

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

ORIGINAL APPLICATION NO.186 OF 2024.

Manilal Dahyabhai Patel

.... Applicant

Versus

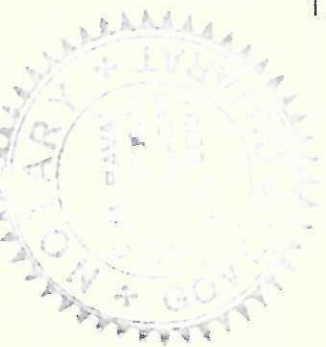
Director, Shree Charbhujia Agro Fertilizer C. & Anr. ... Respondents

**AFFIDAVIT IN REPLY ON BEHALF OF THE RESPONDENT-
GPCB.**


I, Mr. Arunkumar Gulabbhai Patel, Adult, Environment Engineer, Gujarat Pollution Control Board, the authorised signatory of the Respondent Board, do hereby state on solemn affirmation and make this Affidavit in Reply, as under:

1. At the outset, I say that the Application, as filed by the Applicant is not maintainable and deserves to be dismissed.

Arunkumar Gulabbhai Patel



2. The Application, as filed, is based on suppression of material facts from this Hon'ble Tribunal and therefore also, the same is not maintainable and deserves to be dismissed with costs.
3. It is submitted that the the present Application has been filed by the Applicant inter alia alleging that the Respondent no.1 unit is dumping hazardous chemical waste in its premises since long and that the same has caused harm and damage to the Applicant as also to the environment. It is also the case of the Applicant that the Respondent board, despite numerous communications and intimations given to it by the Applicant has not taken adequate steps in the matter against the Respondent no. 1 unit. Raising such contentions, the Applicant has prayed before this Hon'ble Tribunal for a direction to remove the hazardous waste form the premises of the Respondent as its leachate continues to cause severe damage to the Applicant's farm land, as such other reliefs, as also interim reliefs, as prayed for in the Application.
4. At the outset, it is submitted that the Respondent Board has taken all the measures necessary to ensure that there is no environmental damaged caused and has also taken steps against the violations that have been found to be committed by the Respondent no. 1 unit and the same is pending assessment and finalisations. Thus, the Application, as preferred by the Applicant before this Hon'ble Tribunal is under a misconception that the Respondent Board has not taken any steps and on this



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ground alone, the Application deserves to be dismissed/rejected. The steps taken by the Respondent Board are described in detail hereinafter in this Affidavit along with the supported documents which will clearly show the steps taken by the Board in a timely manner and keeping the environment at the forefront.

5. The Respondent board is not dealing with the contents of the Application paragraph wise at this juncture and reserves its right and craves liberty of this Hon'ble Tribunal to file a detailed paragraph wise reply if the need arises in the future. However, it is made amply clear that the contents of the present Application, save and except those specifically admitted hereunder is not true and is denied, as if the same are specifically set out and traversed seriatim.

6. There are certain facts which the Respondent Board would like to state before this Hon'ble Court, as under:

a. The Respondent No. 1 herein, M/s. Shree Charbhujia Agro Fertilizer Co. obtained CC&A of the Board for manufacturing of various products mentioned therein which valid up to 28.08.2032. A copy of the said CC&A is annexed hereto and is marked as "ANNEXURE – R1".



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- b. It is submitted that the Respondent No. 1 unit was inspected on 08.12.2023, pursuant to and with reference to a complaint letter received by the Respondent Board from Shri Manilal Dahyabhai Patel, i.e. the Applicant herein, regarding the alleged illegal discharge of chemical contaminated water in their agricultural land by the Respondent No. 1 unit. A copy of such Inspection report dated 08.12.2023 is annexed hereto and is marked as “ANNEXURE – R2”. In view of the observations, as made in such inspection Report, Notice of Direction was issued to the unit on 12.03.2024. A copy of such Notice, is annexed hereto and is marked as “ANNEXURE – R3”.
- c. In the meantime, the Applicant had addressed another letter to the Board on 23.05.2024. It is submitted that thereafter, the Respondent No. 1 unit was inspected on 24.05.2024, so as to ensure and verify compliances of Notice of direction u/s 33A of the Water Act-1974 dated 12.03.2024 as stated above, issued to the unit and applicant's letter dated 23.05.2024. A copy of the inspection report for the inspection carried out on 24.05.2024, is annexed hereto and is marked as “ANNEXURE – R4”.
- d. It is submitted that thereafter, the Respondent unit was again inspected on 01.07.2024, in view of a telephonic



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complaint received by the office of the Respondent Board on 30.06.2024, by one Mr. Ajitbhai Patel (M-9824763469) S/o. Manilal Dahyabhai Patel, i.e. the Applicant herein, regarding the alleged illegal discharge of chemical contaminated water from the Respondent Unit, in their agricultural land which is adjoining to the Unit premises. A copy of the report for the inspection carried out on 01.07.2024, is annexed hereto and is marked as “ANNEXURE – R5”.

e. The Respondent board states that based on the above referred inspection Reports dated 24.05.2024 and 01.07.2024, Closure Direction has been issued to the Respondent Unit, on 11.07.2024, under Section 33-A of the Water Act – 1974. A copy of this Order of closure dated 11.07.2024, is annexed hereto and is marked as “ANNEXURE – R6”.

f. It is submitted that after the order of Closure, the Respondent Unit was again inspected on 31.07.2024, based on a telephonic complaint. During this visit, it was observed that unit was closed and no production activity was found going on and that due to rains, leachate water was accumulated on open land around the heaps and was overflowing/seeping into the nearby agricultural farm from below the boundary wall. It was also observed that the Respondent unit has not



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taken any precautionary steps to control the flow of leachate into the adjoining farm. A copy of this inspection Report dated 31.07.2024, is annexed hereto and is marked as “**ANNEXURE – R7**”.

- g. In view of the same, a Show Cause Notice has been issued by the Board to the Respondent unit for its non compliances, on 27.09.2024, a copy of which is annexed hereto and is marked as “**ANNEXURE – R8**”.
- h. It is submitted that in the meanwhile, based on the representations received from the Applicant- Shri Manilal Dahyabhai Patel dated 25.07.2024, Collector Office, Bharuch has been intimated vide letter dated 09.08.2024 to further process the application by sending it to District Level Committee, constituted for the Environmental damage assessment and its compensation, as per the judgment of the Hon'ble High Court of Gujarat, at Ahmedabad dated 17.09.2009, passed in Special Civil Application No. 9699/2008. The communication addressed by the Respondent Board to the Collector Office, Bharuch dated 09.08.2024 with the copy of the Representation of the Applicant dated 25.07.2024 and the Order passed by the Hon'ble High Court of Gujarat on 17.09.2009 is annexed hereto and are marked as “**ANNEXURE – R09**”. The same as on date is pending further consideration.

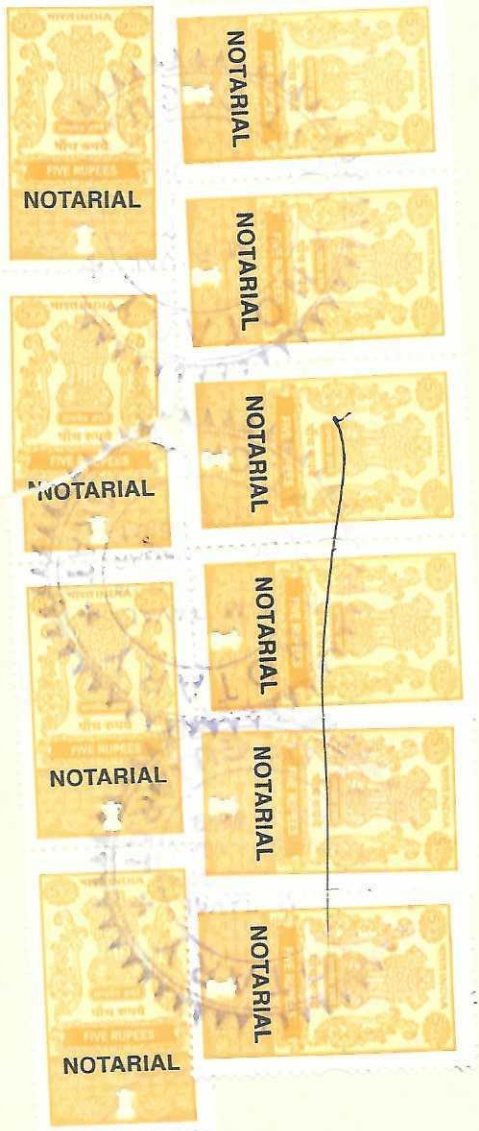


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7. In view of the foregoing facts of the case, the Respondent Board, is and has been taking adequate steps, as required and therefore, no directions, as prayed for in the present Application are required to be granted in favour of the Applicant at this stage.

What is stated herein above is true and correct.

Solemnly affirmed at Gandhinagar on this 18th day of January, 2025.



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Deponent.

Solemnly Affirmed
Before Me
[Signature]
(G. M. RAVAL)
NOTARY
Govt. of Gujarat
18 JAN 2025

Entered in Notary Register at
Serial No. 25 Vol. No. II
[Signature]
C. M. RAVAL, Advocate & Notary
GANDHINAGAR
18 JAN 2025





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Annexure 1

REGIONAL OFFICE - ANKLESHWAR

GUJARAT POLLUTION CONTROL BOARD

Plot No.5009/4,G.I.D.C.,Estate,Ankleshwar.393 002 Dist.Bharuch.
Tel.No.(02646) 222 933. Email id : ro-gpcb-ankl@gujarat.gov.in

By RPAD

In exercise of the power conferred under section-25 of The Water (Prevention & Control of Pollution) Act- 1974, under section-21 of The Air (Prevention & Control of Pollution) Act- 1981 and Authorization under 6(2) of the Hazardous & Other Waste (Management and Transboundary Movement) Rule-2016, framed under the Environment (Protection) Act- 1986.

And whereas Board has received consolidated consent application **Inward ID No: 263009** received on **dated 29/08/2022** for the consolidated consent and Authorization (CC & A) of this Board under the provision / rules of the aforesaid Acts, Consolidated Consent & Authorization are hereby granted as under:

CONSENT AND AUTHORISATION:

(Under the provision /rules of the aforesaid environmental acts)

To

**SHREE CHARBHUJA AGRO FERTILIZER CO. (ID: 86700),
SURVEY NO: 313/314, SUB PLOT NO: 3,
B/H. APEX HOTEL, VILL: MOTALI
ANKLESHWAR-393001,
DIST: BHARUCH.**

1. Consent Order No: **AWH-57896**, Date of issue: **30/09/2022**.
2. The consent under Water Act-1974. The Air-1981 & Authorization under Environmental (Protection) Act,1986 shall be valid up to **28/08/2032** to operate industrial plant to manufacture following products:

Sr. No.	PRODUCT	Quantity (MT/Month)
1.	Soil Conditioner (Granules & Micro Nutrients)	3000
2.	NPK Fertilizers (Powder/ Granules)	
3.	Organic Manure/PROM (Powder/ Granules)	
4.	Bio Fertilizers Carrier Based Potassium Mobilizing (Powder/ Granules) Carrier Based Consortia (Granules)	
5.	Potash Derived From Molasses (Powder/ Granules)	

➤ SPECIFIC CONDITION

- a. Unit shall maintain ZLD (Zero Liquid Discharge).
- b. Unit shall use fresh raw material only.
- c. Unit shall not carry out any activity / production which attracts EIA Notification dated 14/09/2006 and amended thereafter without obtaining Environment Clearance for the same.
- d. Unit shall strictly follow the Solid Fuel guideline framed by Board and shall install APCM as per guideline.
- e. Unit shall strictly follow the Fly Ash Notification for disposal of generated ash.

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- f. Unit shall follow coal handling guideline framed by Board and provide close ash handling facility.
- g. Unit shall sell out their hazardous waste to authorized end-users who is having authorization with valid CCA and rule 9 permission to receive this waste. Unit shall make MoU with such authorized end-users and submit MoU at time of application of CCA.
- h. Unit shall comply with additional condition for CPA/SPA areas as per GPCB office order dated: 11/11/2019.

IA) Additional conditions under Air Act

- (a) Unit shall adhere to stringent air pollutants standards i.e. 80% of existing flue gas and process emission standards in the CPA.


Flue Gas Emission Standards		
Parameter	Existing	Revised Norms (80% of Existing)
PM	150 Mg/Nm ³	120 Mg/Nm ³
SO ₂	100 PPM	80 PPM
NO _x	50 PPM	40 PPM

- (b) Following air pollution control measures shall be provided for the flue gas emission sources like Boiler, Thermic Fluid Heaters etc. (As Applicable) (For solid fuel utilities)

Stipulated APCM in Red/Orange category industrial units of CPA	
Steam generation capacity (in TPH)	Type of APCM
Less than 1	Multi cyclone
1 to <3	Multi cyclone - Water Scrubber
3 to <6	Bag filter - Water Scrubber
≥ 6	ESP - Water Scrubber

- (c) Unit shall provide at least two stage scrubbing system of appropriate media for the control of the process gas emission
- (d) Unit shall install and commission Continuous Emission Monitoring System –CEMS (as per CPCB guidelines for relevant parameters) which shall be connected with GPCB/CPCB server (In case of large and medium red category industrial)
- (e) All common facility shall install CEMS (as Per CPCB guidelines for relevant parameters) which shall be connected with GPCB/CPCB server to the stacks provided with common multiple effect evaporator, (CMFE) common spray dryer, Common incinerator etc.
- (f) The unit shall adhere to sector specific guidelines/SOP published by GPCB/CPCB from time to time for effective fugitive emission control (like guideline for: stone crushing unit, Coal handling units, spent solvent handling and management, Spent acid management Decontamination of drums, containers etc).
- (g) Unit shall take adequate measures to control odour nuisance from the industrial activities which may include measures like- use of masking agent with atomizer system (Water curtain), closed/ automatic material handling system, containment of the odour vulnerable areas etc.
- (h) Unit shall not use Pet-Coke furnace oil LSHS as a fuel.
- (i) Unit shall adopt spectral Best Available Technology BAT (like use of induction furnace, Electric Arc Furnace instead of cupola furnace in foundry industry, caustic Recovery system in cotton Textiles units etc.).
- (j) Unit shall provide green belt of 40% of the plot area using concept of the social forestry and development of green belt outside project premises in adjacent areas.
- (k) Unit shall provide wall to wall carpeting in vehicle movement areas within premises to avoid dusting

IB) Additional conditions under Water Act

Outward No: 169/2019-2020




GUJARAT POLLUTION CONTROL BOARD

Plot No.5009/4,G.I.D.C.,Estate,Ankleshwar.393 002 Dist.Bharuch.
Tel.No.(02646) 222 933. Email id : ro-gpcb-ankl@gujarat.gov.in,

- Unit shall only use treated effluent for preparation of lime and other slurry in ETP. No fresh water shall be utilized ETP.
- In the case if the industry is not a member of CETP and domestic waste water generation is more than 10 KLPD, industry shall install STP of adequate capacity and treated sewage shall be reused/recycled to the maximum extent
- In case of Large and Medium Red Category industry the unit shall install system for Continuous monitoring of effluent quality/quantity as per CPCB guidelines for relevant parameters (like pH, flow, Temperature TOC/COD, NH₃-N etc.) and shall be connected to GPCB server in case if the industry is a member of CETP, unit shall install flow meter.
- If the water consumption of the unit is more than 50 KLPD, Unit shall submit detailed water harvesting plan (off site)
- The unit shall explore Techno Economic feasibility of Zero Liquid Discharge (ZLD) and if feasible, ZLD should be adopted.

[C] Additional conditions under Hazardous Waste Management Rules.

- Unit shall strictly carry out handling storage and disposal of fly ash, slag, red-mud, de-inking sludge etc. (High Volume - Low Effect Wastes) as per prevailing guidelines and its disposal at designated location approved by the board.
- Industry shall dispose its hazardous wastes through co-processing, pre-processing to the extent possible prior its disposal to incineration/landfill as per provision of Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.
- Industry shall strictly comply with all the measures specified in guideline for spent solvent management spent acid management and other guidelines /direction published from time to time by GPCB and /or CPCB etc.
- Unit shall carry out transportation of hazardous wastes through GPS mounted vehicles only.

[D] Other General Conditions

- Unit shall submit report of compliance of the conditions of EC every year to the board prepared by third party.
- Unit shall enhance CER Fund allocation to at least 1.5 times the slabs given in the OM dated 01.05.2018 for SPA and 2 times for CAP in case of Environment Clearance.

3. CONDITIONS UNDER THE WATER ACT-1974

- There shall be no generation & discharge of the industrial effluent from the manufacturing process and other ancillary industrial operations, hence the unit shall **strictly adhere to zero discharge**.
- The quantity of total water consumption shall not exceed **8 KL/day** as per below break up for consent application under Water Act-1974.
Domestic- 1 KLD
Industrial- 5 KLD
Gardening- 2 KLD
- The quantity of total waste water generation shall not exceed **2 KL/day** as per below break up for consent application under Water Act-1974.
Domestic - 0.8 KL/day
Industrial- Nil
- Mode of disposal of waste water:
 - There shall be no industrial waste water generation, hence unit shall maintain ZLD.
 - Sewage shall be disposed off through septic tank/soak pit system.
- The GIDC drainage given by the GIDC for discharge of industrial effluent shall be disconnected & the outlet shall be sealed.

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16/02/22

- 3.6 The unit shall affix of water meters as per section 4(1) of the water (prevention and control of Pollution) Cess Act-1977 for the purpose of measuring and recording the quantity of water consumed at such places as may be required, within 15 days and shall be presumed that the quantity indicated by the meter has been consumed by the industry until the contrary is proved.
- 3.7 The Board reserves the right to review and/or revoke the consent and/or make modification in the conditions which it seems fit in accordance with provisions of Water Act-1974

4. CONDITIONS UNDER THE AIR ACT-1981

- 4.1 There following fuel shall be used in utilities:

Sr. No.	Name of fuel	Quantity
1.	LDO OR Coal	85 Lit/hr OR 3 MT/day

- 4.2 The flue gas emission through stack shall conform to the following standards.

