

BEFORE THE NATIONAL GREENTRIBUNAL
Western Zone Bench, Pune

Original Application No. 219 OF 2024 (WZ), (Earlier O.A. No. 1244 of 2024 (PB))

IN THE MATTER OF:

News Item Titled "Five workers die due to asphyxiation while cleaning tank at agrotech firm in Gujarat" appearing in 'the Times of India' dated 16.10.2024.

REPLY ON BEHALF OF THE RESPONDENT No. 02: CENTRAL POLLUTION CONTROL BOARD (CPCB)

1. That, Hon'ble NGT (PB) vide order dated 18.10.2024 has sought the reply of respondents including CPCB in the instant matter. Thereby, the reply is made in succeeding paragraphs.
2. That, CPCB is a statutory Board constituted under Section 3 of The Water (Prevention and Control of Pollution) Act, 1974. It performs the functions under The Water (Prevention and Control of Pollution) Act, 1974, The Air (Prevention and Control of Pollution) Act, 1981 and The Environment (Protection) Act, 1986.

PRELIMINARY SUBMISSIONS

3. That the matter is registered in the Hon'ble NGT (PB) suo-motu on the basis of the news item titled "Five workers die due to asphyxiation while cleaning tank at agrotech firm in Gujarat" appearing in the 'Times of India' dated 16.10.2024. The matter is related to the death of 5 workers due to asphyxiation while cleaning a sludge tank at an agrotech company called 'Emami Agrotech' located in Kutch, Gujarat. This industry is engaged in the production of edible oil and biodiesel.
4. That as per the news article in 'Times of India' "the incident occurred around 1 am when the workers were cleaning the effluent treatment plant of the company. The article states that when a worker entered a tank to clear out sludge, he lost unconscious. Two other workers hurried in to help him but also collapsed. Subsequently, two more workers entered, leading to a total of five fatalities."

REPLY:

5. That, it is humbly submitted that Consolidated Consent and Authorization (CC&A) and health & safety related permissions are provided and dealt by the state level agencies. Further, it is humbly submitted that CPCB communicated with Gujarat Pollution Control Board (GPCB) regarding status of investigation and action taken in the said matter. The information provided by GPCB is summarized below.
 - M/s Emami Agrotech Ltd. ('the Unit'), located at Gandhidham, Kutch, Gujarat has obtained Consolidated Consent & Authorization (CC&A) and amendment thereof from GPCB for the production of Refined Palm oil, Refined Soya Oil, Vanaspati, Palm Fatty Acid, Soya Fatty Acid, Acid Oil, Vanaspati Fatty Acid, Spent Earth, Tin Containers and HDPE Jars, which is valid up to 09.08.2026. The copy of Consolidated Consent and Authorization (CC&A) is annexed as **Annexure-1**.
 - GPCB team visited the said Unit on 16.10.2024 at 13:45 hrs with reference to the fatal accident occurred on the same day at 00:30 hrs at High Rate Solid Contact Clarifier (HRSCC) feed tank of ETP. During the visit it was observed by the visiting team of GPCB that the production plant was taken under shutdown since 14.10.2024. Five Nos. of fatality (contractual employees) was reported during the incident. As

per the preliminary information provided by the Safety Officer Sh. Jayesh Jethwa, ETP Shift In-charge (2nd shift), an employee went inside the HRSCC feed tank without work permit due to some reason and he collapsed. Another person entered the said tank to save him and he also collapsed. Thereafter, three more people entered the said tank and also collapsed. All 5 person entered in the HRSCC feed tank died. It is reported that the death of all 5 people might have caused due to inhalation of Hydrogen sulfide (H₂S) gas evolved from effluent stored in HRSCC feed tank of ETP.

- Based on the facts reported in the inspection report, GPCB issued Closure Direction with immediate effect dated 18.10.2024 to the Unit under Section 31(A) of the Air (Prevention and Control of Pollution) Act, 1981 and also imposed interim environmental compensation (EC) of Rs.1,00,00,000/- (Rs. One Crore only). The Unit has submitted interim environmental compensation of Rs. 1 crore on 24.10.2024. Reportedly the Unit has also submitted safety audit report, HAZOP (Hazard and Operability Study) study report, postmortem reports etc. and Bank Guarantee of Rs. 3.75 lakhs with validity up to 23.11.2025. GPCB team visited the Unit on 29.10.2024 and verified the compliance of directions issued, which was submitted in the revocation application. Based on the inspection report, the revocation direction for three months was issued to the said Unit by GPCB vide order dated 7.11.2024.

The copy of the Closure Direction dated 18.10.2024 and Revocation Direction dated 07.11.2024 issued by Gujarat Pollution Control Board (GPCB) to the said Unit is annexed as **Annexure-2 and 3** respectively

6. That, it is humbly submitted that the issue may be related to safety and health aspects of workers. However, this answering Respondent shall abide by any order (s) or direction (s) of the Hon'ble Tribunal.
7. That the answering respondent craves reply of the Hon'ble Tribunal to file additional reply, in future, if required.
8. That in light of the above submission, it is respectfully submitted that this Answering respondent i.e. CPCB, shall abide by any order(s) or direction(s) passed by this Hon'ble tribunal in the instant OA.

P. Gargava

(Prasoon Gargava)

Scientist 'F' & RD (Vadodara)

Central Pollution Control Board

प्रसून गार्गव / PRASOON GARGAVA

क्षेत्रीय निदेशक / REGIONAL DIRECTOR

केन्द्रीय प्रदूषण नियंत्रण बोर्ड / Central Pollution Control Board

(पर्यावरण, वन एवं ज.प. मंत्रालय, भारत सरकार)

(Ministry of Environment, Forest & Climate Change, Govt. of India)

क्षेत्रीय निदेशालय (पश्चिम), वडोदरा-390023.

Regional Directorate (West), Vadodara-390023.

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Original Application No. 219 OF 2024 (WZ), (Earlier O.A. No. 1244 of 2024 (PB))

IN THE MATTER OF:

News Item Titled "Five workers die due to asphyxiation while cleaning tank at agrotech firm in Gujarat" appearing in 'the Times of India' dated 16.10.2024.

