

## **STATUS REPORT AS ON 28.07.2020**

### **IN THE MATTER OF O. A. 669 OF 2018,** **MARVADA AMRUTLAL BECHARLAL VS. STATE OF GUJARAT –** **ASHAPURA GROUP OF COMPANIES, KUTCH.**

Vide the last order dated 20.11.2019 in the present matter, this Hon'ble Tribunal directed GPCB and CPCB to examine and oversee the remediation process of groundwater and gypsum removal by the industrial unit i.e. Ashapura Perfoclay Ltd., in addition to conducting periodical checks.

GPCB has duly complied with all the said directions of The Hon'ble Tribunal and continues to follow the same. A joint monitoring was carried out by CPCB & GPCB on 31.12.2019, 06.02.2020 and 16.03.2020. GPCB has closely monitored and inspected unit on 20.03.2020, 18.04.2020, 12.05.2020, 19.06.2020 & 27.06.2020.

Previously GPCB has submitted Status Report to The Hon'ble NGT on 06/07/2020.

Subsequently, considering compliance monitoring report and unit's submission incorporating the GITCO's reports for site which are cleared and 13 site which are not cleared, GPCB has extended revocation order further for three months vide order 10.07.2020 with conditions mentioned herein. Copy of revocation order is attached herewith as an **Annexure-1**.

GPCB officials inspected unit on 21.07.2020 and status is as below;

#### **Status regarding Gypsum Disposal:**

- Out of 39 locations, waste gypsum has been lifted from 26 locations and rest 13 locations are still occupied with waste gypsum.
- Out of 13 locations, unit has started plantation on 2 locations as per recommendation of Gujarat Industrial and Technical Consultancy Organization Ltd. (GITCO).  
Status Report of 13 Gypsum Locations is attached herewith as an **Annexure-2**.
- Unit has disposed 101742 MT Gypsum waste to cement industries for co-processing & 42271 MT for the back filling to abandoned mines during 1<sup>st</sup> January-2019 to 21<sup>st</sup> July-2020.

Data submitted by the unit is attached herewith as an **Annexure-3**.

#### **Status regarding Groundwater Contamination & Restoration:**

- **With respect to Ammonical Nitrogen:**
  - Unit is using fresh lime for neutralization process.
  - The analysis results of Ammonical Nitrogen (NH<sub>3</sub>-N) at GW-5 location, first increased slightly from 33 to 35.84 mg/l and then it is continuously decreasing from

35.84 mg/l to 6 mg/l and at GW-6 location, the Ammonical Nitrogen concentration is continuously decreasing from 55 mg/l to 8 mg/l.

- The trend of the Ammonical Nitrogen analysis result for GW-1 & GW-8 location is fluctuating, ups and down.
- As per latest report, the concentration of Ammonical Nitrogen is slightly increased in bore well GW-2.
- As per latest report, the concentration of Ammonical Nitrogen is not detected in bore well GW-3, GW-4, GW-7 and GW-9 & GW-10.

➤ **With respect to TDS:**

- Presently, the TDS concentration is higher at all the locations (1912 – 7550 mg/l). The trend of TDS analysis results for all the locations are fluctuating variably and it is difficult to conclude about the impact of restoration process on the TDS.
- As per third party GITCO's conclusion; The elevated level of TDS is as per the ground water quality pattern of the region.

➤ Continual long term efforts will be required to restore the water quality up to satisfactory level.

➤ Unit has constructed three nos. of groundwater recharge well which may help in restoration process.

Analysis report of bore-well water in and around the unit premises is attached herewith as an **Annexure-4**.

**Regarding Environmental Damage Compensation:**

- District Level Compensation Committee (constituted as per the Order of Hon'ble High Court in Special Civil Application No. 9699/2008) has assessed compensation of Rs. 31.65 Lacs and matter is forwarded to Principal District Judge, Kachchh at Bhuj on date 15.07.2020 for further action. However, GPCB has recovered Rs. 97, 50,000/- as an environmental damage compensation on 18.06.2019 and forfeited bank guarantee of 15 lacs on 02.05.2019, this is kindly to be taken in to consideration.

Minutes of meeting of District Level Compensation Committee dated 06.07.2020 is attached herewith as an **Annexure-5**.



# GUJARAT POLLUTION CONTROL BOARD

PARYAVARAN BHAVAN

Sector-10-A, Gandhinagar-382 010

Phone : (079) 23226295

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Website : [www.gpcb.gov.in](http://www.gpcb.gov.in)

**BY RPAD**

## REVOCATION ORDER OF CLOSURE ORDER ISSUED UNDER SECTION 33(A) OF THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT-1974.

WHEREAS you are having an industrial plant located at Sr. No. 167, Vill: Ler, Near Bhujodi, Tal: Bhuj, Dist:- Kutch.

AND WHEREAS the Gujarat Pollution Control Board has granted Consent to manufacture products mentioned in Consent order no. AWH-93521, which is valid upto 24.6.2023 with subject mentioned therein.

AND WHEREAS, the closure order was issued by vide letter no. GPCB/CCA-KUTCH-27(8)/GPCB ID 17774/463339, dated 26/07/2018. Thereafter on basis of inspection report and your submission revocation order for three months was issued on 27/08/2018. It was extended for further three months on 10/12/2018 and on 02/05/2019 with conditions stated in it.

AND WHEREAS, considering the observations of inspection report and Hon'ble NGT order in matter of O.A. 669/2018 the closure was re-implemented u/s 33(A) of Water Act on 11/06/2019 with immediate effect.

AND WHEREAS, with reference to observations of inspection report and compliance report of unit, the trial revocation order was issued for one month with 50% production manufacturing capacity on 25/07/2019 and on 28/08/2019 with conditions stated therein.

AND WHEREAS, with reference to observations of inspection report and compliance report of unit, the trial revocation order dated 27/09/2019 was extended for three months with conditions stated therein.

AND WHEREAS, with reference to reports of M/s. Pollucon Laboratories Notice of Direction u/s 33(A) dated 18/11/2019. Further with reference to joint inspection report of SEIAA and RO, GPCB Notice of Direction u/s 5 of E(P) Act – 1986 dated 24/01/2020 was issued.

AND WHEREAS, with reference to observations of joint visit reports of CPCB and RO, GPCB the revocation order was extended upto 23/03/2020. Thereafter due to COVID – 19 pandemic situation and as per office order dated 30/03/2020, the revocation order was considered to be extended up to 30/06/2020.

