

MAHARASHTRA POLLUTION CONTROL BOARD

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Regional Office, Paryavaran Bhavan,
A-4/1, MIDC Area, Chikalthana,
Behind Daynik Lokpatra, Near Seth
Nandlal Dhoot Hospital, Jalna Road,
Aurangabad-431 210.

No. MPCB/ROA/CD/ /2020

200316-F75-0157

By FAX/R.P.A.D./HAND DELIVERY:

No. MPCB/ROA/DIR/ /2020

Date :- / 16 / 03 / 2020

Date:-

To,
M/s. Shree Samarth Energy,
Gat No 113/2, At Pakhora, Tq-Gangapur,
Dist-Aurangabad.

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

- Ref:-
- 1) Consent to Operate granted by the Board.
 - 2) Order dated 19/09/2019 passed by the Hon'ble National Green Tribunal, Principal Bench, New Delhi in O.A. No. 400/2019.
 - 3) Directions issued by the Board dated 24/10/2019.
 - 4) Notice issued for Environmental compensation dated-27.11.2019.
 - 5) Directions issued by the Hon'ble Chairman CPCB vide dtd. 04.12.2019
 - 6) Order passed by the Hon'ble National Green Tribunal, Principal Bench, New Delhi vide dtd. 06.01.2020 in O.A. No. 400/2019.
 - 7) Board Office e-mail dated 23.01.2020 & 03.03.2020.
 - 8) Report received from SRO Aurangabad through Legal Action Module on 28.02.2020.
 - 9) Approval received from MPCB HQ through Legal Action Module on 13.03.2020.

WHEREAS, your industry is located in the "Pollution Prevention Area" under the Water (Prevention & Control of Pollution) Act, 1974, under the Air (Prevention & Control of Pollution) Act, 1981 and Hazardous & Other Wastes (Management & Transboundary Movement) Rules, 2016 and followed by further amendments made therein from time to time.

AND WHEREAS, the Board has granted the Consent to Operate to your unit 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 5 of the Hazardous & Other Wastes (Management & Transboundary Movement) Rules, 2016 and amendments thereof. And it is obligatory on your part to provide pollution control system as it warranted and to operate and maintain the same continuously and effectively so as to achieve the standards prescribed in the Consent.

AND WHEREAS, the Hon'ble National Green Tribunal, Principal Bench, New Delhi has passed an order on 19/09/2019 in O.A. No. 400/2019 filed by Social Action for Forest & Environment v/s. Union of India & Others wherein it is mentioned as "In most of the cases, it was observed that the reason of non-compliance is not meeting the criteria of SOP of MoEF & CC and the Consent conditions issued by the SPCBs/PCCs". In case of non-compliances actions is to be initiated in the form of Closure Directions or time specific directions for improvement or notices for compliances.

AND WHEREAS, the Board has issued directions under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and under Section 31A of the Air (Prevention & Control of Pollution) Act, 1981 to your unit vide above reference (3).

AND WHEREAS, vide reference 5) above the Hon'ble Chairman CPCB has issued directions U/s 5 of Environment (Protection) Act 1986 to close down tyre pyrolysis units which are not complying with Consent conditions and SOP of the MoEF & CC.

AND WHEREAS, Sub-Regional Officer, Aurangabd has submitted proposal vide under reference No. 8 wherein the following non compliance is reported-

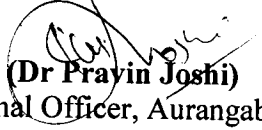
1. You have not provided flaring system.
2. You have not provided nitrogen purging unit.
3. You have not provided automatic system for carbon collection in closed container/bag.
4. You have not provide adequate effluent treatment plant for the treatment of effluent also not obtained membership of CHWTSDF for the disposal of Hazardous waste.
5. You have not provided adequate fire fighting system.
6. You have not provided automatic control system-PLC.
7. You have not provided adequate stack height of 30 mtrs.
8. You have not deposited environmental compensation amount as per ref No 4.

AND WHEREAS, from the record of this office and the observations made during the visit, I came to the conclusion that you are not complying with the Consent conditions as well as the order passed by the Hon'ble National Green Tribunal and the provisions of Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 thereby causing grave injury to the environment.

NOW, THEREFORE in exercise of the powers conferred upon me by the Board under Section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and under Section 31A of the Air (Prevention & Control of Pollution) Act, 1981, I the undersigned, Dr Pravin Joshi, Regional Officer of the Board at Aurangabad hereby direct you to stop all your manufacturing activities forthwith and submit the compliance report accordingly. The directions have been issued to the competent authorities to disconnect your electricity and water supply within 48 hours after receipt of this directions, which may please be noted.

This is issued as per the directions of the Competent Authority of the Board.

FOR & ON BEHALF OF THE BOARD,


(Dr Pravin Joshi)
Regional Officer, Aurangabd.

Copy submitted for information to :-

1. The Member Secretary, MPCB Mumbai.
2. The Joint Director (APC), MPCB, Mumbai.
3. The Law Officer (P&L Divn.), MPCB, Mumbai.

: 3 :

Copy f.w.cs.to :-

1. The Executive Engineer, MSEDCL (Rural Division), Aurangabad – It is directed to disconnect the electricity supply of above cited industry and report the action taken from your end at the earliest.
2. Gramsevak/Sarpanch, Grampanchayat Pakhora, Tq-Gangapur, Dist-Aurangabad – It is directed to disconnect the water supply of above cited industry and report the action taken from your end at the earliest.

Copy forwarded to :- The Sub-Regional Officer, MPCB, Aurangabad - He is directed to serve the copy of these Directions to the said industry & concerned competent authorities immediately and report the compliance accordingly.