

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE

EXECUTION APPLICATION No. 1 OF 2024
IN
ORIGINAL APPLICATION NO.216 OF 2023 (WZ)

IN THE MATTER OF:

HASMUKHIBHAI BECHARBHAI PARMAR

... APPLICANT

VERSUS

DETOX INDIA PRIVATE LIMITED & ORS.

... RESPONDENTS

ADDITIONAL AFFIDAVIT ON BEHALF OF
RESPONDENT NO.2-
GUJARAT POLLUTION CONTROL BOARD

I, Arun Gulabbhai Patel, adult, having my office at Gandhinagar, do hereby solemnly affirm and state an oath as under:

1. I am presently serving as Environment Engineer with Gujarat Pollution Control Board. I have perused the record pertaining to the case available in my office and am conversant with the facts of the case. I am authorized to swear the present affidavit on behalf of the Gujarat Pollution Control Board and am otherwise competent to make the present affidavit.
2. I am filing the present affidavit in compliance of the order dated 12.08.2024 passed by this Hon'ble Tribunal in Execution Application No. 1 of 2024 filed in Original Application No. 216 of 2023.



Arun Gulabbhai Patel

3. The Hon'ble Tribunal in its order dated 23.01.2023 passed in Original Application No. 109 of 2022 has issued the following directions:

"(a) We direct respondent No.2 - Gujarat Pollution Control Board to make calculation of the past violations and quantify the environmental damages thereof within a period of one month. This exercise would be done after giving notice to respondent No. 1 – NAA. After the said calculation of the environmental damages is made, the amount towards the same shall be deposited by respondent No.1 with respondent No.2 within a period of two months thereafter.

(b) As respondent No.1 has undertaken to lay down over-ground pipeline and complete the work by May, 2023, which appears to take care of the problem of the contaminated water flowing from River Amravati, said work must be completed by May, 2023, failing which for each month thereafter, respondent No.1 shall pay penalty at the rate of Rs.25,00,000/- (Rupees Twenty Five Lakhs).

(c) The compensation amount/penalty amount, which shall be realized from respondent No.1, shall be utilized for restitution of environment in the local area within one year, independent of the obligation of respondent No.1.

(d) If any grievance remains even thereafter, the applicant would be at liberty to approach this Tribunal in that regard."

4. I state that in compliance with direction (a) of the above-mentioned order, for the violations prior to January, 2023, the State Pollution Control Board has assessed an interim Environment Damage Compensation of Rs. 25,00,000/- by its order dated 20.05.2023. Further, the Board has issued Direction under Section 33-A of the Water Act,1974 to Notified Area Authority on 18.11.2023 as reminder for payment of assessed interim Environment Damage Compensation and submission of Action Taken Report. A copy of said direction dated 18.11.2023 levying interim environment damage compensation is annexed herewith and marked as **Annexure R-1**. The said amount has been deposited by the Notified Area Authority on 03.05.2024. The

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final compensation amount shall be assessed after hearing the party concerned post completion of the entire work.

5. I state that as regards direction (b) the Notified Authority had undertaken to lay down 'over ground pipeline' by May 2023 and In the event of failure to complete the said work penalty at the rate of Rs. 25,00,000/- per month was to be levied. I say that the Notified Authority completed the work of laying over ground pipeline by 31.05.2023. Under the circumstances, no penalty became chargeable and hence no penalty has been levied on the Notified Authority.
6. As per direction (c) of the above-mentioned order, the compensation/penalty amount realized from notified authority was required to be utilised for restitution of the environment in the local area within a period of one year. The plan for expending the amount of Rs. 25,00,000/- levied as interim environmental damage compensation for violations up to January 2023 is being prepared in consultation with the District Collector. It is submitted that slightly longer time has been consumed by the State Pollution Control Board in complying with this direction as there has been no instance in the past where the State Pollution Control Board has prepared or been directed to prepare a plan for the restitution of the environment of a local area. Any such remediation and/or restoration plan has to be prepared in consultation with the District Collector and in the present case too the State Pollution Control Board shall prepare and implement the plan in consultation with and under guidance of the local District level Committee. Nevertheless, the State Pollution Control Board remains committed to spending the environmental damage compensation of Rs. 25,00,000/- levied under order dated 20.05.2023 and such other amount of compensation as may be levied for continued or future violation of environmental laws by the

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Notified Authority towards restitution of environment in accordance with law.

