

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE**

**Original Application No.58/2024**

Anand Soman & Anr. ... Applicants

v/s

State of Maharashtra & Ors. ... Respondents

**Affidavit on Behalf of the Maharashtra Pollution Control Board**

I, Kiran Hasabnis, Aged-Adult, Occupation-Service, the Regional Officer of the Maharashtra Pollution Control Board at Thane i.e. Respondent No.5, having office at Plot No. P 30, 5th Floor, Office Complex Building, Wagle Industrial Estate, Mulund Check Naka, Thane (West) 400604, do hereby solemnly affirm and state as under :

1. I am filing this Affidavit in compliance of the Order dated 23/06/2025 passed by this Hon'ble Tribunal.
2. I say and submit that, this Hon'ble NGT vide Order dated 23/06/2025 directed the Respondent No.5-MPCB to file an Affidavit for compliance of the directions dated 16/05/2025.
3. I say and submit that the Respondent Board has issued directions vide letter dated 16/05/2025 to the Executive Engineer, Division-1, MIDC Wagle Estate, Thane and Tarapur Environment Protection Authority.
4. I say and submit that in order to verify the compliance of the directions dated 16/05/2025 issued by the Respondent-Board to

MIDC and TEPS-CETP, a Joint Visit of the Officials of MPCB, and TEPS-CETP was carried out on 29/7/2025 to the TEPS-CETP. Further, the visit of the Officials of MPCB, MIDC and TEPS-CETP was carried out on 30/07/2025 to the MIDC's effluent conveyance system/pipeline in Tarapur Industrial area and observed various non-compliances. Copies of the Joint Visit Reports dated 29/07/2025 and 30/07/2025 are enclosed herewith and marked as an **Annexure-'I' & 'II'**.

5. I say and submit that on the basis of various non-compliances observed during the aforesaid visits, the Respondent Board is in process to initiate appropriate action against TEPS-CETP, MIDC and erring industries under the provisions of the Water (Prevention & Control of Pollution Act, 1974.

6. Hence this Affidavit .

Solemnly affirmed on this ...12. day of August, 2025 at Bolsar.

For and on behalf of the Maharashtra Pollution Control Board,

**Solemnly Affirmed and Executed before me at Bolsar on-**

*Hemant P. Patil*  
**MR. HEMANT P. PATIL**  
 B.A. LL. B.

*Kiran Hasabnis*  
 (Kiran Hasabnis)  
 Regional Officer-Thane

**ADVOCATE & NOTARY**  
 (GOVT. OF INDIA)  
 Off. Octwal Empire, Bolsar,  
 Sundaram Apt, Bldg. No. L/4,  
 Gala No. 4, Bolsar, Tal. Palghar,  
 Dist. Palghar, Maharashtra-401501.



NOTED & REGISTERED	2
AT Serial No.	7270 / 2025
Register No.	07 Dated
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**I KNOW THE DEPONENT WHO SIGNED BEFORE ME**  
 Witness as to Signatures only  
 Document(s) not prepared  
 Reviewed of Advice upon

**Report of joint inspection-cum-monitoring of common M/s. Tarapur Environment Protection Society, Common Effluent Treatment Plants (CETP), At Plot No. OS-30, MIDC Tarapur, Boisar, Dist. Palghar.**

The board has issued Directions under section 31 A of the Air (Prevention & Control of Pollution) Act, 1981 and under section 33 A of the Water (Prevention & Control of Pollution) Act, 1974 to The Chairman and members of M/s. Tarapur Environment Protection Society, Common Effluent Treatment Plants (CETP), At Plot No. OS-30, MIDC Tarapur, Boisar, Dist. Palghar vide order No: MPCB/ROT/D/2505160001 Dated 16/05/2025. In compliance with aforesaid order a joint inspection-cum-monitoring of TEPS-CETP Tarapur by the following officials in presence of representative of TEPS-CETP was conducted on 29th July 2025.

