

**BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE**

APPEAL NO. 8/2020 (WZ)

IN THE MATTER OF:

MAHENDRA S. KAKULE

... APPELLANT

VERSUS

GOA STATE POLLUTION CONTROL

BOARD & ORS.

...RESPONDENT

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FILED THROUGH:



Place:
Date: 23.03.2022

Adv. Ruchira Gupta
Counsel for the Respondent no. 1
E-31(Basement), Jangpura Extension,
New Delhi-110014
Mobile; 981035033
Email: ruchira@chambersofrg.com

BEFORE THE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH, PUNE

APPEAL NO. 8/2020 (WZ)

IN THE MATTER OF:

MAHENDRA S. KAKULE

...APPELLANT

VERSUS

GOA STATE POLLUTION CONTROL BOARD & ORS.

...RESPONDENTS

**STATUS REPORT IN TERMS OF THE ORDER DATED 14.12.2021
ON BEHALF OF RESPONDENT NO 1, GOA STATE POLLUTION
CONTROL BOARD**

I, Dr. Shamilla Monteiro, daughter of Shri Augusto Monteiro, aged about 50 years, Indian National, r/o House No. 5, Uttam Dharshan, Oppo. Sai Baba Temple, Kadamba Plateau, Chimbhel, Tiswadi-Goa, do hereby on solemn affirmation, state as under:

1. That I am holding the post of Member Secretary in Goa State Pollution Control Board and being well conversant with the facts of the present case, am competent to depose by way of the present affidavit.

2. That the subject matter is pending adjudication before this Hon'ble Tribunal wherein the Respondent No. 1 has filed its detailed reply affidavit, the contents whereof be treated as part of the present status report and are not being repeated herein for the sake of brevity. It has interalia been stated in the reply that the Unit had stopped its operation since 17.12.2020.



3. That the present status report is being filed in terms of order dated 14.12.2021 passed in the subject matter, to bring on record the facts and events which have transpired after filing of the reply affidavit by Respondent No.1.

4. That the Respondent No. 2 applied to the Respondent Board for issuance of Consent to Establish installation of Dry Carbon Collector/Scrubber vide application dated 07/05/2021 which was granted by the Respondent Board vide Consent to Establish Order dated 31.05.2021, valid upto Commissioning of the unit or 6 months whichever was earlier. The Consent Order did not permit the unit to commence operations but only permitted the installation of the Dry Carbon Collector/Scrubber.

The true copy of the Consent to Establish Order installation of Dry Carbon Collector/Scrubber issued to the Respondent no. 2 by the Answering Respondent Board, dated 31.05.2021 is marked and annexed as **Annexure A.**

5. The Respondent Board vide letter dated 01/07/2021 informed the Appellant that it had issued the aforesaid Consent to Establish (CTE) Order dated 31.05.2021 to the Respondent no.2. The Appellant/Complainant submitted an objection dated 16/07/2021 to CTE dated 01.07.2021 and the Respondent Board granted a personal hearing in the matter to the Appellant and the Respondent no. 2 on 03/08/2021. Thereafter the Appellant submitted a detailed Objection dated 03/08/2021.

A true copy of the letter dated 01/07/2021 issued by the Respondent Board to the Appellant is herewith marked and annexed as **Annexure B.**

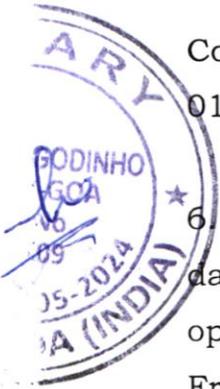
The true copies of the Objections raised by the Appellant/ Complainant dated 16/07/2021 and 03/08/2021 to the letter dated 01.07.2021 is herewith marked and annexed as **Annexure C.**

6. That the Respondent No. 2 thereafter submitted an application dated 12/08/2021 for Consent to Operate (CCA-Expansion) for the operation of Dry Carbon Collector/Scrubber. An inspection of M/s French Bakery was conducted by the Inspecting Official of the Respondent Board on 17.08.2021 and Inspection Report was prepared. The report of inspection indicates that the unit had installed the Dry Carbon Collector/Scrubber, installed a 1.5.HP motor and increased the stack height of the Oven of the unit to 15 meters. The report also stated that the Unit was not in operation.

The true copy of the Application submitted by respondent No. 2 to the Respondent Board, dated 12.08.2021 is herewith marked and annexed as **Annexure D.**

The true copy of the Inspection Report dated 17.08.2021 is herewith marked and annexed as **Annexure E.**

7. That the Respondent Board, in its 148th Board Meeting dated 07.09.2021, under agenda no. 6 'Bakery Units of capacity < 1MT/day using wood fired oven' discussed that the Board gets many complaints with regard to traditional Bakery using fire wood specially in cities where there are adjoining high rise buildings and dense population. It was also informed that the bakeries operating <1MT/day with gas/electric ovens are categorized as Green category where as capacity > 1 MT/day using wood fired oven in Orange category. Further, bakery units of >1 MT/day using wood as fuel are to be categorised under orange as the score calculated by TAC is between 40 to 60. (43.75). After due deliberation, the members of the board approved to categorise these units under orange and direct all bakeries operating in the city with wood fired oven to switch over to



gas/electric ovens over a period of one year and rest may be permitted to switch on to electric oven/gas oven over a period of 2 years on case to case basis.

The true copy of the relevant part of the 148th Board Meeting dated 07.09.2021 is herewith marked and annexed as **Annexure F.**

8. That vide Order dated 05.11.2021, the Respondent Board issued Consent to Operate(Expansion) to M/s French Bakery for Trial Operation of Dry Carbon Collector/Scrubber, 1.5HP motor valid for a period of one month from the date of issue of the Consent. The unit was permitted to operate only for the period of 1 month in order to test the efficiency of the Dry Carbon Collector/Scrubber.

The true copy of the Order dated 05.11.2021 issued by the Respondent Board is herewith marked and annexed as **Annexure G.**

9. In order to test the efficiency of the installed Dry Carbon Collector/Scrubber; officials of the Board conducted Stack Monitoring of both the ovens installed in the unit on 6.12.2021 and 08.12.2021. The Reports of Analysis indicate that the Total Particulate Matter (TPM) emitted from the Ovens of the unit after passing through the Dry Carbon Collector/Scrubber is within the permissible limits.

It may be also noted that the Board has conducted Stack monitoring on 13/01/2020 & 21/01/2020 prior to installation of Dry Carbon Collector/Scrubber and further Board has also conducted stack monitoring after installation of Dry Carbon Collector/Scrubber of the both ovens installed by the unit. It is observed that there is 32% reduction in PM Parameters in oven 1 and 62% reduction of total particulate parameters in oven 2.

The true copy of the Stack Monitoring Report/Analysis reports dated 13.01.2020 and 21.01.2020 conducted by the Answering

Board prior to the installation Dry Carbon Collector/Scrubberis herewith marked and annexed as **Annexure H.**

The true copy of the Stack Monitoring Report/Analysis Reports dated 06.12.2021 and 08.12.2021 conducted subsequent to the installation of Dry Carbon Collector/Scrubberby the Answering Board is herewith marked and annexed as **Annexure I.**

10. That in the 149th Meeting of Goa State Pollution Control Board held on 21.12.2021 it was clarified with respect to Agenda No. 6 'Bakery Units of capacity < 1MT/day using wood fired oven' of the 148th meeting held on 07.09.2021, the decision of the Board be read as under:

"Further bakery units of <1MT day using wood as fuel are to be categorised under orange as the score calculated by TAC is between 40-60 (43.75)."

The true copy of the relevant pages of 149th Meeting of Goa State Pollution Control Board held on 21.12.2021 is being annexed herewith as **Annexure J**

11. That the Consent to Operate dated 05.11.2021 which was valid for one month has since expired. However, the Respondent no. 2 unit had applied for renewal of the Consent operate (CCA-Expansion) for the operation of Dry Carbon Collector/Scrubbervide application dated 07/2/2022. The same has not been granted by the Board; however the Board through its officials, conducted a site inspection of the unit on 08/02/2022 during which time the unit was found to be in operation. The concerned Officials directed Respondent No. 2 to immediately stop its operation. Accordingly, Directions dated 15/03/2022 were issued to the Respondent unit directing it to stop the operations of the unit in terms of the Boards earlier directions dated 16/12/2020 and to show cause as to why action should not

be initiated by the Board against the unit for violation of the said directions.

The true copy of the Application for renewal of the Consent Operate (CCA-Expansion) for the operation of Carbon Dust Scrubber Machine, dated 07.02.2022 received by the Answering Board from the Respondent no.2 unit is herewith marked and annexed as **Annexure K.**

The true copy of the Inspection Report of the Respondent no. 2 Unit conducted by Answering Board, dated 08.02.2022 is herewith marked and annexed as **Annexure L.**

The true copy of directions dated 15/03/2022 is herewith marked and annexed as **Annexure M.**

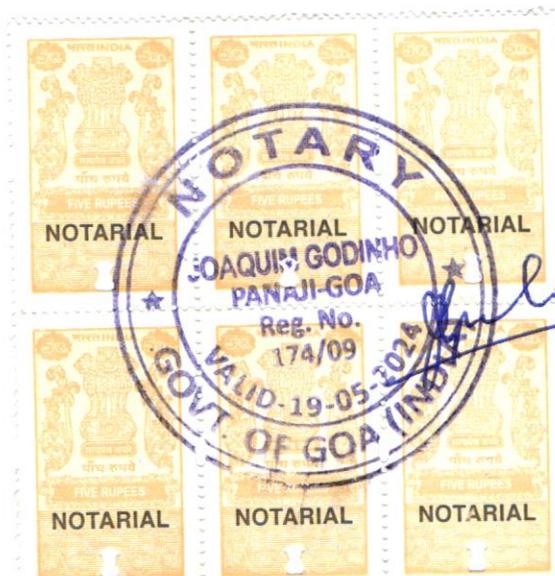
12. That the annexures to the present affidavit are true copies of their respective originals.

DEPONENT
Member Secretary
Goa State Pollution Control Board

VERIFICATION:

Verified in Panaji on this 22nd day of March 2022 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and as per the records maintained by Goa State Pollution Control Board. No part of it is false and nothing material has been concealed therefrom.

DEPONENT
Member Secretary
Goa State Pollution Control Board



SOLEMNLY AFFIRMED AND VERIFIED BEFORE ME
Dr. Shamila Monteiro,

WHO IS IDENTIFIED BEFORE ME

BY ADV.

WHOM I KNOW Personally known

SERIAL NO. 9800 DATED 22/03/2022

VALID UPTO 19-05-2024

JOAQUIM GODINHO-NOTARY-PANAJI-GOA

GOA STATE POLLUTION CONTROL BOARD**गोंय राज्य प्रदूषण नियंत्रण मंडळ**

(An ISO 9001:2015, ISO 14001:2015. OHSAS 18001:2007 Certified Board)

Phone Nos : 0832- 2407700,
2407701,
2407702
Tel/Fax No: 0832- 2407700



Email Ids:
Chairman, GSPCB, chairman-gspcb.goa@nic.in
Member Secretary, GSPCB, ms-gspcb.goa@nic.in
Environment Engineer, GSPCB, ee-gspcb.goa@nic.in
Scientist, GSPCB, scientist-gspcb.goa@nic.in
Office, goapcb@gspcb.in

No.12/2021-PCB/898616/G0007160

Date: 31st May 2021

Consent to Establish under Section 26 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981.

[To be referred as Water Act and Air Act respectively]

Consent to Establish is hereby granted to:

M/S. FRENCH BAKERY
(Represented by Mr. Mario Gil Remy Gomes)
(Green Category)
(Expansion of the unit)

Aquem, Alto, Margao, Salcete Goa.

Located in the area declared under the provisions of the Water Act and Air Act, subject to the provisions of the Act and the Rules and the Orders that may be made further and subject to the following terms and conditions:

1. The Consent to Establish is valid upto Commissioning of the unit or 6 months which ever is earlier.
2. This Consent is valid for the installation of:

Sr. No.	Description	Quantity
01.	Dry Carbon Collector Scrubber	-----

3. CONDITIONS REQUIRED TO BE COMPLIED UNDER THE WATER ACT:

- (i) The daily quantity of industrial effluent from the unit shall not exceed **NIL.**
- (ii) The daily quantity of effluent from the unit (*sewage & sullage*) shall not exceed **0.10 KLD.**
- (iii) **Domestic Effluent treatment and Disposal:-**
The domestic wastewater shall be treated in a properly designed septic-tank and discharged on land for percolation through soak-pit of adequate size within the premises.

(iii) A good house-keeping shall be maintained within the unit premises. All pipes, valves and drains shall be maintained in leak-proof condition. Floor washings shall be maintained to the effluent collection system only and shall not be allowed to find way in open areas.

(iv) **Non-Hazardous Solid Waste:**

All the Solid wastes arising in the premises shall be properly classified and disposed off to the satisfaction of the Board.

The total quantity shall be segregated and treated as follows:

Sr. no.	Type of segregated solid waste	Quantity	Disposal
1	Solid Waste (Ash)	5 Kg/day	Sold as manure

4. **CONDITIONS REQUIRED TO BE COMPLIED UNDER THE AIR ACT:**

(i) The unit shall take adequate measures for control of noise levels from its own sources within the premises in respect of noise. The limits are as follows

Category of Area/ Zone	Limits in dB (A) Leq	
	Day time	Night time
Industrial Area	75	70
Commercial Area	65	55
Residential Area	55	45
Silence Zone	50	40

Day time is reckoned between 6 a.m. to 10 p.m. and night time is reckoned between 10 p.m. to 6 a.m.

