



National Green Tribunal



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**IN THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN BENCH, AT PUNE**

ORIGINAL APPLICATION NO. 104 OF 2019

IN THE MATTER OF:

Nitin Devraj Jaru & Anr.

Applicants

Versus

Union of India & Others

Respondents

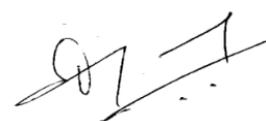
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DATE: 31.03.2023

PLACE: New Delhi

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**Counter Affidavit on behalf of the Affidavit to the Reply Affidavit dated
17.11.2022 of Respondent No. 6, Sal Steel Ltd.**

Most Respectfully Showeth:

1. That the above-mentioned Original Application had been filed before this Hon'ble Tribunal to challenging the illegal operation of the unit of Respondent no. 6, M/s SAL Steel Pvt. Ltd. in village Bharapar Gandhidham, Kutchh in contravention of the consent conditions under Water (Prevention and Control of Pollution) Act, 1974 , the Air (Prevention and Control of Pollution) Act, 1981 and the conditions of Environment Clearance dated 01.11.2006. That further, the Respondent No. 6 had been dumping fly ash in Coastal Regulatory Zone I in violation of the Coastal Regulatory Zone Notification, 1991 and 2011 and the Fly Ash Notification of 1999 (now superseded by the 2021 Fly Ash Notification). The Unit of Respondent No. 6 has also been illegally extracting groundwater from 2006 till 2019 in violation of the Central Ground Water Authority Guidelines 2016 and has established its unit in close vicinity to schools and residential area in violation of the Central Pollution Control Board Siting Guidelines for sponge iron plants, 2008.

2. That the instant comprehensive Counter Affidavit/Rejoinder is being filed on the behalf of the Applicant in response to the Additional Affidavit dated 17.11.2022 in O.A. No. 104 of 2019.
3. That the Applicant at the outset submits that all those averments in the Additional Affidavit of Respondent No. 6 that have not been specifically admitted are herewith denied and are not construed as having been accepted by the Applicant as if *traversed seriatim*.
4. That before responding to the averments made in the Additional Affidavit dated 17.11.2022 of the Respondent No. 6, the Applicant seeks to place on record its Preliminary Objections , which in its opinion are crucial for a holistic adjudication of the matter.

PRELIMINARY OBJECTIONS

5. That the Respondent No. 6 vide Affidavit dated 17.11.2022 has submitted a detailed response to the permissions obtained for operation of its unit without any legal justification for obtaining post facto permissions. Further, the Respondent No. 6 claims to have undertaken a number of measures to ensure compliance with the conditions specified in the permissions such as Consent to Operate, however the actual status /on ground compliance does not corroborate with the submissions made by Respondent No.6 in the abovementioned Affidavits. The post facto compliances obtained in violation of the law, violation of the conditions of Environment Clearance and Consent along with documentary evidence of the ground level non-compliance /violations of Respondent No. 6 are being submitted below by the Applicant to highlight the lackadaisical and casual attitude in ensuring compliance even after 15 years from the date of its establishment.

A. The Respondent No. 6 is a perpetual violator and has been operating its unit in blatant violation of the conditions of Environment Clearance dated 01.11.2006

6. That at the outset it is submitted that the Respondent No. 6 had commenced operation of its of Ferro Alloys from 2500 MT/month to 5000 MT/month at the industrial plant situated at Survey No. 245/P, Village Bharapar, on 27.11.2005 without obtaining a prior Environment Clearance. The Environment Clearance was subsequently obtained on 01.11.2006 (Annexure A5, Pg 54 of the Original Application) in clear violation of the Environment Impact Assessment Notification of 1994 and now 2006 which requires prior EC for Primary metallurgical industries (such as production of Iron and Steel, Aluminium, Copper, Zinc, lead and Ferro Alloys). Thus the conduct of Respondent No. 6 from the very beginning has been illegal and highlights their casual attitude towards compliance with environmental norms.
7. That further, the EIA Notification, 1994 and now 2006 has clearly distinguished 'Primary Metallurgical industries' and 'thermal power plants' as two separate Items, meaning thereby that they were supposed to be assessed separately. It is also important to note that the General Conditions to each of these different Units are different and the EC itself is "bad in law" on this ground alone.
8. That the EC dated 01.11.2006 categorically stated that the total water requirement of Respondent No. 6 from River Narmada should not exceed 3,000 m³/day as permitted by Gujarat Water Supply and Sewerage Board and requirement of 800m³ /day would be met from the desalination plant. It also required Respondent No.6 to become a Zero Discharge unit. Apart from the said conditions , the EC had also specified the limits for particulate emissions, requirement for installation of four ambient air quality monitoring systems, among others.

9. That however, inspections carried out by the GPCB in 2020 and 2021 of the Site particularly note that the unit of Respondent No. 6 had been operating in violation of the conditions of EC dated 1.11.2006, had illegally disposed of fly ash in CRZ I area, among others which have also been dealt with in greater detail below, for ease of reference for this Hon'ble Tribunal. The GPCB Inspection Reports from 2020-2021 are being annexed herein as **Annexure A/1(Colly)**
10. That further, the violations noticed in the GPCB site inspections in 2020 have been further corroborated by the Joint Committee in its Report of May, 2022, submitted by the GPCB before this Hon'ble Tribunal. The same clearly establishes that the conduct of Respondent No. 6 is short term and only for the limited purpose of getting the closure notices revoked for the operation of its plant without intending to undertake long term measures for efficient and environmentally sound working of its unit and in fact shifting the same in accordance with the siting Guidelines.

A.1 Fugitive Emissions of Respondent No. 6 are beyond the prescribed limit in EC dated 01.11.2006

11. The specific Condition No. 1 and 2 of the EC dated 01.11.2006 required Respondent No. 6 to ensure that the emissions do not go beyond the prescribed standards, incorporation of an interlocking system, online continuous monitoring system to be installed in stacks to monitor the SPM, in plant fugitive control measures such as dust suppression system, centralised fume extraction among others.
12. That as early as 2017, the CPCB Affidavit dt. 04.03.2020 filed in the present O.A. notes that the unit of Respondent No. 6 had not installed OCEMS despite the EC condition being stipulated in 2006. Thus, for a period of 10 years the unit continued to operate without adequate measures for curbing fugitive emissions. (Pg 150 and 151 of the CPCB Affidavit) Infact, the Site Inspection Report of

CPCB on Page 158 notes that heavy fugitive emissions were seen from the dust settling chamber of 500 TPD rotary kiln. Further, the PM emission from 110 PH Boiler was found to be 537 mg/Nm³ against the standard of 50 mg/Nm³.

13. That thereafter the Joint Committee in its Report dated May, 2022 on Page 693 categorically notes that the FBC boiler exceeds the prescribed limits for SO₂ and particulate matter emissions. It further, states that Dolachar along with lignite as fuel is not sufficient to control emissions. Additional measures are also required for Desulphurisation. The particular matter emissions exceeds the prescribed limits clearing showing that augmentation and efficient operation of ESP is required. On Page 698 the Joint Committee has further noted activities leading to fugitive emissions which include that only one row of plantation was observed along the boundary of the plant, internal road was not concreted or black topped, no wind breaking wall, raw materials stored in the open, roof of the bed ash not covered, slag was openly stored in several areas, hopper in ferro alloy plant and ground hopper of briquetting plant did not have proper fugitive control system, among others.

14. That clearly the issue of fugitive emissions have continued in the present, which can be also witnessed from the photographs annexed as Annexure A5 of I.A. No. 5/2020 at page 137-139. The Applicant is also annexing recent photographs of such emissions as **Annexure A/2**. That the issue of fugitive emissions are crucial as the unit of Respondent No. 6 is adjacent to agricultural field, residential houses and a primary school. That in the recent past, the fugitive emissions had led to a massive drop out of students from the school, from 235 children to about 10 children. Photographs of the school, village community adjacent to the unit of Respondent No. 6 where the emissions are categorically visible are marked and annexed as **Annexure A/3**. That the same can also be verified from the Inspection Report of the GPCB annexed herein as Annexure

A/1, which clearly mentions that the unit needs to take appropriate measures for controlling fugitive emissions and submit a compliance report regarding the same. Further, the Joint Committee Report has also noted that dust deposition was observed on the nearby plants and the industrial structures. The said dust continues to accumulate till date and the recent photographs of January, 2023 annexed as Annexure A2 and A3 herein clearly establish the failure of the measures undertaken by the Respondent No. 6 to control fugitive emissions .

A.2 Violation of condition no. IV of EC dated 01.11.2006 –extraction of groundwater without a No-Objection Certificate

15. That the said EC had permitted total water requirement from Narmada river to not exceed 3000m³/day and 800m³/day to be met from the desalination plant. Further, it mentions that zero discharge should be strictly followed.
16. That in 2016, the Respondent No. 6 had received a Notice from the Gujarat Water Infrastructure Ltd. for disconnected of industrial water due to their failure to renew the water sales agreement.
17. That thereafter the Applicant on becoming aware of the utilisation of groundwater by Respondent No. 6 without appropriate clearance wrote to the Central Ground Water Authority in 2019. The Complaint of the Applicant was forwarded to the District Collector, informing him that there was illegal extraction of ground water by Respondent No. 6 without a No-Objection Certificate. It is only thereafter that the Respondent No. 6 had applied for grant of NOC to the CGWA.
18. That thus the first No Objection Certificate for ground water was obtained by Respondent No. 6 in 2019. That this is an admitted fact (@Page 103 of the Original Application) by Respondent No. 6 in its application for groundwater extraction where it is clearly mentioned that the groundwater was being extracted without a No- Objection Certificate through 12 illegal borewells.

19. That further, as per the Dynamic Assessment Studies of 2022, the nearby District of Bhuj has already been categorised as over-exploited. The nature of groundwater level in the Taluka of Gandhidham where the units located is also being categorised as saline. Thus, clearly the unit of Respondent no. 6 has to be held liable for extraction of ground water for almost 12 years without any clearance. The Joint Committee has also conveniently ignored the blatant violation of law over the past 12 years and merely calculated a compensation of rupees eighteen lakhs, which was further reduced to twelve lakhs only with respect to improper disposal of fly ash and there has been no calculation of compensation or damages for the groundwater depletion, for reasons best known to them. Relevant extracts of the Dynamic Assessment Report is marked and annexed as **Annexure A/4**.

20. That further, the unit is yet to achieve zero liquid discharge (hereinafter referred as 'ZLD') as admitted by the unit itself. The condition for zero discharge was included as early as 2006, even after 16 years of the establishment of the unit, the efforts to become ZLD are only being undertaken now. This clearly highlights the callous attitude of not only the Respondent no. 6 but also the Regulatory Authorities in monitoring compliance with the conditions of Environment Clearance.

21. That the Respondent No. 6 has not yet installed the desalination plant. The use of saline water by Respondent No. 6 has also severely impacted the agricultural fields in the vicinity of the unit. (pictures annexed as Annexure A/7 below) It is pertinent to highlight that the groundwater is being extracted by Respondent No. 6 from borewells situated 10 km away. The reason for non-installation of desalination plant by the Respondent No. 6 is that the coast is 20 kms away however the Joint Committee Report has mentioned that the source of the sea is 6 km away from the unit of Respondent No. 6.

A. 3 Respondent No. 6 has failed to provide the 33% requirement of green belt as per EC Dated 1.11.2006

22. That the unit of Respondent No. 6 has , even after almost fifteen years post its establishment, failed to provide 33% green belt around its unit . Thus, this required Respondent No. 6 to establish 228000 tree plantation in 72 Hector Area from the 228 hectares over which their plant has been established. However, Respondent No. 6 has only planted 11000 plant in just 3 hector Area which is about 5 % of its compliance requirements.

23. That the same is also evident from the Joint Committee Report at page 698 which records that the only one row of plantation was established along the plant. The recent photographs of January 2023 of the lack of green belt around the vicinity of the plant area is annexed as **Annexure A/ 5**.

24. That apart from the abovementioned EC Conditions, the Respondent No. 6 has till date not constructed the concrete boundary wall all along the existing fly ash dump area even though they have been repeatedly instructed to the do so vide the Closure Orders. Further, the conveyor belt installed is also not covered properly. Photographs depicting the inadequate covering of the conveyor belt is being annexed as **Annexure A/5**.

25. That in view of the above, it is clear that there have been numerous violations of Conditions specified in the EC dated 01.11.2006, till date by Respondent No. 6. That the said EC also specifies that in case of non-compliance with the conditions, MoEF&CC may cancel or suspend the EC of Respondent No. 6. Given, the categorical non-compliances over the past 15-16 years, the MoEF&CC may be directed to take appropriate action against Respondent No. 6 and suspend or cancel their EC accordingly.

