

**BEFORE THE NATIONAL GREEN TRIBUNAL, WZ, PUNE
ORIGINAL APPLICATION NO 165 OF 2024**

Bhavesh Karekar

....Applicant

Vs

MoEF and CC and Others

.... Respondents

**REPORT IN COMPLIANCE OF HON'BLE TRIBUNAL ORDER DATED
7.8.2024**

1. It is submitted that the Board has granted renewal of consent to operate u/s 26 of the Water (Prevention and Control of Pollution) Act, 1974 & u/s 21 of the Air (Prevention and Control of Pollution) Act, 1981 and Authorization under Rule 6 and Rule 18(7) of the Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016 to M/s Ashapura Minechem Limited, Plot No 66-12-,163-171, 212-216, 770-772,785-786, 788-784, Village Umbershet, Tal Dapoli, Dist-Ratnagiri vide letter dated 22.9.2023 which is valid for a period upto 30.4.2026. A copy of said consent to operate dated 22.9.2023 is enclosed and marked as an **Annexure I**.
2. It is submitted that the Respondent Board has issued warning notice to M/s Ashapura MineChem vide letter dated 2.1.2024. The Industry has not replied to the said Show cause notice. Therefore, the Respondent Board has issued Proposed direction u/s 33 A of Water (Prevention & Control of Pollution) Act, 1974, 31 A of Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Waste (M,H & T) Rules, 2008 as amended. A copy of said Proposed Direction dated 25.4.2024 is enclosed and marked as an **Annexure III**. The Industry has submitted reply to the said Proposed Direction stating various steps taken by them. A copy of said reply is enclosed and marked as an "**Annexure IV**".

3. It is submitted that at present the mining activities of the industry is not in operation due to rainy season. A copy of email received from SRO Chiplun dated 19.8.2024 is enclosed and marked as **Annexure V**.


(Sanjay Jirapure)
Sub Regional Officer-Chiplun

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010706/24010437
 Fax:
 24044532/4024068/4023516
 Website: <http://mpcb.gov.in>
 Email: jdair@mpcb.gov.in



Kalpataru Point, 2nd and
 4th floor, Opp. Cine Planet
 Cinema, Near Sion Circle,
 Sion (E), Mumbai-400022

RED/S.S.I (R35)

Date: 22/09/2023

No:- Format1.0/APAE Section/UAN No.MPCB-
 CONSENT-0000168854/CR/2309001685

To,
 M/s. Ashapura Minchem Limited
 66-120, 163-171, 212-216, 770-772, 785-786,
 788-884, Village- Umbershet
 Tal - Dapoli, Dist - Ratnagiri



Sub: Grant of Renewal of Consent to Operate under Red category.

Ref: Earlier Consent to Operate granted by the Board vide Consent No. APAE Section / UAN No. 0000110644 / CR / CC - 0399 dtd. 07/12/2021.

Your application No.MPCB-CONSENT-0000168854 Dated 20.04.2023

For: Grant of Consent to Operate under Section 26 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization under Rule 6 and Rule 18(7) of the Hazardous & Other Wastes (Management & Transboundary Movement) Rules 2016 is considered and the consent is hereby granted subject to the following terms and conditions and as detailed in the schedule I, II, III & IV annexed to this order:

- The consent to renewal is granted for a period up to 30/04/2026
- The capital investment of the project is Rs.3.0 Crs. (As per C.A Certificate submitted by industry)
- Consent is valid for the manufacture of:

Sr No	Product	Maximum Quantity	UOM
Products			
1	Bauxite Ore (Mining lease area of 99.8619 hectares)	500000	MT/A

- Conditions under Water (P&CP), 1974 Act for discharge of effluent:

Sr No	Description	Permitted (in CMD)	Standards to	Disposal Path
1.	Trade effluent	0	As per Schedule-I	Not Applicable
2.	Domestic effluent	2.4	As per Schedule-I	On land for gardening

- Conditions under Air (P& CP) Act, 1981 for air emissions:

Sr No.	Stack No.	Description of stack / source	Number of Stack	Standards to be achieved
1	0	NA	0	As per Schedule -II

6. **Non-Hazardous Wastes:**

Sr No	Type of Waste	Quantity	UoM	Treatment	Disposal
1	Waste Bauxite Ore Mineral	0.56	MTPA	Sale	Sale to authorized party

7. **Conditions under Hazardous & Other Wastes (M & T M) Rules 2016 for Collection, Segregation, Storage, Transportation, Treatment and Disposal of hazardous waste:**

Sr No	Category No./ Type	Quantity	UoM	Treatment	Disposal
NA					

Industry shall not generate any Hazardous Waste.

8. The Board reserves the right to review, amend, suspend, revoke etc. this consent and the same shall be binding on the industry.
9. This consent should not be construed as exemption from obtaining necessary NOC/permission from any other Government authorities
10. The applicant shall comply with the conditions of the Environmental Clearance granted by MoEF vide letter F. No.J-11015/418/2013-IA-II(M) dtd. 24/02/2016.
11. PP shall carry out plantation as per EC condition before ensuing monsoon.
12. PP shall provide treatment plant for mine water discharge and submit sedimentation tank design details.
13. PP shall comply with the conditions stipulated in NOC issued by Central Ground Water Authority vide dtd. 08/12/2019 valid upto 07/12/2021 and shall obtain renewal of same time to time.
14. The applicant shall extend all existing BGs towards O&M of pollution control systems and towards compliance of the Consent conditions.
15. This consent is granted without prejudice of the order passed or being passed by the Hon'ble National Green Tribunal (WZ) Pune for the case No. 74 of 2016.
16. It is obligatory on the part of the Project proponent to restrict the mining operations above ground water table & it should not intersect ground water table without obtaining prior approval of MoEF & Climate Change, GoI & Central Ground Water Authority for mining below water table.
17. PP shall provide minimum four ambient air quality monitor stations within area within period of Six months which should monitor the parameters such as SPM, RSPM, SO₂, NO_x, HC, CO etc. to conform to the National Ambient Air Quality Standards prescribed under Air (Prevention and Control of Pollution) Act, 1981 and Environment (Protection) Act, 1986. Bank Guarantee of Rs.2/- lakhs shall be submitted within 15 days towards the compliance of the same.
18. PP shall inform to the Board before starting mining operations and Regional Officer shall ensure the compliances of consent conditions and Pollution Control Systems provided by industry and submit the compliance report.

19. The applicant shall not carry out any excess excavation without obtaining Consent of the Board and without obtaining Environmental Clearance wherever it applicable.
20. The applicant shall make an application for Renewal of Consent 60 days prior to date of expiry of the Consent.



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Signed by: Dr. V.M.Motghare
Joint Director (Air Pollution Control)
For and on behalf of,
Maharashtra Pollution Control Board
jdair@mpcb.gov.in
2023-09-22 14:48:30 IST

Received Consent fee of -

Sr.No	Amount(Rs.)	Transaction/DR.No.	Date	Transaction Type
1	75000.00	TXN2304003965	01/05/2023	Online Payment
2	400000.00	TXN2309002310	14/09/2023	Online Payment

As per Consent granted vide dated 07/12/2021 balance fees was Rs. 2,15,000/- and same is considered During this Renewal. Fees of Rs. 30000/- from the above mentioned fees is balance with the Board and same will be considered during next Renewal of Consent.

