

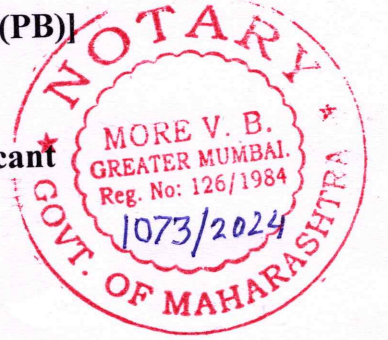
BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE

Original Application No.151/2024 (WZ)

[Earlier Original Application No.361/2024(PB)]

Mukesh Kumar

---Applicant



Vs

Maharashtra Pollution Control Board & Ors

---Respondents

**Affidavit on behalf of Maharashtra Pollution Control Board i.e.
Respondent No.1**

I, Kishor A Kerlikar, Aged -Adult, Occupation-Service, the sub Regional Officer, Mumbai-2, of the Maharashtra Pollution Control Board at Mumbai, having Office address at Kalpataru Point, 2nd Floor, Sion-Matunga Scheme Road No.8, Near Sion Circle, Sion (East), Mumbai-400 022, do hereby state on solemn affirmation as under :-

1. I am filing this affidavit in compliance of the Order dated 8/11/2024 passed by this Hon'ble NGT, WZ, Pune.
2. I say and submit that earlier the Principal Bench of this Hon'ble NGT at New Delhi has taken cognizance of the Letter Petition dated 22/2/2024 made by the Applicant and registered the same as Original Application No.361/2024. The Applicant alleged that

[Handwritten Signature]

there is acid mixing facility operating in Keytuo Industrial Estate, Andheri (East), Mumbai and thereby causing pollution in the nearby area.

3. In the aforesaid matter, the Hon'ble NGT, Principal Bench, New Delhi vide Order dated 1/7/2024 constituted a Joint Committee consisting of the Maharashtra Pollution Control Board (MPCB), Central Pollution Control Board (CPCB), District Magistrate/Collector, Andheri (East), Mumbai and representative of Additional Chief Secretary, Department of Environment with a direction to visit the site, collect relevant information and submit factual report with the Registrar Western Zone, Pune of this Tribunal and accordingly the matter was transferred to the Western Zonal Bench of this Hon'ble NGT at Pune, which is now registered as Original Application No.151/2024 (WZ).
4. I say and submit that in compliance of the Order dated 1/7/2024, the Joint Committee has filed its report before the Hon'ble NGT, WZ, Pune on 7/11/2024, which was taken on record.
5. I say and submit that the Respondent Board has issued renewal of Consent to Operate to M/s. Bright Star Chemicals, Keytuo Chem Compound, Kondivaita Lane, A. K. Road, Andheri (East), Mumbai vide letter dtd. 15/7/2021 for repacking of Hydrochloric Acid and Sulphuric Acid (only fresh Acids without spent acid) which is valid upto 30/4/2026, subject to certain terms and

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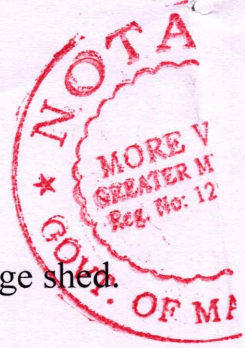
conditions. A copy of the Consent to Operate dated 15/7/2021 is enclosed herewith and marked as an **Annexure-‘I’**.



6. I say and submit that the Officials of the Respondent Board at Mumbai visited to the site of M/s.Bright Star Chemicals on 4/9/2024 and observed as under :-

- (i) Industry is not generating any type of industrial effluent and any type of hazardous waste. Only repacking activities are carried out at the site.
- (ii) Acid fumes were noticed emitting into the environment from the storage material.
- (iii) Acid Carboys are stored in open space from which smell nuisance is generated in the nearby area.
- (iv) No acid proof tiles provided for storage area. No dyke wall provided.
- (v) Proper arrangement i.e. scrubber is not installed at transfer point of the material.
- (vi) No pumps are used for loading-unloading. It is (Acids) transferred through pipes by gravity.
- (vii) No provision is made for collection of spillage.

