

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI**

OA No. 470 of 2023

Public Action Committee and Ors.

...Applicants

Versus

State of Punjab and Ors.

...Respondents

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Place: Chandigarh

Dated: 15.04.2024

Through Counsel

[AALOK JAGGA]
P/569/05

[HARKIRAT S. JAGDEV]
PH/3324/19

ADVOCATES
COUNSELS FOR RESPONDENT NO.5

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI

OA No. 470 of 2023

Public Action Committee and Ors.

...Applicants

Versus

State of Punjab and Ors.

...Respondents

Description of documents

- 06.02.24 Industry was served with the order dated 04.01.2024 passed by the Appellate Authority-cum-Secretary to Govt. of Punjab, Department of Science, Technology and Environment, Chandigarh whereby the appeal of the applicant industry qua the illegal imposition of the Environment Compensation was allowed and the matter was remanded to Chairman of the Board to reconsider the issue. A copy of the order dated 04.01.2024 is **Annexure R-22**.
- 19.02.24 PPCB had issued a show cause notice proposing to initiate action against the industry and asked the authorised person of the industry to remain present on 06.03.2024 for personal hearing. A copy of the show cause notice is **Annexure R-23**.
Applicant replied to the said notice and a copy of the reply sans annexures is attached as **Annexure R-24**.
- 20.03.24 Board again provided an opportunity of personal hearing for 28.03.2024 and a copy of the same is **Annexure R-25**.
- 28.03.24 Applicant industry also submitted an application to the Board not to impose Environment Compensation upon it due to the reasons mentioned therein. A copy of the letter is **Annexure R-26**.

08.04.24 Board refused to deduct any amount of Environment Compensation and referred the same to the Assessment Committee for calculation of the Environment Compensation. Further, Regional Office of the Board was to visit the industry to verify the compliances made by industry. A copy of the order dated 08.04.2024 is **Annexure R-27**.

Applicant industry had also obtained NOC of Fire Safety Certificate and a copy of the same is **Annexure R-28**.

Applicant industry had also submitted an application for renewal/ grant of authorisation for collection or storage of hazardous and other waste. The same is pending consideration. A copy of the application is **Annexure R-29**.

Place: Chandigarh Through Counsel

Dated: 11/4/2024

[AALOK JAGGA]
P/569/05

[HARKIRAT S. JAGDEV]
PH/3324/19

ADVOCATES
COUNSELS FOR RESPONDENT NO.5

**Government of Punjab
Department of Science, Technology and Environment**

- 3 -

Office of the Appellate Authority Constituted under the Water (Prevention and Control of Pollution) Act 1974 and the Air (Prevention and Control of Pollution) Act 1981.

To

The Member Secretary,
Punjab Pollution Control Board,
Nabha Road, Patiala.

No.01/SLO/AA/2023/26

Dated 6/2/2024

Subject: Appeal filed by M/s Amar Colour Chem India, Plot No. 26, Old Focal Point, Near Hayat Hotel, Amritsar.

The subject cited appeal has been disposed of by the Appellate Authority-Secretary to Government of Punjab, Department of Science, Technology and Environment vide order dated 04.01.2024. Please find enclosed herewith a certified copy of the said order dated 04.01.2024 for information and necessary action.

Armit Singh
o/s Senior Law Officer
Appellate Authority

End t. No. 01/SLO/AA/2023/27-29

Dated 6/2/2024

A copy of the above is forwarded to the following for information and necessary action please:

- ✓1) Personal Assistant to Secretary to Government of Punjab, Department of Science, Technology and Environment, Room No.726, Mini Secretariat, Punjab, Sector-9, Chandigarh.
- ✓2) The Environmental Engineer, Punjab Pollution Control Board, Regional Office, Amritsar.
- ✓3) M/s Amar Colour Chem India, Plot No. 26, Old Focal Point, Near Hayat Hotel, Amritsar.

Armit Singh
o/s Senior Law Officer
Appellate Authority

End t. No. 01/SLO/AA/2023/30

Dated 6/2/2024

A copy of the above is forwarded to the Chairman, Punjab Pollution Control Board, Nabha Road, Patiala for information please.

Armit Singh
o/s Senior Law Officer
Appellate Authority

**Government of Punjab, Department of Science, Technology and Environment
Office of the Appellate Authority Constituted under the Water (Prevention and
Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution)
Act, 1981.**

Appeal No.01/SLO/AA/2023

Date of Filing:11.01.2023

Date of Decision: 04.01.2024

M/s Amar Colour Chem India

V/s

Punjab Pollution Control Board

- Present: 1 Mr. Aalok Jagga, Advocate alongwith Mr. H.S Jagdev, Advocate on behalf of the Appellant
- 2 Er. Vinod Kumar, Assistant Environmental Engineer on behalf of Punjab Pollution Control Board.

Order

M/s Amar Colour Chem India, Amritsar has filed the present appeal against the order dated 18.11.2022 of the Punjab Pollution Control Board vide which Environmental Compensation of Rs. 8,37,500/- has been imposed. A prayer has been made to set aside the order dated 18.11.2022.

2) Upon notice, Punjab Pollution Control Board has put in its appearance and filed reply in the case. The reply was taken on record and copy was supplied to the counsel for the appellant.

3) Parties were heard.

4) The counsel for the appellant stated that the Punjab Pollution Control Board in an absolutely illegal and arbitrary manner has imposed Environmental Compensation amounting To Rs. 8,37,500/- upon the appellant industry vide order dated 18.11.2022 in complete violation of Law laid down by the Hon'ble Supreme Court of India in the case of Deepak Nitrate Limited v/s State of Gujarat reported in 2004 (6) SCC 402. The counsel further stated that earlier the appellant herein has filed an appeal before the Appellate Authority on 20.1.2022 against the orders dated



18.10.2022 of the Punjab Pollution Control Board whereby the consents to operate the industrial unit under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 were unreasonably returned /refused by the Board. The said appeal was decided by the Appellate Authority vide orders dated 16.11.2022 whereby the operation of the industrial plant was allowed by imposing several conditions but no condition was related to the imposition of Environmental Compensation. The Board after the passing of the said order on 16.11.2022 by the Appellate Authority has illegally and arbitrary imposed Environmental Compensation amounting to Rs. 8,37,500/- upon the appellant by passing an order dated 18.11.2022.

The counsel for the appellant placed on record a copy of office order no. 517 dated 1.1.2021 of the Punjab Pollution Control Board wherein procedure for imposition of Environmental Compensation to the industries, other projects, ULBs has been explained. The counsel stated that the Board has not given any opportunity of hearing to the appellant before imposing the Environmental Compensation,

The Counsel further argued that Environmental Compensation can be imposed if actual damage has been caused to the environment. In the present case the Board has failed to disclose any damage to the Environment. The counsel requested to set aside the order dated 18.11.2022 passed by the Board for imposition of Environmental Compensation upon the appellant.

5) The officer of the Board reiterated the same facts which have been mentioned in the reply and stated that the Board has imposed Environmental Compensation upon the appellant by following due procedure. The officer stated that many complaints have been received by the Board against the industry for damaging the environment and on 10.10.2022 in the morning, leakage of gas/ acid was observed from the industry and the same spreaded in the surrounding. The Punjab State Power Corporation Ltd authorities had failed to disconnect to power supply available to the industry. The Board thereafter had issued directions on 12.10.2022 to seal the entire plant and machinery alongwith DG set of the industry. The industry was sealed by the Board officers on 28.10.2022. The industry remained in operation without the valid consents and in violation to the directions issued by the Board. Due to these violations, Environmental Compensation amounting to Rs. 8,37,500/- was imposed from the release date of stay order i.e.23.08.2022 till penultimate date of the sealing of whole machinery i.e. 28.10.2022.

6) After hearing the parties, I have examined the relevant documents. The main grievance of the appellant is that the Board has not extended an opportunity of hearing before the imposition of Environmental Compensation and the Board has acted in complete violation of law laid down by the Hon'ble Supreme Court of India in Deepa Nitrate Limited v/s State of Gujarat. It is observed that the Board has laid down the procedure for imposing Environmental Compensation to industries, other projects and ULBs by passing an office memorandum bearing no. SEE(HQ2)/2021/OMNo.517 dated 01.10.2021 under the signatures of its Chairman. The contents of the office memorandum dated 01.10.2021 are reproduced herein below:

Office Memorandum

Subject: Procedure for imposing Environmental Compensation to the Industries, Other Project & ULBs.

It has been noticed that some of the officers from the Board are imposing environmental compensation to the industries, other project proponents and ULBs without giving an opportunity to show cause (with or without hearing) before the Competent Authority. The Board has yet to delegate the powers to impose environmental compensation to the subordinate offices (EEs/SEEs/CEEs).

As such, it has been decided that a show cause notice (with or without an opportunity of personal hearing) before the Chairman of the Board proposing to impose EC mentioning the violations shall be issued to the industry/project proponent/ULBs before the imposition of environmental compensation (EC). No officer (EEs/SEEs/CEEs) will issue any show cause notice or extend opportunity of personal hearing to impose environmental compensation to the industry/project proponent/ULB at their own. A detailed note/proposal justifying the reasons for imposition of environmental compensation shall be placed before the competent authority and only after his approval, notice/speaking orders for imposition of environmental compensation shall be issued under the signature of Member Secretary/Chairman of the Board as per the template issued by the legal branch. Before confirming the environmental compensation to any industry/project proponent/ULB,

Govt. of Gujarat
Science

the calculations shall be vetted by the committee constituted by the Board for this purpose vide office order no. 312 dated 19.05.2021.

These order will come into force with immediate effect.

sd/-

(Prof. (Dr) Adarsh Pal Vig)

Chairman

7) The office memorandum dated 1.10.2021 issued by the Punjab Pollution Control Board provides for at-least four essential features which are required to be complied before the Environmental Clearance is imposed. The important features of the office order of the Board summarized are i) Placing of the matter before the Competent Authority justifying the reasons for imposition of Environmental Compensation. ii) The issuance of a show cause notice (with or without an opportunity of personal hearing) to the industry, project proponent, ULBs before the Chairman of the Board proposing to impose Environmental Compensation mentioning the violations therein. iii) Before conforming Environmental Compensation to any industry / project proponent, ULB the calculations shall be vetted by the committee constituted by the Board for this purpose vide office order no. 512 dated 19.5.2021 and iv) passing of speaking orders for imposition of Environmental Compensation.