- 1) Shri.Raju R.Vasave, SRO, Tarapur-1, MPCB
- 2) Dr. Mahendra Patthebahadur) Field Officer, Tarapur-I, MPCB.
- 3) Shri. Vishwajit Sorge, Field Officer, Tarapur-1, MPCB
- 4) Shri. Sunil Kawade, Technical Advisor for improvement in O&M TEPS-CETP, MIDC Tarapur.
- 5) Shri.Gajanan Jadhav, General Manager, TEPS-CETP Tarapur.

The copy of Consent to Operate granted to CETP vide no. Format1.0/CC/UAN No.MPCB- CONSENT-0000186757/CR/2501002505, dtd. 24/01/2025 as well as their say vide letter dated 14.04.204 & 22.05.2025 which are also referred and discussed in detail. The pointwise present status /observation is as under.

Sr. No.	Direction	Compliance Status
1.	You shall not accept effluent from the member industries through tanker movement after 31 <sup>st</sup> May 2025.	<ul style="list-style-type: none"> <li>• TEPS is still accepting effluent via tankers as the effluent-carrying pipeline remains closed by MIDC and has not yet been reopened for the zones K,T,M,N, E(pt).</li> <li>• Instruction given, not to accept the effluent via tanker and follow the direction.</li> </ul>
2.	You shall dispose of all the sludge (Hazardous waste) accumulated/stored in your plant premises before 31 <sup>st</sup> May 2025.	The record shows that 16125MT of sludge was disposed during the period of January 2025 to May 2025. However, over 10,000 MT of sludge remains accumulated in soil ponds (lacking leachate collection systems) and unused tanks (Part of pending Work Status – Modules A & B). Due to unavailability of space and non-acceptance by TSDF during monsoon, sludge disposal is currently halted, severely impacting CETP operations.

3.	You shall strictly comply with earlier direction dtd. 11.12.2023.	Point wise compliance is as under.	
		Direction	Compliance Status
		1. You shall operate and maintain all the units of the common effluent Treatment Plant (CETP) regularly so as to achieve consented standards. In case of maintenance/non-operation of any of the units of CETP, you shall immediately inform the Board and also provide stand by option for the same.	Critical operational deficiencies are continuing as reported in point no 8 of 16 <sup>th</sup> May 2025 directions.
		2. You shall submit the time bound action plan for completion of remaining work of CETP (50MLD) and proposal for the support required from MPC Board within 15-days.	<ul style="list-style-type: none"> <li>• CETP has submitted time bound action plan for completion of remaining work of CETP (50 MLD) vide their letter dated 14.10.2024. However, the TEPS CETP has not undertaken any effective steps for completion of remaining work as per the submitted action plan. Copy attached as annexure -B.</li> <li>• The TEPS CETP may not be able to take initial task, because of</li> </ul>



			<p>project site is full of accumulated solid waste stored since the start of new CETP.</p> <p>(Remaining civil structures area as well as completed treatment tanks).</p> <ul style="list-style-type: none"> <li>Revised schedule as per letter dated 22.05.2025, this may now be taken into consideration.</li> </ul>
		<p>3. You shall dispose the sludge (Hazardous waste) accumulated/stored in treatment tanks, premises of old &amp; new CETP as well as sludge accumulated at the MIDC sumps jointly with MIDC within 2-months.</p>	<p>As reported in point no 2 of 16<sup>th</sup> May 2025 directions.</p>
		<p>4. You shall provide adequate capacity sludge drying beds to avoid haphazard storage of sludge (Hazardous waste).</p>	<ul style="list-style-type: none"> <li>TEPS CETP is having 4 days capacity of SDB (400M<sup>3</sup>). The CETP is not able send the sludge during monsoon period, therefore minimum 4 months (10,000 M<sup>3</sup>) capacity with proper</li> </ul>

			<p>monsoon shed is required.</p> <ul style="list-style-type: none"> <li>• Also the CETP has to Develop an alternate sludge management plan to maintain project progress during the monsoon season.</li> </ul>
		<p>5. You shall deploy technical persons to carry out vigilance and monitoring of discharge of industries to ensure 100% generation of effluent from MIDC area is to be connected to CETP through regular interaction with MIDC.</p>	<p>No technical team or persons deployed for vigilance. There is flow contaminated wastewater in the nallas/MIDC drains.</p> <p>Which reveals that, the CETP has not taken any steps towards the collection and connection of 100% generation of effluent from MIDC area to CETP. Thus, failed to comply.</p>
		<p>6. You shall strictly comply with consent conditions and earlier directions issued time to time</p>	<p>The non-compliance of consent condition mentioned as above.</p>
		<p>7. You shall submit Bank Guarantees as per consent conditions and directions issued from time to time within 7-days.</p>	<p>CETP has not renewed the B.Gs as per the consent conditions and directions issued.</p>