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AND WHEREAS you have applied for Revocation along with progress report and third party report i.e. reports from GITCO for sites which are cleared and 13 sites which are not cleared. In this reference RO officials visited unit on 19/06/2020 following observations were made;

- (1) During inspection line 3, 5 & 7 were in operation.
- (2) The construction work of 5 nos. – circular tanks are going on near intermediate RCC storage pond for upgradation / modification of ETP.
- (3) Unit has provided CEMS & second ground water recharge structure.
- (4) Out of 39 locations, gypsum waste has been lifted from 26 locations and rest 13 locations are still remaining.
- (5) There is no progress in gypsum lifting activity after 16th March, 2020 due COVID – 19 pandemic situation.
- (6) The total gypsum disposed during Jan'19 to May'20 is 89555.5 MT to cement industries for co-processing and 37372 MT for back filling into abandoned mines.
- (7) For remaining locations i.e. 13 sites where gypsum waste still there, unit has approached M/s. GITCO to carry out study and analysis w.r.t. impact on surroundings due to gypsum waste dumped. The unit has submitted both the reports of GITCO.

AND WHEREAS, the matter O.A. 669/2018 is pending before Hon'ble National Green Tribunal.

Under the circumstances, I, Smt. U. K. Upadhyay, Environmental Engineer, Gujarat Pollution Control Board is hereby directed to extend the revocation order for **THREE MONTHS** from the date of issue of order with following conditions:

1. To submit the time bound action plan for 13 sites in reference to GITCO report.
2. Out of 13 sites there are 4 abandoned mines, for which unit shall submit the closure plan approved from competent authority and action plan after closure of mines.
3. Unit shall provide piezometric wells at 13 sites for monitoring of ground water and carry out quarterly monitoring of ground water and soil to assess the impact of gypsum over it. The report shall be submitted quarterly to RO, Kutch (West) and Head office, Gandhinagar.
4. Unit shall manufacture product as per the existing CCA and unit shall comply with all the conditions of the CCA and Amendment thereof.
5. Unit shall maintain the record of the production, spent acid generation, gypsum generation and its disposal on day to day basis and shall submit monthly data to Regional office, Kutch (West) and Head Office, Gandhinagar.



**GPCB**

# **GUJARAT POLLUTION CONTROL BOARD**

**PARYAVARAN BHAVAN**

**Sector-10-A, Gandhinagar-382 010**

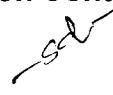
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**Website : www.gpcb.gov.in**

6. Unit shall comply with the conditions for the storage, handling and disposal of gypsum as per CCA conditions.
7. Unit shall submit the progress report for the disposal of gypsum on every 15 days and also maintain the record of the same.
8. In no case the gypsum waste shall be disposed at any other places. If such observations are made unit shall be held responsible.
9. Not to operate new plant without prior permission of the Board.
10. To continue the ground water remediation and restoration activity. Unit shall provide the recharge wells to maintain the ground water table.
11. Unit shall continue to use fresh hydrated lime for neutralization process.

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

  
**(Smt. U. K. Upadhyay)  
Environmental Engineer**

**Date:**

**NO: GPCB/ CCA-KUTCH-27(20)/ GPCB ID-17774/**

**ISSUED TO: .**

Ashapura Perfoclay limited  
Sr. No: 167, Vill: Ler,  
Near Bhujodi, Tal: Bhuj,  
Tal: Bhuj, Dist:- Kutch

**COPY TO: -**

**To,**

- 1) The Superintendent Engineer (SE)  
Paschim Gujarat Vij Company Limited (PGVCL),  
Division office, Power House compound,  
Hospital Road, Bhuj, Dist – Kutch – 370110.....

I am directed to request you to extend the supply of electricity for **THREE MONTHS** from date of issue of this order to the industrial plant of M/s Ashapura Perfoclay Ltd, located at Survey No. 167, Vill: Ler, Nr. Bhujodi, Anjar- Bhuj Highway, Ta. Bhuj, Dist. Kutch.

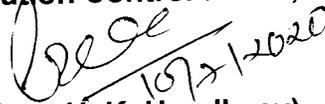
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2) Senior Manager,  
Gujarat water Infrastructure Ltd, (GWIL),  
Near Municipal Bore Well,

No.4, Anjar, Bhuj Highway, DIST: KUTCH - 370106.....I am directed to request you to extend the water supply for **THREE MONTHS** from date of issue of this order to the industrial plant of M/s Ashapura Perfoclay Ltd, located at Survey No. 167, Vill: Ler, Nr. Bhujodi, Anjar-Bhuj Highway, Ta. Bhuj, Dist. Kutch.

For and on behalf of  
Gujarat Pollution Control Board,

  
(Smt. U. K. Upadhyay)  
Environmental Engineer

### Annexure -1

#### Status of remaining 13 locations as on 21.07.2020:-

Sr. No.	Location No.	Location/Place	Current Status	As per DILR record	Photo
1.	1.	Behind Lehriya Hanuman Temple, Old stone mine, Kukma Village  23° 13' 21" N 69° 46' 21" E	No progress observed.  Gypsum is dumped for backfilling of old abandoned stone mine.	Survey no. 335, Village: Kukma	
2.	4.	Old stone mine of Prakash Patel, Survey No:331, Besides old Hot Mix plant, Kukma Village  23° 13' 16" N 69° 46' 3" E	No progress observed.  Gypsum is dumped for backfilling of old abandoned stone mine.	Survey no. 337, Village: Kukma	
3.	5.	Behind khatri mills, Besides of above site, Traverse survey no: 331, government land, Kukma Village  23° 13' 20" N 69° 45' 58" E	No progress observed.  Gypsum is dumped for backfilling of old abandoned stone mine	Survey no. 331/3, Village: Kukma	

4.	7.	<p>Natural drain between farm of Dinesh Maharaj and Govind Vanker, survey no : 218, Kukma Village</p> <p>23° 11' 56" N 69° 46' 47" E</p>	<p>No progress observed.</p>	<p>Survey no. 218, Village: Kukma</p>	
5.	10.	<p>Besides of Kukma-Lakhond village Road</p> <p>23° 13' 50" N 69° 46' 48" E</p>	<p>No progress observed.</p> <p>It is observed that gypsum is dumped along the road side for leveling where underground drainage system of Kukma Grampanchay at is laid down.</p>	<p>Travers Survey no. 331, Village: Kukma</p>	
6.	11.	<p>Vrundavan Gir Gaudham, Shree Swaminarayan Mandir, Besides Ashapura Colony, Bhachau Road</p> <p>23° 13' 49" N 69° 46' 48" E</p>	<p>During inspection gypsum is observed covered with silica sand.</p>	<p>Travers Survey no. 331, Village: Kukma</p>	