7. Separately, an inspection has been carried out on 29.01.2025 to assess the completion stage of various works proposed and undertaken by the Notified Authority. A copy of the report of inspection carried out on 29.01.2025 is annexed herewith and marked as Annexure R-2. As can be seen from the latest inspection report, some of the works which were committed to be completed at the earliest are still incomplete and likely to be completed in the next few months.
8. The work described at Item 2 in the table contained in the order dated 12.08.2024 in the matter of Original Application No. 02 of 2024 (WZ) was to be completed by September, 2024. The work was not completed on or before 30.09.2024. It is still not complete. The Notified Authority has now informed that the said work shall be completed by May, 2025.
9. The work at Item 6 in the table contained in the order dated 12.08.2024 in the matter of Original Application No. 02 of 2024 (WZ) is still not complete. The Notified Authority has now informed that the said work shall be completed by May, 2025.
10. The work at Item 7 in the table contained in the order dated 12.08.2024 in the matter of Original Application No. 02 of 2024 (WZ) was to be completed by December, 2024. The work was not completed on or before 31.12.2024. It is still not complete. The Notified Authority has now informed that the said work shall be completed by December, 2025.
11. Board has issued directions to the Chief Officer, Notified Area Authority, GIDC Ankleshwar u/s 33- A of the Water Act- 1974 on 10/01/2025 to prevent any type of discharge of contaminated

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wastewater including domestic wastewater into SWD of GIDC. Copy of said Direction is annexed herewith and marked as Annexure R-3.

- 12. This Board has issued closure directions to 48 industries found discharging contaminated effluent in GIDC Storm water drain or natural drain for the period August-2024 to Jan-2025. Total EDC of Rs. 2,95,52,500 is levied from the industries in this period. (i.e., Period: 08/08/2024 to 24/01/2025).
- 13. It is to be noted that this Board has deputed third party monitoring agency GEMI, Gandhinagar (Gujarat Environment Management Institute) for monitoring of GIDC Storm water drain for prevention of any effluent discharge in GIDC Storm Water Drain.
- 14. The State Pollution Control Board has been constantly monitoring the progress of the work and issuing periodic directions to the Notified Authority to fasten the process and complete the work. The Board assures to continue the supervision over the work being performed by the Notified Authority and shall submit report to this Hon'ble Tribunal.

Chavaf...

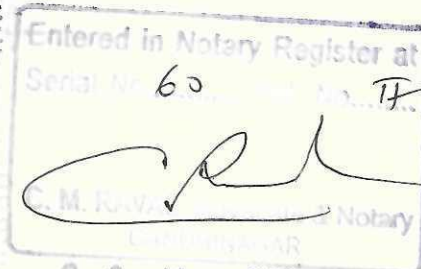
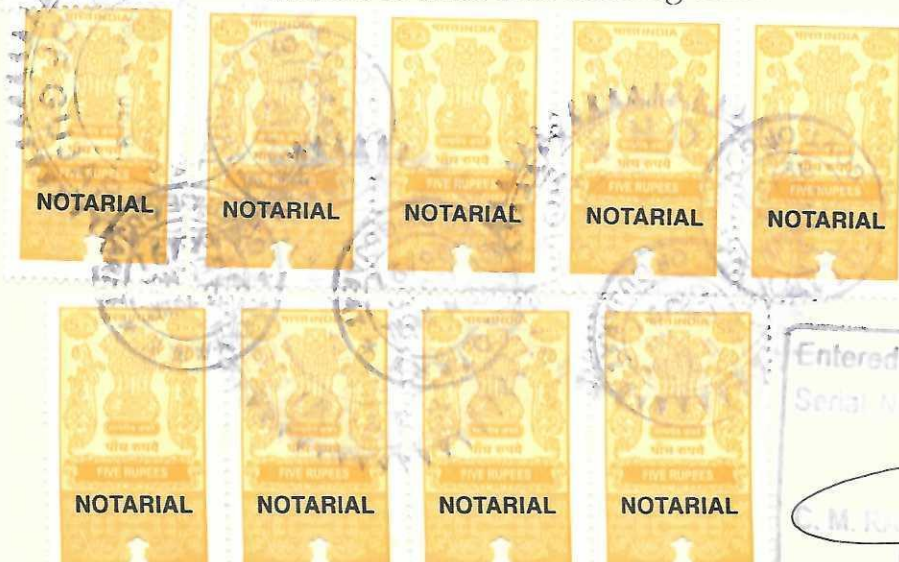
DEPONENT

VERIFICATION

Verified at Gandhinagar on this 29th day of January, 2025 that the contents of the above affidavit are true and correct, nothing stated therein is false and nothing material has been concealed therefrom.

