

MAHARASHTRA POLLUTION CONTROL BOARD REGIONAL OFFICE-KALYAN

Tel. No. (0251) 2310167/2310212
Fax No. (0251) 2310192
Visit us on: <http://mpcb.gov.in>
E.mail: rokalyan@mpcb.gov.in



Siddhivinayak Sankul,
3rd Floor, Near Oak Baug,
Station Road,
Kalyan (West) – 421 301.

No. : MPCB/SROK-B/ROK/CD/ 212

Date:- 22/06/2022

To,
M/s. Sharda Enterprises,
Near Janta Sah. Bank,
Shop No. – 2 , Nekmipada,
Tal.- Kalyan, Dist. Thane.
(MSEDCL consumer no. is 020188026851)

Sub: Closure Directions u/s 33A of the Water (P&CP) Act, 1974 and u/s 31 A of the Air (P&CP) Act, 1981 r. w. Hazardous Waste (M, H&TM) Rules, 2016.

- Ref :**
- 1) Hon'ble NGT (WZ) Pune order dtd-12/05/2014 in matter of 37/2013 Vanshakti V/s MPCB.
 - 2) Supreme Court Judgment dtd-22/02/2017 in the matter of Paryavaran Suraksha Samiiti in Writ Petition (c) No-375/2012 filed by Parayaran Suraksha Samiti and V/s Union of India & ors.
 - 3) Direction issued by Member Secretary of the Board vide No. BO/MS/B-4948, dtd. 18/11/2017.
 - 4) Enforcement Policy published by the Board vide dtd. 29.02.2016.
 - 5) Visit of Board official to your unit on 01/06/2022.
 - 6) Proposal received from Sub-Regional Officer, Kalyan -1 vide MPCB-LEGAL_ACTIONS-100622019.

WHEREAS, you are operating the industry in the pollution prevention area declared under the Provisions of the Water (P&CP) Act, 1974 and the Air (P&CP) Act, 1981 and the Hazardous Waste (Management Handling & Tran boundary Movement) Rules, 2016.

AND WHEREAS, it is obligatory on your part to obtain Conditional Combined Consent and Authorization to operate your industrial plant to discharge sewage and trade effluent in water pollution prevention area subject to certain terms and conditions more precisely under the provisions of 25/26 of the Water (P&CP) Act, 1974 and section 21 of the Air (P&CP) Act, 1981 and the Hazardous Waste (Management Handling & Tran boundary Movement) Rules, 2016. **AND WHEREAS**, it was also obligatory on your part to provide adequate and efficient pollution control devices and take adequate measures to control air & water pollution from all sources so as to achieve the standards prescribed in the Environment (Protection) Act 1986.

AND WHEREAS, Hon'ble National Green Tribunal, New Delhi passed order dtd.8/5/2013 in Application No. 37/2012 filed by Wassan Singh V/s. State of Punjab, directing the concerned Pollution Control Board and the Central Pollution Control Boards, to file an Action Taken Report (ATR) in the Registry of the Tribunal and to ensure that all the procedure for sealing the illegally run / operated factories / unit is immediately.

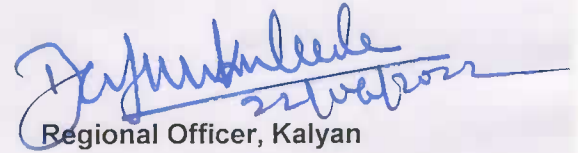
AND WHEREAS, Hon'ble, Supreme Court of India has passed a Judgment dtd-22/02/2017 in Writ Petition (c) No-375/2012 filed by Parayaran Suraksha Samiti and V/s Union of India & ors directing that, existing industrial units which require consent to operate should make their ETP fully operational as per the norms prescribed by Board. In this regards Board has already publish a public Notice in the leading Newspapers.

AND WHEREAS, this office has received proposal from Sub-Regional Office, MPCB, Kalyan -1 reporting following non- compliances.

- 1) You are running unit without obtaining consent from MPC Board and carried out repairing and washing activity drums.
- 2) You have not provided effluent treatment facility for treatment of effluent generating from washing activity and untreated effluent is discharge into nearby nalla.
- 3) Your activity attracts authorization under the Hazardous Waste (Management Handling & Tran boundary Movement) Rules, 2016, however you have not obtained same.

AND WHEREAS, after examining all the reports and records available with this office I have come to the conclusion.that you are knowingly and willfully violating the provisions of the Water (P&CP) Act, 1974 and Air (P&CP) Act, 1981.

NOW THEREFORE, in exercise of powers conferred upon me by the Board u/s 33A of the Water (P&CP) Act, 1974 and u/s 31A of the Air (P&CP) Act, 1981. I, the Regional Officer, Kalyan hereby direct you to stop your manufacturing activity with immediate effect. It may also be noted that, the competent authorities are being directed to disconnect the electricity and water supply to your unit.


Regional Officer, Kalyan

Copy submitted for information to:

1. Member Secretary, M.P.C. Board, Mumbai.
2. Law Officer M.P.C. Board, Mumbai.
3. AS(Technical), M.P.C. Board, Mumbai.

Copy f.w.cs to:

- 1) The Executive Engineer, Maharashtra State Electricity Distribution Co. Ltd., Near Tata Power, Kalyan (E), Dist.-Thane-He is directed to disconnect electricity supply to the aforesaid unit & inform this office accordingly.
- 2) The Executive Engineer (Water Supply), Kalyan Dombivali Municipal Corporation, Tal. Kalyan, Dist. Thane- He is directed to disconnect water supply to the aforesaid unit aforesaid unit with immediate effect & inform this office accordingly.

Copy to:

Sub-Regional Officer, M.P.C. Board, Kalyan -1: -He is directed to serve the directions to above industry and concern departments. Ensure effective closure and submit acknowledged copy to this office.