7.	14.	<p>Land of Lakhond Village</p> <p>23° 15' 12" N 69° 46' 41" E</p>	No progress observed.	Survey no. 331, Village: Lakhond	
8.	15.	<p>Adjacent above site as mentioned in sr no (14). Land of Lakhond Village</p> <p>23° 15' 11" N 69° 46' 40" E</p>	No progress observed.	--	
9.	17.	<p>China Clay mine of Vastabhai, Village lakhond, Abandoned mine</p> <p>23° 15' 39" N 69° 47' 17" E</p>	<p>No progress observed.</p> <p>Gypsum is dumped for backfilling of abandoned china clay mine.</p>	Village: Lakhond	

10.	18.	<p>On Government land on Padhdhar village</p> <p>23° 14' 29" N 69° 48' 44" E</p>	<p>No progress observed.</p> <p>Gypsum is dumped for leveling of low-lying area.</p>	<p>Tavares Survey No. 741/ paiki Village: Padhdhar</p>	
11.	26.	<p>Pithoradada Mandir, Ler Village.</p> <p>23° 10' 23" N 69° 46' 05" E</p>	<p>No progress observed.</p> <p>Gypsum is dumped for making the side slope of land at temple.</p>	<p>Tavares Survey No. 151, Village: Vadava</p>	
12.	38.	<p>Maldhari Mangal Mandir Chhatralay, Bhujodi</p> <p>23° 13' 45" N 69° 44' 09" E</p>	<p>During visit, it is observed that unit has started plantation.</p> <p>Silica sand is observed on the top of gypsum.</p>	<p>Tavares Survey No. 158, Village: Bhujodi</p>	

13.	39.	<p>Shri Vakal Mata Mandir, Village: Bhujodi</p> <p>23° 13' 35" N 69° 44' 41" E</p>	<p>During visit, it is observed that unit has started plantation.</p> <p>Gypsum is dumped for leveling of low-lying area.</p>	<p>Tavares Survey No. 158, Village: Bhujodi</p>	
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**Note:- Out of 13 locations, unit has started plantation at 02 locations.**

**Gypsum dispatch details**

Month	Sanghi Ind (MT)	Ultra Tech (MT)	Mine Backfilling (MT)		Total monthly dispatch (MT)
			Mata na madh	Pundi	
Jan-19	305	1166	--	--	1471
Feb-19	4299	--	--	--	4299
Mar-19	7917	480	--	--	8397
Apr-19	8240	1535	--	--	9775
May-19	7733	1124	--	--	8857
Jun-19	17315	1860	--	--	19175
Jul-19	24021	1788	--	--	25809
Aug-19	2964.33	0	--	--	2964.33
Oct-19	0	2731.43	--	--	2731.43
Nov-19	0	2260.79	2577	--	4837.79
Dec-19	0	0	5508	--	5508
Jan-20	0	0	6778	--	6778
Feb-20	0	0	7582	--	7582
Mar-20	0	0	7590	1000	8590
Apr-20	2993	--	--	--	2993
May-20	569	254	3652	2685	7160
June - 20	4748	2655	1354	1685	10442
July - 20	4427	357	1860	--	6644
<b>Total</b>	<b>85531</b>	<b>16211</b>	<b>36901</b>	<b>5370</b>	<b>144013</b>



Village Ler, Near Bhujodi, Off Anjar-Bhuj Highway, Bhuj-kutch - 370 020. (Gujarat)  
Tel. : +91-02832 240301/240302/242032-33 Fax : +91-02832 240303 E-mail : Avlbhujad@sancharnet.in

Regd. Office :

Jeevan Udyog Building, 3rd Floor, 278, D. N. Road, Fort, Mumbai - 400 001. (India)  
Tel. : +91-22 6665 1700 Fax : +91-22 2207 9395 / 2207 4452 Email : be@ashapura.com

CIN No. U14108MH1997PLC107300

### Annexure -03

#### **ANALYSIS REPORT OF BOREWELL WATER IN AND AROUND THE UNIT PREMISES**

GPCB carried out ground water sampling of 10 bore-wells in and around the unit premises (Unit and sampling locations are depicted on google image below).



S. No.	Location	Latitude/Longitude	S. No.	Location	Latitude/Longitude
<b>GW-1</b>	Nr. Gate No. 2 of unit	23°11'58.22"N 69°44'29.67"E	<b>GW-6</b>	Vasudev Pindoriya	23°12'12.53"N 69°44'55.18"E
<b>GW-2</b>	Samavandh samiti	23°12'6.53"N 69°44'24.78"E	<b>GW-7</b>	Govind Hirji Gorasia	23°12'18.47"N 69°44'46.05"E
<b>GW-3</b>	Admin block of unit	23°12'12.53"N 69°44'30.09"E	<b>GW-8</b>	Ranubha Jadeja	23°12'0.42"N 69°44'55.25"E
<b>GW-4</b>	Shyamji Velji Gorasia	23°12'28.15"N 69°44'35.17"E	<b>GW-9</b>	Hetubha Jadeja	23°12'6.43"N 69°45'40.66"E
<b>GW-5</b>	Ramesh Pindoriya	23°12'13.65"N 69°44'55.45"E	<b>GW-10</b>	Dinesh maharaj Wadi	23°11'56.65"N 69°46'48.14"E

The ground water restoration process of contaminated bore-wells started from 20.12.2019. GPCB has carried out ground water sampling of 10 nos. bore-wells in and around the industry during 23.12.2019 to 21.07.2020.

The compiled analysis results for NH<sub>3</sub>-N are given in the table below:

Location	NH <sub>3</sub> -N (mg/l)						
	23.12.2019	24.01.2020	27.02.2020	18.04.2020	12.05.2020	19.06.2020	21.07.2020
GW-1	11.76	9.52	8.4	6.12	7.84	7.28	11.2
GW-2	0.28	0.28	0.28	0.28	0.28	0.28	1.68
GW-3	0.28	0.28	0.28	0.28	0.28	0.28	N.D.*
GW-4	0.28	0.28	0.28	0.28	0.28	0.28	N.D.
GW-5	33.04	35.84	21.28	18.48	16.8	14.56	6.0
GW-6	55.44	53.20	48.16	45.36	40.8	35.84	8.0
GW-7	1.12	0.84	0.84	0.84	0.56	0.56	N.D
GW-8	7.28	6.72	1.68	2.80	2.52	2.52	3.92
GW-9	0.28	0.28	0.28	0.28	0.28	0.28	N.D.

