description	Permitted	Standards to	Disposal
2.	Domestic effluent	1	As per Schedule - I	Soaked in soak pit

5. Conditions under Air (P& CP) Act, 1981 for air emissions:

Sr No.	Stack No.	Description of stack / source	Number of Stack	Standards to be achieved
1	1	BOILER	1	As per Schedule -II
2	2	DG	1	As per Schedule -II

6. Non-Hazardous Wastes:

Sr No	Type of Waste	Quantity	UoM	Treatment	Disposal
1	--NA--	0	--NA--	--NA--	--NA--

7. Conditions under Hazardous & Other Wastes (M & T M) Rules 2016 for treatment and disposal of hazardous waste:

Sr No	Category No./Type	Quantity	UoM	Treatment	Disposal
1	28.1 Residues and wastes*	275	Kg/M	Incineration	CHWTSDF
2	28.5 Spent organic solvent.	50	MT/M	Reprocess	REUSE IN OWN PROCESS/ SALE TO AUTHORISE PARTY
3	34.3 Chemical sludge from waste water treatment	70	Kg/M	Landfill after treatment	CHWTSDF
4	28.2 Spent catalyst / spent carbon	67	Kg/M	Reprocess	REUSE IN OWN PROCESS/ SALE TO AUTHORISE PARTY

- 8 The Board reserves the right to review, amend, suspend, revoke this consent and the same shall be binding on the industry.
- 9 This consent should not be construed as exemption from obtaining necessary NOC/ permission from any other Government authorities.
- 10 The applicant shall comply with the conditions of the EC granted vide letter No. SEAC-20104/CR.654/TC.2 dated 07/6/2011, which was revalidated on 20/12/2018
- 11 Industry shall install online continuous monitoring system as per CPCB guidelines & data to be transmitted directly from Data Logger to Board server.
- 12 The applicant shall install flow meter and energy meter to Effluent Treatment Plant including distillation column
- 13 The applicant shall make an application for renewal of consent 60 days prior to date of expiry of the consent.

For and on behalf of the
Maharashtra Pollution Control Board.

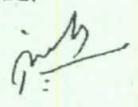
(P.K.Mirashe)
11/1/2020
(P.K.Mirashe)
Assistant Secretary (Tech.)

Received Consent fee of -

Sr.No	Amount(Rs.)	Transaction/DR.No.	Date	Transaction Type
1	75000.00	TXN1903001647	16/03/2019	Online Payment
2	45000.00	TXN1912002625	30/12/2019	Online Payment

Copy to:

1. Regional Officer, MPCB, Thane and Sub-Regional Officer, MPCB, Tarapur I
- They are directed to ensure the compliance of the consent conditions.
2. Chief Accounts Officer, MPCB, Sion, Mumbai



SCHEDULE-I**Terms & conditions for compliance of Water Pollution Control:**

1. A) As per your application, you have provided Effluent Treatment Plant (ETP) of designed capacity of 2.00 CMD consisting of Primary (Collection tank, Flash mixer, Primary Clarifier/Primary Settling Tank), Tertiary (Pressure sand filter, Activated carbon filter), Advanced treatment (Distillation column) .
- B) The Applicant shall operate the effluent treatment plant (ETP) to treat the trade effluent and recycle the entire treated effluent into the process for various purposes such as for cooling, process & Scrubbing so as to achieve Zero Liquid Discharge. There shall be no discharge on land or outside factory premises generated from this unit.
- C) The Industry shall ensure connectivity online monitoring system to the MPCB server including separate energy meter for pollution control system.
2. A) As per your application, you have provided Septic Tank followed by Soak pit for the treatment of 1 CMD of sewage.
- B) **The Applicant shall operate the sewage treatment system to treat the sewage so as to achieve the following standards.**

1	Total Suspended solids	Not to exceed	100 mg/L
1	BOD (3 days 27oC)	Not to exceed	30 mg/L

- C) The treated sewage shall be recycled for secondary purposes to the maximum extent and remaining shall be discharged on land for gardening within premise. In no case, sewage shall find its way for gardening / outside factory premises.
3. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification there of & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant shall obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or an extension or addition thereto.
4. The industry shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.

[Handwritten signature]

5. The Applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and as amended, by installing water meters and other provisions as contained in the said act:

Sr. No.	Purpose for water consumed	Water consumption quantity (CMD)
1.	Industrial Cooling, spraying in mine pits or boiler feed	2.70
2.	Domestic purpose	1.20
3.	Processing whereby water gets polluted & pollutants are easily biodegradable	0.75
4.	Processing whereby water gets polluted & pollutants are not easily biodegradable and are toxic	0.00
5.	Gardening	1.5

6. The Applicant shall provide Specific Water Pollution control system as per the conditions of EP Act, 1986 and rule made there under from time to time/ Environmental Clearance/ CREP guidelines.

