

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/WRIT PETITION (PIL) (WRIT PETITION (PIL)) NO. 5 of
2025

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SUO MOTU
 Versus
 STATE OF GUJARAT & ORS.

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Appearance:

MR GAUTAM JOSHI, SR. ADVOCATE assisted by MR HAMESH C NAIDU(5335) for the Applicant(s) No. 1
 MS MAITHILI MEHTA, AGP for the Opponent(s) No. 1,2
 KSHITIJ M AMIN(7572) for the Opponent(s) No. 3

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CORAM: HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE
SUNITA AGARWAL
 and
HONOURABLE MR. JUSTICE D.N. RAY

Date : 03/07/2026

ORAL ORDER
(PER : HONOURABLE THE CHIEF JUSTICE
MRS. JUSTICE SUNITA AGARWAL)

1. Both the affidavits filed on behalf of the Regional Office, GPCB, Mehsana and Regional Office, GPCB, Gandhinagar are not meeting the requirements of the directions issued by us in the order dated 30.01.2026. The report submitted along with the affidavits of the Regional Officers concerned are sketchy and cannot be appreciated. Both the affidavits dated 17.02.2026 and 13.03.2026 are hereby rejected reserving liberty with Mr. Maulik G. Nanavati, learned advocate appearing for the GPCB to file fresh detailed/correct affidavits on behalf of the Regional Offices of the GPCB, Mehsana and

Gandhinagar, in strict compliance of the directions contained in the order dated 30.01.2026, failing which the Court may pass an adverse order.

2. Another affidavit dated 02.07.2026 of the Regional Officer, GPCB, Gandhinagar has been filed in the Court today, which is taken on record. It is stated therein that the GPCB had granted Consolidated Consent and Authorisation (CCA) to M/s. Kalol GIDC Industries Association to operate a Common Treatment Effluent Plant (CETP), on 10.10.2024. The validity of the permission was lastly extended on 04.11.2025 and has expired on 30.12.2025. On an application made by the project proponent, viz. M/s. Kalol GIDC Industries Association for extension of the permission, the same was rejected by the GPCB on 21.05.2026. Thus, since after 30.12.2025, the project proponent does not possess a valid and live CCA.
3. It is stated therein that during the subsistence of the permission, the project proponent was required to scientifically treat the industrial effluent generated by the constituent industry members and then permit discharge of treated effluent from the Common Effluent Treatment Plant (CETP) into the drainage network of Kalol Nagarpalika. However, during inspections carried out by the officials of the GPCB on numerous occasions, the project proponent was found non-compliant with the conditions of the permission and they were found releasing the treated effluent discharged which was not

meeting the prescribed parameters into the drainage network of Kalol Nagarpalika.

4. Hence, directions were issued to the project proponent on 12.09.2025 under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974 to adopt Zero Liquid Discharge system and completely stop discharge of even properly treated waste water into the drainage network of the Kalol Nagarpalika. This transformation was to be set in place within a period of 110 days from 12.09.2025, as per the directions issued by the GPCB.
5. In the inspection carried out on 08.10.2025 to ensure compliance of the aforesaid directions, it was found that the CEPT was operational and it was discharging effluent in the drainage system of Kalol Nagarpalika, contrary to the directions issued on 12.09.2025. Again, in the inspection carried out on 30.10.2025, CETP was found not in operation and it was informed by the project proponent that they had stopped receiving industrial effluent from their member units with effect from 20.10.2025. The CETP was again inspected on 05.12.2025, 06.01.2026 and 13.01.2026, when it was found not in operation. However, the member industries have not achieved the status of Zero Liquid Discharge Unit within the stipulated period of 110 days from 12.09.2025.
6. Again, in any inspection carried out on 03.02.2026,

CETP was found functional and the unit, as such, was found in operation without having any valid CCA which had expired on 30.12.2025. Again during the inspections carried out in the month of March, April and June 2026, the CETP was found in operation and was receiving industrial effluent from its members and releasing treated effluent in the drainage network of Kalol Nagarpalika, on analysis of which, it was found not within the prescribed parameters.

7. Hence, a notice dated 04.06.2026 was issued to the project proponent to which reply was submitted and hearing was afforded wherein it was submitted by M/s. Kalol GIDC Industries Association that their members will achieve Zero liquid discharge status by 07.07.2026. On 24.06.2026, the GPCB has issued a direction for closure of the units with effect from 08.07.2026, if they fail to become a Zero liquid discharge unit from 07.07.2026.
8. From the abovenoted statement made in the affidavit dated 02.07.2026, it is clear that once permission to operate CETP, i.e. Common Effluent Treatment Plant of the constituent industry member was rejected on the application for extension of the permission on 21.05.2026 and there was no valid permission beyond 30.12.2025, (which had expired on its own), none of the industrial units which have constituted CETP in the name of M/s. Kalol GIDC Industries Association were entitled to discharge their industrial effluent into CETP

and operate the CETP to ultimately discharge their waste water into the domestic drainage network of Kalol Nagarpalika.

9. It is, thus, admitted on the part of the GPCB that the industrial units have not followed the norms for discharge of industrial waste water. Appropriate action is required to be initiated against all such industrial units in accordance with the provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the report of the action taken is to be submitted to this Court on the next date fixed.
10. For compliance on the part of the State Level Monitoring Committee for management of plastic waste, generated by 14 villages surrounding Nalsarovar Wetland, reported to have been littered in and around the Nalsarovar Sanctuary area, which is an eco-tourism zone; the issue of discharge of Narmada water into the Nalsarovar Wetland; and the role to be played by the GPCB being the Prescribed Authority under the Plastic Management Rules, 2016, there is no proper response of any of the respondents.
11. We direct the learned Government Pleader to appear in the matter and place a proper response of compliance of the directions contained in the order dated 30.01.2026 by filing separate affidavits on behalf of the competent authorities responsible for the compliances.

12. Mr. Maulik Nanavati, learned advocate appearing for the GPCB is also required to file personal affidavit of the Member Secretary, GPCB reporting compliance of the directions with regard to plastic waste management as per the Plastic Waste Management Rules, 2016, keeping in mind the directions contained in the order dated 30.01.2026. The matter be posted on 17.07.2026.

(SUNITA AGARWAL, CJ)

(D.N.RAY,J)

BIJOY B. PILLAI