

**BEFORE THE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE  
ORIGINAL APPLICATION NO.93 OF 2023**

**BETWEEN:**

Taloja Industries Association ..... Applicant  
Vs  
Ministry of Environment,  
Forests and Climate Change and Ors. .... Respondents

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**Little & Co.**

**Advocate for Respondent No.5 (MIDC)**



**BEFORE THE NATIONAL GREEN TRIBUNAL  
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**BETWEEN:**

Taloja Industries Association ..... Applicant

Vs

Ministry of Environment,  
Forests and Climate Change and Ors. .... Respondents

**ADDITIONAL AFFIDAVIT ON BEHALF OF  
THE RESPONDENT NO. 5 (MIDC).**

I, **Deepak H. Bobade, Deputy Engineer** of Maharashtra Industrial Development Corporation, the Respondent No.5 in the above Application having my office at MIDC Sub-Division, CFC Building, Opposite Dena Bank, Taloja, District Raigad, do hereby state on solemn affirmation on behalf of the Respondent No. 5 as under:

1. I say that I am filing the present Additional Affidavit on behalf of the Respondent No.5 Maharashtra Industrial Development Corporation (MIDC) pursuant to what transpired during the hearing held before the Hon'ble Tribunal on 11<sup>th</sup> January 2024 when the Hon'ble Tribunal, inter alia, recorded our submission that the Reply Affidavit on behalf of Respondent No.5 has been filed. The Hon'ble Tribunal ascertained that the main relief which have been prayed in the present Application relates to relaxation of the level of COD from 250 mg/l to 2700 mg/l.



- A. Furthermore, the Hon'ble Tribunal has at para 12 recorded the submission of Respondent No.4 MPCB that the performance of Taloja CETP is not meeting the consented standards and efforts are being taken by various stakeholders for betterment of Taloja CETP. The Hon'ble Tribunal has recorded the stand of the Respondent No.4 MPCB that MPCB will examine the performance of CETP for the next 12 months and if considerable improvement is observed in performance, the existing disposal standards may be relaxed for SSI units subject to the provision of online monitoring system and SCADA system being put in place by the stakeholders. The Hon'ble Tribunal has recorded the submission of Counsel for the Applicant particularly in respect of para 5 of the Affidavit of Respondent No.4 MPCB that the points which were discussed by the Steering Committee with respect to the CETP in its Meeting dated 17<sup>th</sup> August 2023, details of which are given in para numbers 'a' to 'g' of para 5 have not been implemented.
- B. The Hon'ble Tribunal further took note of the Consent to Operate of Taloja CETP issued by Respondent No.4 on 11<sup>th</sup> November 2019 wherein the relaxation of BOD to 1000 mg/l and COD of 2700 mg/l is allowed in case of SSI Units. The Hon'ble Tribunal recorded that if the relaxation is already made by MPCB, then what is the need for seeking relaxation by the Applicant. The Hon'ble Tribunal directed that MPCB ought to clarify its stand on the next date. Annexed hereto and marked as **Exhibit – "A"** is a copy of the order dated 11<sup>th</sup> January 2024 passed by the Hon'ble Tribunal.





- A. In respect of directions for Common Effluent Treatment Plant (Traces of Organic Chemicals in effluent vaporizes during aeration), MIDC has provided the following compliances :
- i. MIDC stated that the CETP operations are carried out round the clock to its optimal designed efficiency. Being the chemical & biological process, the CETP performance varies with inlet load to CETP;
  - ii. MIDC submitted that flow meters are provided at the inlet and outlet of CETP. However due to Air pollution/ Air corrosion in the Industrial area the sensors of these instruments are affected/corroded and need servicing/ calibration quite often. Even after repairs, it gets corroded in a week's time. To over above difficulties, flow measurements are also carried out through "V" notch and also by measurement of pump capacity vs. pumping hours. Records/logbooks are maintained at CETP site;
  - iii. MIDC submitted that chemical dosing is done based on jar test reports to achieve adequate coagulation and flocculation. Flash mixer units are provided to achieve effective results. For CETP primary treatment chemicals being used are mainly lime slurry, PAC, and Poly. Lime is used both as a neutralizing agent as well as flocculent. PAC use was stopped as advised by MPCB earlier. Now as directed by MPCB PAC dosing is being started. Poly is used in primary treatment as well as in the centrifuge;
  - iv. MIDC sought MPCB's expert advice on capping the equalization tank suitably and further requested MPCB to inform any reference of CETP for which equalization tank is provided with cap so as to guide MIDC in this matter and accordingly, it will ease MIDC in processing the Administrative approval proposal. **However there was no response from MPCB on this aspect.**