[Handwritten signature]



(viii) Failed to provide exhaust system to storage shed.

(ix) Adjacent structure found rusted etc.

A copy of the visit report dated 4/9/2024 is enclosed herewith and marked as an **Annexure-‘II’**

7. I say and submit that in view of the above non-compliances, the Respondent Board has issued Proposed Directions to M/s.Bright Star Chemicals vide letter dated 5/9/2024. A copy of the Proposed Directions dated 5/9/2024 is enclosed herewith and marked as an **Annexure- ‘III’**.
8. I say and submit that in response to the Proposed Directions dtd.5/9/2024, M/s.Bright Star Chemicals has submitted its replies dated 13/9/2024 and 5/11/2024. In the interest of natural justice, the Respondent Board has extended personal hearing to the said industry on 6/11/2024. During the course of hearing, the industry submitted that they have voluntarily closed down their unit/activity in the month of October, 2024 due to financial constraints/operating unit is economically non-viable. Considering the submissions of M/s.Bright Star Chemicals. As decided during the course of hearing, the Respondent Board has issued Closure Directions vide letter dated 22/11/2024 to M/s.Bright Star Chemicals and directed not to start any activity without necessary prior permission from the Competent



Authorities. A copy of the Closure Directions dated 22/11/2024 is enclosed herewith and marked as an Annexure-‘IV’.

9. I say and submit that pursuant to the Closure Directions dated 22/11/2024, the Respondent Board vide letter dated 29/11/2024 has revoked Consent to Operate dated 15/7/2021. A copy of the revocation of Consent to Operate letter dated 29/11/2024 is enclosed herewith and marked as an Annexure-‘V’.

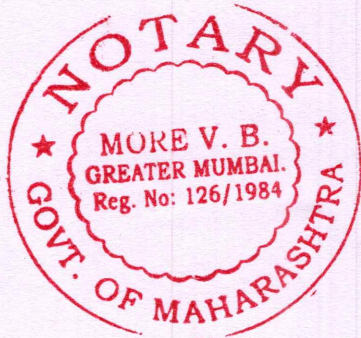
9 1 DEC 2024

Solemnly affirmed on this day of December, 2024 at Mumbai.

For and on behalf of Maharashtra
Pollution Control Board,

(Kishor A Kerlikar)
Sub Regional Officer,
Mumbai-2

**Sub Regional Officer
M.P.C. Board, Mumbai-2**



BEFORE ME
BEFORE ME
11-12-2024
VASANT B. MORE
Notary Gr. Mumbai
7, Vijaya Sadan, Flat No. 304,
Above Axis Bank,
Sion West, Mumbai-400022

REGISTER Sr. No 1073/2024



MAHARASHTRA POLLUTION CONTROL BOARD

Phone : (022) - 24016239

Fax : (022)- 24015269

Email : romumbai@mpcb.gov.in

Visit At : <http://mpcb.gov.in>



Regional Office, Mumbai,
Kalpataru Point, 1st Floor, Sion Circle,

Sion (E), Mumbai- 400 022

Cat (Red)/Scale (SSI)

Consent No: Format 1.0/BO/RO -Mumbai/UAN No.112473/R-2107000917 Date 5/07/2021

To,
M/s. Bright Star Chemicals,
Ketuo Chem Compaund, Kondivaita Lane,
A K Road, Andheri (E), Mumbai - 400 059

Sub: - Renewal of consent to Operate under Red Category.