5. **GENERAL CONDITIONS:**

- i. The domestic waste water shall be treated in a property designed septic tank and discharged on land for percolation through soak pit of adequate size within the factory premises.
- ii. The applicant shall not change or alter the quantity, the rates of discharge, temperature and the mode of disposal of the effluent without previous written permission of the Board.
- iii. The applicant shall provide facilities for collection of the samples to the Board staff.
- iv. Stack heights for a (Diesel generator set(s) shall be as follows:
 Diesel Generator set(s): The minimum height of the stack to be provided with each generator shall be as per the formula $H = h + \sqrt[0.2]{KVA}$ where H = total height of the
 (a) stack in meters, h = height of the building in meters where the generators is installed and KVA = total generator capacity of the set in KVA.
 (b) The generator shall be installed in a closed area with a silencer and suitable noise absorption systems so as to comply with the ambient noise level standards as mentioned below:
 (c) The ambient noise level shall not exceed 75 dB (A) at a distance of 5 meters from the source.

- v. The applicant shall provide ports in the chimney / stack and facilities such as ladder, platform etc. as per the directions of Pollution Control Board for monitoring the air emissions and the same shall be open for inspection and use the Board's staff. The chimney / stack attached to various sources of emissions shall be designated by numbers such as S-1, S-2, etc. and these shall be painted/ displayed to facilitate identification.
- vi. The industry shall implement the following Rules and Regulations notified by the Ministry of Environment and Forests, Govt. of India.
- a) Hazardous and other Wastes (Management And Transboundary Movement) As amended Rules, 2018;
 - b) Manufacture, storage and Import of Hazardous Chemicals Rules, 1989;
 - c) Rules for the Manufacture, Use, Import and Storage of Hazardous Micro – organism / - Genetically Engineered Organisms or Cell, 1989.
- vii. There shall not be any perceptible odour outside the industrial premises.
- viii. All the Rules and Regulations notified by the Ministry of Environment and Forests, Govt. of India in respect of noise pollution control measures shall be followed to avoid nuisance to public.
- ix. Notwithstanding anything contained in this conditional letter of consent, the Board hereby reserves its right and powers under section 27(2) of the Water (Prevention and Control of Pollution) Act 1974 and under section 21(4) of the Air (Prevention and Control of Pollution) Act 1981 to review any or all the conditions imposed hereby.
- x. Any change in the details made after the submission of the application/ after obtaining the Consent to Establish shall be brought to the notice of the Board immediately.
- xi. This Consent to Establish is granted without any prejudice to any other permissions(s) required under any laws, bye – laws and regulations in force.
- xii. The unit should obtain permission from the Forest Department/ Wild Life Board wherever applicable.
- xiii. The unit should implement rain water harvesting and ground water re-charge measures in consultation and approval of the Water Resource Department, Government of Goa and Directorate of Industries, Trade and Commerce, Government of Goa, before submitting an application for Consent to Operate.
- xiv. The unit/ generator shall be responsible for safe and scientific collection, transportation, treatment and disposal of Bio-Medical Waste as per the provisions made under the Bio-Medical Waste Management Amended Rules, 2018. Any activity as defined under BMW Rules has to obtain a separate Authorization from Goa State Pollution Control Board.

The unit should obtain all permissions / approvals as required under the prevalent Rules / Acts in force.

- xvi. The unit shall apply for Consents to Operate of the Board as required under section 25(1) (b & c) of the Water (Prevention and Control of Pollution) Act, 1974 and under section 21 of the Air (Prevention and Control of Pollution) Act, 1981 in the prescribed application form, 45 days before commissioning of the plant
- xvii. Reliable flow meter shall be installed to maintain record of water consumption / waste water consumption per day. This records so maintained shall be made available to the Board officials whenever required.
- xviii. The unit shall submit returns for disposal of batteries under the Batteries (*Management & Handling*) Rules 2001, *if applicable*.
- xix. The unit shall submit returns for disposal of e-waste under the E-Waste Management Amended Rules 2018, *if applicable*.
- xx. The unit shall submit returns for disposal of plastic waste under the Plastic Waste Management Amended Rules 2018, **as applicable**.
- xxi. The unit shall comply with the Guidelines and DUST Mitigation measures in handling Construction material and C & D waste issued by central Pollution Control Board and are placed on Board website goaspcb.gov.in.
- xxii. The unit shall provide a stack of one meter above the roof of the nearest building.

To,
M/S. FRENCH BAKERY,
C/o. Mr. Mario Gil Remy Gomes,
H. No. 305, Near French Bakery, Aquem, Alto, Margao, Salcete Goa.

Copy to: - 1 Accounts Section 2 Concerned File 3 Guard File

Received Consent fee of: **The capital Investment of the unit is Rs. 5, 03, 700/-**

Challan no.	Amount	Date
1530	Rs. 1200/- (NOC fees)	13/05/2021

NANDAN Digitally signed
 by NANDAN
PRABHU PRABHUDESSAI
 Date: 2021.05.31
DESSAI 11:40:47 +05'30'

(Nandan V. Prabhudessai)
 Assistant Environmental Engineer
 For Goa State Pollution Control Board

GOA STATE POLLUTION CONTROL BOARD

गोंय राज्य प्रदूषण नियंत्रण मंडळ

(An ISO 9001-2015, ISO 14001:2015. OHSAS 18001:2007 Certified Board)

Phone Nos. : 0832-2407700
2407701, 2407702
2407703

Tel/Fax No. : 0832-2407700



Email Ids:

Chairman, GSPCB: chairman-gspcb.goa@nic.in
Member Secretary GSPCB: ms-gspcb.goa@nic.in
Environment Engineer, GSPCB: ee-gspcb.goa.nic.in
Scientist, GSPCB: scientist-gspcb.goa@nic.in
Office: goapcb@gspcb.in

No. 1/20/21-PCB/FLM-18291/Tech/5350

Date: 1/07/2021

To,
Mr. Mahendra S. Kakule,
Caculo House, Near Aquem
Post-Office,
Margao-Goa.

Sub: Regarding Consent to Establish (Expansion) for installation of dry
Carbon Collector Scrubber.

Ref to: Pollution appeal No. PA/1/2020/Air in Misc. Apln.No. 95/2020/stay/poll/ap
(French Bakery V/s. GSPCB & ors)

Sir,

With reference to the above cited subject, this is to inform you that the copy of the consent to establish issued by the Board to M/s. French Bakery vide order no. 12/2021-PCB/898616/G0007160 dated 31/05/2021, for installation of dry Carbon Collector Scrubber, is enclosed herewith for your information.

Yours faithfully,


(Dr. Shamila Monteiro)
Member Secretary
Goa State Pollution Control Board

Copy to:

- 1) Office copy
- 2) Guard file

MAHENDRA S. KAKULE

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ANNEXURE

'C' Colly

B.E. (CIVIL), M.Sc. (Real Estate Val.)
F.I.V., M.I.E., M.I.C.A.

Chartered Engineer, Registered Valuer, Arbitrator

Office : Caculo House, Near Aquem Post Office,
Margao, Goa. Ph : +91 9325806264
Mbl : +91 9822485550

E-mail : mcaculo@gmail.com

Branch : Off. No. 2, 2nd Floor,
El-Dorado Plaza,
Near Market, Panaji, Goa.
Ph : +91 7972953531

Liston
Nandan
1
2017

Date : 16/07/2021

Regd Ad

To,
The Member Secretary,
Goa State Pollution Control Board,
Near Saligao Seminary,
Saligao – Goa

Madam,

Sub : Consent to Establish issued to French Bakery situated in Aquem –
Margao vide Letter bearing no. 1/20/21-PCB/FLM-18291/Tech/5350
dated 1/7/21.

I am in receipt of your letter with reference to the above mentioned
subject, I request you to kindly hold a personal hearing in the matter
either physically or through video conferencing so that I am afforded a
reasonable hearing in the matter, in keeping with the principles of natural
justice. In the meantime I request you to keep the said order for Consent
to Establish in abeyance.

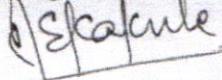
ASK

Further, I also wish to inform you that installing of carbon dry scrubber will not be a sufficient measure in preventing smoke from directly entering my residential premises. Also, various illegalities and irregularities committed by the Bakery have already been elaborated in detail in the Expert Report dated 28/9/20 which has already been produced before the Board and the contents of which have already been appreciated by the Board. The said Expert Report may be deemed to be a part and parcel of this letter and is not produced before the Board again for the sake of brevity.

The Board had issued a Conditional Consent to the unit and had directed the Bakery to shift to electric ovens and due to failure of the unit to comply with the same, closure order was issued to the unit. In light of the above I request you to kindly enforce the closure order. The grant of Consent to Establish a carbon dry scrubber seems to be a patent contradiction to the Board's own findings and is against the intent of the Board's own closure order wherein the Board had specifically closed down the unit for its failure to install electric ovens. I submit that installing a carbon dry scrubber would be an exercise in futility in the present case where the unit is situated in a densely populated urban residential area with my residential house being located barely 4m from the said bakery.

Grave prejudice and serious injury will be caused to my family and me if the closure order is not enforced and if the Consent to establish is not kept in abeyance. If any decision averse to my interest is taken, I will be left with no recourse but to approach the Hon'ble National Green Tribunal to enforce my fundamental right to life.

Regards,



Mahendra Kakule

OBJECTIONS WITH RESPECT TO GRANT OF CONSENT TO ESTABLISH VIDE
NO. 1/20/21-PCB/FLM-18291/Tech/5350 dated 1/7/2021 ISSUED BY
GSPCB TO M/S. FRENCH BAKERY

1) Background and Sequence of Events:

A complaint was filed in the Goa State Pollution Control Board (GSPCB) by Shri Mahendra Kakule (complainant) against M/s French Bakery located at Aquem, Margao, (Goa) on 19/02/2018 for emitting air pollutants directly affecting his residential property. Due to lack of appropriate response for more than 6 months, another complaint was filed on 17/09/2018. The gist of the matter is as follows:

- 1) The bakery in question under the name of "French Bakery" (hereinafter also referred to as "the Unit") is situated in a densely populated residential area (within the limits of Margao Municipal Council) at a distance of only about 4 m from the Appellant's Residential Property near Aquem Post Office in Margao City, Goa.
- 2) The production capacity of the Bakery is 250 kg of bread per day (As per GSPCB's inspection reports) and it operates with two wood fired ovens consuming 80 Kg of fire wood per day, as per GSPCB's Inspection Reports. Further, as per the latter, said ovens are fired at 10am, 3pm, 4.30pm and 9pm on a daily basis 365 days a year.
- 3) The smoke emitted through the chimneys of the Ovens spreads out and flows (depending on wind pattern) even at the ground floor level, directly towards the residence of the complainant, threatening the health and well being of his family. The said Chimneys are made of sub-standard steel sections tied by wires to the roof and loosely secured extension joints allowing free escape of smoke and pollutants through the same. The entire Chimney arrangement is unscientific and crude. Moreover, the workers are engaged in rampant fire wood cutting and dumping of live "coal/ashes" from the ovens within the bakery's compound very close to the complainant's house. This causes additional uncontrolled "smoke/dust" emissions and nuisance directly affecting the complainant's house.
- 4) The area surrounding the Unit is densely populated and numerous buildings (up to 5 floors high) are seen in the neighborhood (photos are



attached for ready reference). Hence it is obvious that even a better chimney arrangement is not a solution to abate health hazards to the residents of the locality and in particular the complainant who resides barely 4m from the said unit and suffers extraordinary damage due to the operations of the unit.

- 5) The sequence of events since the complainant filed his first complaint with the GSPCB:
- i) The first complaint was filed way back in February 2018. When the GSPCB took cognizance of the case after the first complaint, it was found that the unit was functioning without GSPCB's Consent to Operate (CTO) for decades since its establishment, in blatant violation of the Air Act (1981) and Water Act (1974). This called for immediate action to issue Directions under Sections 33 A (Water Act) and 31 A (Air Act) for prompt closure of the Unit (pending enquiry).
 - ii) However, the GSPCB only conducted a delayed site inspection on 16/04/2018. Based on this site inspection report and a further delay of three and half months the GSPCB issued Directions to the Unit (under Section 33A of Water Act 1974 and 31A of Air Act 1981) on 30/07/2018. These Directions allowed the Unit to continue functioning without CTO and without any provision to control the continuing illegal and hazardous emissions. The Unit was directed to either increase the height of the MS sheets provided along the complainant's house above the Chimney level or increase the height of the Chimneys above the complainant's house within 3 months of issue of the Directions i. e. by 30/10/2018! The Unit was also asked to apply for Consent to Operate (CTO) within seven days from the date of issue of Directions.
 - iii) As the measures suggested in the directions issued by GSPCB on 30/07/2018 failed to reduce the pollution and consequent health hazards caused, the complainant filed another complaint on 17/09/2018 placing the said facts before the Board. Thereafter, the GSPCB conducted another site inspection (after 2 months) on 08/11/2018 and based on this issued a Show Cause Notice (SCN) to the Unit (under section 31A of Air Act 1981 and section 33A of Water Act 1974) on 04/01/2019, after a further delay of 2 months!

Through this SCN specific directions were given to the Unit to switch over from fire wood ovens to electric oven within 6 weeks, without giving any other option with respect to the existing chimneys. This proves that the GSPCB is convinced that the directions dated 30/07/2018 were not sufficient to abate health hazards even if fully complied with. Further, in their subsequent inspections carried out on 24/09/2019, 30/10/2019, 21/11/2019 and 20/12/2019, the GSPCB has confirmed that the directions dated 30/07/2018 were not satisfactorily complied with.

- iv) The complainant had also lodged a complaint (on 08/10/2018) with the Urban Health Centre, Dept. of Health Services (DHS), Govt. of Goa (Margao) against the health nuisance caused by the Unit. In response, through their letter dated 12/10/2018 addressed to the GSPCB, the UHC (DHS) has also confirmed that the smoke emitted by the Unit is a nuisance and health hazard to the residents surrounding the Unit. This reiterates the complainant's claim that the directions issued by the Board on 30/07/2018 have failed to control the smoke emissions and consequent health hazards caused due to the activities of the unit.
- v) The Unit issued an undated reply to the SCN (due latest by last week of Jan 2019) which claimed that it had already acted to comply with the directives of the SCN. Apparently the said undated reply was filed before the Board on 19/02/2019, much beyond the 15 day period granted in the SCN to file the reply. Through this reply, the Unit falsely claimed that they had raised the height of chimneys to 11.5 m and sealed the leaking joints of the same to prevent escape of smoke.
Further, the owner of the Unit expressed his inability to switch to electric oven giving unconvincing reasons related to financial constraint and bread quality.
- vi) On account of failure of the GSPCB to dispose of the said SCN the complainant was constrained to file a Writ Petition in the Hon'ble High Court seeking directions to dispose off the same. Surprisingly, the GSPCB instead of reprimanding the Unit for its blatant disregard for the directions in the SCN rewarded it with a conditional CTO dated 27/06/2019 valid for 6 months by ignoring the complaint of the Appellant. The CTO once again stipulated that the Unit should control smoke and switch over from fuel wood ovens to electric oven (within a period of one year) for considering any extension of CTO.



