



GUJARAT CHAMBER OF COMMERCE & INDUSTRY  
PRESS NOTE

18th February, 2022

15205

**Subject: Interactive Meeting on environmental issues with GPCB Chairman**

On 17<sup>th</sup> February, 2022 Gujarat Chamber of Commerce & Industry (GCCCI) jointly with Gujarat Dyestuff Manufacturers Association (GDMA) organized an Interactive Meeting on Environmental Issues with Mr. R. B. Barad, IAS Chairman, Gujarat Pollution Control Board, Government of Gujarat to discuss environmental issues of industries. Shri A.V. Shah, Member Secretary, GPCB, Shri Rajesh Parmar, Unit Head, GPCB and the team of other senior officials also remained present in the meeting. The function was attended by GCCCI and GDMA Office Bearers & Executive Committee members, Past Presidents & other members of GCCCI and GDMA, Presidents & members of Regional Chambers and Association Members. Around 100+ participants actively participated in the meeting physically and through virtual mode.

Shri R. B. Barad, IAS shared information about the working of GPCB and provisions under Pollution Control Act. He also appealed to industrialists present in the meeting to follow provisions and conserve the environment. He also mentioned about the adoption of modernized modules by GPCB.

A compilation of key issues was submitted by GCCCI to Shri R. B. Barad, which were discussed at length during the meeting. A copy of the issues discussed is attached herewith for reference. Additional queries were also raised by the participants. Shri R.B. Barad and Shri A.V. Shah responded to all the issues and assured positive consideration of the suggestions given.

To,

The Editor/ Chief Reporter/ Commercial Editor/ Bureau Chief/ News Editor with a request to kindly incorporate the above Press Note in your esteemed News Paper.

Yogendra Kumar Trivedi  
Secretary General

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| Sr. No. | Issue                            | Proposal  |
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| 1.      | To review the EDC policy of GPCB | <ul style="list-style-type: none"><li>• The existing system of liability and compensation relies on individual actions and case to case adjudication. It is not ideally suited for dealing with the effects of large scale pollution.</li><li>• There is a need of technical evaluation of actual damage of pollution.</li><li>• In case of violation of COD norms, is almost similar for 251 mg/l and pH 7.5 against COD 1,00,000 mg/L with acidic discharge.</li><li>• A nuclear power plant, thermal power plant, pesticide unit has to pay same amount of Environment damage compensation as a milk dairy or a Hotel with sewage discharge &gt; 1.0 lakh liters/day as they all fall under Red large category (score 80 for all large categories)</li><li>• There is ambiguity in respect of considering the no. of days for non-compliance.</li><li>• In case of accident EDC is based on NGT Orders of Vapi issue which is also debatable. Accident is always unintentional and authority should represent NGT in this regard.</li><li>• GPCB collects Environmental Damage compensation (EDC) in every closure and in accidental cases.</li><li>• EDC of Rs. 25 lakh, 50 lakh and 1 crore is imposed based on NGT order in Vapi matter. However Hon. Supreme court has stayed this order. Till final order from Hon. Supreme Court, EDC shall not be taken by GPCB.</li><li>• After issue of closer order, GPCB also takes Bank guarantee .In addition to this, EDC is also taken. Thus industry is penalized twice.</li></ul> |



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|         |   | <ul style="list-style-type: none"> <li>• Large amount has been collected by GPCB as EDC in past. However this money has not been utilized. We request for utilization of this EDC money for common environment projects like up gradation of CETP, Effluent conveyance pipeline etc.</li> </ul> <p>In other states like Maharashtra, State pollution control board is not taking EDC in closure or accident cases. Only bank guarantees is taken to ensure the compliances. While in Gujarat, both EDC and Bank guarantee are imposed.</p>   |
| 2       | <p>Request to remove parameter of FDS from the CC&amp;A issued to members and CETPs of Ahmedabad ref to Hon'ble HC order in 770 dated. 05/08/1995.</p> <p>Previously these parameter was not specified in the CCA</p> | <ul style="list-style-type: none"> <li>• In Honourable High Court order dt. 05/08/1995 in Special Civil Application no 770 of 1995, it has been mentioned that <b>“Norms regarding TDS can be fully meet only after the treated effluent from the industrial units are mixed with Pirana Sewage discharge after treatment. The TDS is expected to be reduced to the level of the GPCB norms either as a result of the secondary treatment given by the industrial unit concerned at the plant level or by mixing the treated industrial effluent of the estate taken together and mixed with the municipal sewage after the treatment in the pirana plant.”</b></li> <li>• On this basis, mega pipe line was commissioned in 2001. After commissioning of mega pipeline, all CETPs are discharging their treated wastewater into Mega pipeline.</li> <li>• At present apx 200 MLD industrial effluent is mixed with 1000 MLD sewage hence resultant TDS after mixing is always less than 2100 ppm</li> </ul> |