Reference: 1. Consent No. ROMUMBAI/CONSENT/1810000171, dtd., 04.10.2018
2. Application vide UAN No 0000112473

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

1. The Consent to Operate is valid up to - 30.04.2026.
2. Capital investment as per CA Certificate- Rs. 20/- lakhs.
3. The Consent is valid for the manufacture of -

Sr No	Product / By-Product Name	Maximum Quantity	UOM
1.	Repacking of Hydrochloric Acid & Sulphuric acid (Only Fresh acids, without spent acid)	As per order	-

4. Conditions under Water(P&CP),1974Actfordischargeof effluent:

Sr No	Description	Permitted (in CMD)	Standards to	Disposal Path
1.	Trade effluent	Nil	As per Schedule-I	--
2.	Domestic effluent	01.50	As per Schedule-I	MCGM Drain

5. Conditions under Air(P&CP)Act,1981forairemissions:

Sr No.	Stack No.	Description of stack / source	Number of Stack	Standards to be achieved
1.	S1	Nil	-	As per Annexure-II

M/s. Bright Star Chemicals /RO-Mumbai/UAN No. 0000112473

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O/K

6. Non-Hazardous Wastes:

Sr No	Type of Waste	Quantity	UoM	Treatment	Disposal
1	Nil	-	--	--	--

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

Sr No	Category No./ Type	Quantity	UoM	Treatment	Disposal
1.	Nil	--	--	--	--

8. Conditions under Batteries (Management & Handling) Rules, 2001:

Sr No	Type of Waste	Quantity	UoM	Disposal Path
				Nil

9. Conditions under E-Waste Management: (Not Applicable)

Sr No	Type of Waste	Quantity	UoM	Disposal Path
				Nil

10. Treatment and Disposal of Biomedical Waste generated to CBMWTSDF: (Not Applicable)

Sr.No	Category	Type of Waste	Quantity not to exceed (Kg/M)	Segregation Color coding	Treatment & Disposal
					Nil

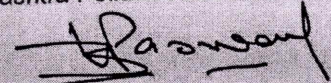
11. The Board reserves the right to review, amend, suspend, revoke etc. this consent and the same shall be binding on the industry.

12. Industry shall comply with the conditions of Restart Orders issued vide dtd 18.02.2021

13. This consent should not be construed as exemption from obtaining necessary NOC/permission from any other Government authorities.

14. The applicant shall make an application for renewal of consent to operate 60 days prior to the date of expiry of the consent.

For and on behalf of the
Maharashtra Pollution Control Board



(Satish Padwal)
I/c, Regional Officer, Mumbai

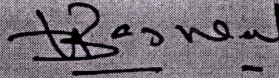
Received Consent fee of -

Sl. No.	Amount (Rs)	Transaction No.	Date	Mode of Payment
1.	7,500/-	TXN2104000906	10.04.2021	Online transfer

Copy to:

1. The Assistant Secretary (Technical), Mumbai,
2. Sub-Regional Officer -Mumbai-II
- They are directed to ensure the compliance of the consent conditions
3. Chief Accounts Officer, MPCB, Mumbai.

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SCHEDULE-I

Terms & conditions for compliance of Water Pollution Control:

1. Industrial effluent: -
 - a. Industrial effluent generation and details of the treatment installed (Primary followed by tertiary treatment) – Nil

2. Domestic water: -
 - a. Details of the domestic water generation and treatment system provided- 01.50 CMD treatment system septic tank and Soak Pit.
 - b. Treatment and parameters

Suspended Solids	Not to exceed	100	mg/l.
BOD 3 days 27° C.	Not to exceed	30	mg/l.
 - c. Treated industrial waste water disposal details (CETP/Secondary treatment/Soak pit/overflow sewerage system provided by MCGM)

3. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant shall obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system and or extension or addition thereto.

4. The industry shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.

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

Sl. No.	Purpose for water consumed	Water consumption quantity (litres)
1.	Industrial Cooling, spraying in mine pits or boiler feed	00.00
2.	Domestic purpose	02.00
3.	Processing whereby water gets polluted & pollutants are easily biodegradable	00.10
4.	Processing whereby water gets polluted & pollutants are not easily biodegradable and are toxic	00.00
5.	Others: i) Gardening	00.00

Water used for Gardening should be treated effluent/sewage.

