

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

ORIGINAL APPLICATION No.220 of 2023

**In re: News item appearing in The Indian Express dated 30.11.2023 titled**  
**“Fire at chemical plant in Surat, 24 workers injured”**

**PRELIMINARY REPLY ON BEHALF OF RESPONDENT No.4**  
**(AETHER INDUSTRIES LIMITED)**

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PUNE

DATE :08 /01 /2024



ADVOCATE FOR THE APPLICANT

8 JAN 2024

SR.NO.:	14
DATE:	8 JAN 2024

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

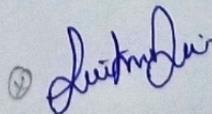
ORIGINAL APPLICATION No. of 2023

**In re: News item appearing in The Indian Express dated 30.11.2023**  
**titled "Fire at chemical plant in Surat, 24 workers injured"**

**PRELIMINARY REPLY ON BEHALF OF RESPONDENT No.4**  
**(AETHER INDUSTRIES LIMITED)**

I, Smit Manishbhai Desai, adult, occupation: service, having office at Plot No: 8203, Sachin GIDC, Sachin - 394230, Tal: Chorasi, Dist: Surat, do hereby state on solemn affirmation as under: -

1. I say that I am working with Respondent No.4 in the capacity of Senior Engineer (Process Safety) and am well aware of the facts and circumstances of the present case and authorised to depose the same on oath. I say that the Respondent No. 4 is filing without prejudice the preliminary reply and reserves its right to subsequently file a detailed response. .
2. I say that the incident of 29<sup>th</sup> November 2023 was a very unfortunate one despite all due diligence and precautions. The Respondent No.4 undertakes that in future too it would continue to take all steps and due care to ensure that the same is not repeated.
3. I say that this Hon'ble Tribunal was pleased to take *suo-motu* cognisance of the incident and by its order dated 8<sup>th</sup> December 2023 and was pleased to issue notice to all the Respondents. I say that the



District Collector was pleased to constitute a joint committee of (i) Directorate of Industrial Safety & Health (DISH), (ii) Chief Fire Officer, Surat Municipal Corporation (SMC), (iii) Regional Officer, GPCB, Surat, (iv) Police Inspector, Sachin GIDC, Surat to investigate the incident.

4. I say that the GPCB vide its letter dated 30<sup>th</sup> November 2023 has issued closure directions to the Respondent No.4 pending enquiry and clean-up of the incident site. I say that vide the said order GPCB also directed the Respondent No. 4 to deposit an interim Environmental Damage Compensation to the tune of Rs.50 lakhs. I say that the said amount has been deposited with GPCB. Copy of the order dated 30<sup>th</sup> November 2023 alongwith the receipt of deposit of the amount is annexed hereto and marked as ANNEXURE – R-1 colly.
5. I, further say that as a consequence of the said unfortunate mishap, there have been death of 10 employees. That fortunately the impact of the incident was limited within the factory premises and no outside person other than the employees were effected. The Respondent No.4 has paid initial compensation of Rs. 50 lakhs each to the family of the deceased. The Respondent No. 4 undertakes to pay to the deceased or injured employees any additional compensation in accordance with the statutory provisions. Copy of the chart showing the payment of compensation is annexed hereto and marked as ANNEXURE – R-2.
6. I say that vide email dated 4<sup>th</sup> January 2024, the Respondent No.4 has requested the members of the Committee for permitting it to be represented before them and to make a detailed presentation pointing

(+) *Siddhant*



out the checks and precautions that it had and has put in place in conformity with the requisite applicable rules and regulations. I say that vide the said email, the Respondent No.4 has also requested for an opportunity of hearing. Copy of the said email is annexed hereto and marked as ANNEXURE – R-3.

