

REPORT OF THE JOINT COMMITTEE

**IN THE MATTER OF ORIGINAL
APPLICATION NO. 361/2024 (PB)**

**(MUKESH KUMAR APPLICANT VERSUS STATE OF
MAHARASHTRA)**

**IN COMPLIANCE WITH ORDER OF
HON'BLE NGT, PRINCIPAL BENCH,
NEW DELHI, DATED 01.07.2024**

**FOR SUBMISSION TO
HON'BLE NATIONAL GREEN TRIBUNAL,
WESTERN BENCH, PUNE**

**REPORT OF THE JOINT COMMITTEE IN THE MATTER OF
ORIGINAL APPLICATION NO. 361/2024 (MUKESH KUMAR
APPLICANT VERSUS STATE OF MAHARASHTRA) IN
COMPLIANCE WITH ORDER OF HON'BLE NGT, PRINCIPAL
BENCH, NEW DELHI, DATED 01.07.2024**

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1.0 BACKGROUND

This Original Application registered in exercise of Suo Moto jurisdiction of Hon'ble NGT on the basis of a letter petition dated 22.02.2024 sent by Shri Mukesh Kumar R/o BS 133 Shalimar Bagh, Delhi.

Hon'ble NGT (Principal Bench) passed following order on 01.07.2024:

"We accordingly substitute a joint committee comprising Maharashtra State Pollution Control Board, Central Pollution Control Board, District Magistrate/Collector, East Andheri Mumbai and a representative of Additional Chief Secretary, Dept of Environment, Maharashtra. District Magistrate/Collector shall be nodal agency for coordination and compliance.

The said committee shall visit site, collect relevant information and submit a factual report within two months with the Registrar, Western Bench, Pune of this Tribunal. As the matter relates to State of Maharashtra and is within jurisdiction of Pune Bench."

The copy of the aforesaid order is provided as **Annexure-I**.

2.0 CONSTITUTION OF JOINT COMMITTEE

In compliance with the aforesaid order dated 01.07.2024, the joint committee was constituted as

| Name of Member | Department/Board |
|---------------------------|--|
| Shri. Rajendra Kshirsagar | District Magistrate, Mumbai Suburban. |
| Shri Vishal Madane | Under Secretary, Environment Department Govt.of, Maharashtra. |
| Shri Rajendra Patil | Scientist E, Central Pollution Control Board, Pune. |
| Shri. Ravindra Andhale | Regional Officer, Maharashtra Pollution Control Board, Mumbai. |

Scope of the Joint Committee:

As per the aforesaid order, the joint committee was directed to *visit* site, collect relevant information and submit a factual report within two months with the Registrar, Hon'ble NGT Western Bench, Pune.

The committee visited the unit/site in question i.e. M/s Bright Star Chemicals, Andheri, Mumbai on 04.09.2024. The owner (-Mrs Panjawani) of the unit was not available during the visit . Shri Ajay Kumar Yadav Supervisor co-ordinated the visit of the committee and provided the information to the Committee.