- v. MIDC submitted that the Aeration tanks are provided with a diffused aeration system consisting of diffusers & blowers, which are provided which is operated round the clock basis to achieve the desired aeration;
- vi. MIDC submitted that the dark-Blackish/ Greenish colour effluent whenever received at the inlet of CETP, leads to dark/high colour/COD. These characteristics persist in subsequent treatment units. This is the cause for the blackish colour in the aeration tank creating a visual impression/observation of non-active biomass/ culture. But settling of biomass within 30 minutes in the measuring cylinder indicates that biomass is active. The activated sludge/ MLSS is maintained in an aeration tank by providing culture/ active biomass from similar industries in the Taloja industrial area. This improves the performance of the activated sludge/ aeration system However, variations in inlet characteristics proportionately affect the performance of activated sludge/ aeration systems. In fact, if the high COD load persists for a long time or a very large COD shock is applied to the biological system, it will impart a toxic shock to the system. We appreciate MPCB monitoring in controlling the inlet by frequent sampling of the industries.
- vii. MIDC submitted the following compliances:
- i) Taloja CETP (27.50MLD) has been granted consent to operate time to time by MPCB for critical parameters like BOD 100 mg/l & COD 250 mg/l.
  - ii) Recently MIDC has upgraded, rehabilitated & expanded the CETP from 22.5 MLD to 27.50 MLD, for discharge limit of BOD 30 mg/l & COD 250 mg/l.
  - iii) The rehabilitation & up gradation of Taloja CETP is comprised of:
    - a) Rehabilitation of existing civil units & addition of new units;



- b) Replacement of MEICA equipment (Mechanical Electrical Instrumental Control & automation)
  - c) Addition of nitrification-denitrification system to meet the discharge limits for nitrogen.
  - d) Adequate phosphorus dosing system
  - e) Initial anoxic zone in the biological tank provided with slow speed mixer mechanism to avoid VOC stripping issues
  - f) Adjustable weirs in clarifiers to allow keeping same level on the entire overflow perimeter.
- iv) For efficient functioning, Plant is under Operation and Maintenance by an expert agency which had carried out rehabilitation, up gradation and expansion works.
- B. In respect of Effluent carrying Infrastructure in MIDC Talaja MIDC has provided the following compliances:-
- i. MIDC submitted that it has initiated the proposal for the SCADA at CETP. After installation all companies can connect it by which MIDC appointed CETP operator which will monitor their effluent discharge parameters.
  - ii. MIDC and MPCB already instructed companies for installation of 30 micron screens at their outlet before letting out effluent into the effluent collection system. Despite of this heavy sludge is observed into the effluent collection chambers which ultimately collects into the sump 2 of MIDC. Regular tender for removing of this sludge is being called from MIDC. MIDC requested to look into the matter and do the needful.
  - iii. MIDC submitted that the Sump 2 of the MIDC is adjacent to Ghot village. While operations of surface aerators there may be the possibility of smell nuisance to the nearby residence. Therefore, MIDC requested MPCB to check the feasibility of surface aerators



so that it may not attract complaints from local villagers and accordingly communicate to MIDC office.

- iv. MIDC submitted that the feasibility and possibilities of anaerobic digester will be checked through an expertise agency for comprehensive study and accordingly the proposal will be initiated.
- v. MIDC submitted that action regarding closing of old effluent carrying pipelines by pouring concrete into old chambers is already taken by MIDC.
- vi. MIDC submitted that with regards to monitoring systems in major chambers in gridwise fashion to control the shock load to CETP, MIDC is regularly submitting monthly reports of CETP to MPCB for further needful.
- vii. MIDC submitted that MIDC has appointed expertise agency for annual maintenance of effluent carrying pipeline and chambers. The agency is doing the work round the clock of cleaning chambers to avoid overflow and pollution in rivers/nallas as well as nuisance due to foul smell.
- viii. MIDC submitted that MIDC have appointed expertise agency for annual maintenance of effluent carrying pipeline and chambers. The agency is doing their work round the clock and cleaning/ removing choke ups/ repairing the pipelines.
- ix. MIDC submitted that the covering of uncovered chambers is being identified through AMC and will be covered, if found uncovered.
- x. MIDC has already closed the old effluent carrying pipelines. The operation and maintenance of new drainage system shall be carry out properly so as to prevent the leakages of effluent into River/Nalla as well as in MIDC area.
- xi. MIDC submitted that MIDC has appointed expertise agency for annual maintenance of effluent carrying pipeline and chambers.



The agency is doing the work round the clock. Wherever leakages observed it is attended immediately on top priority and spilled effluent is again pumped into the effluent collection system.

- xii. MIDC submitted that for major breakage of effluent carrying pipelines all industries are informed to stop discharge of effluent and work is carried out, also MPCB is informed about the same.
- C. In respect of vigilance towards avoidance of illegal disposal and effective environmental management of Taloja CETP, MIDC has provided the following compliances:
- i. MIDC submitted that in respect of fencing the open plots under MIDC's jurisdiction within 3 months from the receipt of the directions, MIDC submitted that the present situation of open spaces will be identified and accordingly proposal for fencing will be initiated. **It is submitted that the proposal for identification of the open spaces of MIDC areas and fencing of open plots is submitted for approval before the competent authority of MIDC.**
- ii. In respect of vigilance of chambers through CETP and surveillance within and in the periphery of Taloja MIDC area, MIDC submitted that it is regularly submitting monthly reports from CETP to MPCB.
- iii. In respect of MIDC creating a the network of CCTV and monitoring cell within MIDC/CETP, MIDC submitted that it has already installed CCTV inside the CETP. **And for CCTV surveillance system throughout the industrial area: MIDC has invited the tender for CCTV surveillance System throughout the industrial Area. The work will be started shortly & it will be completed in next 6 months.**



iv. In respect of MIDC creating instigate the surveillance and vigilance units in MIDC Taloja boundary and within to avoid illegal tanker disposal, MIDC submitted that the it has appointed expertise agency for annual maintenance of effluent carrying pipeline and chambers. The agency is doing the work round the clock. Also the agency is doing surveillance in MIDC.