Copy to:

1. Regional Officer, MPCB, Kolhapur and Sub-Regional Officer, MPCB, Chiplun
- They are directed to ensure the compliance of the consent conditions.
2. Chief Accounts Officer, MPCB, Sion, Mumbai

SCHEDULE-I**Terms & conditions for compliance of Water Pollution Control:**

1. A) Generation - As per your application the treated effluent generation is Nil.
B) Treatment - NA
C) Disposal - NA
2. A) As per your application, you have provided Septic Tank followed by Soak pit for the treatment of 2.4 CMD of sewage.
B) The Applicant shall operate the sewage treatment system to treat the sewage so as to achieve the following standards.

Sr.No	Parameters	Standards (mg/l)	
1	BOD (3 days 27°C)	Not to exceed	30
2	Suspended Solids	Not to exceed	50

- C) The treated domestic effluent shall be soaked in a soak pit, which shall be got cleaned periodically. Overflow, if any, shall be used on land for gardening / plantation only.
3. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification there of & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant shall obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or an extension or addition thereto.
4. The industry shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.
5. The Applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and as amended, by installing water meters and other provisions as contained in the said act:

Sr. No.	Purpose for water consumed	Water consumption quantity (CMD)
1.	Industrial Cooling, spraying in mine pits or boiler feed	60.00
2.	Domestic purpose	8.00
3.	Processing whereby water gets polluted & pollutants are easily biodegradable	0.00
4.	Processing whereby water gets polluted & pollutants are not easily biodegradable and are toxic	0.00
5.	Gardening	12

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

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

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

Stack No.	Source	APC System provided/proposed	Stack Height(in mtr)	Type of Fuel	Sulphur Content(in %)	Pollutant	Standard
0	NA		0.00	-	-	TPM	150 Mg/Nm ³

2. The Applicant shall provide Specific Air Pollution control equipments as per the conditions of EP Act, 1986 and rule made there under from time to time/ Environmental Clearance / CREP guidelines.
3. The Applicant shall obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement/alteration well before its life come to an end or erection of new pollution control equipment.
4. The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).
5. Control Equipments
- Scientific spraying of water on all working area, dump area, stock piles with the help of appropriate dust suppression system.
 - Minerals shall be properly covered during transportation.
 - The applicant shall carry out tree plantation along road side, around dumps or compulsory afforestation as per proposal approved by Forest Department. The tree plantation programme shall be taken up well in advance of the actual mining activity, so that green belt of sufficient width & height is developed between mining area/road and surrounding environment.
 - Black topped metal roads provided shall be well maintained to prevent dust formation.
 - Overloading of dumpers shall be avoided to prevent spillages.
 - Correct type & quantity of explosive shall be used to avoid excess dust formation & vibration in the surrounding area.
 - The slope of the over burden shall have slope not more than 28° to the horizontal. The overburden shall be properly covered by vegetation for stabilization.
 - Bauxite Ore / Minerals transportation shall be done by installing conveyors wherever possible & mechanically covered closed trucks shall be used for transportation.
 - Dust containment-cum-suppression system for the equipment.

6. Standards for Ambient Air Pollutants:

The Suspended Particulate Matter (SPM), Respirable Particulate Matter (RPM), Sulphur dioxide (SO₂) and Oxides of Nitrogen (NO_x) concentration in downwind direction considering predominant wind direction, at a distance of 500 metres from the following dust generating sources shall not exceed the standards specified in the table given below:

Dust Generating Sources:

Loading or unloading, Haul Road, coal transportation road, Coal handling plant (CHP), Railway Sliding, Blasting, Drilling, Overburden dumps, or any other dust generating external sources like coke ovens (hard as well as soft), briquette industry, nearby road etc.

Pollutant	Time weighted average	Concentration in Ambient Air
Suspended Particulates Matter (SPM)	Annual Average	360 µg/m ³
	24 hours	500 µg/m ³
Respirable Particulate Matter (size less than 10 µm) (RPM)	Annual Average	180 µg/m ³
	24 hours	250 µg/m ³
Sulphur Dioxide (SO ₂)	Annual Average	80 µg/m ³
	24 hours	120 µg/m ³
Oxides of Nitrogen as NO _x	Annual Average	80 µg/m ³
	24 hours	120 µg/m ³

- i. In case of any residential or commercial or industrial place falls within 500 metres of any dust generating sources, the National Ambient Air Quality Standards notified vide MOEFCC GOI notification dtd 16.11.2009 as ammended shall be made applicable.
- ii. The applicant shall provide minimum three ambient air quality monitoring stations within mining area which should be monitored for SPM, RSPM, SO₂, NO_x, HC, CO etc. The Annual Arithmetic Mean of minimum 104 measurements in a year taken twice a week 24 hourly at uniform interval shall conform to the National Ambient Air Quality Standards prescribed under Air (Prevention and Control of Pollution) Act, 1981 and Environment (Protection) Act, 1986. The records of results of monitoring done shall be made available for inspection to the officers of the Board.

7. The applicant shall take adequate measures for control of noise levels from its own sources as follows:

Sr. No	Location	Permissible Norms [in dB (A)]	Desired minimum thickness of green belt (m)
1.	Along Road side	65 (Commercial Area)	20
2.	In colonies	55 (Residential Area)	20
3.	Near Opencast Mines	75 (Industrial Area)	10
4.	Near CHPs	75	30
5.	Near Shaft	75	20
6.	Near Mine exhaust fan	75	> 50

8. Other conditions:

- i Whenever due to any accident or other unforeseen act or even, such emissions occur or is apprehended to occur in excess standards laid down, such information shall be forthwith reported to Board, concerned Police station, office of Directorate of Health services, Dept. of explosives, Inspectorate of Factories & Local Body. In case of failure of pollution control equipments, the production process connected to it shall be stopped.

SCHEDULE-III
Details of Bank Guarantees:

Sr. No	Consent (C2E/C2O/C2R)	Amt of BG Imposed	Submission Period	Purpose of BG	Compliance Period	Validity Date
1	Renewal of Consent	Rs. 5.0 Lakh	15 days	Towards operation and maintenance of pollution control system and compliance of consent conditions	Continuous	31/08/2026
2	Renewal of Consent	Rs. 2.0 Lakh	15 days	Installation and commissioning of four ambient air quality monitor stations within area	6 Months	31/08/2026

BG Forfeiture History

Srno.	Consent (C2E/C2O/C2R)	Amount of BG imposed	Submission Period	Purpose of BG	Amount of BG Forfeiture	Reason of BG Forfeiture
NA						

BG Return details

Srno.	Consent (C2E/C2O/C2R)	BG imposed	Purpose of BG	Amount of BG Returned
NA				

SCHEDULE-IV
General Conditions:

1. The applicant shall provide facility for collection of environmental samples and samples of trade and sewage effluents, air emissions and hazardous waste to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf.
2. If the MIDC pipeline is broken/ overflowing chamber, in such cases industry shall not discharge their treated effluent into MIDC drain, it shall be sent to CETP by tanker.
3. Industry should monitor effluent quality, stack emissions and ambient air quality monthly/quarterly.
4. The applicant shall provide ports in the chimney/(s) and facilities such as ladder, platform etc. for monitoring the air emissions and the same shall be open for inspection to/and for use of the Board's Staff. The chimney(s) vents attached to various sources of emission shall be designated by numbers such as S-1, S-2, etc. and these shall be painted/ displayed to facilitate identification.
5. Whenever due to any accident or other unforeseen act or even, such emissions occur or is apprehended to occur in excess of standards laid down, such information shall be forthwith Reported to Board, concerned Police Station, office of Directorate of Health Services, Department of Explosives, Inspectorate of Factories and Local Body. In case of failure of pollution control equipment, the production process connected to it shall be stopped.
6. The applicant shall provide an alternate electric power source sufficient to operate all pollution control facilities installed to maintain compliance with the terms and conditions of the consent. In the absence, the applicant shall stop, reduce or otherwise, control production to abide by terms and conditions of this consent.
7. The firm shall submit to this office, the 30th day of September every year, the Environmental Statement Report for the financial year ending 31st March in the prescribed Form-V as per the provisions of rule 14 of the Environment (Protection) (Second Amendment) Rules, 1992.
8. The industry shall recycle/reprocess/reuse/recover Hazardous Waste as per the provision contain in the H&OW(M&TM) Rules 2016, which can be recycled/processed/ reused/ recovered and only waste which has to be incinerated shall go to incineration and waste which can be used for land filling and cannot be recycled/ reprocessed etc. should go for that purpose, in order to reduce load on incineration and landfill site/environment.
9. The industry should comply with the Hazardous & Other Wastes (M & TM) Rules, 2016 and submit the Annual Returns as per Rule 6(5) & 20(2) of Hazardous & Other Wastes (M & TM) Rules, 2016 for the preceding year April to March in Form-IV by 30th June of every year.
10. An inspection book shall be opened and made available to the Board's officers during their visit to the applicant.
11. The applicant shall make an application for renewal of the consent at least 60 days before the date of the expiry of the consent.
12. Industry shall strictly comply with the Water (P&CP) Act, 1974, Air (P&CP) Act,1981 and Environmental Protection Act,1986 and industry specific standard under EP Rules 1986 which are available on MPCB website(www.mpcb.gov.in).
13. The industry shall constitute an Environmental cell with qualified staff/personnel/agency to see the day to day compliance of consent condition towards Environment Protection.

14. Separate drainage system shall be provided for collection of trade and sewage effluents. Terminal manholes shall be provided at the end of the collection system with arrangement for measuring the flow. No effluent shall be admitted in the pipes/sewers downstream of the terminal manholes. No effluent shall find its way other than in designed and provided collection system.
15. Neither storm water nor discharge from other premises shall be allowed to mix with the effluents from the factory.
16. The applicant shall install a separate meter showing the consumption of energy for operation of domestic and industrial effluent treatment plants and air pollution control system. A register showing consumption of chemicals used for treatment shall be maintained.
17. Conditions for D.G. Set
 - a) Noise from the D.G. Set should be controlled by providing an acoustic enclosure or by treating the room acoustically.
 - b) Industry should provide acoustic enclosure for control of noise. The acoustic enclosure/ acoustic treatment of the room should be designed for minimum 25 dB (A) insertion loss or for meeting the ambient noise standards, whichever is on higher side. A suitable exhaust muffler with insertion loss of 25 dB (A) shall also be provided. The measurement of insertion loss will be done at different points at 0.5 meters from acoustic enclosure/room and then average.
 - c) Industry should make efforts to bring down noise level due to DG set, outside industrial premises, within ambient noise requirements by proper siting and control measures.
 - d) Installation of DG Set must be strictly in compliance with recommendations of DG Set manufacturer.
 - e) A proper routine and preventive maintenance procedure for DG set should be set and followed in consultation with the DG manufacturer which would help to prevent noise levels of DG set from deteriorating with use.
 - f) D.G. Set shall be operated only in case of power failure.
 - g) The applicant should not cause any nuisance in the surrounding area due to operation of D.G. Set.
 - h) The applicant shall comply with the notification of MoEFCC, India on Environment (Protection) second Amendment Rules vide GSR 371(E) dated 17.05.2002 and its amendments regarding noise limit for generator sets run with diesel.
18. The industry should not cause any nuisance in surrounding area.
19. The industry shall take adequate measures for control of noise levels from its own sources within the premises so as to maintain ambient air quality standard in respect of noise to less than 75 dB (A) during day time and 70 dB (A) during night time. Day time is reckoned in between 6 a.m. and 10 p.m. and night time is reckoned between 10 p.m. and 6 a.m.
20. The applicant shall maintain good housekeeping.
21. The applicant shall bring minimum 33% of the available open land under green coverage/ plantation. The applicant shall submit a yearly statement by 30th September every year on available open plot area, number of trees surviving as on 31st March of the year and number of trees planted by September end
22. The non-hazardous solid waste arising in the factory premises, sweepings, etc. be disposed of scientifically so as not to cause any nuisance / pollution. The applicant shall take necessary permissions from civic authorities for disposal of solid waste.
23. The applicant shall not change or alter the quantity, quality, the rate of discharge, temperature or the mode of the effluent/emissions or hazardous wastes or control equipment provided for without previous written permission of the Board. The industry will not carry out any activity, for which this consent has not been granted/without prior consent of the Board.

24. The industry shall ensure that fugitive emissions from the activity are controlled so as to maintain clean and safe environment in and around the factory premises
25. The industry shall submit official e-mail address and any change will be duly informed to the MPCB.
26. The industry shall achieve the National Ambient Air Quality standards prescribed vide Government of India, Notification dtd. 16.11.2009 as amended.

This certificate is digitally & electronically signed.



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MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL OFFICE, KOLHAPUR.

Tel. No. (0231) 2652952, 2660448 Fax No. (0231) 2652952. E-mail: rokolhapur@yahoo.com	 "Your Service is Our Duty"	Udyog Bhavan, Near Collector Office, Kolhapur - 416 003. Website: http://mpcb.mah.nic.in
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No. MPCB/RO/KOP/ 2401020010

Date: 02/01/2024

To,
M/s. Ashapura Minechem Ltd.,
Gut No. 66-120,163 -171, 212 -216, 770-722,
785 -786, 788 – 884, Village - Umbershet,
Tal:- Dapoli , Dist:- - Ratnagiri.

Sub: **Show Cause Notice** for noncompliance of consent conditions.

- Ref: 1). Consent granted by the Board and same is valid up to 30/04/2026.
 2). Complaint received from Shri. Rahul Shashikant Karekar on 25/10/2023.
 3). Visit of Board officials on 06/11/2023.
 4). Warning notice issued by SRO Chiplun on 21/11/2023.
 5). Proposal submitted by SRO Chiplun.

WHEREAS, you are operating your unit in 'Pollution Prevention Area' declared under Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Waste (Management & TM) Rules, 2008 as amended 2016.

AND WHEREAS, it is obligatory on your part to provide adequate water and air pollution control devices and adequate health and safety & accidental precautionary measures and to operate it round o'clock so as to prevent any sort of pollution in the surrounding area and to achieve the standards laid down under the provisions of Environment (Protection) Act, 1986.

AND WHEREAS, Board Officials visited your unit on 06/11/2023 for investigate complaint received at SRO Chiplun office and to checking the compliance as per consent conditions & as per ref No. (1) & (2) respectively and observed following non compliances.

