

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL****WESTERN ZONE BENCH, PUNE AT PUNE****ORIGINAL APPLICATION NO. 64/2023**

TEJAS CHANDRAKANT YADAV

... **APPLICANT**

V/s

SHAILREX POLYVINYL AND  
ANOTHER... **RESPONDENTS****INDEX**

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**PUNE**

**DATE : 06/10/2023**



**ADVOCATE FOR RESPONDENT NO.1**

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**

**WESTERN ZONE BENCH, PUNE AT PUNE**

**ORIGINAL APPLICATION NO. 64/2023**

TEJAS CHANDRAKANT YADAV ... **APPLICANT**

**V/s**

SHAILREX POLYVINYL AND  
ANOTHER ... **RESPONDENTS**

**REPLY ON BEHALF OF**

**RESPONDENT NO.1**

**MAY IT PLEASE THE HON'BLE TRIBUNAL**

1. At the outset, the Respondent No.1 in the present proceedings denies everything that is contrary what is stated therein and/or inconsistent therewith as if the same is set out in extenso and traversed. The Respondent No.1 submits that, nothing not expressly admitted herein ought to be taken as admitted by the Respondent No.1 or be deemed to have been admitted by the Respondent No.1 for want of specific traverse. The Respondent No.1 states that for the purpose of gravity, the Respondent No.1 is not denied each and every allegation, statement and contention of the Applicant

which is ex-facia contrary to the contention of Respondent No.1 and its stand in the present case except to the extent that such allegation, statement or contention necessitate, cogent, warrant or reply.

### **PRELIMINARY OBJECTION**

2. The Respondent No.1 submits that the present Application has been filed by the Applicant, which in its description of Parties states that, he is a citizen of India, however he has not given the description of his connection to the Respondent No.1. The present case pertains to the area of Sanaswadi. The Applicant in the entire Original Application has failed to make out a case that how it is aggrieved by the operation of the Respondent No.1. The Applicant is neither an aggrieved party nor residing within the vicinity of the Respondent No.1 and thus, the issue of locus of Applicant is to be decided by this Hon'ble Tribunal. The Hon'ble Supreme Court in the Judgement of '*Uday Welfare Trust Vs. State of U.P.*' has clearly held that, this Hon'ble Tribunal has to consider the bonafide of the litigant approaching the

Hon'ble Tribunal as the question of operation of Industry and employment of numerous employees is depending on the order of this Hon'ble Tribunal. The Judgment of the Hon'ble Supreme Court was considered by this Hon'ble Tribunal at its Eastern Bench in the case of '*Ajay Jha*', wherein the Appeal came to be dismissed on the ground of maintainability as the locus of the Applicant therein was challenged by the said Respondent. It is try at law that the Coordinate Benches of the Tribunal cannot give different opinions as held by the Hon'ble Supreme Court

3. The Applicant herein has filed the present Original Application on the basis of information received by it under RTI Act, 2005. It is pertinent to mention herein that the Application under the RTI Act was made by the Applicant. The Respondent No.1 is in existence since 2018 and has been commissioned in 2019. This Hon'ble Tribunal in the Judgment of '*Ajay Jayawantrao Bhosale Vs. Union of India*' has held that an application under the RTI Act does not give the cause of action to the litigant to approach this

Hon'ble Tribunal. The Hon'ble Tribunal ought to have appreciated that the principle ingredient of an Application U/s 14 r/w 16 of the National Green Tribunal Act, 2010 is that the cause of action, which needs to have arisen first before filing an Application before this Tribunal. In the present the Applicant has failed to justify the same and hence, the Hon'ble Tribunal does not have the jurisdiction to try and entertain the present Original Application. Hence, it needs to be dismissed on this ground alone.

#### **FACTS OF THE CASE**

4. The Respondent No.1 submits that Respondent No.1 herein is a registered Company, and incorporated under the provisions of Indian Companies Act, 1956 and is having its registered Office at Gat No.175, Sanaswadi, Tal-Shirur, Dist-Pune-412208. The Respondent No.1 is engaged in the business of manufacturing of PVC leather cloths and PVC sheets at the address mentioned in the caption of Petition. The Respondent No.1 herein is engaging 20 employees directly and 30 contract labour, which are depending upon

the manufacturing activities of the Respondent No.1 The annual turnover of the Respondent No.1 is 7.27 crore. The Respondent No.1 has received 'Consent to Operate' dated 24.3.2022 under the provisions of Sec. 26 of the Water (Prevention and Control of Pollution) Act, 1974 (hereinafter for the sake of brevity referred to as 'Water Act') and U/s 21 of the Air (Prevention and Control of Pollution) Act, 1981 (hereinafter for the sake of brevity referred to as 'Air Act') and also under authorization of the Hazardous and Other Wastes (Management and Trans-boundary Movement) Rules, 2016 (hereinafter for the sake of brevity referred to as 'Rules, 2016). The said Consent is valid and subsisting till 31.03.2025. Hereto annexed herewith and marked as **ANNEXURE – R-1** is the copy of the Consent to Operate dated 24.03.2022.

5. The Respondent No.1 submits that the Applicant has time and again approached the Respondent No.1 Company for certain contractual work and has also threatened them if the said work is not awarded to him. The Respondent No.1, on

account of such attitude of Applicant decided not to any contract to him. The aforesaid Applicant has thereafter filed the present Original Application.

6. The Respondent No.1 submits that, in view of filing of the present Original Application, the Respondent No.2 herein issued a Show Cause Notice to the Respondent No.1 herein dated 16.03.2022. The said Show Cause Notice pertained to the refusal of Consent and highlighted certain non-compliances and directed the Respondent No.1 to submit the relevant proofs thereof. Hereto annexed herewith and marked as **ANNEXURE R-2** is the copy of the Show Cause Notice dated 16.03.2022 issued by the Respondent No.2 herein.
7. The Respondent No.1 submits that, the Respondent No.1 subsequently made a compliances as mentioned in the Show Cause Notice and submitted a detailed reply on 17.03.2022 to the Respondent herein, after which the Consent was granted to the Respondent No.1. Hereto annexed herewith

and marked as **ANNEXURE R-3** is the copy of the Reply dated 17.03.2022 submitted by the Respondent No.1.

8. On the basis of the Complaint of the Applicant, the Respondent No.2 herein issued proposed directions under the provisions of the Sec. 31 A of the Water (Prevention and Control of Pollution) Act,1974 and under the provisions of Sec. 31 A of Air (Prevention & Control of Pollution) Act, 1981 dated 18.05.2022. In the said Complaint, the Respondent No.2 highlighted certain non-compliances and observations. Hereto annexed herewith and marked as **ANNEXURE R-4** is the copy of the proposed directions issued by the Respondent No.2 dated 18.05.2022.
9. The Respondent No.1 herein thereafter on the basis of proposed directions immediately pointed out the compliances on the part of the Respondent No.1 to the Respondent No.2 herein. However, the Respondent No.2 without attributing to the explanations submitted by the Respondent No.1, proceeded to issue interim directions dated 26.5.2022 to the Respondent No.1. Hereto annexed

herewith and marked as ANNEXURE R-5 is the copy of the interim directions issued by the Respondent No.2 dated 26.5.2022.