Chavaf...

DEPONENT



Solemnly Affirmed Before Me

G. M. RAVAL

G. M. RAVAL
NOTARY
Govt of Gujarat
29 JAN 2025

29 JAN 2025



725 GUJARAT POLLUTION CONTROL BOARD

PARYAVARAN BHAVAN, SECTOR 10-A,
GANDHINAGAR - 382010,
(T) 079-23232152

R.P.A.D.

DIRECTION UNDER SECTION 33-A OF THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT-1974 (HEREINAFTER REFERRED TO AS THE "WATER ACT") FOR IMPLEMENTATION OF DIRECTIONS OF HON. NATIONAL GREEN TRIBUNAL DATED 23.10.2023 IN THE MATTER O.A. 109/2022.

WHEREAS, you are Notified Area Authority, GIDC of Ankleshwar Industrial Estate; and

WHEREAS, There is a network of underground pipeline for the collection & conveyance of industrial effluent in Ankleshwar Industrial estate; and

WHEREAS, you are nodal agency for Ankleshwar Industrial Estate for maintenance, upcoming & operation of conveyance pipeline; and

WHEREAS, you are empowered to take actions under the Gujarat Industrial Development Corporation Drainage regulations, 1990; and

Whereas Hon. NGT in the matter O.A. 109/2022 "Hasmukhbhai Bahecharbhai Parmar Vs Notified Area Authority of Ankleshwar & Ors" vide order dated: 23.01.2023 has directed this Board to levy EDC from Notified Area Authority after assessing damages and directed Notified Area Authority to pay the EDC and to lay above ground pipeline by May-2023.

WHEREAS this Board has issued Directions to Notified Area Authority for the compliance of points on 20/05/2023 mainly for payment of interim EDC and to submit Action Taken Report w.r.t Hon. NGT directions.

AND WHEREAS Notified Area Authority has neither complied with above direction and has not paid interim EDC of Rs. 25 lakhs nor submitted certified Action Taken report for the compliance of Hon. NGT order dated: 23/01/2023 in the matter of O.A. 109/2022 till date.

UNDER THE CIRCUMSTANCES, as directed, I Arun G. Patel, Environment Engineer, Gujarat Pollution Control Board issues the direction under section 33-A of the Water (Prevention and Control of Pollution) Act-1974 as under:

1. To pay interim EDC of Rs. 25,00,000/- (Rupees twenty Five Lacs) as an interim Damage Compensation.
2. NAA shall pay final amount of EDC and expenditure for carrying out the study for past violations as and when communicated to them as per principal of "Polluter Pays".
3. To submit certified Action Taken report for compliance of Hon. NGT order dated: 23/01/2023 in the matter of O.A. 109/2022 for laying above ground pipeline with requisite details and certification for discontinue of under ground drainage network before May-2023 as directed by Hon. NGT.

Clean Gujarat Green Gujarat

Website : <https://gpcb.gujarat.gov.in>

4. Submit New drainage network map with all requisite details like marking of all the pockets, industries above ground pipeline going to particular pocket, etc.

You are hereby directed to reply within 15 days from the date of serving of this notice failing which, it shall be presumed that you have nothing to say in this matter and appropriate action will be initiated against you for the conduct of the business of your industry, under the Water Act, 1974 for above non-compliance and w.r.t Hon. NGT order in the matter of O.A. 109/2022 dated: 23.01.2023.

FOR AND ON BEHALF OF
GUJARAT POLLUTION CONTROL BOARD

Arun G. Patel
18/11/2023

(ARUN G. PATEL)

ENVIRONMENT ENGINEER

NO: GPCB/ANK-CCA-1021(4)/ID: 32825/

Date: /11/2023

Issued to:

**THE CHIEF OFFICER,
NOTIFIED AREA AUTHORITY, ANKLESHWAR GIDC
PLOT NO: 618,619,
GIDC ANKLESHWAR,
Dist: BHARUCH.**

Copy To:

- **The Managing Director,**
Gujarat Industrial Development Corporation (GIDC),
2nd Floor, Block No.4,
Udyog Bhavan, Sector-11,
Gandhinagar.... For information and expedite necessary actions please.
- **Regional Officer,**
Gujarat Pollution Control Board,
Regional Office,
Ankleshwar..... You are requested to follow up with the concerned to comply above direction within timeline.

