

BEFORE THE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, AT PUNE

**ORIGINAL APPLICATION NO. 220 OF 2023 (WZ)**  
**EARLIER ORIGINAL APPLICATION NO. 718 OF 2023 (PB)**

IN THE MATTER OF:

IN RE : NEWS ITEM APPEARING IN THE INDIAN EXPRESS  
DT. 30-11-2023 TILED FIRE AT CHEMICAL PLANT  
IN SURAT 24 WORKERS INJURED. ... APPLICANT

VERSUS

STATE OF GUJARAT THROUGH THE CHIEF SECRETARY & ORS...  
... RESPONDENTS

AFFIDAVIT OF BEHALF OF RESPONDENT No. 2 -  
GUJARAT POLLUTION CONTROL BOARD

I, Dr. S. N. Agravat, adult, having my office at Paryavaran Bhavan, Section 10-A, Gandhinagar, Gujarat do hereby solemnly affirm and state on oath as under:

1. I am presently working as Senior Environment Scientist with the Gujarat Pollution Control Board – respondent no. 2 in the present application. I have read the orders passed by this Hon'ble Tribunal on the suo-motu. I am conversant with the facts of the case having perused the record pertaining to the case available in my office. I am authorised to make the present affidavit on behalf of the State Pollution Control Board and am otherwise competent to swear the present affidavit.
2. This Hon'ble Tribunal has taken suo motu cognizance of an incident of fire which took place on 29.11.2023 in a chemical plant at Surat on the basis of reporting of such incident in the newspapers.

*Agms. N*

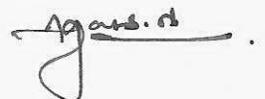
3. Initially a report had been filed by the Board concerning the incident. The Hon'ble Tribunal, after perusal of the report, has proceeded with the hearing of the case and ordered the Board to file an affidavit in reply, placing on record the relevant facts concerning the incident in so far as it relates to damage to the environment and enumerate the steps taken by the Board to mitigate the damage to the environment as also assess the compensation amount liable to be paid by the project proponent for the damage that has been or may have been caused to the local environment because of release of noxious chemicals.

#### INCIDENT OF FIRE

4. An incident of fire occurred in the production plant of the 4<sup>th</sup> respondent on 29.11.2023 at about 0145 hours. The 4<sup>th</sup> respondent is engaged *inter alia* engaged in the business of manufacturing synthetic chemicals [i.e. Active Pharmaceuticals Ingredients (API) & API Intermediate, Research and Development (R & D) Centre along with Pilot Plant].
5. The site where the fire started could not be immediately accessed so as to ascertain the cause of fire. However, the location of the fire suggested that it possibly was caused to due leakage of solvent - Tetra Hydro Furan.
6. The immediate reports, made available by the officials of the 4<sup>th</sup> respondent, indicated no casualty but confirmed sustaining of injury or sufferance of burn by about 26 workers.

#### IMMEDIATE ACTION FOLLOWING ACCIDENT

7. Officials from the Fire Department, Directorate of Industrial Safety and Health, Pollution Control Board and other statutory authorities reached the site of accident at different times. All authorities conjointly, together with the management of the 4<sup>th</sup> respondent, took necessary steps for



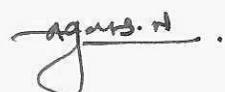
dousing the fire and controlling the damage caused by the accidental fire.

8. Instructions were given by the officials of the statutory authorities, including the Pollution Control Board, for safe and environment friendly disposal of the water used for dousing the fire and burnt waste generated during fire. Samples were collected of the contaminated water / waste water generated from fire fighting activity. Ambient air quality was also monitored by the officials of the Pollution Control Board.
9. Pending inquiry and investigation, a direction was issued by the Inspector under the Factories Act, 1948 on 29.11.2023 to close production activity in the entire industry. Similarly, a direction for closing the operations in the entire production area was issued by the Pollution Control Board on 30.11.2023 with certain additional directions:
  - (a) Unit shall comply with DISH direction and submit compliance report.
  - (b) To submit safety Audit report & HAZOP study report.
  - (c) To collect & dispose generated wastewater, burned/partially burned material due to fire incident in a scientific manner and submit details.
  - (d) Unit shall carry out and submit final environment damage assessment report from reputed technical institute i.e. NEERI/IIT, as per the latest guideline of CPCB/Hon'ble NGT directions.
  - (e) Unit shall not carry out any production activity without prior permission of the Board.