AFFIDAVIT

I Praseon Gargava, aged 52 years, having office at the Regional Directorate (Vadodara), Central Pollution Control Board (CPCB), Nr. VMC Ward No. 10 Office, High Tension Road, Subhanpura, Vadodara, 390023, do hereby solemnly affirm, declare on oath and state as under:

1. That the deponent is authorized representative to represent the Respondent CPCB in the present case, and as such, I am well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent and authorized to verify, sign and swear this affidavit on behalf of the Respondent CPCB.
2. That the accompanying reply may be read part and parcel of the present affidavit as I am competent to swear this affidavit.
3. That the accompanying reply has been drafted and filed under my instructions and the contents thereof are true and correct on the basis of the record maintained during ordinary course of business of CPCB and available records and documents and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.

P. Gargava
DEPONENT

VERIFICATION

Verified at Vadodara on this 6th day of December, 2024 that the contents of the above reply are correct and true on the basis of the record of the cases as mentioned in the day to day affairs of the CPCB. Nothing has been concealed therefrom or mis-stated.

Verified at Vadodara on this the 6th Day of December 2024.

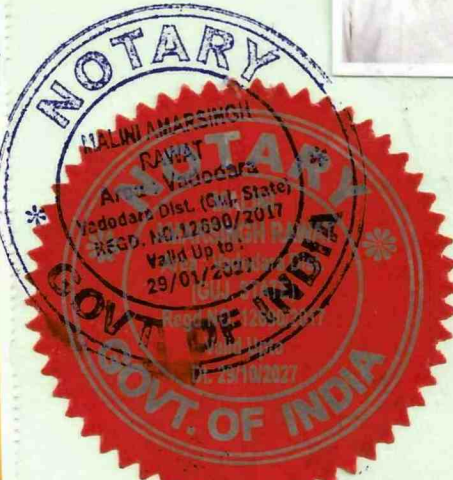
P. Gargava
DEPONENT

प्रसून गार्गव / PRASOON GARGAVA
क्षेत्रीय निदेशक / REGIONAL DIRECTOR
केन्द्रीय प्रदूषण नियंत्रण बोर्ड / Central Pollution Control Board
(पर्यावरण, वन एवं जल, मंत्रालय, भारत सरकार)
(Ministry of Environment, Forest & Climate Change, Govt. of India)
क्षेत्रीय निदेशालय (पश्चिम), वडोदरा-390023.
Regional Directorate (West), Vadodara-390023.



Solemnly Affirmed / Declared
Sworn Before me by... *Praseon Gargava*
Malini Amarsingh Rawat
MALINI AMARSINGH RAWAT
NOTARY, (Govt. of India)

My Commission Expires
on 29/01/2027
MALINI AMARSINGH RAWAT
NOTARY (Govt. of India)





GUJARAT POLLUTION CONTROL BOARD

PARYAVARAN BHAVAN

Sector-10-A, Gandhinagar-382 010

Phone : (079) 23226295

Fax : (079) 23232156

Website : www.gpcb.gov.in

By R.P.A.D

In exercise of the power conferred under section-25 of the Water (Prevention and Control of Pollution) Act-1974, under section-21 of the Air (Prevention and Control of Pollution)-1981 and Authorization under rule 6(2) of the Hazardous and Other Waste (Management and Transboundary) Rules, 2016 framed under the Environmental (Protection) Act-1986. This Board is empowered to Grant CC&A.

And whereas Board has received consolidated consent application inward no. **198595 dated 10/08/2021** for the **Consolidated Consent and Authorization (CC & A)** of this Board under the provisions / rules of the aforesaid Acts. Consents & Authorization are hereby granted as under:

CONSENTS AND AUTHORISATION:

(Under the provisions /rules of the aforesaid environmental acts)

To,

M/s. Emami Agrotech Limited, (72346)

Survey no. 49,

Location-2 of Smart Industrial Port City (SIPC) of KPT (DPT)

Ps-Kandla Marine Police Station,

Tal: Gandhidham,

Dist: Kutch - 370 210

1. **Consent Order No. AWH-115551 Date of issue: 28/10/2021.**
2. The consents shall be valid upto **09/08/2026** for the use of outlet for the discharge of treated effluent and emission due to operation of industrial plant for manufacturing of the following items/ products:

Sr. No.	Product	Quantity per Month
1	Refined Palm Oil	66,500 MT
2	Refined Soya Oil	35,000 MT
3	Vanaspati	5,800 MT
4	Palm Fatty Acid	3,500 MT
5	Soya Fatty Acid	100 MT
6	Acid Oil- By Product	900 MT
7	Vanaspati Fatty Acid	200 MT
8	Spent Acid	600 MT

Subject to specific condition:

1. Industry shall not carry out any activities which attract provision of EIA notification 2016 and its amendment.
2. Industry shall install & operate conveyance pipeline (4.81 KM) only after CRZ Clearance from competent authority.

Page 1 of 10

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3. Industry shall comply with applicable conditions of Environment Clearance granted to Kandla Port Trust for Smart Industrial Port City (SIPC) granted by MoEF & CC vide order dated 10/10/2017.
4. Industry shall comply with Manufacturing, Storage and Import of Hazardous Chemicals Rules – 1989.
5. Industry shall comply with coal handling guidelines of this Board.
6. Industry shall provide dedicated silo for storage of fly ash & shall dispose of fly ash as per CPCB guideline.
7. Industry shall manage Solid Wastes generated from industrial activities as per Solid Waste Management Rules-2016 (solid waste as defined in Rule-3(46)).
8. As per Provisions of Rule 18 of Solid Waste Management Rules-2016 you are directed to make an arrangement in Utilities to replace at least five percent (5%) of your solid fuel requirement by 'refused derived fuel'.
9. Industry shall not withdrawal ground water without prior NOC of CGWA as per order of Hon. National Green Tribunal.
10. Industry shall obtain registration with approved EPR action plan as per Plastic Waste Management Rules-2016 & comply with following conditions:
 - a. Industry shall submit a copy of EPR action plan approved by competent authority along with EPR liability for state of Gujarat & submit plan for compliance of the same with complete details regarding collection centers, mode of conveyance & disposal through registered recyclers/ re processors/ co processors.
 - b. Immediately start implementation of EPR action plan and submit quarterly compliance report against EPR liability for Gujarat regularly clearly indicating plastic waste collection centers, mode of transportation and disposal through recycler/ re-processor/ co-processor with all supporting documents.
 - c. Comply with manifest system introduced by this Board. (Available on GPCB website) for the movement of plastic waste within and from State of Gujarat & submit copies of the same with quarterly compliance report.
 - d. Purchase plastic raw material only from manufactures industry having valid registration under plastic rules, maintain its record and submit its report with quarterly compliance.
 - e. Maintain complete record about post-consumer waste and in-plant, plastic waste with clearly indicating quantity generated along with acknowledge of re-processor/ recycler about quantity.

