

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
Original Application No.46/2024**

Mr. Madhusudan SharmaApplicant

v/s

Gayatri Constructions & Ors.Respondents

Status report in compliance of the order dated 16/2/2024 passed by the Hon'ble NGT on behalf of Maharashtra Pollution Control Board.

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1. Applicant has made a Compliant dated 7/2/2024, which was registered by this Hon'ble Tribunal as Original Application bearing No. 46/2024. The Applicant alleged that M/s Gayatri Construction & M/s JPFL Flim Pvt. Ltd. have illegally installed RMC Plant at Mundhegaon, Tq. Igatpuri, Dist. Nashik, which is causing air pollution and without obtaining Consent to Establish from the Maharashtra Pollution Control Board. Further, the complainant alleged that due to their negligent approach, a fire broke out in the premises of Respondent No.2 M/s JPEL Films Ltd., wherein several people got injured & some died.

2. This Hon'ble Tribunal vide order dated 16/2/2024 directed the Maharashtra Pollution Control Board to submit the report as to the truthfulness of the contents of the aforesaid complaint & the action taken at their end.

3. Earlier a News Item was published in "The Hindu" dated 2/1/2023 titled "Two Workers killed, Seventeen injured in Nashik Chemical Factory fire" was registered by the Hon'ble National Green Tribunal, Principal Bench, New Delhi bearing Original Application No.28/2023, wherein, the Hon'ble NGT vide Order dated 23/1/2023 directed M/s.Jindal Polyfilms (JPFL)-PP to deposit a compensation of Rs.25 crores for the damage to the environment to State Pollution Control Board. Being aggrieved by the said NGT Order dtd.23/1/2023, M/s.JPFL preferred an Appeal bearing No.1865/2023 against the MPCB & Ors. before the Hon'ble Supreme Court of India, wherein, the Hon'ble Supreme Court of India vide Order dated 29/3/2023 directed to M/s.JPFL to deposit Rs.1 crore to the Registry of the Hon'ble Supreme Court of India within a period of one month and directed to MPCB to submit a report with regard to the environment damage. Accordingly, MPCB has constituted a Committee comprising of District Magistrate, Regional Officer & Sub-Regional Officer of MPCB, Technical Expert of CPCB, NEERI and Joint Director of DISH. The matter is pending.

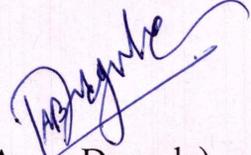
4. In compliance of the Hon'ble NGT order dated 16/2/2024, the officials of the Respondent-MPCB at Nashik visited to the aforesaid site on 6/3/2024 & observed as under:
- i. At the time of visit, the RMC Plant was not in operation.
 - ii. The RMC Plant is located at the corner of M/s. JPFL near CP2 Plant backside for Captive purpose.
 - iii. The Plant is partially covered by tin sheet Barricading.
 - iv. The Industry has provided shed (Tin Sheet) for the material storage and provided water sprinkling arrangement for wetting the raw material. The conveyor belt is covered with tin sheet to avoid dust emissions. They have also provided tin sheet cover to the mixing section.
 - v. They have provided closed shed for storage of cement and Pakka concrete flooring partly near the mixing area. They have also provided water sprinkling manually inside the premises. They have provided concrete collection & settling tank for the mixer washing water. The said water after settling is reused again for sprinkling.
 - vi. There is no complaint received from any resident inside the factory colony or outside regarding Air Pollution due to RMC Plant. The only complaint received by the applicant who is not resident nearby but awarded & terminated contractor from M/s.JPFL as informed by the representative of the industry. A copy of the visit report dated 6/3/2024

alongwith Photographs is enclosed herewith and marked as an **Annexure-‘A’**.

5. MPCB has granted Consent to Establish and Operate on 7/3/2024 to M/s.Gayatri Construction & Solutions, Igatpuri, Nashik for ready mix concrete by imposing penal charges subject to certain terms & conditions. A copy of the Consent to Establish and Operate dtd.7/3/2024 granted by MPCB is enclosed herewith and marked as an **Annexure-‘B’**.

For & on behalf of the
Maharashtra Pollution Control
Board

Place:Nashik
Date: 15.03.2024


(Amar Durgule)
Sub-Regional Officer
MPCB-Nashik

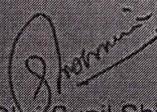
Visit Report

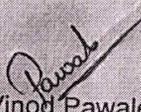
Name of Industry – M/s. Gayatri Construction (RMC Plant) located inside the Premises of M/s. JPFL Films Pvt Ltd. Mundhegaon, Tal- Igatpuri, Dist-Nashik.