- vii) The Hon'ble High Court was pleased to dispose off the Petition, vide Order dated 17/07/2019, based on the affidavit filed by the Member Secretary (GSPCB) in which she placed the CTO on record. The MS was directed to monitor the Unit (monthly) during the initial consent period of 6 months and take a decision to extend the CTO (for a further period of 6 months) only on satisfactory compliance of the consent conditions. Furthermore, the Unit was directed to shift over from wood fired ovens to electric oven before the expiry of one year's time, as per CTO Condition No. 6. The HC Order also granted liberty to the complainant to file an appeal before the Appellate Authority against the CTO.
- viii) The Appellate Authority in its Judgment dated 17/12/2019 was pleased to dismiss the Appeal no. 3/2019/ AIR and Misc. Appln. No. 68/2019/Stay/Poll, without appreciating the danger of granting a conditional CTO to the defaulting Unit emitting hazardous smoke in a densely populated urban zone and the continuous failure of the same to comply with the statutory directions given by the GSPCB. Pertinent to note that the said order of the Appellate authority maintained the condition no. 6 of the consent to operate. The relevant part of the judgement reads as follows: "*In my considered opinion, the GSPCB has granted reasonable time to the unit to shift to electric ovens.*"
- ix) Aggrieved by the said order of the Appellate Authority, the complainant filed an Appeal against the Judgement of the Appellate Authority in the Hon'ble National Green Tribunal vide Appeal no. 8/2020 (WZ). The said appeal is pending.
- x) In the ensuing period, the one year time granted to the unit to shift to electric ovens expired on 27/06/2020, and the unit once again brazenly refused to comply. This compelled the GSPCB to conduct another inspection on 29/06/2020 based on which another Show Cause Notice (No. 10/1/20-PCB/Leg/8399 dated 02/09/2020) was issued (hereinafter referred to as SCN-2), after a further delay of two months!
- xi) The unit filed its reply to the said SCN-2 on 11/9/20 stating that the emissions are within permissible limits even with the use of wood fired ovens and despite the fact that the chimney height is less than that of the surrounding buildings, that there is no environmental pollution or health hazard and to waive off consent condition no. 6.

The unit had also filed another letter on 8/6/2020 requesting the Board to waive off consent condition no. 6. **Pertinent to note that the Board had specifically refused to waive off the said consent condition no. 6, and the relevant clause of the Board's order is reproduced below:**

"Though the emission monitoring at your unit is within limits, the possibility of the smoke causing nuisance to the surrounding buildings cannot be ruled out as their height is greater than the chimney height. This was the primary reason to direct the unit to shift to electric ovens and under the circumstances it would be appropriate to direct the unit to stop operations."

- xii) Subsequently, the Board vide Directions bearing no. 10/1/20-PCB/Leg/12892 dated 27/10/2020 had noted that *"The operation of the Bakery commences at dawn at around 3 to 4am in the morning and the possibility of the smoke disturbing the residents in the early morning hours prior to sunrise cannot be ruled out. The smoke generating nuisance for the neighbour and as a final opportunity you are directed to submit a Bank Guarantee and action plan to shift to electric ovens within 15 days failing which the operations of the unit would be stopped immediately"*
- xiii) Subsequently, vide Closure Order bearing number 10/1/20-PCB/Leg/16546 dated 16/12/2020 the Board had directed the unit to stop operations for failing to comply with the consent condition no. 6 of shifting to electric ovens within a period of one year. **It bears mentioning that the one year time granted by the Board had expired on 27/6/2020. However, closure order was issued on 16/12/2020, after a further delay of almost 6 months!** Nevertheless, in the said closure order the Board had noted that *"The unit is located within the city limits of Margao Municipality and is surrounded by buildings including the complainant and that the Board had given ample time for the unit to shift to electric ovens"* which the unit had brazenly refused to comply with.
- xiv) In the ensuing period, the unit filed an Appeal before the Administrative Tribunal against the directions of GSPCB dated 27/10/2020 in Pollution Appeal no. PA/1/2020/Air in Misc. Apln. No. 95/2020/stay/poll/ap. Pertinent to note that in the said Appeal, the unit once again prayed to set aside the consent condition no. 6 by which the unit was directed to shift to electric ovens.



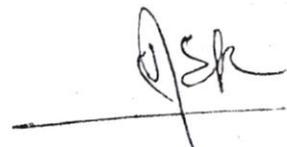
- xv) Surprisingly, instead of ensuring that the unit complied with the direction to shift to electric oven, the GSPCB vide Letter bearing no. 1/20/21-PCB/FLM-18291/Tech/5350 dated 1/7/2021 issued a Consent to Establish (Expansion) for installing a dry carbon collector scrubber to the unit. The Complainant being aggrieved by the grant of the said CTE raises objections to the same as elaborated below.

Objections to CTE bearing no. 1/20/21-PCB/FLM-18291/Tech/5350 dated 1/7/2021 :

The complainant most respectfully states that :

- i) Since the unit was closed down to replace wood fired ovens with electric ovens ,the question of its "Expansion" does not arise until it is granted a fresh consent after installing electric ovens. Failure to install the same was the primary reason to issue Closure Order.
- ii) The Board under the garb of issuing a fresh CTE cannot seek to circumvent the very condition for which closure direction was issued. The grant of CTE to that extent would indicate arbitrary use of powers, resulting in miscarriage of justice.
- iii) The CTE is against the intent of the Board's own closure notice where the unit was specifically closed down by the Board by noting that the emitted smoke was a source of nuisance to the complainant. The grant of CTE would not only amount to mockery of the Board's own findings but would also amount to abuse of the process of law.
- iv) The CTE is not in consonance with the conclusions arrived at by the Board in its closure notice. Pertinent to note that the Board had conducted more than 8 inspections from the time the complainant filed the first complaint on 19/2/2018. All the inspection reports and directions issued to the unit in the said period specifically banned the use of wood fired ovens. The Board had noted numerous issues and shortcomings in using wood fired ovens and as such had issued specific directions to stop the use of wood fired ovens. Under the circumstances it would be abuse of the statutory powers to once again allow the use of wood fired ovens under the garb of issuing a fresh CTE.

- v) The dry Carbon scrubber will not solve any issues at loco and will not prevent smoke from directly entering the Complainant's residential premises. The said installation will be an exercise in futility and will allow the unit to continue to cause nuisance and health hazards to the complainant.
- vi) It is submitted that when there is visible smoke directly entering the residential premises of the complainant, it cannot be concluded that the said smoke is not harmful to health. The unit is therefore making unreasonable use of its land, thereby causing nuisance to the complainant by unduly interfering with the complainant in his comfortable and convenient enjoyment of his own land. The conduct of the unit is a nuisance since the consequences of such acts are not confined to its own land but extend to the land of the neighbour.
- vii) The question of allowing firewood fuelled ovens with the use of scrubber does not arise since there is visible smoke directly entering the residential premises of the complainant.
- viii) The Board under the garb of the Bakery being a green category unit cannot seek to permit the unit to emit disproportionately large quantum of fumes by allowing it to fire its ovens 4 times a day wherein each firing lasts a few hours. The said act renders the residential house of the complainant inhabitable as it is the structure which is located closest to the said unit and the complainant thus suffers extraordinary damages.
- ix) It Bears mentioning that, the Board had issued Closure Direction to the unit and stopped the operations of the unit for its failure to install electric ovens. Under the Circumstances the grant of CTE cannot be treated as a fresh application since the matter pertains to the same unit and same complainant and the facts and conclusions arrived at by the Board cannot be overlooked. The GSPCB ought not to have even considered the said application by the unit on the face of the directions and observations made by the GSPCB in its own closure order. The CTE to that extent is wholly and completely perverse.

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- x) Pertinent to note that the Board had categorically refused to waive off the condition to shift to electric ovens despite numerous requests from the unit. This proves that the GSPCB was convinced that the only way to mitigate the said pollution and nuisance caused by the unit was to stop the use of wood fired ovens and shift to electric ovens. It bears mentioning that in essence the grant of fresh CTE for installing a dry carbon scrubber will essentially amount to waiver of the condition to shift to electric ovens. The installation of the carbon collector scrubber is merely an eyewash to facilitate the operations of the unit. It is thus clear that the GSPCB has now given the commercial interests of the unit precedence over the health of the complainant thus completely failing to discharge its statutory duty.
- xi) Further, it is submitted that dry carbon collector scrubber is not a new technology and is a pollution control device which was always in existence. Pertinent to note that the GSPCB had specifically and categorically directed the unit to stop the use of firewood. This proves that GSPCB which was always aware of such an equipment had never prescribed installing of the same as installing such an equipment would be of no use in giving any sort of respite to the complainant. It is submitted that if the matter was simple enough that installing a scrubber would solve all issues at loco then GSPCB would never specifically and categorically ban the use of firewood ovens in the present case.
- xii) The CTE issued by the Board is arbitrary, illegal and bad in law and is in patent contradiction to the findings in the Board's own inspection reports. Further, analysing the CTE from scientific and technical perspective makes it clear that the same has been formulated and issued at this stage to facilitate the operations of the unit. In doing so the Board has essentially given the commercial interests of the unit precedence over the health of the complainant.
- xiii) By issuing a fresh CTE, the Board is now attempting to dilute its own stand in the matter and is invariably encouraging further

litigation. It is clear that for some unknown reason, the GSPCB is now not keen on stopping the operations of the unit.

- xiv) The Hon'ble NGT has made it abundantly clear that it is the statutory duty of the Authorities to ensure compliance with the "precautionary principle" and "principle of sustainable development" which are required to be applied by every regulatory authority, the said principles being engrained in our environmental jurisprudence. It is submitted that the records of the GSPCB itself justified shifting from wood fired ovens to electric ovens.
- xv) The direction allowing the use of dry carbon collector scrubber will be highly inadequate and deficient in dealing with the air pollution caused on account of operation of the unit. The said installation will be insufficient to control the pollution emitted from the unit and hence would fail to fulfill the object and purpose of protecting and improving the quality of environment as envisaged under the Environment (Protection) Act, 1986 and Air Act 1981. The said direction will allow the unit to emit disproportionately high level of pollutants and consequently impact the air quality and therefore will be violated of the fundamental right to life as guaranteed under Article 21 of the constitution. At the cost of repetition, it is once again submitted that the said direction has been issued in order to facilitate the operations of the unit.
- xvi) The toxic dangers posed by the unregulated ash disposal will also be a serious matter of concern. Wood ash negatively impacts human health.
- xvii) Since 2018 the GSPCB has promoted only litigation and has consistently failed in taking any sort of meaningful action to stop the activities of the unit and has consistently failed to enforce their own legal directives and inaction / lack of appropriate action to stop polluting bakery and thus facilitating the polluters to carry on their inherently dangerous activities for financial gains.

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- xviii) The environment, ecology and health of the complainant faces serious threat from the harmful consequences of smoke emission and the same would continue to degrade and lead to irreversible damage if immediate measures / directions for preventing further use of wood fire ovens is not enforced. Lack of comprehensive environmental impact assessment and continued use of wood fired ovens on daily basis will severely degrade the health of the complainant and thus violate the very fundamental right to life.
- xix) The Hon'ble NGT has held that *"applicability of the precautionary principle is a statutory command while deciding or settling disputes arising out of substantial questions relating to environment. Thus any violations or even an apprehended violation of this principle would be actionable before the tribunal. Even inaction in the facts and circumstances of a given case could itself be a violation of the precautionary principle."*

The Hon'ble NGT in the matter of Tehri Hydro Development Corporation and the Uttarakhand Govt has held that *"The Precautionary Principle has two fold obligations. Firstly, the project proponent must take all expected precautions and preventions to ensure that no pollution results from its activity. Secondly, it has to take into consideration the principle of Inter Generational Equity and therefore ensure that it causes no irreversible damage to natural assets. In addition, a definite obligation is placed upon the project proponent to protect these assets. The Precautionary Principle places onus upon the industry, on the one hand, while on the other hand, it obligates the State Pollution Control Boards to ensure prevention and control of pollution. Lack of scientific knowledge would be an irrelevant consideration for determining such a factor. In the event of uncertainty, presumption should operate in favour of environmental protection and primary onus would shift in light of the presumption in favour of the environment and statutory obligation of the industry as afore referred."*

It is submitted that on the face of the conclusions arrived at by GSPCB in the closure order, grant of the CTE amounts to complete violation of the said principle.

- (vi) From the above, an indisputable fact emerges is that the unit is allowed to violate environmental laws on the pretext of being a green category industry. Hon'ble NGT has held that the "*universal principle of onus in relation to environmental jurisprudence is that one who wants to carry out an activity which would cause pollution and affect the environment needs to prove that it is a non polluting unit if it fails to do so it cannot carry on its activity. Onus of proof is on the actor or developer to show that his actions are environmentally friendly. An enterprise which is engaged in a hazardous or inherently dangerous activity which poses a potential threat to health and safety of the persons living in the surrounding areas owes an absolute and non delegable duty to the community to ensure that no harm results to anyone on account of the dangerous nature of the activity which it has undertaken and if any harm results on account of such an activity, the enterprise must be absolutely liable to compensate for such harm and it should be no answer to the enterprise to say that it had taken all reasonable care and that the harm occurred without any negligence of its part.*"
- (vii) The CTE issued by GSPCB is blatantly against its statutory mandate and in contravention of the directions of the Hon'ble NGT which has time and again held that right of citizens to clean air cannot be defeated.
- (viii) The complainant also reserves the right to file further Technical / Expert Reports and objections as may be required.
- (ix) *Consequently it is prayed that the CTE granted to the unit be revoked immediately and fresh consent be issued only when the unit shifts from wood fired ovens to electric ovens.*



The following events reiterate GSPCB's **technically correct and consistent stand** that the only alternative to mitigate the said Pollution Hazard caused by the Unit is to switch over from wood fired ovens to electric oven.