GW-10	0.28	0.28	0.28	0.28	0.28	0.28	N.D.
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*\*N.D.: Not Detected*

The compiled analysis results for TDS are given in the table below:

Location	TDS (mg/l)						
	23.12.2019	24.01.2020	27.02.2020	18.04.2020	12.05.2020	19.06.2020	21.07.2020
GW-1	3808	4098	3642	3016	4170	3720	4494
GW-2	3670	4116	4068	3480	4340	3610	5150
GW-3	3846	4268	3934	3310	4410	3580	4216
GW-4	3940	4584	4544	3880	5290	5320	4616
GW-5	6238	7108	6476	5520	6390	6120	7550
GW-6	7824	6428	6172	5670	7010	6280	7068
GW-7	5694	6522	6612	5550	6540	5980	7148
GW-8	3474	3284	2804	3112	3650	3530	3708
GW-9	2814	2394	2582	2324	3230	3010	2812
GW-10	1772	1694	1724	1612	2310	1880	1912

મે. આશાપુરા પર્ફેક્ટ લી. સર્વે નં: ૧૬૭, ગામ: લેર, તા: ભુજ-કચ્છ દ્વારા પ્રદુષણથી થયેલ પર્યાવરણીય નુકશાન જેમા કંપનીની આસપાસના વિસ્તારમાં ખેડૂતો તેમજ જમીનને થયેલ નુકશાન, પશુઓ તથા માણસોના આરોગ્યને થયેલ નુકશાન, જંગલ વિસ્તારને થયેલ નુકશાન તથા ભુગર્ભ જળના પ્રદુષિત થવાને કારણે થયેલ નુકશાન વિગેરેનું મુલ્યાંકન કરી વળતરની રકમ નક્કી કરવા માટે ડિસ્ટ્રિક્ટ લેવલ કમ્પનિશન કમીટીની તા.૦૬/૦૭/૨૦૨૦ ના રોજ ૧૬:૩૦ કલાકે થયેલ મિટીંગની કાર્યનોંધ.

નામદાર High Court of Gujarat special civil application No. 9699/2008 ના હુકમ મુજબ, માન. Principal District Judge, Kutch એ તા. 10/01/2019 ના રોજ કચ્છ જીલ્લા માટે ડિસ્ટ્રિક્ટ લેવલ કમ્પનિશન કમીટીની રચના કરવામાં આવી.

મે. આશાપુરા પર્ફેક્ટ લી. સર્વે નં: ૧૬૭, ગામ: લેર, તા: ભુજ-કચ્છ દ્વારા પ્રદુષણથી થયેલ પર્યાવરણીય નુકશાન જેમા કંપનીની આસપાસના વિસ્તારમાં ખેડૂતો તેમજ જમીનને થયેલ નુકશાન, પશુઓ તથા માણસોના આરોગ્યને થયેલ નુકશાન, જંગલ વિસ્તારને થયેલ નુકશાન તથા ભુગર્ભ જળના પ્રદુષિત થવાને કારણે થયેલ નુકશાન વિગેરેનું મુલ્યાંકન કરી વળતરની રકમ નક્કી કરવા માટે ડિસ્ટ્રિક્ટ લેવલ કમ્પનિશન કમીટીની તા: ૧૪/૦૫/૨૦૧૯ ની બેઠકમાં નક્કી થયા મુજબ, પ્રાંત અધિકારીશ્રી-ભુજની અધ્યક્ષતામાં સબ-કમીટી રચના કરવામાં આવેલ.

સદર બાબતે, સબ-કમીટીના સભ્યોએ રજુ કરેલા અહેવાલોને પત્રનં. જમન/વશી/૧૩૬/૨૦૨૦, તા.૧૭/૦૨/૨૦૨૦ થી સબ- કમીટીના અધ્યક્ષશ્રી દ્વારા આગળની કાર્યવાહી અર્થે રજુ કરવામાં આવેલ છે. જેની વિગતો નીચે મુજબ છે તથા સંપૂર્ણ અહેવાલો આ સાથે સામેલ છે.

ક્રમ	વિભાગ	પત્રનં. અને તારીખ	ટૂંકમાં વિગત	સૂચિત વળતરની રકમ
૧	મુખ્ય જિલ્લા આરોગ્ય અધિકારી, જીલ્લા પંચાયત કચેરી,	નાં. જિ. પંક/મે.આશાપુરા,લેર /સર્વે/૨૦૧૯ તા.૨૬/૦૮/૨૦૧૯	તા. ૨૩/૦૮/૨૦૧૯ થી ૨૭/૦૮/૨૦૧૯ સુધી કુકા પ્રા.આ. કેન્દ્ર અને પ્રા.આ. કેન્દ્ર માધ્યાપર અને પ્રા.આ. કેન્દ્ર ધાણેદીની મેડિકલ ટીમ દ્વારા કંપનીના આજુબાજુ કુલ ૮	સદર બીમારિયો પેકી એક પણ બીમારીના કારણો મે.આશાપુરા

	<p>કચ્છ-ભુજ</p>		<p>ગામોમાં જેમાં ઘરના સભ્ય પડદર તથા ઘરની સંખ્યા ૧૦૭૭ માં સઘન સર્વેલેન્સ હાથ ધરવામાં આવેલ હતું. જેમાં વિવિધ બિમારીયો જેવી કે ફેફસાની તકલીફ (અસ્થમા/ટી.બી./કેન્સર), આંખ ની તકલીફ મોતીયા સીવાય, આમડીના રોગ જુના લાબાં સમયથી, કીડનીના જુના રોગો, હૃદય રોગ બી.પી.સીવાય, બાળકોને જન્મથી બીમારીઓનું સર્વેલેન્સ કરવામાં આવેલ હતું. ઉપરોક્ત બીમારિયો પેકી એક પણ બીમારીના કારણો મે.આશાપુરા પર્ફેકલે લી. સર્વે નં.૧૭૭, ગામ:- લેર ફેક્ટરી દ્વારા સીધો સંબંધ હોય એવો કોઈ પુરાવો મળેલ નથી.</p>	<p>પર્ફેકલે લી. સર્વે નં.૧૭૭, ગામ:- લેર ફેક્ટરી દ્વારા સીધો સંબંધ હોય એવો કોઈ પુરાવો મળેલ નથી.</p>
<p>2</p>	<p>નાયબ વન સંરક્ષક, નાયબ વન સંરક્ષકશ્રીની કચેરી, ભુજ-કચ્છ.</p>	<p>બ/જમન/ટે.૯/૫૪૪૫૦ /૨૦૧૯-૨૦, તા.૧૬/૦૧/૨૦૨૦</p>	<p>સ્થાનિક પરિક્ષેત્ર વન અધિકારીશ્રી દ્વારા સ્થળ તપાસ કરવામાં આવેલ, સ્થળ તપાસ દરમ્યાન ફેક્ટરીની બાજુમાં આવેલ લેર જંગલ વિસ્તારમાં ચકાસણી કરતા લેર જંગલ વિસ્તારમાં કોઈ જાતના વૃક્ષ તથા નદી-નાળામાં ફેક્ટરી દ્વારા દુષિત પાણી છોડવામાં આવેલ હોય તેવું જણાઈ આવેલ નથી. ત્યારબાદ ફેક્ટરીમાં વધેલા દુષિત પાણીના નિકાલ માટે સૌપ્રથમ તેને આર.ઓ.પ્લાન્ટમાંથી પસાર કરવામાં આવે છે. ત્યારબાદ વધેલ પાણીને સીમેન્ટ કોન્ટેનરોમાં સ્ટોર કરવામાં આવે છે તથા બાષ્પીભવન પધ્ધતીથી નિકાલ કરવામાં આવે છે. વધુમાં ફેક્ટરીની ચીમનીમાંથી નિકળતા ધુમાડાથી આજુ-બાજુના જંગલ વિસ્તારમાં કોઈ નુકસાની થઈ હોઈ તેવું જણાઈ આવેલ નથી.</p>	<p>ફેક્ટરીની ચીમનીમાંથી નિકળતા ધુમાડાથી આજુ-બાજુના જંગલ વિસ્તારમાં કોઈ નુકસાની થઈ હોઈ તેવું જણાઈ આવેલ નથી.</p>