D. Furthermore other measures which MIDC undertook to be implemented are as follows :

a) MIDC shall submit the plan and develop tactical forests on open spaces once the actual situation of open spaces is identified and submitted that a proposal for fencing will be initiated . The proposal for fencing /constructing compound wall around the open spaces has been initiated, once the work gets completed then the proposal for the development of tactical forest on open spaces will be processed for approval.

b) MIDC shall take extensive drive to plant plants having fragrances to mask the Industrial odour, MIDC submitted that expertise agency for comprehensive study will be appointed and accordingly the proposal will be initiated.

Annexed hereto and marked as **Exhibit- "B"** is the copy of letter dated 18<sup>th</sup> September 2023 whereby MIDC provided its response to the Hon'ble Lokayukta.

5. I say and submit that the Respondent No.4(MPCB) vide its letter dated 28<sup>th</sup> November 2023 addressed to Executive Engineer ,MIDC Taloja, Tal-Panvel Dist.Raigad- Respondent No.5 (MIDC) noted the response of MIDC to the order of the Hon'ble Lokayukta



and passed certain directions on the basis of the recent field visits by MPCB officials and night vigilance as under:

- (i) MIDC shall strictly adhere to timelines of various action points as per MPC board direction dated 4<sup>th</sup> September 2023.
- (ii) During winter season i.e from 1/12/2023 to 29/02/2024, CETP shall not discharge treated effluent 1.5 hours earlier to low tide and 2.5 hours after low tide.

The Respondent No.4(MPCB) directed the answering respondent to reply of the aforementioned directions within seven (7) days from the date of receipt of this directions. Annexed hereto and marked as **Exhibit-"C"** is the copy of letter dated 28<sup>th</sup> November 2023.

v. I say and submit that the meeting regarding Review of Performance of Talaja CETP held under the chairmanship of Hon'ble Member Secretary, MPCB by the Steering Committee was held on 1<sup>st</sup> December 2023 when the officials of MIDC and MPCB were present. I say that after due deliberation, the Hon'ble Member Secretary issued inter-alia the following directions:

- (1) The arrangement of positive discharge, lock and key with 2 way SCADA system shall be complied within one month.  
**MIDC HAS ISSUED LETTER TO ALL INDUSTRIES.**
- (2) The action shall be initiated against the habitual defaulter industries.
- (3) The automobile washing centre shall be brought under consent regime by SRO and action shall be initiated against defaulter units.
- (4) MIDC shall submit the proposal for segregation and separate treatment for effluent from Fish processing



industries. **The proposal is under preparation & tender will be invited within 6 months from the date of this affidavit.**

- (5) SRO shall carryout weekly sampling of sump 2 in Dec-2023 and analysis results shall be submitted in Jan. 2024.
- (6) SRO shall carryout inspection of washing centres.

Annexed hereto and marked as **Exhibit- "D"** is the copy of Minutes of meeting dated 1<sup>st</sup> December 2023.

vi. I say that pursuant to the directions given by Steering Committee MIDC issue notices on 7<sup>th</sup> November 2023 in respect of Lock & Key Mechanism to be used in small scale industries (SSI) and that Lock & Key Arrangement till 50 KL (0-20 KL min. 2 days holding period tank and 20-50- 1 day).

vii. I say and submit that the Respondent No.5 has taken action as directed by the Steering Committee as per the following table :

<b><u>Sr.No</u></b>	<b><u>Direction of Steering Committee</u></b>	<b><u>Action taken by MIDC</u></b>
1.	<p>Illegal disposal at various site within MIDC</p> <p>a) Increase surveillance by instigating team with help of ground penetration radar system</p> <p>b) Fencing of open plots of MIDC near water body</p>	<p>a) Surveillance is increased with the help of CETP vigilance team &amp; monthly reports are regularly submitted to MPCB.</p> <p>b) The proposal for fencing of open plots is in the ADP stage and shall be completed in 6 months.</p>



	c) CCTV network within MIDC	c) MIDC has invited the tender for CCTV surveillance System throughout the industrial Area. The work will be started shortly & it will be completed in next 6 months.
2.	<p>a) Lock &amp; Key Mechanism to be used in small scale industries (SSI). Lock &amp; Key arrangement till 50 KL (0-20 KL min. 2 days holding period tank and 20-50- 1 day)</p> <p>b) Surface aerators for Sump 2 where all fishery units' effluent is being collected.</p> <p>c) Advanced anaerobic digesters for Sump 2 where all fishery units' effluent is being collected.</p>	<p>(a)The proposal for Surface aerators and Advanced Anaerobic digesters for Sump 2 are in the process of estimation.</p> <p>(b) The proposal for Surface aerators and Advanced Anaerobic digesters for Sump 2 are in the process of estimation. (6 Months )</p> <p>(c) The proposal is under preparation &amp; tender will be invited within 6 months.</p>
3.	a) Evaluation of the feasibility of a tertiary treatment system for CETP.	a) The proposal for tertiary treatment is in the approval stage before MIDC's higher authority.



