

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO 125 OF 2018
IN THE MATTER OF**

ARVIND PUNDALIK MHATRE

VS

MINISTRY OF THE ENVIRONMENT AND FOREST AND CLIMATE CHANGE AND OTHERS

REPORT IN COMPLIANCE OF THIS HON'BLE TRIBUNAL ORDER DATED 04.11.2019

1. In compliance of this Hon'ble Tribunal Order dated 04.11.2019, the Remedial Action initiated by the Respondent Board are summarized as under :-

- (a) The Respondent Board had issued Direction u/s 33A of the Water (Prevention and Control of Pollution) Act, 1974 and u/s 31 A of the Air (Prevention and Control of Pollution) Act, 1981 to the MIDC, Taloja, Dist- Raigad directing to take necessary steps and adequate precautions towards pipeline leakages and chamber overflow, timely repairing and maintenance work to avoid river pollution, smell nuisance etc. vide letter dated 31.12.2019. A copy of said Direction dated 31.12.2019 is enclosed and marked as an **Annexure "A"**.

MIDC has reported that the steps has been taken for repairing and revamping work of pipe line and the work and adequate precautions has been taken to stop the leakages.

- (b) It is submitted in compliance of Direction u/s 33A of the Water (Prevention and Control of Pollution) Act, 1974 issued to MIDC, Taloja dated 30.09.2019, it has been informed by MIDC, Taloja that the work of revamping and up-gradation of Phase I of Taloja CETP has been completed and taken in operation excluding

collection cum equalization tank and inlet channel & Oil and Grease chamber from 31.12.2019. At present, CETP Phase I & II are in continuous operations. Therefore, the Respondent Board has directed to MIDC, Talaja to stop the direct discharge of seven industries those have full-fledged treatment facility as well as discharge within MPCB prescribed standards at CETP Outlet which was granted earlier as a stop gap arrangement till completion of CETP Phase I revamp/ up-gradation work. It was further directed that said industries treated effluent should be taken at CETP inlet for dilution as well as further treatment and disposal with immediate effect. A copy of said direction dated 03.01.2020 is enclosed and marked as an **Annexure "B"**.

- (c) The Respondent Board has granted consent to Operate to Talaja CETP vide letter dated 11.11.2019 subject to certain term and conditions which is valid upto 31.12.2023.
- (d) It is submitted that the Sludge was not sent to CHWTSDF due to rainy season from June 2019 to Dec 2019. The Sludge stored in the sludge drying beds is now started to dispose to CHWTSDF, the CETP has disposed 83.14 MT on 02.01.2020.
- (e) The CETP has installed OCEMS at inlet and outlet. The OCEMS is commissioned on 26.12.2019 and connected to CPCB & MPCB server.
- (f) The Collection cum equalization tank of Phase I is taken for rehabilitation and up-gradation work from 01.01.2020, the work of removal of old accumulated sludge in the said tank is in progress. It will be completed by 20.01.2020 & the entire rehabilitation & Up-gradation of collection cum equalization tank will be completed by 15.02.2020.
- (g) Flow meter at outlet of CETP is installed and in operation. Flow meter at inlet will be installed after rehabilitation of inlet channel. The rehabilitation & Up-gradation of inlet channel & Oil, Grease chamber will be taken by 20.01.2020 & completed by 15.02.2020.

- (h) At present, work of Phase III of Taloja CETP is in progress and will be completed by 15.03.2020.
- (i) The Board has issued 96 nos. of Show Cause notices and 03 nos. of Proposed Directions u/s 33A of the Water (Prevention and Control of Pollution) Act, 1974 and u/s 31A of the Air (Prevention and Control of Pollution) Act, 1981 against defaulting industries in the month of Nov and Dec 2019.

In view of continuous efforts and vigilance carried out by the Board average inlet COD of Taloja CETP for the month of Nov 2019 and Dec 2019 are 1540 mg/l and 1094 mg/l respectively which is within the CETP design standard (COD – 2700 mg/lit.) It has been also observed that outlet average COD of Taloja -CETP has also shown decreasing trend for the month Nov 2019 : 624 mg/l and Dec 2019 : 286 mg/l, which indicates improved performance of Taloja CETP. A Statement of JVS Results of Effluent at inlet and outlet of Taloja CETP is enclosed and marked as an Annexure "C".