<p>કાર્યપાલક ઇજનેર, કચ્છ સિંચાઈ વિભાગ, ભુજ-કચ્છ.</p>	<p>કસિવિ/પીબી/પ્રદુષણ અહેવાલ/૧૭૯૭ તા.૧૨/૧૨/૨૦૧૯</p>	<p>કંપનીની આજુબાજુના ખેડુતો તેમજ સરકારી પડતર જમીનમાં કંપનીનું વેસ્ટ સદર એનેક્સર-૫ માં સ્પષ્ટ જોઈ શકાય છે. તેમજ આજુબાજુની જમીનના સિંચાઈના સ્ત્રોત જેવા કે ડેમ, તળાવો, નદીના વહેણને પણ સ્થળ મુલાકાત દરમિયાન નુકશાન થયેલ હોઈ તેમ જણાય છે.</p> <p>વિશેષમાં જણાવવાનું કે, રૂબરૂ મુલાકાત દરમિયાન અરજદાર સરપંચશ્રી કુકમા ગ્રામ પંચાયત દ્વારા બતાવવામાં આવેલ લોકેશન અને વિગતવાર અહેવાલ આ સાથે સામેલ પત્રક મુજબ છે. કંપની દ્વારા આજુબાજુના વિસ્તારના તળાવ, નદી ચેકડેમ વિગેરે વોટર બોડીસના વહેણમાં કંપનીના વેસ્ટ ડમ્પીંગ કરવામાં આવેલ છે અને નદીના વહેણમાં કંપનીના વાહનોના અવર-જવર માટે માટીનો રોડ બનાવવામાં આવેલ છે. જે પાણીના વહેણને અવરોધ છે જે દુર કરવાની જરૂર છે. તેમજ સદર જમીનમાં વેસ્ટ ડમ્પ કરવાથી અજુબાજુના પાણી તેમજ જમીનની ગુણવત્તા પર ખરાબ અસર થવાની શક્યતા છે. જે સંબંધિત વિભાગ પાસેથી ચકાસણી કરાવવાની જરૂરીયાત જણાય છે.</p>	<p>રૂ. ૩૧.૬૫ લાખ તથા અન્ય ખર્ચ (સદર જમીનમાં વેસ્ટ ડમ્પ કરવાથી અજુબાજુના પાણી તેમજ જમીનની ગુણવત્તા પર ખરાબ અસર થવાની શક્યતા છે. જે સંબંધિત વિભાગ પાસેથી ચકાસણી કરાવવાની જરૂરીયાત જણાય છે).</p>
<p>૪</p>	<p>નાયબ પશુપાલન નિયામક જીલ્લા પંચાયત ભુજ-કચ્છ. પકોડલે/૨૦૧૯/૩૮૭૬ તા. ૦૨/૧૨/૨૦૧૯</p>	<p>-According to survey by above team, no contagious or non-contagious disease or animal dead body was found at survey no. 167 and nearby area.</p> <p>-According to record of the Veterinary dispensary Kukma, there was no mass mortality and animal deaths</p>	<p>No contagious or non-contagious disease or animal dead, no mass mortality and animal deaths, no significant decreases in milk</p>

			<p>are not recorded at survey no. 167 and nearby area.</p> <p>-According to sarhad dairy's last 5 year milk procurement data, no significant decreases in milk production are observed.</p> <p>-According to above result of blood samples shown in the table, no sample was showing any significant abnormality for biochemical analysis of calcium, phosphoric &amp; Magnesium.</p> <p>સંક્ષિપ્ત અભિપ્રાય:</p> <p>➤ કંપની દ્વારા પોતાના બોરમાં કેમીલલવાળું પાણી ઉતારવામાં આવે છે. જેના કારણોસર પાણીની ગુણવત્તા ખરાબ થયેલ છે. અને તે માનવી તથા પશુઓ દ્વારા પાણી ઉપયોગમાં લઈ શકાતું નથી.</p> <p>➤ કંપની દ્વારા સ્ટ(૨૪) ના પાર્ટીકલ્સ ઉડવાના કારણોસર પાકમાં સ્ટ(૨૪) ના પાર્ટીકલ્સ પાન પર ચોટી જાય છે અને તેથી પાક નો વિકાસ થઈ શકતો નથી તેમજ પશુ માટે વાવેલ ઘાસચારામાં સ્ટ(૨૪)ના પાર્ટીકલ્સ ચોટી જવાથી પશુઓ ઘાસચારો ખાતા નથી અને તેમના આરોગ્ય પર ખરાબ અસર પડે છે. પશુઓને કેમીકલ્સવાળા સ્ટ(૨૪) પાર્ટીકલ્સ ને કારણોસર વાડીએ ખુલ્લામાં રાખી શકાતા નથી, ખુલ્લામાં રાખવાથી બિમાર પડે છે.</p> <p>➤ કંપની દ્વારા રસ્તા પર ૨૪ ના ઉડે તે માટે પાણીનો છંટકાવ કરવામાં આવે છે તે પાણી પણ કેમીકલ્સ વાળું</p>	<p>production and no sample was showing any significant abnormality at survey no. 167 and nearby area.</p>
<p>૫</p>	<p>મદદનીશ ખેતી નિયામક, જમીન ચકાસણી પ્રયોગશાળા, ભુજ-૬૨૬. તથા જીલ્લા ખેતીવાડી અધિકારી, ખેતીવાડી શાખા, જીલ્લા પંચાયત, ભુજ-૬૨૬.</p>	<p>જિપક/ખેતી/૪૪૨/૧૯ તા.૨૦/૦૧/૨૦૨૦</p>	<p>આંકડાકીય માહિતી/મુલ્ય સામેલ નથી.</p>	