	<p>b) Old effluent line and chamber disconnections by putting concrete.</p> <p>c) Capping of various open air treatment systems and venting with appropriate VOC traps.</p> <p>d) Separate line for all putrescible compounds to CETP for separate sump.</p>	<p>b) Old effluent line and chambers are disconnected. The work was carried out vide agreement no B1 of 2020-2021</p> <p>c) Feasibility study of capping of open air treatment system is in the progress and conducted by CETP.</p> <p>d) Feasibility study of separate line for all putrescible compounds to CETP is in the progress. The proposal for the same is under preparation &amp; tender will be initiated within 6 months. (6 Months)</p>
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viii. I say that the MIDC time and again is taking efforts for maintaining the collection and disposal lines by taking external assistance from contractors who are technically sound and efficient by issuing work order for the said aforementioned works.

ix. MIDC states that it has no special technical or scientific knowledge of operation and maintenance of CETP and depends upon outside agency for the said work. There is no propriety in continuing this futile exercise, without the support of Member Industries, Association and CETPs. Hence this Hon'ble Tribunal may consider the genuine efforts of MIDC and discharge it from the above application.



- x. MIDC states that MPCB should take it upon themselves to run this CETP as model CETP under Section 30 of the Water (Prevention and Control of Pollution) Act 1974, since MPCB has issued direction under Section 33A of the water act to MIDC. However, where the role of MIDC will be facilitator only.
- xi. MPCB does have a lawful mandate under function under Section 17 and statutory powers to do this, and recover the cost of the same from the applicant association or the CETP Society and its Member Industries.
- xii. In light of the above, I say and submit that no case is made against the Respondent No.5.
- xiii. In view of the above circumstances, this Hon'ble Tribunal may pass appropriate orders and dispose of the present Application.

Solemnly affirmed at Mumbai )

On this 18<sup>th</sup> day of March 2024 )

*[Handwritten Signature]*  
 Deponent

Little & Co.

*[Handwritten Signature]*  
 Partner  
 Advocates for the Respondent No.5



Before me

**BEFORE ME**

*[Handwritten Signature]*  
**A. R. SURVE**  
 ADVOCATE & NOTARY  
 GOVT. OF INDIA  
 REG. No 16353

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 Bearing No. 788768415452

Dated: 19 MAR 2024

NOTED & REGISTERED

Reg. No. 1913

Page No. 20

Date: 19 MAR 2024

Item No.7

(Pune Bench)

**BEFORE THE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE**

THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)

**Original Application No.93/2023(WZ)**

Taloja Industries Association

.....Applicant

*Versus*

MoEF&CC & Ors.

....Respondent(s)

Date of hearing: 11.01.2024

**CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER  
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

Applicant : Mr. Saurabh Kulkarni, Advocate  
Respondent(s) : Mr. Pushkal Mishra, Advocate for R-1/MoEF&CC  
Mr. Rahul Garg, Advocate for R-3/CPCB  
Mr. Aniruddha Kulkarni, Advocate for R-2/Env. Deptt.  
Ms. Manasi Joshi, Advocate for R-4/MPCB  
Ms. Shamali Gadre, Advocate for R-5/MIDC  
Mr. Yatin M. Malvankar, Advocate for R-6/Panvel MC  
Mr. Kapil Agarwal, Advocate representing J.S. Wad & Co.  
for R-7/CIDCO

**ORDER**

1. From the side of the applicant, learned counsel Mr. Saurabh Kulkarni has appeared.
2. From the side of respondent No.1/MoEF&CC, learned counsel Mr. Pushkal Mishra has appeared. He admitted that despite seven months having elapsed, no reply affidavit has been filed from their side, which is a fault on their part. But he assures us that reply affidavit would be filed within a period of two weeks. We allow the said time period with a direction that a copy of the same shall be served upon all other parties.
3. From the side of respondent No.2/Environment Department, learned standing counsel Mr. Aniruddha Kulkarni has appeared, who submits that he does not want to file reply affidavit.



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4. From the side of respondent No.3/CPCB, learned counsel Mr. Rahul Garg has appeared, who apprised us that reply affidavit has already been filed. He is directed to serve a copy of the same upon all other parties.

5. From the side of respondent No.4/MPCB, learned counsel Ms. Manasi Joshi has appeared, who apprised us that reply affidavit has already been filed and a copy of the same has been served upon all other parties, who may file objection against the same, if any, within two week and no more.

6. From the side of respondent No.5/MIDC, learned counsel Ms. Shamali Gadre has appeared, who apprised us that reply affidavit has already been filed.

7. From the side of respondent No.6/Panvel Municipal Corporation, learned counsel Mr. Yatin Malvankar has appeared, who submits that no prayer is made against respondent No.6. Therefore, respondent No.6 should be deleted from the array of parties.

8. From the side of respondent No.7/CIDCO, learned counsel Mr. Kapil Agarwal has appeared, who apprised us that reply affidavit has already been filed.

9. The main relief, which has been made in the present application, relates to relaxation of the level of COD from 250 mg/l to 1000 mg/l.

10. We tried to know from the parties as to who is the relevant authority, who is empowered to take decision in this regard. During discussion, it transpired that Rule 3 Sub-Clause 2 of the Environment (Protection) Rules, 1986 lays down "the Central Board or a State Board may specify more stringent standards from those provided in Schedule I to IV in respect of any specific industry, operation or process depending upon the quality of the recipient system and after recording reasons therefor in writing".