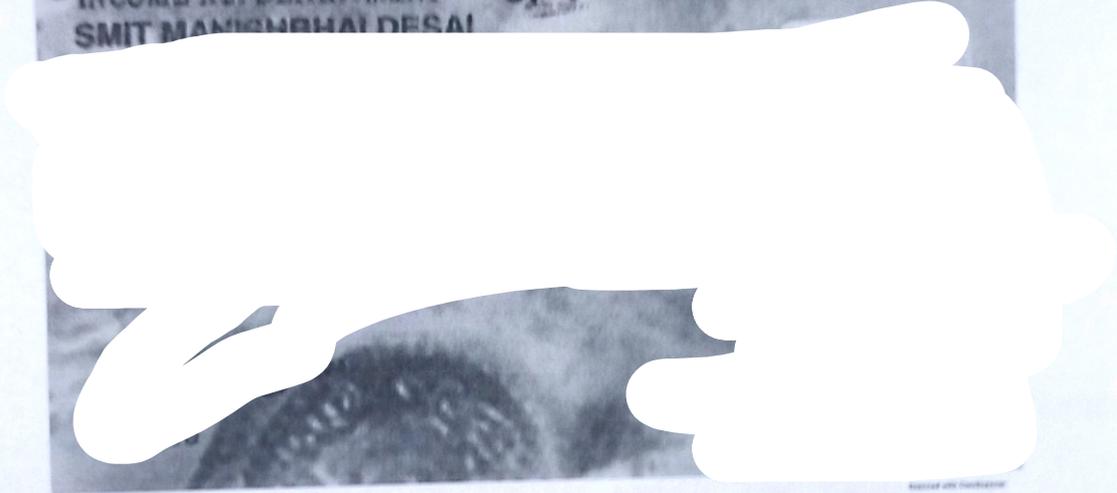
7. I say that the steps as pointed out by the GPCB have been duly complied with by the Respondent No.4. All waste material including water generated and used to contain the fallout of the incident was collected and sent for disposal to the designated agencies. The officers of the GPCB after inspecting the factory premises of the Respondent No.4 on 26<sup>th</sup> December, 2023 have recorded their satisfaction with the works undertaken by Respondent No. 4. I say that in view of the aforesaid developments, the GPCB vide its order dated 5<sup>th</sup> January 2024 was pleased to revoke the said closure order dated 30<sup>th</sup> November 2023. I say that vide the order dated 5<sup>th</sup> January 2024, the GPCB has directed the Respondent No.4 to operate at 25 % of its manufacturing capacity and comply with the undertaking given by it dated 25<sup>th</sup> December 2023. Copy of the revocation order dated 5<sup>th</sup> January 2024 is annexed hereto and marked as ANNEXURE – R-4.
8. I say that in view of the aforesaid developments and the undertakings tendered by the Respondent No. 4 the present suo motto application may kindly be disposed off with liberty to approach the Honble Tribunal in the event of any difficulty or clarification or breach of any undertaking or order.

(x) *Justin Deo*

GUJARAT (INDIA)

NOTARY  
MADHU  
B. VAKIL  
SURAT DISTRICT  
REG. NO.  
NTR/573/2002  
EXPIRE DATE  
28-08-2021

આયકર વિભાગ  
INCOME TAX DEPARTMENT  
SMIT MANIMBHAI DESAI  
GOVT. OF GUJARAT  
GOVT. OF INDIA



Shubham Desai

NOTARY  
MADHU  
B. VAKIL  
SURAT DISTRICT  
REG. NO.  
NTR/573/2002  
EXPIRE DATE  
28-08-2021  
GOVT. OF GUJARAT (INDIA)

I say that whatever stated hereinabove is true and correct to the best of my knowledge, information and belief.

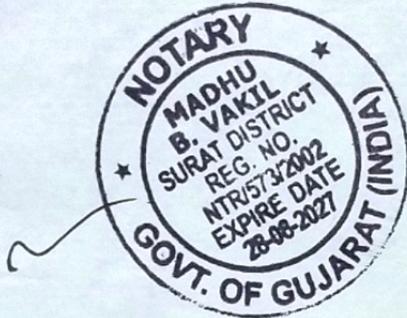
Solemnly affirmed at Surat on this 08 day of January 2024.