Sr. No.	Stack Attached to	Stack Height in meter	Air Pollution Control Measure	Parameter	Permissible Limit
1.	Furnace	10	Dust collector+ water scrubber	PM SO _x NO _x	120 mg/Nm ³ 80 ppm 40 ppm

- 4.3 There shall be no process gas emission from the manufacturing process and any other ancillary industrial operation.
- 4.4 The Concentration of the following parameters in the ambient air within the premises of the unit shall not exceed the limits specified hereunder.

Sr.No.	Parameter	Permissible Limit (Microgram/M ³)	
		Annual	24 Hours Average
1.	Particulate Matter(PM ₁₀)	60	100
2.	Particulate Matter(PM _{2.5})	40	60
3.	Oxides of Sulphur(SO _x)	50	80
4.	Oxides of Nitrogen(NO _x)	40	80

- Annual arithmetic mean of minimum 104 measurements in a year at a particular site taken twice a week 24 hourly at uniform intervals.
 - 24 hourly or 08 hourly or 01 hourly monitored values, as applicable, shall be complied with 98% of the time in a year. 2% of the time, they may exceed the limits but not on two consecutive days of monitoring.
- 4.5 Unit shall operate industrial plant / air pollution control equipment very efficiently and continuously so that the gaseous emission always conforms to the standards specified as above.
- 4.6 The consent to operate the industrial plant shall lapse if at any time the parameters of the gaseous emission are not within the tolerance limits specified as above.
- 4.7 Unit shall provide portholes, ladder, platform etc. at chimney(s) for monitoring the air emissions and the same shall be open for inspection to/and for use of Board's staff. The chimney(s) vents attached to various sources of emission shall be designed by numbers such as S-1, S-2, etc. and these shall be painted/ displayed to facilitate identification.
- 4.8 The concentration of Noise in ambient air within the premises of industrial unit shall not exceed following levels:



GUJARAT POLLUTION CONTROL BOARD

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Tel.No.(02646) 222 933. Email id : ro-gpcb-ankl@gujarat.gov.in,

- i. Between 6.00 am and 10.00 pm : 75 dB (A)
 - ii. Between 10.00 pm and 6.00 am : 70 dB (A)
- 4.9 All efforts shall be made to control VOC emissions and odor problem, if any.

5. GENERAL CONDITIONS:

- 5.1 Any change in personnel, equipment or working conditions as mentioned in the consents form/order should immediately be intimated to this Board.
- 5.2 Applicant shall also comply with the general conditions given in annexure- I (Whichever applicable).

6. AUTHORIZATION FOR THE MANAGEMENT & HANDLING OF HAZARDOUS WASTE FORM-2 (See rules 6(2))

- 6.1 Number of Authorization: **AWH-57896.**
- 6.2 **Shree Charbhuj Agro Fertilizer Co.** is hereby granted an authorization to operate facility for following Hazardous wastes on the premises situated at **Survey No: 313/314, Sub Plot No: 3, B/H. Apex Hotel, Vill: Motali, Ankleshwar-393001, Dist: Bharuch.**

Sr. No	Waste	Category	Quantity/ Year	Facility
1.	Used or Spent Oil	5.1	0.05 MT	Collection, Storage, Reuse or selling to registered refiners.
2.	Empty barrels/ containers/ liners contained with hazardous chemical/waste	33.1	2 MT	Collection, Storage, Transportation. Reuse or sell to authorized recycler

- 6.3 The authorization is granted to operate a facility as above.
- 6.4 The authorization shall be in force for a period up to **28/08/2032.**
- 6.5 The authorization is subject to the conditions stated below and such other conditions as may be specified in the rules from time to time under the Environment (Protection) Act-1986.


7. TERM AND CONDITIONS OF AUTHORIZATION

- 7.1 The authorized person shall comply with the provisions of the Environment (Protection) Act, 1986, and the rules made there under.
- 7.2 The authorization shall be produced for inspection at the request of an officer authorized by the Gujarat Pollution Control Board.
- 7.3 The persons authorized shall not rent, lend, sell, and transfer or otherwise transport the hazardous wastes without obtaining prior permission of the Gujarat Pollution Control Board.
- 7.4 Any unauthorized change in personnel, equipment or working conditions as mentioned in the authorization order by the persons authorized shall constitute a breach of this authorization.
- 7.5 The person authorized shall implement Emergency Response Procedure (ERP) for which this authorization is being granted considering all site specific possible scenarios such as spillages.

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- fire etc. and their possible impacts and also carry out mock drill in this regard at regular interval of time.
- 7.6 The Person authorized shall comply with the previous outlined in the central Pollution control board guidelines on "Implementing liabilities for Environmental Damages due to Handling and Disposal of Hazardous waste and penalty."
- 7.7 It is the duty of the authorized person to take prior permission of the Gujarat Pollution Control Board to close down the facility.
- 7.8 The imported hazardous and other wastes shall be fully insured for transit as well as for any accidental occurrence and its clean-up operation.
- 7.9 The Record of consumption and fate of the imported hazardous and other waste shall be Maintained.
- 7.10 The hazardous and other waste gets generated during recycling or reuse or recovery or pre-processing or utilization of imported hazardous or other waste shall be treated and disposed of as per specific conditions of authorization.
- 7.11 The importer or exporter shall bear the cost of import or export and mitigation of Damages if, any.
- 7.12 An application for the renewal of an authorization shall be made as laid down under hazardous & Other wastes (Management & Transboundary Movement) Rules-2016.
- 7.13 Any Other Conditions for compliance as per the guidelines issued by the Ministry of Environment, Forest and Climate change or Central Pollution Control Board from time to time.
- 7.14 Annual return shall be filed by June 30th for the period ensuring 31st March of the year.
- 7.15 Unit shall have to display the relevant information with regard to hazardous waste as indicated in the court's order in W.P. No.657 of 1995 dated 14th October 2003.

For and on behalf of
GUJARAT POLLUTION CONTROL BOARD


(V.D. RAKHOLIA)
REGIONAL OFFICER

NO: GPCB / RO-ANK / ID: 86700/cow:

/2022

Dt.:

COPY TO: Office Copy (Technical).

Outward No: 16918, 06/12/2022



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REGIONAL OFFICE - ANKLESHWAR

GUJARAT POLLUTION CONTROL BOARD

Plot No.5009/4,G.I.D.C.,Estate,Ankleshwar.393 002 Dist.Bharuch.

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GENERAL CONDITIONS

Annexure -I

1. Arrangement for the measurement of the flow rate of the effluent shall be provided within the terminal manhole near the outlet of the effluent from the factory or premises of the applicant or from the premises of the local body. No effluent shall be admitted in the pipe. Sewer or channel downstream of the flow measurement system or the terminal manhole. No effluent shall find its way to any place other than the collection system designed and provided for the same. Measurement of flow shall be maintained by the applicant and records shall be available to the officers of the Staff whenever called for.
2. Solid waste arising from the manufacturing process and / or from the treatment of the effluent shall be disposed of by incineration or by sanitary land filling at a site approved by the Board.
3. The applicant shall have to plant at least three varieties of trees along the boundaries of the industrial premises with a density not less than 1000 trees/acre.
4. Storm water shall not be mixed with the industrial effluent.
5. Good housekeeping shall be maintained within the factory and industrial premises. All pipes, valves and drains shall be leak proof. Floor washing shall be admitted into the effluent collection system for subsequent treatment and disposal.
6. The applicant shall provide facilities for collection of sample of the effluent by the staff of the Board.
7. The applicant shall intimate the occurrence of any accident, act or event resulting in discharge of poisonous, noxious or polluting matter or the likelihood of the same into a stream or well, to the Regional Officer under the intimation to the Member Secretary in accordance with Section 31 (1) of the Water Act.
8. Clearance shall be obtained from the Chief Inspectorate of Factories in respect of safety measures.
9. Unit shall put up at the entrance a board displaying the name of unit, particulates of the product/process, the name of proprietor/partner/director of the unit and the electricity consumer number as on the record of DGVCL.

Outward No:16918,06/12/2022



Gujarat Pollution Control Board

PCB Id: 86700

(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 Industry Details shree charbhuj agro fertilizer co.

Outward No: 42221-07/02/2024

 Email :
 mayurjain36@yahoo.in

 PLOT NO:Survey No. 313/314,,
 Survey No. 313/314, Sub Plot No. 3, B/H. Apex Hotel, Motali, ,
 Ankleshwar - 393001

 Telephone :
 9898471159

DIST : Ankleshwar, TAL : Ankleshwar, SIDC : Not In Gide

Inspection Id : 763207 (On Complaint)

Ro Name : Ankleshwar

2 Type / Scale / Sector / Status : ORANGE / SMALL / Fertilizer (granulation / formulation / blending only) / In Operation

3 Inspection Dt & Time : 08/12/2023 12:15 / Water , Hazd **Person Contacted :** Mr. Mayur Jain, Partner

4 Env Audit Detail : Sch : N.A , , Year : , On Dt :

Commissioned Dt : 01/04/2022

Production Start Dt : 15/04/2022

Applicability of CRZ Rules : No

5 Water Consumption in Kilo Lts Per Day Ind : 12.000 Dom : 4.000 **Borewells: 0**
6 Waste Water generation / Discharge (klpd) : Ind : 0.000 Dom : 2.000 **Tubewells: 0**
7 Consumer No.(Electric Meter): **Source of Water Supply:** Tanker

8 Disposal Mode of Industrial / Domestic : Not Specified / Not Specified

9 Discharge Pt / Final Receiving Body (Ultimate): ZERO DISCHARGE UNIT / ZERO DISCHARGE UNIT

10 Status of water consent Under the Water Act,1974: AWH-57896-28/08/2032 Last Inward:263009-29/08/2022[GRT]

11 Effluent Treatment plant (ETP) : Units, if provided and status :

No Data

12 Whether Industry is a member of CETP ? No

13 Boilers=0 , DG Sets=0 , Flue Gas =1, Process =0 , ETP Cap = 0 , Capacity of All =

APCM Details : Alkali Scrubber,Dust Collector

Fuel Used : Coal

Stack Attached to : Furnace

14 TSDF Name : Not Regd with any TSDF

15 Lab Charges Pending : Rs. 9670.00 **Water Cess Charges Pending :** NIL

16 Last Env. Form V : --- **Water Cess Return :** **HW Monthly Return :** 2023-99

17 Last 3 Legal Action :



Gujarat Pollution Control Board

(Inspection Report) - Air,Water,Hazardous

PCB Id: 86700

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

General Observation

a	- Is the Industry in Operation ??	No.	During visit production plant is not found in operation.
a	- R.O File No	-	
b	- Industry Operating without CCA	Yes	Having Valid CCA of the Board.
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 ?	No.	
h	- Provision of any STAND-BY Pump ??	No.	

GEM

18	- Where Authorization Under BMW Rules 2016 obtained ? Provide Authorization No. / Date	No.	
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Haz Waste Related

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

Water Parameter

b	- Source of Water Supply	Tanker	
c	- W.W.G is EXCEEDING the CCA Limits	No.	No industrial w/w generation.
d	- W.W Disposal as per the Consent Conditions ?	Yes	ZLD unit
e	- Was the ETP in operation ?	Not Applicable	
f	- Treatment System ADEQUATE to handle existing effluent	Adequate	
g	- Did u observe ANY ILLEGAL Discharge ??	Yes	
h	- Nos of Samples collected	01	

Remarks :

07/02/2024

2/7 (Through XGN)



Site Observations during Inspection , PCB-ID: (86700)

Inspection Crux:

Water Observation:

This unit is visited with reference to a complaint letter received to this office on dated-08/12/2023 from Shree Manilal Dahyabhai Patel, At.Post-Motali, Tal. Ankleshwar, Dist. Bharuch regarding illegally discharge of chemical contaminated water in their agricultural land from M/s. Shree charbhujia agro fertilizer co. Located behind Apex Hotel, Village- Motali and hence their agricultural land became non-fertile for the anyone crops and they could not taken any crops from this land. There is no w/w generation from the manufacturing process. Domestic w/w dispose through soak pit/septic tank system. Detail IR along with photographs & 3-day notice is uploaded here with as document file. [402]-09/12/2023

Air Observation:

This unit is visited with reference to a complaint letter received to this office on dated-08/12/2023 from Shree Manilal Dahyabhai Patel, At.Post-Motali, Tal. Ankleshwar, Dist. Bharuch regarding illegally discharge of chemical contaminated water in their agricultural land from M/s. Shree charbhujia agro fertilizer co. Located behind Apex Hotel, Village- Motali and hence their agricultural land became non-fertile for the anyone crops and they could not taken any crops from this land. Detail inspection under this section could not be carried out. Detail IR along with photographs & 3-day notice is uploaded here with as document file. [402]-09/12/2023

Hazard Observation:

This unit is visited with reference to a complaint letter received to this office on dated-08/12/2023 from Shree Manilal Dahyabhai Patel, At.Post-Motali, Tal. Ankleshwar, Dist. Bharuch regarding illegally discharge of chemical contaminated water in their agricultural land from M/s. Shree charbhujia agro fertilizer co. Located behind Apex Hotel, Village- Motali and hence their agricultural land became non-fertile for the anyone crops and they could not taken any crops from this land. Detail inspection under this section could not be carried out. Detail IR along with photographs & 3-day notice is uploaded here with as document file. [402]-09/12/2023

General Observation:

This unit is visited with reference to a complaint letter received to this office on dated-08/12/2023 from Shree Manilal Dahyabhai Patel, At.Post-Motali, Tal. Ankleshwar, Dist. Bharuch regarding illegally discharge of chemical contaminated water in their agricultural land from M/s. Shree charbhujia agro fertilizer co. Located behind Apex Hotel, Village- Motali and hence their agricultural land became non-fertile for the anyone crops and they could not taken any crops from this land. Detail IR along with photographs & 3-day notice is uploaded here with as document file. [402]-09/12/2023

~ RO Comments/Reply :NoD may be issued -07/02/2024

I recommend : e. Recommend Notice of Dirn



Point to point reason of recommendation for this action

During visit, it is observed that at the back side of the unit near the bore well room of the farmer there is wet patches of water flow is observed from the unit to agricultural land under cement sheet boundary wall which was observed gone in to nearby agricultural land of other farmers. During visit various heaps of total @ 800 MT of various types of wastes are observed stored on open land within unit premises. Due to rain during the next week in this area, various ponding of contaminated rain water are observed between the heaps of waste in low laying area due to leach out from the heaps of stored process wastes. Unit has not provided proper storage facility for the storage of procured process wastes. Analysis report of sample of composite w/w sample collected from various ponds of w/w within unit premises shows that pH is 4.51 and concentration of COD and BOD is 886mg/lit and 201mg/lit resp.

W.C Notings: -----[402-DEE]~

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

6. એકમ વિસ્તરની ફરતે પાકી Internal Storm Water Drain બનાવવી અને તેના outlet પાસે collection pit તથા contaminated w/w ને reuse કરવા માટેની system બનાવવી જેથી એકમમાંથી ઉદ્ભવતું contaminated rain water એકમની બહાર જતું અટકાવી શકાય.
5. એકમમાં store કરેલ process waste માટે storage shed સાથે leachate collection system બનાવવી તથા storage shedમાં જ process wasteનો સંગ્રહ કરવો.
4. ગયા અઠવાડિયામાં પડેલ વરસાદના લીધે એકમ વિસ્તારમાં સંગ્રહિત process wasteના ઢગલાઓમાંથી વરસાદી પાણી contaminated થઈને એકમની પાછળ આવેલ દીવાલ નીચેથી પાસ થઈને એકમની બાજુમાં રહેલ ફરિયાદીની ખુલ્લી જમીન પર ગયેલું હોય તેવા patches જોવા મળેલ તેમજ સદર wasteના ઢગલાઓ વચ્ચે રહેલ ખાડાઓમાં contaminated w/w ભરાયેલું જોવા મળેલ, જેમાંથી w/w નો એક નમુનો તથા process wasteના ઢગલાઓ માંથી solid wasteનો એક નમુનો એકત્ર કરેલ છે.
7. મુલાકાત સમયે છેલ્લા ત્રણ માસના raw material procurement, production, water consumption, w/w generation, fuel consumption, hazardous waste generation/ disposalની વિગતો રજુ કરેલ નથી. સદર તમામ વિગતો આધારસહ રજુ કરવી.
3. મુલાકાત સમયે એકમમાં ખુલ્લી જમીન પર આશરે 800 MT જેટલા વિવિધ પ્રકારના process wasteના ઢગલાઓ સંગ્રહિત કરેલ જોવા મળેલ, જે waste ક્યાંથી લાવવામાં આવેલ છે અને તેનો શું ઉપયોગ કરવાના છે તેની માહિતી આધારસહ રજુ કરવી.
2. મુલાકાત સમયે એકમમાં ઉત્પાદનને લગતી કામગીરીઓ થતી જોવા મળેલ નથી જે બાબતે સ્પષ્ટતા કરવી.
1. આપના એકમની મુલાકાત અમારી ઓફિસને મળેલ લેખિત ફરિયાદના સન્દર્ભમાં લેવામાં આવેલ છે.

Compliance Observed in this Inspections.