3.0 OBSERVATIONS AND FINDINGS:

- 3.1 The said unit is located in Keytuo Industrial estate, Andheri (East), Mumbai. The area of the unit is 343.10 Square meter. Copy of property card enclosed as **Annexure-II**. As informed, the unit is in existence since more than 45 years.
- 3.2 Name of Unit was not displayed at the site. As informed, Owner of the land/shed is Mr. Kanti Bhai Shah from whom it has been taken on lease by Mrs Panjwani, and operating the Acid repacking unit. However, document related to the lease have not been provided to the Committee.
- 3.3 The unit has obtained Consent to Operate (CTO) from MPCB for repacking of Sulfuric and Hydrochloric acid. Copy of Consent is attached as **Annexure-III**.
- The name of the unit as per the Consent issued by MPCB is M/s Bright Star Chemicals.
 - The consent to operate was renewed by MPCB on 15.07.2021, which is valid up to 30.04.2026.
 - The unit is categorized under Red Category.
 - The unit is only consented for repacking of fresh acids - Hydrochloric Acid & Sulfuric Acid.
- 3.4 It is informed by the Supervisor that Acid is received through tankers from the Acid Traders to the Unit and same is unloaded in tanks and 200 liter barrels. Later as per the demand they are supplied to the local vendors in 40 liter carboys which is mostly used for the cleaning of the jewelry and other products. The loading and reloading of Acid is done by plastic pipes by way of gravity by the workers. The controlling mechanism to avoid the spillages through overflowing is not provided.
- 3.5 About 18 barrels (200 liters each) of Sulfuric Acid, 20 barrels of Nitric Acid and 25 barrels of Hydrochloric Acid were found stored in the shed and outside the shed. Also more than 50 carboys (40 liter) were also found stored outside premises and alongside the road used for transportation.
- 3.6 As per the copies of Invoices produced by the Unit,
- The Hydrochloric Acid is procured from M/s Raj Chemical, Acid and Chemical Merchants, Thane (W)
 - Nitric Acid is procured from M/s Abhishek Enterprises, Santacruz (E), Mumbai and
 - Sulphuric Acid is procured from, Bhandup (W), Mumbai
- 3.7 The unit is consented only for repacking of Hydrochloric Acid & Sulphuric Acid. However, the unit was illegally storing and repacking Nitric Acid.
- 3.8 Water is taken through the tanker and stored in the 20 KL Syntex tank and some barrels which is then used for the washing of the barrel/carboys. It was informed by

the supervisor of the industry that washing of the barrel and carboys is done in back side of the storage shed in open area. The contaminated washing water is drain out on the open land. The unit has not provided any treatment plant to treat the effluent generated during washing. As per the consent issued by MPCB, no trade effluent is being generated by the unit.

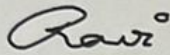
- 3.9 Noticeable acid fumes were observed inside the shed wherein the Acid was stored and repacking activity was carried out. The intensity of these fumes was very high and these can be noticed by naked eyes and also associated with smells. Also fumes were emanating from the storage tank. The industry has not provided fume extraction system followed by air pollution control devices (scrubbers) neither for the loading / unloading area nor at the acid storage and repacking area. Standards for the Acid Mist in Ambient air has been prescribed in the consent issued by MPCB. However, till the time no such monitoring was conducted by the unit.
- 3.10 The industry has not provided acid proof tiles in the acid handling & storage areas and also dyke wall is not provided to collect spillages in case happened during handling of acids.
- 3.11 The safety gears were not as provided to the workers involved in acid handling and repacking activities.
- 3.12 The unit doesn't have emergency management plan in case of any accident. Neither SOP nor any instructions boards were seen at the site. Even firefighting arrangement were not available at the site.
- 3.13 Copy of the joint inspection report is enclosed as **Annexure-IV**.
- 3.14 Neighboring industrial representatives informed that heavy acid fumes during loading and unloading of acids are observed. The iron/metallic structures of the neighboring industry such as gates, grill, outer unit of ACs, ladders, etc. are observed to be corroded due to this acid fumes from this unit. Photographs given in as **Annexure-V**.

4.0 CONCLUSION:

- 4.1 M/s Bright Star Chemicals is categorized under 'Red Category' and having Consent for repacking of fresh acids - Hydrochloric Acid & Sulphuric Acid. The unit is illegally handling Nitric acid without permission in the consent.
- 4.2 The unit has **not provided** any infrastructure for environmental safeguard in terms of:
 - Acid mist extraction and air pollution control devices thereby release of fumes in the Ambient Air impacting the human health and metallic structures located around.

- Acid proof tiles to handle the spillages of acid on ground and ETP thereby release of contaminated acidic wastewater on ground without any treatment which may contribute to the soil and groundwater pollution.
- Acid handling, storage, transferring is done in crude manner and hence the risk of accident is very high.