3. CONDITIONS UNDER THE WATER ACT:

3.1 Water Source: - DPT & GWIL.



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- 3.2 The quantity of the fresh water consumption for industrial purpose shall not exceed 2616 KL/Day (Fresh: 1666 KLD + Recycle: 950 KLD).
- 3.3 Industry shall provide additional 3 stage RO system to increase reuse of waste water after treatment. Reject of existing RO is subjected RO1. Reject of RO1 shall be subject to ERS followed by RO2 & RO3 permeate of ROs & MEE condensate (950 KLD) shall be mixed up with raw water & reused.
- 3.4 The quantity of the fresh water consumption for domestic purpose shall not exceed 30 KL/Day.
- 3.5 The quantity of the industrial effluent to be generated from the manufacturing process and other ancillary industrial operations shall not exceed 440 KL/Day.
- 3.6 The quantity of domestic waste water (sewage) shall not exceed 20 KL/Day.
- 3.7 Industry shall operate Effluent Treatment Plant (ETP) adequately so that treated industrial effluent shall comply with following norms:

PARAMETERS	PRESCRIBED LIMITS
pH	6.5 to 8.5
Temperature	40°C
Colour (Pt.Co. scale) in units	100 units
Total Suspended Solids	100 mg/L
Oil and Grease	10 mg/L
Ammonical Nitrogen	50 mg/L
BOD (3 days at 27° C)	30 mg/L
COD	100 mg/L
Chlorides	600 mg/L
Sulphates	1000 mg/L
Total dissolved solids	2100 mg/L
Percent Sodium	60 %
Phenolic Compounds	1 mg/L
Sulphides	5.0 mg/L
Sodium Absorption Ratio	26

- 3.8 Industrial effluent after conforming to above norms shall be partially (410 KLD) subjected to (Effluent Recovery System) ERS followed by RO system. RO reject shall be subjected to MEE, while RO permeate & MEE condensate shall be reused back in process. Remaining treated effluent (30 KLD) conform to above norms shall be discharge on land for gardening & plantation.
- 3.9 Industry shall provide flow meter at inlet & outlet to all RO system ERS, outlet of ETP, reuse line for RO permeate & MEE condensate & maintain its records.
- 3.10 Industry shall operate Sewage Treatment Plant (STP) adequately so that treated domestic effluent shall comply with following norms:

PARAMETERS	PERMISSIBLE LIMIT
pH	6.5 to 9.0
BOD (3 days at 27° C)	20 mg/L
Suspended Solids	100 mg/L
Fecal Coliform	<1000 MPN/100 ml

Page 3 of 10

Clean Gujarat Green Gujarat

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(6/22)

- 3.11 Treated domestic effluent conforming to above standard shall be discharged on land for gardening & plantation within premises.
- 3.12 Industry shall provide fixed pipeline network with flow meter for even distribution of treated effluent & domestic effluent for gardening & plantation and maintain its record.
- 3.13 Disposal system for storm water shall be provided separately, in no circumstances storm water shall be mixed with the industrial effluent in any case.

4. CONDITIONS UNDER THE AIR ACT:

- 4.1 The following shall be used as a fuel in Boiler, Thermic Fluid Heaters & D.G. Set respectively:

Sr. No.	Utility	Fuel	Quantity
1.	AFBC Steam Boilers (26 TPH)	Imported Ccal	7.5 MT/hr
2.	AFBC Steam Boilers (16 TPH)	Imported Ccal	4.5 MT/hr
3.	Thermic Fluid Heater (40 L Kcal)	Imported Ccal	6 MT/hr
4.	Thermic Fluid Heater (20 L Kcal)	Imported Ccal	4 MT/hr
5.	Thermic Fluid Heater (8 L Kcal)	Imported Ccal	2 MT/hr
6.	D.G. Set (2000 KVA)	Diesel	450 ltr/hr

- 4.2. The applicant shall install & operate comprehensive adequate air pollution control system in order to achieve prescribed norms.
- 4.3. The flue gas emission through stack attached to Thermic Fluid Heaters, D.G. Set & AFBC Boilers shall conform to the following standards

Sr. No	Stack attached to	Stack height in Meters	APCM	Parameter	Permissible limit
1.	Thermic Fluid Heater (Cap:40 Lakh Kcal)	Common Stack 30 Meter	Bag filter, Water Scrubber	PM SO ₂ NO _x	150 mg/Nm ³ 100 ppm 50 ppm
2.	Thermic Fluid Heater (Cap:20 Lakh Kcal)				
3.	Thermic Fluid Heater (Cap: 8 Lakh Kcal)				
4.	D.G. Set (2000 KVA)	15	Adequate Stack height	PM SO ₂ NO _x	150 mg/Nm ³ 100 ppm 50 ppm
5.	AFBC Steam Boiler (Cap:26 TPH)	60	Water Scrubber, ESP		
6.	AFBC Steam Boiler (Cap:16 TPH)				



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4.4 The process emission through stack attached to Acid oil plant scrubber shall conform to the following standards;

Sr. No	Stack attached to	Stack height in Meters	APCM	Parameter	Permissible limit
1.	Acid oil plant scrubber	15	Water Scrubber	Acid Mist PM	50 mg/Nm ³ 50 mg/Nm ³

4.5 The concentration of the following parameters in the ambient air within the premises of the industry and a distance of 10 meters from the source) other than the stack/vent) shall not exceed the following levels.

