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સૂચના

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- આ ઈ-સ્ટેમ્પ પ્રમાણપત્રમાં કોઈપણ વિસંગતતા જણાય તો સ્ટોક હોલ્ડિંગની શાખા / કેન્દ્ર પર સંપર્ક કરવો.
- ઈ-સ્ટેમ્પિંગ સંબંધિત જાણકારી માટે અમને estamp.ahmedabad@stockholding.com પર ઈ-મેઈલ કરવો અથવા અમારી શાખા / કેન્દ્ર ની મુલાકાત લેવી.



RG. SERIAL No. 599
DATE 12/5/2023
BOOK No. 1
PAGE No. 76
Sunita R. Bhardva
NOTARY
GOVT. OF INDIA

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, 12 MAY 20
WESTERN ZONE BENCH, PUNE

APPEAL NO. 17 / 2023

Appeal Under Sec. 16 r/w Sec. 18 of the NGT Act, 2010

[Appeal against the order dated 21-03-2023 passed by the Gujarat Pollution Control Board u/s. 33A of the Water (Prevention and Control of Pollution) Act, 1974]

Dhanlaxmi Orgo Chem
Through Mr. Gautamkumar Patel, Proprietor, ... Appellant

Chairman,
Gujarat Pollution Control Board & Anr. ... Respondents

Rejoinder to the submission by GPCB through email dated 27-04-2023

I, Gautamkumar Patel, Age: 60 years, proprietor of Dhanlaxmi Orgo Chem having office Plot No. 328/01, Vaduchi Mata Road, Lunej - 388 620, Tal. Khambhat, District Anand, Gujarat do hereby state on solemn affirmation as under: •

1. I am the proprietor of the Appellant Unit i.e., Dhanlaxmi Orgo Chem in the present appeal and as such am fully conversant to the facts and circumstances of the present appeal and I am competent to swear the present affidavit.

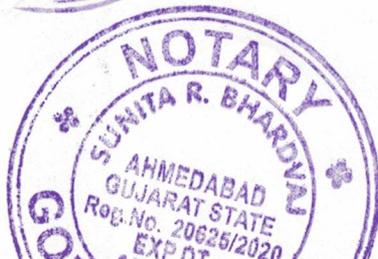
2. I am challenging the closure order dated 21-03-2023 issued by GPCB against my unit by way of filing of this appeal.

3. On 27-04-2023, the Appeal came up for admission. During the hearing, GPCB counsel circulated undated written submission and GPCB Lab Report dated 15-03-2023.

4. The written submissions submitted by GPCB refer to complaints made by Shri Ganshyambhai Bharvad and Shri Bharatbhai Bharvad. **GPCB has not provided copies of those complaints to me, nor have they brought it to the notice of the Hon'ble Tribunal.**

5. Dhanlaxmi Orgo Chem has not confessed but mentioned on the back of the visit report that the collected 2-4 pH sample from Neptune Organic Chemicals is not of Dhanlaxmi. Sample collected from Dhanlaxmi has 7 pH.

6. When 2-4 pH sample was collected from outside the gate of Neptune Organics Chemicals, however GPCB hasn't confirmed whether it is from Neptune Organics Chemicals or not before doubting Dhanlaxmi Orgo Chem which is one factory after Neptune Organic Chemicals. They should have



obtained authentic notarized undertaking from Neptune Organic Chemicals & then should have made Dhanlaxmi Orgo Chem scapegoat. The mentioned confession by us has NO logical acceptance confirmation as we have mentioned on the back of the Notice of Entry dated 03-03-2023, that the 2-4 pH sample collected near Neptune Organic Chemicals is NOT ours & the sample collected near our premises is 7 pH which was analysed by us from CTC laboratory dated 05-03-2023 & on 28/04/2023 by NABL accredited laboratory M/s. Supreme Enviro Care (Annexure-1) which matches the earlier report of CTC laboratory which was annexed with the Appeal memo.

7. GPCB has stated that they did back tracing of four illegal pipelines shown in the google image & only one pipeline found near premises of Gujarat Fine Chem which is on the opposite side approximately 400 meters far from Dhanlaxmi Orgo Chem. **GPCB's main job is to stop pollution & if they did not find necessary to back trace all four illegal pipelines & stop environmental degradation instead, they preplanned to target Dhanlaxmi Orgo Chem. GPCB doesn't mention, how did they confirm that the erring industry is Dhanlaxmi Orgo Chem. It can be seen from the annexed Google image which shows i) four illegal underground pipelines**

ii) M/s. Gujarat Fine Chem iii) Farms with wheat crop
 iv) Kans & v) No pipeline found during back tracing
 which all are on one side, whereas, Dhanlaxmi Orgo
 Chem is on the opposite side of M/s. Gujarat Fine
 Chem. Even the only pipeline which lead to Gujarat
 Fine Chem was also not properly investigated which
 clearly proves to target only Dhanlaxmi Orgo Chem for
 the reasons best known to them.

