

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

(Under Section 18 (1) read with Section 14, 15 & 17

Of The National Green Tribunal Act 2010)

ORIGINAL APPLICATION NO. 222 Of 2023

Mrs. Mangal w/o Vishnu Bodkhe

And 4 others

...Applicants

V/s

M/s. Matrix Life Science Pvt Ltd

And 2 Others

...Respondents

Objections to the Joint Committee Report

The Applicant submits as under:-

1. The Hon'ble Tribunal vide its order dated 22/04/2024 had constituted a Joint Committee. Accordingly, a '**two months**' time period was granted to file its final report.
2. That the following legal objections are related to 'Procedures Established by Law' and 'Due Process of Law' related to environmental management. It is also regarding the respect for the existence of the NGT's directions and respect for its orders.
3. The Applicants strictly condemn the negligent and anti-environment attitude of the MPCB thereby causing intentional delay of **14 months** to

submit the joint committee report before the Hon'ble Tribunal by not complying with its directions which reflect through the order from time to time.

4. The Applicants strongly state that the Hon'ble Tribunals order dated 22/04/2024 which specifically directed that the joint committee was directed to '*assess the damage caused to the agricultural lands/crops of the Applicants*'.
5. Further the committee was also directed to submit a factual and action taken report with regards to the violation.
6. It is pertinent to note that, the joint committee has only prima facie ascertained the damage and contamination and no detailed study is being conducted after 14 months of delay.
7. The joint committee has arrived at conclusion with respect to the loss of crops based on a possibility and hence, it is not conclusive.
8. Moreover, the Environmental Compensation (EC) is to be calculated as per the CPCB's 'Report of its In House Committee on Methodology for Assessing Environmental Compensation and Action Plan to Utilize Fund'
9. **Non execution of the environmental compensation formula** stated in the above-mentioned Report was to be considered by the Joint Committee in order to levy environmental compensation on the concerned industries, is $EC = PI \times N \times R \times S \times LF$

10. The Joint Committee has failed to assess the period for which the industries were operating without the consent and in violation to the terms and conditions of the EC and the CTO.
11. It is a very serious issue considering the fact that total 20 industries are RED CATEGORY out of which 9 industries are processing in violation of the terms and conditions.
12. The Applicants state that, the MPCB has recently issued Notices to M/s Matrix Global Specialty Private Limited and M/s Dakshayani Chemicals Pvt Ltd dated 18/03/2025 and 12/08/2025 respectively where the industries are processing without ETP thereby discharging the untreated effluent in open area of 1000 sqm. Though the said industry is not the Respondent in the present O.A, it is also not made a part of Annexure 6 of the Joint Committee report which identifies the defaulting industries. **(The copy of the Notices dated 12/08/2025 issued to the M/s Dakshayani Chemicals Pvt Ltd by the MPCB is annexed as Annexure-P)**
13. The Applicant states that, the said M/s Matrix Global Specialty Private Limited is constituted of the same Board of Directors as that of the Respondent No 1. **(The copy of the Notices dated 18/03/2025 issued to the M/s Matrix Global Specialty Private Limited by the MPCB is annexed as Annexure-Q)**
14. It is stated that the said report though has identified some industries as the source of pollution which are directly in violation with the terms of EC and CTO, it has failed to consider the Notices issued to the some of the industries who are still running in violation of the terms and conditions. It is admitted by the Joint Committee that, the other possible sectors of

contamination from industries are not identified by them and the same requires further in-depth study by expert agency.

15. The Findings state that, compensation is to be calculated as per the methodologies prepared by the CPCB which actually was the responsibility of the Joint Committee which it has failed to adhere to.

16. As recommended by the Joint Committee in its Paragraph 21.5.3 of the Report-

21.5.3 "The in-depth scientific study may be carried out through the expert technical institute in the field of ground water management under the supervision of CGWA/CGWB to identify the horizontal and vertical propagation of the contaminants in the groundwater of the area and also to identify the other possible sectors of the industries responsible for the contamination".