[Handwritten signature]

SCHEDULE-II
Terms & conditions for compliance of Air Pollution Control:

1. As per your application, you have provided the Air pollution control (APC) system and erected following stack (s) to observe the following fuel pattern:

Stack No.	Stack Attached To	APC System	Height in Mtrs.	Type of Fuel	Quantity & UoM	S% SO ₂
1	BOILER	Stack	15	Furnace Oil	60 Kg/Hr	2.00 28.80
2	DG	Acoustic Enclosure	2	Diesel	60 Kg/Hr	1.80 25.92

2. The Applicant shall provide Specific Air Pollution control equipments as per the conditions of EP Act, 1986 and rule made there under from time to time/ Environmental Clearance / CREP guidelines.
3. The applicant shall operate and maintain above mentioned air pollution control system, so as to achieve the level of pollutants to the following standards:

Total Particulate matter	Not to exceed	150 mg/Nm ³
Acid Mist	Not to exceed	35 mg/Nm ³

4. The Applicant shall obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement/alteration well before its life come to an end or erection of new pollution control equipment.
5. The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).

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SCHEDULE-III
Details of Bank Guarantees:

Sr. No.	Consent (C2E/C2O/C2R)	Amt of BG Imposed	Submission Period	Purpose of BG	Compliance Period	Validity Date
1	C to O	1.0 Lakh	15 Days	Towards O&M of pollution control system and compliance of consent conditions	30/11/2024	341/3/2025

** The above Bank Guarantee(s) shall be submitted by the applicant in favour of Regional Officer at the respective Regional Office within 15 days of the date of issue of Consent.
Existing BG obtained for above purpose if any may be extended for period of validity as above.

BG Forfeiture History

Srno.	Consent (C2E/C2O/C2R)	Amount of BG imposed	Submission Period	Purpose of BG	Amount of BG Forfeiture	Reason of BG Forfeiture
1	NA	-	-	-	-	-

BG Return details

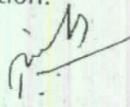
Srno.	Consent (C2E/C2O/C2R)	BG imposed	Purpose of BG	Amount of BG Returned
				NA

[Handwritten Signature]

SCHEDULE-IV
General Conditions:

1. The Energy source for lighting purpose shall preferably be LED based
2. The PP shall harvest rainwater from roof tops of the buildings and storm water drains to recharge the ground water and utilize the same for different industrial applications within the plant
3. Conditions for D.G. Set
 - a) Noise from the D.G. Set should be controlled by providing an acoustic enclosure or by treating the room acoustically.
 - b) Industry should provide acoustic enclosure for control of noise. The acoustic enclosure/ acoustic treatment of the room should be designed for minimum 25 dB (A) insertion loss or for meeting the ambient noise standards, whichever is on higher side. A suitable exhaust muffler with insertion loss of 25 dB (A) shall also be provided. The measurement of insertion loss will be done at different points at 0.5 meters from acoustic enclosure/room and then average.
 - c) Industry should make efforts to bring down noise level due to DG set, outside industrial premises, within ambient noise requirements by proper siting and control measures.
 - d) Installation of DG Set must be strictly in compliance with recommendations of DG Set manufacturer.
 - e) A proper routine and preventive maintenance procedure for DG set should be set and followed in consultation with the DG manufacturer which would help to prevent noise levels of DG set from deteriorating with use.
 - f) D.G. Set shall be operated only in case of power failure.
 - g) The applicant should not cause any nuisance in the surrounding area due to operation of D.G. Set.
 - h) The applicant shall comply with the notification of MoEFCC, India on Environment (Protection) second Amendment Rules vide GSR 371(E) dated 17.05.2002 and its amendments regarding noise limit for generator sets run with diesel.
4. The applicant shall maintain good housekeeping.
5. The non-hazardous solid waste arising in the factory premises, sweepings, etc. be disposed of scientifically so as not to cause any nuisance / pollution. The applicant shall take necessary permissions from civic authorities for disposal of solid waste.
6. The applicant shall not change or alter the quantity, quality, the rate of discharge, temperature or the mode of the effluent/emissions or hazardous wastes or control equipments provided for without previous written permission of the Board. The industry will not carry out any activity, for which this consent has not been granted/without prior consent of the Board.
7. The industry shall ensure that fugitive emissions from the activity are controlled so as to maintain clean and safe environment in and around the factory premises.
8. The industry shall submit quarterly statement in respect of industries obligation towards consent and pollution control compliance's duly supported with documentary evidences (format can downloaded from MPCB official site).
9. The industry shall submit official e-mail address and any change will be duly informed to the MPCB.
10. The industry shall achieve the National Ambient Air Quality standards prescribed vide Government of India, Notification No. B-29016/20/90/PCI L dated. 18.11.2009 as amended.
11. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant shall obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or an extension or addition thereto.