8. They have said that they couldn't go further due to
 obstruction by wheat fields. Ideally, the digging should
 be to find the source of illegal disposal starting point &
NOT the end point. In that case, going further after the
 wheat fields serves no purpose but only to mention
 unfruitful efforts & passing of time without performing their
 lawful duty of finding the real culprit industry & to take
 appropriate action against that industry.

9. Whatever instructions given by GPCB on 03/03/2023, they
 have been duly compiled on 06/03/2023. However, they
 have neither acknowledged nor rejected by giving just &
 proper reasons & have also not mentioned in the closure
 directions dated 21/03/2023. Even the compliance dated
 23/03/2023 submitted after the receipt of above referred
 closure order dated 21/03/2023 was also not
 acknowledged, considered & referred.

10. As mentioned in NGT order dated 27/04/2023 I have deposited the entire sum of Rs. 25 lakhs with the GPCB, the interim Environment Damage Compensation computed by them, under protest, subject to the final decision in the present appeal. :

Copy of the RTGS Bank Transfer showing the transfer into the GPCB Current Account No. 10325062238 maintained at the State Bank of India, Gandhinagar Zonal Branch is marked as **Annexure 2.**

11. After making the said payment mentioned above, on 02/05/2023 I also submitted the mandatory revocation application in their prescribed format. There after on 08/05/2023 I also uploaded the above referred documents dated 02/05/2023 & corresponding visit was conducted on 09/05/2023. I further requested them to give restart directions to my unit in wake of me depositing Rs. 25 lakhs interim EDC and compliance of their mentioned non compliances.

Copy of the representation made to GPCB is marked and annexed as **Annexure 3.**

However, till date GPCB have not given restart directions and my unit is still closed. I have made all compliances as demanded by GPCB. Therefore, I am requesting the Hon'ble

Tribunal to direct GPCB to immediately issue restart order to my Unit.

Whatever is stated is true and correct to the best of my knowledge, ability and belief and I affirm it to be true.

Place

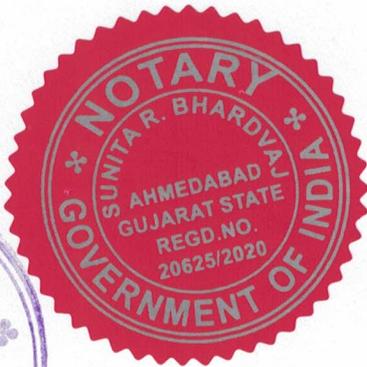
Date

12 MAY 2023



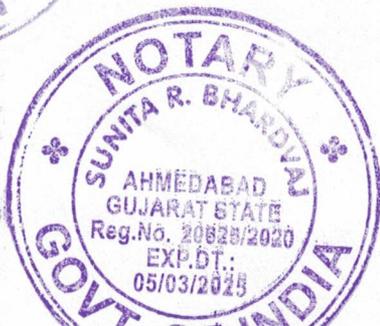
(Signature)
Deponent

Gautamkumar Patel



SIGNED
BEFORE ME
(Signature)
SUNITA R. BHARDVAJ
NOTARY
GOVT. OF INDIA

12 MAY 2023





ભારત સરકાર
Government of India

ભારતીય વિશિષ્ટ ઓળખાણ પ્રાધિકરણ
Unique Identification Authority of India

નિર્માણ ક્રમ સંખ્યા/ Enrolment No.

To

Download Date: 26/12/2020

Issue Date: 28/01/2014

Validity-unknown
UNIQUE IDENTIFICATION
AUTHORITY OF INDIA
Date: 28/01/2014

તમારો આધાર નંબર / My Aadhaar No. :

મારો આધાર, મારી ઓળખ



Government of India

AADHAAR

નિર્દેશ

- આધાર ઓળખાણનું પ્રમાણ છે. નાગરીકતાનું નહિ
- ઓળખ ચકાસવા માટે સુરક્ષિત QR કોડ / ઓફલાઇન XML / ઓનલાઇન પ્રમાણીકરણનો ઉપયોગ કરવો.
- આ ઇલેક્ટ્રોનિક પ્રક્રિયા દ્વારા બનાવેલા દસ્તાવેજ છે.

INFORMATION

- Aadhaar is a proof of identity, not of citizenship.
- Verify identity using Secure QR Code/ Offline XML/ Online Authentication.
- This is electronically generated letter.

- આધાર સમગ્ર દેશમાં માન્ય છે.
- આધાર તમને વિવિધ સરકારી અને બિન-સરકારી સેવાઓને સરળતાથી મેળવવામાં મદદ કરે છે.
- તમારા મોબાઇલ નંબર અને ઈમેઇલ આઈડીને આધારમાં અપડેટ કરો.
- તમારા સ્માર્ટ ફોનમાં આધાર રાખો - એમઆધાર એપ્લિકેશનનો ઉપયોગ કરો.