A copy of direction for closure of the unit issued by Pollution Control Board is annexed herewith and marked as **Annexure R-1**.

#### **ACTION BY POLLUTION CONTROL BOARD**

10. Pollution Control Board is concerned with impact of discharge of pollutions, even if such discharge is unintended and caused due to an accident, on the environment, including damage that may have been caused to the environment (air, water and soil).

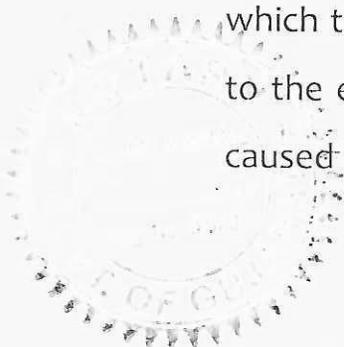


11. In the present case, the Pollution Control Board had issued instructions to the factory for disposal of the contaminated water / wastewater generated from fire-fighting activity and disposal of burnt waste. Same was complied by industry. Approximately 212.455 kilolitre of fire water from fire fighting water was collected and transferred to in house ETP for further treatment and was discharged into Common Effluent Treatment Plant (CETP) of M/s. Globe Enviro Care Limited (GECL) for further treatment and at Common Multi Effect Evaporator (MEE) of M/s. Detox India Pvt. Ltd., Ankleshwar through online manifest system for further treatment. The entire quantity of wastewater was disposed of in a safe and environment friendly manner by the factory. This was later confirmed during inspection on 26.12.2023.
12. Approximately 17.485 tonnes of burnt/partially burnt material was generated and sent to Common Treatment, Storage and Disposal Facility (TSDF) of M/s. Recycling Solution Pvt. Ltd. (RSPL) and to common Treatment, Storage and Disposal Facility (TSDF) of M/s. Bharuch Enviro Infrastructure Limited (BEIL), Ankleshwar.
13. During inspection on 29.11.2023 ambient air quality was monitored by the Pollution Control Board using wireless portable multi gas monitor (MultiRAE Lite) handy sampler for VOC and NO<sub>2</sub> parameters and presence of VOC was observed near production plant where fire occurred and 50 meters away from incident site as VOC – 398 ppm and NO<sub>x</sub> – 0.3 ppm. At the time of inspection, the ambient air quality was reported to be ‘very poor’.

#### **ENVIRONMENT DAMAGE & COMPENSATION**

14. The material collected at the time of accident and thereafter, and now available on record, permitted a judicious conclusion that incident of fire which took place in the factory of the 4<sup>th</sup> respondent did cause damage to the environment. However, the exact nature and extent of damage caused by the fire could not be ascertained by the Board.

*Agmt*



15. Nevertheless, there is ample material available demonstrating that the air quality following the incident of blast and fire had deteriorated significantly in the area. I submit that compensation is a natural sequitur and necessary consequence to violation of environmental laws. Once it is prima facie established that a particular industrial unit has violated environmental norms or is responsible for causing damage to the environment, such unit stands liable, both in fact and in law, to paying compensation.
16. The amount of compensation is ordinarily calculated on the basis of formula prescribed by the Central Pollution Control Board. However, in the present case, as the extent of damage is unascertainable, the State Pollution Control Board has, relied upon one of the available parameter – ambient quality at the time of inspection and fire incident, and basis the results suggesting the air quality to be between ‘very poor’ and considering accident having causality, assessed Rs. 50 lacs as an interim environment damage compensation. The 4<sup>th</sup> respondent has deposited the entire amount of Rs. 50 lacs with the Board.

#### PRESENT STATUS

17. The Directorate of Industrial Safety and Health Department, Surat under the Factories Act, 1948 has lifted the prohibition on use of production area of Production Plant No. 4, 5 and 6 located in Building No. 3 and corresponding utility building, admin building, warehouse, DCS & MCC Panel building, ETP, ETP Tank Farm, EO Storage Tank Farm, IB Storage Tank Farm and all green coloured area shown in submitted site lay out plan vide letter no. DISH/ G-Akasmat/40(2)/file 127/2023/723, dated 22/12/2023 after satisfying itself about the structural stability and other safety issues. Basis the report of Directorate of Industrial Safety and Health which initially granted partial revocation of the shut down direction, the Board initially issued trial revocation order on 05.01.2024 with carry out 25% consented production quantity in area permitted by DISH authority. A copy of trial run revocation issued by Pollution Control Board is annexed herewith and marked as **Annexure R-2**.