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| 3       | To resume Open House by the GPCB at regional level   | <ul style="list-style-type: none"> <li>• To resolve individual issues of small and medium industries, previously GPCB was conducting Open House at regular intervals at regional levels.</li> <li>• Request to restart open house at regional level every month, so that pending issues of individual industries can be resolved quickly.</li> </ul>   |
| 4       | Many units generate by-products which are saleable and some of the by-products are also generated due to scrubbing of various gases. In CCA, GPCB prescribed all by-products in Hazardous waste. As a result, industry has to obtain separate permission | <p>The prevailing policy needs to be reviewed for <b>“Ease of Doing Business”</b>.</p> <p>As per the definition given in the Haz Waste rules: 2016, the material which can be used directly without alteration or process, can be considered as by-products, so considering that GPCB can take holistic views.</p> <p>It is necessary that GPCB should publish SOPs for by-products and procedure for certification as “By-</p>  |



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| 5       | Request to include two representatives of GCCI on the Board of GPCB | <p>We are requesting since long that the representative from GCCI shall be included in the Board of GPCB so that proper and timely representation of the Industry shall be made.</p> <p>We are requesting to include technical representative from GCCI as a member in different committee like TCM, Rule 9 etc.</p>   |
| 6       | Deep Sea Discharge Pipeline project                                 | <p>The DPR for disposal line is prepared and ready since 2018.</p> <p>The onshore, off shore routes are finalised. The Industry has also paid its share of funds for the project. However, the project is not getting implemented due to the Kalpsar project. As the kalpsar project is in very primitive stage and will take more than 15 years to commission, our humble request is to start work on the Deep Sea Pipeline project at the earliest and lay the line on the existing routes.</p>  |
| 7       | Some holistic views to be taken for issuing closures.               | <ul style="list-style-type: none"> <li>• GPCB has prepared manual (By former Chairman Meena sir and MS Shri Tyagi sir) for issuing show cause notice to Closures to deal with default conditions. Please implement it.</li> </ul> <p>The present policy in case of non-compliance is differed in case to case as well as area-wise. This needs to be stream-lined in the State. Such units can be given enough opportunity instead of direct closure order. Our suggestions are as below:</p> <ol style="list-style-type: none"> <li>1. For first time non-compliance “Improvement Notice” should be issued with 30 days’ time for compliance to take the actions.</li> <li>2. For second time non-compliance “Show Cause Notice” should be issued with 15 days’ notice period for compliance.</li> <li>3. For third time non-compliance “Notice under section 33-A” should be issued with 15 days’ notice period for compliance.</li> <li>4. For Fourth time non-compliance “Closure under section 33-A” with effect after 15 days should be</li> </ol> |



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|         |   | <p>issued for compliance.</p> <p>5. For Gross violation “Immediate Closure Order” should be issued.</p> <p>6. If the non-compliant unit is a member of CETP then, CETP monitoring results of that unit shall also be considered in defining non-compliance</p> <p>7. The civil construction and installation of machinery shall be not be defined as non- compliance.</p> <p>8. For each non-compliance and gross violation, specific criteria should be defined. If any old criteria are published, it should be reviewed considering Post COVID-19 scenario.</p>                        |
| 8       | Land should be made available at chemical industrial estate by GIDC for Common Environmental Infrastructure Facilities particularly for TSDF. | <p>There are abundant mines which are of no use after excavation of minerals. This is available in various parts of the state and nearby the industrial estate. A technical committee headed by GPCB and representatives of industries may be constituted, who can identify such mines.</p> <ul style="list-style-type: none"> <li>• Based on the recommendations of committee and feasibility report, the land may be utilised for common TSDF.</li> </ul>   |
| 9       | High percentage of rejections of CTE.   | <ul style="list-style-type: none"> <li>• Statistics shows that the Rejection percentage for CTE Fresh (New Industries) is very high which needs to be analysed and review each case for sustainable industrial development of Gujarat.</li> <li>• Names of Units and reasons for rejection of the application may be conveyed to GCCI / Respective Industries Association.</li> </ul> <p>(Attached data as Annexure-1)</p>  |
| 10      | Closure Directions are issued in case of Accident   | <ul style="list-style-type: none"> <li>• On notice of the incident, various Govt. Depts. like DISH, GPCB, Police Dept., Collectorate Office functions as per the severity of the incident.</li> <li>• GPCB issues Closures Directions with immediate effect, impose penalty in form of “Environment Damage Compensation”, Bank Guarantee”, files an FIR against the owner depending upon the severity of the incident.</li> <li>• The officials from files the case under the punishment section of Factories Act 1948 in a court, under the section 300 of Cr.P.C prosecution</li> </ul> |