8) In view of the facts recorded herein above, the case in hand is remanded and relegated to the Chairman of the Punjab Pollution Control Board with a direction to reconsider the case in accordance with the contents and elements contained in office order no.517 dated 1.10.2022 issued by the Board for imposition of Environmental Compensation. The Chairman, Punjab Pollution Control Board will pass fresh order in the case accordingly.

9) The appeal stands disposed of in above terms. The file be consigned to record.

Sd/-

(Rahul Tewari, IAS)

Appellate Authority

-cum-

Secretary to Government of Punjab,
Department of Science, Technology
and Environment, Chandigarh.

04.01.2024

Pronounced.

Certified Copy

Himanshu Singh
Senior Law Officer
Appellate Authority
Government of Punjab
Deptt. of Science, Technology
and Environment
Chandigarh

 PUNJAB POLLUTION CONTROL BOARD		
Zonal Office, Plot No. 164, Focal Point, Mehta Road, Amritsar		
Tel: Fax:- 0183-2581420	Website:- www.ppcb.gov.in	email:- seezoasr@yahoo.com

No. 582

Regd.

Date: 19/02/2024

To

M/s Amar Colour Chem India,
26 - Focal Point,
Amritsar.

Sub: Show cause notice for violations of the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981. (24210653)

Whereas, it is obligatory on the part of the industry to obtain the consent to establish (NOC) u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981 and u/s 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 before establishing / expansion of the industry.

And whereas, it is also obligatory on the part of the industry to obtain consent to operate an outlet under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 for operation of the industry.

And whereas, it is mandatory on the part of industry to install proper and adequate pollution control devices so as to ensure that the concentration of various pollutants in effluent/emissions being discharged by industry, conforms to the effluent/emission standards as prescribed by the Board.

And whereas, Regional Office, Amritsar has reported that continues complaint by Sh. Davinderpal Singh owner of M/s T.K Rubber, Plot No. 24-25, Focal Point, Amritsar is being filed in this office on regular basis against the subject cited industry namely M/s Amar Color Chem, Plot No. 26, Focal Point, Amritsar.

And whereas, this office has taken action on the complaints time to time and also Board has taken several actions in regard to the complaints. The complainant has also filed the complaint in Hon'ble NGT, New Delhi titled as Public Action Committee & Ors vide O.A No. 470 of 2023.

And whereas, the detail of action taken by the Board for redressal of the complaint and several events on the basis of the complaint are detailed as follow:- Regarding imposition of environmental compensation Rs. 837500/- Earlier directions were issued to the industry u/s 31- A of Air (Prevention & Control of Pollution) Act, 1981 and u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 for disconnection of the electric connection of the industry. Due to court case, the PSPCL authorities failed to disconnect the power supply available to the industry. Accordingly, directions u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 & 31-A of Air (Prevention & Control of Pollution) Act, 1981 issued vide no. 3333-37 dated 12.10.2022 issued to seal the entire plant & machinery along with D.G. Set of the industry immediately was police protection. The industry not open the gate or allowed to seal the plant and machinery, but same was sealed by the officers of the Board on 28.10.2022.

And whereas, the industry remain in operation without valid consents of the Board and in violation to the directions issued u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 & 31-A of Air (Prevention & Control of Pollution) Act, 1981 of the Board. Due to abovesaid violations the EC of amounting Rs. 837500/- was imposed vide letter no. 3672-73 dated 18.11.2022 to the industry which was calculated from the release date of stay vacate order i.e. 23.08.2022 till penultimate day of the sealing of whole machinery i.e. 28.10.2022.

And whereas, M/s Amar Colour Chem India, Amritsar has filed appeal before Hon'ble Appellate Authority of the Board against the order dated 18.11.2022 of the Punjab Pollution Control Board vide which Environmental Compensation of Rs. 837,500/- has been imposed before. A prayer has been made to set aside the order dated 18.11.2022. Hon'ble Appellate Authority has been disposed off the appeal filed by the industry vide order dated 04.01.2024.

And whereas, The extract of the order passed by the Hon'ble Appellate Authority are reproduced as under:-

"After hearing the parties, I have examined the relevant documents. The main grievance of the appellant is that the Board has not extended an opportunity of hearing before the imposition of Environmental Compensation and the Board has acted in complete violation of law laid down by the Hon'ble Supreme Court of India in Deepak Nitrate Limited v/s State of Gujarat. It is observed that the Board has laid down the procedure for imposing Environmental Compensation to industries, other projects and ULBs by passing an office memorandum bearing no. SEE(HQ2))2021/OMNo.517 dated 01.10.2021 under the signatures of its Chairman."

And whereas, the office memorandum dated 1.10.2021 issued by the Punjab Pollution Control Board provides for at-least four essential features which are required to be complied before the Environmental compensation is imposed. The important features of the office order of the Board summarized are:-

- i) Placing of the matter before the Competent Authority justifying the reasons for imposition of Environmental Compensation.
- ii) The issuance of a show cause notice (with or without an opportunity of personal hearing) to the industry, project proponent, ULBs before the Chairman of the Board proposing to impose Environmental Compensation mentioning the violations therein.
- iii) Before conforming Environmental Compensation to any industry / project proponent, ULB the calculations shall be vetted by the committee constituted by the Board for this purpose vide office order no. 512 dated 19.5.2021.
- iv) The passing of speaking orders for imposition of Environmental Compensation.

And whereas, in view of the facts recorded herein above, the case in hand is remanded and relegated to the Chairman of the Punjab Pollution Control Board with a direction to reconsider the case in accordance with the contents and elements contained in office order no.517 dated 1.10.2022 issued by the Board for imposition of Environmental Compensation. The Chairman, Punjab Pollution Control Board will pass a fresh order in the case accordingly. The appeal stands disposed of in above terms.

And whereas, original Application No. 470 of 2023 titled as Public Action Committee & Ors filed before the Hon'ble NGT, New Delhi The complainant has filed a complaint before the Hon'ble National Green Tribunal, New Delhi alleged that the industry is running on ZLD but has been damaging the environment by releasing toxic gases, fugitive fumes in ambient air as well as discharging harmful effluents in the domestic sewer illegally and in a very unscientific way, resulting in serious health related problems for residents, for workers of factory and public at large.

And whereas, the Hon'ble National Green Tribunal (NGT), vide order August 10, 2023 constituted a Joint Committee of three members comprising of One representative from State Pollution Control Board, Punjab, One representative from the PCB and One representative from Collector /DM, Amritsar. The Committee is directed to visit the place and submit the factual and action taken report on extent of violation and reasons for not taking action under Water Act, 1974 and Air Act, 1981 within four weeks. The State PCB will be the nodal agency for coordination and compliance. It has directed by the Hon'ble NGT in the order dated 10/08/2023, as follows: -

"We deem it just and proper to call a report on the matter in issue in present Original Application, from a Joint Committee constituted on the above cited matter."

And whereas, in compliance to Hon'ble NGT order committee comprising of the following members was composed:- 1. Sh. Nikas Kumar, IAS, SDM, Amritsar-II (Nominated by District Magistrate, Amritsar) 2. Sh. J P Meena, Scientist-D, CPCB (Nominated by CPCB, RD, Chandigarh) 3. Er. Sukhdev Singh, EE, PPCB, RO, Amritsar (Nodal Officer, nominated by PPCB).

And whereas, the committee has been vested with mandate to visit and inspect the site in question and vested with following scope vide order dated 10.08.2023.

And whereas, the Hon'ble National Green Tribunal has also directed to respondent no. 2, 4 and 5 to submit an affidavit separately. Accordingly a reply in the

shape of affidavit was prepared and was filed before the Hon'ble NGT after vetting from the competent authority of the Board.

And whereas, the Hon'ble National Green Tribunal, New Delhi on dated 06.02.2024 has passed following orders:-

1. Grievance in this Original Application is in respect of violation of environmental norms by respondent no. 5, M/s Amar Colur Chem India, Plot No. 26, Focal Point, Amritsar. The Tribunal by order dated 10.08.2023 had constituted a Joint Committee and had called for the report from the Committee. The Joint Committee has submitted the report dated 21.11.2023 and the said report contains following salient observations about the unit in question.
2. Perusal of the above salient observations by the Committee reveals that the respondent no. 5 has defaulted and violated the requisite norms.
3. Learned Counsel for the applicant, during the course of argument, has produced the order dated 12.01.2024 passed by the Punjab Pollution Control Board revoking the Consent to Operate (CTO) granted to respondent no. 5. He is directed to place on record the said order by way of an affidavit.
4. Neither the Counsel for respondent no. 5 nor the Counsel for PPCB are aware of any such revocation order. Hence, they are granted liberty to obtain instructions in this regard.
5. So far as the issue of imposition of EC for past violation is concerned, the PPCB will file the fresh report within three weeks disclosing the action taken in this regard.
6. It is also the submission of the Counsel for the applicant that though the CTO has been revoked, yet respondent no. 5 unit is functioning. PPCB will duly look into this aspect of the matter. If the CTO has been revoked, then the concerned authorities will ensure implementation of the said order, if there is no illegal impediment in this regard. Hon'ble NGT has directed to file reply before next date hearing i.e. 16.04.2024 through e-mail. Recent complaint against the industry and revocation of the consent under Air (Prevention & Control of Pollution) Act, 1981.

And whereas, a complaint regarding pungent odor and emitting black smoke was received telephonically from the prop. of adjoining unit. Accordingly, area under complaint was visited on 08.12.2023 and pungent odor being released from the industry observed from the roof of the adjoining unit.

And whereas, this office asked GSPL through e-mail dated 09.12.2023 to submit consumption of PNG by the industry from last 06 months. Accordingly, GSPL has submitted record vide e-mail dated 11.12.2023 and as per record submitted consumption of PNG by the industry is zero from 24.09.2023 to upto 30.11.2023. It reveals from the record submitted by GSPL that the industry is not using PNG as fuel in its boiler and is using non-consented fuel. In light of the observations/violations observed by the Joint Committee as well as complaint received from the adjoining industry and record submitted by GSPL regarding non-consumption of PNG (consented fuel).