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

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

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

Sr. No.	Stack Attached To	APC System	Height in Mtrs.	Type of Fuel	Quantity & UoV	SO ₂ Kg/Day
1	Nil	--	--	--	--	--

2. The applicant shall operate and maintain above mentioned air pollution control system, so as to achieve the level of pollutants to the following standards:

Particulate matter	Not to exceed	150 mg/Nm ³
SO ₂ Process	Not to exceed	NA

3. Standards for Ambient Air Quality (AAQ)

PM _{2.5}	Not to exceed	60 µg/NM ³
PM ₁₀	Not to exceed	100 µg/NM ³
SO ₂	Not to exceed	80 µg/NM ³
NO _x	Not to exceed	80 µg/NM ³
Acid Mist	Not to exceed	35 µg/NM ³

4. The applicant shall provide specific Air Pollution control equipment's as per the conditions of EP Act, 1986 and rule made there under from time to time/Environmental Clearance/CREP guidelines.
5. The Applicant shall obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement well before its life come to an end or erection of new pollution control equipment.
6. The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).

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SCHEDULE-III**Details of Bank Guarantees:**

Sr. No	Consent (C2R)	Amt of BG Imposed	Submission Period	Purpose of BG	Compliance Period	Validity Date
1.	Consent to Operate	10,000	15 days	Compliance of consent to conditions	Continuous	31.08.2026

(Existing to be extended)

BG Forfeiture History

Srno	Consent (C2E)	Amount of BG imposed	Submission Period	Purpose of BG	Amount of BG Forfeiture	Reason of BG Forfeiture
NA						

BG Return details

Srno	Consent(C2E)	BG imposed	Purpose of BG	Amount of BG Returned
NA				

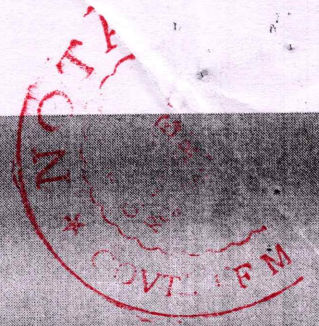
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SCHEDULE-IV

General Conditions:

1. The Energy source for lighting purpose shall preferably be LED based
2. The PP shall harvest rainwater from roof tops of the buildings and storm water drains to recharge the ground water and utilize the same for different industrial applications within the plant
3. Conditions for D.G. Set
 - a. Noise from the D.G. Set should be controlled by providing an acoustic enclosure or by treating the room acoustically.
 - b. Industry should provide acoustic enclosure for control of noise. The acoustic enclosure/ acoustic treatment of the room should be designed for minimum 25 dB (A) insertion loss or for meeting the ambient noise standards, whichever is on higher side. A suitable exhaust muffler with insertion loss of 25 dB (A) shall also be provided. The measurement of insertion loss will be done at different points at 0.5 meters from acoustic enclosure/room and then average.
 - c. Industry should make efforts to bring down noise level due to DG set, outside industrial premises, within ambient noise requirements by proper siting and control measures.
 - d. Installation of DG Set must be strictly in compliance with recommendations of DG Set manufacturer.
 - e. A proper routine and preventive maintenance procedure for DG set should be set and followed in consultation with the DG manufacturer which would help to prevent noise levels of DG set from deteriorating with use.
 - f. D.G. Set shall be operated only in case of power failure.
 - g. The applicant should not cause any nuisance in the surrounding area due to operation of D.G. Set.
 - h. The applicant shall comply with the notification of MoEFCC, India on Environment (Protection) second Amendment Rules vide GSR 371(E) dated 17.05.2002 and its amendments regarding noise limit for generator sets run with diesel.
4. The applicant shall maintain good housekeeping.
5. The non-hazardous solid waste arising in the factory premises, sweepings, etc. be disposed of scientifically so as not to cause any nuisance / pollution. The applicant shall take necessary permissions from civic authorities for disposal of solid waste.
6. The applicant shall not change or alter the quantity, quality, the rate of discharge, temperature or the mode of the effluent/emissions or hazardous wastes or control equipments provided for without previous written permission of the Board. The industry will not carry out any activity, for which this consent has not been granted/without prior consent of the Board.
7. The industry shall ensure that fugitive emissions from the activity are controlled so as to maintain clean and safe environment in and around the factory premises.
8. The industry shall submit quarterly statement in respect of industries obligation towards consent and pollution control compliance's duly supported with documentary evidences (format can be downloaded from MPCB official site).
9. The industry shall submit official e-mail address and any change will be duly informed to the MPCB.