- i) Vide Directions dated 30/07/2018 (under sections 31 A of Air Act 1981 & 33 A of Water Act 1974) the Unit was instructed either to increase the height of the MS sheets, provided along the boundary of complainant's house, above the Chimney level or to raise the height of Chimneys above the complainant's house within three months from the date of issue of the Directions.
- ii) As the measures suggested in the directions issued by GSPCB on 30/07/2018 failed to reduce the pollution and consequent health hazards, the complainant filed another complaint before GSPCB on 17/09/2018 placing the facts before the Board. In this complaint it was requested that the Unit.
 - (a) should be compelled to raise the height of the Chimneys above the height of the roof ridge of his house by using scientifically erected and homogenous single unit Chimneys having outlets designed to emit the smoke upwards in the atmosphere and not downwards towards the ground as is presently seen and,
 - (b) should be ordered to stop using fire wood ovens and instead switch over to electric oven.
- iii) Similarly, in GSPCB's Inspection Report dated 08/11/2018 based on which the SCN dated 04/01/2019 was issued to the Unit, it was recommended that the Unit:
 - (a) may be directed to increase the height of the Chimneys above the roof ridge of complainant's house and seal the chimney joints or,
 - (b) may be asked to switch over to alternate source of fuel.
- iv) However, in its said SCN the GSPCB gave the only and right **option of directing the Unit to switch over to Electric Oven**

within 6 weeks. The very fact that a period of only 6 weeks was given to stop the use of fire wood fueled ovens by ignoring the suggestion with respect to improvement in existing chimneys shows the seriousness with which the GSPCB has taken the danger to health & environment posed by conventional wood fired ovens. In the process, the GSPCB has also acknowledged the fact that despite the raising of Chimney height it was not possible to adequately reduce the hazard posed by smoke emission from wood fired ovens in a densely populated urban locality with multi-storey buildings with the complainant suffering special damage due to the proximity of his house to the said unit.

- v) The conditional CTO granted by the GSPCB on 27/06/2019 to the blatantly non-complying unit is not only against the intent of its own SCN but also contrary to law. Nevertheless, it is important to note that **this conditional CTO reiterates GSPCB's well conceived and consistent stand that the only option before the Unit is to ultimately switch over to electric oven.** The CTO merely extends the deadline to implement the same to one more year i.e., up to 26/06/2020. This works out to an additional unjustly granted delay of about 16 months from the earlier deadline (15/02/2019) to enforce a change that is essential to safeguard human health and environment.
- vi) Continued non-compliance and emission of hazardous smoke compelled the GSPCB to once again issue Directions to the Unit under sections 31A of Air Act (1981) and 33A of Water Act (1974), dated 13/09/19 (Letter No. 10/1/19-PCB/LD-252), to comply with the conditional CTO which included the condition to switch over to Electric Oven by 26/06/2020. As on date the Unit has again failed to abide by this deadline!
- vii) Subsequently, vide Letter No. 1/20/19-PCB/Tech/1601 dated 20/5/2020 the GSPCB has once again reiterated that the unit has to switch to electric ovens **latest by June 2020.** Stack analysis reports were also made available to the Appellant. **Needless to say, the Scientist C as well as the Environmental Engineer of the GSPCB**

have once again acknowledged and concluded that the unit has to ultimately stop burning firewood and switch over to electric ovens.

- viii) It is difficult to comprehend why the GSPCB is granting liberty to an existing illegal Unit that blatantly ignores statutory directions at the cost of human health! The relevant Clause of GSPCB's CTO is reproduced below:

"This conditional Consent is issued for initial period of six months with instructions to control smoke and shift-over to electric oven within one year"

- ix) The unit was subsequently served with SCN-2 due to its continued non compliance, based on the inspection carried out on 29/06/2020. The relevant clause of the said notice is reproduced below:

"Though the emission monitoring at your unit is within limit, the possibility of smoke causing nuisance to the neighbouring buildings cannot be ruled out as their height is more than the chimney height. This was the primary reason to direct the Bakery to shift to electric oven, in such circumstances it would be appropriate to direct the Bakery to stop operations."

The said SCN-2 has been issued by GSPCB after observing the unit and conducting numerous inspections right from 2018 (16/04/2018, 08/11/2018, 20/08/2019, 24/09/2019, 30/10/2019, 21/11/2019, 20/12/2019, 29/05/2020 & 29/06/2020). All the inspection reports are available for perusal. It is obvious that GSPCB is convinced that even a better chimney arrangement is not a solution to abate health hazards to the residents of the locality. The nearest residential building (Appellant's house) is hardly 4m from the stacks of the unit. The simple chimneys provided by the unit are barely tied to the roof with wires as such taller stacks should be prohibited as it could **make the chimneys potentially unstable resulting in possible collapse, causing irreparable damage to life and property.** The

GSPCB has acknowledged this fact through its SCN, CTO and SCN-2 which have categorically directed the unit to shift to electric ovens.

Further, The Board issued Closure Directions to the unit bearing no. 10/1/20-PCB/Leg/16546 dated 16/12/2020 and stopped the operations of the unit for its failure to install electric ovens. Under the Circumstances the grant of CTE bearing no. 1/20/21-PCB/FLM-18291/Tech/5350 dated 1/7/2021 cannot be treated as a fresh application since the matter pertains to the same unit and same complainant and the facts and conclusions arrived at the Board cannot be overlooked.

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The concerned regulatory Authorities have not taken appropriate action to enforce their own legal directives as stated hereunder:

- i) The GSPCB CTO stipulates that Stack Emission Monitoring shall be carried out once in 3 months through a NABL approved laboratory. Both Stack Monitoring exercises were expected to be carried out by the unit within the initial consent period of six months. This condition was violated as the first stack monitoring took place only on 21/12/2019, just 5 days before the expiry of the CTO. Further, the second stack monitoring analysis mandated before expiry of CTO was actually carried on 08/05/2020 i.e., just 50 days before the expiry the deadline (26/06/2020) by which the unit was expected to switch over to electric ovens in any case.
- ii) The High Court Order dated 17/07/2019 mandated that the GSPCB shall monitor the Unit once in each of the 6 months of validity of its conditional CTO granted on 27/06/2019, so as to ensure its compliance with the conditions stipulated in it. The available records indicate that the GSPCB has conducted only 5 Inspections dated 20/08/2019, 24/09/2019, 30/10/2019, 21/11/2019 and 20/12/2019.
- iii) As per GSPCB Directions dated 13/09/2019, the Unit was instructed to pay to the Board an amount of Rs. 25,000/- under the "Polluter Pays Principle" to mitigate the damage to the health & environment by continuous emission of hazardous smoke and particulate matter. There is no evidence to show that this has been complied with. Further, the meagre fine imposed by GSPCB did not even serve its primary purpose of serving as a deterrent to the polluting unit.
- iv) **The validity of CTO (dated 27/06/2019) issued to the Unit has expired on 26/12/2019** and GSPCB inspection dated 20/12/2019 observed that Consent Conditions 4(ii) and 6 were still not adequately complied with till then. However, various other consent conditions were also violated as elaborated below in this report. **Fresh Consent is yet to be granted as per the available information.** Thus on account of failure of the Unit to comply with the Consent Conditions within the initial 6 months, GSPCB ought to have taken strict cognizance of the situation and taken coercive steps to stop the activities of the unit. However the GSPCB remained a mute spectator in the matter.

- (vi) The second deadline of 26/06/2020 granted to the Unit to switch over from wood fired ovens to electric oven has also passed by and again the unit has brazenly refused to abide by the same.
- (vi) Instead of taking immediate action to stop the functioning of the Unit after the expiry of the said second deadline of 26/06/2020, the GSPCB has allowed the Unit to function illegally as usual till date, without valid CTO. Surprisingly, after a long gap of more than two months after 26/06/2020, the GSPCB has again refrained from any action to stop the Unit till compliance and instead has issued another Show Cause Notice dated 02/09/2020 threatening the revocation of CTO and closure of the Unit, with a notice period of 7 days from the date of receipt of the SCN by the Unit. This appears to be nothing but a ploy to buy time to face the NGT! The question of revocation of CTO does not arise as the validity of CTO issued on 26/06/2019 has already expired more than 8 months back (i. e. on 26/12/2019) and since then the Unit is operational till date, illegally. It is therefore regretfully apparent that for some unknown reason the GSPCB is not keen to promptly control the dangerous pollution and health hazard posed by the Unit. Under the circumstances, a suitable direction from the Honorable NGT is essential to sort out the matter.
- (vii) Further, Closure Direction was issued to the unit for its failure to install electric ovens. Surprisingly, on 1/7/21 the GSPCB issued CTE to the unit allowing the installation of dry carbon collector scrubber. The question of installing the said scrubber does not arise as the very condition for which the unit was closed down is till date not complied with.
- (viii) The fact that the Unit is a habitual offender of law is clear from the Notice No. MMC/TECH-700009150/HR769/19-20/1270 dated 19/08/2019 issued to the Unit by the Margao Municipal Council under Goa Municipalities Act (1968). The said Notice records that the Unit has constructed the following illegal structures without permission of the Council as required under section 184 of the Act:
- GI roofing sheet supported with MS Poles on existing Bakery structure of size 8.9m * 13.0m and height 1m.
 - Flower shop of size 1.6m * 2.5m.
 - Kitchen Shed of size 3.2m * 3.3m.
 - Extension of Shed of size 14.0m * 2.3m.
 - Shed for Bakery fuel wood store of size 5.6m * 5.4m.



Apparently the above cited illegal structures are still on the ground and there is no evidence of any further punitive action taken by the Margao Municipal Council. The Appellant is in the process of filing a Contempt of Court Petition in the Hon'ble High Court of Bombay at Goa against MMC for its failure to abide by the directions of the Court issued vide WP 417/2020.

As of today all the deadlines given to the Unit to shift to electric ovens have long expired. Unfortunately, the Unit is now attempting to obtain another consent allowing it to once again continue the use of wood fired ovens in blatant disregard to law, human health and environment. Obviously, the GSPCB has also failed to abide by its mandate to enforce Pollution Control Laws and safeguard health and environment, causing grave injustice to the complainant. This state of affairs is bound to embolden the Polluters causing irreparable and widespread damage to human health and environment in Goa, an international tourism destination reputed for its green and clean coastal environment.

Site Inspections:

The site was inspected by experts on behalf of the complainant by Experts, to verify the facts in situ, on 19/08/2020 and 03/09/2020 in the presence the complainant and his son. During the visits we observed the trajectory of severe emission of air pollutants from the Chimneys of the two wood fired ovens operated by the Bakery, from 10:30 am onwards (before-noon) and from 02:30 pm onwards (after-noon). The polluting smoke was spreading in all directions up to the ground level (depending on the wind conditions) and directly entering the "G+1" residence of the Appellant, located barely 4m from the Bakery. It was also affecting other buildings (4 to 5 storey high) situated in the densely urbanized surroundings of the Bakery. It was visually confirmed that the height of the Chimneys was below the roof-ridge height of the complainant's residence which is 9 m from the ground level.

However, it was also apparent that the extended height of the outlet of the Chimneys does not prevent the smoke from spreading towards the direction of the ground. At times, the smoke trajectory was so dense that it was crossing the

the road and making it difficult to see the buildings behind the smoke screen. We also saw the deposition of thick black soot, emanating from the Chimneys, on verandah walls of complainant's house and on the roof of the bakery beneath the Chimneys.

The original height of the Chimneys was raised by attaching crude square shaped extension pipes supported by wires tied to the roof on four sides. Contrary to what is stated in GSPCB's inspection reports, the Chimneys were devoid of Portholes, platform and Ladder fittings essential to collect stack emission samples as required in the CTO issued by the GSPCB in accordance to CPCB (New Delhi) order. The crude work of raising the height of Chimneys was apparent by the observed leakages of smoke emission from the extension joints as well as from the joints of the base of the Chimneys and the bakery roof.

At least three sheds were being used for wood storage, worker's kitchen, etc., and these according to the complainant are illegal extensions to the original bakery premises. Similarly, an illegally erected full metallic roof cover has been provided one meter above the original 'Mangalore' tiled roof of the bakery.

Other Issues of "Technical /Enforcement" Importance:

- 1) The unit dumps large quantities of firewood in an illegal structure constructed within its premises barely 2m from the complainant's house and gas cylinders are also stored next to the same in an illegally constructed kitchen. This is a matter of great safety concern. It is apparent that the officials of the Board have not contacted the Appellant during their site inspections and as such many concerns at loco have not been brought on record. Numerous woodcutters are engaged by the unit and their work is also a source of nuisance.
- 2) Ambient Air Quality Index and its consequent impact on health is based on twelve pollutants, namely, PM10, PM2.5, NO2, SO2, CO, O3, NH3, Pb, Benzene, Benzo(a) Pyrene (BaP), Arsenic (As),



Nickel (Ni) which are dangerous for human health and environment. Out of the said pollutants, wood burning is known to emit substantial quantities of PM10, NO2, CO and Ozone, mainly due to incomplete combustion in conventional fire wood Ovens. In addition, it also emits hazardous Volatile Organic Compounds (VOCs) which are 'toxic / carcinogenic'. The GSPCB had acknowledged this fact through its SCN, SCN-2 and CTO and closure order which had categorically directed the Unit to switch over from wood fired ovens to electric oven.

