

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

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Jog Centre, 3rd Floor,
Wakdewadi,
Old Pune Mumbai Road,
Pune- 411003

MPCB/ROP/ 210615-FTS-0026

Date : 15/06/2021

To,
Hon'ble Registrar,
National Green Tribunal (PB),
New Delhi.

Sub. :- Submission of Reply by Maharashtra Pollution Control Board in O.
A. 130/2021 In re : 18 mostly women, killed in fire at Pune Chemical Unit
published in the Times of India on 08/06/2021 vs. MPCB

Ref. :- Notice dated 08/06/2021.

Sir,

Maharashtra Pollution Control Board is submitting the reply in compliance
of the notice dated 08/06/2021.

FOR and on behalf of the
Maharashtra Pollution Control Board

(Nitin Shinde)

I/c Regional Officer, MPCB Pune.

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

**Suo Moto Matter - Original Application No130/2021
Regarding "18, mostly women, killed in fire at Pune Chemical Unit"
published in the Times of India, dated 08/06/2021**

v/s

Maharashtra Pollution Control Board & Ors.

Action Taken Report on behalf of the Maharashtra Pollution Control Board

1. A News Article was published in the Times of India dated 08/06/2021 regarding 18, mostly women, killed in fire at Pune Chemical Unit on 07/06/2021.
2. The Respondent Industry i. e. M/s. SVS Aqua Technologies made an application for Consent to Operate to the Maharashtra Pollution Control Board on 14th August, 2020. In the said Application the Respondent Industry mentioned commissioning date of the unit as 10th September 2018. Due to Covid-19 pandemic and lockdown situation in Maharashtra, the Board official could not visit the respondent Industry at that time. The Respondent industry had applied for non-hazardous products.
3. Accordingly, the Maharashtra Pollution Control Board (MPCB) has granted first Consent to Operate to M/s. SVS Aqua Technologies, Plot No.43/44/45, Gat No.411, Urawade, Tal: Mulshi, Pune vide letter dated 10/09/2020, which is valid up to 30/09/2021, subject to certain terms & conditions for manufacturing of following products: -

Sr.No.	Product Name	Maximum Quantity
1.	Chlorine Dioxide Powder	25.00 MT/M
2.	Chlorine Dioxide Tablets	15.00 MT/M
3.	Chlorine Dioxide Gel	05.00 MT/M
(By Mixing and Blending Process only)		

A copy of the Consent to Operate granted to M/s. SVS Aqua Technologies vide letter dated 10/09/2020 is enclosed herewith and marked as an **Annexure-I**.

4. The MPCB has received the information about the fire incidence through electric media on 07/06/2021 at 6.30 pm occurred at M/s. SVS Aqua Technologies, Plot No.43/44/45, Gat No.411, Urawade, Tal: Mulshi, Pune. In order to verify the fire incidence, the officials of MPCB at Pune have visited the site on 07/06/2021 at 7.15 pm and 08/06/2021 and observed as follows :-

- a. There was a huge smoke observed at the place and fire extinguishing activities was going on.
- b. There was no electricity in the premises.
- c. The discharge of fire extinguishing water was passing outside the factory premises and the same is in alkaline in nature. MPCB has collected samples of the same and the analysis results are awaited.
- d. During the visit, the Fire Fighter informed that 18 personnel were trapped in the fire and same were totally burnt.
- e. Till 11.30 pm the fire extinguishing process was continued.
- f. The reason for fire and production details are not known at the first-hand information.

A copy of the visit report dated 07/06/2021 is enclosed herewith and marked as an **Annexure- 'II'**.

During the visit, MPCB has monitored Ambient Air Quality for SO₂NO_x & SPM parameters continuously for 48 Hrs. from 7th June, 2021. MPCB has also monitored CO (Carbon Monoxide) & Chlorine (Cl₂) parameters in the surrounding premises of the Respondent Industry from the third party (MITCON). Results of the same are awaited.

