

# MAHARASHTRA POLLUTION CONTROL BOARD

## Regional Office, Kalyan

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

No. MPCB/ROK/SRO K-II/CD/TB-2012/00004

Date: 10/12/2020.

To,  
**M/s. Vivacious Pharmatex Pvt. Ltd.**  
Plot No. K - 36, Additional MIDC,  
Anand Nagar, Ambernath,  
Ambernath, Dist. Thane

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

- Ref:-**
1. Enforcement Policy published by the Board vide dtd. 29.02.2016.
  2. Consent to Operate granted by the Board vide No. MPCB/17/1703001915/185, dtd. 27/03/2017.
  3. Survey carried out by Board officials vide dtd. 30/11/2020.
  4. Proposal received from Sub-Regional Officer Kalyan-II having No. 061220007.
  5. Approval received from Member Secretary vide dtd. 08/12/2020.

**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 & Other Wastes (Management & Transboundary Movement) Rules, 2016.

**AND WHEREAS**, it is obligatory on your part to obtain Conditional Combined Consent and Authorization to operate your industry to discharge sewage and trade effluent in water pollution prevention area subject to certain terms and conditions more precisely under the provisions of 26 of the Water (P&CP) Act, 1974 and section 21 of the Air (P&CP) Act, 1981 and the Hazardous & Other Wastes (Management & Transboundary Movement) Rules, 2016, however you have failed to obtain valid Consent from the Board. **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**, Board has published Enforcement Policy vide under reference no. 1 to integrate various aspects including inspections, monitoring, standards, compliances, directions, remedial measures as per the provisions of the Environment (Protection) Act, 1986 and other Environmental Laws based on culpability environmental damages, severity of pollution, repeated violations etc.

**AND WHEREAS**, Board has granted Consent to Operate to your unit vide under ref. no.2 which was valid up to 30/11/2020 with certain terms and conditions stipulated therein.

**AND WHEREAS**, visit of Board officials to your unit on 30/11/2020 during special survey carried out by the Board, for checking compliance of Consent conditions.

**AND WHEREAS**, Sub-Regional Officer, Kalyan-II has submitted proposal to initiate action due to non-compliance observed during the visit wherein it is reported that

- 1) You are manufacturing unconsented product (CBP).
- 2) You are consuming excess water than consented limit. Further you are also consuming tanker water.
- 3) Effluent treatment plant (ETP) found non-operational.
- 4) Analysis result of JVS collected on 30/11/2020 for the parameter COD found exceeding i.e. 784 mg/l.
- 5) You have not produced records related to generation and disposal of hazardous wastes.

**AND WHEREAS**, you have failed to comply the conditions of the Consent to Operate granted by the Board and Conditional Restart Directions issued by the Board, thereby willfully, knowingly and habitually violated the provisions of Environmental Rules.

**AND WHEREAS**, after examination of the record of your case, reports of the officers of the Board and after making necessary inquiry, 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 taking all precautionary measures for safe closure of the unit within 48 hours from receipt of this direction. It may also be noted that, the competent authorities are being directed to disconnect the electricity and water supply to your unit.

This is issued with the approval of Member Secretary.

  
Regional Officer,  
MPC Board, Kalyan.

**Copy Submitted to:**

- 1) Member Secretary, MPC Board, Sion, Mumbai.
- 2) Principal Scientific Officer, MPCB, Sion, Mumbai.

**Copy to:** - Law officer, MPCB Sion, Mumbai: - for information.

**Copy f. w. cs to:**

- 1) The Executive Engineer / Addl. Engineer, Maharashtra State Electricity Distribution Co. Ltd., Ambernath, Dist. Thane - He is directed to disconnect electricity supply to the aforesaid unit after completion of 48 hours for safe closure of the unit & inform this office accordingly.
- 2) The Executive Engineer-Water Supply, Addl. Ambernath MIDC, Dist. Thane - He is directed to disconnect water supply to the aforesaid unit after completion of 48 hours for safe closure of the unit & inform this office accordingly

**Copy to:**

Sub Regional Officer, MPC Board, Kalyan - II - He is directed to ensure that this Direction to be served to the industry and competent authorities & submit the compliance report after verification.