B. The Respondent No. 6 has dumped fly ash in CRZ I area in violation of the CRZ Notification, 2011.

26. That it is pertinent to note that Joint Committee Report mentions that the area of disposal of 2880 MT of fly ash was by and large mudflats. The CRZ Notification of 2011 categorises mudflats as CRZ I, given its ecological sensitivity. Further, para 3 of the CRZ Notification 2011 *inter alia* prohibits any kind of dumping of waste, including fly ash even for the purpose of land filling. Thus, the claim of the Respondent No. 6 for dumping fly ash on the request of a farmer is without any evidence to corroborate the same and in any case could not have undertaken it in violation of the CRZ Notification.
27. That further, the said fly ash has completely rendered the nearby agricultural fields uncultivable. The same can be witnessed from the recent photographs which are being annexed herein as **Annexure A/6**. Thus, the unit of Respondent No. 6 is not only in violation of the CRZ Notification but also has severely impacted the agricultural productivity of the area, apart from depleting the groundwater due to illegal extraction for over a period of 13 years.
28. That further, even the fly ash stored within the premises is not being utilised as per the recently issued Fly Ash Notification of 2021, amended in 2022, which is also recorded in the Joint Committee Report at Page 701. That the respondent has reported to the GPCB that 4609 MT of fly ash has been utilised in the year 2021-22. This is equivalent of 10% of the generated amount.

C. Violation of the Siting Criteria as per the Guidelines of the Central Pollution Control Board

29. The CPCB Guidelines/ Code of Practice for Pollution Prevention for Sponge Iron Plants (2007) read along with Notification G.S.R. 414(E) dated 30.05.2008 (Annex A/1, Pg 114 of IA No. 85/2020) were issued by the MoEF&CC in order to emphasise that the no Sponge iron plant could have been established within 1

km of the residential clusters in the village. However, in the present case the Respondent Unit has the boundary wall abutting the Primary School in the village and is about 100-200 meters away from the Abadi areal residential area of the village.

30. The said Guidelines are applicable to the sponge iron unit of Respondent No. 6 as well as Para 11 of the said Guidelines at Page 121 clearly establishes that - where plants/clusters are located within 1 km of any residential area/village, they may be shifted by the State Pollution Control Board / State Government in a phased manner in accordance with a time bound Action Plan. No such Action Plan prepared by the State Pollution Control Board and the unit of Respondent No. 6 continues to exist in violation of the said Guidelines.

31. That further, the Southern Bench of this Hon'ble Tribunal in the case of Anirudh Reddy v. Union of India & Ors (OA No. 4/2019), in para 105(b) has directed the Tamil Nadu State Pollution Control Board to take action for shifting sponge iron units located in violation of the Guidelines of the CPCB. That such power of the Hon'ble Tribunal has been upheld by the Apex Court in the case of Mantri Techno Zone Private Limited Vs. Forward Foundation (2019) 18 SCC 494.

D. Respondent No. 6 is operating a new unit without a valid EC

32. That the Applicant in IA No. 86/2020 had brought on record that Respondent No. 6 has established a temporary structure of one of the Steel plate manufacturing plants of the Respondent Unit, and had begun manufacturing operations in the midst of the lockdown, since June 2020, and has been causing severe air pollution due to the fugitive emissions in violation of the Air Act, 1981 as well as excessive noise pollution due to its operations in violation of the Noise Pollution Rules, 2000.

33. That the Respondent No. 6 in response to the said allegations has submitted in its Counter Affidavit to IA No. 86 /2020 dated 19.01.2023 that the Chartered Accountant's Certificates to clarify that no separate manufacturing has been undertaken. It is submitted that erection of an additional structure without an Environment Clearance or even an amendment of the existing Environment Clearance is not permissible.

E. Different Units of Respondent No. 6 are obtaining Consolidated Consents by the State Pollution Control Board

34. That the individual Units within the premises of the Respondent No. 6 have not obtained separate clearances in accordance with law. Thus, for example, the parameters of establishing a sponge iron plant and the parameters of establishing a captive thermal power plant are very different. However, the Unit has been receiving consolidated Consents (dated 26.07.2021 at Page 1012, Annexure A21 of the Additional Affidavit of Respondent No. 6) and their Renewals without examining the specificities.

Para-Wise Response to the Additional Affidavit dated 17.11.2022

1. That the contents of para 1-3 do not merit any response.
2. That in response to the contents of para 4, it is submitted that allocation of land under a Memorandum of Understanding cannot substitute the requirement of obtaining Environment Clearance under Environment Impact Assessment Notification, 1994, as applicable at the time, before establishment of the unit of Respondent No. 6. The contents of para 6-7 of the Preliminary Submissions may be read additionally read as a response and are not being reiterated for the sake of brevity.
3. That the contents of para 5-6 are wrong, false and devoid of any merit. The Respondent No. 6 has commenced operation without obtaining the requisite clearance and continues to operate in complete violation of the conditions of

Environment Clearance as is evident from the Joint Committee Report as well as the recent photographs annexed by the Applicant herein.

(i) Revocation Orders issued by Respondent No. 2/Gujarat Pollution Control Board (GPCB)

4. That the contents of para 7 -10 to the extent that they submit the closure and revocation orders of the GPCB , are matters of fact and to that extent do not merit any response. It is however pertinent to highlight that the Closure Orders dated 20.04.2019 and 30.07.2019 clearly highlight that the Respondent No. 6 is a habitual offender. The said Revocation Orders have been granted for a limited period of time and subject to compliance of conditions of Consent as well as submission of Weekly Reports.

(ii) Measures undertaken for controlling Air Pollution

5. That the contents of para 10 to 13 are denied as wrong, false and devoid of any merit. That the contents of para 11-14 of the Preliminary Objections may be read in response and are not being repeated for the sake of brevity. It is however clear that subsequent to the Revocation Order dated 14.08.2019, the Joint Committee Report was submitted before this Hon'ble Tribunal in May 2022 and categorically records the number of activities leading to fugitive emissions. Thus, the measures claimed to be adopted by Respondent No. 6 have been ineffective in curbing air pollution.

(iii) Measures undertaken to deal with Coal Storage

6. That in response to the contents of para 14 , it is submitted that the Joint Committee itself notes on Page 698, para 4.3.2 that the raw material was partially covered with tarpaulin and stored openly . Further, no wind breaking wall or other measures have been adopted by the Respondent No. 6 in compliance with the GPCB's Coal Handling Guidelines. Thus, though the Respondent No. 6 has relied upon the letters of 2019 for showing compliance

however there is a contradiction with respect to the actual compliance on ground as recorded in the Joint Committee Report dated May 2022 .

(iv) Measures undertaken towards the disposal of Fly Ash

7. That the contents of Para 11 to 14 of Preliminary Submissions may be read as response to the contents of para 15 to 23, and are not being repeated herein for the sake of brevity. It is however pertinent to reiterate that the photographs of January 2023 highlight the degradation of soil quality and loss of agricultural productivity in the nearby fields due to illegal disposal of fly ash in CRZ I . That the compensation of rupees twelve lakhs has failed to account for the damage caused to the nearby fields, which have been rendered completely unproductive by the activities of Respondent No. 6.

(v) Measures to control fugitive emissions

8. That the contents of para 23 to 25 are denied as wrong, false and devoid of any merit. The contents of para 11-14 of the Preliminary Objections may be read in response and are not being repeated for the sake of brevity. The same clearly highlight the failure of the Respondent No. 6 to curb fugitive emissions and the casual attitude in adopted short term measures as a stop gap measure, post the present O.A. was filed in this Hon'ble Tribunal.

(vi) Measures undertaken for abstraction of Ground Water

9. That in response to the contents of para 26 to 28, it is submitted that the No Objection Certificate was obtained by the Respondent No. 6 only in 2-2019. For almost thirteen years, the Respondent No. 6 has been extracted groundwater illegally , for which no liability has been calculated by the Regulatory Authorities or the Joint Committee in its Report. The contents of para 15 to 21 of the Preliminary Submissions are reiterated and are not being repeated for the sake of brevity.

(vii) **Respondent No. 6 has obtained all necessary approvals.**

10. That in response to the contents of para 29 it is submitted that the unit of Respondent No. 6 commenced operation much before the grant of EC on 01.11.2006 . Further, the NOC for groundwater extracted was also obtained in 2019 and prior to the said NOC , the unit of Respondent No. 6 had been extracting groundwater without any valid clearances. Thus, the permissions listed in para 29 are post facto permissions obtained after violating the law.

11. That the contents of para 29-33 are matters of court proceedings and to that extent do not merit any response. It is however submitted that the observations of non-compliance and violations recorded in the Joint Committee continue till date as can be witnessed from the photographs annexed by the Applicant in the present Affidavit.

(viii) Measures undertaken in compliance of the Joint Committee Report

A. The unit has violated the CRZ Notification 2011 and accordingly Rs.

12.60 lakhs is payable as environment compensation in lieu of the illegal disposal of fly ash in CRZ area

12. That in response to para 34 to 35, it is submitted that the Joint Committee Report records that the area is a mudflat which is categorised as CRZ I. Assuming but not admitting that the Respondent No. 6 has dumped fly ash for the purpose of land reclamation in response to the query of a farmer, it is pertinent to note that the CRZ Notification prohibits dumping of fly ash even for the purpose of land reclamation in CRZ area. Further, no additional measures were undertaken by Respondent No. 6 to facilitate the reclamation process. Thus, the Respondent No. 6 cannot forgo its liability for mismanagement of fly ash and dumping in CRZ area , deteriorating not only the mudflats but also the agricultural productivity of nearby fields. The contents of para 26 to 28 of the Preliminary

Submissions may be read as an additional response and are not being repeated for the sake of brevity.

B. At present, the unit does not have NOC from CGWA for withdrawal of saline ground water but their application for renewal of NOC is in process.

13. That in response to the contents of para 36-37 , it is submitted that the Respondent No. 6 has to be held liable for illegal extraction of groundwater over the past thirteen years and cannot forgo accountability for the same by obtaining post facto clearances and permissions. The contents of para 15 to 21 of the Preliminary Submissions may be read as an additional response and are not being repeated for the sake of brevity.

C. Based on the present condition...this will not only improve availability of water for common citizen but also positively impact groundwater.

14. That in response to the contents of para 38-41, the contents of para 15 to 21 of the Preliminary Submissions may be read as an additional response and are not being repeated for the sake of brevity. It is pertinent to highlight that the Respondent No. 6 has wrongly stated that the distance of sea source is 20kms away from the unit . The Joint Committee has clearly established that the sea source is only 6 km away .

D. The unit should install desulphurization system...from the power plant stock

15. That in response to the contents of para 42-45, the contents of para 11 to 14 of the Preliminary Submissions may be read as a response and are not being repeated for the sake of brevity. It is however clear that till date the answering Respondent continues to violate the prescribed standards and despite the said violations , the unit of the Respondent No. 6 is allowed to operate by relying on short term, stop gap measures adopted by the unit. That this Hon'ble Tribunal

may take strict note of the conduct of Respondent No. 6 as well as the Regulatory Authorities in adopting a casual and lackadaisical attitude towards ensuring compliance with the environmental norms.

E. The unit should effectively take measures... use in infrastructure projects apart from cement industry.

16. That in response to the contents of para 46-48, the contents of para 24 of the Preliminary Submissions may be read as a response and are not being repeated for the sake of brevity. However, the recent photographs of January 2023 clearly establish that the Respondent No. 6 has submitted half-baked facts and statements and its conduct on paper is not corroborated with compliance at the ground level. This Hon'ble Tribunal may take strict note of the continued non-compliance with establishment of an adequate green belt, coverage for conveyor belts and lack of a concrete wall till date.

F. Dry fog system should be installed ... mounted sprinklers or fixed sprinklers.

17. That in response to the contents of para 49-50 , it is submitted that the photographs annexed at Annexure A/6 clearly establish that the conveyor belts are not yet covered adequately. Further, no compensation or liability has been calculated on the Respondent No. 6 for continued violation of consent conditions and adaptation of measures to control fugitive emission only after the filing of the Joint Committee Report.

G. The Transfer Junctions of all conveyor belts and material transfer points should be provided with dust extraction systems

18. That in response to contents of para 51 to 52, it is submitted that despite the said measures, the photographs annexed at Annexure A/6 of this Affidavit clearly show accumulation of dust in the premises of the school and nearby residents.

Thus, the measures adopted by the Respondent No.6 have not been adequate for preventing air pollution.

H. Three tier plantation all along the plant boundary is required to contain the fugitive emissions

19. That in response to the contents of para 53, the contents of para 22 to 23 of the Preliminary Submissions may be read as a response and are not being repeated for the sake of brevity. The Photographs annexed therein clearly show that three tier plantation has not been undertaken by the unit of Respondent No. 6 till date.

I. Construct concrete boundary wall all along the existing fly ash dump area and reduce dependency on land disposal of fly ash

20. That in response to the contents of para 54, it is humbly submitted that the Applicants have not witnessed any construction of concrete boundary wall along the dump area of fly ash.

J. Install sewage treatment plant comprising of atleast primary and secondary treatment so that treated sewage can be reused

21. That in response to the contents of para 55, it is submitted that the Respondent No. 6 has only now installed the requisite STP after the observations of the Joint Committee Report were submitted before this Hon'ble Tribunal. That all compliances by Respondent No. 6 have been post facto without any accountability or liability being ascertained for the period of non-compliance.

K. Rainwater harvesting may be practiced by the Unit.

22. That the contents of para 56 are denied for want of knowledge of the location and evidence of the recharge borewells established by Respondent No. 6.

