



BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI  
ORIGINAL APPLICATION NO.125/2018  
(M.A. NO.334/2018)  
(Earlier Original Application No. 163 OF 2017)



Arvind P Mhatre

...Applicant

V/s

Ministry of Environment and Forest  
& Climate Change, Govt of India and Ors.

..... Respondents

**ACTION TAKEN REPORT IN COMPLIANCE OF ORDER PASSED BY HON'BLE NATIONAL GREEN TRIBUNAL DATED 17.2.2020 ON BEHALF OF MPCB AND MONITORING COMMITTEE CONSTITUTED BY THIS HON'BLE TRIBUNAL.**

1. The Hon'ble Tribunal had passed an order dated 17<sup>th</sup> Feb 2020 & directed to CPCB and MPCB to continue the monitoring and give its reports and the grievance of applicant to be considered by the Monitoring Committee constituted by the Tribunal. In compliance of the said order MPCB had filed its ATR before this Hon'ble Tribunal on 24.8.2020.
2. In compliance of the order dated 17<sup>th</sup> Feb 2020, 9<sup>th</sup> Review Meeting of Talaja Monitoring Committee was held on 28.12.2020 with all stakeholders online through internet by issuing Microsoft Teams Application to discuss compliance of various orders/ judgements passed by the Hon'ble National Green Tribunal (Principal Bench), New Delhi regarding Original Application No 125 of 2018 (MA No 334/2018).

The said 9<sup>th</sup> Review Meeting of Talaja Monitoring Committee was held on 28.12.2020 & was attended by all the Member and Stakeholders i.e Maharashtra Pollution Control Board (MPCB), Talaja CETP Co-operative Society Ltd (Talaja CETP), Talaja MIDC, Talaja Manufacturers Association (TMA), Talaja Industries Association (TIA), Panvel Municipal Corporation, and Others.

During the meeting M/s KDC-Aqua (JV) Contractor and Operator of Talaja CETP presented the status of work of CETP including various civil units and equipment's alongwith the comparison of old and new situation with photographs. The brief details are as follows:-

- a) Phase-I and Phase-II of CETP are already made operational on 20.7.2019 and 30.12.2019 respectively. Presently both phases are running smoothly.
- b) CETP was in running condition in spite of lockdown situation due to Covid-19.
- c) CETP faced various problems regarding CETP equipment services and spares due to lockdown during period from March-2020 to May End.
- d) Phase-III of 5 MLD capacity almost all work is completed and now it is under stabilization stage.
- e) MIDC has finalized the work order of new RCC holding tank of capacity 10000m<sup>3</sup> for emergency holding to prevent shock load on CETP and presently excavation work is under progress.

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- f) CETP has already obtained consent to establish for additional Phase II of capacity 5 MLD from MPCB and now CETP is in the process for obtaining consent to operate for 5 MLD capacity.
- g) Online Continuous Monitoring System (OCMS) is installed at CETP outlet & connected to the CPCB & MPCB Server. However, OCMS installation at CETP inlet is not yet in operation due to its maintenance and serving issue.
- h) Testing of CETP samples through third party laboratory has started as per suggestions of Taloja Monitoring Committee.
- i) CETP has undertaken Bioassay test at CETP and observed survival of fish during testing.

3. It is submitted that the Regional Officer-Navi Mumbai has suggested various measures to be taken by concern stakeholders which are summarized as follows :-

- a) MIDC shall give time bound program for "Extension of 3.3Km of existing treated Effluent disposal Pipeline in deep sea as per recommendation of NIO".
- b) MIDC Sump No.-II located near Ghot Village is receiving effluent from fish / food processing units, and if it is not pumped within 12 hrs, septic conditions develop in the sump and thus created foul smell nuisance. Hence MIDC shall provide primary treatment with Aeration system in MIDC Sump No.-II. MIDC shall submit time bound program for the same.
- c) It is noted that about 2000m<sup>3</sup> quantity of sludge has accumulated in the MIDC Sump No.-II, which needs to be removed before March 2021. MIDC shall submit time bound action program for the same.
- d) It is felt necessary that, MIDC shall provide foggers and deodorant spraying system on periphery of CETP to avoid foul smell.
- e) MIDC shall carry out de-sludging / flushing of underground drainage pipelines by using hydra quarterly.