Gujarat Pollution Control Board

(Inspection Report) - Air, Water, Hazardous

PCB Id: 86700

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

Instructions in Previous Visits and Reply	Insp Det	Instruction Status
1. આપની Furnace સાથે લગાવેલ ચીમનીમાં SMF ની વ્યવસ્થા બનાવવી. ; We will provide SMF facility within the week at chimney attached with furnace. (14/09/2022)	685855(12/09/22)	Still Pending
2. આપના એકમમાં પડેલા Raw મટીરીયલ્સ Productના સ્ટોકની વિગતો આધારસહ રજુ કરવી. ; We have submitted the stock of raw materials & product alongwith the copy of invoice as Annexure - 1 alongwith reply at RO Ankleshwar & the same is uploaded in tag.000. (14/09/2022)	685855(12/09/22)	Still Pending
1. મુલાકાત સમયે પ્લાન્ટ મશીનરીઓ લગાવેલી ધ્યાને આવેલ સદર બાબતે જરૂરી પરવાનગીઓ મેળવીને ઉત્પાદન પ્રક્રિયા હાથ ધરાવી.	675959(29/06/22)	Partial Compliance
૧. મુલાકાત સમયે એકમમાં Shed construction તથા પ્લાન્ટ machinery installation વગેરે કામગીરી ચાલુ જોવા મળેલ જે માટેની નિયમાનુસાર late fee ભરવી. ; We have paid late fees @ 3750/- Rs, paid receipt is uploaded in tag.000. (28/02/2022)	640018(22/02/22)	Fully Complied
૪. એકમમાં આવેલ Borewell માટેની CGWA permission અંગેની સ્પષ્ટતા કરવી.	640018(22/02/22)	Partial Compliance
૩. સદર જમીન ઔદ્યોગિક હેતુ માટેનું NA કરાવેલ છે કે કેમ તે અંગેની સ્પષ્ટતા કરવી તથા સદર જમીન માટેનું zoning certificate રજુ કરવું. ; In this regard, we would like to clarify that we have obtained a revised NA order showing the use of multipurpose from the Collectorate of Survey No. 313 Sub-Plot No. 3. Copy of the same is uploaded in tag.000. The zoning certificate will be submitted within couple of weeks. ~If applicable (28/02/2022)	640018(22/02/22)	Fully Complied
૨. મુલાકાત સમયે એકમમાં આશરે 300 MT જેટલો raw material stock on open land without cover સંગ્રહિત જોવા મળેલ જે covered & paved areaમાં જ રાખવો તથા સદર material ક્યાંથી લાવ્યા છે તેની દસ્તાવેજી વિગતો સહિતની સ્પષ્ટતા કરવી. ; In this regard kindly note that, the stored raw materials are shifted from our old unit. We are in process to construct covered & paved storage area for the same, meanwhile at present we have stored that material on tarpaulin. But we assure to the board that we will construct storage area as soon as possible and we will shift all the raw materials in covered storage area. (28/02/2022)	640018(22/02/22)	Partial Compliance

07/02/2024

5/7 (Through XGN)



Gujarat Pollution Control Board

PCB Id: 86700

(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)

Annexure Details - Air,Stack,Hazardous Waste & Samples PCB-ID: (86700)

A Sample Details

Sr	Act	Ph/Temp/Air Sampled	Time	Type	Sampling Point	Col-Cond
1	H-8	-- / -	1300-1300	REP	composit solid waste sample collected from various heaps of waste stored within premises. ~	Unknown
2	W-12	@ 6 on ph strip / 32	1230-1230	REP	## final outlet of the etp ~ composit w/w sample collected from various ponds of w/w within unit pr	Brown

B Process Stacks

C Flue gases Stacks

Sr	Stack attached to	Mts	Remark	SMF	APCM	Fuel	Consp-Unit	Insp Remk
1	Furnace	10	LDO 85 Lit/Hrs. OR Coal 3.0 MT/day	YES	ASC,DUS	Coal	30 MT/day	

D Details about Hazardous Waste Management :

Sr	Source of Hazardous Waste	Catg	Qty/Year	HW Disposal Management
1	Used or Spent Oil	I -5.1	0.050-M.T	COL,DEC,OTH,REU,STO,TRA
2	Empty barrels/containers/liners contaminated with hazardous chemicals /wastes	I -33.1	50.000-M.T	COL,DEC,OTH,REU,STO,TRA

E Products :

Sr	Product Name	NOC Qty	CCA Qty	Applied Qty	Inspection Remark
1	soil conditioner or npk fertilizers or organic manure/prom or bio fertilizers carrier based potassium mobilizing/carier based consortia or potash derived from molasses (powder /granules)	3000.000	3000.000 - M.T	3000.000	

F Raw material :

Sr	Raw Material Name	Capacity - Unit / Month
1	ammonium sulphate	0.000 - M.T
2	BIO Compost	0.000 - M.T
3	di ammonium phosphate	0.000 - M.T
4	dolomite	0.000 - M.T
5	lime powder	0.000 - M.T
6	magnesium sulphate	0.000 - M.T
7	muriate of potash	0.000 - M.T
8	phospho-gypsum / gypsum/process waste	0.000 - M.T
9	potas powder	0.000 - M.T
10	rock phosphate	0.000 - M.T
11	sulphur	0.000 - M.T
12	urea	0.000 - M.T

G Water Consumption & Generation Break up

Sr	Water Code (Qty in klpd - Kilo Ltr per Day)	WC : 16.000	WWG : 2.000	Water Source	Remark
1	Agriculture	2.000	0.000	Tankers	
2	Domestic Purpose	1.000	0.800	Tankers	
3	Mnfg Process	5.000	0.000	Tankers	

H Solid Waste

Inspection Team : MS. ALPA AMRUTBHAI VASAVA - L.U.Katariya, SSA

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

07/02/2024

6/7 (Through XGN)



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

PCB Id: 86700

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

Signature By (MS. ALPA AMRUTBHAI VASAVA)

This unit is visited with reference to a complaint letter received to this office on dated-08/12/2023 from Shree Manilal Dahyabhai Patel, At.Post-Motali, Tal. Ankleshwar, Dist. Bharuch regarding illegally discharge of chemical contaminated water in their agricultural land from M/s. Shree charbhujia agro fertilizer co. Located behind Apex Hotel, Village- Motali and hence their agricultural land became non-fertile for the anyone crops and they could not taken any crops from this land. During visit first of all we have contacted to complainer, visited their agricultural land and learnt about the complaint. Agricultural land of Shree Manilal Dahyabhai Patel is adjoining to boundary wall of M/s. Shree charbhujia agro fertilizer co. There is cement sheet boundary wall between agricultural land and the unit. During visit, it is observed that at the back side of the unit near the bore well room of the farmer there is wet patches of water flow is observed from the unit to agricultural land under cement sheet boundary wall which was observed gone in to nearby agricultural land of other farmer. During visit, except wild grasses there is no any growing crop observed within the land of Shree Manilal Dahyabhai Patel. During visit, wet patches of water flow is observed on agricultural land, however water ponding is not observed in agricultural land of shree Manilal Dahyabhai hence water sample from the land could not be collected. Then after we have visited industrial unit and following observations are observed.

This unit is engaged with production of Soil Conditioner (Granules & Micro Nutrients)/ NPK Fertilizers (Powder /Granules)/ Organic Manure/Prom (Powder /Granules)/ Bio Fertilizers Carrier Based Potassium Mobilizing (Powder /Granules) Carrier Based Consortia (Granules)/ Potash Derived from Molasses (Powder /Granules) – 3000 MT/M. Unit has obtained CCA (AWH-57896) of the Board and is valid up to 28/08/2032 for the same production. During visit production plant is not found in operation.

During visit various heaps of total @ 800 MT of various types of wastes are observed stored on open land within unit premises. Upon asking for the stored waste, they are procuring process waste from the various units as raw materials however unit has not furnished detail regarding procurement and use of the same. Hence they are instructed o submit detail regarding procurement and use of stored process waste. Due to rain during the next week in this area, various pondings of contaminated rain water are observed between the heaps of waste in low laying area due to leach out from the heaps of stored process wastes. Unit has not provided proper storage facility for the storage of procured process wastes. Hence they are instructed to provide proper storage facility with leachate collection system for the same and store the entire process wastes in storage facility instead of stored on open land. Unit has not provided internal storm water drain and collection pit with reuse system if any contaminated rain water generates during the rain. Hence they are instructed to provide proper internal storm water drain and collection pit with reuse system to prevent discharge of contaminated w/w from the unit to outside of the unit. During visit one sample of composite w/w sample collected from various ponds of w/w within unit premises and one composite solid waste sample collected from various heaps of waste stored within premises.

Conclusion: Looking to the above mentioned observations, contaminated rain water was been gone in to adjacent farm of complainer's from this unit through passing under boundary wall at the backside of the unit.

Unit has not furnished details pertaining to last three months production, waste procurement/disposal, water consumption, w/w generation/ disposal, fuel consumption, hazardous waste stock/generation/disposal etc. and remarks are issued for the same. During visit instructions was given in 3-day notice given to the unit as per written instruction note. Photographs taken during visit and 3-Day notice is attached here with.



Wet patches of water flow are observed from the unit to agricultural land under cement sheet boundary wall which was observed gone in to nearby agricultural land of other farmer.



Various heaps of total @ 800 MT of various types of wastes are observed stored on open land within unit premises.





GUJARAT POLLUTION CONTROL BOARD

Annexure 3

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

BY R.P.A.D.

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

WHEREAS you M/s. Shree Charbhujia Agro Fertilizer Co. are having an industrial plant at Survey No: 313/314, Sub Plot No.3, Vill: Motali, Tal: Ankleshwar, Dist:- BHARUCH.

AND WHEREAS you were having CCA No. AWH-57896 valid up to 28/08/2032 for manufacturing of items/products mentioned there in Consent Order subject to the conditions mentioned therein.

AND WHEREAS during the inspection of your industrial plant on **08/12/2023** under Section -23 of the Water Act by the authorized officer of the Board and following non-compliances were observed:

1. This unit is visited with reference to a received regarding illegal discharge of chemical contaminated water in their agricultural land from M/s. Shree Charbhujia agro fertilizer co. Located behind Apex Hotel, Village- Motali.
2. During visit, it is observed that at the back side of the unit near the bore well room of the farmer there is wet patches of water flow is observed from the unit to agricultural land under cement sheet boundary wall which was observed gone in to nearby agricultural land of other farmer. During visit, wet patches of water flow is observed on agricultural land, however water ponding is not observed in agricultural land.
3. During visit production plant is not found in operation. However, various heaps of total @ 800 MT of various types of wastes are observed stored on open land within unit premises.
4. Upon asking for the stored waste, they are procuring process waste from the various units as raw materials however unit has not furnished detail regarding procurement and use of the same. Unit is not complying with CC&A condition of using fresh raw material.
5. Due to rain during the next week in this area, various pondings of contaminated rain water are observed between the heaps of waste in low laying area due to leach out from the heaps of stored process wastes. Unit has not provided proper storage facility for the storage of procured process wastes.
6. Unit has not provided internal storm water drain and collection pit with reuse system if any contaminated rain water generates during the rain.
7. Analysis report of composite solid waste sample collected from various heaps of waste stored within premises shows parameter: pH: 7.12, NH₃-N: 0.35 gm/kg, COD: 12.71 gm/kg, Phenolic Compound: 0.001 gm/kg, Total Alkalinity as CaCO₃: 3.1 gm/kg, Total Inorganic Solids: 670.93 gm/kg.

Clean Gujarat Green Gujarat

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

8. Analysis report of composite Waste water sample collected from various ponding of waste water within unit premises shows parameter: pH: 4.51, COD: 886 mg/l, BOD: 201 mg/l, NH3-N: 90.72 mg/l, Colour: 700 Pt.Co.Sc., Phenolic Compound: 0.15 mg/l.
9. Unit is not complying with CC&A conditions.

AND WHEREAS on site written remarks were given & directed to comply within stipulated time period. However, you have not submitted reply.

Now, therefore I Arun G. Patel, Environment Engineer proposes to issue Notice under section 33-A of the Water Act-1974 as under:

1. To close down your industrial activity under the Water Act - 1974.
2. To close down your industrial activity under said act if industrial activity runs by Captive Power Plant or D. G. Set.
3. To direct the concerned authority to disconnect Electrical supply and Water supply of your unit.

You are hereby directed to reply & Submit compliance of above points within 15 days from the date of serving of this notice failing which, it shall be presumed that you have nothing to say in this matter and appropriate action will be initiated against you for the conduct of the business of your industry, under the Water Act-1974 for above non-compliance.

FOR AND ON BEHALF OF
GUJARAT POLLUTION CONTROL BOARD

alural
12.03.2024
(Arun G. Patel)
ENVIRONMENT ENGINEER

NO: GPCB/ANK-CCA-2277/ID:86700/

Date: __/03/2024

Issued to:

M/s. SHREE CHARBUJA AGRO FERTILIZER CO.
SURVEY NO:313/314, SUB PLOT NO. 3,
VILL: MOTALI, TAL: ANKLESHWAR,
Dist: BHARUCH

Copy To:

- Regional Officer,
Gujarat Pollution Control Board,
Regional Office,
Ankleshwar..... for monitoring & verification within 15 days.

Outward No. 7858/2024



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 Industry Details SHREE CHARBHUJA AGRO FERTILIZER CO.

Outward No: 42863-10/06/2024

Email : mayurjain36@yahoo.in
 Telephone : 9898471159
 PLOT NO:Survey No. 313/314,,
 Survey No. 313/314, Sub Plot No. 3, B/H. Apex Hotel, Motali, ,
 Ankleshwar - 393001
 DIST : Ankleshwar, TAL : Ankleshwar, SIDC : Not In Gide

Inspection Id : 805050 (After Notice of DIR) Ro Name : Ankleshwar

2 Type / Scale / Sector / Status : ORANGE / SMALL / Fertilizer (granulation / formulation / blending only) / In Operation

3 Inspection Dt & Time : 24/05/2024 10:15 / Water Person Contacted : MR. MAYURBHAI JAIN (Properitor)

4 Env Audit Detail : Sch : N.A , , Year : , On Dt :

Commissioned Dt : 01/04/2022 Production Start Dt : 15/04/2022 Applicability of CRZ Rules : No

5 Water Consumption in Kilo Lts Per Day Ind : 12.000 Dom : 4.000 Borewells: 0

6 Waste Water generation / Discharge (klpd) : Ind : 0.000 Dom : 2.000 Tubewells: 0

7 Consumer No.(Electric Meter): Source of Water Supply: Tanker

8 Disposal Mode of Industrial / Domestic : Not Specified / Not Specified

9 Discharge Pt / Final Receiving Body (Ultimate): ZERO DISCHARGE UNIT / ZERO DISCHARGE UNIT

10 Status of water consent Under the Water Act,1974: AWH-57896-28/08/2032 Last Inward:263009-29/08/2022[GRT]

11 Effluent Treatment plant (ETP) : Units, if provided and status : No Data

12 Whether Industry is a member of CETP ? No

13 Boilers=0 , DG Sets=0 , Flue Gas =1, Process =0 , ETP Cap = 0 , Capacity of All =

APCM Details : Alkali Scrubber,Dust Collector
Fuel Used : Coal
Stack Attached to : Furnace

14 TSDF Name : Not Regd with any TSDF

15 Lab Charges Pending : Rs. 9670.00 Water Cess Charges Pending : NIL

16 Last Env. Form V : --- Water Cess Return : HW Monthly Return : 2023-99

17 Last 3 Legal Action :

Insp Dt	Act	Leg Dt	For	Insp ID	IR-Leg	Type	Out No
08/12/2023	NOT	12/03/2024	33A,IMM,	763207	NOT	COM	785875



Gujarat Pollution Control Board

(Inspection Report) - Air, Water, Hazardous

PCB Id: 86700

(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 Updations

o	- Air - Water - Hazd ACTs Applicability ?	Air, Water, Haz	
e	- Electric Company Name (Power Supply)	DGVCL	
p	- On East Direction of the location of the Company	Nr. Apex Hotel	
p	- On North Direction of the location of the Company	N. H. No. 8	
p	- On South Direction of the location of the Company	N. H. No. 8	
p	- On West Direction of the location of the Company	Nr. Apex Hotel	
o	- Production since (Date) or Proposed	15/04/2022	
m	- W.W.G Treatment thru Pri / Sec / Tertiary / N.A :	Primary	
n	- Nos of Flow-Meters - W.C / W.W.G / ETP =	0, 0, 0	
d	- Is Industry ZERO DISCHARGE Catg (If Yes, HOW ?)	Yes	

General Observation

a	- Is the Industry in Operation ??	No.	
a	- R.O File No	-	
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 ?	No.	
h	- Provision of any STAND-BY Pump ??	No.	

Water Parameter

b	- Source of Water Supply	Tanker	
c	- W.W.G is EXCEEDING the CCA Limits	No.	
d	- W.W Disposal as per the Consent Conditions ?	Yes	
e	- Was the ETP in operation ?	Not Applicable	
f	- Treatment System ADEQUATE to handle existing effluent	Not Required	
g	- Did u observe ANY ILLEGAL Discharge ??	No.	
h	- Nos of Samples collected	0	

Remarks :

Site Observations during Inspection, PCB-ID: (86700)

10/06/2024

2/6 (Through XGN)



Inspection Crux:

Water Observation:

Compliances of notice direction u/s 33A of WA-1974 dated 12.03.24 is as follows. Point No (1) during visit unit is not found in operation. No illegal discharge of w/w is observed from the unit into the agriculture land of Mr Manilal Dahyabhai Patel. Point No (2) Agriculture land of Mr Manilal Dahyabhai Patel is found dry & no contaminated w/w is observed in this agriculture land. No crop is observed in this land. Point No (3) Unit is not found in operation. Various heaps of different types of wastes @ 800 MT are found lying in open land within unit premises. Point No (4) Unit has not produced any authentic documents regarding procurement of process waste. Point No (5) No rain is observed during visit & entire premises of the unit & adjacent agriculture land of the complainer is found dry, however unit has not provided covered storage facility to store different types of wastes. Point No (6) Unit has not provided internal storm water drain & leachate recollection facility in case of emergency. Unit has not taken any preventive measures to restrict contaminated w/w going into adjacent agriculture land of the complainer. Point No (7) No sample is collected during visit. Point No (8) Entire premises of the unit & adjacent agriculture land of the complainer is found dry, hence sample is not collected. Point No (9) Unit is not complying with CCA conditions. Conclusion: Unit has not provided internal storm water drain & leachate recollection facility in case of emergency. Unit has not taken any preventive measures to restrict contaminated w/w going into adjacent agriculture land of the complainer. Hence during monsoon season there are chances of contaminated w/w going into adjacent agriculture land of the complainer. Written instructions given to the unit in 3 day notice. Photographs & 3 day notice is attached separately. [4736]-31/05/2024

Air Observation:

Unit is visited to verify compliances of notice of direction u/s 33A of WA-1974 dated 12.03.24 issued to the unit & letter of Mr Manilal Dahyabhai Patel, At.Post-Motali, Tal. Ankleshwar, Dist. Bharuch dated 23/05/2024 [4736]-31/05/2024

Hazard Observation:

Unit is visited to verify compliances of notice of direction u/s 33A of WA-1974 dated 12.03.24 issued to the unit & letter of Mr Manilal Dahyabhai Patel, At.Post-Motali, Tal. Ankleshwar, Dist. Bharuch dated 23/05/2024 [4736]-31/05/2024

General Observation:

Unit is visited to verify compliances of notice of direction u/s 33A of WA-1974 dated 12.03.24 issued to the unit & letter of Mr Manilal Dahyabhai Patel, At.Post-Motali, Tal. Ankleshwar, Dist. Bharuch dated 23/05/2024. [4736]-31/05/2024

~ RO Comments/Reply :Strict action may be taken -10/06/2024

I recommend : g. Recommend Strict Action

Point to point reason of recommendation for this action

Various heaps of different types of wastes @ 800 MT are found lying in open land within unit premises unit has not provided covered storage facility to store different types of wastes. Unit has not provided internal storm water drain & leachate recollection facility in case of emergency. Unit has not taken any preventive measures to restrict contaminated w/w going into adjacent agriculture land of the complainer.