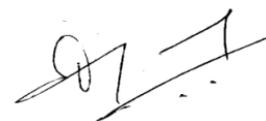
23. That in response to the contents of para 57 – 58 , it is submitted that the unit of Respondent No. 6 continues to be non-compliance as can be witnessed from the photographs annexed in the present Affidavit . The few measures that have been undertaken by Respondent No. 6 were in pursuance of the present Original

Application and only as a stop gap measure for avoiding the present litigation. That further, the unit continues to exist in violation of the Siting Guidelines of the SPCB and neither the Regulatory Authorities nor the Joint Committee have taken any action to remedy the same. In light of the aforementioned facts, the liability imposed on Respondent No. 6 needs to be recalculated to include the cost for illegal extraction of groundwater over the past thirteen years , continued non-compliance with the conditions of EC and Consent and the deterioration of agricultural productivity in the nearby fields .

DATE: 31.03.2023

PLACE: New Delhi

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**BEFORE THE NATIONAL GREEN TRIBUNAL,
WESTERN ZONAL BENCH, AT PUNE
ORIGINAL APPLICATION NO. 104 OF 2019**

IN THE MATTER OF:

Nitin Devraj Jaru & Anr.Applicant

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Union of India & Ors.Respondents

AFFIDAVIT

I, Nitin Devraj S/o Devraj Jaru, Resident of Village Kidana, Taluka Gandhidham, Gujarat aged about 28 years do hereby solemnly affirm and declare as under:

1. That I am fully conversant of the facts and circumstances of the matter and am competent to swear this affidavit.
2. The contents of the accompanying Objections to the Committee Report and are true and correct to the best of my knowledge and have been drafted by the counsel on my instructions and nothing material has been concealed therefrom.
3. The Annexures in the accompanying Application are true copy of their respective original.


DEPONENT

Verification:

Verified at New Delhi on this 21st day of January, 2023 that the contents of the above affidavit are true and correct to my knowledge and belief and nothing material has been concealed there from.

21 JAN 2023

DEPONENT

I HAVE READ AND
VERIFIED THE ABOVE
AND SIGNED BEFORE ME

21/62/1 JAN 2023

Site Observations during Inspection, PCB-ID: (18021)**1239**

Unit is inspected with reference to Revocation Application. Regarding the compliance of Revocation Order dated 12-12-2019; (1) unit shall completely dispose the fly ash as per the notification issued from competent authority and Office Memorandum issued by MoEF&CC - During the inspection, fly ash observed stored within the premises. Exact quantity of Fly Ash could not be figure out by physical appearance. Hence, unit is asked to dispose all fly ash as per norms; (2) unit shall maintain the records of the fly ash generation, storage & disposal and shall submit to Regional Office, Kutch (East) and to this office along with supporting documents regularly - unit has submitted the fly ash generation-disposal details from May-19 to Nov-19 having details of sale to cement manufacturing, block manufacturing, captive use for block making; (3) the construction work of boundary wall shall be completed. Also unit shall take adequate measures to control fugitive emission and shall submit the action taken report within 15 days. - No progress observed for construction of boundary wall/ wind breaking wall, person contacted reiterated the same reason as previously submitted; (4) unit shall not dump fly ash at any place including low lying areal mines without prior approval of competent authority - Unit has submitted that unit has they have not started any dumping in mining area yet and disposal is by using sale to cement manufacturing, block manufacturing, captive use for block making; (5) unit shall submit the weekly progress report to the Regional office Kutch (East) and to this office - unit has submitted weekly progress report to this office. During the inspection, unit is observed in operation and 110 TPH AFBC boiler, SI Kilns and one Electric Arc Submerged Furnace-2 in Ferro Alloys Plant observed in operation with provided APCM. APCM provided with 100 TPH AFBC boiler and SI Kilns, Electric Arc Submerged Furnace observed in operation. Plantation work is observed in progress. Provided Water sprinkling system observed in operation. During the inspection CEMS system attached to 110 TPH Boiler and 500 & 100 TPD SI Kiln observed in operation and data noted for 100 TPD Kiln is PM - 14.64 mg/Ncum, SO₂ - 58.40 mg/Ncum, NO_x - 43.24 mg/Ncum; 100 TPD Kiln is PM - 21.44 mg/Ncum, SO₂ - 58.17 mg/Ncum, NO_x - 32.61 mg/Ncum and for 110 TPH Boiler is PM - 127.87 mg/Ncum, SO₂ - 21.57 mg/Ncum, NO_x - 31.39 mg/Ncum. Corrective measures given to person contacted.

[337]-28/01/2020

~ RO Query to Staff: [471]-28/01/2020~The copy of representation of Shambhubhai Karasanbhai Zaru, Re. Kidana dated 16-01-2020 with IR remarks is attached as PDF. [337]-28/01/2020~The copy of representation of Shambhubhai Karasanbhai Zaru, Re. Kidana dated 16-01-2020 with IR remarks is attached as PDF.

[337]-28/01/2020

W.C Notings: -----[337-NRO]-



-TRUE COPY-

Site Observations during Inspection, PCB-ID: (18021)**1240**

Unit is inspected with reference to HO E-mail Dated-30/01/2020 & Letter No GPCB/CCA-KUTCH-345(11)/ID:18021/5513278, Dated: - 16/01/2020. The IR and Photographs are uploaded as pdf as being voluminous. [697]-01/02/2020

W.C Notings: -----[337-NRO]--

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

01/02/2020

2/5 (Through XGN)

N I C

**Gujarat Pollution Control Board**

PCB Id: 18021

(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)

- A. એકમને પાઠવવામાં આવેલ તા. ૧૬/૦૧/૨૦૨૦ ના પત્ર મુજબ નીચે પ્રમાણેની વિગતો આધારસહ રજુ કરવી.
1. મુદ્દા નં. ૧ મુજબ within premises તેમજ outside premises, dumped થયેલ fly ash ની quantity; action plan/ fly ash management plan with time bound plan for dumped fly ash રજુ કરવો; fly ash end users ની CC&A ની તકલ્લ રજુ કરવી.
 2. મુદ્દા નં. ૨ મુજબ fly ash disposal details તેમજ દરેક consignment ની weightment slip રજુ કરવી.
 3. મુદ્દા નં. ૪ મુજબ per day coal consumption v/s fly ash generation quantity ની સિંગલ રજુ કરવો; તેમજ end user નો fly ash accept કર્યાનો acceptance letter રજુ કરવા તેમજ જરૂરી વિગતો તા. ૧૯/૦૨/૨૦૧૯ થી રજુ કરવી.
 4. મુદ્દા નં. ૫ મુજબ captive block making infrastructure ની વિગતો જેવી કે location, capacity, consent, fly ash consumption/quantity received વિગેરે તા. ૧૯/૦૨/૨૦૧૯ થી જરૂરી documentary proof રજુ કરવી.
 5. મુદ્દા નં. ૬ મુજબ purpose for submitting contour map as per MoEF&CC O.M. is not acceptable; સદર બાબતે ખુલાસો કરવો તેમજ CPCB guideline for disposal/utilization of fly ash for r



IR 222, 31/01/2020

Unit is inspected with reference to HO E-mail Dated-30/01/2020 & Letter No GPCB/CCA-KUTCH-345(11)/D:18021/5513278, Dated: - 16/01/2020. The point wise comments on above reference letter is as follows.

(1) Unit has not submitted Time bound Fly ash management / action plan for the fly ash dumped within premises. Unit has not submitted the quantity of Fly ash dumped within & outside premises area. Unit has submitted the list of end-users of fly ash with name & address but not submitted the CC&A copies of the same. During the inspection, fly ash observed stored within the premises (Photograph-1). Exact quantity of Fly Ash could not be figure out by physical appearance. (2) Unit has submitted that they have lifted @ 3160 MT fly ash from tuna site and submitted the requisite details. Unit has not submitted the weight slips of each consignment which is lifter from tuna site. Unit has not submitted the details regarding disposal of lifter fly ash (3) Unit has not submitted the permission of competent authority for the disposal of fly ash into abandoned mines. (4) Unit has not submitted the quantity of Fly ash dumped within premises area. Unit has submitted that they have lifted @ 3160 MT fly ash from tuna site and submitted the requisite details. Unit has not submitted per day coal consumption vs fly ash generation details. Unit has not submitted acceptance letter of end used for receipt of fly ash at end-user side. Unit has submitted requisite data from May – 2019 instead of 19/02/2019, Hence unit is asked to submit the requisite data from 19/02/2019. (5) Unit is having one block manufacturing machine consisting of one tilting rotating mixture & one hand operated press machine followed by sun drying (Photograph-2). During the inspection, block manufacturing is not observed going on only sun drying of prepared blocks is observed. Unit has not submitted the details regarding capacity, Consent, Fly ash consumption, quantity fly ash received etc. along with documented proof. Unit has submitted that for last eight months they have consumed @ 146 MT/Month on an average but not submitted any documented proof for the same. (6) Unit is asked to clarify regarding further submission of contour map as it is already not accepted. Unit is asked to submit the compliance report of CPCB guidelines for Disposal/utilization of fly ash for reclamation of low lying area point No. 5.0. The contour map submitted by unit vide letter dated- 17/01/2020 does not include the contour details of adjacent surrounding area that is required to check the relative effect of dumping cum filling on adjacent surrounding area. Looking to the existing fly ash stored within the premises having height in range of 1 to 5 meter as also reported in earlier inspection dated 22/11/2019 & 23/11/2019, the level of fly ash hip is higher than the adjacent ground level area. The nearby agricultural lands outside premises of unit are also located in low-lying area with respect to existing fly ash hip level. The restrictions as per point No 5.1.6 may be adhered to as per the CPCB guidelines for Disposal/utilization of fly ash for reclamation of low lying area as applicable, looking to the agricultural land are near to existing heap of fly ash. Acceptance of disposing fly-ash in units own claimed low lying area within industry premises requires expert opinion with reference to the contours of area before filling, after filling and contour of surrounding area to check the relative effect of dumping cum filling on adjacent surrounding area. During the inspection, unit is observed in operation and 110 TPH AFBC boiler, SI Kilns and one Electric Arc Submerged Furnace-2 in Ferro Alloys Plant observed in operation with provided APCM. APCM provided with 100 TPH AFBC boiler and SI Kilns, Electric Arc Submerged Furnace observed in operation. Provided Water sprinkling system observed in operation. During the inspection CEMS system attached to 110 TPH Boiler and 500 & 100 TPD SI Kiln observed in operation and data noted for 500 TPD Kiln is PM – 73 mg/Ncum, SO₂ – 27 PPM, NO_x – 17 PPM; 100 TPD Kiln is PM – 21 mg/Ncum, SO₂ – 45 PPM, NO_x – 18 PPM and for 110 TPH Boiler is PM – 13 mg/Ncum, SO₂ – 24 PPM, NO_x – 11 PPM. Corrective measures given to person contacted.



Unit is inspected with reference to Revocation order dated 11/02/2020. Point wise comments of above Revocation order is as follow (1) Total 1147 MT fly ash is disposed to cement manufacturer during the period 29th Jan, 2020 to 22nd Feb, 2020 as reported in weekly progress reports. Fly ash is stored within premises in open as shown in attached Photograph -1. Unit has not maintained the record for generation and disposal of fly ash on daily basis. (2) and (4) unit has not submitted the status regarding study report & time schedule with fly ash management regarding point no. 2 and 4 of above revocation order. (3) No progress observed for construction of boundary wall/ wind breaking wall near to adjoining nearby farms, person contacted reiterated the same reason as previously submitted. (5) unit has submitted weekly progress report to this office. During the inspection, unit is observed in operation and 60 TPH AFBC boiler, 500 TPD SI Kiln and one Electric Arc Submerged Furnace-1 in Ferro Alloys Plant observed in operation with provided APCM. Provided Water sprinkling system observed in operation. During the inspection CEMS system attached to 60 TPH Boiler and 500 TPD SI Kiln observed in operation and data noted for 500 TPD Kiln is PM – 74 mg/Neum, SO₂ – 16 PPM, NO_x – 18 PPM and for 60 TPH Boiler is PM – 56 mg/Neum, SO₂ – 4 PPM, NO_x – 15 PPM. During inspection, flue gas sampling is carried out from the stack attached to 500 TPD SI Kiln and common stack attached to Electric Arc Furnaces for analysis purpose. During inspection, fugitive emission observed from the Electric Arc Furnace (Photograph - 2). Replacing GCP tubes at Farrow Alloys plant is under progress & replaced ID fan motor in Ferro alloys plant, replaced bags & casing of product separation bag filter at DRI plant, covering coal transfer and material transfer point by corrugated sheets, installed telescopic chute for bulker loading at fly ash silo and started plantation at boundary adjoining nearby farms (Photograph -3 & 4) observed during the visit. No discharge of waste water observed outside the premises. Following corrective measures given to person contacted at the time of inspection. [337]-27/02/2020

~ RO Query to Staff: discuss..... [471]-28/02/2020

W.C Notings: -----[337-NRO]-

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

3. બોર્ડના તા. ૧૧/૦૨/૨૦૨૦ ના ડીવેકેશન ઓર્ડરની શરત નંબર ૨ અને ૪ બાબતે કરેલ કાર્યવાહીની વિગતો તજુ કરવી.
1. મુલાકાત સમયે Electric arc furnace માંથી ફ્યુગીવે emission થતું ધ્યાને આવેલ છે જેને અટકાવવા સુધારામઠ પગલા લેવા.
2. બોર્ડના તા. ૧૧/૦૨/૨૦૨૦ ના ડીવેકેશન ઓર્ડરમાં દર્શાવ્યા પુમાણે ફ્લાય એશનો પ્રીમાઈશીસમાં કે અન્ય low lying area માં સહમ શનાધીશની મંજુરી સિવાય નિકાલ કરવો નહી.
4. ફ્લાય એશ જનરેશન અને ડીસપોઝલના રેકોર્ડ નિયમિત ચેકેઈન કરવા.