It is observed that sewage generated from various villages and township located nearby MIDC Taloja is entered into Kasardi River without any treatment. Panvel Municipal Corporation shall provide adequate treatment facility such as sewage treatment plant so as to prevent river Water Pollution.

- g) Panvel Municipal Corporation shall take all the necessary steps for prevention of disposal of Municipal Solid Waste (MSW) in to Kasardi River.
- h) MIDC shall installed CCTV at key points of Kasardi River, so that any unauthorized and illegal discharge of effluent from Tankers into river will be prevented. The Board has issued various directions to MIDC and to KDC Acqua (JV) contractor and operator of CETP from time to time. MIDC shall ensure the compliance of the said directions.

4. It is submitted that after hearing at length & suggestion made by the Applicant, the Hon'ble Chairman & Member of the Monitoring Committee has suggested various measures as follows:-

- a) After dissolution of said Taloja Monitoring Committee, Expert Committee of following members may be constituted for monitoring Taloja CETP and addressing grievances.

- i) Representative from MPCB
- ii) Representative from MIDC
- iii) Representative from KDC-Aqua



- iv) Representative from TMA
- v) Representative from TIA
- vi) Representative from PMC
- vii) Shri Arvind Mhatre- Applicant

- b) MIDC should ensure regular removal of sludge from all the sumps and CETP and disposal of sludge in scientific manner. It would be more appropriate if a proper SOP with schedule is devised in this regard.
- c) The matter of expansion and new establishment of industrial unit in MIDC Talaja are required to be dealt by MPCB in line with modified directions issued by Central Pollution Control Board dated 31.3.2016, under section 18(1)(b) of Water (Prevention and Control of Pollution) Act, 1974 regarding monitoring of CETPs.
- d) The Hon'ble NGT has already passed the Order/Judgement and directed all the local bodies to treat the sewage generate in its Jurisdiction. Therefore, MPCB has to take the follow up with Panvel Municipal Corporation for provision of sewage treatment facility (STP) at locations where sewage meets the river.
- e) CETP shall remove the sludge from all tanks of CETP as well as MIDC Sump from time to time, and shall provide primary treatment system such as Aeration in sump no. 2.
- f) The restriction for expansion and new establishment of industrial unit in MIDC Talaja is as per directions issued by CPCB letter dtd. 25.10.2019 regarding mechanism for Environment Management of Critically and Severely polluted areas and to comply for consideration of activities in such areas in compliance to Hon'ble NGT order dtd. 23.08.2019 in the matter O.A.No. 1038/2018.
- g) M.P.C. Board may recommend to the concern authority for lifting of the said restriction.
- h) Hon'ble Chairman expressed his overall satisfaction towards work done by all stakeholders and directed to submit the final report before next Talaja Monitoring Review meeting. A copy of minutes of 9<sup>th</sup> Review Meeting of the Talaja Monitoring Committee dated 28.12.2020 is enclosed and marked as an **Annexure "I"**.

5 It is submitted that the said minutes of 9<sup>th</sup> Review Meeting was forwarded to concern authorities to take appropriate action as directed and the same is being monitored by the MPCB.

6 It is also submitted that District Collector, Raigad has issued work order for preparation of detail report for restoration of Kasardi River on 19.3.2021.

**BEFORE ME**

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

24 MAR 2021

For and on behalf of

Maharashtra Pollution Control Board

( D B Patil)

Regional Officer-Navi Mumbai

Register Sr. No.

272/2021

The Applicant has also made various suggestions & measures to be taken by MIDC for restoration of Kasardi River.