Sr. No.	Pollutant	Time Weighted Average	Concentration in Ambient air in µg/M ³
1.	Sulphur Dioxide (SO ₂)	Annual 24 Hours	50 80
2.	Nitrogen Dioxide (NO ₂)	Annual 24 Hours	40 80
3.	Particulate Matter (Size less than 10 µm) or PM ₁₀	Annual 24 Hours	60 100
4.	Particulate Matter (Size less than 2.5 µm) or PM _{2.5}	Annual 24 Hours	40 60

4.6 The applicant shall provide portholes, ladder, platform etc at chimney(s) for monitoring the air emissions and the same shall be open for inspection to/and for use of Board's staff. The chimney(s) vents attached to various sources of emission shall be designed by numbers such as S-1, S-2, etc. and these shall be painted/displayed to facilitate identification.

4.7 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 standards in respect of noise to less than 75dB(A) during day time and 70 dB (A) during night time. Daytime is reckoned in between 6a.m. and 10 p.m. and nighttime is reckoned between 10 p.m. and 6 a.m.

4.8 D.G. Sets Conditions

The D.G. Set shall have acoustic enclosure and shall comply with the standards specified at Sr. no. 95 of Schedule-I of the rule-3 of E.P. Rules -1986 and Noise pollution level as per the Air Act-1981.

D.G. Sets standards:-

The flue gas emission through stack attached to D.G. Sets shall conform to the following standards.

- a) The minimum height of stack to be provided with each of the generator set shall be $H = h + 0.2 (KVA)^{1/2}$, where H= Total stack height in meter, h= height of the building in meters where or by the side of which the generator set is installed.

Page 5 of 10

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- b) Noise from DG set shall be controlled by providing an acoustic enclosure or by treating the room acoustically, at the users end.
- c) The acoustic enclosure or acoustic treatment of the room shall be designed for minimum 25 dB (A) insertion loss or for meeting the ambient noise standards, whichever is on the higher side (if the actual ambient noise is on the higher side, it may not be possible to check the performance of the acoustic enclosure/ acoustic treatment. Such circumstances the performance may be checked for noise reduction up to actual ambient noise level, preferably, in the night time). The measurement for insertion loss may be done at different points at 0.5 m from the acoustic enclosure/room, and the averaged.
- d) The D.G. Set shall be provided with proper exhaust muffler with insertion loss of minimum 25 dB (A).
- e) All efforts shall be made to bring down the noise level due to the D.G. Set, outside the premises, within the ambient noise requirements by proper siting and control measures.
- f) Installation of a D.G. Sets must be strictly in compliance with the recommendations of the D.G. Set manufacturer.
- g) A proper routine and preventive maintenance procedure for the D.G. Set should be set and followed in consultation with the DG Set manufacture which would help prevent noise levels of the DG Set from deteriorating with use.

5. AUTHORIZATION as per HAZARDOUS AND OTHER WASTE (MANAGEMENT AND TRANSBOUNDARY) RULES, 2016 Form-2 [See rule 6 (2)]

Form for grant of authorization for occupier or operator handling Hazardous waste

5.1 Authorization order No:-**AWH- 115551** date of Issue: **28/10/2021**.

5.2 **M/s. Emami Agrotech Limited**, is hereby granted an authorization to operate facility for following hazardous wastes on the premises situated at -49, Location-2 of Smart Industrial Port City (SIPC) of KPT (DPT), Ps-Kandla Marine Police Station, Tal: Anjar, Dist : Kutch.

Sr. No	Waste	Quantity per Annum	Schedule/ Category	Facility
1	Used or Spent Oil	4 MT	I-5.1	Collection, storage, transportation & disposed by registered recycler.
2	Chemical Sludge from waste water treatment (ETP Sludge)	120 MT	I-34.3	Collection, storage, transportation & disposed off to TSDF site.
3	Discarded Drum/ Containers/ Bags/ Barrels	2 MT	I-33.1	Collection, storage, & disposal by selling to authorized decontaminator.



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4	Spent Nickel Catalyst	3.6 MT		Collection, storage, & disposal by selling to authorized recycler.
5	Spent Ion Exchange Resin containing toxic metal	1 MT		Collection, storage, transportation & disposed at common CHWIF.
6	Contaminated Cotton Rags or other cleaning material	1 MT		Collection, storage, transportation & disposed at common CHWIF.
7	Evaporating salt	1560 MT		Collection, storage, transportation & disposed off to TSDF site.

5.3 The authorization shall be valid upto 09/08/2026.

5.4 The authorization is subject to the conditions stated below and such other conditions as may be specified in the rules from time to time under the Environment (Protection) Act-1986.

5.5 The authorization is granted to operate a facility for collection, storage within factory premises transportation and ultimate disposal of Hazardous wastes as per condition no.5.2 to the industry having valid CCA of this Board.

5.6 TERMS AND CONDITIONS OF AUTHORISATION

1. The applicant shall comply with the provisions of the Environment (Protection) Act-1986 and the rules made there under.
2. The authorization or its renewal shall be produced for inspection at the request of an officer authorized by the Gujarat Pollution Control Board.
3. The persons authorized shall not rent, lend, sell, and transfer or otherwise transport the hazardous wastes without obtaining prior permission of the Gujarat Pollution Control Board.
4. Any unauthorized change in personnel, equipment or working conditions as mentioned in the authorization order by the persons authorized shall constitute a breach of this authorization.
5. The person authorized shall implement Emergency Response Procedure (ERP) for which this authorization is being granted considering all site specific possible scenarios such as spillages, leakages, fire etc. and their possible impacts and also carry out mock drill in this regard at regular interval of time;
6. The person authorized shall comply with the provisions outlined in the Central Pollution Control Board guidelines on "Implementing Liabilities for Environmental Damages due to Handling and Disposal of Hazardous Wastes and Penalty"
7. It is the duty of the authorized person to take prior permission of the Gujarat Pollution Control Board to close down the facility.
8. An application for the renewal of an authorization shall be made as laid down in rules 6(2) under Hazardous and Other Waste Rules, 2016.