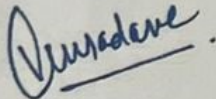
4.3 MPCB has initiated action against the industry by issuing Proposed Direction dated 05/09/2024 under Section-33A of the Water (Prevention and Control of Pollution) Act, 1974 and under Section 31A of the Air (prevention and control of Pollution) Act, 1981. Copy of the proposed directions is attached as **Annexure-VI**



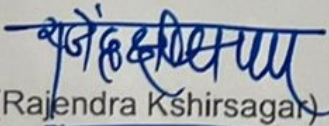
(Ravindra B Andhale)
Maharashtra Pollution Control Board,
Regional Officer, Mumbai



(Rajendra Patil)
Scientist E,
Central Pollution Control Board, Pune



(Vishal Madane)
Under Secretary, Environment Department
Government of Maharashtra.



(Rajendra Kshirsagar)
Collector & District Magistrate,
Mumbai Suburban District.

ANNEXURE-I

Item No.08

Court No. 2

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 361/2024

Mukesh Kumar

Applicant

Versus

State of Maharashtra

Respondent

Date of hearing: 01.07.2024

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: None

Respondent: None

ORDER

1. This original application under Sections 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as '**NGT Act, 2010**') has been registered in exercise of *suo moto* jurisdiction on the basis of a letter petition dated 22.02.2024 sent by Mukesh Kumar R/o BS 133 Shalimar Bagh, Delhi.

2. Complainant has alleged that there is acid mixing facility operating in Keytuo Industrial Estate, Andheri East, Mumbai. Complex where facility is operating has been mentioned in complaint as B-6 Bhim Nagar Road MIDC Industrial Estate Kandivita Andheri East, Maharashtra.

3. Complainant has further stated that above acid mixing facility has no safety checks, pollution control devices, protocols, and no emergency measures in case of disasters. Industrial estate is in heart of corporate area of Andheri East, less than 2 km from international airport, behind

Chakla (I.B Nagar) and many offices are housed there at. Complainant when visited site found that yellow smoke was coming out and on closer inspection found that nearby steel grills and shutters have been damaged with effluents/ acidic vapours emanating from said plant. People residing near the said unit, complained of face burning, sensation in eyes and breathing problems. Steel affixed on nearby buildings have started rusting due to acidic vapours and environment is being damaged in various ways. Certain photographs have been appended to the complaint showing severe damage caused to iron structures in nearby areas and other pollution being caused due to operation of said facility.

4. In these facts and circumstances, we are satisfied prima facie that substantial question of environment has arisen due to implementation of scheduled enactments under NGT Act, 2010 but before taking any further action in the matter, we find it appropriate to verify facts by constituting a committee comprising local and statutory authorities.

5. We accordingly substitute a joint committee comprising Maharashtra State Pollution Control Board, Central Pollution Control Board, District Magistrate/Collector, East Andheri Mumbai and a representative of Additional Chief Secretary, Dept of Environment, Maharashtra.

6. District Magistrate/Collector shall be nodal agency for coordination and compliance.

7. The said committee shall visit site, collect relevant information and submit a factual report within two months with the Registrar, Western Bench, Pune of this Tribunal. As the matter relates to State of Maharashtra and is within jurisdiction of Pune Bench. Therefore, Registry

is directed to transmit record of this original application to Western Zonal Bench, Pune for further proceedings.

8. List this matter for further proceedings on 06.09.2024 before appropriate Bench.

Sudhir Agarwal, JM

Dr. Afroz Ahmad, EM

July 01, 2024
Original Application No. 361/2024
AB

ANNEXURE-II

महाराष्ट्र शासन मालमत्ता पत्रक

PU-ID: 88536849417

[महाराष्ट्र जमीन महसूल (माच. नगर व शहर भूमापन) नियम, 1969 यातील नियम 7 नमुना "ड"]



