

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

**ORIGINAL APPLICATION NO. 64 OF 2023 (WZ)**

Tejas Chandrakant Yadav

.... Applicant

Versus



Shalirex Polyvinyl Pvt. Ltd. & Anr.

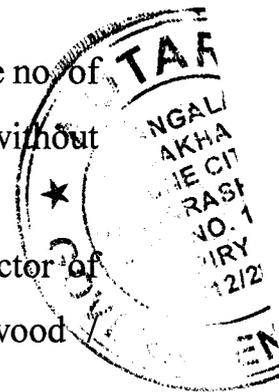
.... Respondents

**Reply-Affidavit on behalf of Maharashtra Pollution Control Board i.e. Respondent No. 2**

I, Vidyasagar Killedar, Age – 49 Years, Occupation – Service, the Sub-Regional Officer of the Maharashtra Pollution Control Board at Pune – 2 having my office address at 2<sup>nd</sup> Floor, Jog Center, Wakdewadi, Pune – 411 003 do hereby state on solemn affirmation as under :-

- 1) I have perused the papers and proceedings in the above matter. I am conversant with the facts of the case and am able to depose the same.
- 2) I say and submit that the Applicant has filed this application alleging that Respondent No.1-M/s.Shalirex Polyvinyl Pvt. Ltd., situated at Gat No. 175, Sanaswadi, Tal. Shirur, Dist. Pune – 412208, is causing air pollution from their manufacturing activities.

- 3) I say & submit that the said Respondent industry falls in Orange category & manufacturing of PVC Leather Clothe &PVC Sheet.
- 4) I say and submit that the Maharashtra Pollution Control Board had received a complaint from the Applicant in the year 2022 and in order to verify the complaint, the Officials of the MPC Board visited to the Respondent No. 1 Industry on 11/3/2022 and observed following non-compliances.
- Respondent No. 1 had installed and operated one no. of thermic fluid heater (wood / Briquette fired) without obtaining prior consent from the MPC Board.
  - Respondent No. 1 had not provided dust collector of adequate capacity to thermic fluid heater (wood Briquette fired.)
  - Respondent No. 1 had not provided air pollution control system to process / oven vents.
  - Respondent No. 1 had not produced details of Form V, Form IV and Bank Guarantee during the visit.
- 5) I say and submit that in view of the above non-compliances, the Respondent-MPC Board had issued Proposed Direction vide letter dtd. 18/5/2022 to Respondent No. 1-Industry. A copy of the Proposed Direction dated 18/5/2022 is enclosed to the Original Application as an Annexure-D
- 6) I say and submit that thereafter, the Respondent-MPC Board had extended an opportunity of personal hearing to Respondent No.1-industry on 26/5/2022 and issued following Interim Directions :-



- It shall submit the electricity meter reading of next 15 days confirming non-operation of industry.
- It shall apply for amendment in existing consent for incorporation of all stacks and air pollution control systems.
- It shall submit the additional Bank Guarantee of Rs. 2,00,000/- to ensure above compliances and consent conditions. The Bank Guarantee shall be submitted within 15 days.
- In view of the above and non-compliances mentioned in proposed directions the existing Bank Guarantee of Rs. 25,000/- and Rs. 1,00,000/- will be forfeited. A copy of the Interim Direction dated 26/5/2022 is enclosed to the Original Application as an Annexure-E.
- However, the Respondent industry has not submitted the aforesaid BG till the date.

7) I say and submit that in order to verify the compliance of interim directions, the officials of the Respondent-MPC Board carried out visit to the Respondent No. 1 Industry on 24/3/2023. During the visit, the official of the Respondent-MPC Board observed following non-compliances by the Respondent No. 1-Industry:-

- i. Respondent No. 1 industry has not provided scrubber to the boiler (20 Lac / Kcal) as per consent conditions.
- ii. Respondent No. 1 is using wood as fuel to the boiler instead of Briquette.





11) Hence the Respondent Board has taken effective steps by following due procedure of Law against Respondent No. 1 Industry.

Solemnly affirmed on this **29 AUG 2023** Day of August, 2023 at Pune.