11. The learned counsel for respondent No.1/MoEF&CC submits that in Schedule – I at serial no.55, under the Head: Common Effluent Treatment Plants (CETP), in which in para no.A: Inlet Quality Standards, it is provided that “for each CETP, the State Board will prescribe Inlet Quality Standards for General Parameters, Ammonical-Nitrogen and Heavy metals as per design of the Common Effluent Treatment Plant (CETP) and local needs & conditions”. Therefore, according to him, no relaxation can be granted in the level of COD as per the above-mentioned rule and if at all any change is possibly to be made, the decision in this regard can be taken by the MPCB in this case. But we have already directed the MoEF&CC to file a detailed reply affidavit in this regard.

12. From the side of respondent No.4/MPCB, it is stated in their reply affidavit dated 10.01.2024 that the performance of Taloja Common Effluent Treatment Plant (CETP) is not meeting the consented standards and efforts are being taken by various stakeholders for the betterment of Taloja CETP. Therefore, the answering respondent will examine the performance of CETP for next 12-months’ period and if considerable improvement is observed in performance, the existing disposal standard of 250 mg/l for the parameter COD may be relaxed for SSI units, subject to the provision of online monitoring system and SCADA system being put in place by the stakeholders.

13. When we enquired from the learned counsel for respondent No.4/MPCB that the 12 months’ period for observing the performance of CETP is too longer a period and whether we should keep this matter pending for such a long time, it is stated by her that it is an evolving process and all the stakeholders shall have to share the responsibility.

14. During argument, it is also apprised to us by the learned counsel for respondent No.4/MPCB that a Steering Committee was constituted by the MPCB on 18.10.2023. But it is not made clear as to whether it was



(18)

constituted in pursuance of this Tribunal's Order in the present matter or it was constituted on its own by the MPCB. Several issues regarding the CETP were discussed therein and decisions were taken, which are contained in para no.6 of the affidavit of respondent No.4.

15. Our attention is also drawn by the learned counsel for applicant to para no.5 of the affidavit of respondent No.4 and stated that the points, which were discussed by the Steering Committee with respect to the CETP in its Meeting dated 17.08.2023, details of which are given in para nos. 'a to g' in that para, have not been implemented.

16. We have come across renewal of the Consent to Operate given to the Talaja CETP on 11.11.2019 by the MPCB, where-in at page no.201 of the paper book in Schedule- I, it is recorded that "in case of SSI unit, BOD of maximum of 1000 mg/l and COD of maximum 2700 mg/l will be allowed. In case of other primary and secondary treatment is required". If the said relaxation has already been made by the MPCB, which appears to be clear by this document then what is the need for seeking relaxation by the applicant, which needs to be made clear by the MPCB. The said clarification shall be submitted by the next date positively.

17. We hope that the pleadings would be completed by the next date positively and no further adjournment would be required.

18. We direct the Registry to list this matter for final hearing on 21.03.2024.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

January 11, 2024  
Original Application No.93/2023(WZ)  
P.Kr



**EXHIBIT-B**  
**434**

19



**MAHARASHTRA INDUSTRIAL DEVELOPMENT CORPORATION**  
(A Government of Maharashtra Undertaking)

MIDC, Division Office, Nagdongri, Revas Road, Alibag, Dist. Raigad-402 201  
Tel. 02141- 222242 / 222257 (P) e-mail- [eealibaug@midcindia.org](mailto:eealibaug@midcindia.org)

No. MIDC/Taloja/MPCB/IFMS-T-18576 /of' 2023 Date : 18/09/2023  
To,  
Regional Officer, MPCB,  
Raigad Bhavan, 7<sup>th</sup> floor,  
Sector-11, CBD Belapur,  
Navi Mumbai- 400614

**Subject:-**Directions under the provisions of the Water (Prevention & Control pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and Hazardous & Other Waste (Management and Trans-boundary Movement) Rules 2016.

**Reverence:-**Your office letter vide No. MPCB/RONM/2309040001 dated 04/09/2023.

MIDC has developed Taloja Industrial area in the year 1972. MIDC has provided the necessary infrastructure in the Taloja Industrial Area such as Roads, Water supply, street lights, fire station, common facility center, effluent collection and disposal system, CETP etc. to facilitate the industrial growth. The infrastructure provided is also maintained by MIDC.

**Compliances for the measures proposed by the Special Investigation Team is as follows,**

- 1) Common Effluent Treatment Plant (Traces of Organic Chemicals in effluent vaporizes during aeration):



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- a) MIDC shall adequate measure to operate and maintain treatment of CETP proper to achieve consented standards.

The CETP operations are carried out round the clock to its optimal designed efficiency. Being the chemical & biological process the CETP performance varies with inlet load to CETP.

- b) MIDC shall provide flow metering system to inlet & outlet of CETP within 1 month from the receipt of this direction.

It is submitted that flow meters are provided at the inlet and outlet of CETP. However due to Air pollution/ Air corrosion in the Industrial area, the sensors of these instruments are affected/corroded and need servicing/ calibration quite often. Even after repairs, it gets corroded in a week's time. To over above difficulties, flow measurements are also carried out through "V" notch and also by measurement of pump capacity vs. pumping hours. Records/logbooks are maintained at CETP site.

