

BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI

O.A. No. 64 of 2016 (WZ)

Akhil Bhartiya Mangela Samaj Parishad Applicant



V/S.

Maharashtra Pollution Control Board & Ors Respondents

ADDITIONAL AFFIDAVIT

TIMA'S OBJECTIONS TO EXPERT COMMITTEE'S

RESPONSE DT. 12.08.2021

FILED IN M.A. NO. 02 OF 2021

(Pursuant to Order dated 07.06.2021)

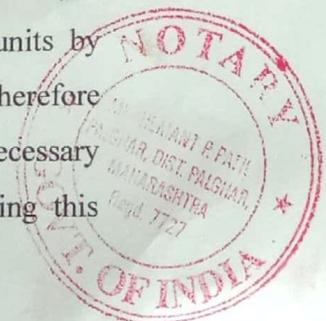
I, Shivranjan Gupta, Age-64 years, Hon. Secretary of Tarapur Industrial Manufacturers Association (TIMA) i.e., Respondent No. 9 in Original Application (OA) No. 64 of 2016 and the Applicant in M.A. No. 02 of 2021 filed in the said OA, having registered office at P-14, Recreation Centre, Navapur Road, Tarapur Industrial Area, MIDC-Tarapur, Boisar West, Dist-Palghar, do hereby solemnly affirm and state as under: -

I SAY THAT

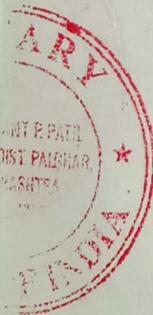
1. The Committee filed its Response dated 12.08.2021, which was uploaded on the Tribunal's website on 13.08.2021. Committee has filed their response allegedly incorporating revised environmental damage and recovery cost distribution on the identified units by way of an Annexure I.

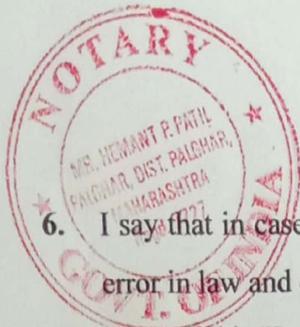


2. WITHOUT PREJUDICE to all the factual, technical and legal issues and contentions originally raised in the Statement of Objection dated 29.12.2020 and subsequent Rejoinder Affidavit dated 29.06.2021, TIMA is filing the present affidavit to file its objections to the Response dated 12.08.2021 of the Committee.
3. At the outset, TIMA states that Para 4 & 5 of the Committee's Response categorically states that, Committee was responding to errors in date of inspection, date of compliances, names / identification of the units, closures not attributing to the water pollution, scale/ category of units, etc. It was therefore reasonably expected that the Committee would call upon each of the identified units and give a proper hearing for addressing their individual grievances. I say that however no such hearing/ opportunity was provided to the industries. TIMA also expected that since majority of industrial units have been agitating the calculations done by MPCB with regard to the number of violation days, Committee would duly consider the delays on part of MPCB caused in issuing Closure Notices and/or verifying the compliances made by units in fulfilling the conditions imposed in Conditional Restart Orders, for which TIMA had suggested a formula for calculating such days in its Objections dated 29.12.2020. However, no any consideration is given to the same. TIMA further states that after placing their objections through TIMA, member units were expecting some relief based on their individual merits. However, to the utter shock and surprise, in majority cases, though there has been no change in details pertaining to these units, their alleged penalty / environment compensation amounts have increased exponentially, without rendering them any opportunity of hearing. TIMA states that this scenario is wholly unjustified, as Committee has worsened off the position of these units by imposing additional penalties on them. TIMA therefore requests intervention of this Hon'ble Tribunal to pass necessary directions to the Committee in rectifying and resolving this issue.



4. I further say that in Para 7 of the Committee Response, it is stated that Committee found discrepancies in MPCB report and again called for revised working. I say that Committee has not itself examined any of the individual objections and unilaterally, arbitrarily accepted the revised working done by MPCB, which is one of the contesting Respondent in the OA No. 64 of 2016. Committee thereby, without application of mind, has acted against the principles of natural justice, equity and good conscience.
5. I further state that in Para 8 of the Response, Committee has stated that, *“such corrections (in that of earlier submitted information as given at Annexure V of the committee’s report dated 18/6/2021 submitted to the Hon’ble NGT vide email dated 19/6/2020) have occurred as a result of – corrections in typography errors/mistakes; taking into account of subsequent additional records/documents attached in the objections filed by such units to the Hon’ble NGT in December 2020, and; thorough review of records as available at MPCB. However, such corrections are following the same recommendations made by the committee after hearing of the units and approach followed by MPCB thereto in arriving the nature and period of violations as have been mentioned in Chapter-5 of the said Committee’s report dated 18/6/2021”*. I say that this approach of the Committee makes the whole effort of review of data, a futile exercise. As a result, TIMA vehemently objects the corresponding revised apportioned environmental damage and restoration cost calculated by the committee, as incorporated in Annexure I of their Response dated 12.08.2021.





NOTED	6882
Page No.	04 To 04
Date	11/9/2021

6. I say that in case of some of the units, there has been a glaring error in law and on facts of each of these cases and TIMA seeks leave of this Hon'ble Tribunal to file Additional Statements of Objection for an on behalf of the such industries, which are being filed by way of Annexures to this Affidavit, only to place on record few examples of grievances. These objections are similar across most of the units and TIMA requests this Hon'ble Tribunal to provide due and proper opportunity of hearing to each of the 103 units on whom penalties have been imposed without application of mind.

7. I say that for the reasons stated above, TIMA denies contents of Para 8 to 10 of the Response and vehemently objects to the suggestion made by the Committee in Para 11 of their Response dated 12.08.2021.

8. I further say that unless this Hon'ble Court intervenes in the matter and provides opportunity of hearing to the each of the aggrieved industrial unit, such unilateral actions and decisions of the Committee which are entirely based on inputs and recommendations given by the MPCB are not legal or tenable in the eyes of law and hence not binding on the aggrieved industrial units.

WHATEVER STATED BY ME IN PARA 1 TO 8
HEREINABOVE IS TRUE AND CORRECT TO THE BEST OF
MY KNOWLEDGE, INFORMATION AND BELIEF AND AS
PER THE RECORDS AVAILABLE WITH THE RESPONDENT
NO. 9 AND IN WITNESS WHEREOF I HAVE SIGNED

Solemnly Affirmed
and Executed before
me at Boisar on- 11/9/2021

H. HEMANT P. PATIL
B.A.L.L.B.

ADVOCATE & NOTARY
(GOVT. OF INDIA)
Off. Ostwal, Empire, Boisar,
Sundaram Apt., Bldg. No. L/4,
Saino No. 4, Boisar, Tal. Palghar,
Dist. Palghar, Maharashtra-401501.



DAY OF JUNE 2021 AT

I KNOW THE DEPONENT
WHO SIGNED BEFORE ME
Witness as to signature only
Document(s) not prepare
Reviewed of Advice upon



For TARAPUR INDL. MFRS. ASSOCIATION (T.M.A.)

AFFIANT
HON. SECRETARY

NOTED & REGISTERED	
Affidavit No.	68821-2021
Register No.	04
Dated	11/9/21
This Document Contains	
Total	04 Pages



भारत सरकार
Government of India



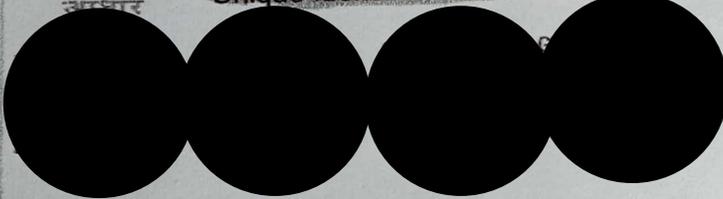
शिवरंजन कैलासचंद्र गुप्ता
Shivranjan Kailashchandra Gupta
जन्म तारीख / DOB : 04/08/1958
पुरुष / Male



आधार - सामान्य माणसाचा अधिकार



भारतीय पहचान प्रमाण प्रधिकरण
Unique Identification Authority of India



1947
1800 300 1947

help@uidai.gov.in

www
www.uidai.gov.in

Shoy





STATEMENT OF OBJECTION FOR AFFIDAVIT

Name of the Industry/ Unit: SAREX OVERSEAS

Plot No. N129 to N 132,

MIDC , TARAPUR

Table No/ Page No of the Report: 23 / 37

Expert Committee's finding as stated in the Table No 23 of the Report dated 12/08/2021 are challenged by our industry/ unit on following grounds: -

1) Our industry/ unit was inspected on 09th July, 2017, and Closure Notice dated 21st July, 2017 was issued. We have duly replied to the Closure Notice dated 21th July, 2017 sent to our industry on basis of the said Inspection Report. Our Reply dated 24th July, 2017, and dated 26th July, 2017 in compliance is on record.