Gujarat Pollution Control Board

(Inspection Report) - Air,Water,Hazardous

PCB Id: 86700

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

W.C Notings: -----[4736-DEE]~

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

5. RM purchase નાં દસ્તાવેજ પુરાવા રજુ કરવા.
4. અગાઉની મુલાકાત દરમ્યાન જે RM ના ઢગલા ખુલ્લામાં જોવા મળેલ તે હાલ પણ તે જ સ્થિતિમાં જોવા મળેલ છે અને આપના દ્વારા મટીરીયલ ને closed shed માં store કરવાની વ્યવસ્થા કરેલ નથી.
1. એકમની મુલાકાત દરમ્યાન એકમ બંધ જોવા મળેલ તથા કોઈપણ પ્રકારની પ્રવૃત્તિ જોવા મળી નથી.
2. આપના એકમમાંથી કોન્ટામીનેટેડ વેસ્ટ વોટર ને બાજુના ખેતરમાં જતું અટકાવવા માટેના કોઈપણ પગલા લેવામાં આવેલ નથી.
3. આપના દ્વારા Contaminated w/w ને recollect કરવા માટેની internal SWD with recollection system બનાવેલ નથી.
6. છેલ્લા ત્રણ માસના RM purchase, production, water consumption, fuel consumption વગેરે માહિતી આધારસહ રજુ કરવી.

Compliance Observed in this Inspections.

10/06/2024

4/6 (Through XGN)



Gujarat Pollution Control Board

(Inspection Report) - Air, Water, Hazardous

PCB Id: 86700

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

Instructions in Previous Visits and Reply	Insp Det	Instruction Status
6. એકમ વિસ્તરની ફરતે પાકી Internal Storm Water Drain બનાવવી અને તેના outlet પાસે collection pit તથા contaminated w/w ને reuse કરવા માટેની system બનાવવી જેથી એકમમાંથી ઉદ્ભવતું contaminated rain water એકમની બહાર જતું અટકાવી શકાય.	763207(08/12/23)	---
5. એકમમાં store કરેલ process waste માટે storage shed સાથે leachate collection system બનાવવી તથા storage shedમાં જ process wasteનો સંગ્રહ કરવો.	763207(08/12/23)	---
4. ગયા અઠવાડિયામાં પડેલ વરસાદના લીધે એકમ વિસ્તારમાં સંગ્રહિત process wasteના ઢગલાઓમાંથી વરસાદી પાણી contaminated થઈને એકમની પાછળ આવેલ દીવાલ નીચેથી પાસ થઈને એકમની બાજુમાં રહેલ ફરિયાદીની ખુલ્લી જમીન પર ગયેલું હોય તેવા patches જોવા મળેલ તેમજ સદર wasteના ઢગલાઓ વચ્ચે રહેલ ખાડાઓમાં contaminated w/w ભરાયેલું જોવા મળેલ, જેમાંથી w/w નો એક નમુનો તથા process wasteના ઢગલાઓ માંથી solid wasteનો એક નમુનો એકત્ર કરેલ છે.	763207(08/12/23)	---
7. મુલાકાત સમયે છેલ્લા ત્રણ માસના raw material procurement, production, water consumption, w/w generation, fuel consumption, hazardous waste generation/ disposalની વિગતો રજુ કરેલ નથી. સદર તમામ વિગતો આધારસહ રજુ કરવી.	763207(08/12/23)	---
3. મુલાકાત સમયે એકમમાં ખુલ્લી જમીન પર આશરે 800 MT જેટલા વિવિધ પ્રકારના process wasteના ઢગલાઓ સંગ્રહિત કરેલ જોવા મળેલ, જે waste ક્યાંથી લાવવામાં આવેલ છે અને તેનો શું ઉપયોગ કરવાના છે તેની માહિતી આધારસહ રજુ કરવી.	763207(08/12/23)	---
2. મુલાકાત સમયે એકમમાં ઉત્પાદનને લગતી કામગીરીઓ થતી જોવા મળેલ નથી જે બાબતે સ્પષ્ટતા કરવી.	763207(08/12/23)	---
1. આપના એકમની મુલાકાત અમારી ઓફિસને મળેલ લેખિત ફરિયાદના સન્દર્ભમાં લેવામાં આવેલ છે.	763207(08/12/23)	---
1. આપની Furnace સાથે લગાવેલ ચીમનીમાં SMF ની વ્યવસ્થા બનાવવી. ; We will provide SMF facility within the week at chimney attached with furnace. (14/09/2022)	685855(12/09/22)	Still Pending
2. આપના એકમમાં પડેલા Raw મટીરીયલ્સ Productના સ્ટોકની વિગતો આધારસહ રજુ કરવી. ; We have submitted the stock of raw materials & product alongwith the copy of invoice as Annexure - 1 alongwith reply at RO Ankleshwar & the same is uploaded in tag.000. (14/09/2022)	685855(12/09/22)	Still Pending
1. મુલાકાત સમયે પ્લાન્ટ મશીનરીઓ લગાવેલી ધ્યાને આવેલ સદર બાબતે જરૂરી પરવાનગીઓ મેળવીને ઉત્પાદન પ્રક્રિયા હાથ ધરાવી.	675959(29/06/22)	Partial Compliance

10/06/2024

5/6 (Through XGN)



Gujarat Pollution Control Board

PCB Id: 86700

(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)

Annexure Details - Air,Stack,Hazardous Waste & Samples PCB-ID: (86700)

A Sample Details

B Process Stacks

C Flue gases Stacks

Sr	Stack attached to	Mts	Remark	SMF	APCM	Fuel	Consp-Unit	Insp Remk
1	Furnace	10	LDO 85 Lit/Hrs. OR Coal 3.0 MT/day	YES	ASC,DUS	Coal	30 MT/day	

D Details about Hazardous Waste Management :

Sr	Source of Hazardous Waste	Catg	Qty/Year	HW Disposal Management
1	Used or Spent Oil	I -5.1	0.050-M.T	COL,DEC,OTH,REU,STO,TRA
2	Empty barrels/containers/liners contaminated with hazardous chemicals /wastes	I -33.1	50.000-M.T	COL,DEC,OTH,REU,STO,TRA

E Products :

Sr	Product Name	NOC Qty	CCA Qty	Applied Qty	Inspection Remark
1	soil conditioner or npk fertilizers or organic manure/prom or bio fertilizers carrier based potassium mobilizing/carier based consortia or potash derived from molasses (powder /granules)	3000.000	3000.000 - M.T	3000.000	

F Raw material :

Sr	Raw Material Name	Capacity - Unit / Month
1	ammonium sulphate	0.000 - M.T
2	BIO Compost	0.000 - M.T
3	di ammonium phosphate	0.000 - M.T
4	dolomite	0.000 - M.T
5	lime powder	0.000 - M.T
6	magnesium sulphate	0.000 - M.T
7	muriate of potash	0.000 - M.T
8	phospho-gypsum / gypsum/process waste	0.000 - M.T
9	potas powder	0.000 - M.T
10	rock phosphate	0.000 - M.T
11	sulphur	0.000 - M.T
12	urea	0.000 - M.T

G Water Consumption & Generation Break up

Sr	Water Code (Qty in klpd - Kilo Ltr per Day)	WC : 16.000	WWG : 2.000	Water Source	Remark
1	Agriculture	2.000	0.000	Tankers	
2	Domestic Purpose	1.000	0.800	Tankers	
3	Mnfg Process	5.000	0.000	Tankers	

H Solid Waste

Inspection Team : MS. ALPA AMRUTBHAI VASAVA - R.B. Makwana, SO

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

Signature By(MS. ALPA AMRUTBHAI VASAVA)

10/06/2024

6/6 (Through XGN)

Photographs taken during inspection:



Various heaps of different types of wastes are found lying in open land within unit premises and entire premises of the unit is found dry,



Agriculture land of Mr Manilal Dahyabhai Patel is found dry & no contaminated w/w is observed in this agriculture land. No crop is observed in land.



not provided internal storm water drain & leachate recollection facility



140 GUJARAT POLLUTION CONTROL BOARD

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

તપાસ માટે દાખલ થવાની સૂચના (નોટીસ)

નંબર : 86700

તારીખ : 24/05/2024

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

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

ઉદ્યોગ/કારખાનામાં દાખલ થવાનો સમય : સવારના/સાંજના 10:15 તા. 24 / 05 / 2024

અમારી સાથે સહાય માટે નીચેની વ્યક્તિઓ પણ છે.

1. A. A. Vasava (AEE)

2.

3.

પ્રતિ,

Mrs. Shree. Chhabhuja
Agro. Fertilizer Co.

Sr. No. 313, 314, Sub. Plot No. 3,
Vill. Matali, Tal. Ankleshwar

નકલ મળેલ છે.

આ સૂચના (નોટીસ) મેળવનારની સહી :-
Mr. Mayurbhai Jain
(Proprietor)

સહી :-

અધિકારીનું નામ :- R. B. Makwana

હોદ્દો :- SO

ગુજરાત પ્રદૂષણ નિયંત્રણ બોર્ડ



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

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

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

સ્થળ તપાસની નિરિક્ષણ નોંધ

આઈ.ડી.નં: ૨૬૩૦૦ કોટેજી/સ્કેલ: ૦.../S..., Latitude/ Longitude...../.....

શ્રીમાત,

આપશ્રીને જણાવવાનું કે, આજ તા. ૨૫/૦૫/૨૫ના રોજ આપશ્રી ના એકમની મુલાકાત લઈ સ્થળ તપાસ કરી ઈન્સ્પેક્શન કરેલ છે જે દરમ્યાન હવા/પાણી/જોખમી કચરા/.....ના...../...../.....નમુના પૃથક્કરણ અર્થે એકત્રીત કરેલ છે.

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

આ પરત્વે આપશ્રી તીચે લેખિતમાં સ્વુઆત કરી શકો છો અથવા લેખિત ખુલાસો/સ્પષ્ટતા/પુર્વતા અહેવાલ કામકાજના દિલ-૦૩ માં બોર્ડની વડી કચેરી, ગાંધીનગર તેમજ અત્રેની કચેરીને લેખિત માં અથવા XGN પર અથવા Email થી સ્વુ કરવા તોટીસ આપવામાં આવે છે.

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

- ① સ્વેકમની મુલાકાત દરમ્યાન સ્વેકમ ઊંધા જોવા મળ્યાં નામ કોઈપણ કચરાની પ્રવૃત્તિ જોવા મળી નથી.
- ② સ્થાનના સ્વેકમની કોન્ટેનરો ૨૫ લોટ લોટર જે ભાગુઓના ખામીઓ જનુ સ્વેકમના કારે ના કોઈપણ ખામીઓ જોવા મળ્યાં નથી.
- ③ સ્થાનના ઘાસો containered with જે. Beallock સ્વેકમના કારેના કોન્ટેનરો ૨૫૦૨ with container system જોવા મળ્યાં નથી.
- ④ સ્થાનની મુલાકાત દરમ્યાન જે. RM ના ઘાસો ખામીઓ જોવા મળ્યાં ને જામ પડ્યા નેર તિણિતો જોવા મળ્યાં છે સ્વેકમ સ્થાનના ઘાસો સર્વોચ્ચ જે. closed shed માં સ્થાને કરવાની હચકમ કરવા નથી.
- ⑤ RM purchase ના દસ્તાવેજી પુરાવા જે. કરવા.
- ⑥ ઘાસો મડા સ્થાને જે. RM purchase, production, water consumption, fuel consumption માટે સર્વોચ્ચ માપવચન જે. કરવા.

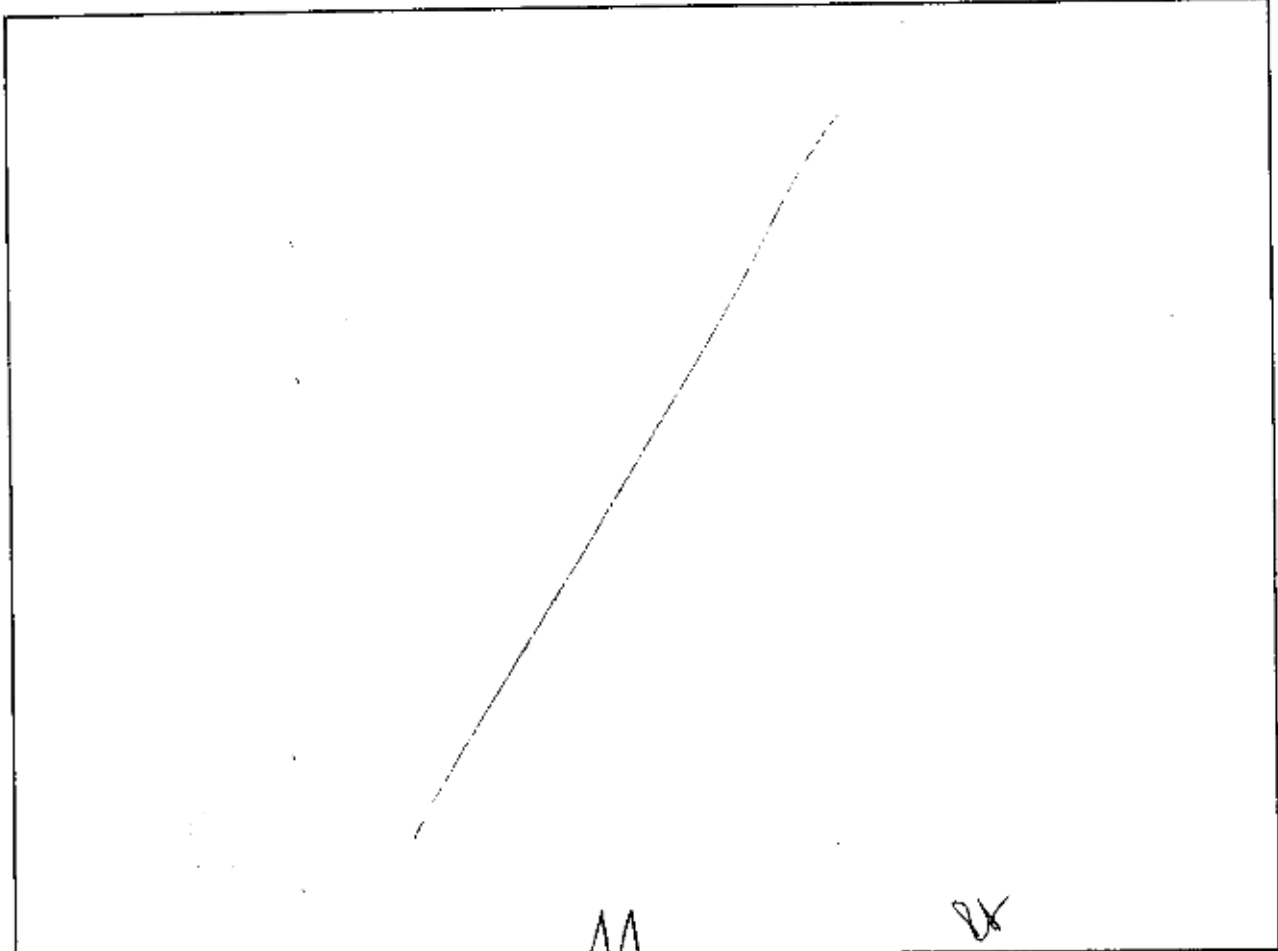
(પાછળ)

ગુજરાત પ્રદૂષણ નિયંત્રણ બોર્ડ

સરનામું: પ્લોટ નં: ૫૦૦૬/૧, જીઆઈડીસી અંકલેસ્વર - ૩૯૩ ૦૦૨, જી.ભરૂચ

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

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



ગુ.પ્ર.નિ.બોર્ડના નામે અને વતી,

(અધિકારીઓના નામ, હોદ્દો, સહી):

AA
A A VASAVA
(AEE)

PK
R B MATHURIA
(SU)

મુલાકાત લેવામાં આવેલ હોય તે એકમના પ્રતિનિધીની રજુઆત: (જે લાગુ પડે તેની સામે જ સહી કરવી)

મુલાકાત દરમ્યાન અધિકારીશ્રીઓએ.....પ્ર.....મુદાઓ માટે સ્થળસ્થિતિ/સુચનાઓ/સુધારાતક પગલાં ભરવા જણાવેલ છે જેમા,

(૧) આ સ્થળસ્થિતિ/સુચનાઓ સાથે હું નીચે સહી કરનાર સંપૂર્ણ સહમત છું.

PK

(૨) જેમા દર્શાવેલ સ્થળસ્થિતિ/સુચનાઓમાંથી મુદા નં.....સાથે હું નીચે સહી કરનાર અસહમત છું. જેના માટે મારી નીચે પ્રમાણેની રજુઆત છે.

