



it under provisions of the Environment (Protection) Act, 1986 declaring that certain class or category of activities or projects specified in the Schedule to the notification, including expansion or modernization of existing activities or projects beyond the specified limits, shall not be undertaken without obtaining prior environment clearance. The activities or projects enlisted in the Schedule are those, which have been identified as having potential impact on the environment. Any person proposing to commence such activity or set up such project as included in the Schedule to Notification is required to make an application to Central Government or State Level Environment Impact Assessment Authority duly constituted by the Central Government for purpose of obtaining prior environmental clearance for the intended activity or project.

For all projects and activities included in Category 'A' in Schedule to the notification, application is to be made to the Central Government, and for all projects and activities included in Category 'B' in the Schedule the application is to be made to the State / Union Environment Impact Assessment Authority.

The present application has been filed by project proponent with a prayer seeking issuance of Direction to Respondents 2 and 3 to grant of Environment Clearance dated 13<sup>th</sup> September 2023 as a regular application expeditiously and not treat the same as per Notification dated 7.7.2021 under violation".

5.0 Some facts, which are not in dispute between the parties and otherwise discernible from contemporaneous official record, are mentioned herein below:

5.1 Applicant desired to set up plant for production of Bleaching clay at its land bearing Survey No. 167, Village Ler, Taluka Bhuj, District Kutch. Such activity is listed in Schedule to Environment Impact Assessment Notification dated 14.09.2006 and therefore requires amendment of prior environment clearance. Accordingly, the applicant applied for grant of Environment clearance earlier, granted on 13.2.2015.



5.2 Environment clearance came to be granted to applicant on 30.7.2016, copy thereof is annexed herewith and marked as **Annexure-I**.

5.3 Applicant set up plant and commenced production activity. Stately, the applicant was required to change 02 production lines of plant (Production Line No. 1 and 2). *Instead of replacing the production lines by substituting the existing ones with new ones, the applicant constructed 02 additional production lines (Production Line No. 7 and 8).* The construction of these new production lines was made by the applicant on land bearing New Survey No 166 and 168, which was a land adjoining existing Survey No 167.

5.4 The expansion of project was done by applicant without informing the statutory authority and without seeking any amendment in environment clearance granted on 30.7.2016. In fact, the construction of new production lines by the applicant beyond the boundary limit of existing plant for which the Environmental Clearance had been granted on 30.7.2016, became known to the statutory authorities in year 2019. It was found that applicant has stopped use of existing Production Line Nos. 1 and 2, and in lieu of these new production lines proposed to utilize Production Line Nos. 7 and 8 at adjoining New location, for which EC amendment has not obtained.

5.5 Applicant has applied on dated 22.07.2021, for Amendment in Environmental Clearance for inclusion of New Survey No: 166 & 168, Village Ler in existing earlier granted EC dated 13.7.2016 for S. No 167, Village ler, Tal Bhuj.

5.6 Earlier, in matter of Hon'ble NGT of OA No 669/2018, filed petition by Marvada Amrutlal becharlal v/s State of Gujarat and as per order of Hon'ble NGT dated 29.1.2021, and as per point No 8 of Hon'ble NGT order dated 29.1.2021, it is stated "*let a Joint Committee of MoEF & CC, CPCB, GPCB and SEIAA, Gujarat to look this aspect and if it is found*



that EC is necessary, GPCB and SEIAA, Gujarat may take remedial action in accordance with law”

As per Minutes of Joint Committee dated 15.4.2021 (**Annexure-II**), it is mentioned in Minutes, that, earlier Joint team of SEAC (representing SEIAA) and GPCB inspected unit on 09.10.2019 for compliance of order passed by Hon’ble NGT in the matter OA No 40/2019 and concluded that unit has erected Two production line of wet process for production of bleaching clay as part of debottlenecking of old existing equipment or machinery without obtaining permission of CTE/CCA of Board.

Also, unit has not obtained earlier, “No increase in pollution Load” certificate from GPCB before replacement / modernization of existing production line of 1 and 2 with new production line of 7 and 8.

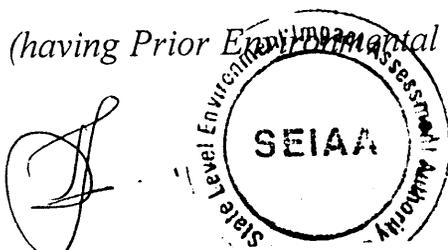
It is also mentioned in Minutes of Joint Committee dated 15.4.2021 that (1) GPCB shall verify land record of production line 7 and 8 and if it is found that the new plant i.e. production line of 7 and 8 is constructed on land/ plot other than existing land/ plot of unit, that the unit is not exempted from EC as per MoEF& CC notification 2016 and SEIAA/GPCB should initiate appropriate action against the unit.



Further, it is also mentioned in Minutes of Joint Committee dated 15.4.2021 that unit shall dismantle production line of 1 and 2, unit shall strictly comply with Hon’ble NGT order dated 29.1.2021 in matter of OA No 669 of 2018.

5.7 In pursuant to EC amendment application, as mentioned in Para 5.5, verification report of Regional office GPCB of concerned site dated 07.06.2022, it is stated that “Unit has installed line No 7 and 8 on survey No 166 in replacement of old line 1 and 2, without change in production capacity and with no increase in pollution load. (**Annexure-III**).

5.8 With reference to, No increase in pollution load MoEF & CC Notification dated 2.3.2021, in para 6 (2) C (II) (b), it is mentioned that “Existing projects (having Prior Environmental Clearance) with no increase in pollution load:



*Any increase in production capacity in respect of processing or production or manufacturing sectors (listed against item numbers 2,3, 4 and 5 in the Schedule to this notification) with or without any change in (i) raw material-mix or (ii) product-mix or (ii) quantities within products or (ii) number of products including new products falling in the same category or (iv) configuration of the plant or process or operations in existing area or in areas contiguous to the existing area (for which prior environmental clearance has been granted) shall be exempt from the requirement of Prior Environmental Clearance provided that there is no increase in pollution load (derived on the basis of such Prior Environmental Clearance)” (Annexure-IV).*

As stated above, Proponent has not obtained Prior EC for Adjoining New areas i.e. Survey No: 166 & 168, on which they have already installed New Production line 7 & 8, without obtaining Environmental clearance, hence it is considered as violation case.

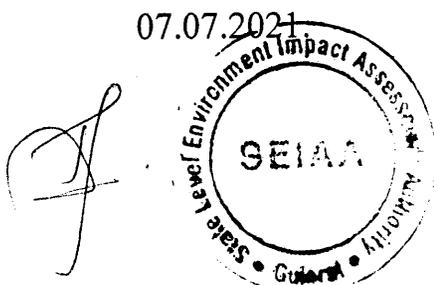
9. The application of Amendment in Environmental Clearance of the unit was considered in various SEAC meetings and final gist of meeting are as under:

“Committee noted that replacement of old production line 1 & 2 with production line 7 & 8 considering the environmental aspect is accepted, but installation of new production line at different location is a procedural aspect cannot be overruled. Also, the construction of production line 7 & 8 is already been carried out at different location (Survey No: 166) for which prior EC is not obtained & it is considered as violation case”.

The overall conclusion of various SEAC meetings dated 10.4.22, 24.1.23, 28.2.23, 28.3.23 and 20.7.23 are as under:

- To reject the EC-Amendment application with a condition that “PP shall apply for TOR-violation in accordance with MoEF & CC OM dated:

07.07.2021



- To inform GPCB to take credible action against the unit for the said violation.

5.11 The application of Amendment in Environmental Clearance of unit was considered in various SEIAA Meeting conducted earlier dated 30.5.2022, 9.9.2022, 14.11.2022, 4.1.2023, 16.2.2023 and in 11.8.2023, in which, case of EC amendment application was Rejected by SEIAA vide SEIAA order dated 21.8.2023 based on SEAC Recommendation with following reasons: **(Annexure-V)**.

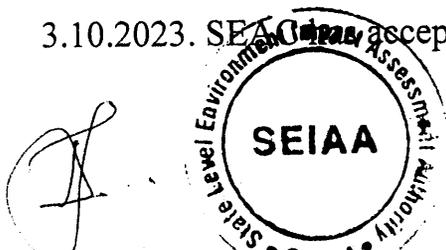
- To reject the EC-Amendment application with a condition that "PP shall apply for TOR-violation in accordance with MoEF & CC OM dated: 07.07.2021.
- To inform GPCB to take credible action against the unit for the said violation.

6.0A regards prayer made by the applicant that its case be not treated "as per notification dated 7.07.2021" is concerned, it is submitted that there is no notification dated 7.07.2021. It is an Office Memorandum issued by the MoEF & CC prescribing the Standard Operating Procedure for 'Identification and handling of violation cases under EIA Notification 2006'.

Now, this Office Memorandum dated 7.07.2021 has been stayed by the Hon'ble Supreme Court of India by an order dated 02.01.2024 passed in Writ Petition (Civil) No. 1394 of 2023. A copy of order dated 2.1.2024 passed by Hon'ble Supreme Court of India in Writ Petition (Civil) No. 1394 of 2023 is annexed herewith and marked as **(Annexure-VI)**.

In view of order passed by Hon'ble Supreme Court of India staying the operation of the Office Memorandum dated 7.07.2021, **there arises no occasion to consider the case of the applicant in light of the said Office Memorandum.**

6.1 Accordingly, proponent applied for ToR-Violation Application on dated 13.09.2023, which was accepted by SEIAA and forwarded to SEAC on dated 3.10.2023. SEAC accepted said application on dated 1.11.2023.



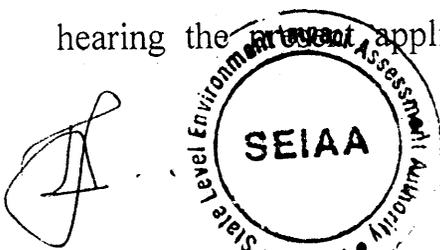
Further, SEAC has considered ToR Violation application in SEAC meeting conducted on 07.02.2024, but there is a Stay order of Hon'ble Supreme Court for violation OM's dated: 07.07.2021 and 28.01.2022, vide order of Hon'ble Supreme Court dated 2.1.2024.

Hence, application SEAC has raised Additional details sought (ADS) on 22.3.2024. The current status shown on Parivesh portal as Delisted (Annexure-VII), where applicant had not replied ADS raised by SEAC.

6.2 Ministry of Environment, Forest and Climate Change, Government of India, issued a notification dated 14.03.2017 and 8.3.2018 and MoEF & CC OM dated 15.3.2018, 9.9.2019 classifying projects or activities requiring prior environmental clearance which have undertaken expansion without prior environmental clearance as "cases of violation".

It is a matter of record, and an undisputed fact, that the applicant did not make any application for grant of environmental clearance as a violation case during the window periods in the year 2017 or the year 2018. As per the say of the applicant, it made an application of Amendment in Environmental Clearance for the first time only on 22.07.2021. Therefore, the benefit, if any, as may have become available to the applicant under the notifications providing for consideration of violation cases remained unavailed.