IR 47. 24/02/2020





Gujarat Pollution Control Board

(Inspection Report) - Air, Water, Hazardous

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

PCB/11/1997

1243

Unit is inspected with reference to Revocation order dated 11/02/2020. Point wise comments of above Revocation order is as follow (1) Total 1031 MT fly ash is disposed to cement manufacturer during the period 25th Feb, 2020 to 14th March, 2020 as reported in weekly progress reports. Fly ash is stored within premises in open (Photograph-1). During inspection fugitive emission observed from the open fly ash due to high wind velocity (Photograph-1). (2) Person contacted informed that they have allotted the work to ATRIA for preparation of detailed report. Unit is asked to submit progress report regarding point 2 of revocation order. (3) No progress observed for construction of boundary wall/ wind breaking wall near to adjoining nearby farms. (4) unit has not submitted the status regarding time schedule with fly ash management regarding point 4 of above revocation order. (5) unit has submitted weekly progress report to this office. During the inspection, unit is observed in operation and 60 TPH AFBC boiler, 500 TPD SI Kiln and 100 TPD SI Kiln observed in operation with provided APCM. Ferro Alloys Plant is observed not in operation during inspection. Provided Water sprinkling system observed in operation. During the inspection CEMS system attached to 60 TPH Boiler, 500 TPD SI Kiln and 100 TPD SI Kiln observed in operation and data noted for 500 TPD Kiln is PM - 58 mg/Neum, SO2 - 7 PPM, NOx - 12 PPM, 100 TPD Kiln is PM - 21 mg/Neum, SO2 - 64 PPM, NOx - 17 PPM and for 60 TPH Boiler is PM - 55 mg/Neum, SO2 - 7 PPM, NOx - 1 PPM. During inspection, flue gas sampling is carried out from the stack attached to 60 TPH Boiler and 100 TPD SI Kiln for analysis purpose. During inspection, fugitive emission observed from material feeding and emergency cap of 500 TPD SI Kiln. Replacing GCP tubes at Farrow Alloys plant is under progress. Unit has provided kacha pond for recycling of cooling water in SI kiln, hence unit is asked to provide proper recycling facility for reuse of cooling discharge water. No discharge of waste water observed outside the premises. Following corrective measures given to person contacted at the time of inspection. [697]-23/03/2020

W.C Notings:

specific instructions given to Industry at the time of visit . for Pt to Pt Compliance

2. મુલાકાત સમયે એકમમાં ફ્લય અશ ના ખુલ્લા ઢગલાઓમાંથી high wind velocity ને કારણે ફિગ્જિવે એમિશન થતું જ્ઞાને આવેલ સદર બાબતે જરૂરી સુધારાત્મક પગલા લેવા.
4. એકમને ધાકવનામાં આવેલ revocation order તા. ૧૧/૦૨/૨૦૨૦ ના મુદ્દા નં. ૧ નું ખાસતી કરવું તથા cooling discharge માં reuse થતા પાણી માટે proper fixed recycling facility બનાવવી.
1. મુલાકાત સમયે 500 TPD Kiln ના material feeding નેમજ emergency cap માંથી fugitive emission થતું જ્ઞાને આવેલ જેને અટકાવવા સુધારાત્મક પગલા લેવા.
3. ઓર્ડરના તા. ૧૧/૦૨/૨૦૨૦ ના રીવોકેશન ઓર્ડરની શરત નં. ૨ મુજબ progress report અને મુદ્દા નં. ૪ મુજબ કરેલ કાર્યવાહી ની સિત્તો રજૂ કરવી.

IR નં. ૨૦/૦૩/૨૦૨૦





Gujarat Pollution Control Board

(Inspection Report) - Air, Water, Hazardous

1244 CB ID: 18021

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

Unit is inspected with reference to Revocation order dated- 11/02/2020. During the inspection, unit is observed in operation and 110 TPH AFBC boiler, 100 TPD SI Kiln with WHR Boiler, one Electric Arc Furnace are observed in operation with provided APCM. During the inspection CEMS system attached to 100 TPD SI Kiln and 110 TPH Boiler observed in operation and data noted for 100 TPD Kiln is PM - 21 mg/Ncum, SO₂ - 46 PPM, NO_x - 19 PPM, 110 TPH Boiler is PM - 15 mg/Ncum, SO₂ - 25 PPM, NO_x - 11 PPM. Provided Water sprinkling system observed in operation. Person contacted submitted that unit closed down in days of March-April due to lock down. Unit has submitted daily generation, disposal detail of fly ash generation, disposal details that is uploaded as document; whereas balance generated fly ash that is observed stored within premises near existing fly ash heap. Brick/block manufacturing unit not observed in operation. Unit is asked to submit storm water management plan looking to rainy season. Unit is asked keep complying with the guidelines published by competent authorities for safe operation including environment, health & safety of unit. During the inspection, fly ash observed stored in open area beside the existing fly ash heap. Person contacted informed that they have allotted work related to preparation of study report to ATIRA, Ahmedabad and study report is not completed due to lockdown situations. Work related to boundary wall on agriculture land side is not completed. Unit is asked to submit detailed compliance report of letter e-outward dated 16-05-2020. Unit has uploaded weekly progress report in XGN. Corrective measures are given to person contacted. [697]-05/06/2020
~ RO Comments/Reply :Unit has not submitted/uploaded the detailed compliance report till date wr to Board's letter dated 15/05/2020.-05/06/2020

W.C Notings: -----[688-AEE]~

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

3. ચોમાસાની સમયે ધ્યાને લેતા storm water management બાબતે action plan રજૂ કરવા.
2. એકમમાં environment, health અને safety બાબતે વિવિધ authority દ્વારા publish કરાયેલ guidelines નું ચુસ્તપણે પાલન થાય તે સુનિશ્ચિત કરવું.
1. એકમને અપાયેલ પત્ર તા. ૧૫/૦૫/૨૦૨૦ (e-outward- ૧૬/૦૫/૨૦૨૦) નો વિગતે compliance/ reply રજૂ કરવા.

IR 222. 30/5/2020





Gujarat Pollution Control Board

(Inspection Report) - Air, Water, Hazardous

PCB Id: 18021

(Under Section 21 of The Water Act 1975, Under Section 24 of The Air Act 1981 and Under Section 16 of EP Act 1986)

1245

Unit is inspected with reference to Revocation Application against the revocation order dated- 11/02/2020. During the inspection, unit is observed in operation and 60 TPH AFBC boiler, 100 TPD SI Kiln with WJIR Boiler, one Electric Arc Furnace are observed in operation with provided APCM. During the inspection CEMS system attached to 100 TPD SI Kiln and 60 TPH Boiler observed in operation and data noted for 100 TPD Kiln is PM - 21 mg/Neum, SO₂ - 46 PPM, NO_x - 08 PPM, 60 TPH Boiler is PM - 46 mg/Neum, SO₂ - 09 PPM, NO_x - 06 PPM. One flue gas sample collected from stack attached to 60 TPH AFBC Boiler. In a compliance to revocation order: (1) Storage of fly ash observed near the existing fly ash heap; unit is asked to dispose of stored all fly ash in compliance of prevailing law and to do water sprinkling on stored fly ash to avoid fugitive emission looking to local atmospheric conditions, (2) Unit has submitted a study report of Fly Ash Management prepared by Ahmedabad Textile Industry's Research Association (ATIRA), Ahmedabad, (3) the status of the work related to construct boundary wall/ wind breaking wall near to adjoining nearby farms to control dusting is observed pending, (4) unit has submitted that the entire available fly ash in the plant can be used for development of residential quarter and godown subject to approval of concern authorities and to procure automatic brick manufacturing machine; height of dumped fly ash is varies from 01 meter to 05 meter; unit is asked to submit details about requirement/status of statutory permission of regulatory authorities for proposed Fly Ash Management Plan; (5) unit has submitted report on weekly basis. During the inspection, provided APCM observed in operation; provided fixed water sprinkling system observed in operation; provided brick/block manufacturing unit observed not in operation; fly ash loading in bulker from silo for dispatch is observed; plantation across the boundary observed; kachha drain at boundary observed behind fly ash heap for storm water management; public display board not provided; provided Continuous Effluent Monitoring System observed under maintenance and Camera and flow meter with totalizer at pump outlet observed installed at RO Reject collection tank instead of at ETP; ETP observed not in operation; tanker loading from RO Reject collection tank is observed for water sprinkling on internal road; blow down water used as a cooling at cooler discharge of SI Kiln. Unit is asked to submit the details of piping network carrying effluent to ETP. Photos uploaded as PDF. Corrective measures are given to person contacted. [688]-19/06/2020

W.C Notings: -----[688-AEE]-

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

1. એકમના ETP details with piping network તથા CEMS ની માનિટરિંગ મુજબ જરૂરી continuous effluent monitoring system/online flow meter/camera સિસ્ટમની અપડેટ થકી વિગતો રજૂ કરવા.
2. એકમના મુખ્ય fly ash ડિસ્પોઝીટ ડાકુમન્ટેશન fly ash disposal થયેલ ડાકુનો આધાર છે તેને સિદ્ધિમુજબાર કોલેલ કરવો તથા ડાકુન water sprinkling કરવું.
3. એકમના મુખ્ય પ્રવેશભર પર ન્યુમટીક NGT ના અરેરનુસાર public display board સિદ્ધત નમુનામાં લગવવવા.
4. એકમના fly ash management plan તથા તે અમલતા જરૂરી competent authority ની અજુરી માલિયા જરૂરી મુલતો કરવો.
5. એકમની ડાકુમન્ટેશન મુલાકાત દરમિયાન અપાયેલ સુચનો પીકી બાકી રહેશે ભાઈ-ડીવીલની કામગીરી અડાઉબ મુજબનું જ આમને આવેલ છે જે અમલતે મુલતો કરવો.



19/06/2020



Gujarat Pollution Control Board 1246

PCB Id: 18021

(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)

Agricultural Land of Shambhubhai Khimabhai Zaru, Monghiben Devraibhai Zaru, Shri Khimjibhai Lagdhirbhai Zaru, is visited in connection to above referred complaints, as directed. Visit of agricultural land carried out in presence of complainers Shambhubhai Khimabhai Zaru & Manjibhai Myajarbhai Zaru. During the inspection, no live flow of rain water from fly ash hip in SAL steel side to agriculture land observed, but looking to the condition of land and gap beneath boundary wall (uncompleted) there are chances of flowing fly ash contaminated rain water towards agriculture land. During the inspection small portion of incomplete boundary wall observed broken. During the inspection, fly ash hip in SAL steel observed damaged/washed out at some places. Patches of fly ash observed in agriculture land. Unit has provided trench after hip of fly ash for control of rain runoff. The internal area between trench and boundary wall is also filled with fly ash from where there are chances of runoff of rain water towards agriculture land. Then inspected the unit. During the inspection, unit is observed in operation and 60 TPH AFBC boiler, 500 TPD SI Kiln with WHR Boiler, one Electric Arc Furnace are observed in operation with provided APCM. During the inspection CEMS system attached to 500 TPD SI Kiln and 60 TPH Boiler observed in operation and data noted for 500 TPD Kiln is PM - 24 mg/Ncum, SO₂ - 11 PPM, NO_x - 19 PPM, 60 TPH Boiler is PM - 46 mg/Ncum, SO₂ - 8 PPM, NO_x - 05 PPM. During inspection, fly ash is also observed stored on land other than existing fly ash hip. During the inspection provided water sprinkling system at various places observed. Unit has provided kacha pond for recycling of cooling water in SI kiln, hence unit is asked to provide proper recycling facility for reuse of cooling discharge water. No discharge of waste water observed outside the premises during inspection. Unit is asked to comply revocation order. Photographs taken during inspection is uploaded as pdf. Corrective measures given. [337]-14/07/2020

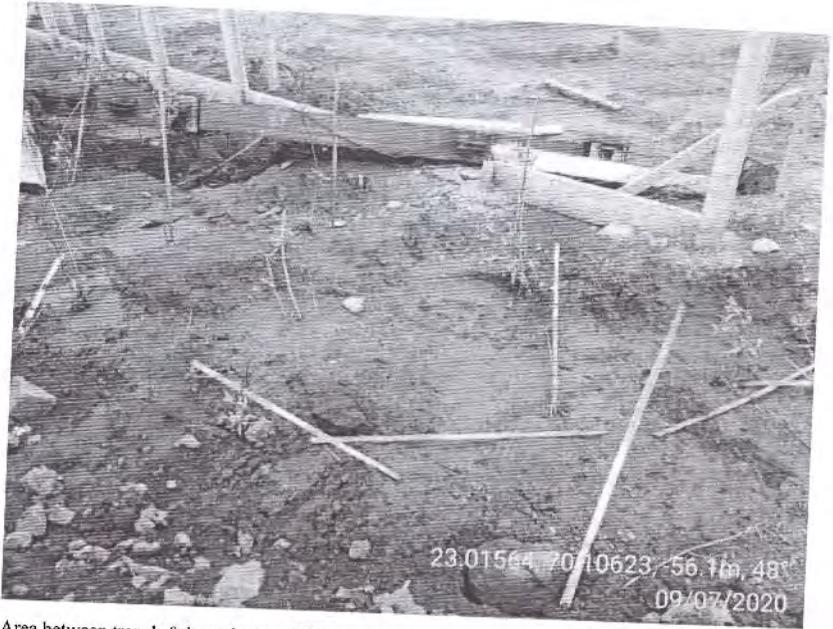
W.C Notings: -----[337-NRO]-

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

1. Cooling discharge માં reuse થવું પાણી માટે proper recycling facility with fixed pipeline recycling facility લગાવવી.
2. એકમને પાલવવામાં આવેલ revocation order- 11/02/2020 નું compliance કરવું.



