

MAHARASHTRA POLLUTION CONTROL BOARD

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Regional Office :
Paryavaran Bhavan,
Plot No. A - 4/1, MIDC, Chikalthana,
Near Dhoot Hospital, Jalna Road,
Aurangabad - 431 210.

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

No. MPCB/ROA/DIR/ /2019

1910220005

Date:- 22/10/2019

To,

M/s. Haroon Mukati Foundation Water Bank,
CTS No. 12369/361, Plot No. 40 Ahinsa Nagar, Baijipura,
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 dated 25/05/2018.
2) Order dated 23/07/2019 passed by the Hon'ble National Green Tribunal,
Principal Bench, New Delhi in O.A. No. 48/2019 (WZ).
3) Report of Joint Committee dated 08/08/2019.
4) Order dated 24/09/2019 passed by the Hon'ble National Green Tribunal,
Principal Bench, New Delhi in O.A. No. 48/2019 (WZ).
5) Consent revoked by the Board vide letter dated 04/10/2019.
6) Approval received from MPCB HQ, Mumbai on 14/10/2019.

WHEREAS, it is obligatory on your part to comply with the conditions of the Consent to Operate granted by the Board 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 under Rule 5 of the Hazardous & Other Wastes (Management & Trans-Boundary Movement) Rules, 2016.

AND WHEREAS, it is also obligatory on your part to provide adequate pollution control systems and operate & maintain the same continuously and effectively so as to achieve the standards prescribed under Environment (Protection) Act, 1986 and to avoid any sort of pollution problem in the surrounding area.

AND WHEREAS, the Hon'ble National Green Tribunal, Principal Bench, New Delhi passed an order dated 23/07/2019 in O.A. No. 48/2019 (WZ) filed by Vinodkumar Jaiswal v/s. State of Maharashtra & Ors. wherein it is directed to constitute a Joint Committee comprising of the Commissioner, Aurangabad Municipal Corporation, the Regional Officer, Maharashtra Pollution Control Board and the Regional Direction, Central Ground Water Board for inspection of your unit, verification of factual aspect set out in the original application and submission of report.

AND WHEREAS, the Joint Committee constituted as per the order passed by the Hon'ble National Green Tribunal vide above reference (2) inspected the site of your unit and submitted the report to the Hon'ble National Green Tribunal through the Regional Director, Ministry of Jal Shakti, Department of Water Resources, River Development & Ganga Rejuvenation.

AND WHEREAS, based on the report submitted by the Joint Committee, the Hon'ble National Green Tribunal passed an order dated 24/09/2019 in O.A. No. 48/2019 (WZ) wherein the Maharashtra Pollution Control Board has been directed to take appropriate action against your unit for the violation indicating the order of closure of the unit and imposition of environmental compensation by invoking the polluters pay principle.

AND WHEREAS, based on the Joint Committee report and as per the orders passed by the Hon'ble National Green Tribunal, the Maharashtra Pollution Control Board has revoked your Consent vide above reference (5)

AND WHEREAS, from the record of your case and observations made during the inspection of Joint Committee to your unit on 08/08/2019, I am satisfied that you have not installed flow meter as per NOC granted by the CGWA, Nagpur as observed in its report dated 04-06-2019, you have also not disclosed the existence of three borewells within the industrial premises and obtained NOC by mis-representing that only one dug well is to be utilized for water abstraction and therefore, you cannot construct any new ground water abstraction structure without the permission of CGWA, Nagpur, you have not developed green belt of 10 sq. meter as indicated in the NOC of CGWA, you are not recycling 5.0 CMD effluent as mentioned in the online application for consent and thereby draining out it into sewerage drain without permission of AMC, you are required to complete remaining artificial recharge structures outside the industrial premises within the stipulated time by the CGWA, you have not applied for any building permission, nor AMC has granted any building permission to you and also no NOC is obtained for RO plant from AMC thereby violating the Consent conditions as well as the provisions of various environmental enactments and damaging the surrounding environment knowingly and willfully.

: 3 :

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, Anil Dnyandeo. Mohekar, Regional Officer of the Board at Aurangabad hereby direct you to stop your manufacturing activity and stop the fresh feeding of raw material forthwith so as to avoid further damages to the surrounding environment and inform the same to this office immediately. The directions have been issued to the competent authorities to disconnect your electricity and water supply after receipt of this directions, which may please be noted.

This is issued with the approval of the Member Secretary of the Board.



(A.D. Mohekar)

Regional Officer-Aurangabad.

Copy submitted for information to :-

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

Copy f.w.cs.to :-

1. The Executive Engineer, MSEDCL (Urban Division), Aurangabad, Dist: 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. The Executive Engineer, Water Supply Division, Aurangabad Municipal Corporation, 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 immediately and report the compliance accordingly.