2) We thus, categorically denied correctness of the calculations of the said report of MPCB and the Expert Committee Report on following grounds: -

- a) **We do not admit the discharge quantity of 400 CMD reported by MPCB and the Expert Committee against our mentioned unit at Sr. No. 6 of the Table No. 23**

In fact the Discharge quantity is only 25CMD which can be verified from the consent

- b) We further disagree with the comments put up in the report at Sr.No.14 at Page No.37 as Reason for Closure/Non-Compliance of their revised Report and our Pointwise comments are as below:

- i) **Operating without valid consent , substandard effluent discharge having COD 432mg/L.**



We totally disagree & dispute that we are operating our unit without valid consent.

We have valid consent effective from 1st March, 2013 to 28th Feb 2018 & also got further renewed from Maharashtra Pollution Control Board for validity from 1st March 2018 to 28th Feb 2023. (Copy of the MPCB Consent is already on record)

ii) The Board has issued Closure Directions based on non-Compliance reported vide visit dated 09th July 2017.

We agree that Board has issued closure on 21st July 2017 on the basis of inspection done by MPCB Officials on 9th July 2017

iii) Restart Direction issued on 28.07.2017.

Before Restart Direction issued by Board, our unit has sent detailed compliance letter on dated 24th July 2017 & also on 26th July 2017 to Maharashtra Pollution Control Board complying all the observations of Inspection done by Maharashtra Pollution Control Board on dated 9th July 2017. (Copy of the above letters are already on record while submitting our previous statement of objection dated 23rd Dec 2020)

On submission of our detailed compliance letter, MPCB has deputed the again their SRO (Tarapur I) Mr. M .S .Holkar to re-verify about compliances done. SRO (Tarapur I) Mr. M .S .Holkar has inspected our unit again on dated 27th July 2017 and confirmed through his written report on the same day about all the compliances. (Copy of the visit report of dated 27th July 2017 is already on record).

iv) Further the Non-Compliance of the same was continued till cut over date 26th Sep 2019

Once we had already sent our compliance with supporting documents and the same has been verified by the SRO (Tarapur I) Mr. M .S .Holkar of MPCB which indicates completion of compliance hence we disagree that non compliance was confirmed till cut over date of 26th Sep 2019



- v) **Days of non compliance calculated which reduced by 2 days i.e. 809 to 807 days due to corrections in calculation**

We still dispute further that non complying days of 807 days whereas according to us the days of non compliance should be considered as 19 days only i.e. from.

Date of Inspection by MPCB officer : 9th July 2017

Verification of compliance done by MPCB : 27th July 2017
officer on

Total Difference Days : 19 days

Even after verification of compliance by MPCB officer on 27th July 2017 ,MPCB officer have visited our factory on various dates before the cut over date of 26th Sep 2019 and drawn joint vigilant sample and confirmed along with written report about meeting all the parameters as per MPCB norms therefore we fail to understand as to why our compliance date is selected on 26th Sep 2019.

- vi) **The closure was issued based on non compliances observed and not on the basis of consent validity period**

Agreed since accepted by committee

- vii) **The Board officials has inspected the industry on 27th July 2017 for verification of effective implementation of closure direction**

We also claim about compliance date as 27th July 2017

- viii) **As per SOP , violation period is considered from the date of visit to date of effective closure and date of conditional restart up to compliance verification / cut over date**

Looking at different supporting evidences the violation days works out as under:



Plant:
Plant No. N-129 to N-132,
MIDC, Tarapur - 401 508, India.
Tel.: 02525 605 566
Fax: 02525 271 414
Web: www.sarex.com

Date of Inspection by MPCB officers	: 9 th July 2017
Date of Closure	: 21 st July 2017
Sub-total A	: 13 days
Date of Closure	: 21 st July 2017
Date of Inspection by MPCB Officers & Confirming Compliances by written Report.	: 27 th July 2017
Sub-total B	: 6 days
Days of Violation	: 19 days
(A+B)	

3) As per the court order the matter was referred back to MPCB and committee before doing reworking of the calculation of penalty amount MPCB field officer Mr.Tanaji Patil has called us to re-access the penalty amount and accordingly we visited to MPCB SRO office on dated 16th June 2021 and we have produced the documents before him, after our justification and discussion he has verbally agreed that the penal days in our case should be 19 days but in no case it can be 809 days .

We have been further advised by MPCB official to visit at MPCB RO Office , Thane, accordingly we have again visited to MPCB RO Office,Thane on dated 17th June 2021 and met filed officer Mr.Tanaji Patil and Mr,Utkarsh and shown them the supporting documents. After going through the Supporting documents both of them have verbally agreed with our submissions.

4) We further disagree with revised working of committee where in they have reduced period of non compliance from earlier 809 days to 807 days which is far away from our calculations and from verbal discussions had with MPCB Officers.

Sarex Overseas

(A Division of Saraf Chemicals Pvt. Ltd.)

CIN: U24100MH1984PTC033486

**Plant:**Plant No. N-129 to N-132,
MIDC, Tarapur - 401 505, India.
Tel.: 02525 605 566
Fax: 02525 271 414
Web: www.sarex.com

5) We are further surprised as to how penalty amount in our case has substantially enhanced from earlier amount of Rs.152.695 lacs to recent amount of Rs.194.624 lacs though there is reduction in the penal days calculation.

6) In view of our above statement and details of objection and also considering larger issues/ objections placed by our industry association namely Tarapur Industrial Manufacturers Association (TIMA), we deny liability as stated against our unit in the Revised Expert Committee Report dated 12th Aug 2021. We urge this Hon'ble Court to re-examine the Expert Committee Report after verifying true and correct facts of the case, granting us opportunity of hearing (personally or through our counsels) and pass appropriate directions in the interest of justice, equity and good conscience.

For Sarex Overseas (A Div of Saraf Chemicals Pvt Ltd)



Authorised Signatory

(Mr.Naresh S Salgiya)



BOSTON PHARMA

Mobile : 9137962782
9766891863

Manufacturers of : DISTILLATION OF SOLVENT

Factory : E-84, M. I. D. C. Tarapur, Boisar, Dist. Palghar • E-mail ID : bostonpharmae84@gmail.com

Ref. No. : _____

Date : _____

ADDITIONAL STATEMENT OF OBJECTION

Name of the Industry/ Unit: Boston Pharma

Plot No. E-84 MID, TARAPUR

Table No of the Report: 40

Expert Committee's finding as stated in the Table No 40 of the Report dated 12/08/2021 are challenged by our industry/ unit on following grounds: -

1) Our industry/ unit was inspected on 10/01/2017, and Closure Notice dated 14/02/2017 was issued. Our Reply dated 02/06/2017 is on record, wherein we had undertaken to achieve a NIL DISCHARGE INDUSTRY STATUS. Vide our Letter dated 30/10/2018, we intimated about full compliance of the Conditional Restart Order dated 14/07/2017. Vide a separate letter dated 29/10/2018 we had also informed MPCB that as we have already achieved NIL discharge, no sample is collected by MPCB since last one year. (Copy of the letter dated 29/10/2018 is produced and marked as **Annexure-A** herewith).

2) There was a Routine Visit by MPCB officials on 12/11/2019, wherein they have certified NIL DISCHARGE stating that there is no industrial effluent generation from our unit. (Copy of the Routine Visit Report dated 12/1/2019 is produced and marked as **Annexure-B** herewith)



BOSTON PHARMA

Mobile : 9137962782
9766891863

Manufacturers of : DISTILLATION OF SOLVENT

Factory : E-84, M. I. D. C. Tarapur, Boisar, Dist. Palghar • E-mail ID : bostonpharmae84@gmail.com

Ref. No. : _____

Date : _____

3) It is therefore not possible that our unit is shown in continued violation, especially with regard to violation of any discharge norms, since our unit had already achieved a Nil Discharge status way back in 2018 itself.