10. The industry shall achieve the National Ambient Air Quality standards prescribed vide Government of India, Notification No. B-29016/20/90/PCI-L dated. 18.11.2009 as amended.
11. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant shall obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or an extension or addition thereto.
12. The industry shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.
13. The PP shall provide personal protection equipment as per norms of Factory Act
14. Industry should monitor effluent quality, stack emissions and ambient air quality monthly/quarterly.
15. Whenever due to any accident or other unforeseen act or even, such emissions occur or is apprehended to occur in excess of standards laid down, such information shall be forthwith Reported to Board, concerned Police Station, office of Directorate of Health Services, Department of Explosives, Inspectorate of Factories and Local Body. In case of failure of pollution control equipment, the production process connected to it shall be stopped.
16. The applicant shall provide an alternate electric power source sufficient to operate all pollution control facilities installed to maintain compliance with the terms and conditions of the consent. In the absence, the applicant shall stop, reduce or otherwise, control production to abide by terms and conditions of this consent.
17. The industry shall recycle/reprocess/reuse/recover Hazardous Waste as per the provision contain in the Hazardous and Other Wastes (M & TM) Rules 2016, which can be recycled /processed /reused /recovered and only waste which has to be incinerated shall go to incineration and waste which can be used for land filling and cannot be recycled/reprocessed etc. should go for that purpose, in order to reduce load on incineration and landfill site/environment.
18. An inspection book shall be opened and made available to the Board's officers during their visit to the applicant.
19. Industry shall strictly comply with the Water (P&CP) Act, 1974, Air (P&CP) Act, 1981 and Environmental Protection Act, 1986 and industry specific standard under EP Rules 1986 which are available on MPCB website (www.mpcb.gov.in).
20. Separate drainage system shall be provided for collection of trade and sewage effluents. Terminal manholes shall be provided at the end of the collection system with arrangement for measuring the flow. No effluent shall be admitted in the pipes/sewers downstream of the terminal manholes. No effluent shall find its way other than in designed and provided collection system.
21. Neither storm water nor discharge from other premises shall be allowed to mix with the effluents from the factory.
22. The industry should not cause any nuisance in surrounding area.
23. The industry shall take adequate measures for control of noise levels from its own sources within the premises so as to maintain ambient air quality standard in respect of noise to less than 75 dB (A) during day time and 70 dB (A) during night time. Day time is reckoned in between 6 a.m. and 10 p.m. and night time is reckoned between 10 p.m. and 6 a.m.