- 7 As on date, there is stay of Hon'ble Supreme Court against OM of MoEF & CC dated 7.7.2021 and 28.1.2022 vide order of Hon'ble Supreme Court dated 2.1.2024. Hence, application of violation cannot be considered by SEAC and SEIAA.
- 8 Further, No any decision has yet been taken on ToR Violation application, either granting the prayer made in the application, as Hon'ble supreme court had given stay vide order dated 2.1.2024.
- 9 I submit that for these and other reasons that may be argued at the time of hearing the application is premature and does not deserve to be



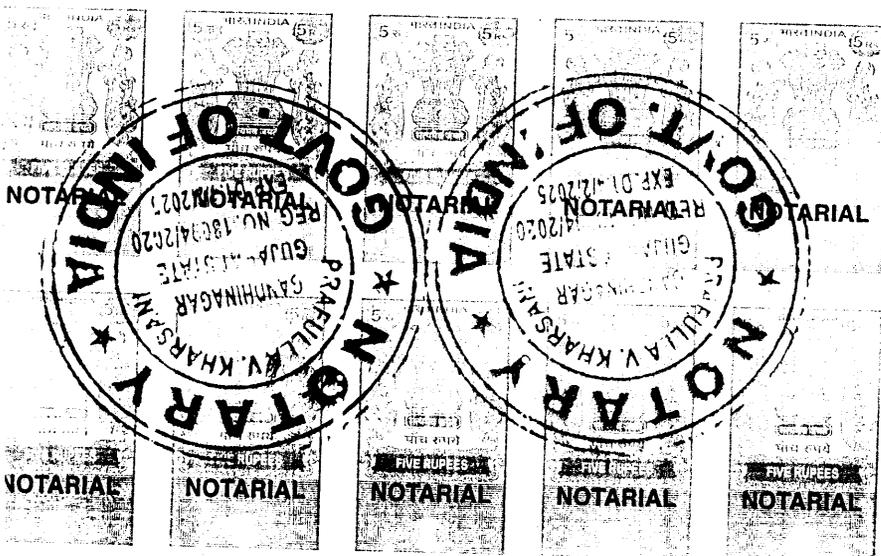
entertained at this stage by this Hon'ble Tribunal. The applicant may make an appropriate application and the same, it is assured, shall be considered in accordance with law. It is therefore prayed that the present application may therefore be disposed of by issuing suitable directions.

  
DEPONENT

VERIFICATION

Verified at Gandhinagar on this 29<sup>th</sup> day of July, 2024 that the contents of the above affidavit are true and correct, nothing stated therein is false and nothing material has been concealed therefrom.

  
DEPONENT



SOLEMNLY AFFIRMED  
BEFORE ME

*P. V. Kharsani*  
PRAFULLA V. KHARSANI  
NOTARY  
GOVT. OF INDIA

29 JUL 2024

REG. SR. NO. 376  
BOOK NO. 1  
PAGE NO. 81  
DATE: 29/7/2024

*P. V. Kharsani*  
PRAFULLA V. KHARSANI  
NOTARY  
GOVT OF INDIA

29 JUL 2024



Dr. GAURAV DAHIYA, IAS  
MEMBER SECRETARY  
SEIAA (GUJARAT)



STATE LEVEL ENVIRONMENT  
IMPACT ASSESSMENT  
AUTHORITY  
GUJARAT

Government of Gujarat

No. SEIAA/GUJ/EC/2(b)/497/2016

Date: 30 JUL 2016 By R P A D

Time Limit  
Sub: Environment Clearance to M/s: Ashapura Perfoclay Limited for expansion of production capacity of Bleaching Clay at the existing unit at Survey no. 167, Village: Ler, Nr. Bhujodi, Anjar Bhuj Highway, Ta.: Bhuj, District: Kutch  
..... In Category 2(b) of Schedule annexed with EIA Notification dated 14/09/2006.

Dear Sir,

This has reference to application transferred by MOEF&CC, New Delhi to SEIAA vide letter no. J-11015/91/2012-IA-II(M) dated 13/02/2015, for Environmental Clearance under Environment Impact Assessment Notification, 2006 and EIA Report/ additional information / documents submitted vide letter dated 10/03/2015, 29/07/2015, 06/11/2015, 14/03/2016 and 17/26/2016 to the SEAC.

The proposal is for Environmental Clearance to M/s: Ashapura Perfoclay Limited for expansion of production capacity of Bleaching Clay at the existing unit at Survey no. 167, Village: Ler, Nr. Bhujodi, Anjar Bhuj Highway, Ta.: Bhuj, District: Kutch. It is an existing unit for manufacturing following products, which falls in the category - 2(b) of the schedule of the EIA Notification-2006:

Sr. no.	Product	Existing	Proposed	Total
1	Bentonite (Throughput)	0.094 MMTPA	0.062 MMTPA	0.156 MMTPA
2	Bleaching Clay	0.072 MMTPA	0.072 MMTPA	0.144 MMTPA

The project activity is covered in 2(b) and is of 'B' Category. The public hearing was arranged by Gujarat Pollution Control Board on 16/12/2014.

The SEAC, Gujarat vide their letter dated 27/07/2016 had recommended to the SEIAA, Gujarat, to grant the Environment Clearance for the above-mentioned project based on its meeting held on 22/06/2016. The proposal was considered by SEIAA, Gujarat in its meeting held on 29/07/2016 at Gandhinagar. After careful consideration, the SEIAA hereby accords Environmental Clearance to above project under the provisions of EIA Notification dated 14<sup>th</sup> September, 2006 subject to the compliance of the following conditions.

#### A. CONDITIONS :

##### A. 1 SPECIFIC CONDITION :

1. The unit shall discontinue production activities strictly during the high rainy days.
2. Entire quantity of spent sulphuric Acid (5500 MT/Month) generated from the manufacturing process shall be neutralized and generated gypsum shall be sent to cement mill for co-processing and/ or it shall be sent to back filling of exhausted mine as per the consent sanctioned by MOEF&CC vide letter no. F. no. 23-161/2014-HSMD dated 17<sup>th</sup> October 2014.

##### A. 2 WATER :

3. Total water consumption after proposed expansion shall not exceed 989 KL/day. Unit shall recycle 150 KL/day of RO permeate stream. Hence, fresh water requirement after proposed expansion shall not exceed 839 KL/day which will be supplied by the GWIL (Gujarat Water Infrastructure Ltd.) No ground water shall be tapped for the project requirements.
4. The water meter shall be installed and records of daily and monthly water consumption shall be maintained.
5. Necessary permission from the concern authority shall be obtained for withdrawal of fresh water.
6. The industrial wastewater generation from the project shall not exceed 688 KL/day after the proposed expansion.
7. Industrial effluent shall be treated in existing ETP comprises of primary treatment followed by Reverse Osmosis (RO) system.
8. RO reject water (220 KL/day) shall be sent to the Evaporation Pond for its solar Evaporation.
9. Unit shall reuse 150 KL/day of permeate water into process and 180 KL/day of permeate water for gardening & plantation during non-rainy days.
10. Unit shall provide buffer water storage tank of adequate capacity for storage of treated waste water during rainy days.
11. There shall be no industrial wastewater discharge from the unit.
12. The existing ETP comprising of primary effluent treatment facilities, RO Plant and Solar Evaporation Pond shall be upgraded by installing 9 no.s of Collection cum neutralization tanks (Cap.: 50 KL each) and two Filter Press units (Cap.: 450 m<sup>3</sup>/day each) before commencing the expanded production.

The sides and bottom of the Solar Evaporation Pond shall be impervious and stability of the Solar Evaporation Pond with

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State Level Environment  
Impact Assessment Authority  
(SEIAA - G.O. Office): Gujarat Pollution Control Board, "Paryavaran Bhavan" Sector-10 A, Gandhinagar-382010  
Gujarat Pollution Control Board, "Paryavaran Bhavan"  
Sector-10-A, Gandhinagar-10

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- respect to leakages / cracks and other factors shall be ensured.
14. The ETP, RO plant and sprinkling system of Solar Evaporation Plant shall be operated regularly and efficiently to ensure zero discharge from the unit.
  15. The ground water quality around the Solar Evaporation Pond shall be monitored on regular basis to check that no effluent is leaching into the soil beneath. The monitored data shall be submitted to the GPCB at least once in six months.
  16. Unit shall provide metering facility at the inlet and outlet of the ETP as well as RO Plant and maintain the records of the same.
  17. A proper logbook of ETP as well as RO Plant operations and also showing the production, quantity of effluent generated, reused, evaporated etc. shall be maintained and shall be furnished to the GPCB from time to time.
  18. The domestic wastewater generation shall not exceed 6 KL/day after the expansion, which shall be disposed off through septic tank - soak pit.

**A. 3 AIR:**

19. Coal to the tune of 16 MT/day shall be used for 4 TPH steam Boiler for proposed expansion.
20. Unit shall provide Multi Cyclone separator followed by Bag filter as APCM for proposed steam boiler.
21. Coal to the tune of 24 MT/day shall be used for proposed two no.s of Dryers.
22. Cyclone separator & Water scrubber shall be provided as APCM with Dryers.
23. Cyclone separator & Bag filter shall be provided as APCM with Pulveriser.
24. Adequate air pollution control equipments shall be provided and APC systems shall be operated efficiently and effectively to achieve the norms prescribed by the GPCB/CPCB/MoEF&CC at vent / stack outlets.
25. Online monitoring system shall be installed on the flue gas and process stacks to monitor the pollutant concentrations. An arrangement shall also be made for reflecting the online monitoring results on the company's server, which can be accessed by the GPCB on real time basis.
26. Ash shall be handled only in dry state.
27. The unit shall strictly comply with the Fly Ash Notification under the EPA and it shall be ensured that there is 100% utilization of fly ash to be generated from the unit.
28. The fugitive emission in the work zone environment shall be monitored. The emission shall conform to the standards prescribed by the concerned authorities from time to time (e.g. Directors of Industrial Safety & Health). Following indicative guidelines shall also be followed to reduce the fugitive emission.
  - All handling & transport of Coal shall be exercised through covered coal conveyors only.
  - Enclosure shall be provided at Coal loading and unloading operations.
  - Water shall be sprinkled on Coal stock piles periodically to retain some moisture in top layer and also while compacting to reduce the fugitive emission.
  - All transfer points shall be fully enclosed.
  - Accumulated coal dust /fly ash on the ground and other surfaces shall be removed / swept regularly and water the area after sweeping.
  - Internal roads shall be either concreted or asphalted or paved properly to reduce the fugitive emission during vehicular movement.
  - Air borne dust shall be controlled with water sprinklers at suitable locations in the plant.
  - Coal shall be transported through covered trucks only whereas fly ash shall be transported through closed trucks only.
  - A green belt shall be developed all around the plant boundary and also along the roads to mitigate fugitive & transport dust emission.
29. All the vessels used in the manufacturing process shall be closed to reduce the fugitive emission.
30. Third party performance evaluation of the air pollution control systems shall be carried out at least once in a year to check its performance and efficiency through a reputed institute / organization like NPC, L.D. College of Engineering - Ahmedabad or such other institutes of similar repute, and its records shall be maintained.
31. Regular monitoring of ground level concentration of PM10, PM2.5, SO2 and NOx shall be carried out in the impact zone and its records shall be maintained. Ambient air quality levels shall not exceed the standards stipulated by Gujarat Pollution Control Board. If at any stage these levels are found to exceed the prescribed limits, necessary additional control measures shall be provided immediately. The location of the monitoring stations and frequency of monitoring shall be decided in consultation with GPCB.

**A. 4 SOLID / HAZARDOUS WASTE:**

32. The company shall strictly comply with the rules and regulations with regards to handling and disposal of Hazardous waste in accordance with the Hazardous and Other Wastes (Management and Transboundary Movement) Rules 2016, as may be amended from time to time. Authorization of the GPCB must be obtained for collection / treatment / storage /

MEMBER SECRETARY

State Level Impact Assessment of hazardous wastes shall be stored in separate designated hazardous waste storage facility with pucca bottom and Impart Assessment facility, before its disposal.