(Dr A N Harshvardhan)
Regional Officer-Navi Mumbai

MAHARASHTRA POLLUTION CONTROL BOARD
Regional Office - Navi Mumbai

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Navi Mumbai 400 614

No. MPCB/RONM/Direction/191231-FTS-4032

Date: 31/12/2019

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

Sub: Directions under section 33 (A) of Water (Prevention & Control of Pollution) Act, 1974 and/or u/s. 31A of Air (Prevention & Control of Pollution) Act, 1981 to take necessary steps to stop the discharge of effluent in to the river

- Ref:** - 1) Direction issued to your office time to time regarding overflow of chamber & Leakages of pipe line.
2) E-Mails sent to your office time to time regarding overflow of chamber & Leakages of pipe line.
3) Telephonic Complaint received from Mr. Arvind Mhatre, Petitioner on 26/12/2019 and 27/12/2019.
4) Visit of the Board Officer dtd. 26/12/2019.

WHEREAS, 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.

AND WHEREAS, the complaint was received from Shri. Arvind Mhatre, Petitioner on 26/12/2019 and 27/12/2019 regarding blackish colored water observed in Kasardi river. Accordingly the Official of the Board has visited to the said location on 26/12/2019 and reported that, the MIDC effluent disposal pipe line was found ruptured at G Block near M/s. Ravi Dye Ware industry and thereby causing leakage and black colored water observed in the river Kasardi. It is very clear that the operation and maintenance of treated effluent disposal pipeline is very poor.

AND WHEREAS, the MIDC Chambers are overflowing nearby above said area which was blackish colour, such type of newly provided chambers are overflowing has to be avoided strictly as well as proper maintenance is required to avoid pollution problems in around the vicinity of MIDC Taloja area and river sides.

AND WHEREAS, the CETP Operator has removed sludge from CETP units, which was thrown through pipes into the Environment. Possibility of the said chemical sludge may be mix up into Kasardi river through local nalla resulted into smell nuisance, Air pollution as well as river pollution cannot be ruled out. The said possibility and photographs was send by Mr. Arvind Mhatre, Petitioner to this office as well as Senior Government Officials of various departments, said by him.

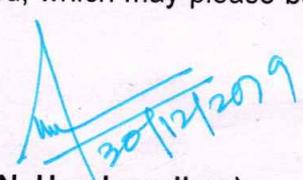
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AND WHEREAS, after examining the records of your case, the reports of the Officers of the Board and after making necessary enquiries, I have observed that you have violated the consent conditions and provision of various Environmental Acts. This shows your negligent attitude toward Environment Protection.

NOW THEREFORE, in exercise of the powers conferred upon me by the Board u/s. 33 A of the Water (Prevention & Control of Pollution) Act, 1974, you are hereby directed to:

1. Repairing & Revamping work of pipe line should be completed on priority.
2. You should take an adequate precaution towards inlet and outlet pipe line leakages & chamber overflow, timely repairing & maintenance work to avoid river pollution, smell nuisance etc.

Any reply shall reach this office within period of 05 days from date of receipt of this direction, failing which, further action as per the laws will be initiated, which may please be noted.


(Dr. A. N. Harshvardhan)
Regional Officer, Navi Mumbai

Copy submitted for favour of information to:

1. Hon'ble Chairman, M.P.C. Board, Sion Mumbai.
2. The Member Secretary, M.P.C. Board, Sion Mumbai.
3. The Chief Engineer, MIDC, Andheri, Mumbai.

Copy f. w. c to:

1. Superintending Engineer (Kokan), MIDC Panvel :- for information & immediate action in this matter pleas.
2. Regional Officer (HQ), MPC Board, Mumbai-for information.

Copy to:

Sub- Regional Officer, MPC Board, Taloja

He is directed to serve the directions in person and keep the follow up and submit compliance from time to time.