જા ૨૨. ૦૨/૦૭/૨૦૨૦



Area between trench & boundary wall filled with fly ash





Gujarat Pollution Control Board

(Inspection Report) - Air, Water, Hazardous

PG 1248

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

Unit is inspected with reference to revocation order dated: 10/07/2020 of closure order issued U/S 31-A of the Air Act. In compliance of said revocation order it is observed that, unit has not resubmitted detailed study report of component agency like NEERI., boundary wall/wind breaking wall construction work near to adjoining nearby farms/land is remaining., unit has not demarcated the existing Fly Ash dump site and unit has dumped further Fly Ash (photograph attached) at nearby existing Fly Ash dump site. Unit has yet not installed Fly Ash brick machine. Construction work is observed for Fly Ash brick machine shed. Unit has not maintained log-sheet/report properly regarding daily generation & disposal of Fly Ash. Unit has submitted record on weekly basis., total 307 MT fly ash is disposed to Sanghi Industries Ltd. during the period 25th July, 2020 to 31st July, 2020 & total 311.21 MT fly ash is disposed to Sanghi Industries Ltd. during the period 01st August, 2020 to 7th August, 2020 as reported in weekly progress reports, after that Fly Ash not disposed to cement manufacturers. During inspection, 60 TPH AFBC Boiler, 500 TPD SI Kiln & 100 TPD SI Kiln with WHR Boiler, Electric Arc Furnace no. 2 are observed in operation with provided APCM. Provided fixed water sprinkling system observed in operation. During inspection online monitoring system reading is noted for 60 TPH Boiler: PM-45 mg/NM3, SO2 - 17 ppm mg/NM3 and NOx- 8 ppm, for 500 TPD SI Kiln: PM-57 mg/NM3, SO2-4 ppm mg/NM3 and NOx-11 ppm & for 100 TPD SI Kiln: PM-21 mg/NM3, SO2-46 ppm mg/NM3 and NOx-19 ppm, which are within the consented norms. Due to rain stack sampling could not be carried out during inspection. Unit has provided kaclha pond for recycling of cooling water in SI Kiln & fix pipeline arrangement is observed for recycling of w/w. Rain water ponding is observed at different places within premises. No fugitive emission observed during inspection. Following corrective measures given to person contacted at the time of inspection. [452]-20/08/2020

W.C Notings: -----[452-NRO]-

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

રોકેશન ઓર્ડર તા. ૧૦/૦૭/૨૦૨૦ ની શરતોમાં દર્શાવ્યા પ્રમાણે NEERI જેવી સહાય એજન્સીનો detailed study report ફરીથી રજૂ કરવો., બાજુના નજીકના ખેતર/જમીનની boundary wall/વિન્ડ બ્રેકિંગવોલનું બાંધકામ તાત્કાલિક પૂર્ણ કરવું., existing Fly Ash નાખેલ છે તે જગ્યા demarcate કરવી., ફ્લાયએશ ડિંક મશીન તાત્કાલિક તાત્તી કાર્યરત કરવું તેમજ કાચા માં સમજાવ્યા અનુસાર ફ્લાયએશનો કમ્પલીટ રેકોર્ડ/લોગશીટ maintain કરવા.
 ચોમાસાની ઋતુને ધ્યાને લેતા storm water management બાબતે ટાઇમ બાઉન્ડ એકાશન પ્લાન રજૂ કરવો.
 પ્રીમાયસિસની કરતે plantation નો વ્યાપ વધારવો.
 મુખ્ય ફ્લાયએશ ડગલાની બાજુમાં ફ્લાયએશ ફરીથી ડિસ્પોઝલ કરેલા હોય એવું ધ્યાને આવેલ છે તેનો નિયમિતગત નિકાલ કરવો તથા સીવોકેશન ઓર્ડરમાં દર્શાવ્યા પ્રમાણે પ્રીમાયસિસની સ્ટદર કે બહાર ફ્લાયએશ નાખવી નહીં.



27.08.2020



REDMI NOTE 5 PRO
MI DUAL CAMERA



Gujarat Pollution Control Board

(Inspection Report) - Air, Water, Hazardous

PCB Id: 18021

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

1250

Unit is inspected with reference to revocation order dated: 16/09/2020 of closure order issued U/S 31-A of the Air Act. In compliance of said revocation order it is observed that, Unit has not resubmitted detailed study report of component agency like NEERI contacted person instructed to submit detail study report of the same upto the 25.10.2020. During inspection it is observed that boundary wall/wind breaking wall construction work near to adjoining nearby farms/land is going on (Photograph attached). During inspection, Plantation activity & Demarcation of the existing Fly Ash dump site are going on. During inspection, Fly Ash brick machine installation work is going on (Photograph Attached). Unit has submitted record on weekly basis regarding Fly Ash Generation and Disposal details. During inspection, 60 TPH AFBC Boiler, 110 TPH AFBC Boiler, 100 TPD SI Kiln with WHR Boiler are observed in operation with provided APCM. One flue gas sample collected from stack attached to FBC Boiler - 110 TPH through APCM. One flue gas sample collected from stack attached to 100 TPD SI Kiln. During inspection online monitoring system reading is noted for 60 TPH Boiler: PM-38 mg/NM3, SO2 - 21 ppm mg/NM3 and NOx- 10 ppm, for 110 TPH Boiler: PM- 17 mg/NM3, SO2- 24 ppm and NOx- 10 ppm & for 100 TPD SI Kiln: PM-17 mg/NM3, SO2- 41 ppm mg/NM3 and NOx- 16 ppm, which are within the consented norms. Unit is asked to submit latest calibration report of the CEMS. During inspection, Fugitive emission observed at coal handling area. During inspection, Water sprinkling system observed not in operation in coal handling area, contacted person instructed to operate water sprinkling system regularly. Coal stored in open place, contacted person instructed to store coal in closed shed. Unit is asked to submit time bound action plan for Storm Water Management. Unit is asked to provide paved road for vehicle movement at inside the premises. Following corrective measures given to person contacted at time of inspection. [4741]-07/10/2020

W.C Notings:[4741-AEE]-

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

1. મુલાકાત દરમિયાન કોલ સ્ટોરેજ ઓરિયામાં sprinkling system બંધ જોવા મળેલ તો તેને સર્વરના કરગીજથી સ્વચ્છીકરણ કરવામાં આવેલું છે.
2. જલાયમણ ક્ષીક મફીંગનું ઈસ્ટોલેશનનું કામ પૂર્ણનિમાં છે. સત્તરે પૂર્ણ કરી, કથેરીમાં જણ કરવું.
3. ચેમનમાં વા/મનોની અલરજવર માટેના સ્તંભઓ પાકા કરવા તેમજ સ્ટોમ પોટર વેલેચમેન્ટ માટેનો ડાઇપમ્પોઉટ, વા પાકા કરવા.
4. ખાનવા યેકમમાં લગાવેલ CEMS ના calibration લેટેસ્ટ રિપોર્ટ રજુ કરવા.
5. EXISTING FLY ASH DUMP ક્ષેત્રે જગ્યાએ DEMARCATION નું કામ સત્તરે પૂર્ણ કરી કથેરી જણ કરવું.
6. ક્યાકુના વેલર/કચીલની નજીક Boundaryનું કામ પૂર્ણનિમાં થવાની આવેલ છે જેને પૂર્ણ કરી ક્યાકુના કથેરી જણ કરવું.
7. રીવોલુકશન ઓર્ડર નં. ૧૨/૦૦/૨૦૨૦ ની કોટ નોં. ન માં દર્શાવ્યા પ્રમાણે AEEના જેવી સલામ વચનોનો રીટેલ રટરી રિપોર્ટ તા.૧૫/૧૦/૨૦૨૦ સુધીમાં જણ કરી સમમીટ કરવો.
8. મુલાકાત દરમિયાન કોલનો મુલ્લામાં સ્ટોર કરેલ જોવા મળેલ જેને હોરેજ કામ માં લીફ્ટ કરવો.



TR 24. 26/05/2020



Gujarat Pollution Control Board

(Inspection Report) - Air, Water, Hazardous

1251

PCB Id: 18021

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

Unit is inspected with reference to permanent revocation application and revocation order dated: 16/09/2020 of closure order issued U/S 31-A of the Air Act. In compliance of said revocation order it is observed that, Unit has not resubmitted detailed study report of component agency like NEERI, hence contacted person instructed to submit detail study report of the same, at earliest. During inspection, it is observed that unit has completed construction work of boundary wall/wind breaking wall (Length: 550 meter, Height :10 Ft) near to adjoining nearby farms/land (Photograph attached). Unit is completed Demarcation work of the existing Fly Ash dump (Photograph Attached). During inspection, material feeding in Fly Ash brick machine is going on and it is also observed that unit has taken trial run production of Block (Photograph Attached). During inspection, Fly ash is observed stored in open at Fly ash brick machine area for utilizing a Fly ash in brick machine, hence contacted person is instructed to provide proper storage area for storage of fly ash. Block making machine trial run status is attached here with as a PDF with Photograph taken during visit. Unit has submitted record on weekly basis regarding Fly Ash Generation and Disposal details. As per detail submitted by unit, Fly Ash generation for the period of 17.09.2020 to 30.09.2020 is 285 MT, October-2020 Fly Ash generation is 579 MT, November-2020 Fly Ash generation is 529 MT. Month wise disposal detail with party name is attached here with. During inspection, Plant is observed under maintenance, no any production activity is observed at site. During inspection, Coal is observed stored in open (Photo Attached), contacted person is instructed to shift the coal in closed shed. During inspection, water sprinkler is observed in operation (Photograph Attached). Following corrective measures given to person contacted at time of inspection. [4741]-05/12/2020

RO Comments/Reply :In view of above, may be revoked for further period for remaining compliance.-06/12/2020



IR 27. 26/11/2020



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

1252

PCB Id: 18021

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

Unit is inspected with reference to revocation order dated: 11/12/2020. In compliance of said revocation order it is observed that, (1) Unit has not resubmitted detailed study report of component agency like NEERI, hence contacted person instructed to submit detail study report of the same, at earliest. (2) Unit has submitted record on weekly basis regarding Fly Ash Generation and Disposal details. As per the record maintained by unit, Last 3 month fly ash generation and disposal detail including disposal from old stock are attached here with as a pdf. (3) During inspection, Fly Ash brick machine is observed under maintenance, unit has taken production of Blocks (Photograph Attached), unit has submitted weekly progress report for brick manufacturing & as per record unit has manufactured 9676 nos. of blocks for period of 16.01.2021 to 22.01.2021 & 5790 nos. of block for period of 23.01.2021 to 31.01.2021 (4) Unit has stored fly ash within premises. During inspection, Fly ash is observed stored in open at Fly ash brick machine area for utilizing a Fly ash in brick machine, hence contacted person is instructed to provide proper storage area for storage of fly ash. During inspection, 60 TPH AFBC Boiler, 110 TPH AFBC Boiler, 500 TPD SI Kiln with WHR Boiler are observed in operation with provided APCM. During inspection online monitoring system reading is noted for 110 TPH Boiler: PM- 36.75 mg/NM3, SO2- 137.66 mg/NM3 and NOx-46.25 mg/NM3 & for 500 TPD SI Kiln: PM-36.05 mg/NM3, SO2-123.62 mg/NM3 and NOx-56.58 mg/NM3. During inspection, 60 TPH AFBC boiler CEMS is observed not in working condition. Following corrective measures given to person contacted at time of inspection. [4741]-12/02/2021
~ RO Comments/Reply :In view of above, Revocation order dated 11/12/2020 may be extend further period for remaining compliance.-12/02/2021

I recommend : i. Recommend Revocation Order

W.C Notings: -----[452-NRO]-

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

Revocation order dated 11/12/2020 ની condition no. 1 મુજબ NEERI જેવી સહાયક agency નો detail study report આપના unit દ્વારા સબમીટ કરવામાં આવેલા નથી તે સબમીટ કરવો.