Outward No: 758953/18/11/2023

Name & address of the industry	Ankleshwar GIDC Notified area, Ankleshwar
Compliance Report of	Action plan submitted by Notified Area Authority and Direction issued by GPCB to Notified Area Authority.
Date & time of Inspection:	29/01/2025, 12:15 PM
Visited by:	H.T. Patel (DEE), N.A. Patel (DEE)

Compliance status of Action plan submitted by Notified Area Authority is as under:

Sr. No.	Work	Status
1.	Construction of natural creek into RCC SWD channel Near Final Pumping Station (FPS)	Work Completed.
2.	Construction of natural creek into RCC SWD channel behind M/S Detox India Pvt. Ltd.	Partial compliance. Construction of natural creek into RCC SWD channel behind M/s Detox India Pvt. Ltd is pending and other work completed by NAA. The Notified Authority has informed that the said work shall be completed by May- 2025.
3.	Rubble pitching work near 'C' pumping station SWD.	Work Completed.
4.	Construction of Bund wall in SWD at various locations	Work Completed.
5.	Laying of additional standby effluent conveyance rising main line from 'C' pumping station to 'A' pumping station.	Work in progress. Material received at site and installation work is going on. Authorized person informed that work will be completed by May-2025.
6.	Facility of uplifting sewer from septic tank of industries for treatment at Sewage Treatment Plant.	At present NAA has two tankers for lifting of sewage however flow of wastewater observed in GIDC SWD at various locations. The Notified Authority has informed that the said work shall be completed by May-2025.
7.	Tertiary treatment in STP	Work pending. Design and estimate submitted by Project Management Consultant and further process of funding is under progress. The Notified Authority has informed that the said work shall be completed by December- 2025.
8.	Provision of storm water quality monitoring facility in SWD at pumping stations.	Online COD and pH meter installed at pumping station "C pumping station" and "Final Pumping station".

10.	Joint monitoring of entire estate	NAA has provided additional monitoring team to strengthen monitoring across the estate.
11.	Strengthening of existing on-shore pipeline conveyance capacity from FETP to BPS – Kantiyajal	Work in progress.
12.	Installation of sludge dryer at FETP of NCT	Work in progress.
13.	Enhancement of effluent conveyance quantity from 75 MLD to 105 MLD from BPS-Kantiyajal to deep sea.	--
14.	Establishment of new 10 MLD CETP in Ankleshwar Estate	Work in progress.
15.	Overground effluent collection network for member industries of CETP of AWMA.	Work in progress.

Compliance Status of direction under section 33/A of the Water Act-1974 issued by Gujarat Pollution Control Board vide letter dated 10/01/2025 is as under.

Sr. No.	Point	Compliance Status
1.	Prevent any type of discharge of contaminated wastewater including domestic waste water into SWD of GIDC.	Not complied. At present flow of wastewater is observed in GIDC storm water drain at various places.
2.	Provide mechanism for regular cleaning of SWD of Ankleshwar area.	NAA carry out cleaning of SWD manually however deposition of sludge/ silt observed in GIDC SWD at various places.
3.	To take concrete effective steps to prevent the flow of waste water in SWD and make it dry during dry season.	Not complied. At present flow of wastewater is observed in GIDC storm water drain at various places.
4.	To prevent waste water flow in SWD and further leading to natural water bodies.	At present no discharge of wastewater observed in Khadis/ natural water bodies however flow of wastewater is observed in GIDC storm water drain at various places.
5.	To remediate contaminated soil in Environmentally sound manner wherever Soil contamination has occurred due to accumulated sludge, waste water etc.	As informed by contacted person, whenever soil contamination observed, lifted contaminated soil is disposed to TSDF site.
6.	To take all necessary steps so that storm water drains of Ankleshwar region are de-silted and kept clean.	NAA carry out cleaning of GIDC SWD manually however deposition of sludge/ silt observed in GIDC SWD at various places.

7.	To provide permanent solutions of Storm Water Management in the Estate.	Not complied. At present flow of wastewater is observed in GIDC storm water drain at various places.
8.	To seal / remove abandoned underground drainage network of the area completely with cement concrete and it should not be connected to any of the pumping stations. NAA shall submit details of sealing activity done from a reputed third-party agency including details of nos. of man Holes sealed, the manhole sealing procedure & materials used for sealing activity, map of the sealed pipeline network, new map of above ground drainage network etc.	Partial compliance. Some part of underground drain network is sealed with soil.
9.	To remove various encroachments on GIDC SWD network and to provide proper openings at every 3 meters on SWD for proper monitoring of the same.	Not complied. At present GIDC storm water drain at various places found covered/hidden.