(Signature) - Gujarat

Gujarat Pollution Control Board,

"Paryavaran Bhavan" Gujarat Pollution Control Board, "Paryavaran Bhavan" Sector-10 A, Gandhinagar-382010

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34. ETP sludge (gypsum waste) and evaporation residue (salt) shall be dried, packed and stored in separate designated hazardous waste storage facility with impervious bottom and leachate collection facility, before its disposal.
35. Gypsum waste shall be sold only to the actual consumers (Cement manufacturers) having valid authorization of the Board or TSDF site.
36. ETP waste & Evaporation residue (salt) generated from effluent evaporation in the Solar Evaporation Pond shall be sent to the TSDF site.
37. Management and handling of Spent Sulphuric acid shall be done the Hazardous and Other Wastes (Management and Transboundary Movement) Rules 2016, as may be amended from time to time.
38. Tar waste shall be sent to cement manufacturing company for co-processing of the waste having valid authorization of the Board.
39. The unit shall obtain membership of the common TSDF/CHWIF.
40. Discarded containers shall be either reused or returned back to raw material suppliers or sold to the authorized recyclers.
41. Used oil shall be sold only to the registered re-processors.
42. All possible efforts shall be made for Co-Processing of the Hazardous waste prior to disposal into TSDF/CHWIF.
43. The fly ash shall be supplied to the manufacturers of fly ash based products such as cement, concrete blocks, bricks, panels, etc. The unit shall strictly comply with the Fly Ash Notification under EPA and it shall be ensured that there is 100% utilization of fly ash to be generated from the unit.

#### A. 5 SAFETY:

44. All necessary precautionary measures shall be taken to avoid any kind of accident during storage and handling of hazardous chemicals.
45. Storage and use of hazardous chemicals shall be minimized to the extent possible and all necessary precautions shall be taken to mitigate the risk generated out of it.
46. Sulphuric acid shall be stored in MSRL tanks for safety purpose. Storage of sulphuric acid shall be in multiple small capacity tanks / containers instead of one single large capacity tank for safety purpose.
47. All the storage tanks shall be fitted with appropriate controls to avoid any leakages. Bund/dyke walls shall be provided for sulphuric acid storage tanks. Close handling system for sulphuric acid shall be provided.
48. Tie up shall be done with nearby health care unit / doctor for seeking immediate medical attention in the case of emergency, regular medical check up of the workers and keeping its record etc.
49. The company shall strictly comply with the rules and regulations under Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 as amended time to time.
50. Storage of flammable chemicals shall be sufficiently away from the production area.
51. Sufficient no. of fire extinguishers shall be provided near the plant and storage area.
52. Only flame proof electrical fittings shall be provided in the plant premises.
53. All the storage tanks shall be fitted with appropriate controls to avoid any leakages. Bund/dyke walls shall be provided for storage tanks for Hazardous Chemicals.
54. Handling and charging of the chemicals shall be done in closed manner by pumping or by vacuum transfer so that minimal human exposure occurs.
55. Tie up shall be done with nearby health care unit / doctor for seeking immediate medical attention in the case of emergency.
56. Personal Protective Equipments shall be provided to workers and its usage shall be ensured and supervised.
57. First Aid Box and required Antidotes for the chemicals used in the unit shall be made readily available in adequate quantity.
58. Training shall be imparted to all the workers on safety and health aspects of chemicals handling.
59. Occupational health surveillance of the workers shall be done and its records shall be maintained. Pre-employment and periodical medical examination for all the workers shall be undertaken as per the Factories Act & Rules.
60. Transportation of hazardous chemicals shall be done as per the provisions of the Motor Vehicle Act & Rules.

#### A. 6 NOISE:

61. The overall noise level in and around the plant area shall be kept well within the standards by providing noise control measures including engineering controls like acoustic insulation hoods, silencers, enclosures etc. on all sources of noise generation. The ambient noise level shall conform to the standards prescribed under The Environment (Protection) Act, 1986 & Rules.

#### A. 7 CLEANER PRODUCTION AND WASTE MINIMISATION:

62. The cleaner production assessment shall be carried out through a reputed institute / agency having experience in this regard for conservation of water, reuse/recycle of the treated effluent and other wastes or by-products in better applications.

63. The company shall undertake various waste minimization measures including :

- a) Metering and control of quantities of active ingredients to minimize waste.
- b) Reuse of Wastes/by-products from the process as raw materials or raw materials substitutes in other process.
- c) Use of automated and enclosed filling to minimize spillage.
- d) Use of close feed system into batch reactors.
- e) Dry cleaning / mopping of floor instead of floor washing shall be adhered to.
- f) Regular preventive maintenance for avoiding leakage, spillage etc.

#### **A. 8 GREEN BELT AND OTHER PLANTATION:**

64. Unit shall develop green belt within premises as per the CPCB guidelines. However, if the adequate land is not available within the premises, the unit shall take up adequate plantation at suitable open land on road sides and other open areas in nearby locality or schools in consultation with the Gram Panchayat / GPCB and submit an action plan of plantation for next three years to the GPCB.
65. Drip irrigation / low-volume, low-angle sprinkler system shall be used for the green belt development.

#### **B. OTHER CONDITIONS:**

66. In the event of failure of any pollution control system adopted by the unit, the unit shall be safely closed down and shall not be restarted until the desired efficiency of the control equipment has been achieved.
67. All the recommendations, mitigation measures, environmental protection measures and safeguards proposed in the EIA report of the project prepared by M/s: Enkay Enviro Services Pvt. Ltd., Jaipur & submitted vide letter no. NIL dated 10/03/2015 and commitments made during presentation before SEAC, proposed in the EIA report shall be strictly adhered to in letter and spirit.
68. A separate environment management cell with qualified staff shall be set up for implementation of the stipulated environmental safeguards.
69. The project authorities must strictly adhere to the stipulations made by the Gujarat Pollution Control Board (GPCB), State Government and any statutory authority.
70. During material transfer, spillages shall be avoided and garland drain be constructed to avoid mixing of accidental spillages with domestic wastewater or storm water.
71. Pucca flooring / impervious layer shall be provided in the work areas, chemical storage areas and chemical handling areas to minimize soil contamination.
72. Leakages from the pipes, pumps, shall be minimal and if occurs, shall be arrested promptly.
73. No further expansion or modifications in the plant likely to cause environmental impacts shall be carried out without obtaining prior Environment Clearance from the concerned authority.
74. The above conditions will be enforced, inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008 and the Public Liability Insurance Act, 1991 along with their amendments and rules.
75. The project proponent shall comply all the conditions mentioned in "The Companies (Corporate Social Responsibility Policy) Rules, 2014" and its amendments from time to time in a letter and spirit.
76. The project authorities shall earmark adequate funds to implement the conditions stipulated by SEIAA as well as GPCB along with the implementation schedule for all the conditions stipulated herein. The funds so provided shall not be diverted for any other purpose.
77. The applicant shall inform the public that the project has been accorded environmental clearance by the SEIAA and that the copies of the clearance letter are available with the GPCB and may also be seen at the Website of SEIAA/ SEAC/ GPCB. This shall be advertised within seven days from the date of the clearance letter, in at least two local newspapers that are widely circulated in the region, one of which shall be in the Gujarati language and the other in English. A copy each of the same shall be forwarded to the concerned Regional Office of the Ministry.
78. The project proponent shall also comply with any additional condition that may be imposed by the SEAC or the SEIAA or any other competent authority for the purpose of the environmental protection and management.
79. It shall be mandatory for the project management to submit half-yearly compliance report in respect of the stipulated prior environmental clearance terms and conditions in hard and soft copies to the regulatory authority concerned, on 1st June and 1st December of each calendar year.
80. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.
81. The project authorities shall also adhere to the stipulations made by the Gujarat Pollution Control Board.

82. The SEIAA may revoke or suspend the clearance, if implementation of any of the above conditions is not found satisfactory.

83. The company in a time bound manner shall implement these conditions. The SEIAA reserves the right to stipulate

**MEMBER SECRETARY**  
**State Level Environment**  
**Impact Assessment Authority**  
**(SEIAA - Gujarat)**  
**Gujarat Pollution Control Board**

"Paryavaran Bhavan"  
 Office Gujarat Pollution Control Board, "Paryavaran Bhavan" Sector-10 A, Gandhinagar-382010  
 Sector-10-A, Gandhinagar-10  
 Phone No.:- (079) 232-32152,232-41514 Fax No.:-(079) 232-22784  
 E-mail : [msseiaagi@gmail.com](mailto:msseiaagi@gmail.com), Website:- [www.seiaa.gujarat.gov.in](http://www.seiaa.gujarat.gov.in)

additional conditions, if the same is found necessary.

84. The project authorities shall inform the GPCB, Regional Office of MoEF and SEIAA about the date of financial closure and final approval of the project by the concerned authorities and the date of start of the project.
85. This environmental clearance is valid for seven years from the date of issue.
86. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

With regards,  
Yours sincerely,

  
(Dr. GAURAV DAHIYA, IAS)  
Member Secretary

**Issued to:**

**Mr. Mahesh Chandani,  
M/s: Ashapura Perfoclay Limited,  
Survey No. 167,  
Village: Ler, Nr. Bhujodi,  
Anjar Bhuj Highway,  
Bhuj, Dist.: Kutch**

**Copy to:-**

1. The Secretary, SEAC, C/O. G.P.C.B. Gandhinagar - 382010.
2. The Chairman, Central Pollution Control Board, Parivesh Bhavan, CBD -cum-Office Complex, East Arjun Nagar, New Delhi-110032
3. The Chief Conservator of Forests (Central), Ministry of Environment & Forests, Regional Office (WZ), E-5, Arera Colony, Link Road-3, Bhopal-462016, MP
4. Monitoring Cell, Ministry of Environment and Forests, Paryavaran Bhavan, CGO Complex, New Delhi-110003.
5. The Member Secretary, Gujarat Pollution Control Board, Paryavaran Bhavan, Sector-10 A, Gandhinagar-382010
6. Select File

  
(Dr. GAURAV DAHIYA, IAS)  
Member Secretary

**MEMBER SECRETARY  
State Level Environment  
Impact Assessment Authority  
(SEIAA Gujarat)  
Gujarat Pollution Control Board,  
"Paryavaran Bhavan"  
Sector-10-A, Gandhinagar-10**

Minutes of meetings conducted on 15/04/2021 with reference to the Hon'ble NGT order dated 29.01.2021 in the matter of O.A No. 669/2018.

In continuation of joint committee meetings held on 26.03.2021 and 07.04.2021, the concluding meeting of the joint committee was held on 15.04.2021.

As per the presentation of M/s Ashapura Perfoclay Pvt. Ltd. in the previous meeting of 07/04/2021;

There is no increase in production capacity, new plant was a replacement of old production line 1 & 2 with new line 7 & 8 and there is no change in the process. Also, there is no increase in pollution load from the change of old production line 1 & 2 with new line 7 & 8. EC granted on 26.02.2019 for expansion from 12000 MT/Month to 16000 MT/Month has been cancelled by SEIAA. The production data of last 03 years provided by the unit shows that the production remained within permitted quantity of 12000 MT/M. It was also decided by the committee to have one more meeting wherein the complainant will be invited to present his points regarding the matter.