I know the Affiant.

For and on behalf of Maharashtra Pollution Control Board i.e. Respondent No. 2

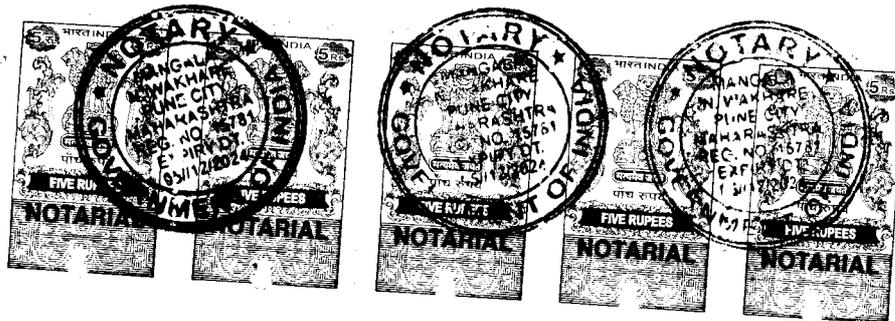
*(Signature)*  
29/08/2023

ADVOCATE

(Vidyasagar Killedar)  
Sub-Regional Officer,  
MPCB Pune -2



**BEFORE ME**  
*(Signature)*  
MANGALA N. WAKHARE  
ADVOCATE & NOTARY  
GOVERNMENT OF INDIA  
29 AUG 2023



OF IN

# MAHARASHTRA POLLUTION CONTROL BOARD

## REGIONAL OFFICE - PUNE

Phone No. 020-25811694  
 Fax No. 020-25811701  
 e-mail : [ropune@mpcb.gov.in](mailto:ropune@mpcb.gov.in)  
 visit us : [www.mpcb.gov.in](http://www.mpcb.gov.in)



"Your Service is our Duty"

Jog Centre, 3<sup>rd</sup> Floor,  
 Wakdevadi,  
 Old-Pune Mumbai Road,  
 Pune- 411003

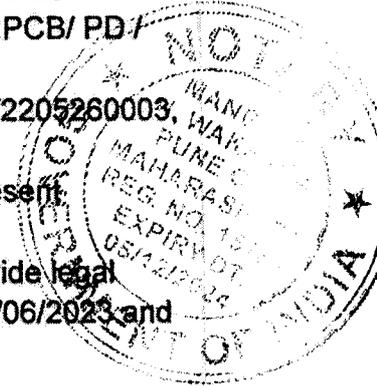
MPCB/CD/ 2307140001

Date: 14/07/2023

To,  
 M/s. Shalirex Polyvinyl Pvt. Ltd.,  
 Gat No. 175, Sanaswadi, Tal. Shirur,  
 Dist. Pune.

**Sub:** Closure Directions u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31 A of the Air (Prevention & Control of Pollution) Act, 1981 and Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016 and amendments thereafter.

- Ref:**
- 1) Consent granted by the Board.
  - 2) Complaint received from Tejas Yadav vide letter Dtd. 24/02/2022
  - 3) Proposed Directions issued by the Board vide no. ROP/MPCB/ PD/ 2205180001, Dtd. 18/05/2022
  - 4) Interim Directions issued by the Board vide no. MPCB/ID/2205260003, Dtd. 26/05/2022
  - 5) Visit of Board Official on Dtd. 24/03/2023 to check the present compliance status of aforesaid interim directions.
  - 6) Proposal submitted by the Sub Regional Officer Pune-II vide legal module no. MPCB-LEGAL-ACTION-170322003, Dtd. 22/06/2023 and approval from Competent Authority on 07/07/2023



**WHEREAS,** you are operating your industry in 'Pollution Prevention Area' under Water (Prevention & Control of Pollution) Act, 1974 & Air (Prevention & Control of) Act, 1981 & Hazardous & Other Wastes (Management & TM) Rules, 2016.

**AND WHEREAS,** the Board had granted the consent to operate under Section 26 of the Water (Prevention & Control of Pollution) Act, 1974, under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization under Rule 6 of the Hazardous & Other Wastes (MH & TM) Rules, 2016 and amendments thereof.