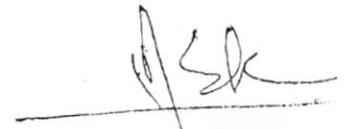
- 3) A large quantity of black soot is observed on the roof of the Bakery as seen in pictures. The stacks of the said unit being barely a few meters from the complainant's house, soot eventually finds its way into the complainant's residential premises.
- 4) The bakery has provided a roof made of MS sheets over its existing roof of mangalore tiles. It is observed that some of the smoke is trapped between the two roofs and escapes from the open sides of the same just next to the complainant's house. The said MS roof has been erected without obtaining any permission from the concerned authorities such as the Margao Municipal Council and the TCP Department. The transgression report issued by the Margao Municipal Council clearly mentions that the said roof is constructed without obtaining permissions as required.
- 5) The SCN and the inspection report attached therewith acknowledge that the workers indulge in dumping of the "coal/ashes" from the ovens within the bakery's compound very close to the complainant's house. This causes additional uncontrolled "smoke/dust" emissions and nuisance directly affecting the Appellant's house. The said 'coal/ashes' weigh up to 5kg/day which is a significant figure
- 6) In Kolkata City Wood Fired Ovens are extremely rare these days. Existing wood fired ovens in the city have been ordered to switchover to Electric Ovens (The Indian Express, Kolkata, 1998)

(2012-01-2020). As per West Bengal Pollution Control Board, in Kolkata City only Bakeries of less than 10 tons per day capacity using oil, gas or electricity as fuel are classified in Green Category.

Similarly, in the National Capital Territory of Delhi, Fire Wood as fuel is permitted only for Crematoria and other religious purposes and not for Bakery Ovens (Delhi Department of Environment Notification F. No. DPCC/RDPC/141/2017/3692 dated 29/06/2018)

Fire wood fueled bakeries are third largest source of PM10 emissions (16%) in Mumbai. In a recent (2018) case of fuel wood based Fernandes Bakery in Girgaum, Mumbai, a local resident (Mr. Hemant Sukhtancar) complained that he had to undergo Lung Function Tests and was hospitalized because of the smoke emanating from the Bakery. In the year 2015, the Bombay Municipal Corporation had directed that the Bakery should use eco-friendly oven and install scrubbers to absorb extra dust and carbon emission or face closure. However, the matter could not be resolved satisfactorily for a long time until 2018. Later in October 2018, after the intervention of Central Pollution Control Board and Maharashtra Pollution Control Board in the matter, the BMC directed that the Bakery shall immediately switchover from fire wood ovens to natural gas fueled or electric furnaces [Hindustan Times (Mumbai) dated 08/11/2018].

- 7) Even in Goa, modern day bakeries are using electric ovens. 'NM Bakers' located in Verna Industrial Estate which cater to all the Monginis outlets in Goa and 'Montana Confectionary' located in Corlim Industrial Estate which cater to all the Pastry Palace outlets in Goa are proof of the same. The said bakeries are also into production of Goan bread (besides other products).
- 8) A similar case was filed before the Hon'ble National Green Tribunal, Eastern Zone Bench (Tapan Kumar Bhowmick & Others v/s West Bengal Pollution Control Board & Others, Original Application no. 99/2015/EZ), wherein despite the direction issued



by the West Bengal Pollution Control Board (WBPCB) to the project proponent to change the system from firewood to clean fuel i.e. electricity, it was not done. The Hon'ble National Green Tribunal vide its judgment directed the WBPCB to recall the Consent to Operate. An order of injunction was also passed restraining the operation of the Bakery and the Police Commissioner of Kolkata Police Department was directed to take steps to ensure compliance of the order.

M. K. Mahendra

Mahendra Co

3/3/11

Application Details

[print](#)**From :** M/s French bakery (I2019S6783252)

French bakery aquem alto Margao goa h.no 305, , SOUTH GOA

No : 993007**Date :** 04-08-2021**Sub :** Application For - CCA new**Date Time:** 05-08-2021 09:54**Note By:** Receiving Officer(INWARD)**Forwarded To :** Scrutiny Officer-Chetan**Description:****Activity:** Forward**Date Time:** 09-08-2021 10:25**Note By:** Scrutiny Officer-Chetan(ITNEH1)**Forwarded To :** Scrutiny Officer-Chetan**Description:** I have submitted the affidavit of land n machine and also submitted the 1st consent to operate.**Activity:** Forward**Scrutiny Query:** UPLOAD THE AFFIDAVIT IN PRESCRIBED FORMAT**Scrutiny Status:** In-Complete**Scrutiny Description** UPLOAD THE AFFIDAVIT IN PRESCRIBED FORMAT**Activity:** Reject**Activity:** Forward**Activity:** Application Re-Submitted**Query Reply:** I have submitted the affidavit of land n machine and also submitted the 1st consent to operate.**Note By:** French bakery(Industry)**Date Time:** 10-08-2021 11:46**Forwarded To :** Scrutiny Officer-Chetan**Date Time:** 12-08-2021 11:29**Note By:** Scrutiny Officer-Chetan(ITNEH1)**Forwarded To :** Scrutiny Officer-Chetan**Description:****Activity:** Forward**Scrutiny Status:** Complete**Remarks** FEES TILL VALIDITY OF ORIGINAL CONSENT**Date Time:** 13-08-2021 09:44**Note By:** Scrutiny Officer-Chetan(ITNEH1)**Forwarded To :** EA-Liston**Description:****Activity:** Forward**Date Time:** 15-08-2021 12:42

Note By: EA-Liston(EA5)

Forwarded To : EA-Liston

Description:

Activity: Forward

Activity: Inspection

Description:

Date Time: 27-08-2021 04:02

Note By: EA-Liston(EA5)

Forwarded To : EA-Liston

Description:

Activity: Forward

Activity: Inspection Closed

Description:

Date Time: 30-08-2021 01:10

Note By: EA-Liston(EA5)

Forwarded To : Regional Officer S

Description: Inspection report uploaded for necessary.

Activity: Forward

Date Time: 02-09-2021 12:14

Note By: Regional Officer S(JEE1)

Forwarded To : EA-Liston

Description: There is complaint received against the said unit regarding ownership. Kindly check and also seek clarification from unit

Activity: Forward

Date Time: 09-09-2021 04:52

Note By: EA-Liston(EA5)

Forwarded To : Regional Officer S

Description: Reply from unit is processed in 2022/GSPCB/Letter/10381.

Activity: Forward

Date Time: 21-09-2021 11:45

Note By: Regional Officer S(JEE1)

Forwarded To : LDC-Suzee

Description: Please process on FLM informing the unit the Board decision in its 148th Board meeting

Activity: Forward

Date Time: 27-09-2021 03:04

Note By: LDC-Suzee(LDC11)

Forwarded To : Regional Officer S

Description: Draft put up for approval on FLM daak no 7350, In view of

the minutes 148th Board meeting item no.6 may decide

Activity: Forward

Date Time: 28-09-2021 10:32

Note By: Regional Officer S(JEE1)

Forwarded To : Scrutiny Officer-Chetan

Description: As per 148th Board meeting decision may change category to orange. verify fees and validity

Activity: Forward

Date Time: 29-09-2021 05:08

Note By: Scrutiny Officer-Chetan(ITNEH1)

Forwarded To : JEE-Vijay

Description: as the unit is orange now unit has to pay another 400/- Rs and validity will be till original consent i.e till 27/08/2028

Activity: Forward

Date Time: 05-10-2021 05:57

Note By: JEE-Vijay(JEE14)

Forwarded To : JEE-Vijay

Description: As per scrutiny officer, you have to pay addition 400/- towards consent fees. Kindly pay and revert back

Activity: Forward

Activity: Clarification

Description: As per scrutiny officer, you have to pay addition 400/- towards consent fees. Kindly pay and revert back.

Date Time: 07-10-2021 11:21

Note By: Industry(SPCB)

Forwarded To : Industry

Description: Paied on 7/10/2021

Activity: Forward Clarification Document

Date Time: 11-10-2021 06:21

Note By: JEE-Vijay(JEE14)

Forwarded To : Regional Officer S

Description: Unit has paid balance fees, may decide on application

Activity: Forward

Date Time: 12-10-2021 10:05

Note By: Regional Officer S(JEE1)

Forwarded To : Environmental Engineer

Description: The unit has applied for CTO for operating the APCD. As per 148th bioard meeting bakeries in city area are directed to

233

shift to electric/gas oven within one year. Hence may decide on this application. The Board had sought legal opinion and directed unit to apply for CTE for APCD. thereafter Board granted CTE for APCD. now the unit has installed PACD and has come for CTO.

Activity: Forward

Date Time: 26-10-2021 01:17

Note By: Environmental Engineer(SHEE)

Forwarded To : MS

Description: we may grant one month trial operation as CTE has been issued earlier for the APC system.

Activity: Forward

Date Time: 27-10-2021 05:06

Note By: MS(MS01)

Forwarded To : Chairman

Description: may like to decide on the comments of SEE in view that CTE was issued.

Activity: Forward

Date Time: 02-11-2021 01:20

Note By: Chairman(CHMAN2)

Forwarded To : Environmental Engineer

Description: we may issue the CTO for trial purpose not more than 30 days. During operation Board officials may monitor the operation of implemented scrubber and put up the report.

Activity: Forward

Date Time: 02-11-2021 05:06

Note By: Environmental Engineer(SHEE)

Forwarded To : JEE-Vijay

Description: put up dfa consent for a trial period of one month for operation of APC devices

Activity: Forward

Date Time: 03-11-2021 05:02

Note By: JEE-Vijay(JEE14)

Forwarded To : LDC-Joice

Description: Kindly put up draft consent

Activity: Forward

Date Time: 05-11-2021 03:37

Note By: LDC-Joice(LDC8)

Forwarded To : JEE-Vijay

Description: dfa consent put up for

approval

Activity: Forward

Attached Letter: **Letter Attached By Officials**
[View Letter](#)

Date Time: 05-11-2021 03:37

Note By: JEE-Vijay(JEE14)

Forwarded To : Regional Officer S

Description: Kindly approve draft consent

Activity: Forward

Date Time: 05-11-2021 04:03

Note By: Regional Officer S(JEE1)

Forwarded To : Environmental Engineer

Description: As per the approval received,
draft consent for one month
trial operation of APC is put up
for approval.

Activity: Forward

Date Time: 05-11-2021 04:09

Note By: Environmental Engineer(SHEE)

Forwarded To : Environmental Engineer

Description: approved

Activity: Forward

Date Time: 05-11-2021 04:10

Note By: Environmental Engineer(SHEE)

Forwarded To : RECORD KEEPER SOUTH

Description: approved

Activity: Forward

Activity: Approve

Description: approved

CONSENT INSPECTION REPORT

Date : 30/08/2021

- 1. Name & Address of Unit : French bakery French bakery
aquem alto Margao goa h.no
305
- 2. Purpose of inspection CCA Expansion
- 3. Consent Status/ validity 27/08/2028
- 4. Whether any previous complaint received, if yes, details Yes
- 5. Whether any show cause notice/directions/letter for corrective if yes, provide details Yes
- 6. Product manufactured Bread (Loaves)
- 7. Quantity of production

Sno.	Product	Applied Quantity(Actual Production of Industry)	CCA Quantity(Quantity allowed as per consent or Installed capacity)	NOC/ Expansion(Production Quantity Asking for)	Inspection Remark
1.	Bread and poli	250			

8. Raw Material

Sno.	Name	Source	Capacity	Unit
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9. Machine/equipment installed

Sno.	Name	Quantity
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- 10. Approx production in last 2 months(based on receipts of purchase of Raw Materials orders and payments recieved) Nil
- 11. Man power requirment 06
- 12. Status of operation of unit Not in operation
- 13. Type of area/ land use/ land cover Residential cum commercial
- 14. Distance of nearest residence/school/hospital/any prominent structure Approx. 4m from the complainant's house.
- 15. Distance of water body(Specify which if any) -
- 16. Noise pollution control measures adopted -
- 17. Water consumption

S.no	Source	Quantity
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18. Waste Water generation

Sno.	Source	Quantity
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- 19. Disposal method Septic tank/ soak pit
- 20. Capacity of septic tank/soak pit/sewage treatment plant/effluent treatment plant -
- 21. Whether capacity sufficient Yes
- 22. Electrical consumption GED
- 23. Solid waste generator

Sno.	Type	Quantity	Disposal
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24. Hazardous Waste

Sno.	Type	Quantity	Disposal	If Manifest submitted	If Annual returns submitted
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25. Permission from Local body

26. Noise levels recorded at compound wall of unit

Sno.	Location	Distance from the unit	Noise Limit measured	Permissible limits
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27. DG set capacity/ Boiler capacity

Sno.	Stack Height	Fuel consumption	Used oil generation/Disposal of ash	If stack monitoring facility provided	If stack analysis report submitted
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28. Oven capacity

Sno.	Stack Height	Fuel consumption	If stack monitoring facility provided	If stack analysis report submitted
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29. Furnace capacity/Rotary Kiln

Sno.	Type	Stack Height	Fuel consumption	Air pollution control device	If stack monitoring facility provided	If stack analysis report submitted	Roof suction system provided	Separate energy meter connected
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30. Dust suppression Methods

Sno.	Sprinklers Provided	Whether sprinklers are in operation	Metalled Road provided	Plantation carried out
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31. In case of Induction furnace

Sno	Quantity of slag generated	Storage area of slag	Whether proper benching is done for slag dumps	Toe wall is provided	Slag crusher installed
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32. In case of sponge iron units

Sno.	Quantity of fly ash generated	Is brick manufacturing units	Is it in operation	No of bricks manufactured	Is entire fly ash utilized	Where is the fly ash stored	Whether Log books are maintained	Is records submitted to the Board
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- | | |
|--|-----|
| 33. Is ambient monitoring carried out | No |
| 34. Are report submitted as per consent conditions | Yes |
| 35. Is environmental statement submitted | No |
| 36. Are all consent conditions complied with | Yes |
| 37. Is Bank Guarantee submitted | No |
| 38. If Yes, has the unit complied give details | NA |

39. Additional Observations

As directed the Unit M/s FRENCH BAKERY located at Aquem Alto, Margao Goa was inspected by the undersigned on 17/08/2021 alongwith Mr. Xawollino Rodrigues (Field Assistant). Unit is a bakery. The application is for Consent to operate under the Air Act and Water Act, (CCA-Expansion) for the operation of Carbon Dust Scrubber Machine. The applicant Mr. Mario Gil Remy Gomes and Mrs. Celina Gomes was present during the course of inspection and provided the details. Unit deals in the production of Loaves (Bread). Unit has installed the Carbon Dust Scrubber Machine. The said scrubber is connected to the chimneys of the bakery unit. A 1.5HP motor has been installed and the stack height of the dry carbon scrubber is raised to 15m from ground level for disposal of the smoke as per the directions given to the unit at the personal hearing held in the office on 03/08/2021. The arrangement for the water spray and for collection of the carbon deposit from the smoke has been done. As informed the waste water will be disposed into the soak pit, for which necessary arrangement is provided.