Page 7 of 10

Clean Gujarat Green Gujarat

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9. The imported hazardous and other wastes shall be fully insured for transit as well as for any accidental occurrence and its clean-up operation
10. The record of consumption and fate of the imported hazardous and other wastes shall be maintained.
11. The hazardous and other wastes which gets generated during recycling or reuse or recovery or pre-processing or utilization of imported hazardous or other wastes shall be treated and disposed of as per specific conditions of authorization.
12. The importer or exporter shall bear the cost of import or export and mitigation of damages if any.
13. Any other conditions for compliance as per the Guidelines issued by the Ministry of Environment, Forest and Climate Change or Central Pollution Control Board from time to time.
14. The waste generator shall be totally responsible for (i.e. collection, storage, transportation and ultimate disposal) the wastes generated.
15. Records of waste generation, its management and annual return shall be submitted to Gujarat Pollution Control Board in Form-4 by 30th day of June of every year for the preceding period April to March.
16. In case of any accident, details of the same shall be submitted on Form-11 to Gujarat Pollution Control Board.
17. As per "Public Liability Insurance Act-91" company shall get Insurance Policy, if applicable.
18. Empty drums and containers of toxic and hazard material shall be treated as per guideline published for "Management & Handling of discarded containers". Records of the same shall be maintained and forwarded to Gujarat Pollution Control Board regularly.
19. In case of transport of hazardous wastes to a facility for (i.e. treatment, storage and disposal) existing in a State other than the State where hazardous wastes are generated. the occupier shall obtain 'No Objection Certificate' from the State Pollution Control Board or Committee of the concerned State of Union Territory Administration where the facility exists.
20. Unit shall take all concrete measures to show tangible results in waste generation, reduction, avoidance, reuse and recycle. Actions taken in this regard shall be submitted within three months and also along with Form-4.
21. Industry shall have to display the relevant information with regards to hazardous waste as indicated in the Hon. Supreme Court's Order in W.P. No.657 of 1995 dated 14th October, 2003.
22. Industry shall have to display on-line data outside the main factory gate with regard to quantity and nature of hazardous chemicals being handled in the plant, including wastewater and air emissions and solid hazardous wastes generated within the factory premises.





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6 SPECIFIC CONDITIONS:-

- 6.1 The authorized actual user of hazardous and other wastes shall maintain records of hazardous and other wastes purchased in a passbook issued by the State Pollution Control Board along with the authorization.
- 6.2 Handling over of the hazardous and other wastes to the authorized actual user shall be only after making the entry in the passbook of the actual user.
- 6.3 In case of renewal of authorization, a self-certified compliance report in respect of effluent, emission standards and the conditions specified in the authorization for hazardous and other wastes shall be submitted to SPCB.
- 6.4 The occupier of the facility shall comply Standard operating procedure/guidelines published by MOEF&CC or CPCB or GPCB from time to time.
- 6.5 Unit shall comply provisions of E-Waste Management Rules-2016.
- 6.6 The disposal of Hazardous Waste shall be carried out as per the waste Management hierarchy.
- 6.7 The occupiers of facilities shall not store the hazardous and other wastes for a period not exceeding **ninety days**. Prior permission of the Board shall be obtained for extension of the storage period.
- 6.8 The occupier shall maintain the records of generation, sale, storage, transport, recycling, co processing and disposal of hazardous waste and make available during the inspection.
- 6.9 The transportation of the hazardous waste shall be carried out in GPS mounted dedicated vehicles.

7 GENERAL CONDITIONS: -

- 7.1 Any change in personnel, equipment or working conditions as mentioned in the consents form/order should immediately be intimated to this Board.
- 7.2 Applicant shall also comply with the general conditions given in annexure I.
- 7.3 Whenever due to accident or other unforeseen act or ever, 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 Service, Department of Explosives, Inspectorate of Factories and local body.
- 7.4 In case of failure of pollution control equipments, the production process connected to it shall be stopped. Remedial actions/measures shall be implemented immediately to bring entire situation normal.
- 7.5 The Environmental Management Unit/Cell shall be setup to ensure implementation on and monitoring of environmental safeguards and other conditions stipulated by statutory authorities. The Environmental Management Cell/Unit shall directly report to the Chief Executive of the organization and shall work as a focal point for internalizing environmental issues. These cells/units also coordinate the exercise of environmental audit and preparation of environmental statements.

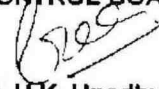
Page 9 of 10

Clean Gujarat Green Gujarat

ISO - 9001 - 2008 & ISO - 14001 - 2004 Certified Organisation

- 7.6 The Environmental audit shall be carried out yearly and the environmental statements pertaining to the previous year shall be submitting to this State Board latest by 30th September every year.
- 7.7 The Board reserves the right to review and/or revoke the consent and/or make variations in the conditions, which the Board deems, fit in accordance with Section 27 of the Act.
- 7.8 In case of change of ownership/management the name and address of the new owners/ partners/directors/proprietor should immediately be intimated to the Board.
- 7.9 Industry shall have to display the relevant information with regard to hazardous waste as indicated in the Hon. Supreme order in w.p. no. 657 of 1995 dated 14th October 2003.

For and on behalf of
GUJARAT POLLUTION CONTROL BOARD


(Smt. U.K. Upadhyay)
Senior Environment Engineer

NO: GPCB/CCA-Kutch-1655/ID-72346/

Date:-

Issued to:

M/s. Emami Agrotech Limited,

Survey no. 49,

Location-2 of Smart Industrial Port City (SIPC) of KPT (DPT)

Ps-Kandla Marine Police Station,

Tal: Gandhidham,

Dist: Kutch – 370 210

Outward No: 606644-20/11/2021



GUJARAT POLLUTION CONTROL BOARD

PARYAVARAN BHAVAN, SECTOR 10-A,

GANDHINAGAR - 382010,

(T) 079-23232152

CCA-Amendment

(A-125991)

No. PC/CCA-KUTCH- 1655(2)/ GPCB ID-72346/

Date:

To,
M/s. Emami Agrotech Limited,
Plot No. 49, Location-2,
Ps-Kandla Marine Police Station,
Tal: Gandhidham,
Dist: Kutch- 370 210.

SUB: Amendment in the consolidated consent & Authorization of the Board.

- REF:** 1) CCA issued by this office vide order no- **AWH- 115551** dated 20/11/2021 valid up to 09/08/2026.
2) CTE Amendment issued by this office vide order no. **110282** dated 05/12/2020 valid upto 09/11/2025.
3) Your CCA Amendment Application Inward ID No. **273352** dated **22/02/2023**.