In accordance of above, the complainant was informed by GPCB to attend the meeting vide letter no: GPCB/RO/Kutch-West/ID: 17774/265 dated: 09/04/2021.

Following members have attended meeting through VC on 15.04.2021:

1. Dr. S. K. Lal, Scientist 'C', Regional Office-Bhopal, MoEF & CC.
2. Dr. N. Semwal, Scientist-C, Regional Directorate (West), CPCB, Vadodara
3. Shri D.C. Chaudhary, Member SEAC- Gujarat.
4. Shri T.C. Barmeda, Regional Officer, GPCB, Kutch (West)
5. Shri N.P. Chaudhari, DEE, GPCB, Kutch (West)
6. Ms. Zeel K. Adhikari, AEE, GPCB, Kutch (West)
7. Mr. Marvada Amrutlal Bechardas, Applicant.

Shri Marvada Amrutlal Bechardas (Applicant) represented that;

*"Line no: 7 & 8 is operating without obtaining Environmental Clearance and is constructed at Survey no: 166 for which NA is obtained recently and purpose shown in NA document is for granulation. Ownership of land is in the name of M/s. Ashapura Exports. Also production line 1 & 2 is in operation, thus unit has submitted false details.*

Looking to the grievance raised by the complainant, committee asked the complainant to submit its grievances in writing with supporting documents to committee for further action. After examining the documents submitted by the complainant and long deliberations among the members, the committee concluded:

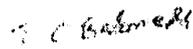
1. M/s Ashapuraperfoclay Pvt. Ltd. has replaced existing production line 1 & 2 with new production line 7 & 8 without any change in production process and existing production capacity of 12000 MTPM.
2. The joint team of SEAC (representing for SEIAA) and GPCB inspected the unit M/s AshapuraPerfoclay Pvt. Ltd. on 09.10.2019 for compliance of order passed by Hon'ble NGT in the matter O.A. No. 40/2019 and concluded in their report that the unit has erected two production line of wet process for production of bleaching clay as a part of debottlenecking of old existing equipment /machineries without obtaining CTE/CCA of the Board.
3. GPCB Regional Office, Kutch (West) inspected the unit on dated: 06/09/2018, 16/11/2018, 25/04/2019, 04/06/2019, 19/08/2019 23/11/2019, 24/01/2020 & 18/04/2020 and it was observed that line no: 1 & 2 were not in operation at the time of inspection.
4. As per MoEF&CC Notification of 2016, the modernization or change in product mix of existing projects (having environmental clearance) within existing plot may be exempted from separate environmental clearance if there is no additional pollution load beyond the earlier approved limit envisaged.
5. The unit has not obtained "No increase in pollution load" certificate from Gujarat Pollution Control Board before the replacement / modernization of existing production line 1 & 2 with new production lines 7 & 8.
6. As committee was deliberated with representation of Mr. Marwada Amrutlal Becharla regarding location of new production line 7 & 8 at Survey no: 166; committee concluded that GPCB shall verify the record from Revenue Department and will take needful action accordingly.

**Recommendations:**

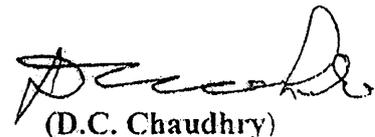
1. GPCB shall verify the land record of production line 7 & 8 and if it is found that the new plant i.e. production line 7 & 8 is constructed on land / plot other than the existing land / plot of the unit i.e M/s AshapuraPerfoclay Pvt. Ltd. than the unit is not

exempted from EC as per MoEF&CC Notification of 2016 and SEIAA/GPCB should initiate appropriate action against the unit.

2. As mentioned above, if the land / plot is not changed for the new plant, M/s. Ashapura Perfoclay Pvt. Ltd. shall obtain "No increase in pollution load certificate" for new production line 7 & 8 as per MoEF&CC Notification dated 02.03.2021 and the unit shall not operate production line 7 & 8 till "No Increase in Pollution Load Certificate" and valid CC&A is obtained from GPCB.
3. Unit shall immediately dismantle Production line no 1 & 2. Unit shall strictly comply with Honorable NGT order Dated 29.01.2021 in the Matter of O.A. 669/2018.



(T.C. Barmeda)  
GPCB, Regional Officer, Kutch-West



(D.C. Chaudhry)  
Member, SEAC-Gujarat



Dr. N. Semwal  
Scientist-C, Regional  
Directorate (West), CPCB Vadodara



Dr. S.K. Lal  
Scientist-C, Regional Office-  
Bhopal, MOEF&CC.

## ANNEXURE - III

GUJARAT POLLUTION CONTROL BOARD

Paryavaran Bhavan

Sector -10-A, Gandhinagar-382 010

Phone (079) 23245176, 23232162



No: PC/CCA-KUTCH-27(26)/GPCB ID- 17774/15807

Date:

To,  
Member Secretary,  
State Expert Appraisal Committee (SEAC),  
Paryavaran Bhavan, Sector-10A,  
Gandhinagar - 382010.

23/05/2022

**Subject** : Industry's Request for Site visit for EC amendment of inclusion of plot in existing EC of Mineral Beneficiation of unit of M/s. Ashapura Perfoclay Ltd.  
**Reference** : M/s. Ashapura Perfoclay Ltd. (ID:17774) vide letter no. Nil; dated 30/05/2022

In context to above mentioned subject and reference, M/s. Ashapura Perfoclay Ltd. (ID:17774) was visited by RO Kutch (West) on 07/06/2022 wrt SEIAA MoM of 811<sup>th</sup> meeting held on 23/05/2022. Copy of detailed Inspection Report is attached herewith for your kind consideration & necessary action at your level.

For and on behalf of  
GUJARAT POLLUTION CONTROL BOARD

(Smt. J.K. Upadhyay)  
Senior Environment Engineer

Encl: As Above

CC To:

1. To,  
Member Secretary,  
State Environment Impact Assessment Authority (SEIAA),  
Paryavaran Bhavan, Sector-10A,  
Gandhinagar - 382010. .... wrt SEIAA MoM of 811<sup>th</sup> meeting held on 23/05/2022 for information & necessary action at your level.

2. To,  
M/s. Ashapura Perfoclay Ltd.  
Survey No.: 167,  
Village-Ler, Nr-Bhujodi.  
Ta: Bhuj-Kutch 370020..... For information

311  
23/05/2022

311  
23/05/2022



## Gujarat Pollution Control Board

( Inspection Report ) - Air, Water, Hazardous

Under Section 23 of The Water Act 1974, Under Section 24 of The Air Act 1981 and Under Section 10 of EP Act 1986

1	<b>Industry Details</b> M/s Ashapura Perfoclay Ltd	<b>Outward No:</b> 27489-09/06/2022																																
	Email : dstripathi@ashapura.com	PLOT NO:S.no.167,163 & 164, Village: Ler, NR-BHUJODI, Ler - 370020																																
	Telephone : 02832240301	DIST : Kutch West, TAL. : Bhuj, SIDC : Not In Gide																																
	Inspection Id : 673565 ( H.O.Reference )	Ro Name : Kutch West																																
2	<b>Type / Scale / Sector / Status :</b> RED / LARGE / Mining and ore beneficiation / In Operation																																	
3	<b>Inspection Dt &amp; Time :</b> 07/06/2022 13:30 / Air, Water, Hazd <b>Person Contacted :</b> Mr. D.S.Tripathi, AGM-HR																																	
4	<b>Env Audit Detail :</b> Sch : 2, Metro Envirochem Associates, Year : 2017, On Dt :																																	
	Commissioned Dt : 01/06/2011	Production Start Dt : 15/09/2001																																
		Applicability of CRZ Rules : No																																
5	<b>Water Consumption in Kilo Lts Per Day</b>	Ind : 838.000 Dom : 8.000 Borewells: 0																																
6	<b>Waste Water generation / Discharge (klpd) :</b>	Ind : 688.000 Dom : 6.000 Tubewells: 0																																
7	<b>Consumer No.(Electric Meter):</b>	<b>Source of Water Supply:</b> GWIL+ Borewell+ Tanker																																
8	<b>Disposal Mode of Industrial / Domestic :</b>	Zero Discharge Irrigation																																
9	<b>Discharge Pt / Final Receiving Body (Ultimate):</b>	Recycle & Reuse : No generation of industrial wastewater																																
10	<b>Status of water consent Under the Water Act,1974:</b> H-107040-24/06/2023 Last Inward:207187-01-01/2022[REJ]																																	
11	<b>Effluent Treatment plant (ETP) : Units, if provided and status :</b> ETP Details : P-Chemical Dousing Tank,P-Collection Tank,P-Filter Press,P-Nutralization,P-Pri Settling Tank,Primary,S-Sludge Dry Beds,T-Evaporation,T-Reverse Osmosis																																	
12	<b>Whether Industry is a member of CETP ?</b> No																																	
13	<b>Boilers=5, DG Sets=3, Flue Gas =8, Process =33, ETP Cap = 48126, Capacity of All = Not Applicable</b> APCM Details : Bag Filter,Cyclone ,Dust Collector,Multi Cyclone ,Not provided,Scrubber,Water Scrubber Fuel Used : Coal,Furnace Oil,H.S.D Stack Attached to : *** Not Applicable,.... Any Other,Boiler,D.G. Sets																																	
14	<b>TSDF Name :</b> Not Regd with any TSDF																																	
15	<b>Lab Charges Pending :</b> Rs. 11060.00	<b>Water Cess Charges Pending :</b> NIL																																
16	<b>Last Env. Form V :</b> 2021-2022	<b>Water Cess Return :</b> 2017-2018 <b>HW Monthly Return :</b> 2022-04																																
	<b>Last 3 Legal Action :</b>																																	
	<table border="1"> <thead> <tr> <th>Insp Dt</th> <th>Act</th> <th>Leg Dt</th> <th>For</th> <th>Insp ID</th> <th>IR-Leg</th> <th>Type</th> <th>Out No</th> </tr> </thead> <tbody> <tr> <td>07/04/2022</td> <td>SCN</td> <td>04/04/2022</td> <td></td> <td>634249</td> <td>SCN</td> <td>APP</td> <td>637560</td> </tr> <tr> <td>08/10/2021</td> <td>REV</td> <td>09/12/2021</td> <td>3MT</td> <td>623358</td> <td>REV</td> <td>APP</td> <td>608475</td> </tr> <tr> <td>29/06/2021</td> <td>NOT</td> <td>11/08/2021</td> <td>33A</td> <td>610384</td> <td>NOT</td> <td>COM</td> <td>597679</td> </tr> </tbody> </table>		Insp Dt	Act	Leg Dt	For	Insp ID	IR-Leg	Type	Out No	07/04/2022	SCN	04/04/2022		634249	SCN	APP	637560	08/10/2021	REV	09/12/2021	3MT	623358	REV	APP	608475	29/06/2021	NOT	11/08/2021	33A	610384	NOT	COM	597679
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	<b>Monthly Patrak Data :</b> Last Return : 202204 <b>HAZD Waste Disposal :</b> 0.000 (0 Trucks)																																	
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## Gujarat Pollution Control Board

( Inspection Report ) - Air, Water, Hazardous

PCB Id: 17774

(Under Section 23 of The Water Act 1974, Under Section 24 of The Air Act 1981 and Under Section 10 of EP Act 1986)

### One Time Updatons

a -	Recycler Registration Valid ??	N A
-----	--------------------------------	-----