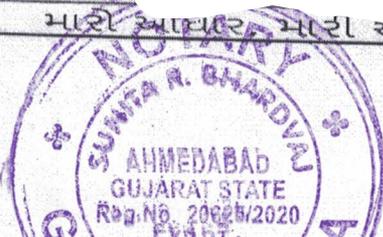
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Handwritten signature and initials in blue ink.



Certificate No. TC-10420

Test Report / Certificate	F/OPN/07 Issue No.: 02 Page 1 of 1
Chemical Analysis Waste Water / Water	

Report No.	SA/WATER/042321	Date of Issue	28/04/2023
Name and Address of Customer	M/s. DHANLAXMI ORGO CHEM. Survey- 328/1, AT-Lunej, Khambhat.		
Discipline	Chemical	Group	Pollution and Environment
Sample Description	Effluent water	Sampling Location	---
Date of Sampling	03/03/2023	Quantity / Nos. of Samples	200 ml
Type of sampling	Grab	Sampling By	Client
Sample Receipt Date	28/04/2023	Sampling Procedure	QP/10
Location of test performed	At Laboratory	Sample ID	212304
Environmental Condition during testing	25 ± 2 °C	Environmental Condition during sampling	36.9 °C
Condition of sample during receipt	Satisfactory	Sampling plan	E/SYS/09
Date of Test	28/04/2023	Sample Packing	Plastic Bottle

Test Results

Sr. No.	Parameters	Unit	Test Method	Results
1.	pH @ 25°C	--	IS 3025, Part-11: 1983	7.88
2.	Chemical Oxygen Demand (COD)	mg/L	APHA 5220 B, 23rd Edition	245

Remarks →

- Test results relates to the sample tested only.
- Test Report shall not be reproduced except in full, without written approval of the Laboratory.
- N.D. = Not Detected.



Mr. Saravanan Mudaliar
Technical Manager
Reviewed and Approved By

***** End of Test Report *****

Submission of Rs. 25 lacs EDC.

1 message

Deepak Shah <deepak1658@gmail.com>

Sat, Apr 29, 2023 at 5:21 PM

To: "Dipali A Tank(GoG-GPCB Dept.)" <uh-gpcb-anan@gujarat.gov.in>, "Rashmika N Patel(GoG-GPCB Dept.)" <nuh-gpcb-anan@gujarat.gov.in>

Attached.
Dhanlaxmi Orgo Chem.

 **EDC-Intimation..docx**
13K



DHANLAXMI ORGO CHEM

SURVEY NO. : 328/1, Vaduchi Mata Road, AT. : LUNEJ, KHAMBHAT - 388 620. DIST. : ANAND

MOBILE : 98250 34098 | EMAIL - dhanlaxmiind4@gmail.com | Website - www.dhanlaxmiindustries.co.in

To,
The Environmental Engineer,
Gujarat Pollution Control Board,
Paryavaran Bhavan,
Sector-10/A,
Gandhinagar-382010.

01/05/2023.

N. N. P.
21/5/2023
Gujarat Pollution Control Board
Head Office
Sector No.-10-A,
Gandhinagar-382010

Sub: - Submission of Revocation Application.

Ref: - Closure Order No.: GPCB/CCA-AND-01(5)/ID-29636/737192, 21/03/2023.

Kind Attention: - Mr. Ashok. Chauhan.

Respected Sir,

We are enclosing herewith the prescribed standard revocation application format duly signed along with following enclosures: -

- 1) 17 Point duly filled standard format for revocation (Annexure-i).
- 2) Visit compliance letter dated 06/03/2023 (Annexure-A).
- 3) Closure compliance letter dated 23/03/2023 (Annexure-B).
- 4) UNDERTAKING (Annexure-C) on Rs. 300 stamp paper signed in presence of Notary of compliance against closure order.
- 5) E-mail copy conveying of E.D.C. paid Rs. 25,00,000/= by RTGS UTR No. 000135007337 dated 29/04/2023 (Annexure-D).
- 6) Monthly Report Form No. 20 (Annexure-E).
- 7) Annual Report Form No. 21 (Annexure-F).
- 8) Env. Statement Form-V (Annexure-G).
- 9) UNDERTAKING (Annexure-H) on Rs. 300 stamp paper signed in presence of Notary to apply for permanent revocation.

Kindly issue the revocation order immediately & oblige.

Thanking you in anticipation.

For,

Dhanlaxmi Orgo Chem,

Gautam

Gautam. Patel,

C.C.: - R.O., GPCB, Anand.

S.R.P.
POST RECEIVED 31/5/23
GUJARAT POLLUTION CONTROL BOARD
ANAND