4.	You shall strictly monitor 2-way SCADA system along with NRV and provide defaulter list of industries those are not following SCADA system including abnormalities notice to Sub-Regional Officer Tarapur-I on daily basis.	<ol style="list-style-type: none"> <li>1. The CETP is monitoring regularly the 2-way SCADA system, however a cross check as well as data received 2-way SCADA operator reveals that, its non-functional at many of the industries. Only OCEMS data without calibration is being received from 156 industries.</li> <li>2. Defaulter list of nonfunctional 2-way SCADA system is not submitted by the CETP to SRO office.</li> </ol>
5.	You shall communicate with member industries to submit certificate from MIDC certifying that, industry is having single discharge point of positive discharge.	<ol style="list-style-type: none"> <li>1. The board has issued direction regarding the requirement single point of positive discharge since long back. The TEPS CETP as well as MIDC has completely failed to adopt this system.</li> <li>2. The CETP has issued again issued circular to their member industries on 22.05.2025 to submit certificate from MIDC confirming that the industry has a single point of positive discharge.</li> </ol>
6.	You should monitor positive discharge at MIDC chambers only by deploying own technical persons within 15 days and communicate the results on a weekly basis to Sub-Regional office Tarapur-I	<ol style="list-style-type: none"> <li>1. No qualified technical staff has been deployed.</li> <li>2. Monitoring is being conducted by casual workers from Arnav Placement (through E&amp;Y), lacking required environmental/chemical qualifications.</li> <li>3. Monitoring results of said agency are neither shared with the CETP Manager nor with RO/SRO offices.</li> </ol>
7.	You shall strictly implement Board Circular dtd. 20.12.2014 regarding Lock & key arrangement for all member units.	Lock & key arrangement with strainers and positive discharge verification are not currently being monitored. A joint task needs to be undertaken once the lines of effluent-carrying pipeline reopened by MIDC in entire zones.
8.	You shall operate and maintain CETP to achieve consented standards.	<p>Critical operational deficiencies are continuing as under.</p> <ul style="list-style-type: none"> <li>• Decanter operations halted due to full dewatered sludge storage (since 26/05/2025); 10,000+ MT sludge remains accumulated.</li> <li>• Flowmeter: discrepancies between CETP inlet/outlet and MIDC discharge since the total quantity of effluent at inlet to CETP cannot be assess on the spot.</li> </ul>

- Nonoperation of digital DO metres installed at aeration tanks.
- Air blower downtime: 5 out of 8 blowers under maintenance; risk of full aeration failure.
- Anoxic treatment ineffective: Only 3 out of 6 mixers operational, reducing treatment efficacy. As per DPR CETP has to install 10 mixers plus one standby.
- Though it is evident that, TSS parameter in JVS analysis is exceeding. The TEPS-CETP is not operating the of PSF since long back, resulted in corrosion.
- The logbook maintained by MIDC pump operator at sump no 5 shows the overflow recoded sometimes. The final discharge by MIDC is 1536 M3/hr (flow meter reading at sump no 5).
- Discharge of coloured effluent.
- There is flow contaminated/coloured wastewater in the nallas/MIDC drains.
- The CETP has not provided Bioassay test in their laboratory.
- JVS results for the period 1st May 2025 to 3rd July 2025. The all 7 results are exceeding the consented norms except pH. which reveals that Min COD 288 mg/l and max COD 984 mg/l. Also, the Special parameters like Ammonical Nitrogen (as N), Total Kjeldahl Nitrogen (TKN) are also exceeding frequently. Consolidated sheet of JVS analysis for the period of January 2025 to 3rd July 2025 attached.