(H.T. Patel)
Dy. Env. Engineer



(N.A. Patel)
Dy. Env. Engineer



730 GUJARAT POLLUTION CONTROL BOARD

Regional Office - 5009/4, GIDC Estate, Ankleshwar - 393 002. Dist. Bharuch (Gujarat)
Ph. No. : (02646) 222 933 E-mail Id : ro-gpcb-ankl@gujarat.gov.in

તપાસ માટે દાખલ થવાની સૂચના (નોટીસ)

નંબર : 32825

તારીખ : 29/01/2025

પાણી અધિનિયમ 1974ની કલમ-23, હવા અધિનિયમ 1981ની કલમ-24 અને પર્યાવરણ (સુરક્ષા) અધિનિયમ - 1986ની કલમ-10 હેઠળ અમોને મળેલ સત્તાની રૂએ અમો નીચે સહી કરનાર અમોને જરૂરી લાગે તેની સહાય લઈને તમામ સમયે નીચેના હેતુઓ માટે આપની જગ્યામાં દાખલ થવાનો અને તપાસ કરવાનો અધિકાર ધરાવીએ છીએ.

- (1) અમોને સોંપેલા રાજ્ય બોર્ડ/કેન્દ્ર સરકારનાં કાર્ય બજાવવાના હેતુ માટે,
- (2) આવા કોઈ કાર્યો બજાવવાના છે કે કેમ અને તેમ હોય તો કઈ રીતે તે બજાવવાના છે અથવા આ અધિનિયમ અથવા તે હેઠળ કરેલા નિયમોની અથવા આ અધિનિયમ હેઠળ બજાવેલી કોઈ નોટીસની, કરેલા કોઈ હુકમની, આદેશની અથવા આપેલા કોઈ અધિકારપત્રની કોઈ જોગવાઈનું પાલન કરવામાં આવી રહ્યું છે કે પાલન કરવામાં આવ્યું છે કે કેમ તે નક્કી કરવાના હેતુ માટે,
- (3) કોઈ સાધન સામગ્રી, ઔદ્યોગિક પ્લાન્ટ, રેકર્ડ, રજીસ્ટર, દસ્તાવેજ અથવા અન્ય કોઈ મહત્વની વસ્તુની તપાસ કરવા અને તેની કસોટી કરવાના હેતુ માટે અથવા જે જગ્યામાં તેને એમ માનવાને કારણ હોય કે આ કાયદા કે તે હેઠળ કરેલા નિયમો મુજબ કોઈ ગુનો કરવામાં આવ્યો છે, અથવા થવાની તૈયારીમાં છે, તેવી કોઈ જગ્યાની ઝડતી લેવા માટે અને તેને એમ માનવાને કારણ હોય કે આ કાયદા કે તે હેઠળ કરેલ નિયમો હેઠળ શિક્ષાપાત્ર કોઈ ગુનો કર્યાનો પુરાવો, તેવા સાધન સામગ્રી, ઔદ્યોગિક પ્લાન્ટ, રેકર્ડ, રજીસ્ટર, દસ્તાવેજ અથવા અન્ય કોઈ મહત્વની વસ્તુ કબજે લેવા માટે અમે નીચે જણાવેલ સમયે દાખલ થઈએ છીએ.

ઉદ્યોગ/કારખાનામાં દાખલ થવાનો સમય : સવારના/સંજના 12:15^{મુલ} તા. 29 / 01/2025

અમારી સાથે સહાય માટે નીચેની વ્યક્તિઓ પણ છે.

1. N. A. Patel, DEE
2. _____
3. _____

પ્રતિ,

Notified Area Authority,
P.No.: 618/619 Ankleshwar
G.I.D.C. Ankleshwar
Bharuch

નકલ મળેલ છે.

આ સૂચના (નોટીસ) મેળવનારની સહી :-

Hiresh Patel
(AEE)

સહી :-

અધિકારીનું નામ :-

H. T. Patel

હોદ્દો :-

DEE

ગુજરાત પ્રદૂષણ નિયંત્રણ બોર્ડ

સરનામું: પ્લોટ નં: ૫૦૦૯/૪, જીઆઈડીસી અંકલેશ્વર - ૩૯૩ ૦૦૨, જી.ભરૂચ

ફોન: (૦૨૬૪૬) ૨૨૨૯૩૩, Website <http://gpcb.xgn.gujarat.gov.in>

Email ID (Regional officer) - ro-gpcb-ankl@gujarat.gov.in, (Unit head) uh-gpcb-ankl@gujarat.gov.in



Notified Area Authority, Ankleshwar GIDC

સ્થળ તપાસની નિરિક્ષણ નોંધ

આઈ.ડી.નં: ૩૨૪૨૫ કેટેગરી/સ્કેલ:/....., Latitude/ Longitude...../.....