And whereas, consent to operate under Air (Prevention & Control of Pollution) Act, 1981 was revoked vide Zonal Office, Amritsar letter no. 164 dated 22.01.2024. But the industry has obtained auto renewal of the consent to operate under Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 through OCMMS system of the Board which are valid upto 25.12.2026. Special condition of the Board regarding audit/study from IIT, Delhi.

And whereas, it is pertinent to mention here that earlier a special condition was imposed to the industry while granting CTO under Air (Prevention & Control of Pollution) Act, 1981 and Water (Prevention & Control of Pollution) Act, 1974 as under: -

The industry shall get the environmental audit/study regarding adequacy of Effluent treatment plant, Air pollution Control Devices Installed for control of fugitive emission from various processes, from IIT Delhi on its own cost within 3 months. But till date the industry has failed to submit audit/study report from IIT Delhi.

And whereas, opinion of SLO of the Board Vide above e-note dated Senior Law Officer of the Board has opined as under:-

1. The Hon'ble National Green Tribunal has passed order dated 1.12.2023 in the case. In para no. 3 of the order, it is mentioned that Joint Committee has submitted the report dated 21.11.2023 which reflects non-compliance and violations by the project proponent respondent no.5 and objections to the report of the committee has also been filed by the applicant. The objections filed by the applicant to the Joint Committee report may be downloaded from the website of the Hon'ble National Green Tribunal.
2. Though the Hon'ble Tribunal has allowed the prayer of the counsel for respondent no.5 i.e M/s. Amar Colour Chem India to file reply / response to the reports, but the Board may also act on the joint committee report in reference to non-compliances and violations as mentioned in the report of the Joint Committee.
3. The Board may examine the Joint Committee report and then issue notice disclosing the violations to M/s. Amar Colour Chem India with an opportunity of hearing before the Competent Authority, so that necessary action is taken by the Board on the report of the Joint Committee.

And whereas, in view of the above Regional Office recommended that above all mentioned sequence regarding non compliances observed by the Joint Committee (constituted by Hon'ble National Green Tribunal, New Delhi), and recommendations of the said committee, Imposition of environmental compensation Rs. 837500/-, Case pending before Hon'ble NGT, New Delhi, Recent complaint, Revocation of consent under Air (Prevention & Control of Pollution) Act, 1981, Auto renewal of consents obtained by the industry under Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 through online system and special condition of the Board regarding audit/study from IIT may be considered during personal hearing before the competent authority of the Board which has already been approved.

And whereas, it is pertinent to mention here that Hon'ble National Green Tribunal vide order dated 06.02.2024 has directed PPCB to file the fresh report within three weeks disclosing the action taken w.r.t. imposition of EC for past violation is concerned.

And whereas, the industry is violating the provisions of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

And whereas, it has now been proposed to initiate action against the industry under the Water (Prevention & Control of Pollution) Act 1974 as amended in 1988 & Air (Prevention & Control of Pollution) Act, 1981 as amended in 1987.

As such, you are, hereby given an opportunity of personal hearing, to file objections, if any, on the proposed action **before the Chairman of the Board at Vatavaran Bhawan, Nabha Road, Patiala on 06-03-2024 at 11.00 AM** failing which it will be presumed that the Project Proponent has nothing to say and the Board shall go ahead to take action as proposed under the Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act 1981 without giving any further notice / opportunity.

Enlist. No. 583

19/2/24
 Environmental Engineer
 For Senior Environmental Engineer
 Dated. 19/02/2024

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board Regional Office, **Amritsar** for information and necessary action. **He is requested that this letter must be delivered to the industry well before the date of hearing.**

19/2/24
 Environmental Engineer
 For Senior Environmental Engineer

Befo e The chairman Punjab Pollution Control Board Patiala

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Amar Colour Chem India

A GOVERNMENT RECOGNIZED EXPORT HOUSE

Manufacturers, Importers & Exporters of Basic Dyes, Chemicals & Pharma Raw Materials

Work & Corp. Office : Plot No. 26,
Old Focal Point, Near Hatt Hotel,
Amritsar 143001 (Punjab) INDIA.

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To

THE CHAIRMAN

PPCB

PATIALA

Reply with regard to letter bearing no. 582 dated 19-02-2024

1. That briefly stated, the answering respondent was established in the year 1996 and was engaged in procuring the dyes in powder form from the units manufacturing dye and dye intermediate for carrying out mixing and blending process of pure form of the dyes to get standardised dyes of the desirable purity, which was/is needed by the textile units. The firm is registered with the Registrar of Firms and Societies in the name of AMAR COLOR CHEM (INDIA). A copy of the Form-A showing the registration of the firm is attached herewith as ANNEXURE R-1.

2. That before countering the allegations raised against the answering respondent, the answering respondent would like to explain the process of working which includes purchase of the basic dyes from different suppliers and to the standardise the same as per the market requirement. The major products manufactured by the answering respondent includes Auramine Yellow Dyes and Malachite Green Dye. In the unit of the answering respondent, in order to manufacture Auramine Yellow with the strength of 30%, the process involves of mixing the basic yellow colour and glycerin and then stirred and steamed at a particular temperature. No evaporation of the material in the environment is being made. After presenting the same, the material is transferred to the storage

tanks. Subsequently the material is packed after following the set procedure. Same is the procedure for manufacturing of OIL GREEN Dye. The detailed process of manufacturing along with the process charts is attached herewith as ANNEXURE R-2. - 15 -

3. That it is a posite to state herein that during the standardisation, neither any evaporaticn of the material takes place nor any water effluent is being discharged. Still, on the asking of the Punjab Pollution Control Board, the answering respondent had installed an ETP to treat the untreated effluent from the Industry, if any. The same had already been informed to the Board vide letter date 14.10.2021, copy of which is attached herewith as ANNEXURE R-3.
4. Although, the same was not even required but still, the answering respondent had set up the ETP. So much so, the answering respondent is hereby placing on record the Feasibility Report on Water Pollution Control Measures made by Universal Enviro Engineers, Fatehgarh Churian Road, Muradpura, Amritsar, whereby, it has been certified that the ETP installed at the Industry of the answering respondent is as per the norms of the Punjab Pollution Control Board (PPCB). Copy of the Feasibility report along with the certificate dated 03.06.2021 is attached herewith as ANNEXURE R-4.
5. FALSE COMPLAINTS AND REGULAR COMPLIANCES BY THE APPELLANT- That the answering respondent unit had been a regular victim of the harassment by appellants who are repeatedly filing false complaints against the answering respondent. Such complaints have been found to be false on various occasion. For illustration, attention of this Hon'ble Tribunal is invited towards proceedings recorded by PPCB on 03.01.2022 wherein appellant complained that answering respondent is still continuing operations in the unit inspite of closure order. Accordingly, on 02.01.2022 visit was conducted and it

was found that unit was closed and there is no operations. Complaint was thus found to be false.

6. That first appeal was preferred by the answering respondent Industry against the order dated 10.01.2022 wherein the PPCB had issued an order of sealing of the plant along with the DG Sets of the answering respondent Industry and further the renewal of consent to operate, had been illegally declined by the Respondent No. 4 Board. The said appeal was disposed of by the Ld. Secretary on 06.05.2022 and had held that the action of the Board by relying upon the alleged report which was prepared by the Department of Chemistry, Guru Nanak Dev University, Amritsar pertained to Germany and it did not have any applicability to India. Further, it had been clarified that the chemical being produced by the answering respondent Industry, is not banned in India as alleged in the order dated 10.01.2022 and the order dated 10.01.2022 was set aside. A copy of the disposal order of the first appeal dated 06.05.2022 is ANNEXURE R-5.

7. That thereafter again the consent to operate was revoked by the PPCB unilaterally on 08.07.2022, against which the answering respondent had approached the Ld. Secretary and filed an appeal which was again disposed of on 18.08.2022 whereby liberty was given to the answering respondent to make necessary compliances and thereafter apply for fresh consent under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1986. Pursuant to the said order, the answering respondent had undertaken all the necessary compliances and had submitted an application in this regard for obtaining the consent to operate online on the online Portal on 29.08.2022.

8. That the above said application to obtain consent was returned on 05.09.2022 along with scrutiny details wherein certain clarification had been sought by the Respondent Board from the answering respondent which is duly reflected on the

Portal under the Head-Scrutiny details, a copy of the same is attached herewith as ANNEXURE R-6.

9. The answering respondent thereafter immediately made all the compliances and again submitted a fresh application to obtain the consent to operate on 15.09.2022. However, despite submitting a detailed compliance report along with the application form, the PPCB, in an unreasonable manner, had returned the same on 26.09.2022 by simplicitor stating that the attachments along with the applications being corrupt files, could not be downloaded and therefore, the same was returned to resubmit the same. A copy of the said scrutiny details dated 26.09.2022 is attached herewith as ANNEXURE R-7.
10. That the above said action of the Board was though uncalled for, however, in order to run the Industry, the answering respondent had no other option, but to again, on 08.10.2022, submit a fresh detailed application for obtaining consent to operate along with all the detailed compliance report reflecting that all the compliances /clarifications which have been sought from the answering responder : Industry, have been duly met with.
11. That it is pertinent to mention herein that the Board did not consider the said application, however, on 12.10.2022, the Board, while overreaching the procedure had issued directions U/s 33 (A) of the Water Act and U/s 31 (A) of the Air Act, thereby ordering the sealing of the entire plant and machinery along with the DG sets of the Industry. A copy of the letter dated 12.10.2022 is attached herewith as ANNEXURE R-8. The only reason mentioned therein was that since the Industry is operating without valid consents and further regular complaints are being received against the Industry and the compliance for disconnection of the electricity connection by the PSPCL pursuant to the alleged directions issued on 30.08.2022 is pending. Pursuant to the same, on 13.10.2022, the Board had partially sealed the Unit.