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|         |       | <p>of a person in an offence is to be prohibited by the police department.</p> <ul style="list-style-type: none"><li>• The Police Department arrest owner and senior management officers under the IPC 304 &amp; 304A without going in a technical inquiry.</li><li>• GPCB may issue notice in respect of accident as it is not willful phenomena.</li><li>• GPCB may issue closure direction immediately but, power and water connection may be disconnected after 15 days considering the severity of the accident.</li></ul> |

### Points from CETP Ankleshwar and Jhagadia for interactive meeting with Mr. R.D. Barad, IAS Chairman GPCB on 3-02-2022

FETP -Ankleshwar CCA renewal application inward no. 199243, dt 27-07-2021 is pending with GPCB.

Jhagadia CCA renewal application inward No. 194502 dt. 02-07-21 is pending with GPCB.

CET application for discharge in deep sea from 60 to 75 MLD applied on 25-11-2021 is pending with GPCB.

Treated effluent from FETP Ankleshwar and Jhagadia is mixed in Sump at Kantiyazal Village and from there it is discharge deep in to Sea. So request GPCB to consider the norms discharged in deep sea instead of outlet of FETP.

- 11 - Plastic Industries - by Mr. Shaiteshbhai Patel
- 12 - Indian Drug Mfg. Association  
Mr. Yogin Majumdar  
on Zoom





## ગુજરાત ચેમ્બર ઓફ કોમર્સ એન્ડ ઇન્ડસ્ટ્રી

પ્રેસ નોંધ

15205

Date- 18-02-2022

17મી ફેબ્રુઆરી, 2022 ના રોજ ગુજરાત ચેમ્બર ઓફ કોમર્સ એન્ડ ઇન્ડસ્ટ્રી (GCCCI) એ ગુજરાત ડાયસ્ટ્રિક્ટ મેન્યુફેક્ચરર્સ એસોસિએશન (GDMA) સાથે સંયુક્તપણે પર્યાવરણીય મુદ્દાઓ પર એક ઇન્ટરેક્ટિવ મીટિંગનું આયોજન કર્યું હતું. શ્રી એ.વી. શાહ, સભ્ય સચિવ, જીપીસીબી, શ્રી રાજેશ પરમાર, યુનિટ હેડ, જીપીસીબી અને અન્ય વરિષ્ઠ અધિકારીઓની ટીમ પણ બેઠકમાં હાજર રહી હતી. આ સમારંભમાં GCCCI અને GDMA પદાધિકારીઓ અને કારોબારી સમિતિના સભ્યો, ભૂતપૂર્વ પ્રમુખો અને GCCCI અને GDMAના અન્ય સભ્યો, રિજનલ ચેમ્બરના પ્રમુખો અને સભ્યો અને એસોસિએશનના સભ્યોએ હાજરી આપી હતી. લગભગ 100+ સહભાગીઓએ પ્રત્યક્ષ રીતે અને વર્ચ્યુઅલ મોડ દ્વારા મીટિંગમાં સક્રિયપણે ભાગ લીધો હતો.

શ્રી આર.બી.બારડ, IAS એ GPCB ની કામગીરી અને પ્રદૂષણ નિયંત્રણ કાયદા હેઠળની જોગવાઈઓ વિશે માહિતી આપી હતી. તેમણે બેઠકમાં ઉપસ્થિત ઉદ્યોગપતિઓને જોગવાઈઓનું પાલન કરવા અને પર્યાવરણનું જતન કરવા અપીલ કરી હતી. તેમણે GPCB દ્વારા આધુનિક મોડ્યુલ અપનાવવાનો પણ ઉલ્લેખ કર્યો હતો.