40. Conclusion

41. Recommendations

Signature of inspecting official

MINUTES OF THE 148th MEETING OF THE GOA STATE POLLUTION CONTROL BOARD HELDON 7TH September, 2021 AT 3.00 pm IN THE CONFERENCE HALL OF THE BOARD.

I. The 148th meeting of the Goa State Pollution Control Board was held on 7th September, 2021 at 3.00 pm in the Conference hall of the Board.

The following members attended the meeting:

1.	Mr. Ganesh B. Shetgaonkar, Chairman
2.	Chief Engineer, Water Resource Dept. was represented by Mrs. Sarita Madkaikar, Assistant Surveyor of Works.
3.	Director of Mines was represented by Mr. Jitendra Veluskar, Assistant Geologist.
4.	Director of Health Services was represented by Dr. Surekha Parulekar
5.	Mr. Shawn Brian Martins, Panch Member, Village Panchayat Calangute
6.	Mr. Sanjay Naik, Panch Member, Village Panchayat Sanvordem
7.	Mr. Atul Jadhav, Chairman, Confederation of Indian Industries
8.	Goa Tourism Development Corporation was represented by Mr. Narayan Mayekar, Superintending Engineer
9.	Dr. (Mrs.) Shamila Monteiro, Member Secretary

Agenda item no. 1

Confirmation of the minutes of the 147th meeting of the Goa State Pollution Control Board held on 27/05/2021.

The minutes of the 147th meeting of the Board held on 27/05/2021 were forwarded to all the members vide this office letter no.4/147/21-PCB/Admin/3455 dt. 11/06/2021.

The minutes of the meeting were confirmed.

Bills towards air travel and professional fees are settled only in those cases in which such allotment letters have been issued to the concerned advocates and after due certification.

Records with the Boards indicates that none of this documents and also no documents authorizing the travel operator to book air tickets as stated in the letter dt. 10/08/2021 is available with the Board.

Sr. Environmental Engineer, GSPCB informed the Board that the travel agent was orally informed by him to book the air tickers for these advocates.

After due deliberation the members agreed to make the payments to the travel agents against these bills.

Agenda item no. 6.

1. Bakery Units of capacity < 1MT/day using wood fired oven.

Member Secretary informed the members that the Board gets many complaints with regard to traditional Bakery using fire wood specially in cities where there are adjoining high rise buildings and dense population.

Further she informed that the bakeries operating <1 MT/day with gas/electric ovens are categorized as Green category where as capacity > 1 MT/day using wood fired oven in Orange category.

Further Bakery units of >1MT day using wood as fuel are to be categorised under orange as the score calculated by TAC is between 40 to 60 (43.75).

After due deliberation, the members approved to categorise these units under orange and direct all the bakeries operating in the city with wood fired oven to switch over to gas/electric ovens over a period of one year and rest may be permitted to switch on to electric oven/gas oven over a period of two years on case to case basis. It is also decided to inform Bakers Association in this concern.

Further the members opined that a list of all the bakeries operating in the ULB and panchayat be obtained from the respective local bodies.

- 3) Approved amount of Rs. 80,13,129.00 retained from the contractor's RA bill towards defects liability (Retention Money) as and when claimed by the civil contractor during defects liability period as per contract agreement
- 4) The amount of the deviation item An additional amount payment of Rs. 82,51,497.00 towards deviated and Extra/substituted items.

Table Item no. 4

Proposed additional works of de-silting and cleaning of rivulet of River Sal

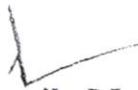
Member Secretary informed that the Board is in receipt of a letter from Captain of Ports (Captain of Ports) seeking permission for desilting of rivulet of river Sal passing through the villages of Sirlim-Dramapur of Salcete Taluka in a stretch of 2.5Kms in length, 2.3mtrs in depth and 12mtrs wide.

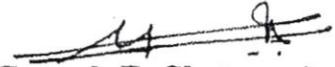
The Board then issued letter to the CoP seeking clarification as follows: full project report giving all details regarding Air, Water and Soil pollution measures to be adopted for prevention etc

Captain of Ports vide letter dated 09/09/2021 has submitted reply enclosing the Marine Environmental Impact Assessment Report for proposed desilting of river Sal and states that the stretch of river Sal is in a dilapidated and silted condition thus creating pollution, stagnation due to non-tidal effects

After due deliberation the members approved to grant NOC to the Captain of Ports for the said work with a direction to abide by all the conditions stipulated in the Marine Environmental Impact Assessment Report for environment management plan for indentified environment risk and submit compliance to the Board and to take all other permissions as required to undertake the said work prior to the commencement.

The meeting ended thanks to the Chair.


(Dr. Shamila Monteiro)
Member Secretary


(Ganesh B. Shetgaonkar)
Chairman

GOA STATE POLLUTION CONTROL BOARD**गोंय राज्य प्रदूषण नियंत्रण मंडळ**

(An ISO 9001:2015, ISO 14001:2015, OHSAS 18001:2007 Certified Board)

Phone Nos : 0832- 2407700,
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Email Ids:
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Scientist, GSPCB, scientist-gspcb.goa@nic.in
Office, goapcb@gspcb.in

No. 12/2021-PCB/993007/O0007680

Date:05/11/2021

Consent to Operate under Section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981.

[To be referred as Water Act, Air Act respectively]

CONSENT TO OPERATE is hereby granted to:

M/S. FRENCH BAKERY
(Represented by: Mr. Mario Gil Remy Gomes)
(Orange Category)
(Expansion)

H. NO. 305, AQUEM ALTO MARGAO GOA

Located in the area declared under the provisions of the Water Act, Air Act, subject to the provisions of the Act and the Rules and the Orders that may be made further and subject to the following terms and conditions:

1. This Consent to operate is valid upto **One month from the date of Issue of this Consent on trial basis.**

2. This Consent to operate is valid for the operation of:

Sr. No	Product	Quantity
1	Carbon Dust Scrubber Machine	1.5HP motor

3. **CONDITIONS REQUIRED TO BE COMPLIED UNDER THE WATER ACT:**

(i) The daily quantity of industrial effluent from the quarry shall not exceed **NIL**

(ii) The daily quantity of domestic effluent from the quarry shall not exceed **NIL**

(iii) **Domestic Effluent treatment and Disposal:-**

The domestic wastewater shall be treated in a properly designed septic tank and discharged on land for percolation through soak pit of adequate size within the unit premises.

(iv) The unit should empty septic tank and soak pit periodically through night soil tankers for safe disposal and submit the copies of the receipts to the Board on regular basis.

- (v) A good house-keeping shall be maintained within the unit premises. All pipes, valves and drains shall be maintained in leak-proof condition. Floor washings shall be maintained to the effluent collection system only and shall not be allowed to find way in open areas.

(vi) **Non-Hazardous Solid Waste:**

All the Solid wastes arising in the premises shall be properly classified and disposed off to the satisfaction of Board.

The total quantity shall be segregated and treated as follows:

Sr. no.	Type of segregated solid waste	Quantity	Disposal
1	Solid Waste (Ash)	5 Kg/day	Sold as manure

4. **CONDITIONS REQUIRED TO BE COMPLIED UNDER THE AIR ACT:**

- (i) The unit shall maintain and operate air pollution control system of adequate capacity for the following equipments

Sr. No.	Name of Equipments/ Installation	No of Installation	Capacity	SO ₂ Kg/Hr	Particulate Matter mg/Nm ³
1	Carbon Dust Scrubber Machine	1	1.5HP motor	-----	150

- (ii) The unit shall erect the chimney(s) of the following specifications:

Sr. No	Chimney attached to	Height
1	Carbon Dust Scrubber Machine	15mts

- (iii) The unit shall observe the following standards:-

Sr. No	Type of fuel	Quantity /hr
1	Wood	80kg/day

- (iv) **The Stack Port Hole and Platform is to be designed as per CPCB guidelines Method 1 Part 1 of Stack Monitoring – Material & methodology for isokinetic sampling**

- (v) The unit should comply with all the standards for D.G. Sets prescribed at Sr. no. 94, 95 and 96 of Schedule I of the Environment (Protection) Rules, 1986.
- (vi) The unit should carry out emission monitoring from the stacks a year from a laboratory recognized by Ministry of Environment and Forest under the Environment Protection Act, 1986 and the result shall be submitted to this Board.
- (vii) The unit shall take adequate measures for control of noise levels from its own sources within the premises in respect of noise. The limits are as follows

Category of Area/ Zone	Limits in dB (A) Leq	
	Day time	Night time
Industrial Area	75	70
Commercial Area	65	55
Residential Area	55	45
Silence Zone	50	40

Day time is reckoned between 6 a.m. to 10 p.m. and night time is reckoned between 10 p.m. to 6 a.m.

Near Pilerne Industrial Estate, Opp.- Saligao Seminary, Saligao-Bardez Goa-403511

5. GENERAL CONDITIONS:

- (i) The unit shall not change or alter the quantity, quality of discharge, temperature or the mode of the effluent/ emission or hazardous wastes or control equipments provided for without previous permission of the Board.
- (ii) The unit shall provide facility for collection of samples of effluent, air emissions and hazardous wastes to the Board staff.
- (iii) An application in prescribed form along with the prescribed fees for of Consent shall be submitted at least 60 days before the expiry of validity of this Consent. An application for of Consent submitted after expiry of the validity shall accompany with penalty of 50% of the Consent fees in addition to the prescribed consent fees.
- (iv) The Board shall be forthwith informed of any accident or unforeseen event involving discharge of any poisonous, noxious or polluting matter into a stream or well or on land or into the atmosphere, as result of such discharge water/ air is being polluted.
- (v) This Consent is granted without any prejudice to any of the permission(s) required under any law, by laws and regulations in force.
- (vi) This Consent does not entitle the party to commence activities until and unless all the other Permissions as required under the relevant statutes are obtained by the party and this Consent to Operate is confined to matters arising out of the Air Act and Water Act only
- (vii) The Board reserves the right to amend or add any conditions in this consent and the same shall be binding on the applicant.
- (viii) The unit shall submit to this office, the Environmental Statement Report in Form V for the Financial Year ending April to March by 30th September of the succeeding year as per the provisions of the rule 14 of the Environment (Protection) (Second Amendment) Rules, 1992.
- (ix) Reliable flow meter shall be installed to maintain record of water consumption/waste water generation per day. The records so maintained shall be made available to the Board officials whenever required.
- (x) The industry shall bear the cost of analysis / monitoring in case of complaints received by the Board/ reinspections due to non compliances observed by the Board & monitoring carried by the Board.
- (xi) The unit shall submit the details of the Public Liability Insurance Policy under the PLI Act 1991, to the Board office as applicable.
- (xii) The unit shall submit returns for disposal of batteries under the Batteries (Management & Handling) Rules 2011, if applicable.
- (xiii) The unit shall submit returns for disposal of e - waste under the E- Waste (Management & Handling) Rules 2011, if applicable.

Near Pilerne Industrial Estate, Opp.- Saligao Seminary, Saligao-Bardez Goa-403511

- (xiv) The unit shall submit returns for disposal of plastic waste under the Plastic Waste (Management & Handling) Rules 2011, if applicable.
- (xv) The Unit shall comply to the guidelines and DUST Mitigation measures in handling construction material and C and D waste issued by Central Pollution Control Board and are placed on Board website goaspcb.gov.

To
 M/s. FRENCH BAKERY
 (Represented by: Mr. Mario Gil Remy Gomes)
 (Orange Category)
 H. NO. 305, AQUEM,
 ALTO MARGAO GOA

Copy to:-
 1 Accounts Section
 2 Concerned File
 3 Guard File
 4 Scientific Section – To carry out stack emission monitoring and Ambient Air Quality Monitoring to verify the efficiency of Air Pollution Control Device

Received Consent fee of: **The capital Investment of the unit is Rs.5,03,700/-**

Challan no.	Amount	Date
1757 bk.no 18	Rs.5600/- (Air & water Consent Fees)	12/08/2021

Digitally signed
 by SANJEEV
 JOGLEKAR
 Date: 2021.11.05
 16:12:52 +05'30'

(Sanjeev Joglekar)
 Sr. Environmental Engineer
 Goa State Pollution Control Board

 Near Pilerne Industrial Estate, Opp.- Saligao Seminary, Saligao-Bardez Goa-403511

Goa State Pollution Control Board

QEHS-CIE-F(06-03)

CUSTOMER FEEDBACK

Dear Citizen / Customer,

We appreciate you for sparing a few minutes for giving us your valuable feedback on our services

Name :

Contact

Address:

Email: Date:

Name of the service availed:

Are you aware that service standards are included in the Citizen's Charter as available on Board's website :www.goaspcb.gov.in?Yes No

If yes, is the Citizen Charter simple and easy to understand?

Yes No

Description of service delivery parameters (Consents/Authorisation/RTI's/Complaints etc.)	Excellent	Good	Fair	Average	Poor	Reason for grading
Time taken to deliver service in comparison to service standards mentioned in Citizen's Charter						
Quality of service (accuracy, completeness)						
Knowledge of dealing hand / staff regarding services/schemes						
Courtesy of staff						
Board's response in view of your query/requirement is to your satisfaction						
Date of your visit to the office and your overall experience						

Suggestions for improvement, if any

Near Pilerne Industrial Estate, Opp.- Saligao Seminary, Saligao-Bardez Goa-403511

.....
.....

Signature & date

To
The Member Secretary,
Goa State Pollution Control Board,
Near Pilerne Industrial Estate,
Opposite Saligao Seminary, Saligao, Bardez, Goa, 403511

- ❖ Please note that your feedback is considered essential for overall improvement and development of Board functions in service of environment.