12. The industry shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.
13. The PP shall provide personal protection equipment as per norms of Factory Act
14. Industry should monitor effluent quality, stack emissions and ambient air quality monthly/quarterly.
15. Whenever due to any accident or other unforeseen act or even, such emissions occur or is apprehended to occur in excess of standards laid down, such information shall be forthwith Reported to Board, concerned Police Station, office of Directorate of Health Services, Department of Explosives, Inspectorate of Factories and Local Body. In case of failure of pollution control equipments, the production process connected to it shall be stopped.
16. The applicant shall provide an alternate electric power source sufficient to operate all pollution control facilities installed to maintain compliance with the terms and conditions of the consent. In the absence, the applicant shall stop, reduce or otherwise, control production to abide by terms and conditions of this consent.
17. The industry shall recycle/reprocess/reuse/recover Hazardous Waste as per the provision contain in the Hazardous and Other Wastes (M & TM) Rules 2016, which can be recycled /processed /reused /recovered and only waste which has to be incinerated shall go to incineration and waste which can be used for land filling and cannot be recycled/reprocessed etc. should go for that purpose, in order to reduce load on incineration and landfill site/environment.
18. An inspection book shall be opened and made available to the Board's officers during their visit to the applicant.
19. Industry shall strictly comply with the Water (P&CP) Act, 1974, Air (P&CP) Act, 1981 and Environmental Protection Act, 1986 and industry specific standard under EP Rules 1986 which are available on MPCB website (www.mpcb.gov.in).
20. Separate drainage system shall be provided for collection of trade and sewage effluents. Terminal manholes shall be provided at the end of the collection system with arrangement for measuring the flow. No effluent shall be admitted in the pipes/sewers downstream of the terminal manholes. No effluent shall find its way other than in designed and provided collection system.
21. Neither storm water nor discharge from other premises shall be allowed to mix with the effluents from the factory.
22. The industry should not cause any nuisance in surrounding area.
23. The industry shall take adequate measures for control of noise levels from its own sources within the premises so as to maintain ambient air quality standard in respect of noise to less than 75 dB (A) during day time and 70 dB (A) during night time. Day time is reckoned in between 6 a.m. and 10 p.m. and night time is reckoned between 10 p.m. and 6 a.m.
24. The industry shall create the Environmental Cell by appointing an Environmental Engineer, Chemist and Agriculture expert for looking after day to day activities related to Environment and irrigation field where treated effluent is used for irrigation.
25. The applicant shall provide ports in the chimney/(s) and facilities such as ladder, platform etc. for monitoring the air emissions and the same shall be open for inspection to/and for use of the Board's Staff. The chimney(s) vents attached to various sources of emission shall be designated by numbers such as S-1, S-2, etc. and these shall be painted/ displayed to facilitate identification.



26. The industry should comply with the Hazardous and Other Wastes (M & TM) Rules, 2016 and submit the Annual Returns as per Rule 6(5) & 20(2) of Hazardous and Other Wastes (M & TM) Rules, 2016 for the preceding year April to March in Form-IV by 30th June of every year.
27. The applicant shall install a separate meter showing the consumption of energy for operation of domestic and industrial effluent treatment plants and air pollution control system. A register showing consumption of chemicals used for treatment shall be maintained.
28. The applicant shall bring minimum 33% of the available open land under green coverage/ plantation. The applicant shall submit a yearly statement by 30th September every year on available open plot area, number of trees surviving as on 31st March of the year and number of trees planted by September end.
29. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions.
30. The firm shall submit to this office, the 30th day of September every year, the Environment Statement Report for the financial year ending 31st March in the prescribed FORM-V as per the provisions of Rule 14 of the Environment (Protection) (second Amendment) Rules, 1992.
31. The Applicant shall obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement/alteration well before its life come to an end or erection of new pollution control equipment.
32. The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).
33. The applicant shall provide facility for collection of environmental samples and samples of trade and sewage effluents, air emissions and hazardous waste to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf.

[Handwritten signature]

Annexure - "E"

MAHARASHTRA POLLUTION CONTROL BOARD

Tel : 25802272		Regional Office, Thane
Fax : 25805398		5 th Floor, Office Complex Bldg.,
Website: http://mpcb.gov.in		Near Mulund Check Naka,
E-mail Id: rothane@mpcb.gov.in		Wagale Estate, Thane-400 604.