જીસીસીઆઈ દ્વારા મુખ્ય મુદ્દાઓનું સંકલન શ્રી આર.બી.બારડને સુપરત કરવામાં આવ્યું હતું, જેની બેઠક દરમિયાન વિસ્તૃત ચર્ચા કરવામાં આવી હતી. ચર્ચા કરેલ મુદ્દાઓની નકલ સંદર્ભ માટે આ સાથે બીડેલ છે. સહભાગીઓ દ્વારા વધારાના પ્રશ્નો પણ ઉઠાવવામાં આવ્યા હતા. શ્રી આર.બી.બારડ અને શ્રી એ. વી. શાહે તમામ મુદ્દાઓનો જવાબ આપ્યો અને આપેલા સૂચનો પર હકારાત્મક વિચારણા કરવાની ખાતરી આપી

તંત્રીશ્રી / ચીફ રિપોર્ટર / વાણિજ્ય તંત્રીશ્રી / બ્યુરો ચીફ/ ન્યૂઝ એડિટર  
ઉપરોક્ત અખબાર નોંધ આપણા અખબારમાં સમાવી લેવા વિનંતી

યોગેન્દ્રકુમાર ત્રિવેદી  
સેક્રેટરી જનરલ



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|---------|---|---|
|         |   | <p>issued for compliance.</p> <p>5. For Gross violation “Immediate Closure Order” should be issued.</p> <p>6. If the non-compliant unit is a member of CETP then, CETP monitoring results of that unit shall also be considered in defining non-compliance</p> <p>7. The civil construction and installation of machinery shall be not be defined as non- compliance.</p> <p>8. For each non-compliance and gross violation, specific criteria should be defined. If any old criteria are published, it should be reviewed considering Post COVID-19 scenario.</p>                        |
| 8       | Land should be made available at chemical industrial estate by GIDC for Common Environmental Infrastructure Facilities particularly for TSDF. | <p>There are abundant mines which are of no use after excavation of minerals. This is available in various parts of the state and nearby the industrial estate. A technical committee headed by GPCB and representatives of industries may be constituted, who can identify such mines.</p> <ul style="list-style-type: none"> <li>• Based on the recommendations of committee and feasibility report, the land may be utilised for common TSDF.</li> </ul>   |
| 9       | High percentage of rejections of CTE.   | <ul style="list-style-type: none"> <li>• Statistics shows that the Rejection percentage for CTE Fresh (New Industries) is very high which needs to be analysed and review each case for sustainable industrial development of Gujarat.</li> <li>• Names of Units and reasons for rejection of the application may be conveyed to GCCI / Respective Industries Association.</li> </ul> <p>(Attached data as Annexure-1)</p>  |
| 10      | Closure Directions are issued in case of Accident   | <ul style="list-style-type: none"> <li>• On notice of the incident, various Govt. Depts. like DISH, GPCB, Police Dept., Collectorate Office functions as per the severity of the incident.</li> <li>• GPCB issues Closures Directions with immediate effect, impose penalty in form of “Environment Damage Compensation”, Bank Guarantee”, files an FIR against the owner depending upon the severity of the incident.</li> <li>• The officials from files the case under the punishment section of Factories Act 1948 in a court, under the section 300 of Cr.P.C prosecution</li> </ul> |

## Gujarat Chamber of Commerce & Industry

Environment Related Issues to be discussed in the meeting held on 17<sup>th</sup> Feb, 2022 at 05:00 at GCCI

| Sr. No. | Issue | Proposal  |
|---------|-------|---|
|         |       | <p>of a person in an offence is to be prohibited by the police department.</p> <ul style="list-style-type: none"><li>• The Police Department arrest owner and senior management officers under the IPC 304 &amp; 304A without going in a technical inquiry.</li><li>• GPCB may issue notice in respect of accident as it is not willful phenomena.</li><li>• GPCB may issue closure direction immediately but, power and water connection may be disconnected after 15 days considering the severity of the accident.</li></ul> |

### Points from CETP Ankleshwar and Jhagadia for interactive meeting with Mr. R.D. Barad, IAS Chairman GPCB on 3-02-2022

FETP -Ankleshwar CCA renewal application inward no. 199243, dt 27-07-2021 is pending with GPCB.

Jhagadia CCA renewal application inward No. 194502 dt. 02-07-21 is pending with GPCB.

CET application for discharge in deep sea from 60 to 75 MLD applied on 25-11-2021 is pending with GPCB.

Treated effluent from FETP Ankleshwar and Jhagadia is mixed in Sump at Kantiyazal Village and from there it is discharge deep in to Sea. So request GPCB to consider the norms discharged in deep sea instead of outlet of FETP.

- 11 - Plastic Industries - by Mr. Shaiteshbhai Patel
- 12 - Indian Dairy Mfg. Association  
Mr. Yogin Majumdar  
on Zoom