- 1). During visit, mining operation was found in progress with only one rock breaker, screening of crush bauxite ore which is not enclosed by tin sheet & truck transportation of the same is in progress.
- 2). Truck body is covered with green net.
- 3). As per complainant transit pass receipt (integrated with DMO transit pass) indicating net weight violations not available during visit.
- 4). During visit details of water tanker receipts was not available.
- 5). Reclaimed area with cashew plant were observed, you are directed to submit details of area & tree plantations etc.



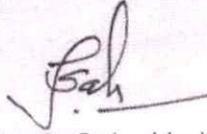
6). As per points raised in complaint, the following details are not available during visit of board officials and same are as below:-

- A). Conservation of Environment.
- B). Health & wellbeing of people living in surrounding areas.
- C). Mitigating the effect of mining on agriculture productivity in surrounding area.
- D). Reclamation & rehabilitation of mined area.
- E). Overloading of carrying trucks.
- F). Google geographical images for lack of afforestation over the specific time period.
- G). Information related to Environmental Clearance obtained on 24/02/2016, detail compliances awaited.
- H). Weigh bridge 60 MT provided.
- I). Detail information in respect of air pollution control provided & yet not provided by you to board office.

7). You have failed to submit reply to warning notice issued by local board office as per ref. (4).

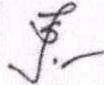
AND WHEREAS, after examining the record of your case, reports of officers of the Board & making necessary enquiries, I am satisfied that you are causing Environmental Pollution problems in the surrounding area and knowingly & wilfully causing grave injury to the environment thereby violating various Environment enactments.

Your reply/ objection should reach this office within Seven days' time after receipt of this letter. Failure to this, it will be assumed that you have nothing to say and further legal action will be initiated under the provision of Environmental Laws, which may please be noted.


(J. S. Salunkhe)
Regional Officer,
M.P.C. Board, Kolhapur

Copy to:
Sub-Regional Officer, M.P.C. Board, Chiplun.

- He is directed to serve the directions to the above industry and submit the compliance Report along with clear cut remarks accordingly.



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MAHARASHTRA POLLUTION CONTROL BOARD
REGIONAL OFFICE, KOLHAPUR.

Tel. No. (0231) 2652952,
2660448
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"Your Service is Our Duty"

Udyog Bhavan,
Near Collector Office,
Kolhapur - 416 003.
Website:
<http://mpcb.mah.nic.in>

No. MPCB/RO/KOP/PDI/2404250001

Date: 25/04/2024

To,
M/s. Ashapura Minechem,
S.No.66-120,163-171,212-216,770-772,785-786,788-884
At:- Umbershet, Tal-Dapoli,
Dist. Ratnagiri.

Sub: Proposed Directions under section 33 A of Water (Prevention & Control of Pollution) Act, 1974, 31 A of Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Waste (M, H & T) Rules, 2008 as amended.

Ref: 1. Consent granted by the board and same is valid up to 30/04/2026.
2. Complaint received from Sarpanch, Group Grampanchayat, Umbarshet and also Shri, Bhavesh Karekar, regarding Violations of compliance conditions.
3. Visit of Board Officials to your unit on 08/04/2024.
4. This office has issued SCN dtd., 02/01/2024.
5. Proposal submitted by SRO Chiplun.

.....

WHEREAS, you are operating your unit in 'Pollution Prevention Area' declared under Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act, 1981 & Hazardous Waste (Management & TM) Rules, 2008 as amended 2016.

AND WHEREAS, it is obligatory on your part to obtain valid consent from the Board for appropriate activity and to provide adequate water and air pollution control devices and adequate health and safety & accidental precautionary measures and to operate it round o'clock so as to prevent any sort of pollution in the surrounding area and to achieve the standards laid down under the provisions of Environment (Protection) Act, 1986.

AND WHEREAS, Board Officials visited your unit on 08/04/2024 and observed following non-compliance: -

- 1). During visit it was observed that you are carrying out bauxite Mining activity and same is found in operation.
- 2). You have not provided water spraying system to the mining area, haul roads, & fine dust/material storage, loading & unloading area etc. Regular water spraying is not carried out. The backfilled area is not reclaimed by planting adequate no of trees. The prima facie it seems that the backfilled area is not properly restored to the normal ground level and also self-sustaining vegetation were not observed in this area. Adequate tree plantation is not carried out in the specified area, reclaimed area, and roads etc.

J.F.

- 3). You have provided 03 nos of movable crushers, conveyors and screening sections however you have not covered the same.
- 4). You have not taken preventive measures for control of dust emissions. The dust emissions were observed from the excavation activity of mining and crushing activity.
- 5). You have not provided 04 nos of AAQM stations with consultation of the Board.
- 6). You are instructed to submit details of backfilled area and plantation carried out in last two years, natural water courses obstructed in mining area, check-ups of occupational health of engaged workers and also details of preventive measures & vehicles transportation, and effect on surrounding crop productivity,
- 7). You have failed to submit reply / compliance of SCN issued to your unit dtd., 02/01/2024, and also submit compliance of Bank Guarantee, Consent conditions and E.C. to the board.

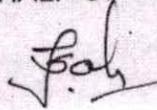
AND WHEREAS, after examining the record of your case, reports of officers of the Board & making necessary enquiries, I am satisfied that you are causing Environmental Pollution problems in the surrounding area and knowingly & wilfully causing grave injury to the environment thereby violating various Environment enactments.

NOW THEREFORE, in exercise of the powers conferred on the undersigned by the Board under section 33A of the by the Water (Prevention & Control of Pollution) Act, 1974 and section 31A of Air (Prevention & Control of Pollution) Act, 1981 it is proposed to issue the following directions (for avoidance of doubt, the directions include closure, prohibition or regulation of your activities).

- I) Why your industry shall not be closed down forthwith?
- II) Why competent authorities shall not be directed to disconnect your water/electricity supply till you comply with the provisions of the said Acts?

You are directed to file your reply to these directions, within Seven days from the receipt of this notice, failing which Board shall consider issuance of appropriate legal action as may be deemed fit in your case, which may please be noted.

FOR AND ON BEHALF OF THE BOARD



(J. S. Salunkhe)
Regional Officer,
M.P.C. Board, Kolhapur

Copy submitted for information.

- 1) Member Secretary, M.P.C. B, Mumbai.
- 2) Joint Director (Air Pollution Control) Mumbai.

Copy to:

Sub-Regional Officer, M.P.C. Board, Chiplun

- He is directed to serve the directions to the above industry and submit the Practical compliance report along with clear cut remarks accordingly within stipulated period.



ASHAPURA
MINECHEM LIMITED

To:

Date: 30.04.2024

**The Regional Officer,
Maharashtra State Pollution Control Board
Regional Office, Kolhapur
Udyog Bhavan,
Near Collector Office,
Kolhapur - 416003**

Subject: Proposed Directions under Section 33A of Water (Prevention & Control) Act, 1974, 31A of Air (Prevention & Control of Pollution) Act, 1981, and Hazardous Waste (M, H & T) Rules, 2008 as amended reg.