*Agencies of*

18. Recently unit is visited on 29.02.2024 and found complying with the directions issued by Board. A copy of inspection report is annexed herewith and marked as **Annexure R-3**.

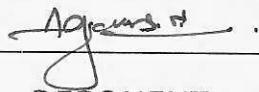
## DETERMINATION OF FINAL COMPENSATION

19. The Hon'ble Tribunal has directed the Pollution Control Board to assess the final amount of damage compensation. Towards this end, the Board has instructed the 4<sup>th</sup> respondent to submit environment damage assessment report by getting a survey and study conducted by a reputed institute. In terms of the aforesaid instruction of the Board, the 4<sup>th</sup> respondent has engaged M/s. National Environmental Engineering Research Institute (NEERI) to conduct the damage caused to environment due to release of harmful pollutants into the environment as a result of the accident. The agency would collect the details of chemicals and solvents stored at the storage unit of the industry prior to the incident to assess both the nature and extent of chemicals and solvents that possibly got released in the air due to the accident and the accompanying fire. Basis the study, the expert agency would submit environmental damage cost assessment to the 4<sup>th</sup> respondent, who in turn would submit the report to the Board. The Board will thereafter determine the final amount of environmental damage compensation after according an opportunity of hearing to the project proponent and following the procedure as prescribed in law.

## CONCLUSION

20. The Gujarat Pollution Control Board shall abide by any and all reasonable directions or orders that may be issued in this behalf by the Hon'ble Tribunal.



  
DEPONENT

VERIFICATION

Verified at Gandhinagar on this 14<sup>th</sup> day of March, 2024 that the contents of the above affidavit are true and correct, nothing stated therein is false and nothing material has been concealed therefrom.

Aggarwal  
DEPONENT

Solemnly Affirmed  
Before Me  
[Signature]  
(C. M. RAVAL)  
NOTARY  
Govt of Gujarat  
14 MAR 2024



Entered in Notary Register at  
Serial No. 144 Vol. No. I  
[Signature]  
C. M. RAVAL  
NOTARY  
Govt of Gujarat  
14 MAR 2024





# GUJARAT POLLUTION CONTROL BOARD

Annexure R-1

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

BY R.P.A.D.

**CLOSURE DIRECTION UNDER SECTION 31(A) OF THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT - 1981 [HEREINAFTER REFERRED TO AS THE "AIR ACT"] AS AMENDED FROM TIME TO TIME**

WHEREAS you are having an industrial plant namely M/s. Aether Industries Ltd. located at Plot No: 8203, Sachin GIDC, Sachin - 394230, Tal: Chorasi, Dist: Surat.

AND WHEREAS the Gujarat Pollution Control Board has granted Consolidated Consent and Authorization (CC & A) under the provisions of the Environmental Acts/Rules by its Consent Order No. AWH-118971 & W-126157 which is valid up to 06/04/2028.

AND WHEREAS, during the inspection of your industrial plant on 30/11/2023 (10:45 AM) under Section-24 of the Air Act by the authorized officers of the Board with reference to Fire Incident occurred on dated: 29/11/2023 (@ 01:50 AM) following non-compliances was observed:

1. According to DISH authority report dated: 29/11/2023, Fire Incident occurred on 29/11/2023, @1:50 AM due to leakage of solvent (i.e. Tetra Hydro Furan, Toluene) & water mixer in solvent recovery tank located at ground floor of Plant No. 2, and 26 workers are injured.
2. Mr. Nayan Jadav (company representative) informed that, this incident happened around 1:30 AM & it might be due to leakage of the gasket of THF (Tetra Hydro Furan) storage tank capacity 25 KL. THF leakage create vapour cloud after coming into contact with the air and took fire after that converted into blast.
3. THF (Tetra Hydro Furan) tank is located in tank farm area where might be this fire/blast affected plant number 02 machinery like recovery tank, pipeline and other machinery which is located opposite tank farm.
4. Both plant i.e. tank farm and plant number 2 are affected hence source of fire/blast could not be verified.
5. During rescue 07 dead bodies were found within the affected area.
6. During visit, VOC-398 PPM and NO<sub>2</sub>-0.3 PPM is measured @50 meter away from incident site. Due to high VOC level other information could not be verified.
7. Heavy dense smoke emission occurred at the time of fire incident and ambient air quality was very poor.

AND WHEREAS Industry has submitted following representation/request on dated: 30/11/2023.

