



सत्यमेव जयते

भारत सरकार

पर्यावरण एवं वन मंत्रालय

GOVERNMENT OF INDIA

MINISTRY OF ENVIRONMENT & FOREST

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जहाँ है हरियाली।
वहाँ है खुशहाली।।

दूरभाष

Telephone No. : (0173) 2638061

FAX No. : (0173) 2638135

उत्तर क्षेत्रीय कार्यालय

बेज नं. 24-25, सेक्टर 31-ए

दक्षिण मार्ग, चण्डीगढ़-160030

NORTHERN REGIONAL OFFICE

BAYS NO. 24-25, SECTOR 31-A

DAKSHIN MARG, CHANDIGARH-160030

Dated : 24/02/2010

To

Shri D.K.Virmani, Factory Manager

M/s Berger Paints India Ltd.

SIDCO Industrial Growth Centre

Samba, Jammu, (J&K)

Sub: Paint unit at SIDCO Industrial Growth Centre, Samba, Jammu (J & K) by M/s Berger Paints India Ltd.-Production enhancement in 2nd Phase regarding.

Ref. 1) MoEF's letter No.J-11011/242/2005-IA.11(I) dated 30th November, 2006.

2) Your letter dated 16.05.2009 & 29.01.2010.

Sir,

Your project was monitored by the undersigned on 25th December, 2009 and following points were noted on the basis of your reports & letters submitted to this office on 16.05.2009 & 29.01.2010:-

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| 1. | Initially M/s Berger Paints India Ltd. had installed a Paint Plant at Jammu. As the said Plant did not have a Resin Plant, it did not attract the provisions of previous Environment Impact Assessment Notification, 1994 and therefore, the clearance from the Union Ministry of Environment & Forests was not required. The Paint Plant was established with the 'Consent to Operate' issued by the J & K SPCB under Air & Water Acts. |
| 2. | Subsequently the Paint Plant had undergone expansion. During this expansion, the capacity of the Paint Plant was 3000 kl/ per month(36000 KL per annum) for which the 'Consent to Operate' was issued by the J & K SPCB vide Consent No.1423 of 2007 dated 17.03.2007 which is further renewed vide Consent No.279 of 2009 dated 1.07.2009 which is valid upto 31.03.2010. |
| 3. | As a part of expansion the Resin Plant was also added. By adding the Resin Plant, the Unit was designated as "Integrated Paint Plant" and it had attracted the provisions of new Environment Impact Assessment Notification, 2006. Therefore, the environment clearance was obtained from the MoEF, New Delhi for production of Resin to the extent of 18,000 MT per annum vide MoEF's clearance letter dated 30.11.2006 cited above. It is pertinent to mention that the MoEF had not specified the limit of production for Paint. |
| 4. | In 1 st Phase, the production of Resin was started to the extent of 9000 MT per annum for which the J & K PCB had also accorded the 'Consent to Operate' under Air & Water Acts. |
| 5. | In 2 nd Phase of expansion, the production of Resin is to be started to the extent of 18000 MT per annum for which the MoEF, New Delhi has already accorded the environmental clearance and the J & K PCB had also accorded the 'Consent to Establish' under Air & Water Acts. In the 2 nd Phase the additional production of Paint is to be started to the extent of 24,000 KL per annum thus raising total production of Paint to the extent of 60,000 KL per annum. 'Consent to Establish' under Air & Water Acts have been accorded by J & K PCB for enhancement of production capacity of Paint to 24000 KL per annum vide Consent No.599 of 2009 dated 25.02.2009 which is valid upto 24.02.2010. |
| 6. | Although the MoEF, New Delhi has not specified the quantity limits of the Paint to be produced per annum, M/s Berger Paints India Ltd., Jammu had engaged M/s Sophisticated Industrial Materials Analytical Labs. Pvt.Ltd., New Delhi which is a NABL accredited and MoEF approved Laboratory to test the adequacy of the Effluent |

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| Treatment Plant and Air Pollution Control Measures to bear the pollution load of the expansion of the Plant for production of Resin to the extent of 18000 MT per annum and Paint to the extent of 60000 KL per annum. | |
| M/s Sophisticated Industrial Materials Analytical Labs. Pvt. Ltd., New Delhi has submitted its reports in January, 2010 after thorough analysis and tests. Its observations are given below:- | |
| (i) | The Air Pollution Control Device available in the Unit are enough to bear the load of the pollution due to enhanced capacity of the Resin and Paint. |
| (ii) | The capacity of the Effluent Treatment Plant is adequate to bear the load of the pollution due to enhanced capacity of the Resin and Paint. |


Above case has been examined in this office in the light of provisions of the new EIA Notification, 2006. Keeping in view the facts that the MoEF, New Delhi has not specified the production limits of Paint, the Air Pollution Control Devices and existing Effluent Treatment Plant in the Unit are adequate for bearing the load of pollution and the J & K Pollution Control Board has accorded 'Consent to Establish' under Air & Water Acts of the enhancement of production of Resin to the extent of 18000 MT per annum and Paint to the extent of 60,000 KL per annum, it is clarified that this enhancement of production does not require fresh environmental clearance from the Ministry of Environment & Forests or J&K State Environment Impact Assessment Authority(SEIAA) under the new EIA Notification, 2006.

However, prior approvals and clearances from the following Departments will be necessary before starting the production:-

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| (a) | The Project Proponent will obtain the 'Consent to Operate' from the J & K State Pollution Control Board under Air & Water Acts and comply all the conditions laid down by the J & K SPCB in the NOC/ "Consent to Operate". |
| (b) | The Project Proponent will take the approval from other concerned Departments whichever is applicable in this case. |

It is, however, emphasized that this clarification is based on the information submitted by M/s Berger Paints India Ltd. SIDCO Industrial Growth Centre Samba, Jammu,(J&K) to this office and it is the responsibility of the project proponent to prove the authenticity and truthfulness of the information in case of any clarification in future.

Yours faithfully,


(Surendra Kumar)
Additional Director(S)
Tel. No.(0172)-2638994
E Mail: sk581@yahoo.com