MAHARASHTRA POLLUTION CONTROL BOARD
Regional Office - Navi Mumbai

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Sector-11,
C.B.D. Belapur
Navi Mumbai 400 614

No. MPCB/RONM/Direction/200103FTS0192

Date: 03/01/2020

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

Sub: Directions under section 33 (A) of Water (Prevention & Control of Pollution) Act, 1974 and/or u/s. 31A of Air (Prevention & Control of Pollution) Act, 1981 to take necessary steps to stop the discharge of effluent in to the river

Ref: - 1) Directions issued to your office in respect of restriction of effluent upto 10 MLD at Phase-II of CETP Dated. 30.09.2019.
2) Hon'ble M.S visit along with sr. Officials of the Board to the CETP dtd. 02.01.2020.

We refer to the directions issued by the Board vide above Sr. No. (1) wherein you were directed to restrict inlet flow of CETP at Phase-II upto 9.5 MLD only for further scientific treatment and maintain MPCB consented outlet norms, also compliance of Hon'ble NGT order dtd. 03.09.2019.

AND WHEREAS, CETP Operator appointed by your good offices has informed to this office that Phase-I is commissioned and taken in operation from 31.12.2019.

In view of above you are hereby directed to stop seven industries direct discharge at CETP outlet, as a stop gap arrangement till completion of CETP Phase-I revamp/up gradation work. The said industries treated effluent should be taken at CETP inlet for further treatment and disposal with immediate effect.

This is issued with the approval of Member Secretary of the Board.

(Dr. A. N. Harshvardhan)
Regional Officer, Navi Mumbai

Copy submitted for favour of information to:

1. Hon'ble Chairman, M.P.C. Board, Sion Mumbai.
2. The Member Secretary, M.P.C. Board, Sion Mumbai.
3. The Chief Engineer, MIDC, Andheri, Mumbai.

Copy f. w. c to:

1. Superintending Engineer (Kokan), MIDC Panvel :- for information & immediate action in this matter pleas.
2. Joint Director (WPC), MPC Board, Mumbai-for information.
3. Regional Officer (HQ), MPC Board, Mumbai-for information.

Copy to:

1. Deputy Engineer, MIDC Talaja, Tal- Panvel – for information & immediate action in this matter.
2. Sub- Regional Officer, MPC Board, Talaja -He is directed to serve the directions in person and keep the follow up and submit compliance from time to time.
3. M/s. KDC Aqua, CETP Operator, MIDC Talaja.- for immediate action.

Annexure-C

Taloja CETP Co-Operative Society Inlet Analysis Reports for the duration Nov-2019 & Dec-2019

Parameter	04.11.2019	11.11.2019	18.11.2019	25.11.2019
	Inlet	Inlet	Inlet	Inlet
pH	6.7	7.3	7.4	6.8
BOD	800	500	180	1150
COD	1808	1496	424	2432
SS	172	156	234	216
O & G	2	---	1.8	2
TDS	2627	5584	2809	3649

Parameter	02.12.2019	09.12.2019	16.12.2019	23.12.2019
	Inlet	Inlet	Inlet	Inlet
pH	5.8	6.8	6.8	6.4
BOD	750	480	160	490
COD	1584	1264	488	1040
SS	418	164	148	236
O & G	1.8	2.8	1	2.6
TDS	4874	4259	3277	4519

Taloja CETP Co-Operative Society Outlet Analysis Reports for the duration Nov-2019 & Dec-2019

Parameter	04.11.2019	11.11.2019	18.11.2019	25.11.2019
	Outlet	Outlet	Outlet	Outlet
pH	7.7	7.6	7.9	7.8
BOD	---	290	170	140
COD	624	888	512	472
SS	---	118	112	134
O & G	1.2	---	1.0	1
TDS	3225	5211	5172	4713

Parameter	02.12.2019	09.12.2019	16.12.2019	23.12.2019
	Outlet	Outlet	Outlet	Outlet
pH	7.8	7.6	7.8	7.7
BOD	140	110	60	42
COD	376	348	228	192
SS	132	86	66	56
O & G	0	1	0	0
TDS	4670	5830	5114	3523