In exercise of the power conferred under section-25 of the Water (Prevention and Control of Pollution) Act-1974, under section-21 of the Air (Prevention and Control of Pollution)-1981 and Authorization under rule 6(2) of the Hazardous And Other Waste (Management and Transboundary) Rules, 2016 & framed under the Environment (Protection) Act-1986, The Board has granted CCA vide order No. **AWH- 115551** issued vide order dated 20/11/2021 valid upto 09/08/2026.

The Board has right to review and amend the conditions of the said CCA and its amendment orders. Now, considering your application for CCA amendment inward ID No. **273352** dated 22/02/2023, the said CCA order is amended as below:

1. The order shall be read as CCA amendment Order No.: A- 125991 Date of Issue: 29/04/2023, valid up to 09/08/2026.
2. The condition no. 2 of the said CCA is amended as below:
 2. The consent shall be valid up to 09/08/2026 for the use of outlet for the discharge of treated effluent and emission due to operation of industrial plant manufacturing following items/ products:

Sr. No.	Product	Quantity as per CCA dated:20/11/2021	Proposed quantity as per CTE- Amendment	Total quantity after CCA- Amendment
Existing				
1.	Refined Palm Oil	66,500 MT/Month	--	66,500 MT/Month
2.	Palm Fatty Acid	3,500 MT/Month	--	3,500 MT/Month
3.	Refined Soya Oil	35,000 MT/Month	--	35,000 MT/Month
4.	Soya Fatty Acid	100 MT/Month	--	100 MT/Month
5.	Acid Oil	900 MT/Month	--	900 MT/Month
6.	Vanaspati	5800 MT/Month	--	5800 MT/Month

Page 1 of 4

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7.	Vanaspati Fatty Acid	200 MT/Month	--	200 MT/Month
8.	Spent Earth	600 MT/Month	--	600 MT/Month
Proposed				
9.	Empty Tin Container (15 Liter)	--	400 MT/Month	400 MT/Month
10.	HDPE Jars (15 Liter)	--	25 MT/Month	25 MT/Month
11.	HDPE Jars (5 Liter)	--	15 MT/Month	15 MT/Month

SUBJECT TO THE FOLLOWING SPECIFIC CONDITIONS:

1. There shall be no change in existing water consumption, waste water generation & its mode of disposal, hazardous waste generation & its mode of disposal, due to CCA-Amendment.
2. Industry shall not carry out any activity which may attract the applicability of EIA notification-2006 & its amendment.
3. No ground water shall be withdrawal without prior permission from CGWA as per Hon'ble NGT order.
4. Unit shall obtain fresh water from valid source have permission of the competent authority.
5. Industry shall manage Solid Wastes generated from industrial activities as per Solid Waste Management Rules-2016 (solid waste as defined in Rule-3(46)).
6. Industry shall comply with coal handling guideline of this Board.
7. Industry shall provide dedicated storage facility for fly ash.
8. Industry shall dispose of fly ash only as per fly ash notification & maintain its record.
9. Industry shall comply with fly ash notification 1999 as amended from time to time.
10. Industry shall renew Public Liability Insurance Policy time to time & submit a copy of the same to this office.
11. Industry shall comply with circular of the Board dated 27/08/2021 regarding retrofitting of emission control/ equipment in D.G. Set of capacity 125 KVA and above as per system & procedure for emission compliance testing of Retrofit Emission Control Devices (RECD) for D.G. Set issued by CPCB dated 01/02/2022 at the earliest and submit compliance.

3. The condition no. 4 of the said CCA is amended as below:

- 4.1 The following shall be used as fuel in TFH, Vessel, Furnace, Heating Furnace & D.G. Set respectively:

Sr. No.	Utility	Fuel	Quantity		
			Existing	Proposed	Total
1.	AFBC Steam Boiler (26 TPH)	Imported Coal	7.5 MT/Hr	--	7.5 MT/Hr
2.	AFBC Steam Boiler (16 TPH)	Imported Coal	4.5 MT/Hr	--	4.5 MT/Hr

(15722)



GUJARAT POLLUTION CONTROL BOARD

PARYAVARAN BHAVAN, SECTOR 10-A,

GANDHINAGAR - 382010,

(T) 079-23232152

3.	TFH (40 L Kcal)	Imported Coal	6 MT/Hr	--	6 MT/Hr
4.	TFH (20 L Kcal)	Imported Coal	4 MT/Hr	--	4 MT/Hr
5.	TFH (8 L Kcal)	Imported Coal	2 MT/Hr	--	2 MT/Hr
6.	D.G. Set (2000 KVA)	Diesel	450 Lit/Hr	--	450 Lit/Hr
7.	D.G. Set (2 nos.) (1500 KVA)	Diesel	--	340 Lit/Hr	340 Lit/Hr

- 4.2 The applicant shall install & operate air pollution control system efficiently in order to achieve prescribed norms.
- 4.3 The flue gas emission through stack attached to Steam Boilers, TFHs & D.G. Sets shall conform to the following standards;

Sr. No	Stack attached to	Stack height	APCM	Parameter	Permissible limit
Existing					
1.	AFBC Steam Boiler (Cap:26 TPH)	60 m	ESP & Water Scrubber	PM SO ₂ NO _x	150 mg/Nm ³ 100 ppm 50 ppm
2.	AFBC Steam Boiler (Cap:16 TPH)				
3.	Thermic Fluid Heater (Cap: 40 L Kcal)	30 m	Bag Filter & Water Scrubber	PM SO ₂ NO _x	150 mg/Nm ³ 100 ppm 50 ppm
4.	Thermic Fluid Heater (Cap: 20 L Kcal)				
5.	Thermic Fluid Heater (Cap: 8 L Kcal)	30 m	Bag Filter & Water Scrubber	PM SO ₂ NO _x	150 mg/Nm ³ 100 ppm 50 ppm
6.	D.G. Set (2000 KVA)	15 m	Adequate Stack height	PM SO ₂ NO _x	150 mg/Nm ³ 100 ppm 50 ppm
7.	D.G. Set (2 nos.) (1500 KVA) (Proposed)	15 m	Adequate Stack height	PM SO ₂ NO _x	150 mg/Nm ³ 100 ppm 50 ppm
8.	Coal Crushing Unit (Proposed)	11 m	Bag Filter	PM SO ₂ NO _x	150 mg/Nm ³ 100 ppm 50 ppm