| | | | | | |
|--------------------|------------|--|----------------|------------|---|
| गाव/पेट: कोंदीविटा | | तालुका न.भू.क्र.: नगर भूमापन अधिकारी, विलेपार्ले | | | जिल्हा: मुंबई उपनगर |
| नगर भूमापन क्रमांक | शिफ्ट नंबर | प्लॉट नंबर | क्षेत्र चौ.मी. | धारणाधिकार | शासनाला दिलेल्या आकाराची किंवा भाड्याचा तपशील आणि त्याच्या फेरतपासणीची नियत वेळ |
| 224 | | | 343.10 | सी | र.क्र.10044-00 दि.1-8-79पासून |

| | |
|---------------------|---|
| सूचिधाधिकार: | |
| हकाचा मूळ धारक: | H |
| वर्ष: | के.सु.क्रेमीकरण लिमिटेड खरेदीने र.क्र.91638.00 ता. 9.1.64 एस.अर्लीव्हू आणि इतर दोन कडून. |
| पट्टेदार: | |
| इतर भार: | |
| इतर शेर: | |

| दिनांक | व्यवहार | खंड क्रमांक | नविन धारक(घा), पट्टेदार(प) किंवा भार (इ) | साक्षात्करण |
|------------|--|-------------|--|--|
| 25/08/1972 | मा.उपविभागीय अधिकारी मुंबई उपनगर यांचेकडील क्रमांक DLN LND B42क दिनांक 5-4-72 अन्वये सि.स.न.224,225,227,229,206,207 व 211मिळून सुधारित विन.शेतीमारा हातये 1674 हा दिनांक 1-8-1971 पासून लागू केला | | | सही. 29/08/1972 न.भू.अ.क्र.4मुंबई |
| 08/07/1974 | सि.स.न. 220 प्रमाणे | | E स्टेड वॉक ऑफ इंडिया डोहा रकम हातये 5,25,524.99 की मोंड कंपनी | सही. 29/07/1974 न.भू.अ.क्र.4मुंबई |
| 22/02/1984 | उ.कि.अधि.सु.उ.मुंबई यांचेकडील क.ए.डी.सी.एल.एन.डी.सी.42 दि.15-11-81 प्रमाणे सुधनवाटकी वि.शे.मारा नोंद घेतली. | | | सही. 22/02/1984 न.भू.अ.क्र.9 मु.उ.कि.मुंबई |
| 19/11/2015 | मा.क्रमावडी आयुक्त आणि संचालक भूमि अधिलेख (म.रा.क्य.) पुणे यांचेकडील परिपत्रक क्र.मा.भू.1 सि.प.अधरी नोंद २०१५ पुणे दि.१६.००.१५ क इकडील अधि.क्र.न.भू.००४ फे.क्र.१०६ दिनांक १२.११.२०१५ अन्वये वेळळ कोकणी मोंडवडीवरील क्षेत्र व मिळकत पत्रिकेवरील क्षेत्र वेळळत असलेले मिळकत पत्रिकेदार नमूद अर्की क्षेत्र अधरी सीमशे वेळळीस भूशांक एक प्रशांश की सी वाचल केले. | | | क्रमांक क्र. 123 प्रमाणे सही. 19/11/2015 न.भू.अ. विलेपार्ले |

ही मिळकत पत्रिका (दिनांक 13/03/2020 12:03:00 AM रोजी) डिजिटल स्वाक्षरी केली आहे

MAHARASHTRA POLLUTION CONTROL BOARD

Phone : (022) - 24016239

Fax : (022)- 24015269

Email : romumbai@mpcb.gov.in

Visit At : <http://mpcb.gov.in>



Regional Office, Mumbai,
Kalpataru Point, 1st Floor, Sion Circle,

Sion (E), Mumbai- 400 022

ANNEXURE-III

Cat (Red)/Scale (SSI)

Consent No: Format 1.0/BO/RO -Mumbai/UAN No.112473/R- 2107000917 Date 15/07/2021

To,

M/s. Bright Star Chemicals,
Ketuo Chem Compaund, Kondivaita Lane,
A K Road, Andheri (E), Mumbai – 400 059

Sub: - Renewal of consent to Operate under Red Category.