Ref.: Your office letter No. MPCB/RO/KOP/PD/2404250001 dated 25/04/2024

Dear Sir,

With respect to above mentioned reference, submitting the compliance in respect of our Umbershet Bauxite Mines TQ Dapoli, District Ratnagiri for your kind perusal.

- As observed during the visit, the reclamation of mined out pit is going on and this will be completed before the onset of monsoon and subsequently the backfilled area will be planted with local species.
- We have made, proper dust suppression arrangements to spray the water in the mining, haul road, stocking area, and loading and unloading area. Please find enclosed photographs for your kind perusal. The backfilled area is planted with cashew saplings and are bearing the fruits which is the evidence that the plants are self-sustaining. Please find enclosed photographs for your kind perusal. Till date we have planted about 12,682 cashew saplings at this mine.
- Mobile crushing unit is not in operation currently.
- The mining activity is carried out by using rock breakers in a small area and proper dust suppression arrangements are made.
- We have provided 04 Nos of AAQM stations as per EC conditions and Air, Water, Noise and Soil monitoring is carried out in time. The analysis reports are attached for your kind perusal.
- As on 31/03/2023, 14.22 Ha land is backfilled and out of which 3.22 Ha is fully re habilitated and Reclamation and Rehabilitation is implemented as per approved Mining Plan and Progressive Mine Closure Plan by Indian Bureau of Mines. Occupational Health checkup of persons engaged in the mining and allied activities is being carried out as stipulated by Director General of Mines Safety. Current RL of working is 179M AMSL. There are no natural water

Page 1 of 5

Regd. Office :

Jeevan Udyog Building, 3rd Floor, 278, D. N. Road, Fort, Mumbai - 400 001. (India)
Tel.: +91-22 6665 1700 = Email: info@ashapura.com = www.ashapura.com

CIN No. L14108MH1982PLC026396



Continuation Sheet

courses within the mining lease and hence the damage to natural water course does not arise. However, garland trenches, parapet walls, and check dams are constructed to prevent surface run off during the monsoon season wherever required. The vehicles engaged in ore transportation are having the valid PUC certificate and fully covered with tarpaulin to prevent air pollution. The plants within the mining lease are bearing the fruits and this indicates that our mining activity does not affect surrounding crop productivity. Please find attached photographs for your kind perusal.

- Our failure to submit the reply/compliance to SCN dated 02/01/2024 is not deliberate as we have not received the SCN either by mail or post. We would have filed our say had we received the same.

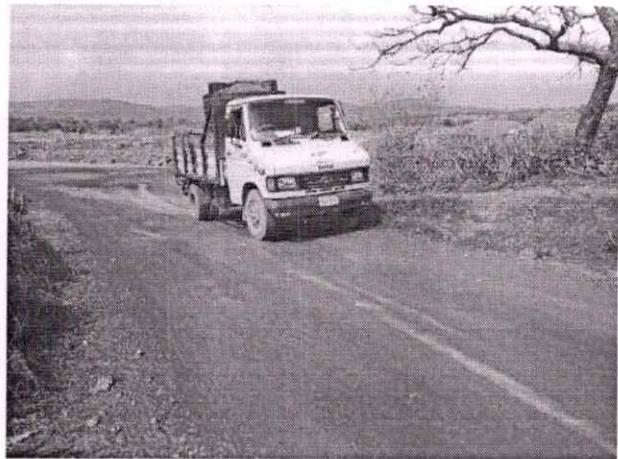
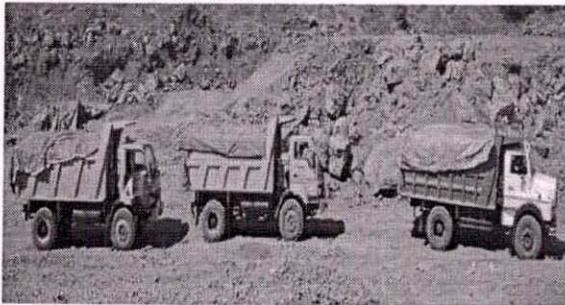
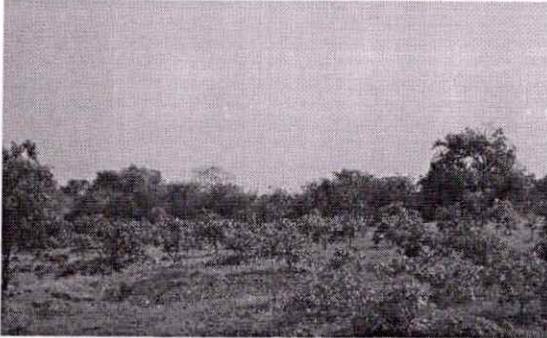
The mine is located well away from the places of human habitat and no imminent danger is associated or envisaged due to mining in the area. We here by request your kind self to accept the compliance and not to initiate any action under Section 33A of Water (Prevention & Control) Act, 1974, 31A of Air (Prevention & Control of Pollution) Act, 1981, and Hazardous Waste (M, H & T) Rules, 2008 as amended and oblige.

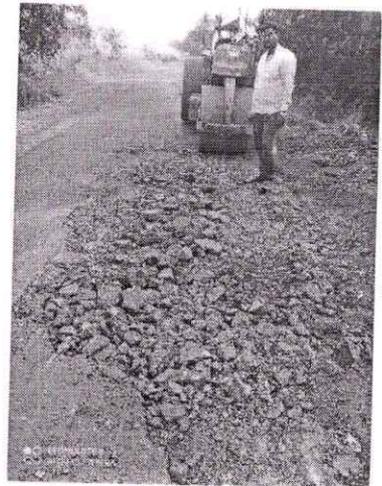
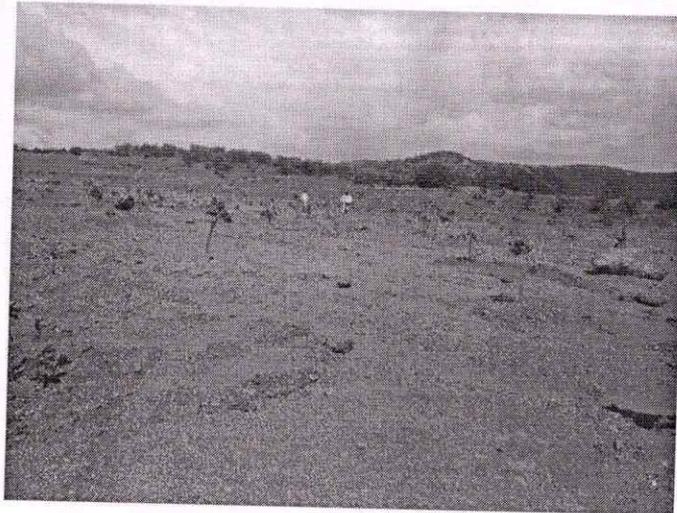
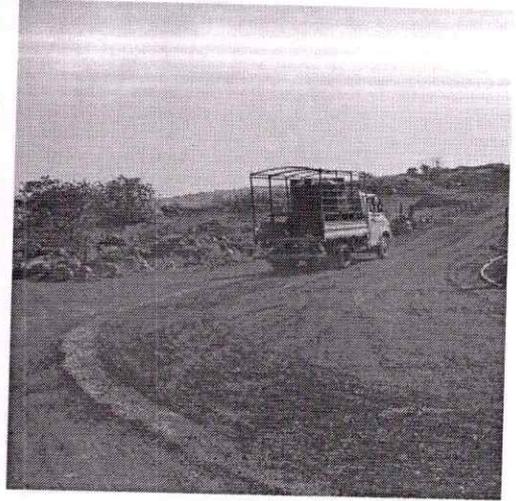
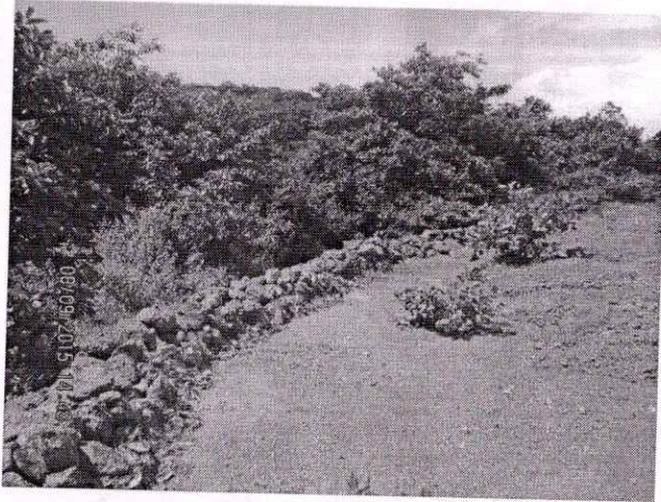
Thanking you,