5. On the basis of above non-compliances and fire incidence occurred, the Respondent Board has issued directions u/s 33A of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act,

1981 vide letter dated 08/06/2021 to M/s. SVS Aqua Technologies and directed to stop manufacturing activities subject to comply with the following directions: -

- I. The waste generated due to fire incidence shall be disposed to CHWTSDF immediately and report the compliance with manifest as per Hazardous & Other Waste (M & TM) Rules, 2016 forthwith.
- II. To take scientific measures to avoid the nuisance due to generated waste in any form in the fire accident and dispose the same after suitable treatment, if necessary.
- III. Not to carry out manufacturing activities till they obtain prior permission of the Maharashtra Pollution Control Board and Directorate of Industrial Safety and Health(DISH).

A copy of the directions dated 08/06/2021 is enclosed herewith and marked as an **Annexure-'III'**.

6. In the aforesaid matter, a Preliminary Report dated 09/06/2021 of fire incidence occurred in M/s SVS Aqua Technologies Pune is prepared by the Joint Committee consisting of Tahsildar Mulashi, Additional Director, Industry safety Department, Pune, Deputy Director, Industries and Safety, Pune, Labour Commissioner, Pune, Sub- Divisional Police Officer, Mulshi, Regional Officer, MPCB, Executive Engineer, MSEDCL, Chief Fire Officer, Pune under the Chairmanship of Sub-Divisional Magistrate Maval Mulshi. The said joint committee reported as under :-
 - I. In the fire accident 15 women and 2 men, Total 17 personnel died.
 - II. Large stocks of flammable substances were stored without license of the Department of Industrial Safety and Health.
 - III. Due to stock of sanitizer, the fire may be exacerbated as well as black smoke from Sodium chloride, may have prevented the workers from exiting safely.
 - IV. The possibility of storage and production of flammable substances other than those mentioned in the consent letter of Maharashtra Pollution Control Board, Pune cannot be ruled out.
 - V. During the personal inquiry, the owners of the above company informed that the industrial activity has been started in the year, 2016 without

intimation to the M. P. C. Board. However, the available documents show that the Maharashtra Pollution Control Board has granted consent on 10/09/2020, which shows that the company has started their manufacturing activities without Consent of the Board since 2016 to 2020 etc.

7. A Criminal Offence U/Sec. 304(2), 285, 286 r/w 34 of the Indian Penal Code has been registered by the State of Maharashtra vide Offence Register No. 137/2021 against Directors of SVS Aqua Technologies viz. Accused No. 1 Nikunj Bipin Shah, Accused No. 2 Bipin J. Shah, Accused No. 3, Keyur B. Shah.

For and on behalf of Maharashtra
Pollution Control Board,



(Nitin Shinde)

I/c Regional Officer, Pune.

Place : Pune
Date : 14/06/2021

MAHARASHTRA POLLUTION CONTROL BOARD REGIONAL OFFICE, PUNE

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3rd Floor, "Jog Center"
Wakadewadi, Mumbai-Pune
Road, Pune - 411003

Red/S.S.I.

Date: 10/09/2020

Consent No: RO-PUNE/CONSENT/ 2009000619

Consent to Operate under Section 26 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization / Renewal of Authorization under Rule 6 of the Hazardous and other Wastes (Management & Transboundary Movement) Rules 2016

[To be referred as Water Act, Air Act and HW (M&TM) Rules respectively].

CONSENT is hereby granted to

M/s SVS AQUA TECHNOLOGIES.
Plot No -43/44/45 Gut No -411, Urwade.
Tal-Mulshi, Dist Pune.

located in the area declared under the provisions of the Water Act, Air act and Authorization under the provisions of HW(M&TM) Rules and amendments thereto 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 Operate is granted for a period up to: 30.09.2021.

2. The Consent is valid for the manufacture of -

Sr. No.	Product Name	Maximum Quantity	UOM
1.	Chlorine Dioxide Powder	25.00	MT/M
2.	Chlorine Dioxide Tablets	15.00	MT/M
3.	Chlorine Dioxide Gel	05.00	MT/M
(By Mixing and Blending Process Only).			