Near Pilerne Industrial Estate, Opp.- Saligao Seminary, Saligao-Bardez Goa-403511



GOA STATE POLLUTION CONTROL BOARD

Dempo Towers, 1st & 4th Floor, DC Plaza, Patto,

Panaji 403 001, Goa.

Tel : +91 (0832) 2438567, 2435828, 2438563, 2438550,

Fax: (0832) 2438528

e-mail: goapcb@rediffmail.com,

web site: www.goapcb.gov.in

Recognised under Environment (Protection) Act, 1986: Official Gazette No. 322 dated 08/11/2014

Sample / Report No.	GSPCB/ SM - TR / 20 / 263			
Report Date	22.01.2020			
Name of Industry & Address	M/s. French Bakery, Chalta no.111 and 112 (part) PT Sheet 242, H.No. 510, Nr. St. Sebastian Church, Aquem, Margaon, Salcete Goa.			
Nature of Sample	Flue Gases emission sample collected from Stack connected to Traditional Oven No. 1.			
Sample collected By	Krishnanath Pednekar (SA), Nilesh Surlekar (SEA), Chandrashekhar Parab (FA)			
Date of Sample collection	13.01.2020			
Date of Sample Receipt	13.01.2020			
Date of Start of Analysis	14.01.2020			
Date of Completion of Analysis	15.01.2020			
DETAILS OF STACK,				
Stack Attached to	Traditional Oven No. 1			
Stack Diameter (mtr ²) (Rectangle)	0.06			
Stack Height (mtr)	11.0			
Stack Temperature (°C)	119°C			
Stack Velocity of Flue Gases (m/sec)	2.92			
Stack Volume of Flue Gases (Nm ³ /hr)	448			
Type of Fuel	Wood			
Fuel Consumption (Kgs/day)	80.0			
ANALYTICAL PARAMETERS				
Parameters	Test Methods	Units	Test Results	Permissible Limits
Total Particulate Matter (TPM)	IS 11255 (Part I) 1985	mg/ Nm ³	126	150
CO	*Electrochemical	ppm	5959	-----

Remarks : The Traditional Oven No. 1 was in operation during the time of Stack monitoring. No Air Pollution Control system are installed. A stack has been provided of 11.0 meters height from ground level to let out the emission of Flue Gases from the oven. (*By Instrument KM QUINTOX)

End of Report

For GOA STATE POLLUTION CONTROL BOARD,

Analyst

Krishnanath Pednekar
Scientific Assistant

Authorised Signatory

Sanjay Kankonkar
Scientist B

Note :

1. The result refers only to the tested samples and applicable parameters. Endorsement of products is neither Inferred nor Implied.
2. This report is not to be reproduced wholly or in part or used in any advertising media without the permission of the Board in writing.
3. The Board is not responsible for the authenticity for the samples not collected by the Board Officials.
4. Total liability of our laboratory is limited to the Invoiced amount. Any dispute arising out of this report is subject to Goa Jurisdiction only.
5. Permissible Limits: As per current Consent to Operate-Air/Schedule I of EP Rules 1986 as amended for emissions.
6. The method, location of sampling including any diagram, sketch, photograph, if any may be enclosed.



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web site: www.goapcb.gov.in

Recognised under Environment (Protection) Act, 1986: Official Gazette No. 322 dated 08/11/2014

Sample / Report No.	GSPCB/SM - TR / 19 / 264
Report Date	22.01.2020
Name of Industry & Address	M/s. French Bakery , Chalta no.111and 112(part) PT Sheet 242, H. No 510,Nr. St. Sebastian Church , Aquem, Margaon, Salcete Goa.
Nature of Sample	Flue Gases emission sample collected from Stack connected to Traditional Oven No. 1.
Sample collected By	Krishnanath Pednekar (SA), Nilesh Surlekar (SLA), Xawalinho Rodrigues (FA)
Date of Sample collection	21.01.2020
Date of Sample Receipt	21.01.2020
Date of Start of Analysis	22.01.2020
Date of Completion of Analysis	22.01.2020
DETAILS OF STACK	
Stack Attached to	Traditional Oven No. 2
Stack Diameter (mtr ²) (Rectangle)	0.06
Stack Height (mtr)	11.0
Stack Temperature (°C)	137°C
Stack Velocity of Flue Gases (m/sec)	2.15
Stack Volume of Flue Gases (Nm ³ /hr)	326
Type of Fuel	Wood
Fuel Consumption (Kgs/day)	80.0

ANALYTICAL PARAMETERS

Parameters	Test Methods	Units	Test Results	Permissible Limits
Total Particulate Matter (TPM)	IS 11255 (Part I) 1985	mg/ Nm ³	107	150
CO	*Electrochemical	ppm	1397	

Remarks : The Traditional Oven No. 2 was in operation during the time of Stack monitoring. No Air Pollution Control system are installed. A stack has been provided of 11.0 meters height from ground level to let out the emission of Flue Gases from the oven. (*By Instrument KM QUINTOX)

End of Report

For GOA STATE POLLUTION CONTROL BOARD,

Analyst

Krishnanath Pednekar
Scientific Assistant

Authorised Signatory

Sanjay Kankonkar
Scientist B

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6. The method, location of sampling including any diagram, sketch, photograph, if any may be enclosed.



GOA STATE POLLUTION CONTROL BOARD
 Near Pilerne Industrial Estate, Opp. Saligao Seminary, Saligao, Bardez-Goa - 403511
 Tel : (0832) 2407700, 2407701, 2407702, 2407703
 Fax: (0832) 2407700
 e-mail: goapcb@gspcb.in, web site: www.goaspcb.gov.in

TEST REPORT

Test Report No: GSPCB/SM/FTR/21/362 Date: 13/12/2021

Name of Industry & address	M/s. French Bakery Chalta No.111 and 112(part) PT Sheet 242, H.No.510, Nr. St. Sebastian Church, Aquem, Margao, Salcete -Goa
Nature of Sample	Sample collected from stack connected to traditional oven no.1 passing through carbon dust scrubber machine
Lab. No. of the Sample	GSPCB/STACK/21/69
Sample collected By	Nilesh Surlekar (SLA), Chandreshkar Parabi (FA)
Date of Sample collection	06/12/2021
Date of Sample Receipt	06/12/2021
Date of Start of Analysis	07/12/2021
Date of Completion of Analysis	13/12/2021

DETAILS OF STACK

Stack Attached to	Traditional oven no.1 passing through carbon dust scrubber machine
Stack Diameter (mtr)	0.16
Stack Height (mtr)	15
Stack Temperature (°C)	46
Stack Velocity of Flue Gases (m/sec)	6.2
Stack Volume of Flue Gases (Nm ³ /hr)	449
Type of Fuel	Wood
Fuel Consumption (kg/day)	80
Load (%)	N/A

ANALYTICAL PARAMETERS

Parameters	Test Methods	Units	Test Results	Permissible Limits
Total Particulate Matter (TPM)	IS 11255 (Part I)1985	mg/Nm ³	85.4	150
Carbon Monoxide (CO)	*Electrochemical	ppm	1277	—

Remarks: (*By Instrument KM Quintox)

End of Report

For GOA STATE POLLUTION CONTROL BOARD,
 Authorised Signatory

Analyst

 Krishnanath Pednekar
 Scientific Assistant

Sanjay Kankonkar
 Scientist B

Note :

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- Permissible Limits : As per current Consent to Operate-Air/Schedule I of EP Rules 1986 as amended for emissions.
- The method, location of sampling including any diagram, sketch, photograph, if any may be enclosed.



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e-mail: goapcb@gspcb.in, web site: www.goaspcb.gov.in

TEST REPORT

Test Report No: GSPCB/SM/FTR/21/363

Date: 13/12/2021

Name of Industry & Address	M/s. French Bakery Chalta No.111 and 112(part) PT Sheet 242, H.No.510, Nr. St. Sebastian Church, Aquem, Margao, Salcete - Goa
Nature of Sample	Sample collected from stack connected to traditional oven no.2 passing through carbon dust scrubber machine
Code No. of the Sample	GSPCB/STACK/21/70
Sample collected By	Waman Chari (SA), Nilesh Surlekar (SLA)
Date of Sample collection	08/12/2021
Date of Sample Receipt	08/12/2021
Date of Start of Analysis	09/12/2021
Date of Completion of Analysis	13/12/2021

DETAILS OF STACK

Stack Attached to	Traditional oven no.2 passing through carbon dust scrubber machine
Stack Diameter (mtr)	0.16
Stack Height (mtr)	15
Stack Temperature (°C)	52
Stack Velocity of Flue Gases (m/sec)	5.87
Stack Volume of Flue Gases (Nm ³ /hr)	425
Type of Fuel	Wood
Fuel Consumption (kg/day)	80
Load (%)	N/A

ANALYTICAL PARAMETERS

Parameters	Test Methods	Units	Test Results	Permissible Limits
Total Particulate Matter (TPM)	IS 11255 (Part I)1985	mg/Nm ³	40.9	150
Carbon Monoxide (CO)	*Electrochemical	ppm	571	—

Remarks: (*By Instrument KM Quintox)

Analyst

Krishnanath Pednekar
Scientific Assistant

End of Report

For GOA STATE POLLUTION CONTROL BOARD,
Authorised Signatory

Sanjay Kankonkar
Scientist B

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- The method, location of sampling including any diagram, sketch, photograph, if any may be enclosed.

**MINUTES OF THE 149th MEETING OF THE GOA STATE
POLLUTION CONTROL BOARD HELD ON 21st, December, 2021 AT
3.00 pm IN THE CONFERENCE HALL OF THE BOARD.**

I. The 149th meeting of the Goa State Pollution Control Board was held on 21st, December, 2021 at 3.00 pm in the Conference hall of the Board.

The following members attended the meeting:

1.	Mr. Ganesh B. Shetgaonkar, Chairman
2.	Chief Engineer, Water Resource Dept. was represented by Mrs. Sushma S. Shirodkar, Assistant Surveyor of Works.
3.	Director of Mines was represented by Mr. Sanford Mascarenhas, Assistant Geologist.
4.	Director of Health Services was represented by Dr. Anuja Naik
5.	Mr. Nilesh Shah, President, Travel and Tourism Association of Goa, 609, Dempo Towers, Patto Plaza, Panaji Goa.
6.	Ms. Unnati Sahastrabhudhe, Panch Member, Village Panchayat Velguem, House no. 309/3, Vandamol. Velguem, Bicholim Goa
7.	Mr. Sanjay Naik, Panch Member, Village Panchayat Sanvordem
8.	Mr. Atul Jadhav, Chairman, Confederation of Indian Industries
9.	Goa Tourism Development Corporation was represented by General Manager
10.	Dr. (Mrs.) Shamila Monteiro, Member Secretary

At the outset the Member Secretary, Goa State Pollution control Board welcomed the Chairman and the Members for the 149th meeting of the Board and with the permission of the chair took up the Agenda items for discussion and deliberation.

Agenda item no. 1

Confirmation of the minutes of the 148th meeting of the Goa State Pollution Control Board held on 07/09/2021.

The Member Secretary informed that the he minutes of the 148th meeting of the Board held on 07/09/2021 were forwarded to all the members vide office letter no.4/148/21-PCB/Admin/10535 dated 13/09/2021. Further no comments were received from any members.

The minutes of the meeting were confirmed.

Agenda item no. 2

Follow up action on the decision taken at the 148th meeting held on 07/09/2021.

Agenda item no. 3 - Order is issued to the officials, similarly letter was also forwarded to the Govt. for notification of P.I.O and A.P.I.O for which order is issued by the Dept. of Environment vide no. 1/13/05/06/STE-DIR/Part/643 dated 30/09/2021.

Members noted the same.

Agenda item no. 6. Bakery Units of capacity < 1MT/day using wood fired oven. The decision of the Board may be read as:

Further Bakery units of <1MT day using wood as fuel are to be categorised under orange as the score calculated by TAC is between 40 to 60 (43.75).

Members noted the same

Agenda item no. 8, 9, 10, 13, 18 – The decisions of the Board have been forwarded to the Department of Environment for issue of suitable Notification.

Members noted the same.

Agenda item no. 14 – Request from M/s South West Port Ltd. For relaxation on monthly handling capping on coal/coke within overall permissible quantity of 5.5 MMTPA – The members after deliberation had agreed to grant 10% leverage during the monsoon months while maintaining the conditions imposed in the previous Consent for coal / coke handling in the fair season and limiting the coal / coke handling to 5.5 MMTPA.

The Board is now in receipt of a request dated 28/10/2021 from M/s South West Port Ltd requesting variation in the monthly handling quantity. The unit has submitted that during the monsoon season (June to September) they are permitted to handle 2.3 MT with 0.575 MTPM without any variations. During the fair season from October to May they are allowed to handled 0.4 MTPM

Presently the following contractual post are presently vacant in the Goa State Pollution Control Board.

- 1) Junior Environmental Engineer (Civil)
- 2) Junior Environmental Engineer (Mechanical)
- 3) Network Engineer (Software) official has submitted resignation and the post will be vacant on 01/01/2022.

In view of the above, it may be proposed to appoint 3 Junior Research Fellow with mechanical engineering background for a period of one year to carry out the above work with a consolidated salary of Rs.25,000/- per month.

After deliberation the Board has decided to accept the proposal placed before the Board for recruitment of 3 Junior Research Fellow with engineering background for a period of 1 year.

Presentation of the Source Apportionment Study for Air Quality in Vasco da gama Goa, conducted by Professor Virendra Sethi, Environmental Science and Engineering Department, IIT, Mumbai.

Professor Virendra Sethi made a detailed presentation to the Board members.

After the presentation the report was emailed to the Board members to further peruse the report.

The Member Secretary informed that the next Board meeting shall be held on 30/12/2021 at 10.30 am in the Conference hall of the Board for finalization of a decision on the report submitted by Prof. Virendra Sethi. Environmental Science and Engineering Department, IIT, Mumbai

The meeting ended thanks to the Chair.