10. The Respondent No.1 thereafter, submitted a detailed reply on 31.5.2022 and pointed out the Compliances made by it and also undertook some time, in case there is any shortfall on the part of the Respondent No.1. Hereto annexed herewith and marked as ANNEXURE R-6 is the copy of the detailed Reply submitted by the Respondent No.1 dated 31.05.2022.
11. The Respondent No.1 submits that as regards to the so non-compliances regarding installation of APC equipment (Bag filter/scrubber/etc) to the Oven as control measure, the Respondent No.1 has appointed authorized agency M/s Turbo Dyne Energy System for conducting technical survey of the manufacturing process. The said agency vide its report dated 13.6.2022 has specifically advised and observed that no additional APC equipment (Bag Filter/ Scrubber/etc) is required as existing MDC is doing the job

as per the design. Hereto annexed herewith and marked as **ANNEXURE R-7** is the copy of the report of authorized agency M/s Turbo Dyne Energy System dated 13.06.2022.

12. It is further submitted that after submissions of explanations and documents to the Respondent No.2 herein, there was no response of whatsoever nature to the explanation submitted by the Respondent No.1 herein. The Respondent No.1 submits that thereafter, the Respondent No.2 in a sudden kneejerk reaction and more specifically after admission of the present OA has proceeded to issue an order of Closure of Company on 14.07.2023. It is pertinent to mention herein that the Hon'ble Tribunal has not directed the Respondent No.2 herein to take action against the present Respondent No.1. Hereto annexed herewith and marked as **ANNEXURE R-8** is the copy of the order of Closure dated 14.07.2023 issued by the Respondent No.2 herein.

13. The Respondent No.1 submits that the Respondent No.1 after receipt of the order dated 14.07.2023 has submitted a detailed reply and justification dated 26.07.2023 to the so

called non-compliances pointed out in the closure order. The Respondent has not responded to the same till date. Hereto annexed herewith and marked as **ANNEXURE R-9** is the copy of representation given to the Respondent dated 26.07.2023. The Respondent No.1 submits that the Respondent No.2 has not given an opportunity of hearing to the Respondent No.1 after submissions of the relevant documents for consideration of the case of the Respondent No.1. The Respondent has proceeded to issue order of Closure without considering that, the Closure of an Industry amounts to civil death.

14. The Respondent No.1, further submits that the Respondent No.1, thereafter challenged the closure order dated 14.07.2023 before the Hon'ble High Court, Bombay by preferring a Writ Petition No.9759 of 2023. The said Petition was listed before the Hon'ble High Court on 10.08.2023, wherein the Respondent No.1 submitted that they are undertaking the compliances as suggested by the Respondent No.2. The Respondent No.2 also submitted that

if it is satisfied with the compliances, it will withdraw the closure order. The Hon'ble High Court in view of the said statements disposed off the petition. Copy of the order dated 10.08.2023 is annexed hereto and marked as **ANNEXURE – R-10.**

15. The Respondent No.1 submits that, in view of the harassment of the Applicant, the Respondent No.1 has decided to not go ahead with the activities and close down the Company permanently. The Respondent No.1 has also surrendered the Consent to the Respondent No.2 herein vide letter dated 04.09.2023. Copy of the letter dated 04.09.2023 is annexed hereto and marked as **ANNEXURE R-11.**
16. The Respondent No.1 submits that in view of the permanent closure of the Company, nothing survives in the present application and the same is required to be disposed off.

**Pune**  
**Date: 06/10/2023**



ADVOCATE FOR RESPONDENT NO.1

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

ORIGINAL APPLICATION NO. 64/2023

TEJAS CHANDRAKANT YADAV ... APPLICANT

V/s

SHAILREX POLYVINYL AND  
ANOTHER ... RESPONDENTS

AFFIDAVIT IN SUPPORT OF REPLY

I, Feroz Afzal Khan, Age 39 years, Occu.:business, having address at Gat No.175, Sanswadi Industrial Area, Sanaswadi, Taluka Shirur, District Pune 412208 the Respondent No.1 herein above, do hereby state on solemn affirmation as under:-

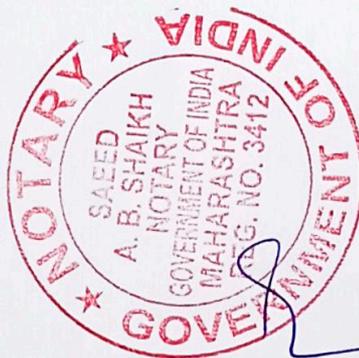
01. That the Respondent No.01 is filing the reply to the present Original Application. The facts and circumstances are well set out in the main body of the Reply. The Respondent No.01 adopts, maintains, confirms, repeats and reiterate whatever has been stated in the main body of the reply and for the sake of brevity, convenience and in order to avoid



repetition, craves leave of this Hon'ble Tribunal to treat the statements, averments and submissions in the main body of the Reply as part and parcel of this Affidavit as if the same are reproduced herein ad-seriatim, with a view to avoid repetition and for the sake of brevity.

02. I say that whatever stated in the Reply and the present Affidavit is true and correct to the best of my knowledge, information and belief and the legal advice, which I believe to be true.

Solemnly affirmed at Pune, on 6<sup>th</sup> day of October, 2023.



*[Signature]*

Deponent

**BEFORE ME**

**SAEED A. B. SHAIKH**  
NOTARY GOVERNMENT OF INDIA  
MAHARASHTRA

**- 6 OCT 2023**

**Noted & Registered**  
At. Sr. No. 5590  
2023



**MAHARASHTRA POLLUTION CONTROL BOARD**

Tel: 020 - 25811627  
 Fax: 020 -25811029  
 Website: <http://mpcb.gov.in>  
 Email: ropune@mpcb.gov.in



Jog Center, 3rd floor,  
 Mumbai Pune Road,  
 Wakdevadi, Pune - 411003.

**ORANGE/S.S.I ( )**

No:- Format1.0/RO/UAN No.0000128321/CR | 220300130

Date: 24/03/2022

To,  
 M/s. SHALIREX POLYVINYL PVT LTD  
 GAT NO 175, SANASWADI.  
 TAL.SHIRUR, DIST PUNE.