- a. To submit the compliance of DISH directions as suggested in DISH report and for the same required repairing / removing some equipment's, electric cable work in effected area, which required power.
- b. Unit having many solvent in storage tank and it need to be stored under Nitrogen which requires power in nitrogen generate plant.
- c. Unit having Ethylene Oxide in storage tank which has to be stored under chilled condition, required chilling plant, hence need Power to operate such plant.
- d. Certain dismantle work has to be carried out for safety purpose which required power.

UNDER THE CIRCUMSTANCES, I, **Dr. S. N. Agravat, Unit Head, Surat** of Gujarat Pollution Control Board, is directed to issue the directions under Section – 31A of The Air (Prevention and Control of Pollution) Act-1981 as under:

- I. This order shall be effective with **immediate effect**.

M/s. Aether Industries Ltd. (ID: 45359)

Page 1 of 2

- II. Unit shall comply with DISH direction and submit it's compliance report.
- III. To submit safety Audit report & HAZOP study report.
- IV. To collect & dispose generated wastewater, burned/partially burned material due to fire incident in a scientific manner and submit details.
- V. Unit shall carry out and submit final environment damage assessment report from reputed technical institute i.e. NEERI/IIT, as per the latest guideline of CPCB/Hon'ble NGT directions.
- VI. Unit shall not carry out any production activity without prior permission of the Board.

Pay **Rs. 50 Lakh** as Interim Environment Damage Compensation through your online XGN Portal.

Details regarding action taken in this regard shall be communicated on following mail especially with UTR No.

1) <a href="mailto:uh-gpcb-sura@gujarat.gov.in">uh-gpcb-sura@gujarat.gov.in</a>
2) <a href="mailto:nuh-gpcb-acc5@gujarat.gov.in">nuh-gpcb-acc5@gujarat.gov.in</a>
3) <a href="mailto:nuh-gpcb-sura@gujarat.gov.in">nuh-gpcb-sura@gujarat.gov.in</a>

If the above directions are not complied, you are liable for prosecution under Section 37 of the Air (Prevention and Control of Pollution) Act-1981 which provides punishment with imprisonment for a term not less than one year and six months and may extend to six years and with fine.

If any person aggrieved by the aforesaid direction, you may file an appeal under Section 31 of the Air (Prevention and Control of Pollution) Act, 1981 before Appellate Authority (Forests & Environment Department, Government of Gujarat) within thirty days from the date of this order.

This order is issued after approval of competent authority.

For and on behalf of  
Gujarat Pollution Control Board,

  
(Dr. S. N. Agravat)  
Unit Head, Surat

NO: GPCB/CCA-SRT-2000(5)/ID\_45359/

Date:

To:

M/s. Aether Industries Ltd,  
Plot No: 8203, Sachin GIDC,  
Sachin - 394230,  
Tal: Chorasi, Dist: Surat.

Outward No: 759643, 30/11/2023



# 106 GUJARAT POLLUTION CONTROL BOARD

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

BY RPAD

**REVOCATION OF CLOSURE ORDER ISSUED UNDER SECTION 31-A OF THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT-1981. [HERE IN AFTER REFERRED TO AS THE "AIR ACT"] AS AMENDED FROM TIME TO TIME.**

WHEREAS you are having an industrial plant namely M/s. Aether Industries Ltd. located at Plot No. 8203, GIDC Sachin - 394230, Tal: Chorasi, Dist: Surat.

AND WHEREAS the Gujarat Pollution Control Board has granted Consolidated Consent and Authorization (CC & A) under the provisions of the Environmental Acts/Rules by its Consent Order No. AWHI- 118971& W-126157 which is valid up to 06/04/2028.

AND WHEREAS closure direction was issued under Section 31-A of the Air (Prevention and Control of Pollution) Act, 1981, as amended from time to time vide letter No: GPCB/CCA-SRT-2000(5)/ID-45359/759643, dated 30/11/2023.