No. MPCB/ROT/CD/ 12

Date: 13/01/2020

To,
M/s. ANK Pharma Pvt. Ltd.,
Plot No. M-2, MIDC Tarapur,
Tal. & Dist. Palghar.

Sub:- Closure Directions under section 33A of the Water (P & CP) Act, 1974 & under section 31A of the Air (P. & C.P.) Act, 1981 and Hazardous & Other Wastes (M & T M) Rules, 2016.

Ref :- 1) Consent granted by Board.
2) Conditional Restart Direction dtd. 17/03/2017 & 08/10/2018.
3) Explosion (Blast) occurred on 11/01/2020.
4) Visit of Board Officials dtd. 12/01/2020.
5) Action proposal submitted by Sub-Regional Officer, Tarapur-I vide Legal Unique No. MPCB- LEGAL_ACTIONS- 130120012, dtd. 13/01/2020.

WHEREAS, you are operating your industry in Water & Air pollution prevention area declared under Water (P & CP) Act, 1974 Air (P & CP) Act, 1981. AND WHEREAS, Board has granted consent to your industry subject to certain terms & conditions therein. AND WHEREAS, it is obligatory on your part to comply those conditions and provide necessary water & air pollution control devices and operate them continuously and efficiently so as to meet the standards prescribed by the Board at all times.

AND WHEREAS, Sub- Regional Office, MPCB, Tarapur-I received information about accident in M/s. Ank Pharma Pvt. Ltd., Plot No. M-2 on 11/01/2020, accordingly the officials of MPC Board, Tarapur- I visited the site and following observations are noted:

1. During the past visit of Board official dt: 10/10/2019, you have informed that the Blast occurred building near main gate will be used for administrative purpose and assured that no any plant and machinery will be installed in this building.
2. In this newly constructed building (Near main gate/entrance) you have illegally installed reactors, thermopacks, centrifuge etc. without obtaining permission from respective competent authorities such as DISH.
3. It was also reported that you were manufacturing products of your sister concern i.e M/s. Alexo Chemicals located at Plot No: N-174, MIDC Tarapur in this existing Plot No: M-2 premises.
4. It was reported that Orthocholoro Toluene, 2, 3-xylidine, Tras 4-aminocyclohexanol which is imported from China found stored in the premises.
5. Also Hazardous Chemicals like Dimethyl formaide, 2, 3-xylidine found stored in the premises.
6. Due to blast the air pollution control equipments and Effluent Treatment Plant (ETP) found in damaged condition.

...2

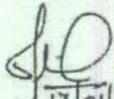
: 2:

7. Due to negligence towards safety aspects massive blast occurred in your industry on dt: 11/01/2020 causing damage to environment and affected 8-fatals.
8. You have not provided display Board at main gate/ entrance as per consent condition.

AND WHEREAS, after examining all the reports and records available with this office, I have come to the conclusion that you are knowingly and willfully violating the consent conditions under the provisions of Water (P & CP) Act, 1974 and Air (P & CP) Act, 1981.

AND NOW THEREFORE, in the exercise of the powers conferred u/s 33A of Water (Prevention & Control of Pollution) Act 1974, and 31A of Air (Prevention & Control of Pollution) Act, 1981. I, Regional Officer, MPCB, Thane hereby directed to close down your manufacturing activities, within 72 hours taking all precautionary measures for safe closure, It shall be noted that competent authorities are hereby directed to disconnect your electricity and water supply.

In case of your failure to comply these directions, further suitable action which may be deemed fit, as per the provisions of the Environmental Act's will be initiated against your unit, which may please be noted.


13/01/2020
(D. B. Patil)

Regional Officer, Thane

Copy submitted to:

1. Member Secretary, M. P. C. Board, Mumbai.
2. Principal Scientific Officer, M. P. C. Board, Sion, Mumbai.

Copy to:

1. The Executive Engineer, MSEDCL, Palghar
- He is directed to disconnect electric supply of above mentioned industry after completion of 72 hours from receipt of these direction immediately and report compliance accordingly.
2. The Executive Engineer, Water Supply, MIDC, Wagle Estate, Thane / Deputy Engineer (Water Supply), MIDC Tarapur – They are directed to disconnect water supply of above mentioned industry after completion of 72 hours from receipt of these direction immediately and report compliance accordingly.
3. Sub- Regional Officer, Tarapur-I, MPC Board, Tarapur.
- You are directed to serve these directions to the unit and ensure the compliance of the directions.
4. Master file