Your Service is Our Duty

**Sub: Grant of Renewal of Consent under Orange/SSI Category**

**Ref:** Earlier consent to operate No. RO-PUNE/CONSENT/1904001158 dated 26.04.2019 valid upto 31.03.2021

Your application No.MPCB-CONSENT-0000128321 Dated 25.12.2021

For: Grant of 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 (Management & Transboundary Movement) Rules 2016 is considered and the consent is hereby granted subject to the following terms and conditions and as detailed in the schedule I, II, III & IV annexed to this order:

1. The consent to renewal is granted for a period up to 31/03/2025
2. The capital investment of the project is Rs.7.27 Crs. (As per C.A Certificate submitted by industry )
3. Consent is valid for the manufacture of:

Sr No	Product	Maximum Quantity	UOM
Products			
1	PVC LEATHER CLOTHS	540000	Kg/Annum
2	PVC SHEET	20000	Kg/Annum

(Without Washing and Effluent Generation Activity).

4. Conditions under Water (P&CP), 1974 Act for discharge of effluent:

Sr No	Description	Permitted (In CMD)	Standards to	Disposal Path
1.	Trade effluent	0	As per Schedule-I	Not Applicable
2.	Domestic effluent	1.5	As per Schedule-I	Soaked in soak pit

5. Conditions under Air (P& CP) Act, 1981 for air emissions:



①

Sr No.	Stack No.	Description of stack / source	Number of Stack	Standards to be achieved
1	S-1	DG SET-250 KVA	1	As per Schedule -II
2	S-2	Boiler	1	As per Schedule -II
3	S-3	Ovens (07 Nos)	07	As per Schedule -II

## 6. Non-Hazardous Wastes:

Sr No	Type of Waste	Quantity	UoM	Treatment	Disposal
NA					

## 7. Conditions under Hazardous &amp; Other Wastes (M &amp; T M) Rules 2016 for treatment and disposal of hazardous waste:

Sr No	Category No./ Type	Quantity	UoM	Treatment	Disposal
1	5.1 Used or spent oil	50	Ltr/A	NA	Sale to authorised party

8. The Board reserves the right to review, amend, suspend, revoke this consent and the same shall be binding on the industry.
9. This consent should not be construed as exemption from obtaining necessary NOC/ permission from any other Government authorities.
10. The applicant shall make an application for renewal of consent 60 days prior to date of expiry of the consent. (Operate/Renewal)



For and on behalf of the  
Maharashtra Pollution Control Board.

Shankar Wadgaonkar  
Regional Officer

## Received Consent fee of -

Sr.No	Amount(Rs.)	Transaction/DR.No.	Date	Transaction Type
1	15000.00	TXN2112003017	25/12/2021	Online Payment
2	25000.00	TXN2203003458	24/03/2022	Online Payment
3	25000.00	TXN2203003459	24/03/2022	Online Payment

## Copy to:

- and Sub-Regional Officer, MPCB, Pune II  
- They are directed to ensure the compliance of the consent conditions.
- Chief Accounts Officer, MPCB, Sion, Mumbai

**SCHEDULE-I**  
**Terms & conditions for compliance of Water Pollution Control:**

1. A) Generation - As per your application the treated effluent generation is Nil.  
B) Treatment - NA  
C) Disposal - NA
2. A) As per your application, you have provided Septic Tank followed by Soak pit for the treatment of 1.5 CMD of sewage.  
B) The Applicant shall operate the sewage treatment system to treat the sewage so as to achieve the following standards.

Sr.No	Parameters	Standards (mg/l)	
1	Suspended Solids	Not to exceed	100
2	BOD 3 days 27°C	Not to exceed	100

3. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant shall obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or an extension or addition thereto.
4. The industry shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.
5. The Applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and as amended, by installing water meters and other provisions as contained in the said act:

Sr. No.	Purpose for water consumed	Water consumption quantity (CMD)
1.	Industrial Cooling, spraying in mine pits or boiler feed	0.50
2.	Domestic purpose	3.00
3.	Processing whereby water gets polluted & pollutants are easily biodegradable	0.00
4.	Processing whereby water gets polluted & pollutants are not easily biodegradable and are toxic	0.00
5.	Gardening	0

6. The Applicant shall provide Specific Water Pollution control system as per the conditions of EP Act, 1986 and rule made there under from time to time/ Environmental Clearance/ CREP guidelines.

2.

## SCHEDULE-II

**Terms & conditions for compliance of Air Pollution Control:**

1. As per your application, you have provided the Air pollution control (APC) system and erected following stack (s) to observe the following fuel pattern:

Stack No.	Source	APC System provided/proposed	Stack Height(In mtr)	Type of Fuel	Sulphur Content(In %)	Pollutant	Standard
1	DG SET 250 KVA	Acoustic Enclosure	2.50	HSD 40 Ltr/Hr	-	0	-
	Boiler	Scrubber	30.00	Briquette 100 Ton/M		0	-
	Oven (07 Nos)	Stack	6.50	Electricity 0 -		0	-

2. The Applicant shall provide Specific Air Pollution control equipments as per the conditions of EP Act, 1986 and rule made there under from time to time/ Environmental Clearance / CREP guidelines.
3. The applicant shall operate and maintain above mentioned air pollution control system, so as to achieve the level of pollutants to the following standards:

Parameters	Standards (mg/l)
Total Particulate Matter	Not to exceed 150 mg/ Nm3
So2	Not to exceed 1.0 Kg/Day

4. The Applicant shall obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement/alteration well before its life come to an end or erection of new pollution control equipment.
5. The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).

**SCHEDULE-III**  
**Details of Bank Guarantees:**

Sr. No.	Consent (C2E/C2O/C2R)	Amt of BG Imposed	Submission Period	Purpose of BG	Compliance Period	Validity Date
1	Renewal of Consent	25000	15 days	compliance of consent condition	30.09.2023	30.09.2023

**\*\*Existing BG obtained for above purpose if any, may be extended for period of validity as above.**

**BG Forfeiture History**

Srno.	Consent (C2E/C2O/C2R)	Amount of BG Imposed	Submission Period	Purpose of BG	Amount of BG Forfeiture	Reason of BG Forfeiture
NA						

**BG Return details**

Srno.	Consent (C2E/C2O/C2R)	BG Imposed	Purpose of BG	Amount of BG Returned
NA				



R.