4) As per the alleged revised Report filed by the Committee, the initial cut of date (26/09/2019) which itself was wrong and challenged by us, has now been revised to 05/01/2020 owing to alleged typographical error.

5) Admittedly, there has been no Inspection Report or a JVS sample collected on 05/01/2020. In fact the Visit Report dated 05/01/2020 categorically speaks about compliance report dated 30/10/2018.

(Copy of the Visit Report dated 05/01/2020 is produced and marked as **Annexure-C** herewith)

6) Committee has wrongfully treated our unit as a case of continued violation for more than 2 ½ years without there being any reported violation or any Inspection Report that would show any default on part of our unit in so far as water pollution/ effluent management is concerned.

7) We thus categorically deny correctness of the alleged calculations of the said report of MPCB and the Expert Committee Report on following grounds: -

Date of Inspection by MPCB officers : 10/01/2017 Date of

Closure : 14/2/2017

Sub-total A : 7 days

(excludes delay on part of MPCB to issue Closure Notice)



BOSTON PHARMA

Mobile : 9137962782
9766891863

Manufacturers of : DISTILLATION OF SOLVENT

Factory : E-84, M. I. D. C. Tarapur, Boisar, Dist. Palghar • E-mail ID : bostonpharmae84@gmail.com

Ref. No. : _____

Date : _____

Date of Actual closure : 17/2/2017 : 3 days
Date of Conditional Restart : 14/07/2017 Date of Intimation
about due compliance & Nil Discharge
status : 29/10/2018 : 480 days

Sub-Total B : 483 days

Days of Violation : 490 days (A+B) Max possible

- 8) We were not called by the Committee for personal hearing.
- 9) We completely disagree with revised working of committee where period of non-compliance has been increased 580 days to 844 days which is far away from our calculations as submitted above.
- 10) The alleged non-compliance i.e., Authorisation Letter which could be obtained only on 28.01.2020 owing to delay on part of the MPCB. Even otherwise, the said compliance is not directly related to water pollution or establishes any violation on part of our unit regarding effluent management.
- 11) We are further surprised as to how penalty amount in our case has substantially enhanced from earlier amount of Rs.36.730 lacs to revised amount of Rs.67.849 lacs without granting us any opportunity of hearing whatsoever.



BOSTON PHARMA

Mobile : 9137962782
9766891863

Manufacturers of : DISTILLATION OF SOLVENT

Factory : E-84, M. I. D. C. Tarapur, Boisar, Dist. Palghar • E-mail ID : bostonpharmae84@gmail.com

Ref. No. : _____

Date : _____

In view of our above statement and details of objection and also considering larger issues/ objections placed by our industry association namely Tarapur Industrial Manufacturers Association (TIMA), we deny liability as stated against our unit in the Revised Expert Committee Report dated 12/08/2021. We urge this Hon'ble Court to re-examine the Expert Committee Report after verifying true and correct facts of the case, granting us opportunity of hearing (personally or through our counsels) and pass appropriate directions in the interest of justice, equity and good conscience.

Date: 01.09.2021

place PALGHAR authorised signatory For, Boston Pharma

For **BOSTON PHARMA**

Proprietor

Annex-A

Tel. : (02525) 329316



BOSTON PHARMA

Manufacturers of : DRUG INTERMEDIATES AND ORGANIC CHEMICALS

Factory : E - 84, M. I. D. C., Tarapur, Boisar, Dist. Thane

Date : 29/10/2018

Ref. _____

Date _____

To,
The Regional Officer (HQ)
Maharashtra Pollution Control Board,
Kalptaru Point, 3rd floor, Opp. Sion Circle,
Sion (East), Mumbai - 22.

Sub: Grant of Amendment in Consent

Ref: Application UAN no. 27215 dated 22/05/2017

Yours letter No. MPCB/RO(HQ)/H&OW/B-3906 DATED 22/10/2018

Dear sir,

with reference to above subject we would like to clarify your points as under:

- 1) As per restart direction we have complied all the directions & replied to RO & SRO Tarapur-I. Acknowledgment Copy of the same enclosed herewith for your ready reference
- 2) We have submitted form No. 4 online. Its copy enclosed herewith
- 3) We have submitted form NO. V Online & copy of the same is enclosed herewith for your reference.
- 4) MPCB not collected samples from last one year as we are achieving Zero Liquid Discharge and not discharging the effluent into CETP

In view of above clarification we are requesting you to consider our application positively and grant us amendment in consent.

Thanking You,

Yours faithfully,

Ar

FOR BOSTON PHARMA

Ar
01/11/18
आविक विभाग (मुख्यालय)
महाराष्ट्र प्रदूषण नियंत्रण मंडळ,
कल्पतरू पोईट, ३रा मजला, सायन सर्कल,
सिनेप्लेनेट समोर, सायन (पूर्व),
मुंबई - ४०० ०२२.
फोन :- २४०१०४३७ / २४०२०७८१.

MAHARASHTRA POLLUTION CONTROL BOARD

Sub Regional Office - Tarapur-I

Phone : 02525 -273314

Visit us at :- <http://mpcb.gov.in>

e-mail : srotarapur1 @ mpcb.gov.in



MIDC Office Building, Boisar
Station, Post Taps, Tarapur, Dist
Thane.

Annex-B

Routine Visit Report

Name of Industry: - M/s. Boston Pharma.

Address: - Plot No. B-84, MIDC, Tarapur.

Zip Code:-

Industry Category

Select Category: :- Red/SSP

Visited On : 12/11/2019.

Email Address of Unit : Bostonpharmae84@gmail.com.

Telephone Number of Unit : Ashish Salvi, Proprietor, (M) = 9324534613.

Consent Status

Validity of Consent up to : 30/06/2020.

I.E : 0.2 M3/Day

D.E. : 0.5 M3/Day

Production Details

Product Name	Quantity (As Consent)	Unit (AS Consent)	Quantity (Actual)	Unit (Actual)	Action
Distillation of Mixed Solvent.	75 MT/M.	40-45	MT/M		
		(60% Load)			
			Capacity.		

Water & Waste Water Aspect

...	Industrial		Domestic
	Process	Cooling
Generation in M3/D (as consent)	0.2	1.0	0.5
Generation in M3/D (Actual)	0.2	1.0	0.5

Treatment System

Industrial		Domestic	
Primary	O & G Trap Screening Neutralization / Equalization Primary Settling / Sedimentation Any Other	Septic Tank & Soak Pit	
Secondary	Activated Sludge Process MBBR SBR Trickling Filter Any Other	Sewage Treatment Plant	
Tertiary	Presser Sand Filter Activated Carbon Filter Dual Media Filter Any Other	Industrial Eff. shown in Consent as achieved ZLD. Appl ⁿ for amendment is also submitted to HQ, but refused	
Advanced	Reverse Osmosis MEE Ultra filtration Nano Filtration ATFD Any Other	as PP has not obtained authorisation as actual user of HW. PP has achieved ZLD as closed loop distillation is carried out, hence no generation of ind. Eff.	
Remarks / Observation			
ETP Operational	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	STP Operational	Yes <input type="checkbox"/> No <input type="checkbox"/>

Disposal

Industrial	Qty	Domestic	Qty
CETP		CETP	
On Land for Gardening	No	On Land for Gardening <input checked="" type="checkbox"/>	
Recycle	Ind. Eff.	Recycle	
Local Body Sewage Treatment	Generation	Local Body Sewage Treatment	
Any Other		Any Other	
Total		Total	
Remarks / Observation			

Disposal as per consent	Yes / No <input checked="" type="checkbox"/> <input type="checkbox"/>	Yes / No
O & M	Poor / Average / Good	Poor / Average / Good

Online Monitoring System (Water)

Online Monitoring System	Applicable	Not Applicable	
Whether Online Monitoring System Installed	Installed	Not Installed	CPCB Connectivity MPCB Connectivity
	— NA —		
Remote callibration applicable	No	Yes	
Sensor Properly Placed	No	Yes	

Separate Electrical Meter Provided	No	Yes
Meter Reading	Separate Energy Meter not provided.	