AND WHEREAS, during the inspection of your industrial plant on 26/12/2023 under Section-24 of the Air Act by the authorized officer of the Board, and observed that:

1. After fire incident unit has stopped entire production activity with immediate effect.
2. During inspection no any production activity is observed within the premises & visibly ambient air quality is found normal during visit.
3. Generated wastewater due to fire fighting is collected & finally wastewater (106.6 KI.) is discharged into the CETP of GECL & wastewater (105.855 KI.) is sent at Common MEE of Detox India Pvt. Ltd., Ankleshwar for the treatment through online manifest system.
4. Unit has obtained the revocation letter from the Director Industrial Safety And Health (DISH), Surat Region to restart the operation of the Plant No. 4, 5 & 6 which are placed in Building No. 3 and corresponding utility building, admin building, warehouse, DCS & MCC Panel building, ETP, ETP Tank Farm, EO Storage Tank Farm, IB Storage Tank Farm and all green coloured area shown in submitted site lay out plan vide letter no. DISH/ G-Akasmal/40(2)/file 127/2023/723, dated 22/12/2023.
5. As per the submitted details by industry, Total 10 Nos. of workers are died due to incident dated 29/11/2023 (During rescue 07 dead bodies were found within the affected area & 3 workers were died during the treatment in Hospital) & other 24 nos of workers are injured and admitted to hospital, As on today, out of them 17 Nos has been discharged from the hospital & remaining 7 Nos are receiving treatment at the hospital.
6. Unit has submitted details of paid compensation to all injured workers during the accident.
7. Unit has submitted the Safety Audit Report / HAZOP study report to the Department.

M/s. Aether Industries Ltd. (ID: 45359)

Page 1 of 2

*Ag. Secy. of*

AND WHEREAS you have submitted notarized undertaking for compliance assurance of closure direction on 25/12/2023 along with assurance to comply with the any directions given by the Hon'ble NGT in the matter of O.A. No. 718 of 2023.

AND WHEREAS you have submitted the Bank Guarantee (BG No: 0052NDLG0022524) of Rs. 2,50,000/- of ICICI Bank, valid up to 31/12/2024 for compliance assurance.

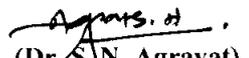
AND WHEREAS you have paid the 100% interim EDC amount of Rs. 50 Lakhs dated:01/12/2023 (Transaction ID-YICO2159087332) as imposed in closure direction.

Under the circumstances, I, **Dr. S. N. Agravat (Unit Head, Surat)**, Gujarat Pollution Control Board as directed **revoke the closure order** issued vide letter No. GPCB/CCA-SRT-2000(5)/ID-45359/759643 dated 30/11/2023 **for the three months** with following conditions:

- 1) You shall strictly comply with condition of CCA issued by Board.
- 2) You shall strictly comply with DISH Direction and submit it's compliance report.
- 3) You shall strictly comply with their undertaking dated: 25/12/2023.
- 4) You shall strictly comply with any direction passed by Hon'ble NGT in the matter of O.A. No. 718 of 2023.
- 5) You shall carry out and submit final environment damage assessment report from reputed technical institute i.e. NEERI/IIT.
- 6) **You shall carry out only 25% of consented production in the area/plant permitted by DISH authority in their direction dated: 22/12/2023.**

This order is issued after approval of competent authority.

For and on behalf of  
Gujarat Pollution Control Board,

  
(Dr. S.N. Agravat)  
Unit Head, Surat

NO: GPCB/CCA-SRT-2000(5)/ID: 45359/

Issued to:  
M/s. Aether Industries Ltd.  
Plot No. 8203, GIDC Sachin - 394230,  
Tal: Chorasi, Dist: Surat.

Outward No: 780488, 05/01/2024

**Inspection Report**

<b>Name &amp; Address of Unit</b>	Aether Industries Limited, (GPCB ID- 45359) Plot No. 8203, GIDC Sachin, Chorasi, Surat.
<b>Reference:</b>	Complaint letters received from different complainer through email, 1. Kamlesh Hindustani email dated 13/02/2024 (point no-1 to 13), 2. Amit Tiwari email dated 06/02/2024. (point no-14) (Copy of e-mails are attached herewith)
<b>Date and Time of Visit:</b>	29/02/2024 11:00 AM
<b>Visited By:</b>	B.C. Gosai, AEE, N.V. Dasandi, SO, Dr. J.D. Oza, RO.
<b>Contacted Person:</b>	Mr. Sonu Patel, EHS Head of Aether Industries Limited.