Reference: 1. Consent No. ROMUMBAI/CONSENT/1810000171, dtd., 04.10.2018
2. Application vide UAN No 0000112473

For 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 (M & T M) 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 Operate is valid up to – 30.04.2026.

2. Capital investment as per CA Certificate- Rs. 20/- lakhs.

3. The Consent is valid for the manufacture of –

| Sr. No. | Product / By-Product Name | Maximum Quantity | UOM |
|---------|---|------------------|-----|
| 1. | Repacking of Hydrochloric Acid & Sulphuric acid (Only Fresh acids, without spent acid) | As per order | -- |

4. Conditions under Water(P&CP),1974Actfordischargeof effluent:

| Sr No | Description | Permitted (in CMD) | Standards to | Disposal Path |
|-------|-------------------|--------------------|-------------------|---------------|
| 1. | Trade effluent | Nil | As per Schedule-I | -- |
| 2. | Domestic effluent | 01.50 | As per Schedule-I | MCGM Drain |

5. Conditions under Air(P&CP)Act,1981forairemissions:

| Sr No. | Stack No. | Description of stack / source | Number of Stack | Standards to be achieved |
|--------|-----------|-------------------------------|-----------------|--------------------------|
| 1. | S1 | Nil | -- | As per Annexure-II |

M/s. Bright Star Chemicals /RO-Mumbai/UAN No. 0000112473

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OK 9

6. Non-Hazardous Wastes:

| Sr No | Type of Waste | Quantity | UoM | Treatment | Disposal |
|-------|---------------|----------|-----|-----------|----------|
| 1 | Nil | - | --- | -- | -- |

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

| Sr No | Category No./ Type | Quantity | UoM | Treatment | Disposal |
|-------|--------------------|----------|-----|-----------|----------|
| 1. | Nil | -- | -- | -- | -- |

8. Conditions under Batteries (Management & Handling) Rules, 2001:

| Sr No | Type of Waste | Quantity | UoM | Disposal Path |
|-------|---------------|----------|-----|---------------|
| Nil | | | | |

9. Conditions under E-Waste Management: (Not Applicable)

| Sr No | Type of Waste | Quantity | UoM | Disposal Path |
|-------|---------------|----------|-----|---------------|
| Nil | | | | |

10. Treatment and Disposal of Biomedical Waste generated to CBMWTSDF: (Not Applicable)

| Sr.No | Category | Type of Waste | Quantity not to exceed (Kg/M) | Segregation Color coding | Treatment & Disposal |
|-------|----------|---------------|-------------------------------|--------------------------|----------------------|
| Nil | | | | | |

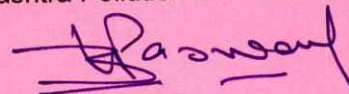
11. The Board reserves the right to review, amend, suspend, revoke etc. this consent and the same shall be binding on the industry.

12. Industry shall comply with the conditions of Restart Orders issued vide dtd 18.02.2021

13. This consent should not be construed as exemption from obtaining necessary NOC/permission from any other Government authorities.

14. The applicant shall make an application for renewal of consent to operate 60 days prior to the date of expiry of the consent.

For and on behalf of the
Maharashtra Pollution Control Board



(Satish Padwal)

I/c, Regional Officer, Mumbai

Received Consent fee of –

| Sr. No. | Amount (Rs.) | Transaction . No. | Date | Drawn On |
|---------|--------------|-------------------|------------|-----------------|
| 1. | 7,500/- | TXN2104000906 | 10.04.2021 | Online transfer |

Copy to:

1. The Assistant Secretary (Technical), Mumbai,
2. Sub-Regional Officer –Mumbai-II
- They are directed to ensure the compliance of the consent conditions
3. Chief Accounts Officer, MPCB, Mumbai.