### General Observation

a -	is the industry in Operation ??	Yes
a -	R.O File No	17774
b -	Industry Operating without CCA	No.
c -	Has Production exceeded (last 3 MTHs) than CCA-Qty	No.
d -	Any products-NOT in CCA, manufactured-Last 3 MTHs	No.
e -	Foul Odour/Fugitive Emission/Bye Pass in Premises ??	No.
f -	Industry Name CHANGED in recent times ??	No.
g -	Has Regn with CETP or TSDF expired ??	No.
h -	Seperate Energy Meter for A.P.C.M ?	N.A
h -	Provision of any STAND-BY Pump ??	N.A

### Air Related

a -	Fuel Type confirmitive with CCA ?	Yes
b -	Av. Fuel Consumption EXCEEDING CCA limits	No.
c -	APC Measures confirmitive with CCA conditions ??	Yes
d -	ALL APCMs are in operation	Yes
e -	SMF availability	Provided
f -	Thick Smoke observed in Flue Gas/Processes ??	No
g -	ph of Scrubbing Media as per requirement ??	Yes
h -	Ultimate Disposal of Scrubbing Media	Re-Use
	Nos of Samples : Stack & Ambient	0, 0

### GEM

18 -	Where Authorization Under BMW Rules 2016 obtained ? Provide Authorization No. / Date	No.	Not applicable
------	---	-----	----------------

### Haz Waste Related

a -	Haz waste Carg confirmitive with CCA	Yes	
b -	H.W generation exceeding CCA limits	No.	
c -	Collection, Storage, Treatmnt, Disposal Facility Adequate ??	Yes	
d -	Reusing or Recycling of Haz Waste by Industry ?	OF Others	
e -	LogBook / XGN Manifests / Disposal Records TALLYING ??	Partially	
f -	Stock of Haz-Waste (at premises/Whether EXCESS ?	----	
g -	Recycler/ Actual user has valid Authorization under rules 6 or 9 of HOWR-2016?	No.	Not applicable
h -	Installed capacity of the plant based on machinery installed (Capacity of Machine, No. of Batch/Day, Annual Capacity)	----	
i -	Technical capability and equipment complying with the SOP/Guideline?	Yes	
j -	Is unit complying the conditions gives in SOP/Guidelines?	Yes	
k -	Facility is adequate for the applied process	Yes	
l -	Passbook is maintained?	Yes	
m -	Details of P.L.I. if applicable	----	
n -	Details of safety speets provided by the facility	----	
o -	Seperate storage area for Haz. Waste for the utilization or generation from the process is provided?	Yes	
p -	Quantity of Hazardous waste procured as per CCA?	No.	Not applicable

### Water Parameter

a -	Source of Water Supply	GW, Borewell, Tanker
c -	W.P.C.G is EXCEEDING the CCA Limits	No.



## Gujarat Pollution Control Board

( Inspection Report ) - Air, Water, Hazardous

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( Under Section 23 of The Water Act 1974, Under Section 24 of The Air Act 1980 and Under Section 10 of EP Act 1986 )

d	W.W Disposal as per the Consent Conditions ?	Yes
e	Was the CIP in operation ?	Yes
f	Treatment System ADEQUATE to handle existing effluent	Adequate
g	Did u observe ANY ILLEGAL Discharge ??	No.
h	Nos of Samples collected	03

### Remarks :

Note: EIA 2006 / SEIAA / E.C / MOEF Applicable : Yes

### Site Observations during Inspection, PCB-ID: ( 17774 )

This unit is inspected with respect HO Email dated: 02/06/2022 regarding verification of points mentioned in SEIAA MoM for EC-Application of unit. Detailed verification report is attached herewith. [4738]-08/06/2022  
 ~ RO Comments/Reply : Unit is visited w. r. to HO Email dt.02/06/2022 regarding verification of points mentioned in SEIAA MOM for EC application of unit. Action may be on merit base. 09/06/2022  
 ~ RO Comments/Reply : Unit is visited w. r. to HO Email dt.02/06/2022 regarding verification of points mentioned in SEIAA MOM for EC application of unit. Action may be on merit base. -09/06/2022  
 I recommend : a. Keep on Records + Notings

W.C Notings: As per IR[4753-AFF]~

### Specific Instructions given to Industry at the time of visit, for Pt to Pt Compliance

- આપના એકમમાં વૃક્ષરોપણ વ્યાપ વધારવો.
- અંતરિક રસ્તાઓ પર પાણીનો છંટકાવ નિયમિત કરતા રહેવું.
- Material handling દરમ્યાન dusting ન થાય તેની તહેદારી રાખવી.
- બલ્કા શરૂ મારના ઉત્પાદન, કાચામાલના, બજાતણ, પાણી વપરાશ તેમજ Hazardous Waste Generator/Disposal/Stock વિગેરેની માહિતી દિન-3 માં અત્રેની કચેરીએ રજૂ કરવી.

### Compliance Observed in this Inspections.

Instructions in Previous Visits and Reply	insp Det	Instruction Status
૧. આંતરિક રસ્તાઓ પર પાણીનો છંટકાવ નિયમિત કરતા રહેવું. We are sprinkling water on internal roads on regular intervals in order to control fugitive emission. (28/05/2022)	671428(18/05/22)	---
૪. આપના એકમમાં વૃક્ષરોપણ વ્યાપ વધારવો. We are doing plantations at different locations within premises on regular basis. We have carried out plantation of approximately 700 new plants within premises in the last three months. (28/05/2022)	671428(18/05/22)	---
૫. Revocation order તથા NGT order નો શરતો નું પાલન કરવું. Complied @# S:All the conditions of Revocation order and NGT order are strictly followed. @#S: (28/05/2022)	671428(18/05/22)	---

09/06/2022

3/7 ( Through NGN )



**Gujarat Pollution Control Board**  
( Inspection Report ) - Air,Water,Hazardous

PCB Id: 17774

( Under Section 23 of The Water Act 1974, Under Section 34 of The Air Act 1981 and Under Section 10 of E.P Act 1986)

2. Material handling દરમ્યાન dusting ન થાય તેની તકેદારી રાખવી.; To avoid dusting during material handling; @#\$• De-dusting system is installed in packing area to control dusting. @#\$• Raw materials & products are transported through trucks covered with tarpaulin only. @#\$• All Material transfer is in closed loop. Conveyor belts are also covered with canopy @#\$ (28/05/2022)	671428(18/05/22)	---
3. છેલ્લા ત્રણ માસના ઉત્પાદન, કાચામાલના, બળતણ, પાણી વપરાશ તેમજ Hazardous Waste Generation/Disposal/Stock વિગેરેની માહિતી દિન-3 માં અત્રેની કચેરીએ રજૂ કરવી.; Details of Production, Consumption of raw material, and fuel, water as well as Hazardous waste generation/disposal of last three months are submitted at RO office and uploaded in extra tag. (28/05/2022)	671428(18/05/22)	---
(2) છેલ્લા ત્રણ માસના ઉત્પાદન, કાચામાલના, બળતણ, પાણી વપરાશ તેમજ Hazardous Waste Generation/Disposal/Stock વિગેરેની માહિતી દિન-3 માં અત્રેની કચેરીએ રજૂ કરવી.; Details of Production, Consumption of raw material, and fuel, water as well as Hazardous waste generation/disposal of last three months are uploaded in extra tag and submitted to RO Office as Annexure-1. (21/04/2022)	656697(07/04/22)	Fully Complied
(3) CTE-Amendment મેળવ્યા બાદ તેની શરતોની પુર્તતા કરી, CCA-Amendment માટે અરજી કરવી.; Noted @#\$We are complying all the conditions prescribed in CTE and CCA. @#\$ (21/04/2022)	656697(07/04/22)	Partial Compliance
(7) Revocation order તથા NGT order ના શરતો નું પાલન કરવું.; We strictly comply with all the conditions of Revocation Order and NGT Order. @#\$Kindly refer Annexure 5 compliance of Revocation order along with CBD site report uploaded in extra tag and also submitted at RO office. @#\$ (21/04/2022)	656697(07/04/22)	Fully Complied
(1) Material handling દરમ્યાન dusting ન થાય તેની તકેદારી રાખવી.; To avoid dusting during material handling; @#\$• In packing area. De-dusting system is installed to control dusting. @#\$• Raw materials & products are transported through trucks covered with tarpaulin only. @#\$• All Material transfer is in closed loop. Conveyor belts are also covered with canopy @#\$ (21/04/2022)	656697(07/04/22)	Fully Complied
(G) Complainer Ismail Mamad Sana ના બતાવ્યા અનુસાર Lor dam ની બાજુમાં જુનો gypsum ખોવા મળેલ છે તથા Survey No. 167 & 205 ની વચ્ચે ફરીયાદી ના જણાવ્યા મુજબ gypsum છે, જેનો તાત્કાલીક ગ્રિયમાનુસાર નિકાલ કરવો.; Here we would like to clarify that our gypsum does not possess any hazardous characteristics. It is nonhazardous category solid waste and as per time to time analysis report & assessment it is found that there is no any adverse impact on soil and groundwater due to gypsum utilization. @#\$Although based on complaint we have lifted gypsum observed near Ler Dam which was @55 MT which is sent to cement industry as per CCA. @#\$Gypsum stored at survey no. 167 for sun drying purpose and it is going to dispatch to cement industries. There is no gypsum laying on survey no. 205. @#\$ (21/04/2022)	656697(07/04/22)	Fully Complied



## Gujarat Pollution Control Board

( Inspection Report ) - Air, Water, Hazardous

PCB ID: 7774

Under Section 23 of The Water Act 1974, Under Section 24 of The Air Act 1981 and Under Section 10 of EP Act 1986)