24. The industry shall create the Environmental Cell by appointing an Environmental Engineer, Chemist and Agriculture expert for looking after day to day activities related to Environment and irrigation field where treated effluent is used for irrigation.
25. The applicant shall provide ports in the chimney/(s) and facilities such as ladder, platform etc. for monitoring the air emissions and the same shall be open for inspection to/and for use of the Board's Staff. The chimney(s) vents attached to various sources of emission shall be designated by numbers such as S-1, S-2, etc. and these shall be painted/ displayed to facilitate identification.
26. The industry should comply with the Hazardous and Other Wastes (M & TM) Rules, 2016 and submit the Annual Returns as per Rule 6(5) & 20(2) of Hazardous and Other Wastes (M & TM) Rules, 2016 for the preceding year April to March in Form-IV by 30th June of every year.
27. The applicant shall install a separate meter showing the consumption of energy for operation of domestic and industrial effluent treatment plants and air pollution control system. A register showing consumption of chemicals used for treatment shall be maintained.
28. The applicant shall bring minimum 33% of the available open land under green coverage/ plantation. The applicant shall submit a yearly statement by 30th September every year on available open plot area, number of trees surviving as on 31st March of the year and number of trees planted by September end.
29. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions.
30. The firm shall submit to this office, the 30th day of September every year, the Environment Statement Report for the financial year ending 31st March in the prescribed FORM-V as per the provisions of Rule 14 of the Environment (Protection) (second Amendment) Rules, 1992.
31. The Applicant shall obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement/alteration well before its life come to an end or erection of new pollution control equipment.
32. The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).
33. The applicant shall provide facility for collection of environmental samples and samples of trade and sewage effluents, air emissions and hazardous waste to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf. Consumers or bulk consumers of electrical and electronic equipment listed in Schedule I shall ensure that e-waste generated by them is channelized through collection centre or dealer of authorised producer or dismantler or recycler or through the designated take back service provider of the producer to authorised dismantler ore cycler
34. Bulk consumers of electrical and electronic equipment listed in Schedule I shall maintain records of e-waste generated by them in Form-2 and make such records available for scrutiny by the concerned State Pollution Control Board

35. Consumers or bulk consumers of electrical and electronic equipment listed in Schedule I shall ensure that such end-of-life electrical and electronic equipment are not admixed with e-waste containing radioactive material as covered under the provisions of the Atomic Energy Act, 1962 (33 of 1962) and rules made thereunder;
36. Bulk consumers of electrical and electronic equipment listed in Schedule I shall file annual returns in Form-3, to the concerned State Pollution Control Board on or before the 30th day of June following the financial year to which that return relates. In case of the bulk consumer with multiple offices in a State, one annual return combining information from all the offices shall be filed to the concerned State Pollution Control Board on or before the 30th day of June following the financial year to which that return relates.

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MAHARASHTRA POLLUTION CONTROL BOARD

Sub Regional Office, Mumbai-II

Phone No. 24015269 / 24016239

Visit us at: <http://mpcb.gov.in>Email: sromumbai2@mpcb.gov.in

Kalptaru Point 2nd floor,
Sion Matunga Scheme Road No. 8,
Infant of Sion Cercal, Sion (E),
Mumbai - 400 022.

"Your Service is our Duty"

INSPECTION REPORTDate: 4/9/2024

1. Name & Address of the Industry: m/s Bright Star Chemicals
Kento Chem compound
Kondivaita Lane, AK Rd
Andheri (E) mumb - 59
2. Date of visit : 4/9/2024
3. Industry Representative : ~~Mr~~ Ajay Kumar R. Yadav
9594205810
4. Telephone No./ Mobile e-mail :
5. Validity of consent : 30/4/2028
6. D/C : 2.0 D/E : 1.5 I/C : 0.1 I/E — NIL —
CMD CMD CMD
7. Observations :

→ Red/SSI type of Industry.

→ consent is obtained for repacking of HCl & H₂SO₄ (only fresh acids, without spent acid)

→ Industry is not generated any type of industrial effluent. Also not generating any type of hazardous wastes.

→ Only repacking activities.
No mfg. activities



→ Acid fumes are noticed emitting into environment from the storage material.

→ Acid Carbons are stored in open space from which smell nuisance generating in the nearby area.

→ No acid proof tiles provided for storage area. No dyke wall provided.

→ Proper arrangement viz. scrubber is not installed ~~for~~ at transfer point of the material.