*(Signature)*  
 (Gajanan Jadhav)  
 General Manager,  
 TEPS-CETP, MIDC Tarapur.

*(Signature)*  
 (Vishwajit Sorge),  
 Field Officer, Tarapur-I, MPCB

*(Signature)*  
 (Sunil Kawade)  
 Technical Advisor for improvement in O&M  
 TEPS-CETP, MIDC Tarapur.

*(Signature)*  
 (Dr. Mahendra Patthebahadur)  
 Field Officer, Tarapur-I, MPCB.

*(Signature)*  
 (Raju Vasave)  
 Sub Regional Officer, Tarapur-1, MPCB

**Report of joint inspection-cum-monitoring of the treated/partially treated effluent connectivity/disposal by the industries to MIDCs effluent conveyance system /pipeline in Tarapur industrial area, Tal & Dist Palghar.**

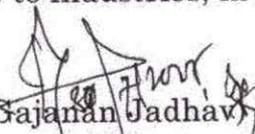
The board has issued Directions u/s 33A of the Water (Prevention & Control of Pollution) Act. 1974 to The Executive Engineer Division No. 1, MIDC, Wagle Estate, Thane vide order No: MPCB/ROT/ 250516FTS0154 Dated 16/05/2025. In compliance with aforesaid order a **joint inspection-cum-monitoring of the treated/partially treated effluent connectivity/disposal by the industries to MIDCs effluent conveyance system /pipeline in Tarapur industrial area, Tal & Dist Palghar** was conducted on 30th July 2025.

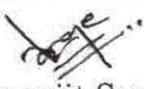
- 1) Shri.Raju R.Vasave, SRO, Tarapur-1, MPCB
- 2) Shri Avinash Sankhe, Dy.Engineer, MIDC Tarapur
- 3) Dr.M.M.Patthebahdur, FO, Tarapur-1, MPCB
- 4) Vishwajit Sorge, FO, Tarapur-1, MPCB
- 5) Shri. Sunil Kawade, Technical Advisor for improvement in O&M TEPS-CETP, MIDC Tarapur.
- 6) Shri.Gajanan Jadhav, General Manager, TEPS-CETP Tarapur.

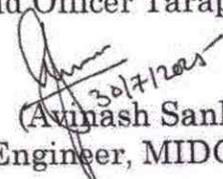
The reply of MIDC in compliance to the aforesaid direction vide letter dated 22.06.2025 is also referred and discussed in detail. Copy of the same is attached herewith for kind perusal.

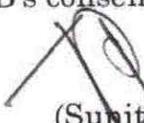
The issue of tanker movement for effluent transportation, the deadline is 31st May 2025, except High COD / TDS effluent intended for the evaporation system. After this deadline the transportation of entire effluent through the closed conveyance system only. In this context, a joint meeting followed by a site inspection was conducted on 30th July 2025. MIDC has initiated the reopening of effluent pipelines in Zones E (part), K, L, M, N, and T. The reopening work in Zone N and a part of Zone E has been completed and is set to resume on 31st July 2025, the remaining work will be completed in next 10 days. The entire task is expected to be completed within the next 10 days.

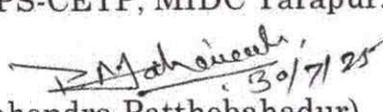
Thus, on or before 10th August 2025, the connection for treated/partially treated effluent disposal into MIDC's conveyance system in the Tarapur Industrial Area will be made available to industries, in accordance with MPCB's consented norms.

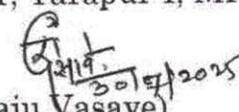
  
  
 (Gajanan Jadhav)  
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 TEPS-CETP, MIDC Tarapur.

  
 (Vishwajit Sorge)  
 Field Officer Tarapur-1, MPCB

  
 (Avinash Sankhe)  
 Dy.Engineer, MIDC Tarapur

  
 (Sunil Kawade)  
 Technical Advisor for improvement in  
 O&M TEPS-CETP, MIDC Tarapur.

  
 (Dr. Mahendra Patthebahadur)  
 Field Officer, Tarapur-I, MPCB.