			<p>પાણી છાટે છે.</p> <p>► ચોમાસાની ઋતુ દરમ્યાન વરસાદ થવાની કંપનીના વિસ્તારમાંથી વરસાદી પાણી ખેડૂતના ખેતરમાં આવે છે. જે પાણી કેમિકલ્સ વાળું હોવાથી ખેતરમાં પાકને નુકસાન થાય છે.</p> <p>► કંપની દ્વારા સમગ્ર યુનિટમાં કંમ્પાઉન્ડ વોલ ન કરવાના કારણોસર ખેડૂતના ખેતરમાં કંપની દ્વારા સ્ટોર કરવામાં આવેલ મટીરીયલ્સની ડસ્ટ ખેતરમાં આવે છે.</p>	<p>પાણીના નમુનાઓના રાસાયણિક પૃથ્થકરણ મુજબ પાણીમાં સલ્ફેટ તેમજ નાઇટ્રેટના પ્રમાણમાં વધારો જોવા મળેલ છે. પરંતુ IS: 10500-2012 મુજબ પીવાના પાણીના સ્વિકાર્ય માપદંડથી વધુ નથી.</p>
કાર્યપાલક ઈજનેર, ગુજરાત પાણી પુરવઠા અને ગટર વ્યવસ્થા બોર્ડ	પીબી/મેઆશાપુરા પબ્લિકટે/રા. પૃથ્થકરણ/૪૨૦૭ તા.૧૬/૧૨/૨૦૧૯		<p>સરખામણી પત્રક મુજબ વર્ષ: ૨૦૧૧ થી વર્ષ ૨૦૧૯ સુધીના પાણીના નમુનાઓના રાસાયણિક પૃથ્થકરણ મુજબ પાણીમાં સલ્ફેટ તેમજ નાઇટ્રેટના પ્રમાણમાં વધારો જોવા મળેલ છે. પરંતુ IS: 10500-2012 મુજબ પીવાના પાણીના સ્વિકાર્ય માપદંડથી વધુ નથી.</p>	
૬	કાર્યપાલક ઈજનેર, ગુજરાત પાણી પુરવઠા અને ગટર વ્યવસ્થા બોર્ડ	Email dated 07/01/2020 regarding effect of Polluted water on crop by Dr Devi Dayal, Head, ICAR-Central Arid Zone Research Institute, Regional Research Station, Kukma, Bhuj-370 105	<p>It is also to be submitted that effect of ammonical rich water on the crops may vary with other anion/cations present in the bore well water, the physical and chemical properties of the soil, the crops and the growing season.</p> <p>Therefore, the precise effect of the bore well water on crop can only be ascertained after specific field</p>	
૭	હેડ ઓફ ઈન્સ્ટીટ્યુટ, સેન્ટ્રલ એરિડ ઓન રીસર્ચ ઈન્સ્ટીટ્યુટ, ઈડીયન કાઉન્સિલ ઓફ એગ્રીકલ્ચરલ રીસર્ચ,		<p>The precise effect of the bore well water on crop can only be ascertained after specific field studies as per scientific methodology.</p>	

	5541.	Regional Officer, Kutch-West, Gujarat Pollution Control Board	<p>studies as per scientific methodology.</p> <p>In this regard, draft project proposal on generating precise data on above mentioned subject. The draft proposal on the subject as per guidelines of ICAR has been prepared and enclosed for kind perusal. It is submitted that it is a draft proposal only as the final proposal after approval of the committee and the Director, CAZRI Jodhpur will be submitted as per your principal approval of the fund for proposed project.</p> <p>Total outlay of the project is costing around Rs. 16,35,371/- which will vary.</p> <ul style="list-style-type: none"> <li>As action against unit for damages occurred to environment, GPCB has forfeited the Bank guarantee of Rs. 15,00,000/- submitted by the unit and taken Rs. 30,00,000/- Bank guarantee (2 nos. of each Rs. 15,00,000/-).</li> <li>GPCB has recovered penalty of Rs. 97,50,000/- as an Environmental damages .</li> <li>The prosecution is filed in The Chief Judicial Magistrate Court, Bhuj on dated 20/05/2019, Case No. 1696/2019 as "<u>A complaint under section 15 of The Environment Protection Act, 1986 on account of violation of environmental norms &amp; non-compliance of conditions enumerated in consolidated consent &amp; authorization</u>".</li> <li>The matter has been taken up in continuation, O.A. 669/2018 on the subject of violation of environmental norms by M/s Ashapura Group of</li> </ul>	<p>Rs. 15,00,000/- forfeited as Bank guarantee.</p> <p>Rs. 97,50,000/- recovered as an Environmental damages.</p>
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			<p>Companies, Village Ler, Taluka Bhuj, District Kutch, Gujarat before Hon'ble NGT, Principal Bench, New Delhi.</p> <p>List for further consideration is on 30/07/2020.</p> <ul style="list-style-type: none"> <li>The matter has been taken up in continuation, Appeal No. 40/2019 (WZ) on the subject of legality of Environmental Clearance (EC) in favour of M/s Ashapura Perfoclay Limited for expansion of production capacity of bleaching clay at the existing unit at Survey no. 167, village Ler, near Bhujodi, Anjar- Bhuj Highway, District Kutch in category 2(b) of the Schedule annexed to the EIA Notification dated 14/09/2006 before Hon'ble NGT, Principal Bench, New Delhi.</li> </ul> <p>List for further consideration is on 30/07/2020.</p> <ul style="list-style-type: none"> <li>SEIAA has cancelled EC accorded to M/s Ashapura Perfoclay Limited, vide No. SEIAA/GUJ/EC/2(b)/366/2019, 26/02/2019 on dated 03/03/2020 by letter No. SEIAA/GUJ/EC/2(b)/226/2020.</li> </ul>
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ઉપરોક્ત વિગત મુજબ,

- ગુજરાત પ્રદુષણ નિયંત્રણ બોર્ડ દ્વારા રૂ.૧૫ લાખની બેંક ગેરેન્ટી અને રૂ. ૯૭.૫ લાખ પર્યાવરણીય વળતર રૂપે એકમ પાસેથી વસુલ કરવામાં આવેલ છે.
- કાર્યપાલક ઇજનેર, કચ્છ સિંચાઈ વિભાગ,ભુજ-કચ્છ દ્વારા રૂ. ૩૧.૬૫ લાખ તથા અન્ય ખર્ચ (સદર જમીનમાં વેસ્ટ ડ્રમ કરવાથી અજુબાજુના પાણી તેમજ જમીનની ગુણવત્તા પર ખરાબ અસર થવાની શક્યતા છે. જે સંબંધિત વિભાગ પાસેથી ચકાસણી કરાવવાની જરૂરીયાત જણાય છે), એકમ પાસેથી થયેલ નુકસાનના વળતર પેટે વસુલવા જણાવેલ છે.
- અન્ય વિભાગ દ્વારા મળેલા અહેવાલો મુજબ, એકમ પાસેથી નુકસાનીનું વળતર થયેલ લેવાનું થતું નથી એમ જણાઈ આવે છે.