PK

એકમના પ્રતિનિધી/આ નોંધ મેળવનાર નું નામ, હોદ્દો અને સહી: Mr. M. P. Patel
(Prin)

તા. : ૨૫/૦૫/૨૦૧૫



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)

Annexure 5

PCB Id: 86700

1 Industry Details shree charbhuj agro fertilizer co.

Outward No: 42992-12/07/2024

Email : mayurjain36@yahoo.in
Telephone : 9898471159
PLOT NO:Survey No. 313/314,,
Survey No. 313/314, Sub Plot No. 3, B/H. Apex Hotel, Motali, ,
Ankleshwar - 393001
DIST : Ankleshwar, TAL : Ankleshwar, SIDC : Not In Gide

Inspection Id : 809564 (On Complaint) Ro Name : Ankleshwar

2 Type / Scale / Sector / Status : ORANGE / SMALL / Fertilizer (granulation / formulation / blending only) / In Operation

3 Inspection Dt & Time : 01/07/2024 12:00 / Water Person Contacted : Mr. Mayur Jain, Partner

4 Env Audit Detail : Sch : N.A , , Year : , On Dt :

Commissioned Dt : 01/04/2022 Production Start Dt : 15/04/2022 Applicability of CRZ Rules : No

5 Water Consumption in Kilo Lts Per Day Ind : 12.000 Dom : 4.000 Borewells: 0

6 Waste Water generation / Discharge (klpd) : Ind : 0.000 Dom : 2.000 Tubewells: 0

7 Consumer No.(Electric Meter): Source of Water Supply: Tanker

8 Disposal Mode of Industrial / Domestic : Not Specified / Not Specified

9 Discharge Pt / Final Receiving Body (Ultimate): ZERO DISCHARGE UNIT / ZERO DISCHARGE UNIT

10 Status of water consent Under the Water Act,1974: AWH-57896-28/08/2032 Last Inward:263009-29/08/2022[GRT]

11 Effluent Treatment plant (ETP) : Units, if provided and status :

No Data

12 Whether Industry is a member of CETP ? No

13 Boilers=0 , DG Sets=0 , Flue Gas =1, Process =0 , ETP Cap = 0 , Capacity of All =

APCM Details : Alkali Scrubber,Dust Collector

Fuel Used : Coal

Stack Attached to : Furnace

14 TSDF Name : Not Regd with any TSDF

15 Lab Charges Pending : Rs. 18920.00 Water Cess Charges Pending : NIL

16 Last Env. Form V : --- Water Cess Return : --- HW Monthly Return : 2023-99

17 Last 3 Legal Action :

Insp Dt	Act	Leg Dt	For	Insp ID	IR-Leg	Type	Out No
24/05/2024	DIR	11/07/2024	33A,IMM,	805050	DIR	NOT	816006
08/12/2023	NOT	12/03/2024	33A,IMM,	763207	NOT	COM	785875

12/07/2024

1/7 (Through XGN)



Gujarat Pollution Control Board

(Inspection Report) - Air, Water, Hazardous

PCB Id: 86700

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

General Observation

a	-	Is the Industry in Operation ??	No.	During visit production plant is not found in operation.
a	-	R.O File No	-	
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 ?	No.	
h	-	Provision of any STAND-BY Pump ??	No.	

Water Parameter

b	-	Source of Water Supply	Tanker	
c	-	W.W.G is EXCEEDING the CCA Limits	No.	
d	-	W.W Disposal as per the Consent Conditions ?	Yes	
e	-	Was the ETP in operation ?	No	
f	-	Treatment System ADEQUATE to handle existing effluent	Repair/Main Reqd	
g	-	Did u observe ANY ILLEGAL Discharge ??	Yes	
h	-	Nos of Samples collected	02	

Remarks :

Site Observations during Inspection , PCB-ID: (86700)



Inspection Crux:

Water Observation:

This unit is visited with above mentioned specific reference hence detail observations under this section could not be carried out. [402]-02/07/2024

Air Observation:

This unit is visited with above mentioned specific reference hence detail observations under this section could not be carried out. [402]-02/07/2024

Hazard Observation:

This unit is visited with above mentioned specific reference hence detail observations under this section could not be carried out. [402]-02/07/2024

General Observation:

This unit is visited with reference to a telephonic complaint received to this office on dated-30/06/2024 from Shree Ajitbhai Patel (M-9824763469) S/o. Manilal Dahyabhai Patel, At. Post-Motali, Tal. Ankleshwar, Dist. Bharuch regarding illegally discharge of chemical contaminated water in their adjoining agricultural land at survey no. 42/17 of village Motali, Tal. Ankleshwar from M/s. Shree charbhujja agro fertilizer co. Located behind Apex Hotel, Village- Motali and hence the contaminated water spread on their agricultural land and thus their agricultural land is became non-fertile for the anyone crops and they could not taken any crops from this land. Detail visit report along with photographs taken during visit, NEI and 3-day notice is uploaded here with as document file. [402]-04/07/2024

~ RO Comments/Reply :Strict action may be taken. -12/07/2024

I recommend : g. Recommend Strict Action

Point to point reason of recommendation for this action

In view of the finding of inspection, interim AR, and noncompliance to the NOD issue vide OW no: 785875 dtd 12/03/2024, strict action may be taken.

W.C Notings: -----[402-DEE]~

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



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PCB Id: 86700

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

7. છેલ્લા ત્રણ મહિનાના પ્રોડક્શનડેટા, કાચામાલની ખરીદી, પાણી વપરાશ, વેસ્ટ વોટર જનરેશન/ રીયુજ /નિકાલ, હેઝાર્ડસ વેસ્ટ જનરેશન /નિકાલ /સ્ટોક, ફ્યુલ વપરાશ વગેરે માહિતી મુલાકાત સમયે રજુ કરેલ નથી જે આધારસહ રજુ કરવી.

5. એકમમાં રેકોર્ડ ચકાસતા જણાવેલ કે આપના દ્વારા વિવિધ એકમોમાંથી Haz.W aste/non-Haz.Waste/Gypsum/other materials through manifest તથા without manifest (invoice) દ્વારા લાવી ખુલ્લામાં સંગ્રહ કરેલ જોવા મળેલ તથા તેનો કાચા માલ તરીકે વપરાશ થાય છે જે બાબતે જરૂરી પરવાનગીઓ અંગે સ્પષ્ટતા કરવી.

3. બહાર જતા waste waterને તાત્કાલિક અટકાવવું તથા તે બાબતે ખુલાસો કરવો અને તમામ waste water રીકલેક્ટ કરી નિયમાનુસાર નિકાલ કરવો.

1. આજરોજ આપના એકમની મુલાકાત ફરિયાદના સંદર્ભમાં લેવામાં આવેલ છે.

6. ઉપરોક્ત મુજબના ખુલ્લામાં સંગ્રહિત તમામ વેસ્ટને કવર્ડ શેડમાં સ્ટોર કરવો.

4. મુલાકાત સમયે એકમના પાછળનાં ખુલ્લા ભાગમાં અંદાજે ૧૦૦ મીટર X ૪૦ મીટર વિસ્તારમાં વિવિધ પ્રકારના Haz. Wastes વિપુલ માત્રામાં haphazard mannerમાં સંગ્રહિત ધ્યાને આવેલ તથા વરસાદના કારણે સદર વિસ્તારમાંથી rain water contaminates થઈને એકમની બહાર ખેતરોમાં જતું ધ્યાને આવેલ તે બાબતે ખુલાસો કરવો.

2. મુલાકાત સમયે એકમની પાછળનાં ભાગમાં આવેલ બહારની બાજુએ ખેતીની જમીનમાં આપના એકમની દીવાલ નીચેથી ડ્રાઉન કલરનું waste water ખેતીને જમીનમાં જતું હતું તથા આસપાસના ખેતરોમાં પ્રસરતું હતું. ત્યારબાદ આપના એકમની મુલાકાત લેવામાં આવેલ.

Compliance Observed in this Inspections.

Instructions in Previous Visits and Reply	Insp Det	Instruction Status
5. RM purchase નાં દસ્તાવેજી પુરાવા રજુ કરવા.	805050(24/05/24)	Still Pending
4. અગાઉની મુલાકાત દરમ્યાન જે RM ના ઢગલા ખુલ્લામાં જોવા મળેલ તે હાલ પણ તે જ સ્થિતિમાં જોવા મળેલ છે અને આપના દ્વારા મટીરીયલ ને closed shed માં store કરવાની વ્યવસ્થા કરેલ નથી.	805050(24/05/24)	Still Pending
1. એકમની મુલાકાત દરમ્યાન એકમ બંધ જોવા મળેલ તથા કોઈપણ પ્રકારની પ્રવૃત્તિ જોવા મળી નથી.	805050(24/05/24)	Still Pending
2. આપના એકમમાંથી કોન્ટામીનેટેડ વેસ્ટ વોટર ને બાજુના ખેતરમાં જતું અટકાવવા માટેના કોઈપણ પગલા લેવામાં આવેલ નથી.	805050(24/05/24)	Still Pending
3. આપના દ્વારા Contaminated w/w ને recollect કરવા માટેની internal SWD with recollection system બનાવેલ નથી.	805050(24/05/24)	Still Pending
6. છેલ્લા ત્રણ માસના RM purchase, production, water consumption, fuel consumption વગેરે માહિતી આધારસહ રજુ કરવી.	805050(24/05/24)	Still Pending

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6. એકમ વિસ્તરની ફરતે પાકી Internal Storm Water Drain બનાવવી અને તેના outlet પાસે collection pit તથા contaminated w/w ને reuse કરવા માટેની system બનાવવી જેથી એકમમાંથી ઉદ્ભવતું contaminated rain water એકમની બહાર જતું અટકાવી શકાય.	763207(08/12/23)	Still Pending
5. એકમમાં store કરેલ process waste માટે storage shed સાથે leachate collection system બનાવવી તથા storage shedમાં જ process wasteનો સંગ્રહ કરવો.	763207(08/12/23)	Still Pending
4. ગયા અઠવાડિયામાં પડેલ વરસાદના લીધે એકમ વિસ્તારમાં સંગ્રહિત process wasteના ઢગલાઓમાંથી વરસાદી પાણી contaminated થઈને એકમની પાછળ આવેલ દીવાલ નીચેથી પાસ થઈને એકમની બાજુમાં રહેલ ફરિયાદીની ખુલ્લી જમીન પર ગયેલું હોય તેવા patches જોવા મળેલ તેમજ સદર wasteના ઢગલાઓ વચ્ચે રહેલ ખાડાઓમાં contaminated w/w ભરાયેલું જોવા મળેલ, જેમાંથી w/w નો એક નમુનો તથા process wasteના ઢગલાઓ માંથી solid wasteનો એક નમુનો એકત્ર કરેલ છે.	763207(08/12/23)	Still Pending
7. મુલાકાત સમયે છેલ્લા ત્રણ માસના raw material procurement, production, water consumption, w/w generation, fuel consumption, hazardous waste generation/ disposalની વિગતો રજુ કરેલ નથી. સદર તમામ વિગતો આધારસહ રજુ કરવી.	763207(08/12/23)	Still Pending
3. મુલાકાત સમયે એકમમાં ખુલ્લી જમીન પર આશરે 800 MT જેટલા વિવિધ પ્રકારના process wasteના ઢગલાઓ સંગ્રહિત કરેલ જોવા મળેલ, જે waste ક્યાંથી લાવવામાં આવેલ છે અને તેનો શું ઉપયોગ કરવાના છે તેની માહિતી આધારસહ રજુ કરવી.	763207(08/12/23)	Still Pending
2. મુલાકાત સમયે એકમમાં ઉત્પાદનને લગતી કામગીરીઓ થતી જોવા મળેલ નથી જે બાબતે સ્પષ્ટતા કરવી.	763207(08/12/23)	Still Pending
1. આપના એકમની મુલાકાત અમારી ઓફિસને મળેલ લેખિત ફરિયાદના સન્દર્ભમાં લેવામાં આવેલ છે.	763207(08/12/23)	Still Pending
1. આપની Furnace સાથે લગાવેલ ચીમનીમાં SMF ની વ્યવસ્થા બનાવવી. ; We will provide SMF facility within the week at chimney attached with furnace. (14/09/2022)	685855(12/09/22)	Still Pending
2. આપના એકમમાં પડેલા Raw મટીરીયલ્સ Productના સ્ટોકની વિગતો આધારસહ રજુ કરવી. ; We have submitted the stock of raw materials & product alongwith the copy of invoice as Annexure - 1 alongwith reply at RO Ankleshwar & the same is uploaded in tag.000. (14/09/2022)	685855(12/09/22)	Still Pending

12/07/2024

5/7 (Through XGN)



Gujarat Pollution Control Board

PCB Id: 86700

(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)

Annexure Details - Air,Stack,Hazardous Waste & Samples PCB-ID: (86700)

A Sample Details

Sr	Act	Ph/Temp/Air Sampled	Time	Type	Sampling Point	Col-Cond
1	W-12	@ 4 to 6 on ph strip. / 30	1225-1225	REP	from contaminated rain water ponding in haz. waste storage area within unit premises. ~	Brown
2	W-12	@ 4 to 6 on ph strip. / 30	1145-1145	REP	from contaminated w/w outlet point of unit under boundary wall of the unit outside of unit premises	Brown

B Process Stacks

C Flue gases Stacks

Sr	Stack attached to	Mts	Remark	SMF	APCM	Fuel	Consp-Unit	Insp Remk
1	Furnace	10	LDO 85 Lit/Hrs. OR Coal 3.0 MT/day	YES	ASC,DUS	Coal	30 MT/day	

D Details about Hazardous Waste Management :

Sr	Source of Hazardous Waste	Catg	Qty/Year	HW Disposal Management
1	Used or Spent Oil	I -5.1	0.050-M.T	COL,DEC,OTH,REU,STO,TRA
2	Empty barrels/containers/liners contaminated with hazardous chemicals /wastes	I -33.1	50.000-M.T	COL,DEC,OTH,REU,STO,TRA

E Products :

Sr	Product Name	NOC Qty	CCA Qty	Applied Qty	Inspection Remark
1	soil conditioner or npk fertilizers or organic manure/prom or bio fertilizers carrier based potassium mobilizing/carrier based consortia or potash derived from molasses (powder /granules)	3000.000	3000.000 - M.T	3000.000	

F Raw material :

Sr	Raw Material Name	Capacity - Unit / Month
1	ammonium sulphate	0.000 - M.T
2	BIO Compost	0.000 - M.T
3	di ammonium phosphate	0.000 - M.T
4	dolomite	0.000 - M.T
5	lime powder	0.000 - M.T
6	magnesium sulphate	0.000 - M.T
7	muriate of potash	0.000 - M.T
8	phospho-gypsum / gypsum/process waste	0.000 - M.T
9	potas powder	0.000 - M.T
10	rock phosphate	0.000 - M.T
11	sulphur	0.000 - M.T
12	urea	0.000 - M.T

G Water Consumption & Generation Break up

Sr	Water Code (Qty in klpd - Kilo Ltr per Day)	WC : 16.000	WWG : 2.000	Water Source	Remark
1	Agriculture	2.000	0.000	Tankers	
2	Domestic Purpose	1.000	0.800	Tankers	
3	Mnfg Process	5.000	0.000	Tankers	

H Solid Waste

Inspection Team : L.U.Katariya, SO - Acharya Ravikumar j, AEE

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

12/07/2024

6/7 (Through XGN)



Gujarat Pollution Control Board

(Inspection Report) - Air, Water, Hazardous

PCB Id: 86700

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

Signature By(L.U.Katariya, SO)

This unit is visited with reference to a telephonic complaint received to this office on dated-30/06/2024 from Shree Ajitbhai Patel (M-9824763469) S/o. Manilal Dahyabhai Patel, At. Post-Motali, Tal. Ankleshwar, Dist. Bharuch regarding illegally discharge of chemical contaminated water in their adjoining agricultural land at survey no. 42/17 of village Motali, Tal. Ankleshwar from M/s. Shree charbhuj agro fertilizer co. Located behind Apex Hotel, Village- Motali and hence the contaminated water spread on their agricultural land and thus their agricultural land is became non-fertile for the anyone crops and they could not taken any crops from this land. During visit first of all we have contacted to complainer, learnt about the complaint and visited their agricultural land. Agricultural land of Shree Manilal Dahyabhai Patel is adjoining to boundary wall of M/s. Shree charbhuj agro fertilizer co. There is cement sheet boundary wall between agricultural land and the unit. During visit, it is observed that at the back side of the unit near the bore well room of the farmer there is brown colored acidic (@ 4 to 6 pH on pH strip) w/w is coming out from the unit premises under the provided boundary wall and is being spreading on complainer's agricultural land which is observed going in to nearby agricultural land of other farmers also and finally goes in to natural nallah. During visit, except wild grasses there is no any growing crop observed within the land of Shree Manilal Dahyabhai Patel. During visit, w/w flowing and waste water ponding is observed in agricultural land of shree Manilal Dahyabhai. During visit one sample of brown colored acidic w/w is collected from the outlet point of M/s. Shree charbhuj agro fertilizer co. as mentioned in sample detail in IR. Then after we have visited industrial unit and following observations are observed.

This unit is engaged with production of Soil Conditioner (Granules & Micro Nutrients)/ NPK Fertilizers (Powder/Granules)/ Organic Manure/Prom (Powder /Granules)/ Bio Fertilizers Carrier Based Potassium Mobilizing (Powder/Granules) Carrier Based Consortia (Granules)/ Potash Derived from Molasses (Powder /Granules) – 3000 MT/M. Unit has obtained CCA (AWH-57896) of the Board and is valid up to 28/08/2032 for the same production. During visit production plant is not found in operation.

During visit heaps of various types of wastes in huge quantities are observed stored on open land (@ 100 m X 70 M area) at the backside of production plant shed within the unit premises in haphazard manners. Upon asking for the stored waste and as per record made available they are procuring Haz./Non-Haz./process/ETP/gypsum wastes from the various units with online manifest and without manifest (with invoice) and stored in open land which is used as raw materials. As per records available, unit has received (1) Non haz. Waste process from M/s. Shivam alums & chemicals , Plot No – 7601 , GIDC – Ankleshwar through Invoice, (2) gypsum from M/s. center point industries , Vapi through online manifest, (3) gypsum FG from M/s Aarti fertilizers – Vapi through tax invoice (4) ETP sludge from Neeta gelatin india Ltd – GIDC – Jhagadia through online manifest. Hence they are instructed to clarify regarding permission for the same. Unit has not provided covered proper storage facility for the storage of procured wastes. Hence they are instructed to provide proper storage facility with leachate collection system for the same and store the entire process wastes in storage facility instead of stored on open land. Due to rain during since last two days in this area, various pondings of brown colored acidic (@ 4 to 6 pH on pH strip) contaminated rain water are observed between the heaps of waste and at the backside of the unit premises in low laying area due to leach out from the heaps of stored wastes. Unit has not provided internal storm water drain and collection pit with reuse system if any contaminated rain water generates during the rain. Hence generated brown colored acidic (@ 4 to 6 pH on pH strip) contaminated rain water is going outside of the unit premises under the provided boundary wall. Hence they are instructed to stop w/w discharge from your unit immediately and recollected all the w/w discharged outside of your premises and scientifically dispose it. During visit one sample of brown colored acidic (@ 4 to 6 pH on pH strip) contaminated rain water is collected from pondings of w/w within unit premises and one composite solid waste sample collected from various heaps of waste stored within premises.