શ્રીમાન,

આપશ્રીને જણાવવાનું કે. આજ તા. ૨૧/૦૧/૨૦૨૫ નો રોજ આપશ્રી ના એકમની મુલાકાત લઈ સ્થળ તપાસ કરી ઇન્સ્પેક્શન કરેલ છે જે દરમ્યાન હવા/પાણી/જોખમી કચરા/.....ના...../...../...../.....નમુના પૃથક્કરણ અર્થે એકત્રીત કરેલ છે.

આપશ્રીના એકમની મુલાકાત દરમ્યાન પર્યાવરણીય કાયદાઓના સંદર્ભે ત્રુટીઓ/ક્ષતિઓ જોવા/જાણવા મળેલ છે જે આધારે પડતર અરજી સંદર્ભે નિર્ણય લેતા પહેલા અને/અથવા કાયદાકીય પગલાં લેતા અને/અથવા પર્યાવરણ નુકશાન વળતર લેતા પહેલા કુદરતી વ્યાયના સિદ્ધાંત મુજબ આપશ્રીને સાંભળવાની તક પુરી પાડવાના હેતુથી અત્રે લેખિતમાં સ્થળસ્થિતિ/મુદાઓ/સુચનાઓ આપવામાં આવે છે.

આ પરત્વે આપશ્રી નીચે લેખિતમાં સ્પષ્ટતા કરી શકો છો અથવા લેખિત ખુલાસો/સ્પષ્ટતા/પુર્તતા અહેવાલ કામકાજના દિન-૦૩ માં બોર્ડની વડી કચેરી, ગાંધીનગર તેમજ અત્રેની કચેરીને લેખિત માં અથવા XGN પર અથવા Email થી સ્પષ્ટ કરવા નોટીસ આપવામાં આવે છે.

સ્થળ તપાસ દરમ્યાન જોવા મળેલ સ્થળસ્થિતિ/ત્રુટીઓ/ક્ષતિઓ/ખામીઓ:

- (1) મુલાકાત દરમ્યાન, construction of structural creek into RCC SCD channel behind M/s Dey's India Pvt Ltd. is found pending. clarify and submit completion action plan for the same.
- (2) Laying of additional standby effluent conveyance using main line from 'C' PS to 'A' is under progress. clarify. Submit action plan of same for completion.
- (3) NAA has provided presently, two trucks for lifting of sewage but at various locations flow of oil observed in SCD. clarify.
- (4) Till date no tertiary treatment installed in STP. clarify & submit action plan of same.
- (5) Direction તા: ૧૦/૦૧/૨૦૨૫ ના બાકી રહેલ points નું compliance submit કરવું.

(પાછળ)

ગુજરાત પ્રદૂષણ નિયંત્રણ બોર્ડ

સરનામું: પ્લોટ નં: ૫૦૦૯/૪, જીઆઈડીસી અંકલેશ્વર - ૩૯૩ ૦૦૨, જી.ભરૂચ

ફોન: (૦૨૬૪૬)૨૨૨૯૩૩, Website <http://gpcbxgn.gujarat.gov.in>

Email ID (Regional officer) - ro-gpcb-ankl@gujarat.gov.in, (Unit head) uh-gpcb-ankl@gujarat.gov.in



ગુ.પ્ર.નિ.બોર્ડના નામે અને વતી, (અધિકારીઓના નામ, હોદ્દો, સહી):	 N. A. Patel DEE	 H. T. Patel DEE
મુલાકાત લેવામાં આવેલ હોય તે એકમના પ્રતિનિધીની રજુઆત: (જે લાગુ પડે તેની સામે જ સહી કરવી)		
મુલાકાત દરમિયાન અધિકારીશ્રીઓએ.....D.S.....મુદાઓ માટે સ્થળસ્થિતિ/સુચનાઓ/સુધારાત્મક પગલાં ભરવા જણાવેલ છે જેમા,		
(૧) આ સ્થળસ્થિતિ/સુચનાઓ સાથે હું નીચે સહી કરનાર સંપૂર્ણ સહમત છું.		
(૨) જેમા દર્શાવેલ સ્થળસ્થિતિ/સુચનાઓમાંથી મુદા નં.....સાથે હું નીચે સહી કરનાર અસહમત છું. જેના માટે મારી નીચે પ્રમાણેની રજુઆત છે.		
એકમના પ્રતિનિધી/આ નોંધ મેળવનાર નું નામ, હોદ્દો અને સહી:		 H. T. Patel (DEE)
(૨)		



733 GUJARAT POLLUTION CONTROL BOARD

Annexure R-3

PARYAVARAN BHAVAN, SECTOR 10-A,
GANDHINAGAR - 382010,
(T) 079-23232152

R.P.A.D.