8 JAN 2024

*Deponent*  
Deponent



*Deponent*



My Commission expired on 28th August 2027

**Before Me**  
*m.v.vakil*  
**Madhu B. Vakil**  
NOTARY  
SURAT DISTRICT  
State of Gujarat

SR.NO: 14  
DATE: 8 JAN 2024

8 JAN 2024

**NET Payment Receipt****PCB ID: 45359-Aether Industries Limited**

Address : Plot No. 8203, G.I.D.C., -, Sachin, Surat Pin : 394230

**Application: 1900595(IEC)-dd/MM/yyyy**

Payment Id        **487943**  
Payment Date    **01/12/2023**  
Paid Amount     **5000000**  
Bank Details     **ICO-0761047024**  
Transaction No   **YICO2159087332**  
Status            **Success**  
Remarks         **Success**  
Referance No    **1800296-1900595**  
Type              **IEC**  
MIS Date         -  
**Date :**    02/12/2023



Sr.No	Employee Name	Type	Age	Status	DEPARTMENT	POST	SALARY (Monthly Gross)	Date of Joining	Date of Death	Date of Discharge	Monthly Gross Income Per Month	Total	Compensation Total(Ex - Gratia)	Loss of love and affection	Loss of Estate & Funeral Expenses	Estimated Treatment & Hospital Expense	WC Benefits	EPF & EDLI Benefits	Labour Welfare Fund	Third Party Insurance Benefits (Term Plan & Group Personal Accident)	TOTAL	ESIC Benefits - Additional (PER MONTH PENSION TO BE MADE)
Col.1	Col.2	Col.3	Col.4	Col.5	Col.6	Col.7	Col.8	Col.9	Col.10	Col.11	Col.12	Col.13	Col.14	Col.15	Col.16	Col.17	Col.18	Col.19	Col.20	Col.21	Col.22	Col.23
1	Divyashkumar Narsinh Patel	Company Employee	39	Death	Production	Chemist	₹ 33360.00	14/09/2017	29/11/2023	N/A	₹ 33,350.00	₹ 33,350.00	₹ 45,00,000.00	₹ 5,00,000.00	₹ 25,000.00	₹ 0.00	₹ 14,06,750.00	₹ 5,00,000.00	₹ 1,00,000.00	₹ 62,16,852.00	₹ 1,32,83,992.00	₹ 0.00
2	Manoj Sushil Mukhya	Company Employee	34	Death	Production	Plant Assistant - I	₹ 16900.00	12/11/2021	13/12/2023	Died in Hospital	₹ 16,900.00	₹ 16,900.00	₹ 45,00,000.00	₹ 5,00,000.00	₹ 70,000.00	₹ 24,54,793.00	₹ 0.00	₹ 5,00,000.00	₹ 1,00,000.00	₹ 49,08,820.00	₹ 1,30,50,513.00	₹ 10,000.00
3	Abhishekumar Akhilesh Yadav	Contract worker	19	Death	Production	Plant Assistant - I	₹ 15,002.00	05/10/2023	29/11/2023	N/A	₹ 15,002.00	₹ 15,002.00	₹ 45,00,000.00	₹ 5,00,000.00	₹ 25,000.00	₹ 0.00	₹ 0.00	₹ 5,00,000.00	₹ 1,00,000.00	0	₹ 56,40,002.00	₹ 8,000.00
4	Dharamendra Narendra Kumar	Contract worker	21	Death	Production	Plant Assistant - I	₹ 12,012.00	30/06/2021	29/11/2023	N/A	₹ 12,012.00	₹ 12,012.00	₹ 45,00,000.00	₹ 5,00,000.00	₹ 25,000.00	₹ 0.00	₹ 0.00	₹ 5,00,000.00	₹ 1,00,000.00	0	₹ 56,37,012.00	₹ 8,000.00
5	Sunil Changu Kumer	Contract worker	26	Death	Production	Plant Assistant - I	₹ 12,012.00	29/07/2020	29/11/2023	N/A	₹ 12,012.00	₹ 12,012.00	₹ 45,00,000.00	₹ 5,00,000.00	₹ 25,000.00	₹ 0.00	₹ 0.00	₹ 5,00,000.00	₹ 1,00,000.00	0	₹ 56,37,012.00	₹ 8,000.00
6	Sanjosh Vlahwakarma	Contract worker	41	Death	Production	Plant Assistant - I	₹ 12,012.00	01/10/2022	29/11/2023	N/A	₹ 12,012.00	₹ 12,012.00	₹ 45,00,000.00	₹ 5,00,000.00	₹ 25,000.00	₹ 0.00	₹ 0.00	₹ 5,00,000.00	₹ 1,00,000.00	0	₹ 56,37,012.00	₹ 8,000.00
7	Garvesh Jevaher Praead	Contract worker	19	Death	Production	Plant Assistant - I	₹ 12,012.00	01/06/2023	29/11/2023	N/A	₹ 12,012.00	₹ 12,012.00	₹ 45,00,000.00	₹ 5,00,000.00	₹ 25,000.00	₹ 0.00	₹ 0.00	₹ 5,00,000.00	₹ 1,00,000.00	0	₹ 56,37,012.00	₹ 8,000.00
8	Sant Kumar Mlehra	Contract worker	39	Death	Production	Plant Assistant - I	₹ 20,904.00	26/11/2023	29/11/2023	N/A	₹ 20,904.00	₹ 20,904.00	₹ 45,00,000.00	₹ 5,00,000.00	₹ 25,000.00	₹ 0.00	₹ 0.00	₹ 5,00,000.00	₹ 1,00,000.00	0	₹ 56,45,904.00	₹ 8,000.00
