

BEFORE Hon'ble NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH, PUNE

Original Application No. 93/2023 (WZ)

Taloja Industries Association

.... Applicant

Vs.

MoEF &CC & Ors .

.... Respondent (s)

AFFIDAVIT ON BEHALF OF RESPONDENT No. 4 MAHARASHTRA POLLUTION CONTROL BOARD IN COMPLIANCE OF ORDER DATED 11/01/2024.

I, Satish H Padwal, aged about 52 years, occupation - Service, the Regional Officer of the Maharashtra Pollution Control Board at Navi Mumbai, having my office at 7th Floor, Raigad Bhavan, Sector 11, CBD Belapur, MPCB, Navi Mumbai, do hereby state on solemn affirmation as under: -

1. I say and submit that, the Respondent Board (Maharashtra Pollution Control Board) has constituted a Steering Committee for the assessment of the functionality of CETP vide letter dated 10.08.2023. A copy of constitution of committee dated 10.08.2023 is enclosed and marked as an **Annexure I.**
2. I say and submit that, the Steering Committee has been held on 17.8.2023 and the point of discussion has been communicated CETP for implementation vide letter dated 11.3.2024. A copy of the said direction is **enclosed and marked as Annexure-II.**
3. I say and submit that, the Ministry of Environment, Forest and Climate Change has published Notification on 01st January 2016 wherein 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”.

4. I further say and submit that, though the Respondent Board renewed Consent to Operate of Taloja CETP dated 11/11/2019, where-in in Schedule- I, it is mentioned that “in case of SSI unit, BOD of maximum of 1000 mg/l and COD of maximum 2700 mg/l will be allowed”, I say and submit that these parameters would be applicable only when the Taloja CETP achieves prescribed consents standards for disposal. I say that then only the existing disposal standards of BOD 100mg/l and COD 250mg/l will be relaxed. I say that the Consent to Operate granted to Taloja CETP expired on 31/12/2023. The Respondent Board is not relaxing the disposal standards of BOD 100mg/l and COD 250mg/l in case of SSI units. I say and submit that the Respondent Board has made stringent standards in the Consent to Operate granted to the member industries considering the section 3(2) of the Environment (Protection) Rules, 1986 as the Performance of Taloja CETP is not meeting the consented standards. It is further submitted that, the Respondent Board will review / amend / renew the consent to operate granted to Taloja CETP for CETP inlet standards to be aligned with SSI unit’s outlet standards under section 3(3A) of the ‘The Environment (Protection) Rules, 1986 without any relaxation.
5. I say and submit that Taloja CETP has applied for renewal of consent to operate vide application no. MPCB-CONSENT-0000192351 dtd. 09/01/2024. It is under processing. The decision on the renewal of consent

to operate of Talaja CETP will be taken considering the above point (i.e. submission point no 4)

- 6. I say and submit that as per the section 3(3A) of the 'The Environment (Protection) Rules, 1986, State Board can only make the standards stringent as laid by MoEF&CC, Govt of India. It is submitted that State boards cannot relax the standards in any case unless and until approved by MoEF&CC.,Govt of India.
- 7. I further say and submit that, performance of Talaja Common Effluent Treatment Plant (CETP) is not meeting the consented standards and efforts are being taken by various stakeholders for the betterment of Talaja CETP. Therefore, the Respondent Board has taken initiative towards SSI units to provide online monitoring system and SCADA positive discharge with lock & key arrangement.

Solemnly affirmed at Mumbai 19 the day of March 2024.

For & on behalf of
Maharashtra Pollution Control Board



(Signature)
(Satish H. Padwal)
Regional Officer-Navi Mumbai

Advocate:



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BEFORE ME

(Signature)
19/3/2024

SURESH N. KAMBLE
ADVOCATE & NOTARY
(Govt. Of India)

Register Sr. No.	332/2024
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19 MAR 2024

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Annexure-I

MAHARASHTRA POLLUTION CONTROL BOARD
Sub-Regional Office, Navi Mumbai-III



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Sector-11, CBD Belapur,
Navi Mumbai- 400 614

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Visit us at: www.mpcb.gov.in

No. MPCB/SRONM-III/B-

Date: - 10 / 08 / 2023

Sub: Constitution of Steering Committee as per Hon'ble NGT order in OA. No. 93/2023(WZ) dtd. 1st August 2023

Ref: 1. NGT order dtd. 1st August 2023 for OA. No. 93/2023 (WZ).