સદર અહેવાલોને, આગળની કાર્યવાહી અર્થે માન. Principal District Judge, Kutch સાહેબશ્રીને સાદર કરવાનું સર્વાનુમતે નક્કી કરવામા આવ્યું.

ડિસ્ટ્રિક્ટ લેવલ કમ્પનિશન કમીટીની બિઝિંગમાં હાજર રહેલ સભ્યો.

Di. 06/07/2020

Time: 16:30 hrs

ક્રમ નં	વિભાગ	નામ અને હોદ્દો	ઇ-મેલ અને મોબાઇલ નં	સહિ
૧	જીલ્લા કલેક્ટર અને જીલ્લા મજિસ્ટ્રેટ, ભુજ-કચ્છ.			Dufk
૨	પ્રાંત અધિકારી-ભુજ			Manish
૩	નાયબ વન સંરક્ષક, કચ્છ-પૂર્વ વિભાગ	શ્રી. સુરેશ. આર. ઠક્કર. સી. આ. યાદ.	7534950164	Shrey
૪	નાયબ વન સંરક્ષક, કચ્છ-પશ્ચિમ વિભાગ.			
૫	નાયબ ડાયરેક્ટર, પશુપાલન વિભાગ, ભુજ-કચ્છ	ડી. કે. જી. બાલમજી નાયબ પ્રધાન મંત્રી આર. વી. સરુજી સી. કે. આર. કોલેજ	9426704429	Shrey
૬	કાર્યપાલક ઈજનેર, સિંચાઈ વિભાગ, ભુજ-કચ્છ	કાર્યપાલક ઈજનેર	9125033487	Shrey
૭	જીલ્લા આરોગ્ય અધિકારી ભુજ-કચ્છ.			
૮	જીલ્લા ખેતીવાડી અધિકારી ભુજ-કચ્છ.	બી. આઈ. શિહોલ જીલ્લા ખેતીવાડી અધિકારી બી. પી. ભુજ	8128685681	Shrey

૯	નાયબ ખેતી નિયામક-વિસ્તવરણ, જમીન ચકાસણી પ્રયોગશાળા, ભુજ	કે. બી. પટેલ મદદનીશ ખેતી ભવન (વેતન) મકાનની અંતરણી	74053 68872	
૧૦	અધિક્ષક ઈજનેર, ગુજરાત પાણી પુરવઠા અને ગટર વ્યવસ્થા બોર્ડ, ભુજ-કચ્છ	બી. ઈ. રૂબે ઈ. ડી. મી. આર્મી ડિવિઝન	99)8406910	
૧૧	હેડ ઓફ ઈન્સ્ટીટ્યુટ, સેન્ટ્રલ એરીડ ઓન રીસર્ચ ઈન્સ્ટીટ્યુટ, ઈડીયન કાર્બીસીલ ઓફ એગ્રીકલ્ચરલ રીસર્ચ, કુકમા			
૧૨	પ્રમુખ, ભુજ નગરપાલિકા.			
૧૩	સરપંચ. કુકમા જુથ ગ્રામ પંચાયત			
૧૪	પ્રાદેશિક અધિકારી, ગુ.પ્ર.નિ.બોર્ડ, પ્રા.ક., કચ્છ-પશ્ચિમ	ડૉ. એમ. બી. અગ્રવાલ	98251 40500	

**English Translated Copy of MOM**

**Minutes of District Level compensation committee for estimate the amount of compensation for environmental losses, agricultural losses, animal and human health losses, forest area losses and ground water pollution etc caused by M/s. Ashapura Perfoclay Ltd. at survey no. 167, village: Ler, Ta: Bhuj-Kutch, held on dated 06/07/2020 at 16:30 hrs, under the chairmanship of District Collector and District Magistrate Kutch at her chamber.**

Honorable Principle District Judge, Kutch had constituted District Level Compensation Committee on dated: 10/01/2019 as per the order of Honorable Gujarat High Court in the matter of Special Civil Application no: 9699/2008 for Kutch district.

Subcommittee was constituted on dated: 14/05/2019 under the Chairmanship of Sub-divisional Magistrate, Bhuj for assessing the amount of compensation for environmental losses, agricultural losses, animal and human health losses, forest area losses and ground water pollution etc due to pollution caused by M/s. Ashapura Perfoclay Ltd. at survey no. 167, village: Ler, Ta: Bhuj-Kutch.

Report regarding this matter submitted by members of Sub-committee vide letter no: Jaman/vashi/136/2020 dated; 17/02/2020 to represent Chairman of Sub-committee for further necessary action. Below are the details and detailed reports are enclosed herewith

<b>Sr. no</b>	<b>Department</b>	<b>Letter no. and Date</b>	<b>Details</b>	<b>Details of compensation.</b>
1.	Chief District Health Officer, District Panchayat Office, Kutch-Bhuj	No: Jee.Pan.Ka/M/s. Ashapura Perfoclay, ler/Survey/2019 dated: 29/08/2019.	Surveillance was carried out by Primary health Center, Kukma, Primary health Center, Dhaneti, Primary health Center, Madhapar, in nearby 08 villages with total population of 5692 and total household number 1077 from date: 23/08/2019 to 27/08/2019. Different disease like T.B, Asthma, cancer, Kidney, Heart failure, disease to new born were surveillance. No any evidence was found which shows any direct connection with above mentioned disease with the pollution caused by M/s. Ashapura Perfoclay, Survey No. 167, Village: Ler.	No any evidence was found which shows any direct connection with above mentioned disease with the pollution caused by M/s. Ashapura Perfoclay, Survey No. 167, Village: Ler.