9	Pranod Madari Gautam	Contract worker	40	Death	Production	Plant Assistant - I	₹ 12,012.00	01/07/2023	04/12/2023	Died in Hospital	₹ 12,012.00	₹ 12,012.00	₹ 45,00,000.00	₹ 5,00,000.00	₹ 70,000.00	₹ 15,00,000.00	₹ 0.00	₹ 5,00,000.00	₹ 1,00,000.00	0	₹ 71,82,012.00	₹ 8,000.00
10	Chitranjan Kumar Arjun Singh	Contract worker	20	Death	Production	Plant Assistant - I	₹ 15,002.00	23/11/2023	10/12/2023	Died in Hospital	₹ 15,002.00	₹ 15,002.00	₹ 45,00,000.00	₹ 5,00,000.00	₹ 70,000.00	₹ 20,73,265.00	₹ 0.00	₹ 5,00,000.00	₹ 1,00,000.00	0	₹ 77,88,267.00	₹ 8,000.00
1	Vikas Chauhan	Company Employee	28	Discharged	Production	Jr.Chemist	₹ 27,367.00	22/12/2021		18/12/2023	₹ 27,367.00	₹ 27,367.00	₹ 0.00	₹ 60,000.00	₹ 0.00	₹ 1,28,400.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 2,15,767.00	₹ 0.00
2	Mayur Kathrya	Company Employee	30	Discharged	Production	Engineer (Production)	₹ 43,671.00	22/01/2022		18/12/2023	₹ 43,671.00	₹ 43,671.00	₹ 0.00	₹ 60,000.00	₹ 0.00	₹ 1,28,400.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 2,32,071.00	₹ 0.00
3	Umashankar	Company Employee	33	Discharged	ETP	Plant Assistant - I (ETP)	₹ 13,130.00	05/05/2022		30/11/2023	₹ 13,130.00	₹ 13,130.00	₹ 0.00	₹ 60,000.00	₹ 0.00	₹ 1,00,000.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 1,83,130.00	₹ 0.00
4	Rahul Kumar Paswan	Company Employee	27	Discharged	Store	Store Assistant - I (RM)	₹ 21,710.00	21/07/2020		30/11/2023	₹ 21,710.00	₹ 21,710.00	₹ 0.00	₹ 50,000.00	₹ 0.00	₹ 1,00,000.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 1,71,710.00	₹ 0.00
5	Udaybhan Singh Gong	Company Employee	28	Discharged	Production	Plant Assistant - II (Production)	₹ 23,530.00	10/02/2017		29/11/2023	₹ 23,530.00	₹ 23,530.00	₹ 0.00	₹ 50,000.00	₹ 0.00	₹ 6,029.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 79,599.00	₹ 0.00
6	Ayush Chhappgar	Company Employee	24	Discharged	Production	Apprentice - Production	₹ 16,666.67	15/06/2023		30/11/2023	₹ 16,666.67	₹ 16,666.67	₹ 0.00	₹ 50,000.00	₹ 0.00	₹ 10,000.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 76,666.67	₹ 0.00
7	Hari Kiran	Contract worker	25	Discharged	Production	Plant Assistant - I (Production)	₹ 15,002.00	20/11/2023		18/12/2023	₹ 15,002.00	₹ 15,002.00	₹ 0.00	₹ 60,000.00	₹ 0.00	₹ 19,24,288.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 19,99,290.00	₹ 0.00
8	Vijay Pratap Singh	Contract worker	34	Discharged	Production	Plant Assistant - I (Production)	₹ 12,012.00	15/06/2021		18/12/2023	₹ 12,012.00	₹ 12,012.00	₹ 0.00	₹ 60,000.00	₹ 0.00	₹ 16,79,185.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 17,51,197.00	₹ 0.00
9	Keehan Yadav	Contract worker	21	Discharged	Production	Plant Assistant - I (Production)	₹ 12,012.00	09/10/2023		18/12/2023	₹ 12,012.00	₹ 12,012.00	₹ 0.00	₹ 60,000.00	₹ 0.00	₹ 19,91,029.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 20,53,041.00	₹ 0.00
10	Sarvan Paswan	Contract worker	19	Discharged	Production	Plant Assistant - I (Production)	₹ 12,012.00	13/09/2023		18/12/2023	₹ 12,012.00	₹ 12,012.00	₹ 0.00	₹ 60,000.00	₹ 0.00	₹ 86,400.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 1,58,412.00	₹ 0.00
11	Lovakush Yadav	Contract worker	19	Discharged	Production	Plant Assistant - I (Production)	₹ 12,012.00	01/01/2022		12/12/2023	₹ 12,012.00	₹ 12,012.00	₹ 0.00	₹ 55,000.00	₹ 0.00	₹ 86,800.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 1,53,812.00	₹ 0.00