**Minutes of the 9<sup>th</sup> Review Meeting of the Taloja Monitoring Committee held through video conference on 28/12/2020, constituted as per the order dated 17.8.2018 passed by Hon'ble National Green Tribunal, Principal Bench, New Delhi in Original Application No. 125/2018.**

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Considering the Covid-19 pandemic condition and lock down situation and as per the directions of "Hon'ble Chairman, Taloja Monitoring Committee", 9th Review Meeting with all stakeholders was held online by using Microsoft Teams application to discuss compliance of various Orders / judgments passed by Hon'ble National Green Tribunal (Principal Bench), New Delhi regarding Original Application No. 125/2018 (M.A. No.334/2018).

Shri Arvind Mhatre filed an Original Application bearing No.125/2018 against the Ministry of Environment and Forests, Govt. of India & Others before the Hon'ble National Green Tribunal, Principal Bench, New Delhi regarding discharge of effluents into river Kasardi through a CETP is being managed by Taloja CETP Co-Operative Society Ltd., the problems continue.

In compliance of Hon'ble NGT order dated 17/08/2018 a three Members' Monitoring Committee was constituted of to execute the various orders. Actions have been taken by the stakeholders in line with action framework suggested by the said monitoring committee. The Hon'ble NGT had passed an order dated 17<sup>th</sup> Feb 2020 & directed to CPCB and MPCB to continue the monitoring and give its report and the grievance of applicant to be considered by the committee constituted by the Tribunal.

The 9<sup>th</sup> Review Meeting of Talaja Monitoring Committee held on 28/12/2020 was attended by all the Members and Stakeholders i.e. Maharashtra Pollution Control Board(MPCB), Talaja CETP Co-Operative Society Ltd. (Talaja CETP), Talaja MIDC, Talaja Manufacturers Association (TMA), Talaja Industries Association (TIA), Panvel Municipal Corporation, City and Industrial Development Corporation Ltd(CIDCO) and ors. Following Members of the committee, officials / representatives of the stake holders were present during the meeting:

S.No.	Name		
1.	Hon'ble Shri Justice V.M.Kanade, Retd. High Court Judge, Mumbai	...	Hon'ble Chairman of Monitoring Committee
2.	Shri Prasoon Gargava Regional Director (W), CPCB	...	Member of Monitoring Committee
3.	Ms. Nidhi Choudhari (IAS) District Collector, Raigad	...	Member of Monitoring Committee
4.	Shri D.B. Patil, Convener	...	Regional Officer, MPCB, Navi Mumbai
5.	Mrs. Smita Gaikwad,	...	Law officer, MPCB, Mumbai
6.	Shri. S. R. Wagh	...	Chief Engineer, MIDC
7.	Shri. N.G. Wankhede	...	S.E., MIDC, Panvel
8.	Shri R.P. Patil	...	E.E. MIDC, Alibaug
9.	Shri. V.D.Dake		Deputy Commissioner, Panvel Municipal Corporation
10.	Shri. Shekhar Shingare	...	Representative of TMA
11.	Shri Satish Shetty	...	Representative of TIA
12.	Shri Arvind Mhatre	...	Petitioner
13.	Shri Madhukar Naik	...	CETP Contractor and Operator appointed by MIDC.

Regional Officer-Navi Mumbai welcomed all members & participants of the meeting and gave brief presentation about the various Orders issued by Hon'ble NGT, various review meetings conducted by Talaja Monitoring Committee and Action taken reports submitted by the Board from time to time to Hon'ble NGT. He also briefed about the performance of the CETP based on the samples collected by the Board from CETP inlet and outlet from January 2020 onwards and remarked that Inlet parameters are almost within the standards and Outlet parameters are also considerably achieving the standards except some occasions. Average outlet COD parameter for the months September 2020 to November 2020 are 195mg/l, 204mg/l and 299mg/l respectively. RO Navi Mumbai further informed that Board has called DPR from IIT & NEERI vide dated 29<sup>th</sup> September 2020 regarding restoration of Kasardi river and accordingly, NEERI and IIT submitted their proposals on 17<sup>th</sup> December 2020. The same are under scrutiny at Board office and it will be finalized shortly.