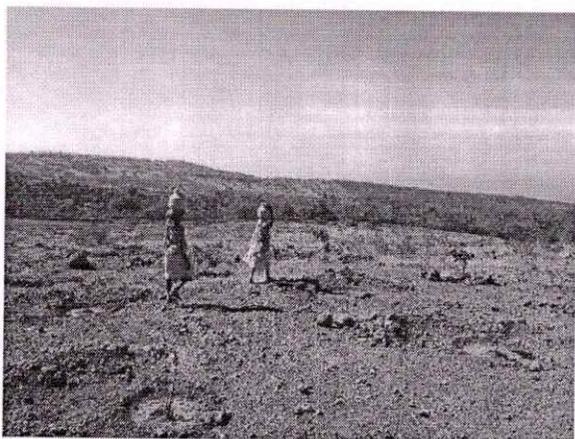
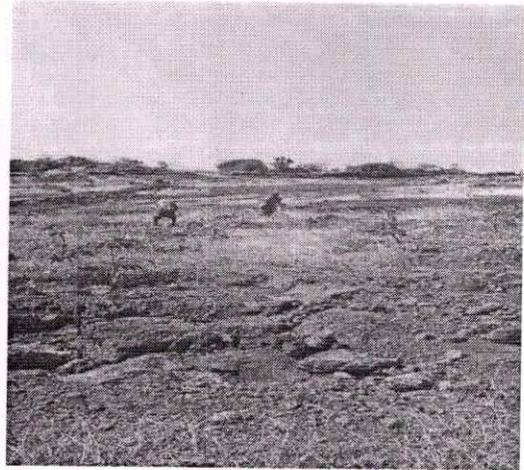
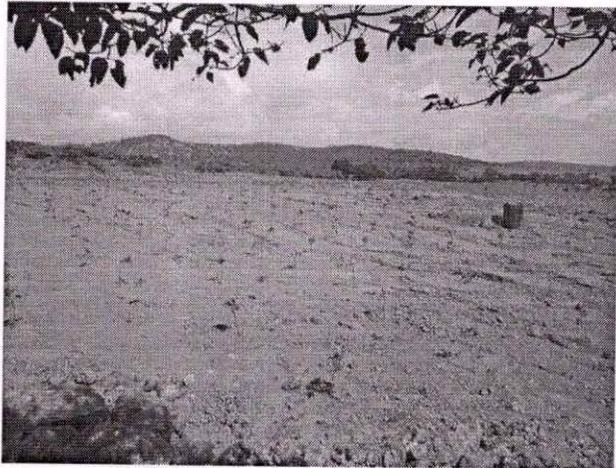
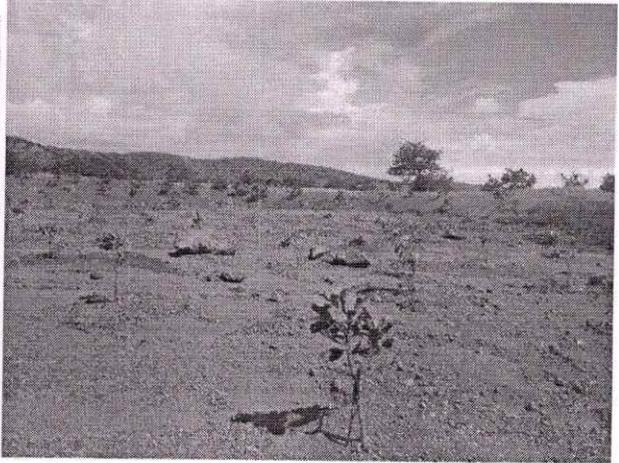
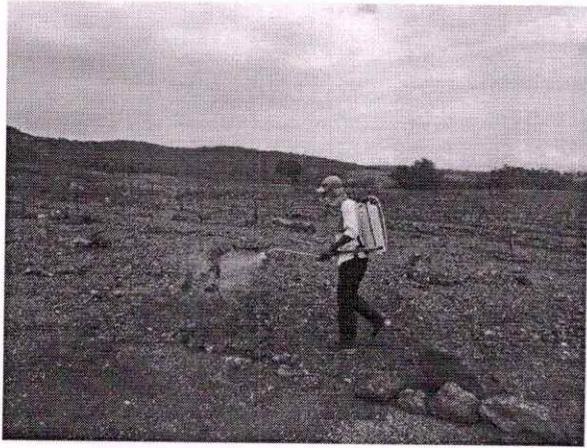
For M/s Ashapura Minechem Ltd.

Authorized Signatory

Cc. The Sub Regional Officer, MPC Board, Chiplun







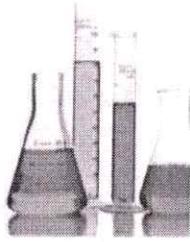


Gaheli Environmental Laboratory

(A unit of Gaheli Center of Research and Development Pvt. Ltd.)

(ISO 9001:2015, 14001:2015, OHSAS 18001:2007 Certified Company)

Circuit House Road, Near Parwani Orthopaedic Hospital, New Paradise Fountain Circle,
Porbandar - 360575, Gujarat, E-mail - contact@gcrindia.com, website - www.gcrindia.com
Tel.: 0286-2253630, Mobile: +91-9990416608, GSTIN : 24AHCPA6690B1ZV



TEST REPORT

Report Code: GEL/A/2024/04/10- 001

Issued To: Umbershet Bauxite Mine

Village – Umbershet, Taluka – Dapoli,
District – Ratnagiri (Maharashtra)

Issue Date : 10/04/2024

Sampling Location : Crushing Plant

Sample Collected by : Mr. Navneet

Sampling Protocol : GEL/LAB/SOP/AIR/01

Sampling Duration : 24 Hours

Sample Description: Ambient Air

RESULTS

(Ambient Air Quality Analysis)

Date	PM _{2.5} , µg/m ³	PM ₁₀ , µg/m ³	SO ₂ µg/m ³	NO ₂ µg/m ³	*Silica, µg/m ³
	GEL/LAB/ SOP/AIR /03	IS:5182:Pt-23	IS:5182:Pt-2	IS:5182:Pt-6	EPA method/ XRD method
01.03.2024	39.6	80.1	8.2	13.2	0.03
04.03.2024	37.4	88.5	5.3	12.2	0.02
08.03.2024	39.7	84.0	8.5	13.2	0.01
11.03.2024	40.4	82.2	11.0	12.4	0.03
16.03.2024	39.2	82.0	9.0	13.8	0.03
19.03.2024	42.1	90.1	10.5	14.5	0.03
23.03.2024	43.4	80.4	6.0	13.6	0.02
27.03.2024	41.3	83.3	10.1	10.4	0.02
NAAQ Standards, EPA,1986	60	100	80	80	--

(**) This parameters is not under NABL Scope.