Conclusion: Looking to the above mentioned observations, brown colored acidic (@ 4 to 6 pH on pH strip) contaminated rain water is being going in to adjacent agricultural farm of complainer's from this unit through passing under boundary wall at the backside of the unit.

Unit has not furnished details pertaining to last three months production, waste procurement/disposal, waterconsumption, w/w generation/ disposal, fuel consumption, hazardous waste reception /stock/ use/ generation/ disposal etc. and remarks are issued for the same. During visit instructions was given in 3-day notice given to the unit as per written instruction note. Photographs taken during visit and 3-Day notice is attached here with.

Photographs



At the back side of the unit near the bore well room of the farmer there is brown colored acidic (@ 4 to 6 pH on pH strip) w/w is coming out from the unit premises under the provided boundary wall



Brown colored acidic (@ 4 to 6 pH on pH strip) w/w is being spreading on complainer's agricultural land which is observed going in to nearby agricultural land of other farmers also.



Various types of wastes in huge quantities are observed stored on open land (@ 110 m X 70 M area) at the backside of production plant shed within the unit premises.



Various pondings of brown colored acidic (@ 4 to 6 pH on pH strip) contaminated rain water are observed between the heaps of waste and at the backside of the unit premises in low laying area.



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Annexure 6

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

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

BY R.P.A.D.

WHEREAS you are having an industrial plant at **Survey No. 313/314, Sub Plot No. 3, B/H. Apex Hotel, Motali, ANKLESHWAR, DIST.BHARUCH.**

AND WHEREAS Gujarat Pollution Control Board has granted you consent under the provisions of water Act-1974 by its Consent Order No. AWH -57896, valid up to 28/08/2032 for operation of the industrial plant with various conditions mentioned therein and with specific condition to use fresh raw material only.

AND WHEREAS during the inspection of your industrial plant on **24/05/2024 & 01/07/2024** under section-23 of the Water Act-1974 by the authorized officers of the Board it has been noticed that:

1. During inspection on 24/05/2024, unit is not found in operation. Various heaps of different types of wastes @ 800 MT are found lying in open land within unit premises.
2. No rain is observed during visit & entire premises of the unit & adjacent agriculture land of the complainer is found dry, however unit has not provided covered storage facility to store different types of wastes.
3. Unit has not provided internal storm water drain & leachate recollection facility in case of emergency. Unit has not taken any preventive measures to restrict contaminated waste water going into adjacent agriculture land of the complainer.
4. Looking to above, there are chances that leachate/contaminated effluent generated during monsoon season can flow outside unit premises as no any system to prevent such effluent is provided by unit.
5. Unit is again inspected on 01.07.2024 with reference to a telephonic complaint received to this office regarding illegal discharge of chemical contaminated water in adjoining agricultural land at survey no. 42/17 of village Motali, Tal. Ankleshwar.
6. Agricultural land of complainer is adjoining to boundary wall of M/s. Shree charbhuj agro fertilizer co. There is cement sheet boundary wall between agricultural land and the unit. During visit, it is observed that at the back side of the unit near the bore well room of the farmer there is brown colored acidic (@ 4 to 6 pH on pH strip) w/w is coming out from the unit premises under the provided boundary wall and is being spreading on complainer's agricultural land which is observed going in to nearby agricultural land of other farmers also and finally goes in to natural nallah. During visit, except wild grasses there is no any growing crop observed within the land of Shri Manilal Dahyabhai Patel.
7. During visit, wastewater flowing and waste water ponding is observed in agricultural land of Shri Manilal Dahyabhai.
8. Analysis report of the brown colored contaminated waste water sample collected from outlet point of the Unit under boundary wall of the Unit outside Unit premises shows parameter pH: 5.08, Ammonical nitrogen: 104.72 mg/l, COD: 690 mg/l.
9. During visit production plant is not found in operation. During visit heaps of various types of wastes in huge quantities are observed stored on open land (@ 100 m X 70 M area) at the backside of production plant shed within the unit premises in haphazard manners.

10. As per record made available unit is procuring Haz./Non Haz./process/ETP/gypsum wastes from the various units with online manifest and without manifest (with invoice) and stored in open land which is used as raw materials. As per records available, unit has received (1) Non haz. Waste process from M/s. Shivam alums & chemicals, Plot No - 7601 , GIDC - Ankleshwar through Invoice, (2) gypsum from M/s. center point industries , Vapi through online manifest, (3) gypsum FG from M/s Aarti fertilizers - Vapi through tax invoice (4) ETP sludge from Neeta Gelatin India Ltd - GIDC - Jhagadia through online manifest.
11. Unit has not provided covered proper storage facility for the storage of procured wastes.
12. Due to rain since last two days in this area, various pondings of brown colored acidic (@ 4 to 6 pH on pH strip) contaminated rain water are observed between the heaps of waste and at the backside of the unit premises in low laying area due to leach out from the heaps of stored wastes. Unit has not provided internal storm water drain and collection pit with reuse system if any contaminated rain water generates during the rain. Hence generated brown colored acidic (@ 4 to 6 pH on pH strip) contaminated rain water is going outside of the unit premised under the provided boundary wall.
13. Analysis report of the brown colored contaminated waste water sample collected from contaminated rain water ponding in Hazardous Waste storage area within unit premises shows parameter pH: 3.66, Ammonical nitrogen: 117.6 mg/l, COD: 1170 mg/l.
14. Unit is not complying with CC&A conditions.
15. Unit has not complied with Notice of Direction dated: 12/03/2024 issued by the Board.

AND WHEREAS the inspecting officers had issued written remarks for the observed violation for the immediate compliances and also as a part of chance of hearing on the ground of natural justice before taking stringent actions. You had been agreed upon observations of the officers. You have not submitted reply.

AND WHEREAS the non-compliance as narrated above, observed in your industry is contributing to the pollution problem in Ankleshwar area.

AND WHEREAS in line of Hon'ble NGT Orders in the matter of OA no. 593 of 2017 and others, Central Pollution Control Board has framed methodology for levying of Environment Damage Compensation (EDC). Your case is liable for levying EDC under the criteria (a) of the said methodology i.e Discharges in violation of consent conditions, mainly prescribed standards / consent limits. Environment Damage Compensation shall be assessed as per formula $EDC = PI \times N \times R \times S \times LF$. wherein $PI =$ pollution index = 50 for orange category industry, $N =$ Number of days of violation took place i.e. Starting date of inspection based on which direction issued or the due date of directions & Ending to the date of inspection of compliance verification or date of power disconnection whichever is earlier, R is Rupees factor as 250, S is scale of industry- 0.5 for Small scale, Lf is location factor 1 for your case. Final assessment of EDC shall be maximum of (i) formula based on N , (ii) amount of applicable BG as per the BG scheme and (iii) Rs. 5000 x Number of days of violation took place.

UNDER THE CIRCUMSTANCES, as directed, I Arun G. Patel, Environment Engineer, Gujarat Pollution Control board issued the direction under Section 33(A) of the Water Act - 1974 as under:

1. To prohibit the manufacturing activity on **immediately** at Survey No. 313/314, Sub Plot No. 3, B/H. Apex Hotel, Motali, ANKLESHWAR, DIST.BHARUCH.



GUJARAT POLLUTION CONTROL BOARD

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

2. To stop operation of D.G. set and CPP(if any) with immediate effect.
3. To close the operation of your industrial plant on the above mentioned site with immediate effect.
4. To direct the concerned authority to stop supply of electricity and water with immediate effect.
5. This order will be effective with **immediate effect**.
6. To provide adequate storage area having closed shed and RCC flooring.
7. Unit shall dispose all hazardous waste in environmentally sound manner immediately.
8. You shall make provision to collect all leachate and contaminated soil occurred due to waste water run off and dispose it an environmentally sound manner immediately.
9. To provide internal storm water drain and collection pit with reuse/recollect mechanism.
10. To Submit Bank Guarantee of Rs. 75,000/- of scheduled bank claimable within Gujarat State for compliance assurance at the time of revocation.
11. To deposit interim Environment Damage Compensation amount as and when decided by Board through online XGN portal at the time of revocation. Separate communication shall be done in this regard.

IF the above direction is not complied, you are liable for prosecution under Section 41(2) of the Water (Prevention and Control of Pollution) Act-1974 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 you are aggrieved by the aforesaid direction, you may file appeal under section 33-B of the Water (Prevention and Control of Pollution) Act, 1974 before National Green Tribunal within thirty days from the date of this order.

This letter is issued with the approval of the competent authority.

For and on behalf of
Gujarat Pollution Control Board
(Signature)
11/07/2024
(Arun G. Patel)
ENVIRONMENT ENGINEER

Note: If it is necessary to complete the safety related work or to close down industrial activity safely in order to avoid any further pollution or safety hazard (accident), unit shall have to take proper preventive measures by bringing work in process material to stable condition and then stop plant within maximum 48 hours. Officers of DGVCL are requested to allow time for shut down process accordingly.

NO: GPCB/ANK/CCA-2277/ID-86700/

Dated: /07/2024

Issued to:

✓ M/s. SHREE CHARBHUJA AGRO FERTILIZER CO.
SURVEY NO: 313/314, SUB PLOT NO. 3, B/II. APEX HOTEL,
MOTALL, ANKLESIWAR,
DIST: BHARUCH, GUJARAT.

COPY TO:

1. The Dy. Engineer (O&M)

Dakshin Gujarat Vij Company Ltd (DGVCL),
GIDC Sub-Division, DGVCL,
Plot No.U/4/2, opp: GIDC Police Station,
GIDC Ankleshwar, Dist. Bharuch.....

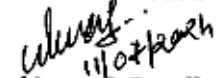
I am directed to request you to disconnect supply of **ELECTRICITY** (except single phase) with **immediate effect** from the date of issue of this order to the industrial plant of **M/s. SHREE CHARBHUJA AGRO FERTILIZER CO.**, Survey No. 313/314, Sub Plot No. 3, B/H. Apex Hotel, Motali, ANKLESHWAR, DIST.BHARUCH & intimate to us accordingly.

2. Regional Officer

Gujarat pollution Control Board,
Regional Office,

Ankleshwar..... to follow up for compliance of this direction & send IR/AR.

For and on behalf of
Gujarat Pollution Control Board


(Arun G. Patel)

ENVIRONMENT ENGINEER

Outward No:816006, 11/07/2024



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)

Annexure 7

PCB Id: 86700

1 Industry Details shree charbhuj agro fertilizer co.

Outward No: 43660-28/09/2024

Email : mayurjain36@yahoo.in

PLOT NO:Survey No. 313/314,,
Survey No. 313/314, Sub Plot No. 3, B/H. Apex Hotel, Motali, ,
Ankleshwar - 393001

Telephone : 9898471159

DIST : Ankleshwar, TAL : Ankleshwar, SIDC : Not In Gide

Inspection Id : 813204 (On Complaint)

Ro Name : Ankleshwar

2 Type / Scale / Sector / Status : ORANGE / SMALL / Fertilizer (granulation / formulation / blending only) / In Operation

3 Inspection Dt & Time : 31/07/2024 16:20 / Water Person Contacted : Sunil Pal- worker

4 Env Audit Detail : Sch : N.A , , Year : , On Dt :

Commissioned Dt : 01/04/2022 Production Start Dt : 15/04/2022 Applicability of CRZ Rules : No

5 Water Consumption in Kilo Lts Per Day Ind : 12.000 Dom : 4.000 Borewells: 0

6 Waste Water generation / Discharge (klpd) : Ind : 0.000 Dom : 2.000 Tubewells: 0

7 Consumer No.(Electric Meter): Source of Water Supply: Tanker

8 Disposal Mode of Industrial / Domestic : Not Specified / Not Specified

9 Discharge Pt / Final Receiving Body (Ultimate): ZERO DISCHARGE UNIT / ZERO DISCHARGE UNIT

10 Status of water consent Under the Water Act,1974: AWH-57896-28/08/2032 Last Inward:263009-29/08/2022[GRT]

11 Effluent Treatment plant (ETP) : Units, if provided and status :

No Data

12 Whether Industry is a member of CETP ? No

13 Boilers=0 , DG Sets=0 , Flue Gas =1, Process =0 , ETP Cap = 0 , Capacity of All =

APCM Details : Alkali Scrubber,Dust Collector

Fuel Used : Coal

Stack Attached to : Furnace

14 TSDF Name : Not Regd with any TSDF

15 Lab Charges Pending : Rs. 23805.00 Water Cess Charges Pending : NIL

16 Last Env. Form V : --- Water Cess Return : HW Monthly Return : 2023-99

17 Last 3 Legal Action :

Insp Dt	Act	Leg Dt	For	Insp ID	IR-Leg	Type	Out No
31/07/2024	SCN	27/09/2024	---	813204	SCN	COM	822915
24/05/2024	DIR	11/07/2024	33A,IMM,	805050	DIR	NOT	816006
08/12/2023	NOT	12/03/2024	33A,IMM,	763207	NOT	COM	785875



Gujarat Pollution Control Board

(Inspection Report) - Air,Water,Hazardous

PCB Id: 86700

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

General Observation

a	-	Is the Industry in Operation ??	No.	
a	-	R.O File No	-	
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 ?	No.	
h	-	Provision of any STAND-BY Pump ??	No.	

Water Parameter

b	-	Source of Water Supply	Tanker	
c	-	W.W.G is EXCEEDING the CCA Limits	No.	
d	-	W.W Disposal as per the Consent Conditions ?	Yes	
e	-	Was the ETP in operation ?	Not Applicable	
f	-	Treatment System ADEQUATE to handle existing effluent	Not Required	
g	-	Did u observe ANY ILLEGAL Discharge ??	Yes	
h	-	Nos of Samples collected	1	

Remarks :

Site Observations during Inspection , PCB-ID: (86700)



Inspection Crux:

Water Observation:

This unit is visited with reference to telephonic complaint. [453]-08/08/2024

Air Observation:

Hazard Observation:

General Observation:

This unit is visited with reference to telephonic complaint. Site is visited and it is observed that unit is found closed and no production activity is found going on. During inspection it is observed that heaps of raw material are stored on open land within premises at front side and also at back side of the unit. Due to rain leachate water is accumulated on open land around the heaps and is overflowing and leading to the nearby agricultural farm from below the boundary wall. w/w accumulated in nearby agricultural farm is observed. One w/w sample is collected from the overflowing w/w puddle. All the heaps of raw material are found uncovered. Unit has not taken any precautionary steps to control the flow of leachate w/w to adjoining farm. During inspection only workers are present at site and no responsible person is available at site. Worker present at site has refused to sign NEI and 3 day notice. So the same is pasted on the front door of the office. [453]-08/08/2024

~ RO Comments/Reply :SCN issued -28/09/2024

I recommend : a. Keep on Records + Notings

W.C Notings: -----[453-DEE]~

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

. મુલાકાત સમયે એકમમા સંપકીત વ્યક્તિ દ્વારા NEI સ્વીકારવાની તેમજ sign કરવાની મનાઈ કરતા ઓફિસ બિલ્ડીંગ પર NEI લગાવવામા આવેલ છે.

એકમ મા સંગ્રહિત process waste ને covered કરવો તેમજ contaminated water બાજુ ના ખેતર મા તેમજ એકમની બાહર ન જાય તેની પુરતી તકેદારી રાખવી.

મુલાકાત સમયે એકમમા ખુલ્લી જમીન પર વિવિધ પ્રકાર ના process waste ના ઢગલાઓ સંગ્રહિત કરેલ જોવા મળેલ. જે વરસાદ ના કરણે ઢગલાઓ માથી વરસાદી પાણી contaminate થઈ એકમની બાજુમા આવેલ ખેતર મા ગયેલ હોવાનુ patches જોવા મળેલ.આમ આપના દ્વારા closure direction dt: 11/07/2024 ના સંદર્ભ મા કોઈ પણ કામગીરી કરવામા આવેલ નથી.

આજરોજ આપના એકમની મુલાકાત ફરીયાદ ના સંદર્ભમા કરવામા આવેલ છે.

Compliance Observed in this Inspections.