The Hon'ble Tribunal may kindly direct the VNIT and Joint Committee to further carry out an in-depth study in order to identify the horizontal and vertical propagation of the contaminants in the groundwater as suggested by the Joint Committee in its Report.

17. As recommended by the Joint Committee in its Paragraph 21.5.4 of the Report-

21.5.4 "Based on findings of this in-depth study, the scientific remediation plan may be prepared and implemented in time frame manner through Reference Organizations as of per the provisions (Management of Contaminated Sites) Rules, 2025. Environment Protection."

Accordingly, the Hon'ble NGT may kindly direct the MPCB to appoint organizations to prepare a scientific remediation plan along with the members of the Joint Committee.

18. In the light of the facts and circumstances mentioned herein above the Hon'ble NGT may kindly direct the Joint Committee to calculate the Environmental Compensation as per the methodology prescribed by the CPCB and file an additional Report before the Tribunal.

Date-04/10/2025

Place-Pune

A handwritten signature in black ink, appearing to read 'AS Sarode', with a horizontal line drawn through the middle of the signature.

Advocates for the Applicants

Asim Sarode and Associates LLP

MAHARASHTRA POLLUTION CONTROL BOARD		
Tel.No. (0240) 2993004	 "Your Service is our Duty"	Regional Office, Paryavaran Bhavan, A-4/1, MIDC Area, Chikalthana, Behind Daynik Lokpatra, Near Seth Nandlal Dhoot Hospital, Jalna Road, Chh.Sambhajinagar-431 210.
Visit us at www.mpcb.gov.in		
E-mail: rochhatrapati@sambhajinagar@mpcb.gov.in		
		

No. MPCB/RO-Chh.S/ PD/ 2508/2002/2025

Date: - 12/08/2025

To,
M/s. Dakshayani Chemicals Pvt. Ltd.
Plot No. B-29, MIDC Paithan, Tal.: Paithan,
Dist. Chhatrapati Sambhaji Nagar

Sub: Proposed Directions under section 33 A of Water (Prevention & Control of Pollution) Act, 1974 and under section 31A of Air (Prevention & Control of Pollution) Act, 1981.

- Ref:**
1. Consent granted by the Board on dtd. 10/12/2024 valid upto 31/07/2026.
 2. Complaint Received from Complaint received from School and Local Residents about Air pollution problems.
 3. The visit of Board official MPCB Chh. Sambhajinagar to investigate the Complaint received about pollution from your unit on 07/08/2025.

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WHEREAS, the Maharashtra Pollution Control Board has granted Consent to Operate u/s 26s of the Water (Prevention and Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention and Control of Pollution) Act, 1981 & Authorization under Rule 6 of the Hazardous and Other Wastes (Management and Trans-boundary Movement) Rules, 2016, on 19/07/2020, subject to certain terms and conditions and it is obligatory to obtain consent to operate for starting manufacturing activity.

AND WHEREAS, it is obligatory on your part to provide adequate pollution control devices and comply with the consent conditions so as to achieve the standards prescribed by the Board in its consent.

AND WHEREAS, Complaint Received from School and Local Residents about Air pollution problems accordingly Board official visited the site for verification of complaint and for checking the compliances of consent condition and following non-compliances were observed. The source of air pollution has been reported from M/s Dakshayani Chemicals MIDC Paithan as per visit & Inspection carried out by the SRO CSN.

1. You have not provided ZLD as per conditions imposed in the Environmental Clearance and consent granted by the Board.
2. You are carrying out the Job work activities of various products on non-returnable invoice and at the cost of Rs.1 Paise/Lit, the quantum of the said solution purchase in 2 months is around 70000 lit. With cost only Rs.794/-, from M/s. Matrix Life Science thereby violating consent conditions and environment clearance, which is very much doubtful.
3. You have shown the product Ethylene Die amine tetra acetic acid solution. However, disposal pathway of Ethylene Die amine tetra acetic acid

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solution@70000litr and associated details have not been submitted in the Consent and E.C granted to your industry.