12. That challenging the same the answering respondent had yet again approached the Ld. Authority-Cum-Principal Secretary, Department of Science, Technology & Environment, Punjab Civil Secretariat, Chandigarh by filing appeal No.20/SLO/AA/2022 titled as *Amar Colour Chem India Versus PPCB*. The said appeal was disposed of on 16.11.2022. While disposing of the said appeal, the Ld. Authority had allowed the industrial Unit of the answering respondent to operate subject to certain conditions which are mentioned at Sub Clause (a) to (h) of para no.8 of the order dated 16.11.2022. For ready reference, the said conditions are reproduced hereinbelow: -

'8. In view of the above recorded facts and the undertaking given by the Counsel with the consent of the appellant, I hereby allow the operation of the industrial unit subject to the following conditions that:

- a)The appellant shall connect all the 8 vessels of the industrial unit with the air pollution control system within six months from today.
 - b)During the period of six months, the appellant shall use only two vessels for industrial process and purposes which are connected to the air pollution control system and the remaining six vessels shall only be used for storing the raw material it would however be ensured that such storage should not lead to any pollution and shall not be used for any purpose which leads to any sort of pollution or any sort of emission generation.
 - c)The effluent treatment plant with treatment material/culture and component shall be made operational.
 - d)The appellant may connect vessels to the air device in a block wise manner but all six vessels must be connected within 6 months.
-

- e) The appellant shall only put into use the block-wise vessels to industrial use with prior consent of the Board which have been connected with the air pollution control system.
- f) The orders dated 21.02.2022 and 06.05.2022 earlier passed by the Appellate Authority in the appeal case filed by the appellant with regard to restrictions imposed in the case shall also remain operative.
- g) The industry shall take extra care and adequate precautions to avert any kind of incident which may cause pollution.
- h) The industry would follow all relevant guidelines issued by PPCB from time to time.

A copy of the order dated 16.11.2022 is already attached with the petition as ANNEXURE P-13.

13. That the only conditions which were levied, were for connecting the vessels of the Unit with the air pollution system and that too, in a phased manner, as described therein. Still further, the other compliances were ordered to be made which were being made by the answering respondent industry as per the order in *stricto sensu*. However, firstly, as per the order, the Unit of the answering respondent was never opened within the 5 working days from the issuance of the order. Rather, instead of opening the Unit or de-sealing the entire plant and machinery, the Board served the impugned letter dated 16.11.2022 upon the answering respondent vide which, in an illegal and arbitrary manner, they have levied an environmental compensation amounting to Rs.8,37,500/- upon the answering respondent Unit for a period of 23.08.2022 till 28.10.2022. A copy of the impugned letter is attached herewith as ANNEXURE R-7. The central pollution control board water permission form is ANNEXURE R-9.
14. That thereafter, it is only on 25.11.2022 that the Board had opened the Unit of the answering respondent and a report was prepared by the officers of the

Respondent Board dated 25.11.2022. Still further, on the same day i.e., on 25.11.2022, the Board, vide its letter bearing Endorsement No.3770 dated 25.11.2022 had issued directions to the Punjab State Power Corporation Limited for restoration of the electricity connection for 6 months with immediate effect. Copy of letter dated 25.11.2022 is attached herewith as ANNEXURE R-10.

15. That challenging the notice dated 18.11.2022, wherein the environmental compensation of Rs.8,37,500/- has been levied, the answering respondent filed an appeal bearing Appeal no.01/SLO/AA/2023. The same is decided in favour of answering respondent.

16. That moreover, the Board had yet again revoked the consent granted to the answering respondent vide its order dated 09.03.2023. Aggrieved against the same, the answering respondent again approached the Ld. Authority-Cum-Principal Secretary, Department of Science, Technology & Environment, Punjab Civil Secretariat, Chandigarh by way of filing Appeal no.12/SLO/AA/2023, which vide order dated 31.05.2023 while observing the fact that the answering respondent had been complying with the environmental norms and conditions imposed upon it, directed the answering respondent to apply afresh for obtaining consent and also directed the Senior Environmental Engineer namely Sh. Harpal Singh not to deal with the consent application of the answering respondent and directly put the said case to Senior Environmental Engineer, Jalandhar who will move the case to Chief Environmental Engineer, Jalandhar. A copy of the said order dated 31.05.2023 is ANNEXURE R-11.

In addition to above reply 14 suggestions were given by NGT and the para wise reply to the 14 suggestions are given below as-

17. In the process of standardisation of dyes, there is no discharge of any kind of effluent nor are any toxic gases or fugitive fumes released. Still, the answering respondent welcomes the stringent surveillance by the respondent Board.



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18. The unit had already applied for the permission from Central Ground Water Authority (CGWA) for ground water abstraction vide application no. 2024010 047018. The status of the same is pending. A copy of the application is ANNEXURE R-12.
19. The unit had installed electromagnetic flow meter & log book is duly being maintained. A copy of the photograph of meter and log book is ANNEXURE R-13.
20. The next suggestion is that Emergency Preparedness plan based on hazard identification and risk assessment and disaster management plan should be implemented in the unit. The unit is in the process of implementing the same and the same would be done as early as possible. For this purpose the respondent has already prepared on site emergency plan and copy of the same is ANNEXURE R-14.
21. That respondent submits that it is not the business of trading of Acetic Acid, Sulphuric Acid, Oxalic Acid etc. as there is no sale of the same. However, respondent still wishes to make all efforts to avoid any conflict. Therefore, the unit had already approached the officials of the Board for getting the NOC for the said purpose but the same is not being provided to the unit without giving any reasons. It is therefore requested to also direct the respondent Board to grant the requisite NOC to the answering respondent unit. A copy of the application cum request letter dated 31-1-2024 is ANNEXURE R-15.
22. The next suggestion is that the unit should obtain authorisation under the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016. The unit had already entered into an agreement with one M/s Aggarwal Manufacturing Co & M/s Nimbua Green Field Punjab Ltd. Vide Membership No 2878 Dated 10.06.2021 for disposal of Used drums/containers,

ETP sludge, process residue and expired chemicals. A copy of the agreements are annexed as ANNEXURE R-16.

23. The unit had already taken public liability insurance policy. Vide Policy No 4008/319441233/00/000 Dated 05.12.2023 ICICI Lombard General Insurance Co. Ltd. and a copy of the same is ANNEXURE R-17.
24. The unit had already prepared on site /off site emergency plan of the plant area which was submitted to PPCB in June 2021. Still, the unit will submit the same again. A copy of the On site emergency plan is being attached as ANNEXURE R-18.
25. The unit is in the process of improving the over all housekeeping of the plant process area.
26. The unit is in process of limiting/improving the leakage and spillage in the manufacturing process. The respondent submits that it is already taking extreme care and caution to ensure that this does not happen. Still the respondent has issued instructions to his supervisor to ensure that this is not done. Instructions have already been issued to the supervisor to ensure that utilisation of material must be under his supervision. A copy of such instructions is ANNEXURE R-19. Further, the unit is also attaching the report obtained by it from one Jandiala Engineering and Allied Services regarding examination of mixing tank as ANNEXURE R-20.
27. The unit had already installed adequate fire-fighting arrangements in the plant which includes Hose Reel system, Fire Hydrant system, Sand buckets, Portable Fire Extinguishers, Electrical/ manual siren for emergency/ accident situations which are adequate. Supporting proof is ANNEXURE R-21.
28. The unit is maintaining proper ventilation system in the work Zone by providing proper exhaust along with filter and duct in the process area of green dye stuff.

29. The unit had already put up proper display board at the entrance gate as per the Hon'ble Supreme Court order in WP 657/1995. Copy of the same is ANNEXURE R-22.
30. That it is apposite to state over here that despite of the order dated 31.05.2023, Sh. Harpal Singh Senior Environmental Engineer Amritsar passed orders while revoking the Air consent of answering respondent vide order dated 12.1.2024 and same is ANNEXURE R-23. The consent was revoked without any show cause notice or order of competent authority merely on the basis of telephonic complaint and without giving an opportunity to the respondent of being heard. The Respondent took supply from Gas Gujarat Gas Limited fuel. However, due to less pressure in winters, the unit also took the supply of gas from local Vendor. The Respondent did not required fuel prior to December 2023. The pressure of Gujarat Gas was not adequate with our processing machines so were compelled to take supply from local units. Further, the Respondent on its own got Air Quality Check done on 08.12.23 (i.e. the date of complaint) and the report was within permissible limit. Copy of bills of purchase of Gas from Local Vendors and Air Quality Report is ANNEXURE R-28 and Annexure R-29.
31. That there are more than 500 units in the Industrial Area but only Davinder pal Singh move false complaints against the answering respondent. It is worthwhile to mention over here that all the complaints moved by Davinder Pal Singh were telephonic and no documentary evidence ever produced by him. It is further submitted during the inspection conducted by CPCB, Davinder Pal Singh himself recorded his statement that no violation of AIR and WATER committed by answering respondent. (copy of report enclosed). It is worthwhile to mention here that once Davinder Pal Singh try to ran over his car over the father of answering respondent Sh. Rakesh Handa. He is settling down his personal scores.

32. That several times reminder sent to IIT DELHI for making the inspection in the premises but despite of reminders no one ever visit the premises. The record is ANNEXURE R- 24.
33. That Adequacy Assessment report is ANNEXURE R- 25.
34. The copy of application moved to Hon'ble Deputy Commissioner Amritsar vide dated 14-11-2023 is ANNEXURE R- 26.
35. The Consent was already applied but same was rejected, despite all the compliances fulfilled by the concerned unit. Again consent was applied and the Copy of application applied for Hazardous substances is ANNEXURE R-27.
36. That it is opposite to mention over here that the answering respondent never refused to comply with the directions issued by PPCB from time to time. The entire record with respect to compliance of terms is enclosed. The EC was calculated on 67 days but the department miserably failed to explain as to what environmental damage was caused during those 67 days. No sample was taken by the PPCB employs on the day of Leakage incident. Rather they know the fact that it was Hydrogen Peroxide which is not Hazardous to anyone. The Environmental Compensation is imposed only if any damage is caused to nature and Living beings but no such matter was reported neither PPCB produced any Lab report or medical report in support of their case. Without seeking the permission from appropriate authority, SE Harpal Singh in haste issued the orders for compensation in illegal and unlawful manner. The Bank Guarantee of Rs. 10 lacs was in-cashed against the EC orders by the concerned PPCB department and the same be also refund back to applicants. The auto generated consents are Annexure R-30 and the Fire fighting instrument photographs are Annexure R-31.