**SCHEDULE-IV**  
**General Conditions:**

1. The Energy source for lighting purpose shall preferably be LED based
2. The PP shall harvest rainwater from roof tops of the buildings and storm water drains to recharge the ground water and utilize the same for different industrial applications within the plant
3. Conditions for D.G. Set
  - a) Noise from the D.G. Set should be controlled by providing an acoustic enclosure or by treating the room acoustically.
  - b) Industry should provide acoustic enclosure for control of noise. The acoustic enclosure/ acoustic treatment of the room should be designed for minimum 25 dB (A) insertion loss or for meeting the ambient noise standards, whichever is on higher side. A suitable exhaust muffler with insertion loss of 25 dB (A) shall also be provided. The measurement of insertion loss will be done at different points at 0.5 meters from acoustic enclosure/room and then average.
  - c) Industry should make efforts to bring down noise level due to DG set, outside industrial premises, within ambient noise requirements by proper siting and control measures.
  - d) Installation of DG Set must be strictly in compliance with recommendations of DG Set manufacturer.
  - e) A proper routine and preventive maintenance procedure for DG set should be set and followed in consultation with the DG manufacturer which would help to prevent noise levels of DG set from deteriorating with use.
  - f) D.G. Set shall be operated only in case of power failure.
  - g) The applicant should not cause any nuisance in the surrounding area due to operation of D.G. Set.
  - h) The applicant shall comply with the notification of MoEF, India on Environment (Protection) second Amendment Rules vide GSR 371(E) dated 17.05.2002 and its amendments regarding noise limit for generator sets run with Diesel.
4. The applicant shall maintain good housekeeping.
5. The non-hazardous solid waste arising in the factory premises, sweepings, etc. be disposed of scientifically so as not to cause any nuisance / pollution. The applicant shall take necessary permissions from civic authorities for disposal of solid waste.
6. The applicant shall not change or alter the quantity, quality, the rate of discharge, temperature or the mode of the effluent/emissions or hazardous wastes or control equipments provided for without previous written permission of the Board. The industry will not carry out any activity, for which this consent has not been granted/without prior consent of the Board.
7. The industry shall ensure that fugitive emissions from the activity are controlled so as to maintain clean and safe environment in and around the factory premises.
8. The industry shall submit quarterly statement in respect of industries obligation towards consent and pollution control compliance's duly supported with documentary evidences (format can downloaded from MPCB official site).
9. The industry shall submit official e-mail address and any change will be duly informed to the MPCB.
10. The industry shall achieve the National Ambient Air Quality standards prescribed vide Government of India, Notification No. B-29016/20/90/PCI-L dated. 18.11.2009 as amended.
11. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant shall obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or an extension or addition thereto.



12. The industry shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.
13. The PP shall provide personal protection equipment as per norms of Factory Act
14. Industry should monitor effluent quality, stack emissions and ambient air quality monthly/quarterly.
15. Whenever due to any accident or other unforeseen act or even, such emissions occur or is apprehended to occur in excess of standards laid down, such information shall be forthwith Reported to Board, concerned Police Station, office of Directorate of Health Services, Department of Explosives, Inspectorate of Factories and Local Body. In case of failure of pollution control equipments, the production process connected to it shall be stopped.
16. The applicant shall provide an alternate electric power source sufficient to operate all pollution control facilities installed to maintain compliance with the terms and conditions of the consent. In the absence, the applicant shall stop, reduce or otherwise, control production to abide by terms and conditions of this consent.
17. The industry shall recycle/reprocess/reuse/recover Hazardous Waste as per the provision contain in the Hazardous and Other Wastes (M & TM) Rules 2016, which can be recycled /processed /reused /recovered and only waste which has to be incinerated shall go to incineration and waste which can be used for land filling and cannot be recycled/reprocessed etc. should go for that purpose, in order to reduce load on incineration and landfill site/environment.
18. An inspection book shall be opened and made available to the Board's officers during their visit to the applicant.
19. Industry shall strictly comply with the Water (P&CP) Act, 1974, Air (P&CP) Act, 1981 and Environmental Protection Act, 1986 and industry specific standard under EP Rules 1986 which are available on MPCB website ([www.mpcb.gov.in](http://www.mpcb.gov.in)).
20. Separate drainage system shall be provided for collection of trade and sewage effluents. Terminal manholes shall be provided at the end of the collection system with arrangement for measuring the flow. No effluent shall be admitted in the pipes/sewers downstream of the terminal manholes. No effluent shall find its way other than in designed and provided collection system.
21. Neither storm water nor discharge from other premises shall be allowed to mix with the effluents from the factory.
22. The industry should not cause any nuisance in surrounding area.
23. The industry shall take adequate measures for control of noise levels from its own sources within the premises so as to maintain ambient air quality standard in respect of noise to less than 75 dB (A) during day time and 70 dB (A) during night time. Day time is reckoned in between 6 a.m. and 10 p.m. and night time is reckoned between 10 p.m. and 6 a.m.
24. The industry shall create the Environmental Cell by appointing an Environmental Engineer, Chemist and Agriculture expert for looking after day to day activities related to Environment and irrigation field where treated effluent is used for irrigation.
25. The applicant shall provide ports in the chimney/(s) and facilities such as ladder, platform etc. for monitoring the air emissions and the same shall be open for inspection to/and for use of the Board's Staff. The chimney(s) vents attached to various sources of emission shall be designated by numbers such as S-1, S-2, etc. and these shall be painted/ displayed to facilitate identification.
26. The industry should comply with the Hazardous and Other Wastes (M & TM) Rules, 2016 and submit the Annual Returns as per Rule 6(5) & 20(2) of Hazardous and Other Wastes (M & TM) Rules, 2016 for the preceding year April to March in Form-IV by 30th June of every year.
27. The applicant shall install a separate meter showing the consumption of energy for operation of domestic and industrial effluent treatment plants and air pollution control system. A register showing consumption of chemicals used for treatment shall be maintained.

28. The applicant shall bring minimum 33% of the available open land under green coverage/ plantation. The applicant shall submit a yearly statement by 30th September every year on available open plot area, number of trees surviving as on 31st March of the year and number of trees planted by September end.
29. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions.
30. The firm shall submit to this office, the 30th day of September every year, the Environment Statement Report for the financial year ending 31st March in the prescribed FORM-V as per the provisions of Rule 14 of the Environment (Protection) (second Amendment) Rules, 1992.
31. The Applicant shall obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement/alteration well before its life come to an end or erection of new pollution control equipment.
32. The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).
33. The applicant shall provide facility for collection of environmental samples and samples of trade and sewage effluents, air emissions and hazardous waste to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf.



For and on behalf of the  
Maharashtra Pollution Control Board.

  
Shankar Waghmare  
Regional Officer-Pune



**MAHARASHTRA POLLUTION CONTROL BOARD  
REGIONAL OFFICE – PUNE**

Phone No. (020) 2581 1694  
Fax No. (020) 2581 1029



Jog Center, 3<sup>rd</sup> Floor, Wakdewadi,  
Old Pune-Mumbai Road,  
Pune -411 003

Visit us at <http://mpcb.mah.nic.in>

Ref. No. ROP/SCN/ (20316-175-0171)

Date:- 16/03/22

To

M/s SHALIREX POLYVINYL PVT LTD.  
GAT NO 175 SANASWADI.  
TAL SHIRUR DIST PUNE 412208

Sub: Show Cause Notice under Clause B of Sub section (4) of Section 25 of the Water (Prevention and Control of Pollution) Act, 1974 for Refusal of Consent.

Ref: 1) Your application vide UAN No MPCB-CONSENT-0000128321.  
2) Scrutiny letter issued by SRO office dtd 27.01.2022.

WHEREAS, your industry is located in the "Pollution Prevention Area" under the Water Act, 1974; under the Air Act, 1981 and Authorization under the Hazardous & Other Wastes (Management & Transboundary Movement) Rules, 2016 followed by further amendments made therein from time to time.