<p>(4) Hon'ble NGT order dated 29/01/2021 નો order મુજબ આપનો નવો plant માટેની પર્યાવરણીય મજૂરી નો status રજૂ કરવો.; As per the Hon'ble NGT order 669/2018 on page 9 point 7, new plant (line 7&amp;8) is replacement of old plant. As per DLRI report it is located at survey number 166 for which We have applied for EC amendment for inclusion of survey number 166 &amp; 168 along with existing survey number 167 with PROPOSAL NO: SIA/GJ/IND/221292/2021 &amp; FILE NO. SEIAA/GJ/EC/2(b)/497/2016 and presented our case at 367th SEAC Video Conference Meeting dated 22/02/2022. SEAC committee members had recommended EC amendment. Kindly refer Annexure 2. @\$ @\$ Secondly as per the MOM of joint monitoring committee constituted vide Hon'ble NGT order in O.A. No. 669/2018 dated 29/01/2021. @\$ @\$ Regarding the point no. 1 about DLRI survey report, @\$ DLRI Bhuj office have submitted the survey report. The new plant location at survey number 166. @\$ Kindly refer survey report uploaded in extra tag and submitted at RO office as Annexure 3. @\$ We have also received CCR of our existing EC from MoEFCC dated 29/11/2021. @\$ @\$ Regarding the point no. 2 of joint Committee about production capacity and no increase pollution load certificate @\$ We would like to state that the production line 7 &amp; 8 is the replacement plant against the old production line 1&amp;2 with an assurance that the production capacity will not increase beyond the consent production capacity of 12000 MT/M. @\$ We adhere that we will not operate new production Line 7 &amp; 8 without obtaining CCA from GPCB. @\$ We have also obtained no increase in pollution load certificate from Schedule-1 Auditor V.V.P. Engineering College, Rajkot. @\$ @\$ After getting EC amendment approval we shall apply for CCA amendment for operation of new plant and inclusion of survey number 166 &amp; 168 along with existing survey number 167. @\$ (21/04/2022)</p>	656697(07/04/22)	Still Pending
<p>(5) મુલાકાત સમયે નવો Plant ની acid storage tank માં acid જોવા મળેલ છે, જેનું clarification આપવું. During the plant trials of machineries, acid was sent to acid storage tank of new plant @\$ We have immediately taken steps to neutralize acid at ETP Plant and cleaning work of pit is also done. Kindly find images uploaded in extra tag and submitted at RO Office as Annexure 4. @\$ (21/04/2022)</p>	656697(07/04/22)	Fully Complied
<p>(8) નિયત late fee ભરવી.</p>	656697(07/04/22)	Fully Complied
<p>1. આપના એકમમાં વૃક્ષારોપણ વ્યાપ વધારવો. We are regularly doing plantations at different locations within the premises. We have planted approximately 1300 plants in last three months. (26/03/2022)</p>	636342(25/01/22)	Partial Compliance
<p>2. Gypsum dump site પર વારંવાર વૃક્ષોનું જતન કરવું. We are regularly monitoring the growth of trees by doing routine site visit. Water is provided through tankers and at some places we have provided drip irrigation system. Trees are maintained and protected by providing fencing surrounding the plantation area. Progress Report of Greenbelt Developed at Gypsum site is uploaded in COO tag and also submitted at RO Office as Annexure-A. (26/03/2022)</p>	636342(25/01/22)	Partial Compliance
<p>2. નામદાર NGT Order 669/2018 ના આદેશોનું પાલન કરવું. As per NGT Order, @\$ We have developed Green Belt on gypsum sites and maintained properly which can be seen in report uploaded in COO tag and also submitted at RO office as Annexure-A @\$ For groundwater remediation, from the periodic analysis report it could be clearly seen that there is no presence of Ammonical Nitrogen in borewell behind admin building. Since January 2021 it is observed absence of Ammonical Nitrogen level in borewell of Ramesh Pindoriya and Vasudev Pindoriya. @\$ As per the GPCB visit dated 07/01/2022, the sample of bore water near Gate 2 was withdrawn and analysis was done. As per the AR comparative results the Ammonical Nitrogen was found BDL. Now remediation of groundwater is completed from our side. Kindly request GPCB to acknowledge the same. (26/03/2022)</p>	636342(25/01/22)	Still Pending



## Gujarat Pollution Control Board

( Inspection Report ) - Air, Water, Hazardous

( Under Section 23 of The Water Act 1974, Under Section 24 of The Air Act 1981 and Under Section 10 of EP Act 1986 )

PCB Id: 17774

### Annexure Details - Air, Stack, Hazardous Waste & Samples PCB-ID: (17774)

#### A Sample Details

Sr	Act	Ph/Temp/Air Sampled	Time	Type	Sampling Point	Col Cond
1	W-11	7-8 on ph strip. 31	1430-1430	REP	from intermediate storage tank	Light Brown
2	W-11	7-8 / 31	1500-1500	REP	from solar evaporation pond -	Colorless
3	W-5	7-8 / 28	1520-1520	REP	final outlet of stp -	Colorless

#### B Process Stacks

Sr	Stack attached to	Mts	Remark	Details of APCM	Probable Pollutants.
1	Driers	18	dryer - 7 coal@12 mt/d	FIL,CYC,SCR	PM-150,
2	Driers	18	dryer - 6 coal@12 mt/d	FIL,CYC,SCR	PM-150,
3	Pulverizer	15	pulverizer - 5	FIL,CYC	PM-150,
4	Pulverizer	15	pulverizer - 6	FIL,CYC	PM-150,
5	Pulverizer	18	pulverizer - 1 & 2	FIL,CYC	PM-150,
6	Driers	18	dryer-2.fuel:coal@8mt/d	FIL,CYC,SCR	PM
7	... Any Other	12	gassifier-1, not operated	N.A	PM
8	... Any Other	12	gassifier-2, not operated	N.A	PM
9	Driers	18	dryer-1 fuel:coal@8 mt/d	FIL,CYC,SCR	PM-150,
10	Pulverizer	15	pulverizer - 4	FIL,CYC	PM-150,
11	Driers	18	dryer - 5, cap: 175 kg/hr	FIL	PM-150,
12	*** Not Applicable	0	remove from our list	N.A	N.A
13	... Any Other	20	bag - cap: 18 lac kc/h	CYC	PM
14	Driers	18	dryer - 4	FIL,CYC	
15	*** Not Applicable	0	remove from our list	N.A	N.A
16	*** Not Applicable	0	remove from our list	N.A	N.A
17	*** Not Applicable	0	remove from our list	N.A	N.A
18	... Any Other	12	gasifier no.4, not operate	NOT	PM
19	Driers	18	dryer-3.fuel:coal@8 mt/d	FIL,CYC	PM
20	Driers	18	dryer 10- 6tph	FIL,MUL,WSC	PM-150,SO2-100,NOX-50,
21	Pulverizer	15	pulverizer 7	FIL,MUL	PM-150,
22	Pulverizer	15	pulverizer 8 6tph	FIL,MUL	PM-150,
23	Pulverizer	15	pulverizer 8 6 tph	MUL,WSC	PM-150,
24	Pulverizer	15	pulverizer 9 of 6 tph	FIL,MUL	PM-150,
25	Pulverizer	15	pulverizer 10 of 6 tph	FIL,MUL	PM-150,
26	Driers	18	dryer 8 - 6tph	FIL,CYC,WSC	PM-150,SO2-100,NOX-50,
27	Driers	18	dryer 9 - 6tph	FIL,MUL,WSC	
28	Driers	18	dryer 11 - 6tph	FIL,MUL,WSC	PM-150,SO2-100,NOX-50,
29	... Any Other	12	gasifier no.3 standby	N.A	PM
30	Pulverizer	15	pulverizer - 3	FIL,CYC,DUS	PM-150,
31	... Any Other	15	classifier	FIL	PM
32	... Any Other	15	floor cleaner	FIL	PM
33	... Any Other	15	de-dusting system	FIL	PM

#### C Flue gases Stacks

Sr	Stack attached to	Mts	Remark	SMF	APCM	Fuel	Consp-Unit	Insp Remk
1	Boiler	33	Steam Boiler	YES	MUL	Coal	6 MT/Hr	
2	Boiler	33	Boiler -3 Capacity- 6 TPH	YES	N.A	Furnace Oil	Furnace Oil - 0.15 KL/hr	operation
3	D.G. Sets	11	Cap.: 1500 KVA Stand-By	NO	N.A	H.S.D	HSD@180 Liters/Hr	
4	Boiler	30	Boiler-1&2 Cap-3TPH each	YES	N.A	Furnace Oil	Furnace Oil - 0.171 KL Hr.	operation
5	D.G. Sets	11	Capacity: 500 KVA	NO	N.A	H.S.D	HSD - 0.1 KL/Day	not in operation
6	Boiler	0	Remove from our list	N.A	N.A	Not Used/N.A	N.A	
7	D.G. Sets	11	Cap.: 250 KVA Stand By	NO	N.A	H.S.D	HSD@110 Liters Hr	
8	Boiler	33		YES	FIL,MUL	Coal	16 MT/day	

#### D Details about Hazardous Waste Management :



# Gujarat Pollution Control Board

( Inspection Report ) - Air, Water, Hazardous

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(Under Section 23 of The Water Act 1974, Under Section 24 of The Air Act 1981 and Under Section 10 of EP Act 1986)

Sr	Source of Hazardous Waste	Catg	Qty/Year	HW Disposal Management
1	Chemical sludge from waste water treatment	I -35.3	0.220-M.T	COL,RRE,STO,TRA
2	Sludge From Wet Scrubbers	I -37.1	8.500-M.T	CIW,COL,DSL,STO,TRA,DST
3	Used or Spent Oil	I -5.1	0.100-M.T	COL,RRE,STO,TRA
4	Inorganic Acids (Spent Acids)	II -B15	55000.000-M.T	COL,RRE,STO,TRA
5	*** e Waste ***	-18.5	0.000-M.T	DST
6	*** e Waste ***	-18.5	0.000-M.T	DST
7	Concentration or evaporation residues	I -37.3	1.000-M.T	COL,STO,TRA,DST

## E Products :

Sr	Product Name	NOC Qty	CCA Qty	Applied Qty	Inspection Remark
1	Bleaching Clay	16000.000	44000.000 - M.T	16000.000	
2	bleaching clay	12000.000	36000.000 - M.T	12000.000	We have applied for total production @ 12000 MT/Mont (i. e. 0.144 million TPA)
3	gypsum(by product)	6000.000	18000.000 - M.T	6000.000	If spent acid sell to IFFCO then Gypsum production@4500 MT Not the Gypsum@6000 MT

## F Raw material :

Sr	Raw Material Name	Capacity - Unit / Month
1	Attapulgit	0.000 - M.T
2	attapulgit/fuller earth	0.000 - M.T
3	bentonite	0.000 - M.T
4	h2so4	0.000 - M.T
5	lime	0.000 - M.T

## G Water Consumption & Generation Break up

Sr	Water Code (Qty in klpd - Kilo Ltr per Day)	WC : 846.000	WWG : 694.000	Water Source	Remark
1	Boiler Feed	75.000	5.000	Local Body	M/s. Gujarat Water Infrastructure Ltd. (GWIL)
2	Domestic Purpose	8.000	6.000	Local Body	Source - M/s. Gujarat Water Infrastructure Ltd. (GWIL)
3	Mufg Process	795.000	683.000	Local Body	Source - M/s. Gujarat Water Infrastructure Ltd. (GWIL). Fresh water & Recycle water is used
4	Spray in Mines	0.000	220.000	Recycled	Reverse Osmosis - reject water spray on bentonite
5	Wash Water	330.000	0.000	Recycled	Source - M/s. Gujarat Water Infrastructure Ltd. (GWIL). 330 KL/Day of recycle water is used

## Solid Waste

Sr	Solid Waste Name	Qty-Unit	Coll Mode	Disp Mode
1	Fly Ash	2.300 - M.T	HDP,OTH	OTH

Inspection Team : Mr. Chaudhary Naresh p, DEE - MS. ZEEL KIRANBHAI ADHIKARI - MS. SHWETA RAJESHKUMAR SHARMA

I hereby affirm, that all the PDF, Data mentioned above, fees paid has been checked & certified.

Signature By(Mr. Chaudhary Naresh p, DEE)

PCB ID: 17774

Name of Unit: M/s. Ashapura Perfoclay Ltd.

Date of inspection: 07/06/2022

Reference: Head office email dated: 02/06/2022 regarding verification of points mentioned in SEIAA MoM for EC-Application of unit.