3. CONDITIONS UNDER WATER ACT:

- (i) The daily quantity of trade effluent from the factory shall not be Nil
- (ii) The daily quantity of sewage effluent from the factory shall not exceed 0.3 M³.
- (iii) Trade Effluent : NA
- (iv) Trade Effluent Disposal: NA

MPCB-CONSENT-0000096457



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(v) **Sewage Effluent Treatment:** The applicant shall provide comprehensive treatment system as is warranted with reference to influent quality and operate and maintain the same continuously so as to achieve the quality of treated sewage effluent to the following standards.

(1)	Suspended Solids	Not to exceed	100	mg/l.
(2)	BOD 3 days 27° C.	Not to exceed	100	mg/l.

(vi) **Sewage Effluent Disposal:** The treated domestic effluent shall be soaked in a soak pit, which shall be got cleaned periodically. Overflow, if any, shall be used on land for gardening / plantation only.

(vii) **Non-Hazardous Solid Wastes:**

Sr. No.	Type Of Waste	Quantity	UOM	Treatment	Disposal
	...NA...				

(viii) **Other Conditions:** 1) Industry should monitor effluent quality regularly.
2) Industry shall develop green belt of local species in 1/3rd of total area.

4. The applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Cess Act, 1977 (to be referred as Cess Act) and amendment Rules, 2003 there under

The daily water consumption for the following categories is as under:

(i)	Domestic	...	14.00	CMD
(ii)	Industrial Processing	...	00.00	CMD
(iii)	Industrial Cooling	...	03.00	CMD
(iv)	Agriculture / Gardening	...	00.50	CMD

The applicant shall regularly submit to the Board the returns of water consumption in the prescribed form and pay the Cess as specified under Section 3 of the said Act.

5. **CONDITIONS UNDER AIR ACT :**

(i) The applicant shall install a comprehensive control system consisting of control equipments as is warranted with reference to generation of emission and operate and maintain the same continuously so as to achieve the level of pollutants to the following standards:

a. **Control Equipment: --**

1. Dust collector of sufficient capacity shall be provided to the source of particulate matter emission section to limit the following standards

b. **Standards for Emissions of Air Pollutants:**

1)	SPM	Not to exceed	150	mg/Nm ³
2)	SO ₂	Not to exceed	---	kg/day

6. **Conditions for D.G. Set**

a. Noise from the D.G. Set should be controlled by providing an acoustic enclosure or by treating the room acoustically.

b. Industry should provide acoustic enclosure for control of noise. The acoustic enclosure/ acoustic treatment of the room should be designed for minimum 25 dB (A) insertion loss or for meeting the ambient noise standards, whichever is on higher side. A suitable exhaust muffler with insertion loss of 25 dB (A) shall also be

provided. The measurement of insertion loss will be done at different points at 0.5 meters from acoustic enclosure/room and then average.

- c. The industry shall take adequate measures for control of noise levels from its own sources within the premises in respect of noise to less than 75 dB(A) during day time and 70 dB(A) during the night time. 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.
- d. Industry should make efforts to bring down noise level due to DG set, outside industrial premises, within ambient noise requirements by proper siting and control measures.
- e. Installation of DG Set must be strictly in compliance with recommendations of DG Set manufacturer.
- f. A proper routine and preventive maintenance procedure for DG set should be set and followed in consultation with the DG manufacturer which would help to prevent noise levels of DG set from deteriorating with use
- g. D.G. Set shall be operated only in case of power failure.

The applicant should not cause any nuisance in the surrounding area due to operation of D.G. Set.

7. Standards for Stack Emissions:

- (i) The applicant shall observe the following fuel pattern:-

Sr. No.	Type Of Fuel	Quantity	UOM
	...NA...		

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

(iii)

Sr. No.	Chimney Attached To	Height in Mtrs.
	...NA...	...NA...