End of Report



Authorized Signatory

Varsha Pandey
(Managing Director)

Serial No.:

5197



Dispatch Date: 10.04.2024

Dispatch No.:

5197



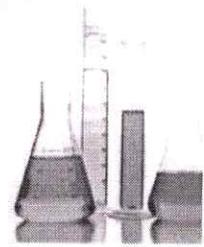
122

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Circuit House Road, Near Parwani Orthopadic Hospital, New Paradise Fountain Circle,
Porbandar - 360575, Gujarat, E-mail - contact@gcrindia.com, website - www.gcrindia.com
Tel.: 0286-2253630, Mobile: +91-9990416608, GSTIN : 24AHCPA6690B1ZV



TEST REPORT

Report Code: GEL/A/2024/04/10-002
Issued To: Umbershet Bauxite Mine
Village – Umbershet, Taluka – Dapoli,
District – Ratnagiri (Maharashtra)

Issue Date : 10/04/2024
Sampling Location : Haulage Road
Sample Collected by : Mr. Navneet
Sampling Protocol : GEL/LAB/SOP/AIR/01
Sampling Duration : 24 Hours

Sample Description: Ambient Air

RESULTS (Ambient Air Quality Analysis)

Date	PM _{2.5} , µg/m ³	PM ₁₀ , µg/m ³	SO ₂ µg/m ³ ,	NO ₂ µg/m ³	*Silica, µg/m ³
	GEL/LAB/SOP/AIR/01	IS:5182:Pt-23	IS:5182:Pt-2	IS:5182:Pt-6	EPA method/ XRD method
02.03.2024	41.0	83.0	8.0	11.8	0.02
05.03.2024	38.2	82.3	7.2	12.4	0.01
09.03.2024	41.3	81.4	9.2	14.4	0.01
14.03.2024	37.4	78.8	9.3	16.2	0.02
16.03.2024	40.0	84.0	9.8	11.1	0.02
20.03.2024	38.8	79.1	6.7	12.5	0.03
25.03.2024	42.4	85.4	6.5	13.8	0.02
27.03.2024	40.1	78.6	6.0	11.0	0.02
NAAQ Standards, EPA, 1986	60	100	80	80	-

** This parameters is not under NABL Scope.

****End of Report****



Authorized Signatory
Varsha Pandey
Varsha Pandey
(Managing Director)

Serial No.: 5198



Dispatch Date: 10.04.2024

Dispatch No.: 5198



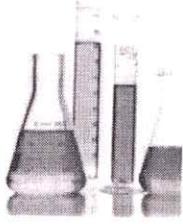
123 RD

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Circuit House Road, Near Parwani Orthopadic Hospital, New Paradise Fountain Circle,
Porbandar - 360575, Gujarat, E-mail - contact@gcrindia.com, website - www.gcrindia.com
Tel.: 0286-2253630, Mobile: +91-9990416608, GSTIN : 24AHCPA6690B1ZV



TEST REPORT

Report Code: GEL/A/2024/04/10-003

Issued To: Umbershet Bauxite Mine

Village – Umbershet, Taluka – Dapoli,
District – Ratnagiri (Maharashtra)

Issue Date : 10/04/2024

Sampling Location : Kavdoli Village

Sample Collected by : Mr. Navneet

Sampling Protocol : GEL/LAB/SOP/AIR/01

Sampling Duration : 24 Hours

Sample Description: Ambient Air

RESULTS (Ambient Air Quality Analysis)

Date	PM _{2.5} , µg/m ³	PM ₁₀ , µg/m ³	SO ₂ µg/m ³ ,	NO ₂ µg/m ³
	GEL/LAB/SOP/AIR /03	IS:5182:Pt-23	IS:5182:Pt-2	IS:5182:Pt-6
03.03.2024	36.0	80.4	5.0	10.2
05.03.2024	36.5	76.2	6.1	12.1
10.03.2024	36.2	72.1	4.2	13.9
13.03.2024	34.0	72.3	4.1	12.4
17.03.2024	35.3	73.5	4.0	13.3
20.03.2024	37.4	72.2	5.1	15.1
24.03.2024	37.0	70.6	5.2	10.2
27.03.2024	36.7	81.2	5.0	11.0
NAAQ Standards, EPA, 1986	60	100	80	80
Protocol	GEL/LAB/SOP/AIR /03	IS 5182 (Part 23): 2006, RA 2017	IS 5182 (Part 2): 2001, RA 2017	IS 5182 (Part 6): 2006, RA 2017

****End of Report****



Authorized Signatory

Varsha Pandey

(Managing Director)

Serial No.: 5199



Dispatch Date: 10.04.2024

Dispatch No.: 5199



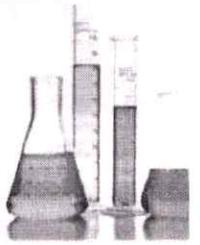
124

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(ISO 9001:2015, 14001:2015, OHSAS 18001:2007 Certified Company)

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Porbandar - 360575, Gujarat, E-mail - contact@gcrindia.com, website - www.gcrindia.com
Tel.: 0286-2253630, Mobile: +91-9990416608, GSTIN : 24AHCPA6690BIZV



TEST REPORT

Report Code: GEL/A/2024/04/10- 004

Issued To: Umbershet Bauxite Mine

Village – Umbershet, Taluka – Dapoli,
District – Ratnagiri (Maharashtra)

Issue Date : 10/04/2024

Sampling Location : Mining Pit

Sample Collected by : Mr. Navneet

Sampling Protocol : GEL/LAB/SOP/AIR/01

Sampling Duration : 24 Hours

Sample Description: Ambient Air

RESULTS

(Ambient Air Quality Analysis)

Date	PM _{2.5} , µg/m ³	PM ₁₀ , µg/m ³	SO ₂ µg/m ³ ,	NO ₂ µg/m ³	*Silica, µg/m ³
	GEL/LAB/ SOP/AIR /03	IS:5182:Pt-23	IS:5182:Pt-2	IS:5182:Pt-6	EPA method/ XRD method
01.03.2024	38.0	80.6	7.0	15.0	0.02
06.03.2024	39.5	82.5	5.5	13.2	0.02
07.03.2024	36.3	77.0	8.6	14.3	0.03
12.03.2024	36.0	70.1	6.1	16.2	0.02
16.03.2024	40.6	73.6	8.0	13.0	0.02
19.03.2024	35.2	77.0	6.6	15.3	0.02
22.03.2024	38.1	82.2	6.6	13.4	0.01
27.03.2024	39.0	80.0	7.1	14.0	0.03
NAAQ Standards, EPA,1986	60	100	80	80	—

** This parameters is not under NABL Scope.

End of Report



Authorized Signatory

Varsha Pandey
(Managing Director)

Serial No.: S200



Dispatch Date: 10.04.2024

Dispatch No.: S200



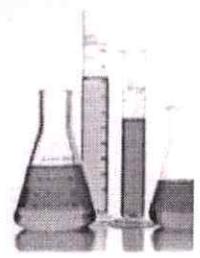
125

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(A unit of Gaheli Center of Research and Development Pvt. Ltd.)