- c) MIDC shall provide adequate chemical dosing in scientific and technical manner and also take suitable measures for complete mixing of chemicals with effluent and also is to be taken adequate measures for coagulation and flocculation within 1 month from the receipt of this direction.

Chemical dosing is done based on jar test reports to achieve adequate coagulation and flocculation. Flash mixer units are provided to achieve effective results. For CETP primary treatment chemicals being used are mainly lime slurry, PAC, and Poly. Lime is used both as a neutralizing agent as well as flocculent. PAC use was stopped as advised by MPCB earlier. Now as directed by MPCB PAC dosing is being started. Poly is used in primary treatment as well as in the centrifuge.

- d) You shall cap the equalization tank and shall install VOC absorption system within 3 months from the receipt of this direction.

MIDC sought your expert advice on capping the equalization tank suitably & further request you to kindly inform any reference of CETP for which equalization tank is provided with cap so as to guide MIDC in this matter & accordingly, it will ease MIDC in processing the Administrative approval proposal.



(21)

- e) You shall operate and maintain aeration tank/ bioreactor as air blowers for aeration (diffused aeration) observed not in operation immediately i.e. absence of dissolved oxygen

The Aeration tanks are provided with a diffused aeration system consisting of diffusers & blowers, which are provided which is operated round the clock basis to achieve the desired aeration.

- f) MIDC shall operate and maintained aeration tank/ bioreactor on immediate basis as blackish in colour of aeration liquor and fouling smell/ obnoxious odour was noticed, it indicates there is no live biomass in aeration tank/ bioreactor as it is the core heart of the process.

The dark- Blackish/ Greenish color effluent whenever received at the inlet of CETP, leads to dark/high color/COD. These characteristics persist in subsequent treatment units. This is the cause for the blackish color in the aeration tank creating a visual impression/observation of non-active biomass/ culture. But settling of biomass within 30 minutes in the measuring cylinder indicates that biomass is active. The activated sludge/ MLSS is maintained in an aeration tank by providing culture / active biomass from similar industries in the Taloja industrial area. This improves the performance of the activated sludge/ aeration system. However, variations in inlet characteristics proportionately affect the performance of activated sludge/ aeration systems. In fact, if the high COD load persists for a long time or a very large COD shock is applied to the biological system, it will impart a toxic shock to the system. We appreciate MPCB monitoring in controlling the inlet by frequent sampling of the industries.

- g) MIDC shall evaluate the installation of tertiary system for CETP and submit the feasibility report within six months and complete installation and operate within 12- 18 months from the receipt of this direction.

1. Taloja CETP (27.50MLD) has been granted consent to operate time to time by MPCB for critical parameters like BOD 100 mg/l & COD 250 mg/l.
2. Recently MIDC has upgraded, rehabilitated & expanded the CETP from 22.5 MLD to 27.50 MLD. For discharge limit of BOD 30 mg/l & COD 250 mg/l.
3. The rehabilitation & up gradation of Taloja CETP is comprised of
  - a. Rehabilitation of existing civil units & addition of new units.





d) MIDC shall install and operate anaerobic digester for sump 2 within 12 months from the receipt of this direction.

Feasibility & possibilities of anaerobic digester will be checked through an expertise agency for comprehensive study and accordingly the proposal will be initiated.

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e) MIDC shall immediately (within 2 weeks) completely close the old effluent carrying pipeline by pouring concrete into old chambers.

Action regarding above is already taken by MIDC.

f) MIDC shall submit the plan for monitoring system in major chambers in grid wise fashion to control the shock load to CETP within 3 months.

Regarding this issue MIDC is regularly submitting monthly reports from CETP to MPCB for further needful.

g) Repairing & cleaning of effluent carrying pipeline/chambers shall be done on priority at various locations in MIDC area.

MIDC has appointed expertise agency for annual maintenance of effluent carrying pipeline and chambers. The agency is doing the work round the clock.

h) MIDC chambers shall be cleaned periodically to avoid overflow and River/Nalla pollution and smell nuisance etc.

MIDC have appointed expertise agency for annual maintenance of effluent carrying pipeline and chambers. The agency is doing their work round the clock & cleaning/ removing choke ups/ repairing the pipelines.

i) MIDC shall make necessary provisions to provide covers to the MIDC chambers wherever missing/damaged.

Covering of uncovered chambers is being identified through AMC and will be covered, if found uncovered.

j) MIDC shall close the old effluent carrying pipelines. The operation & maintenance of drainage system shall be carryout properly so as prevent the leakages of effluent into River/Nalla as well as in MIDC area.

Action regarding above is already taken by MIDC.

k) MIDC shall take due care to prevent the water pollutions problems due to leakages of effluent from drainage network into River/Nalla as well as in MIDC area.



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MIDC have appointed expertise agency for annual maintenance of effluent carrying pipeline and chambers. The agency is doing the work round the clock. Wherever leakages observed it is attended immediately on top priority and spilled effluent is again pumped into the effluent collection system.

1) As & when incidences of leakages / breakages / blockage in chambers effluent carrying lines happens, MIDC shall inform to all member industries regarding not to discharge industrial effluent to MIDC/ CETP effluent pipelines and immediately informed the same to MPCB.

For major breakage of effluent carrying pipelines all industries are informed to stop discharge of effluent and work is carried out, also MPCB is informed about the same.