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

- (v) The industry shall take adequate measures for control of noise levels from its own sources within the premises so as to maintain ambient air quality standard in respect of noise to less than 75 dB(A) during day time and 70 dB(A) during night time. Day time is reckoned in between 6 a.m. and 10 p.m. and night time is reckoned between 10 p.m. and 6 a.m.

(v) **Other Conditions:**

- 1) The industry should not cause any nuisance in surrounding area.
- 2) The industry should monitor stack emissions and ambient air quality Regularly.

8. CONDITIONS UNDER HAZARDOUS AND OTHER WASTES (MANAGEMENT & TRANSBOUNDRY MOVEMENT) RULES, 2016:

- (i) The Industry shall handle hazardous wastes as specified below.

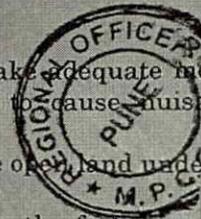
Sr. No.	Type Of Waste	Quantity	UOM	Disposal
	...NA...			

(ii) Treatment: - NIL

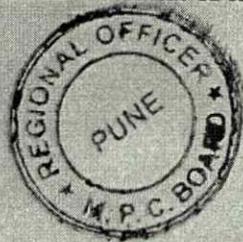
1. The authorization is hereby granted to operate a facility for collection, storage, transport & disposal of hazardous waste.
2. The industry should comply with the Hazardous Waste (M&TM) Rules, 2016.
 - a. Whenever due to any accident or gas leakage or other unforeseen act or even, such emissions occur or is apprehended to occur in excess of standards laid down, such information shall be forthwith Reported to Collector, Directorate of Industry, Safety and Health, Police Station, Fire Brigade, Directorate of Health Services, Department of Explosives, Board and Local Body and the production process should be stopped by taking all necessary safety measures. The industry shall also monitor the emission and ensure that the emissions do not cause any harm or nuisance in the surrounding. The industry should not restart the process without permission of the Board and other statutory organization as require under the law.
 - b. The unit has to display and maintain the data online outside the factory main gate in Marathi & English both on a 6'x4' display board in the manner and the report of the compliance along with photograph shall be submitted to this office & concerned Regional Office/ Sub Regional Office.
 - c. It shall be ensured that the Hazardous waste is handled, managed & disposed of strictly in accordance with the Hazardous Waste (M & TM) Rules, 2008.

9. Industry shall comply with following additional conditions:

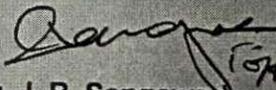
- i. The applicant shall maintain good housekeeping and take adequate measures for control of pollution from all sources so as not to cause nuisance to surrounding area / inhabitants.
- ii. The applicant shall bring minimum 33% of the available open land under green coverage/ tree plantation.
- iii. Solid waste – The non hazardous solid waste arising in the factory premises, sweepings, etc., be disposed of scientifically so as not to cause any nuisance / pollution. The applicant shall take necessary permissions from civic authorities for disposal to dumping ground.
- iv. The applicant shall provide for an alternate electric power source sufficient to operate all pollution control facilities installed by the applicant to maintain compliance with the terms and conditions of the consent. In the absence, the applicant shall stop, reduce or otherwise, control production to abide by terms & conditions of this consent regarding pollution levels.
- v. The applicant shall not change or alter quantity, quality, the rate of discharge, temperature or the mode of the effluent / emissions or hazardous wastes or control equipments provided for without previous written permission of the Board.
- vi. The applicant shall provide facility for collection of environmental samples and samples of trade and sewage effluents, air emissions and hazardous wastes to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf.
- vii. The applicant shall make an application for renewal of the consent at least 60 days before the date of the expiry of the consent.
- viii. The firm shall submit to this office, the 30th day of September every year, the Environmental Statement Report for the financial year ending 31st March in the prescribed Form-V as pre the provisions of rule 14 of the Environment (Protection) (Second Amendment) Rules, 1992.