➤ CRUX:

- This unit is inspected with respect HO Email dated: 02/06/2022. It is engaged in manufacturing of Bleaching Earth: 12,000 MT/Month. It has obtained EC vide letter no: SEIAA/GUJ/EC/2(b)/497/2016 dated: 30/07/2016 and has CCA no: AWH-93521 valid up to 24/06/2023. It has obtained CTE-Amendment no: 109845 and has also obtained CTE-Amendment no: 115701 subsequently.
- During visit, dryer no: 3,4 & 6 and Boiler no: 4 with their provided APCMs are observed in operation.
- Online monitoring system with stack attached to dryer- 3,4 & 6 shows PM Concentration: 107.1 mg/Nm<sup>3</sup>, 80.7 mg/Nm<sup>3</sup> & 75.8 mg/Nm<sup>3</sup> respectively.
- Unit has provided ETP consisting of collection tanks cum neutralization tanks, intermediate storage tanks, clarifier, filter press, sand filters, Ultra-filtration plant, RO plant and Solar evaporation pond. Permeate water generated from RO is utilized in process and RO Reject generated from RO Plant is send to solar evaporation pond. Unit has provided MEE which is observed not in operation. During visit, provided MEE is observed not in operation. Flow meters reading for ETP inlet meter reading - 372907 m<sup>3</sup>, RO permeate - 130496 m<sup>3</sup> and STP inlet meter reading shows 3935.4 m<sup>3</sup>. A sample from intermediate storage tank is taken for analysis.
- Generated domestic waste water is treated at provided STP. A sample from final outlet of STP is taken for analysis.
- @11000 MT of gypsum waste is stored in unit premises at Survey no: 163 & 164. It has disposed 3984MT of gypsum waste to cement industry for co-processing in the month May-22.

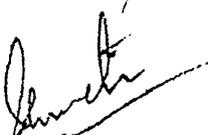
➤ EC-Amendment application made by unit:

- Unit has applied for EC-Amendment application for inclusion of Survey numbers viz 166 & 168 with respect to the recommendations made by Joint committee formed under the Judgment passed by Honourable National Green Tribunal dated: 29/01/2021.
- In 367<sup>th</sup> SEAC video conference meeting dated: 22/02/2022: SEAC committee members have recommended to grant EC-Amendment application. After that, in 811<sup>th</sup> SEIAA meeting held on 23/05/2022, case was referred back for verification of below mentioned points. Detailed verification report is as below:

Verification Report as per the MoM of the 811 <sup>th</sup> meeting of SEIAA on 23/05/2022.		
Sr.no	Point as mentioned by SEIAA	Verification as on date: 07/06/2022
1	To verify the status of the plots with respect to ground conditions.	<ul style="list-style-type: none"> <li>At survey no: 166, unit has constructed production line no: 7 &amp; 8 which is the replacement of old production line 1 &amp; 2.</li> <li>At survey no: 168; unit named M/s. CETCO Lining Technologies India private limited (PCB ID: 29676) was operated which is now closed its operation.</li> </ul>
2	To verify whether any plant or industrial activity is established / going on the additional plots or not?	
3	In case there is industrial plant / activity established / going on the additional units whether the permissions have been obtained or not from concerned department especially GPCB?	The production line 7 & 8 is the replacement plant against the old production line 1 & 2 at survey no: 167. Also, unit has obtained CTE-Amendment no: 109845 dated 20/10/2022 with condition of production capacity remains the same as per FC No. SEIAA/GUI/2(b)/497/2016 dated 30/07/2016.
4	To verify whether if any activity or plant is established on the additional plots does it require Environment Clearance or not?	<ul style="list-style-type: none"> <li>The production line 7 &amp; 8 is the replacement plant against the old production line 1 &amp; 2.</li> <li>As per the recommendations in the MoM of joint committee dated: 15/04/2021;</li> </ul> <p><b><i>"GPCB shall verify the land record of production line 7 &amp; 8; if it is found that the new plant i.e. production line 7 &amp; 8 is constructed on land / plot other than the existing land / plot of the unit i.e M/s Ashapura Perfoclay Pvt. Ltd. than the unit is not exempted from EC as per MoEF &amp; CC Notification of 2016 and SEIAA/GPCB should initiate appropriate action against the unit."</i></b></p> <ul style="list-style-type: none"> <li>Accordingly, unit has applied for EC-Amendment application for inclusion of Survey numbers viz 166 &amp; 168.</li> </ul>
5	In view of above it is also verifying that whether the PP has violated the provisions of EIA notification 2006 or not?	Unit has installed line no: 7 or 8 on survey no: 166 in replacement of old line 1 & 2 without change in production capacity and with no increase in pollution load.

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6	To verify whether the conditions of Environment Clearance already accorded and the directions of Hon'ble NGT are complied with or Not?	MoEFCC, Gandhinagar had issued Certified EC report dated 29/11/2021 for existing EC.
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Date: 07.06.2022			
	S.R. Sharma AEE	Zeel. K. Adhikari AEE	N.P. Chaudhri DEE

AND WHEREAS, with core principle of 'no increase in pollution load', the Central Government has amended the EIA notification by notifications number S.O. 3518(E), dated the 23<sup>rd</sup> November, 2016 and number S.O. 236 (E), dated the 16<sup>th</sup> January, 2020 providing flexibility in change in product-mix; change in quantities within products or number of products in the same category including resultant increase in the production with a cap of 50 per cent for which environmental clearance has been granted; change in configuration of the plant from the environmental clearance conditions during execution of the project;

AND WHEREAS, the Ministry of Environment, Forest and Climate Change is in receipt of requests from processing, production and manufacturing sector for permitting increase in production capacity without having to go through entire environmental clearance process again as long as there is no increase in pollution load;

AND WHEREAS, based on the experience in implementation of the EIA notification as amended by aforesaid notification number S.O. 3518(E), dated the 23<sup>rd</sup> November, 2016, the Central Government deems it necessary to permit increase in production capacity in respect of processing, production and manufacturing sector with or without any change in raw material-mix or product-mix or change in quantities within products or number of products or any change in configuration of the plant or operations in areas contiguous to the existing area, for which prior environmental clearance has been granted, without the requirement of Prior Environmental Clearance provided that there is no increase in pollution load;

AND WHEREAS, for the purpose of Ethanol Blending Programme with Petrol, a special dispensation was provided for expansion of sugar manufacturing or distillery units, intended for production of Ethanol vide notification number S.O. 345(E), dated the 17<sup>th</sup> January, 2019 and notification number S.O. 750(E), dated the 17<sup>th</sup> February, 2020. In view of the Government's commitment to achieve 20% blending of ethanol in petrol by the year 2025, it has been decided to continue further with this dispensation:

Now, therefore, in exercise of powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government, hereby makes following further amendments in the notification of the Government of India, in the erstwhile Ministry of Environment and Forests, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide number S.O. 1533 (E), dated the 14<sup>th</sup> September, 2006, namely:-

In the said notification, -

1. in paragraph 2, for clauses (ii) and (iii), the following clause shall be substituted, namely:-

*"(ii) Expansion, modernisation or any change in the product mix or raw material mix in existing projects or activities, listed in the Schedule to this notification, resulting in capacity beyond the threshold limits specified for the concerned sector in the said Schedule, subject to conditions and procedure provided in the sub-paragraph (ii) of paragraph 7";*

2. in paragraph 7,-

A. in the heading, the words "for New Projects" shall be omitted;

B. in the sub-paragraph (i), the words "**For new projects or activities listed in the Schedule to this notification:**" shall be inserted as heading to the sub-paragraph;

C. in the sub-paragraph (ii),-

(I) in the clause (a), after the words "application shall be appraised accordingly for grant of environmental clearance", the following words shall be inserted, namely:-

*"in respect of projects or activities other than falling in clause (b) and (c)";*

(II) for clauses (b) and (c), the following clauses shall be substituted, namely:-

***'(b) Existing projects (having Prior Environmental Clearance) with no increase in pollution load: Any increase in production capacity in respect of processing or production or manufacturing sectors (listed against item numbers 2,3, 4 and 5 in the Schedule to this notification) with or without any change in (i) raw material-mix or (ii) product-mix or (ii) quantities within products or (ii) number of products including new products falling in the same category or (iv) configuration of the plant or process or operations in existing area or in areas contiguous to the existing area (for which prior environmental clearance has been granted) shall be exempt from the requirement of Prior Environmental Clearance provided that there is no increase in pollution load (derived on the basis of such Prior Environmental Clearance):***

1. परियोजना प्रस्तावक से अपेक्षा की जाती है कि वह ऐसे पर्यावरण संपरीक्षकों या प्रतिष्ठित संस्थाओं, जो राज्य प्रदूषण नियंत्रण बोर्ड या केंद्रीय प्रदूषण नियंत्रण बोर्ड या पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय (जिसे इसमें इसके पश्चात् मंत्रालय कहा गया है) द्वारा पैनलीकृत की जाएं, से 'प्रदूषण भार में कोई वृद्धि नहीं' का प्रमाणपत्र अभिप्राप्त करे।

2. मंत्रालय द्वारा परिवेश पोर्टल पर, समय-समय पर उपलब्ध कराए गए अनुसार, 'प्रदूषण भार में कोई वृद्धि नहीं' प्रमाणपत्र और सूचना की एक प्रति उम यूनिट द्वारा अपलोड की जाएगी, जिसके लिए प्रणाली सृजित अभिस्वीकृति आनलाइन जारी की जाएगी।

3. यूनिट, यथास्थिति, राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति को विनिर्दिष्ट रूपविधान में निम्नलिखित के साथ सूचित करेगी,—

i. राज्य प्रदूषण नियंत्रण बोर्ड या प्रदूषण नियंत्रण समिति या केंद्रीय प्रदूषण नियंत्रण बोर्ड या मंत्रालय द्वारा पैनलीकृत पर्यावरण संपरीक्षक या प्रतिष्ठित संस्था से 'प्रदूषण भार में कोई वृद्धि नहीं' का प्रमाणपत्र ;

ii. परियोजना या क्रियाकलाप के लिए प्रचालन के लिए अंतिम सहमति प्रमाणपत्र ; और

iii. परिवेश पोर्टल पर सूचना और 'प्रदूषण भार में कोई वृद्धि नहीं' प्रमाणपत्र अपलोड करने की आनलाइन सृजित प्रणाली अभिस्वीकृति।

4. इस प्रकार अभिप्राप्त सूचना की, यथास्थिति, राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति द्वारा परीक्षा की जाएगी, जो, परियोजना प्रस्तावक से अभिप्राप्त, ऐसी सूचना पर विनिश्चय करेगा/करेगी।

5. यदि, यथास्थिति, राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति, मत्यापन किए जाने पर पर यह पाते हैं कि परिवर्तन या विस्तार या आधुनिकीकरण का परिणाम प्रदूषण भार में वृद्धि के रूप में होगा या हुआ है, तो इस खंड के अधीन दावा की गई छूट विधिमान्य नहीं होगी और यह माना जाएगा कि परियोजना प्रस्तावक, ऐसे परिवर्तन या वृद्धि करने से पहले, इस अधिसूचना के पैरा 7 के उपपैरा (ii) खंड (क) के अनुसार, पूर्व पर्यावरणीय अनापत्ति अभिप्राप्त करने का दायी होगा और पर्यावरण (संरक्षण) अधिनियम, 1986 के उपबंध तदनुसार लागू होंगे।

**टिप्पण :** शंकाओं को दूर करने के लिए, यह स्पष्ट किया जाता है कि परियोजना प्रस्तावक का यह उत्तरदायित्व होगा कि वह, ऐसा परिवर्तन या वृद्धि करने से पूर्व, यथास्थिति, परिवर्तन, विस्तार या आधुनिकीकरण के परिणामस्वरूप 'प्रदूषण भार में कोई वृद्धि नहीं' के संबंध में स्वयं का समाधान करे और परियोजना प्रस्तावक, पर्यावरण (संरक्षण) अधिनियम, 1986 के उपबंधों के अधीन कार्रवाई के लिए दायी होगा, यदि तथ्यों या दावे के सत्यापन किए जाने पर यह पाया जाता है कि ऐसे परिवर्तन, विस्तार या आधुनिकीकरण से प्रदूषण भार में वृद्धि अंतर्वलित है।"।