12	Vijay Luxman Sahu	Contract worker	57	Discharged	Production	Plant Assistant - I (Production)	₹ 12,012.00	20/05/2023		12/12/2023	₹ 12,012.00	₹ 12,012.00	₹ 0.00	₹ 45,000.00	₹ 0.00	₹ 98,200.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 1,55,212.00	₹ 0.00
13	Raju Singh	Contract worker	40	Discharged	Production	Plant Assistant - I (Production)	₹ 12,012.00	04/11/2020		07/12/2023	₹ 12,012.00	₹ 12,012.00	₹ 0.00	₹ 50,000.00	₹ 0.00	₹ 1,00,000.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 1,82,012.00	₹ 0.00
14	Sarvesh Kumar	Contract worker	24	Discharged	ETP	Plant Assistant - I (ETP)	₹ 12,012.00	01/08/2022		29/11/2023	₹ 12,012.00	₹ 12,012.00	₹ 0.00	₹ 50,000.00	₹ 0.00	₹ 1,00,000.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 1,62,012.00	₹ 0.00
15	Shri Prakash Pantaj	Contract worker	27	Discharged	ETP	Plant Assistant - I (ETP)	₹ 12,012.00	03/04/2023		29/11/2023	₹ 12,012.00	₹ 12,012.00	₹ 0.00	₹ 50,000.00	₹ 0.00	₹ 1,00,000.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 1,62,012.00	₹ 0.00
16	Om Prakash	Contract worker	23	Discharged	Production	Plant Assistant - I (Production)	₹ 12,012.00	27/11/2023		28/11/2023	₹ 12,012.00	₹ 12,012.00	₹ 0.00	₹ 45,000.00	₹ 0.00	₹ 1,00,000.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 1,57,012.00	₹ 0.00
17	Ram Shukul Yadav	Contract worker	24	Discharged	Production	Plant Assistant - I (Production)	₹ 12,012.00	07/07/2022		01/12/2023	₹ 12,012.00	₹ 12,012.00	₹ 0.00	₹ 50,000.00	₹ 0.00	₹ 20,017.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 82,029.00	₹ 0.00
18	Naveet Rajput	Company Employee	38	Discharged	Production	Plant Assistant - II (Production)	₹ 23,530.00	01/09/2016		02/01/2024	₹ 23,530.00	₹ 23,530.00	₹ 0.00	₹ 60,000.00	₹ 0.00	₹ 21,27,185.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 22,10,715.00	₹ 0.00
19	Uttam Ramlal Gutam	Company Employee	31	Discharged	Production	Plant Assistant - I (Production)	₹ 23,972.00	23/05/2017		02/01/2024	₹ 23,972.00	₹ 23,972.00	₹ 0.00	₹ 60,000.00	₹ 0.00	₹ 6,12,900.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 6,96,872.00	₹ 0.00
20	Munnika Yadav	Contract worker	23	Discharged	Production	Plant Assistant - I (Production)	₹ 12,012.00	30/07/2020		29/12/2023	₹ 12,012.00	₹ 12,012.00	₹ 0.00	₹ 60,000.00	₹ 0.00	₹ 19,13,715.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 19,85,727.00	₹ 0.00
21	Balarani Biaga	Contract worker	30	Discharged	Production	Plant Assistant - I (Production)	₹ 12,012.00	18/09/2023		29/12/2023	₹ 12,012.00	₹ 12,012.00	₹ 0.00	₹ 60,000.00	₹ 0.00	₹ 18,47,128.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 20,19,140.00	₹ 0.00
22	MD Umar	Contract worker	20	Discharged	Production	Plant Assistant - I (Production)	₹ 12,000.00	01/11/2023		02/01/2024	₹ 12,000.00	₹ 12,000.00	₹ 0.00	₹ 60,000.00	₹ 0.00	₹ 6,27,900.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 6,99,900.00	₹ 0.00
1	Narendra Pathak	Company Employee	30	Hospitalised	Production	Plant Assistant - I (Production)	₹ 15,210.00	20/11/2021			₹ 15,210.00	₹ 15,210.00	₹ 0.00	₹ 45,000.00	₹ 0.00	₹ 19,57,041.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 20,17,251.00	₹ 0.00
2	Ramesh Sharma	Company Employee	45	Hospitalised	Production	Plant Assistant - I (Production)	₹ 25,870.00	02/12/2016			₹ 25,870.00	₹ 25,870.00	₹ 0.00	₹ 45,000.00	₹ 0.00	₹ 4,50,000.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 0.00	₹ 5,20,870.00	₹ 0.00
<b>TOTAL</b>																					₹ 8,32,04,117.87	