- 4.4 The process gas emission through stack attached to Acid oil plant scrubber shall conform to the following standards;

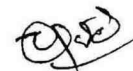
Sr. No	Stack attached to	Stack height	APCM	Parameter	Permissible limit
1.	Acid oil plant scrubber (Existing)	15 m	Water Scrubber	Acid Mist SO ₂	50 mg/Nm ³ 40 mg/Nm ³

- 4.5 The concentration of the following parameters in the ambient air within the premises of the industry shall not exceed the limits specified hereunder as per National Ambient Air Quality Standards issued by MoEF & CC dated 18th November-2009. In addition to following parameters Industry shall also carry out AAQ monitoring of all other applicable parameter as per MoEF notification dated 18/11/2009 and submit the report to the Board.

Sr. No.	Pollutant	Time Weighted Average	Concentration in Ambient air in $\mu\text{g}/\text{M}^3$
1.	Sulphur Dioxide (SO_2)	Annual	50
		24 Hours	80
2.	Nitrogen Dioxide (NO_2)	Annual	40
		24 Hours	80
3.	Particulate Matter (Size less than $10 \mu\text{m}$) or PM_{10}	Annual	60
		24 Hours	100
4.	Particulate Matter (Size less than $2.5 \mu\text{m}$) or $\text{PM}_{2.5}$	Annual	40
		24 Hours	60

- 4.6 The applicant shall provide portholes, ladder, platform etc. at chimney(s) for monitoring the air emissions and the same shall be open for inspection to/and for use of Board's staff. The chimney(s) vents attached to various sources of emission shall be designed by numbers such as S-1, S-2, etc. and these shall be painted/ displayed to facilitate identification.
- 4.7 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 standards in respect of noise to less than 75dB(A) during day time and 70 dB (A) during night time. Daytime is reckoned in between 6a.m. and 10 p.m. and nighttime is reckoned between 10 p.m. and 6 a.m.
4. Rest of conditions of Consolidated Consent & Authorization (CC&A) order No: AWH-115551 issued vide this office dated 20/11/2021 shall remain unchanged and industry shall comply with the same judicially.

For and on behalf of
GUJARAT POLLUTION CONTROL BOARD



(T. C. Patel)
Unit Head

OUTWARD No: 741754, 10/05/2023



GUJARAT POLLUTION CONTROL BOARD

Paryavaran Bhavan
Sector-10-A, Gandhinagar-382 010.
Phone : (079) 23226295
Fax : (079) 23232156
Website : www.gpcb.gov.in

By R.P.A.D.

CLOSURE DIRECTIONS UNDER SECTION (31) (A) OF AIR (PREVENTION AND CONTROL OF POLLUTION) ACT-1981 (HEREINAFTER REFERRED TO AS AIR ACT) AS AMENDED FROM TIME TO TIME

WHEREAS you are having industrial plant located at Plot No. 49, Location-2, SIPC, Ps-Kandla Marine Police Station, Kandla, Tal: Gandhidham, Dist. Kutch for manufacturing of Refined Palm Oil, Refined Soya Oil, Acid Oil, etc.

AND WHEREAS Board had granted you consent under the provision of Air Act vide CCA order no. AWH-115551 dated 22/11/2021, which is valid up to 09/08/2026 for manufacture items / products subject to the conditions mentioned therein.

AND WHEREAS, your industry was monitored by the Board official on 16/10/2024 under Section-24 of Air Act-1981 with reference to the accident occurred. During the inspection, following were observed:

1. Accident occurred due to inhalation of H₂S gas evolved from effluent stored in HRSCC Feed Tank of ETP.
2. Due to occurred accident, 5 nos. of fatality (contractual persons) are reported.
3. H₂S level measured in HRSCC feed tank at 14:00 Hrs. during visit was 5 ppm. As per MSDS of H₂S, Threshold Limit Value (TLV) of H₂S is 1 ppm and Short Term Exposure Limit (STEL) of H₂S is 5 ppm.
4. Looking to the 5 ppm level of H₂S gas in the said tank at the inspection time, H₂S level might be very high in the said tank during night hours when accident took place.
5. Industry has not intimated GPCB regarding occurrence of the fatal accident.
6. It seems that you have failed to take adequate safety measures to avoid such kind of accident.
7. You have not taken due care for workers & not provided them Personal Protective Equipment (PPEs) for their safety.

AND WHEREAS considering above, officials of the Board issued "written remarks" onsite at the time of inspection. Considering the severity of accident, fatality of 05 persons and aforesaid observations during the inspection on 16/10/2024, it is evident that you have failed to take necessary precautions and actions to prevent such accident. Prima facie, non-compliance of industrial safety rules has resulted into such accident.

Under the circumstances, I, T. C. Patel, Unit Head of Gujarat Pollution Control Board is directed to issue the directions under Section – (31) (A) of the Air (Prevention and Control of Pollution) Act-1981 as under:

(PTD)

Clean Gujarat Green Gujarat

(18/22)

1. To prohibit you from manufacturing of above said products.
2. To close down the operation of your industrial plant on the above mentioned site with immediate effect.
3. To direct the concerned authority to stop supply of electricity with immediate effect.
4. If your plant runs on captive power plant or D.G. Set, then you shall stop its operation with immediate effect.
5. To submit post mortem reports of all the 5 workers, safety audit report, HAZOP study report, DISH report, etc.
6. To deposit interim Environment Damage Compensation of Rs. 1,00,00,000/- (Rupees One Crore only).
7. To submit revocation application with detailed remedial action taken report, undertakings and Bank Guarantee of Rs. 3,75,000/- for a period of at least one year from nationalized bank, valid for one year duration for ensuring compliances of Environmental Acts / Rules laws, in future, if industry intend to restart production.

If the above directions are not complied, you are liable for prosecution under Section 41 (2) of the Air (Prevention and Control of Pollution) Act-1981 which provides punishment with imprisonment.