**AND WHEREAS,** it is obligatory on your part to provide pollution control systems and to operate and maintain the same continuously and effectively so as to achieve the standards prescribed in the consent.

**AND WHEEREAS,** Board office has received the complaint against your industry from Tejas yadav regarding violations of provisions the Water (P &CP) Act, 1974 and Air (P & CP) Act, 1981 and Board's consent conditions.

**AND WHEREAS,** Board has issued proposed directions followed by interim directions vide above reference (3) and (4).

*[Handwritten signature]*

**AND WHEREAS**, Board Official has visited to your industry on 24/03/2023 to check the compliance status of aforesaid interim directions and accordingly Sub Regional Officer, Pune-II has submitted legal action proposal vide reference no. (6) and therein reported that,

- 1) You have not provided scrubber to the Boiler (20 Lac/Kcal) as per consent conditions.
- 2) You are using wood as a fuel to the Boiler instead of Briquette.
- 3) You have installed 04 Nos of Oven (Thermal Oil Ovens) without any provisions of the air pollution control system.
- 4) You have not provided stack monitoring facility to the common stack of oven.
- 5) You have not included 06 nos. of process stacks in existing consent.
- 6) You have not incorporated Hazardous Waste Category 33.1- Empty Contaminated Drums in the existing consent to operate.

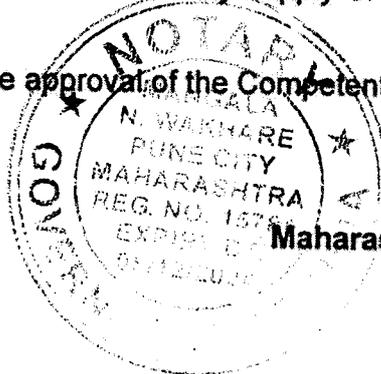
**AND WHEREAS**, from the analysis report of Joint Vigilance Sample of Stack Emissions collected on 23/03/2022 are exceeding w.r.t. prescribed parameter TPM- 224 mg/Nm<sup>3</sup> against consented standards- 150 mg/Nm<sup>3</sup>.

**AND WHEREAS**, after going through the record of your case, reports and information of the Board Officials and making necessary enquiries, I concluded that, you have failed to comply with the conditions prescribed in Consent and Board's Interim Directions dated 26.5.2023.

**AND WHEREAS**, you have failed to comply with the provision of Water (P&CP) Act, 1974, Air (P&CP) Act, 1981 and Hazardous and Other Wastes (M & TM) Rules, 2016 and thereby caused grave injury to the Environment.

**NOW, THEREFORE**, in exercise of powers conferred upon me by the Board u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 31 A of the Air (Prevention & Control of Pollution) Act, 1981, I the undersigned, Regional Officer at Pune hereby direct to stop your manufacturing activities within 48 hours from issuance of this directions till to comply as well as till to obtain further orders from the Board. The competent authority is directed to disconnect electricity supply of your industry, which may please be noted.

This is issued with the approval of the Competent Authority of the Board.



For and on behalf of  
Maharashtra Pollution Control Board

Regional Officer, Pune

Copy submitted for favor of information to:-

1. The Member Secretary, MPCB, Mumbai.
2. Joint Director (WPC), MPCB, Mumbai.
3. Law Officer (P & L Div), MPCB, Mumbai.

Copy forwarded with compliments for necessary action to:

1. Executive Engineer, MSEDCL Kedgaon Division Tal. Shirur, Dist. Pune :- He is directed to disconnect the electric supply of above unit, after completion 48 hours and communicate accordingly.

..3..

2. **Gram Vikas Aadhikari / Sarpanch, Sanaswadi, Tal. Shirur, Dist. Pune :-** He is directed to disconnect the water supply of above unit, after completion 48 hours and communicate accordingly.

**Copy to Sub Regional Officer, Pune-II :-**

He is directed to serve the directions to addressee and competent authorities and submit acknowledgement copy to this office timely & submit further compliance report of same.