હેલ્ડા તથા મહિનાના Fly ash generation & disposal data આપારસહ કરેલીએ રજૂ કરવા.

Fly ash brick machine માં use કરવામાં આવતી Fly ash open માં સ્ટોર કરેલી ધ્યાને આવેલ છે તો તેના સ્ટોરેજ માટે dedicated ચોક્ક સ્ટોરેજ વ્યવસ્થા પ્રોવાઈડ કરવી.



IR 292-05/02/2021

This unit is inspected with reference to CCA renewal application. During inspection, unit is observed in operation with captive power plant and production of sponge iron, Ferro Alloys are going on. During inspection, 60 TPH AFBC Boiler, 110 TPH AFBC Boiler, 500 TPD SI Kiln with WHR Boiler are observed in operation with provided APCM. One flue gas sample collected from stack attached to 110 TPH AFBC Boiler through provided APCM ESP. Unit is utilizing lignite as fuel. During inspection online monitoring system reading is noted for 110 TPH Boiler: PM- 37 mg/NM³, SO₂- 135 mg/NM³ and NOx-62 mg/NM³ & for 500 TPD SI Kiln: PM-46.24 mg/NM³, SO₂-151.27 mg/NM³ and NOx-46.68 mg/NM³, which are within the consented norms & CEMS for 60 TPH Boiler are observed not in working condition, CEMS for 60 TPH boiler is not in operation since last three months due to some fault as informed. During inspection, rolling mill & 100 TPD SI Kiln are observed not in operation & provided electric Arc furnace are observed in operation with provided bag filter as an APCM. Unit has two induction furnace, which are observed not in operation with provided Bag filter as an APCM. Unit has DG set as a stand by facility. During inspection, Fugitive emission observed at coal crushing ground hopper area, coal handling area, raw material handling area and BC-1 conveyor belt (110 TPH Boiler) area. Provided water sprinkling system observed in operation in coal handling area. Housekeeping is observed poor. Source of water is GWIL & Bore-well. Unit has obtained NOC for ground water abstraction from CGWA, which is valid up to 12/12/2021. Water is used for cooling, RO-DM, sprinkling and domestic purpose. Generated w/w is reused after settling. Unit has provided collection cum settling tank. No effluent discharge is observed. HW is observed stored under shed. Following instructions are given to the unit during inspection.

બોર્ડના તારીખ: 19/03/2021 નાં રીવોક્શન ઓર્ડરમાં આપેલ શરતોનો કોમ્પ્લાયન્સ રીપોર્ટ સબમીટ/અપલોડ કરવો.

હાઉસકીપીંગ સુધારવું.

કોલ ક્રશિંગ ગ્રાઉન્ડ હોપર એરિયા, કોલ હેન્ડલીંગ એરિયા, રોમટીરીયલ હેન્ડલીંગ એરિયામાં ફ્યુજીટીવ ઇમીશન - જોવા મળેલ છે તથા BC-1 conveyor belt (110 TPH boiler માટેનો) એરિયામાં ફ્યુજીટીવ ઇમીશન જોવા મળેલ છે, ફ્યુજીટીવ ઇમીશન નિયંત્રણ માટે યોગ્ય પગલા ભરવા.

In compliance of revocation order dated: 10/03/2021: 1) As per reported, in Feb.21 unit has given 30905.65 MT of Fly ash to Cement manufacturer/block manufacturer & 139.74 MT of Fly ash used for block making, in Mar.21 unit has given 31696.48 MT of Fly ash to Cement manufacturer/block manufacturer & 238.04 MT of Fly ash used for block making & in Apr.21 unit has given 13141.86 MT of Fly ash to Cement manufacturer/block manufacturer., 2) Unit has submitted last three-month record (from 01/02/2021 to 25/04/2021) of daily generation & disposal of Fly ash including end user party name, quantum of fly ash disposal against new Fly ash generation & old stock of Fly ash, which is uploaded as a pdf h/w., Unit has uploaded/submitted record on weekly basis of last three months regarding Fly Ash generation and disposal details., 3) During inspection, Fly ash brick machine is observed not in operation, as per record available Fly ash brick machine not operated since 21/03/2021, person contacted informed that due to labour problem they are not operating Fly ash brick machine since 21/03/2021., Unit has not manufactured block for period of 01/02/2021 to 12/02/2021, 7608 nos. of blocks manufactured for period of 13/02/2021 to 19/02/2021, 5350 nos. of block manufactured for period of 20/02/2021 to 26/02/2021, 6640 nos. of block manufactured for period of 27/02/2021 to 05/03/2021. 6676 nos. of block manufactured for period of 06/03/2021 to 12/03/2021, 11508 nos. of block manufactured for period of 13/03/2021 to 20/03/2021, unit has submitted weekly progress report for brick manufacturing., 4) During inspection, no fly ash dump is observed at out side & in side of the premises., 5) unit is having valid Bank Guarantee of Rs. 15 Lakh for the period of 20/05/2021, they will extend it before due date as informed.





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

1254 CB Id: 18021

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

Unit is inspected with reference to complain received from Mr Abbas Chavda & Mr Faruk Chavda (Copy Attached Here with). Mr Abbas Chavda & Mr Faruk Chavda contacted by cell-phone and they said that they are out of station. During inspection, only Ferro Alloys plant is observed in operation. During inspection, 60 TPH AFBC Boiler, 500 TPD SI Kiln with WHIR Boiler, 100 TPD SI Kiln are observed not in operation with provided APCM. During inspection, 110 TPH AFBC boiler observed in operation with provided APCM as an ESP. One flue gas sample collected from stack attached to 110 TPH AFBC Boiler through provided APCM as an ESP. Unit is utilizing lignite coal as a fuel. During inspection online monitoring system reading is noted for 110 TPH Boiler: PM- 45 mg/NM3 , SO2- 135 mg/NM3 and NOx-35 mg/NM3, which is within the consented norms & CEMS for 60 TPH boiler is not in operation since last five months due to some fault as informed, Unit is asked to submit last three month CEMS data with calibration report. Sponge iron plant is observed not in operation and as per record plant not in operation since 27/05/2021. Unit has two induction furnace, which are observed not in operation with provided Bag filter as an APCM. Unit has DG set as a stand by facility. During inspection, no any Fugitive emission observed at site. Provided water sprinkling system observed in operation in coal handling area and other area of prem-ises. Housekeeping is observed poor. Source of water is GWIL & Bore-well. Unit has obtained NOC for ground water abstraction from CGWA, which is valid up to 12/12/2021. Water is used for cooling, RO-DM, sprinkling and domestic purpose. Generated w/w is reused after settling. Unit has provided collection cum settling tank. No effluent discharge is observed during inspection. HW is observed stored under shed. Provided brick manufacturing machine is observed not in operation during inspection and contacted person informed that brick manufacturing plant is not in operation since last three month. Unit is asked to submit last 04 month Fly Ash generation & disposal detail. No abnormal/significant noise is felt during inspection. Following instructions are given to the unit during inspection. [675]-28/06/2021

I recommend : k. Letter for Corrective Measures

W.C Notings: As per IR[675-AEE]-

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

3. CEMS for 60TPH boiler operation માં નથી તો તે working condition માં લાવવા માટે જરૂરી પગલા લેવા.
૨. Last 03 month ની CEMS ની data provide કરવા with calibration report of CEMS.
1. Last 04 MONTH fly ash generation & disposal detail જરૂરી આધારકદ document સાથે રજુ કરવી.

28 232. 23/06/2021





Gujarat Pollution Control Board

(Inspection Report) - Air, Water, Hazardous

(Under Section 25 of The Water Act 1974, Under Section 24 of The Air Act 1981 and Under Section 10 of EP Act 1986)

PCB/10/1255

This unit is inspected with reference to revocation order dated: 09/09/2021 & SCN issued 19/08/2021. In compliance of revocation order dated: 09/09/2021: 1) As reported, in August-21: - unit has given: 2005.26 MT of Fly ash for road construction activity, 20.55 MT of Fly ash given to Block manufacturer & 189.78 MT of Fly ash used for Block making, in September-21 unit has given 787.85 MT of Fly ash to Cement manufacturer, 719.37 MT of Fly ash is given for road construction activity, 12.10 MT of Fly ash given to Block manufacturer & 155.14 MT of Fly ash used for Block making & in October-21: - unit has given 169.75 MT of Fly ash to Cement manufacturer, 2609.5 MT of Fly ash is given for road construction activity, 5494.84 MT of Fly ash given to Block manufacturers & 239.86 MT of Fly ash used for Block making. 2) Unit has submitted last three-month record (from 01/08/2021 to 24/11/2021) of daily generation & disposal of Fly ash including end user party name, quantum of fly ash disposal against new Fly ash generation & old stock of Fly ash, which is uploaded as a pdf h/w., unit has submitted the record on weekly basis regarding Fly Ash generation and disposal details., 3) During inspection, Fly ash brick machine is observed not in operation, as per record available Fly ash brick machine not operated since 18/10/2021, person contacted informed that due to labour problem they are not operating Fly ash brick machine since 18/10/2021., unit has manufactured Blocks in: - August-21: 17123 nos., September-21: 15544 nos., October-21: 23966 nos. & November-21: Nil, unit has submitted weekly progress report for brick manufacturing., 4) During inspection, @ 1000 MT of Fly ash is observed stored in open nearby Silos area within the premises, no Fly ash dump is observed at outside of the premises. During inspection, unit is observed in operation with captive power plant and production of sponge iron, Ferro Alloys are going on. During inspection, 110 TPH AFBC Boiler, 500 TPD SI Kiln with WIR Boiler, 100 TPD SI Kiln with WIR Boiler & one Electric Arc Furnace are observed in operation with its provided APCM. One air sample is collected from stack attached to 110 TPH FBC Boiler through provided APCM ESP. Unit is utilizing Coal as fuel. During inspection online monitoring system reading is noted: 110 TPH Boiler: PM-68 mg/NM3, SO2-126 mg/NM3 & NOx-40 mg/NM3, for 500 TPD SI Kiln: PM-70 mg/NM3, SO2-115 mg/NM3 & NOx-48 mg/NM3 and for 100 TPD SI Kiln: PM-14 mg/NM3, SO2-48 mg/NM3 & NOx-18 mg/NM3, which are within the consented norms. Provided water sprinkling system observed in operation in coal handling area. Housekeeping is observed poor. Source of water is WIL & Bore-well. Unit has obtained NOC for ground water abstraction from CGWA, which is valid up to 12/12/2021. Water is used for cooling, RO-DM, sprinkling and domestic purpose. Generated w/w is reused after settling. Unit has provided collection cum settling tank. No effluent discharge is observed. Following instruction is given to the unit during inspection. [452]-25/11/2021
 ~ RO Query to Staff: discuss..... [471]-01/12/2021 - Fly ash data uploaded h/w. [452]-03/12/2021
 ~ RO Comments/Reply :Subject to AR and acceptable details recd wr to corrective measures given at the time of visit. Closure order may be revoked further with applicable conditions-06/12/2021
 I recommend : 1. Recommend Revocation Order
 W.C Notings: -----[452-NRO]-

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

શ્રી. પ્રદીપ જોષીના નામે 03/05/2021 ના તારીખે આદેશ પ્રમાણે સ્થળે સંબંધિત સમસ્યા.