DIRECTION UNDER SECTION 33-A OF THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT-1974 (HEREINAFTER REFERRED TO AS THE "WATER ACT") AS AMENDED FROM TIME TO TIME

WHEREAS, Gujarat Industrial Development Corporation (hereinafter referred to as the GIDC) had declared 1072 Hectares area of the GIDC of Ankleshwar Industrial Estate as the Notified Area on 01/02/1978 under the provisions Section 16 of the Gujarat Industrial Development Act, 1962. Thereafter in exercise of the powers conferred by the Gujarat Industrial Development Act, 1962 and with the approval of the Government of Gujarat, the GIDC had appointed the Notified Area Authority (hereinafter referred to as the NAA) for GIDC of Ankleshwar Industrial Estate.

AND WHEREAS, The NAA for GIDC of Ankleshwar Industrial Estate is the nodal agency for the establishment of pipeline network for collection & conveyance of industrial effluent and regular maintenance & operation of conveyance pipeline network within the limits of the Notified Area for the GIDC of Ankleshwar Industrial Estate.

AND WHEREAS, as per the provisions of the Gujarat Industrial Development Corporation Drainage Regulations, 1990 and Gujarat Industrial Development (Notified Area) Rules, 2007 made under the subsection (1) of Section 54 of the Gujarat Industrial Development Act, 1962, the Chief Officer of the NAA is responsible for the matters concerning maintenance of drains, sewers, drainage works, sewerage works, storm water drains etc. within the limits of the Notified Area.

AND WHEREAS, work for above ground pipeline network in GIDC Ankleshwar region has been carried out and free fall outlets of all earlier underground drainage member units are disconnected as per your office letter dated: 17.06.2023.

AND WHEREAS, meeting was held on 18.04.2024 at Regional Office Ankleshwar and Notified Area Authority was instructed to take requisite steps to provide openings on GIDC SWD at every 3 meters as at present various stretches of SWD network are observed encroached by industrial units adjacent to the units (by making parking, garden, heavy vehicle entry area, etc.) creating hinderance in SWD monitoring.

AND WHEREAS, meeting was held on 17.05.2024 at Gujarat Pollution Control Board, Gandhinagar to deliberate various water pollution issues of GIDC Ankleshwar with Notified Area Authority (NAA) and Narmada Clean Tech and they were directed to take various steps to resolve issue of contamination in Storm Water Drain and to seal all the underground pipelines with concrete in pursuance of Hon. NGT direction in the matter of O.A. 109 of 2022 and O.A. 02 of 2024.

However, during various inspection of the Ankleshwar region, the pipeline network for collection & conveyance of industrial effluent within the limits of the Notified Area for the GIDC of Ankleshwar Industrial Estate was inspected by the inspection team of the Regional Office and following observations are made:

1. Contaminated wastewater is found flowing in GIDC Ankleshwar Storm Water Drains (SWD) at various places even in dry season i.e non-monsoon season
2. During last one-year various incidents of discharge / flow of contaminated waste water into SWD have been observed, leading to nearby Khadis i.e. Amla Khadi, Sarangpur Khadi, Chhapra Khadi etc. causing pollution in natural water bodies.
3. Most of the patches of SWD found in uncleaned condition and there is no any systematic mechanism for regular cleaning of SWD.
4. It is observed that leakages in above ground pipelines passing over the SWD have occurred leading to environmental pollution.
5. Accumulation of wastewater observed at various places in GIDC Storm Water Drains. There is no systematic mechanism for recollection of wastewater flowing in SWD.
6. Deposition of sludge observed at various places and due to this, domestic waste water flowing in SWD gets contaminated.
7. During inspection of The Bund wall near final Pumping station and "C" Pumping station it is found that online TOC meter is not in operation and Seepages of colored wastewater observed at downstream of the Bund wall. In previous visits also it was observed that TOC meter found erroneous and no records available onsite regarding it's calibration.
8. Bund walls (provided for retaining and lifting back contaminated runoff) are found filled with Silt/contaminated soil due to which overflow of waste water and contamination in SWD is occurring.
9. Soil contamination is observed at various places which needs to be identified, and all such patches shall be cleared by lifting the sludge/contaminated soil in Environmentally sound manner. Remediation work shall be done wherever it requires.
10. NAA-Ankleshwar & Ankleshwar Industrial Association (AIA) have not yet taken concrete effective steps to prevent the flow of waste water in SWD to make it completely Dry state in non-rainy days.