3) Vigilance towards avoidance of illegal disposal and effective environmental management of Talaja MIDC.

a) MIDC shall fence the open plot under MIDC authority within 3 months from the receipt of this direction.

Actual present situation of open spaces will be identified and accordingly proposal for fencing will be initiated.

b) MIDC shall do intensive vigilance of chambers through CETP and also do surveillance within and in the periphery of Talaja MIDC area.

Regarding this issue MIDC is regularly submitting monthly reports from CETP to MPCB for further needful.

c) MIDC shall create the network of CCTV and monitoring cell within MIDC/CETP.

MIDC have already installed CCTV inside the CETP.

d) MIDC shall instigate the surveillance and vigilance units in MIDC Talaja boundary and within to avoid illegal tanker disposal.

MIDC have appointed expertise agency for annual maintenance of effluent carrying pipeline and chambers. The agency is doing the work round the clock. Also the agency is doing surveillance in MIDC.

4) Other Measures

a) MIDC shall submit the plan and develop tactical forests on open spaces under the authority of MIDC



Actual situation of open spaces will be identified and accordingly proposal for fencing will be initiated.

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b) MIDC shall take extensive drive to plant plants having fragrance to mask the industrial odor.

Expertise agency for comprehensive study will be appointed and accordingly the proposal will be initiated.

  
18/09/2023  
Executive Engineer  
M.I.D.C. Division, Alibag

- Copy submitted to the Superintending Engineer (K), MIDC, Panvel for favour of information please.
- Copy to Deputy Engineer, MIDC, Talaja sub Division, Talaja for information and necessary action.



**EXHIBIT-C**  
**441**  
**MAHARASHTRA POLLUTION CONTROL BOARD**  
**Regional Office - Navi Mumbai**

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Fax : 022-2757 1586  
Visit us at :- <http://mpcb.gov.in>  
e-mail : [ronavimumbai@mpcb.gov.in](mailto:ronavimumbai@mpcb.gov.in)



Raigad Bhavan, 7th Floor,  
Sector-11,  
C.B.D. Belapur  
Navi Mumbai 400 614

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No. MPCB/RONM/Direction/ 1367-B

Date: 28 /11/ 2023

To,  
M/s. Executive Engineer  
MIDC Taloja, Tal- Panvel,  
Dist- Raigad.

**Subject : Implementation Status of Direction issued by MPC board**

- Ref: 1. Direction issued by MPC Board dtd. 04/09/2023  
(MPCB/RONM/2309040001)  
2. Reply Submitted by MIDC dtd 18/09/2023 (MIDC/Taloja/MPCB/IFMS-I-18576/2023)  
3. Hon'ble Lokayukta Order dtd. 10/8/2023 & 13/10/2023

With reference to above subject in context with Hon'ble Lokayukta order dtd 10/8/2023 and 13/10/2023, MPC board has earlier issued directions to MIDC dtd. 04/09/2023 which MIDC replied on 18/09/2023.

Based on recent field visits by board officials and night vigilance carried, following observations are made

1. MIDC shall strictly adhere to timelines of various action points as per MPC board direction.
2. During winter season (1/12/2023 to 29/02/2024), CETP shall not discharge treated effluent 1.5 hrs earlier to low tide and 2.5 hrs after low tide.

Your reply shall reach this office within period of 07 days from date of receipt of these directions.

(Satish Padwal)

Regional Officer, Navi Mumbai

**Copy submitted for information to:**

1. Member Secretary, M.P.C. Board, Sion Mumbai.
2. Joint Director (WPC), MPC Board, Mumbai

**Copy to:**

Sub- Regional Officer, MPC Board, Taloja

- He is directed to communicate & take further necessary follow up for the compliance of this directions.



**Minutes of Meeting regarding Review of performance of Taloja CETP held under the chairmanship of Hon'ble Member Secretary, MPCB on 01.12.2023. at 11:30 at conference hall, MPCB (HQ), Mumbai**

The review meeting regarding performance of Taloja CETP is held under the chairmanship of Hon'ble Member Secretary, MPCB on 01.12.2023 at 11:30 am at MPCB, HQ Mumbai. The Following officers were present for the meeting.

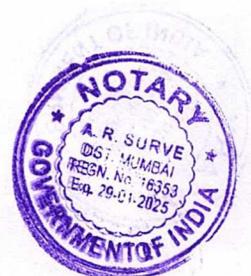
1. Dr. J.B.Sangewar(JD WPC), MPCB, Mumbai
2. Shri K.S.Bhandekar, S.E.(Konkan), MIDC, Mumbai
3. Shri. S.S.nanaware, E.E.(Alibag), MIDC
4. Shri. D.H. Bobade, Dy.E (Taloja), MIDC
5. Shri. A.A. Alat A.E.(Taloja), MIDC
6. Shri Vikrant Bhalerao, SRO, Taloja, MPCB, Navi Mumbai
7. Shri Shekar Shringare, TMA President
8. Shri Sandip Dong, CETP, Taloja
9. Shri Madhukar Naik, CETP, Taloja
10. R.K Injulkar, Field Officer , MPCB, Taloja
11. A.R.Kasbe, Field Officer, MPCB Mumbai

The JD(WPC) briefed Hon'ble Member Secretary about the performance of CETP. He briefed that Board has issued Directions from time to time to the CETP for improvement in operation and maintenance of CETP. He narrated that Board has also issued directions for installation of positive discharge, lock and key with 2 way SCADA system at the out let of member industries

JD WPC informed Hon'ble Member Secretary that M/s Deepak Fertilizer, MIDC Taloja is seeking permission to direct discharge of treated effluent at outlet of CETP. MIDC and TMA raised issue reg. impact on COD due to dilution by such industries. It was finally opined that the case will be dealt by considering CETP design criteria and MIDC policy.