→ No pumps are used for loading ~~unloading~~ unloading. It is (Acids) are transferred through pipes by gravity.

→ No provision is made for collection of spillages.

→ No proper exhaust system provided to ^{Storage} shed.



→ Adjacent structure found rusted.

→ No documents was available at the time of visit.

→ It is instructed to submit the same at the earliest.

~~Devi~~


Ajay Kumar Yadav)
Industry representative

V. Mane

(Vikram mane)
Field officer
MPC Board.

K. Kerkar

(Kishor Kerkar)
SRO Mumbai-2
MPC Board

MAHARASHTRA POLLUTION CONTROL BOARD		
Phone :	(022)- 25505928	 Kalpataru Point, 2 nd floor, Sion- Matunga Scheme Road No. 8, Opp. Cine Planet Cinema, Near Sion Circle, Sion (E), Mumbai - 400 022
Fax :	(022)- 25505926	
Email :	romumbai@mpcb.gov.in	
Visit At :	http://mpcb.gov.in	

"Your Service is our Duty"

No: MPCB/ROM/PD/TB - 2409050002

Date: 09/09/2024

To,
M/s. Bright Star Chemicals,
Ketuo Chem Compound, Kondivita Lane,
A K Road, Andheri(E), Mumbai 400059.

Sub: Proposed directions u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974 31A of the Air (Prevention & Control of Pollution) Act, 1981

Ref: 1. Consent granted by the Board vide dtd 15/07/2021, valid up to 30/04/2026.
2. Visit of Board officials vide dtd. 04/09/2024

WHEREAS, the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 and Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 are applicable to the State of Maharashtra as declared in official gazette.

AND WHEREAS, it is obligatory on your part to obtain Consent from the M. P. C. Board. AND, it is also obligatory on your part to provide adequate Water & Air pollution control arrangements so as achieve the prescribed standards under the Environment Act & Rules and not to cause nuisance of pollution in the surrounding area.

AND WHEREAS, complaint was received against your industry & Board officials has visited your industry vide reference 2 above & reported following non-compliance;

1. During visit, Acidic fumes are noticed emitting into Environment from the storage materials.
2. You have stored acid Carboys in open space from which smell nuisance generating in the nearby area.
3. You have not provided acid proof tiles for storage area and not provided dyke wall.
4. You have not installed ^{proper} arrangement viz. scrubber at transfer point of the material.
5. You have not provided pumps for loading unloading. It is (Acids) transferred through pipes by gravity.
6. You have not provided arrangement for collection of spillages.



..2..

7. You have not provided proper exhaust system to storage shed.
8. Adjacent structure found rusted.
9. No documents were available at the time of visit.

AND WHEREAS, this shows your negligent attitude towards compliance of provision of environmental enactments.

NOW THEREFORE, in exercise of the power confirmed by the Board upon me u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974 & u/s 31A of the Air (Prevention & Control of Pollution) Act, 1981 following proposed direction are issued against your unit as to –

1. Why your existing activity shall not be closed down?
2. Why the competent authorities shall not be directed to disconnect water & electricity supply for closing down activity.
3. Why legal action shall not be initiated against your activity for violations of above Consent conditions

Your reply shall reach this office from the receipt of these directions within a period of 7 days, failing which, appropriate action will be initiated against your industry, which please note.

For and on behalf of
Maharashtra Pollution Control Board

Ravi 5/9/24
(Ravindra B Andhale)
Regional Officer, Mumbai

Copy submitted to:-

1. Asst. Secretary (Tech.), MPC Board, Sion, Mumbai – for information.

Copy to:

- 1) Sub Regional Officer, MPC Board, Mumbai -II
- He is directed to serve copy of direction to industry, take necessary follow-up towards compliance of the direction and submit Action taken report.
- 2) Master File.