2.	Deputy Conservator of Forest, Bhuj	No: Ba/Jaman/Te.9/54450/2019-20 dated: 16/01/2020	Inspection was carried out by local Forest Officer at nearby Ler forest area from factory. During inspection no any traces of polluted water discharge was found. Waste water is firstly treated in R.O. Plant then after remaining water is stored in cement concrete hoze and disposed by evaporation. No any damage is observed due to flue gas emission from factory in nearby forest	No any damage is observed due to flue gas emission from factory in nearby forest
3.	Executive engineer, Irrigation department, Bhuj-Kutch	kasivi/PB/Pradushan aheval/1797 dated: 12/12/2019.	As per annexure-5 waste can be clearly observed at Govt waste land and at farms nearby to company, also damage to nearby irrigation sources such as Dam, Lake, River was observed during visit. Annexure is also hereby attached which includes location and detailed report as stated by Sarpanch of Kukma Gram Panchayat. Company has blocked nearby passage of water bodies such as check-dam, river, lake by dumping their waste and bund has been constructed for movement of vehicles which blocks the water passage which is required to be removed. Water and soil quality might get deteoriare due to dumped waste which is required to be analyzed from concerned authority.	Rs. 31.65 Lakh and other charges (Water and soil quality might get deteoriare due to dumped waste which is required to be analyzed from concerned authority)
4.	Assistant Director of Animal Husbandry, Bhuj-Kutch.	Jipanka/papa/taantrik/rog.poi jahneeg/GPCB/aashapura perfoclay/2019/3876 dated: 02/12/2019.	-According to survey by above team, no contagious or non-contagious disease or animal dead body was found at survey no. 167 and nearby area.  -According to record of the	No contagious or non-contagious disease or animal dead, no mass mortality and animal deaths, no significant decreases in milk production and no sample was showing any significant abnormality at survey no. 167 and nearby area.

			<p>Veterinary dispensary Kukma, there was no mass mortality and animal deaths are not recorded at survey no. 167 and nearby area.</p> <p>-According to sarhad dairy's last 5 year milk procurement data, no significant decreases in milk production are observed.</p> <p>-According to above result of blood samples shown in the table, no sample was showing any significant abnormality for biochemical analysis of calcium, phosphoric &amp; Magnesium.</p>	
5.	Deputy Director of soil testing laboratory, Bhuj and District Agriculture Officer, Bhuj-Kutch.	jeepanka/kheti/442/19 dated: 20/01/2020.	<p>Comprehensive Opinion: Company had discharged chemically contaminated waste water into their bore which cannot be utilized by human and animals</p> <p>Dust particles discharged by company get stick to leaf surface of the crop which inhibits plant growth also Animals avoid the fodder due to dust particles. Animals were not place in open farm due to contaminated dust particles as they got sick.</p> <p>Company utilizes chemically contaminated water for sprinkling to prevent dusting.</p> <p>During monsoon, Storm water coming from company is chemically</p>	No statistical data available

			contaminated which runoff towards farm creating losses to crops of farm. As company has not constructed compound wall in their whole premises, dust of material comes in farm.	
6.	Executive engineer, Gujarat Water supply and sewerage board.	PB/M/s. Ashapura Perfoclay/Raa.Pruthukaran/4207 Dated: 16/12/2019.	Comparative results of the chemical analysis of water from the year 2011-2019 shows, concentration of Sulphate and Nitrate increased. But as per IS 10500:2012 concentration are within permissible limits for potable water.	Chemical analysis of water shows, concentration of Sulphate and Nitrate increased. But as per IS 10500:2012 concentration are within permissible limits for potable water.
7.	Head of institute, Central arid zone institute, Indian council of agricultural research, Kukma	Email-dated 07/01/2020 regarding effect of Polluted water on crop by Dr Devi Dayal, Head, ICAR-Central Arid Zone Research Institute, Regional Research Station, Kukma, Bhuj-370 105	<p>It is also to be submitted that effect of ammonical rich water on the crops may vary with other anion/cations present in the bore well water, the physical and chemical properties of the soil, the crops and the growing season.</p> <p>Therefore, the precise effect of the bore well water on crop can only be ascertained after specific field studies as per scientific methodology.</p> <p>In this regard, draft project proposal on generating precise data on above mentioned subject. The draft proposal on the subject as per guidelines of ICAR has been prepared and enclosed for kind perusal.</p> <p>It is submitted that it is a draft</p>	The precise effect of the bore well water on crop can only be ascertained after specific field studies as per scientific methodology.

			<p>proposal only as the final proposal after approval of the committee and the Director, CAZRI Jodhpur will be submitted as per your principal approval of the fund for proposed project.</p> <p>Total outlay of the project is costing around Rs. 16,35,371/- which will vary.</p>	
8.	Regional Officer, Kutch-West, Gujarat Pollution Control Board	GPCB/RO/Kutch-West/T-95/452, dated 18/06/2019	<p>As action against unit for damages occurred to environment, GPCB has forfeited the Bank guarantee of Rs. 15,00,000/- submitted by the unit and taken Rs. 30,00,000/- Bank guarantee (2 nos. of each Rs. 15,00,000/-).</p> <p>GPCB has recovered penalty of Rs. 97,50,000/- as an Environmental damages .</p> <p>The prosecution is filed in The Chief Judicial Magistrate Court, Bhuj on dated 20/05/2019, Case No. 1696/2019 as “A complaint under section 15 of The Environment Protection Act, 1986 on account of violation of environmental norms &amp; non-compliance of conditions enumerated in consolidated consent &amp; authorization”.</p> <p>The matter has been taken up in continuation, O.A. 669/2018 on the subject of violation of</p>	<p>Rs. 15,00,000/- forfeited as Bank guarantee</p> <p>Rs. 97,50,000/- recovered as an Environmental damages</p>

			<p>environmental norms by M/s Ashapura Group of Companies, Village Ler, Taluka Bhuj, District Kutch, Gujarat before Hon'ble NGT, Principal Bench, New Delhi. List for further consideration is on 23/03/2020. The matter has been taken up in continuation, Appeal No. 40/2019 (WZ) on the subject of legality of Environmental Clearance (EC) in favour of M/s Ashapura Perfoclay Limited for expansion of production capacity of bleaching clay at the existing unit at Survey no. 167, village Ler, near Bhujodi, Anjar- Bhuj Highway, District Kutch in category 2(b) of the Schedule annexed to the EIA Notification dated 14/09/2006 before Hon'ble NGT, Principal Bench, New Delhi. List for further consideration is on 23/03/2020. SEIAA has cancelled EC accorded to M/s Ashapura Perfoclay Limited, vide No. SEIAA/GUJ/EC/2(b)/366/2019, 26/02/2019 on dated 03/03/2020 by letter No. SEIAA /GUJ/EC/2(b)/226/2020.</p>	
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As per above details,

- Gujarat Pollution Control Board has forfeited the Bank guarantee of Rs. 15,00,000/- submitted by the unit also GPCB has recovered penalty of Rs. 97,50,000/- as an Environmental damages .
- Executive engineer, Kutch Irrigation Department, Bhuj-Kutch has informed to recover Rs. 31.65 Lakh and other charges as damage compensation (Water and soil quality might get deteriorate due to dumped waste which is required to be analyzed from concerned authority)
- Reports obtained from other departments do not find any requirement for compensation.
- These reports are further decided to put up to Honorable Principle District Judge, Kutch for necessary action.