



# RAJASTHAN STATE POLLUTION CONTROL BOARD

4, Institutional Area, Jhalana Doongari JAIPUR-302 004

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## Registered Post

F16 (301)/RPCB/Haz/Jaipur/ 581

Date: 01/07/2019

**M/s Purnima Pharmaceuticals Pvt.Ltd,**  
**859, Road No. 14/N, Vishwa Karma Industrial Area,**  
**Tehsil: Jaipur District: Jaipur**  
**Email: [purnimapharmaipr@yahoo.com](mailto:purnimapharmaipr@yahoo.com)**

Sub: Direction under section 5 of the Environment (Protection) Act, 1986 for closure of the industry for non compliance of the provisions of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules 2016.

Ref: (i) F(HSW)/Jaipur(Jaipur)/68(1)/2010-2011/462 dated: 21/04/2017.

(ii) This office letter No. F16 (301)/RPCB/Haz/Jaipur/451-453 dated: 29/05/2019

Sir,

1. Whereas, the Environment (Protection) Act, 1986 hereinafter referred to as the Act, came into force in whole of the country with effect from 19.11.1986.
2. And whereas, in exercise of the powers conferred under the said Act, the Government of India has framed the hazardous waste (Management & Handling) Rules 1989. These rules have, however been superseded by hazardous waste (Management, & Handling Movement) Rules, 2008 (hereinafter referred to as the rules) vide notification dated 24.09.2008 and thereafter by Hazardous and Other Wastes (Management and Transboundary Movement) Rules 2016 (hereinafter referred to as the rules) vide notification dated 04.04.2016 except in respect to thing done or omitted to be done before such supersession.
3. And whereas, the occupier and the operator of a facility, under the rules, is responsible for proper collection, reception, treatment, storage and disposal of hazardous wastes and for taking all steps to ensure that such wastes are properly handled and disposed of without any adverse effects on the environment.
4. And whereas, you have been operating facility/industrial plant in the name and style **M/s Purnima Pharmaceuticals Pvt.Ltd, 859, Road No. 14/N, Vishwa Karma Industrial Area, Tehsil: Jaipur District: Jaipur for the production of drug formulation (syrup, tablet & capsules).**
5. And whereas the process is such that it generation hazardous waste as defined in the provisions of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules 2016.
6. And whereas, your application for authorisation under Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016 was refused and show cause notice for intended closure direction under section 5 of the Environment (Protection) Act, 1986 was issued vide letter dated 21/04/2017.
7. And whereas, the industry has failed to submit any reply of the notice within stipulated time and also not applied for authorisation under H&OW (M&TM) Rules, 2016..
8. And whereas, industry was inspected by Board official on 25/03/2019 and it is found that:-
  - i. Industry is generating hazardous waste under categories 28.1 (process residue and waste) & 28.5 (date expired product) and also found stored during inspection.
  - ii. Industry has not provided display board at main gate of size '4X6" regarding information of hazardous waste.
  - iii. Industry has not maintaining the record of hazardous waste generation and its disposal.
9. And whereas, Opportunity of Being Heard (OBH) was given to industry on 17/06/2019 at 2.30 PM in the office of Member Secretary, RSPCB Jaipur vide this letter dated 29/05/2019, industry has failed to attend the same.

10. And whereas, you are operating the industry and handling the hazardous waste, without obtaining authorisation under the provisions of the Hazardous and Other Wastes (Management and Transboundary Movement) Rules 2016.
11. And whereas from above it is clear that the hazardous wastes are being handled in violation of the provisions of the Rules. The handling of hazardous waste, contrary to the provisions of the rules, is likely to cause grave injury to the environment.
12. And whereas, the Hon'ble Supreme Court, in W.P. (Civil) 657/1995, Research Foundation for Science, Technology and National Resource Policy V/S. Union of India & Others, by order dated 14.10.2003, has also passed directions for closure of the units operating without any authorization or operating in violation of conditions of authorization issued under the rules as amended from time to time.
13. And whereas, section 5 of the Act provides that the Central Government may in exercise of its power and performance of functions under the Act, issue to any person, officer or authority, directions, which include directions as to the closure, prohibition or regulation of any industry operation or process or stoppage of electricity or water or any other service and such person, officer, or authority shall be bound to comply with such directions.
14. And whereas, the Ministry of Environment & Forests, Government of India vide Notification No. SO 23 (E) dated 8/01/1997 has delegated the said powers to issue directions U/S 5 of the Act to the Chairman of the State Board.

Therefore the State Board with a view to prevent violation of the provisions of the Rules and in exercise of powers conferred upon the provisions of Act, to issue following directions:-

- a. Close down the process/industry/plant occupied/operated by you forthwith.
- b. Authorities responsible for supplying of electricity and Water or providing any other facilities/ services to plant/ facilities are directed to immediately discontinue the facilities/services and seal D G Sets.

It may be noted that failure in making compliance of the above directions is a criminal offence punishable with imprisonment for a term which may extent to five years or with fine which may extent to one lakh rupees or with both.

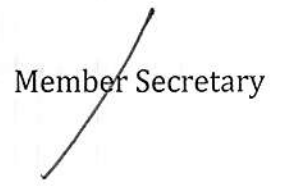
This bears the approval of the competent authority.

Your's sincerely

  
(Smt. Shailaja Deval)  
Member Secretary

Copy to following for information & necessary action:-

1. District Collector, Jaipur, forthwith, secures closure of industrial plant of M/s Purnima Pharmaceuticals Pvt., Ltd., 859, Road No. 14/N, Vishwakarma Industrial Area, Jaipur.
2. Executive Engineer, Jaipur Vidhyut Vitaran Nigam Limited, Road No. 6, Vishwakarma Industrial Area, Sikar Road, Jaipur, Rajasthan 302012 to forthwith, disconnect the supply of electricity to M/s Purnima Pharmaceuticals Pvt., Ltd., 859, Road No. 14/N, Vishwakarma Industrial Area, Jaipur .
3. Regional Manager, RIICO Ltd., Road No. 5, Sikar Road, Vishwakarma Industrial Area, Jaipur, Rajasthan 302013 forthwith, disconnect the water supply of M/s Purnima Pharmaceuticals Pvt., Ltd., 859, Road No. 14/N, Vishwakarma Industrial Area, Jaipur .
4. Regional Officer, Rajasthan State Pollution Control Board, Jaipur (North) is directed to ensure compliance of the directions issued by the Board.
5. Mater file Hazardous Cell, RPCB, Jaipur.

  
Member Secretary