  
 (Raju Vasave)  
 Sub Regional Officer, Tarapur-1, MPCB

## MAHARASHTRA POLLUTION CONTROL BOARD

Tel : 25802272		Regional Office, Thane
Fax : 25805398		5 <sup>th</sup> Floor, Office Complex Bldg.,
Website: <a href="http://mpcb.gov.in">http://mpcb.gov.in</a>		Near Mulund Check Naka,
E-mail Id: rothane@mpcb.gov.in		Wagle Estate, Thane-400 604.

No: MPCB/ROT/ 250516FTS 0154

Date:- 16/05/2025

To,  
**The Executive Engineer**  
 Division No. 1, MIDC,  
 Wagle Estate, Thane.



Your Service is Our Duty

**Sub:** Directions u/s 33A of the Water (Prevention & Control of Pollution) Act. 1974.

- Ref:**
- 1) Directions issued by MPCB from time to time.
  - 2) Letter issued by the Board official vide no. 1533, dtd. 06/07/2022.
  - 3) Approved office note vides no. MPCB-ON-3515, dtd. 11/04/2025.
  - 4) Personal hearing extended before Hon'ble Member Secretary dtd.07/05/2025
  - 5) Minutes of personal hearing extended on 07/05/2025 to TEPS-CETP and officials of MIDC Tarapur.

**WHEREAS**, the Maharashtra Industrial Development Corporation (MIDC) is the planning Authority for providing infrastructure facilities within the MIDCs industrial areas, and also to ensure that the industries located in the MIDC area should have been provided with proper water supply, roads, sewerage, drainage lines including proper collection and transportation of effluent line as well as treatment and disposal system to the waste water generated from their activities.

**AND WHEREAS**, it is obligatory on your part to ensure operation & maintenance of effluent collection and conveyance system through regular interaction with CETP operator so as to stop leakages & overflow of effluent leading to MIDC stretches/nallas. Also, to ensure that, 100% generation of effluent from MIDC area is to be connected to CETP for further treatment and disposal.

**AND WHEREAS**, Maharashtra Pollution Control Board had issued various directions to yourself regarding improvement in infrastructure in MIDC Tarapur so as to minimize pollution problems and associated nuisances. It was directed to improve waste water collection system by arresting overflow from the MIDC chambers. Also, it was directed to remove old RCC pipeline by new HDPE pipeline so as to avoid leakages/breakages of pipeline.

**AND WHEREAS**, Sub-Regional Office, MPCB, Tarapur-I during their regular inspection has reported that frequent leakages & overflows of effluent in MIDC controlled sumps, Chambers resulting in the discharge of substandard effluent observed in storm water drain/ natural stream within MIDC area in non-monsoon season, effluent collection/disposal system breakages/ leakages and seepages thereby effluent finding its way into MIDC stench leading creek through local nalla. The Monitoring data/ Nalla/drain water sample analysis result for the period from 1st April 2024 to 31st March 2025 reveals that, the highest concentration of COD-10,000 mg/l (dtd.28.11.2024). The recent Law evidence samples of sizable flow of contaminated water in the Nallas/MIDC drains flowing in MIDC collected on 08.04.2025 & 24.04.2025 also reveals the concentration of COD-8640 mg/l & 21920 mg/l respectively. Which demonstrates continual degradation and posing a significant threat to the environment in the Tarapur industrial area of MIDC. copies of the analysis results are attached herewith as Annexure-I copy.

**AND WHEREAS**, The Joint Committee constituted by Hon'ble NGT in Original Application NO. 58 of 2024 (Anand Soman & Anr. Versus State of Maharashtra & Ors., has submitted a report dated September 2024. The Hon'ble NGT after hearing on the said report a Joint Committee recommendations were reproduced in its order dated 14.11.2024 Specifically "4.5 MPCB vide orders dated 28.11.2023 and 11.12.2023 MIDC & CETP shall ensure transportation of entire effluent through the drainage system only".