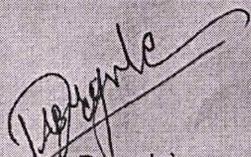
Date Of visit- 06.03.2024

Observation-

1. At the time of visit the RMC Plant was not in operation.
2. The Prop. Of M/s. Gayatri Construction Shri Sunil Shinde informed that the RMC plant is installed for captive purpose for the constructions of internal construction work of shed & internal roads in the premises of M/s. JPFL Films Pvt Ltd. Mundhegaon, Tal- Igatpuri, Dist- Nashik.
3. The plant is operated as per the requirement of RMC material during the construction.
4. M/s. JPFL has awarded the contract to M/s. Gayatri Construction since 2020 for internal construction work & issued Purchase order time to time as per the work basis.
5. During the visit Ready mix Concrete is not in operation. The Board has granted consent to operate to the industry on 07.03.2024 which is valid up to 31.12.2026 by imposing penal charges.
6. The Plant is partially cover by tin sheet Barricating.
7. The industry has provided shed (Tin Sheet) for the material storage and provided. Water sprinkling arrangement for wetting the raw material.
8. The conveyor belt is cover with tin sheet to avoid dust emissions.
9. Provided tin sheet cover to the mixing section.
10. Provided closed shed for storage of cement.
11. Provided Pakka concrete flooring partly near the mixing area.
12. Provided water sprinkling manually inside the premises.
13. Provided concrete collection & settling tank for the mixer washing water. The said water after settling is reused again for sprinkling.
14. They is no complaint received any resident inside the factory colony or outside regarding Air Pollution due to RMC Plant.
15. The Only complaint maid by the applicant who is not resident nearby but awarded & then after terminated contract from M/s. JPFL as informed by the representative of industry authority.


(Shri Sunil Shinde)
The Prop. Of M/s. Gayatri
Construction


(Vinod Pawale)
Field Officer, SRO Nashik


(Amar Durgule)
Sub regional Officer, Mpcb
Nashik

Conveyor belt cover by Tin Sheet



Screen cover by Tin Sheet



Collection Tank



Water sprinklers at Raw material



MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 0253 - 2365161
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 Website: <http://mpcb.gov.in>
 Email: sronasik@mpcb.gov.in



Udyog Bhavan, First Floor,
 Trimbak Road, Near ITI,
 Satpur, Nashik - 422007

GREEN/S.S.I (G37)
 No:- Format1.0/SRO/UAN
 No.0000183557/CO/2403000842

Date: 11/03/2024

To,
GAYATRI CONSTRUCTION AND SOLUTIONS
 339,C/o JPFL Films Pvt Limited (Premises), village
MUNDHEGAON
IGATPURI,Nashik-Nashik



Sub: Application for grant of consent to Establish and operate in Green category

Ref: Earlier consent granted vide No.0000183557/co/2403000641

Your application No.MPCB-CONSENT-0000183557 Dated 08.10.2023

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 and Rule 18(7) 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:

- The consent to operate is granted for a period up to 31/12/2026
- The capital investment of the project is Rs.1.03 Crs. (As per C.A Certificate submitted by industry Existing CI is-Rs. Crs + Expansion/Increase in C.I. - Rs. Crs)
- Consent is valid for the manufacture of:

Sr No	Product	Maximum Quantity	UOM
Products			
1	READY MIX CONCRETE(Captive plant for JPFL Pvt.Ltd,)	800	m3/month

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

Sr No	Description	Permitted (in CMD)	Standards to	Disposal Path
1.	Trade effluent	0.09	As per Schedule-I	Recycle 100% to achieve ZLD
2.	Domestic effluent	0.04	As per Schedule-I	Soaked in soak pit

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

Sr No.	Stack No.	Description of stack / source	Number of Stack	Standards to be achieved
NA				

6. **Non-Hazardous Wastes:**

Sr No	Type of Waste	Quantity	UoM	Treatment	Disposal
1	NA	0	--NA--	0	0

Solid waste from transit mixture washing, muck (debris/sludge) generated from RMC shall either be reused through recovery unit/ Reclaiming system OR disposed off at a designated approved site by local body, for debris / construction waste.

7. **Conditions under Hazardous & Other Wastes (M & T M) Rules 2016 for Collection, Segregation, Storage, Transportation, Treatment and Disposal of hazardous waste:**