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)

Instructions in Previous Visits and Reply	Insp Det	Instruction Status
7. છેલ્લા ત્રણ મહિનાના પ્રોડક્શનડેટા, કાચામાલની ખરીદી, પાણી વપરાશ, વેસ્ટ વોટર જનરેશન/ રીયુજ /નિકાલ, હેઝાર્ડસ વેસ્ટ જનરેશન /નિકાલ /સ્ટોક, ફ્યુલ વપરાશ વગેરે માહિતી મુલાકાત સમયે રજુ કરેલ નથી જે આધારસહ રજુ કરવી.	809564(01/07/24)	Still Pending
5. એકમમાં રેકોર્ડ ચકાસતા જણાયેલ કે આપના દ્વારા વિવિધ એકમોમાંથી Haz.W aste/non-Haz.Waste/Gypsum/other materials through manifest તથા without manifest (invoice) દવારા લાવી ખુલ્લામાં સંગ્રહ કરેલ જોવા મળેલ તથા તેનો કાચા માલ તરીકે વપરાશ થાય છે જે બાબતે જરૂરી પરવાનગીઓ અંગે સ્પષ્ટતા કરવી.	809564(01/07/24)	Still Pending
3. બહાર જતા waste waterને તાત્કાલિક અટકાવવું તથા તે બાબતે ખુલાસો કરવો અને તમામ waste water રીકલેક્ટ કરી નિયમાનુસાર નિકાલ કરવો.	809564(01/07/24)	Still Pending
1. આજરોજ આપના એકમની મુલાકાત ફરિયાદના સંદર્ભમાં લેવામાં આવેલ છે.	809564(01/07/24)	Still Pending
6. ઉપરોક્ત મુજબના ખુલ્લામાં સંગ્રહિત તમામ વેસ્ટને કવર્ડ શેડમાં સ્ટોર કરવો.	809564(01/07/24)	Still Pending
4. મુલાકાત સમયે એકમના પાછળનાં ખુલ્લા ભાગમાં અંદાજે ૧૦૦ મીટર X ૪૦ મીટર વિસ્તારમાં વિવિધ પ્રકારના Haz. Wastes વિપુલ માત્રામાં haphazard mannerમાં સંગ્રહિત ધ્યાને આવેલ તથા વરસાદના કારણે સદર વિસ્તારમાંથી rain water contaminates થઈને એકમની બહાર ખેતરોમાં જતું ધ્યાને આવેલ તે બાબતે ખુલાસો કરવો.	809564(01/07/24)	Still Pending
2. મુલાકાત સમયે એકમની પાછળનાં ભાગમાં આવેલ બહારની બાજુએ ખેતીની જમીનમાં આપના એકમની દીવાલ નીચેથી બ્રાઉન કલરનું waste water ખેતીને જમીનમાં જતું હતું તથા આસપાસના ખેતરોમાં પ્રસરતું હતું. ત્યારબાદ આપના એકમની મુલાકાત લેવામાં આવેલ.	809564(01/07/24)	Still Pending
5. RM purchase નાં દસ્તાવેજી પુરાવા રજુ કરવા.	805050(24/05/24)	Still Pending
4. અગાઉની મુલાકાત દરમ્યાન જે RM ના ઢગલા ખુલ્લામાં જોવા મળેલ તે હાલ પણ તે જ સ્થિતિમાં જોવા મળેલ છે અને આપના દ્વારા મટીરીયલ ને closed shed માં store કરવાની વ્યવસ્થા કરેલ નથી.	805050(24/05/24)	Still Pending
1. એકમની મુલાકાત દરમ્યાન એકમ બંધ જોવા મળેલ તથા કોઈપણ પ્રકારની પ્રવૃત્તિ જોવા મળી નથી.	805050(24/05/24)	Still Pending
2. આપના એકમમાંથી કોન્ટામીનેટેડ વેસ્ટ વોટર ને બાજુના ખેતરમાં જતું અટકાવવા માટેના કોઈપણ પગલા લેવામાં આવેલ નથી.	805050(24/05/24)	Still Pending
3. આપના દ્વારા Contaminated w/w ને recollect કરવા માટેની internal SWD with recollection system બનાવેલ નથી.	805050(24/05/24)	Still Pending

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6. છેલ્લા ત્રણ માસના RM purchase, production, water consumption, fuel consumption વગેરે માહિતી આધારસહ રજુ કરવી.	805050(24/05/24)	Still Pending
6. એકમ વિસ્તરની ફરતે પાકી Internal Storm Water Drain બનાવવી અને તેના outlet પાસે collection pit તથા contaminated w/w ને reuse કરવા માટેની system બનાવવી જેથી એકમમાંથી ઉદ્ભવતું contaminated rain water એકમની બહાર જતું અટકાવી શકાય.	763207(08/12/23)	Still Pending
5. એકમમાં store કરેલ process waste માટે storage shed સાથે leachate collection system બનાવવી તથા storage shedમાં જ process wasteનો સંગ્રહ કરવો.	763207(08/12/23)	Still Pending
4. ગયા અઠવાડિયામાં પડેલ વરસાદના લીધે એકમ વિસ્તારમાં સંગ્રહિત process wasteના ઢગલાઓમાંથી વરસાદી પાણી contaminated થઈને એકમની પાછળ આવેલ દીવાલ નીચેથી પાસ થઈને એકમની બાજુમાં રહેલ ફરિયાદીની ખુલ્લી જમીન પર ગયેલું હોય તેવા patches જોવા મળેલ તેમજ સદર wasteના ઢગલાઓ વચ્ચે રહેલ ખાડાઓમાં contaminated w/w ભરાયેલું જોવા મળેલ, જેમાંથી w/w નો એક નમુનો તથા process wasteના ઢગલાઓ માંથી solid wasteનો એક નમુનો એકત્ર કરેલ છે.	763207(08/12/23)	Still Pending
7. મુલાકાત સમયે છેલ્લા ત્રણ માસના raw material procurement, production, water consumption, w/w generation, fuel consumption, hazardous waste generation/ disposalની વિગતો રજુ કરેલ નથી, સદર તમામ વિગતો આધારસહ રજુ કરવી.	763207(08/12/23)	Still Pending
3. મુલાકાત સમયે એકમમાં ખુલ્લી જમીન પર આશરે 800 MT જેટલા વિવિધ પ્રકારના process wasteના ઢગલાઓ સંગ્રહિત કરેલ જોવા મળેલ, જે waste ક્યાંથી લાવવામાં આવેલ છે અને તેનો શું ઉપયોગ કરવાના છો તેની માહિતી આધારસહ રજુ કરવી.	763207(08/12/23)	Still Pending
2. મુલાકાત સમયે એકમમાં ઉત્પાદનને લગતી કામગીરીઓ થતી જોવા મળેલ નથી જે બાબતે સ્પષ્ટતા કરવી.	763207(08/12/23)	Still Pending
1. આપના એકમની મુલાકાત અમારી ઓફિસને મળેલ લેખિત ફરિયાદના સંદર્ભમાં લેવામાં આવેલ છે.	763207(08/12/23)	Still Pending

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Gujarat Pollution Control Board

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(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)

Annexure Details - Air,Stack,Hazardous Waste & Samples PCB-ID: (86700)

A Sample Details

Sr	Act	Ph/Temp/Air Sampled	Time	Type	Sampling Point	Col-Cond
1	W-12	7-8 on ph strip / 30	1630-1630	REP	from contaminated rain water ponding within premises	brown

B Process Stacks

C Flue gases Stacks

Sr	Stack attached to	Mts	Remark	SMF	APCM	Fuel	Consp-Unit	Insp Remk
1	Furnace	10	LDO 85 Lit/Hrs. OR Coal 3.0 MT/day	YES	ASC,DUS	Coal	30 MT/day	

D Details about Hazardous Waste Management :

Sr	Source of Hazardous Waste	Catg	Qty/Year	HW Disposal Management
1	Used or Spent Oil	I -5.1	0.050-M.T	COL,DEC,OTH,REU,STO,TRA
2	Empty barrels/containers/liners contaminated with hazardous chemicals /wastes	I -33.1	50.000-M.T	COL,DEC,OTH,REU,STO,TRA

E Products :

Sr	Product Name	NOC Qty	CCA Qty	Applied Qty	Inspection Remark
1	soil conditioner or npk fertilizers or organic manure/prom or bio fertilizers carrier based potassium mobilizing/carrier based consortia or potash derived from molasses (powder /granules)	3000.000	3000.000 - M.T	3000.000	

F Raw material :

Sr	Raw Material Name	Capacity - Unit / Month
1	ammonium sulphate	0.000 - M.T
2	BIO Compost	0.000 - M.T
3	di ammonium phosphate	0.000 - M.T
4	dolomite	0.000 - M.T
5	lime powder	0.000 - M.T
6	magnesium sulphate	0.000 - M.T
7	muriate of potash	0.000 - M.T
8	phospho-gypsum / gypsum/process waste	0.000 - M.T
9	potas powder	0.000 - M.T
10	rock phosphate	0.000 - M.T
11	sulphur	0.000 - M.T
12	urea	0.000 - M.T

G Water Consumption & Generation Break up

Sr	Water Code (Qty in klpd - Kilo Ltr per Day)	WC : 16.000	WWG : 2.000	Water Source	Remark
1	Agriculture	2.000	0.000	Tankers	
2	Domestic Purpose	1.000	0.800	Tankers	
3	Mnfg Process	5.000	0.000	Tankers	

H Solid Waste

Inspection Team : N H PARMAR,SSA - MS. ALPA AMRUTBHAI VASAVA

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

28/09/2024

6/7 (Through XGN)



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

PCB Id: 86700

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Signature By(N H PARMAR,SSA)

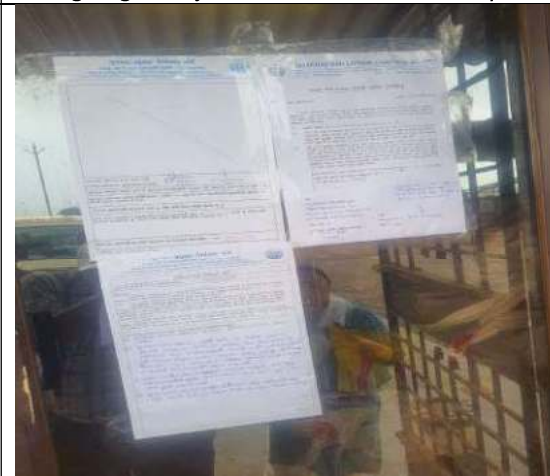
Photographs



w/w going to adjacent farm from boundary wall



Collection of w/w in adjacent farm



NEI and 3 day notice pasted on office door



w/w overflowing from puddle



w/w accumulated around heaps of raw material



w/w accumulation



w/w accumulation

**GUJARAT POLLUTION CONTROL BOARD**

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

તપાસ માટે દાખલ થવાની સૂચના (નોટીસ)

નંબર : 86700

તારીખ : 31/07/2024

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

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

ઉદ્યોગ/કારખાનામાં દાખલ થવાનો સમય : સવારના/સાંજના 16:20 તા. 31 / 07 / 2024

અમારી સાથે સહાય માટે નીચેની વ્યક્તિઓ પણ છે.

1. A. A. Vasava (NCC)
2. _____
3. _____

પ્રતિ,

M/s. Shree. Charbhaya..

Agro. Fertilizer... Co..

Sr. No. 31.3/3.14... Sub. Dist. No. 3.

Vill. Motaki, Tal. Ankleshwar

નકલ મળેલ છે.

મુજાબુદ્દીન મુજાબુદ્દીન, મેંડેસીલ લાહોર
NEI વહીવટી તંત્ર સુધારવા માટે
મળાઈ કોલ સર્વીસ નેટ વહીવટી
શિક્ષણ અને સંશોધન મંત્રાલય, સરકાર ઓફ ઇન્ડિયા

સહી :-

અધિકારીનું નામ :- N. H. Purohit

ગુજરાત પ્રદૂષણ નિયંત્રણ બોર્ડ



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

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

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

સ્થળ તપાસની નિરિક્ષણ નોંધ

આઈ.ડી.નં: ૪.૬.૭.૦૦ કેટેગરી/સ્કેલ:/....., Latitude/ Longitude...../.....

શ્રીમાન,

આપશ્રીને જણાવવાનું કે, આજ તા.૩૧/૦૩/૨૦૨૪ના રોજ આપશ્રી ના એકમની મુલાકાત લઈ સ્થળ તપાસ કરી ઇન્સ્પેક્શન કરેલ છે જે દરમ્યાન હવા/પાણી/જોખમી કચરા/.....ના...../...../...../.....નમુના પૃથકરણ અર્થે એકત્રીત કરેલ છે.

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

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

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

(1. આઈસોલેશન આપના એકમની મુલાકાત કુરિયાદ સંદર્ભમાં સુચનામાં આપેલ.

(2. મુલાકાત અત્રે, એકમમાં મુલતી જમીન પર વિવિધ પ્રકારનાં Process Waste ના ડગલાઓ સંગ્રહિત જેવા જોવા મળેલ જે વરમાદ ના કારણે ડગલાઓમાંથી વગરની પાણી (contaminated) થઈ એકમના ભાગુમાં આપેલ ખાતરમાં ગરેલુ ડગલાં Patches જોવા મળેલ. આમ, આપના દ્વારા closure direction તા.૧૧/૦૧/૨૦૨૪ ના સંદર્ભમાં ફોર્ડ પૂર્ણ કામગીરી સુચનામાં આપેલ નથી.

(3. એકમમાં સંગ્રહિત Process Waste ને covered ક્વે સોજ (contaminated water) ભાગુના ખેતમાં તેમજ એકમની લાઇન નજીક તેની પુરતી સડકની રાખી.

(4. મુલાકાત અત્રે, એકમમાં સંગ્રહિત લાકિયાવા NEI સ્લીકરવાની તેમજ Sign સુચનાની ગણદે કરતા આઈસોલેશન પર NEI લાખવામાં આપેલ છે.

ગુજરાત પ્રદૂષણ નિયંત્રણ બોર્ડ

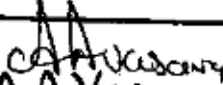
સરનામું: પ્લોટ નં: ૫૦૦૯/૪, જીઆઈડીસી અંકલેશ્વર - ૩૯૩ ૦૦૨, જી.ભરૂચ


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

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



ગુ.પ્ર.નિ.બોર્ડના નામે અને વતી,
(અધિકારીઓના નામ, હોદ્દો, સહી):


A.A. Vasani
(AEE)


N.H. Parmar
(SO)

મુલાકાત લેવામાં આવેલ હોય તે એકમના પ્રતિનિધીની રજુઆત: (જે લાગુ પડે તેની સામે જ સહી કરવી)

મુલાકાત દરમિયાન અધિકારીશ્રીઓએ.....^{૨૧૪}.....મુદાઓ માટે સ્થળસ્થિતિ/સુચનાઓ/સુધારાભંડ પગલાં ભરવા જણાવેલ છે જેમા,

(૧) આ સ્થળસ્થિતિ/સુચનાઓ સાથે હું નીચે સહી કરનાર સંપૂર્ણ સહમત છું.

-

(૨) જેમા દર્શાવેલ સ્થળસ્થિતિ/સુચનાઓમાંથી મુદા નં.....સાથે હું નીચે સહી કરનાર અસહમત છું. જેના માટે મારી નીચે પ્રમાણેની રજુઆત છે.

સરનામું
જી.ભરૂચ
જી.પી.બો



SHOW CAUSE NOTICE ¹⁶⁹

PCB ID : 86700
Legal ID : 75572

Annexure 8
Gujarat Pollution Control Board
Ankleshwar
Plot No. 5009/4,
GIDC Estate Ankleshwar,
Ankleshwar 393002
Tele : (02646) 222933

ACT : Water

Show Cause Notice DATE : 27/09/2024

WHEREAS, the Officials of the Gujarat Pollution Control Board (hereinafter referred to as the Board, in short), conducted inspection on 31/07/2024 in order to verify the statements made by you in your application for Consent to Operate under the Water Act / to ascertain the Compliances of Conditions specified in Consent Order.

WHEREAS during the inspection it was observed that:-

Reason :

1) Heaps of raw material stored on open area without any cover. 2) leachate from these raw material is leading to nearby agricultural farm.

<input type="checkbox"/>	1	There has been a Public Complaint against Your Industry.
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NOW THEREFORE, in exercise of the powers vested with this Board Under Section 33(A) read with section 25/26 of the Water(Prevention and Control of Pollution) Act, 1974 notice is hereby served on you, to show cause within 15 days from the date of receipt of this show cause notice in view of the non compliance observed above and why legal action should not be initiated as per the provision of the Acts which may include rejection of your application and suspension/ closure of your unit.

**For and on behalf of
Gujarat Pollution Control Board**

V. D. Rakholia, EE

NO : SCN-822915 , 28/09/2024

**SHREE CHARBHUJA AGRO FERTILIZER CO.,
Survey No. 313/314,, Survey No. 313/314, Sub Plot No. 3, B/H. Apex Hotel, Motali,
Ankleshwar,
Dist : Ankleshwar, Tal : Ankleshwar, SIDC : Not In Gidc
Phone : 9898471159**

COPY TO :-

The Unit Head(P.C.B.), Ankleshwar

For Your Information.



નં.ગુપ્રનિબોર્ડ/પ્રા.ક.-અંકલેશ્વર/ આઈડી-૮૬૭૦૦/૬૧૮૩ /૨૦૨૪.

તા. ૯ AUG 2024

પ્રતિ,
માન. કલેક્ટરશ્રી,
કલેક્ટરશ્રીની કચેરી,
કણબી વગા, જી. ભરૂચ.

વિષય : શ્રી ચારભુજા એગ્રો ફર્ટીલાઈઝર કું. સ.નં. ૩૧૩/૩૧૪, મોતાલી, અંકલેશ્વર, જી. ભરૂચ દ્વારા થયેલ નુકશાન અંગે વળતર આપવા બાબત.

સંદર્ભ : શ્રી મણીલાલ ડાહ્યાભાઈ પટેલ, ગામ મોતાલી, તા. અંકલેશ્વર, જી. ભરૂચની તા. ૨૫/૦૭/૨૦૨૪ની અરજી.

માન. સાહેબશ્રી,

ઉપરોક્ત વિષય તથા સંદર્ભ અન્વયે રજુ કરવાનું કે, શ્રી ચારભુજા એગ્રો ફર્ટીલાઈઝર કું. સ.નં. ૩૧૩/૩૧૪, મોતાલી, અંકલેશ્વર દ્વારા અરજદારશ્રીની જમીનમાં નુકશાન થવા અંગે વળતર બાબતે અરજદારશ્રી દ્વારા અત્રેની કચેરીને રજૂઆત કરવામાં આવેલ છે.

નામ. વડી અદાલત ગુજરાતના SCA 9699/2008માં તા. ૧૭/૦૯/૨૦૦૯ ના આદેશ મુજબ ભરૂચ જિલ્લા માટે ઔદ્યોગિક એકમો દ્વારા પ્રદુષણના કારણે થયેલ નુકશાનની ચકાસણી તથા વળતરની બાબતો માટે જિલ્લા કક્ષાની સમિતિની રચના કરવામાં આવેલ છે.

નામ. વડી અદાલતના તા. ૧૭/૦૯/૨૦૦૯ ના હુકમમાં આપવામાં આવેલ નિર્દેશ મુજબ શ્રી મણીલાલ ડાહ્યાભાઈ પટેલ, ગામ મોતાલી, તા. અંકલેશ્વરની વળતર અંગેની અરજી આ સાથે આપ સાહેબશ્રીની જાણ તથા જરૂરી કાર્યવાહી અર્થે સાદર કરેલ છે જે આપ સાહેબશ્રીના ધ્યાન અર્થે સાદર રજુ.

આભાર સહ,

આપનો વિશ્વાસુ,

(વી. ડી. રાખોલિયા)
પ્રાદેશિક અધિકારી

બિડાણ: ૧. નામ. વડી અદાલતનો તા. ૧૭/૦૯/૨૦૦૯નો હુકમ
૨. શ્રી મણીલાલ ડાહ્યાભાઈ પટેલની અરજી

o/c

નકલ રવાના:

સહય સચિવશ્રી,
ગુજરાત પ્રદુષણ નિયંત્રણ બોર્ડ, વડી કચેરી, ગાંધીનગર.....જાણ અર્થે રજુ..