Regarding positive discharge, lock and key with 2 way SCADA system, MIDC informed that member industries were communicated on 7<sup>th</sup> Nov. 2023 to implement the same within 1 month time frame. TMA raised objection that 1 month timeframe is non-achievable. Hon'ble MS directed that considering the prior directives from MPCB since 2014 to till date, this need to expediated within a month timeframe

CETP operator informed about shock load created by sump 2 effluent. Hon'ble Member Secretary informed operator to communicate the defaulter list on priority. Habitual defaulters should be notified and further action may be taken.



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SRO Taloja requested MIDC to give the details of water bills of fish processing companies reg. effluent generation within a week timeframe.

TMA raised issue reg. washing centres in nearby area (SRO Raigad – 1) which are culprits for chemical discharge in nearby waterbodies, possibility of tanker discharge at sump 2. TMA submitted that proper security (CCTV and Physical) along with flow meter need to be provided at sump 2 to avoid any unwarranted incidences. TMA also demanded the action on nearby washing centres. SRO shall carryout inspection of such units and initiate legal process against defaulter units

Hon'ble Member secretary has shown his displeasure towards non-compliance of Taloja CETP. He stated that action shall be initiated against the habitual defaulter industries which are not meeting the consent conditions and standards for discharge of effluent. He also pointed out that the effluent from fish processing units could be segregated and treated separately. For the same, MPCB will examine extending financial support for installation of treatment system.

After due deliberation, Hon'ble Member Secretary has directed as follows:

- (i) The arrangement of positive discharge, lock and key with 2 way SCADA system shall be complied within one month.
- (ii) The action shall be initiated against the habitual defaulter industries.
- (iii) The automobile washing centre shall be brought under consent regime by SRO and action shall be initiated against defaulter units.
- (iv) MIDC shall submit the proposal for segregation and separate treatment for effluent from Fish processing industries on and before 20<sup>th</sup> Dec. 2023.
- (v) SRO shall carryout weekly sampling of sump 2 in Dec-2023 and analysis results shall be submitted in Jan. 2024.
- (vi) SRO shall carryout inspection of washing centres.

The meeting ended with thanks to the Chair.

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Direction given by Steering Committee: - Lock & Key Mechanism to be used in small scale industries (SSI). Lock & Key arrangement till 50 KL (0-20 KL min. 2 days holding period tank and 20-50- 1 day)

Action by MIDC: - Notice is issued to concern industries vide I-25590 dated 07/11/2023.

- 1) Directions :- Illegal disposal at various site within MIDC
  - a) Increase surveillance by instigating team with help of ground penetration radar system
  - b) Fencing of open plots of MIDC near water body
  - c) CCTV network within MIDC

Action taken by MIDC:- Surveillance is increased with the help of CETP vigilance team. The proposal for fencing of open plots is in the ADP stage and the proposal for CCTV is in the tendering stage.

Directions given by Steering Committee:-

- a) Lock & Key Mechanism to be used in small scale industries (SSI). Lock & Key arrangement till 50 KL (0-20 KL min. 2 days holding period tank and 20-50- 1 day)
- b) Surface aerators for Sump 2 where all fishery units' effluent is being collected.
- c) Advanced anaerobic digesters for Sump 2 where all fishery units' effluent is being collected.

Action taken by MIDC:- The proposal for Surface aerators and Advanced Anaerobic digesters for Sump 2 are in the process of estimation.

- 2) Directions - CETP Area- In between New chemical zone and G-zone.

Odour reason:- Traces of organic chemicals in effluent vaporizes during aeration.

Directions given by SIT:-

- a) Evaluation of the feasibility of a tertiary treatment system for CETP.
- b) Old effluent line and chamber disconnections by putting concrete.



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- c) Capping of various open air treatment systems and venting with appropriate VOC traps.
- d) Separate line for all putrescible compounds to CETP for separate sump.

Actions taken by MIDC:-

- a) The proposal for tertiary treatment is in the approval stage.
- b) Old effluent line and chambers are disconnected.
- c) Feasibility study of capping of open air treatment system is in the progress.
- d) Feasibility study of separate line for all putrescible compounds to CETP is in the progress.



**BEFORE THE NATIONAL GREEN  
TRIBUNAL  
WESTERN ZONE BENCH, PUNE  
ORIGINAL APPLICATION NO.93 OF 2023**

**BETWEEN:**

Taloja Industries Association

.... Applicant

Vs

Ministry of Environment,  
Forests and Climate Change and Ors.

.... Respondents

**ADDITIONAL AFFIDAVIT ON BEHALF OF  
THE RESPONDENT NO. 5 (MIDC).**

Dated 18th March 2024



Little & Co.

400 001

Advocate for Respondent No.5 (MIDC)