Sr No	Category No./ Type	Quantity	UoM	Treatment	Disposal
NA					

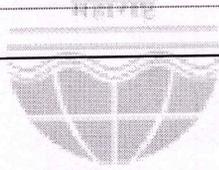
8. The consent is issued subject to direction issued by CPCB under section 18(1) (b) of Water (Prevention and Control of Pollution) Act, 1974, regarding classification of Industries dated 07th March 2016.
9. Operation of RMC plant shall be in daytime only. The Day time is reckoned in between 6 a.m. and 6 p.m. i.e. from sun rise to sunset.
10. The Board may make the standards stringent for the RMC/batching plants located within Corporation areas.
11. Commercial plants shall install continuous ambient air quality monitoring station (CAAQMS) within the premises.
12. Captive plants shall carryout ambient air quality monitoring twice in a week for 24 hours.
13. The industry shall comply with the siting criteria as per RMC Notification dtd 16.10.2016.
14. The entire RMC Plant should be enclosed.
15. Industry shall provide covering at all the emission generating points.
16. The Board reserves the right to review, amend, suspend, revoke etc. this consent and the same shall be binding on the industry.
17. This consent should not be construed as exemption from obtaining necessary NOC/permission from any other Government authorities.
18. The applicant shall make an application for renewal of consent to operate 60 days prior to the date of expiry of the consent.
19. This consent should not be construed as exemption from obtaining necessary NOC/ permission from any other Government authorities.
20. The applicant shall make an application for renewal of consent 60 days prior to date of expiry of the consent. (Operate/Renewal)
21. This consent is issued as per deligation of powers issued vide office order no. 12/2020 dtd 23/12/2020
22. Operation of RMC plant shall be in day time only. However in notified MIDC area, notified industrial parks, outside corporation area timing are not applicable. The Day time shall mean from 6 a.m. to 10 p.m.
23. The industry strictly follows the Guidelines for Ready Mix Concrete Plant (RMC) for sitting criteria of RMC Plant in the State of Maharashtra as per notification dated 7/11/2016.
24. This consent should not be construed as any exemption from obtaining necessary NOC from other Govt. agencies / local bodies as may deemed fit necessary.

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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.

This certificate is digitally & electronically signed.



SCHEDULE-I

Terms & conditions for compliance of Water Pollution Control:

- 1. A] As per your application, you have segregated trade effluent into weak stream & strong stream and provided Effluent Treatment Plant (ETP) comprising of:
 - i) **Strong COD/TDS stream of CMD** - Treatment system comprising of Primary (Primary after stmt).
 - ii) **Weak COD/TDS stream of CMD** - Treatment system comprising of .
- B] The Applicant shall operate the effluent treatment plant (ETP) to treat the trade effluent and recycle the entire treated effluent into the process for various purposes such as for cooling, process & Scrubbing with metering system so as to achieve Zero Liquid Discharge. There shall be no discharge on land or outside factory premises.
- C] The Industry shall ensure connectivity online monitoring system to the MPCB server including separate energy meter for pollution control system.
- D] The treated effluent shall be recycled for secondary purposes to the maximum extent and remaining shall be discharged on land for gardening within premise after confirming above standards. In no case, effluent shall find its way for gardening / outside factory premises.

- 2. A] As per your application, you have provided Septic Tank followed by Soak pit for the treatment of 0.04 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	50
2	BOD 3 days 27°C	Not to exceed	30
3	COD	Not to exceed	100

- C] The treated sewage shall be recycled for secondary purposes to the maximum extent and remaining shall be discharged on land for gardening within premise after confirming above standards. In no case, sewage shall find its way for gardening / outside factory premises.
- 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 there of & 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:

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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.

SCHEDULE-II
Terms & conditions for compliance of Air Pollution Control:

Not Applicable

SCHEDULE-III
Details of Bank Guarantees:

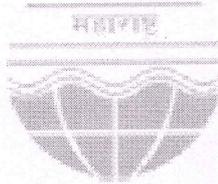
Sr. No	Consent (C2E/C2O/C2R)	Amt of BG Imposed	Submission Period	Purpose of BG	Compliance Period	Validity Date
1	CTO	50000	31/03/2024	Compliance of consent conditions	31.05.2024	31/03/2027

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

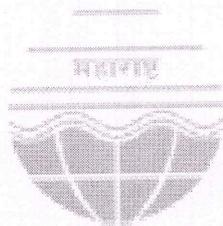
Srno.	Consent (C2E/C2O/C2R)	BG imposed	Purpose of BG	Amount of BG Returned
NA				



Sr. No.	Purpose for water consumed	Water consumption quantity (CMD)
1.	Industrial Cooling, spraying in mine pits or boiler feed	2.00
2.	Domestic purpose	1.00
3.	Processing whereby water gets polluted & pollutants are easily biodegradable	15.00
4.	Processing whereby water gets polluted & pollutants are not easily biodegradable and are toxic	0.00
5.	Gardening	00

Water consumption is for process mixing

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.



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).
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.

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- 25. The applicant shall make an application for renewal of consent 60 days prior to date of expiry of the consent. (Operate/Renewal)
- 26. This consent override effect to the earlier consent granted vide No. Earlier consent granted vide No.0000183557/co/2403000641 dated 07/03/2024



[Handwritten Signature]

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de20a348
b57224ab

Signed by: Shri.Amar Durgule
Sub Regional Officer
For and on behalf of,
Maharashtra Pollution Control Board
sronashik@mpcb.gov.in
2024-03-11 12:18:26 IST

Received Consent fee of -

Sr.No	Amount(Rs.)	Transaction/DR.No.	Date	Transaction Type
1	15000.00	TXN2310001229	09/10/2023	Online Payment
2	15000.00	TXN2402002952	14/02/2024	Online Payment
3	30000.00	TXN2403001230	07/03/2024	Online Payment

Copy to:

- 1. Regional Officer, MPCB, Nashik
- 2. Chief Accounts Officer, MPCB,Sion, Mumbai