AND WHEREAS, it is mandatory to you, to obtain the Board's consent to Establish and consent to operate under Section 25 and 26 (Resp) 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 (Management & Transboundary Movement) Rules, 2016. AND WHEREAS, it is obligatory on your part to comply the same.

AND WHEREAS, you had applied for grant of consent vide above reference and Sub Regional Officer has processed and submitted the said application to this office. During process this office has noticed-

1. You have carried out expansion of unit, increasing production quantity and capital investment, without obtaining consent to establish for expansion of unit.
2. You have installed and operating one briquette fired boiler and 07 Nos of thermal oil ovens, without obtaining consent from the Board.
3. You have not obtained/submitted CHWTSDF membership for scientific disposal of HW.
4. You have not submitted details of HW generation, its treatment and final disposal.
5. You have not obtained NOC from Central Ground Water Authority, for the use/extraction of ground water from the Borewell.
6. You have not submitted undertaking declaration towards the cost of land and building of your factory.
7. You have not submitted rent agreement.
8. You have not submitted proper water budget.
9. You have not submitted Bg of RS/- 25000/- /- imposed vide existing consent condition No 12
10. The required additional consent fees will be calculated after the submission of cost of land and building of the factory.
11. You have not submitted the compliance report towards visit of Board officials dtd 25.01.2022.
12. You have not submitted reply of scrutiny letter issued by SRO dtd 27.01.2022.

...2...

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NOW THEREFORE, you are directed to show cause as to why your consent application should not be refused under the provisions of Water (Prevention and Control of pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 and Hazardous and Other Wastes (Management and Transboundry Movement) Rules, 2016 and issue direction to stop your manufacturing activities forthwith.

You are hereby directed to submit/upload your reply within 03 days after receipt of this letter. Failing to which your consent to operate will be refused and necessary legal action under the provision of Water (Prevention and Control of Pollution) Act, 1974 and Air Act 1981, will be initiated which may please be noted.

  
Regional Officer, Pune.

Copy to: Sub Regional Officer, Pune-I/ Pune-II/PCMC/Solapur/Satara..  
- For information and further follow up action and report accordingly.



Date: 17/03/2022

To,

Regional Officer Pune Division 1  
Maharashtra Pollution Control Board  
1<sup>st</sup> Floor, Jog Centre Wakadewadi, Pune 411003



Subject: Reply on show cause notice dated 16/03/2022

Respected Sir/Madam,

With reference to your visit note on 11/03/2022 regarding non-compliance of consent condition. We are submitting herewith detailed clarification on above subject

1. Point No1 we have not increase production capacity as mention in your letter, we have installed our unit in year 2019 but due to covid 19 pandemic we could not produce as expected schedule. Now we have applied renewal consent to operate for increase production quantity for compensate loss of production. We have heavy loss of business due to covid 19 pandemic. We could not able to pay Electricity bill on time because of this reason our electricity connection discontinue by Electricity board.
2. Point No 2 we have installed one briquette fire boiler but we could not submit Boiler Diagram for approval because of covid 19 pandemic. We have installed Thermax boiler for error free production but some technical issues boiler function could not properly. We have appointed expert agency for boiler smooth operation & we will apply for boiler approval in stipulated time.
3. Point No 3 we have not using any hazardous material for processing, we are processing material in natural processing. We have not generating any hazardous waste material through process.
4. Point No 4 Because of non-hazardous material we have not submitted HW generation & disposal process.
5. Point No 5 we have not applied CGWA for NOC, we will file application for NOC & submit to your office.
6. Point No 6 we have installed unit on lease agreement land & building & we have deposited CA certificate for valuation of cost for consent to operate renewal without land & building cost we will bound to pay addition cost of land & building.
7. Point No 7 we will submit rent agreement copy to your office for records & information.
8. We will submit water budget calculation detailed for domestic & process water consumption.
9. Point No 8 we will submit consent condition bank guarantees of rupees Rs 25000 to the regional office in stipulated time.
10. Point No 9 we are ready to pay addition fees of land & build cost.
11. Point No 10 we are bound to fulfil comply condition as you mention in your visit observation.
12. Point No 11 we will comply all condition mention in your scrutiny letter.

We are assuring you as early as possible comply all condition mention in your letter.

Thanks & Regards,  
For, Shalirex Polyvinyl Pvt Ltd

Director.

Date: 17/03/2022

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To,

**Regional Officer Pune Division 1**  
Maharashtra Pollution Control Board  
3<sup>rd</sup> Floor, Jog Centre Wakadewadi, Pune 411003.

UNA No.:- MPCB-CONSENT-0000128321  
Subject: Reply on show cause notice dated 16/03/2022

Respected Sir/Madam,

With reference to your visit note on 11/03/2022 regarding non-compliance of consent condition. We are submitting herewith detailed clarification on above subject.

1. You have carried out expansion of unit, increasing production quantity and capital investment, without obtaining consent to establishment for expansion of unit  
Answer- We are not aware to obtained consent before expansion, we are requesting for the same, we assure you that this will not happened in future.

2. You have installed & operating one briquette fired boiler & 09 Nos of thermal oil ovens, without obtaining consent from the board.  
Answer-Briquettes Boiler and 09 Nos of thermal oil oven for Circulation for heat generation have been installed and missing from previous consent to Operate details are as bellows.

Boiler		
1	Type of Fuel	Briquettes
	Quantity	100 Ton/Month
	Stack No.	S1
	Stack Height	30 Mtr
	APC	Scrubber
DG Set 250 KVA		
2	Stack Height	3.5 Mtr
	Fuel	HSD
	Quantity	30 Ltr/ Hr
	Stack No..	S2

OVEN				
3	Oven. No. 1		Oven No. 6	
	Stack Height	6.5 Feet	Stack Height	4 feet 10 Inch
	Fuel	Thermal Fluid Oil	Fuel	Thermal Fluid Oil
	Qty	300 Ltr	Qty	70 Ltr
	Stack No.	S1	Stack No.	S1



Oven. No. 2		Oven. No. 7	
Stack Height	6.5 Feet	Stack Height	4 feet 10 Inch
Fuel	Thermal Fluid Oil	Fuel	Thermal Fluid Oil
Qty	450 Ltr	Qty	140 Ltr
Stack No.	S2	Stack No.	S2
Oven. No. 3		Oven. No. 8	
Stack Height	6.5 Feet	Stack Height	4 feet 10 Inch
Fuel	Thermal Fluid Oil	Fuel	Thermal Fluid Oil
Qty	600 Ltr	Qty	280 Ltr
Stack No.	S4	Stack No.	S3
Oven. No. 4		Oven. No. 9	
Stack Height	6.5 Feet	Stack Height	4 feet 10 Inch
Fuel	Thermal Fluid Oil	Fuel	Thermal Fluid Oil
Qty	150 Ltr	Qty	280 Ltr
Stack No.	S1	Stack No.	S2
Oven No. 5			
Stack Height	10.5 ft		
Fuel	Thermal Fluid Oil		
Qty	1000 Ltr		
Stack No.	S1		

- You have not obtained/submitted CHWTSDF membership for scientific disposal of HW.  
Answer- NA (HW generation is only 5.1 Used/Spent Oil – 40 Ltr/Hr disposed in Authorised Repressor)
- You have not submitted details of HW generation, its treatment & final disposal.  
Answer- HW generation is only 5.1 Used/Spent Oil – 40 Ltr/Hr disposed in Authorised Repressor
- You have not obtained NOC from central Ground Water Authority, for the use /extraction of ground water from the Borewell.