If you are aggrieved by the aforesaid direction, you may file an appeal under section 31 B of the Air (Prevention and Control of Pollution) Act-1981 before Hon'ble National Green Tribunal within thirty days from the date of this order.

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



**(T. C Patel)
Unit Head**

No-GPCB/CCA-KUTCH-1655(2)/ID 72346/
Issued to:

Date: /10/2024

M/s. Emami Agrotech Limited,
Plot No. 49, Location-2,
SIPC, Ps-Kandla Marine Police Station, Kandla,
Tal: Gandhidham, Dist: Kutch -370 210.

(19/22)

**GUJARAT POLLUTION CONTROL BOARD****Paryavaran Bhavan****Sector-10-A, Gandhinagar-382 010.****Phone : (079) 23226295****Fax : (079) 23232156****Website : www.gpcb. gov. in**

Copy to;

- ✓ 1) The Superintendent Engineer (SE)
Paschim Gujarat Vij Company Limited (PGVCL),
Circle Office, Nr. Bus Station,
Tal-Anjar, Dist-Kutch-370110.....

It is hereby informed to request you to disconnect supply of electricity with **immediate effect (except single phase)** of **M/s. Emami Agrotech Limited** located at Plot No. 49, Location-2, SIPC, Ps-Kandla Marine Police Station, Kandla, Tal: Gandhidham, Dist. Kutch and inform this office.

For and on behalf of
Gujarat Pollution Control Board

(T. C Patel)
Unit Head

Outward No: 824917, 18/10/2024

Clean Gujarat Green Gujarat



GUJARAT POLLUTION CONTROL BOARD

PARYAVARAN BHAVAN, SECTOR 10-A,

GANDHINAGAR - 382010,

(T) 079-23232152

By R.P.A.D.

REVOCATION ORDER OF CLOSURE ORDER ISSUED UNDER SECTION-31 (A) OF THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT-1981 AS AMENDED FROM TIME TO TIME

WHEREAS you are having industrial plant located at Plot No. 49, Location-2, SIPC, Ps-Kandla Marine Police Station, Kandla, Tal: Gandhidham, Dist. Kutch for manufacturing of Refined Palm Oil, Refined Soya Oil, Acid Oil, etc.

AND WHEREAS Board had granted you consent under the provision of Air Act vide CCA order no. AWH-115551 dated 28/10/2021, which is valid up to 09/08/2026 for manufacture items / products subject to the conditions mentioned therein.

AND WHEREAS, Board has issued Closure direction under Section 31 (A) of Air (Prevention and Control of Pollution) Act -1981 vide order no. GPCB/CCA-KUTCH-1655(2)/ID-72346/824917 dated 28/10/2024 with immediate effect for reasons stated therein.

AND WHEREAS, you have requested for revocation vide your letter dated 25/10/2024 along with compliance report with respect to closure order with supporting documents.

AND WHEREAS, you have submitted undertaking dated 24.10.2024 ensuring that you have complied directions issued to you by the Board and also will comply with CCA conditions.

AND WHEREAS, you have submitted Bank Guarantee of Rs. 3.75 lakhs valid up to 23/11/2025 to assure compliance of Environment Act.

AND WHEREAS, based on your submission your industry was monitored by Board officers on 29/10/2024 wrt revocation application. During inspection plant was not in operation & observed that;

1. During inspection. production plant with all the facilities observed not in operation.
2. Unit has submitted safety audit report carried out by M/s. Prosafe process engineering Pvt. Ltd.
3. Unit has submitted post mortem report of all the five workers & as per report, cause of death is pending for visceral analysis.
4. Unit has submitted HAZOP study report.

AND WHEREAS, along with revocation application, you have submitted compliance that;

1. Unit has provided SOP for ETP water tank cleaning and ETP operation.
2. Post visit necessary actions were taken to further reduce the H2S gas.
3. Manhole of the tank covered & locked.
4. Containers kept in the open area removed & shifted.
5. ETP sludge kept in covered shed.
6. Unit has submitted compliance report submitted to DISH with regards to the remark given in form 31 (visit book).
7. Submitted PLI policy, valid up to 15/12/2024.

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ANDWHEREAS, unit has paid the interim Environment Damage Compensation of Rs. 1,00,00,000/- to the Board on 24/10/2024.

AND WHEREAS, you have submitted undertaking dated 05.11.2024 mentioning that DISH has not issued any Direction/ Closure till date.

Under the circumstances, I **J. B. Pandya**, I/C Unit Head, Gujarat Pollution Control Board **revoke the closure direction for three months from the date of issue of order with following conditions:**

1. Unit shall abide with orders/directions issued by Hon'ble NGT in the matter of OA no-1244/2024 and connected matters.
2. To ensure adequate safety measures & due care to avoid such incidents.
3. Industry shall comply with CCA conditions.
4. Unit shall comply with the recommendations and checklist points of the Safety audit report submitted.
5. Unit shall comply with the recommendations made in the HAZOP study report.
6. Unit shall submit point wise action taken details with regards to the measures suggested by the DISH.

This order is issued after obtaining approval from competent authority of the Board.

For and on behalf of
GUJARAT POLLUTION CONTROL BOARD

J. B. Pandya

(J.B. Pandya)

I/c Unit Head

Date: /11/2024

No-GPCB/CCA-KUTCH-1655(2)/ID 72346/

Issued to:

M/s. Emami Agrotech Limited,

Plot No. 49, Location-2,

SIPC, Ps-Kandla Marine Police Station, Kandla,

Tal: Gandhidham, Dist: Kutch -370 210.

Copy To:

- 1) Executive Engineer,
Electric Electrical Division,
Nirman Bhavan, Ground Floor,
New Kandla - 370 210.....

You are requested to reconnect electricity **for three months** from date of issue of this order to **M/s. Emami Agrotech Limited** located at Plot no. 49, Location-2, SIPC, Ps - Kandla Marine Police Station Kandla, Tal: Gandhidham, Dist: Kutch and intimate to us accordingly.

For and on behalf of
GUJARAT POLLUTION CONTROL BOARD

J. B. Pandya

(J.B. Pandya)

I/c Unit Head

(22/22)

Outward No: 9262/2024