Shri R.P. Patil, E.E., MIDC, Alibaug presented status of extension of existing effluent disposal pipeline work and informed as below:-

- 1) As per recommendation of NIO, new disposal of treated effluent is 3.3 KM ahead of existing disposal location.
- 2) Administrative approval for this work is accorded by competent authority amounting Rs. 90.92Cr. and MIDC has appointed the consultant for obtaining permission

from MoEF & CC.

- 3) EIA/Rapid EIA and CRZ mapping with IRS studies completed by Anna University, Chennai.
- 4) Application is submitted to MCZMA for the recommendation on 25<sup>th</sup> November 2020.
- 5) Proposal is in process of getting CRZ Clearance from MoEF& CC.
- 6) After getting CRZ Clearance, work will be executed and it will take about one year to complete the work of lay down the pipeline.

Shri Madhukar Naik, M/s KDC-Aqua (JV) Contractor and Operator of Taloja CETP presented the status of the work of CETP including various civil units and equipment along with the comparison of old and new situation with photographs.

Brief details given are as below:

- a. Phase-I and Phase-II of CETP are already made operational on 20.07.2019 and 30.12.2019 respectively. Presently both phases are running smoothly.
- b. CETP was in running condition in spite of lockdown situation due to Covid-19.
- c. CETP faced various problems regarding CETP equipment services and spares due to lockdown during period from March-2020 to May end.
- d. Phase-III of 5 MLD capacity almost all work is completed and now it is under stabilization stage.
- e. MIDC has finalized the work order of new RCC holding

tank of capacity 10,000m<sup>3</sup> for emergency holding to prevent shock load on CETP and presently excavation work is under progress.

- f. CETP has already obtained Consent to establish for additional Phase-III of capacity 5MLD from MPCB and now, CETP is in the process for obtaining consent to operate for 5 MLD capacity.
- g. Online Continuous Monitoring System (OCMS) is installed at CETP outlet & connected to the CPCB & MPCB server. However, OCMS installation at CETP inlet is not yet in operation due to its maintenance and servicing issue.
- h. Testing of CETP samples through third party laboratory has started as per suggestions of Taloja monitoring committee.
- i. Also informed that, CETP has undertaken Bioassay test at CETP and observed survival of fish during testing.

Shri Arvind Mhatre, Petitioner raised following points during discussion: -

- 1) Restoration work of Kasardi river is yet not started.
- 2) MIDC has not extended existing effluent disposal pipeline further 3.3Km, thus causing damages to the Mangroves and related aquatic life.
- 3) CETP has not provided the results of CETP through OCMS, hence we are unable to see the live performance of CETP.

Hon'ble Chairman directed Shri Arvind Mhatre that he shall

submit grievances through e-mail to MPCB & MIDC for review & consideration.

Shri Arvind Mhatre's other submissions are as below;

- 1) Cleaning process of River Kasadi is yet to be started.
- 2) There is still need for laying down 3.3km pipeline in Sea.
- 3) CETP must lay foundation for its Own Laboratory for Testing of air and water pollution.
- 4) Pollution reading device's to be installed in Taloja MIDC.
- 5) New hospital to be constructed For MIDC from CSR fund.
- 6) Phase 3 sludge deposited in Kasardi river belt to be disposed.

Shri Satish Shetty, President of Taloja Industrial Association stated that, he is happy with the performance of CETP and requested the Taloja monitoring committee for kind recommendation of lifting the ban on expansion and new establishment of industry in the Taloja MIDC Area, considering the achievement of consented parameters and enhancement of existing capacity of CETP. He also requested to provide the training center at CETP to cater the need of expert manpower in future time so as to run the CETP in efficient manner.

Hon'ble Chairman of the monitoring committee has suggested that after this committee is dissolved, Expert committee

of following members may be constituted for monitoring Talaja CETP and addressing grievances.