(Dr. Shamila Monteiro)
Member Secretary


(Ganesh B. Shetgaonkar)
Chairman

Application Details

[print](#)**From :** M/s French bakery (I2019S6783252)

French bakery aquem alto Margao goa h.no 305, , SOUTH GOA

No : 1162621**Date :** 04-01-2022**Sub :** Application For - CCA expan**Date Time:** 04-01-2022 11:10**Note By:** Receiving Officer(INWARD)**Forwarded To :** Scrutiny Officer-Chetan**Description:****Activity:** Forward**Date Time:** 05-01-2022 02:17**Note By:** Scrutiny Officer-
Chetan(ITNEH1)**Forwarded To :** Scrutiny Officer-Chetan**Description:****Activity:** Forward**Scrutiny Status:** Complete**Remarks** VALIDUTY TILL ORIGINAL
CONSENT**Date Time:** 08-02-2022 09:57**Note By:** Scrutiny Officer-
Chetan(ITNEH1)**Forwarded To :** JEE-Vijay**Description:** UNIT HAS NOT PAID
COMPLETE FEES, BALANCE OF
RS 1600/- MAY BE OBTAINED**Activity:** Forward**Date Time:** 08-02-2022 02:04**Note By:** JEE-Vijay(JEE14)**Forwarded To :** JEE-Vijay**Description:****Activity:** Forward**Activity:** Inspection**Description:** Inspected on 08/02/2022**Date Time:** 08-02-2022 03:49**Note By:** JEE-Vijay(JEE14)**Forwarded To :** Regional Officer S**Description:** Kindly approve Inspection
Report**Activity:** Forward**Activity:** Inspection Closed**Description:** Closed**Date Time:** 08-02-2022 03:58**Note By:** Regional Officer S(JEE1)**Forwarded To :** LDC-Joice**Description:** Please put up digital draft
consent. Verify if there are

complaints, PPP levied, fees
and validity

Activity: Forward

Date Time: 08-02-2022 04:19

Note By: LDC-Joice(LDC8)

Forwarded To : JEE-Vijay

Description: draft consent put up for
scrutiny may please be seen

Activity: Forward

Date Time: 08-02-2022 04:22

Note By: JEE-Vijay(JEE14)

Forwarded To : Regional Officer S

Description: Kindly approve draft consent

Activity: Forward

Date Time: 08-02-2022 04:33

Note By: Regional Officer S(JEE1)

Forwarded To : Environmental Engineer

Description: The inspection report states that The unit has a valid consent valid up-to 27/08/2028. The unit is a bakery deals in the production of bread and is equipped with two wood fired ovens. Unit has installed the Carbon Dust Scrubber Machine. The said scrubber is connected to the chimneys of the bakery unit. A 1.5HP motor has been installed and the stack height of the dry carbon scrubber is raised to 15m from ground level for disposal of the smoke. The arrangement for the water spray and for collection of the carbon deposit from the smoke has been done and working satisfactorily. As informed the waste water will be disposed into the soak pit, for which necessary arrangement is provided. Previously Board has issued Consent for Carbon Dust Scrubber Machine dated on 05/11/2021 valid for one month from the date of issue of this consent on trial operation. As informed they have started its operation activity since 28/11/2021 and Carbon Dust Scrubber Machine working satisfactorily and Board has also carried out Stack monitoring of the same and results are well within the permissible limits laid down by the Board. The unit was in operation during the time of inspection.hence may be approved for grant of consent. Draft consent may be approved

Activity: Forward

CONSENT INSPECTION REPORT

Date : 08/02/2022

1. Name & Address of Unit : French bakery French bakery
aquem alto Margao goa h.no
305
2. Purpose of inspection CCA-Expand Application
3. Consent Status/ validity 27/08/2028
4. Whether any previous complaint received, if yes, details Yes
5. Whether any show cause notice/directions/letter for corrective if yes, provide details Yes
6. Product manufactured Bread
7. Quantity of production

Sno.	Product	Applied Quantity (Actual Production of Industry)	CCA Quantity (Quantity allowed as per consent or Installed capacity)	NOC/ Expansion (Production Quantity Asking for)	Inspection Remark
1.	Bread and poli	250			

8. Raw Material

Sno.	Name	Source	Capacity	Unit
------	------	--------	----------	------

9. Machine/equipment installed

Sno.	Name	Quantity
------	------	----------

10. Approx production in last 2 months (based on receipts of purchase of Raw Materials orders and payments received)

11. Man power requirement

12. Status of operation of unit

Unit was under operations

13. Type of area/ land use/ land cover

14. Distance of nearest residence/school/hospital/any prominent structure

15. Distance of water body (Specify which if any)

16. Noise pollution control measures adopted

17. Water consumption

S.no	Source	Quantity
------	--------	----------

18. Waste Water generation

Sno.	Source	Quantity
------	--------	----------

19. Disposal method

20. Capacity of septic tank/soak pit/sewage treatment plant/effluent treatment plant

21. Whether capacity sufficient

Yes

22. Electrical consumption

23. Solid waste generator

Sno.	Type	Quantity	Disposal
------	------	----------	----------

24. Hazardous Waste

Sno.	Type	Quantity	Disposal	If Manifest submitted	If Annual returns submitted
------	------	----------	----------	-----------------------	-----------------------------

25. Permission from Local body

26. Noise levels recorded at compound wall of unit

Sno.	Location	Distance from the unit	Noise Limit measured	Permissible limits
------	----------	------------------------	----------------------	--------------------

27. DG set capacity/ Boiler capacity

Sno.	Stack Height	Fuel consumption	Used oil generation/Disposal of ash	If stack monitoring facility provided	If stack analysis report submitted
------	--------------	------------------	-------------------------------------	---------------------------------------	------------------------------------

28. Oven capacity

Sno.	Stack Height	Fuel consumption	If stack monitoring facility provided	If stack analysis report submitted
------	--------------	------------------	---------------------------------------	------------------------------------

29. Furnace capacity/Rotary Kiln

Sno.	Type	Stack Height	Fuel consumption	Air pollution control device	If stack monitoring facility provided	If stack analysis report submitted	Roof suction system provided	Separate energy meter connected
------	------	--------------	------------------	------------------------------	---------------------------------------	------------------------------------	------------------------------	---------------------------------

30. Dust suppression Methods

Sno.	Sprinklers Provided	Whether sprinklers are in operation	Metalled Road provided	Plantation carried out
------	---------------------	-------------------------------------	------------------------	------------------------

31. In case of Induction furnace

Sno.	Quantity of slag generated	Storage area of slag	Whether proper benching is done for slag dumps	Toe wall is provided	Slag crusher installed
------	----------------------------	----------------------	--	----------------------	------------------------

32. In case of sponge iron units

Sno.	Quantity of fly ash generated	Is brick manufacturing units	Is it in operation	No of bricks manufactured	Is entire fly ash utilized	Where is the fly ash stored	Whether Log books are maintained	Is records submitted to the Board
------	-------------------------------	------------------------------	--------------------	---------------------------	----------------------------	-----------------------------	----------------------------------	-----------------------------------

33. Is ambient monitoring carried out Yes

34. Are report submitted as per consent conditions Yes

35. Is environmental statement submitted Yes

36. Are all consent conditions complied with Yes

37. Is Bank Guarantee submitted No

38. If Yes, has the unit complied give details na

39. Additional Observations

The undersigned Mr. Vijay Kansekar (JEE) along with Mr. Seby Fernandes (FA) inspected the unit M/s. French Bakery, located at House no. 510, PT Sheet No. 111 & 112(Part), Aquem Alto, MArgao, Salcete, Goa on 08/02/2022. The Unit has applied for Renewal of Consent to operate Expand under Air Act and Water Act for Carbon Dust Scrubber Machine having 1.5 HP Motor Capacity. The Unit was in Operation during the time of inspection. The applicant Mr. Mario Gil Remy Gomes and Mrs. Celina Gomes was present during the course of inspection and provided the details. The unit has a valid consent valid up-to 27/08/2028. The unit is a bakery deals in the production of bread and is equipped with two wood fired ovens. Unit has installed the Carbon Dust Scrubber Machine. The said scrubber is connected to the chimneys of the bakery unit. A 1.5HP motor has been installed and the stack height of the dry carbon scrubber is raised to 15m from ground level for disposal of the smoke. The arrangement for the water spray and for collection of the carbon deposit from the smoke has been done and working satisfactorily. As informed the waste water will be disposed into the soak pit, for which necessary arrangement is provided. Previously Board has issued Consent for Carbon Dust Scrubber Machine dated on 05/11/2021 valid for one month from the date of issue of this consent on trial operation. As informed they have started its operation activity since 28/11/2021 and Carbon Dust Scrubber Machine working satisfactorily and Board has also carried out Stack monitoring of the same and results are well within the permissible limits laid down by the Board. The unit was in operation during the time of inspection.

40. Conclusion

41. Recommendations

Signature of inspecting official

GOA STATE POLLUTION CONTROL BOARD

गोंय राज्य प्रदूषण नियंत्रण मंडळ

(An ISO 9001:2015, ISO 14001:2015, ISO 45001:2018 Certified Board)

Phone Nos. : 0832-2407700
2407701, 2407702
2407703



Tel/Fax No. : 0832-2407700

Email Ids:

Chairman, GSPCB: chairman-gspcb.goa@nic.in
Member Secretary GSPCB: ms-gspcb.goa@nic.in
Office: mail.gspcb@gov.in

No. 10/1/21-PCB/Leg/21589/By Registered A.D

15/03/2022

DIRECTIONS UNDER SECTION 33(A) READ WITH SECTION 25/26 OF THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974 AND UNDER SECTION 31(A) READ WITH SECTION 21 OF THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981.

Ref: 1) Directions issued vide no. 10/1/20-PCB/Leg/16546 dated 16/12/2020

WHEREAS, the Goa State Pollution Control Board (hereinafter referred to as 'The Board,' in short) vide Directions referred to as Serial No 1 had directed you to stop the operation of your Bakery unit, namely M/s French Bakery located Near St. Sebastian Church, Aquem Margao Goa.

WHEREAS, subsequently you have applied to the Board for issuance of Consent to Establish for installation of Dry Carbon Collector Scrubber vide application dated 07/05/2021 which was granted by the Board vide Consent to Establish Order dated 31.05.2021, which was valid upto Commissioning of the unit or 6 months whichever was earlier.

WHEREAS, the above Consent Order did not permit your unit to commence operations but only permitted the installation of Dry Carbon Scrubber.

WHEREAS, you thereafter submitted an application dated 12/08/2021 for Consent to Operate (CCA-Expansion) for the operation of Carbon Dust Scrubber Machine.

WHEREAS, thereafter an inspection of your unit was conducted by Inspecting Official of the Board on 17.08.2021; the report of inspection indicated that your unit had installed the Carbon Dust Scrubber Machine, installed a 1.5.HP motor and increased the stack height of the Oven of the unit to 15 meters. The report also stated that the unit was not in operation.

A copy of the inspection report dated 30/08/2021 is enclosed.

WHEREAS, vide Order dated 05.11.2021, the Respondent Board issued Consent to Operate to (Expansion) to your unit for Trial operation of Carbon Dust Scrubber Machine 1.5HP motor that was valid for a period of one month from the date of issue of the Consent. Your unit was permitted to operate for the period of 1 month in order to test the efficiency of the Carbon Dust Scrubber Machine.

A copy of the Order dated 05/11/2021 is enclosed.

WHEREAS, the Consent to Operate order dated 05.11.2021 which was valid for one month has since expired; however your unit has applied for renewal of the Consent to operate (CCA Expansion) for the operation of Carbon Dust Scrubber Machine vide application dated 07/02/2022.

WHEREAS, the Board has not granted the above renewal of Consent to operate to you till date.

WHEREAS, the Board through its officials has conducted a site inspection of your unit on 08/02/2022 during which time your unit was found to be in operation.

A copy of the report of the inspection dated 08/02/2022 is enclosed.

WHEREAS, such operation of your unit as observed during the inspection conducted by the Board on 08/02/2022 indicates that you are operating your unit in violation of the Boards directions dated 16/12/2020 as referred to above and as issued to you under Section 31 (A) of the Air Act & 33 (A) of the Water Act; thereby grossly violating the provisions of the Water Act & Air Act.

NOW THEREFORE, in light of the above the Management of M/s French Bakery located Near St. Sebastian Church, Aquem Margao Goa. is hereby directed to **Show Cause** within a period of 7 days from the date of receipt of these directions as to why stringent legal actions under the provisions of the Air Act & Water Act should not be initiated against you by the Board for violating its directions dated 16/12/2020.

~~FURTHER~~, you are directed to immediately suspend the operation of your said Bakery unit in terms of the Boards directions dated 16/12/2020 and submit compliance report to this office immediately.

TAKE NOTE, that failure to comply with the aforesaid directions within the stipulated time period will compel the Board to initiate stringent legal action against you under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981, without any further notice.

Issued on this 15th day of March, 2022.


((Dr. Shamila Monteiro)
Member Secretary
Goa State Pollution Control Board

To,
M/s. French Bakery
C/o Mr. Mario Gil R. Gomes,
H.No 510, Near St. Sebastian Church,
Aquem Margao Goa.

Copy to,

1. Office file. .
2. Guard file.
3. Legal Section file.



Nancy Shah <nancyshah@chambersofrg.com>

Re: Appeal No. 08/2020(WZ): Mahendra Kakule vs GSPCB & Ors., pending before the Hon'ble NGT

Nancy Shah <nancyshah@chambersofrg.com>

23 March 2022 at 19:49

To: shivshankar.swaminathan@yutilaw.com

Cc: Ruchira Gupta <ruchiragupta2010@gmail.com>, Ruchira Gupta <ruchira@chambersofrg.com>, Anurag Sharma <adv.sharma91@gmail.com>

Dear Sir,

Please find attached the updated Status Affidavit on behalf of GSPCB to be filed before the Hon'ble NGT in the captioned matter.

Kindly accept the service of the same.

This is for your kind information and record.

Best regards,
Adv. Nancy Shah
8860478898

CHAMBERS *of*
Ruchira Gupta

E-31, Basement, Jangpura Extension,
New Delhi - 110014 L 011-43562646

 **Status Affidavit 23.03.22.pdf**
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