\*Notes -The above mentioned Legal Benefits & Insurance (Column no 19,20,21 & 23) is projected with concern Law & Authority, These mentioned Amount can be increased or decreased as per the approval of concern Law & Authority





From: **Saurabh Kulkarni**

<[sdkadvocate@gmail.com](mailto:sdkadvocate@gmail.com)>

**ANNEXURE-R-3**

Date: Thu, 4 Jan 2024 at 10:10

Subject: Hearing in Aether Industries Issue

To: <[collector-sur@gujarat.gov.in](mailto:collector-sur@gujarat.gov.in)>, <[jtdish-sur@gujarat.gov.in](mailto:jtdish-sur@gujarat.gov.in)>, <[ms-gpcb@gujarat.gov.in](mailto:ms-gpcb@gujarat.gov.in)>, <[vo-gpcb-sura@gujarat.gov.in](mailto:vo-gpcb-sura@gujarat.gov.in)>

Hon'ble Sir,

I am concerned for the Company Aether Industries Limited. The National Green Tribunal Principal Bench at New Delhi has taken suo motu cognisance of the incident held on 29.11.2023. In the action taken report the Committee has been constituted consisting of 1) Directorate of Industrial safety and Health (DISH), (2) Chief Fire Officer, Surat Municipal Corporation (SMC), Surat, (3) Regional Officer, GPCB, Surat, (4) Police Inspector, Sachin GIDC, Surat. By this email I am intimating you to please grant us an opportunity of hearing in the said matter. We will be able to submit the necessary evidence and documents which will enable your good selves to prepare the report. We have taken adequate measures in that regard. We request you to intimate us the date of hearing so that we will remain present and make submissions

Regards,  
Saurabh Kulkarni,  
LLM (UK)  
Advocate  
President, NGT Bar Association (WZ)





40 **ANNEXURE-R-4**  
**GUJARAT POLLUTION CONTROL BOARD**

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

**BY RPAD**

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

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

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

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

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

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

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

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*Ag. Secy. of*

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

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

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

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

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

This order is issued after approval of competent authority.

For and on behalf of  
Gujarat Pollution Control Board,

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

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

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



Outward No: 780488, 05/01/2024