4. You have not submitted any details of process emission in your Consent and details of APCS provided by you.

NOW THEREFORE, you are directed to show cause as to why following proposed directions shall not be finalized against you: -

- a) Why you shall not be directed to provide Zero Liquid Discharge (ZLD) and till then not to operate your industry?
- b) Why you shall not be directed to provide adequate and suitable Air Pollution Control System and till then not to operate your industry?
- c) Why you shall not be directed to adopt SOP for whatever hazardous waste being generated and processed as per Rule,9 under H and OW (TM) Management Rules, 2016 and not to process any hazardous waste in your premises till then?
- d) Why Stream of Di Amine Tetra Acetic Acid (DATAA) should not be prohibited on account of not being shown in the Consent and Environmental Clearance (EC) granted to M/s. Matrix Life Science?
- e) Why your E.C and Consent shall not be recommended to be revoked for the above serious non-compliances to the Competent Authorities?
- f) Why you have not submitted proper manifest of hazardous waste generated from your unit and also properly disposed thereof?
- g) Why you shall not be directed to close down your unit and failure on your part to disconnect electricity and water supply after 72 hrs from issuance of direction of closure?
- h) Why your BG shall not be forfeited for the above non-compliances?

Your reply to this Proposed Directions be submitted within 7 days time and you shall attend Personal Hearing on 19/08/2025 at 15:00 Hours, at Regional Office, Chhatrapati Sambhajinagar failing which final actions will be initiated including forfeiture of Bank Guarantee (BG) and double the amount of forfeited BG will be imposed, which may be noted.


12.08.2025
(Manish Holkar)
Regional Officer
Chhatrapati.Sambhajinagar.

Copy submitted for information to:
The Member Secretary, MPCB, Mumbai.

Copy f.w. cs.to: -

1. Joint Director (WPC), MPCB Sion Mumbai.
2. Law Officer (P & L Division), MPCB, Mumbai.

Copy to: The Sub Regional Officer, MPCB-Chh.Sambhajinagar - He is directed to ensure that above Proposed Directions are served in person and he should take further follow-up by visit, inspection and sampling in case no compliance is reported and also to ensure that till above compliance is secured, necessary follow-up should be taken by his office.

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MAHARASHTRA POLLUTION CONTROL BOARD		
Tel.No. (0240) 29930004	 "Your Service is our Duty"	Regional Office, Paryavaran Bhavan, A-4/1, MIDC Area, Chikalthana, Behind Daynik Lokpatra, Near Seth Nandlal Dhoot Hospital, Jalna Road, Chh.Sambhajinagar-431 210.
Visit us at www.mpcb.gov.in		
E-mail: roaurangabad@mpcb.gov.in		
		

No. MPCB/RO-Chh.S/ PD/ 2503/8000}

Date: 18/03/2025

To,
M/s. Matrix Global Speciality Private Limited,
Plot No. D-8-1, MIDC, Paithan,
Dist. Chatrapati Sambhaji Nagar

Sub: Proposed Directions under section 33 A of Water (Prevention & Control of Pollution) Act, 1974 and under section 31A of Air (Prevention & Control of Pollution) Act, 1981.

- Ref:** 1. Consent granted by the Board on dtd. 09/02/2023, valid upto 31/01/2028.
2. Complaint Received from Mr. Dyandev Pa (Mauli) Mule, Jilha Adhyaksha Swabhimani Shetkari Sanghatna, Chh. Sambhajinagar regarding dumping of Hazardous Waste & disposal of untreated effluent on land on 08/10/2024.
 3. The visit of Board official MPCB Chh. Sambhajinagar to investigate the Complaint received about pollution from your unit on 11/12/2024.

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WHEREAS, the Maharashtra Pollution Control Board has granted Consent to Operate u/s 26 of the Water (Prevention and Control of Pollution) Act, 1974 and u/s 21 of the Air (Prevention and Control of Pollution) Act, 1981 & Authorization under Rule 6 of the Hazardous and Other Wastes (Management and Trans-boundary Movement) Rules, 2016, on 09/02/2023, which is valid upto 31/01/2028 subject to certain terms and conditions.