Manilal Dahyabhai Patel
At & Po.Motali.
Ta.Ankleshwar
Dist.Bharuch
M.No.9824763469
Dt.25.07.2024

To,
Regional officer
Gujarat Pollution Control Board
Plot No.5009/4, GIDC.Estate,
Ankleshwar-393002

Subject: Shree Charbhujia Agro Fertilizer Co. Survey No.313/314, Sub Plot No.3. B/H. Apex Hotel, Vill. Motali Ankleshwar-393001, Dist. Bharuch., Open Waste to be removed immediately, bore water needs to be treated, Field needs to be made up to agricultural standards.

Respected sir,

I am writing to express our ongoing concerns regarding Shree Charbhujia Agro Fertilizers Company.

Despite numerous complaints, the unit has continued to illegally dump hazardous waste on its premises since its inception in 2023, in violation of its consent from the Gujarat pollution control board.

We are particularly alarmed that the unit is dumping hazardous chemicals on open land. Following our recent complaints, a closure order has been issued: however, as per the Gujarat Pollution Control Board's (GPCB) inspection reports, the unit has been non-operational yet has piled up 800 MT of waste.

We kindly request that the Board take immediate action to address this situation. Specifically, we urge that the industry be instructed to promptly remove the 800 metric tons of hazardous waste currently lying on their premises. The leachate from this waste is continuously flowing into our fields due to heavy rains, and this contamination has already affected our bore water over the past two years and still contaminating the same as a result, we are unable to cultivate our land due to this contamination of our water and land.

25/7/24
800m
13/8/24
29/07/24

G.P.C. Board	
RO - Ankleshwar	
Inward No.	53933
Date	29/07/2024

Moreover, we request the board to take action against the industry regarding the lifting of this waste so that the rains of this season will not further deteriorate our bore water and land, moreover we request the board to ask the industry to pump and treat our bore water as its completely ruined and not up to the drinking water standards.

It is evident that the unit is functioning solely as a dumping ground rather than a productive enterprise. We appreciate your prompt attention to this serious matter and look forward to your immediate action.

We would be approaching further tribunals and courts if no further action is taken moreover compensation for the same needs to be done as this damage has completely destroyed our livelihood.

Regards

Manilal Dahyabhai Patel

Manilal Dahyabhai Patel

Copy: Shri Arun Patel, unit head Ankleshwar, Gujarat pollution control board
Sector 10A Gandhinagar 382010



IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
SPECIAL CIVIL APPLICATION No. 9699 of 2008

For Approval and Signature:

HONOURABLE THE CHIEF JUSTICE MR. K.S.RADHAKRISHNAN

HONOURABLE MR.JUSTICE AKIL KURESHI

- =====
- 1 Whether Reporters of Local Papers may be allowed to see the judgment ?
 - 2 To be referred to the Reporter or not ?
 - 3 Whether their Lordships wish to see the fair copy of the judgment ?
 - 4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?
 - 5 Whether it is to be circulated to the civil judge ?

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SOLANKI JASWANTSINH KALUSINH - Petitioner(s)
Versus
DISTRICT COLLECTOR & 5 - Respondent(s)

=====

Appearance :

MR JV JAPEE for Petitioner(s) : 1,
NOTICE SERVED BY DS for Respondent(s) : 1, 3, 5,
MS AMEE YAJNIK for Respondent(s) : 2,
HL PATEL ADVOCATES for Respondent(s) : 4,
MR DEVANG VYAS AGP for Respondent(s) : 5,
None for Respondent(s) : 6,

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CORAM : HONOURABLE THE CHIEF JUSTICE MR. K.S.RADHAKRISHNAN

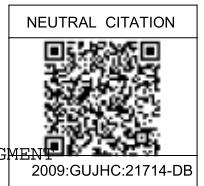
HONOURABLE MR.JUSTICE AKIL KURESHI

Date :17/09/2009

CAV JUDGMENT

(Per : HONOURABLE THE CHIEF JUSTICE MR. K.S.RADHAKRISHNAN)

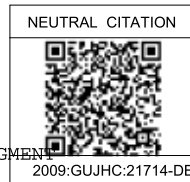
Petitioner has raised grievances about the inefficiency and the incapacity of the officers of the Pollution Control Board to control the contamination of underground water in Boriya Khurad village, causing serious health hazards.



Considerable duties and responsibilities have been bestowed on the Officers of the Gujarat Pollution Control Board (for short `GPCB') under the Water (Prevention and Control of Pollution) Act, 1974, (for short `the Water Act') for prevention and control of water pollution and to ensure that the industrial and domestic effluents are not allowed to be discharged into the water courses without adequate treatment, as such discharges would render the water unsuitable for human consumption, irrigation and the marine life.

The 4th respondent had set up a dyeing and manufacturing unit in the above mentioned village for manufacturing dyes and intermediates which had discharged chemical and other toxic subject into the underground bore-wells of the 4th respondent factory, which in turn contaminated the water in nearby bore-wells causing serious water pollution and health hazards to the villagers and farmers. This fact was noticed by the Environmental Engineer of the GPCB in an inspection conducted on 19.04.2004. Samples of water from the bore-wells were taken by the Officers of the GPCB and were tested. It was revealed that there was contamination of underground water in the nearby areas due to discharge of effluents into the underground bore-wells by the 4th respondent's Unit. Consequently, a closure order dated 13.04.2004 was issued to the 4th respondent by the GPCB in exercise of powers conferred under the Water Act, the Air (Prevention & Control of Pollution) Act, 1981, (for short `the Air Act') and the Hazardous Waste (Management & Handling) Rules, 1989, (for short `the Rules') framed under the Environment (Protection) Act, 1986, (for short `the Environment Act'). An application preferred by the 4th respondent unit for manufacture of certain products was also rejected stating as follows:-

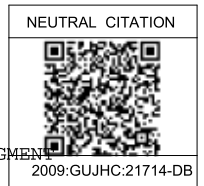
“AND WHEREAS during the inspection of your industrial plant on



19/5/2004 under Section-23 of the Water Act. Samples of bore well near by area were collected by the authorized officers of the Board. Copy of the AR No 1113-2004, 1114-2004, 1115-2004, 1116-2004, 1117-2004, 1118-2004, 1119-2004 dated 19.05.2004 of this Bore Wells sample was sent by the Board. This analysis report indicates that there is contamination of underground water in the near by area due to the discharge of waste water by the M/s SWASTIK ORGANIC.”

The GPCB had to take strong measures due to the objections raised by the villagers and ultimately the factory was closed down, but the problems of the complainant-petitioner and other villagers still subsists. The pollution caused by the 4th respondent factory is a perennial problem and the contaminated water still causes serious health hazards. The pollution already caused is still to be eradicated. Petitioner has, therefore, approached this Court seeking a direction to the authorities to take appropriate steps to check and curb the pollution of the underground water at village Boriya Khurad and to take appropriate action against the offending industrial units responsible for the pollution of the underground water and also take appropriate steps against the erring officers and also for the consequential reliefs.

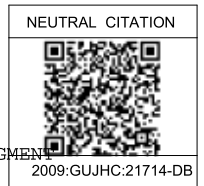
4th respondent has filed a detailed counter affidavit and stated that having noticed the pollution caused by the discharge of the effluents into the bore-wells of the factory, factory was closed down and claims made by few farmers were found tenable and were paid compensation. It is further stated that one Arjunsinh Mansinh Solanki did not come forward to receive the compensation, and in turn he has filed Special Civil Suit No. 17 of 2007 in the Court of Civil Judge (S.D.), Himmatnagar, praying for compensation of Rs. 10.00 lacs with 9% interest, and the said Suit is pending. Further, it is stated another person has filed Special Civil Application No.6739 of 2005 before this Court and considering that the explanations given by officials of the GPCB were found satisfactory and



since the petitioner had not claimed any compensation against the 4th respondent, this Court disposed of the petition giving no further direction.

Counter-affidavit has been filed by the 2nd respondent-GPCB. It has been stated therein that since GPCB came to know about the environmental pollution, they took immediate action and ordered closure of the Unit and the Collector also passed an order whereby electricity connection was also disconnected on 31.08.2004, and the unit is not functioning. Another affidavit was also filed by 2nd respondent-GPCB since this Court directed it to conduct another inspection about the pollution caused by the 4th respondent unit due to discharge of effluents into the bore-wells without taking precautionary measures. Inspection was carried on 20.01.2009 and samples were tested. Inspection report suggested that water of 3 bore-wells were not potable out of 6 bore-wells. District Collector was also requested to inform the Irrigation Department and also Gujarat Water Supply and Sewerage Board to take appropriate steps. Further, it is also stated that water from bore-wells were generally used for irrigation purposes and the domestic water for drinking purposes is supplied by a separate pipeline coming from village Piplodi. It is stated that GPCB is also alive to the issue of damage already caused by the unit while it was in operation.

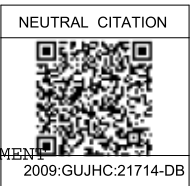
We have come across several such cases where industrial and chemical factories after polluting the bore-wells and water courses on a massive scale simply get away causing serious health hazards and environment pollution. There is no system or mechanism to meet with such situations and to determine the extent of pollution caused and to determine the damage caused. In few cases, High Courts and Apex Court have ordered compensation to the victims. But, there is no clear-



cut mechanism to assess the compensation amount legitimately due to the affected persons and the damage caused to the environment. The authorities of the GPCB can take appropriate action to close down the unit, but there is no provision in Water Act or Environment Act to assess the compensation.

Supreme Court in *Vellore Citizens Welfare Forum Vs. Union of India and others (AIR 1996 SC 2715)* issued various directions to the Central Government and the authorities functioning under various pollution control laws to take various remedial measures. In the above mentioned case, Supreme Court has also gave directions to the Central Government to constitute an authority to implement the “precautionary Principle” and the “polluter pays” principle. It is further directed that the authorities shall with the help of expert opinion and after giving opportunity to the concerned polluters assess the loss to the ecology/environment in the affected areas and shall also identify the individuals/families who have suffered because of the pollution and shall also assess the compensation to be paid to the said individuals/families. It is ordered that the authority shall further determine the compensation to be recovered from the polluters as cost of reversing the damaged environment and it shall lay down just and fair procedure for completing the exercise. Further, the authority shall compute the compensation under two heads namely, for reversing the ecology and for payment to individuals. Further directions were also given by the Apex Court in the above mentioned case.

Earlier, in *Indian Council For Enviro Legal Action & Ors. Vs. Union of India and others (JT 1995(9) SC 427)* had an occasion to deal with a similar situation. One of the grievance raised was that due to discharge of effluents from factories, the farmers have suffered loss due

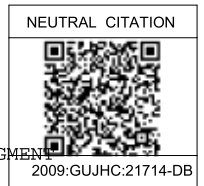


to the damage of crops and also due to contamination of water. In that case, a Committee was constituted and loss was ascertained by the Committee, which included officials of the Agriculture, Revenue and Animal Husbandry Departments as also the District Collector. Loss was estimated at Rs.28.34 lacs. Apex Court directed the State Government to deposit the amount in the High Court of Andhra Pradesh and ordered as follows:-

“Needless to say that since there has been sufficient delay in the matter of compensating the farmers this Court will not brook further delay. After the amount is deposited, the High Court will direct the concerned District Judge to obtain the Report by which this assessment was made, ascertain the farmers entitled to compensation, determine the amount of loss to be compensated and submit a Report to this Court at an early date. The District Judge will also ascertain if the treatment plant has since been set up and if there has been any progress in that behalf. He will submit a Report to this Court in that connection also.”

This Court had also an occasion to consider a complaint regarding the effluents discharged by various industries causing serious environmental pollution. After calling for the report, this Court appointed a Committee and called for a report. Based on the report, High Court passed an order directing the industries to pay towards compensation and betterment charges within a stipulated time. The judgment of the High Court is reported in **1997.1 GLR 1062**. The above judgment was taken in appeal before the Apex Court in the case of **Deepak Nitrite Ltd. Vs. State of Gujarat and others (AIR 2004 SC 3407)**. The Apex Court further opined as follows:-

“7. The fact that the industrial units in question have not conformed with the standards prescribed by GPCB cannot be seriously disputed in these cases. But the question is whether that circumstance by itself can lead to the conclusion that such lapse has caused damage to environment. No finding is given on that aspect which is necessary to be ascertained because compensation to be awarded must have some broad co-relation not only with the magnitude and capacity of the enterprise but also with the harm caused by it. May be, in a given



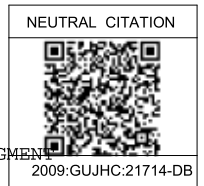
case the percentage of the turnover itself may be a proper measure because the method to be adopted in awarding damages on the basis of 'polluter to pay' principle has got to be practical, simple and easy in application. The appellants also do not contest legal position that if there is a finding that there has been degradation of environment or any damage caused to any of the victims by the activities of the industrial units certainly damages have to be paid. However, to say that mere violation of the law in not observing the norms would result in degradation of environment would not be correct.

Therefore, we direct the High Court to further investigate in each of these cases and find out broadly whether there has been any damage caused by any of the industrial units by their activities in not observing the norms prescribed by the GPCB as reported by the Modi Committee appointed by the High Court or by an expert body like NEERI and that exercise need not be undertaken by the High Court as if the present proceeding is an action in tort but an action in public law. A broad conclusion in this regard by the High Court would be sufficient. We, therefore, direct the High Court to re-examine this aspect of the matter as to whether there is degradation of environment and as a result thereof any damage is caused to any victim, and what norms should be adopted in the matter of awarding compensation in that regard. In this process it is open to the High Court to consider whether 1% of the turnover itself would be an appropriate formula or not as applicable to the present cases.”

The High Court again took up the above case as ordered by the Supreme Court and a 3 member Committee was constituted to ascertain the degradation of environment and damage caused by these industrial units. A report was submitted before this Court on 23.01.2006. While determining the compensation, the Committee has opined as follows:

“6.4 Compensation for Damage:

All the six units, have caused significant environmental pollution degradation, and therefore these units must compensate for such damage on the accepted principle 'Polluter Pays. In the absence of the feasibility of quantification of the damage to the environment by each unit, during the period under reference separately, the Committee considers that the damage and degradation to the environment by each industrial unit can be based on the quantity of the industrial waste water discharged by the unit and characteristics of the effluent violating the norms prescribed by the GPCB and other factors discussed earlier. In the absence of any other method, the degradation of the environment by each unit can quite reasonably be linked to the production capacity turnover of the unit during

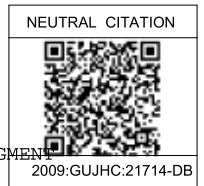


the period under reference and the percentage of the said turnover which could be levied from the industrial unit towards fine for damaging the environment.

The Committee therefore recommends that all the units under reference should pay the compensation based on the yearly production capacity turnover during the period under reference causing environmental pollution degradation.”

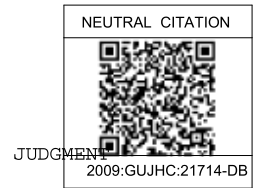
This Court perused the opinion of the Committee. This Court noticed that Supreme Court had ordered that compensation must have some broad correlation not only with the magnitude and capacity of the enterprise, but also with the harm caused by it. This Court noticed that the extent of harm caused by each industrial unit was not specifically dealt with by the Committee. This Court also found it difficult to direct a further inquiry since the damage caused by those units was in the year 1994. Due to lapse of time, it was not possible for this Court to assess the damage caused. However, some industrialists volunteered to pay a reasonable amount and those amounts were paid and the case was disposed of accordingly.

We are now in a situation where the damage caused has to be assessed and legitimate compensation is to be paid to the persons affected. We have indicated that in few cases the affected parties have approached Civil Courts which in our view is not a speedy remedy. There must be some mechanism so that damage caused can be assessed as early as possible and the victims be compensated. We cannot endorse the view that agriculturists/farmers/villagers should spend money from their pockets towards litigation expenses and wait for the verdict of a civil court, subject to further appeals to the higher forums. In our view, it is the primary responsibility of the GPCB. If it discharges its official duties effectively and properly, such situation would not occur. Why should farmers be penalized for the inaction of the officers of the GPCB



and due to the wrongful discharge of effluents into water courses. In such a situation, the only course open to us is to give a direction to the GPCB to see that as soon as on inspection it finds an industrial unit is causing serious environmental pollution, the matter may immediately be reported to the Principal District Judge and the District Collector of the concerned District. District Judge in consultation with the District Collector will take immediate steps to depute a team consisting of members of GPCB, District Collector, Secretaries of Forest and Environment Department, Irrigation and Water Resources Department, Animal Husbandry Department, President of Gram Panchayat/Municipality or their representatives for inspection so as to assess the extent of pollution and harm caused to the environment. Committee would issue notice to the polluter, assess the compensation and submit its report to the District Judge. District Judge would examine and decide about the damage caused to the environment and direct payment of a reasonable amount to the “Environment Fund” to be maintained by the State Government. Compensation payable to the affected parties will also be determined by the District Judge after hearing the polluter and taking note of objections, if any. The District Judge can also determine the costs incurred by the Committee. The order of the District Judge would be treated as a decree and the same can be executed.

We have seen in several instances courts find it extremely difficult to assess the extent of environmental pollution caused by various units and as a result of which the courts also face difficulties to determine the compensation legitimately due to the affected parties. It is, therefore, highly imperative that in such cases of environmental pollution, it is the responsibility of the respondent GPCB to bring it to the knowledge of the District Judge and District Collector of the District for assessing compensation due to environmental degradation caused by the



respective industries.

These directions shall be followed by all the authorities concerned. Since no compensation, as such, has been claimed in this writ petition, we are not giving a further direction in that regard.

Special Civil Application is disposed of accordingly.

The order shall be communicated to all the Principal District Judges, District Collectors, Secretary, Gujarat Pollution Control Board and the Chief Secretary of the State Government for circulation among the officers of the concerned Departments.

(K.S. RADHAKRISHNAN, C.J.)

(AKIL KURESHI, J.)

[sn devu] pps