JVS Collection & Payment

...	Industrial	Domestic
Date of Last JVS Collected		
Payment details	Yes / No	Yes / No
Amount		
Date		

JVS Details

JVS Sample collected for water	No	Yes	
Source	MA		Parameters Prescribed Value

Air Pollution Aspect

#	Source	Process/ Fuel Burning	Fuel Name	Fuel Quantity	Fuel Unit	Pollutants	Control Equipment Installed	Stack Height (mtrs)	Action
1	Boller ✓ Thermo pack Thermic fluid heater Furnace process vent Any Other	• Process • Fuel Burning	Coal	500	Kg/ Day	SPM SO ₂	<ul style="list-style-type: none"> • Mechanical Dust Collector • Cyclone Dust Collector System • Multi Cyclone Dust Collector System • Fabric Bag Filter • Package tower wet scrubber • Venturi Scrubber • Electro Static Precipitator • No Provision • Any Other. 	15 Mtr	
Remark / Observation :									

Online Monitoring System (Stack)

Online Monitoring System	Applicable	Not Applicable	
Whether Online Monitoring System Installed	Installed	Not Installed	CPCB Connectivity
	Not Provided.		MPCB Connectivity
Remote callibration applicable	No	Yes	
Sensor Properly Placed	No	Yes	
Whether proper stack monitoring facility exists	No	Yes	
Whether callibration facility exist	No	Yes	

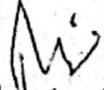
Bank Guarantee Details

BG Imposed	Yes/No
BG Imposed Against	Consent / Direction
Number (Only for Direction)	21acc B5.

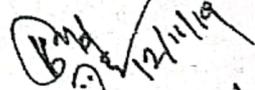
BG Imposed for	BG Submitted	BG Number	Date	Validity
Restart.	Yes/No		20/12/2018	30/6/2020
Direction				

Additional Information

- 1) Industry engaged in Distillation of Mixed Solvent. During visit, industry found in operation.
- 2) Industrial Eff. Generation shown in consent is 0.2 CMD. SCN Bt issued to industry to achieve ZLD. Presently ~~None~~ There is no generation of Industrial Eff from the process as distillation is carried out in a closed loop. PP has applied for amendment in consent for zero discharge, the application was submitted to HQ & was refused as PP has not obtained authorisation as actual user of HW.
- 3) As per consent, HW generation is Distillation Residue = 500kg/M, and Disposed Qty as per form No IV is 0.653 M/yr
- 4) Provided stack of 15 Mtrs height with Mechanical Dust Collector, however sampling post/platform location needs to be relocate
- 5) Instructed to reply for amendment & authorisation for ZLD & actual user of HW respectively.


 Ashish Salvi,
 Ind. Representative
 Proprietor


 (Amit Latey)
 fo, SRO, RTN


 (K.N. Hasabnis)
 EO, MPCB SRO-PC

Monitoring System Whether Online Monitoring System Installed	Applicable Installed	Not Applicable Not Installed	CPCB Connectivity
	Not Provided		MPCB Connectivity

JVS Details

JVS Sample collected for Air	No	Yes	
Source			
Remark / Observation :		Parameters	Prescribed Value

Hazardous Waste Management (Last consent details)

Category No. & Type	Quantity as per consent	Method of Disposal as per consent	Actual disposal	Total Quantity disposed (as per FORM 4)	Quantity disposed at CSWTSDF	Quantity disposed for co-processing	Quantity disposed by actual user	Last Disposal quantity	Last Disposal Date	UOM
20.3	→	Distillation Residue	As per Consent = 500 kg/M	→			As per form No. 4 Disposed Qty = 0.653 MR/M.			

Non Hazardous Waste Management

Name of Waste	Quantity as per consent	Method of Disposal as per consent	Last Disposal Date	Last Disposal quantity	Actual Disposal	UOM
		NA				

Tree Plantation

Total Plot Area: - _____ Sq. Mtr. Total Built Up Area: - _____ Sq. Mtr.

Green Belt Area: - _____ Sq. Mtr. Plantation done in No.: - _____

Proposed Plantation: - _____

Statutory Submission

...	Submitted Upto
H.W. Annual Return	Submitted.
Env. statement Report	Submitted.

Previous Legal Action

Action initiated Date	
Specific Compliance	1) Closure Direction issued 14/2/14 followed by Restart: 14/7/14
	2) SCN issued on 21/05/2019

Visit Report Annex-C dt 5/10/2020 (5)

Bank Guarantee Details

BG Imposed	Yes / No
BG Imposed Against Number (Only for Direction)	Consent / Direction (Restart)

BG Imposed for	BG Submitted	BG Number	Date	Validity
Restart direction dt-14/7/2017	Yes/No Ri. 2-5 letter	4217	24/8/17	30/6/2020

BOSTON PHARMA,
E-84, M. I. D. C., TARAPUR
BOISAR, DIST. THANE.

Additional Information

- ① During visit, industry found in operation. Industry is engaged in Distillation of mixed solvents.
- ② Closure direction issued on 14/2/2017.
Conditional Restart direction issued on 14/7/2017.
 - (i) Industry has submitted the compliance report of Restart direction vide letter dt-30/10/2018.
 - (ii) Industry has not obtained Authorization for distillation of spent solvent. ~~Attdt~~

(Signature)
(Vandana Raut)
Industry Representative
BOSTON PHARMA,
E-84, M. I. D. C., TARAPUR
BOISAR, DIST. THANE.

(Signature)
(Shripad Kulkarni)
SRO MPCB

(Signature)
R. S. Dafade,
FO, MPCB

DICITEX HOME FURNISHINGS PVT. LTD.

306, Shop No. 2, Kakad AC Market, Kalbadevi Road, Mumbai - 400 002.
 Ph. 91-22-4081 2222 Fax : 91-22-2844 2644 Website : www.dctex.com
 Factory : Plot No. G-7/2/1, G-7/2/2, MIDC, Tarapur, Thane, Maharashtra - 401 506.
 Tel # (02525) 304444 / 260835 / 261187

CIN NO.: U18101MH2000 PTC 126317

ADDITIONAL STATEMENT OF OBJECTION

Name of the Industry/ Unit: Dicitex Home Furnishing Pvt Ltd

Plot No. G-7/2/1 MIDC, TARAPUR

Table No of the Report: 11

Expert Committee's finding as stated in the Table No 11 of the Report dated 12/08/2021 are challenged by our industry/ unit on following grounds: -

- 1) Our industry/ unit was inspected on 06/09/2013, and Closure Notice dated 15/10/2013 was issued. First of all, we state that there is contradiction in the Inspection Report and the reasons stated for issuing Closure Directions. The Closure Notice was issued in a cyclostyle manner, without there being any record whatsoever of collection of JVS sample.
- 2) To the contrary our JVS sample analysis data for year 2011 till 2019 is already filed on record at Page 709 of TIMA's objection (Volume II) filed on 29.12.2020, which clearly shows that effluent generated from our unit were meeting prescribed standards and hence at the outset we deny liability of being responsible for paying any environmental compensation.
- 3) This Hon'ble Tribunal may therefore enquire and direct the Committee to produce the JVS Sample Reports dated 06/9/2013, on basis of which a completely new violation has been added against our unit in as per the revised Table produced at Annexure I of the Committee's Response dated 12/08/2021 and a fresh penalty is imposed, without granting us any opportunity of hearing whatsoever. This amounts to worsening off case of our unit which is not permissible in the eyes of law.
- 4) Without prejudice, we submitted our compliance report on 13/11/2013 and MPCB verified the same on 16/12/2013. Our unit is being penalised for the delay attributable on part of MPCB.



DICITEX HOME FURNISHINGS PVT. LTD.