**For and on behalf of  
Maharashtra Pollution Control Board**

  
Regional Officer, Pune



Maharashtra State Electricity Distribution Co. Ltd.

(A Govt. of Maharashtra Undertaking)

CIN: U40109MH2005SGC153645

Phone No. : 02112-243443

Baramati Rural Circle

"Urja Bhavan" 1<sup>st</sup> Floor.

Fax No. : 02112-244551

Baramati-Bhigwan road.

E-Mail. : sebaramati@gmail.com

Baramati (413102)

Web : www.mahadiscom.in

Dist. Pune.

Ref: SE/BRC/T/HT/ NO 023978

Date: 24 JUL 2023

To,  
The Regional Officer  
MPCB at 3<sup>rd</sup> Floor, "Jog Center", Wakdewadi.  
Pune

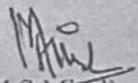
**Sub:** - Closure direction for Disconnection of electricity supply of HTconnection M/S Shalirex Polyvinyl Pvt. Ltd., Gat No. 175, Sanaswadi, Tal. Shirur, Dist. Pune

**Ref:** - 1.Directives received vide-MPCB/CD/2307140001 Dt.14.07.2023. Received on mail on Dt.18.07.2023.

This office is in receipt of directions from MPCB office vide letter under reference1, regarding disconnection of electricity supply of HT consumer I.M/S Shalirex Polyvinyl Pvt. Ltd., Gat No. 175, Sanaswadi, Tal. Shirur, Dist. Pune due to failure to comply statutory obligations

As per the instructions received, power supply of said connection disconnected on dt 18.07.23 at 4:45pm

This is for your information.

  
(M.S. Malsal)

Superintending Engineer  
BRC, Baramati

Copy to:

- The Executive Engineer, MSEDCL, Kedgaon Division....
- The Dy. Executive Engineer, MSEDCL, Shikrapur Sub division...



MAHARASHTRA POLLUTION CONTROL BOARD  
SUB-REGIONAL OFFICE, PUNE-II

Phone - (020) - 25816451

Fax - (020) - 25811029

Email - [sropune2@mpcb.gov.in](mailto:sropune2@mpcb.gov.in)



2<sup>nd</sup> Floor, "Jog Center"

Wakadewadi, Mumbai-Pune

Road, Pune - 411003

VISIT REPORT

01/08/2023

1) Name & address:

M/s Shalixex Polyvinyl Pvt. Ltd.,  
Gat No. 175, Sanaswadi,  
Tal - Shirur, Dist - Pune.

2) Date of visit:-

01/08/2023

3) Contact person (Tel/Mob/email):

M. Firoz Khan (CEO)

4) Consent status:-



890007417

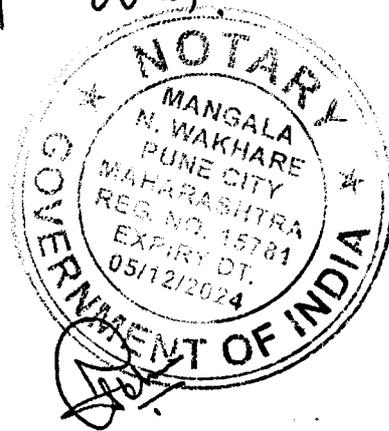
shalixexpolyvinyl@gmail.com

31/03/2025

5) Additional Information:-

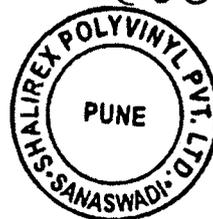
- ① During the visit industry is not in operation.
- ② Board has issued closure Discretion to the industry on 14/07/2023.
- ③ Maharashtra state Electricity distributing co. Ltd. (MSEDCL) has disconnected power supply of the unit on 18/07/2023.

- ④ Industry has submitted reply of closure direction on 27/7/23.
- ⑤ Industry having one D.G. set of capacity 250 KVA. During the visit DG set is not in operation.
- ⑥ During the visit PP informed that they are in process to finalise vendor for installation of APC alongwith monitoring facility to common stack of oven.



( Mr. Feroz Khan )

CEO



  
( P.S. Dake )  
f.o.