

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

APPEAL No.18 OF 2024 (WZ)

M/s.SEASAGA ENTERPRISES PVT LTD

APPELLANT

V/s

MAHARSHTRA POLLUTION CONTROL BOARD

RESPONDENT

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PUNE

DATE : 09/05/2024



ADVOCATE FOR THE APPELLANT

**BEFORE THE NATIONAL GREEN TRIBUNAL, WESTERN
ZONE BENCH, PUNE, AT PUNE**

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REJOINDER ON BEHALF OF APPELLANT

MAY IT PLEASE THE HON'BLE TRIBUNAL

Rejoinder on behalf of the above-named Appellant is as under: -

1. The Appellant submits that the Respondent herein has filed its reply dated 2nd April 2024. The contents of the said reply are not admitted by the Appellant and the same are denied in toto. The reply is completely silent as regards any environmental destruction or any violation caused by the activity of the Appellant. The Appellant is scrupulously abiding by the conditions mentioned in the consent to operate.
2. The Appellant herein has filed the present Appeal challenging the order dated 16th January 2024 passed by the Respondent herein.

3. The Appellant herein is engaged in fish processing activities at Taloja MIDC. Appellant had got Consent to Establish, in which, the Respondent had given permission for starting their activities. The Appellant for commencing the activities was required to obtain the membership of the CETP. Accordingly, the Appellant put up their factory set up and after that, when the factory got ready, they were supposed to go for Consent to Operate. Copy of the flowchart of the manufacturing process of the Appellant is annexed hereto and marked as **ANNEXURE – A-1**.
4. The Appellant submits that they approached the Respondent for the Consent to Operate, the Respondent in turn has informed them to wait for 1-2 months till the time CETP functioning gets resolved so that they can directly send the effluent to the CETP. During that the Appellant invested capital cost. The discharge to the CETP allowed the Appellant to save on the expenses.
5. The Respondent in the impugned order has directed the Appellant to go for Zero Liquid Discharge (ZLD). The Appellant, if goes for zero discharge, there is lot of expenses for the Company and Company cannot afford such type of recurring expenses, for which, the Appellant informed the Respondent. The Respondent in 2023 it has on case to case basis granted permission to industries, who

have got hydraulic load. The discharge sent by the Appellant to the CETP in fact helps to balance the load and is a good for functioning of the CETP. Copy of the flowchart of the ZLD process is annexed hereto and marked as ANNEXURE – A-2.

6. The Appellant, is engaged only in fish cleaning activity, and in the said activity only the remaining water which after cleaning is the sea water. In zero liquid discharge process the Respondent is directing the Appellant to do the treatment of the remaining of sea water. The Appellant submits that for the said process the Appellant has to evaporate it and for that, electricity is required and there is lot of cleaning in continue basis. The Appellant cannot afford money to be spent on the electricity for such type of operations and even the same is not practical also. The water which is discharged is always below 250 COD which means it is well within the consented parameters. The Appellant is not seeking any relaxation but the process of Zero discharge is not economically viable to the Appellant for the fish processing activities. The Appellant is hereby giving the economic breakup for easy understanding: -

MEE – PLANT OPERATION

COST PER DAY AS PER INSTALLATION CAPACITY

(a) MEE Capacity – 10 m³/day

(b) Electricity cost – Rs.13,152/- / 24 hours

(c) Fuel Cost – Rs.43,008/ 24 hours

Total = Rs.56,160/- Rs.5.61/- per litre.

7. The Appellant submits that the Respondent had stated that they will examine, and industries who have merits on hydraulic load and effluent will be beneficial to the CETP will go for dilution to the existing CETP. The Appellant submits that there is no violation from Appellant at all till date. The Appellant doesn't use any chemicals or harmful substances for its processes and hence there is no question of mixing of any chemical as it is purely water. The hydraulic load is also welcome move by the Respondent also and by CETP and that the Appellant is already existing member of the CETP.
8. The Appellant has already spent lot of money in the zero-discharge system implementation. At the initial time, the Respondent has informed that there will be only capital cost and nothing else, but unfortunately, when activity commenced, the 100% water, which is generated during the process, must be evaporated. The Respondent during the meeting with the Taloja Industries Association had

stated that the industries having online SCADA system will be permitted to send the effluent to the CETP **(Pg No.98)**.

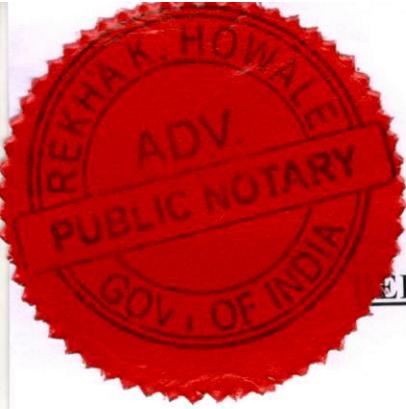
9. In view of the above the facts, it is humbly prayed that the present Appeal may kindly be allowed, and the impugned order be quashed and set aside.

Pune

Date : **09/05/2024**



Advocate for Appellant



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A F F I D A V I T

MAY IT PLEASE THE HON'BLE TRIBUNAL:

I, Mr.Yogesh Suryakant Ghag, adult, Occu.: business, having office at Plot No.E-27, MIDC Taloja, Taluka Panvel, District Raigad, do hereby state on solemn affirmation as under: -

I am the Factory Manager of the Appellant above named and responsible for day to day administration of my business. As such, I have gone through the Rejoinder and annexure thereto being filed today. I find that the contents therein are true and correct to the best of my knowledge and belief and which may be treated as part and parcel of the present affidavit.