AND WHEREAS, it is obligatory on your part to provide adequate pollution control devices and comply with the consent conditions so as to achieve the standards prescribed by the Board in its consent.

AND WHEREAS, Complaint Received from Mr. Dyandev Pa (Mauli) Mule, Jilha Adhyaksha Swabhimani Shetkari Sanghatna, Chh. Sambhajinagar regarding dumping of Hazardous Waste & disposal of untreated effluent on land Board official visited the site for verification of complaint and for checking the compliances of consent condition and following non-compliances are observed: -

1. You are manufacturing various organics salts like aluminum hydroxide, aluminum hydrate, sodium sulphate without provision of Effluent Treatment Plant for trade effluent shown in consent as 319 CMD.
2. You have not installed Effluent Treatment Plant for treatment of waste water generating from process/vessel washing/floor washing and discharging the untreated effluent on open land within premises.

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3. You have not provided effluent collection lines and strong water drains in the premises, as untreated waste water observed lodged at various points within the premises during visit.
4. You have undergone expansion by erecting new shed at back side of your unit, platform for erection of new tank and new filter press without obtaining consent to establish from the Board.
5. You have not provided wet scrubber to limit process emission of SOX to reaction vessels and storage vessels of concentrated H₂SO₄.
6. You have not provided adequate capacity of dust collection system to bagging section resulting fugitive emissions in work environment.
7. You have not installed secondary roof top ventilation systems in work environment.
8. You have not provided dyke wall of adequate capacity as an emergency accident measure.
9. You are discharging waste water in premises as during visit approximate area of 10,000 sq. mtr. found flooded with industrial waste water and hazardous waste, the soil in this area found contaminated with reddish and whitish salt and grass in this area found completely burnt from green to red brown color indicating higher level of contamination, this contaminated soil needs to be send to common hazardous waste treatment and disposal facility.

AND WHEREAS, the industry is willfully damaging the environment and not complying the consent condition.

NOW THEREFORE, it has been observed that you have failed to comply with the conditions stipulated in the combined Consent granted by the Board.

In view of the above non-compliance, you are hereby directed to as to:

1. Why you shall not be directed to stop your highly polluting activity till the above compliances is secured?
2. Why further heavy Bank Guarantee shall not be imposed for the above performance before grant of any further permission?
3. Why the concrete proposal duly supported by the time bound compliances shall not be directed to be submitted before extending personal hearing?
4. Why existing Bank Guarantee of Rs. 5.0/- Lakhs shall not be forfeited for the above serious non-compliances and double the Bank Guarantee of forfeited amount shall not be imposed upon you?
5. Why the expert committee of reputed institute like NEERI / IIT Pawai / ICT shall not be appointed at the cost of Industry as recommended by SRO to assess damage caused to the environment and also for taking restoration and remediation measures for whatever damage caused to the environment?
6. Why the competent authority shall not be directed to disconnect Electricity / Water supply till compliance is secured?

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Your reply to this Proposed Direction shall be submitted within 7 days time.

You are hereby called to attend the **Personal Hearing before Hon'ble Member Secretary on 26.03.2025 at 3:00 PM** in MPCB Office, Kalpataru Point, Sion Matunga scheme Road No. 8, Opp. PVR Cinema, Sion circle, Sion (East), Mumbai without fail along with your say.

In case you fails to attend Personal Hearing, this Office will have no alternative than to recommend your case for issuance of final directions which may please be noted.


(Manish Holkar) 18.03.2025

Regional Officer-Chh.Sambhajinagar.

Copy submitted for information to:

The Member Secretary, MPCB, Mumbai.

Copy f.w. cs.to: -

1. Joint Director (WPC), MPCB Sion Mumbai.
2. Law Officer (P & L Division), MPCB, Mumbai.

Copy to: The Sub Regional Officer, MPCB-Chh.Sambhajinagar - He is directed to serve the copy of direction to the Industry and remain present for personal hearing along with present status report.

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