**AND WHEREAS**, personal hearing was extended on 07/05/2025 to TEPS-CETP and officials of MIDC Tarapur at Head Office, M.P.C. Board, Sion, Mumbai before the Member Secretary of the M.P.C. Board, these matters were thoroughly discussed and subsequently minutes of meeting received to this office on dtd. 07/05/2025

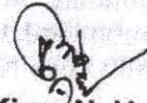
**AND WHEREAS**, during the personal hearing extended on 07/05/2025 you have informed that, The Tarapur MIDC areas have been divided into sixteen (16) Zones namely A, B, C, D, E, F, G, H, J, K, L, M, N, S, T and W. The Effluent from industries in these zones are channelized by gravity to sumps namely Sump 1, Sump 3, Sump 4 and Gravity Main. From these, effluent is pumped to CETP except Gravity Main from where effluent is conveyed to CETP by gravity. The outdated collection and disposal infrastructure has been replaced with a modern HDPE system. MIDC is tasked with ensuring the proper operation and maintenance of this effluent transport system. The TEPS operator of CETP after treatment releases the treated effluent to MIDC sump no 5 which finally released to coastal waters of Arabian Sea at a location designated by NIO.

**NOW THEREFORE**, in exercise of the powers conferred upon me under section 33A of the Water (Prevention & Control of Pollution) Act, 1974 and in continuation of earlier directions issued, due to continued non-compliance, you are hereby directed to implement the following interim measures.

- 1) You shall maintain necessary record of water supply to the industries and quantity of effluent disposed at Arabian sea and the same shall be submitted to Sub-Regional Office, MPCB, Tarapur-I monthly basis along with copy to this office.
- 2) You shall Permanently discard the abandoned old effluent carrying RCC pipeline network in MIDC Tarapur area within one months and report compliance accordingly.
- 3) You Shall ensure that, the treated/partially treated effluent connectivity/disposal by the industries to MIDCs effluent carrying pipeline is only by way of positive one point discharge within 15 days and report shall be submitted to MPCB.
- 4) You shall unblock all the chambers before 31<sup>st</sup> May 2025 and ensure that, 100% generation of effluent from MIDC area is to be connected to CETP for further treatment and disposal.
- 5) You shall ensure transportation of entire effluent through the closed conveyance system only.
- 6) There shall not be any tanker movement for effluent transportation after 31<sup>st</sup> May 2025, except High COD / TDS effluent intended for the evaporation system.
- 7) You shall repair all chambers and effluent carrying pipeline before 31<sup>st</sup> May 2025 to prevent the accidental discharge due to leakage/overflow issues of effluent into nearby nalla.
- 8) You shall ensure the accidental leakages/seepages or accumulated contaminated waste water in MIDC area shall be arrested and diverted to nearby MIDC conveyance system.
- 9) You shall install CCTV/PTZ cameras (day and night) in the MIDC area to keep vigilance (in collaboration of nearby industry custodial safety purpose) in sensitive pockets where there are chances of illegal disposal of effluent and hazardous waste on or before 31<sup>st</sup> August 2025.

You shall comply with this direction within a timeframe from the date of receipt of these directions, failing which the Board will have no option than to initiate appropriate further legal action dim fit against you, which please noted.

This is issued with the approval of competent authority of the Board.



(Kiran N. Hasabnis)  
Regional Officer, Thane

**Copy Submitted to:**

- 1) The Member Secretary, M.P.C. Board, Sion, Mumbai.
- 2) Deputy Chief Executive Officer (Environment), Udyog Sarathi", Marol Indl. Area, Mahakali Caves Road, Andheri (East), Mumbai – 400 093.
- 3) Assistant Secretary (Tech.), M.P.C. Board, Mumbai.
- 4) Dy. Engg. (Drainage), MIDC Tarapur.

**Copy to:-** Sub-Regional Officer, MPC Board, Tarapur-I – You are instructed to serve the copy of direction & submit compliance report immediately.



Resubmitted:

In compliance of the order dt. 14/11/2024 passed by the Honble NGR, a draft affidavit is placed below for kind perusal

*[Signature]*  
20/5/2025

~~ASCT):~~

*[Signature]*  
22/5

LO

A draft affidavit in compliance of the order dt. 23/6/2025 passed by the Honble NGR is placed below for kind perusal. Matter is listed on 13/8/2025.

*[Signature]*  
12/8/2025

~~ASCT):~~

*[Signature]*  
12/8