Answer-We are uploading CGWA application in web portal.

6. You have not submitted undertaking declaration towards the cost of land & building of your factory.

Answer- We are uploading land and building cost undertaking in web portal.

7. You have not submitted rent agreement.

Answer-We have already uploaded in web portal.

8. You have not submitted proper water budget.

Answer-

Purpose	Consumption	Generation	Treatment
Domestic	3.00 CMD	1.5 CMD	Septic Tank & Soak Pit
Water gets Polluted & Pollutants are Biodegradable	0.00 CMD	0.00 CMD	NA
Water gets Polluted, Pollutants are not Biodegradable & Toxic	0.00 CMD	0.00 CMD	NA
Industrial Cooling, spraying in mine pits or boiler feed	0.5 CMD	0.00 CMD	NA

9. You have not submitted Bg of Rs 25000/- imposed vide existing consent condition No 12.  
Answer-We are uploading the web portal.

10. The required additional consent fees will be calculated after the submission of cost of land & building of the factory.

Answer- We are submitting herewith undertaking of land and building for cost calculation & we will paid additional fees on site.

11. You have not submitted the compliance report towards visit of board official's dtd 25.01.2022.

Answer- we are uploading the web portal.

12. You have not submitted reply of scrutiny letter issued by SRO dtd 27.01.2022

Answer- we are uploading the web portal.

We are assuring you as early as possible comply all condition mention in your letter.

Thanks & Regards,  
For Shalirex Polyvinyl Pvt Ltd



Director.



**MAHARASHTRA POLLUTION CONTROL BOARD**  
**REGIONAL OFFICE - PUNE**

Phone No. 020-25811693  
 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"

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

MPCB/ROP/ MPCB/PD/ 2205/80001

Date: 19/05/2022

To,  
 M/s. Shalirex Polyvinyl Pvt Ltd  
 Gat No 175 Sanaswadi Tal Shirur  
 Dist Pune 412208

**Sub:** Proposed Directions under section 33 A of Water (Prevention & Control of Pollution) Act, 1974, 31 A of Air (Prevention & Control of Pollution) Act, 1981 & Hazardous and Other Wastes (M & TM) Rules, 2016.

**Ref:** 1) Consent to Operate granted by Board valid upto 31.03.2021.  
 2) Complaint received from Shri Tejas Yadav.  
 3) Visit of Board official dtd. 11.03.2022  
 4) Sub Regional Officer, Pune-II Submitted legal action proposal vide no.MPCB-LEGAL\_ACTIONS-170322003, Dtd. 23.03.2022

WHEREAS, your industry is located in the "Pollution Prevention Area" under the Water (Prevention & Control of Pollution) Act 1974, under the Air (Prevention & Control of Pollution) Act 1981 and Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 followed by further amendments made therein from time to time.

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 as it warranted and to operate and maintain the same continuously and effectively to achieve the standards prescribed in the consent.

AND WHEREAS, Board office has received complaint from Shri Tejas Yadav regarding pollution nuisance due to your activity.

AND WHEREAS, Board official has visited on 11.03.2022 to your industry to investigate the said complaint and accordingly Sub Regional Officer Pune-II submitted legal action proposal vide reference (4) with following non-compliances and observations were made as below,

1. You have installed and operating one no of thermic fluid heater (wood/Briquette fired) without obtaining prior consent from the Board.
2. You have not provided dust collector of adequate capacity to thermic fluid heater (wood/Briquette fired).

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3. You have not provided air pollution control system to process / oven vents.
4. You have not produce details of Form V, Form-IV and Bank Guarantee during the visit.

AND WHEREAS, from the record of this office and observations made during the visit, I came to the conclusion that, you are not complying the conditions mentioned in consent granted by the Board and also you have not complied with the provision of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 thereby causing grave injury to the environment.

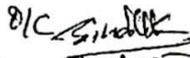
NOW THEREFORE, in exercise of the powers conferred upon me under section 33 A of Water (Prevention & Control of Pollution) Act, 1974 and Section 31 A of Air (Prevention & Control of Pollution) Act, 1981, I, undersigned Regional Officer of the Board, at Pune hereby issue directions as under-

1. Why your industry shall not be directed to close down the manufacturing activity forthwith ?
2. Why the competent authorities shall not be directed to disconnect Water / electricity supply of your industry ?

You are directed to submit your reply within 07 days alongwith corrective action plan towards the compliance of above non-compliances along with all necessary documents and also directed to remain present for personal hearing on 26/5 at 12:30 pm in the office of Regional Officer, M. P. C. Board, Jog centre, 3<sup>rd</sup> floor, Wakadewadi, Pune-03 along with action plan towards the compliance of above related points, failing which further necessary action as deemed fit in your case as per the provisions of various environmental enactments will be initiated against you, which may please be noted.

For and on behalf of  
Maharashtra Pollution Control Board

  
Regional Officer,  
M. P. C. Board Pune

  
12/05

- Copy Submitted for information to
1. Joint Director (WPC), M.P.C. Board, Mumbai.
  2. Law Officer, M.P.C. Board, Mumbai.

Copy to-

The Sub-Regional Officer, M.P.C. Board, Pune-II :-

- You are directed to keep the follow up and report the compliance from time to time.



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,  
Wakdewadi,  
Old-Pune Mumbai Road,  
Pune- 411003

ROP/MPCB/ID/ 2205260003

Date: 26/05/2022

To,  
✓ M/s. Shalirex Polyvinyl Pvt Ltd  
Gat No 175 Sanaswadi Tal Shirur  
Dist Pune 412208

Sub: Interim Directions under section 33 A of Water (Prevention & Control of Pollution) Act, 1974, 31 A of Air (Prevention & Control of Pollution) Act, 1981 & Hazardous & Other Wastes (M & TM) Rules, 2016.

- Ref :
- 1) Consent to Operate granted by Board valid upto 31.03.2021.
  - 2) Complaint received from Shri Tejas Yadav.
  - 3) Visit of Board official dtd. 11.03.2022
  - 4) Sub Regional Officer, Pune-II Submitted legal action proposal vide no.MPCB-LEGAL\_ACTIONS-170322003, Dtd. 23.03.2022
  - 5) Proposed Directions issued by the Board vide no. MPCB/ROP /2205180001 DTD 26.05.2022.
  - 6) Personal Hearing Extended at Regional Office Pune, on 26.05.2022.