It is therefore prayed that the plea of the answering respondent be considered and directions be issued to PPCB not to entertain such false complaints in the near future. The answering respondent

assures to make compliance of every order issued by PPCB in future. The PPCB Amritsar be also directed to refund amount of Rs 10 lacs to applicant as being deducted from Bank Guarantee amount.

Thanking You

Rohit Har da

Amar Colour Chem India

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PUNJAB POLLUTION CONTROL BOARD		
Zonal Office, Plot No. 164, Focal Point, Mehta Road, Amritsar		
Tele Fax :- 0183-2581420	Website :- www.ppcb.gov.in	email :- soozonar@yahoo.com
No. = 36	Regd.	Date: 20/03/2024
To		

M/s Amar Colour Chem India,
26 - Focal Point,
Amritsar.

Sub: Show cause notice for violations of the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981. (24210653)

Whereas, it is obligatory on the part of the industry to obtain the consent to establish (NOC) u/s 21 of the Air (Prevention & Control of Pollution) Act, 1981 and u/s 5/26 of the Water (Prevention & Control of Pollution) Act, 1974 before establishing / expansion of the industry.

And whereas, it is also obligatory on the part of the industry to obtain consent to operate an outlet under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 for operation of the industry.

And whereas, it is mandatory on the part of industry to install proper and adequate pollution control devices so as to ensure that the concentration of various pollutants in effluent/emissions being discharged by industry, conforms to the effluent/emission standards as prescribed by the Board.

And whereas, Regional Office, Amritsar has reported that continues complaint by Sh. Davinderpal Singh owner of M/s T.K Rubber, Plot No. 24-25, Focal Point Amritsar is being filed in this office on regular basis against the subject cited industry namely M/s Amar Color Chem, Plot No. 26, Focal Point, Amritsar.

And whereas, this office has taken action on the complaints time to time and also Board has taken several actions in regard to the complaints. The complainant has also filed the complaint in Hon'ble NGT, New Delhi titled as Public Action Committee & Or vide O.A No. 470 of 2023.

And whereas, the detail of action taken by the Board for redressal of the complaint and several events on the basis of the complaint are detailed as follow:- Regarding imposition of environmental compensation Rs. 837500/- Earlier directions were issued to the industry u/s 31- A of Air (Prevention & Control of Pollution) Act, 1981 and u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 for disconnection of the electric connection of the industry. Due to court case, the PSPCL authorities failed to disconnect the power supply available to the industry. Accordingly, directions u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 & 31-A of Air (Prevention & Control of Pollution) Act, 1981 issued vide no. 3333-37 dated 12.10.2022 issued to seal the entire plant & machinery along with D.G. Set of the industry immediately was police protection. The industry not open the gate or allowed to seal the plant and machinery, but same was sealed by the officers of the Board on 28.10.2022.

And whereas, the industry remain in operation without valid consents of the board and in violation to the directions issued u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 & 31-A of Air (Prevention & Control of Pollution) Act, 1981 of the Board. Due to abovesaid violations the EC of amounting Rs. 837500/- was imposed vide letter no. 3672-73 dated 18.11.2022 to the industry which was calculated from the release date of stay vacate order i.e. 23.08.2022 till penultimate day of the sealing of whole machinery i.e. 28.10.2022.

And whereas, M/s Amar Colour Chem India, Amritsar has filed appeal before Hon'ble Appellate Authority of the Board against the order dated 18.11.2022 of the Punjab Pollution Control Board vide which Environmental Compensation of Rs. 8,37,500/- has been imposed before. A prayer has been made to set aside the order dated 18.11.2022. Hon'ble Appellate Authority has been disposed off the appeal filed by the industry vide order dated 04.01.2024.

And whereas, The extract of the order passed by the Hon'ble Appellate Authority are reproduced as under:-

"After hearing the parties, I have examined the relevant documents. The main grievance of the appellant is that the Board has not extended an opportunity of hearing before the imposition of Environmental Compensation and the Board has acted in complete violation of law laid down by the Hon'ble Supreme Court of India in Deepak Nitrate Limited v/s State of Gujarat. It is observed that the Board has laid down the procedure for imposing Environmental Compensation to industries, other projects and ULBs by passing an office memorandum bearing no. SEE(HQ2))2021/OMNo.517 dated 0.10.2021 under the signatures of its Chairman."

And whereas, the office memorandum dated 1.10.2021 issued by the Punjab Pollution Control Board provides for at-least four essential features which are required to be complied before the Environmental compensation is imposed. The important features of the office order of the Board summarized are:-

- i) Placing of the matter before the Competent Authority justifying the reasons for imposition of Environmental Compensation.
- ii) The issuance of a show cause notice (with or without an opportunity of personal hearing) to the industry, project proponent, ULBs before the Chairman of the Board proposing to impose Environmental Compensation mentioning the violations therein.
- iii) Before conforming Environmental Compensation to any industry / project proponent, ULB the calculations shall be vetted by the committee constituted by the Board for this purpose vide office order no. 512 dated 19.5.2021.
- iv) The passing of speaking orders for imposition of Environmental Compensation.

And whereas, in view of the facts recorded herein above, the case in hand is remanded and relegated to the Chairman of the Punjab Pollution Control Board with a direction to reconsider the case in accordance with the contents and elements contained in office order no.517 dated 1.10.2022 issued by the Board for imposition of Environmental Compensation. The Chairman, Punjab Pollution Control Board will pass a fresh order in the case accordingly. The appeal stands disposed of in above terms.

And whereas, original Application No. 470 of 2023 titled as Public Action Committee & Ors filed before the Hon'ble NGT, New Delhi The complainant has filed a complaint before the Hon'ble National Green Tribunal, New Delhi alleged that the industry is running on ZLD but has been damaging the environment by releasing toxic gases, fugitive fumes in ambient air as well as discharging harmful effluents in the domestic sewer illegally and in a very unscientific way, resulting in serious health related problems for residents, for workers of factory and public at large.

And whereas, the Hon'ble National Green Tribunal (NGT), vide order August 10, 2023 constituted a Joint Committee of three members comprising of One representative from State Pollution Control Board, Punjab, One representative from the CPCB and One representative from Collector /DM, Amritsar. The Committee is directed to visit the place and submit the factual and action taken report on extent of violation and reasons for not taking action under Water Act, 1974 and Air Act, 1981 within four weeks. The State PCB will be the nodal agency for coordination and compliance. It has directed by the Hon'ble NGT in the order dated 10/08/2023, as follows: -

"We deem it just and proper to call a report on the matter in issue in present Original Application, from a Joint Committee constituted on the above cited matter."

And whereas, in compliance to Hon'ble NGT order committee comprising of the following members was composed:- 1. Sh. Nikas Kumar, IAS, SDM, Amritsar-II (Nominated by District Magistrate, Amritsar) 2. Sh. J P Meena, Scientist-D, CPCB (Nominated by CPCB, RD, Chandigarh) 3. Er. Sukhdev Singh, EE, PPCB, RO, Amritsar (Nodal Officer, nominated by PPCB).

And whereas, the committee has been vested with mandate to visit and inspect the site in question and vested with following scope vide order dated 08.08.2023.

And whereas, the Hon'ble National Green Tribunal has also directed to respondents no. 2, 4 and 5 to submit an affidavit separately. Accordingly a reply in the shape of affidavit was prepared and was filed before the Hon'ble NGT after vetting from the competent authority of the Board.

And whereas, the Hon'ble National Green Tribunal, New Delhi on dated 06.02.2024 has passed following orders:-

1. Grievance in this Original Application is in respect of violation of environmental norms by respondent no. 5, 14/5 Amar Colour Chem India, Plot No. 26, Focal Point, Amritsar. The Tribunal by order dated 10.08.2023 had constituted a Joint Committee and had called for the report from the Committee. The Joint Committee has submitted the report dated 21.11.2023 and the said report contains following salient observations about the unit in question.
2. A perusal of the above salient observations by the Committee reveals that the respondent no. 5 has defaulted and violated the requisite norms.
3. Learned Counsel for the applicant, during the course of argument, has produced the order dated 12.01.2024 passed by the Punjab Pollution Control Board revoking the Consent to Operate (CTO) granted to respondent no. 5. He is directed to place on record the said order by way of an affidavit.
4. Neither the Counsel for respondent no. 5 nor the Counsel for PPCB are aware of any such revocation order. Hence, they are granted liberty to obtain instructions in this regard.
5. So far as the issue of imposition of EC for past violation is concerned, the PPCB will file the fresh report within three weeks disclosing the action taken in this regard.
6. It is also the submission of the Counsel for the applicant that though the CTO has been revoked, yet respondent no. 5 unit is functioning. PPCB will duly look into this aspect of the matter. If the CTO has been revoked, then the concerned authorities will ensure implementation of the said order, if there is no illegal impediment in this regard. Hon'ble NGT has directed to file reply before next date hearing i.e. 16.04.2024 through e-mail. Recent complaint against the industry and revocation of the consent under Air (Prevention & Control of Pollution) Act, 1981.

And whereas, a complaint regarding pungent odor and emitting black smoke was received telephonically from the prop. of adjoining unit. Accordingly, area under complaint was visited on 08.12.2023 and pungent odor being released from the industry observed from the roof of the adjoining unit.

And whereas, this office asked GSPL through e-mail dated 09.12.2023 to submit consumption of PNG by the industry from last 06 months. Accordingly, GSPL has submitted record vide e-mail dated 11.12.2023 and as per record submitted consumption of PNG by the industry is zero from 24.09.2023 to upto 30.11.2023. It reveals from the record submitted by GSPL that the industry is not using PNG as fuel in its boiler and is using non-consented fuel. In light of the observations/violations observed by the Joint Committee as well as complaint received from the adjoining industry and record submitted by GSPL regarding non-consumption of PNG (consented fuel).

And whereas, consent to operate under Air (Prevention & Control of Pollution) Act, 1981 was revoked vide Zonal Office, Amritsar letter no. 164 dated 22.01.2024. But the industry has obtained auto renewal of the consent to operate under Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 through OCIMS system of the Board which are valid upto 25.12.2026. Special condition of the Board regarding audit/study from IIT, Delhi.