IR 242, 25/11/2021





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 16 of EP Act 1986)

PMB/2022/1256

This unit is inspected with reference to uploaded revocation order dated: 09/09/2021 & complaint of Shri Abbas U Chavda, Advocate, Village: Kidana (compliant ID: 21182) regarding air pollution. During inspection, complainer Shri Abbas is contacted by telephonically. In compliance of revocation order dated: 09/09/2021: 1) As submitted-In November-21: - unit has given Fly Ash for: Road construction activity: 14.4 MT, Block manufacturer: Nil, Cement manufacturer: Nil & used for Block making: Nil., In December-21: - unit has given Fly Ash for: Road construction activity: Nil, Block manufacturer: Nil, Cement manufacturer: Nil & used for Block making: Nil., In January-22: - unit has given Fly Ash for: Road construction activity: 5247.04 MT, Block manufacturer: Nil, Cement manufacturer: Nil & used for Block making: 112.42 MT., In February-22 (up to 11/02/2022): - unit has given Fly Ash for: Road construction activity: 209.48 MT, Block manufacturer: Nil, Cement manufacturer: 185.17 & used for Block making: 62.10 MT., 2) Unit has submitted last three-month record (from 01/11/2021 to 11/02/2022) of daily generation & disposal of Fly ash including end user party name, quantum of fly ash disposal against new Fly ash generation & old stock of Fly ash, which is uploaded as a pdf h/w., unit has submitted the record on weekly basis regarding Fly Ash generation and disposal details., during inspection Fly ash brick machine is observed not in operation, as per record available at site Fly ash brick machine not operated since 13/02/2022, due to Fly ash brick machine is under maintenance as reported, unit has manufactured Blocks in: - November-21: Nil, December-21: Nil, January-22: 11242 nos. & February-22 (up to 11/02/2022): 6210, unit has submitted weekly progress report for brick manufacturing., 3) During inspection, @ 500 MT of Fly ash is observed stored in open nearby cooling tower area within the premises, no Fly ash dump is observed at outside of the premises. During inspection, unit is observed in operation with CPP & production of sponge iron, Ferro Alloys are going on. During inspection, 110 TPH AFBC Boiler, 500 TPD SI Kiln with WHR Boiler, 100 TPD SI Kiln with WHR Boiler & one Electric Arc Furnace are observed in operation with its provided APCM. One air sample is collected from stack attached to 500 TPD SI Kiln through provided APCM ESP. Unit is utilizing Lignite & coal as a fuel. During inspection, online monitoring system reading is noted for: 10 TPH Boiler: PM-56 mg/NM3, SO2-110 mg/NM3 & NOx-29 mg/NM3, 500 TPD SI Kiln: PM-69 mg/NM3, SO2-110 mg/NM3 & NOx-35 mg/NM3 and for 100 TPD SI Kiln: PM-63 mg/NM3, SO2-33 mg/NM3 & NOx-34 mg/NM3, which are within the consented norms. Provided water sprinkling system observed in operation in coal handling area. Unit is having 1250 KVA DG set-2 nos.as standby facility. During inspection, Lignite is observed stored in open & from where in Lignite heap burning is observed (Photograph attached). At the time of inspection, fugitive emission is observed at Electric Arc Furnace area & at DRI Ball Mill area (Photographs attached). Housekeeping is observed poor. Following instruction is given to the unit during inspection. [452]-17/02/2022

- RO Comments/Reply :subject to AR and acceptable details recd wr to corrective measures given at the time of visit, the revocation order may be further extended for remaining compliance.-23/02/2022

I recommend : i. Recommend Revocation Order

W.C Notings:



IR 273. 15/02/2022



Gujarat Pollution Control Board

PCB ID: 18021

(Inspection Report) - Air/Water/Hazardous
(Under Section 27 of The Water Act 1974, Under Section 24 of The Air Act 1986 and Under Section 16 of EP Act 1986)

1257

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

Site Observations during Inspection PCB-ID: (18021)

This unit is inspected with reference to uploaded revocation order dated: 10/03/2022. In compliance of revocation order dated: 10/03/2022: 1) Unit has submitted time bound plan for disposal of remaining quantity of Fly ash. 2) As submitted in February-22: - unit has given Fly Ash for: Road construction activity: 1286.03 MT, Block manufacturer: Nil, Cement manufacturer: 494.97 MT & used for Block making: 111.92 MT. In March-22: - unit has given Fly Ash for: Road construction activity: 6433.62 MT, Block manufacturer: Nil, Cement manufacturer: 702.69 MT & used for Block making: 105.58 MT. In April-22: - unit has given Fly Ash for: Road construction activity: 2924.38 MT, Block manufacturer: Nil, Cement manufacturer: 617.71 MT & used for Block making: 125.90 MT. In May-22: - unit has given Fly Ash for: Road construction activity: 1138.4 MT, Block manufacturer: Nil, Cement manufacturer: 535.71 MT & used for Block making: 161.48 MT. Unit has uploaded the record (from 01-02-2022 to 30-04-2022) of generation & disposal of Fly ash including end user party name, quantum of Fly ash disposal against new Fly ash generation & disposal of Fly ash including end user party name, on weekly basis regarding Fly Ash generation and disposal details. 3) During inspection Fly ash brick machine is observed in operation. As reported, unit has manufactured Blocks in: - February-22: 11192 nos. March-22: 16558 nos. April-22: 12590 nos. & May-22: 16148 nos. unit has submitted weekly progress report for brick manufacturing. 4) During inspection, @ 400 MT of Fly ash is observed stored (ash heaps observed covered by plastic sheet) nearby cooling tower area within the premises, no Fly ash dump is observed at outside of the premises. 5) During inspection, unit is observed in operation with CPP & production of sponge iron, Ferro Alloys are going on. During inspection, 110 TPH AFBC Boiler, 100 TPD SI Kiln with WHR Boiler (10.3 TPH) & one Electric Arc Furnace are observed in operation with its provided APCM. One air sample is collected from stack attached to 100 TPD SI Kiln through provided APCM ESP. Unit is utilizing Lignite & coal as a fuel. During inspection, online monitoring system reading is noted for: 110 TPH Boiler: PM-55 mg/NM3, SO2-110 mg/NM3 & NOx-20 mg/NM3, and for 100 TPD SI Kiln: PM-13 mg/NM3, SO2-138 mg/NM3 & NOx-42 mg/NM3. Provided water sprinkling system observed in operation at different location of the plant premises. Unit has recently installed water fogging facility at coal ground hopper & it is observed in operation at the time of inspection. Unit is having 1250 KVA DG set-2 nos. as standby facility. During inspection, Coal & Lignite is observed stored in storage shed. Water source: GWL + Borewell. Generated w/w is used for water sprinkling purpose within plant premises after settling. Unit has provided collection cum settling tank. No effluent discharge is observed. Following instruction is given to the unit during inspection. [452]-04/06/2022
- RO Comments Reply - Looking the IR, Revocation order of closure order issued may be extended further period.-06/06/2022
I recommend - Closure May be Revoked. Revocation Type: Trial Revocation

W.C Notings: -----[452-NRO]-

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

- ૧) ઇલેક્ટ્રીક મશીનના તરિક વીરે જાનરેટર-પુલિવેટરોનના ના હેડ ચકાસી લેવા.
- ૨) ઇલેક્ટ્રીક મશીનના લેબલ મેકેનિક તરીકે પુલિવેટરોનના ચકાસવાના ના હેડ હેડ ચકાસી લેવા. 03/05/2022
- ૩) કમ્પોઝીટ મશીનના ચકાસી લેવા.
- ૪) ૩-૨૦૨૨ ના વીરે ચકાસવાના (GWL + Borewell) ના હેડ (final + Durr) ચકાસી લેવા.



IR 272. 03/05/2022

1258

50151651-8



SHOW CAUSE NOTICE

PCB ID : 18021
Legal ID : 44858

Gujarat Pollution Control Board
Paryavaran Bhavan, Sector-10/A,
Gandhinagar - 382010
23222756

ACT : Air , Water

Show Cause Notice DATE : 16/08/2021

WHEREAS, the Officials of the Gujarat Pollution Control Board (hereinafter referred to as the Board, in short), conducted inspection on 23/06/2021 in order to verify the statements made by you in your application for Consent to Operate under the Air , Water Act / to ascertain the Compliances of Conditions specified in Consent Order.

WHEREAS during the inspection it was observed that:-

Reason :

(1) Brick manufacturing machine observed not in operation (2) house keeping observed poor

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 Under section 31(A) read with section 21 of the Air (Prevention and Control of Pollution) Act, 1981 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


U.K. Upadhyay, UNH

NO : SCN-598374 , 19/08/2021

Sal Steel Ltd,
245/P., BHARAPAR,,
BHARAPAR,
Dist : Kutch East, Tal : Gandhidham, SIDC : Not In Gidc
Phone : 02764661100

COPY TO :-

The RO Head(P.C.B.), Kutch East

With a request to carryout monitoring and send the detailed I.R. & A.R. for the sample collected to this office immediately.



Printed On : 19/08/2021

1 - Through XGN

N | C

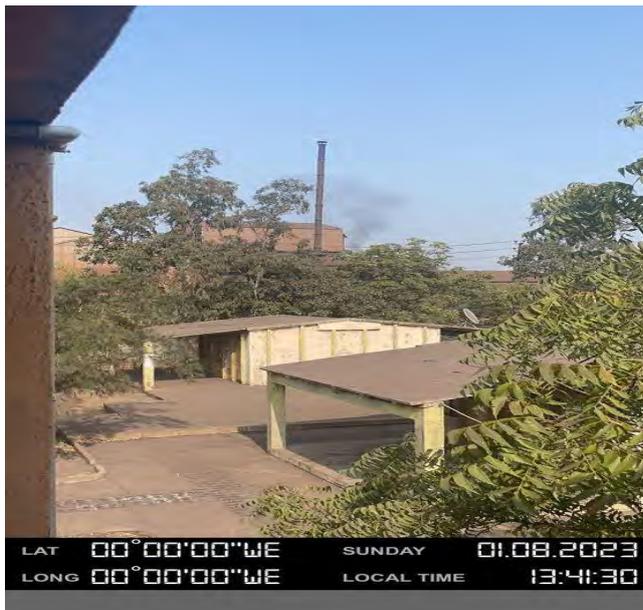
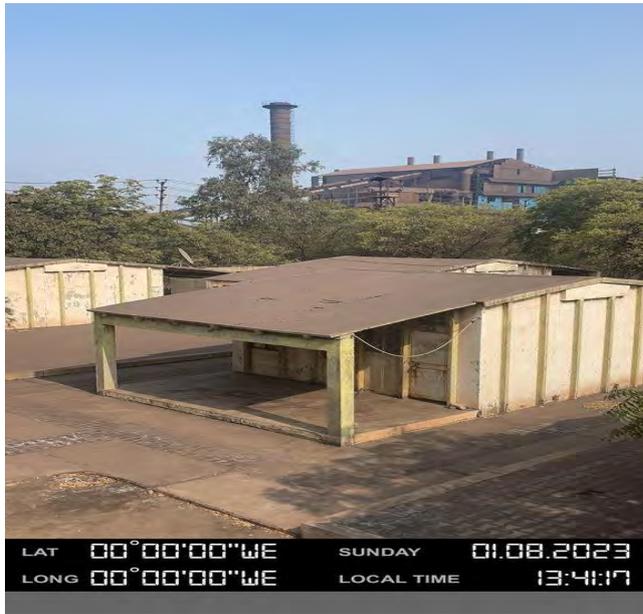
PHOTOGRAPHS OF FUGITIVE EMISSIONS FROM THE UNIT OF RESPONDENT NO. 6





Committee was not cover Following Point in its inspection Report:

1. Sal Steel Plant is situated near around 50 Mtr. of Primary School.

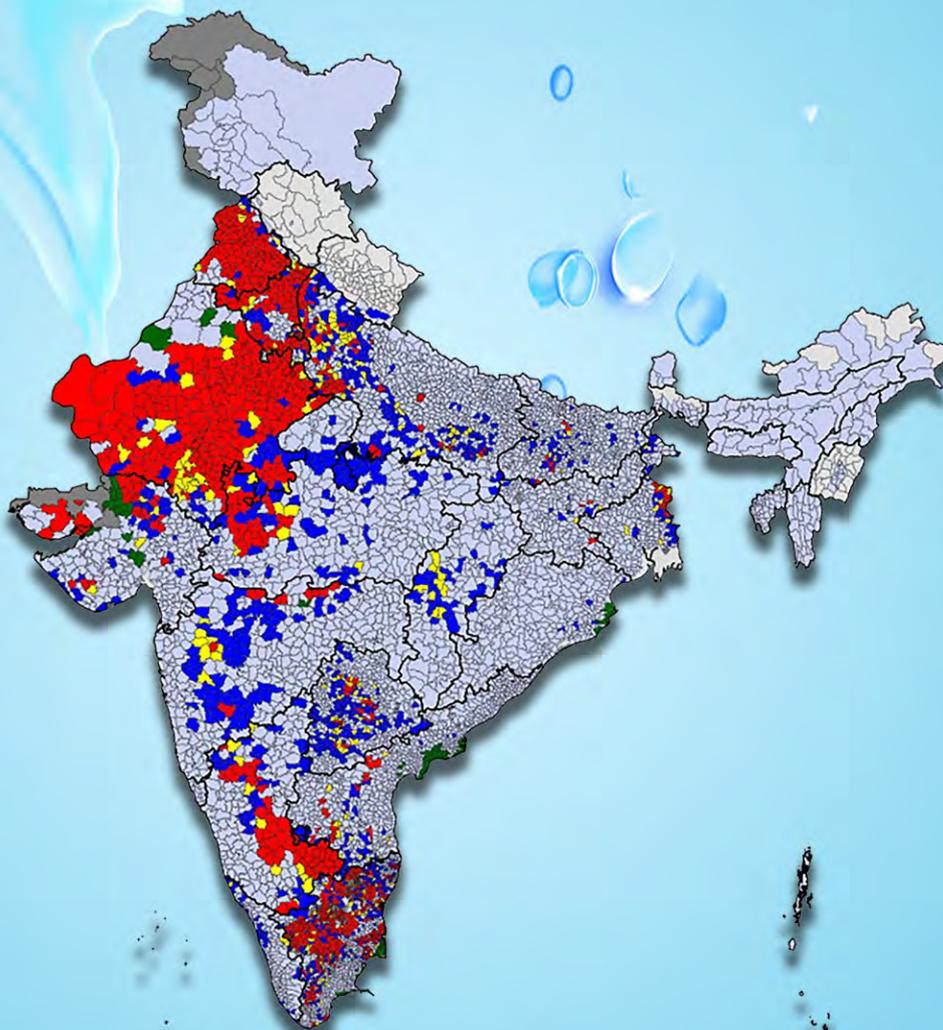


2. Sal Steel Plant is situated near around 700 Mtr. of bharapar Village.





**National Compilation on
DYNAMIC GROUND WATER RESOURCES OF INDIA, 2020**



Central Ground Water Board
Department of Water Resources,
River Development & Ganga Rejuvenation
Ministry of Jal Shakti
Government of India

