

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE  
ORIGINAL APPLICATION No.47/2025 (WZ)

Vishal S. Rajemahadik

.... Applicant

Versus

Maharashtra Pollution Control Board & Ors.

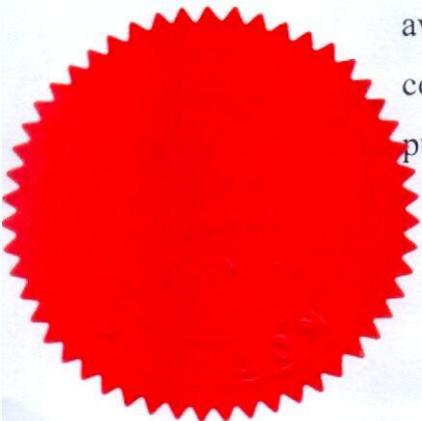
.... Respondents

**AFFIDAVIT IN REPLY ON BEHALF OF MAHARASHTRA  
POLLUTION CONTROL BOARD i.e. RESPONDENT NO.1.**

I, Rajendra Rajput, aged-Adult, occupation – Service, the Assistant Secretary(Technical) of the Maharashtra Pollution Control Board, having office address at Kalpataru Point Bldg., 3<sup>rd</sup> Floor, Sion-Matunga Scheme Road No.8, Near Sion Circle, Sion (East), Mumbai-400 022, do hereby state on solemn affirmation as under –

(1) I have perused the papers and proceedings of the above matter. I am thus conversant with the facts of the case and I am able to depose the same. I am filing the said Affidavit in Reply on behalf of Respondent No.1-Maharashtra Pollution Control Board (MPCB).

(2) At the outset the present Application is filed by the present Applicant with the prayer that Central Pollution Control Board (CPCB) and Maharashtra Pollution Control Board(MPCB) be directed to ensure that compliance data of all 17 categories of polluting industries, including real-time parameters and up time records, is made publicly available online and a mandate be given that the list of non-complying industries and industries exempted from ZLD norms, be published online to ensure transparency and accountability.



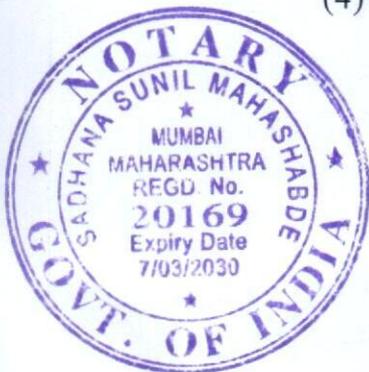


(3) In compliance of the Order dated 2/5/2025, it is submitted that the OCEMS Portal is developed by the MPCB in the year, 2016. Thereafter 472 nos. of industries falling under 17 category, 26 nos. of Common Effluent Treatment Plants (CETP), 32 nos. of Common Bio-Medical Waste Treatment, Storage and Disposal Facility (CBMWTSDF) and 4 nos. of Common Hazardous Waste Treatment and Disposal Facility (CHWTSDF) alongwith 1141 nos. of non-17 category of industries are connected to the OCEMS. It is mandatory on 17 category of industries, to install OCEMS and connect to MPCB and CPCB server. MPCB is continuously monitoring compilation of OCEMS data and the same is also available in the public domain i.e. <https://onlinecems.ecmpcb.in/#/publicPortal/categoryList>, which is accessible in various time frame and data format to the public.

(4) It is submitted that MPCB server has a function to check whether the updated data is within the stipulated norms or not and if not, it will trigger autogenerated exceedance mail alert to the industries. Same is done in the condition of non-transmission of the data. Industries then reply for the reasons and actions taken to restore normalcy of the OCEMS to MPCB.

(5) It is submitted that MPCB issues notices to the non-complying industries seeking compliance within a specified timeline. Those industries who failed to comply with the directions / notices issued within the prescribed time, legal action is initiated against such industries by following due procedure.

(6) It is submitted that the Board has introduced Randomized Risk Based Inspection and Sampling under Ease of Doing Business (EoDB),

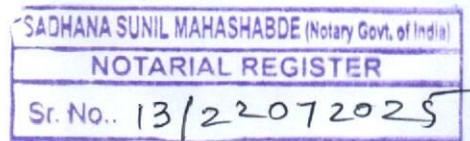




wherein, randomized generation of computerized list of industries for inspection based on predetermined objectives and criteria. Further, the Department of Industries under EoDB recommended business reforms to various Departments in Maharashtra, which includes initiation of Central Inspection System, wherein, four Government Departments namely, MPCB, Labour Directorate, Maharashtra Labour Welfare Board, DISH will visit the industries jointly as per the schedule generated at the beginning of the month by software based tool.

(7) It is submitted that regarding publishing industries exempted from ZLD norms, the condition of ZLD is not imposed on every industry. ZLD norms are imposed on the basis of siting criteria, non-availability of land for disposal of treated effluent, sector-specific industries and other factors such as non-performing CETP area, CEPI area etc., which are containing in the consent whether industries are ZLD or Non-ZLD and also all the consents issued by the Board are immediately uploaded on the website of the MPCB.

(8) It is submitted that MPCB is taking appropriate action against the non-complied industries from time to time.



Solemnly affirmed on this 22<sup>nd</sup> day of July, 2025 at Mumbai.

**SADHANA SUNIL MAHASHABDE**  
B.Sc., LL.M., Ph.D.  
**ADVOCATE & NOTARY**  
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For and behalf of the Maharashtra  
Pollution Control Board,

*(Signature)*  
(Rajendra Rajput)  
Assistant Secretary (Technical)

**BEFORE ME**

22 JUL 2025

*(Signature)*

**Dr. RAJENDRA RAJPUT**  
Assistant Secretary (Tech.)

**SADHANA S. MAHASHABDE**  
B.Sc., LL.M., Ph.D.  
**NOTARY, MUMBAI**  
**MAHARASHTRA**  
(Govt. of India)





Dr. RAJENDRA RAJPUT  
(Assistant Secretary (Tech))