And whereas, it is pertinent to mention here that earlier a special condition was imposed to the industry while granting CTO under Air (Prevention & Control of Pollution) Act, 1981 and Water (Prevention & Control of Pollution) Act, 1974 as under :-

The industry shall get the environmental audit/study regarding adequacy of Effluent treatment plant, Air pollution Control Devices installed for control of fugitive emission from various processes, from IIT Delhi on its own cost within 3 months. But till date the industry has failed to submit audit/study report from IIT Delhi.

And whereas, opinion of SLO of the Board Vide above e-note dated Senior Law Officer of the Board has opined as under:-

1. The Hon'ble National Green Tribunal has passed order dated 1.12.2023 in the case. In para no. 3 of the order, it is mentioned that Joint Committee has submitted the report dated 21.11.2023 which reflects non-compliance and violations by the project proponent respondent no.5 and objections to the report of the committee has also been filed by the applicant. The objections filed by the applicant to the Joint Committee report may be downloaded from the website of the Hon'ble National Green Tribunal.
2. Though the Hon'ble Tribunal has allowed the prayer of the counsel for respondent no.5 i.e M/s. Amar Colour Chem India to file reply / response to the reports, but the Board may also act on the joint committee report in reference to non-compliances and violations as mentioned in the report of the Joint Committee.
3. The Board may examine the Joint Committee report and then issue notice disclosing the violations to M/s. Amar Colour Chem India with an opportunity of hearing before the Competent Authority, so that necessary action is taken by the Board on the report of the Joint Committee.

And whereas, in view of the above Regional Office recommended that above all mentioned sequence regarding non compliances observed by the Joint Committee (constituted by Hon'ble National Green Tribunal, New Delhi), and recommendations of the said committee, Imposition of environmental compensation Rs. 83,500/-, Case pending before Hon'ble NGT, New Delhi, Recent complaint, Revocation of consent under Air (Prevention & Control of Pollution) Act, 1981, Auto renewal of consents obtained by the industry under Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 through online system and special condition of the Board regarding audit/study from IIT may be considered during personal hearing before the competent authority of the Board which has already been approved.

And whereas, it is pertinent to mention here that Hon'ble National Green Tribunal vide order dated 06.02.2024 has directed PPCB to file the fresh report within three weeks disclosing the action taken w.r.t. imposition of EC for past violation is concerned.

And whereas the industry was given an opportunity of personal hearing before the Chairman of the Board on 19/03/2024 but no one from the industry attended the said hearing.

And whereas, the industry is violating the provisions of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

And whereas, it has now been proposed to initiate action against the industry under the Water (Prevention & Control of Pollution) Act 1974 as amended in 1988 & Air (Prevention & Control of Pollution) Act, 1981 as amended in 1987.

As such, you are, hereby given **Final opportunity** of personal hearing, to file objections, if any, on the proposed action **before the Chairman of the Board at Valavaran Bhawan, Nabha Road, Patiala on 28-03-2024 at 11.00 AM** failing which it will be presumed that the Project Proponent has nothing to say and the Board shall go ahead to take action as proposed under the Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of Pollution) Act 1981 without giving any further notice / opportunity.

20/3/24
Environmental Engineer
For Senior Environmental Engineer

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Endst. No. _____

Dated. _____

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board Regional Office, **Amritsar** for information and necessary action. He is requested that this letter must be delivered to the industry well before the date of hearing.

Sd/-
Environmental Engineer
For Senior Environmental Engineer

GSTIN : 03AAC FA0128R1ZO



Amar Colour Chem India

A GOVERNMENT RECOGNIZED EXPORT HOUSE

Manufacturers, Importers & Exporters of Basic Dyes, Chemicals & Pharma Raw Materials

Work & Corp. Office : Plot No. 26,
Old Focal Point, Near Hyatt Hotel,
Amritsar 143001 (Punjab) INDIA.

+91-97792-60903
+91-62849-16659
+91-98150-91377

accexporters@hotmail.com
info@amarcolour.com
rohit@amarcolour.com

Amarindltd
amarcolour
www.amarcolour.com

To

Date:28-03-2024

The Chairman

Punjab Pollution Board

Patiala

Sub: Application not to impose Environmental Compensation upon Amar Colour Chem India 26 Focal point Amritsar w.e.f 23-8-2022 to 28-10-2022.

Sir

With due respect

It is for the kind perusal of the esteemed authority that the consent of Air and Water of Amar Colour Chem India revoked by PPCB vide order dated 18-8-2022 and directions was issued to Punjab Electricity Board to Dis-connect the Electricity connection of the concerned Unit.

The Unit was already in litigation with Electricity Department whereby stay order favouring the Unit were issued in separate matter. On 14-10-2022 mother of Mr. Rakesh Handa left for her heavenly abode. The Hon'ble Deputy Commissioner Administration passed order not to take any action during the 13 days mourning period.

The EC was calculated from the period 23-8-2022 to 28-10-2022 which includes the 15 days graced by Hon'ble DC Amritsar. The non-working 8 days i.e Monday (on every Monday Industry remains off) also calculated. The gazetted holidays were also calculated. If all these days calculated it come to more than 35 days when officially the Unit remain closed. During the said period the concerned EXEN and SDO of PPCB Amritsar in person visited the unit. In reply filled by PPCB before NGT they admit the fact regarding the collection of sample. Despite the personal visit to unit no even a single notice was ever issued regarding the working of Unit. No record was ever submitted by the department to show the working of unit.

Moreover not even a single document or photograph placed on record to show the working of unit. The leakage incident did not prove the working of unit as the drums were unloaded on the same day. The order of same was places prior to 23-8-2022. Nor is there any evidence that any damage caused to nature or nurture. The BG of 10 lacs taken as security adjusted against the EC compensation without issuing any Show Cause notice to party.

In the light of above said pleading I humbly request to evade the liability of EC upon the said unit and may kindly set aside the order of Sh. Harpal Singh S.E. PPCB Amritsar

Thankin You

Rohit Handa.

For Amar Colour Chem India

Rohit Handa

Partner

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 PUNJAB POLLUTION CONTROL BOARD		
Zonal Office, Plot No. 164, Focal Point, Mehta Road, Amritsar		
Tele Fax:- 0183-2581420	Website:- www.ppcb.gov.in	email:- seezoasr@yahoo.com

No. 1133

Regd.

Date: 08/4/2024

M/s Amar Colour Chem India,
26, Focal Point,
Amritsar.

subject: Proceedings of the personal hearing given before the Chairman of the Board on 28.03.2024 in reference to Show cause notice for violations of the provisions of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 (24210653).

Following were present:-

On behalf of Board: - Dr. Krunesh Garg, CEE, Jalandhar
Er. Sukhdev Singh, EE, RO, Amritsar
Er. Vinod Kumar, AEE, RO, Amritsar

On behalf of the industry: - Sh. Rohit Handa, Partner

A. Environmental Compensation imposed for earlier violations:

At the outset, the Environmental Engineer, Regional Office, Amritsar brought out that earlier Environmental Compensation of Rs. 8,37,500/- was imposed upon the industry vide letter no. 3672-73 dated 18.11.2022 considering violation period from the period from 23/08/2022 to 28/10/2022 during which the industry remained in operation in spite of revocation of consent to operate under Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and confirmation of directions for closure of industry for violations observed earlier. Thereafter, the industry filed appeal before the Appellate Authority with a prayer to set aside said order. The appeal came up for hearing before Appellate Authority on 04/01/2024 and was disposed off with the following order:

"After hearing the parties, I have examined the relevant documents. The main grievance of the appellant is that the Board has not extended an opportunity of hearing before the imposition of Environmental Compensation and the Board has acted in complete violation of law laid down by the Hon'ble Supreme Court of India in Deepak Nitrate Limited v/s State of Gujarat. It is observed that the Board has laid down the procedure for imposing Environmental Compensation to industries, other projects and ULBs by passing an office memorandum bearing no. SEE(HQ2))2021/OMNo.517 dated 01.10.2021 under the signatures of its Chairman.

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The office memorandum dated 01.10.2021 issued by the Punjab Pollution Control Board provides for at-least four essential features which are required to be complied before the Environmental compensation is imposed. The important features of the office order of the Board summarized are:-

- a. Placing of the matter before the Competent Authority justifying the reasons for imposition of Environmental Compensation.
- b. The issuance of a show cause notice (with or without an opportunity of personal hearing) to the industry, project proponent, ULBs before the Chairman of the Board proposing to impose Environmental Compensation mentioning the violations therein.
- c. Before conforming Environmental Compensation to any industry / project proponent, ULB the calculations shall be vetted by the committee constituted by the Board for this purpose vide office order no. 512 dated 19.5.2021.
- d. The passing of speaking orders for imposition of Environmental Compensation.

In view of the facts recorded herein above, the case in hand is remanded and relegated to the Chairman of the Punjab Pollution Control Board with a direction to reconsider the case in accordance with the contents and elements contained in office order no.517 dated 1.10.2021 issued by the Board for imposition of Environmental Compensation. The Chairman, Punjab Pollution Control Board will pass a fresh order in the case accordingly. The appeal stands disposed of in above terms."

B. Hon'ble NGT Matter O.A. No. 470 of 2023 titled as Public Action Committee & Ors

The officers further brought out that a complaint was filed before the Hon'ble NGT, New Delhi i.e. O.A No. 470 of 2023 alleging that the industry is running on ZLD but has been damaging the environment by releasing toxic gases, fugitive fumes in ambient air as well as discharging harmful effluents in the domestic sewer illegally and in a very unscientific way, resulting in serious health related problems for residents, for workers of factory and public at large.

Hon'ble National Green Tribunal (NGT), vide order dated August 10, 2023 constituted a Joint Committee comprising of One representative from State Pollution Control Board, Punjab, One representative from the CPCB and One representative from Collector /DM, Amritsar. The Committee was directed to visit the place and submit the factual and action taken report on extent of violation and reasons for not taking action under Water Act, 1974 and Air Act, 1981 within four weeks. The State PCB was appointed nodal agency for coordination and compliance.

