

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, WESTERN

ZONE BENCH PUNE AT PUNE.

ORIGINAL APPLICATION NO. 58/ 2022.

Aryavart Foundation

... APPLICANT

v/s

M/s RIA CETP Co. Op. Society Ltd & others.

... RESPONDENT

**SUBMISSION OF STATUS REPORT IN COMPLIANCE OF HON'BLE TRIBUNAL ORDER
DATED 6.7.2022**

1. In compliance of the Hon'ble Tribunal order dated 6.7.2022, (**Annexure "A"**). The Board has issued office order and constituted joint committee comprising of representative of Ministry of Environment, Forest and Climate Change, IRO Nagpur and representative of Regional Director, at CPCB, Pune and Regional Officer-Raigad, MPCB. The said committee directed to assess and submit factual action taken report about the violation caused by M/s Ria CETP Co-Op. Society Ltd, Dist- Raigad. A copy of said office order dated 28.7.2022 is enclosed and marked as an (**Annexure "B"**).
2. It is submitted that the Joint Committee carried out visit to M/s RIA CETP Society Ltd, Raigad on 2/9/2022. During the visit joint committee has collected effluent samples at different stages of M/s RIA CETP Co-Op. Society Ltd on 2.9.2022 in order to assess the performance of CETP.
3. It is submitted that the after visit of Joint Committee, the committee will require 20 days for submission of its report before this Hon'ble Tribunal.
4. It is therefore, prayed to grant 20 days period to file final Joint Committee report before this Hon'ble Tribunal.

Solemnly affirmed as on 02 Day Sept, 2022.

For and on behalf of Joint Committee

(Signature)
02/09/2022

(Vidyasagar V Killedar)
Regional Officer-Raigad
Nodal Agency

Item No.01

(Pune Bench)

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

(By Video Conferencing)
Original Application No. 58/2022(WZ)
I.A. No. 73/2022(WZ)

Aryavart Foundation

Applicant(s)

Versus

M/s. Ria CETP Co-Op. Society Ltd. & Ors.

Respondent(s)

Date of hearing: 06.07.2022.

**CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

Applicant(s): Sh. Raj Panjwani, Sr. Advocate

ORDER

1. **I.A. NO. 73/2022:-** Heard the argument of Sh. Raj Panjwani, Learned Counsel for the Applicant on Interlocutory Application No. 73/2022 whereby prayer is made for impleadment of Ministry of Environment, Forests and Climate Change (MoEF & CC), Maharashtra Industrial Development Corporation (MIDC) and District Collector, Raigad as Respondents in the present matter.

2. At this stage, we are convinced that only Maharashtra Industrial Development Corporation (MIDC) needs to be impleaded and accordingly, we allowed this Application partly.

3. We direct the Applicant to take necessary steps for impleading the Maharashtra Industrial Development Corporation (MIDC) as Respondent No.4 and file amended memo of party by tomorrow itself.

4. **Main Matter:-** Heard the argument of Sh. Raj Panjwani, Learned Counsel for the Applicant.

5. The prayer is made therein that the Respondent No.1 -M/s. Ria CETP Co. Op. Society Ltd. should be directed to be closed and special and punitive

damages be imposed upon Respondent No.1 towards restoration and restitution of environment caused by releasing effluents/emissions not in conformity with the prescribed standards.

6. Further, it is prayed that Respondent No.2-Maharashtra Pollution Control Board (MPCB) be directed to conduct a survey to determine the environmental damage caused by Respondent No.1 and also prosecution be initiated against Respondent No.1 by Respondent No.2.

7. The Applicant in the present case is a society which has been routinely prosecuting industries which have been acting in contravention of the environmental laws and norms.

8. The Applicant has gathered information under Right Information Act, 2005 (RIA) with respect to the various violations having been committed by the Respondent No.1.

9. Paragraph no. 10 to paragraphs no. 93 of the paper book show that various violations and non-compliances have been noted and proofs with regard to that have also been annexed in the form of annexures. On the basis of the said documentary evidences annexed, we find that substantial question of environment appears to be made out in the present matter. Therefore, we admit this Application.

10. Issue notices to the Respondent Nos. 1 to 3 and also to the newly added Respondent No.4, returnable within two weeks.

11. Applicant is directed to provide copy of the application and relevant documents to the respondents within a week.

12. Respondents are directed to submit their reply within three weeks.

13. Applicant is also directed to take necessary steps for service upon the respondents by both ways and also through available email.

14. We deem it just and proper to call for a report on the matter in issue in present application, from a Joint Committee consisting of:-

- (i) One Representative from the Ministry of Environment, Forests and Climate Change (MoEF&CC)
- (ii) One Representative from the Central Pollution Control Board (CPCB);
- (iii) Representative of the Maharashtra State Pollution Control Board (MSPCB).

15. The Committee is directed to visit the site and submit a factual and action taken report with regard to the violation if any action taken thereon, within one month. The Maharashtra Pollution Control Board (MPCB) will be the nodal agency for coordination and logistic support.

16. The report in the matter be filed by the Committee by e-mail at ngt-pune@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

17. Applicant is directed to supply the required documents and copy of the application to the members of the Committee within three days from today.

Put up with the report on 05.09.2022.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

July 06, 2022
Original Application No. 58/2022(WZ)
I.A. No. 73/2022(WZ)
JG

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010437/24020781/24014701

Fax: 24023516/24024068/24044531

Website: www.mpcb.gov.in

Kalpataru Point, 2nd - 4th Floor
Opp. Cine Planet Cinema,
Near Sion Circle, Sion (E)
Mumbai- 400 022.

Your Service is our duty

NO. -BO/RO(BMW)/B-220728FTS0139

Date: 28/07/2022

Office Order/2022

Sub :- Constitution of Joint Committee in OA No 58 of 2022 to assess and submit factual Action Taken Report about violation caused by M/s Ria CETP Society Ltd, Dist- Raigad

Ref :- Hon'ble NGT Order dated 6.7.2022 in OA No 58 of 2022 filed by Aruavart Foundation Vs M/s Ria CETP Co-Op Society Ltd and Others

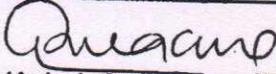
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Aryavart Foundation has filed OA No 58 of 2022 & raised the issue of releasing effluent/emission not in conformity with the prescribed standards by M/s Ria CETP Co-Op Society Ltd as well as of restoration and restitution of environment by imposing damages on the said unit. The Hon'ble NGT has constituted joint committee consisting of the following members.

- | | | | |
|------|---|-----|-----------------|
| i) | Representative from the
Ministry of Environment , Forests and Climate Change
MoEF & CC, Govt of India
New Delhi. | ... | Member |
| ii) | Mr. Pratik Bharne, Scientist E,
Regional Director Pune
CPCB, New Delhi | ... | Member |
| iii) | Mr. V. V .Killedar,
Regional officer, Raigad
MPCB. | ... | Member Convenor |

Terms of reference for the joint committee are as follows :-

- The committee shall visit the site and submit factual and action taken report with regard to violation if any, & action taken there on within one month.
- The MPCB is nodal agency for co-ordination and logistic support.
- The report shall be filed by the committee by email at ngt-pune@gove.in.


(Ashok Shingare, IAS)
Member Secretary

Copy submitted to :-

- One Representative from the Ministry of Environment , Forests and Climate Change MoEF & CC. New Delhi.- for information.
- Mr. Pratik Bharne, Scientist E, Regional Director Pune, CPCB.
- Mr. V. V .Killedar, Regional officer, Raigad, MPCB.

Copy f.w.cs to :-

- Regional Officer-Raigad – He is requested to co-ordinate with the