306, Shop No. 2, Kakad AC Market, Kalbadevi Road, Mumbai - 400 002.
 Ph. 91-22-4081 2222 Fax : 91-22-2844 2644 Website : www.dctex.com
 Factory : Plot No. G-7/2/1, G-7/2/2, MIDC, Tarapur, Thane, Maharashtra - 401 506.
 Tel # (02525) 304444 / 260835 / 261187

CIN NO.: U18101MH2000 PTC 126317

- 5). As regards original violation report for the Closure Directions dated 06/02/2018, we have exhaustively produced documents and record and raised an issue that provision of MEE was an additional condition imposed on us, (when we had proposed provision of Reverse Osmosis unit without MEE, only for saving water) which was otherwise not the condition in our earlier Consent to Operate. As installation of MEE is an extremely costly and time-consuming project and given the fact that, on insistence by MPCB authorities during hearing on our restart application, we still complied with the said conditions without there being any need, shows our commitment towards compliance of directions.
- 6) It is particularly important to note that even prior to and during installation of MEE, our effluent generated was within the prescribed norms and hence there is no violation whatsoever reported against our unit for causing any water pollution. No consideration is given to our submissions.
- 7) Amounts of BG forfeited has not been factored in while arriving at alleged penalty costs. This amounts to double jeopardy and our unit has been penalised twice for the same alleged violation.
- 8) We were not called by the Committee for personal hearing.
- 9) We are further surprised as to how penalty amount in our case has substantially enhanced from earlier amount of Rs.77.133 lacs to revised amount of Rs.218.018 lacs, which is an **increase of about 140.8850 Lacs without granting us any opportunity of hearing whatsoever.**

In view of our above statement and details of objection and also considering larger issues/objections placed by our industry association namely Tarapur Industrial Manufacturers Association (TIMA), we deny liability as stated against our unit in the Revised Expert Committee Report dated 12th Aug 2021. We urge this Hon'ble Court to re-examine the Expert Committee Report after verifying true and correct facts of the case, granting us opportunity of hearing (personally or through our counsels) and pass appropriate directions in the interest of justice, equity and good conscience.

Date: 01.09.2021
 Place: PALGHAR



For Dicitex Home Furnishings Pvt. Ltd.

Wimsh Arora

Director

Authorised Signatory

For, Dicitex Home Furnishing Pvt Ltd



ADDITIONAL STATEMENT OF OBJECTION

Name of the Industry/ Unit: Dicitex Furnishing Pvt Ltd

Plot No. G-58 MIDC, TARAPUR

Table No of the Report: 12

Expert Committee's finding as stated in the Table No 12 of the Report dated 12/08/2021 are challenged by our industry/ unit on following grounds: -

- 1) Our industry/ unit was inspected on 06/09/2013, and Closure Notice dated 15/10/2013 was issued. First of all, we state that there is contradiction in the Inspection Report and the reasons stated for issuing Closure Directions. The Closure Notice was issued in a cyclostyle manner, without there being any violation of effluent norms.
- 2) For various conditions imposed, we achieved compliance and the same was duly intimated to MPCB vide our letter dated 11/11/2013, which is already filed on record at Page 764 of TIMA's objection (Volume II) dt 29.12.2020. Our record of JVS sample report shows no violation of effluent standards. We therefore deny any liability of being responsible for paying any environmental compensation.
- 3) Despite strong records and earlier submissions, Committee has arbitrarily and unilaterally increased our number of violation days from 89 days to 242 days and an exorbitant claim is freshly made against our unit, without granting us any opportunity of hearing whatsoever. This amounts to worsening off case of our unit which is not permissible in the eyes of law. We request you to please refer to our earlier submission where we have pointed out that actual number of violation days was 59 days & not 89 days which you have mentioned due to dates of visit being wrongly taken. Please note our Unit No. G-58 was inspected on **06.09.2013** & not on 06.08.2013. So it should be 59 days as actual days and not 89 days. Therefore please note as per our earlier submission number of violation days was 59 days and not 242 days which you have mentioned wrongly in the current NGT Committee report dt. 12.08.2021 in Table No. 12 and an exorbitant claim is freshly made against our unit, without granting us any opportunity of hearing whatsoever. This amounts to worsening off case of our unit which is not permissible in the eyes of law.



DICITEX FURNISHINGS PVT LTD

(Formerly Known as Dicitex Furnishings Ltd)

B/301, 'M' Building, Palm Court Complex, Link Road, Malad (W), Mumbai - 400 064 INDIA

Tel: +91 22 4081 2222 / 3081 2222 Fax: +91 22 2844 2644

Email: na@dctex.com www.dctex.com

Works: Plot No. G/57, G/57-1, G/58,

MIDC, Tarapur, Dist. Palghar, Maharashtra - 401506

Tel: +91-2525 275101 / 274300

CIN NO.: U17120MH1999PTC119692

DC
FURNISHINGS

4) Without prejudice, we submitted our compliance report on 11/11/2013 and as per alleged records MPCB verified the same on 15/05/2014. Our unit is thus being illegally and arbitrarily being penalised for the delay attributable on part of MPCB for verification of our compliances.

5) Amounts of BG forfeited has not been factored in while arriving at alleged penalty costs. This amounts to double jeopardy and our unit has been penalised twice for the same alleged violation.

6) We were not called by the Committee for personal hearing.

7) We are further surprised as to how penalty amount in our case has substantially enhanced from earlier amount of Rs.16.908 lacs to revised amount of Rs.58.363 lacs, which is an **increase of about 41.4550 Lacs without granting us any opportunity of hearing whatsoever.**

In view of our above statement and details of objection and also considering larger issues/ objections placed by our industry association namely Tarapur Industrial Manufacturers Association (TIMA), we deny liability as stated against our unit in the Revised Expert Committee Report dated 12th Aug 2021. We urge this Hon'ble Court to re-examine the Expert Committee Report after verifying true and correct facts of the case, granting us opportunity of hearing (personally or through our counsels) and pass appropriate directions in the interest of justice, equity and good conscience.



For Dicitex Furnishings Pvt. Ltd.

Nimish Anra
Director

Date: 01.09.2021
Place: PALGHAR

Authorized Signatory
For Dicitex Furnishing Pvt Ltd





SILWESTER
TEXTILES PVT. LTD.
a class fabric finisher

REGD. OFFICE : 112/113, SANJAY BLDG. NO. 6, MITTAL ESTATE,
ANDHERI (E), MUMBAI - 400 059.
TEL : 42532000 / 32184603 • FAX : 28502471
FACTORY : E-24, M.I.D.C., TARAPUR - 401 506 (MAH.)
PHONE : (02525) 272566 • EMAIL : silvester@santoshgroup.in
CIN : U17110MH1979PTC021706

26

ADDITIONAL STATEMENT OF OBJECTION

Name of the Industry/ Unit: Silvester Textiles Pvt Ltd
Plot No. E-24 MIDC, TARAPUR
Table No of the Report: 22

Expert Committee's finding as stated in the Table No 22 of the Report dated 12/08/2021 are challenged by our industry/ unit on following grounds: -

- 1) Our industry/ unit was inspected on 04/09/2013, and Closure Notice dated 15/10/2013 was issued. First of all, we state that there is contradiction in the Inspection Report and the reasons stated for issuing Closure Directions. The Closure Notice was issued in a cyclostyle manner, for most of the industries after a mass inspection was carried out by MPCB officials in the year 2013. Our Reply dated 22/10/2013 is on record.
- 2) We received conditional restart order dated 29/10/2013, wherein MPCB on its own had granted us 5 (five) months' time to install secondary / biological treatment plant functional in addition to primary and tertiary plants already installed.
- 3) The compliance is accepted as per Visit Report dated 30/06/2014. As establishing a plant involves civil, electrical and other mechanical components and as it takes time, our industry tried to achieve full compliance within stipulated time period. As the project was under progress, we also sought some extension by issuing letter to MPCB. Yet, MPCB forfeited bank guarantee of Rs. 6,25,000/- for the delay in setting up secondary plant.
- 4) Despite having achieved full compliance of the Conditional Restart Order, MPCB has included the said 5 (five) months' time period as well while calculating number of violation days, which otherwise was the time provided by MPCB itself to achieve the compliance.
- 5) So also, the amount of BG forfeited has not been factored in while arriving at alleged penalty costs. This amounts to double jeopardy and our unit has been penalised twice for the same alleged violation.
- 6) We thus categorically deny correctness of the alleged calculations of the said report of MPCB and the Expert Committee Report on following grounds: -

CNTD ON PAGE NO-2





//Page No-2//

Date of Inspection by MPCB officers	: 04/09/2013
Date of Closure	: 15/10/2013
Sub-total A	: 7 days
(Excludes delay on part of MPCB to issue Closure Notice)	
Date of Conditional Restart	: 29/10/2013
Date of Full Compliance	: 30/06/2014
	: 241 days
Less Period provided by MPCB for	
Achieving compliance (5 months)	: 150 days
Sub-Total B	: 91 days
Days of Violation	: 98 days
(A+B)	:Max possible

7) We were not called by the Committee for personal hearing.