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The nominated committee members visited the industry on 20/10/2023 and suggested following measures:-

- a) The committee suggests that local administration /PPCB should keep stringent surveillance to discharge of the effluent. In addition to releasing toxic gases and fugitive fumes in ambient air as well as discharging harmful effluents in the domestic sewer illegally.
- b) The unit should obtain permission from Central Ground Water Authority (CGWA)/ PWRDA for ground water abstraction.
- c) The unit should install electromagnetic flow meter in place of. Mechanical type water meter at tube well and log book of the same was maintained.
- d) Emergency preparedness plan based on the hazard identification and risk assessment and disaster management plan should be implemented in the unit.
- e) The unit should obtain valid registration/NOC permission from concerned SPCB for trading of hazardous chemical in their premise namely Acetic acid, sulphuric acid, oxalic acid etc.
- f) The unit should obtain authorization under the Hazardous and Other Wastes (Management, & Transboundary Movement) Rules, 2016 from PPCB for disposal of Used drums/containers, ETP sludge, process residue and expired chemicals.
- g) The unit should be taken public liability insurance policy.
- h) The unit should prepare on site /off site emergency plan of the plant area.
- i) Overall housekeeping of the plant process area should be improved.
- j) Leakage and spillage in the process needs to be improved.
- k) The unit should install adequate firefighting arrangements in their plant i.e. Hose Reel system, Fire Hydrant system, Sand buckets, Portable Fire Extinguishers, Electrical/manual siren for emergency/ accident situation.
- l) The unit should carry out regularly occupational health checkup of engaged workers and records of the same was maintained.
- m) The unit should maintain proper ventilation system in the work Zone by providing proper exhaust along with filter and duct in the process area of green dye stuff.
- n) The unit should put up proper display board at the entrance gate as per the Hon'ble Supreme court order in WP 657/1995.

The reply based on the basis of observations/suggestions of the committee was filed before the Hon'ble NGT on 28/11/2023.

The case further came up for the hearing on 06/02/2024 and Hon'ble NGT passed the following orders: -

1. *"Grievance in this Original Application is in respect of violation of environmental norms by respondent no. 5 i.e. M/s Amar Colur Chem India, Plot No. 26, Focal Point, Amritsar. The Tribunal by order dated 10.08.2023 had constituted a Joint Committee and had called for the report from the Committee. The Joint Committee has submitted the report dated 21.11.2023.*
2. *A perusal of salient observations by the Committee reveals that the respondent no. 5 has defaulted and violated the requisite norms.*
3. *Learned Counsel for the applicant, during the course of argument, has produced the order dated 12.01.2024 passed by the Punjab Pollution Control Board revoking the Consent to Operate (CTO) granted to respondent no. 5. He is directed to place on record the said order by way of an affidavit.*
4. *Neither the Counsel for respondent no. 5 nor the Counsel for PPCB are aware of any such revocation order. Hence, they are granted liberty to obtain instructions in this regard*
5. *So far as the issue of imposition of EC for past violation is concerned, the PPCB will file the fresh report within three weeks disclosing the action taken in this regard.*

It is also the submission of the Counsel for the applicant that though the CTO has been revoked, yet respondent no. 5 unit is functioning. PPCB will duly look into this aspect of the matter. If the CTO has been revoked, then the concerned authorities will ensure implementation of the said order, if there is no illegal impediment in this regard."

It was directed to file reply at least one week before next date of hearing i.e. 16.04.2024 through e-mail.

It is further informed that earlier consents of the Board were granted to the industry on 27/06/2023 with special condition that the industry shall get the environmental audit/study regarding adequacy of Effluent treatment plant, Air pollution Control Devices installed for control of fugitive emission from various processes, from IIT Delhi on its own cost within 3 months.

A complaint regarding pungent odor and emitting black smoke was received telephonically from the Prop. of adjoining unit. Accordingly, area under complaint was visited on 08.12.2023 and pungent odor was felt being released from the industry from the roof of the adjoining unit.

In view of the observations/violations observed by the Joint Committee as well as complaint received from the adjoining industry and record submitted by GSPL regarding non-consumption of PNG (consented fuel), the Consent to operate under Air (Prevention & Control of Pollution) Act, 1981 was revoked vide Zonal Office, Amritsar letter no. 164 dated 22.01.2024.

Afterwards, the industry has obtained auto renewal of the consent to operate under Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 through OCMMS system of the Board claiming compliances on self-declaration basis, which are valid upto 25.12.2026.

In view of the orders of the Appellate Authority regarding passing fresh order on imposition of Environmental Compensation, orders of the NGT, implementation of suggestions of joined committee and conducting Environmental Audit/ Study from IIT, Delhi by the industry, a show cause notice bearing no. 936 dated 20.3.2024 for violation of the provisions of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 was issued to the industry with an opportunity of personal hearing before the Chairman of the Board on 28.3.2024

Sh. Rohit Handa, partner of the industry appeared for hearing before the Chairman of the Board on 28.3.2024. During hearing Sh. Rohit Handa, Partner contested the amount of Environmental Compensation @ Rs. 8,37,500/- imposed upon the industry stating that the industry remained closed for 13 days due to demise of his grand-mother. He submitted that his grand mother was serious during those days and died on 14/10/2022. The industry was not operated for 13 days due to mourning from 14/10/2022 to 26/10/2022. Also order in this regard was obtained for not sealing the plant and machinery of the industry from Deputy Commissioner, Amritsar. Considering the mourning period, weekly off and gazetted industrial holidays on account of Gandhi Jayanti and Dusshetra, the industry was only operated for 32 days. The partner further that he contacted IIT, Delhi through e-mails for Environmental Audit / Study of the industry, however, no response has been received from the said institute so far. He requested not to impose any EC as the industry has complied with all the suggestions and recommendations of the committee. He also submitted documentary evidence in support of his claim. As far as non-consumption of PNG (non-consented fuel) is concerned, the representative of the industry replied that they obtain supply of PNG from GSPL but due to less pressure in winters the unit also obtained the supply of the Gas from local vendor and submitted copy of bills as evidence towards purchase of gas.

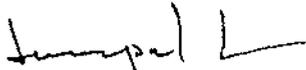
After hearing the partner of the industry, the Chairman of the Board observed that the industry kept on operating its plant inspite of the directions issued by the Board and as such the industry deserves no leniency in this regard. The industry

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also owes duty towards the protection of environment but the Industry has not bothered to comply with the directions issued by the Board. Thus, no ground is made out to deduct any amount of environmental compensation. However, the competent authority of the Board decided to request IIT, Delhi officially immediately to conduct environmental audit of the industry within one month.

After hearing the officers of the Board as well as representative of the industry and considering the material facts on file, the Chairman of the Board decided as under that:

1. The EC imposition case of the industry shall be referred to the EC assessment committee for calculation of environmental compensation.
2. After the receipt of report of the Environmental Compensation assessment committee, separate speaking order for imposition of Environmental Compensation will be passed by the Board.
3. The industry shall deposit the amount of Environmental Compensation within 07 days with the office of the Board at Amritsar after the order is conveyed.
4. The Regional Office shall visit the industry and verify the compliances claimed to be made by the industry with regard to the suggestions and recommendations of the Joint Committee and submit report within next 02 weeks.
5. In case of non-compliance of decisions mentioned at Sr.No.2 to 4 above, auto renewal of consents obtained by the industry shall stand revoked without any further notice.


Senior Environmental Engineer
Zonal Office, Amritsar
for and on behalf of the Board

Endst No...

Dated... 

A copy of the above is forwarded to the Environmental Engineer, Regional Office, Amritsar for information and necessary action.


Senior Environmental Engineer
Zonal Office, Amritsar
for and on behalf of the Board

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Endst No...**Dated...**

A copy of the above is forwarded to the Senior Environmental Engineer (HQ-1), Punjab Pollution Control Board, Patiala for assessment of Environmental Compensation in the matter and for submission of its recommendations within 07 days positively.

SDL
Senior Environmental Engineer
Zonal Office, Amritsar
for and on behalf of the Board



Punjab Fire Services (Amritsar MC)

FIRE SAFETY CERTIFICATE ਫਾਇਰ ਸੇਫਟੀ ਪ੍ਰਮਾਣ ਪੱਤਰ

NOC No 107-84625-Fire/65811
2024

NOC Type: New

Dated 01-Apr-

Certified that the Amar Colour Chem India at Plot No 26, Old Focal Point Near Hyatt Hotel Amritsar comprised of 0 basements and 3 (Upper floor) owned/occupied by Rakesh Handa have compiled with the fire prevention and fire safety requirements of National Building Code and verified by the officer concerned of fire service on 01-Apr-2024 in the presence of Rakesh Handa (Name of the owner or his representative) and that the building / premises is fit for occupancy group Group-G subdivision G-2 (As per NBC) for period of one year from issue date. Subject to the following conditions.

Issued on 01-Apr-2024 at Amritsar MC

ਤਸਦੀਕ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ Amar Colour Chem India ਜੋ ਕਿ Plot No 26, Old Focal Point Near Hyatt Hotel Amritsar ਸਮੇਤ 0 ਬੇਸਮੈਂਟ ਅਤੇ 3 (ਉੱਪਰਲੀ ਮੰਜ਼ਿਲ) ਮਲਕੀਅਤ/ਕਾਬਜ਼ਦਾਰ Rakesh Handa ਨੂੰ ਅੱਗ ਬੁਝਾਉਣ ਦੇ ਪ੍ਰਭਾਵੀ ਅਤੇ ਬਚਾਅ ਦੇ ਰਾਸ਼ਟਰੀ ਬਿਲਡਿੰਗ ਕੋਡ ਅਨੁਸਾਰ ਜਿਸ ਨੂੰ ਸਬੰਧਤ ਅੱਗ ਬੁਝਾਉ ਅਧਿਕਾਰੀ ਵੱਲੋਂ ਪ੍ਰਮਾਣਿਤ ਕੀਤਾ ਗਿਆ 01-Apr-2024 ਮੌਜੂਦਗੀ ਵਿੱਚ Rakesh Handa (ਮਾਲਕ ਦਾ ਨਾਮ ਜਾਂ ਉਸ ਦਾ ਪ੍ਰਤੀਨਿਧੀ) ਅਤੇ ਇਮਾਰਤ / ਬਿਲਡਿੰਗ ਆਬਾਦੀ ਲਈ ਯੋਗ ਹੈ। Occupancy Group Group-G subdivision G-2 (ਐਨ. ਬੀ. ਸੀ. ਦੇ ਅਨੁਸਾਰ) ਦੇ ਪ੍ਰਭਾਵੀ ਸਮੇਂ ਤੋਂ ਇੱਕ ਸਾਲ ਤੱਕ। ਜਿਸ ਲਈ ਨਿਮਨ ਅਨੁਸਾਰ ਹਦਾਇਤਾਂ ਹਨ।

ਜਾਰੀ ਕਰਨ ਦੀ ਮਿਤੀ 01-Apr-2024 ਕਿੱਥੇ Amritsar MC.