- True Copy -

**National Compilation on
DYNAMIC GROUND WATER RESOURCES OF INDIA, 2020**



**Central Ground Water Board
Department of Water Resources,
River Development & Ganga Rejuvenation
Ministry of Jal Shakti
Government of India**

**Faridabad
June, 2021**

Dynamic Ground Water Resources Assessment of India - 2020

CATEGORIZATION of ASSESSMENT UNITS, 2020							
GUJARAT							
S. No	Name of District	S. No	Name of Semi-Critical Assessment Units	S. No	Name of Critical Assessment Units	S. No	Name of Over-Exploited Assessment Units
1	Ahmedabad	1	Mandal	1	Bavla		
		2	Ahmedabad City & Dascroi				
2	Amreli	1	Rajula				
3	Banaskantha	1	Vadgam			1	Dantiwada
		2	Palanpur			2	Deesa
						3	Deodar
						4	Dhanera
						5	Kankrej
						6	Lakhani
						7	Tharad
4	Gandhinagar	1	Kalol			1	Dehgam
		2	Mansa			2	Gandhinagar
5	Gir Somnath	1	Una				
6	Junagadh	1	Keshod	1	Visavadar	1	Bhesan
		2	Malia			2	Junagadh City & Juna
						3	Manavadar
7	Kachchh					1	Bhachau
						2	Bhuj
						3	Mandvi
8	Kheda	1	Galteshwar				
9	Mahesana	1	Kadi	1	Vijapur	1	Becharaji
		2	Unjha			2	Jotana
		3	Visnagar			3	Kheralu
						4	Mahesana
						5	Satlasana
						6	Vadnagar
10	Narmada	1	Nandod				
11	Patan	1	Patan	1	Sidhpur	1	Chanasma
						2	Sarsvati(Patan)
12	Porbandar	1	Porbandar				
13	Rajkot	1	Dhoraji				
		2	Vinchchiya				
14	Sabarkantha	1	Himatnagar			1	Prantij
		2	Idar				
		3	Vadali				
15	Surendranagar	1	Chuda				
16	Vadodara	1	Vadodara			1	Padra
ABSTRACT							
Total No. of Assessed Units		Number of Semicritical Assessment Units		Number of Critical Assessment Units		Number of Over Exploited Assessment Units	
248		24		4		25	

Dynamic Ground Water Resources Assessment of India - 2020

QUALITY PROBLEMS IN ASSESSMENT UNITS, 2020							
GUJARAT							
S. No	Name of District	S. No	Name of Assessment Units affected by Fluoride	S. No	Name of Assessment Units affected by Arsenic	S. No	Name of Assessment Units affected by Salinity
1	Aravalli	1	Bayad				
		2	Bhiloda				
		3	Dhansura				
		4	Malpur				
		5	Meghraj				
		6	Modasa				
2	Banaskantha	1	Amirgadh			1	Bhabhar (C)
		2	Bhabhar			2	Suigam (C)
		3	Danta			3	Vav (C)
		4	Dantiwada				
		5	Deesa				
		6	Dhanera				
		7	Kankrej				
		8	Palanpur				
		9	Tharad				
		10	Vadgam				
11	Vav						
3	Gandhinagar	1	Mansa				
4	Mehsana	1	Becharaji				
		2	Kadi				
		3	Kheralu				
		4	Mehsana				
		5	Satlasana				
		6	Unjha				
		7	Vadnagar				
		8	Vijapur				
		9	Visnagar				
5	Patan	1	Chanasma			1	Harij (C)
		2	Harij			2	Radhanpur (C)
		3	Patan			3	Sami (C)
		4	Radhanpur			4	Sankheswar (C)
		5	Sami			5	Santalpur (C)
6	Shankheshvar						
6	Sabarkantha	1	Himatnagar				
		2	Idar				
		3	Khedbrahma				
		4	Talod				
		5	Vadali				
7	Kachchh	1	Mundra			1	Gandhidham (C)
		2	Abdasa				
		3	Nakhatrana				
8	Rajkot	1	Tankara				
		2	Gondal				
9	Amreli	1	Rajula				
		2	Dhari				
10	Bhavnagar	1	Vallabhipur				
		2	Mahuva				
		3	Talaja				
11	Dev Bhumi Dwaraka	1	Okhamandal				
		2	Kalyanpur				
12	Gir Somnath	1	Kodinar				
13	Ahmedabad	1	Bavla			1	Dhandhuka (C)
		2	Dholka			2	Dholera (C)
		3	Sanand				
14	Botad	1	Barwala				
		2	Ranpur				
15	Kheda	1	Kathlal				
16	Mahisagar	1	Santrampur				
		2	Virpur				
17	Navsari	1	Gandevi				
18	Surat	1	Mandvi				
		2	Palsana				
19	Surendranagar	1	Chuda			1	Lakhtar (C)
		2	Dasada				
		3	Lakhtar				
		4	Limdi				
5	Muli						
20	Morbi					1	Maliya (C)
ABSTRACT							
Total Number of Assessed Units		Number of Assessment Units affected by Fluoride		Number of Assessment Units affected by Arsenic		Number of Assessment Units affected by Salinity	
248		67		Nil		13 (Completely Saline)	

5. Effect to Agriculture Lands & Water Bodies of Kidana & Bharapar for non-Green Belt done by Company.



-True Copy -

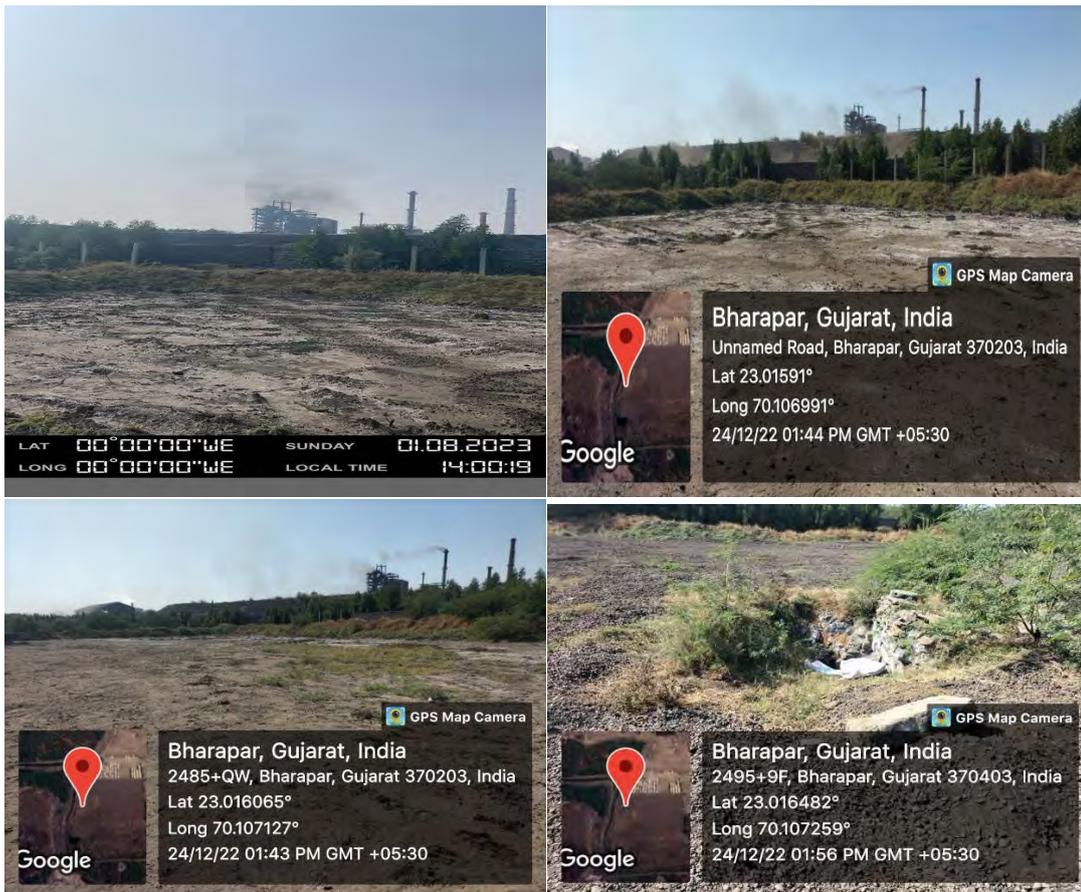
PHOTOGRAPHS OF CONVEYOR BELT



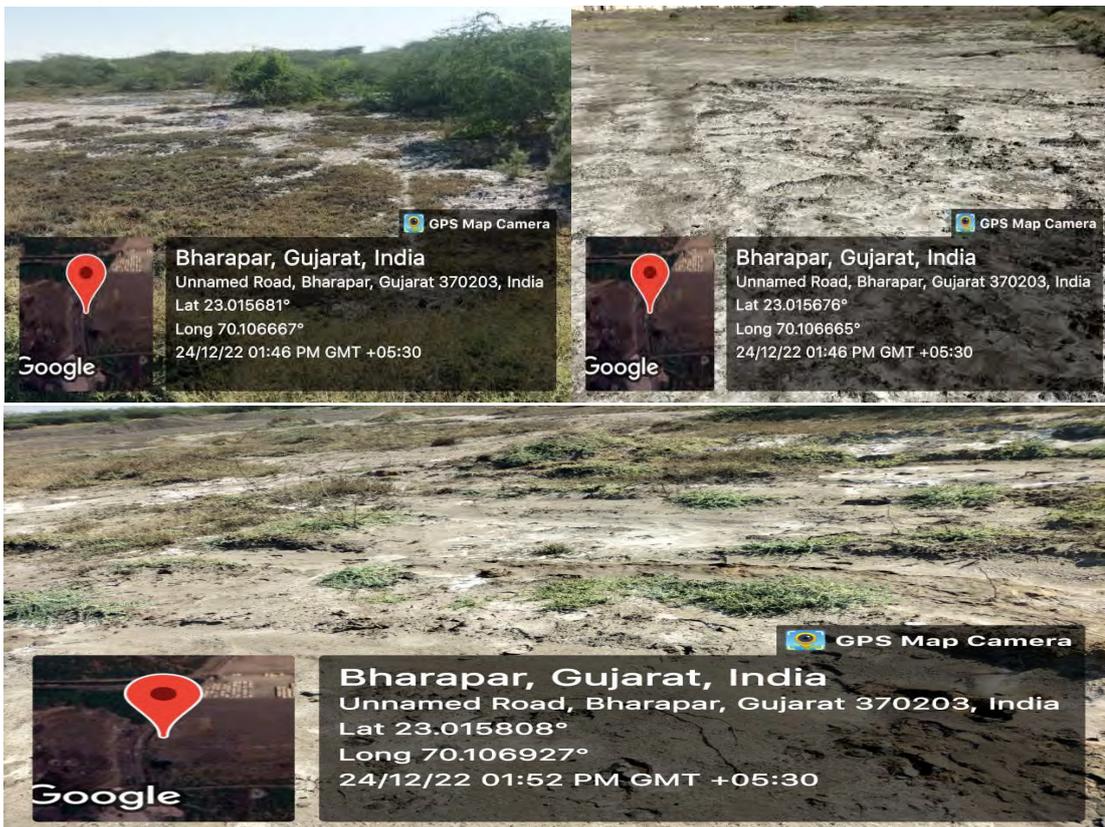
PHOTOGRAPHS OF DAMAGE CAUSED DUE TO DISPOSAL OF FLY ASH IN CRZ I AREA



3. Effect to Agriculture Lands & Water Bodies of Kidana & Bharapar by Fly-ash and Dust



4. Effect to Agriculture Lands & Water Bodies of Kidana & Bharapar for use Saline Water in Company Premises without desalination plant.





ENVIRO LEGAL DEFENCE FIRM <eldflegal@gmail.com>

Service in Nitin Devraj vs Union of India & Others (O.A. No. 104 OF 2019/WZ)

ELDF <eldflegal@gmail.com>

Fri, Mar 31, 2023 at 10:07 AM

To: "Attri, Sumit" <sumit.attri@cyrilshroff.com>, Saurabh Kulkarni <SDKADVOCATE@gmail.com>, maulik@nanavatico.com, maulik@nanavatilegal.com, adv.manasi.joshi@outlook.com, aniruddha1488@gmail.com, Ardhendumauli Prasad <mail@ardhendumauli.com>, legal.gpcb@gmail.com, atuljpathak@gmail.com, rk.singh@live.in

Respected Sir,

Place find the attached copy of the Counter Affidavit on behalf of the Affidavit to the Reply Affidavit dated 17.11.2022 of Respondent No. 6, Sal Steel Ltd. filed by Mr. Sanjay Upadhyay Advocate Supreme Court of India.

--

Sameer Manher

Clerk

Enviro Legal Defence Firm

29, Presidential Estate LGF,

Nizamuddin East New Delhi – 110013

Ph. No. 011-40573181



Nitin Devraj - Counter to Affidavit of R6.pdf

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