Detailed point wise compliance report are as under;

<b>Sr.No</b>	<b>Complainer point</b>	<b>Status during visit</b>
1	On 29/11/2023 at 2:00 AM in this Aether Industries Limited Company due to gross negligence of the company management there was a big blast in the chemical tank and thus a major fire accident and in this incident 40 employees were burnt and 7 of them died. Regarding this incident, we dated On 29/11/2023 the complaint was filed through email along with other issues as per IPC 304A in case of death against company directors.	-GPCB has issued closer direction u/s-31(A) of the Air Act-1981 dated-30/11/2023 for the reason stated therein. Subsequently unit has obtained trial run revocation after compliance and verification of closures points on dated-05/01/2024
2	It was reported through the news that the incident was due to the company management not heeding the GPCB's warning. Which suggests that the managers of this company may be habitually aware of chemical tank leakage, but the company managers have committed a serious criminal act of endangering the lives of workers and the environment by illegally using such tanks.	Contacted person inform that chemical storage tank bottom valve might have/had passed/ leakage, due to this stored chemical started flowing out of the storage tank, and lead to a vapour cloud, Due to some unknown ignition source it exploded and resulted in subsequent fire.
3	The complaint dated 29/11/23 also sought an inquiry into the following issues In this company, during the chemical process, the residue remaining in the reactor of the old bench production should be removed from the reactor before starting the charging for the purpose of distillation for the production of the new bench reactor. And due to the residue remaining in the reactor due to the work of distillation, it was necessary to pressurize the reactor more in the process of distillation? And the residues are not removed from the reactor.	The system in the place to start a new batch in reactor, and they are strictly following the system includes cleaning of reactor after every batch, time to time removal of residue after process.  The DCS facility in the place to observe the all the parameter like batch size, temperature & pressure, also verified the parameters and batch size data from the DCS screen with the help of history to ensure that there were no deviations in reactor batch size, temperature and

	Batch size was increased? Also, due to some reason, the reactor overheated and burst into flames. And all the issues that this company had no system/method system to dispose of the residue left in the reactor during the process should be investigated in detail. That is what we demanded	pressure.
4	Where was the factory safety officer inspecting the chemical tank manufactured in this company and the inspection was done by him only on paper? That is gross negligence in his duty which should be departmental action against that factory safety officer and FIR should be filed against him also. We demanded.	This point is related to DISH department.
5	Here was no proper alarm system inside or outside the company or the alarm was not sounded. So, there was no system in the company where the employees inside the company or the people around outside the company could escape and save their lives after hearing the alarm. The lives of employees and people were deliberately put at risk. He demanded an investigation.	A large range of emergency siren systems is provided by the unit & check out it periodically.
6	A large quantity of raw materials and pods or other materials were illegally stored in the open space in the company in violation of the rules. It needs to be investigated.	The storage of raw materials and manufacturing materials in warehouses with approved valid factory licenses. (Factory License no-27926)
7	Environment clearance by the company is in open violation of EC provisions. Demanded a thorough investigation of each such issue.	Unit has complied EC conditions.
8	The factory inspector who last inspected the said company did not carry out any verification during his visit to the company. It is only a formality of the visit and the fact that the factory inspector along with the company management has endangered the lives of the workers and the people of the surrounding villages, should be humane, a departmental inquiry and necessary permission should be registered against the factory inspector.	This point is related to DISH department.
9	The incident of fire was caused due to gross negligence of the management of the company and it was caused by accident Due to the fire, the polluted smoke spread in the entire surrounding area and the entire surrounding environment became polluted	Unit has paid Environment Damage compensation (EDC) i.e. 50 Lakhs to GPCB.  All the wastewater resulting from water used for fire-fighting contained foam is collected in the u/g RCC storage tank. The

	<p>with smoke and this polluted smoke entered the breath of the people in the surrounding area and the accident and injuries caused due to the negligence of the managers of this company. The polluting smoke spread by the fire caused serious permanent damage to the environment.</p> <p>Also, due to the negligence of the company managers, the water used for extinguishing the fire also became chemical in the company and without following the rules that the company managers had to follow for disposing of that chemical water, the chemical water was left directly in the rain water drainage line without any treatment. Information has been received.</p> <p>This chemical water released by the operators of this chemical company has seeped into the ground in the surrounding areas and caused serious damage to the environment by permanently polluting the soil and ground water.</p> <p>Also, due to the negligence of the managers of this chemical company, the accident and fire caused serious damage to the environment on the day of the incident</p>	<p>whole plant premises are PCC Paved so there is no soil contamination of premises. No wastewater was discharged outside of the unit premises.</p>
<p>10</p>	<p>On 29/11/2023 at 2.00 AM in the night of this company, the management of this company has completely violated the law and regulations and they have no regard for the law or law enforcement officers and were openly violating the environment</p> <p>The managers of this chemical company have caused serious damage to the environment and ecosystem by spreading serious pollution in the air, water, soil and ground water in the vicinity of the company and also causing serious damage to the health of the people in the surrounding area and compensation for all those losses.</p> <p>It is the full legal responsibility of the managers of this company to do so and their act is a criminal act.</p> <p>The government officials are bound by the</p>	<p>Unit has carried out ambient monitoring by authorized party and report submitted to Govt authority.</p> <p>All the wastewater resulting from water used for fire-fighting contained foam is collected in the u/g RCC storage tank. The whole plant premises are PCC Paved, so there is no soil contamination premises. No wastewater was discharged outside of the premises.</p> <p>Unit has paid Environment Damage compensation (EDC) i.e. 50 Lakhs to GPCB.</p>