[फा. सं. 22-33/2019-आईए.।।।]

गीता मेनन, मंयुक्त सचिव

**टिप्पण :** मूल अधिसूचना, भारत के राजपत्र, असाधारण, भाग II, खंड 3, उपखंड (ii) में, अधिसूचना संख्या का.आ. 1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित की गई थी और अधिसूचना संख्या का.आ. 221(अ), तारीख 18 जनवरी, 2021 द्वारा उसमें अंतिम बार संशोधन किया गया था।

## MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

### NOTIFICATION

New Delhi, the 2nd March, 2021

**S.O. 980(E).**—WHEREAS, by notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O.1533 (E), dated the 14th September, 2006 issued under sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of the sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 (hereinafter referred to as the EIA Notification), the Central Government directed that on and from the date of its publication, the new projects or activities or the expansion or modernisation of existing projects or activities listed in the Schedule to the EIA notification entailing capacity addition with change in process or technology and/or product mix shall be undertaken in any part of India only after obtaining prior environmental clearance from the Central Government or as the case may be, by the State Level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified therein;

1. *The project proponent is required to obtain a certificate of 'no increase in the pollution load' from the environmental auditors or reputed institutions, to be empanelled by the State Pollution Control Board or Central Pollution Control Board or Ministry of Environment, Forest and Climate Change (hereinafter referred to as the Ministry).*
2. *A copy of 'no increase in pollution load' certificate and intimation, as provided by the Ministry from time to time on PARIVESH portal, shall be uploaded by the unit for which system generated acknowledgement shall be issued online;*
3. *The unit shall inform the State Pollution Control Board or Union Territory Pollution Control Committee, as the case may be, in specified format along with-*
  - i. *'no increase in pollution load' certificate from the Environmental Auditor or reputed institutions empanelled by the State Pollution Control Board or Pollution Control Committee or Central Pollution Control Board or Ministry;*
  - ii. *last Consent to Operate certificate for the project or activity; and*
  - iii. *online system generated acknowledgement of uploading of intimation and 'no increase in pollution load' certificate on PARIVESH Portal;*
4. *The information so received shall be examined by the State Pollution Control Board or Union Territory Pollution Control Committee, as the case may be, who shall take decision on such information, received from the project proponent.*
5. *If on verification the State Pollution Control Board or Union Territory Pollution Control Committee, as the case may be, holds that the change or expansion or modernisation will result or has resulted in increase in pollution load, the exemption claimed under this clause shall not be valid and it shall be deemed that the project proponent was liable to obtain Prior Environmental Clearance before under taking such changes or increase, as per the clause (a) of sub-paragraph (ii) of paragraph 7 of this notification and the provisions of Environment (Protection) Act, 1986 shall apply accordingly.*

*Note: For removal of doubts, it is clarified that it shall be the responsibility of the project proponent to satisfy itself about 'no increase in pollution load' as a result of changes, expansion or modernisation, as the case may be, before under taking such changes or increase, and the project proponent shall be liable for action under the provisions of the Environment (Protection) Act, 1986 if on verification of facts or claim it is found that such change or expansion or modernisation involves increase in pollution load."*

[F. No. 22-33/2019-IA.III]

GEETA MENON, Jt. Secy.

**Note :** The principal notification was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide number S.O. 1533 (E), dated the 14<sup>th</sup> September, 2006 and was last amended vide the notification number S.O.221(E) , dated the 18<sup>th</sup> January, 2021.

*Provided that such exemption shall be applicable only consequent to -*

- A. *the project proponent furnishing information regarding such changes along with no increase in pollution load certificate, from the environmental auditor or reputed institutions empanelled by the State Pollution Control Board or Union Territory Pollution Control Committee or Central Pollution Control Board or Ministry of Environment, Forest and Climate Change, as per the procedure laid down in Appendix-XIII, on PARIVESH portal as well as to the concerned State Pollution Control Board or Union Territory Pollution Control Committee.*

*Note: If on verification, the State Pollution Control Board or Union Territory Pollution Control Committee, as the case may be, after giving the project proponent the opportunity of being heard, holds that such change or expansion or modernisation results in increase in pollution load, the exemption claimed under this clause shall not be valid and it shall be deemed that the project proponent was always liable to obtain prior environmental clearance, in respect of such change or expansion or modernisation, as per the clause (a) and the provisions of Environment (Protection) Act, 1986 shall apply accordingly;*

- B. *installation and implementation of Online Continuous Monitoring System (OCMS) with at least 95% uptime, connected to the servers of the Central Pollution Control Board and State Pollution Control Board or Union Territory Pollution Control Committee concerned to report the quantity and quality, of emission and discharges:*

*Provided further that the provisions of this clause shall not be applicable if such change or increase results in change in category of project or activity from Category-‘B2’ to either Category-‘A’ or Category ‘B1’.*

*(c) Any change in configuration of the plant or activity from the environmental clearance conditions during execution of the project after detailed engineering, in respect of projects or activities, falling in any item of the Schedule to this notification, shall not require prior environmental clearance, if there is no change in production capacity and there is no increase in pollution load subject to furnishing particulars of such changes on PARIVESH portal in the format as may be provided by the Government from time to time, before implementing such changes whereupon a system generated acknowledgement will be issued by the concerned Regulatory Authority.*

**Explanation:-** *For the purpose of this sub-paragraph, “Pollution load” shall be determined on the basis of multiplication of quantity and concentration of different components and parameters (as provided or referred in the Prior Environment Clearance or the Environment Impact Assessment Report (EIA) and Environment Management Plan based on which such Prior Environment Clearance has been granted), in respect of emissions, effluents or discharge, solid, industrial hazardous waste and such other parameters notified under the Environment (Protection) Rules, 1986 as amended from time to time.’*

3. in the Schedule, against item 5(g), after the entry in column (5), the following entry shall be inserted, namely:-

**“Note:** *Expansion of sugar manufacturing units or distilleries, having Prior Environment Clearance and for production of ethanol, to be used as fuel for blending only as certified by the competent authority, shall be appraised as Category ‘B2’ projects.”;*

4. for Appendix-XIII, the following Appendix shall be substituted, namely:-

#### **“Appendix-XIII**

#### **Verification of No Increase in Pollution Load**

*The instant amendment in EIA Notification exempts the requirement of Prior Environmental Clearance for any increase in production capacity in respect of processing or production or manufacturing sectors (listed against item numbers 2,3, 4 and 5 in the Schedule to this notification) with or without any change in (i) raw material-mix or (ii) product-mix or (ii) quantities within products or (ii) number of products including new products falling in the same category or (iv) configuration of the plant or process or operations in existing area or in areas contiguous to the existing area specified in the environmental clearance of the project. This facility is available to those units which have obtained prior environmental clearance under EIA Notification, 1994 and EIA Notification, 2006. To claim exemption from obtaining Prior Environment Clearance in respect of such cases, the project proponent shall follow the following process:-*

ASAV P. GADHVI  
MEMBER SECRETARY  
SEIAA (GUJARAT)



521 ANEX I  
GOVERNMENT OF INDIA  
MOEF & CC  
STATE ENVIRONMENT IMPACT  
ASSESSMENT AUTHORITY  
GUJARAT

No. SEIAA/GUJ/EC/2(b)/1049/2023

Date: 21 AUG 2023

By R.P.A.D  
Time Limit

Sub: Rejection of application for Amendment of Environment Clearance of M/s. Ashapura Perfoclay Ltd., S. No. 167, VIII: Ler, Nr. Bhujodi, Anjar Bhuj Highway, Ta: Bhuj, Dist: Kutch

Ref: Your proposal No. SIA/GJ/IND/221292/2021.

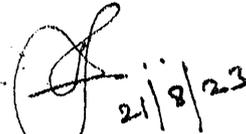
Dear Applicant,

This has reference to your application for Amendment of Environment Clearance M/s. Ashapura Perfoclay Ltd., S. No. 167, VIII: Ler, Nr. Bhujodi, Anjar Bhuj Highway, Ta: Bhuj, Dist: Kutch falling under project / activity no. 2(b) of the Schedule of the EIA Notification, 2006.

The SEAC, Gujarat vide their letter dated 21/07/2023 had recommended to SEIAA, Gujarat to reject your application seeking Amendment of EC. Your proposal was considered by the SEIAA, Gujarat in its meeting held on 11/08/2023 at Gandhinagar.

After careful consideration, your application for Amendment of Environment Clearance is hereby rejected and consider as a violation case under the provisions of the EIA Notification dated 14<sup>th</sup> September, 2006 as recommended by SEAC for the following reason:

1. To reject the EC-Amendment application with a condition that "PP shall apply for TOR- violation in accordance with MOEF & CC OM dated 07.07.2021
2. To inform GPCB to take credible action against the unit for the said notification.

  
(ASAV P. GADHVI)  
Member Secretary

Issued to:

M/s. Ashapura Perfoclay Ltd.,  
S. No. 167, VIII: Ler, Nr. Bhujodi, Anjar Bhuj Highway,  
Ta: Bhuj, Dist: Kutch

Copy to:-

1. The Secretary, SEAC, C/O. G.P.C.B. Gandhinagar - 382010.
2. The member Secretary, GPCB  
Sector 10A, Paryavarān Bhavan,  
Gandhinagar- 382010,.... Please refer as per decision taken by SEIAA in its Meeting dated 11.08.2023 this case is consider as a violation case therefore you are requested to take credible action against the unit for the said notification, (Copy of the minute of Meeting is enclosed herewith for reference).

ITEM NO. 23

COURT NO. 3

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 1394/2023

VANASHAKTI

Petitioner(s)

VERSUS

UNION OF INDIA  
(FOR ADMISSION  
ORDERS/DIRECTIONS )

and

IA

Respondent(s)  
No. 257416/2023-APPROPRIATE

Date : 02-01-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B. R. GAVAI  
HON'BLE MR. JUSTICE SANDEEP MEHTAFor Petitioner(s) Mr. Gopal Sankaranarayanan, Sr. Adv.  
Mr. Vanshdeep Dalmia, AOR  
Ms. Anisha Jian, Adv.  
Ms. Tanya Shrivastava, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

1. Issue notice returnable in four weeks.
2. Until further orders, there shall be stay of operation of the Office Memoranda dated 7<sup>th</sup> July, 2021 and 28<sup>th</sup> January, 2022 issued by the Ministry of Environment, Forest and Climate Change.

(ASHA SUNDRIYAL)  
ASTT. REGISTRAR-cum-PS(BEENA JOLLY)  
COURT MASTER (NSH)

Signature Not Verified

Digitally signed by  
ASHA SUNDRIYAL  
Date: 2024.01.05  
10:37:21 IST  
Reason:

## ANNEXURE - VII

523



State Environment Impact Assessment  
Authority  
Gujarat

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S.No	Proposal Details	Location	Important Dates	Category	Company/Proponent	Current status	* Attached Files	View TimeLine Details
1	<p>Proposal No : SIA/GJ/IND1/444162/2023</p> <p>File No : SIA/GJ/IND1/132609/2023</p> <p>Proposal Name : M/s. Ashapura Perfoclay Ltd.</p>	<p>State : GUJARAT</p> <p>District : -1</p> <p>Tehsil : -1</p>	<p>Date of Submission : Sep 13 2023</p>	Industrial Projects - 1	Mr Devisahai Nandlal Tripathi	Delisted	FORM1	



Open Government Data (OGD) Platform India



The national portal of India  
india.gov.in

my  
GOV



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