MAHARASHTRA POLLUTION CONTROL BOARD
Regional Office, Mumbai

Ph.:- (022) - 24016239

Ph. :- (022) - 24015269

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

e-mail : romumbai@mpcb.gov.in



Regional Office, Mumbai,
Kalpataru Point, 2nd Floor, Sion Circle,
Sion (E), Mumbai- 400 022

No: MPCB/CD/2411220002

Date: 22/11/2024

To,
M/s. BRIGHT STAR CHEMICALS,
KETUO CHEM COMPAUND,
KONDIVITA LANE, Tal. ANDHERI,
Dist. Mumbai Suburban, Mumbai- 400 059.

Sub: Closure Directions under Section 33 (A) of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 31 (A) of the Air (Prevention & Control of Pollution) Act, 1981.

Ref: 1. Proposed directions vide letter dated 05.09.2024.
2. Your reply dated 13.09.2024.
3. Your reply dated 05.11.2024.
4. Personal hearing extended to you on 06/11/2024.
5. Approval received from competent authority on 13.11.2024.

We refer to the proposed directions issued by the Board vide letter dated 5/9/2024, for non-compliance of the provisions of (Water Prevention and Control of Pollution) Act, 1974 and (Air Prevention and Control of Pollution) Act, 1981.

In response to the proposed directions, you have submitted your reply vide letters dated 13/9/2024 & 5/11/2024 followed by personal hearing extended to you on 6/11/2024. During the course of personal hearing, you have submitted that you have voluntarily closed down your unit/activity due to financial constraints / operating unit is economically nonviable. You have also informed that you have closed your acid business as of October 2024.

Considering your submissions, you are hereby directed not to start any activity without necessary prior permissions from the competent authorities. Which Please note.

FOR AND ON THE BEHALF OF
Maharashtra Pollution Control Board

(R.B. Andhale)
Regional Officer, Mumbai.

Copy submitted to:

Regional Officer, (BMW) & Area Co-Ordinator, MPCB, Mumbai.

Copy to:

1. Sub-Regional Officer (Mumbai-III), M.P.C. Board.

- He is directed to ensure that the above direction is served to the industry & all concerned and take necessary follow-up towards compliance of the direction.

MAHARASHTRA POLLUTION CONTROL BOARD

Regional Office, Mumbai

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Kalpataru Point, 2nd Floor, Sion Circle,
Sion (E), Mumbai- 400 022

No: MPCB/ROM/ 241129-FTS-0162

Date: - 29/11/2024

To,
M/s. BRIGHT STAR CHEMICALS,
KETUO CHEM COMPAUND,
KONDIVITA LANE, Tal. ANDHERI,
Dist. Mumbai Suburban, Mumbai- 400 059.

Sub: Directions for revocation of Consent u/s.27 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s.21 of the Air (Prevention & Control of Pollution) Act, 1981.

Ref: 1. Consent to operate granted to you vide dated 15/07/2021
2. Closure notice issued vide letter dated 22/11/2024.
3. Your letter dated 05/11/2024.

WHEREAS, you have been granted consent to Operate vide letter at reference no. 1. under section 25 of the Water (Prevention & Control of Pollution) Act, 1974, section 21 of the Air (Prevention & Control of Pollution) Act, 1981, and Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.

We refer to the closure directions issued by the Board and letter submitted by you wherein you have informed the Board that, you have stopped all your industrial activity.

NOW THEREFORE, your consent to operate is revoked under section 27 of the Water (Prevention & Control of Pollution) Act, 1974 and section 21 of the Air (Prevention & Control of Pollution) Act, 1981

FOR AND ON THE BEHALF OF
Maharashtra Pollution Control Board

(R.B. Andhale)
Regional Officer, Mumbai.

Copy submitted to:
Regional Officer, (BMW) & Area Co-Ordinator, MPCB, Mumbai.

Copy to:
1 Sub-Regional Officer (Mumbai-II), M.P.C. Board.

He is directed to ensure that the above direction is served to the industry & all concerned and take necessary follow-up towards compliance of the direction & submit Action taken report.