	<p>legal duty to lodge a valid FIR against the management of this company.</p> <p>A legal FIR should be filed against the managers of this chemical company and a survey of the damage caused to the environment, ecology and people should be done and the recovery should be made from the company managers and compensation should be made to the people. It is good that we have filed against the company managers. Complained on 29/12/23.</p>	
11	<p>Since the construction of this chemical company is not in accordance with the legal rules, this incident deserves to be considered as fabricated and it is also necessary to prepare a report after legal investigation</p>	<p>This point is not related to GPCB.</p>
12	<p>As the process of production and storage and transportation in this chemical company is done illegally and in violation of the rules, this incident deserves to be believed to have been committed, it is also necessary to make a legal investigation and report</p>	<p>Stores all raw materials and manufacturing materials in warehouse and all production have valid license.</p>
13	<p>Investigation as per our complaint has not been done. Also, no inquiry report has been submitted by the appointed commission of inquiry and FIR under IPC section 304/A has not been filed against the company managers so that</p> <p>We present this legal complaint to the management of this chemical company and demand that :- Section 7.A(2)(a) and section- of the Factories Act 1948 against this 92 company and its managers and IPC sec 304A against all persons responsible including the Factory Safety Officer. 337,338, 285 286 287. to take legal action and file FIR 115 ,427</p>	<p>-GPCB has issued closer direction u/s-31(A) of the Air Act-1981 dated-30/11/2023 for the reason stated therein. Subsequently unit has obtained trial run revocation after compliance and verification of closures points on dated-05/01/2024</p>
14	<p>For action against trading and selling of BIFENTHRIN ALCOHOL without permission of GPCB by Aether Industries LTD</p> <p>Aether industries LTD is doing Business of BIFENTHRIN ALCOHOL from surat since 2020</p> <p>Which cannot be traded without the permission of GPCB and MOEF</p> <p>And the business being exported by a big company of valsad, a big company of ankleshwar and bhiwandi, which is not allowed by this company</p>	<p>For the manufacturing of Bifenthrin Alcohol with approved CCA from GPCB. Product name : Bifenthrin alchol have CAS no - 76350-90-8</p> <p>Product Name in consent of GPCB : 2 methyl 3-phenylbenzyl alchol (synonyms name of Bifenthrin Alchol) have CAS No - 76350 -90-8.</p> <p>Unit has submitted letter regarding monopoly of their product name. Unit has requested that don't declare their product name (Copy attached herewith).</p>

Point wise compliances for issued closure order are as below:

1.	According to DISH authority report dated: 29/11/2023, fire incident occurred on 29/11/2023, @1:50 AM due to leakage of solvent (i.e. Tetra Hydro Furan, Toluene) & Water mixer in solvent recovery tank located at ground floor of plant no. 2 and 26 workers are injured. Mr. Nayan Jadav (company representative) informed that, this incident happened around 1:30 AM & it might be due to leakage of the gasket of THF (Tetra Hydro Furan) storage tank capacity 25 KL, THF leakage create vapour cloud after coming into contact with the air and took fire after that converted into blast.	After fire incident unit has stopped Entire Production activity with immediate effect. During visit unit is found in operation with 25 % capacity in Building No. 3 as per revocation conditions. Generated waste water due to firefighting is collected & finally waste water (106.6 KL) is discharged into the CETP of GECL & waste water (105.855 KL) is sent at Common MEE of Detox India Pvt. Ltd., Ankleshwar through online manifest system. Generated burnt /partially burnt material (8.310 MT) due to fire incident is sent to M/s. RSPL for suitable treatment. Unit has also disposed @9.175 MT burnt/partially burnt material at BEIL-Ankleshwar.
2.	THF (Tetra Hydro Furan) tank is located in tank farm area where might be this fire/blast affected plant number 02 machinery like recovery tank, pipeline and other machinery which is located opposite tank farm. Both plant i.e. tank farm and plant number 2 are affected hence source of fire/blast could not be verified.	Unit has obtained three months trial run revocation vide letter no. GPCB/CCA-SRT-2000(5)/ID-45359/780488,05/01/2024.
3.	During rescue 07 dead bodies were found within the affected area.	As per the submitted compensation details, Total 11 Nos of workers are died due to incident dated 29/11/2023 (During rescue 07 dead bodies were found within the affected area & 4 workers were died during the treatment in Hospital).  Unit has submitted the interim Environment Damage Compensation (EDC) of Rs. 50,00,000/- to the Board  Unit has uploaded details of paid Compensation to all injured workers.
4.	During visit, VOC-398 PPM and NO2 – 0.3 PPM is measured @50 meter away from incident site. Due to high VOC level other information could not be verified. Heavy dense smoke emission occurred at the time of fire incident and ambient air quality was very poor.	During visit ambient air quality found normal.
5.	You shall strictly comply with Condition of CCA issued by Board	Unit is complying the CCA conditions