- ix. As inspection book shall be opened and made available to the Board's officers during their visit to the applicant.
- x. The applicant shall install a separate electric meter showing the consumption of energy for operation of domestic and industrial effluent treatment plants and air pollution control system. A register showing consumption of chemicals used for treatment shall be maintained.
- xi. Separate drainage system shall be provided for collection of trade and sewage effluents. Terminal manholes shall be provided at the end of collection system with arrangement for measuring the flow. No effluent shall be admitted in the pipes / sewers down- stream of the terminal manholes. No effluent shall find its way other than in designed and provided collection System.
- xii. Neither storm water nor discharge from other premises shall be allowed to mix with the effluents from the factory.
10. This is without prejudice to any other permission required under any of the laws, by-laws or regulations in force.
11. This Board reserves the right to add / amend / revoke any condition in this consent and the same shall be binding on the applicant.
12. Industry shall submit Bank Guarantee of Rs. 25,000/- within 15 days in favour of Regional officer, Pune valid for the period upto 31.12.2021 towards compliance of consent conditions.
13. Industry shall obtain the NOC from CGWA, in case of ground water extraction/use.
14. The Capital investment of the industry is Rs. 345.92 Lakhs.



For AND ON BEHALF OF M.P.C. BOARD


(Dr. J. B. Sangewar)
Regional Officer.

To,
M/s SVS AQUA TECHNOLOGIES.
Plot No -43/44/45 Gut No -411, Urwade.
Tal-Mulshi, Dist Pune.

Copy to:

- 1) Sub Regional Officer, MPCB, P-I / P-II / P.C./ Satara / Solapur
- 2) Chief Accounts Officer, MPCB, Mumbai

Received Consent fee of -

Sr. No.	Amount(Rs.)	Transaction no	Date
1	60000.00	TXN2008001029	17-08-2020

MAHARASHTRA POLLUTION CONTROL BOARD
SUB-REGIONAL OFFICE, PUNE-II

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2nd Floor, "Jog Center"

Wakadewadi, Mumbai-Pune

Road, Pune - 411003

VISIT REPORT

- 1) Name & address: M/s SUS Aqua Technologies.
Plot No. 43/44/45, God No - 411
Urawade, Tal. Mulashi Dist. PUNE.
- 2) Date of visit:-
— 07/06/2021 at 7.15 pm.
- 3) Contact person (Tel/Mob/email):-
Non.
- 4) Consent status:- RO-PUNE/consent/2009000619 dtd - 10/09/2020
Valid up to 30/09/2021
- 5) Additional information:-
product - Chlorine Dioxide powder - 25 mg/m
Chlorine → Tablets - 15 mg/m.
→ " → gel - 5 mg/m.
- Trade Eff - - NIL
Domestic - 0.3 m³/day

Observations -

The information was received from the electronic media about 6.30 pm. regarding fire incidence at above noted industry.

The site has been visited by the undersigned by 7.15 pm.

There was huge smoke at the place. and fire extinguishing activity was going on.

There was no Electricity in the premises and none of the accurate information was available at site.

The company personnel was also not traceable.

The discharge of fire extinguishing water was passing outside the premises and was found in alkaline in nature. Sample of the same was collected.

The instruction was also given orally to the near by personnel to not to ^{be} in contact with the discharged water.

The gases was liberated during the fire. and for the same the HVS sampling machine was placed adjacent to another factory. at about 9.00 pm.

During the visit the fire fighter has informed that ~~the~~ 18 persons were trapped in the fire and some were been burned totally and for death declaration they have been send to respective authority. Till the 11.30 pm the process was continued for fire extinguishing.

The Reason for fire and production details are not known at first hand information.

Ullas
(R. T. Jadhav)
F.O. SRP-2

U. D. Yadav
(U. D. Yadav)
Fo, Pune-II

Nitin R. Shinde
OF/II
(Nitin R. Shinde)
SRP-Pune-II

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

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"Your Service is our Duty"

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Wakdewadi,
Old-Pune Mumbai Road,
Pune- 411003

MPCB/ROP/ MPCB/Direction/ 210608-FTS-0146 Date: 08/06/2021

To,
M/s. SVS Aqua Technologies,
Plot No. 43/44/45, Gat No. 411, Urwade,
Tal. Mulshi, Dist. Pune.