This refers legal proposal vide reference (4) above and subsequent personal hearing extended on 26.05.2022. Now by considering your reply and presentation during the hearing, you are hereby directed to comply with the following Interim Directions,

1. You shall not operate the plant till to completion of provisions of air pollution control systems thumic fluid heater and 07 Nos of Ovens, as per cnsent conditions.
2. You shall submit the electricity meter reading of next 15 days confirming nonoperation of industry.
3. You shall submit the additional Bank Guarantee of Rs. 2,00,000/- (Two Lakhs Only) towards ensure of above complinces. The Bank Gurantee shall be submitted within 15 days.
4. The existing Bank Guarantee of Rs. 25,000/- will be forfeited towards non-compliances mentioned in Proposed directions (ref 5).

In case you fail to comply with the above directions the Board will have no option than to issue appropriate directions as deem fit under the provisions of Water (P. & C. P.) Act, 1974 and under the provisions of Air (P. & C. P.) Act, 1981 & Hazardous & Other Waste (M & TM) Rules, 2016, which may please be noted.

For and on behalf of  
Maharashtra Pollution Control Board

Regional Officer, Pune.

Copy submitted to :-

1. Joint Director (WPC), MPCB, Mumbai
2. Law Officer, MPCB, Mumbai.

Copy to :-

The Sub-Regional Officer, M.P.C. Board, Pune-II:- You are directed to keep the necessary follow up and report the compliance of proposed Directions within 15 days.

Recd by hand.

MPCB Head office + RO + FO + SKO + FO

1 / 2/3 4/5





To,

Date: 31/05/2022

The Regional Officer  
Sub Regional office Pune II  
Maharashtra Pollution Control Board  
Jog Centre, 3<sup>rd</sup> floor Wakadewadi, Pune 4110 03.

Subject: Reply on letter dated 26/05/2022  
Reference: ROP/MPCB/ID/2205260003

Respected Sir,

We are submitting herewith following details for your kind perusal  
Point No 1. You shall submit the electricity meter reading of 15 days confirming non operation of industry.

Answer- For over six-month electricity meter is disconnected & we are attaching herewith reconnection application of Maharashtra Electricity Board for your kind perusal.

Point No 2. You shall apply for amendment in existing consent for incorporation of all stacks and air pollution control system.

Answer- Noted we will do the needful at the earliest.

Point No 3. You shall submit the additional Bank Guarantee of Rs 2,00,000/- towards ensure of above compliance and consent conditions. The bank Guarantee shall be submitted within 15 days.

Answer- We will submit Bank Guarantee within stipulated time.

Point No 4. In view of above and non-compliance mentioned in proposed directions the existing Bank Guarantee of Rs 25000/- (Twenty five thousand only) & Rs 1,00,000/- (One Lakh Only) will be forfeited.

Answer- We are of the opinion the best of our knowledge that we are not in non compliance of the proposed direction. Further we would like to state we would fully cooperate in case you have any document/evidence stating that we are in noncompliance of norms / directions.

In addition to the above we would like to bring to your notice that we have engaged the services of M/s. Turbodyne Energy Systems, for guidance and technical support of the subject matter. Turbodyne Energy Systems is a manufacturer and consultant of APC Systems.

Thanking You  
Yours Faithfully;  
M/s. Shalirex Polyvinyl Pvt Ltd

  
Oveez Khan  
Director.



**TURBODYNE ENERGY SYSTEMS**

S NO 32, PISOOLI ROAD, KONDIWA BUDRUK, PUNE 411040  
TII 020-26933316, 26933317, 65783463 FAX 020-26933316

DATE:- 13/6/2022

To,

M/S Shalirex Polyvinyl Pvt. Ltd.

Dear Sir,

In line with our previous discussions regarding consultation, supply & erection for APC equipment at your plant for Thermic Fluid Heater (boiler) installed, please note our observations as below :

- 1) Our site engineer visited your plant on 27<sup>th</sup> May, 2022 to survey existing equipment and layout as per your concerns for APC norms.
- 2) We found MDC (Multi Cyclone Dust Collector) already installed in series with Boiler and outlet of same is connected to stack. This typical arrangement shows APC equipment (MDC) is present and functioning (we observed dust/soot in the collection hopper during visit).
- 3) Following joint discussion with Mr Feroz Khan (Shalirex representative) it was decided to conduct Stack exhaust flue gas test first to ascertain whether APC norms are being complied with or not with given equipment layout.
- 4) Test was conducted at site on 3<sup>rd</sup> June 2022 by M/s Encon and report of same was shared with us on 7<sup>th</sup> June 2022.
- 5) Based on the report, it is evident that all APC norms, as set by MPCB, are being adhered to and the plant (boiler and MDC) are not in violation of any APC norms.
- 6) We therefore advise that no additional APC equipment (Bag Filter/Scrubber/etc) is required as existing MDC is doing the job as per design, as clearly reflected by the test report.

We would be happy to address any doubts you may have.

Best Regards



Areeb Iqbal  
For Turbodyne Energy Systems, Pune  
9823174800

- 1 -



**MAHARASHTRA POLLUTION CONTROL BOARD  
REGIONAL OFFICE - PUNE**

Phone No. 020-25811694  
Fax No. 020-25811701  
e-mail . ropune@mpcb.gov.in  
visit us : www.mpcb.gov.in



"Your Service is our Duty"

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

MPCB/CD/ 2307/140003

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> .

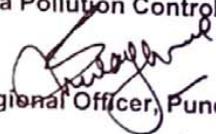
**AND WHEREAS**, after going through the record of your case, reports and information of the Board Officials and making necessary enquiries, I concluded that, you have failed to comply with the conditions prescribed in Consent and Board's Interim Directions dated 26.5.2023.

**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.

101

..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



3/10

**ANNEXURE-R-9**

**Shalirex**  
SHALIREX POLYVINYL PVT. LTD

Date - 26/07/2023

To,  
The Sub-Regional Officer (Pune - II),  
Maharashtra Pollution Control Board,  
Jog Center, Wakdewadi,  
Pune.



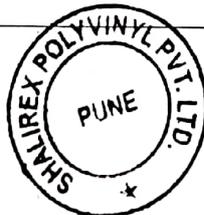
Subject - Reply to the Closure directions received from your office dated 14/07/2023.

Ref. No. MPCB/CD/2307140001 dtd14/7/2023.