8) We completely disagree with working of committee where period of non-compliance has been shown as 290 days which is far away from our calculations as submitted above.

9) We are further surprised as to how penalty amount in our case has substantially enhanced from earlier amount of Rs.191.8820 lacs to revised amount of Rs.243.582 lacs, which is an **increase of about 51.70 Lacs without there being any change whatsoever in review exercise allegedly undertaken by the Committee** and that too without granting us any opportunity of hearing whatsoever.

In view of our above statement and details of objection and also considering larger issues/ objections placed by our industry association namely Tarapur Industrial Manufacturers Association (TIMA), we deny liability as stated against our unit in the Revised Expert Committee Report dated 12th Aug 2021. We urge this Hon'ble Court to re-examine the Expert Committee Report after verifying true and correct facts of the case, granting us opportunity of hearing (personally or through our counsels) and pass appropriate directions in the interest of justice, equity and good conscience.

Date: 01.09.2021

Place: PALGHAR



Authorised Signatory

For, Silvester Textiles P.Ltd
For Silvester Textiles (Pvt.) Ltd.


(Director).

ADDITIONAL STATEMENT OF OBJECTION

Name of the Industry/ Unit: Siyaram Silk Mills Ltd

Plot No. H-3/1 MIDC, TARAPUR

Table No of the Report: 8

Expert Committee's finding as stated in the Table No 8 of the Report dated 12/08/2021 are challenged by our industry/ unit on following grounds: -

- 1) Our industry/ unit was inspected on 06/09/2013 which was a weekly off for our industry being a power staggering day. So except the dry activities, no activities are in operation. In Visit Report dated 06/09/2013 this fact is documented. Our ETP was taken for a routine maintenance on the said date. Despite the same, and as MPCB conducted a mass action, Closure Notice dated 15/10/2013 came to be issued to us in a cyclostyle manner. First of all, we state that there is contradiction in the Inspection Report and the reasons stated in the Closure Directions.
- 2) Also, for the conditions imposed, we immediately achieved compliance thereof which has been verified on 05/04/2014. The condition of Lock & Key arrangement was newly introduced and there was no clarity about the same. Even otherwise, there has been no violation of Effluent standards on part of our industry during the alleged violation period reported. The compliance was not

SIYARAM SILK MILLS LTD.

CORPORATE OFFICE : B-5, TRADE WORLD, KAMALA MILLS COMPOUND, SENAPATI BAPAT MARG, LOWER PAREL (W), MUMBAI - 400 013 (INDIA). PHONE : 3040 0500,
EMAIL : enquiries@siyaram.com, WEBSITE : www.siyaram.com. CIN : L17116MH1978PLC020451, REGD. OFFICE : H-3/2, MIDC A-ROAD, BOISAR, DIST. - PALGHAR - 401 506 (MAH.)

accepted citing non-provision of lock & key arrangement. We therefore deny any liability of being responsible for paying any environmental compensation for such extended period. We have already submitted our statement on number of days of calculation in TIMA's objection dated 29.12.2020.

- 3) To our shock and surprise, without giving us any opportunity of responding or hearing a new case of violation has been reported and added against our unit as per the revised Table produced at Annexure I of the Committee's Response dated 12/08/2021 and a fresh penalty is imposed. This amounts to worsening off case of our unit which is not permissible in the eyes of law.
- 4) Without prejudice, we submit that the alleged new violation is based on MPCB visit dated 01/12/2018, for which no JVS sample or analysis report is shared with us at any point of time. Once again the alleged violation is based on the matter which is not related to the water pollution. As per our Consent to Operate, we were under obligation of connecting to the CETP (TEPS) server and the data recorded in the said servers clearly indicated effluent levels on all parameters were below the consented norms. We also collected the effluent sample for 01/12/2018 and got the same tested through MoEF certified laboratory. The Reports are duly submitted to MPCB on 07/12/2018, much before the alleged second closure notice was issued.
- 5) There are allegedly two reasons stated for the second closure directions dated 24/12/2018: - (a) High COD – 1520 (b) Industry not connected with MPCB server. Both the cited reasons are false and baseless.
- 6) As earlier submitted, as per our consent to operate, we were

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 EMAIL : enquiries@siyaram.com, WEBSITE : www.siyaram.com. CIN : L17116MH1978PLC020451, REGD. OFFICE : H-3/2, MIDC A-ROAD, BOISAR, DIST. - PALGHAR - 401 506 (MAH.)

connected with server of CETP. Our industry does not fall in 17 categories of industries which were required to be connected to the MPCB server as per the then applicable rules. Alleged high COD levels stated in Closure Notice are false and not admitted by our unit. JVS Report dated 01/12/2018 has never been shared with us. We therefore collected the COD levels from different sources which are as under As per our Online Monitoring System –

Our own data logger showed less than 250 ppm, which matched with TEPS server data

MoEF approved laboratory test results showed 195 ppm which is also below consented norms.

- 7) Our unit accordingly submitted above details and replied to MPCB's alleged closure notice vide letter dated 25/12/2018, which is produced herewith and marked as **Annexure A**. Hence we deny any alleged violation for the said date. Committee has blindly incorporated the details in the Report given by MPCB to impose a heavier penalty on our unit, without any verification thereof.
- 8) The aforesaid details were also verified vide Inspection Report dated 01/01/2019 (**Annexure B**) and further vide MPCB Data Report dated 25/02/2019. Despite this arbitrarily 24.06.2019 is considered as date of compliance without any details or justification.
- 9) Our unit has all the data and records with us to defend this alleged reported violation. Yet our unit is being penalized at the whims and wishes of MPCB which is against principles of natural justice.
- 10) Amounts of BG forfeited have not been factored in while arriving at alleged penalty costs. This amounts to double jeopardy and our unit has been penalized twice for the same alleged violation.

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EMAIL : enquiries@siyaram.com, WEBSITE : www.siyaram.com. CIN : L17116MH1978PLC020451, REGD. OFFICE : H-3/2, MIDC A-ROAD, BOISAR, DIST. - PALGHAR - 401 506 (MAH.)

- 11) We were not called by the Committee for personal hearing.
- 12) We are further surprised as to how penalty amount in our case has substantially enhanced from earlier amount of Rs.87.962 lacs to revised amount of Rs.208.612 lacs, which is an **increase of about 120.650 Lacs without granting us any opportunity of hearing whatsoever.**

In view of our above statement and details of objection and also considering larger issues/ objections placed by our industry association namely Tarapur Industrial Manufacturers Association (TIMA), we deny liability as stated against our unit in the Revised Expert Committee Report dated 12th Aug 2021. We urge this Hon'ble Court to re-examine the Expert Committee Report after verifying true and correct facts of the case, granting us opportunity of hearing (personally or through our counsels) and pass appropriate directions in the interest of justice, equity and good conscience.

Date: 01.09.2021

Place: PALGHAR

For Siyaram Silk Mills Ltd. Processing Division



Authorized Signatory

Authorized Signatory

For, Siyaram Silk Mills Ltd

SIYARAM SILK MILLS LTD.

CORPORATE OFFICE : B-5, TRADE WORLD, KAMALA MILLS COMPOUND, SENAPATI BAPAT MARG, LOWER PAREL (W), MUMBAI - 400 013 (INDIA) PHONE : 3040 0500,
EMAIL : enquiries@siyaram.com, WEBSITE : www.siyaram.com, CIN : L17116MH1978PLC020451, REGD. OFFICE : H-3/2, MIDC A-ROAD, BOISAR, DIST. - PALGHAR - 401 506 (MAH.)

Siyaram's
PREMIUM SUITINGS & SHIRTINGS

Factory Address: - Plot No. H-3/1 & H-3/2 MIDC – Tarapur –Boisar, Tal &Dist- Palghar.