WHATEVER STATED ABOVE is true and correct to the best of my knowledge and belief. In witness whereof I have signed hereunder at

BELAPUR on 09.05.2024 day of May 2024.

BEFORE ME

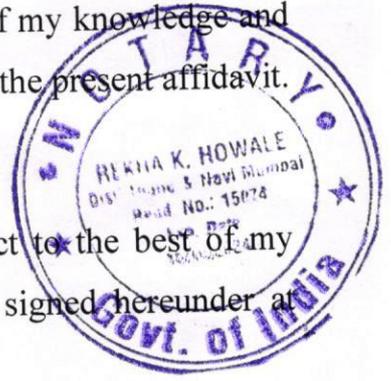
Phule
9/5/24

REKHA KISHORE HOWALE
Advocate & Notary Public
Shop No. 13, Prabhat Center,
Ground Floor, Sec. 1A,
CBD Belapur, Navi Mumbai-400614

IDENTIFIED BY ME

CK
(Adv. Kunal S. Ghag.)

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DEPONENT



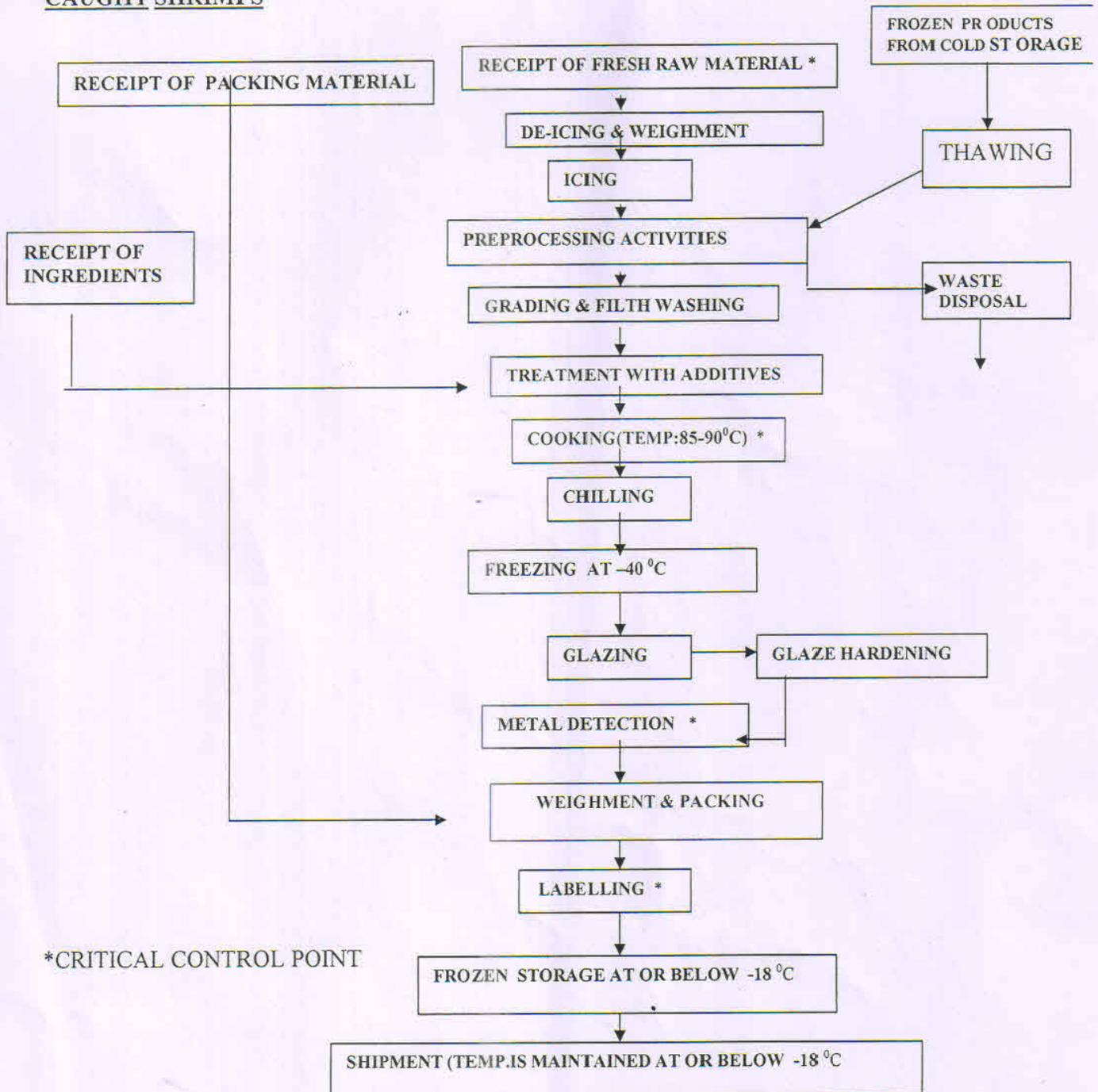
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SEASAGA ENTERPRISES PRIVATE LIMITED
HACCP MANUAL

SECTION : F .HAZARD ANALYSIS AND CRITICAL CONTROL POINT

CHAPTER 3. FLOW CHART FOR INDIVIDUALLY QUICK FROZEN COOKED SEA

CAUGHT SHRIMPS



*CRITICAL CONTROL POINT

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Prepared By	REENA.T.V	APROVED BY	NAVAS.M.K.