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Basant

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

1. Industrial effluent: -
 - a. Industrial effluent generation and details of the treatment installed (Primary followed by tertiary treatment) – **Nil**

2. Domestic water: -
 - a. Details of the domestic water generation and treatment system provided- **01.50 CMD** treatment system septic tank and Soak Pit.
 - b. Treatment and parameters

| | | | |
|-------------------|---------------|-----|-------|
| Suspended Solids | Not to exceed | 100 | mg/l. |
| BOD 3 days 27° C. | Not to exceed | 30 | mg/l. |
 - c. Treated industrial waste water disposal details (CETP/Secondary treatment/**Soak pit/overflow sewerage system provided by MCGM**)

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 and or 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 | 00.00 |
| 2. | Domestic purpose | 02.00 |
| 3. | Processing whereby water gets polluted & pollutants are easily biodegradable | 00.10 |
| 4. | Processing whereby water gets polluted & pollutants are not easily biodegradable and are toxic | 00.00 |
| 5. | Others: i) Gardening | 00.00 |

Water used for Gardening should be treated effluent/sewage.

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.

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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 also erected following stack (s) and to observe the following fuel pattern-

| Sr. No. | Stack Attached To | APC System | Height in Mtrs. | Type of Fuel | Quantity & UoM | SO ₂ Kg/Day |
|---------|-------------------|------------|-----------------|--------------|----------------|------------------------|
| 1 | Nil | -- | -- | -- | -- | -- |

2. The applicant shall operate and maintain above mentioned air pollution control system, so as to achieve the level of pollutants to the following standards:

| | | |
|-------------------------|---------------|------------------------|
| Particulate matter | Not to exceed | 150 mg/Nm ³ |
| SO ₂ Process | Not to exceed | NA |

3. Standards for Ambient Air Quality (AAQ)

| | | |
|-------------------|---------------|------------------------|
| PM _{2.5} | Not to exceed | 60 µg/NM ³ |
| PM ₁₀ | Not to exceed | 100 µg/NM ³ |
| SO ₂ | Not to exceed | 80 µg/NM ³ |
| NO _x | Not to exceed | 80 µg/NM ³ |
| Acid Mist | Not to exceed | 35 µg/NM ³ |

4. The applicant shall provide specific Air Pollution control equipment's as per the conditions of EP Act, 1986 and rule made there under from time to time/Environmental Clearance/CREP guidelines.
5. The Applicant shall obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement well before its life come to an end or erection of new pollution control equipment.
6. 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).

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

| <i>Sr. No</i> | <i>Consent (C2R)</i> | <i>Amt of BG Imposed</i> | <i>Submission Period</i> | <i>Purpose of BG</i> | <i>Compliance Period</i> | <i>Validity Date</i> |
|---------------|----------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|----------------------|
| 1. | Consent to Operate | 10,000 | 15 days | Compliance of consent to conditions | Continuous | 31.08.2026 |

(Existing to be extended)

BG Forfeiture History

| <i>Srno</i> | <i>Consent (C2E)</i> | <i>Amount of BG imposed</i> | <i>Submission Period</i> | <i>Purpose of BG</i> | <i>Amount of BG Forfeiture</i> | <i>Reason of BG Forfeiture</i> |
|-------------|----------------------|-----------------------------|--------------------------|----------------------|--------------------------------|--------------------------------|
| NA | | | | | | |

BG Return details

| <i>Srno</i> | <i>Consent(C2E)</i> | <i>BG imposed</i> | <i>Purpose of BG</i> | <i>Amount of BG Returned</i> |
|-------------|---------------------|-------------------|----------------------|------------------------------|
| NA | | | | |

-----0-----

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 MoEFCC, 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 equipment, 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).
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. Consumers or bulk consumers of electrical and electronic equipment listed in Schedule I shall ensure that e-waste generated by them is channelized through collection centre or dealer of authorised producer or dismantler or recycler or through the designated take back service provider of the producer to authorised dismantler ore cycler
34. Bulk consumers of electrical and electronic equipment listed in Schedule I shall maintain records of e-waste generated by them in Form-2 and make such records available for scrutiny by the concerned State Pollution Control Board