- 1) Representative from M.P.C. Board
- 2) Representative from MIDC
- 3) Representative from KDC-Aqua
- 4) Representative from TMA
- 5) Representative from TIA
- 6) Representative from PMC
- 7) Shri Arvind Mhatre-Petitioner

Shri Shreenath Shetty, Representative of one of the Industrial unit expressed his satisfaction towards progress and performance of betterment of CETP.

Shri D.B. Patil, Regional officer, Navi Mumbai has suggested following additional points for improvement of performance of Talaja CETP and betterment of Kasardi River:

- (1) MIDC shall give time bound program for "Extension of 3.3Km of existing treated Effluent disposal Pipeline in deep sea as per recommendation of NIO".
- (2) MIDC Sump No.-II located near Ghot Village is receiving effluent from fish / food processing units, and if it is not pumped within 12 hrs, septic conditions develop in the sump and thus created foul smell nuisance. Hence MIDC shall provide primary treatment with Aeration system in MIDC Sump No.-II. MIDC shall submit time bound program for the same

- (3) It is noted that about 2000m<sup>3</sup> quantity of sludge has accumulated in the MIDC Sump No.-II, which needs to be removed before March 2021. MIDC shall submit time bound action program for the same.
- (4) It is felt necessary that, MIDC shall provide foggers and deodorant spraying system on periphery of CETP to avoid foul smell.
- (5) MIDC shall carry out de-sludging / flushing of underground drainage pipelines by using hydra quarterly.
- (6) It is observed that sewage generated from various villages and township located nearby MIDC Taloja is entered into Kasardi River without any treatment. Panvel Municipal Corporation shall provide adequate treatment facility such as sewage treatment plant so as to prevent river Water Pollution.
- (7) Panvel Municipal Corporation shall take all the necessary steps for prevention of disposal of Municipal Solid Waste (MSW) in to Kasardi River.
- (8) MIDC shall install CCTV at key points of Kasardi River, so that any unauthorized and illegal discharge of effluent from Tankers into river will be prevented.

Shri Prasoon Gargava, Regional Director, CPCB and Member of Talaja Monitoring Committee while expressing satisfaction towards success of the action framework prepared by the committee to a great extent, suggested following points:

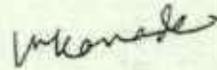
- 1) Hon'ble NGT has already directed all the local bodies to treat the sewage generated. Therefore MPCB has to take the follow up with local bodies for provision of sewage treatment facility (STP) in compliance of orders passed by Hon'ble NGT dated 28.08.2019 in O. A. No. 593/2017 and dated 06.12.2019 in O. A. No. 673/2018.
- 2) MIDC should ensure regular removal of sludge from all the sumps & CETP and disposal of sludge in scientific manner. It would be more appropriate if a proper SOP with schedule is devised in this regard.
- 3) The matter of expansion and new establishment of industrial unit in MIDC Talaja are required to be dealt by MPCB in line with modified directions issued by Central Pollution Control Board dated 31.03.2016, under Section 18(1)(b) of Water (Prevention and Control of Pollution) Act, 1974 regarding monitoring of CETPs. Directions issued by CPCB letter dated 25.10.2019 regarding mechanism for Environment Management of Critically and Severely polluted areas and to comply for consideration of activities in such areas in compliance to Hon'ble NGT order dated 23.08.2019 in the matter O.A. No.1038/2018 may also be referred.

- 4) The CETP should ensure the provision of online flow meter and its connectivity with portal of MPCB and CPCB on top priority.

Hon'ble Chairman expressed his overall satisfaction towards work done by all stakeholders and directed to submit the final report before next Talaja Monitoring Review meeting.

Hon'ble Chairman directed for timely action by all concerned on issues discussed and decision taken during the meeting. It is decided to hold next review meeting in the mid of February 2021 tentatively.

Hon'ble Chairman of the Committee expressed thanks to all for attending the meeting. Members of the committee and all the participants expressed gratitude towards Hon'ble Chairman of the committee for his valuable guidance, support and encouragement in implementing the action framework. Meeting ended with extending vote of thanks to the Chair.



**Justice V.M. Kanade (Retd.)  
Chairman, Monitoring Committee**