With the reference above Hon'ble NGT order, steering committee for the assessment of the functionality of CETP is being constituted. The Steering committee will be chaired by Joint Director (WPC), MPCB. The composition of Steering Committee is as below

- | | |
|---|----------------|
| 1. Joint Director (WPC), MPCB | Chairman |
| 2. Regional Officer (Navi Mumbai), MPCB | Member |
| 3. Executive Engineer (Alibaug), MIDC | Member |
| 4. Representatives of CETP (Taloja) | Member |
| 5. Representatives of Taloja Manufacturer's Association | Invited Member |
| 6. Representatives of Taloja Industrial Association | Invited Member |
| 7. Sub Regional Officer (Taloja), MPCB | Convenor |

The first meeting of steering committee will be communicated soon.

(Vikrant Bhalerao)

Sub-Regional Officer, Taloja

Copy submitted to:

1. Joint Director (WPC), MPC Board, Mumbai.
2. The Regional Officer (Navi Mumbai), MPC Board.
3. Executive Engineer (Alibaug), MIDC
4. Director, KDC- Aqua Pvt. Ltd. – CETP Taloja Operating Agency
5. President, Taloja Manufacturer's Association
6. President, Taloja Industrial Association

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MAHARASHTRA POLLUTION CONTROL BOARD**Regional Office, Navi-Mumbai****Raigad Bhavan, 7th floor,
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No: MPCB/RONM/240311 - FTS-0198

Date: - 11/03/2024

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

Sub : Compliance of minutes of 1st Steering Committee meeting dated 17/8/2023

Ref : 1. Original Application No. 93/2023 (WZ) I.A. No. 162/2023 before Hon'ble National Green Tribunal
2. Minutes of 1st Steering Committee meeting extended on 17/8/2023

The Maharashtra Industrial Development Corporation (MIDC) is the planning Authority for providing infrastructure facilities for the MIDC area and also to ensure that the industries located in the MIDC area should have been provided with proper water supply, roads, drainage lines including proper collection and sewerage line as well as treatment and disposal system to the waste water generated from their activities. AND WHEREAS, the responsibility of treated effluent discharge line is with MIDC and it was obligatory on your part to maintain the same properly.

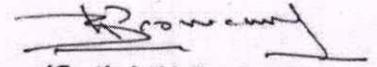
Taloja Industries Association has filed Original Application No. 93/2023 (WZ) I.A. No. 162/2023 before Hon'ble National Green Tribunal. In response to the same, the Board has extended meeting with Taloja Industries Association, CETP Operators & MIDC Officials on 10/3/2023 and constituted Steering Committee on 10/8/2023.

The 1st Steering Committee meeting was extended on 17/8/2023 in which following points were discussed reg. CETP:

- a. Taloja Industrial Association (TIA) demanded installation of tertiary treatment system by MIDC as a priority and inform timebound action plan in this regard.
- b. SCADA based online monitoring and operational system has not been installed at CETP. The Expert Committee expressed that MIDC should submit a time bound action plan.
- c. TIA raised issue reg. shortfall of electricity consumption by CETP. The Committee noted that MIDC / CETP should submit the justification for the same.

- NOTARY
TIA
- d. TIA informed the committee that strict action for CETP non-compliance should be initiated against MIDC and CETP operator.
 - e. TIA also submitted that CETP has not submitted bank guarantee. MPCB directed CETP to submit the bank guarantee immediately.
 - f. Expert committee members requested a joint visit of members to CETP and respective samples to be taken for analysis on monthly basis.
 - g. Expert committee also desired that CETP should submit the sludge disposal report time to time.
 - h. MIDC shall ensure positive discharge and Lock & Key for Industries having effluent quantity 50 KLD & below.

The aforesaid minutes were already communicated to you and asked to submit the compliance report of the same, however, the said report has not yet received to this office. You are hereby once again requested to submit the Action Taken Report within 07 days.



(Satish H Padwal)

Regional Officer, Navi

Mumbai

Copy submitted to:

1. The Joint Director (APC), M.P.C. Board, Sion, Mumbai.
2. The Joint Director (WPC), M.P.C. Board, Sion, Mumbai.

Copy to:-

The Sub-Regional Officer, Taloja - He is directed to serve the said letter to industry.

Master file.