35. Consumers or bulk consumers of electrical and electronic equipment listed in Schedule I shall ensure that such end-of-life electrical and electronic equipment are not admixed with e-waste containing radioactive material as covered under the provisions of the Atomic Energy Act, 1962 (33 of 1962) and rules made thereunder;
36. Bulk consumers of electrical and electronic equipment listed in Schedule I shall file annual returns in Form-3, to the concerned State Pollution Control Board on or before the 30th day of June following the financial year to which that return relates. In case of the bulk consumer with multiple offices in a State, one annual return combining information from all the offices shall be filed to the concerned State Pollution Control Board on or before the 30th day of June following the financial year to which that return relates.

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Inspection Report

Date: 4/9/2024

Time: 12.30 hrs

As per Hon'ble NGT order dtd 1.7.2024 in O.A. No 361/2024, Mukesh Kumar v/s State of Maharashtra, joint committee is constituted. The committee comprises of

- District Magistrate/ collector
- Central Pollution Control Board
- Dept. of Env. Dept.
- M.P.C. Board

The joint Committee visited to m/s Bright Star chemicals located at Kento Chem compound, AK Rd. Andheri (E) Mumbai - 40059. on dtd 4/9/2024 at 12.30 hrs. Industry found in operation with repacking of Acids activity.

Acid is brought through tankers. The same is unloaded into 200 lit Carboys

and further ~~is~~ transferred into 20 lit, 50 lit & 100 lit Jars. The same is then distributed to their parties.

About ~~78~~ drums of Sulphuric Acid are found stored in shed. No exhaust ^{system} is provided to this shed. The loading activity is carried out through gravity with the use of pipe. No pumps are used during the process.

Total drums: 18 Nos. of H_2SO_4
20 — " — HNO_3
25 — " — HCl

About 63 Nos. of drums

Industry representative reported that drum washing are carried out. However, no provision is made for the treatment of effluent generated from washing activities

No proper arrangement is made to control the acidic fumes/emissions.

Material is also stored outside the unit premises. Acidic fumes are observed in outside storage area.

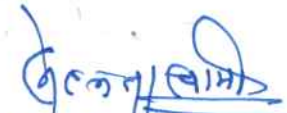
Joint Committee also interacted with nearby industry persons, they also confirmed the trouble from acidic fumes. Also the adjacent metallic structure found rusted.

The owner of the industry was not present at the time of visit. As per telephonic discussion with them, the visit is carried out in presence of industry representative Shri Ajaykumar Yadav. Relevant documents were not available at the time of visit. Joint committee asked to submit all the

relevant documents immediately.



(Rajendra Patil)
Scientist 'E'
CPCB

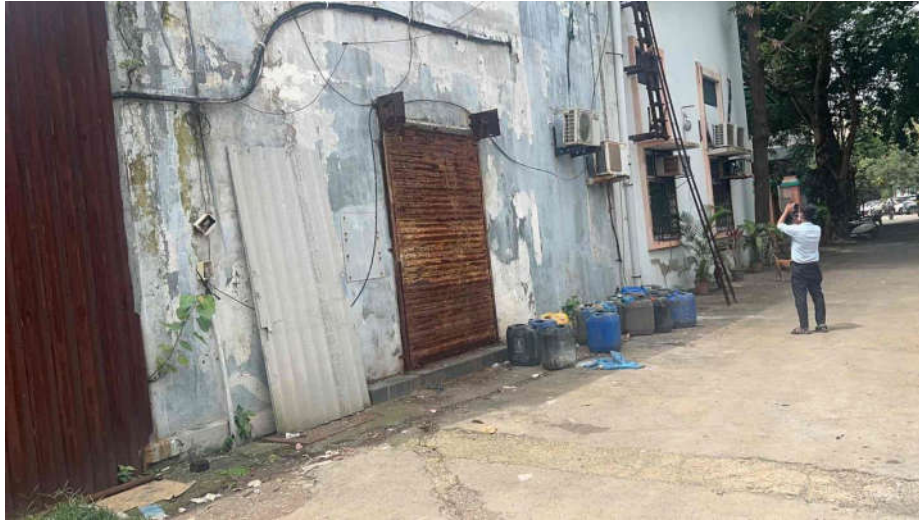

(Snehlata Swarni)
Tahasil dar



(Ravindra Aardhale)
Regional officer
MPC Board Mumbai



(Vishal Madane)
Under Secretary
Env. Dept.