Dear Sir,

We, M/s. Shalirex Polyvinyl Pvt. Ltd., located at Gat No. 175, Sanaswadi, Tal. Shirur, Dist. Pune, we have received a Closure direction from your office, we do hereby submit the pointwise justification as below -

Sr. No.	Queries Observed	Justification
1	You have not provided Scrubber to the boiler (20 Lac/Kcal) as per consent condition	We are only using Briquettes as a boiler fuel and its agriculture residue. Also, Briquettes are more energy dense and burn more cleanly & efficiently, MDC is also installed there and there is no need to install scrubber to boiler.
2	You are using wood as a fuel to the boiler instead of Briquette.	Already using only Briquettes as a boiler fuel.
3	You have installed 4 nos. of Oven (Thermal Oil Ovens) without any provisions of the air pollution control system.	These 4 Ovens are not in operation and it is already sold.
4	You have not provided stack monitoring facility to the common stack of oven	We are going to install scrubber with sampling port to monitor and analysis of flue gases.
5	You have not included 06 nos. of process stacks in existing consent	We were not aware about raised point, apologies for the same. We will include all mentioned process stack. We are into procurement process for installation of scrubber system for 5 no of Ovens and will finish installation within 15 days from today, i.e., 26/7/2023. Design is attached for your ready reference.



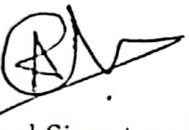
GAT No. 175, Sanaswadi, Near L & T Phata, Nagar Road, Taluka - Shirur, Dist. Pune-412208.  
Email : shalirexpolyvinyl@gmail.com CIN : U25209PN2018PTC177357

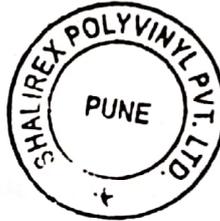
6	You have not incorporated Hazardous waste category 33.1 - Empty Contaminated Drums in the existing consent to operate	We will provide contaminated drums to authorized vendors.
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We hope the reply is in line with your requirement. We do hereby request you to kindly consider the same.

Thanking you,

For M/s. Shalirex Polyvinyl Pvt. Ltd.

  
Authorized Signatory.





IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9759 OF 2023

M/s Shalirex Polyvinyl Pvt. Ltd.

Thr. Chief Executive Officer

...Petitioner

Versus

Maharashtra Pollution Control Board

Thr. Member Secretary

...Respondent

...

Mr. T.R. Yadav i/b Mr. Prashant Bhat for the Petitioner.

Mr. S.B. Shetye for Respondent-State.

...

CORAM: NITIN JAMDAR &

SANDEEP V. MARNE, JJ.

DATE : 10 AUGUST 2023.

P.C.:

The Petitioner has challenged the order dated 14 July 2023 issued by the Maharashtra Pollution Control Board, Regional Office, Pune. By the impugned order, Petitioner's Unit has been directed to be closed as following shortfalls were noticed:

- 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 slack 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.”*

2 The learned Counsel for the Petitioner states that Petitioner is in the process of rectifying the shortfalls and it would take around two weeks to correct the same. The learned Counsel states that after the period of two weeks, the Respondent-Board can inspect the premises and if the shortfalls have been rectified, they be directed to recall the impugned closure directions.

3 The learned Counsel for the Respondent-Board submits that closure directions under section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and under section 31A of the Air (Prevention & Control of Pollution) Act, 1981 were required to be issued because the Petitioner did not comply with the above mentioned requirements. If as stated by the Petitioner it complies with the above mentioned requirements then the Respondent-Board will, upon satisfaction, withdraw the closure order.

4 In view of this stand of the Respondent-Board, it is not necessary to pass any further order. Recording the above two positions, we dispose of the Writ Petition.

**SANDEEP V. MARNE, J.**

**NITIN JAMDAR, J.**



**ANNEXURE-R-11**

Date - 04/09/2023

To,  
Regional Officer  
Maharashtra Pollution Control Board,  
Jog Center, Wakdewadi,  
Pune.

Subject - Surrender of MPC board Consent

Ref. No. MPCB/CD/2307140001 dtd 14/7/2023, Closure directions received from your office.

Dear Sir,

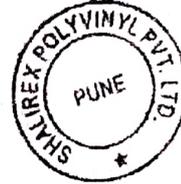
We, M/s. Shalirex Polyvinyl Pvt. Ltd., located at Gat No. 175, Sanaswadi, Tal. Shirur, Dist. Pune, we have received a Closure direction from your office, as per direction given by MPC board through Closure notice we have already Shut-down /closed our unit. Also, we do hereby surrender our Consent Establish No. Format 1.0/RO/UAN No. 0000128321 CR / 2203001305 dated 24/03/2022.

You are requested to please consider the same.

Thanking you,

For M/s. Shalirex Polyvinyl Pvt. Ltd.

  
Authorized Signatory.



Encl.: Original MPCB Consent to Operate



GAT No. 175, Sanaswadi, Near L & T Phata, Nagar Road, Taluka - Shirur, Dist. Pune-412208.  
Email : shalirexpolyvinyl@gmail.com CIN : U25209PN2018PTC177357



**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**

**WESTERN ZONE BENCH, PUNE AT PUNE**

**ORIGINAL APPLICATION NO. 64/2023**

TEJAS CHANDRAKANT YADAV ... **APPLICANT**

**V/s**

SHAILREX POLYVINYL AND ANOTHER ... **RESPONDENTS**

**VAKALATNAMA**

KNOW ALL to whom these present shall come that we **RESPONDENT No.1 (SHALIREX POLYVINYL PVT. LTD)**, the above named do hereby appoint:

**Saurabh Kulkarni,**  
**Advocate**

**Prashant Bhat**  
**Advocate**

**M/s.D.V. Kulkarni & Co., Advocates**  
420, Shaniwar Peth, Near Ahilya Devi School,  
Next to Bank of Maharashtra, Pune – 411 030.  
Ph(O) 24459027  
(Email) [sdkadvocate@gmail.com](mailto:sdkadvocate@gmail.com)

Hereinafter called the Advocates to be **Respondent No.1' (SHALIREX POLYVINYL PVT. LTD)** Advocates in the above noted case & authorize them;

To, act appears and plead in the above noted case in this court or in any other court in which the same may tried or heard.

To sign file, verify and present pleadings, appeals, cross-objections or petitions fee executions review, revision, withdraw compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the execution of the said case in all its stages.

To file and take back document, to admit &/or deny the document of opposite party

To take execution proceedings.

To appoint and instruct any other Legal practitioner or person authorizing him to exercise the power and authority hereby conferred upon the Advocate whatever they may think fit to do so & sign the power of attorney on.

And I the undersigned do hereby agree to ratify and confirm all acts done by the Advocates or their substitute in the matter as my/our own acts, as if done by me/us intents and purposes.

AND I/We undertake that I/We or My/Our duly authorized agent would appear in court on all hearing & will inform the Advocate for appearance when the case is called

And I/We undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whatever ordered by the Court shall be of the Advocate he shall receive and retain for himself.

And I/We the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above court for a period of three years only. I/we hereby agree that once the fee is paid I/We will not be entitled for the refund of the same in any case whatsoever.

IN WITNESS WHEREOF we do hereunto set our hand to their presents the contents of which have been understood by us on this 02 day of August 2023

  
ADVOCATES





Signature

**I am not a member of Advocates Welfare Fund and therefore stamp of Rs.2 is not affixed herewith.**