Sub: Directions under Section 33A of Water (Prevention & Control of Pollution) Act, 1974 and 31A of Air (Prevention & Control of Pollution) Act, 1981

Ref : 1. Consent to operate granted by the Board on 10/9/2020
2. Fire accident occurred in the factory on dtd. 07/06/2021.
3. Visit of the officials of the Board on 07/06/2021 & 08/06/2021

WHEREAS, the Maharashtra Pollution Control Board had granted the consent to operate under Section 26 of the Water (Prevention & Control of Pollution) Act, 1974, under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization under Rule 6 of the Hazardous & Other Wastes (MH & TM) Rules, 2016 to your industrial Plant subject to certain terms & conditions.

AND WHEREAS, it is obligatory on your part to comply with the consent conditions and to operate & maintain the pollution control devices effectively so as to achieve the standards prescribed in the consent.

AND WHEREAS, a fire accident was occurred in your industry on 07/06/2021 & same news has flashed on various News channels as well as Newspapers.

AND WHEEREAS, in order to verify the fire incidence, the officials of the Board have visited to your industry on 07/06/2021 & 08/06/2021 and observed as follows:

1. Due to fire accident at site huge smoke was observed.
2. The discharge of fire extinguishing water was passing outside factory premises & same is in alkaline in nature.
3. In this fire accident there are 17 burning to death occurred.
4. From the intensity of the blaze grew and the huge smoke of fire, it apprehensioned that, you have carried out unconsented products in the industry without permission of the MPC Board.
5. You have carried out manufacturing activity before obtaining consent from the Board as per your say in the accident investigation.

6. You have failed to furnish the information forthwith and intimate the occurrence of such fire accident, act or event to the Board.

AND WHEREAS, on the basis of the office record and observations made during the visit, it has been noticed that, you have failed to comply with the consent condition and also failed to comply with the provision of Water (Prevention & Control of Pollution) Act, 1974 and Air (prevention & Control of Pollution) Act, 1981 and thereby causing grave and sudden injury to the environment.

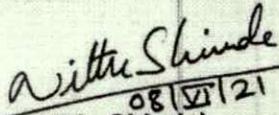
NOW THEREFORE, in exercise of the powers conferred upon me under section 33A of Water (Prevention & Control of Pollution) Act, 1974 and under Section 31 A of Air (Prevention & Control of Pollution) Act, 1981, you are hereby directed to stop your manufacturing activities forthwith till you comply with the following directions:

- 1) The waste generated due to fire incident shall be dispose to CHWTSDF immediately and report the compliance with manifest as per Hazardous & Other Waste (M&TM) Rules, 2016 forthwith.
- 2) You shall take scientific measures to avoid the nuisance due to generated waste in any form in the fire accident and dispose the same after suitable treatment, if necessary.
- 3) You shall not carry out your manufacturing activities till you obtain prior permission of the Maharashtra Pollution Control Board and Directorate of Industrial Safety and Health (DISH).

In case, you fail to comply with the above directions, the Board will have no option than to initiate appropriate legal action against you, which please note.

This directions is issued with the approval of higher authority of the Board.

For and on behalf of
Maharashtra Pollution Control Board


08/07/21
(Nitin Shinde)
I/c. Regional Officer, Pune

Copy Submitted for information to :-

1. Hon'ble Member Secretary, M.P.C. Board, Mumbai.
2. Hon'ble District Collector, Pune.
3. Joint Director (WPC), M.P.C. Board, Mumbai.
- 4.. Law & Policy Div. M.P.C. Board Mumbai.

Copy forwarded to :

- Directorate of Industrial Safety and Health, Pune

Copy to-

The Sub-Regional Officer, M.P.C. Board, Pune-II :- You are directed to keep the follow up and report the compliance from time to time.