Corroded shutter and ladder In front of the unit premises




Corroded window grill of the adjacent industry



Industrial shed and haphazard storage of Carboys



Storage of drums outside premises

| MAHARASHTRA POLLUTION CONTROL BOARD | | |
|-------------------------------------|--|---|
| Phone : | (022)- 25505928 |  |
| Fax : | (022)- 25505926 | |
| Email : | romumbai@mpcb.gov.in | |
| Visit At : | http://mpcb.gov.in | |
| | | Kalpataru Point, 2 st floor, Sion- Matunga Scheme Road No. 8, Opp. Cine Planet Cinema, Near Sion Circle, Sion (E), Mumbai - 400 022 |

"Your Service is our Duty"

No: MPCB/ROM/PD/TB - 2409050002

Date: 09/09/2024

To,
 M/s. Bright Star Chemicals,
 Ketuo Chem Compound, Kondivita Lane,
 A K Road, Andheri(E), Mumbai 400059.

Sub: Proposed directions u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974 31A of the Air (Prevention & Control of Pollution) Act, 1981

Ref: 1. Consent granted by the Board vide dtd 15/07/2021, valid up to 30/04/2026.
 2. Visit of Board officials vide dtd. 04/09/2024

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WHEREAS, the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 and Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 are applicable to the State of Maharashtra as declared in official gazette.

AND WHEREAS, it is obligatory on your part to obtain Consent from the M. P. C. Board. AND, it is also obligatory on your part to provide adequate Water & Air pollution control arrangements so as achieve the prescribed standards under the Environment Act & Rules and not to cause nuisance of pollution in the surrounding area.

AND WHEREAS, complaint was received against your industry & Board officials has visited your industry vide reference 2 above & reported following non-compliance;

1. During visit, Acidic fumes are noticed emitting into Environment from the storage materials.
2. You have stored acid Carboys in open space from which smell nuisance generating in the nearby area.
3. You have not provided acid proof tiles for storage area and not provided dyke wall.
4. You have not installed propose arrangement viz. scrubber at transfer point of the material.
5. You have not provided pumps for loading unloading. It is (Acids) transferred through pipes by gravity.
6. You have not provided arrangement for collection of spillages.

..2..

..2..

7. You have not provided proper exhaust system to storage shed.
8. Adjacent structure found rusted.
9. No documents were available at the time of visit.

AND WHEREAS, this shows your negligent attitude towards compliance of provision of environmental enactments.

NOW THEREFORE, in exercise of the power confirmed by the Board upon me u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974 & u/s 31A of the Air (Prevention & Control of Pollution) Act, 1981 following proposed direction are issued against your unit as to –

1. Why your existing activity shall not be closed down?
2. Why the competent authorities shall not be directed to disconnect water & electricity supply for closing down activity.
3. Why legal action shall not be initiated against your activity for violations of above Consent conditions

Your reply shall reach this office from the receipt of these directions within a period of 7 days, failing which, appropriate action will be initiated against your industry, which please note.

For and on behalf of
Maharashtra Pollution Control Board


(Ravindra B Andhale)
Regional Officer, Mumbai

Copy submitted to:-

1. Asst. Secretary (Tech.), MPC Board, Sion, Mumbai – for information.

Copy to:

- 1) Sub Regional Officer, MPC Board, Mumbai -II
- He is directed to serve copy of direction to industry, take necessary follow-up towards compliance of the direction and submit Action taken report.
- 2) Master File.