(ISO 9001:2015, 14001:2015, OHSAS 18001:2007 Certified Company)

Circuit House Road, Near Parwani Orthopadic Hospital, New Paradise Fountain Circle,
Porbandar - 360575, Gujarat, E-mail - contact@gcrdindia.com, website - www.gcrdindia.com
Tel.: 0286-2253630, Mobile: +91-9990416608, GSTIN : 24AHCPA6690B1ZV



TEST REPORT

Report Code: GEL/A/2024/04/10-005
Issued To: Umbershet Bauxite Mine
Village – Umbershet, Taluka – Dapoli,
District – Ratnagiri (Maharashtra)

Issue Date : 10/04/2024
Sampling Location : Rowale Village
Sample Collected by : Mr. Navneet
Sampling Protocol : GEL/LAB/SOP/AIR/01
Sampling Duration : 24 Hours

Sample Description: Ambient Air

RESULTS (Ambient Air Quality Analysis)

Date	PM _{2.5} , µg/m ³	PM ₁₀ , µg/m ³	SO ₂ µg/m ³ ,	NO ₂ µg/m ³
	GEL/LAB/SOP/AIR /01	IS:5182:Pt-23	IS:5182:Pt-2	IS:5182:Pt-6
02.03.2024	37.7	71.0	6.4	11.0
05.03.2024	37.5	76.2	5.0	14.5
09.03.2024	38.4	78.4	7.1	11.2
12.03.2024	35.1	77.6	6.0	13.5
16.03.2024	38.2	79.0	5.4	12.1
21.03.2024	35.0	77.5	5.5	14.7
24.03.2024	33.5	68.3	6.5	13.1
28.03.2024	34.0	78.0	6.0	13.0
NAAQ Standards, EPA,1986	60	100	80	80

****End of Report****



Authorized Signatory
Varsha Pandey
Varsha Pandey
(Managing Director)

Serial No.: S201



Dispatch Date: 10.04.2024

Dispatch No.: S201



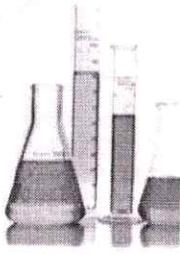
126 RD

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(ISO 9001:2015, 14001:2015, OHSAS 18001:2007 Certified Company)

Circuit House Road, Near Parwani Orthopadic Hospital, New Paradise Fountain Circle,
Porbandar - 360575, Gujarat, E-mail - contact@gcrindia.com, website - www.gcrindia.com
Tel.: 0286-2253630, Mobile: +91-9990416608, GSTIN : 24AHCPA6690B1ZY



TEST REPORT

Report Code: GEL/A/2024/04/10-006

Issued To: Umbershet Bauxite Mine

Village – Umbershet, Taluka – Dapoli,
District – Ratnagiri (Maharashtra)

Issue Date : 10/04/2024

Sampling Location : Umbershet Village

Sample Collected by : Mr. Navneet

Sampling Protocol : GEL/LAB/SOP/AIR/01

Sampling Duration : 24 Hours

Sample Description: Ambient Air

RESULTS

(Ambient Air Quality Analysis)

Date	PM _{2.5} , µg/m ³	PM ₁₀ , µg/m ³	SO ₂ µg/m ³ ,	NO ₂ µg/m ³
	GEL/LAB/SOP/AIR /01	IS:5182:Pt-23	IS:5182:Pt-2	IS:5182:Pt-6
03.03.2024	37.0	81.7	6.4	13.1
06.03.2024	37.1	79.1	6.5	12.5
10.03.2024	35.4	80.2	7.5	13.0
12.03.2024	38.5	80.5	8.4	14.3
17.03.2024	36.3	78.3	6.4	13.6
22.03.2024	38.0	80.5	5.0	15.0
24.03.2024	36.3	77.0	6.1	10.2
27.03.2024	38.5	81.1	7.0	12.0
NAAQ Standards, EPA,1986	60	100	80	80

****End of Report****



Authorized Signatory

Varsha Pandey
Varsha Pandey
(Managing Director)

Serial No.:

S202



Dispatch Date: 10.04.2024

Dispatch No.: S202

Communication of directions/Order passed by Hon'ble National Green Tribunal, WZB, Pune in OA NO. 165/2024 WZ titled as Bhavesh Arun Karekar & Ors. VS. MoEF & CC & ORS vide Order dated 07.08.2024.

SRO Chiplun <strochiplun@mpcb.gov.in>

Mon 19/08/2024 16:30

To:Smita Madhav Khatavkar <lo1@mpcb.gov.in>;Dr. V. M. Motghare <jdair@mpcb.gov.in>

Cc:RO Kolhapur <rokolhapur@mpcb.gov.in>

📎 4 attachments (5 MB)

PD Umbershet Ashapura 25.04.2024.pdf; SCN Ashapura 02.01.2024.pdf; Umbershet PD reply 30.04.2024.pdf; PD Umbershet Ashapura 25.04.2024.pdf;

Madam/Sir,

This office has issued Warning Notice on 21.11.2023, SCN on 02.01.2024 & Proposed Direction on 25.04.2024 Copy enclosed. Industry has not submitted the reply of SCN & reply to PD is submitted. All copies enclosed.

The Mining activities is not in operation due to rainy season.

Submitted for your information plz.

With Regards,
Sanjay Jirapure
Sub Regional Officer,
Maharashtra Pollution Control Board, Chiplun
Email:- strochiplun@mpcb.gov.in,



"SAVE PAPER"-THINK BEFORE YOU PRINT!

POWER BEHIND ENVIRONMENT...M.P.C.B.

सर्व व्यवहारामध्ये मराठीचा वापर करा !!

From: Smita Madhav Khatavkar <lo1@mpcb.gov.in>

Sent: 19 August 2024 13:57

To: RO Kolhapur <rokolhapur@mpcb.gov.in>; SRO Chiplun <strochiplun@mpcb.gov.in>

Subject: Fw: Fw: Communication of directions/Order passed by Hon'ble National Green Tribunal, WZB, Pune in OA NO. 165/2024 WZ titled as Bhavesh Arun Karekar & Ors. VS. MoEF & CC & ORS vide Order dated 07.08.2024.

Reminder No I

Pl refer email dated 14.08.2024.

Thanks & Regards,
(Smita Madhav Khatavkar)
Law Officer,
Maharashtra Pollution Control Board, Mumbai



"SAVE PAPER"-THINK BEFORE YOU PRINT!

POWER BEHIND ENVIRONMENT...M.P.C.B."