6.	You shall strictly comply with DISH Direction and submit its compliance report	Unit is strictly complying DISH direction and not start production in block No 1 & 2.
7.	You shall strictly comply with their Undertaking dated 25/12/2023	Unit is manufacturing its product within 25 % of total granted permission, details of last three month production is attached herewith.
8.	You shall strictly comply with any direction passed by Hon'ble NGT in the matter of O.A. No-718 of 2023	Unit has submitted notarized undertaking to the board with assurance that they will comply with any direction passed by Hon'ble NGT in the matter of O.A. No-718 of 203.
9.	You shall carry out and submit the final Environmental damage Assessment report from reputed technical instate i.e. NEERI / IIT	Unit has appointed M/s. NEERI to conduct the study and calculate the EDC as per CPCB guidelines. Copy of the work order is enclosed.
10.	You shall carry out only 25% of consented production in the area / plant permitted by DISH authority in their direction dated 22/12/2023	Unit is manufacturing less than 25% production during last three month, month wise production details attached herewith.

Unit has valid CCA AWH-118971 up to 06/04/2028. During visit unit is found in operation with 25 % capacity in Building No. 3 as per revocation conditions. Waste water generation is A) Dilute stream w/w, is sent to CETP- GECL after primary treatment followed by SBT (B) Concentrated/High COD stream w/w, is sent to In house MEE & MVR with stripper and ATFD or sent to common MEE of Detxo India Pvt. Ltd or MEPPL, C) Low COD stream w/w, after treatment in the separate primary ETP & it is feed in to R.O. Plant. R.O. permeate is reused while RO reject w/w is sent to in house MEE and MVR or sent to common MEE of Detxo India Pvt. Ltd or MEPPL D). From Boiler/cooling blow down, is directly reused in washing & scrubber. Generated effluent is segregated as low COD (dilute) stream and high COD (concentrated) stream. Dilute stream wastewater is treated in primary treatment followed by SBT (Soil Bio Technology) treatment and treated effluent is sent to CETP of GECL, Sachin for further treatment through designated tanker. During visit provided ETP units are observed in operation. One treated waste water sample is collected from storage / holding tank (dilute stream), details are as per data sheet. Concentrated stream w/w is given primary treatment and fed into In house MEE & MVR with stripper and ATFD or sent to common MEE of Detxo India Pvt. Ltd or MEPPL. Unit has provided in house MEE (capacity 3 KL/hour – 3 calendria) and MVR with solvent stripper and ATFD. During inspection provided solvent stripper, MEE, MVR & ATFD are found in operation.

Unit has provided boilers 12 TPH and total five TFH (old two capacity 400 U, new two 600 U and one 1000 U). Natural gas is used as fuel. During visit all TFH-600 U (2 Nos) & 12 TPH boiler are found in operation & 4 TPH Boiler is removed and steam is acquired from common steam house located in the GIDC estate. Unit has provided two stage water scrubber followed by alkali scrubber as APCM, attached to Reactor (3-nos, separate set with each vessel as APCM). During visit one processes gas stack sample is collected (for HCL gas) from vent attached to MEP plant through water + alkali scrubber as an APCM, details are as per data sheet.

During visit Stock of hazardous waste details are as: ETP sludge-@ 20.49 MT, MEE salt @13.87 MT, Discarded drums - 56 Nos, distillation residue-@ 12.3 MT found stored at separate storage area.