Date: - 25.12.2018

To,
The Member Secretary,
Maharashtra Pollution Control Board,
Sion Mumbai – 400 022

Subject: - Directions under section 33A of Water (Prevention and Control of Pollution Act 1974) & 31A of Air (Prevention and Control of Pollution) Act 1981.

Reference: - Letter No. MPCB/ROT/CD/2211 dated 24/12/2018 from Regional Officer, MPCB Thane.

Respected Sir,

We have received your letter number MPCB/ROT/CD/2211 dated 24/12/2018 on 24/12/2018 at 5.00 pm. As per the directions we are voluntary closing our production activity within 72 hours, though we are extremely surprised with the sudden action by MPCB.

We are also surprised to note that while MPCB wants us to close down safely within 72 hours taking all measures for safe closer, MSEDCL and MIDC authorities have been directed to close down power and water supply within 24 hrs.! Suddenly S.E. MSEDCL, Mini Circle Palghar issued us notice under reference number SE/PLG-S/Tech/HT/4648 dated 24/12/2018 to disconnect power in 24 Hours, which was received on 24/12/2018 at 6.02 PM. All this contradiction leads to severe complication as ours is wet process and the material in pipe line will just be of nil value reflecting the unbearable loss.

As per the directions we have stopped feeding of fresh material in the process line immediately. The material in pipeline is being processed shall be completed by 24/12/2018 evening hence request MSEDCL & MIDC do not go for disconnection of Power & Water so to avoid damage to the product and machinery.

In view of our taking steps to close down the activities as per directions, we have sent intimation letter to Regional Officer, MPCB Thane by mail, with a request not to disconnect water and power supply of our unit by MSEDCL and MIDC. (copy attached).

SIYARAM SILK MILLS LIMITED

CORPORATE OFFICE : B-5, TRADE WORLD, KAMALA MILLS COMPOUND, SENAPATI BAPAT MARG, LOWER PAREL(W), MUMBAI - 400 013 (INDIA). PHONE : 3040 0500, FAX : 3040 0599

EMAIL : enquiries@siyaram.com, WEBSITE : www.siyaram.com, CIN : L17116MH1978PLC020451, REGISTERED OFFICE : H-3/2, MIDC A-ROAD, TARAPUR, BOISAR, THANE - 401 506 (MAH).

Yashraj
21/12/2018
MAHARASHTRA POLLUTION CONTROL BOARD
Kalpataru Point, 3rd Floor, E-10, C-10
Opp. Cines Plaza, Clifton Circle,
Mumbai 400 022.
Tel: 24080433/2420281

Water supply and power supply will also be required for carrying out necessary cleanup and maintenance work of the plant. It is also necessary for safety reason & supply of drinking water facility to the workers and the staff during the closure. We are therefore requesting your honour to kindly withhold the disconnection of water & power supply and issue necessary instructions to MSEDCL and MIDC authorities, immediately.

Regarding the directions issued by Regional Officer, MPCB, Thane, we will like to submit as under,

The closure direction is based on the joint visit report of MPCB officials to our plant on 1st December 2018, for following reasons

1. Online system not connected to MPCB server
2. COD of sample collected during visit being 1520 mg/l

Regarding the reasons for the closure direction, we will like to submit as below,

1. The joint inspection report is reproduced as below,

JOINT INSPECTION REPORT

DATE: 01.12.2018

Name of Industry :- M/s. Siyaram Silk Mills Ltd. H-3/1 & H-3/2, MIDC, Boisar, Tarapur.

Person contacted :- Mr. Kuber Mankapure, Chief Engineer. 8668397955

Consent Status :- Valid up to 31/01/2022

Observation :-

1. Industry has engaged in textile Processing.
2. Industry has provided Pr & Sec & tertiary ETP & same was found in operation
3. As per earlier consent condition industry has provided on line meter for PH, COD, BOD, TSS & Flow meter at discharge & same was not connected to MPCB server.
4. Industry has recycle & reuse treated effluent 50% in process only.
5. Industry has submitted Form No. 4 & 5
6. Industry has submitted B.G. of 5.0 Lacs against earlier consent condition.
7. Lock & Key arrangement provided at discharge point.
8. H.W. disposal on 24.11.2018 (ETP Sludge 10.630 MT)
9. Sample of ETP O/L collected

Sd/-
(G. S. PAWAR)
F.O.

Sd/-
(M. R. THAKUR)
F.O.

Sd/-
(SACHINE ADAKAR)
S.R.O.

Sd/-
(SUJIT DHOLONE)
S.R.O.

Sd/-
KUBER MANKAPURE)-CHIEF ENGINEER

SIYARAM SILK MILLS LIMITED

2. With reference to the remarks in joint inspection report, we have submitted a clarification letter to SRO, MPCB, Tarapur with a copy to RO, MPCB Thane vide our letter dated 7th Dec 2018. (Copy attached for ready reference).
3. We had clarified about the connectivity to MPCB server, that as per MPCB letter dated 6th April 2016, we have connected the online monitoring system to TEPS, and not to MPCB as we are not falling in 17 category of industries. We had also requested MPCB authorities to advise us on this issue vide our earlier letter dated 20th August 2018. (Copy attached for ready reference).
4. We have communicated the reports of the online monitoring system recorded in the system on the date of joint visit. The pH (6.14), COD (177 mg/l), and BOD (53 mg/l) were within the prescribed limit.
5. We had also got the sample collected at the time of visit from a MoEF approved laboratory and communicated the results thereof, which were also within the limit. The pH (7.10), COD (195 mg/l), and BOD (62 mg/l) were within the prescribed limit. (Copy attached for ready reference).
6. We have connected our unit under SCADA directions from MPCB to CETP (TEPS). Copy of data reported to TEPS online has been obtained from TEPS, for the date of visit and attached herewith for ready reference. The results are within the prescribed limit.
7. We have provided a full-fledged effluent treatment system comprising of primary, secondary and tertiary treatment units.
8. The inlet COD being around 1100 to 1300 mg/l from a textile industry, outlet COD is not expected to be 1520 mg/l. We are carrying out self-monitoring of our treated effluent from a MoEF approved laboratory at regular interval.

The monthly inlet & outlet self-Monitoring report by MoEF approved laboratory are as under

<i>Date of sampling</i>	<i>INLET to ETP</i>		<i>OUTLET from ETP</i>	
	<i>COD</i>	<i>BOD</i>	<i>COD</i>	<i>BOD</i>
<i>July 2018</i>	<i>1120</i>	<i>572</i>	<i>196.2</i>	<i>78</i>
<i>Aug 2018</i>	<i>1295</i>	<i>435</i>	<i>208</i>	<i>86</i>
<i>Sept 2018</i>	<i>1310</i>	<i>440</i>	<i>198</i>	<i>76</i>
<i>Oct 2018</i>	<i>1245</i>	<i>620</i>	<i>172</i>	<i>64</i>
<i>Nov 2018</i>	<i>1240</i>	<i>740</i>	<i>180</i>	<i>62</i>
<i>Dec 2018</i>	<i>1124</i>	<i>360</i>	<i>162</i>	<i>57</i>

Copies of a few reports of MoEF approved laboratory are attached for ready reference.

SIYARAM SILK MILLS LIMITED

9. The online system, which generates report at every 5 minutes' interval, has also not shown any abnormal results.

We are also carrying out in house for ETP operational control. No abnormality has been observed in month of Dec-2018.

10. The JVS report dated 1st December 2018, has not been received by us till date.

11. The COD of 1520 mg/l as mentioned in the direction has come to us as a shock. There is a need to recheck the report of COD by MPCB laboratory.

12. We will like to submit, without prejudice, that Even after observing COD of 1520 the authorities should have granted us personal hearing or clarification in view of our submission dated 7/12/2018 regarding online analysis report and reports of MOEF approved laboratory or may have rechecked the sample to have fair justice with our unit in the era of EoDB (Ease of Doing Business). However, this opportunity is denied

13. The Local office of MPCB is regularly visiting our plant. They are aware of the systems we have provided for. The system is connected with TEPS. All earlier directions are complied with. But by taking such action in the given circumstances is act of denying the justice.