AND WHEREAS, Bund wall near Pumping station C is starting point of Sarangpur Khadi and is ultimately conveying the contaminated run off wastewater from GIDC area to River Amaravati in case of any discharge from SWD near Pumping station C.

AND WHEREAS, Notified Area Authority was informed to take requisite steps for cleaning the open plot areas in GIDC Ankleshwar vide letter dated: 08.10.2024.

AND WHEREAS, Notified Area Authority was asked to make pucca bunds in GIDC Storm water drain, to prevent any wastewater flow in Storm Water drain to make it completely dry and to submit action plan for the same vide letter dated: 09.10.2024.

AND WHEREAS, currently Hon. NGT matter O.A. 02 of 2024 is in NGT for next hearing on 30/01/2025 wherein issues of wastewater discharge into Storm water drain are being dealt with.



735 GUJARAT POLLUTION CONTROL BOARD

PARYAVARAN BHAVAN, SECTOR 10-A,
GANDHINAGAR - 382010,
(T) 079-23232152

AND WHEREAS the issues and pollution problems of SWD as narrated above, observed are contributing to the pollution problem in Ankleshwar area.

UNDER THE CIRCUMSTANCES, as directed, I Arun G. Patel, Environment Engineer, Gujarat Pollution Control Board issues the direction under section 33-A of the Water (Prevention and Control of Pollution) Act-1974 as under:

1. Prevent any type of discharge of contaminated wastewater including domestic waste water into SWD of GIDC.
2. Provide mechanism for regular cleaning of SWD of Ankleshwar area.
3. To take concrete effective steps to prevent the flow of waste water in SWD and make it dry during dry season.
4. To prevent waste water flow in SWD and further leading to natural water bodies.
5. To remediate contaminated soil in Environmentally sound manner wherever Soil contamination has occurred due to accumulated sludge, waste water etc.
6. To take all necessary steps so that storm water drains of Ankleshwar region are de-silted and kept clean.
7. To provide permanent solutions of Storm Water Management in the Estate.
8. To seal/ remove abandoned underground drainage network of the area completely with cement concrete and it should not be connected to any of the pumping stations. NAA shall submit details of sealing activity done from a reputed third-party agency including details of nos. of manholes sealed, the manhole sealing procedure & materials used for sealing activity, map of the sealed pipeline network, new map of above ground drainage network etc.
9. To remove various encroachments on GIDC SWD network and to provide proper openings at every 3 meters on SWD for proper monitoring of the same.

You are hereby directed to reply within 15 days from the date of serving of this notice. Non-compliance or violation of the aforesaid direction/order will constrain Board to initiate action as per provision of section-48 of the Water (Prevention and Control of Pollution) Act-1974 and amendment thereof.

If you are aggrieved by the aforesaid direction, you may file appeal under section 33-B of the Water (Prevention and Control of Pollution) Act, 1974 before National Green Tribunal within thirty days from the date of this order.

This Direction is issued with approval of the competent authority.

FOR AND ON BEHALF OF
GUJARAT POLLUTION CONTROL BOARD

Arun G. Patel
10.01.2025
(ARUN G. PATEL)

ENVIRONMENT ENGINEER

NO: GPCB/ANK-CCA-1021(5) /ID:32825/

Date: /01/2025

Issued to:

**THE CHIEF OFFICER,
NOTIFIED AREA AUTHORITY, ANKLESHWAR GIDC
PLOT NO: 618,619,
GIDC ANKLESHWAR,
Dist: BHARUCH.**

Copy To:

- **The Managing Director,**
Gujarat Industrial Development Corporation (GIDC),
2nd Floor, Block No.4,
Udyog Bhavan, Sector-11,
Gandhinagar.... For information and further necessary action.
- **President - Ankleshwar Industries Association**
Plot No. 618,619,
GIDC Ankleshwar,
Dist: Bharuch ... For information and compliance of issued pertaining to AIA.
- **Regional Officer,**
Gujarat Pollution Control Board,
Regional Office,
Ankleshwar..... You are requested to follow up with the concerned to comply above
direction within timeline.

Outward No:851014,10/01/2025