1. Fire Safety arrangements shall be kept in working condition at all the times.
ਹਰ ਸਮੇਂ ਅੱਗ ਤੋਂ ਬਚਾਅ ਦੇ ਯੰਤਰਾਂ ਨੂੰ ਚਾਲੂ / ਚੰਗੀ ਹਾਲਤ ਵਿੱਚ ਰੱਖਿਆ ਜਾਵੇ।
2. No, alteration/ addition/ change in use of occupancy is allowed.
ਕਿਸੇ ਵੀ ਤਰ੍ਹਾਂ ਦੇ ਬਦਲਾਅ/ ਵਾਧੇ/ ਕਾਬਜ਼ਕਾਰ ਵਿੱਚ ਬਦਲਾਵ ਦੀ ਮਨਾਹੀ ਹੈ।
3. Occupants/ owner should have trained staff to operate the operation of fire safety system provided there in.

ਉਪਲੱਬਧ ਅੱਗ ਬੁਝਾਉਣ ਦੇ ਯੰਤਰਾਂ ਦੀ ਵਰਤੋਂ ਤੋਂ ਰਹਿਣ ਵਾਲੇ ਲੋਕਾਂ / ਮਾਲਕਾਂ ਨੂੰ ਜਾਣੂ ਕਰਵਾਇਆ ਜਾਣਾ ਯਕੀਨੀ ਬਣਾਇਆ ਜਾਵੇ।

4. Fire Officer can check the arrangements of fire safety at any time, this certificate will be withdrawn without any notice if any deficiency is found.

ਫਾਇਰ ਬ੍ਰਿਗੇਡ ਅਧਿਕਾਰੀ ਕਿਸੇ ਵੀ ਵਕਤ ਇਨ੍ਹਾਂ ਸਾਰੇ ਪ੍ਰਬੰਧਾਂ ਨੂੰ ਚੈੱਕ ਕਰ ਸਕਦਾ ਹੈ, ਜੇ ਕਰ ਕੋਈ ਕਮੀ ਪਾਈ ਗਈ ਤਾਂ ਬਿਨਾਂ ਕਿਸੇ ਨੋਟਿਸ ਦੇ ਇਹ ਸਰਟੀਫਿਕੇਟ ਰੱਦ ਸਮਝਿਆ ਜਾਵੇਗਾ।

5. Occupants/ owner should apply for renewal of fire safety certificate one month prior to expiry of this certificate.

ਮਾਲਕ ਜਾਰੀ ਕੀਤੇ ਗਏ ਫਾਇਰ ਸੇਫਟੀ ਸਰਟੀਫਿਕੇਟ ਦੀ ਮਿਤੀ ਖਤਮ ਹੋਣ ਤੋਂ ਇੱਕ ਮਹੀਨਾ ਪਹਿਲਾਂ ਰੀਨੀਊ ਕਰਵਾਉਣ ਲਈ ਪਾਬੰਦ ਹੋਵੇਗਾ।

* Above Details cannot be used as ownership proof.

ਉਪਰੋਕਤ ਵਰਤਾਈ ਗਈ ਜਾਣਕਾਰੀ ਨੂੰ ਮਾਲਕਾਨਾ ਦੇ ਸਬੂਤ ਵਜੋਂ ਨਹੀਂ ਵਰਤਿਆ ਜਾਵੇਗਾ।

* This is digitally created certificate, no signature are needed

ਇਹ ਡਿਜੀਟਲੀ (ਕੰਪਿਊਟਰਾਈਜ਼ਡ) ਤਿਆਰ ਕੀਤਾ ਗਿਆ ਸਰਟੀਫਿਕੇਟ ਹੈ, ਜਿਸ ਵਿੱਚ ਦਸਤਖਤ ਦੀ ਕੋਈ ਲੋੜ ਨਹੀਂ ਹੈ।

Inspection Report by Fire Officer



Punjab Pollution Control Board

[See Rules 6(1)]

APPLICATION REQUIRED FOR GRANT/RENEWAL OF AUTHORISATION FOR GENERATION OR COLLECTION OR STORAGE OR TRANSPORT OR RECEPTION OR RECYCLING OR REUSE OR RECOVERY OR PRE PROCESSING OR CO- PROCESSING OR UTILISATION OR TREATMENT OR DISPOSAL OF HAZARDOUS AND OTHER WASTE

Industry Id : G13ASR200026

Application No : 24123943

To
The Member Secretary,
Punjab Pollution Control Board, Patiala.

Sir ,

I/We hereby apply for authorisation/renewal of authorisation under the Sub-rule (1) of Rule 6 of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016.

1 a)	Name and address of the unit and location of the activity	AMAR COLOUR CHEM INDIA 26 FOCAL POINT
b)	Name of the Occupier of the facility /Operator of disposal facility	RAKESH HANDA
c)	Designation	MANAGING PARTNER
d)	Mobile No	9815091377
e)	e-mail Id	accexporters@hotmail.com
f)	Authorisation Type Applied For	Fresh
g)	Authorisation required for	Generation,Storage,Disposal
2	Nature and quantity of Hazardous waste handled in T/Annum (or) KL/Annum	

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	Name of Process	Name of Hazardous Waste (Category No)	Quantity	Waste Type	Waste Storage	Waste Disposal	Source of generation of waste	Physical status	Quantity stored at any time	Quantity accumulated as on 31st March
	35. Purification and treatment of exhaust air/gas, water and waste water from the processes in this schedule and common industrial effluent treatment plants (CETP)	35.3- Chemical sludge from waste water treatment	1.8 T/Annum	Land fillable	HDPE Bags	Disposal to common TSDF facility	Sludge from waste water treatment	Sludge	1.21	0.946 T
	33. Handling of hazardous chemicals and wastes	33.1- Empty barrels/containers/liners contaminated with hazardous chemicals/wastes	900 Number/Annum	Recyclable	Plastic Drums/Tanks	Disposal to common TSDF facility	Raw material	Solid	21	18 Number
	5. Industrial operations using mineral or synthetic oil as lubricant in hydraulic system or other applications	5.1-Used or spent oil	0.03 KL/Annum	Recyclable	MS Drums/Tanks	Disposal to common TSDF facility	DG set	Oily	0	0 KL
3 a)	Year of commissioning and commencement of Production?					1997				
b)	Whether the industry works 1 shift/2 shifts/round the clock?					two shifts				

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4	Provide copy of the Emergency Response Plan (ERP) which should address procedures for dealing with emergency situations (viz. Spillage or release or fire) as specified in the guidelines of Central Pollution Control Board. Such ERP shall comprise the following, but not limited to: i) Containing and controlling incidents so as to minimise the effects and to limit danger to the persons, environment and property; ii) Implementing the measures necessary to protect persons and the environment; iii) Description of the actions which should be taken to control the conditions at events and to limit their consequences, including a description of the safety equipment and resources available; iv) Arrangements for training staff in the duties which they are expected to perform; v) Arrangements for informing concerned authorities and emergency services; and vi) Arrangements for providing assistance with off-site mitigatory action. (To be attached separately)	Attached									
5	Provide undertaking or declaration to comply with all provisions including the scope of submitting bank guarantee in the event of spillage, leakage or fire while handling the hazardous and other waste (To be attached separately)	Attached									
6 Hazardous waste generators :											
a) Product Details:											
<table border="1"> <thead> <tr> <th data-bbox="209 1308 715 1360">Product Name</th> <th data-bbox="715 1308 1098 1360">Quantity</th> <th data-bbox="1098 1308 1485 1360">Unit</th> </tr> </thead> <tbody> <tr> <td data-bbox="209 1360 715 1401">Auramine (Basic Yellow 2)</td> <td data-bbox="715 1360 1098 1401">1.5</td> <td data-bbox="1098 1360 1485 1401">Metric Tonnes/Day</td> </tr> <tr> <td data-bbox="209 1401 715 1452">Malchine green</td> <td data-bbox="715 1401 1098 1452">0.1</td> <td data-bbox="1098 1401 1485 1452">Metric Tonnes/Day</td> </tr> </tbody> </table>			Product Name	Quantity	Unit	Auramine (Basic Yellow 2)	1.5	Metric Tonnes/Day	Malchine green	0.1	Metric Tonnes/Day
Product Name	Quantity	Unit									
Auramine (Basic Yellow 2)	1.5	Metric Tonnes/Day									
Malchine green	0.1	Metric Tonnes/Day									
b) By Product Details:											
<table border="1"> <thead> <tr> <th data-bbox="209 1496 715 1555">Raw-Material Name</th> <th data-bbox="715 1496 1098 1555">Raw-Material Quantity</th> <th data-bbox="1098 1496 1485 1555">Unit</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>			Raw-Material Name	Raw-Material Quantity	Unit						
Raw-Material Name	Raw-Material Quantity	Unit									
c)	Manufacturing process with flow sheet indicating Input, Output and sources of HW generation	attached									
e)	Hazardous and other wastes generated from storage of hazardous chemicals as defined under the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989.	attached									

Place:

Signature of the Applicant

Date:

Name and Designation

Enclosures :

1. Site Plan of the industry showing the location of hazardous waste storage area/room (Attached)
2. Verification from prescribed by the board for verification of the data mentioned in Form-IV (Attached)

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3. Annual return in form IV as prescribed in the Hazardous Waste (Management, Handling & trans-Boundary Movements) Rules, 2008 (Attached)
4. Manufacturing process Details alongwith process flow Chart (Attached)
5. Copy of agreement signed with Common Hazardous Waste Treatment Facility regarding disposal of hazardous waste (Attached)
6. List of Directors and Partners (Attached)
7. Production details of the industry (Attached)
8. Manufacturing process with flow sheet (Attached)
9. 5.1 Agreement (Attached)
10. Hazardous waste 33.1 (Attached)
11. Form IV (Attached)