14. Moreover, we are major investors in Maharashtra. We are always cooperating with GoM and doing investment as per directions of Hon. C M Sir in Vidarbha. With such abrupt action we feel sad and it will affect the policy decisions of our group. Even it passes ill message to all concerned.

We will further like to submit that, we as a responsible entrepreneur, have faithfully complied with various directions issued by MPCB, in view of NGT and CETP matter, regarding

- i) ETP up gradation,
- ii) SCADA system for CETP,
- iii) Reducing net effluent discharge to CETP by 40%,
- iv) Providing positive discharge to MIDC sewerage, etc.
- v) We have taken up work of up gradation of ETP at the cost of Rs. 12 crore
- vi) We have also paid our full contribution of Rs. 2.5 crore for CETP expansion project.

SIYARAM SILK MILLS LIMITED

We are providing direct employment to 1000 workers. There equivalent number of unprotected indirect workers depending on our operation. A sudden closure will affect their livelihood and economy.

In view of above, you are requested to give us an opportunity for personal hearing to explain the action taken by us in last few years in detail and to withdraw the closure direction.

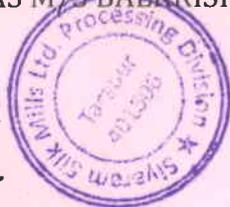
Thanking you in anticipation,

Yours Truly,

For **M/S. SIYARAM SILK MILLS LTD.**

(FORMARLY KNOWN AS M/S BALKRISHNA SYNTHETICS LTD.)


Authorized Signatory



Copy Submitted to: -

1. Joint Director (Water) MPCB, Sion
2. Regional Officer, MPCB Thane.
3. Sub-Regional Officer M.P.C. Board, Tarapur-I

DA:

1. Our submission Reply dated 7/12/2018 submitted to RO Thane and SRO Tarapur-I
2. Report of MOEF approved Lab dated 6/12/2018 showing **BOD 62 COD 195**
3. Board Circular issued by AST MPCB under reference Number MPCB/AST/TB/B-1474 dated 06/04/2016
4. Our reply dated 20-08-2018 regarding online monitoring to MPCB server
5. ONLINE report of TEPS for 1st December 2018
6. Self-monitoring of our treated effluent from a MoEF approved laboratory
7. Self-monitoring in-house Inlet and outlet parameter report of month of Dec-2018.

SIYARAM SILK MILLS LIMITED

MAHARASHTRA POLLUTION CONTROL BOARD

Sub-Regional Office- Tarapur-I

Tel: 02525-273314		M.I.D.C. Office Compound
Fax: NA		Near Chitralaya, (Boisar)
Website: http://mpcb.gov.in		Tarapur,
E-mail: srotapur1@mpcb.gov.in		Tal. Dist. Palghar- 401504

INSPECTION REPORT

- Date - 01/01/2019
1. Name & Address of the Industry :- M/s. Suyaram Sule and Co Ltd.,
plot No. H- 3/1 & 3/2, MIDC Tarapur
Tal. & Dist. Palghar
2. Industry Representative :- Mr. Armit Agarwal
3. Consent Status :- 31/01/2022.
4. Water consumption M³/d :- Dom. - , Indl. - , Cooling:
Gardening:
5. Effluent Generation M³/d :- Dom.: Indl.:

Observation:

- ① During visit industry was in operation.
- ② Provided ETP consisting of primary, secondary & Tertiary treatment plant.
- ③ Provided online monitoring system of same is connected to CGP.
- ④ Provided single discharge point with sampling point.
- ⑤ Provided 18, 10 TPH coal fired boiler with multi cyclone dust collector & coal fired thermopack with wet scrubber.
- ⑥ As per Board letter no. 3639 dtd. 28/12/2018 MIDC & MS&CO has restored water & power supply.


(Armit Agarwal)
Ind. Rep.


(N.P. Patel)
F.O.

MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL LABORATORY, THANE



Tel. No. (0253) 25820423
Fax No. (0253) 25805390
Web site: <http://mpcb.gov.in>
Email: mpclthanelab@mpcb.gov.in

Office Complex Bldg.
5th, Floor, Wagle Estate.
Near Mulund Check Naka.
Thane - 400 604.

ANALYSIS REPORT

MPCB/RLT/JVS/ 2 -

Date: 8/4/2019

Sub Regional Officer, Tarapur -I

Sample Collected By: N.P.Patil (FO)

Lab Report No. J - 1199

Sample Collection Date: 25/02/2019

Sample Code No. SROTR - I/JVS/ 1889

Sample Acceptance Date: 26/02/2019

Seal No. 221

Industry Type: Textile.

Particulars	Result
pH	7.0
BOD	65.0
COD	216.0
Suspended Solids	16.0
Oil & Grease	BDL
T.D.S.	1345.0
TAN	1.2
TRC	BDL
Detergent	BDL

- Note : 1) All results are expressed in mg/Lit except pH.
2) N.A. indicates Not Analysed.
3) BDL indicates Below Detectable Level.
4) N.D. Indicates Not Detectable.

M/s. Sivarani Silk Mills Ltd.,
H-3/1, MIDC Tarapur
(ETP outlet leading to
MIDC chamber)

B.S. Gadhari
(B.S. Gadhari) 4.4.19
Scientific Officer,
I/C Regional Laboratory, Thane



ISO 9001: 2015 & OHSAS 18001: 2007 Certified



MAHARASHTRA POLLUTION CONTROL BOARD

Sub-Regional Office- Tarapur-I

Tel: 02525-273314		M.I.D.C. Office Compound
Fax: NA		Near Chitralaya, (Boisar)
Website: http://mpcb.gov.in		Tarapur,
E-mail: srotarapur1@mpcb.gov.in		Tal. Dist. Palghar- 401504

INSPECTION REPORT

1. Name & Address of the Industry

Date - 25/02/2019
 :- M/s. Siyaram Sulfur Mills Ltd.,
 Plot No. H-311, MSEC Tarapur,
 Tal. & Dist. Palghar

2. Industry Representative

:- Mr. Manish Sane

3. Consent Status

:- 31/01/2022

4. Water consumption M³/d

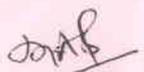
:- Dom. - 100.0, Indl. - 2400.0, Cooling: 100.0
 Gardening: Nil

5. Effluent Generation M³/d

:- Dom.: 90.0 Indl.: 2000

Observation:

- ① During visit industry was in operation.
- ② Engaged in major activity of yarn activity.
- ③ Provided ETP consisting of primary, secondary & tertiary treatment plant.
- ④ Provided single discharge point with online monitoring system at ETP outlet.
- ⑤ TWS sample collected from ETP outlet leading to MSE chamber.
- ⑥ The work of New ETP is in progress.
- ⑦ Last H.W. disposed on 06/02/2019 ETP Sludge 12530 kg
- ⑧ Provided coal fired boiler fuel boilers with multi-cyclone dust collector & Heber make coal fired with wet scrubber


 (Mr. Manish Sane)

Ind. Rep.


 (N.P. Patil)
 F.O.

Date – 19th August 2021
Siyaram Plot Number H-3/1 & 2

To,
The Sub Regional Officer I
Maharashtra Pollution Control Board,
MIDC Tarapur- Boisar

Sub – Visit Report Dated 25th Feb 2019
Request to give JVS Report under seal and signature of your office

Dear Sir,

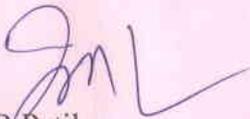
Please find enclosed herewith the copy of visit report dated 25/2/2019.

During this visit you have collected JVS Sample from ETP Outlet.
We have collected the report data from your office as under

Visit Dated	25/2/2019	
pH	7	
BOD	65	
COD	216	
SS	16	
TAN	1.2	
O & G	BDL	
TRC	BDL	
Detergent	BDL	

We request you to please give us above report under your seal and signature

Thanking you
Yours faithfully,
For Siyaram Silk Mills Limited


R B Patil
Authorized Signatory

Encl – as above

Recd
[Signature]
20/8/21

उप प्रादेशिक कार्यालय
म. प्र. नि. मंडळ,
एम.आय.डी.सी. कार्यालय परिसर,
तारापूर - ४०१ ५०४.
ता. पालघर. जि. ठाणे